U. S. Congress.

Congressional Record

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

FIRST SESSION

OF THE

SIXTY-FOURTH CONGRESS

OF

THE UNITED STATES
OF AMERICA

VOLUME LIII

WASHINGTON
GOVERNMENT PRINTING OFFICE
1916

Congressional Record.

SIXTY-FOURTH CONGRESS,
FIRST SESSION.

VOLUME LIII, PART 6.

(PAGES 5201 TO 6256.)

302509

Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-FOURTH CONGRESS, FIRST SESSION.

SENATE.

FRIDAY, *March 31, 1916.*

(Legislative day of Thursday, March 30, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. CHAMBERLAIN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Hollis	O'Gorman	Stone
Brandegee	Johnson, S. Dak.	Overman	Sutherland
Burleigh	Kenyon	Page	Swanson
Catron	Kern	Pomerene	Taggart
Chamberlain	Lane	Shafroth	Thomas
Clapp	Lippitt	Sheppard	Tillman
Colt	McCumber	Sherman	Underwood
Culberson	McLean	Simmons	Vardaman
Cummins	Martin, Va.	Smith, Ga.	Wadsworth
Curtis	Martine, N. J.	Smith, Md.	Warren
Gallinger	Myers	Smith, Mich.	Weeks
Gronna	Nelson	Smith, S. C.	Williams
Hardwick	Norris	Sterling	Works

Mr. HOLLIS. I desire to announce that the senior Senator from Maine [Mr. JOHNSON] is necessarily absent. This announcement may stand for the day.

Mr. KERN. I wish to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER]. He is paired with the Senator from Idaho [Mr. BRADY]. This announcement may stand for the day.

I desire also to announce the unavoidable absence of the Senator from Arizona [Mr. SMITH] on account of illness. This announcement may stand for the day.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present. The pending amendment is the amendment offered by the Senator from Iowa [Mr. CUMMINS].

Mr. CHAMBERLAIN. I understood the Senator from Iowa [Mr. CUMMINS] had the floor, but he stated to me a little while ago that he is going to yield to the Senator from Colorado [Mr. THOMAS], who gave notice that he would speak today on this subject.

Mr. CUMMINS. While the amendment I have offered is pending the Senator from Colorado has given notice of an address this morning, and I will be very glad, as far as I am concerned, to take the floor after he has finished.

Mr. THOMAS. I thank the Senator.

Mr. NELSON. Will the Senator from Colorado yield to me for a moment?

Mr. THOMAS. Certainly.

Mr. NELSON. I have an amendment to offer to the pending bill, and I should like to present it and have it printed and lie on the table.

The VICE PRESIDENT. It will be so ordered.

Mr. THOMAS. Mr. President, the bill reported by the Senate Committee on Military Affairs and which is now the unfinished business is designed, as far as the committee was able to do so, to meet present requirements and establish a method of progressive increase of the Army. Its companion bill will be that offered by the Committee on Naval Affairs and designed to accomplish a similar end as to that branch of the service.

This bill has been framed with much care and after full information from all points of view. To the distinguished chairman of the committee belongs the chief credit for framing the measure as it has been presented and for a patient investigation of all those details which are essential to any well-prepared scheme of Army organization.

It is not a perfect measure; but, as far as it is possible for human foresight to safeguard the present and care for the future, with a due regard to the general public requirements, we believe it to be as near to what the Congress should do as is possible under all the circumstances.

Some of its provisions do not appeal to me and some others are not so desirable as companion propositions appearing in the House bill. Time may demonstrate that it has many deficiencies not now observable, but these fortunately can be corrected by additional legislation as the demands of the future may require. We are confident that it is free from the reproach of partisanship and that it is the composite result of an earnest desire upon the part of all members of the committee, without regard to politics or party affiliation, to give to the Senate a bill which it can accept with some confidence that it will be practical and successful in operation.

And, indeed, Mr. President, though its imperfections may be many, I am sure that it will monopolize the resources of the department for its development for some time to come, and that through the process of development experiences will be gained and deficiencies discovered which, as I have stated, can and will be remedied by future legislation.

The bill, Mr. President, will not satisfy the extremists in either direction, and particularly those who demand a very large Army and an equipment little, if any, below those of military nations. Cecil said many years ago that "to have too much forethought is the part of a wretch; to have too little is the part of a fool."

I have little sympathy, Mr. President, with the views of extremists upon the subject of preparedness in either direction. At the same time I respect their convictions, and, with the exception of some of the militarists, for their sincerity.

The fact, however, that it does not meet the expectations of these representatives of part of the public sentiment of the country will doubtless result in a challenge of the efficiency of the bill, and therefore it must be justified by its sponsors. Hence the reasons assigned for a larger establishment than this bill provides requires some discussion, for if they are sound, if there is a menace of danger to the country in the immediate future as real as many declare and as some believe, then, of course, this Nation should go upon a war footing as soon as possible and the proposed measure either be amended, very largely transformed in fact, or rejected altogether. For modern wars, Mr. President, are those of nations and not of armies. In the great conflict now raging across the seas every resource of every nation has been marshalled into action, and the fighting and firing line are coterminous in some instances with the boundaries of empires; in others they stretch so far that flanking movements are impossible without violating the territory of neutral nations.

I do not hesitate to say, therefore, Mr. President, that if we are face to face with a probable invasion, if our condition is such as not only to prevent but as to invite the hostile incursions of some first-class power or powers, the conclusion which has been pressed upon public attention so frequently and so much that preparedness to the last degree is an essential element of our future preservation becomes an unanswerable proposition. But I contend, Mr. President, and I shall attempt to show that while there is necessity for extending the national defenses, strengthening our forces on land and on sea, nevertheless the reasons for it can not be found in the menace of a threatened invasion.

It is contended that we are the wealthiest, most helpless, most envied, and most disliked of nations. Of our opulence there can be no question, and opulence is always attended by the envy of those who do not share it, whether it be the opulent individual or the opulent nation. That we are the most helpless is at least admitted to be a debatable question, and that we are the most disliked of nations can be demonstrated to be false.

I agree, Mr. President, that the advantage which we have taken, and very naturally, of the needs of the nations at war, the exacting contracts which have been extorted from them, the

enormous transfer of wealth from them to ourselves, the occasional lapses in performance, particularly with regard to the quality of the goods furnished, have very naturally aroused a feeling of dislike which would be reciprocal if the case were reversed, and there is no doubt that much dissatisfaction has been engendered, which may have ripened or will ripen into resentment consequent upon commercial conditions which the war has created between our own and some of the warring nations and which have been to the immeasurable advantage of America.

It is said that we have incurred the animosity and tempted the cupidity of other nations against whom we must arm thoroughly and speedily lest we be lost; that our armament on land and on sea, if we would be immune from attack, must be second to that of no other first-class power. As one authority has expressed it, "To do less than this were worse than not to arm at all." I repeat that if these premises are true the conclusion is unavoidable.

But, Mr. President, the war scare is no new thing. It has existed and has appeared intermittently for many years; it will continue to manifest itself so long as men are engaged in private occupations, the prosperity of which is dependent in whole or in part upon war conditions.

Surely the public can not have forgotten the charge of Dr. Liebknecht, made in the German Reichstag in 1912, of a world-wide munitions trust, in which were involved not only the capitalists of all the civilized nations, not only distinguished civilians in these several countries but members of the military and naval organizations and clergymen as well, all of whom, through their identification as shareholders with this great combination, were interested in furnishing arms and munitions of war to whatsoever nation might be induced to purchase. It can not have forgotten that the investigation of these charges disclosed their truth; that the Krupps admitted an annual expenditure of some $200,000 in disseminating war rumors and operating upon the fears of hostile peoples for the promotion of contracts for guns and ammunition.

I remember very well, Mr. President, how the exposé shocked this country. Beginning with Germany, it involved all the first-class powers of the world, and among other things disclosed the fact that the so-called Harvey Co., an American corporation, was the connecting link which bound great American concerns like the Bethlehem Co. with those of Great Britain, of France, and of Germany.

Nor can we overlook the fact that Japan is an ancient specter, rising bellicose and defiant on the western horizon with the regularity of the seasons and threatening the invasion of America about 30 days before the meeting of every Congress—a specter, Mr. President, which, as is suggested to me, anticipated the consideration by the Military and Naval Committees of their respective subjects regularly and habitually clothed in the crimson raiment of blood and of rapine, and appeasable only by the propitiatory offering of battleships and ammunition. It may be that these apparitions had, and still have, some foundation, but what I wish to impress upon the attention of the Senate is that, true or false, these warnings of unseen but palpable dangers, the expression of their imminence, and their magnitude are not the offspring of the great war in Europe. That has merely shifted them in a different direction and given them renewed force. It has changed the point of attack, and the threatened invasion has been shifted from the Orient to the Atlantic.

Mr. President, the effect of the sudden outbreak of this great conflict upon the reasoning faculties has been most apparent. The war came with all the shock of a world-wide, unexpected catastrophe. Perhaps we might have known—doubtless many of us foresaw—that the constant and continually expanding military and naval equipments of the countries involved would inevitably lead to the existing debacle; but, generally speaking, mankind had reached the comforting conclusion that great wars were things of the past; that the enormous national liabilities, the control of the finances of the world by comparatively few men, the softening, elevating, and refining influences of our modern civilization made any future great conflict impossible. These delusions, Mr. President, dissipated in an instant, disorganized for the time being the rational faculties of mankind and shattered their capacity for an intelligent consideration of the "change of front of the universe."

In a recent article in the Saturday Evening Post entitled "War's madness," Will Irwin says:

> The great wars of the past have been fought in unanalytical ages. The historians and diarists have recorded battles, diplomatic maneuvers, the thoughts of statesmen and generals. No one, so far as I know, has speculated very much on the state of the public consciousness, and no one, before Armageddon broke out, seems to have understood that the mind of war is an abnormal mind, that he who touches it becomes infected with a madness. It has always been so, I suppose; but it is doubly so now, when war on an unprecedented scale has affected a set of nations highly civilized and possessing, therefore, highly organized nerves.
>
> From the very beginning of the war Europe was abnormal, although the abnormality had then a different form from the present madness. No one in those early days seemed ever to smile; and this was equally true of the French, the Germans, the British, and the Belgians. Laughter I heard, but it was metallic laughter. The sound which a London theatrical audience made after a comedian sprang a joke was quite different in quality from the hearty laughter of ordinary times. You perceived it, too, in the people on the streets. A London crowd is always somber enough; but never before did it look like this. People walked stooping, their eyes on the ground. When they raised their faces you saw that their brows were curiously knit. That is the sympton which one notices most commonly in a madhouse. No lunatic's brow ever seems quite in repose. Such was the composite face of London in August and September, 1914.
>
> It was the face, too, of Brussels, as I found when I arrived there, just before the Germans came. Brussels, of course, was anxious and very much afraid. In spite of newspaper yarns about the heroic defense of Liege, the Belgians really expected just what has happened. But anxiety could not exactly account for the strange expressions, for the oddity of the gestures and movements among the people on the streets. They talked and acted by jerks.

These emotional conditions, Mr. President, are kaleidoscopic; they attack the imagination and reasoning powers first from one and then from another angle. Among other things, they breed credulity. Men are prone to believe whatever they hear if asserted with conviction.

Thus, Mr. Irwin calls attention to the fact that shortly after the outbreak of the war—

> Europe was a study in the growth of rumor. Bizzarre reports, great and small, ran from mouth to mouth. There was the famous story of the Russian forces in England, which was told so circumstantially that even the correspondents of neutral nations, comparatively calm in this soul tempest, came to believe it.

And I am reminded by this reflection, Mr. President, of an incident that occurred shortly after the declaration of war against Spain by the United States in 1898. I happened at the time to be in the city of Chicago when a rumor came over the wires that the Spanish fleet was in the lines of European and Atlantic travel under orders to sink or to intercept all vessels bearing the American flag. I saw a mob around one of the telegraph offices with white faces and pallid lips, clamoring for news from the great American trans-Atlantic liners bearing friends and relative to and from America. Every individual in the throng was panic-stricken by the rumor, which was accepted without question as to its accuracy. The public mind was off its balance; hysteria had for the time dethroned common sense; excitement and apprehension were uppermost. Next morning the rumor was dissipated, but the state of the public mind consequent upon the declaration of war was receptive to every rumor, however unreasonable, with which it might be confronted. So the rumors of the Russian invasion of Germany through Great Britain, like the rumors of the Spanish fleet of 1898, mythical and absurd though they were, for the time being were facts as real, as absolute, and important as any which have actually transpired since then.

These mental maladies, Mr. President, are contagious. They inevitably spread to neutrals and arouse the fears and the apprehensions of their people. They also, unfortunately, arouse their cupidity, and this, the greatest of all wars, has for the time excluded dispassionate consideration of all other topics. Our capacity for calm and sober judgment of men and of events has been disturbed by our emotions; our vision has been clouded by the dust and smoke of the conflict; abnormal and horrible conditions have aroused national sympathies, antipathies, and apprehensions. Our indignation has been inflamed by atrocities in Belgium, in Servia, in Armenia, and in eastern Prussia, and we shudder at the thought of their possible repetition in America.

Nations, like individuals, Mr. President, are governed more largely by their fears and their prejudices at all times than by their reason. I think that may be stated almost as an axiom, which can appeal for its truth to the history of civilization. Hence we have been prone to imagine perils impending, but which for our hysteria would unquestionably excite our derision.

War, too, has developed latent race tendencies in our composite citizenship. These have been aroused, and, to some extent, new political alignments have been consequently made. We have been appalled by the brutality of modern warfare, and particularly by the discovery that our civilization, after all, is but a thin veneer; that we are barbarians all; that our knowledge, slowly accumulated by the generations, seems in its last analysis to aggravate our brutality and extend our power to destroy.

I pause here, Mr. President, to say that, in my judgment, the most valuable lesson which America has derived from the great European war is the consciousness of the fact that there is in this country no unity of American citizenship, no oneness of

purpose, no distinctively national policy. On the other hand, we seem to be a polyglot combination of races, which have not been fused in the melting pot, which finds expression each along its own lines of nationality, which have not yet grasped the value or the significance of free institutions or the necessity of maintaining the Government, that its institutions may endure.

We now perceive that our constant pursuit of things material, our strife for wealth and luxury, have taken the flush from patriotic impulse, has dulled the edge of our devotion to the Nation, has made us indifferent to the precious institutions of which it is the custodian, has caused us to forget the terrible cost at which they were acquired. It remains for us to take advantage of that lesson, Mr. President, by cultivating a oneness of sentiment, an equality of citizenship, the establishment and administration of justice in all its aspects, to the end that true Americanism may become the enduring element, binding us all to the defense, as we are bound in the destiny, of the great Republic.

Mr. President, that sort of preparation is indispensable to the success of all others, for without the national feeling, that oneness of purpose, that love of country, that exaltation of American institutions above every other earthly consideration, all the armies and all the navies, the panoply of war, "the captains and the shouting," will be unavailing if the crisis of the Nation's existence, which, God forbid, should ever confront our people.

War, Mr. President, has also profoundly affected us economically, socially, politically, and morally. It has doubtless subjected us to dangers, but at the same time it has offered us marvelous opportunities. These, of course, I can only mention and enumerate in passing. It has given us new markets, stimulated production, shifted the financial center of the world. It has been a graphic verification of the truth of Mr. Seward's celebrated dictum in 1861, "There is no customer like a great nation engaged in offensive warfare."

The war has also doubtless necessitated departure by belligerents from the lines of international law in their treatment of neutrals. These departures have brought us at times into diplomatic difficulties with nations that are leading in the conflict, some of which are still existent, but all of which, I trust, will be disposed of without resorting to the close of diplomatic relations or to acts of retaliation.

Advantages caused by war demands have created new lines of production and new captains of industry. These have seized opportunities and have prospered abnormally, not only through the needs and agony of nations by the manufacture of equipment necessary for their purposes, but also through the manipulation of the stock market. Their suddenly acquired gains and their methods of acquirement doubtless makes it difficult for some of them "to sleep o'nights." In the language of Shakespeare they "Weep to have what they so fear to lose"; and perhaps, actuated by a possible sense of danger, they are earnest in their loud and constant clamors for preparation.

Mr. President, those who thrive by war are naturally desirous of continuing war conditions. I think it was Demetrius the silversmith who protested against assaults upon the temple. He was an image maker, and by that means he made his livelihood. The public state of mind resulting from war, the reasoning faculties obscured, the emotions aroused, and the imagination ready to depict or to entertain any and every assertion of existing danger, became fertile soil for the seed of the war-rumor propaganda. Mankind was ripe for suggestions and self-interest was swift to make them.

One prominent newspaper a few days ago asked the question, in arguing for an expanded military organization: "Who would have supposed possible such a war as this? Is our invasion the more impossible?" The answers to such questions, Mr. President, are easily made by an excited and apprehensive audience. Very naturally it accepts the suggestion which such inquiries involves, and recognizes the necessity, because believing the rumor, of providing against the imagined danger by clamoring for most immediate and extensive "preparation."

Mr. President, there is yet another motive which prompts the declaration that our exposed and defenseless condition invites, and may suffer, immediate incursions from other countries. I refer now to those who are interested in the continuation of existing internal conditions and who shrink from all change either as chauvinistic or as injurious. It is well known that this country, at and before the outbreak of the war, was absorbed in the consideration of matters of grave domestic concern. They had reference to abuses which were the outgrowth of commercial and economic conditions and which found expression in discontent, which manifested itself sometimes in very dangerous outbreaks and collisions in election contests, in legislation, and at all times in active agitation of a more or less effective character. Now, the demand for immediate preparedness, if made insistent, necessarily crowds out all other affairs of public concern, and therefore it is to the interest of those who believe in the good old doctrine of laissez faire to substitute the cry for preparedness, for a great naval and military establishment, and to base that cry upon the charge that we are in imminent and immediate danger of invasion, since it is impossible, in the inflamed condition of the public mind, thus aroused and thus appealed to, to consider any other than the immediate question. Therefore, reforms, no matter how badly needed nor how insistent, will be either shelved, postponed, or forgotten.

It is an old saying that when the whole family goes to the circus there is the opportunity of the porch climber; and when the whole Nation has its attention fixed upon the threatened danger, not only of invasion but of extinction, every legislative reform, every social change, however needed, is necessarily postponed to the consideration of the immediate danger, and when postponed the chances are that it may be permanently forgotten in the consequent absorption of the public mind. Plans and policies for internal regulation of economic and social affairs become then no longer prominent, and may reforms which are crystallized into law halt in their operation.

I have noticed that one of the immediate consequences of the war in this country has been the establishment of two great combinations, second in magnitude only to the United States Steel Corporation, one being the Midvale and the other, if I recollect correctly, the Cambria, although I am not positive as to the exact name of the latter. And, Mr. President, their formation, which would have been the signal for excited and determined opposition prior to August, 1914, has not created a solitary ripple of excitement or of more than passing notice anywhere. The time is ripe for these combinations. They have sheltered themselves behind the bulwarks of a supposed necessity for immediate preparation for national defense, and the good work will doubtless continue, as does the process of wealth consolidation, which seems also to proceed unhindered; indeed, that which is used to divert public attention from these things becomes an asset easily coined into gold while we are preparing to meet an enemy of the imagination.

Then, too, Mr. President, increased public expenditures which preparedness necessitates may also force a return to the good old tariff conditions. Extensive preparation means very largely increased public expenditures. People dislike direct taxation or any taxation of which they are cognizant. They submit to indirect taxation easily because it is unobservable, and those infant prodigies which have been disciplined by the enactment of the Underwood bill doubtless look upon this war as a providential occurrence, which, properly handled and wisely conducted, may force the hand of a reluctant Congress to return to the good old days of the Payne-Aldrich tariff, and, as the Senator from Oklahoma [Mr. GORE] suggests, justify the war from that standpoint. I commend this phase of the so-called menace of an invasion particularly to the consideration of my friends on this side of the Chamber.

Then we are told, to use the expression of one of the great New York papers, that New York and Boston and Philadelphia and Chicago are drunk with money. The proceeds resulting not alone from the increased demand for manufactures and foodstuffs, but from the values given to shares and bonds representing the institutions thus engaged, has brought to this country countless millions of dollars, gorging the avenues of trade, and becoming to some degree a positive burden in the economic channels of the country. What better outlet for them than a bond issue, with the people of the United States and their wealth as the basis of the security? These gentlemen are in a position not only to furnish us with everything necessary for preparedness, but also to lend us the money, if so be we shrink from taxing the people directly, at a comfortable rate of interest, and thus have the Nation as the old darky arranged his coon trap—so as to catch the people of the country "a comin' and a gwine."

I have heard many suggestions of bond issues here, and from public men at that, in connection with general and loose discussion of the means to be resorted to for the purpose of securing a needed added revenue. I have noticed that some of the financial papers, first hinting, have afterwards openly advocated that method of financing our new schemes of preparation. For my part, Mr. President, I hope the Congress will not consider them at all. There is no need in this day, with all the wealth that has been accumulated in this country, for mortgaging posterity by the issuance of a single dollar of added indebtedness; and I think it is well that that fact should be made as clear as possible, to the end that this element underlying the propaganda for extensive and unlimited preparation may understand the

situation. As far as I am concerned, I believe, as far as we can do so, in placing the expense consequent upon our necessary military and naval expansion upon the wealth of the country, and particularly upon the war industries, if I may so term them, of the Atlantic States.

What is it that is said to be so attractive to these mercenary countries of the Old World, armed to the teeth, and looking with dripping chops upon the splendid spoils offered to them upon our defenseless shores? What is it but the accumulated wealth, aggregating billions of dollars, and unequally distributed among the people living along the northeastern part of this defenseless shore? Shall your sons and mine be enlisted and take their place in the ranks, equipped with munitions of war to defend this country, and to defend, of course, that wealth, and at the same time be made to pay for it? We who bear the burden of the day, the heat, and the conflict of actual warfare, are offering the supreme test of loyalty and of citizenship. Therefore let those whose accumulations are to be protected, and the amount of which constitutes the tempting lure to the other nations of the world, meet the financial obligations which we must assume so largely on their account.

These various conditions, Mr. President, somewhat crudely stated, have given the old Army and Navy propaganda an added impetus. Japan has been succeeded by Europe as the "accelerator of public opinion," if I may use the expression of a somewhat celebrated New York politician. The propaganda began with the firing of the first gun at Liege, since which time the press, the pamphlet, the moving picture, the perambulating orator, the convention, the church, and the professions have all been enlisted for the crusade. The administration and the Congress have been denounced in unmeasured terms for their supineness, their indifference, and, above all, for their lack of patriotism in failing to recognize and to provide against the danger. If any effort that could have been made has not been resorted to to stampede the Nation, I am at a loss to know what it is. The movement has been organized; it has been well conducted; it is certainly managed with rare executive ability; and while unquestionably it comprises a considerable portion of the patriotism of the country, at bottom, Mr. President, cupidity and avarice and greed are the basis of the propaganda. Its expense has been enormous, but that has not proven at all embarrassing. From these sources and interests have come wars and rumors of war; our helpless military and naval condition have been exploited; our enormous wealth, the ambitious designs of other powers, their hostility toward us, and their contempt for us. With a few honorable exceptions, the entire press of the country has voiced these conditions for months, accentuated with growing frequency, by abuse of the President and denunciations of the Congress for their supineness and indifference to an obvious national peril.

Mr. President, if we are one-tenth as helpless as some of these gentlemen and some of these organizations have declared us to be, true patriotism would have suggested that they keep silent about it instead of advertising our great wealth, our inability to defend it, our sloth, and our opulence to these covetous nations across the sea. As it is, no nation, however insignificant; no invasion, however ridiculous; no menace, however absurd, has been suggested that has not found lodgment somewhere. Apprehension has given way to fear and fear to hysteria, that the future is pregnant with hidden but real dangers to our national peace and integrity. How clearly a moment's reflection reveals the fact that the real menace is to our National Treasury; that the contemplated assault is directed by these national scandal mongers upon the national resources.

Mr. President, this militarist propaganda, which combines a medium portion of patriotism with a very large portion of pelf, is a commercial enterprise. The enormous profits of the makers and venders of war supplies will probably cease with the war itself, unless a new market for their wares can be provided. The best and perhaps the only available new customer is the Government of the United States. If it can be seduced or frightened or stampeded into a policy of unlimited naval and military equipment, the new business will continue, even though the war should end to-morrow.

Mr. President, I do not want to be unfair in this discussion. I am quite aware that cupidity, the desire for gain, the ambition for material progress and benefit through the medium of so-called preparedness, is not confined to the munitions makers. It is an inherent American propensity, and where it is not inherent has been cultivated everywhere. "We all do it." I think I am within bounds when I say from two to three thousand bills have been introduced and are now pending in the two Houses of Congress at the instance of individuals or of localities, based upon the theory of needed preparedness, and having for their purpose and object the securing of appropriations to be expended in those localities, but which, but for the propaganda, never would have been dreamed of. I mention this fact in no spirit of carping criticism. The average citizen can not be blamed for imitating a common example nor for demanding a share in a proposed scheme of nation-wide expenditure. When gain and glory go hand in hand, patriotism waxes not in the crowded marts of commerce only, but in the highways and byways everywhere.

I want to read an extract from a letter which I received some days ago as illustrative of the fact that the material side of the extended and unlimited propaganda is not confined to the Atlantic seaboard. This letter is from the West, although not from my State. It begins with two quotations—one biblical, the other historical:

"The Philistines be upon thee.'
"Nero fiddled while Rome burned."

This is a third and final reminder that while Congress sleeps the enemy may be advancing. What will we do when every munitions plant on the seaboard is in his hands and none in the interior? The Almighty has stored in the hills around—

I have omitted the place—

every element essential to the manufacture of war material and the patriotic citizens of the town are anxious to donate a site for a Government plant. Is Americanism dead and the public servant hypnotized?

This is my last appeal. Please tell the President that the alternative is a munitions plant at ———, and other advantageous places west of the Alleghenies, or Roosevelt for President. He must make his choice.

DEMOCRAT.

[Laughter.]

The author of this epistle is neither less sincere nor more ridiculous than the presidents of defense societies nor the frantic advocates of a Navy greater than England's or an Army equal to that of Germany.

Mr. President, our Navy has been decried, our Army has been ridiculed, and our administration denounced by the advocates of this propaganda. Eminent men have convened in this very city and charged the President of the United States with indifference, with neglect of duty, and with cowardice. Congress and members of the Cabinet have been overwhelmed with similar epithets and denunciations. Aye, men heretofore in charge of great departments, in which millions have been expended under their own supervision, have befouled their own nest in denouncing their departments as deficient in organization and entirely unequipped for the exigencies of the hour. Our defenseless coast and our unprotected areas east of the Alleghenies, where the bulk of the Nation's wealth is centered, has been mapped and platted, and gentlemen have discoursed eloquently over its many vulnerable points of attack and the awful consequences of its invasion by a comparatively small army of veteran soldiers, and while manufacturers at the same time are increasing their equipment, extending their plants, enlarging their business in this exposed area of the country, all indifferent to the fact that the "Philistines are upon them."

Mr. President, the Army and Navy officers wherever they have spoken at all, with two or three exceptions, have joined their voices with those who warn and those who prophesy. Far be it from me to say anything derogatory of the officers of the American Army and Navy. They are a splendid body of men. They have no superiors. They are, generally speaking, the soul of honor—men of high purpose and lofty ambition, ready to aid their country wherever they can, not only in the assumption of official responsibility but in giving the benefit of their experience to the Nation.

I do not, therefore, Mr. President, in referring to the association of these gentlemen with the preparedness program, intend to do more than to call attention to what may be called a national trait, a democratic trait, if you please, which characterizes officers of the Army and Navy of the Republic and due largely, if not entirely, to our form of government and its institutions. I am reminded that Lord Salisbury once declared that the average officer, if consulted, would insist upon fortifying Mars against the moon. I do not go quite as far as that although the experience of that great statesman doubtless justified his comment. I think the tendency of an American or a French officer, however, would be in that direction.

Mr. President, one of the greatest books in the English language, and too little read in these days, is De Tocqueville's Democracy in America, written a great many years ago. I shall ask permission to insert at the end of my remarks his twenty-second chapter entitled "Why democratic nations are naturally desirous of peace and democratic armies of war." I shall read only a brief extract from this chapter on page 282 to illustrate what I mean:

In democratic armies the desire of advancement is almost universal; it is ardent, tenacious, perpetual; it is strengthened by all other desires, and only extinguished with life itself. But it is easy to see that of all armies in the world those in which advancement must be slowest in time of peace are the armies of democratic countries. As the num-

ber of commissions is naturally limited, while the number of competitors is almost unlimited, and as the strict law of equality is over all alike, none can make rapid progress—many can make no progress at all. Thus the desire of advancement is greater, and the opportunities of advancement fewer, there than elsewhere. All the ambitious spirits of a democratic army are consequently ardently desirous of war, because war makes vacancies, and warrants the violation of that law of seniority, which is the sole privilege natural to democracy.

We thus arrive at this singular consequence, that of all armies those most ardently desirous of war are democratic armies, and of all nations those most fond of peace are democratic nations; and, what makes these facts still more extraordinary, is that these contrary effects are produced at the same time by the principle of equality.

It is to be expected, therefore, that the occasion of occasions for this tendency to manifest itself is that which contemplates an expansion of our military and naval systems. The motive behind it is commendable. It is wholly free from the taint of avarice and of greed, but it must nevertheless be taken cum grano salis, since it is not entirely disinterested.

It is the best part of the play, but not beyond fair criticism.

Now, Mr. President, what is and has been this danger, and what nation is it that threatens our peace? This is the concrete question which confronts us in view of the propaganda to whose origin I have referred. If I understand it, we are said to be in peril of invasion by some one or more of the great powers now engaged in war, whose resentment we have incurred, or whose cupidity we may have aroused, and that either or all of them can easily land upon our defenseless coasts an enormous veteran army, which, because of our defenseless condition, will overwhelm the country, levy tribute upon its wealth and dictate its own terms of peace, thus humiliating if not subjugating the Nation, because of its supine and slothful indifference to the obvious peril. What evidence do the alarmists furnish to support their warning?

Mr. Henry A. Wise Wood, who is prominently connected with the Aero Club of America, recently related, and I quote from a clipping from one of the circulars of that association, that—

In the archives at Washington there is a document which sets forth the celerity with which these very seas may suddenly be used for an attack upon us. According to its contents, which give the numbers of men, each of several nations could land upon our shores within a given period of time, it lay within the power of one of these nations to set down *upon our Atlantic coast, in 46 days, over 750,000 men,* with artillery, sufficient ammunition, and supplies to last them for three months. *And on our Pacific coast, it was stated, in 61 days there could be landed approximately 350,000 men,* with supplies and weapons.

The italics are mine.

This necessarily implies, Mr. President, that somewhere in the national archives is a plan or document prepared elsewhere which our Government had been fortunate enough to intercept and which both discloses this perilous situation and the probability of its execution. I shall presently show that this is merely a résumé in the author's own language of a calculation of the Army War College as the partial basis of a proper military policy. But Mr. Wood continues:

It would require at least five years to get and train men to meet this contingency. Therefore the plans to increase the Army to 300,000, and to provide for training that part of the citizenry which is willing to train while being employed daily in peaceful pursuits, can not be considered as anything more than a conservative precaution. Nor can the plan to spend $17,500,000 for aeronautics—$7,500,000 for the Navy $5,000,000 for the Army, and $5,000,000 for the militia—be considered excessive.

It may be uncharitable to suggest that the proposed appropriation for aeronautics had much to do with the alarming announcement preceding it, although there can be no doubt about it. Be that as it may, I feel free to offer the comforting assurance that I shall vote for a generous appropriation for that arm of the service, without regard to the sensational situation so prophetically outlined in Mr. Wood's statement, and so vividly portrayed in "The Battle Cry of Peace."

Not Mr. Wood only, but Col. Roosevelt has given his sanction to this paper invasion by referring to it in some one of his multitudinous contributions to the press upon the general subject.

Mr. President, there is no question but that a great many good people in this country, millions of them, have been impressed by these absurdities and really believe them. They are entitled, I think, to definite information with regard not to their existence, for they are mythical, but to their probability, either presently or in the more remote future.

What is the nation which entertains these designs upon America? We certainly have no reason to fear Italy, or Austria, or Russia, or France. The senior Senator from North Dakota [Mr. McCUMBER], in a very able address upon this general subject, with his usual exhaustive ability, demonstrated the absurdity, a few days ago, of the existence of any possible apprehension from those countries. Is it England or Germany? Mr. Roosevelt, in another of his articles, has assured us that we need not fear England, because she is not a military nation. Germany alone, Mr. President, is left, and every man, if he will admit it, who believes or who thinks of invasion pictures in his imagination the advancing helmets of the German legions. The only nation which possessed 750,000 veteran troops when the "document in the archives" was written was Germany. The only nation whose colonial ambitions might conflict with American policies was Germany. The only nation whose marine equipment and whose military equipment unite and which could therefore secure the needed transportation for such a horde, with its equipment, is Germany. So when war with some country across the sea or the invasion of America by some country across the sea is mentioned, Germany is the one nation which the mind has in view, whether expressed or not.

Of course, Mr. President, I must not be understood as assuming that there is any basis for such an apprehension or that the existence of such a danger is even remote beyond the fact that its status justifies the inference. I merely express what seems to be the inevitable conclusion to be drawn from the attitude which the militarists, so-called, necessarily assume when warning our people of their peril.

But if we admit, for the sake of argument, that these apprehensions are well founded, what sensible, sober-minded man or woman can, upon a moment's reflection, feel that such an invasion is either possible or probable?

I do not overlook the assurance, Mr. President, that the warring nations will be more formidable when peace has been declared than they are now; that the danger will then be more insistent and exigent than ever; that the hundreds of thousands of battle-scarred veterans who have won their spurs on sea and land, the survivors of the greatest war in the world's history, will be the most compact and magnificent fighting forces ever known. This is undoubtedly true, but these forces will be divided then as now; and, without regard to efficiency or truculence, only the improbable amalgamation of the armies of Europe could make them a source of serious apprehension to America. And we may be sure that the animosities of the present will be accentuated when peace shall have come and the nations brooding over the conflict and its destructions come to realize the extent of their calamity.

Moreover, Mr. President, these unhappy countries are weary of conflict, bankrupted in their finances and facing a future so gloomy, so forbidding, and so pathetic, whatever the issue, that further strife will be abhorrent. To say that any nation, the greatest or the least of them or all of them together, in view of these conditions, would immediately, after the close of the present hostilities, provoke a rupture with the United States and attempt to transport a great army 3,000 miles across the sea to wage an offensive war against a nation of 100,000,000 of population, possessed of limitless resources, with all the possible consequences involved, is to picture a possibility so utterly baseless as to be absurd; yet the portent finds currency among many good and thoughtful people all over the country, who will live to laugh at their apprehensions and marvel at their easy but complete deception.

Mr. President, a hostile force can reach us, if at all, only from across the sea. I think that is self-evident. It can not come from any other direction or in any other manner unless the science of aeronautics should advance so rapidly as to enable it to come in transports through the air; and if that be so, then all the preparation in the world we may make by land and on the sea would be of practically little value, lest our artillery shall have been so developed as to enable us to destroy it. I venture the assertion that no such force as would be required for our conquest could come or could disembark successfully, even had there been no great war, with all its casualties and destruction.

What nation possesses both the ships and the hosts required? I am speaking now of possibilities at the end of the war, since we are surely immune from invasion until then. England is not a military nation. She has the vessels; she has not the men in arms; and even the fact otherwise, inasmuch as she has a thousand miles of seacoast of her own to the north of us, with a frontier of 3,000 miles between Canada and ourselves, we might sow the waters with bombs and sea mines and plow the depths with submarines from our northeastern coast extremity to Galveston, and yet, so far as England is concerned, she could carry out her hostile purposes as though we had done none of these things, unless our fleet were sufficiently strong to destroy her armada. She could land her troops upon her own coasts and then attack us across the border. We may therefore leave Great Britain out of our calculations. What of the other nations?

Now, Mr. President, I come to the estimates of the Army College with regard to this subject. But before doing this I will refer briefly to the testimony of Gen. Wood and one of his

aides before the committee, which I think is appropriate in this connection. Gen. Wood calls attention to the fact that 98 ships were able to convoy and land 120,000 men at Gallipoli, his contention being that this historic fact, this military accomplishment, was conclusive of the ability of any of these nations to land even a larger force without difficulty upon our shores if undefended. Gen. Wood, however, stated some of the transports used by the British Army were capable of carrying from ten to twelve thousand men, which gave her an enormous advantage, and which explained the small number of vessels required for the transportation of such a large number of men with their equipment. No other nation possesses transports of such huge capacity.

I recall that it required 35 transports to carry 35,000 men from Canada to Great Britain, and I think that was without their complement of munitions and equipment. This proposition would require ten times that number of vessels for 350,000 men, and perhaps half as many more for the needed impedimenta. With regard to the Gallipoli incident, it must be noted that this convoy was assembled at Alexandria, and very close to the point of disembarkation. The length of time required for the transportation of the troops from Great Britain to the point of assembly will not be known until the war is over. It was, of course, much longer in point of time with the allies in full command of the seas. There was an occasional submarine perhaps; but England and her allies were in absolute command, subject to that one possible disturbing influence, between the point of embarking and the point of disembarkation.

Col. Glenn's attention was called to the same subject. I asked and he answered the following questions:

Senator THOMAS. Colonel, if my figures are correct on a basis of 98 transports to 128,000 men, it would take 311 transports for 400,000 men?

Col. GLENN. Yes, sir.

Senator THOMAS. An armada of that size would encounter some pretty severe and dangerous experiences, would it not? It might be enveloped in fog or meet with storms?

Col. GLENN. Yes, sir; it would have to take its chances on all those things; yes.

Senator THOMAS. Probably resulting in disaster?

Col. GLENN. I do not think so, sir.

Senator THOMAS. With a number of ships like that?

Col. GLENN. I do not think so, sir.

Senator THOMAS. And particularly if it had a large convoy with it?

Col. GLENN. It might, of course. You have to take your chances on that sort of thing; but I do not believe that it would.

Senator THOMAS. Assuming that you had to make a landing with your troops, after reaching the shore somewhere outside of a harbor or along the shore, how far out would it be safe to anchor your transports from the shore in order to debark the troops?

Col. GLENN. It depends entirely on the conditions. Yet, at the harbor of Salem, Mass., I think they would run them right in to the docks. We certainly can not reach them with any guns we have.

Senator THOMAS. Landing at some other place where there is no harbor——

Col. GLENN. I do not catch the point, sir. They would not hesitate to make a landing from several miles out, if it were necessary, sir. They would use their launches.

Senator THOMAS. With small transports like those used by the British Army it would be necessary, would it not, for them to stand off quite a distance from shore, especially if the wind were blowing shoreward?

Col. GLENN. That all depends upon the local conditions of the harbor.

Senator THOMAS. I am eliminating a harbor in these questions, sir.

Col. GLENN. You mean, sir, an open roadstead?

Senator THOMAS. Yes; I am eliminating harbor conditions.

Col. GLENN. I do not quite catch your point. You mean, how far out it would be necessary for them to go——

Senator THOMAS. I must assume that if a landing is attempted where there is no harbor, that those large transports will not be able to come right up to the shore, but that they will have to debark their troops and ammunitions with lighters. About how far out would these 311 ships have to stand in order to safely do that, and how far away from each other?

Col. GLENN. They, of course, would have to have swinging room for their anchor chains when they did that; but I think that the question of just where they would anchor would depend on the depth of water.

Senator THOMAS. Precisely.

Col. GLENN. And it would also depend upon what their facilities were for discharging. With the Navy present and the facilities that should be provided, it makes no serious difference whether it is a mile or whether it is 5 miles; it takes just simply a little bit longer to handle it.

The significance of the extract just read lies in the assumption—the constant assumption by the witness—of the ability of the enemy to disembark within some harbor. My questions had reference to disembarkation upon the assumption that harbor protection would make it the equivalent of such disembarkation as took place at Gallipoli; a very different and a far more perilous situation. While we are told that this is simple and feasible, no expert will discuss it under examination if he can avoid it.

Now, I come to the "Statement of a proper military policy for the United States," by the Army War College, with regard to the subject; and, Mr. President, I believe its close analysis demonstrates, without extended comment, the improbability—nay, the impossibility—of a possible landing of an armed force upon any part of our shores. I read from pages 10 and 11, the subsection entitled "Preparedness of the world powers for over-sea expeditions":

Control of the sea having been once gained by our adversary or adversaries, there is nothing to prevent them from dispatching an over-sea expedition against us.

Of course not; but there is the assumption by the experts at the outset of a condition that our Navy makes impossible, as I think I can demonstrate in a few moments. The statement proceeds:

In order to form an idea of the mobile force we should have ready to resist it, an estimate must first be made of the approximate number of troops that other nations might reasonably be expected to transport and of the time required to land them on our coasts.

The number of thoroughly trained and organized troops an enemy can bring in the first and succeeding expeditions under such an assumption is a function of—

(a) The size of the enemy's army; and

(b) The number, size, and speed of the vessels of the enemy's merchant marine that can be used as transports.

Should our enemy be a nation in arms—that is, one in which all or nearly all of the male inhabitants of suitable physique are given a minimum of two years' training with the colors in time of peace (and this is true of all world powers except ourselves and England), it is evident that the size of the first expedition and succeeding expeditions would be limited only by the number of vessels in the transport fleets.

Note the exception of England, the one nation thoroughly provided with sufficient transport facilities.

Then follows a detailed statement of transport and military strength of the nations. This is already in the RECORD, and it is not necessary for me to reinsert it. The Senator from Oregon [Mr. CHAMBERLAIN] inserted it on the day before yesterday; but I will merely say that the total strength of the armies of Austria-Hungary, France, Germany, Great Britain, Japan, and Russia, and also the tonnage available of ships with a capacity of over 3,000 tons and 2,000 tons and 1,000 tons are given, the number which could be transported on a first expedition, and the number which could be transported on a second expedition, the German Army, of over 750,000 men, being given about 47 days—within 1 day of the time mentioned by Mr. Wood in the clipping to which I have called attention—and Japan some 41 days, about the same time as that stated by Mr. Wood. These are my reasons for declaring that this estimate is that mysterious, that marvelous, that damning document reposing somewhere in the archives of the War Department.

The allowance made in this estimate is 3 tons per man and 8 tons per animal for ships over 5,000 tons and 4 tons per man and 10 tons per animal for vessels under 5,000 tons, which allowance has been used in estimating the capacity of vessels, except where the regulations of other countries prescribe a different allowance.

They also include rations, water, forage, and so forth, for the voyage and a margin for three months' reserve supplies. The tonnage allowance covers men, animals, and all accessories, and is sufficient to provide for vehicles, including guns, and is "that prescribed in our field service regulations."

Mr. President, I do not know when those field service regulations were formulated, but I do know that the impedimenta which must accompany an army, if equipped for modern warfare, as armies now engaged in war are equipped, make this allowance entirely too small, and that, instead of one ship to a thousand men, the tonnage required would be at least 50 per cent greater than this estimate. It would tax to the extreme the energies, the capacity, and the possibilities of the merchant marine of every nation in the world, with the single exception of Great Britain, who, as I have stated, if she desires to invade us, can do so without regard to our efforts at coast protection.

This report is theoretical; it must be theoretical; and if it has slumbered in the archives of the War Department so long, then it certainly must have been made at a time when military and naval conditions were entirely different from what they are at present. The development of the artillery arm by this war, to say nothing of others equally important, would more than double the capacity allowed by this estimate for impedimenta.

Mr. President, let us assume that a nation—I do not care which, but some one of the powerful military nations of the Old World—should design the investment of this country, what would be the effect upon its commerce in commandeering a sufficient number of vessels for the purpose? What time would be required to gather the stores and munitions essential for such an expedition and to load them when gathered? In what port could the armada be assembled? And if in several, where would the several fleets assemble? When one considers the increased paraphernalia of a modern army, aeroplanes, lorries, camp kitchens, hospital supplies, gasoline, provisions, horses, mules, ammunition, modern siege guns, hand grenades, trench tools, telephones, wire, aeroplane attachments, engineering equipment, and all the other varied mechanical combinations essential to modern warfare, and then say that in 46 days or

in 46 weeks a sufficiently formidable expedition could be assembled to invade and swoop upon this country without more than a moment's warning, so to speak, is more than absurd; it is ridiculous. The experience of the British at Gallipoli is, for the purposes we are now considering, no experience at all. And I venture the assertion that the Army College, should it revise its report, will be forced to the same conclusion.

I have here, Mr. President, an article from the Kansas City Journal, which is entitled "What preparedness means," which I ask to insert at this point in my remarks without reading. It throws an illuminating light upon the controversy. I will merely state that, amongst other things, it declares that a million men, marching four abreast, would extend over a line 400 miles long, practically from Kansas City to the Colorado border. Then a statement is made of the various items of equipment which must accompany such an army. I shall not burden the Senate by reading it, but ask that it be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection, permission is granted.

The article referred to is as follows:

[From the Kansas City Journal.]

WHAT "PREPAREDNESS" MEANS.

Probably no word has ever dropped more frequently or more glibly from the tongues of the American people and with so little understanding of its real meaning as the word "preparedness." People know, of course, that preparedness means being ready with an army and navy for resistance if the United States is invaded by an enemy, but the immense amount of preliminary work that must be accomplished before a state of actual preparedness is reached, and how it is done, are details to which the average citizen has given little thought. It is customary to imagine that mere soldiers in the bulk constitute a machine for defense, and that with an army of a million men there need be no worry about incidentals.

Assuming that 1,000,000 men stood ready to take up arms for the defense of the Nation against a first-class power, what would they need immediately before they could take part in a single battle? Just to feed them would require 4,000,000 pounds of solid food and 3,000,000 pints of coffee daily. To equip this army would require 750,000 rifles, 2,000 field guns, 200,000 horses to haul these guns, 165,000,000 rounds of cartridges, and hundreds of other things that are not at present available.

That the citizen soldier may have some adequate idea of the tremendous amount of preparation that must be accomplished before preparedness is a fact two Army officers have drawn up a schedule of war from the inside. This is not a manual of training, but a treatise in plain language and a guide by which the layman may inform himself in a general way concerning military rudiments, so that if he is ever called upon to defend his country he may understand better the general nature of things military. In this connection many popular fallacies are pointed out, such as the alleged geographical security of the United States; the idea that Americans are born soldiers; that European nations will be too exhausted to be feared after the war; that lack of money abroad will prevent a war; that, prepared or unprepared, the United States can "lick" any nation on earth, and that money and material resources are synonymous with military strength.

What does an army of a million mean? One million men marching four abreast would extend over a line 400 miles long, practically from Kansas City to the Colorado border. Some of the things that these million men must be provided with before they can fight are:

Seven hundred and fifty thousand rifles and bayonets for them to fight with.

Two hundred and sixty-five thousand pistols, little brothers of the rifle.

Eight thousand machine guns, the military scythe.

Two thousand one hundred field guns to batter down attack.

One hundred and sixty-five million cartridges to carry them into their first fight and as many more for each succeeding fight.

Two million five hundred thousand shells and shrapnel for our field guns for every hour they are in action.

One hundred and ninety-six thousand horses to carry them and pull their carriages.

One hundred and twenty-seven thousand mules to haul their supplies and pack their guns.

Eight thousand wagons to transport their supplies and ammunition.

One million cartridge belts for their ammunition.

One million first-aid packets to bind up their wounds.

One million canteens.

Each of them must have a uniform and equipment:

One million shelter halves to protect them from the weather.

One million ponchos to keep them dry.

Two million blankets to keep them warm.

Two million pairs of shoes.

Two million uniform coats, breeches, leggings, suits of underwear.

One million hats.

Two million shirts.

Four million pairs of socks.

One million haversacks to carry their equipment.

Finally they must eat:

One million pounds of meat each day.

One million pounds of bread each day.

Two million pounds of vegetables each day.

Three million pints of coffee or tea each day.

All this must be purchased, transported, prepared, and cooked each day, and to eat it they must have:

One million cups.

One million plates.

One million knives.

One million forks.

One million spoons.

To provide for proper care, training, and led into battle they should have 25,000 trained officers.

The calling into service of 1,000,000 men would mean the organization, equipping, and training of 10 armies the size of the complete Regular Army of the present time. If 1,000,000 men should apply at the recruiting offices, it would require the uninterrupted effort of 1,000 recruiting parties, working day and night for more than 10 days, to enroll and enlist them. It would require a week to move them to the camp, provided all the suitable railroad equipment of the country were given over to this work alone.

One thousand men would have to work day and night for 10 days to erect the tents for them, and when completed this camp would amount to a city of more than 125,000 tents, covering an area of more than 8,000 acres, an area equal to the size of St. Joseph.

Mr. THOMAS. Now, Mr. President, by way of contrast to the assertions of our many vocal warriors and of course I do not thus refer to our War College nor to the officers whose statements I have referred, I call attention for a moment to what seems to me to be the best-considered article upon the subject of oversea invasion, considered from the nautical standpoint, which I have been able to discover. It was contributed to the Contemporary Review of February, 1909, and is signed "Master Mariner." It was inspired by a report to the British Parliament that an invading force of 150,000 men could be conveyed in 200,000 tons of shipping from Germany to Great Britain, the British Government at that time having under consideration the general subject of a possible invasion of England by the German Empire. This gentleman made that report the subject of the article to which I am calling attention.

He first directs his criticism to the fact that the force would have to be "accompanied by 14,000 horses and a full proportion of guns and wheeled transports, amounting to hundreds of large and small vehicles." He says:

Now, it is one thing to calculate tonnage for infantry alone, but quite another to allow for the other branches and impedimenta of an army fully equipped for service in the field.

Of course, I am only reading extracts—

Another very misleading generalization put forward—

Says this writer—

was contained in the statement—perfectly true in itself—that 200,000 tons of shipping are normally to be found lying in German ports, from which it was inferred that there would be little or no difficulty in commandeering sufficient and suitable sea transport for immediate use by the invading army at any moment. But what does this 200,000 tons represent? It represents the aggregate tonnage of a heterogeneous collection of shipping averaging at least 150 vessels of different sizes and speeds, from Atlantic liners to coasting tramps, or perhaps even steam barges, in which the actual numbers and individual vessels vary, with arrivals and departures, not only every day but every tide. Now, it must be borne in mind that the distribution among different transports of the units of an expeditionary force which intends to land on an enemy's coast in the expectancy of opposition at any moment is mainly governed by the requirements of the disembarkation, for it is obviously a matter of the greatest importance that the force should be landed in such a manner that it can be tactically formed for meeting the enemy with as little delay as possible when once on terra firma, or it may be surprised in a state of unprepared confusion. To insure this it is essential not to split up brigades, battalions, or batteries among different ships more than can be helped, and, in cases where splitting up is imperative, the different vessels carrying separate portions of the same organization or unit must be allotted neighboring berths in the disembarkation anchorage plan—of which more hereafter—or utter confusion will ensue.

He then refers to the expeditionary force of 15,000 men sent by the Americans to Cuba in 1898 as an "instinctive example." He concedes that that was badly managed and worse regulated, and consequently it is not very illuminating. He then refers to the matter of secrecy, which, I think, is to be one of the elements of the prophesied invasion—that it would be upon us almost before we knew it. He says:

A great deal has been said about the powers the German authorities possess of keeping matters secret, but a sudden and wholesale embargo on the national shipping in their ports would occasion so much surprise and even excitement among the neutral shipping lying at the same jetties that every outgoing neutral vessel would carry the news to her destination, often only a few hours' steaming from the German coast. If they were prevented from sailing to stop this, the mere fact of the nonarrival of the usual numbers of expected coasters at various ports would tell its own tale, repeated at once to London.

That is to say, secrecy would be absolutely impossible in connection with such a proposed expedition. Let me say right here that the speed of any fleet must necessarily be regulated by its slowest unit. A fleet of 300 or 400 vessels would necessarily include some which were much slower than others, and, unless they were to be abandoned and allowed to make their way on their own speed and practically without protection, in which event the entire expedition would be imperiled, the faster vessels must accommodate themselves to the slower, and, by a process of mutual progress, reach the point of destination at the same time. Hence, to say that under such conditions a swift expedition, even after it has been assembled, is a possibility is to reckon without a due consideration of that important factor.

If, however, for the sake of argument, we assume that the ships have been commandeered, and the troops, guns, and horses of a large force embarked on a rough general plan, after more or less unavoidable delay, the next question inviting attention is that of getting the vessels clear of the harbors into open water, and here we enter the domain of purely nautical discussion, where only seamen can speak with authority. Now no seaman in the world would undertake to empty this huge and motley crowd of shipping out of the basins and pilot it down the long and tortuous estuaries of the German coast.

Of course I must assume that some of the physical conditions which are here involved might not exist with regard to the suppositious expedition which forms the basis of this demand for universal preparedness—

to open sea in less than two, or perhaps even three, high tides, and even then in the general hustle the grounding of a large steamer in a narrow part of the channel might delay the whole exodus for hours.

When all were clear of pilotage waters, however, and fairly in the open, fresh difficulties would arise. The unwieldy armada must either cross independently in a "go as you please" fashion or make the voyage in company. If they crossed independently, the first vessels would anchor off our coasts a full 24 hours before the last and give notice of what was following, thus destroying still further that element of surprise which would be essential to success. It is plain, therefore, that they must keep together somehow, although they could only do so as an unordered mob of ships. It would be just as impossible to form, dispose, and maneuver 200 vessels of different sizes that had never moved together before, and whose masters were destitute of all practice in maneuvering in company, as it would be to put 500 men, taken at random from the streets and placed on a parade ground, through intricate battalion movements forthwith. This mob of ships would probably cover at least 20 miles from van to rear and throw smoke visible for another 10 to 50, according to the state of the atmosphere. They would have to cross lines of trade frequented by neutral shipping and pass through fishing grounds, and could not possibly evade observation unless in a fog, and if a fog set in, their state of danger and confusion would be appalling.

Of course that is obvious. A huge armada proceeding in company, and convoyed by perhaps as many more vessels, overtaken by a thick fog, when dependence would be placed entirely upon sound signals, and these entirely unreliable under such atmospheric conditions—why, Mr. President, we can imagine, from the appalling accident on the New York Central Railroad day before yesterday, as the consequence of a thick fog on land, what the frightful possibilities of disaster would be to such a fleet under such circumstances.

Their speed would be that of the slowest vessel, and her speed itself would be below its own average unless the weather were exceptionally calm, for the wind would be from the westward and therefore against them. It must not be forgotten that landing on an open coast is only possible with the wind blowing offshore—that is to say, a westerly wind as regards our east coast—and unless that were the case the expedition would never start. The speed of the fleet, as a whole, would not therefore exceed 6 or 7 knots.

Without reading further as to that particular subject, Mr. President, I may say that the conclusion of this writer is that such an expedition from the near-by country of Germany to Great Britain would exhaust three weeks at the lowest, and in the event of any casualty the time would be correspondingly extended.

But he proceeds:

But the passage across would not be the least of the nautical difficulties to be faced. If German seamanship proved equal to all these obstacles, a yet further test would await it in the task of anchoring this cumbersome host of shipping in an ordered and prearranged disposition, such as is essential for disembarking a force in the face of an enemy.

He also says:

When a fleet of transports sails for a hostile coast, a detailed plan of anchorage berths has to be prepared beforehand by the admiral commanding the escorting squadron, and issued to each master of a transport before sailing, in order that he may know exactly where he is required to place his ship on arrival. *This necessitates, of course, a precious knowledge of the exact point of disembarkation* and the features of the coast line.

The italics are mine.

Then he discusses the length of the line necessary for a systematic and safe disembarkation.

When a fleet of 150 to 200 vessels has to be considered such a method of proceeding is out of the question, and the transports would have to pick up their berths independently on arrival as best they could. Two hundred vessels in a single line would cover about 50 miles of coast from wing to wing. In three parallel lines they would cover about 16 miles.

If 300 vessels would be essential for the transportation of 250,000 men with a competent equipment to the coast of the United States, they would, of course, require a third more of coast-line distance, which would be somewhere between 70 and 75 miles for a single line; and three lines are about the maximum number of lines that would be practicable for speedy disembarkation. If four or more lines were used, the outer ships would be so far from the beach that very great delay in landing their troops would ensue. Every half mile farther out means an extra mile from the ships to the beach and back, and when a boat made 10 trips in 24 hours she would cover 10 more miles in that period—a loss of time perhaps quite four hours for every such extra half mile.

I read another extract:

If, in order to avoid this delay, the transports anchored at haphazard on arrival, the confusion on the beach would be stupendous.

* * * * * * *

Fair weather must be assumed throughout as a matter of course.

What possibilities are involved should a storm at sea overtake such a fleet? Fogs are omnious things; a raging storm in a sea thickly peopled with crowded ships would sow death and destruction everywhere, and it would be a miracle if upon a voyage of 3,000 miles no storm would be encountered.

Mr. President, in view of these difficulties, so graphically portrayed by a man evidently a thorough master of the business of transportation at sea, what becomes of this nightmare of a possible over-seas invasion of our defenseless coasts even were the ships collected and the men embarked? I am surprised that some of the obvious difficulties have not long ago suggested themselves to the deliberate judgment of thinking people. But I have observed nothing of the sort.

Let us ask, however, where this expedition, if it comes, would be landed? What would be the point of disembarkation? Of course, if any capacious harbor were available it is obvious that such harbor would be the point. But assuming that there is some sort of defense—and I think the assumption is borne out by existing conditions—that some defensive preparation in and around the different available harbors of the Atlantic coast, then the disembarkation must overcome such defenses or be made along the open shore. "Master Mariner" declares that this requires a number of things in combination—fair weather, a breeze off the shore, and not less than 20 to 25 miles of available frontage, with 3 columns of ships at the farthest, for a relatively speedy and successful disembarkation. Can such a feat be accomplished? If so, we deserve defeat.

I contend that we have at least the nucleus of both Navy and Army. We certainly have paid well for both. Our construction of a navy began with the administration of President Arthur. Its strength in 1909, according to President Roosevelt, was ample. I wish to read an extract from Mr. Roosevelt's last literary production, "Fear God, and Take Your Own Part," page 226. That sounds like an utterance of the Kaiser. Mr. Roosevelt there says:

In February, 1909—

Only seven years ago—

when the battle fleet returned from its voyage around the world, the United States was in point of military—that is, primarily naval—efficiency in such shape that there was no people that would have ventured to attempt to wrong us, and under such circumstances we could afford to keep the Philippines and to continue the work that we were doing. Since then we have relatively to other powers sunk incalculably from a military standpoint; we are infinitely less fitted than we were to defend ourselves.

Of course it may perhaps be assumed that since Mr. Roosevelt ceased to be actively engaged in the affairs of the Nation everything has deteriorated, and particularly the military and the naval arms. If that were true, it were pity; and if it is true it is the most cogent reason why the party to whose embraces he is so anxious to return should receive him with open arms, and strive to make him President of the United States once more.

But, Mr. President, is it true that since 1909 our Navy has deteriorated? I know the libel is made and reiterated and unfortunately believed to some extent throughout the country. Unfortunately, too, some naval authorities have given the weight of their opinions to that assertion. And yet, Mr. President, if it is true, then it must be true also either that we have lost or abandoned a considerable portion of our fleet, or that they have been placed out of commission, or that our strength in men has so deteriorated that our warships are useless because our complement of marines have not been or can not be secured.

I hold in my hand a copy of Pearsons Magazine for February, which contains an article entitled "Proof that big navy increase is not needed now," and I will read one or two extracts there published from the testimony regarding our naval strength in December, 1914, by Admirals Fletcher and Badger before the House Committee on Naval Affairs. At that time the late lamented Representative Witherspoon was a member of the House committee and in the full possession of all his wonderful faculties. He has since passed into the great beyond. His death was little short of a public calamity. I think he knew more about naval conditions the world over, including our own, of course, than any other man in public life. He was diligent, earnest, capable, practical, and useful, and as a member of the House Committee on Naval Affairs he was of indispensable value to the people of the United States. He took occasion to closely question these gentlemen regarding our strength at sea. The report is not easily available, the issue having been practically exhausted.

Mr. McCUMBER. On what date?

Mr. THOMAS. This was in December of 1914. The report is of comparatively recent date. Admiral Fletcher, I think, has recently been somewhat conspicuous in giving testimony reflecting upon the strength and personnel of the Navy. On

page 548 of the report occurs the following examination, the subject being the comparative strength of the American and other navies:

Mr. WITHERSPOON. How many battleships has England got?
Admiral FLETCHER. According to this table here [indicating] England has 20 dreadnaughts built.
Mr. WITHERSPOON. The total number? How many has she in all?
Admiral FLETCHER. This table puts it at 60.
Mr. WITHERSPOON. That is, 60 battleships?
Admiral FLETCHER. Sixty battleships.
Mr. WITHERSPOON. I did not ask you about that statement. I have seen that old statement before. I do not care anything about that statement. The Navy Yearbook puts down the number of English battleships completed, building, and authorized at 72. Now, your idea is that if those 72 ships were pitted against ours we would not be able to resist them. Is that it?
Admiral FLETCHER. We could resist them, but we would probably be defeated.
Mr. WITHERSPOON. That is what I mean. We could not resist them successfully?
Admiral FLETCHER. No; all else being equal.
Mr. WITHERSPOON. It has been told this committee by high authority in the Navy Department, among others Admiral Vreeland, that if we had a war with England on account of its relations with other nations in Europe it could not afford to send more than half its ships against us. Do you believe that is so?

The admiral was not disposed to answer that question directly. He said:

That is a question of policy and of political conditions in Europe upon which I would not pretend to pass judgment.
Mr. WITHERSPOON. Then your statement that we could not resist England would be on the assumption that she could send her entire fleet or more than half of it against us?
Admiral FLETCHER. Yes, sir; she would control the sea if she could keep there a more powerful fleet than ours.
Mr. WITHERSPOON. Or not afraid of war with the rest of the world, not afraid to take all the ships away from her own coast, and to send all of them, or a large majority of them, against us? Your statement is based on that?
Admiral FLETCHER. Yes, sir: it is based on actual superiority.
Mr. WITHERSPOON. Well, on the assumption that what other naval experts have told us is correct—that she could not send more than 50 per cent of her 72 against us—you would not say then that we would not be able to resist them successfully, would you?

The admiral replied:

I would not like to pass judgment on a supposititious case of that kind.

And yet that "supposititious case" was based upon other competent naval testimony, common-sense testimony, that neither England nor any other European nation would deprive her coast and her people of the protection of her entire navy in the event of a war with America. It is not only not supposititious but it represents an obvious condition of naval warfare.

But Mr. Witherspoon was persistent:

Now, according to the Navy Year Book, Germany has battleships built, building, and authorized, 39.

I may say, in passing, that we then had 40.

Would you say that, if she could send all those ships against us, we would not be able to resist them?
Admiral FLETCHER. I should say that we ought to, if we have the greater force.
Mr. WITHERSPOON. Yes; we ought to. Certainly we ought; and we could?
Admiral FLETCHER. Yes, sir; the greater force should win.
Mr. WITHERSPOON. Yes; we could.
Admiral FLETCHER. I think so.
Mr. WITHERSPOON. Now, it has been stated to us that if Germany were at war with us she could not afford, either, to send more than one-half her ships against us.
Admiral FLETCHER. That I do not know.
Mr. WITHERSPOON. I am not asking you whether you do or do not. Assuming that she could send only half her 39, would you not say that we could successfully resist that number?
Admiral FLETCHER. Yes, sir; I would say so if all our force is available to meet her.
Mr. WITHERSPOON. I would, too. Now, take France. This Navy Yearbook says that France has a grand total of battleships, built, building, and authorized, of 29—11 less than we have. Would you not say that if she sent all hers against us that we would be able successfully to resist them?
Admiral FLETCHER. Yes; our force available being the greater.
Mr. WITHERSPOON. And if she sent only one-half of them we would not have much of a fight, would we?
Admiral FLETCHER. No; we ought not to.
Mr. WITHERSPOON. That is the way I look at it. Here is Japan, which, according to the Navy Yearbook, has only 19 battleships, or 21 less than we have got. If Japan should send all of her 19 against us, do you not think we would be able successfully to resist them?
Admiral FLETCHER. Yes, I should say, if all of our force were free to meet them at the time.
Mr. WITHERSPOON. And if she did not send but half of them, there would not be much of a scrap, would there?
Admiral FLETCHER. Probably not.
Mr. WITHERSPOON. Now, here is Russia, that the Navy Yearbook says has a grand total of battleships, built, building, and authorized, of 15. If she should send all of them against us, would you not say that we could successfully resist them?
Admiral FLETCHER. Yes, sir.
Mr. WITHERSPOON. And if she sent half of them, there would not be any fight at all, would there?
Admiral FLETCHER. Not much.
Mr. WITHERSPOON. Here is Italy, that has a grand total, according to the Navy Yearbook, of 17 battleships. We could successfully resist them, whether she sent all of them or a part of them, could we not?
Admiral FLETCHER. Yes; I think so.
Mr. WITHERSPOON. Now, Austria-Hungary, according to the Navy Yearbook, has a grand total of battleships, built, building, and authorized, of 10. We could successfully resist them, could we not?
Admiral FLETCHER. I think so.
Mr. WITHERSPOON. Then what nation is there we are not prepared successfully to resist? There is not one on earth, is there, Admiral—not a single one?
Admiral FLETCHER. Well, Judge, I think there is.
Mr. WITHERSPOON. Well, which one? I have gone through the big ones. Tell me which one.
Admiral FLETCHER. I should say that England has a navy so much more powerful than that of any other nation in the world that she could easily keep control of the seas.
Mr. WITHERSPOON. England. Well, what other one, then?
Admiral FLETCHER. I do not think we need greatly fear any other single nation.

But Mr. Witherspoon pressed his question:

Then there is no other country except England that, in your judgment, we could not successfully defend ourselves against?
Admiral FLETCHER. I think that is correct; yes, sir.

And yet, though England concededly entertains no designs of conquest against us, though we can, according to this high authority, successfully defend ourselves against any other country, men who should know better, men high in the confidence of the Nation, persistently and constantly slander and belittle our Navy, abuse and villify its Secretary, and proclaim from the housetops our utter helplessness should any country declare war against us and embark a hostile force to attack us. This is not patriotism; it is gross commercialism, coining fear into appropriations and apprehension into dividends.

Mr. President, that testimony has not appeared anywhere in any of the recent discussions upon this subject. None of the great newspapers, designed to instruct the people and acquaint them with public affairs, has even referred to it; and yet it is available to all of them.

Then Judge Witherspoon asked the witness if England had any battleships as large as some of ours. Of course, this was before the appearance of the *Queen Elizabeth*.

Admiral FLETCHER. England has many ships which are very nearly of the same power of our own ships of same date of building.
Mr. WITHERSPOON. Let us see about that, now. I do not believe she has, though you know more about it than I do. In this Navy Yearbook, which gives a list of the English battleships, I find that the last five dreadnaughts that England built or is building are named the *Royal sovereign, Royal Oak, Remiles, Revolution,* and *Revenge*, each of which has a tonnage of 26,000.
Admiral FLETCHER. Yes, sir.
Mr. WITHERSPOON. And we have two ships—the *Pennsylvania* and the *No. 39*—which have a tonnage of 31,400, and then we have authorized three more that are to have a tonnage, as I understand, of 31,000.
The CHAIRMAN. Thirty-two thousand.
Mr. WITHERSPOON. Thirty-two thousand tons. In other words, the tonnage of the *Pennsylvania* and *No. 39* is 5,400 tons greater than that of the last five English dreadnaughts that are building, and the last three dreadnaughts that we are building have a tonnage of 6,000 tons greater than the last five English ships. Do you tell me that these English ships are equal to ours?
Admiral FLETCHER. No; I did not say that.
Mr. WITHERSPOON. Do not you regard them as inferior to ours?
Admiral FLETCHER. Yes; as near as we can estimate.
Mr. WITHERSPOON. I do, too. And the armament of these five ships is eight 15-inch guns, while the armament of the five American ships I have referred to is twelve 14-inch guns. Which is the more powerful armament—eight 15-inch guns or twelve 14-inch guns?
Admiral FLETCHER. I think the twelve 14-inch guns more powerful, but I am not sure this opinion is concurred in by all authorities.
Mr. WITHERSPOON. Then, understanding your testimony, after reviewing it, do you want us to understand that England is the only nation on earth that has a navy that we could not successfully resist?
Admiral FLETCHER. I think that is the fair conclusion; yes, sir; at the present time.

Here is a short extract from the testimony of Admiral Badger.

Mr. WARREN. What is the date of that?
Mr. THOMAS. December 14.
Mr. HUSTING. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. THOMAS. I yield.

Mr. HUSTING. I should like to ask the Senator whether the question of speed was taken into consideration as well as the efficiency of our battleships?

Mr. THOMAS. The Senator will have to draw his own conclusion from what I read. There was nothing said on the subject of speed in these extracts. The practical efficiency of our fleet was the subject considered during the course of the witness's examination.

Mr. HUSTING. I merely wish to say that in some article I read very recently it is claimed that the highest speed of American battleships is less than the slowest speed of a first-class battleship of either England or Germany.

Mr. THOMAS. One is apt to hear anything in regard to our Navy now if it is of a derogatory nature. In the popular acceptation of the preparedness propaganda it ought all to go into the scrap heap; we have nothing. What I am reading is something of record, falling from the lips of gentlemen high in our Navy, reluctantly conceding that less than 18 months ago we

had a very respectable Navy and one second only to Great Britain.

Mr. HUSTING. I was merely asking for my own personal information. I wish to state to the Senator that in one of the recent fights, in which the *Bluecher* was sunk, the speed of that boat, I think, was given at 24 knots.

Mr. THOMAS. That was a battle cruiser.

Mr. HUSTING. Yes.

Mr. THOMAS. A battle cruiser, as the Senator from New Hampshire [Mr. GALLINGER] suggests to me, has much more speed than a modern battleship.

Mr. HUSTING. I understood it was claimed there that the lowest speed, as the figures were given, was greater than the highest speed of our vessels, and I merely asked the Senator whether those figures were correctly given or not. It was stated that the slowest boat in that fleet was faster than any boat we have in our Navy.

Mr. THOMAS. I have not much doubt that the slowest cruiser of that particular fleet was faster than any battleship we have or that Great Britain or Germany has. I was not referring to the speed, and my recollection is that no battleship was engaged in that battle. As the Senator from New Hampshire suggests to me, no battleship has yet been engaged in any naval conflict since the outbreak of the war.

Mr. HUSTING. The claim is made that the slowest boat fighting in that battle was faster than any boat we have in the American Navy.

Mr. THOMAS. It may be. I will not pretend to pass on that subject. I freely admit that there are deficiencies in our Navy. Among them is the absence of battle cruisers and transports, which, as the Senator from New Hampshire suggests, we ought to provide for, and which I doubt not we will provide for.

The testimony of Admiral Badger is short and is negative, but valuable. He says:

> Mr. WITHERSPOON. Well, I wanted to get your views about that, because I do not like to hear Americans running around and talking about the German Navy being superior to ours. I know it is not so.
> Admiral BADGER. You have not heard me say that.
> Mr. WITHERSPOON. No; and I am glad that is so. I hope you never will say it, because there is not any truth in it.

Mr. President, the disparagements of our existing Navy are not confined to naval officers. If the statements of some high in authority are to be accepted, but which I question, we have fallen from what was second to what is now fourth place. If this is so, the change has occurred since December, 1914. I am unable to credit the possibility except upon the theory that some of our boats have been retired or that our naval force has fallen off, and, as far as I have been able to follow the testimony before the Committee on Naval Affairs, neither of these things can be said to have occurred. I affirm that the American Navy is competent and is prepared to confront any hostile expeditionary force that may threaten us, and that its development should proceed normally and wholly free from the hysterical and unpatriotic disparagements which self-seeking leagues and associations are circulating about it.

Now, a word as to our coast defenses. The charge has been reiterated that any respectable fleet with hostile designs, under present conditions, could invade our coast, which is practically defenseless, and capture or destroy our large cities, levy tribute upon their citizens, ravish their women, and inflict the greatest calamity upon the Nation that it has ever encountered; and this because we have failed to make due provision for their protection by a proper system of coast defense. Gen. Weaver is at the head of our coast defenses and has been for a great many years. He is a very competent, a very capable, and a thoroughly experienced officer. I asked and he answered the following questions before our committee upon that subject:

> Senator THOMAS. I would like to ask you before you leave us how our coast defenses, as constructed at the present time, compare with the coast defenses of other nations?
> Gen. WEAVER. I think there is no question, Senator, that our coast defenses are superior to those of any other nation, so far as the matériel is concerned. There is no question about it whatever. The only element, in my opinion, that makes them inadequate now is the shortage of personnel.
> Senator THOMAS. You have got the guns, but not the men behind them?
> Gen. WEAVER. That is the point, exactly.
> Senator THOMAS. Well, I think you ought to have them.
> Gen. WEAVER. I will say this, so that I may not be misunderstood: The evolution of gunfire on board warships has developed a type of ordnance that was not contemplated when our fortifications and our guns were mounted, and therefore it is possible at the present time for an enemy's ships to come up and take position beyond the range of our guns and fire at us without our being able to reach them in reply.
> Senator THOMAS. You mean changes in trajectory?
> Gen. WEAVER. I am going to come to that, so as to make it clear. There are certain places, like the Rockaway Beach and at San Francisco, where it is necessary for us to provide additional fortifications to defend cities. In order to meet the attack of this new naval ordnance against the forts themselves we have a number of surplus 12-inch guns which were intended to replace those guns which are now mounted in our fortifications; but with the advance of ordnance it is desirable now to substitute a larger caliber and a more powerful gun. Since, however, these 12-inch guns are in existence, it is proposed to take them and to mount them on carriages that will admit of firing them under high angles of elevation, giving a range that is superior to that of any range that can be brought against us. While the projectile is only 12 inches in diameter, and therefore not as large as that of the projectiles of the 15-inch guns mounted on ships of the *Queen Elizabeth* type, still our range will be greater, and with our superior range-finding equipment ashore our fire will be more accurate, and we can contend with advantage against any naval fire that may come against us.

There is the language of the chief of our coast fortifications.

Mr. SHAFROTH. Will the Senator state when that testimony was given?

Mr. THOMAS. It was given the first of the present month or the latter part of February, before the Committee on Military Affairs.

Mr. President, it is true that the equipment in men for our coast defenses is and has been deficient, but with a proper complement of men to man our coast fortifications, there is no more danger of hostile incursions resulting in the wreckage and plunder of any of our great coast cities than there is of a similar catastrophe through an assault by the Swiss fleet upon the fortifications of the city of Denver.

Mr. PHELAN. Will the Senator permit me?

Mr. THOMAS. With pleasure.

Mr. PHELAN. Does the Senator assume that an enemy would seek out the fortified places upon our coasts or make a landing where there was no preparedness against attack?

Mr. THOMAS. I am sorry that the Senator did not do me the honor to attend during the course of my previous remarks upon that subject; and inasmuch as I have spoken now longer than I intended and still have a few things to say, I shall have to refer the Senator to the record of my speech.

Mr. PHELAN. I shall take great pleasure in reading the report of it.

Mr. THOMAS. I may say to the Senator, however, if there is any place that is not either fortified or protected with sea mines or susceptible of swift protection with sea mines and submarines that is entitled to the name of a harbor, I do not know where it is. If the Senator thinks it is possible for any large expeditions to disembark anywhere except at a harbor—an assumption which is freely made these days—I feel reasonably sure that if he will do me the honor to read what I have said on the subject, he will at least be partially reassured.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. I yield.

Mr. McCUMBER. The Senator might carry his conclusions a little further than he has done so far. Suppose the shells from one of these battleships should strike one of our defense fortresses, could it have much more effect than merely dislodging the guns?

Mr. THOMAS. Upon the assumption of the correctness of Gen. Weaver's statement—and I think it is entitled to absolute credence—it is inconceivable that it would have a greater effect than that.

Mr. McCUMBER. Suppose that one of the projectiles from our land batteries should strike a warship, what chance would it have of existing after being struck fully and fairly?

Mr. THOMAS. Up to this time the experience of the past has demonstrated that a battleship is more dangerous to its own crew than to the crew of the enemy ships. In other words, more lives have been lost by internal battleship explosions and other accidents than by the destructive forces of an enemy; and there can be no question, owing to the character of the construction, that such a catastrophe as the Senator suggests would result in the annihilation of the ship.

Mr. McCUMBER. Then is it not almost certain that no commander of a battleship would ever engage his ship in a duel of that character?

Mr. THOMAS. Well, if he did he would have to be extraordinarily successful in order to escape a court-martial.

Mr. President, it is a well-known fact that in the accumulation of sea mines and facilities for strewing them, as well as in the matter of submarine construction, we have been making great progress since this war began, and doubtless we shall make much greater progress. I think a commander who would approach within the range of sea mines and possible submarines would be more hazardous and more foolhardy than would be the commander who would make such an attack as the Senator from North Dakota suggested.

Mr. President, our Army is admittedly small. Such has been the policy of our people from the inception of the Government. It is effective, in my judgment, to the extent that in the wisdom of Congress it has been permitted to expand. What we have on

land and on sea has, however, cost the people of this country during the last 15 years more than $3,500,000,000. Our naval expenditures during that period of time have exceeded those of any other nation in the world, with the single exception of Great Britain.

I have a table showing the naval appropriations of the principal powers from 1900 to 1914 which I will ask leave to insert at this time in connection with my remarks without reading.

The PRESIDING OFFICER. Without objection, that will be done.

The table referred to is as follows:

Naval appropriations of the principal powers from 1900 to 1914, inclusive.

Fiscal year.	Great Britain, Apr. 1-Mar. 31.	United States, July 1-June 30.	Germany, April to March.	France, January to December.
1900-1901	$145,792,859	$61,721,695	$37,173,074	$72,683,183
1901-2	150,569,190	68,438,301	46,315,803	67,079,011
1902-3	150,679,328	82,977,641	48,818,700	59,217,558
1903-4	173,548,058	104,126,192	50,544,000	59,740,222
1904-5	179,138,049	116,655,826	49,110,300	60,178,623
1905-6	161,117,947	109,725,059	54,918,000	61,565,779
1906-7	152,954,342	98,392,144	58,344,300	59,514,296
1907-8	151,880,617	117,353,474	69,133,500	60,685,813
1908-9	156,401,161	120,421,579	80,737,626	62,194,916
1909-10	181,936,341	122,247,365	95,047,820	64,899,589
1910-11	202,056,258	111,791,980	103,302,773	74,102,433
1911-12	211,586,295	133,559,071	107,178,480	80,371,100
1912-13	224,443,295	129,787,233	109,989,096	81,692,832
1913-14	237,530,459	136,858,301	112,091,125	90,164,625
1914-15	260,714,275	141,872,786	113,993,329	123,828,872

Fiscal year.	Russia, January-December.	Italy, July 1-June 30.	Japan, April-March.	Total.
1900-1	$42,101,212	$23,829,206	.....	.....
1901-2	45,488,462	23,875,532	$21,373,954	$423,140,250
1902-3	50,769,465	23,522,400	17,654,528	433,639,620
1903-4	60,018,895	23,522,400	17,553,279	489,053,048
1904-5	58,076,543	24,300,000	10,018,024	497,477,365
1905-6	60,228,444	24,494,400	11,378,202	483,427,831
1906-7	60,703,557	25,865,668	30,072,061	485,846,368
1907-8	43,012,166	27,516,454	35,124,346	504,706,370
1908-9	49,682,482	30,453,697	39,347,332	539,238,793
1909-10	58,059,040	31,812,885	35,005,719	589,008,759
1910-11	46,320,465	40,595,204	36,889,158	615,258,277
1911-12	56,680,915	40,780,957	42,944,329	673,111,187
1912-13	82,019,633	41,893,420	46,510,216	716,335,726
1913-14	117,508,657	49,550,147	48,105,152	791,808,468
1914-15	128,964,733	56,920,440	69,111,653	895,396,088

Mr. THOMAS. I am not prepared to admit that all this money has been squandered. Some of those who so contend libel preceding administrations. Of course, their zeal for fat contracts makes that an easy albeit a most disreputable task. That there have been expenditures which were not warranted by a strictly scientific military and naval program no one can doubt. On the other hand, I take pride as an American in asserting that to the extent to which the law has authorized a military organization ours is as good as any other in the world, and to the extent to which we have provided for naval construction we have produced a Navy which, with the exception of deficiencies in transports and battle cruisers, is equal to-day, if not superior, to every navy that is afloat, with the single exception, of course, of that of Great Britain.

We should not forget, Mr. President, that during the past 25 years about 71 cents of every dollar that has come into the Treasury of the United States has been expended upon wars fought and wars expected. This is $71 out of every $100 of revenue. Of course, I include payments for pensions and interest on the public debt in the statement.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Oregon?

Mr. THOMAS. Certainly.

Mr. CHAMBERLAIN. I think it might be well for the Senator to state in this connection that a large proportion of that money has been spent simply because we had not an Army. Take the very large pension appropriation that is made every year. If there had been a proper military policy in vogue at the time the Civil War broke out, that pension appropriation would have been very much diminished, because the 90-day men, and even those serving a shorter enlistment, receive the same pension as men who practically served during the war.

Mr. THOMAS. I have no doubt that is true. I am not criticizing the expenditure; I am merely stating what I understand to be the fact.

Mr. NORRIS. In connection with what the Senator from Oregon has said, I should like to ask the Senator from Colorado if preparation for preparedness had taken place prior to the Civil War would it not have been true that there would have been preparedness on both sides, so that it would not have made any difference? There would have been as much preparedness on one side as the other.

Mr. THOMAS. I can not say as to that. I have not the time either to analyze or to criticize these expenditures. The subject was first called to national attention by Representative Tawney, who at the time was chairman of the House Committee on Appropriations. It was to me a startling fact, and I have heard it reemphasized by competent authorities a number of times since. I use it in this connection for the purpose of calling attention to the fact that we have paid well for what we have gotten, and that we are now about to embark upon a policy where these expenditures will be increased. So I would not be at all surprised if hereafter 80 or 85 cents of every dollar will be used for military or naval purposes. And if we yield to the clamor of militarism our martial establishments will exhaust our total revenues, however large.

Mr. WARREN. Mr. President——

Mr. THOMAS. I yield to the Senator from Wyoming.

Mr. WARREN. The statement made by the Senator from Colorado that 71 per cent has been expended for military and naval purposes has been made before, or rather it has been stated at 70 per cent. As the Senator has stated it, and the first time I ever heard it, it was stated by a former Representative from the Northwest, at that time the chairman of the Committee on Appropriations. I questioned that statement then, and I looked over the estimates and expenses. I am prepared to say that investigation will not prove that that percentage is correct or nearly so.

Among other things, at that time the pension list was very large. Among other things figured in were the salaries of the great number of officers engaged in river and harbor improvements, going on to improve the rivers and lakes and deepen the channels at cities and other points. That was all charged in this computation. Of course we require deep water in certain places for warships, but no one claims that all that is chargeable to military expenditure, because it is for the commerce of the country. There were included a very great number of items and expenses through or by so-called Army appropriations. That was entirely and altogether apart from Army or war support.

There were many other things added, and the alleged percentage, I will state to the Senator, was claimed to be as he has stated. It was questioned by me and by a great many others who have given it some attention. It falls far short of 71 per cent.

Mr. NORRIS. Mr. President——

Mr. THOMAS. I yield.

Mr. NORRIS. In this same connection, I should like to say to the Senator that when that statement was made by the chairman of the Committee on Appropriations of the House, I myself had a computation made by the clerk of the Committee on Appropriations and the item suggested by the Senator from Wyoming was not included. Nothing was included for rivers and harbors. As I remember it now, and I am speaking only from memory, I think that the percentage was 68. It included fortifications; it included the Navy; it included everything, I think, that could be properly chargeable to the past wars or to future preparation for war, but nothing like river and harbor improvements were included.

Mr. WARREN. The Senator does not doubt my statement?

Mr. NORRIS. I have not doubted what the Senator said.

Mr. WARREN. The Senator stated that he made it but 68 per cent. The statement I figured on, of Mr. Tawney's, was 70 per cent. I say, in making that, they did include such items as I mentioned. They may not have been included in the statement of the Senator.

Mr. NORRIS. I have not denied that. I simply wanted to interject here what I believe to be the real statement upon which a proper percentage could be based. I did not want the impression to go out that in the right kind of an estimate river and harbor improvements were included. I do not know anything about what the Senator from Wyoming included. I know what I used in the computation I made, and I know what the result was.

Mr. GORE. Mr. President, I should like to say in this connection that the leader of the majority party of the other House, Mr. KITCHIN, recently issued a statement in which he estimated our expenditures for military purposes—past, present, and prospective—at 60 per cent of our entire revenue. The proportion in Germany, I think, was 55 per cent; in Japan, 45 per cent; in France, 35 per cent; and in Great Britain, 37 per cent, as I recall it, the ratio of this country being larger than

that of any other country, military or nonmilitary, in the entire world. These estimates were based on expenditures prior to the outbreak of the present war.

Mr. THOMAS. The percentage which I gave may not have been precisely that announced by Mr. Tawney; the entire statement may not stand the test of investigation, but to my mind it is a remarkable fact that a statement coming from such a high source so many years ago, if untrue, should not have been exposed, or at least publicly challenged, long ago. I mention it in connection with the subject of the items of expenses which any new departure upon military and naval lines will necessarily require, and also because these things are apt to grow by what they feed on. In fact, the proposition of large preparedness—militarism, if I may so speak—is very much more extensive now than it was when the subject began to receive the serious consideration of the public.

Mr. WARREN. There has been a large portion of the expense of the National Government in military affairs, and probably always will be with all nations. In fact, most of the expenses of government in this country are carried on by the several States, and there is not so much left for the United States Government except the matter of fortifications and military defenses. In the last decade or two we have had to put in all the fortifications that we have, either new or rebuilt. The Senator will remember that we laid out the work expected to the extent of $100,000,000 succeeding the war, and yet twice as much more has been necessary in constructing fortifications where none existed before or where imperfect ones only existed. It was the same with the Navy. We had no Navy of consequence for many years, so that the expenditures have been larger of later years along that line.

Then came the Spanish War and the increase of our forces. Then came the buildings, the difference between housing 25,000 men and 100,000 men. So the expenditures have been larger of late years than they proportionately would be over a long period, and they may have been larger than they will be in the future. That they have been larger than they will be in the future I doubt, because from the remarks made by the Senator, which he so well put, we will feel it necessary to increase our fortifications perhaps and to increase our mobile Army, and perhaps increase our Navy; but, as I said before, we must remember that that is bound to be the main expense of the United States Government as a Government.

Mr. THOMAS. Mr. President, I must again say that I am neither criticizing nor complaining of the fact, if it be a fact, which I have been stating. I am trying to point a moral, if not to adorn a tale, to emphasize the fact that these expenditures are apt to permanently increase by the increasing demand for first one and then another enlargement of our military or our naval equipment. I think this is illustrated very well by a comment of the New York World upon the proposed establishment of a small army in the Canal Zone. The editorial is entitled "Round and round," and it was prompted by the assertion that an army of 25,000 men was needed for the purpose of protecting our fortifications there against a land attack. I read the editorial. It is very short:

ROUND AND ROUND.

The building of the Panama Canal by the United States was advocated on the ground that it would double the strength of the Navy.

The canal was only about half built when the experts found that it must be heavily fortified to protect the Navy in protecting it.

The canal has now been fortified with what Gen. Edwards, military governor of the Canal Zone, calls the biggest guns and finest gun emplacements in the world. But these might be seized by an enemy operating from the land side, and therefore need the protection of an army of 25,000 men on the spot all the time.

Where is this chain of successive and "essential" dependencies to reach an end? If the canal must have a strong Navy to protect it, and if the strong Navy must have big canal fortifications to protect the Navy in protecting the canal, and if the big fortifications must have a sizable Army to protest the fortifications in protecting the Navy in protecting the canal, who or what is to protect the sizable Army in protecting the fortifications in protecting the Navy in protecting the canal?

There is a "round robin" of expenditures which, if we once begin a policy of military and naval equipment based upon fear and apprehension, will exhaust our revenues much more than the 71 per cent to which I directed the attention of the Senate.

Mr. WARREN. I do not wish to delay the remarks of the Senator, but I think he will agree with me that quite a large percentage of the so-called military expense is that which ought not to be properly charged to actual military expense, for instance, the Panama Canal. The Senator may remember what proportion was charged to the War Department in respect to the canal. There was the cleaning up of Habana, the work of putting in an expensive road system in Cuba and Alaska, and putting in the telegraph system there. All of it has been put in by the Army, and such work is being done practically all over the country. Where officers are in charge of that work it is charged to the Military Establishment.

Let me at this point submit a partial list of many things charged up as military, which, as a matter of fact, are in nowise expenses properly chargeable to military:

Sanitary work at Habana, Cuba—doing away with yellow fever.

Payment of annuities to an enlisted man, and the widows of certain medical officers who sacrificed themselves to the yellow-fever experiments.

Sanitary work in Panama Republic outside of Canal Zone.

Work of medical officers with American National Red Cross.

Furnishing of subsistence, clothing, tentage, blankets, and so forth, from quartermaster supplies of Army to sufferers and refugees from various earthquakes, floods, and fires.

Raising the *Maine*. (While this followed and was incident to war, the work and expense were incurred not only for sentimental reasons, but for the safety of commerce in Habana Harbor.)

Furnishing of transportation, subsistence, and medical supplies of Army for relief of destitute American citizens in Mexico, including transportation to their homes in the United States.

Extensive reclamation work in China, by officer of Corps of Engineers, Army, for the prevention of floods and resultant famines in China.

Employment of officers, employees, vessels, and supplies of Military and Naval Establishments for relief, protection, and transportation of American citizens in Europe during the existing political disturbance there.

Care and maintenance of lepers and special patients in Guam and Culion, P. I.

Instructing the youth of the country at various universities and colleges, and instructing students at the two United States academies in nonmilitary subjects.

Assisting in the civil government of the Philippines.

Employment as Indian agents and superintendents.

Employment on California Débris Commission, and various other nonmilitary commissions.

Employment in rivers and harbors work.

Employment in construction of Panama Canal.

Investigating proposed sites for Government reclamation projects.

Employment as engineer commissioner of District of Columbia.

Building military and post roads, bridges, and trails in Alaska.

Building telegraph and telephone lines in Alaska, for commercial purposes, which have earned hundreds of thousands of dollars.

Employment of engineer officer for service in connection with the location and construction of the Alaskan Railroad.

Building and maintaining roads, bridges, and so forth, in the parks of the District of Columbia, for the use and pleasure of the people.

Employment as superintendent of public buildings and grounds in and around Washington.

Employment of Army engineers in connection with maintenance and improvement of roads, bridges, culverts, and so forth, in various national parks both in and out of the District of Columbia.

Preservation and purchase of specimens for the Army Medical Museum and Library, used for educational purposes by civilian physicians and others.

Building of Washington Monument.

Building of Cabin John Bridge.

Reclamation and development of Anacostia River and flats, under supervision of Chief of Engineers of the Army.

Maintenance and care of national cemeteries, containing bodies of many persons (widows and others) who performed no military service for the country; and furnishing headstones for unmarked graves of civilians in military post cemeteries.

Participation of officers and men of Army, Navy, and Marine Corps in various international and other expositions of commercial nature.

Mr. SHAFROTH. I should like to ask the Senator from Wyoming a question.

The PRESIDING OFFICER. Does the Senator from Colorado yield to his colleague?

Mr. THOMAS. Certainly.

Mr. SHAFROTH. The Senator from Wyoming has been upon the Committee on Military Affairs for many years, and I should like to have his estimate as to the proportion of expenditures for preparation for war and for past wars as compared with the total expenditures of the Government.

Mr. WARREN. Well, in my opinion, the miscellaneous matters are really not properly chargeable to war expenditures,

and they would reduce the percentage which the Senator has stated from 12 to 15 per cent or more.

Mr. CHAMBERLAIN. Let me answer the Senator.

Mr. SHAFROTH. So that it would be 55 per cent.

Mr. WARREN. I think it would be possibly 50 per cent. I think it will be more than that in the future if we provide a sufficient Army. We might as well meet these questions fairly and squarely.

Mr. CHAMBERLAIN. Mr. President, in answer to the Senator, I will say that I have before me a copy of the statement that has been prepared by the clerk of the Appropriations Committee, showing the appropriations for the fiscal years from 1875 to 1916, inclusive, for each of the services, for each of the departments—and I assume that he has correctly prepared it—showing that, as a basis, I will say to the Senator, that in round numbers the appropriations for 1916 were $421,000,000 for the Army and Navy for fortifications and for pensions, and $164,000,000 of that sum, in round numbers, was for pensions, leaving $257,000,000 that was properly expendable for the Army out of a total appropriation of $991,000,000, in round numbers. This tabulated statement gives the appropriations for all of these years. So, if this be true, the proportion is very much less. It is not 50 per cent.

Mr. WARREN. Undoubtedly that is true, and I am allowing for pensions and all that may be charged, though some of them are really not properly chargeable.

Mr. SHAFROTH. I ask the Senator whether that nine hundred and some odd million dollars of total revenues includes the postal receipts?

Mr. CHAMBERLAIN. This is just an itemized statement of appropriations; it does not give the items of receipts.

Mr. SHAFROTH. Does it include appropriations for the Postal Service?

Mr. CHAMBERLAIN. It includes everything. It includes the Agricultural Department, the Army, the Diplomatic and Consular Service, the District of Columbia, fortifications, the Indian Service, the legislative appropriations, the Military Academy, the Navy, pensions, including deficiencies, the Post Office Department, rivers and harbors, and sundry civil appropriations.

Mr. SHAFROTH. The Post Office Department, supposing it to be self-supporting, is usually not put in as a governmental expenditure.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. SUTHERLAND. Mr. President, it seems to me that all of these comparisons of the proportion of our revenue which is spent for military purposes are, to a certain extent at least, very misleading. The Senator from Oklahoma a moment ago stated that we were spending a very much larger proportion of our revenue for military purposes than was England or Japan or France.

Mr. GALLINGER. Or Germany.

Mr. SUTHERLAND. I speak of those three. I do not need to remind the Senator from Colorado of it, because he recognizes that those Governments are altogether different from ours. They have, unless for purely local purposes, but a single budget. Out of their revenues all of the general expenses of government must be met, while in the United States we have a dual form of government. If we were to institute a fair comparison, we should ascertain what proportion of all the public revenues of the National Government and of the State governments are spent for military preparation. If we should do that, we would find that the proportion of our expenditures for military purposes would fall far below what is expended in these other countries.

The Federal Government has limited functions. Most of the affairs of government are carried on by the States. Schools are maintained, roads are built and kept in operation, and the hundred and one functions of domestic government are carried on by the individual States instead of by the General Government, while in the case of England, in the case of France, and in the case of Japan there is a single treasury from which the general expenditures must be made.

Mr. THOMAS. Mr. President, I still decline to be beguiled into a criticism or a discussion or an analysis of the statement which I made, the authority for which I have given. I am aware that the subject is one of importance, but I simply mentioned it, almost in passing from one subject to another, and because I thought, and still think, that it has some bearing upon the relation of expenditures to our proposed new military and naval organizations.

I regard the matter of expenditure as second in importance to no other feature of our program. It is true that the distinguished ex-President of the United States dismisses the subject with the flippant remark that it is of only secondary consideration; but we have to raise the money and therefore it is well to understand that the proposed extension, although insignificant in the eyes of the average militarist, will impose upon the taxpaying people of this country an additional expense of not less than $150,000,000 to $250,000,000 a year to begin with; and those of us who are responsible, as representing the administration, for the raising of this revenue must necessarily consider it in conjunction with the question of necessity as contrasted with the question of the expediency of our action upon these mighty subjects of present importance.

Mr. President, I believe I have established the proposition that the menace of a foreign invasion, the existence of an impending peril of tremendous dimensions just across the eastern horizon and threatening us with devastation, compared with which that of the Goths and Vandals of other times was as nothing, simply exists as an asset in the skillful hands of those whose purposes are more largely material than patriotic. But there are reasons, perfectly cogent ones, why this country should rearrange and strengthen its military and naval organizations.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. THOMAS. I yield.

Mr. GALLINGER. In that connection, I will ask the Senator from Colorado if he has read the statement of Gen. Miles made before the Military Committee only a few days ago?

Mr. THOMAS. I heard it.

Mr. GALLINGER. In that statement Gen. Miles scouts the idea of any nation in the world being able to invade our coasts and to defeat our armies on American soil.

I will say, before I proceed further, that I propose to follow the Committee on Military Affairs, so far as I can, in the bill that they have with such great care prepared. I am neither an alarmist nor a pacifist. I think we ought to have adequate preparedness, so called; but if Gen. Miles is at all correct in his testimony we need not be unduly alarmed over the possibility of our coasts being invaded by a hostile fleet or a hostile army.

If the Senator from Colorado will permit me, I should like to read just a few words from what Gen. Miles said.

Mr. THOMAS. I have no objection to the Senator doing so.

Mr. GALLINGER. Gen. Miles was asked by the Senator from Florida [Mr. FLETCHER]:

GEN. MILES ON THE DANGER OF INVASION.

Senator FLETCHER. General, perhaps you would not want to express any opinion about it, but, frankly, it seemed to me rather far-fetched and absurd that it was a feasible thing for an army to be transported across the ocean and landed on Rockaway Beach, or Block Island, in such way that it could take that portion of the country and then come on down and string a 400-mile line from Chesapeake Bay to Lake Ontario. That is one of the important dangers, apparently, in the minds of some people. I would like to get your views about that, if you care to express them.

Gen. MILES. I dislike to give my views on that, as I consider it an unreasonable and impossible proposition. * * * The placing of an army on American soil is the last thing any European Government would attempt; it could never be reembarked. It would dissolve like snow beneath the midday sun. Whenever it has been attempted it has resulted in disaster.

Senator FLETCHER. It would be impossible for the enemy's ships to carry coal enough to bring them over here and take them back, would it not?

Gen. MILES. If the enemy could not be destroyed by the patriotism and valor of the American people before they could send their ships back and get another load, then I would want to live in some other country.

And a note on this slip which I hold—I admit it has been issued by an antimilitary organization—is very impressive to me. It says:

At the outbreak of the war it took Great Britain, with full control of the seas, 33 days to transport 30,000 men, without equipment, across the Atlantic from Quebec to Southampton.

As I said before, Mr. President, I am for preparedness; but I do not share the apprehensions that I think were in the mind of the Senator from California when he asked the question a little while ago as to whether or not we could repel an army if it should come across the ocean and attack our forts and our seacoasts. I apprehend that, while such an army was coming here, if it took Great Britain 33 days to send 30,000 men across the ocean to reenforce the British Army in the European war, we would be pretty well prepared to meet an army before it invaded our territory. We would have our submarines, if we are wise enough to build some; we would have our mines; we would have our battleships; we would have made all our preparations to give them a warm welcome as they approached our coast. I think probably we would be able to protect ourselves from an invasion of that kind.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. THOMAS. I am becoming somewhat weary, and I had no intention when I took the floor this morning of occupying it for so long a time. I have comparatively little more to say, and while I always welcome interruptions I want to get through sometime. However, I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I simply wish to say with reference to the statement just read by the Senator from New Hampshire [Mr. GALLINGER] that I have seen it stated in print, which is of equal authority with the print which the Senator read from, that the reason it took Great Britain 33 days to move those troops to which he referred was that the troops were not ready to move before that time, and not because the authorities were embarrassed about facilities for moving them.

Mr. THOMAS. Another reason was that the ships were not ready, as they never are ready in emergencies such as are assumed to confront us at the present time.

Mr. President, I believe that we should have a good Army and a good Navy, including coast defenses. I believe that we should utilize the present occasion to begin, I will not say a new, but a more extended and well-reasoned policy with regard to these great subjects. The reasons why we should do so seem to me to be obvious. But one of them may be said to be the outgrowth of the great war in Europe.

These reasons appeal to me as being, first, that we are a great commercial Nation; that commerce we propose to expand until it again reaches every quarter of the globe. Commerce breeds differences—that of one nation can increase only at the expense of another. I think that in its final analysis the prime cause of the existing conflict will find its roots in commercial sources and commercial conflicts. With the expansion and extension of our commerce we must have a Navy sufficiently powerful to protect the rights of our citizens and establish justice for every interest which pertains to America and Americans.

We are, moreover, through the announcement of the Monroe doctrine, the guardian of the Western Hemisphere, and that guardianship, Mr. President, has been extended in many directions, some of which never could have been foreseen by those who enunciated that doctrine. It has been necessary for us to take control of the financial affairs of some of the weaker powers upon this continent, to assume some influence in their general policies everywhere, and, as time advances, these obligations will doubtless increase and conditions will present themselves which will make it necessary either that we recede from or insist upon a more active recognition of this doctrine; indeed, I think it is safe to say that, but for the outbreak of the war, that contingency would have arisen before now. The public possesses the information which leads me to make that statement and I need not enlarge upon it.

Moreover, we have insular possessions which must be safeguarded. Those outlying possessions would be the first to feel the effect of foreign conflict or foreign aggression. In order to reach them, and reach them speedily if necessary, we must have a navy powerful in its structure and in its equipment, and a land force sufficiently formidable to accompany, for purposes of defense, any naval excursion made necessary for the protection of any of our insular possessions.

Moreover, Mr. President, overpopulated nations must find an outlet somewhere. Some of the nations of the earth are to-day overcrowded, with no sign of a diminution of the ever-increasing number of their inhabitants. They necessarily burst their bonds in obedience to an inexorable law of natural expansion, and if these outlets are directed toward the Western Hemisphere they must be either prevented or controlled by the Government of the United States.

Mr. President, there is no question that every nation in the world is to a greater or less degree involved in the conflict now raging in Europe and Asia. Neutrality is in some respects an abstract term. So great a conflict as this, with its ramifications extended in every direction, necessarily comes in contact with, if, indeed, it does not frequently overlap, the rights and interests of neutral nations. Ours is the only great power not directly involved in the conflict, and it may be that in a week, in a day, possibly in an hour, some crisis may overtake us which may make it absolutely necessary to go beyond the point where we can find safety with honor in maintaining peaceful international relations. God grant that such a time as that and such a crisis may never come; but that nation is indeed indifferent which, in view of the experiences of the last 14 months, does not perceive the possibilities which make preparation to a certain degree an inevitable and predominant duty.

So, Mr. President, while the propaganda of universal preparation may well be regarded as a call to the trough instead of a call to the trenches, the sober, reflective judgment of the people of this country overwhelmingly approves of the intention of the Sixty-fourth Congress, without regard to party or to personal differences as to details, to meet and recognize and perform this duty, and perform it with such expedition as its importance justifies.

I regret, Mr. President, that the many so-called defense societies, journals, associations, and other institutions which have been holding meetings, listening to frenzied speeches, and passing resolutions denouncing and instructing us, proclaiming our dire needs and more dire helplessness, have none of them suggested a method of raising the revenue needed for their purposes. We have been told that our Atlantic and Pacific coasts were exposed and defenseless; we have been told that we needed a Navy equal to that of the greatest navy afloat, and that our Army should be swelled to millions of active, militant soldiers; and yet, so far as I can remember, not one of these associations or leagues, not one of these conventions, has given the slightest consideration to the financial side of the problem, or if they have they have kept their views to themselves, leaving us to flounder along as best we may. This is a part of the problem also, Mr. President, which this Congress must determine and, unfortunately, must rely upon its own views as to details because of the absence of any outside suggestions.

Economy should be practiced by the Nation, but, unfortunately, I see no signs of it on either side of this or the other Chamber. If there is any tendency toward the reduction of expenditures in any direction, I should be very glad if some Senator would interrupt me and point it out. If there has been any diminution in the appropriations either for necessary objects or for matters which might well be left to a more propitious time, I have been unable to perceive it. Mr. President, this lack of economic forethought is due not so much, in my judgment, to the good intent of Senators and Representatives as it is to the insistent demands of their several constituencies. The man who preaches and attempts to practice economy in public life is disliked by his associates, but it is equally true that if he attempts to put his purposes into effective operation he must look for repudiation by those whom he represents.

The amount of added revenue which we are obliged, therefore, to raise must be taken in connection with the certain fact that there will be no corresponding reduction of public expenditures; in other words, we are going right ahead, every department of Government in full blast, and every possible appropriation to be made just as heretofore. The raising of millions of dollars necessary to meet these urgent additional needs which can not be postponed or disregarded will, I regret to say, be accompanied by no reductions in the public expenditures.

For one, Mr. President, I am prepared to take my share of the responsibility. I stated at the outset that I had no sympathy with the extremists, however conscientious and sincere, upon this question, whether it be in the direction of military preparedness or no preparedness at all. I love peace, Mr. President, as dearly as any man on earth. In my earlier years I had some bitter experiences with war, and I know full well its horrors and its consequences; but I am not vain enough, Mr. President, to believe that human nature will ever so change that "wars and rumors of wars" will cease to ebb and flow with the tides of civilization. We can only strive to make our wars, if wars there are to be, just and unavoidable ones. Let us avoid them, if this is consistent with duty and with honor, with the maintenance of our national self-respect and our obligations to mankind. Such wars are frightful and horrible to contemplate. But, Mr. President, such wars have their compensation in the spiritual values which spread from them like a benediction. Who can estimate the far-reaching, the priceless spiritual values of the War between the States to this Nation? It is beyond all estimate. It has consecrated the North and the South to the destiny of a single people; it shines through eyes that are filled with tears of suffering and of sacrifice, and clusters around battle flags scarred and grimed with conflict; it rises from the grave of every soldier and lifts us into an atmosphere redolent with the aroma of nationalism. Its memories are as sacred as they are precious. It is worth all that it cost our people, and will ever give courage to those who may falter in their guardianship of justice and of liberty. Our Nation is dedicated to the rights of man, to the arts of peace, and to the regeneration of the world. Our example should be commensurate with our ideals; but, Mr. President, until all the nations shall reach this high plane of lofty purpose peace may fly on frightened wings to other lands and we may become involved in war's deadly circuit. We must therefore shape our policies and make our preparations as the experiences of the past demand,

not for conquest, nor yet for glory, but that our loins may be girded for whatever ordeal the future may provide for us.

I shall support this bill, Mr. President, in the main. I feel sure it will have in its favor the preponderance of public sentiment and that in its practical operation it will give general satisfaction.

APPENDIX.

DEMOCRACY IN AMERICA.

[By Alexis de Tocqueville.]

(Vol. 2, chap. 22.)

WHY DEMOCRATIC NATIONS ARE NATURALLY DESIROUS OF PEACE AND DEMOCRATIC ARMIES OF WAR.

The same interests, the same fears, the same passions which deter democratic nations from revolutions deter them also from war; the spirit of military glory and the spirit of revolution are weakened at the same time and by the same causes. The ever-increasing numbers of men of property—lovers of peace, the growth of personal wealth which war so rapidly consumes, the mildness of manners, the gentleness of heart, those tendencies to pity which are engendered by the equality of conditions, that coolness of understanding which renders men comparatively insensible to the violent and poetical excitement of arms, all these causes concur to quench the military spirit. I think it may be admitted as a general and constant rule that amongst civilized nations the warlike passions will become more rare and less intense in proportion as social conditions shall be more equal. War is nevertheless an occurrence to which all nations are subject, democratic nations as well as others. Whatever taste they may have for peace they must hold themselves in readiness to repel aggression, or, in other words, they must have an army.

Fortune, which has conferred so many peculiar benefits upon the inhabitants of the United States, has placed them in the midst of a wilderness where they have, so to speak, no neighbors; a few thousand soldiers are sufficient for their wants; but this is peculiar to America, not to democracy. The equality of conditions and the manners, as well as the institutions resulting from it, do not exempt a democratic people from the necessity of standing armies; and their armies always exercise a powerful influence over their fate. It is therefore of singular importance to inquire what are the natural propensities of the men of whom these armies are composed.

Amongst aristocratic nations, especially amongst those in which birth is the only source of rank, the same inequality exists in the army as in the nation; the officer is noble, the soldier is a serf; the one is naturally called upon to command, the other to obey. In aristocratic armies the private soldier's ambition is therefore circumscribed within very narrow limits. Nor has the ambition of the officer an unlimited range. An aristocratic body not only forms a part of the scale of ranks in the nation, but it contains a scale of ranks within itself; the members of whom it is composed are placed one above another in a particular and unvarying manner. Thus one man is born to the command of a regiment, another to that of a company; when once they have reached the utmost object of their hopes they stop of their own accord and remain contented with their lot. There is, besides, a strong cause, which in aristocracies weakens the officer's desire of promotion. Amongst aristocratic nations an officer, independently of his rank in the army, also occupies an elevated rank in society; the former is almost always in his eyes only an appendage to the latter. A nobleman who embraces the profession of arms follows it less from motives of ambition than from a sense of the duties imposed on him by his birth. He enters the army in order to find an honorable employment for the idle years of his youth, and to be able to bring back to his home and his peers some honorable recollections of military life, but his principal object is not to obtain by that profession either property, distinction, or power, for he possesses these advantages in his own right and enjoys them without leaving his home.

In democratic armies all the soldiers may become officers, which makes the desire of promotion general and immeasurably extends the bounds of military ambition. The officer, on his part, sees nothing which naturally and necessarily stops him at one grade more than at another, and each grade has immense importance in his eyes, because his rank in society almost always depends on his rank in the army. Amongst democratic nations it often happens that an officer has no property but his pay and no distinction but that of military honors; consequently as often as his duties change his fortune changes and he becomes, as it were, a new man. What was only an appendage to his position in aristocratic armies has thus become the main point, the basis of his whole condition. Under the old French monarchy officers were always called by their titles of nobility; they are now always called by the title of their military rank. This little change in the forms of language suffices to show that a great revolution has taken place in the constitution of society and in that of the army. In democratic armies the desire of advancement is almost universal; it is ardent, tenacious, perpetual; it is strengthened by all other desires, and only extinguished with life itself. But it is easy to see that of all armies in the world those in which advancement must be slowest in time of peace are the armies of democratic countries. As the number of commissions is naturally limited, whilst the number of competitors is almost unlimited, and as the strict law of equality is over all alike, none can make rapid progress—many can make no progress at all. Thus the desire of advancement is greater and the opportunities of advancement fewer there than elsewhere. All the ambitious spirits of a democratic army are consequently ardently desirous of war, because war makes vacancies and warrants the violation of that law of seniority which is the sole privilege natural to democracy.

We thus arrive at this singular consequence: That of all armies, those most ardently desirous of war are democratic armies, and of all nations, those most fond of peace are democratic nations; and what makes these facts still more extraordinary is that these contrary effects are produced at the same time by the principle of equality.

All the members of the community, being alike, constantly harbor the wish and discover the possibility of changing their condition and improving their welfare; this makes them fond of peace, which is favorable to industry and allows every man to pursue his own little undertakings to their completion. On the other hand, this same equality makes soldiers dream of fields of battle by increasing the value of military honors in the eyes of those who follow the profession of arms and by rendering those honors accessible to all. In either case the inquietude of the heart is the same, the taste for enjoyment as insatiable, the ambition of success as great; the means of gratifying it are alone different.

These opposite tendencies of the nations and the army expose democratic communities to great dangers. When a military spirit forsakes a people, the profession of arms immediately ceases to be held in honor, and military men fall to the lowest rank of the public servants; they are little esteemed, and no longer understood. The reverse of what takes place in aristocratic ages then occurs; the men who enter the army are no longer those of the highest but of the lowest rank. Military ambition is only indulged in when no other is possible. Hence arises a circle of cause and consequence from which it is difficult to escape; the best part of the nation shuns the military profession because that profession is not honored, and the profession is not honored because the best part of the nation has ceased to follow it. It is, then, no matter of surprise that democratic armies are often restless, ill-tempered, and dissatisfied with their lot, although their physical condition is commonly far better and their discipline less strict than in other countries. The soldier feels that he occupies an inferior position, and his wounded pride either stimulates his taste for hostilities, which would render his services necessary, or gives him a turn for revolutions, during which he may hope to win by force of arms the political influence and personal importance now denied him. The composition of democratic armies makes this last-mentioned danger much to be feared. In democratic communities almost every man has some property to preserve; but democratic armies are generally led by men without property, most of whom have little to lose in civil broils. The bulk of the nation is naturally much more afraid of revolutions than in the ages of aristocracy, but the leaders of the army much less so.

Moreover, as amongst democratic nations (to repeat what I have just remarked) the wealthiest, the best educated, and the most able men seldom adopt the military profession; the army, taken collectively, eventually forms a small nation by itself, where the mind is less enlarged and habits are more rude than in the nation at large. Now, this small, uncivilized nation has arms in its possession, and alone knows how to use them; for, indeed, the pacific temper of the community increases the danger to which a democratic people is exposed from the military and turbulent spirit of the army. Nothing is so dangerous as an army amidst an unwarlike nation; the excessive love of the whole community for quiet continually puts its constitution at the mercy of the soldiery.

It may therefore be asserted, generally speaking, that if democratic nations are naturally prone to peace from their interests and their propensities, they are constantly drawn to war and revolutions by their armies. Military revolutions, which are scarcely ever to be apprehended in aristocracies, are always to be dreaded amongst democratic nations. These perils must be reckoned amongst the most formidable which beset their future fate, and the attention of statesmen should be sedulously applied to find a remedy for the evil.

When a nation perceives that it is inwardly affected by the restless ambition of its army the first thought which occurs is to give this inconvenient ambition an object by going to war. I speak no ill of war; war almost always enlarges the mind of a people and raises their character. In some cases it is the only check to the excessive growth of certain propensities which naturally spring out of the equality of conditions, and it must be considered as a necessary corrective to certain inveterate diseases to which democratic communities are liable. War has great advantages, but we must not flatter ourselves that it can diminish the danger I have just pointed out. That peril is only suspended by it, to return more fiercely when the war is over, for armies are much more impatient of peace after having tasted military exploits. War could only be a remedy for a people which should always be athirst for military glory. I foresee that all the military rulers who may rise up in great democratic nations will find it easier to conquer with their armies than to make their armies live at peace after conquest. There are two things which a democratic people will always find very difficult—to begin a war and to end it.

Again, if war has some peculiar advantages for democratic nations, on the other hand it exposes them to certain dangers which aristocracies have no cause to dread to an equal extent. I shall only point out two of these. Although war gratifies the army, it embarrasses and often exasperates that countless multitude of men whose minor passions every day require peace in order to be satisfied. Thus there is some risk of its causing under another form the disturbance it is intended to prevent. No protracted war can fail to endanger the freedom of a democratic country. Not, indeed, that after every victory it is to be apprehended that the victorious generals will possess themselves by force of the supreme power, after the manner of Sylla and Cæsar; the danger is of another kind. War does not always give over democratic communities to military government, but it must invariably and immeasurably increase the powers of civil government; it must almost compulsorily concentrate the direction of all men and the management of all things in the hands of the administration. If it lead not to despotism by sudden violence, it prepares men for it more gently by their habits. All those who seek to destroy the liberties of a democratic nation ought to know that war is the surest and the shortest means to accomplish it. This is the first axiom of the science.

One remedy, which appears to be obvious when the ambition of soldiers and officers becomes the subject of alarm, is to augment the number of commissions to be distributed by increasing the Army. This affords temporary relief, but it plunges the country into deeper difficulties at some future period. To increase the Army may produce a lasting effect in an aristocratic community, because military ambition is there confined to one class of men, and the ambition of each individual stops, as it were, at a certain limit; so that it may be possible to satisfy all who feel its influence. But nothing is gained by increasing the Army amongst a democratic people, because the number of aspirants always rises in exactly the same ratio as the Army itself. Those whose claims have been satisfied by the creation of new commissions are instantly succeeded by a fresh multitude beyond all power of satisfaction; and even those who were but now satisfied soon begin to crave more advancement; for the same excitement prevails in the ranks of the Army as in the civil classes of democratic society, and what men want is not to reach a certain grade, but to have constant promotion. Though these wants may not be very vast, they are perpetually recurring. Thus a democratic nation, by augmenting its army, only allays for a time the ambition of the military profession, which soon becomes even more formidable, because the number of those who feel it is increased. I am of opinion that a restless and turbulent spirit is an evil inherent in the very constitution of democratic armies and beyond hope of cure. The legislators of democracies must not expect to devise any military organization capable by its influence of calming and restraining the military

profession; their efforts would exhaust their powers before the object is attained.

The remedy for the vices of the Army is not to be found in the Army itself, but in the country. Democratic nations are naturally afraid of disturbance and of despotism; the object is to turn these natural instincts into well-digested, deliberate, and lasting tastes. When men have at last learned to make a peaceful and profitable use of freedom, and have felt its blessings—when they have conceived a manly love of order and have freely submitted themselves to discipline—these same men, if they follow the profession of arms, bring into it, unconsciously and almost against their will, these same habits and manners. The general spirit of the nation being infused into the spirit peculiar to the army, tempers the opinions and desires engendered by military life, or represses them by the mighty force of public opinion. Teach but the citizens to be educated, orderly, firm, and free, the soldiers will be disciplined and obedient. Any law which, in repressing the turbulent spirit of the army, should tend to diminish the spirit of freedom in the nation, and to overshadow the notion of law and right would defeat its object; it would do much more to favor, than to defeat, the establishment of military tyranny.

After all, and in spite of all precautions, a large army amidst a democratic people will always be a source of great danger; the most effectual means of diminishing that danger would be to reduce the army, but this is a remedy which all nations have it not in their power to use.

Mr. CHAMBERLAIN. Mr. President, yesterday the Senate adopted an order authorizing the printing in parallel columns of House bill 12766 and Senate bill 4840, concerning the national defense. The printing clerk advises me now that it is found impossible to print these bills in parallel columns, for the reason that one section of the House bill, for instance, may be involved in a half dozen sections of the Senate bill and vice versa. It would involve an expense of several hundred dollars, and would not assist the Senate at all if we simply printed the bills in parallel columns, without paralleling the subject matter of each bill, and that is the impossible thing to do. Therefore, unless the Senate objects, I should like to ask that the vote by which the order was made be reconsidered.

The VICE PRESIDENT. Without objection, the vote is reconsidered, and the order is rescinded.

Mr. CUMMINS. Mr. President, before the pending measure reaches a final vote I hope to have an opportunity to discuss the general subject of preparedness for both war and peace; but at the present moment I intend to direct my observations to the bill itself, with special reference to the amendment which I have offered and which is now pending. It is probable that during the progress of the bill I will offer a number of amendments; but I assure the chairman of the committee who has the bill in charge and all Senators that these amendments will not be presented in a hostile spirit. They will be for the purpose of harmonizing and strengthening the bill, rather than for the purpose of disarranging or weakening it.

The bill reported by the committee divides the armed, organized, active land forces of the United States into three parts or divisions: First, the Regular Army, so called; second, the Volunteer Army, so called—I say "so called," because the word "volunteer" is entirely inappropriate in its use in connection with that particular division, for the entire armed strength of the United States is a volunteer armed strength; third, the National Guard, or, as it might be termed, the Organized Militia of the United States.

I have always been in sympathy with the traditional policy of the American people, which, as I understand it, has been opposed to a large standing army; but I do not find that the force here proposed is in any way inconsistent with the policy to which I have referred when the situation with which we are confronted is taken into account. I intend to favor the increase of the Regular Army to the point provided for in the bill, first, because our relations toward Mexico are in such a state that I think we ought, having that danger in view, to increase the Regular Army as greatly as is here proposed; second, because the increase of something like 80,000 men is to be made in five years, a very limited addition in any one year; and, third—although this is not technically a reason, possibly—because I fear that the entire increase provided for in the Regular Army will not be realized. I fear that it will be impossible to enlist the men necessary for the proposed increase.

Service in the Regular Army is not attractive to the young men of the country. The compensation is small, and the duties are such as naturally repel the ordinary American citizen. It is only in times of great danger, when the spirit of patriotism is invoked, and the determination to preserve the country from threatened peril is paramount, that we will be able to enlist or maintain an Army of any considerable extent.

The second division, the Volunteers—while I do not intend to discuss the merits of the proposition fully at this time—in my judgment ought to be entirely eliminated from the measure. It is not only impracticable in operation; it will not only, as I look at it, fail to provide an additional force, but it will be a very serious obstacle in the way of recruiting the National Guard, which I look upon as the real source of strength, so far as training and discipline are concerned, and will divide the energies of the country and of Congress in the maintenance of these two bodies of men, both of which have for their chief purpose the education and the training of young men in the military science. In my judgment, this section of the bill encounters all the difficulties from the constitutional standpoint that are urged against the National Guard. I shall present my views upon that subject more fully at another time; but in order that Senators may have the matter in mind, let me remind those who are here that the Constitution plainly contemplates two great resources of military strength, so far as land forces are concerned: First, the Regular or the Standing Army, the Army of the United States, supposed to be in service during the entire period of enlistment, whatever that may be; second, the militia, which, as I said the other day, is as purely a Federal force and as entirely under the power and jurisdiction of Congress as is the Regular Army in all respects save one, and it is this—that while the Organized Militia is not in the active service in time of war or imminence of war, its officers are to be appointed or selected by the several States.

It is my opinion that section 56 of the bill, the section that refers to the so-called Volunteer Army, simply creates another organized body of the militia, and that the provision of the Constitution which reserves to the States the authority to appoint officers will be just as applicable to the so-called Volunteers in times of peace as it is applicable to the Organized Militia, known as the National Guard.

With that I pass to the immediate subject of my amendment.

I do not profess to great expertness in the military science, but my general reading and observation have led me to the conclusion that in the national defense the land force is quite as important as the naval force. Indeed, if I were compelled to rank the importance of these two arms or branches of our military strength, I would give precedence to the land force. I understand perfectly that the office of the Navy is to prevent landing upon our shores, to protect our commerce, and the like; but, after all, one engagement may entirely destroy the naval force as a protection to the people of the country. One engagement may so dissipate or disintegrate the Navy that it will thereafter become practically useless in defending our land against invasion.

Do not understand me even to suggest that our Navy should be weak or inconclusive. I am entirely in favor of an adequate naval force; but I repeat that for the protection of the United States against invasion we must depend more largely upon the strength and efficiency of the land force than of the sea force. No foreign power will ever attempt an invasion if it knows that it will be met upon the shore with an army of adequate strength and of adequate equipment, for there would be no motive whatsoever for the invasion if it were reasonably sure that the invading force would be forced back into the sea.

I am therefore particularly interested, and I think every Senator is, in so organizing our land forces that all the world may know that, even though our naval fleet is swept away, nevertheless no hostile foot can ever be planted upon American soil.

The bill, Mr. President, inaugurates a new era. It is an entirely new era so far as the Organized Militia is concerned; that is, so far as the National Guard—for I shall hereafter speak of it as the National Guard—is concerned. It establishes new relations between the General Government and the guard. It creates a new atmosphere which surrounds the whole armed strength of the United States; and it is my desire to see the guard brought into as close connection with the War Department at Washington as it is possible to bring it. If we are to depend—and we must depend—upon these forces, that are in the service in time of peace only to be trained and educated and disciplined in military affairs, there must be between such force and the supreme commander in the War Department that relation and feeling of confidence and closeness that will make all of them understand that they are moving and working for a single object.

I hope that the jealousy and aloofness heretofore existing between the Regular Army and the National Guard may be overcome, and that each will regard the other as a body of faithful, patriotic soldiers, each attempting in its own way and within its own field to further the great purpose for which our armed strength is created.

The National Guard will be from now henceforth, if this bill is passed, a Federal instrumentality. Most people have been in the habit of thinking of the guard or the Organized Militia as a State organization, as a State militia, as State troops, to be called into the Federal service only in times of great peril when it is necessary to make additions to the power of the Regular Army. There is nothing in our Government, there is

nothing in our Constitution, upon which any such belief or sentiment can be founded.

The militia are not State troops only. The truth is that there is no State in the Union that can organize and equip and arm a militia without the consent of Congress, and that consent has been given in times past; but Congress never has assumed to exercise all the power that is given to it in the Constitution with regard to the Organized Militia. This bill, for the first time in the history of our country, puts the National Guard in its proper relation to the General Government, and makes every officer of the National Guard as subject to the orders of the President as is any officer of the Regular Army.

Many people have seemed to believe that when the President of the United States desired to call upon the militia of the country it was necessary for him to make a requisition upon the governor of the State in which the particular militiamen or body of militia happened to be. It is not so. The President of the United States has the power, or we can give him the power, to issue all the orders that may be necessary to completely govern the militia or the National Guard directly to the officers commanding the guard, and there must be as complete and as full obedience to orders of that sort as though they had been directed to officers of the so-called regular force.

The word "regular" has crept into the literature of this general subject without any authority whatever. We have used it without very much discrimination to define that body of men who were continuously in the service of the Federal Government; but the forces provided for in the bill before us, and who are designated as parts of the Regular Army, are in fact no more parts of the Regular Army than are the officers and the men of the Organized Militia or National Guard.

The Constitution, which confers upon Congress the power to legislate upon this subject, does not suggest that one force is "regular" and the other "irregular." As I recall, there is no such word employed in the Constitution with reference to military matters; and I hope in the very beginning, as we go forward with this bill, that the somewhat vague and prejudicial impression many men have had that the Regular Army was a Federal instrumentality and the National Guard purely a State instrumentality, will disappear, because one, like the other, is subject to the laws of Congress and to the orders of the President of the United States.

Mr. NELSON. Mr. President, will the Senator permit me to ask him a question?

Mr. CUMMINS. Certainly.

Mr. NELSON. I should like to hear the Senator, in connection with his remarks, interpret this provision of section 2, Article II, of the Constitution:

> The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States.

That contemplates that the States may have a militia, and that the President has no command over them until they are called into the actual service of the United States. I should like to hear the Senator interpret that provision of the Constitution.

Mr. CUMMINS. Mr. President, I do not think so. In order to interpret it, I will begin at the origin of this power as given to both Congress and the President in the Constitution.

In Article I, section 8, there will be found the authority respecting the armed strength of the country; that is to say, the authority to provide for the national defense. I read——

Mr. NELSON. From what section does the Senator read?

Mr. CUMMINS. I am reading now from section 8 of Article I. We all know that it is preceded by the words "The Congress shall have power."

> To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years.
>
> To provide and maintain a Navy.
>
> To make rules for the government and regulation of the land and naval forces.

It has been generally supposed that the parts of the Constitution I have just read relate to what I have called the Regular Army so far as the land force is concerned. I continue:

> To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

I have heard it doubted, oftentimes, whether the clause I have just read gave Congress the authority to empower the President to send the militia beyond the confines of the country. That question was long ago definitely settled by the Supreme Court of the United States, but I shall not pause to read the opinion. It is to the effect that the President, in order to repel invasion, may send the militia, which has been organized under the authority of Congress beyond the limits of the United States, because oftentimes the most effective way of repelling invasion is to invade, thus prevent the invasion which is anticipated or feared.

Mr. HARDWICK. Mr. President, will the Senator pardon me for just a moment?

Mr. CUMMINS. I yield to the Senator from Georgia.

Mr. HARDWICK. The decision to which the Senator refers does not go to the effect, however, of holding that the militia can be sent off for a long foreign campaign, if I remember it correctly.

Mr. CUMMINS. No; it does not go to the extent of holding that if the United States were to enter upon a war of aggression, and desired to occupy a foreign country in order to conquer it, the militia could be dispatched upon an errand of that kind.

Mr. HARDWICK. No.

Mr. CUMMINS. It is limited to the precise case I have already suggested.

Mr. HARDWICK. Yes. If the Senator will pardon me, I want to suggest that the illustration I have in mind, remembering that case, is this: If the President saw troops massed against us across the Canadian border or the Mexican border, he might send the militia across to strike first at those troops, but the case does not go any further in principle than that.

Mr. CUMMINS. It is also true that when the President of the United States, under the authority of Congress, determines that a particular fact or situation exists which authorizes the use of the militia, his determination can not be questioned anywhere or by anybody.

Mr. STERLING. Mr. President, I will ask the Senator from Iowa if he will give us the volume and page of the case to which he refers?

Mr. CUMMINS. The title of the case is Martin versus Mott, Twelfth Wheaton, 19. There is also the case of Houston versus Moore, Fifth Wheaton, 1.

Mr. SMITH of Georgia. Before the Senator passes from that, will he not make this qualification of his statement as to the discretion of the President? Suppose the President should deliberately undertake to send the National Guard across the sea into Asia to take part in the war there, would it not be so clearly violative of the Constitution that he would be subject to impeachment?

Mr. CUMMINS. I am not prepared to deny the proposition just suggested by the Senator from Georgia. I can conceive that the action of the President might be so arbitrary and so clearly colorable that it might be inquired into. But so far as I am concerned, this limitation commends the National Guard to me rather than otherwise. I do not believe we ought to organize the armed strength for the purpose of conquering any country in the world. I do not believe that we ought to impose upon the people of this country the burden that is necessarily entailed in the maintenance of military strength in order to do more than to repel invasion and to resist attack. If we ever reach a time when the American spirit desires to subject other countries to our power, that desires to enlarge the territory of the United States by conquest, the Constitution, from which I am quoting, will already have disappeared as a living force among the American people. I hope that no part of our military strength, whether it be denominated as the Regular Army or denominated as militia, will ever be employed for any such purpose.

Mr. SMITH of Georgia. Will the Senator allow me to say that in calling attention to this limitation with reference to the National Guard I did not at all mean to indicate that I thought it was an objection. I think it is a desirable limitation.

Mr. CUMMINS. I am sure of that.

Mr. SMITH of Georgia. I hope there never will be an effort to send them abroad for any such purpose.

Mr. CUMMINS. I am sure the sentiment of the Senator from Georgia is in exact accord with my own.

Mr. NEWLANDS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. CUMMINS. I yield.

Mr. NEWLANDS. I wish to ask the Senator from Iowa how the militia could be used in case it is necessary in the maintenance of the Monroe doctrine to defend the soil of some Central American or South American Republic against foreign invasion?

Mr. CUMMINS. Mr. President, I am not very much concerned about the Monroe doctrine in building up our land force. It may be that some time we will be so unfortunate as to be compelled to take a large army to a distant country in order to sustain the Monroe doctrine. I am praying that no such contingency will ever occur, and if it does unhappily come I am

quite willing to depend upon the 250,000 men and officers who are provided for in the earlier parts of the bill.

Mr. NEWLANDS. I suppose the Senator also assumes that the militia can not be used for any such purpose and he realizes, of course, that one of the chief——

Mr. CUMMINS. I do not say so. I do not want to drift into a discussion of what the Monroe doctrine is or a discussion of the principle upon which it is founded, but if I understand it the Monroe doctrine is based upon self-interest. It is a doctrine which restrains foreign powers from occupying with their sovereignty the Western Hemisphere because we believe their presence in the Western Hemisphere with the governmental views they entertain would constitute a peril to the United States, and it is quite likely that that is the equivalent of a threatened invasion.

I quote the next paragraph of the Constitution upon this point:

To provide for organizing, arming, and disciplining the militia—

There is no suggestion there that it is a State force alone—

and for governing such part of them as may be employed in the service of the United States.

Mr. NELSON. Does not that mean that the Federal Government has no control unless they employ them directly in the service of the United States.

Mr. CUMMINS. Not at all. The militia generally is composed of all the people of the United States. What is the militia? The unorganized militia under this bill is declared to be all men or boys from 16 to 60 possibly, or 65, and that is simply an interpretation put upon the word "militia." The unorganized militia of the United States is composed of every man, and I suppose, in the future, of every woman who is capable of bearing arms and defending the liberties and the integrity of the country. There is no description of militia in its general sense short of the one I have just suggested.

And for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

In the same article and in section 10 we find this provision:

No State shall, without the consent of Congress, lay any duty of tonnage or keep troops or ships of war in time of peace.

What are troops? I assume that troops, as distinguished from men, are men organized, armed, and equipped for the purpose of carrying on warfare.

Mr. SUTHERLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SUTHERLAND. The Senator from Iowa is always very accurate in his investigation and in his interpretation of the Constitution; but I ask the Senator whether he does not think that the word "troops" there means something entirely different and distinct from the word "militia"—whether the word "troops" does not mean a standing army as distinguished from the militia?

Mr. CUMMINS. I do not think so, although that is, of course, a mere matter of judgment. The word "militia" includes all the men of the United States who are capable of carrying on war. The word "troops" is distinguishable from the word "militia" in this, that it signifies organized men, armed men, trained men, who are capable of moving under the orders of superior officers. That is the interpretation I put upon it.

Mr. SUTHERLAND. The State keeps the militia.

Mr. CUMMINS. No State keeps such militia without the consent of Congress.

Mr. SUTHERLAND. I am not so sure about that.

Mr. CUMMINS. At least I——

Mr. SUTHERLAND. The Senator is presenting a phase of the matter that I confess I have not had occasion to think about. However, it occurs to me that what is meant by the provision to which the Senator has just referred is that the State shall not keep troops in the sense that it shall not maintain a standing army, but that the State may maintain militia as distinguished from troops.

Mr. CUMMINS. Does the Senator think the State may maintain an army for nine months in the year?

Mr. SUTHERLAND. It may maintain the militia all the time, in the sense that it is a force upon which the State may call. The State may execute its own laws by calling upon the militia.

Mr. CUMMINS. When the militia is unorganized?

Mr. SUTHERLAND. It creates the militia and appoints the officers of the militia, and in that sense it keeps the militia.

Mr. CUMMINS. When the militia is organized, what does it become then?

Mr. SUTHERLAND. It is still the militia.

Mr. CUMMINS. They may organize the militia and keep them throughout the year, but they could not keep troops during the whole year?

Mr. SUTHERLAND. That is my interpretation of it. I think that is precisely what it means.

Mr. CUMMINS. It does not seem to me that distinction can be accepted.

Mr. CURTIS. I think the latter part of section 10 explains that the State militia are considered as troops, because it says:

No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war, unless actually invaded or in such imminent danger as will not admit of delay.

Mr. CUMMINS. Undoubtedly.

Mr. CURTIS. So the State may maintain troops.

Mr. CUMMINS. Congress can authorize a State to have troops and use them. I have no doubt about that at all. It can maintain troops without the consent of Congress when it constitutionally engages in war—that is, when invaded. Of course this is very largely an academic question, for I hope there is no Senator here who desires to destroy the National Guard entirely, although that would seem to be the view of some of its opponents.

The next suggestion with regard to the militia found in the Constitution is the one quoted by the Senator from Minnesota [Mr. NELSON], and I read it:

The President shall be Commander in Chief of the Army and Navy of the United States and of the militia of the several States.

The militia have a habitation, of course, and it is not inaccurate to speak of the militia of the States even though it were not intended to mean that the States have exclusive power over the militia.

But the second suggestion in response to that of the Senator from Minnesota is this: When are they called into the actual service of the United States? Whenever the United States attempts to organize them and train them and discipline them in order that they may be efficient in war they are in the actual service of the United States. There is no difference in law between the period of preparation and the period of performance. Otherwise how can you reconcile these two provisions of the Constitution? In one it is said Congress shall have the power to organize, to equip, to discipline, to arm the militia, whether in time of war or in time of peace, and they are employed, as I think, under Article I, section 8, of the Constitution whenever they are preparing themselves for the work to which they may be ultimately called.

Mr. NELSON. Will the Senator allow me right there to interrupt him?

Mr. CUMMINS. Certainly.

Mr. NELSON. I want to call the Senator's attention to the specific language of the paragraph of the Constitution which he has quoted in part. It is paragraph 16 of Article I:

To provide—

That is, Congress may do this—

To provide for organizing, arming, and disciplining the militia—

That is, to lay down and prescribe the rules—

and for governing such part of them as may be employed in the service of the United States.

Congress has no power or the President has no power to govern them unless they are directly employed in the service of the United States. And then it adds:

Reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

That is, Congress could lay down the rules and regulations for the training of the militia, but it is with the States to appoint the officers and to carry on the practical training before they are called into the service of the United States.

Mr. CUMMINS. Mr. President, there is a part of what the Senator from Minnesota has just said that can be accepted, but there is a part that is not justified by the language he has read. I have already discussed it to some extent, and I have reached a conclusion, and I have no doubt whatsoever that the power reserved——

Mr. NELSON. Perhaps I ought not to have interrupted the Senator, and I will not interrupt him if it does not suit him.

Mr. CUMMINS. I have not suggested that the Senator from Minnesota shall not interrupt me. I will be very glad to have him interrupt me at any time. I have, however, considered that section or article of the Constitution as fully as I can, and I will not attempt to add to what I have already stated with respect to it.

Mr. SUTHERLAND. Before the Senator passes to another subject—I said in the colloquy a moment ago that I thought the

term "troops" referred to a standing army and not to the militia. Since then I have obtained the volume of the Century Dictionary dealing with the word "militia," and I invite the Senator's attention to this definition among others:

3. In the United States, all able-bodied men over 18 and less than 45 years of age amenable to military service. Divided into organized militia, or the National Guard and "reserve militia."

Then follows a quotation from Lincoln, in which he says:

It has been necessary to call into service, not only volunteers, but also portions of militia of the States by draft.

Then follows a quotation from Fiske's American Political Ideas, page 98, where it is said:

The Regular Army is supported and controlled by the Federal Government, but each State maintains its own militia, which it is bound to use in case of internal disturbance before calling upon the Central Government for aid. In time of war, however, these militias come under the control of the Central Government.

Now, this is the part to which I invite the Senator's attention:

4. A body of men enrolled and drilled according to military law as an armed force, but not as regular soldiers, and called out in emergency for actual service and periodically for drill and exercise.

Then follows something else which it is not necessary to read. So that the author of this dictionary seems to regard the militia not as regular soldiers but as a body of citizens armed for emergencies and not regular soldiers, and I think that that is the sense in which the word "troops" is used in the Constitution.

Mr. CUMMINS. I see nothing whatever in the definition just read that is inconsistent with anything I have said. I understand perfectly that the militia is that portion or part of our organized strength that is not in continuous service and is called into active service or continuous service only in the event of war or the imminence of war. I have no doubt whatsoever about that. But it does not at all impinge upon my argument or my conclusion to assert that the power to call the militia is in the Congress of the United States, and that the power to organize it and discipline it and train it under officers appointed by the State is also in Congress. By that I do not mean to say that the States may not lawfully organize the militia, because Congress has given the authority to organize it, and it is not necessary even to say that the States could not organize the militia without the consent of Congress. All that I am attempting to establish is the power and authority of the General Government over the Organized Militia known as the National Guard, and when that is established the whole contention, in so far as I am concerned, is proven.

I have entered upon it only because there is a disposition, or has been a disposition, to belittle the National Guard as an essential part of our national armament. I believe it is the agency and the only practicable agency for the training of the young men of this country so that in the event of war we can command a sufficient and efficient Army, and it is with that in view that I have offered the amendment which is now pending and which I now call to the attention of the Senate.

It will be remembered that we have in the Regular Army a General Staff. This bill perpetuates the General Staff. Whether it makes any changes in its personnel I do not know, nor is it material. The provision is found in section 6, and I will read but a little of it:

SEC. 6. The General Staff Corps: The General Staff Corps shall consist of 1 Chief of Staff, detailed in time of peace from major generals of the line, who shall while so serving have the rank, pay, and allowances prescribed for a lieutenant general, and shall take rank and precedence over all other officers on the active list of the Army; 3 assistants to the Chief of Staff, brigadier generals, detailed in time of peace from the brigadier generals of the line, 1 of whom shall be the president of the Army War College and 1 of whom shall be Chief of the Division of Militia Affairs; 10 colonels; 12 lieutenant colonels; 32 majors; and 34 captains—

In all, 92 officers of the Regular Army. These officers constitute the General Staff. Their functions are purely advisory. Neither the staff nor any of its members as such staff officers have any authority whatsoever. It is a board created in order to exchange views, to discuss military affairs, to look into the future, to apprehend military needs, to provide in a broad way for the national defense. It is, I think, an invaluable arm of the service. I think its existence has vindicated the wisdom of the men who not long ago organized it, and I have no criticism upon it or quarrel with what it is appointed to do.

The amendment which I have offered is as follows:

The President shall detail five officers of the National Guard of not less than 10 years' service, who shall constitute an additional section of the General Staff to be known as the National Guard section. Such officers shall be detailed as follows: One for a term of one year, one for a term of two years, one for a term of three years, and two for a term of four years, and after the expiration of each detail the successor shall be detailed for a period of four years—

I will say, in passing, that is the period of the detail of the officers from the Regular Army—

unless such detailed officers shall be sooner relieved. In the event of a vacancy in this section the detail shall be for the unexpired term. No officer having served in this section of the General Staff shall be again detailed for such service within two years after the service has ceased. National Guard officers so serving shall receive the pay and allowances of officers of similar grade in the Regular Army.

My amendment is intended to bring into close cooperation and consultation the officers of the Regular Army and the officers of the National Guard. It is to secure the harmony and good feeling that must exist between these two arms of the service if all the purposes of this bill are to be realized.

It will be remembered that the National Guard under this bill is to consist of practically 117,000 men and officers for the first year. That is the actual strength at this time. It is to be increased during succeeding periods until it reaches the actual strength of substantially 265,000 men and officers. That is the peace strength. When it is recruited to the point of 265,000 it will constitute the most reliable, the most effective, and I think the most patriotic reserve force for the defense of the Union that can possibly be organized. It is composed and will be composed mainly of young men of high ambitions, deeply attached to the institutions of the country, anxious and willing to take on the training and receive the instruction necessary to make them efficient soldiers and capable of defending their country in time of need.

Is it possible that a force of 265,000 such men preparing themselves to discharge the highest duties a citizen can owe his Government ought not to be represented upon the General Staff? Is it possible that there is a Senator here who will deny that privilege to this body of men? No matter what you pay them, they will have served their country in preparation with actual loss to themselves. Are you willing to deny such a body of men, through their officers, participation in the military councils of the Nation? When the moment of danger comes they are the men who will spring to the country's defense, and they are the men upon whom we must rely for immediate and efficient organization.

Mr. SMITH of Georgia. I was called out for a moment. Is the Senator now discussing his amendment which looks toward placing the officers of the National Guard at the head of the bureau here that directs the National Guard?

Mr. CUMMINS. No; I am discussing the amendment now which proposes to create an additional section, known as the National Guard section of the General Staff, to be composed of five officers of the National Guard. I have described in a general way what the General Staff is and the office which it performs, and I am attempting now to show how wise it will be to attach to the General Staff of the Regular Army five representatives of the National Guard.

Mr. SMITH of Georgia. Will the five so attached to the General Staff have any control over the National Guard Bureau in the War Department, which heretofore has been presided over and controlled exclusively by Regular Army officers, who are not familiar with the work of the National Guard and really are not so capable of sympathizing with and directing it as if there were some officers of the National Guard in that bureau?

Mr. CUMMINS. The amendment now under consideration will not change the present organization in the War Department known as the Division of Militia Affairs. I have another amendment, which I shall offer later, possibly, which puts at the head of the Militia Division in the War Department an officer of the National Guard, but that is not the question now under consideration.

Mr. SMITH of Georgia. I asked of the Senator from Iowa the question I did, because I read his amendment last night, and I did not think it reached that division. It seems to me that we ought to reach that division also with the presence of an officer of the National Guard.

Mr. CUMMINS. Mr. President, I am trying to take one step at a time. No matter whether those who believe in the National Guard are successful in putting an officer of the National Guard in charge of the Militia Division or not, there should be little difference of opinion with regard to the propriety of having the guard represented in the General Staff. The members of the General Staff, as such, have no duties to perform, except advisory and consulting duties. It is a committee of the whole upon the state of the Union, so far as military affairs are concerned.

This particular amendment places five representatives of the guard upon the General Staff, in order that they may meet with them, exchange views with them, explain to them, if you please, the necessities or wants of the National Guard, and who can, by their personal association, destroy, as I hope, the unreasoning, unfounded hostility which some of the officers of the Regular Army have manifested toward the National Guard.

Mr. SMITH of Georgia. Can the Senator from Iowa tell us what number of officers there are now in the General Staff?

Mr. CUMMINS. I do not know how many there are now.

Mr. SMITH of Georgia. But under this bill how many are provided for?

Mr. CUMMINS. The bill provides a General Staff composed of 92 officers of the Regular Army.

Mr. SMITH of Georgia. And the Senator proposes by his amendment to add five officers of the National Guard?

Mr. CUMMINS. I ask a representation of five officers from the National Guard. Those officers could not under any possible circumstances overcome the judgment or the conclusions of the General Staff. They would constitute so slight a proportion that the only influence they could exert would be through the persuasiveness of their reasons for the course advised. If, as some people have fancied, the National Guard were to attempt to take possession of the General Staff and were to attempt to administer the military affairs of the country, every Senator would object; but why the military councils of the Nation should not welcome the presence of these few officers of the guard, who come directly from a body which, when the terms of this bill are fully realized, will number 265,000 young men, who are giving their time, devoting their energies, and making sometimes almost infinite sacrifices in order that they may be ready when the time of emergency or danger approaches, I can not conceive.

Mr. SMITH of Georgia. Mr. President, will there not be as many more also of the National Guard reserve under the terms of this bill?

Mr. CUMMINS. Gradually there will be many more. In the course of years the National Guard reserve, it is to be hoped, will largely outnumber those who are actively enrolled and under immediate training, and whose duty it is to go to camp, to maneuver, to drill, and the like.

Mr. President, I have occupied a great deal more time than I had intended to do upon this amendment. My only excuse is that we drifted away into a constitutional argument, with respect to the status of the National Guard under the laws of the country. While I do not deplore or regret the argument, I hope Senators will understand that it is not in anywise involved in the amendment which I have offered. If the views of the Senator from Minnesota [Mr. NELSON] or the views of the Senator from Utah [Mr. SUTHERLAND] are sound, the amendment that I have offered is just as essential, it is just as necessary, it is just as wise, and will be just as effective as though the views which I have held and attempted to state shall be found to be true.

I hope, with all my heart, that the men and the officers of the National Guard, who have for so many years manifested in the most conclusive way their interest in the military strength of the country and their willingness to do all that they can do to provide for the national defense, will hereafter be represented upon the General Staff.

Mr. BRANDEGEE obtained the floor.

Mr. SHERMAN. Mr. President, I merely wish to ask a question of the Senator from Iowa before he resumes his seat.

Mr. BRANDEGEE. I yield to the Senator from Illinois for that purpose.

Mr. SHERMAN. It will take me but a few moments to do so. Before the Senator concludes his remarks I should like to have him add his views upon this statement in the report from the War College under date of September, 1915. It is found on page 22, near the foot of the page of this document, in the following language:

> Due to constitutional limitations, Congress has not the power to fix and require such an amount of training for the Organized Militia. No force can be considered a portion of our first line whose control and training is so little subject to Federal authority in peace.

I wish to ask, in connection with that statement, the Senator's interpretation of the sixteenth clause of the powers of Congress, as defined in the Constitution, which has been referred to here. Among other powers it refers to the appointment of officers of the militia by the States and "the authority of training the militia according to the discipline prescribed by Congress." Will the Senator state what he believes "discipline" as there used to include? Does it not include requiring some length of training in the State militia so as to give adequate military strength to that organization?

Mr. CUMMINS. Obviously, Mr. President, it involves the power of Congress to prescribe the time the training shall continue. If that be not true, this whole bill is founded upon a false view of the Constitution. It has given the President the power to prescribe the period of training and the character of the training. It must be carried on under the eyes of an officer of the Regular Army. There is not a movement of the National Guard, from the moment of organization, when both officers and men are not under the control of the General Government. I can not imagine anything connected with the National Guard that will not come within the term of "organizing, arming, and disciplining the militia." If anyone can imagine what more could be done with a military organization I shall be very much interested to hear it.

Mr. CURTIS. Mr. President, may I add just one word, with the permission of the Senator from Connecticut, which I think will interest the Senator from Illinois?

Mr. BRANDEGEE. I yield to the Senator from Kansas.

Mr. CURTIS. I wish to read an extract from a document prepared by the military council of the State of Missouri in reference to the power of the Federal Government over the militia under the Constitution. I read as follows:

> Save and except the appointment of officers reserved to the States, but one power remains in the States, and that is to train the militia according to the discipline prescribed by Congress. What does this mean? It means that while the State shall superintend the actual drill and instruction of the National Guard, such instruction must be according to the discipline prescribed by Congress; that is to say, the method of drill and instruction and the observance of all things which go to make up military discipline must be according to Federal standards.

Mr. CHAMBERLAIN. Mr. President, I did not catch the name of the document from which the Senator from Kansas has been reading.

Mr. CURTIS. I have read from an article prepared by the military council of the State of Missouri.

Mr. WARREN. Mr. President, I ask permission to have read at the desk a telegram from the seat of war in Mexico.

Mr. BRANDEGEE. I shall be very glad to yield to the Senator for that purpose.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

[Statement for the press.]

WAR DEPARTMENT, *March 31, 1916.*

Following telegram received to-day:

"SAN GERONIMO, *March 30.*

"Dodd struck Villa's command, consisting of 500, 6 o'clock March 29 at Guerrero. Villa is suffering from a broken leg and lame hip; was not present. Number of Villa's dead known to be 30; probably others carried away dead. Dodd captured two machine guns, large number of horses, saddles, and arms. Our casualties, 4 enlisted men wounded. None serious. Attack was surprise, the Villa troops being driven in a 10-mile running fight and retreated to mountains northwest of railroad, where they separated into small bands. Large number Carranzista prisoners, who were being held for execution, were liberated during the fight. In order to reach Guerrero Dodd marched 55 miles in 17 hours and carried on fight for 5 hours. * * * Elisio Hernandez, who commanded Villa's troops, was killed in fight. With Villa permanently disabled, Lopez wounded, and Hernandez dead, the blow administered is a serious one to Villa's band.

"PERSHING."

Mr. BRANDEGEE. Mr. President, I think one of the most important features of this bill is the attempt to federalize properly the so-called National Guard, which I assume to be the Organized Militia of the several States. That feature is covered by section 112 of the bill, which I will not read in full, but which I will ask to have printed in full in connection with my remarks. I will read that portion which commences at the bottom of page 191 and provides:

> The National Guard * * * may be ordered into the service of the United States by the President to serve for a period of three years within or without the continental limits of the United States, unless sooner discharged by the President.

The section entire is as follows:

> SEC. 112. When Congress shall have authorized the use of the armed land forces of the United States requiring the use of troops in excess of those of the Regular Army, the officers and enlisted men of the National Guard, who have signed an enlistment or agreement to render military service to the United States and have received and accepted compensation for training for such service under the provisions of this act, and who have passed the required physical examination at the time of their enlistment, may be ordered into the service of the United States by the President to serve for a period of three years within or without the continental limits of the United States, unless sooner discharged by the President. Officers and enlisted men in the service of the United States, under the terms of this section, shall have the same pay and allowances as officers and enlisted men of the Regular Army.

Mr. President, I very much fear that Congress is exceeding its power under the Constitution in enacting that provision. It is not entirely a new subject. In 1840 the then Secretary of War, Mr. Poinsett, submitted to Congress a program, one section of which provided:

> SEC. 17. That the President of the United States be authorized to call forth and assemble such numbers of the active force of the militia, at such places within their respective districts, and at such times, not exceeding twice, nor —— days, in the same year, as he may deem necessary; and during such period, including the time when going to and returning from the place of rendezvous, they shall be deemed in the service of the United States, and be subject to such regulations as the President may think proper to adopt for their instruction, discipline, and improvement in military knowledge.

Secretary of War Poinsett submitted his provision to the Speaker of the House of Representatives and in due course it

vent to the House Committee on Militia. On March 6, 1840, the chairman of that committee made reply thereto, inviting the Secretary's attention to several points in his proposed reorganization of the militia which presented a "contrariety of opinions to the Committee on Militia," and stating that at their request he was writing to suggest the difficulties and to ascertain a more complete exposition of his views, and further remarking thereon as follows:

By the seventeenth provision, the power of the President to call forth and assemble such numbers of the active force of the militia as he may deem necessary, and subject them to such regulations as he may think proper to adopt for their instruction, discipline, and improvement in military knowledge, is an organization supposed to be incompatible with the eighth section of the first article of the Constitution, that "provides for calling forth the militia and reserves to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress."

Under date of April 8, 1840, Secretary Poinsett, with reference to the foregoing contention, replied as follows—

Mr. President, as I am very hoarse this afternoon, I do not want to read any more than is absolutely necessary, and so I will ask the Secretary to read the reply of Secretary Poinsett.

The VICE PRESIDENT. The Secretary will read as requested.

Mr. SMITH of Georgia. Will the Senator from Connecticut kindly indicate what the matter referred to is?

Mr. BRANDEGEE. It is the report of the Secretary of War, Mr. Poinsett, in 1840, upon a very similar proposition to federalize the State militia or the National Guard.

The Secretary read as follows:

With regard to the seventeenth article, the same difficulty which presented itself to the committee occurred to me when considering this subject, viz: That provision of the Constitution which restricts the power of Congress over the militia to organizing, arming, and disciplining them, reserving to the States, respectively, the appointment of officers and the authority of training the militia according to the discipline prescribed by Congress. Although the word "disciplining" is susceptible of a different interpretation from that given to it here, *yet the subsequent reservation to the States of the power to train the militia according to the system of discipline adopted by Congress would seem to define its meaning;* and as we can not be too scrupulous in our interpretation of the Constitution, I propose that in the event of its becoming necessary to resort to drafts in order to fill the ranks of the active class of militia, *to apply to the States to place by law their contingents at the disposition of the General Government* for a period not more than 30 days of every year for the purpose of their being trained in conjunction with regular troops and by veteran officers. It is not probable that this cooperation will be withheld by any State when the advantages are presented to it of possessing a body of well-organized, well-armed, and well-disciplined militia, without any expense either to the States or to the citizens thereof, and when they are made aware that it is the intention of the Government to assemble such militia at convenient points within each State and in the vicinity of depots of arms, which it is proposed to establish as a part of the system. [Italics supplied.]

Mr. BRANDEGEE. In other words, Secretary Poinsett conceded the force of the constitutional objection raised by the chairman and changed his plan so as to rely, not upon the authority of the Congress to call the militia into the service of the United States for training, but upon a draft by the State in pursuance of State law, effective only to bring the militia of a given State to a rendezvous within that State.

The Hay provision is even broader than the Poinsett provision. Its effect is to authorize the President to call the militia of a given State into the service of the United States for the purpose of training, not only to encampments within the State but at joint encampments with the Regular Army, which will in the general case be without the State.

Mr. President, it will thus be seen that this proposition has been considered previously by Congress and abandoned on the theory that they had no constitutional authority to federalize the militia, subject to the order of the President, to make it a part of the Regular Army and to send it out of the country.

The Senator from Iowa has alluded to the case in Fifth Wheaton, and now I wish to allude to the case of Peter J. Dunne against The People, reported in Ninety-fourth Illinois, State Reports, being a decision of the supreme court of that State. It is a very instructive case, and answers a good many of the questions about which we are more or less confused, I think, judging from the running colloquy which has developed on this subject. After reading two or three paragraphs of the syllabus, I will ask permission to print in the RECORD, where it may be studied at the leisure of Senators, such portions of the case as I have marked—not the entire case—as it deals with some other points.

The syllabus says:

The power in Congress to provide for organizing, arming, equipping, and disciplining the militia is not exclusive. It is merely an affirmative power and not incompatible with the existence of a like power in the States; and hence the States have concurrent power of legislation not inconsistent with that of Congress. It is only repugnant and interfering State legislation that must give way to the paramount laws of Congress constitutionally enacted.

3. The Federal Constitution does not confer on Congress unlimited power over the militia of the several States, but it is restricted to specific objects enumerated, and for all other purposes the militia of the States remains subject to State legislation. The power of a State over its militia is not derived from the Constitution of the United States. It is a power the States had before the adoption of that instrument, and its exercise by the States not being prohibited by it, it still remains with the States, subject only to the paramount authority of acts of Congress enacted in pursuance of the Constitution.

6. By any fair construction of the Constitution of the United States, a law to organize the militia of a State for its own purposes, not inconsistent with the laws of Congress on that subject, is valid. In right of its sovereignty a State may employ its militia to preserve order within its borders, where the ordinary local officers are unable, on account of the magnitude of the disturbance, or any sudden uprising to accomplish the result.

7. The organization of the active militia of the State is not in violation of that clause of the Federal Constitution which withholds from the States the right to keep troops in time of peace. Such a militia is not embraced in the term "troops," as used in the Constitution. The State militia is simply a domestic force, distinguished from regular troops, and is only liable to be called into service when the exigencies of the State make it necessary.

I now ask that the portion of the case I have marked be printed in the RECORD.

The VICE PRESIDENT. In the absence of objection, permission to print the matter referred to in the RECORD is given.

The matter referred to is as follows:

PETER J. DUNNE v. THE PEOPLE OF THE STATE OF ILLINOIS.

1. Juror—Exemption of active militia: The provision of the act of May 28, 1879, entitled "An act to provide for the organization of the State militia," etc., which exempts an active member of a company of the State militia from serving upon juries, is a valid and constitutional law.

2. State militia—State and Federal power—and herein of their concurrent powers: The power in Congress to provide for organizing, arming, equipping, and disciplining the militia is not exclusive. It is merely an affirmative power and not incompatible with the existence of a like power in the States; and hence the States have concurrent power of legislation not inconsistent with that of Congress. It is only repugnant and interfering State legislation that must give way to the paramount laws of Congress constitutionally enacted.

3. The Federal Constitution does not confer on Congress unlimited power over the militia of the several States, but it is restricted to specific objects enumerated, and for all other purposes the militia of the States remains subject to State legislation. The power of a State over its militia is not derived from the Constitution of the United States. It is a power the States had before the adoption of that instrument; and its exercise by the States not being prohibited by it, it still remains with the States, subject only to the paramount authority of acts of Congress enacted in pursuance of the Constitution.

4. The reservation to the States of the power of appointing the officers of the militia and authority to train the militia according to the discipline prescribed by Congress does not place any restriction upon the States in respect of its power of concurrent legislation concerning its militia. The exception from a given power can not be considered as an enumeration of all the powers which belong to the States over the militia.

5. There is no question of the power of a State to organize such portion of its militia as may be deemed necessary in the execution of its laws and to aid in maintaining domestic tranquillity within its borders. The power given to the chief executive of the State to call out the militia to execute the laws, etc., by implication recognizes the right to organize a State militia.

6. By any fair construction of the Constitution of the United States, a law to organize the militia of a State for its own purposes, not inconsistent with the laws of Congress on that subject, is valid. In right of its sovereignty a State may employ its militia to preserve order within its borders, where the ordinary local officers are unable, on account of the magnitude of the disturbance or any sudden uprising, to accomplish the result.

7. The organization of the active militia of the State is not in violation of that clause of the Federal Constitution which withholds from the States the right to keep troops in time of peace. Such a militia is not embraced in the term "troops," as used in the Constitution. The State militia is simply a domestic force, as distinguished from Regular troops, and is only liable to be called into service when the exigencies of the State make it necessary.

8. It is a matter dependent on the wisdom of Congress whether it will provide for arming and disciplining the entire body of the militia of the United States. The citizen is not entitled, under any law, State or Federal, to demand, as a matter of right, that arms shall be placed in his hands.

9. It is for the legislature to determine of what number the active militia of the State shall consist, depending on the exigency that makes such organization necessary.

10. Same—Validity of act of 1879—Under the constitution of 1870, and in respect to Federal laws: The act of the general assembly of May 28, 1879, providing for the organization of a State militia, etc., is not in conflict with any provision of the present constitution of this State.

11. Nor is that act repugnant to the national law relating to the militia, either in its spirit, intent, or effect. In defining what persons shall constitute the State militia, it is in strict accordance with the act of Congress of 1792.

12. The provision in the State militia law making it the duty of the governor, as commander in chief, by proclamation, to require the enrollment of the entire militia of the State, or such portion thereof as shall be necessary, in the opinion of the President of the United States, and to appoint enrolling officers, and to make all necessary orders to aid in the organization of the militia, is not in contravention of any of the provisions of the act of Congress of 1792, or any other act of Congress in relation to the organization of the militia, but is rather in aid of such laws.

13. The organization of a State militia, when not in actual service, but for the purpose of training under the act of Congress, into divisions, brigades, regiments, battalions, and companies, shall be done as the State legislature may direct. When called into the national service, it is made the duty of the executive to organize the militia as the act of Congress directs.

14. The adoption of the discipline, exercises, and equipment required in the Regular Army of the United States, in the State system, will not render the law invalid.

15. The fact that the men composing the active militia of the State are required to take an oath to obey the "orders of the commander in chief, and such other officers as may be placed over them," is no just ground of objection to the law. The obedience to the orders of the governor is when they are in the service of the State, and not in the actual service of the United States.

16. The provision of the militia code of the State which provides that no military company shall leave the State with arms and equipments without the consent of the commander in chief was intended to apply to the militia when not in the actual service of the United States, and is a valid law.

17. The provision of the militia law making it unlawful for any body of men other than the regularly Organized Volunteer Militia of this State and of troops of the United States, with an exception in favor of students in educational institutions where military science is taught, to associate themselves together as a military company or organization, or to drill or parade with arms, in any city or town of this State, without the license of the governor, is not inconsistent with any paramount law of the United States, and is a binding law.

18. Same—The act not defeated if some provisions are invalid: If the militia law, in some minor matters of detail in the organization of the active militia, or in some of its regulations, should not be found in harmony with the acts of Congress, that would not invalidate the whole act. The most that can be said is that they should yield to the paramount laws of the United States.

19. If the general provisions in sections 4, 5, and 6 of article 11 of the militia act were repugnant to the laws of the United States respecting the militia, they might be eliminated from the statute without affecting in the slightest degree the efficient organization of the active militia; but they are not inconsistent with or repugnant to any acts of Congress on the subject.

20. Nonessential differences in the regulations as to the militia not in the actual service of the United States, contained in a State law, from those in acts of Congress, will not render the former invalid.

21. Police power of the State—Generally: In matters pertaining to the internal peace and well-being of the State, its police powers are plenary and inalienable. It is a power coextensive with self-protection. Everything necessary for the protection, safety, and best interests of the people of the State may be done under this power. Persons and property may be subjected to all reasonable restraints and burdens for the common good.

22. Where mere property interests are involved, this power, like other powers of government, is subject to constitutional limitations; but when the internal peace and health of the people are concerned, the only limitations imposed are that such "regulations must have reference to the comfort, safety, and welfare of society." What will endanger the public security must, as a general rule, be left to the wisdom of the legislative department.

23. Same—Prohibiting parade, etc., of armed bodies of men: It is a matter within the regulation and subject to the police power of the State to determine whether bodies of men, with military organizations or otherwise, under no discipline or command by the United States or of this State, shall be permitted to parade with arms in populous communities and in public places.

Writ of error to the criminal court of Cook County; the Hon. William H. Barnum, judge, presiding.

Mr. Charles A. Gregory, for the plaintiff in error.

Mr. Lyman Trumbull, Mr. Harry Reubens, and Mr. Wolford N. Low, for the defendants in error.

Mr. Justice Scott delivered the opinion of the court:

Peter J. Dunne, having been summoned to serve as a juryman in the criminal court of Cook County at the September term, 1879, it was made to appear he was a citizen of Illinois, 22 years of age, and that he was an enlisted, active member of the "Illinois National Guard," in Company G, First Regiment, a military company organized and existing under a statute of this State, approved May 28, 1879, and in force July 1, of the same year, entitled "An act to provide for the organization of the State militia, and entitled the 'Military Code of Illinois,'" and because of the facts appearing he claimed, under the provisions of the act, which so expressly declares, he was exempt from jury duty, but the court deemed the cause assigned insufficient in law to excuse the juror from service, and notwithstanding the decision of the court he refused to serve in the capacity of a juror, and on account of his contumacy he was fined in the sum of $50.

Acting on the suggestion of counsel, that it is the desire of both parties to obtain the opinion of this court as to the validity of the act of the general assembly "to provide for the organization of the State militia," approved May 28, 1879, all preliminary considerations as to the manner in which the case comes before the court, and the invalidity of the act under the constitution of the State, will be waived with a view to proceed directly to the question whether the act, or such parts of it as provide for the orgenization of the active militia of the State, known as the Illinois National Guard, is void by reason of its repugnancy to the Constitution of the United States, and to the laws passed in pursuance thereof. It may be remarked, although no point is made that the act in question contravenes any provision of our State constitution, it seems to be in entire harmony with that instrument. Article 12, section 1, constitution of 1870, is, "The militia of the State of Illinois shall consist of all able-bodied male persons resident in the State between the ages of 18 and 45, except such persons as now are or hereafter may be exempted by the laws of the United States or of this State." And section 2 of the same article is, "The general assembly, in providing for the organization, equipment, and discipline of the militia, shall conform as nearly as practicable to the regulations for the government of the armies of the United States." On examination it will be seen the act of the general assembly under consideration conforms exactly with these constitutional requirements, as will be made to appear more fully in the sequel of this discussion.

If, therefore, this act of the legislature is void, it must be for one of two reasons assigned, (1) because of its repugnancy to the Constitution of the United States (2) because it is inconsistent with and repugnant to the acts of Congress on the same subject, passed in pursuance with authority conferred by the Federal Constitution. The importance of the questions involved has induced the most careful consideration, but it will be our purpose to avoid all unnecessary discussion and state our views as briefly as practicable.

The first proposition submitted against the validity of the act known as the military code, is that the power of organizing, arming, and disciplining the militia, being conned by the Constitution of the United States to Congress, when Congress has acted upon the subject and passed a law to carry into effect the constitutional provision, such action excludes the power of legislation by the State on the same subject. This is not, in our judgment, an accurate—certainly not a full—expression of the law. Two things must be assumed to maintain this proposition: 1, that the constitutional provision in respect to the militia is of that character it can only be exercised by Congress, and that any State legislation would of necessity be inconsistent with Federal legislation under that article of the Constitution; 2, that the Constitution itself places a restriction, either directly or by implication, upon all State legislation in respect to the militia. Neither assumption is warranted by any fair construction of the Constitution of the United States, nor by contemporaneous explanations by writers whose authority is to be respected, or by any subsequent judicial determinations with which we are familiar.

Article 1, section 8, division 15, confers power on Congress "to provide for organizing, arming, and disciplining the militia and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress." Neither this clause nor any other of the Constitution inhibits in express terms State legislation in regard to the militia. Our understanding is, it is a matter upon which there may be concurrent legislation by the States and Congress. No doubt it is true that some powers granted to Congress are exclusive and exclude by implication all State legislation in regard to the subject of such powers. It is not true, however, that all powers granted to Congress are exclusive, unless where concurrent authority is reserved to the States. Examples of concurrent authority readily suggest themselves. Congress has power, under the Constitution, "to lay and collect taxes, duties, imposts, and excises," but it has never been supposed that grant of power was a restriction upon the States "to lay and collect taxes" for State purposes. Such a construction would destroy all State governments by taking from them the means of maintaining order or protecting life or property within their jurisdictions. Other examples might be mentioned, but this is sufficient for our present purpose.

It might be well in this connection to call to mind that "powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people." The power of State governments to legislate concerning the militia existed and was exercised before the adoption of the Constitution of the United States, and as its exercise was not prohibited by that instrument, it is understood to remain with the States, subject only to the paramount authority of acts of Congress enacted in pursuance of the Constitution of the United States. The section of the Constitution cited does not confer on Congress unlimited power over the militia of the States. It is restricted to specific objects enumerated, and for all other purposes the militia remain as before the formation of the Constitution, subject to State authorities. Nor is there any warrant for the proposition that the authority a State may exercise over its own militia is derived from the Constitution of the United States. The States always assumed to control their militia, and, except so far as they have conferred upon the National Government exclusive or concurrent authority, the States retain the residue of authority over the militia they previously had and exercised. And no reason exists why a State may not control its own militia within constitutional limitations. Its exercise by the States is simply a means of self-protection.

The States are forbidden to keep "troops" in time of peace; and of what avail is the militia to maintain order and to enforce the laws in the States unless it is organized? "A well-regulated militia" is declared to be "necessary to the security of a free State." The militia is the dormant force upon which both the National and State Governments rely "to execute the laws, * * * suppress insurrections, and repel invasions." It would seem to be indispensable there should be concurrent control over the militia in both governments within the limitations imposed by the Constitution. Accordingly it is laid down by text writers and courts that the power given to Congress to provide for organizing, arming, and disciplining the militia is not exclusive. It is defined to be merely an affirmative power, and not incompatible with the existence of a like power in the States; and hence the conclusion is the power of concurrent legislation over the militia exists in the several States with the National Government.

The case of Houston v. Moore (5 Wheat., 1) is an authority for this construction of the Constitution. The question before the court in that case, as concisely stated by Kent in his Commentaries, in discussing the power of Congress over the militia, was whether "it was competent for a court-martial, deriving its jurisdiction under State authority, to try and punish militiamen, drafted, detached, and called for by the President into the service of the United States, who refused and neglected to obey the call"; or, as stated by Story, J., the only question cognizable by the court on the record before them arose on the refusal of the "State court of common pleas to instruct the jury that the first, second, and third paragraphs of the 21st section of the statute of Pennsylvania of the 28th of March, 1814, as far as they related to the militia called into the service of the United States under the laws of Congress, and who failed to obey the orders of the President of the United States, are contrary to the Constitution of the United States and the laws of Congress made in pursuance thereof, and are therefore null and void. The court instructed the jury that those paragraphs were not contrary to the Constitution or laws of the United States, and were therefore not null and void." Notwithstanding there was a law of Congress that provided for the organization of courts-martial for the trial of militia drafted, detached, called forth into the service of the United States, to be conducted as courts-martial for the trial of delinquents in the Army, the court decided that the militia, when called into the service of the United States, were not to be considered in that service or in the character of national militia until they were mustered at the place of rendezvous; and until then the State retained a right, concurrent with the Government of the United States, to punish their delinquency. The statute that formed the ground of controversy in the State court enacted that noncommissioned officers and privates in the militia who should neglect or refuse to serve when called into the actual service of the United States in pursuance of an order or requisition of the President should be liable to certain penalties, defined in the act of Congress of 1795. The judges concurring in the decision of the court did not concur in all the reasoning by which the conclusion was reached, and they seem to have coincided only in the decision the State law was valid. Washington, J., delivered the principal opinion. Johnson, J., gave a concurring opinion, and Story, J., delivered a dissenting opinion, in which another member of the court concurred.

Although neither opinion had the sanction of a majority of the courts as to all it contains, yet on many subjects discussed the judges all agreed, and as the several opinions contain the views of these eminent legists on these important questions they are entitled to the highest consideration. After stating his conclusion that the offense of disobedience to the President's call upon the militia is not exclusively cognizable before courts-martial of the United States, Washington, J., adds: "It follows, then, as I conceive, that jurisdiction over this offense remains to be concurrently exercised by the National and State courts-martial, since it is authorized by the laws of the State and not prohibited by those of the United States." There being no repugnance in the State law with the law of Congress, in his opinion, the conclusion he reached, after an extended examination of the case, was the State court-martial had a concurrent jurisdiction with the tribunal pointed out by the act of Congress to try a militiaman who had disobeyed the call of the President and to enforce the laws of Congress against such delinquent.

Johnson, J., conceded fully that concurrent power of legislation over the militia existed in the States with the National Government. Story, J., in the opinion he gave, was even more pronounced in the expression of similar views, and, in speaking of the power granted to Congress by the Constitution to call forth the militia to execute the laws of the Union and to organize, arm, and discipline the same, said: "It is almost too plain for argument that the power here granted to Congress over the militia is of a limited nature and confined to the objects specified in these clauses, and that in all other respects and for all other purposes the militia are subject to the control and government of the State authorities." All the judges concurred, as we understand their opinions, in the proposition that when Congress has once acted within the limits of the power granted in the Constitution its laws for organizing, arming, and disciplining the militia are supreme, and all interfering regulations adopted by the States are thenceforth suspended, and for the same reasons all repugnant legislation is unconstitutional. That principle applies only where Congress has assumed control of the militia under granted powers, and does not militate against the construction uniformly given to the Constitution by Kent and other writers, "That a State may organize and discipline its own militia in the absence of or subordinate to the regulations of Congress." It is only repugnant and interfering State legislation that must give way to the paramount laws of Congress constitutionally enacted. The cases that support this doctrine are numerous and of the highest authority. (Houston *v.* Moore, 5 Wheat., 1; Sturgis *v.* Crowenshield, 4 id., 122; Livingston *v.* Van Ingen, 9 Johns., 507; Houston *v.* Moore, 3 Ser. and Rawle, 170; Opinion of the Justices, 14 Gray, 614; Gilman *v.* Philadelphia, 3 Wall., 713; United States *v.* Cruikshank, 92 U. S. R., 542; Blanchard *v.* Russell, 13 Mass., 1; Caldee *v.* Bull, 3 Dallas, 386; 1 Kent's Com., 265, 389.) No case has been cited that holds a contrary doctrine except Golden *v.* Prince (3 Wash. C. C. R., 313), and what was said by the same judge in Houston *v.* Moore, supra. We are not aware that the opposite views expressed by Judge Washington in either of those cases have ever been followed by any court. In Houston *v.* Moore, Johnson, J., expressly controverts the proposition "that within the scope Congress may legislate the States may not legislate," and speaks of it as an exploded doctrine.

Nor do we think the reservation of the power "to the States, respectively, the appointment of the officers and the authority to train the militia according to the discipline prescribed by Congress," as suggested by counsel, puts any restriction upon the States in respect to the concurrent legislation concerning the militia. Mr. Justice Story, in speaking of that clause of the Constitution, says: "That reservation constitutes an exception merely from the power given to Congress to provide for organizing, arming, and disciplining the militia, and is a limitation upon the authority which would otherwise have devolved upon it as to the appointment of officers." Obviously that is all that clause of the Constitution does mean, and we adopt as our own view what that able jurist added: "The exception from a given power can not upon any fair reasoning be considered as an enumeration of all the powers which belong to the States over the militia."

But the principal argument is made on the other branch of the case, viz, that the act of the general assembly "to provide for the organization of the State militia" is repugnant to the laws of Congress on the same subject constitutionally enacted, and is for that reason null and void. Wherein the "spirit, intent, and effect of the Illinois statute is in conflict with the provisions of the act of Congress," as insisted on the argument, is not apparent. Neither in the title of the act nor in any of its provisions does it appear the object of the State law is in conflict with the National law. The first section declares "that all able-bodied male citizens of this State between the ages of 18 and 45 years, except such as are expressly exempted by the laws of the United States, or are State or county officers, or on account of their profession or employment are exempted by the commander in chief, shall be subject to military duty and designated as the 'Illinois State Militia.'" That is in exact conformity with the act of Congress of 1792, and what more could the legislature do? The contention of counsel is that an act of the State legislature to organize the militia, if in conformity with the act of Congress on that subject, "is inoperative and amounts to nothing," and if it differs from the act of Congress it is "equally inoperative and void." Assuming that to be a correct proposition—and if it is confined to the organization and arming of the militia called to enter the active service of the United States it is the law—then the act of the legislature is as comprehensive as it could constitutionally be made, so far as it purports to declare who shall constitute the whole body of the militia under the act of Congress.

The second section is a declaration of legislative intention on the part of the State to cooperate with the General Government in the matter of enrolling and organizing the entire militia of the State when it shall become necessary "to execute the laws, suppress insurrection, or repel invasions or quell riots, or when a requisition shall be made by the President of the United States for troops," and should be read in the light of facts historically known to all. For many years after the adoption of the Federal Constitution State laws provided for enrolling and training of the militia in conformity with the act of Congress. It was usual to have annual, and in some States more frequent, days for drilling and training, and persons liable to military duty were compelled to attend under penalties; but for a third of a century or more there has been very little effort, if any, made to organize and train the entire body of the militia, and all State laws designed to effectuate that purpose have either been repealed or suffered to fall into disuse. It has become the settled conviction in the public mind that militia training, as it was practiced in the States, was of no practical utility. Besides that, it would be a most gigantic and expensive undertaking to enroll and supply the entire militia of the United States with arms and ammunition, as provided in the act of 1792. The annual appropriation of the sum named in that act for that purpose is insignificant as compared with the amount it would necessarily cost. As the laws now are, it is improbable the entire militia of the States will ever be enrolled or summoned for discipline under the act of Congress, unless some great impending danger shall make it necessary. When such an exigency does occur, this statute makes it the duty of the governor, as commander in chief, by proclamation, to require the enrollment of the entire militia of the State, or such portion thereof as shall be necessary, in the opinion of the President, and to appoint enrolling officers and to make all orders necessary to aid in the organization of the militia. Such a law is not in contravention of the act of 1792 or with any other act of Congress in relation to the organization of the militia, but is rather in aid of all such laws.

The remaining sections of the act, with the exception of those contained in article 11, relate to organization, arming, drilling, and maintaining the "active militia" of the State. The designation "Illinois National Guard," applied to the active militia, is a matter of no consequence, and the act will be construed as though it did not contain those words. That a State may organize such portions of its militia as may be deemed necessary in the execution of its laws and to aid in maintaining domestic tranquillity within its borders is a proposition so nearly self-evident that it need not be elaborated at any great length. "A well regulated militia being necessary to the security of a free State," the States, by an amendment to the Constitution, have imposed a restriction that Congress shall not infringe the right of the "people to keep and bear arms." The chief executive officer of the State is given power by the constitution to call out the militia "to execute the laws, suppress insurrection, and repel invasion." This would be a mere barren grant of power unless the State had power to organize its own militia for its own purposes. Unorganized, the militia would be of no practical aid to the executive in maintaining order and in protecting life and property within the limits of the State. These are duties that devolve on the State, and unless these rights are secured to the citizen, of what worth is the State government? Failing in this respect it would fail in its chief purpose. But what reason is there why a State may not organize its own militia for its own purposes? As we have seen, the State has the power of concurrent legislation with the National Government over the militia, when not in the actual service of the United States, within limits quite accurately defined in law as well as in the decisions of courts, both State and Federal. Certainly Congress has not exclusive jurisdiction over the militia not actually employed in its service. Congress may provide for "organizing, arming, and disciplining" the militia, but the appointment of officers and the authority to train the militia according to the discipline prescribed by Congress is reserved to the States. There can, therefore, be no efficient organization of the militia when not called into the service of the Union, without the cooperative aid of the States. Congress may not deem it necessary to exercise all the authority with which it is clothed by the Constitution over the militia. Historically we know there has been no efficient organization of the militia in this State within the last 30 or 40 years.

Mr. Story, in the opinion he gave in Houston *v.* Moore, said: "It would certainly seem reasonable that in the absence of all interfering provisions by Congress on the subject, the States should have the authority to organize, arm, and discipline their own militia. The general authority retained by them over the militia would seem to draw after it these necessary incidents." These were but an expression of his individual views, but anything written by that eminent jurist on this subject is entitled to great consideration, and as his views are an accurate expression of our understanding of the meaning of the Constitution in this respect, we adopt them as our own.

Judge Washington, in the opinion he gave in Houston *v.* Moore, conceded that if Congress did not exercise the power of providing for organizing, arming, and disciplining the militia it was competent for the States to do it.

Gibson, J., in the opinion he delivered in Houston *v.* Moore (3 Ser. and Rawle, 192*) said: "It can not be questioned but that the Federal and State Governments have concurrent authority over the militia when not in actual service of the United States. Congress has power to organize and arm—a State may do the same. The Government of the Union may draw out the militia in any of the exigencies mentioned in the Constitution. A State may employ its own militia for its own purposes."

In the opinion of the justices (14 Gray, 614), after announcing their conclusion that the commonwealth could not constitutionally provide for the enrollment in the militia of any person other than those enumerated in the act of Congress of 1792, they said: "We do not intend by the foregoing opinion to exclude the existence of a power in the State to provide by law for arming and equipping other bodies of men for special service of keeping guard and making defense under special exigencies or otherwise, in any case not coming within the prohibition of that clause of the Constitution (art. 1, sec 10) which withholds from the State the power to keep troops." But, aside from all authority, on any fair construction of the Constitution, a law to organize the militia of the State for its own purposes, not inconsistent with any law of Congress on that subject, is valid. In right of its sovereignty a State may employ its militia to preserve order within its borders when the ordinary local officers are unable, on account of the magnitude of the disturbance, or of any sudden uprising, to accomplish the result. Our conclusion, therefore, is the general assembly might enact the law in question, and that its general scope and effect are not in antagonism with any act of Congress on the same subject. Although, in minor matters of detail in the organization of the active militia of the State, some regulations might be found not in harmony with the act of Congress, the utmost that could be said would be that they would give way to the paramount laws of the United States.

That being the case we might here close the discussion, for if the law in relation to the militia in the main is a constitutional enactment, it would be a sufficient warrant for the conduct of defendant, notwithstanding some minor regulations might be invalid because in conflict with the laws of the United States.

But, as we have been urged by both parties to do so, we will briefly state our views on some of the most important provisions and regulations found in the State law which, it is insisted, are in conflict with acts of Congress, and for that reason render the whole act inoperative and void. We will be assisted to a clearer understanding of the remaining questions to be discussed, by keeping in mind a few propositions which are so plain as to admit of no controversy:

1. The repugnancies alleged to exist in the Military Code of the State with the acts of Congress, are all to be found in those sections of the statute which relate to the organization of the active militia when organized for State purposes, and not to those sections which

relate to the entire body of the militia, nor to the militia when called into the service of the United States.

2. The acts of Congress prescribe essentially different regulations for the organization of the militia when called into actual service, and for the organization for training under State authority. Many of the latter seem to be only directory, while the former all appear to be mandatory.

3. When not in actual service the act of 1792 provides "the militia of each State shall be arranged into divisions, brigades, regiments, battalions, and companies, as the legislatures of the States may direct."

4. Nonessential differences in the regulations as to militia not in actual service of the Union, contained in a State law, with acts of Congress, will not render the former invalid.

It is no valid objection to this act of the legislature that it does not require the entire militia of the State to be enrolled as "active militia." Counsel do not wish to be understood as claiming that no militia law is valid unless it provides that each and every male inhabitant of the specified age should at all times be armed and equipped and engaged in drilling and maneuvering. But the argument made is, that the performance of military service in times of peace can not be legally confined to a select corps consisting of a limited number of volunteers to the exclusion of all other able-bodied male residents of the State. The argument admits of several conclusive answers that may be shortly stated: (1) It is a matter dependent on the wisdom of Congress whether it will provide for arming and disciplining the entire body of the militia of the United States; (2) the citizen is not entitled under any law, State or Federal, to demand as a matter of right that arms shall be placed in his hands; and (3) it is with the legislative judgment of what number the active militia of the State shall consist, depending on the exigency that makes such organization necessary.

Mr. BRANDEGEE. Mr. President, to my mind that case, if it is authority—and I think it is—decides distinctly that what we call loosely "the National Guard" is a State militia, officered by the States and trained by the States, subject to the declaration by Congress of the kind of discipline that is to be applied in the process of training. But the training and the officering are reserved distinctly to the States. This bill, if I comprehend it, attempts to put the State militia under the control of the President of the United States and turns over to the General Government the training of those troops.

Of course, I am aware that this subject is going to be debated at great length, and I do not care to enter upon any extended discussion of it at this time, but I did want to put that case in the RECORD.

I have here three very able articles on this subject, written by ex-Secretary of War Stimson, which I would like to have printed in the RECORD in connection with my remarks, provided they have not already been printed. I am not sure but that they may have been printed in the House proceedings. The printer will know; and if they have been, of course I do not ask to have them inserted again.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

H. L. STIMSON ANALYZES THE ARMY BILLS—THE ADDITIONS TO OUR LAND FORCES NOW BEING CONSIDERED BY THE SENATE AND THE HOUSE.

[By Henry L. Stimson, Secretary of War in President Taft's Cabinet.]

(First article.)

MARCH 15, 1916.

To the EDITOR OF THE NEW YORK TIMES:

You have courteously asked me for an expression of my views in regard to the military bills now pending before Congress. I am glad to comply, although any such expression must necessarily deal only with the salient points of a very complicated mass of proposed legislation.

At no time since the beginning of the Government has there been such fundamental and general overhauling among thinking people throughout the world of the postulates of military system and policy. The great European war has driven home to us even in America the fact that the last half century has completely revolutionized national methods of making war. As a consequence, the foundations of our own policy have been submitted to a scrutiny and criticism which they probably have not received before, even in the stress of our own wars.

Unfortunately, the effect of this has been manifested in Congress later and less thoroughly than among the people of our Atlantic seaboard, and thus, though the pending bills show the beneficial results of the agitation, it has not been sufficient to save us from some fundamental errors.

AS TO THE REGULAR ARMY.

So far as the Regular Army is concerned, the agitation for preparedness has had, on the whole, gratifying results. Mr. HAY, of the House, who originally proposed to add no new regimental units in the Army but merely to raise the number of enlisted men in the existing regiments, has now reported a bill which contains increases substantially corresponding with Secretary Garrison's recommendations. Mr. CHAMBERLAIN, from the Senate, goes much further, and reports a bill which presents substantially the increase recommended by the General Staff. If the House bill becomes a law, we shall have 10 new regiments of Infantry and 6 new regiments of Field Artillery, besides 15 new companies of Engineers and 52 new companies of Coast Artillery. If the Senate bill becomes law, we shall have 34 new regiments of Infantry, 10 new regiments of Cavalry, and 15 new regiments of Field Artillery, besides 92 additional companies of Coast Artillery and 6 entirely new regiments of Engineers. Mr. HAY'S bill would give us, within the continental United States, 3 Infantry divisions and 1 Cavalry division, besides an additional Cavalry brigade. This is the same number of tactical organizations which we have at present, but our present divisions are partly skeletonized and lack the requisite number of regiments to make them complete. Mr. HAY'S additions would complete them.

Mr. CHAMBERLAIN'S bill would give us within the United States 4 Infantry divisions and 2 Cavalry divisions. A fair argument can be made for each of these propositions. Having in mind merely the military needs of the country, preference should be given without hesitation to the larger proposal. The Regular Army under both plans is to be our first line of defense, and in our rapidly growing country a mobile force inside the United States of 4 divisions of Infantry and 2 divisions of Cavalry, or from 100,000 to 140,000 men, according as the units are at peace or war strength, is certainly none too large for that purpose.

The reasons which are cited against the larger and in favor of the smaller proposal are, first, the supposed impossibility of recruiting under our voluntary system the additional men necessary for Senator CHAMBERLAIN'S proposal, and, second, the fact that we have not in existence sufficient accommodations in our posts for such a number and that the cost of building such accommodations would be very great. The Senate bill proposes to meet the first of these difficulties by changing our faulty enlistment law so as to permit men to be furloughed into the reserve after two years' service or even after one year, in the case of such men as are reported as proficient and sufficiently trained by their company commanders. Our present law requires a maximum of four years and a minimum of three years with the colors before they can be so furloughed. Experiments have been made with provisional companies, troops, and batteries of the Regular Army which have indicated that not only can the men be sufficiently trained within the shorter period but that there can be developed in this way a much greater interest and stimulus among both the men and their officers. Most of our progressive officers believe that under such a system of reward for proficiency and good conduct the Regular Army might be made to appeal to a class of men which it does not now reach and that enlistments would be very greatly increased if these better men felt that by applying themselves diligently they could get the requisite training and an honorable discharge after a year's service. I have long been of that opinion myself, and I believe that this is one of the strong points in favor of the Senate bill.

So far as the difficulties of housing the Army are concerned I am inclined to think that this could be made a blessing in disguise. It would make it necessary for us to devise a system of housing large masses of troops in cantonments instead of supporting them at many small and expensive posts. We faced just such a problem when we mobilized a division on the Mexican border at Galveston in 1913, and we solved it with fair satisfaction and with comparatively little expense. Although placed in a very uncomfortable situation, owing to the military exigencies of the mobilization, the men and officers built their own cantonments, and the bulk of them have remained on the border ever since.

If we had to face the problem of housing an additional division or two of troops it would necessarily force us to house them in a more practical and less expensive way than at present. And it would result, in my opinion, in the new units being kept together instead of scattered. This would be an incalculable advantage from the military standpoints of training, discipline, and usefulness.

RESERVE OFFICERS.

One of the great needs which have been made clear by the public discussion of military matters of the last year has been our shortage of officers and the necessity of establishing a system of reserve officers upon which the President can call in case of war, both to take junior positions in the Regular Army and to help officer the volunteer or citizen army upon which the Nation must rely in any serious emergency. Both the Senate and the House bills have provisions for establishing such a reserve officers' corps, but each follows a different method. The Senate bill provides for the organization of courses at our universities and colleges and other educational institutions at which students may receive either elective or compulsory instruction in military training under officers of the Army detailed as professors of military science and tactics.

It then provides for reserve officers' training camps where such students can receive further training out of doors, and finally provides for temporary commissions as second lieutenants in the Regular Army, by which such reserve officers can be given practical instruction in that best of all schools—the Regular Army—for a period not exceeding six months.

The House bill, on the other hand, provides for the establishment of 30 cadet companies to be attached to the various branches of the Army, in each of which from 50 to 100 cadets between the ages of 20 and 27 years, and recruited from officers of the National Guard and graduates of educational institutions to which regular officers are detailed to give instruction, can receive a year's training, after which they at once become members of the officers' reserve corps.

While it is perhaps a fair matter of argument as to the merits of either system, I am personally inclined to the belief that more satisfactory results will be obtained through the Senate program. It seems to me that it will appeal to a more broadly and better educated class of men and that it will permit more intensive as well as more flexible training. A member of a cadet company who is trained for a year straight in such a company must necessarily spend a large part of that year in garrison or posts where much of the duty to be performed is mechanical and a matter of routine. While it is important that every officer should be thoroughly grounded in such duties it is also true that with the class of men which we should hope to get as reserve officers the time spent in such routine and garrison duty need not be nearly so long as is necessary to train recruits of a less intelligent class. It is much more important that we should get for our reserve officers a class of men who not only have the capacity for the higher branches of study which are now so necessary in modern warfare, but who have spent a requisite amount of time on such matters rather than on mere garrison drill.

Finally, the chance of serving for six months as an officer in the Regular Army, which is provided by the Senate bill, will give a training in responsibility to a serious and ambitious man which service in a cadet company could not possibly do.

The foregoing, I think, are the most salient provisions of the bill, so far as they concern the Regular Army. There are other features in each bill which are of great importance, but for the most part they are not matters of general interest. The Senate bill provides for a tactical organization by brigades and divisions. It increases the number of the General Staff and provides for additional general officers of the line. These are all good provisions. On the other hand, the numbers which it prescribes for certain units, particularly in the case of machine-gun companies and troops, are much below those indicated as necessary by the experience of the European war, and in this respect the Senate bill is inferior to the House bill. On the other hand, the House bill in providing for admission to the Regular Army of new officers of the grade of second lieutenants gives a preference to officers of the National Guard over enlisted men of the Regular Army

and members of the Officers' Reserve Corps. This is a reversal of the present law, and I do not believe it is just to the enlisted men in the Army. Under the House bill enlisted men are also required to take examinations for commissions, while no such requirement seems to be exacted of officers of the National Guard. As a rule, candidates for a commission who have served an enlistment in the Regular Army are better grounded in the rudiments of the training necessary for a junior officer than are officers of the National Guard. As the bill now stands it would be quite possible for a man to obtain an election as an officer of a National Guard organization and then to enter the Army practically without examination, taking precedence over specially qualified enlisted candidates and over members of the Officers' Reserve Corps. I think this is unsound, and would tend to break down the provisions for officers' training, which the bill in other portions seeks to establish.

The House bill also contains some provisions, particularly in section 8, which will tend to narrow and restrict the wise system of detail in the staff departments, and would thus tend to a reversion to the system of permanent departmental staffs which existed before the Spanish War, and which was terminated by the reforms of Secretary Root.

Taken as a whole, therefore, the general treatment of the Regular Army and its problems by both bills is an improvement over existing legislation and would tend to give us a larger and better Regular Army than we could have expected a little while ago. Provisions of the Senate bill follow much more closely the recommendations and views of our military advisers, the General Staff, and that bill, while far from perfect, is consequently more free from imperfections than the other.

HENRY L. STIMSON.

—

THE PROPOSALS TO "FEDERALIZE" THE MILITIA—WHEREIN THE BILLS BEFORE THE SENATE AND HOUSE FAIL TO PROVIDE THE MEASURE OF DEFENSE NEEDED.

[By Henry L. Stimson, Secretary of War in President Taft's Cabinet.]

(Second article.)

NEW YORK, *March 17, 1916.*

To the EDITOR OF THE NEW YORK TIMES:

In my previous letter I discussed the provisions of the bills pending before Congress relating to the Regular Army. What I regard as the most serious and dangerous provisions in the proposed legislation are found in the remaining portions of the bills which relate to our citizen soldiery. This is also the most important part of the program of national defense. The function of the Regular Army in the scheme of national defense is narrow. It is the nucleus and pattern with the aid of which we are to train our citizen soldiers, and it is to serve as the meager first line to delay and hold off an invasion while the citizen forces are mobilizing. The ultimate safety of the country has always depended and must in future depend upon the efforts of men who are not professionals, but citizens leaving civil pursuits to serve their country in time of war.

Our Federal Constitution provides clearly for two classes of soldiery—the one national and the other local; the one organized and controlled exclusively by the National Government, the other primarily a force which belongs to the separate States, although it is subject to national use under certain conditions. The power to raise national forces is broad enough to include all kinds of soldiery, both professional and citizen. Under it we support our Regular Army and under it, in nearly all our wars, we have raised forces of citizen soldiers, either as volunteers or under the draft. Gen. Upton, our foremost military writer, speaks of this constitutional authority as "unqualified" and as giving "every war power that the most despotic ruler could ask."

On the other hand, the authority given by the Constitution over the local forces or militia of the several States is narrow and restricted. They can only be called into the service of the General Government for three purposes, namely, "to execute the laws of the Union, suppress insurrections, and repel invasions." Congress has power only to enact the general statutes providing for their organization, arms, and discipline, while to the States is intrusted the administration of such statutes, and to the States is reserved expressly the power of appointing the officers and training the men. While the President is the Commander in Chief of our national forces at all times under the Constitution, he commands the militia only when "called into the actual service of the United States."

This distinction between local and national forces goes back to the very beginning of the Government, and as the country has grown larger the necessity for the distinction has grown more acute. There have always been men in the country who, while they could and would serve for home defense, nevertheless found it a great hardship, owing to their business or domestic ties, to undertake to serve anywhere and under all conditions. On the other hand, there always have been other men, usually younger, to whom the distinction was of no such importance. I think it is safe to say that to-day, when the New York militia are confronted with the possibility of being sent 2,000 miles away to the Rio Grande, this old question presents itself to the various men of those organizations in quite as sharp colors as it did in the Revolution, when the militia of New England were reluctant to serve in New York, and Washington was writing to Joseph Reed of the "desire of retiring into a chimney corner" which had "seized the troops of New Hampshire, Rhode Island, and Massachusetts."

The very training of our militia has taken on a character suited for home-defense troops with domestic ties rather than for national troops. We drill them at night, once a week, in the armory instead of sending them out into the field for several months of consecutive, intensive training, and have thus adopted a way which is the least effective method of teaching a man to be a soldier.

Now the European war has suddenly brought us face to face with the fact that we must have a national force of citizen soldiery, trained in time of peace to stand behind the Regular Army in time of war, whenever and wherever it may be needed. We have suddenly learned that the progress of military science makes it impossible for us any longer to wait until the outbreak of war before we begin to train and discipline such a citizen army. At the same time the experience of our young men in the students' and business men's camps has shown that there are thousands of Americans outside of the militia ready to make the sacrifice necessary for such preparation, and that, under the conditions of intensive training in the field and under the guidance of regular officers, they can make greater progress in learning how to be soldiers in even one month than they can in three years of weekly armory drills in the militia.

Under these circumstances, the natural and constitutional method to follow would clearly seem to be to establish a force of national volunteers under the national powers of the Constitution, leaving it free for such units of the National Guard as may desire to do so to transfer themselves from the militia to this new force, while the others, composed, perhaps, of a different class of men, retain their old status of militia and play their old part as a home defense.

There ought to be no real antagonism between these two classes of citizen soldiery, and I do not believe there would be. Each would have a separate and an honorable part to play in the scheme of national defense, and each could do it without either straining the Constitution or disrupting the occupations of their respective members. The men who were young and foot free would naturally go into the national soldiery; the men who were older and more tied down would remain in the militia.

Instead, however, of taking this apparently simple and natural course, both the Senate and House bills contain elaborate provisions aimed to "federalize" the militia.

By this it is proposed that we shall still retain them as militia, and yet will try to increase the power of the Federal Government over them, so that we can use them as first-line national forces.

In their attempt to do this it is inevitable that the authors have inserted many provisions whose constitutionality—to put it most mildly—is very doubtful. The whole effort is an attempt to give the Central Government an authority over the militia which it has not been hitherto believed to have.

But for the purpose of this discussion I shall not argue any of these doubtful questions, but shall only endeavor to point out that under the restrictions of the Constitution, which are admitted and clear, such an attempt will be a failure in its results from a military standpoint. It will not provide the measure of national defense which, in this year of grace 1916, we are all aiming to get.

The two perfectly clear limitations which the Constitution puts upon the use of these State troops by the Central Government are, first, that they can only be used by the Federal Government for the three purposes above mentioned, and, second, that they are under the direct command and control of the President only in time of war, after they have been called into the service of the United States; that in other times they are under the command of the governors of the separate States. These two limitations—divided control and limited use—are violative of the first principles of military efficiency as applied to a national army. We do not have to speculate about this or to argue from the experience of other nations. We have tried it ourselves in our own history under the same Constitution and with the same divided control over our militia, with results so disastrous that it seems inconceivable that we should want to make such a system the keystone of our arch of national defense. We tried to fight the War of 1812 in a large part with militia, and it was the most disastrous war in our history. On April 10, 1812, Congress authorized the President to call upon the governors of the States for 80,000 militia. The War of 1812 against England was unpopular in New England—just as a war here against any one of the European nations would be unpopular in certain parts of the country. The governors of Massachusetts and Connecticut refused to furnish their quota or to obey the President's call. They were backed up in this by the Supreme Court of Massachusetts, which held that the State authorities and not the President were to judge whether the exigency requiring the services of these militia existed. A quarter of a century later the Supreme Court of the United States decided this question contrary to the Supreme Court of Massachusetts, but that was a matter of cold comfort when an enemy was threatening and the troops were needed. The same practical difficulty would exist to-day in case the authorities of any State refused. What is needed under such circumstances is not a lawsuit or a writ of mandamus, but the undisputed authority of a single commander in chief to order the men to obey on the pain of death, and no such power exists in the President of the United States over militia troops which are not yet in his service.

In September, 1814, a British force invaded New York and began an attack on Plattsburg. The American commander, Gen. Macomb, called upon the governor of Vermont to send troops to his assistance from across the lake. This governor, Martin Chittenden, was an opponent of the war. He declined to comply. The Vermont Militia were anxious to go to the help of their compatriots, but could get no order to do so. In the language of the historian Ingersoll:

"An officer of the militia, Gen. Newell, tendered his brigade to the governor to repair to Plattsburg or anywhere else to oppose the enemy, to which the governor's cold-blooded answer was that he had no authority to order the militia to leave the State. On the 6th day of September, the cannonade then begun was distinctly audible at Burlington and at Gov. Chittenden's residence at Jericho. But housed and recreant there, the chief magistrate still held off, when the people on their own spontaneous motion in numbers crossed the lake and following the cannonade hurried to Plattsburg without distinction of party to tender their services for their country."

Unfortunately the militia were not always as patriotic as these men of Vermont. On October 13, 1812, Gen. Van Rensselaer had assembled a force, consisting of about 900 Regulars and 2,270 Militia on the New York side of the Niagara River for the purpose of attacking a British fort across the river on Queenstown Heights. Early in the morning he sent over the Regulars and a few of the militia to surprise the British. The attack was completely successful, and the Americans took possession of the fort. Later in the day the British commander assembled reenforcements and began an attempt to retake it from the Americans. Gen. Van Rensselaer then sought to bring over the rest of his force to the rescue of the sorely beset advance guard. But, in the language of Gen. Upton:

"The rest of the militia on our side of the river, although ordered and implored by their commander, absolutely refused to cross over, under the plea that, according to the Constitution of the United States, they could only be called out to resist an invasion."

During the rest of that day these men stayed on the bank on the American side and watched their comrades driven out of the fort, down to the river's bank, until they were killed or captured to the last man. Gen. Van Rensselaer, in his report of the action, said:

"I can only add that the victory was really won, but lost for the want of a small reenforcement; one-third part of the idle men might have saved all."

In precisely the same way during the same year a body of Ohio Militia refused Gen. Hull's order to cross the boundary at Detroit, "alleging as a reason that they were not obliged to serve outside of the United States." Still another force of militia under Gen. Dearborn refused to cross the line at Plattsburg for the same reason, and still another force acted in the same way under Gen. Smyth.

It is idle to say that such things could not happen to us to-day. These incidents were not the result of chance; they were the fruits of faulty methods. American soldiers in 1812 were no less brave and patriotic than they are to-day. The American people to-day contain within them many more discordant elements than they did a century

ago, and the governors of our States in the twentieth century will be quite as quick to listen to local political considerations as those New England governors were during the War of 1812. Indeed, it was less than two years ago when the governor of South Carolina disbanded his entire militia force in order to block the attempts of the National Government to restore discipline out of chaos in those South Carolina militia. It is as true to-day as when Washington was writing from Valley Forge that the safety of this country as a Nation can only be maintained by national forces under undivided national control.

In my next letter I shall endeavor to discuss in more detail how the provisions of the pending bills have failed to meet this national requirement.

HENRY L. STIMSON.

THE WAY TO A REAL ARMY OF CITIZENS—ONE SECTION OF THE SENATE BILL OFFERS AN OPPORTUNITY NOT FOUND IN THE "FEDERALIZATION" OF THE MILITIA.

[By Henry L. Stimson, Secretary of War in President Taft's Cabinet.]
(Third and last article.)

NEW YORK, *March 29, 1916.*

TO the EDITOR OF THE NEW YORK TIMES:

In my last letter I discussed the attempt of the House and Senate bills to "federalize" the militia from the standpoint of our military experience in the War of 1812. I pointed out that the experience of that war conclusively demonstrated the weakness of the system of divided control and of limited use under which our militia is placed by the Federal Constitution. I tried to point out how such a force under such divided control inevitably broke down in time of war.

This defect of divided control can be demonstrated to be as fatal to the development of the numbers and efficiency of a national force in time of peace as the experience of 1812 showed it to be fatal to the fighting ability of such a force in time of war. The underlying proposition of both the bills proposed in the Senate and the House is that the Federal Government shall purchase the authority over these State troops which the Constitution has failed to give it as an original right. The authors of these bills apparently recognize, as indeed they must, that the power of the President to command the militia is limited by the second section of article 2 of the Constitution to those times when they are "called into actual service of the United States," and that by article 1, section 8, there is reserved to the States the "authority" to "train the militia" in time of peace as well as to appoint the officers. The bills, therefore, provide a system of payments from the Federal Treasury. It is then argued that although the President can not compel obedience to his orders to the State troops in time of peace by force, he can, by withholding these appropriations from the Federal Treasury, purchase their obedience and discipline.

This would be considered a singular doctrine amongst the students of military science in other countries. And yet, singular as it is, there are already in existence precedents in our own experience which will demonstrate its foredoomed failure here with almost mathematical certainty.

We judge our success in the development of a national force of volunteers by their readiness to enlist and their resulting numbers on the one side and by their efficiency and discipline on the other. Our own experience with the method of Federal payments to the militia has already demonstrated that it is a failure in both of these directions.

In 1903, under the Dick law, we instituted the policy of making payments to the National Guard for the purpose of recruiting up its numbers and improving its discipline. These appropriations covered not only arms, ammunition, and supplies, but pay, subsistence, transportation for the men during their maneuvers in the field, and also aid to the various State encampments as well as to the joint maneuvers. Beginning with appropriations aggregating about two and one-half millions a year they were steadily increased until we are now paying six millions a year to the militia. Simultaneously the numbers of the Guard have diminished in comparison with the population of the country. Money has failed to give us numbers. In 1903 the National Guard consisted of 116,542 officers and men. In 1915 it consisted of 129,398 officers and men. The population of the country by the census of 1900 was less than 76,000,000. In 1915 it is reported as over 100,000,000.

In respect to efficiency and discipline I take the following from the official reports: In 1915, 564 officers and 19,382 men were absent from the annual inspection. During the year 1914 the average number of men absent from each weekly drill of instruction was 63,201, or nearly 50 per cent of the entire strength of the Organized Militia. The amended Dick law required the attendance on the part of the men of the militia at 24 drills during the year. Thirty-seven per cent of the militia failed to attend this absurdly low minimum requirement in 1914. At the last Federal inspection the instruction of 320 companies, or equivalent units, was rated as poor, and 932 companies were below the standard of efficiency. In 1914 only 34.8 per cent of the National Guard qualified as second-class marksmen or better. In other words, only about one-third of our Organized Militia could shoot well enough to be rated as indifferent marksmen or attain the lowest standard recognized in our military shooting.

Again, the standard of care and the responsibility which the National Guard has shown in respect to the Federal arms, uniforms, and equipment which have been issued to it under the Dick law has been so low that there is now a total shortage of $1,352,761 of such property issued to it, as to which the Federal authorities are unable to get either a report of the property or a proper accountability as to its disposition. Four years ago, in 1912, drastic steps were initiated by the Secretary of War to reduce such shortages. Under the system of divided control it has been found practically impossible to accomplish this. In the case of many States the shortages are so great that if they were charged against the Federal appropriations coming to such States there would be nothing left for rifle practice or camps of instruction or any other training for several years to come. This would mean that to apply the discipline of this method of purchasing efficiency would result in depriving the States of some of the vital elements of training which they can not afford to lose. In other words, the system proposed by these bills for extending the authority of the Central Government over the militia by Federal payments has been tried and has failed. It has failed in respect to numbers, in respect to marksmanship, in respect to discipline, and in respect to equipment.

It would, of course, be unfair not to remember that there are some militia organizations to whom these criticisms do not apply. Our best militia regiments have attained a degree of soldierly efficiency and patriotic devotion to duty which, in view of the handicaps of system under which they labored, is in the highest degree commendable. It is particularly gratifying that the State of New York in this respect stands at the top. But when a system is proposed for the development of a national force, it should be judged by its results throughout the Nation. It must be judged not by the exceptions but by the average, and judged by the average this system is a failure.

This failure lies at the root of the system proposed in the two bills. There is no use in enacting, as the bills do, that the militia must keep up to certain standards when there is no way provided of making it keep up to such standards except a way that is a proved failure. It is absurd to provide that hereafter the President may direct the militia to recruit its companies up to maximum war strength when hitherto, under the same system, he has been unable to keep it up even to a minimum strength. Thus the report for 1915 showed that the infantry of the militia of the country was 21,571 men below the minimum enlisted strength required by law. If the President has been unable to purchase compliance with this low standard in the past, how can he be expected to purchase compliance with a higher standard in the future?

It is true that the present bills propose to remedy this evil by increasing the Federal payments. But such a remedy does not touch the real evil. It still leaves the Federal Commander in Chief in the position of a benevolent adviser with no power to command. The administration of his plans is in the hands of people over whom he has no control. The Federal Government can advise, can make general regulations, can scold and threaten to withhold the pay, but the vital functions of administration, of giving the orders and seeing that they are obeyed, is in the hands of the State governors and their subordinates. Dollars spent without the direct power to see to their application are dollars wasted.

So far as the numbers of the militia are concerned, there is an additional reason why they can not be kept up; a reason which the proposed bills not only do not remove but, on the contrary, perpetuate. The main reason which keeps down enlistments in our National Guard is the liability of the militia to strike duty and the consequent antagonism which has grown up on the part of our laboring men against this form of military service. It is this hostility on the part of the men upon whom the Nation should most rely for its national defense which keeps down the numbers of our State militia. So long as it remains State militia and remains liable to this kind of police duty, it will be difficult if not impossible to keep its numbers full. The present bills expressly continue that liability. The House bill contains a provision in section 26 "that nothing contained in this act shall be construed as limiting the rights of the States and Territories to the use of the National Guard within their respective borders in time of peace."

This is the real reason why in Great Britain, where the territorial army is really a national army and not a local police, five young Englishmen enlist where only one young American enlists in our National Guard, and why in Canada six young Canadians enlist in the national guard where one young American enlists in ours. So long as we persist in this faulty system, so long as we try to make the same man do duty as a national soldier and at the same time as a State policeman, we shall fail, even with the aid of individual pay, to bring our enlistments up.

On the other hand, the introduction of such a system of individual pay unconnected with any field duty will introduce a most serious evil into our body politic. Under the new bills, the National Guard officer and soldier will receive individual pay not directly connected with outdoor service or with the specific performance of any military duty. He will be on the annual pay roll of the Federal Treasury, subject only to certain conditions which may not be rigidly enforced. This will thrust the National Guard into politics. It means the creation of another vested interest in the pork barrel. Some of the provisions of these bills seem almost purposely designed toward the accentuation of such an interest. In the House bill is a provision which forbids any militia organization to be disbanded without the consent of Congress. In other words, no matter how low the standard of discipline may sink in such a regiment or company, its commander in chief, the governor, can not discipline it by mustering it out without the consent not of the President or the Secretary of War but of Congress. If the Congressman from that district has a number of loyal supporters in that regiment on the pay roll of the Federal Treasury, the consent of Congress will be hard to obtain. No provision could be more skillfully adapted to turn what is ostensibly a system of military pay into a system of congressional patronage.

In 1912 a minority of the same House committee which now recommends this legislation filed a minority report in which, unless I am mistaken, Mr. HAY himself concurred, which uttered this solemn warning on the dangers of such legislation. After stating that it was "a measure that is pregnant with greater possibilities of evil in a financial way, and that gives less assurance of compensating advantages of any kind than any measure that has ever been enacted by Congress with regard to the State militia," the report went on to say:

"The minority making this report is convinced that the legislation proposed by the pending bill is not only unwise, but that it is dangerous in the extreme. Rather than enter upon a legislative course that will inevitably entail upon the General Government an enormous expense, which may be found in dire emergency to have been wasted, a course that will surely lead to the creation of a great military force that will become so powerful politically that Congress will be no more able to resist its demands than it has been to resist the demands of the far less compactly organized and manageable army of pension applicants and their friends, this minority would favor a reasonable increase of the Regular Army, leaving the States to maintain their own troops in their own way and at their own expense without any aid whatever from the United States." (Rept. 1117, Pt. II, 62d Cong., 3d sess.)

For the reasons which I have given in this and my preceding letter, I fear that the attempt to build up under the militia provisions of our Constitution a national Army as an immediate line of defense behind the Regular Army will meet with failure; that under it in time of peace there can not be developed the numbers or the efficiency necessary for such a purpose, and that in time of war the same dangers will be encountered which made our experiment in 1812 so disastrous.

There has been, however, reported in the Senate bill as section 58 a provision which, if enacted, would open the door toward the creation of a truly national army of citizens. We have already in existence, enacted in 1914, a statute which permits the President in time of war to raise an army of Federal volunteers wholly under the discipline and control of the Federal Government. The operation of this statute is limited to time of war. It has now been abundantly shown by the discussion of the past year that it is too late to wait until the opening of war to raise such a force of volunteers. The requirements of modern war would make such a course disastrous to any nation which tried it. Therefore, in section 58, the Senate bill proposes to permit the President to organize and train such a force in time of peace. Under the

section there is wisely left to the President a certain amount of discretion in respect to the term of enlistment, the period of training, and of service with the colors and with the reserve, which will permit not only experiments to be made to determine which methods will be best suited to our needs, but will permit different methods to be used according to the requirements of the different parts of the country and the varying needs of an urban or rural population. If this section becomes law I believe that we could successfully lay the foundations of a really national reserve. We could feel our way so as to do no injustice to existing institutions or faithful and effective militia organizations. And yet we should be upon the right military and constitutional road. Coupled with the provisions which are also fortunately in both bills providing for the development and encouragement of our present system of military training camps for students and business men there would be laid the foundations for gradually building up an intelligent and effective system of citizen soldiery—a force which could absorb such units and men of our present militia as desire that kind of service and leave other units and other men to be developed along the line of home defense. Along that road, I believe, lies the wisest solution of our present problem.

HENRY L. STIMSON.

Mr. SMITH of Georgia. Mr. President, of the three distinct classes of troops provided in this bill, I hope we will adopt the first and the third, striking out the provision in section 56 for the second. I do not believe that 30-day-a-year trained men will amount to any efficient force or be any substantial contribution to the armed forces of our country; and I think it would be far better to spend what money is spent to develop the Regular Army and the National Guard.

Now, Mr. President, I wish to say just a word about the National Guard. I have had occasion to call out the National Guard and see them called out in my own State, and for the length of training and service they have had I know they make splendid soldiers. I believe that with some eliminations from the provisions of this bill applicable to the National Guard, and some additions, they can be greatly strengthened as an effective force.

One of the provisions to which I call attention—and there are others upon the same line, though perhaps not quite as shocking—is the provision in section 71 which requires that each member of the National Guard shall sign an agreement that—

In the event the President of the United States shall order the National Guard into active service because of actual or threatened war within three years from the date of enlistment I agree to serve as a member of the National Guard in the service of the United States within or without the continental limits of the United States for the period of three years.

Then, again, a little later on, is the provision that all of this act, so far as compensation to the National Guard is concerned, depends upon the signing of the agreement to serve without the continental limits of the United States. I do not believe the Constitution contemplated their serving without the limits of the United States except to repel an invasion by temporarily invading some other country to prevent the invasion of our own country, and I do not believe that a member of the National Guard should be required to sign the proposed agreement. I do not think I could give my consent to vote for a measure which required such an obligation from a member of the National Guard. I think it is an effort to force the National Guard into a contract to do that which the Constitution does not permit Congress to require from a member of the National Guard.

I trust we may make amendments along the line of the amendment suggested by the Senator from Iowa [Mr. CUMMINS], which will permit some of the officers of the National Guard to serve upon the General Staff or in the War College; and I think there ought to be one or more officers of the National Guard in the particular division of the War Department which has charge of the National Guard. I think their work and the difficulties which surround their work should be better understood by the division of army headquarters which controls and directs their work. I think a more sympathetic support from that division to the National Guard would strengthen and help them, and broaden those in charge in the War Department.

Mr. President, if we do rely upon the first provision—the Regular Army and the National Guard—what will this bill give us? This bill contemplates the increase of the Regular Army to 175,000 or 180,000 men with the colors with a possible 250,000; and under its provisions in a few years we ought to have 400,000 reservists who have been trained until they are thorough soldiers. The bill wisely provides that the General Staff may have all the time at least a paper organization of the reservists. It provides a plan by which the General Staff will know who are still reservists and where they are. It keeps the reservists in shape where they can be quickly called into active service; and it will give, in a few years, a force of 400,000 men who have had training as soldiers, who can be called at once to the colors in case they are required.

I think these provisions of the bill are such that those who have done the work upon it ought to receive from us our fullest appreciation. If they limit the force to 180,000—and I do not know what the pleasure of the Senate will be upon that subject—it would still develop in a few years a reserve of 400,000 men; and that reserve consists, under the plan of this bill, of men who have been trained to efficient work as soldiers. Although they receive only $24 a year, the expense to the Government being very small, it still gives, if we need them, a splendid body of trained men who in almost no time—in 30 days—could be called to the colors and quickly organized, as the bill provides that their nominal organization, though they are not with the colors, is to be continued all the time.

Mr. President, I especially desire this evening to call attention to one amendment that I have offered to that part of the bill which applies to the Regular Army. It is the provision which brought laughter or smiles from some Senators when it was read on yesterday, but which I intensely favor and from the work of which I have great faith that much good will come. It is the amendment providing that so much time as can be taken without interfering with their military training shall be given to study and to instruction for the private soldiers while they are with the colors, with a view of fitting them for civil life. It provides that vocational instruction shall be given to the private soldiers in agriculture and in mechanical arts. It provides that the Secretary of War shall provide rules and regulations for the conduct of this instruction.

Is it feasible? Surely no one will question the value of such instruction if it is feasible and practicable.

I shall have the privilege a little later during this session of bringing to your attention our vocational education bill, which has been worked out by the commission appointed by the President 18 months ago under a joint resolution of Congress, and I trust the bill will be approved by the Senate and also by the House. I think it will be.

There is no question of greater importance for our national life than the better preparation of our young men for the work in which they will engage. The power of the German Empire to-day lies in the vocational instruction which has been given to its men. The thoughtful business man engaged in commerce, the thoughtful business man engaged in manufacturing enterprises, to-day approves the modification of our system of education and calls for more time to be given to pedagogical instruction of the young, specializing them for particular lines of work.

It has been recently pointed out by a large gathering of our most thoughtful business men that part-time studies for those under 19 who go into work of any kind are essential for their development for life; and I am gratified to say that especially in the State of Wisconsin there is the fullest recognition of the fact that part-time instruction on vocational lines, particularly for those who before the age of 20 engage in occupations looking toward support, is absolutely essential if we are to develop our young men, and our young women also, to their fullest capacity, not only for the welfare of individuals but as a great economic problem involving our entire country, and as a great problem of better developing the citizenry of our country.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. SMITH of Georgia. Certainly.

Mr. VARDAMAN. I should like to ask the Senator if his amendment provides for compulsory teaching?

Mr. SMITH of Georgia. It does.

Mr. VARDAMAN. It will require the soldier to take some branch of study?

Mr. SMITH of Georgia. Yes; it will be a part of his work. It will be compulsory.

I want to say to the Senate that a few days ago a young officer gave me a most interesting account of the work done upon this line in the fort where he was stationed two or three years ago. The value of the work it is hardly necessary for me to argue, if it can be conducted in such a way as not to interfere with their military training, and really better prepare them to return to civil life. This young officer told me that at a fort at which he was stationed he and a number of other young officers determined to do something for the private soldiers, and they asked for volunteers to take a course in instruction of a certain number of hours each day, and about one-third of the privates volunteered. They thereupon worked out a line of studies which they could give in the fort. They had electrical works in the fort. They could give them instruction in electricity. They had a boiler plant in the fort. They felt that they could give them instruction in boiler handling and in steam operation. They had a shoe shop, they had a harness shop, they had a small machine shop, they had a bakery. Out of these possibilities just around them in the fort

they classified certain lines of vocational instruction, and invited the men to make their selections, and then these young officers trained them three or four hours a day, part of the time in vocational work, part of the time in general educational work; and the officer assured me that the development of those men was really remarkable. Only a short time ago, he said, he received a letter from one of them in Chicago, a private soldier who had no vocational training prior to that time, recalling to his mind that he took the bakery instruction, and stating that he was in Chicago running a bakery of his own and making from $150 to $200 a month.

Mr. President, I desire to ask that at the close of my remarks there may be printed in the RECORD an article by Mr. Charles Johnson Post on "How a big army could be made a social asset—vocational training in many trades needful in defensive preparation would fit men for civil career." In this article he points out that after the private soldier had been with the colors a sufficient length of time to be proficient, his detail could be made, in many instances, to plants or workshops belonging to the Government.

I ask that this article may be printed at the end of my remarks.

The VICE PRESIDENT. Without objection, it will be so ordered.

Mr. SMITH of Georgia. But it might be suggested that nothing could be done for agriculture.

Mr. CLAPP. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. SMITH of Georgia. Certainly.

Mr. CLAPP. If the Senator will pardon an interruption, I have this thought to suggest: I most earnestly hope the Senator's amendment will prevail. As a Republic, we have to bear a certain burden with reference to war; and, bearing that as a necessity, we ought to get whatever resultant good can be gotten out of that necessity.

If the Senator will pardon me for just a moment further, I have always been a strong believer in the National Guard, not so much with the view of its use in a war, which I hope we never will have, but I have believed it would be a good investment for this country to appropriate more for the National Guard, supplementing the school life and the business training of the young man with camp life, discipline, and the traditions of military achievement. Now, we can supplement that by supplementing the military training of the regular soldier with a certain amount of training for civil life; and I, for one, am most heartily in accord with the Senator's amendment.

Mr. SMITH of Georgia. I thank the Senator.

Mr. President, I hold in my hand an article by Gen. Wood, one of the brainiest and strongest of the men who have been connected for some time past with the Regular Army of this country, in which he cordially indorses the view that vocational instruction can be given to the privates while they are with the colors; that the time can be taken by the officers to give them instruction that will greatly contribute to their value as citizens when they return to private life. I ask that this article by Gen. Wood may be incorporated at this point in my remarks.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

VOCATIONAL TRAINING IN ARMY O. K.'D BY GEN. WOOD—NOTED COMMANDER SAYS PLAN PROPOSED BY CHARLES JOHNSON POST IS SOUND IN THEORY, PERFECTLY PRACTICAL IN APPLICATION, AND IS WORTH MOST SERIOUS CONSIDERATION AS SERVING THE DOUBLE PURPOSE OF MILITARY EFFICIENCY AND ECONOMIC EFFICIENCY, TO BE ATTAINED SIMULTANEOUSLY.

[By Maj. Gen. Leonard Wood.]

The plan of army industrial and vocational training that has been worked out by Mr. Charles Johnson Post, and has appeared in the pages of this paper, has many excellent points from the military point of view. This plan also is more complete in its development than any plan in Army preparedness along vocational lines that I have so far seen.

It has been transmitted to the War College for study and report upon it. Mr. Post approaches the problem of army service from the angle of a volunteer army, while I personally believe that some form of universal training is absolutely essential; yet I believe that certain of the features of vocational training along the lines that he has developed should be added to it.

His plan as a whole contemplates two things: (1) Efficiency as a soldier in military duties, and (2) the attainment of such efficiency under conditions that also prepare him for his return to the civil, industrial life. This would give a twofold efficiency to the country—a military efficiency and an economic efficiency. Men would return to civil life not only better but also more useful members of society. Such a system avoids any economic waste in a standing army.

What this country needs in the way of an army is not an army of men who remain in it permanently, except officers and noncommissioned officers; it should be in the nature of a great military training organization, constantly giving back to society men of military efficiency against the days of emergency. This is one feature of this plan that is taken care of. Under it the actual period of military training is a variable factor, though the standard of efficiency for all is the same; for, as Mr. Post provides, no man can avail himself of the vocational apprenticeship until he has first become an efficient, first-class soldier. There is no confusion between these two periods, and it is necessary that they should be kept as distinct periods, even under the term of the single enlistment.

In brief, Mr. Post's plan proposes to give an opportunity to considerable portions of men under training as soldiers to secure, during the course of that training, an increase in their wage-earning capacity so that they are sent back to society and civil life not only ready as a soldier, but prepared for a higher degree of economic citizenship. This is a good idea if it can be put into operation without unduly extending the period of military service.

One of the great problems we have in this country is considerably due to the fact that great portions of our population develop in racial areas, reading a dialect press and controlled in the intervening years by dialect interests. Some sort of a community of service must be established in order to develop a proper and necessary appreciation of the duties and obligations of American citizenship—for equality of opportunity means an equality of obligations. I believe that the best method is by some sort of systematized military training of a universal character wherein Mr. Van Rensselaerbilt will rub shoulders in the ranks with Mr. Podunski; under such service how long would it be before there is established a fellowship—an appreciation of what a democracy is and means, and of what American citizenship opens up? These large racial areas come from countries of racial oppression.

We must have some plan. And I believe that military training is invaluable for the purpose. I am anxious to see some form of the Australian or Swiss military systems adopted here. A man gets in military training control of his body—knowledge of health for himself and of preventable diseases that is of benefit to himself, his family, and to posterity; he gets discipline—a knowledge of the relationship of himself to social and economic forces; he learns to coordinate himself with society and to take his place and part effectively; he learns duty, obligation, and efficiency in many channels of American citizenship. If, then, we add to the purely military and civic features of army training a system whereby he is enabled to acquire a vocation—a trade or a profession—we have added that much to the industrial efficiency of our society, and, as I have said, made the Army a source of economic gain of great value. The Army and the Military Establishment would be as efficient a social instrument in times of peace as it would be of protection in international emergency.

That the basic principle of the system Mr. Post proposes is sound in theory and perfectly practicable in application, subject to certain modifications in matters of detail, appears to me obvious, and equally so that it should be developed along with any army reorganization and extension whether on the volunteer basis of enlistment or upon a basis of some form of universal military training. The plan he proposes is worth most serious study and consideration.

Mr. SMITH of Georgia. Senators, this view receives the support of many of the very best officers in the Army. I claim for it no novelty. I in no sense claim that it is an invention of mine. I am presenting to you the suggestions of others. No one appreciates more than I do the importance of preparing the young men of this country for the struggle of life, for usefulness in life, for effective force in life. But while I might believe it practical to give such instruction and such benefits to privates in the Regular Army, I would not be so sure that it could be done had I not the confident opinion of those highest in the Army, and those who in the Army have made from their military service the greatest success, that it is practicable.

Do you know that the Coast Artillery put this practice into effect the 1st of January, 1915? I send to the desk and ask that the Secretary may read the order of the Chief of Staff to the Coast Artillery on this subject, passed in January a year ago.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

During the indoor season, the Artillery instruction period will be one and one-half hours. The remaining two hours of the daily instruction period will be devoted to courses in vocational instruction under the initiative, direction, and control of coast-defense commanders. As many separate vocational courses will be inaugurated and conducted as may be possible, utilizing commissioned officers as supervisors of such courses, and the Artillery noncommissioned staff officers, enlisted specialists, and rated men as instructors. Attendance upon these courses will be optional with the enlisted men. Those enlisted men not engaged in these courses will be assigned to police or other work about the post during the instruction period. Among the courses that may be given are those in telephony, care and operation of combustion and steam engines, surveying, wire and radio telegraphy, firing and care of boilers, electric wiring, typewriting, bookkeeping, and stenography. These subjects are to be considered as merely suggestive, and it is not intended to exclude other vocational subjects which may suggest themselves to coast-defense commanders. In so far as practicable the installed Coast Artillery matériel may be utilized in connection with this instruction.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. SMITH of Georgia. Certainly.

Mr. THOMAS. May I ask the Senator if he does not think the proposition he is now stating would also operate as an inducement for enlistment?

Mr. SMITH of Georgia. Unquestionably. Mr. President, if you will democratize the Army, if you will break the caste that exists in the Army, if you will make the private a man and an American citizen just as much as the officer, and if you will enlist the officers in the development of the men, in the development of their mental and moral strength, in the training of the men for civil as well as military life, you can make the position of the private in the Army a very different one from what it

has been in the past, and you can make the button worn by the private as a member of the national reserve a badge of honor wherever he goes, second only to the uniform of the West Point graduate.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from California?

Mr. SMITH of Georgia. I do.

Mr. WORKS. I am very much interested in what the Senator is saying about democratizing the Army; but does he think he will secure the cooperation of the officers in the Army to any great extent in an effort of that kind?

Mr. SMITH of Georgia. To a very great extent; yes.

Mr. WORKS. I am very glad to hear the Senator say so.

Mr. SMITH of Georgia. I did not know until to-day that the Coast Artillery had adopted that rule. An officer of the Coast Artillery came over to me with the report of the successful work that has been done in the past 12 months under that order, showing what great progress the men have made under their tuition in vocational lines in 12 months. Then I asked him how it happened that the work had been done. "Why," said he, "an order was passed the first of last year requesting it of the officers, and making it a matter of volition with the men"; and a large part of the men, he said, volunteered to take the training.

I have here a report on their work, which shows, Mr. President and Senators, that they succeeded in establishing courses for bakers, carpenters, blacksmiths, painters, firemen, engineers, telephone and telegraph operators, radiotelegraph operators, plasterers, plumbers, stenographers, and typewriters. I desire, without stopping to read it, that it be printed in connection with what I have just said.

The VICE PRESIDENT. Without objection it is so ordered.

The matter referred to is as follows:

OPPORTUNITIES FOR EDUCATION IN THE COAST ARTILLERY CORPS.

The Coast Artillery Corps gives a young man an exceptional opportunity to learn some trade outside of the purely military business, and to improve his general education very materially. While vocational training has been optional with the enlisted men, a great many have taken an interest in this work, and have left the service with a knowledge of some vocation outside of the military profession. Among the courses which have been held are courses for bakers, carpenters, blacksmiths, painters, firemen, engineers, telephone and telegraph operators, radiotelegraph operators, plasterers, plumbers, stenographers, and typewriters. In many instances enlisted men have become quite proficient in the courses which they have pursued.

In addition to the subjects enumerated above, many enlisted men have taken a special interest in the electrical installations connected with coast fortifications. The Coast Artillery enlisted men operate the power plants in which electric power is generated for use in the fortifications, and thus become familiar with electrical machinery of all kinds. They also learn to operate steam-power plants, fire boilers, run gasoline engines, and operate searchlights. In connection with submarine mine work, they learn considerable about boats and their operation.

For men who take an exceptional interest in their work there is maintained at Fort Monroe, Va., a school for enlisted men. At this school they are trained for the duties of master electricians, electrician sergeants, engineers, firemen, master gunners, radiotelegraphers, and sergeants major. The last-mentioned grade includes a course in stenography and typewriting. The electrician sergeants take care of the lines of communication at the posts, they keep all telephones in good condition, they install wiring, and assist generally in any work pertaining to the electrical installation. The engineers have charge of the power plants and make all ordinary repairs on the boilers and the machinery in the plants. The firemen have charge of the firing and operation of boilers. The master gunners are charged with the preparation of charts, maps, drawings, range tables, etc., in a coast-defense command. Radio sergeants are used to communicate with vessels and for other signal work. These courses are open to men who are ambitious and who take an interest in their work. Every enlisted man who serves a tour in the Coast Artillery Corps, and who is ambitious to learn, has numerous opportunities to better himself in both theoretical and practical subjects.

Radio operators are always in demand by commercial firms, as are the electricians, engineers, and firemen, who have learned their vocations while enlisted men of the Coast Artillery Corps.

Mr. SMITH of Georgia. I to-day learned first of this work in the Coast Artillery, and I ask Senators who smiled yesterday when the amendment that I offered was read whether they can not now smile with approving praise at this splendid work that has been voluntarily done by these men in the Coast Artillery.

I do not desire at this time to discuss the amendment further; it will formally come up for consideration later on; but I wished to put this much in the RECORD and say this much at the present time to the Senate that it may be the subject of thought, that Senators may overcome the first view that such work would be impossible, and that they may prepare themselves for becoming accustomed to it by a knowledge of the fact that it has been done and has worked well. If Senators will only give the subject thought, they will be ready to accept it as a part of the bill.

APPENDIX.

HOW A BIG ARMY COULD BE MADE A SOCIAL ASSET—VOCATIONAL TRAINING IN MANY TRADES NEEDFUL IN DEFENSIVE PREPARATION WOULD FIT MEN FOR CIVIL CAREERS.

[The Globe prints below a synopsis of a comprehensive plan for raising and maintaining an army adequate to our needs, which has been submitted to the War College at Leavenworth for study and report upon it. Its author possesses technical fitness and experience. He has seen fighting service in the field in the War with Spain, he was a commissioned officer in both Infantry and Coast Artillery in the guard of this State, and, together with four other officers, organized the first class in military field engineering which, at its own expense, engaged a Regular Army officer as an instructor—this was in the days when there was no widespread fervor of preparedness—and is the author of the textbook on "Horse Packing" for military and frontier use. The plan has the double advantage that it would not cripple our industrial resources during either the raising or the maintenance of a competent army, but, on the contrary, would prepare us for greater industrial development while preparing us effectively to resist military invasion. Sacrificing no part of the proficiency in arms which our men of military age should possess, it would at the same time provide them with proficiency in the useful arts.]

[By Charles Johnson Post.]

This country needs an army. It needs it just as any subdivision of society needs a police force.

Such army must be efficient; it must bear a relation to the probabilities of its service; it must be an army not merely for the sake of an army; it must be an army proportioned to our needs and to its social usefulness, and the feudal elements in it of social and economic waste must be reduced to a minimum.

In other words, the army of our future must not be merely an increase in the size, in the raw bulk, of that feudal instrument with feudal principles that has so far been retained; it must be a part of our social system—an instrument of social use and value in place of the heavy burden borne by society against the plunge of war.

The ideal system of army defense existed in those simpler times or exists to-day in those communities less complex than those with which we are generally familiar. In every frontier the ordinary struggle of survival was easily interchangeable with the necessities of camp and field. The hunting, the open life, and the necessities of primitive existence were a constant training of youth along lines that made him the finest fighting material in the world. History is full of examples. The march of progress advances both the complexities of society and the arts of war, and the old interchangeable relationship is supplanted. Let this old relationship be reestablished; take from the Army the singleness of its rarely used function; let it be in times of peace an instrument of social use, of economic training as well as of military training, and there is no more danger in it of militarism than there was in the days when men wore coonskin caps and shot Indians or turkeys on the day before Thanksgiving with equal skill. The dangers from militarism lie in the feudal survivals in our Army system and not in the fact that men are taught to handle firearms or drill in masses.

PRESENT TRAINING DEMORALIZING.

With certain special and technical exceptions our Army—or, for that matter, any army—taking young men at the formative period of their manhood, gives them nothing that is of value in meeting the problems of life and livelihood that confront them on their return to civil society. On the present feudal basis our army training is, in its economic and social aspects, wasteful and demoralizing.

But take the feudalism out of the Army; make it efficiently constructive in the time of peace as it is efficiently destructive in time of war; establish it along lines wherein young men may acquire the industrial equipment for industrial civil life that is ahead of them—give them these things as well as the requirements of military proficiency—and the country will have an army of defense, in which there lies no more menace of militarism than exists in so many vocational schools or technical colleges.

It is along the lines of these principles that the following plan is based.

Here is a plan for raising and maintaining an army adequate to our needs which neither in the raising nor in the maintenance of it would cripple our industrial resources, but, on the contrary, would in both respects prepare us for greater industrial development as well as to resist armed attack. The practicability of the plan seems to be obvious from a lay point of view. Its value from a military point of view is under consideration by the War College at Leavenworth.

Experiments in military training by the War Department have shown that a recruit can be turned into a soldier in less than a year of training. The present enlistment period is three years—two years of wasteful reiteration.

Let the recruit join the Army for a term that will give him three years' apprenticeship at the trade of his choice; this period would be a fixed quantity. Preliminary to this he would serve through various degrees of military training until he has acquired standing as a private of the first class. He could not enter upon his vocational apprenticeship until he was certified as a first-class private.

TRAINING IN GOVERNMENT SHOPS.

This vocational training would be in the Government shops, in which the implements and munitions of war would be, in the largest measure, constructed. The Army should be self-sustaining through its own manufactures in its own shops, but none of the articles so made should be sold at any time in competition with private manufacture. We think of Government Army shops as merely engaged in turning out guns. This is not so; in the Army upkeep there is and would be every activity drawn upon that is called into play in civil society. In gun making there is the finest kind of training for mechanics; range finders and the instruments of precision call for the higher mechanical skill in the naturally talented; garrisons must be kept up in their plant—masonry, carpentry, plumbing—while the Quartermaster's Department, with its transportation equipment alone, is an enormous field for the acquiring of trades used in civil society. The list is limitless.

The adoption by the Government of these functions would serve a double purpose; it would furnish the opportunity for a widespread industrial training that would react directly in the economic advantages of this country, with a population of highly skilled men constantly created, and it would eliminate the commercial interest that thrives best on war scares and war. The iniquitous Krupp scandals are too recent to permit us to overlook the warning they conveyed and to take preventive measures lest we, too, be Kruppized. Moreover, war and

all pertaining to it are matters of so great national and individual sacrifice that it is intolerable that any class of Army contractors should alone be protected in the profits that to all the rest of us spell destitution and death.

During this period of vocational training the young man would keep with him his uniform and equipment in a locker of his shop and be responsible for the condition thereof—much the same as in Switzerland. In the event of war he could be mobilized by changing from his shop clothes to his uniform—a matter of 15 minutes or less.

During the first year of such vocational apprenticeship there would be two months' field service with the colors.

During the second year there would be six weeks' field service with the colors.

And during the third and final year of apprenticeship he would serve one month of field service. This would crystallize the military training of his first and preliminary military service.

There would be a certain percentage of these young men—just as there are now—to whom the military life would appeal. These would, in place of the trade apprenticeship, pass into a special military school that would train them up to the degree required of the highest grade of noncommissioned officer—a sergeant. From this school they would then pass back into the regular, permanent Military or Army Establishment. A man would pass back with the rank of a private and the capacity of a sergeant, subsequent promotion depending upon his capacity in that branch. From this permanent section would be drawn the drill instructors and the minor officers of the whole Military Establishment. A sergeant under our present system is in command of a section—three squads of 24 men, including 3 corporals. Allowing for staff details and the general contingencies of an enlarged organization, there would be in this permanent section an army of sergeants, each capable of taking command of 16 volunteers. In other words, the Army could be enlarged 16 times and have a full equipment of noncommissioned and commissioned officers, for noncommissioned officers in the permanent section would become officers in war time.

And this takes no count of those men, first-class privates and trade apprentices, who are trained as soldiers ready to step fully armed into the ranks.

SHOULD BE FEDERAL UNIVERSITY.

There is one other phase of the matter that needs attention. Into the Army would come men of the capacity of professional men and with the ambition to achieve such rank. The trade school would limit their usefulness not only to society but to the Army Establishment. There would also be men of the capacity of officers. At the present we regard the latter capacity as the only one to be encouraged, so we have West Point. But if it is sound in principle to educate American citizens for a certain governmental department it is equally sound to train them for other needed governmental service.

West Point should be more than a local academy on the Hudson. It should be a great Federal university open to all who can pass the necessary requirements. There should be military training sufficient to qualify a man for a commission for all who entered—an obligatory course. For those training for officers in the Regular (permanent) Establishment it should be most extensive. Every department under each Cabinet officer has need of men with college training and technical degrees, and it is here that the graduates should be drafted for a certain period. There can not be too much education among a people nor can too many people have too much of it. This plan would abolish those stories of men struggling through college on peanuts and popcorn as a steady four years' diet. But that loss would be only of a mass of pathetic anecdotes and in no way reflected in the economic ability that would be represented in this country.

Let us be concrete and offer an illustration in figures:

Assume an army of 100,000 apprentices a year—not a high number, as is well known to any who are familiar with the craving in the working classes that their boys shall have a trade—and a permanent establishment of 50,000 Regulars. For the first year this means only 150,000 men.

The second year—with the next class of apprentices—it means 250,000 men.

The third year 350,000. And the fourth year and every year thereafter 450,000 men ready in 15 minutes after the bugle blows.

PRESENT SOCIAL WASTE WIPED OUT.

And this is not counting the possibilities that lie in expanding the very highly trained military specialists comprising the 50,000 of the permanent establishment. Expand them by sixteen times—every private in it a sergeant—and there are 800,000 men in a fully officered additional army. And these additional soldiers would be from the graduated apprentices, who should be held to respond to military service, in case of need, for a certain period after acquiring their trade in the Government shops.

Under a plan like this there would be no great mass of soldiers in an army who served no function in time of peace. The social waste of the present feudalistic army system would be gone. In place of the great Army budget there would be virtually an educational budget to be passed by Congress. The military training would be incidental to acquiring a civil career; there would be no more menace of militarism than there is in a public school or a college that requires service in return for an education. There would be no menace of militarism, for the Army would be a social instrument of service in which the service it performed in the civil functions of our economic and social life would overshadow the militaristic.

It would be, as it should be, a highly efficient posse comitatus, ready for indefinite expansion in time of need, in place of a feudalism; and it would relate itself usefully to the complexities of modern civilization in the functions of peace.

Mr. WADSWORTH. Mr. President, I desire to express just a few sentiments with respect to the amendment offered by the Senator from Iowa [Mr. CUMMINS], and at the same time to assure the Senate Committee on Military Affairs that in supporting the amendment of the Senator from Iowa I am not intending to express any opposition or hostility to the bill itself which has been reported to the Senate by the Military Affairs Committee, a bill which, in my judgment, is the best piece of military legislation that has ever been presented to the Congress of the United States. I do believe, however, that there are one or two points in the measure which may be strengthened and which by being strengthened will add to the efficiency of the armed force of the country.

The amendment of the Senator from Iowa, as Senators have heard, seeks to add that officers of the National Guard shall be detailed by the President for a fixed term of years to serve with the General Staff of the Army. I shall not make a plea to the Senate that this detail of five National Guard officers should be made by the President on the ground that the National Guard morally is entitled to this consideration, although I believe it is entitled to consideration on that ground, but on the ground of increasing the military efficiency and value of the General Staff itself.

It must be remembered in considering this matter as to the National Guard and the Regular Army, constituted as they will be if the bill passes as a force jointly responsible for the defense of the country, that different problems affect them, different conditions confront them. The General Staff, as I understand it, is expected in time of peace to study out in advance all the contingencies which may arise in time of war, all problems of supplying troops in the event that they are called into active service, all the problems of transporting troops to points of mobilization, and of supplying them when they have reached the point of mobilization. The General Staff, I understand, will be an aid to the War College in laying out in advance a campaign and methods of defense in the event of certain kinds of attack being made upon the country, so that should war or emergency exist and confront the country suddenly the management of the Army might proceed intelligently and promptly to meet the situation.

The problems concerning the mobilization and supply of the National Guard are necessarily somewhat different from the problems confronting the mobilization and supply of the regular forces. The Regular Army, as we know, lives in barracks at Army posts scattered over the country—in my judgment too many of them. In any event the Regular Army is always permanently stationed at Army posts and the men live in barracks, and they are constantly under the immediate control and direction of the officers. The mobilization of the Regular Army at a given point on either coast is a thing which any Regular Army officer can very easily and efficiently and promptly work out by a plan adopted in advance.

But I think it can be stated that it is not so easy for a Regular Army officer to work out the problem of mobilizing the National Guard or of supplying it while it is in transit or while it is collected for the time being, as at its home station, for the National Guard is scattered all over the country and the men do not live in barracks. They live at their homes, and the problem of getting them to their armories is one which National Guard officers have studied for years and years. I know the problem has been worked out in the State of New York to the extent that it is now contemplated that should the New York Guard be called into service to meet an emergency, all the organizations in the State could be packed up and ready to go on the trains wherever they are expected to go within 12 hours.

The problem of getting those men from their homes to the armories is essentially a different problem from that involved in mobilizing Regular troops. The same may be said in securing them the proper amount of supplies in the event they are so mobilized. I have believed for some time—and particularly do I believe it now, when it is apparent that the National Guard is to be considered at least as an important part of the Federal force—that those particular difficulties and problems of mobilizing and supplying the National Guard in case of an outbreak of war should be taken into consideration by the General Staff here at Washington, and I think that can be done with far greater promptness and efficiency if a few officers of the National Guard who are particularly able and capable of studying this thing from their own standpoint—the standpoint of the peculiar difficulties of the National Guard with which they are familiar—are called into consultation.

That, to my mind, is, from the military standpoint, the argument back of the amendment offered by the Senator from Iowa. It is to establish cooperation between the two forces. It is not to hinder the Regular Army officer; it is not to challenge his control; it is not to defy his authority; it is not to attempt to undermine his influence in the management of Army forces of the United States. It is to help him at a point where the National Guard officer is peculiarly qualified to help him. I do not believe that any Regular Army officer who has studied the peculiar difficulties confronting National Guard mobilization would refuse to have that kind of help. I do know of one case, at least, where the War Department authorities requested that kind of help and have acknowledged that it was of the greatest assistance.

I think it was but two years ago, when the Mexican situation was looking somewhat cloudy, that the War Department began making inquiries of the officers of the various State guards as

to what they could do in the event of trouble on the Mexican border in the way of turning out troops, because it is well understood that the Regular Army at its present size is helpless to carry on a thorough intervention in Mexico, and reliance must be had at this day and hour, as was the case two years ago, upon the National Guard to reenforce and assist the Regular Army in any such operation as they might be called upon to undertake. At that time, two years ago, an officer of the National Guard was requested to come to Washington to help the officers here in the War Department to work out plans of mobilizing the men of the guard of New York, and that officer spent some time here. I have heard from many sources, and most of them exceedingly reliable, that he pointed out more things to Regular Army officers with respect to peculiar difficulties and peculiar problems confronting the mobilization and supply of National Guard troops than they had ever thought of; and that is not surprising, for they had never attempted to do any such thing, whereas this particular officer had studied this problem for months, and, in fact, for years. I have had it on the highest authority that his assistance at that time was very highly appreciated by Regular Army officers.

I do believe that if we are to have a force of two hundred and sixty-odd thousand troops under the term and caption of National Guards, to be a part of the Federal force, to act with the Regular Army in case of necessity, it will accrue to the efficiency of both those elements, Regulars and National Guardsmen, if officers of the National Guard are permitted by authority of Congress, expressed in a statute, to come to Washington and stay here for a term of five years and consult and confer with the men with whom they will have to cooperate in time of war.

Mr. President, I hope that the amendment will prevail.

Mr. NELSON. Mr. President, I purpose to detain the Senate for only a very few moments. In all that the Senator from Georgia [Mr. SMITH] has said about vocational training for the benefit of the soldiers of the Army I heartily concur, but I could not concur in that part of his remarks which would eliminate the Volunteer Army from the bill and rely only upon the militia. I will in the briefest possible manner point out to the Senate how as to numbers the National Guard that we could depend upon is, as one might say, a man of straw. We are wholly at the mercy of the several States. Let me read again this paragraph of the Constitution:

> To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of officers, and the authority of training the militia.

That authority of appointing the officers and training the militia is given exclusively to the States. There can be no militia force organized in any of the States unless officers are appointed. The Supreme Court of the United States in the case of Houston against Moore, Fifth Wheaton, page 36, while passing upon this paragraph of the Constitution, remarked:

> Indeed, extensive as their power over the militia is, the United States are obviously intended to be made in some measure dependent upon the States for the aid of this species of force. For, if the States—

Now, listen to this—

> For, if the States will not officer or train their men there is no power given to Congress to supply the deficiency.

So when you come to the question of determining how much the Army will be increased by what is termed the National Guard provision of the bill, you are utterly at the mercy of the several States, and no one can determine in advance how big our force will be. Some States may provide for the organization of two or three regiments of infantry, a battery of artillery, and a company of cavalry. Some may not; and if they fail, how can you compel them to do it? There is no power in Congress. You can not organize the militia into companies or battalions without appointing officers, and if the different States make no provision for doing that, where is the number of your National Guard? One State may provide for a National Guard of a thousand men, another State may provide for a National Guard of 10,000 men, and another State may provide for a National Guard of 5,000 men, but whatever the number is, Congress can not control it. It is a matter under the control of the respective States.

So I say, Mr. President, you can not settle the numbers of the National Guard by this legislation. It is entirely at the mercy of the several States. The bill assumes that all the States will organize a militia on a given basis, but there is nothing in the Constitution and nothing in the law by which we can compel the States. Suppose the governor of any State in the Union refuses to appoint officers and to organize and train regiments, what then? Where is your National Guard? Where is your State militia? I am not hostile to the State militia, but we are left in an entire sea of uncertainty as to the number we can count on.

What about the Volunteer Army? That is enlisted. We know the numbers of that. The men we enlist in the Volunteer Army are soldiers of the United States. We know their number, because we know the number we enlist, and they are subject to Federal control. The volume of that branch of the service we can determine and fix, but it is not so, Mr. President, with the National Guard.

During the days of the Civil War, while we had many so-called militia regiments in the several States, as a matter of fact the regiments, bodily as such, did not go into the service. In a few isolated cases the regiments were mustered in, but in most cases the men were mustered in as individual volunteers, and our great Army during the Civil War was not composed of militia regiments or militia companies; it was composed of volunteers, such as are contemplated under this proposed law.

This is not a new thing, Mr. President. During the Spanish-American War we had a Federal Volunteer Army. It differed from the volunteer State regiments in this, that the officers of that Federal volunteer force were appointed by the President of the United States, and, as a rule, they were officers who had had training and experience in the Regular Army. They got commissions in those volunteer regiments and they proved themselves to be very efficient. Some of those regiments were recruited in the far South, and they made most excellent soldiers.

As I have said, while I have no opposition to the National Guard as such, and while it is well enough to make use of them so far as we may, in view of the fact that in so using them we are at the mercy of the States, I believe it is unsafe to entirely rely upon them, and that, by all means, we ought to have a volunteer army of the United States of America. The Volunteers are as much soldiers in one sense as are the men in the Regular Army. The only difference is as to the manner and the time of their service. As I pointed out to the Senator from Iowa [Mr. CUMMINS] while he was on the floor, the militia of the several States are not under the control of the Federal Government until actually called into the service of the United States. The Constitution, Mr. President, is quite plain on that point, and I quote from it as follows:

> The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States when called into the actual service of the United States.

The mere fact that the militia companies are organized in the different States and that they are drilled by officers appointed by the Government, and are trained by them according to Army regulations, does not make them a part of the military force of the United States. They are not in the service of the United States until they are actually called into that service and mustered in as soldiers of the United States. So long as they remain pure and simple militia regiments, a part of the National Guard, and nothing else, they are not soldiers of the United States Army in the proper sense of the term; they are simply nothing else than State militia. It is only when the President, in the exercise of his constitutional authority, calls those troops into the service of the United States that they become a part of the military force of the United States.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from New Hampshire?

Mr. NELSON. I yield.

Mr. GALLINGER. I notice that the Senator from Iowa [Mr. CUMMINS] took a different view of this provision of the Constitution, as I recall. I want to ask the Senator from Minnesota exactly what is the status of these soldiers after the exigency for which they are called out has passed? They are called into the service of the United States; they become soldiers of the United States; do they remain soldiers of the United States after that?

Mr. NELSON. Not at all.

Mr. GALLINGER. Do they go back to their respective States?

Mr. NELSON. They go back and become a part of the State militia, subject to the rules and the laws of the State, and the State may discharge them. The State controls the mustering in of the forces. The State may never muster in a single battalion or a single company, because of the failure to appoint officers.

Mr. GALLINGER. I think the Senator from Minnesota is right on that point; but what was troubling me was, if these men are called out in the event of a war of greater or less importance and the necessity for their service ceases, how are they sent back to their respective States—by proclamation that they are not needed any longer?

Mr. NELSON. No definite rule has been laid down, so far as I am aware, as to that. I suppose they could be discharged

from the service of the United States, and would then go back to their respective States.

Mr. GALLINGER. That is the point on which I wanted to get the Senator's opinion.

Mr. NELSON. Whilst I agree with the Senator from Georgia [Mr. SMITH] in one of his contentions, I disagree with him in respect to another. I believe under the Constitution we have no power to use the militia outside of the boundaries of the United States except in such an instance as that to which I will refer. The language of the Constitution on the subject is perfectly plain. It is that—

> The Congress shall have power to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

Under that provision of the Constitution manifestly we should have no right to take that force out of the country. The only exception is in such a case as the Senator from Georgia suggested. Suppose we sent a force down to the Mexican border to repel invasion, and if for the purpose of repelling that invasion and as an incident to it that force should cross the border and go into foreign territory, I do not think that that would violate the spirit of the Constitution; but if we should attempt to transport our State militia over to one of the South American countries or over to Europe or to Canada in an offensive war, I believe it would be utterly beyond our power under the Constitution.

Mr. PAGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Vermont?

Mr. NELSON. I yield.

Mr. PAGE. I should like to ask the Senator from Minnesota if, in his opinion, there is any doubt that the patriotic purposes of every State and the governor of every State would not be a sufficient guaranty that the officers of the militia would be duly appointed for all the National Guard regiments?

Mr. NELSON. Does the Senator from Vermont mean to their full quota?

Mr. PAGE. Yes, sir.

Mr. NELSON. To the full number contemplated by this bill?

Mr. PAGE. Yes; and for the drilling of those regiments?

Mr. NELSON. I have my doubts about that. The States would undoubtedly appoint some officers; they would undoubtedly organize some regiments to form a little skeleton of the National Guard; but I doubt whether any of the States would come up to the maximum contemplated by the bill.

Mr. PAGE. I have an idea, Mr. President, that they would.

Mr. NELSON. Let me ask the Senator how many members of the National Guard there are in Vermont?

Mr. PAGE. We have only one regiment; but I have no doubt that, if we were called upon, the patriotic impulses of Vermont would be sufficient to guarantee that everything that could be asked for by the Federal Government would be done, and be promptly and willingly done.

Mr. NELSON. Well, I doubt it, Mr. President. I remember what has occurred in the past. I believe the citizens of Minnesota are as patriotic and are as willing to fight for this country as are any other men in this Union. We had two or three regiments in the Spanish War of State volunteers; we were ready to furnish any additional number that might be required; and yet during all of the time since then we have only had two or three skeleton regiments. They meet once a year in an encampment and have a jolly good time. I once had an opportunity to inspect them when I was governor of the State of Minnesota. It was a very interesting and clever performance, but it never struck me, as an old soldier who had served during the Civil War, that there was much real soldiering about such State encampments.

I remember one encampment very well, which occurs to me now, and so I will refer to it. I went down to Lake City as governor of Minnesota to inspect the National Guard of our State. They furnished me, from a livery stable at Lake City, with an old plug of a horse to ride. I think the boys had "set it up on me," as they say. I discovered, however, what was up before the exercises commenced. I put big spurs on and spurred that old horse to such an extent that he got so excited he could hardly stand still. One of my staff, when I came riding back in the woods on that old horse, was nearly scared to death for fear the horse would kill me; but I avoided that catastrophe and succeeded in inspecting the guard in a proper manner on that old plug of a horse, but the whole thing was like a circus to me. [Laughter.]

Mr. CUMMINS. Mr. President, will the Senator from Minnesota yield to me?

Mr. NELSON. I yield to the Senator from Iowa.

Mr. CUMMINS. I wish merely to ask the Senator how long ago it was that the distinguished Senator was governor of Minnesota?

Mr. NELSON. It was in 1893, 1894, and part of 1895.

Mr. CUMMINS. Does not the Senator realize that the National Guard has radically changed since that time?

Mr. NELSON. Oh, it has improved somewhat.

Mr. CUMMINS. Since that time the National Guard has improved its training, its discipline, and its purposes.

Mr. NELSON. All things improve, Mr. President.

Now that I have given one picture of the National Guard, I must say, on the other hand, that I have seen the National Guard give some very fine exhibitions. I recall, especially the Pennsylvania troops that I saw on the occasion of the inaugural ceremonies some years ago. I see my good and genial friend from New Jersey [Mr. MARTINE] in front of me. I do not recall having seen any of the New Jersey troops on that occasion, but I saw several regiments of the Pennsylvania Militia, which I very much admired. They had something of the gait and something of the swing which the old soldiers had in the days of the Civil War.

Mr. MARTINE of New Jersey. Mr. President, let me say that I fear the Senator's failure to see the New Jersey troops was because of a lack of proper vision. I am not willing to stand here and not pay a tribute to the troops of that State. It can not be said that at the inaugural ceremonies or at any other time the New Jersey troops have failed, either in presenting a proper appearance or in giving indications of splendid discipline.

Mr. NELSON. I simply meant to say that I did not observe the New Jersey troops on the occasion I had in mind.

Mr. GALLINGER. Perhaps they were not properly labeled.

Mr. NELSON. Mr. President, while I am on my feet I can not help adding a few words more.

Mr. SMITH of Georgia. Mr. President, just a moment, if the Senator will allow me. As Senators are telling of the National Guard of their respective States, I want to say to the Senator that we have in Georgia something over 3,000 men enlisted in the National Guard, and I think the companies of that organization on drill make as fine an appearance as any troops I ever saw. They outclass regular soldiers in competitive drills, and are really in such splendid shape that they could almost be called into active service at any time. The service in which they are engaged is the pride of those young men. They have competitive company drills at fairs all over the State, and the people have great pride in their militia.

Mr. NELSON. While we are on the subject, Mr. President, of the National Guard, having given one side of the picture, I desire to give another experience I had while governor. A very serious strike occurred in the iron mines on Lake Superior, back of Duluth. The men of two of the mines left their work in order to go to another mining camp in an effort to induce others to join the strike. The sheriff of St. Louis County said he was unable to handle the situation and asked me to send the militia to help him. At that time the general of the militia was a very pompous, dignified man, who, while the strike was pending, came to my office almost every day and wanted to go with the militia to the district where the disturbance prevailed. I knew that if he went to the strike district there would be shooting. My adjutant general was an old German who had served in the Civil War. His name was Muhlberg, and a fine old fellow he was. I called him up, and I said, "Gen. Muhlberg, take a militia company, go to Duluth, and stop the disturbance, but do not have any shooting if you can help it." He replied, "Never mind, Governor, I will go up there, and I will fix them without shooting." He went there and maintained the peace. He marched troops up there and camped them, made a little speech to the strikers, and they went back to their quarters. I am satisfied if the brigadier general of the militia at the time had gone to the mines there would have been bloodshed.

Mr. President, if I may be pardoned for these wandering remarks, I want to say a word in behalf of the Army in general. I am surprised to note in very many quarters a prejudice against a so-called standing army and against soldiers in general. The fact is seemingly overlooked that the majority of the men in the Army are of our own flesh and blood, citizens of the United States, and they do not lose the attributes of citizenship or the American spirit because they join the ranks of the Army. Our own history and the history of the South demonstrate that the old soldiers are not a danger to the Republic in any form.

The historian Macaulay tells us that when the Stuarts returned to power in England after the death of Oliver Cromwell and his son, and it became necessary to disband the great army of Puritans who had marched under Oliver Cromwell, the Stuarts were afraid that those old army veterans when disbanded would be a disturbing and vicious element in the body poiitic and prove a menace to society. The historian, however, tells us that these expectations were never realized. He said that if you went into any community in England after those

veterans were discharged and found a thrifty and prosperous blacksmith or a thrifty and prosperous carpenter or a thrifty, prosperous, and energetic tailor, if you scratched his head a little you would generally find that he was one of Oliver's old soldiers. Instead of those men being a menace to the country they were a blessing to it; their training in the army had made them good citizens. Exactly the same thing occurred at the end of our great Civil War. When that war was over the veterans in the Confederate Army retired to the walks of civil life and became the leaders and the best citizens in their respective communities. So with the veterans of the North, the veterans of the Grand Army of the Republic. When they returned to civil life they became industrious, prosperous, thrifty citizens of the United States. Neither the old Confederates nor the old Union veterans who retired to civil life after that long and dreary war proved themselves to be bad citizens or to be a menace to the public interest; and I am surprised, Mr. President, to think there are any men in this country who are hostile to a fair-sized standing army.

We are a rich and a wealthy country. We ought to be well equipped both in peace and in war—well equipped in peace in order to prevent war—and I hope that before we enact the pending proposed legislation we will secure a somewhat ampler force than is provided even in the Senate bill.

It is very strange—I dislike to go into the domain of politics, but I can not help doing so—that 18 months ago our good President was opposed to preparedness; he did not think it was necessary; but within six months he has come around and is now strongly in favor of it.

Mr. WILLIAMS. Does not the Senator think something has happened in 18 months?

Mr. NELSON. Yes; something has happened in 18 months, as the Senator from Mississippi suggests.

Mr. WILLIAMS. And not alone in the mind of the President, but in the history of the world.

Mr. NELSON. Mr. President, I do not intend exactly to criticize the President, because we do not all see the light of truth at an equally early period. I think the President 18 months ago did not apprehend that the war in Europe would be on such a stupendous scale or would continue so long.

Mr. MARTINE of New Jersey. He was not alone in that thought.

Mr. NELSON. Oh, no; I am conscious of that fact; but the events which have occurred within the last 12 months have led the President to change his mind; and I congratulate him on the position he has now taken.

He and some of his advisers prepared a plan. The only criticism of that plan which I have to make is that it was a homeopathic plan. His idea of preparedness was a good one; but he did not carry it far enough; it was on too narrow a scale. To my mind, the plan proposed by Secretary Garrison was by all odds the best and wisest plan.

Now, coming to this bill, I am not only in favor of the Regular Army—and a little larger Regular Army, if we can have it, than is provided for in the pending bill—but I am in favor of a volunteer army, and I am not opposed to the militia. Let us take it just as it is, with all of its virtues and all of its infirmities, but let us have a real reserve force in the shape of a volunteer army, upon which we can depend—such an army, Mr. President, as we had in the days of the Civil War.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 10384) to regulate the immigration of aliens to, and the residence of aliens in, the United States, in which it requested the concurrence of the Senate.

The message also announced that the House insists upon its amendments to the bill (S. 4399) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL of Missouri, and Mr. LANGLEY managers at the conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. 3984) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL of Missouri, and Mr. LANGLEY managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented memorials of 16 citizens of Center Barnstead, N. H., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of the Woman's Club of Center Harbor, N. H., praying for an investigation into conditions surrounding the marketing of dairy products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the German Alliance, of Manchester, N. H., praying for the removal of restrictions on the shipment of milk to Germany, Austria-Hungary, and Poland, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Berger Manufacturing Co., of Boston, Mass., praying for liberal appropriations for the maintenance of the Bureau of Standards, which was referred to the Committee on Appropriations.

He also presented a petition of the Department of Louisiana and Mississippi, Grand Army of the Republic, praying for the retirement of Volunteer officers of the Civil War, which was ordered to lie on the table.

Mr. PHELAN presented a petition of the Woman's Council of Sacramento, Cal., praying for an investigation into conditions surrounding the marketing of dairy products, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the congregation of the Adventist Church, of Mountain View, Cal., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

He also presented a petition of Local Union No. 338, Cigarmakers' International Union of America, of Eureka, Cal., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. BURLEIGH presented a petition of sundry citizens of Greenville, Me., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. WADSWORTH presented memorials of sundry citizens of Saranac Lake and Lincklaen, in the State of New York, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Wayland, Parishville, and Middletown, all in the State of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. PHELAN, from the Committee on Public Lands, to which was referred the bill (H. R. 406) to authorize exploration for and disposition of coal, phosphate, oil, gas, potassium, or sodium, reported it with an amendment, and submitted a report (No. 319) thereon.

Mr. NELSON, from the Committee on Commerce, to which was referred the bill (S. 4426) to regulate the salaries of keepers of lighthouses, reported it with amendments, and submitted a report (No. 320) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 5339) to amend section 1 of an act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended; to the Committee on Interstate Commerce.

By Mr. WILLIAMS:

A bill (S. 5340) to confer jurisdiction on the Court of Claims to readjudicate the cases of Mattie W. Jackson, widow, and others, against The United States, and Mattie E. Hughes against The United States; to the Committee on Claims.

By Mr. TAGGART:

A bill (S. 5341) granting an increase of pension to Charles Leffler (with accompanying papers);

A bill (S. 5342) granting an increase of pension to Michael Galligan (with accompanying papers); and

A bill (S. 5343) granting a pension to Anna Stanley (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 5344) for the regulation of the practice of podiatry in the District of Columbia, and for the protection of the people from empiricism in relation thereto; to the Committee on the District of Columbia.

By Mr. OLIVER (for Mr. PENROSE):

A bill (S. 5345) granting a pension to William R. Miller; to the Committee on Pensions.

NATIONAL DEFENSE.

Mr. WORKS submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and to be printed.

Mr. LEE of Maryland submitted amendments intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which were ordered to lie on the table and to be printed.

Mr. SMITH of South Carolina submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and to be printed.

THE JUDICIAL CODE.

Mr. OLIVER (for Mr. PENROSE) submitted an amendment intended to be proposed by him to the bill (S. 1412) further to codify, revise, and amend the laws relating to the judiciary, which was referred to the Committee on the Judiciary and ordered to be printed.

MILITARY POLICY OF THE UNITED STATES.

Mr. TILLMAN. On yesterday I submitted a resolution (No. 156) providing for the printing of 1,000 additional copies of Senate Document No. 494, Sixty-second Congress, second session, third impression, entitled "Military Policy of the United States," by Bvt. Maj. Gen. Emory Upton, United States Army. I find that there is a later impression, being the fourth one of this document, and I ask that the order of yesterday be rescinded and that there be printed as a Senate document 1,000 additional copies of the fourth impression.

The VICE PRESIDENT. Without objection, it is so ordered.

HOUSE BILL REFERRED.

H. R. 10384. An act to regulate the immigration of aliens to, and the residence of aliens in, the United States was read twice by its title and referred to the Committee on Immigration.

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 45 minutes p. m., Friday, March 31, 1916) the Senate took a recess until to-morrow, Saturday, April 1, 1916, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 31 (legislative day of March 30), 1916.

POSTMASTERS.

CONNECTICUT.

John G. St. Ruth, Windsor.

MINNESOTA.

Fred Gay, Moose Lake.

MISSOURI.

J. S. Divelbiss, Braymer.

NEW JERSEY.

William Gerard, Rockaway.

OHIO.

Fred D. Baker, Sunbury.
William E. Haas, Delaware.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 31, 1916.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, through whose eternal energy and all-embracing love we live and move and have our being, open Thou our eyes to the beauty of holiness and ever lead us in the way of truth; impart unto us wisdom and strengthen us for every duty, that we may be the instruments in Thy hands for the promotion of Thy kingdom, that peace and good will may possess every heart; and Thy will be done on earth as it is in heaven, through Jesus Christ our Lord. Amen.

PENSIONS.

Mr. RUSSELL of Missouri. Mr. Speaker, I ask unanimous consent that the House insist upon its amendments to the bill (S. 3984) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the House insist on its amendments to S. 3984, and agree to the conference asked by the Senate. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. SHERWOOD, Mr. RUSSELL of Missouri, and Mr. LANGLEY.

Mr. RUSSELL of Missouri. I ask for the same order with reference to S. 4399, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. Without objection, the same order will be made as on the preceding bill, and with the same conferees.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SLAYDEN until the 8th of April, inclusive, on account of business.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. BAILEY to withdraw from the files of the House, without leaving copies, the papers in the case of Mrs. Sara Gates (H. R. 18404, 63d Cong.), no adverse report having been made thereon.

OLEOMARGARINE.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent for a reprint of House bill 13825, and that the spelling of the word "oleomargarine" and the title of the bill be corrected; also, that in lines 19 and 20, page 14, the words, "that causes it to look like" be stricken out and the words "in imitation or semblance of" be inserted in lieu thereof.

Mr. Speaker, I make this request in order to correct what appear to be some typographical errors in the bill.

Mr. FITZGERALD. That is not a reprint.

Mr. MANN. The way to do is to introduce another bill. We can not have two prints of a bill in two different forms.

The SPEAKER. The best thing for the gentleman to do is to reintroduce the bill as he wants it to appear.

EVENING SESSION ON TUESDAY NEXT.

Mr. STEPHENS of Mississippi. Mr. Speaker, I ask unanimous consent that on Tuesday next at 5 o'clock the House take a recess until 8 o'clock, the evening session to continue for not more than three hours, for the consideration of bills on the Private Calendar.

The SPEAKER. The gentleman from Mississippi [Mr. STEPHENS] asks unanimous consent that on Tuesday next at 5 o'clock the House stand in recess until 8 o'clock, the evening session to be for the purpose of considering bills on the Private Calendar and not to extend beyond 11 o'clock.

Mr. MANN. Unobjected bills?

Mr. STEPHENS of Mississippi. Yes; unobjected bills, to be considered in the House as in Committee of the Whole.

The SPEAKER. And no other business to be transacted at that night session. Is there objection?

There was no objection.

RIVERS AND HARBORS.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the river and harbor bill, H. R. 12193; and pending that I would like to see if we can make some arrangement for time for general debate. I will ask the gentleman from Washington [Mr. HUMPHREY] what time he suggests? I myself suggest five hours.

Mr. HUMPHREY of Washington. I have had requests on this side for 4 hours and 15 minutes, and very insistent requests.

Mr. SPARKMAN. We have had requests on this side for nearly as much, but I am sure we can cut it down to two hours and a half.

Mr. HUMPHREY of Washington. I have gone over the requests that have been made, and I think we ought to have four hours on this side. I have another request right now.

Mr. SPARKMAN. How would this suggestion meet the views of the gentleman from Washington, that we consume the balance of the day in general debate and consider the bill under the five-minute rule to-morrow?

Mr. HUMPHREY of Washington. No, I would not do that, because I do not know how much of this day we are going to have for discussion. There may not be very much of it left by the time we get through.

Mr. SPARKMAN. I should think we might stay here until 7 o'clock, if necessary, or even 8 o'clock. So far as I am per-

sonally concerned, I would be willing to have a night session.

Mr. FITZGERALD. Why not have a night session for general debate?

Mr. HUMPHREY of Washington. I would not be willing to have a night session. As long as we have before us the program that has been outlined we may as well take our time, because we will never get through anyway. There is no use in trying to hurry the impossible. I think some gentlemen on that side of the aisle ought to have the courage to go and tell the President the facts about this.

Mr. MANN. I suggest to the gentleman that he make it seven hours, three and a half hours on a side.

Mr. KITCHIN. Why could we not agree to run on until 5 o'clock and then recess until 8 o'clock and finish the general debate to-night?

Mr. MANN. Everybody knows there will be nobody here to-night.

Mr. KITCHIN. How would this do, then: Suppose we consume the balance of this day in general debate, and meet at 11 o'clock to-morrow, and have an hour's general debate to-morrow, and at 12 o'clock begin under the five-minute rule?

Mr. MANN. I am perfectly willing to begin at 11 o'clock to-morrow, as far as I am concerned, but I think we ought to have the seven hours' debate.

The SPEAKER. Has anybody any suggestion to make? The time is running.

Mr. FITZGERALD. Tempus fugit!

Mr. MANN. You had better make it seven hours' debate, with the suggestion that we meet at 11 o'clock to-morrow.

Mr. SPARKMAN. Suppose we run until 6 this evening and then meet to-morrow and finish up the seven hours?

Mr. MANN. As far as I am concerned I have no objection to running until 6 o'clock, but nobody can guarantee that between 5 and 6 o'clock some one will not raise the point of no quorum. There will be very few Members here.

Mr. SPARKMAN. We can have a gentleman's agreement that we will stay until 6 o'clock.

Mr. MANN. The gentleman himself has control of that matter. We can make no agreement as to how long it will run.

Mr. SPARKMAN. I am trying to make a satisfactory agreement. I know how these things go, and I want to make it satisfactory, if I can.

Mr. MANN. Let the gentleman make a request for seven hours' debate and meet at 11 o'clock to-morrow.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that there be seven hours of general debate, one half to be controlled by myself and the other half by the gentleman from Washington [Mr. HUMPHREY], and that we meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Florida moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the river and harbor bill, and pending that he asks unanimous consent that general debate be limited to seven hours, one half to be controlled by himself and the other half by the gentleman from Washington [Mr. HUMPHREY], and that the House meet to-morrow at 11 o'clock. Is there objection?

Mr. LONDON. Mr. Speaker, may I ask the gentleman from Florida whether I will be yielded 10 minutes by each side?

Mr. SPARKMAN. I will yield the gentleman 10 minutes.

Mr. LONDON. Will the gentleman from Washington yield 10 minutes to me?

Mr. HUMPHREY of Washington. Mr. Speaker, I do not like to deny the gentleman from New York, but I do not think the gentleman has a right to talk every time a bill comes up before the House.

Mr. CHIPERFIELD. Mr. Speaker, I object.

The SPEAKER. What does the gentleman from Illinois object to?

Mr. CHIPERFIELD. I object to the request of the gentleman from Florida for seven hours time if this is to be a part of the program.

The SPEAKER. The gentleman from Illinois [Mr. CHIPERFIELD] objects.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union.

Mr. CHIPERFIELD. Mr. Speaker, at the suggestion of the gentleman from Illinois, our minority leader, I withdraw the objection.

The SPEAKER. The gentleman from Illinois withdraws his objection. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Florida to go into Committee of the Whole House on the state of the Union for the consideration of the river and harbor bill.

Mr. MANN. Mr. Speaker, I make the point of no quorum.

Mr. FITZGERALD. The House is dividing.

The SPEAKER. The Chair will count. [After counting.] the Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 238, nays 95, answered "present" 3, not voting 97, as follows:

YEAS—238.

Abercrombie	Dooling	Key, Ohio	Roberts, Mass.
Adair	Doughton	Kincheloe	Rouse
Adamson	Eagle	Kinkaid	Rubey
Alexander	Estopinal	Kitchin	Rucker
Allen	Evans	Konop	Russell, Mo.
Almon	Farley	Lafean	Sanford
Ashbrook	Farr	La Follette	Schall
Aswell	Ferris	Lazaro	Scott, Mich.
Austin	Fields	Lee	Sears
Ayres	Finley	Lesher	Shackleford
Bailey	Fitzgerald	Lever	Shallenberger
Barkley	Flood	Lieb	Sherley
Barnhart	Flynn	Linthicum	Sherwood
Beakes	Fordney	Littlepage	Sims
Bell	Foster	Lloyd	Sinnott
Black	Freeman	Lobeck	Sisson
Blackmon	Fuller	London	Slayden
Booher	Gandy	Longworth	Small
Borland	Gard	McAndrews	Smith, Idaho
Britt	Garner	McArthur	Smith, Minn.
Browning	Glynn	McCracken	Smith, N. Y.
Brumbaugh	Godwin, N. C.	McDermott	Smith, Tex.
Buchanan, Ill.	Goodwin, Ark.	McKellar	Snell
Buchanan, Tex.	Gould	McLemore	Sparkman
Burgess	Gray, Ala.	Magee	Steagall
Butler	Greene, Mass.	Martin	Stedman
Byrnes, S. C.	Gregg	Matthews	Steele, Iowa
Byrns, Tenn.	Griffin	Mays	Steenerson
Caldwell	Hadley	Miller, Minn.	Stephens, Cal.
Callaway	Hamilton, Mich.	Miller, Pa.	Stephens, Miss.
Candler, Miss.	Hamlin	Montague	Stephens, Nebr.
Cantrill	Harrison	Moon	Stephens, Tex.
Capstick	Hastings	Moore, Pa.	Stone
Caraway	Hawley	Morgan, La.	Stout
Carlin	Hay	Moss, Ind.	Summers
Carter, Okla.	Hayden	Mott	Switzer
Casey	Heflin	Murray	Taggart
Charles	Helm	Neely	Tague
Church	Hensley	Nicholls, S. C.	Talbott
Cline	Hicks	Nolan	Tavenner
Coady	Hinds	Oakey	Taylor, Ark.
Collier	Holland	Oglesby	Thomas
Connelly	Hollingsworth	Oliver	Tillman
Conry	Hood	O'Shaunessy	Tinkham
Cooper, Wis.	Houston	Overmyer	Treadway
Costello	Howard	Padgett	Tribble
Cox	Huddleston	Park	Van Dyke
Cramton	Hughes	Parker, N. Y.	Venable
Crisp	Hulbert	Phelan	Vinson
Crosser	Hull, Iowa	Platt	Watson, Pa.
Cullop	Hull, Tenn.	Pou	Watson, Va.
Curry	Humphreys, Miss.	Powers	Webb
Davenport	Husted	Pratt	Whaley
Davis, Tex.	Igoe	Quin	Wilson, Fla.
Decker	Jacoway	Ragsdale	Wilson, La.
Dempsey	Johnson, Ky.	Rainey	Winslow
Dickinson	Kearns	Raker	Wise
Dies	Kelley	Randall	Young, N. Dak.
Dill	Kent	Rayburn	
Dixon	Kettner	Reilly	

NAYS—95.

Anderson	Focht	King	Russell, Ohio
Britten	Frear	Langley	Sells
Browne	Gardner	Lehlbach	Sloan
Burke	Garland	Lenroot	Smith, Mich.
Campbell	Gillett	Lindbergh	Stafford
Cannon	Good	McClintic	Sterling
Carew	Gordon	McKinley	Sulloway
Carter, Mass.	Gray, Ind.	McLaughlin	Sweet
Chiperfield	Green, Iowa	Madden	Taylor, Colo.
Cooper, Ohio	Greene, Vt.	Mann	Temple
Cooper, W. Va.	Hamilton, N. Y.	Mapes	Thompson
Crago	Haugen	Mondell	Tilson
Dale, Vt.	Hayes	Moores, Ind.	Timberlake
Danforth	Heaton	Morgan, Okla.	Towner
Denison	Helgesen	Nelson	Walsh
Dillon	Helvering	Nichols, Mich.	Ward
Doolittle	Hernandez	Norton	Wason
Dowell	Hill	Paige, Mass.	Wheeler
Dunn	Hopwood	Parker, N. J.	Williams, T. S.
Ellsworth	Howell	Ramseyer	Williams, Ohio
Elston	James	Reavis	Wilson, Ill.
Emerson	Johnson, S. Dak.	Ricketts	Wood, Ind.
Esch	Kahn	Rogers	Woods, Iowa
Fess	Keating	Rowe	

ANSWERED "PRESENT"—3.

Glass	Guernsey	Humphrey, Wash.

NOT VOTING—97.

Aiken	Chandler, N. Y.	Dewalt	Fairchild
Anthony	Clark, Fla.	Doremus	Foss
Bacharach	Coleman	Driscoll	Gallagher
Barchfeld	Copley	Drukker	Gallivan
Beales	Dale, N. Y.	Dupré	Garrett
Bennet	Dallinger	Dyer	Graham
Bruckner	Darrow	Eagan	Gray, N. J.
Burnett	Davis, Minn.	Edmonds	Griest
Cary	Dent	Edwards	Hamil

Hardy	Loud	Page, N. C.	Slemp
Hart	McCulloch	Patten	Snyder
Haskell	McFadden	Peters	Steele, Pa.
Henry	McGillicuddy	Porter	Stiness
Hilliard	McKenzie	Price	Sutherland
Hutchinson	Maher	Rauch	Swift
Johnson, Wash.	Meeker	Riordan	Vare
Jones	Miller, Del.	Roberts, Nev.	Volstead
Keister	Mooney	Rodenberg	Walker
Kennedy, Iowa	Morin	Rowland	Watkins
Kennedy, R. I.	Morrison	Sabath	Williams, W. E.
Kiess, Pa.	Moss, W. Va.	Saunders	Wingo
Kreider	Mudd	Scott, Pa.	Young, Tex.
Lewis	North	Scully	
Liebel	Oldfield	Shouse	
Loft	Olney	Siegel	

So the motion was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. DEWALT with Mr. MCFADDEN.

Until further notice:

Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. DENT with Mr. HULL of Iowa.

Mr. EDWARDS with Mr. KIESS of Pennsylvania.

Mr. GALLIVAN with Mr. JOHNSON of Washington.

Mr. WALKER with Mr. DARROW.

Mr. PATTEN with Mr. FAIRCHILD.

Mr. WINGO with Mr. CARY.

Mr. WM. ELZA WILLIAMS with Mr. GRIEST.

Mr. GALLAGHER with Mr. SNYDER.

Mr. LIEBEL with Mr. ROWLAND.

Mr. AIKEN with Mr. BACHARACH.

Mr. BRUCKNER with Mr. BENNET.

Mr. DALE of New York with Mr. MOONEY.

Mr. DRISCOLL with Mr. COLEMAN.

Mr. EAGAN with Mr. COPLEY.

Mr. GARRETT with Mr. DALLINGER.

Mr. GLASS with Mr. SLEMP.

Mr. HAMILL with Mr. DRUKKER.

Mr. HARDY with Mr. EDMONDS.

Mr. HART with Mr. FOSS.

Mr. HENRY with Mr. LOUD.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. SABATH with Mr. NORTH (ending two weeks after March 30, 1916).

Mr. HILLIARD with Mr. GRAY of New Jersey.

Mr. JONES with Mr. HUTCHINSON.

Mr. DUPRÉ with Mr. KENNEDY of Iowa.

Mr. MAHER with Mr. KREIDER.

Mr. OLDFIELD with Mr. MCCULLOCH.

Mr. OLNEY with Mr. MCKENZIE.

Mr. PAGE of North Carolina with Mr. MEEKER.

Mr. PRICE with Mr. MILLER of Delaware.

Mr. RAUCH with Mr. MORIN.

Mr. RIORDAN with Mr. MUDD.

Mr. SAUNDERS with Mr. PETERS.

Mr. SCULLY with Mr. RODENBERG.

Mr. SHOUSE with Mr. SCOTT of Pennsylvania.

Mr. STEELE of Pennsylvania with Mr. SUTHERLAND.

Mr. WATKINS with Mr. SWIFT.

Mr. BURNETT with Mr. SIEGEL.

Mr. LEWIS with Mr. ANTHONY.

Mr. LOFT with Mr. ROBERTS of Nevada.

Mr. CLARK of Florida with Mr. GRAHAM.

On the vote:

Mr. DOREMUS (for motion) with Mr. KENNEDY of Rhode Island (against).

Mr. YOUNG of Texas (for motion) with Mr. STINESS (against).

Mr. GUERNSEY. Mr. Speaker, I voted "no," but, as I am paired, I desire to withdraw that vote and answer "present."

The name of Mr. GUERNSEY was called, and he answered, "Present."

Mr. HUMPHREY of Washington. Mr. Speaker, I am paired with the gentleman from Indiana [Mr. MORRISON]. I voted "yea" and I desire to vote "present."

The name of Mr. HUMPHREY of Washington was called, and he answered, "Present."

The result of the vote was announced as above recorded.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12193, the rivers and harbors appropriation bill, with Mr. SHERLEY in the chair.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, the bill totals in cash and authorizations $39,608,410, the latter, however, only amounting to $1,710,000. This aggregate is made up exclusively, with one exception, of items for maintenance, prosecution of work on unfinished projects heretofore adopted, and surveys and contingencies. The exception is that part of the project for the improvement of East River, N. Y., set forth in House Document No. 188, Sixty-third Congress, first session, which provides for a channel 35 feet deep from New York Harbor to the Brooklyn Navy Yard.

The committee, as was the case no doubt with everyone else favorable to river and harbor legislation, deeply regretted the necessity for again leaving new projects out of the bill. The reasons for this were: Treasury conditions growing out of the European war, the necessity for making ample provisions for national preparedness, and the large number of adopted and uncompleted projects demanding attention.

The estimates submitted by the War Department for this bill abount to $44,376,710—$4,585,950 for maintenance, examinations, surveys, and contingencies; the balance, or $39,790,760, for works of improvement. By going over the estimates, however, and considering carefully every item, we were enabled to make a net reduction of $4,768,300, and that, too, in the judgment of the committee, without endangering or stinting the work on any project.

The total reduction was much greater than the net saving, amounting to $7,498,300; but, in addition to the item for the improvement of a part of the East River, it was found necessary, on account of damage to several completed works by storms that visited a number of the Gulf ports last summer, to increase the appropriation for several of the harbors and channels in that section, mainly on the coast of Texas. In addition to these increases, others were found necessary in different parts of the country, but in each case the increase was made after and upon the advice of the engineers. Among these is a $300,000 item for the Delaware River, which, however, is not an actual increase over the estimates, as this apparent increase forms a part of the $600,000 authorization recommended by the chief in his annual report.

Another item is that for the further improvement of Pollock Rip, Nantucket Sound, Mass., appropriating $150,000, but for which there was no original estimate. This work had been going on for some time, and when the estimates were made last June the advisability of an appropriation in this bill was not then apparent, but a later report, called for by resolution of the committee, showed the necessity for the amount we have given. This channel is the northerly passage off the shoals on the eastern entrance of Nantucket Sound connecting the deep water of the sound with that of the ocean and is traversed by an extensive coastwise traffic. It is stated that an average of nearly 50 vessels per day goes through this channel and that the commerce amounts to something like 20,000,000 tons annually. In its present shape it presents unusual dangers of collision, besides it is very difficult of navigation. The committee thought the work was sufficiently urgent to justify increasing the amount estimated to that extent.

Another item of increase is that of $250,000 for Trinity River, Tex. The canalization of a part of this river has been going on since 1902, under a project calling for the construction of 37 locks and dams with incidental dredging and other open-channel work at an estimated cost for a 6-foot navigation of $4,650,000. The main work of canalization, however, has been done on section 1, covering a stretch of the river of about 50 miles below Dallas, Tex. Only two of the locks and dams, 3 and 5, estimated to cost $300,000 each, remain to be completed. But owing partly to the fact that an instrumental survey was pending for the purpose of determining, among other things, the number of locks and dams actually necessary below section 1, no estimate was furnished except one of $50,000 for open-channel work. The report of the Chief of Engineers, however, suggested that while it would be better in case Congress should desire to go ahead with the work on locks and dams 3 and 5 to furnish the entire amount of $600,000, he stated that if it should be decided to make provision for only a year's work, $150,000 for each lock and dam should be appropriated. After the making of this report, however, the people of Dallas, who are very desirous that the work should go on without delay, offered to contribute $100,000 toward the same, being one-sixth of the amount of the estimated cost of the two locks.

But the committee, feeling that it would answer the purposes as well to arrange for only one year's work, concluded to appropriate $250,000 on condition that local interests furnish $50,000 more, the whole making an aggregate of $300,000, it being understood that in a subsequent bill the balance of the $300,000 could be furnished in like proportions by Congress and by local interests. It is proper to say that the people of Dallas have already contributed somewhat liberally to that

improvement, having heretofore furnished $60,000 for the construction of locks and dams in this first section and, in addition, the necessary lands for the same. The first section is not embraced in the provision for a reexamination of the river, and the importance of finishing the work in this section is based upon the belief that it will add very materially to the length of the period each year during which navigation may be carried on, and thus greatly increase the use of the river to the people at and near Dallas and throughout the river valley.

A much larger sum was offered by local interests in case the entire project should be adopted in this bill, but that was impractical, owing partly to the fact that the reexamination has not been completed, but I am informed that the offer will hold good until the survey is before Congress and that body has had time to act upon it. I wish to say further that the offer of local assistance evinced a confidence in the worth of the proposed improvement that appealed very strongly to the committee, for if those on the ground and supposedly to be benefited by the improvement are willing to aid so materially in the work it is evident that they believe it will be valuable and that they are in earnest in their desire to use the river.

One of the largest items in the bill is one of $6,000,000 for the further improvement of the Mississippi River from Head of Passes to the mouth of the Ohio River. This money is to be expended, as the paragraph will show, under the direction of the Secretary of War and in accordance with plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees between Head of Passes and Cape Girardeau, Mo., and for surveys in such manner as in their opinion shall best improve navigation and promote the interests of commerce at all stages of the river.

This work has now been going on actively by the Government in conjunction with levee districts and the States bordering on the Mississippi since about 1879, when the Mississippi River Commission was created, during which time and down to June 30, 1915, the Government expended $32,320,178.07 for levee building alone, and for revetment and other works of improvement $44,737,968.93. The States and levee districts have, however, expended a much larger sum for that purpose, the amount being $81,093,644. This would show that the Government has been paying apparently 40 per cent of the amount of levee construction. Of course this should measure the value of that class of work to navigation, as the money has been furnished on that theory. There is no way to determine this accurately, and in making the allotments the Chief of Engineers has very likely taken a liberal view of the matter, as Congress and the people of the country probably intend he should. There is no doubt, however, but that the levees contribute to some considerable extent toward the stability and integrity of the bed of the river, and in that way benefit commerce and navigation. It is estimated that the amount still needed to complete the levee line is about $45,000,000, which, according to the proportion heretofore furnished by the Government, would leave about $18,000,000 to be furnished by the Federal Government.

Attention, however, should be called to a further provision in connection with the item of $6,000,000 just mentioned, practically extending the jurisdiction of the Mississippi River Commission over levee building from the mouth of the Ohio to Rock Island, Ill.; hence if that provision remains in the bill a part of whatever funds are appropriated will be used on that stretch of the river. The amount of construction between the mouth of the Ohio and Rock Island, I believe, has never been accurately determined, but it is supposed that only a small sum, relatively speaking, will be required for that work.

There are 271 items of appropriation in the bill—180 for maintenance and 91 for works of improvement. The sum necessary to complete unfinished projects heretofore adopted, according to the original estimates, is about $230,000,000. But owing to the abandonment of portions of several projects and the completion of others within the limits of the estimated cost, the entire sum may not be needed; in fact, it may be reduced eventually as much as $10,000,000; but even then there will remain $220,000,000 to be appropriated. It may, hence, be seen that it will require several more bills, unless larger amounts are furnished in those yet to come, before the entire sum needed to finish these works is finally appropriated. But the smaller projects are being rapidly finished, and in two or three years more there will only be left of the older and larger ones, such as the Mississippi River and its principal tributaries, the Ohio and Missouri, requiring now about $150,000,000 to complete. But as the work on these is expected to cover relatively long periods, and only to require money to continue the work from year to year, the appropriations for old projects should not, after the passage of one or two more river and harbor bills, reach the figures in the present measure. I would like also to emphasize the fact that after deducting the $150,000,000 required for the Mississippi River and its two main tributaries from the $220,000,000, the probable net sum to finish old projects, only about $70,000,000 are left to complete all those outside of the three just mentioned, which could easily be covered by two such measures as this.

By reference to the bill it will be noted that there is a considerable falling off in surveys as compared with the number in the bill of 1915, there being 180 in that while there are only 84 in this. This reduction at least suggests that the demand for waterway improvement is being rapidly met and that as soon as the large amounts necessary to complete the projects now under way are furnished subsequent bills should show a marked decrease in the number of projects adopted and, consequently, of the amounts appropriated.

It will also be noted that a few waterways for which appropriations are made, either for maintenance or for continuing improvement, accommodate relatively a very small freight tonnage. This is perhaps traceable in some instances to the fact that the projects have not been completed so as to furnish the facilities intended, or, if completed, a sufficient time has not elapsed to permit of their full utilization. In other cases the small tonnage may be traced to a depression in business or to local causes of a temporary character. But there are not many of such works—only about 27 in number—with amounts appropriated in this bill ranging from $1,000 to $269,000 and aggregating $855,100; the waterways, however, only accommodating a commerce amounting to 223,651 tons, though this commerce is valued at $11,841,296.

All of these waterways, especially the rivers and intracoastal canals, traverse sections of country rich in agricultural, mineral, forestry, or other industrial possibilities, and it is believed they will eventually and at no distant day become useful arteries of commerce. To my mind it is inconceivable they should not do so or that they will not eventually pay to the people of the country at least a fair return upon their cost by furnishing means for cheaper and more convenient transportation. For these reasons the committee has thought best to continue work on them, at least for the coming year, in the hope that increased benefits will follow. I for one believe it would be foolish to abandon them until they have had a fair trial. Then, and after a reasonable time, if adequate results do not follow, further work upon such as are found unsatisfactory may be discontinued.

Now, three minority reports have been filed—one by the gentleman from Washington [Mr. HUMPHREY]; another by the gentleman from Massachusetts [Mr. TREADWAY]; and still a third by the gentleman from Wisconsin [Mr. FREAR]. The first was based upon a single ground, the inclusion in the bill of the item for the opening of that portion of East River, N. Y., from deep water in New York Bay to the Brooklyn or New York Navy Yard, so as to give a 35-foot depth where only 30 feet, perhaps a little less, exists now, and that through a narrow, tortuous, and more or less dangerous channel, the purpose being to furnish a depth of water such that the largest naval vessels can at all times reach the yard. As just stated, the committee decided not to insert new projects in the present measure, but later, and before the preparation of the bill was finished, we received a communication from the President urging, in the interest of national preparedness, an appropriation for the improvement of the East River at the point mentioned. The letter is as follows:

THE WHITE HOUSE,
Washington, February 11, 1916.

MY DEAR MR. SPARKMAN: The President directs me to say to you that he is strongly of the opinion that the pending river and harbor bill should carry an appropriation for the immediate improvement of the East River adjacent to the Brooklyn Navy Yard. He fully appreciates the fact that this would be contrary to the rule of the committee not to recommend appropriations for new projects at this time, but he feels that the importance of the matter in its relation to the question of national preparedness fully justifies an exception to the rule.

The President understands that Secretary Daniels has fully explained this matter to the committee.

Sincerely, yours,

J. P. TUMULTY,
Secretary to the President.

In addition to this request of the President, we had before us representatives both of the Navy and War Departments, Admiral Benson and Capt. Knapp appearing for the former, and Col. Black, of the Engineer Corps, for the latter. In this hearing it appeared that the navy yard, the largest and most commodious in the country, capable of receiving and docking ships with a draft of 32 feet 5½ inches, can only be reached by a channel 30 feet in depth at mean low water. Furthermore, it is the only navy yard on the Atlantic equipped with facilities for building battleships. It was further suggested that a ship which can easily go through the channel now might be so disabled in battle or otherwise as to require a much greater depth than

necessary in her normal condition, and that without the increased depth she might be rendered inactive and useless at a critical period in our national affairs. Now, when to these considerations are added the request of the President, the one who stands at the head of our Military and Naval Establishment, who, by reason of his position, is, or should be, at all times familiar with our foreign relations, and who, under the Constitution, directs our diplomatic activities, it seems to me that an exceptional case is presented and that the needed improvements should be made without delay. I may add that while this emergency work only costs $700,000, the whole East River project, covering the entire river, calls for work to cost about $13,000,000. This work in its entirety should, in the interest of commerce, be adopted in the near future, but the committee did not think it advisable to undertake any more in this bill than is absolutely necessary to furnish an adequate channel to the navy yard.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. MOORE of Pennsylvania. Does the appropriation made in this bill for reaching the navy yard apply only to that particular channel project, or is it the beginning of a movement up the East River?

Mr. SPARKMAN. It applies only to this particular project, but is a part of the East River project, a very small part, however; about one-twentieth.

Mr. MOORE of Pennsylvania. And it pertains only to the approaches to the navy yard?

Mr. SPARKMAN. Only to the approaches.

Mr. MOORE of Pennsylvania. This being the only new project that comes in this bill, were there other worthy projects that might be regarded as this was, a war-project necessity, brought to the attention of the committee?

Mr. SPARKMAN. There were other projects brought to the attention of the committee, but the committee did not consider them as urgent as this.

Mr. MOORE of Pennsylvania. This is the only one on which the President made an urgent request of the committee?

Mr. SPARKMAN. That is correct.

Mr. MOORE of Pennsylvania. And it is confined to the approaches of the navy yard for the purpose of getting vessels in and out?

Mr. SPARKMAN. That is true.

The minority report also says that many other items of equal or greater merit were voted down in the committee. Perhaps there were such viewed from the standpoint of commercial importance, but none that was on a par with the New York item from the viewpoint of national preparedness. If there were such, they were not presented to the committee, nor was its attention call to them by anyone.

The only other item that presents conditions at all similar is the navy yard at Charleston, S. C., the difference between it and the yard at New York being one of degree in the matter of importance. While the Charleston yard has a dry dock that can accommodate vessels drawing more than 30 feet, unlike the Brooklyn Navy Yard it has no shipbuilding plant, its equipment being only for repairs. I believe, however, that a shipbuilding slip is soon to be located there, but when completed it will only accommodate, so I am advised, tugs and possibly torpedo boats.

Like the New York Navy Yard, however, the channel leading to the Charleston yard is of less depth than are the slips or dry docks. While the latter can accommodate vessels of 30 feet draft, the former only has an available depth of 26 feet.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. TREADWAY. The gentleman refers to the Charleston (S. C.) Dry Dock as being the only one where large ships could be constructed?

Mr. SPARKMAN. I said where battleships could be constructed.

Mr. TREADWAY. May I not ask if Boston has not both a dry dock in course of construction and a navy yard already equipped?

Mr. SPARKMAN. I understand the Government has a navy yard there, with a dry dock, but I understand, further, that it can accommodate vessels of only 8,000 tons.

Mr. TREADWAY. May I further interrupt the gentleman to ask as to the probable capacity, or expected capacity, of the dry dock at Boston now under construction?

Mr. SPARKMAN. I understand there is a dry dock to be constructed there by the State—it may be in process of construction—that will accommodate very large vessels. I am not advised as to the size of the vessels it is designed to accommodate, but I understand it is to be a very large dry dock.

Mr. TREADWAY. Is it not in evidence that it will accommodate the largest vessels either constructed or in expectation of construction?

Mr. SPARKMAN. I could not state as to that.

Mr. TREADWAY. I will be glad to inform the committee later in respect to that.

Mr. SPARKMAN. I wish to say here that they have ample water at Boston to reach the Government navy yard there; that any vessel that the dry dock can accommodate can easily reach the yard.

Mr. WHALEY. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. WHALEY. Did not the President communicate with the gentleman respecting the Charleston project?

Mr. SPARKMAN. Yes.

Mr. WHALEY. Did not the Secretary of the Navy and Admiral Benson also write letters urging the adoption of the project?

Mr. SPARKMAN. I will say to the gentleman that the President did have a conversation with me, in which he suggested that I take into consideration this navy yard, together with the advisability of deepening the approaches thereto, and suggested that if, after considering it, the committee thought that it presented an urgent case he would be pleased to have us take care of it in this bill.

Mr. WHALEY. Did he not also ask the gentleman to consult the naval officers about it?

Mr. SPARKMAN. He did.

Mr. WHALEY. And the gentleman received a letter from the Secretary of the Navy and Admiral Benson?

Mr. SPARKMAN. I did at least get a letter from Admiral Benson about it. I may have received one from the Secretary.

Mr. WHALEY. He sent me a copy of the one he sent to the gentleman.

Mr. SPARKMAN. Then, I undoubtedly received it.

Mr. HULBERT. Mr. Chairman, I would like to ask the gentleman whether the dry dock which it is intended to construct at Boston referred to by the gentleman from Massachusetts [Mr. TREADWAY], is to be built by the Federal Government or the State government?

Mr. SPARKMAN. I understand there is one to be constructed there by the State government, and perhaps that is the one to which the gentleman refers. There is also a navy yard with a dry dock owned by the Government there.

Mr. HULBERT. But over the dry dock to which the gentleman from Massachusetts referred the Secretary of the Navy or the Federal authorities would not exercise any jurisdiction. That would be dependent entirely upon whatever courtesy might be extended to them by the State of Massachusetts.

Mr. SPARKMAN. Yes; but I would say to the gentleman that if the State should construct a shipbuilding plant there for large vessels, the Committee on Rivers and Harbors, as would Congress, I think, feel inclined to aid in such channel improvement as would furnish ample water to the dock.

Mr. HULBERT. On the theory that it was for commercial purposes?

Mr. SPARKMAN. Oh, yes; largely on that theory, though not entirely.

Mr. TREADWAY. Mr. Chairman, would I be intruding on the gentleman if at this point I should answer directly the question the gentleman from New York [Mr. HULBERT] has just submitted relative to Federal control over the navy yard or dry-dock?

Mr. SPARKMAN. The gentleman may proceed if it is only a short statement he wishes to make.

Mr. TREADWAY. Just a word. I desire, Mr. Chairman, through the courtesy of the gentleman speaking, to quote from the report of the Secretary of the Navy submitted to Congress December 15, 1915, in which he says:

> This monumental work involving an expenditure by the State of Massachusetts of well over $3,000,000 will afford naval and dry-dock facilities in this important harbor superior in extent and size to that available at any other American port—

And I call the attention of the gentleman from New York especially to this clause—

> and by arrangement give the United States Government control and paramount use of the dock in time of war.

I thank the chairman of the Rivers and Harbors Committee for his courtesy.

Mr. SPARKMAN. With reference to the Government Navy Yard at Boston I wish to say that it can accommodate vessels drawing 29.6 feet.

Mr. MOORE of Pennsylvania. Is that the Government dock or the State dock?

Mr. SPARKMAN. That is the Government dock.

Mr. MOORE of Pennsylvania. The State dock is 1,200 feet long, much longer than the other.

Mr. SPARKMAN. Yes; the State dry dock is to have a much greater capacity.

The minority report submitted by the gentleman from Massachusetts [Mr. TREADWAY], while lacking in clearness as to what is meant by good and bad projects, is quite definite in other respects. For instance, it is clear beyond peradventure, that the bill is not such as he would have framed if he had prepared it all by himself, without being hampered or troubled with the views and voting power of the other 20 members of the committee, and that unless it is changed in this House to suit him it will not have his support. That is to be regretted for several reasons. In the first place, I, for one, would be glad to have him in accord with us. I would like to know that one with the standing the gentleman has attained in this House, even during the short time he has been here, who has shown such an interest in river and harbor matters and such an intelligent grasp of the subject as the gentleman has shown, is with us.

In the next place, we would indeed be pleased to have him vote for the bill whether it is amended to suit him or not. But such things will occasionally happen in and out of legislative bodies, and especially is that true in one like this where the principles of representative government are recognized and where there are 434 other members to be consulted. Nevertheless, it is the gentleman's privilege to give expression to his own views and to vote against the bill if his judgment so dictates. But even though the gentleman leaves us in the dark as to the items which he would condemn and as to some other objections he has to the bill, I may, I think, without doing him any injustice, summarize his views as follows:

That we are appropriating more money than the conditions of the Treasury will justify; that the amount appropriated is greater than necessary to take care of the projects under way; that too much is appropriated for some unnamed projects; that appropriations are made for projects without merit; that the committee has followed the usual procedure in making up the bill; and last, but not least, that we are appropriating money for very shallow streams on which boats can with difficulty run now. Well, it is too bad that the gentleman should find fault with the bill on that account. Why, Mr. Chairman, that is the very purpose of this class of legislation. That is why we have river and harbor bills. If harbors or rivers or even the creeks were deep enough to meet the demands of commerce we would not have to improve them. That is why in earlier days we appropriated money for the Connecticut, Merrimac, Malden, Taunton, and other rivers partly or wholly in the gentleman's own State, some of them in their original condition quite as shallow as those unnamed streams which the gentleman likely had in mind when he was framing his report. That also was the reason for the improvement of the St. Marys River at the falls, which, in its original condition, could float nothing except logs and very small craft, but which now, by reason of the improvement made, carries more than 50,000,000 tons of commerce annually. The same may be said of hundreds of other waterways originally of little value but now of great use to the country. No; Mr. Chairman, it is not the shallowness of the stream that should alone influence us, but the relative cost and advantages to come from the improvement as well.

That we are appropriating too much I deny, if we are going to do the work at all. Our purpose was to furnish no more and no less than is necessary to prosecute the work on each project until another bill can be framed and passed, and that is what I hope and believe we have accomplished. To have done more would have been foolish extravagance; to have done less would have been criminal negligence.

I know something of the way this bill was framed, and I can truthfully say that no river and harbor bill during the past 20 years has received greater care in its preparation than has this measure. Not a recommendation by the engineers but was carefully considered in all its details. This the gentleman knows if he gave the care and attention to the bill and its preparation that each Member should bestow upon such matters, and which the gentleman did bestow on the preparation of this bill, as he was present, I believe, at every important meeting of the committee.

I have called attention to the fact that there are on the books $230,000,000 of old projects; that is, projects heretofore adopted and yet to complete. A little later, if I have time, I will, in view of past and present efforts to inject sectionalism into the consideration of this and the last two river and harbor bills, call attention to the dates these projects were adopted. For the present I will only say we have them on the books, and if they are to be completed the work should go on with a reasonable degree of speed until they are finished; otherwise great waste will be the result. And I want to say further that one object in excluding new projects from this bill was that we might deal more liberally with those we have on hand and push them to completion as rapidly as possible.

Of course the gentleman no doubt thinks that some of them, which, however, he has not mentioned, ought not to receive appropriations at all. It may be that there are some on the books which, in the light of subsequent events, might at the time of adoption have waited and given place to others more urgent. Still, I believe them all meritorious and, when finished, that they will be of great benefit to the commerce of the country, both local and general. The work upon them is well advanced, many nearing completion, and it would be the height of folly to stop their improvement now. That is my own opinion, but when they are reached under the five-minute rule anyone may move to strike them out. Then the House can do as it pleases with them.

Even now, however, I would like to ask the critics of river and harbor legislation, and who may wish to eliminate certain projects from this bill, where they will draw the line between the good and the bad, what would be their standard of excellence, and upon what will they base such standard? Will they base it upon a certain proportion of cost to tonnage, or of cost to freight value, or both? If upon the proportion of cost to commerce, will they consider present commerce alone, or both present and future? If the latter, then a wide field is opened up and many things are to be taken into account, such as the possibilities of agricultural and industrial development, and the furnishing of additional and cheaper means of transportation as a result of a proposed work.

Then again, what will be the proportion of cost to tonnage and value? Should it be 1 to 2, 1 to 5, 1 to 50, or what would we fix as the proportion? I only mention this to show the difficulties in the way of anyone when he essays the task of selecting projects to be improved from those which should not be.

The truth is that no fixed standard can be erected. Each tub must stand upon its own bottom; each project upon its own merits. The Committee on Rivers and Harbors and the House heretofore have acted upon that plan and in doing so have tried to be just and fair. They may have made mistakes now and then, but not many. Indeed my opinion is that mistakes have been less frequent in river and harbor bills than in any other class of legislation.

Mr. FREAR. May I ask the gentleman a question?

Mr. SPARKMAN. I yield to the gentleman.

Mr. FREAR. I desire to ask if the suggestion the gentleman makes is not answered quite fully by Col. Townsend, who in the case of the Mississippi and the other rivers of the Mississippi Valley urges that we leave 58 river projects in statu quo and make completed experiments in two cases, and then when those are successfully completed we are to wait and find whether they will carry any appreciable freight.

Mr. SPARKMAN. I will say to my friend that Col. Townsend neither follows nor suggests any rule, but would do what he proposes arbitrarily.

Mr. FREAR. May I interrupt further to ask, if the chairman pleases, if there is no means by which we can drop any of these projects when once begun?

Mr. SPARKMAN. This House can do it whenever it likes, either with or without the committee's recommendation; but when it acts it must do so arbitrarily, as I know of no fixed standard by which it can be done. I want to say most emphatically that this committee invites the closest scrutiny of any and every item in this bill. If there is anything in it that ought not, in the opinion of the majority of this House, to be there, let it be stricken out. That is what we are here for.

Mr. SLOAN. Will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. SLOAN. I desire to make a suggestion to the Chair, that this executive session, apparently, going on down in the pit may be interesting to those who are participating, but really the committee would like to hear what is going on.

Mr. STAFFORD. Mr. Chairman, I suggest that the gentleman come nearer the throne and not remain in the outskirts. Will the gentleman yield for a question?

Mr. SPARKMAN. I will.

Mr. STAFFORD. Will the geneleman advise the committee whether in any instance the committee has refused to appropriate for any project which is of a questionable character, so far as future tonnage is concerned?

Mr. SPARKMAN. In this particular bill?

Mr. STAFFORD. As far as the present bill is concerned.

Mr. SPARKMAN. Oh, we cut several; two or three on that ground, but the most of them because the money recommended was not needed.

Mr. STAFFORD. Does not the gentleman believe that it is a good business principle for the Government to follow that when it launches into a project which, after appropriation and development, is shown to the committee is no longer worthy of exploitation, that it should be abandoned?

Mr. SPARKMAN. Most assuredly.

Mr. STAFFORD. There are many such projects?

Mr. SPARKMAN. I do not think so.

Mr. STAFFORD. I understood, if the gentleman will permit me further, that he stated that as a usual thing the policy followed by the committee was that when once the Government launched into a project it should not be abandoned until fully completed and determined whether it was worthy of indorsement. To that policy the gentleman from Massachusetts [Mr. TREADWAY] as a business proposition takes issue in his report by what I believe is good business policy, namely, to abandon the work when once shown not to be worthy of support by reason of the commerce that might develop in the future.

Mr. SPARKMAN. The gentleman has not expressed my views with entire correctness. I believe that whether a project has been adopted or not it should not receive an appropriation if it is not going to be of sufficient benefit to commerce to justify the appropriation. The difficulty is to determine that question. But if, in the opinion of the committee, when the matter is under consideration there, or of the House when here, it is not worthy, it ought to be left out.

Mr. STAFFORD. At that time?

Mr. SPARKMAN. Yes; at that time.

Mr. MOORE of Pennsylvania. Is there any way of determining the future commerce to which the gentleman refers until the channel is constructed?

Mr. SPARKMAN. I know of no way by which this can be done accurately. We can only guess.

Mr. MOORE of Pennsylvania. Is there any way of determining the tonnage of a railroad until the railroad is completed and operated?

Mr. SPARKMAN. No; and I will say that I have known railroads that had been constructed for years before they began to pay.

Mr. MOORE of Pennsylvania. And there must be some expenditure before we can determine the question?

Mr. SPARKMAN. Yes.

Mr. MOORE of Pennsylvania. I think that answers the gentleman from Wisconsin [Mr. STAFFORD].

Mr. HULBERT. I would like to ask the chairman of the committee if there was not a provision in the last bill calling upon the Chief of Engineers to investigate and report whether there were such projects then in the course of construction that were not worthy of further improvement, and if the investigation pursuant to that act is not now in progress?

Mr. SPARKMAN. Yes; and the engineers are investigating and reporting as fast as they can.

Mr. HULBERT. And have not such projects as have been reported unworthy by the Chief of Engineers been omitted from consideration in this bill?

Mr. SPARKMAN. I would not say that.

Mr. FREAR. May I interrupt just once more?

Mr. SPARKMAN. Let me answer the question a little more fully. We had two under consideration when preparing this bill upon which reports had been made recommending their complete or partial abandonment. One was at Sandy Bay, Mass., and known as the Sandy Bay harbor of refuge; the other was the Arkansas River. The Sandy Bay proposition came before us and was referred back to the board for further consideration, the committee not being satisfied with certain features of the report. The board only recommended a partial abandonment of the Arkansas River project, and after looking into it we found that the Government had within the last two years constructed two very expensive dredge boats for the purpose of making a test of the efficiency of the plan under which work was being done on that river. These dredges had only been recently constructed, and, after consideration, the committee did not think it wise to withhold an appropriation at this time, but that we should keep these boats in operation at least during the next fiscal year and until a thorough or a better test has been made.

Mr. FREAR. May I interrupt?

Mr. SPARKMAN. I yield to the gentleman.

Mr. FREAR. Referring directly to the appropriation for the Arkansas River, which, as I recollect, carries over $300,000, does it not?

Mr. SPARKMAN. I think it is $209,000.

Mr. FREAR. Does not the gentleman think it is a rather expensive experiment to spend $209,000 in order to keep two dredge boats busy, when the Army engineers, after an expenditure of $3,000,000 on that river, have determined and recommended that the project should be abandoned? In the face of that recommendation the committee indorsed it. And in answer to the suggestion of the gentleman from Pennsylvania [Mr. MOORE] as to the importance of completing a project in every case before determination can be had of its usefulness, is it not a fact that the past expenditure of $20,000,000 on a project that only carried 19,377 tons last year of actual commerce is evidence of a questionable policy? This bill appropriates $1,500,000 more for that particular project. Have we not given it a fair test after 20 or 30 years?

Mr. SPARKMAN. To what project does the gentleman refer?

Mr. FREAR. To the project of the gentleman at my right, the gentleman from Missouri [Mr. BORLAND], for the Missouri River.

Mr. BORLAND. The gentleman is mistaken; the project was reported favorably.

Mr. FREAR. This was in reply to the suggestion as to completing a project before you can get the commerce.

Mr. SPARKMAN. I would not like to be led off into a discussion of that project just now. When we reach the five-minute rule I am willing, in so far as I can give the matter direction, to accord gentlemen such time as may be reasonable in which to discuss that and all others the merits of which are questioned.

But to return to the minority report of the gentleman from Massachusetts.

Mr. Chairman, I am not impressed with the criticism that we have pursued the usual methods in framing this bill. The gentleman has not suggested a better plan; and until one is found what should we do but follow the one we have? Besides, what are the usual methods? Why, those, with modifications from time to time, we have been pursuing for nearly a century. These are, first, a survey ordered by Congress, which is made by the district engineer, whose report is reviewed by the division engineer, by the Board of Engineers for Rivers and Harbors, and finally by the Chief of Engineers, whose decision is final. It thus passes under the scrutiny of at least nine engineers, none of whom, except perhaps the district officer, is below the rank of colonel, the chief being a brigadier general.

If all, or even the Chief of Engineers, reports adversely, nothing further is done; but if instead the report is favorable, then the final survey and estimate are made, the report upon which is in turn reviewed by the same officials. Both reports are then sent to Congress in one document. If the finding is unfavorable, nothing more is usually done; but if favorable, then the Committee on Rivers and Harbors considers it, giving it the closest scrutiny, and may or nay not recommend it to the House for adoption. And in this connection I may say that we have before us many projects favorably reported calling for millions of dollars to complete, but which, on account of the fact that we have not considered them urgent or worthy, have not adopted them and are not likely to do so.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield there?

Mr. SPARKMAN. Certainly.

Mr. McLAUGHLIN. The gentleman says if the report is unfavorable, the recommendation is that no action be taken. It, of course, rests with Congress, does it not?

Mr. SPARKMAN. I said, as a rule nothing further is done with it.

Mr. McLAUGHLIN. Does the gentleman mean to say that a committee of this House ties itself up absolutely to follow the report of the engineers?

Mr. SPARKMAN. I was referring to the practice of the River and Harbor Committee, which we have been following for the last 10 or 15 years. Under that practice we do not consider a project that has been turned down by the engineers.

Mr. McLAUGHLIN. You follow them absolutely and do not use your own judgment and discretion at all? Is that the idea?

Mr. SPARKMAN. The gentleman is very nearly correct. We have to have some rule and draw a line somewhere between the good and the bad, and that rule has usually worked well. The House can always correct us when we make a mistake; but the House up to date has followed the committee pretty closely in that particular. Now, all know the course pursued after a bill appropriating for a project or projects reaches this body. I will not go into details, only saying that the items in no appropriation bill, coming from any committee, receive any closer scrutiny than do the items entering into the various river and harbor bills from the time the surveys are ordered to the point where they finally reach the President for his signature, nor is there any around which greater safeguards against mistakes are thrown than those measures.

Mr. Chairman, these are the usual methods, the whole constituting a system founded upon experience and having the ap-

proval of the ablest and the best minds of the country, a system which has been in existence for three-quarters of a century and under which the navigable capacity of more than 25,000 miles of inland waterways and upward of 300 harbors—ocean, gulf, and lake, have been increased from primitive and unsatisfactory conditions until, with few exceptions, they are keeping pace with the demands of a rapidly growing commerce, a commerce amounting to more than 870,000,000 tons annually, and valued, it has been estimated, at more than $22,000,000,000.

These great results have been attained at a cost of only $800,000,000, and the work accomplished has gone on until at least three-quarters of that necessary to place all our rivers and harbors in first-class condition has been completed or is now under way. I hence submit that, after all these great results have been achieved, we should not lightly discard the system that has brought them to us.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. MOORE of Pennsylvania. Mr. Chairman, I will ask the gentleman to repeat the figures of expenditures for rivers and harbors, as he has them there, from the beginning on up.

Mr. SPARKMAN. About $800,000,000.

Mr. MOORE of Pennsylvania. About $800,000,000 for the work of improving rivers and harbors for the purposes of commerce in the United States?

Mr. SPARKMAN. Yes.

Mr. MOORE of Pennsylvania. Will the gentleman allow me to interject into his remarks right there this very interesting comparison of figures, that during the 40 years up to 1907, while a less amount than he has mentioned was expended for the commercial development of rivers and harbors within the United States, we had spent $8,900,000,000 for the Army and Navy and the pensions of the country, showing that the great plod horse that bears up the interests of the country is the least encouraged agency for material advancement that now occupies the public mind?

Mr. SPARKMAN. The gentleman is correct in that, and I thank him for the interruption.

Now, some gentlemen here and elsewhere are accustomed to point to the treatment of the waterways of Europe, mainly those of Germany, Belgium, and France, as examples worthy of imitation or as furnishing standards of comparison by which it is sought to place our waterways and our treatment of them at a disadvantage, the argument being that we, under our system, have been woefully extravagant, while under theirs the improvements have been made with the minimum of economy resulting in the maximum of efficiency.

Well, let us see. The 25,226 miles of our inland waterways have cost for improvement and maintenance since the beginning of the Government $514,982,612 for the rivers, or $19,807 per mile, while the inland waterways of Prussia have cost, for original work and maintenance, $56,400 per mile. Those of Belgium, $102,397 per mile. Those of France, $63,065, per mile. At the same rate of expenditure as that in Prussia the cost here, instead of $19,807, would have been $1,479,136 per mile. At the same rate as in France, the cost here would have been $1,653,942, while at the same cost as in Belgium it would have been $2,685,000 per mile.

Mr. FREAR. Mr. Chairman, will the gentleman pardon an interruption there?

Mr. SPARKMAN. Yes.

Mr. FREAR. By way of illustration, is it not true that the gentleman has included nearly a thousand miles of the upper Missouri River on which there is not a single steamboat to-day?

Mr. SPARKMAN. It embraces all the navigable portions of that river.

Mr. FREAR. And it is not used for navigation to-day?

Mr. SPARKMAN. Oh, yes; the statistics show that it has some commerce. Just what the amount is I do not recall just now.

Mr. FREAR. It is only slight.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield there?

Mr. SPARKMAN. Yes.

Mr. HUMPHREYS of Mississippi. It has had some commerce on it during the period in which this $800,000,000 was expended?

Mr. SPARKMAN. Yes.

Mr. HUMPHREYS of Mississippi. And that commerce has diminished or departed since that time?

Mr. SPARKMAN. Yes; but we are in hopes it will come back again. I believe it will.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield further?

Mr. SPARKMAN. Certainly.

Mr. HUMPHREYS of Mississippi. Just to get an explanation. The gentleman says that prior to the time the $800,000,000 was expended the commerce was greater. I understood the $800,000,000 of expenditure was made since the beginning of the Government. What does the gentleman mean?

Mr. FREAR. Those expenditures were $850,000,000, instead of $800,000,000, and they have been made since 1875, have they not? And prior to that time the commerce on the Missouri River was greater by far than it is now.

Mr. HUMPHREYS of Mississippi. The $800,000,000, as I understood it, was expended going clear back to the organization of the Government.

Mr. SPARKMAN. That is right.

Mr. FREAR. The Engineers' reports show that $850,000,000 was appropriated.

Mr. SPARKMAN. We are talking about the expenditures. Eight hundred and fifty million dollars may have been appropriated, but there have been only about $800,000,000 expended.

Mr. BARCHFELD. Mr. Chairman, will my friend yield there?

Mr. SPARKMAN. Yes.

Mr. BARCHFELD. The gentleman refers to that happy day before our Government proceeded to improve rivers and harbors by appropriations. I suppose he refers to the day of the aborigine, when the Indian pursued his happy way in his lovely canoe. That is the commerce that the gentleman from Wisconsin would like to see to-day. [Laughter.]

Mr. FREAR. Pardon me; may I answer there? That is hardly a fair reply, it would seem. Many years ago, before the time of which the gentleman speaks, 1875, there was commerce upon the upper Missouri River, and boats were running there. It had actual navigation. To-day practically none. There is but one boat running, according to the statement furnished to the committee, from Sioux City to Kansas City.

Mr. BORLAND. Between Sioux City and Omaha.

Mr. FREAR. Yes; between Sioux City and Omaha, after all the expenditure, which has been very large, as the chairman well said. I am in favor, I will say in answer to the gentleman from Pennsylvania, of legitimate waterway improvement where it brings results.

Mr. BARCHFELD. Just there, will the gentleman permit me another interrogatory?

Mr. FREAR. With the consent of the Chairman I will, if I can reply.

Mr. BARCHFELD. Does not the gentleman think that when the mighty Missouri is improved there will be a restoration of that commerce which that section of the country so badly needs? I want to say that there is to-day a legitimate commerce between Kansas City and St. Louis.

Mr. BURGESS. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman yield, and to whom?

Mr. SPARKMAN. I will yield to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. I desire to answer the gentleman from Pennsylvania [Mr. BARCHFELD], and say this: According to the Deakyne report, from Kansas City to the mouth of the river there was a saving of $10,000 made in freights in 1914 by use of that waterway, irrespective of whether the boats were carrying it at a profit or not. For that saving of $10,000 during 1914 in freight rates, he estimates it will cost the Government $1,100,000 every year for interest and annual maintenance. That is according to his report, is it not?

Mr. BORLAND. Now, let me answer the gentleman in a word.

Mr. SPARKMAN. Yes; I would like to have the gentleman do that, but I wish to proceed with my statement, and, when through, will be glad to answer any questions gentlemen may wish to ask.

Mr. BORLAND. If the gentleman will look back over the history of the Missouri River at the time he speaks of, just prior to and after the Civil War, he will find that the boats were wrecked every few years; and we could restore commerce on the Missouri River to-day on the same terms as existed then if we had no railroad competition, because a boat then had to charge enormous freight rates, sufficient to enable it almost to make its cost in a single season. At that rate you could put commerce on any river, anywhere, at any time, but to-day you must have an improved channel in order to put commerce on it.

Mr. SPARKMAN. The gentleman's statement is, I think, correct.

Mr. EAGLE. If the gentleman will allow me, I think an accurate statement of the figures may be illuminative of the controversy that has arisen between the gentlemen down in the

pit just now. It so happens that since 1875 the exact amount of the appropriations made for rivers and harbors during the 40 years up to June 30 last is $680,552,501.01, according to the report of the Chief of Engineers. The excess above that was spent at a time prior to 1875.

Mr. SPARKMAN. Is the gentleman dealing with expenditures or appropriations?

Mr. EAGLE. Both.

Mr. MOORE of Pennsylvania. I have the figures here, and they come from the Appropriation Committee, and the amount for 40 years from 1875 up to and including 1914 is just what the gentleman from Texas [Mr. EAGLE] states—six hundred and eighty million and odd dollars.

Mr. COOPER of Wisconsin. I should like to ask one question.

Mr. SPARKMAN. Certainly.

Mr. COOPER of Wisconsin. I notice in the speech of the gentleman from Wisconsin [Mr. FREAR] made on January 13 that he made the following statement:

> Mr. Speaker, we have paid out of the Government Treasury over $850,000,000 for waterways.

Now, has $850,000,000 been paid out of the Treasury in actual money?

Mr. SPARKMAN. That is not my understanding, and I have gone over the matter very closely. I think the error of the gentleman from Wisconsin [Mr. FREAR] arose from the fact that he was considering appropriations rather than expenditures.

Mr. FREAR. Unquestionably. Almost anyone would understand that by reading the speech as a whole. That was the intention.

Mr. SPARKMAN. But the gentleman called me to task a while ago and insisted that I was wrong when I used the word "expenditures."

Mr. FREAR. I did not get the distinction the gentleman made at the time.

Mr. SPARKMAN. I think if the gentleman will look over his speech he will find that he did not make that distinction.

Mr. FREAR. No; I presume that was an error in expression. The chairman says the amount is $800,000,000, but it is impossible to say what the exact expenditure has been since the last report.

Mr. COOPER of Wisconsin. Will the gentleman allow me to make one comment right there?

Mr. SPARKMAN. Certainly.

Mr. COOPER of Wisconsin. I do not think a gentleman should be obliged to read 40 or 50 pages of a speech to find out what it means, when a gentleman says that more than $850,000,000 has been paid out of the Treasury. [Applause.]

Mr. FREAR. Mr. Chairman, pardon me just one moment in reply.

Mr. COOPER of Wisconsin. I was entirely misled by that statement of the gentleman.

Mr. FREAR. The gentleman makes a criticism upon his colleague from his own State. Ordinarily I do not resent that, but I will say that the gentleman followed me so closely throughout the last session that he ought to have known what the facts were from an independent investigation.

Mr. SPARKMAN. I do not care to yield any further at this time.

Mr. COOPER of Wisconsin. I want to say just one word more.

Mr. SPARKMAN. Well, I guess I will have to yield to my genial friend from Wisconsin.

Mr. FREAR. Which one?

Mr. SPARKMAN. Both are genial, but I refer to the one who is now speaking, for the time being.

Mr. COOPER of Wisconsin. The gentleman, on the second page of his speech, says:

> We have paid out of the Government Treasury over $850,000,000 for our waterways.

Now, will the gentleman allow me to interject right there this one short statement: Germany is about the size of Texas. It is composed of a number of States, and, of course, as the gentleman knows, includes Prussia, which has the largest appropriation. That State, less than the size of Texas, has expended about $500,000,000 on its rivers and harbors. Is not that so?

Mr. SPARKMAN. Somewhere in that neighborhood; yes.

Mr. COOPER of Wisconsin. And France, which is not as large as Germany, has paid out about $450,000,000 on its rivers and harbors.

Mr. SPARKMAN. Something like that.

Mr. COOPER of Wisconsin. Neither one of them being as large as one State in this great Republic of 48 States.

Mr. SPARKMAN. Mr. Chairman, I do not care to yield any further just now, because I must finish my statement.

Mr. HARDY. I wish the gentleman would yield to me for a suggestion right in this line.

The CHAIRMAN. Does the gentleman from Florida yield?

Mr. SPARKMAN. Yes.

Mr. HARDY. Is it not a fact that a great many rivers amply able to carry commerce have had their commerce destroyed by the competitive methods adopted by the railroads, which we call cutthroat rates, reducing rates from water competitive points until the railroads have absorbed the commerce that naturally and justly ought to be carried on the rivers themselves?

Mr. SPARKMAN. According to the reports which we regard as reliable, I should say that is correct.

Now, Mr. Chairman——

Mr. DAVIS of Texas. Will the gentleman yield?

Mr. SPARKMAN. I hope the gentleman will let me go on a little further, then I will yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. SPARKMAN. I will yield to the gentleman presently. Returning to the question of the comparison which I was making between the waterways of Europe and the waterways of this country, I wish to say the fact is that not only the average but the actual cost of waterway improvement in France, Prussia, and Belgium has been greater than the cost of the same class of improvements in this country. Moreover, there have been about 2,500 miles of waterways, including canals, costing millions of dollars, abandoned in France out of the 10,372 miles constructed and improved from first to last, and about 2,550 miles in Germany out of the 8,750 miles originally constructed there, while of our twenty-five thousand and odd miles of waterways practically none that have been under improvement by the Federal Government have been abandoned, though some State canals, unwisely and improvidently constructed, have gone out of use; but the Government of the United States is keeping up practically all the waterways that it has ever had under improvement, and I think it should with few exceptions continue to do so, at least for a reasonable time.

Certainly, Mr. Chairman, we should not condemn a system that has worked so well without suggesting a better to take its place. This the gentleman from Massachusetts does not undertake to do.

That, too, was the course pursued by the gentleman from Wisconsin [Mr. FREAR] for a time, but after many reminders that he was suggesting nothing for the system he would destroy he has come forward with a substitute plan for the one we have. He proposes a commission of five members to be appointed by the President, not more than three of whom shall belong to any one political party, and who are to hold their offices for seven years. These commissioners he would clothe with all but plenary powers over waterway improvements in the interest of navigation, water-power development, and reclamation.

The chief if not the only power left to Congress under his plan is to furnish the money for the activities of the commission, which is to be done, not through the Committee on Rivers and Harbors, as one might suppose, but through the Committee on Appropriations of the House.

Assuming for the sake of argument that the commission plan for dealing with our rivers and harbors is advisable, the bill submitted is greatly defective in many of its details, but I shall not stop to consider them. The serious objection to that and all similar plans is that it takes from Congress and the Representatives of the people the right to select the projects to be adopted and the work to be done, and turns it over to a board of commissioners to be appointed by the President, by and with the advice of the Senate, without giving the House an opportunity of saying who these commissioners shall be. I do not believe the time has yet come for that, and I doubt if it will come in the very near future.

The present system, I know, has evils as well as virtues, but its evils and its virtues are those of our system of government, which is representative in substance and in form. By reason of that feature it may be cumbersome and, at times, a little more costly than an autocratic government, though that is to be doubted. It might be that the Czar of Russia, with autocratic powers, could have a piece of work done more to his liking and at less cost than can Congress, though even that may be questioned. Every power on continental Europe is more centralized and less responsive to the people than is ours, and all of them have greater advantages, if advantages they are, in the sweep and power of a single will; and yet what true American would exchange our system of government for theirs?

The gentleman cites us to these countries and their methods of dealing with their waterways as models of excellence—something for us to pattern after—and yet I have shown that these waterways, mile for mile, have cost much more than ours. But admitting in some matters of administration the desired end is reached at less cost there than here, we still have our representative form of Government, resting upon the will of the people, and which, in the long run, costs less than those of Europe. Does anyone suppose for a moment that if the question of peace or war had been submitted to the people of Europe's warring nations before war was declared, the conflict raging there, costing perhaps in the end forty or fifty billions of dollars and millions of human lives, would have been started? Better, far better, a representative form of government, with its disadvantages, if any; with its slightly increased cost of administration, if it does really cost more, than one with such tremendous powers for evil.

As I have said, my estimate is that the work of improving our harbors and rivers, including intracoastal waterways, but excluding canals, is about 75 per cent completed. My familiarity with the ports and inland waterways of the country justifies, I think, that conclusion. But I want to say something about the work already done, especially the projects adopted during the past 20 years.

Mr. Chairman, I regret to note a tendency, even though it be by a very few, to inject sectionalism into our river and harbor legislation. I refer more particularly to statements made by the gentleman from Massachusetts [Mr. TREADWAY] and the gentleman from Wisconsin [Mr. FREAR] the one in discussing the bill of last year, the other in a speech delivered a few weeks ago. My colleague on the committee [Mr. TREADWAY] after criticizing several items in the bill of 1915, entirely in the Southern States, and claiming that the committee, which he suggested was organized in the interest of the South, had discriminated in favor of that section, submitted as proof a list of items purporting to give the States lying in the North and those in the South, together with the items in the bill, for projects in each of these States.

Having furnished the statement, he asked, In what way can this situation be explained other than that the control of this House and the greater portion of its vote is favorable to the southern interests? No such deduction as that could have been properly drawn from this statement if even the apportionment of the items by him in the list had been properly made, because I know that neither sectionalism nor politics had anything whatever to do with the framing of the bill. But the apportionment was not properly made.

The total for the North, as contained in this statement, was $15,185,730, while that credited to the South—or, perhaps, I should say "charged," as the gentleman seemed to state it in the shape of a charge—was $16,182,150, but to get this large amount he included in the southern list the entire Mississippi River from St. Paul to the Head of Passes, at a cost of $6,700,000, and the Missouri River from Fort Benton, in Montana, to the mouth, at a cost of $1,365,000, entirely oblivious of the fact that each of the navigated portions of these rivers had to traverse 7 to 10 States of the Union, and should not have been charged to any section of the country.

Now, the gentleman's own party, in its platforms, has declared the Mississippi to be a national stream, and the same could, with equal propriety, have been done with the Missouri, and for like reasons. Eliminating, then, $8,000,000 in that bill for these two streams from the $16,000,000 would leave only about $8,000,000 for the southern group of States and $15,000,000 for the northern.

But, Mr. Chairman, I am almost ashamed to make reference to this matter, because the discussion of a great subject like this should be pitched on a higher plane than sectionalism or partisanship; and I am happy to say that during the 21 years I have been in this House, whether under Democratic or Republican control, I have never seen sectionalism displayed in the slightest degree in the framing of legislation looking to the improvement of our rivers and harbors.

In this connection I may as well call attention to some of the criticisms against this and the bills of 1914 and 1915. One hearing or reading these criticisms would believe that the committee and the House, as at present organized, are responsible for all the projects against which complaint is made or has been made during the past two years. But the facts are that, of the entire amount of $39,608,410 carried in this bill, only $7,359,260 are for works of improvement on projects adopted since the present chairman has had the honor of presiding over the deliberations of the Committee on Rivers and Harbors, while of the $230,000,000 of unfinished projects upon which work is now being prosecuted only $27,563,420 are for projects adopted during that time.

Now, I am not criticizing previous committees of Congress responsible for this larger, much larger, aggregate. They not only did the best they could with the lights before them, but performed, in my judgment, a great work for the country. Yet, while indulging in the pastime of throwing stones at the present committee, do not forget to locate the greater responsibility, if responsibility it is, for the large appropriations in the annual bills or for the character of the projects for which these appropriations are being made. The committee as at present organized is endeavoring in good faith and as best it may to carry on the work cut out for it by its predecessors.

As I said, I am not condemning the policy inaugurated in the bill of 1896 and followed by the committee and Congress in subsequent bills, but which received its most emphatic indorsement in the bills of 1907 and 1910, for the policy was that of the people back of it, and the liberal interpretation given it was but an effort to carry out their will. And, after all, Mr. Chairman, it is the people who initiate projects and it is they who inaugurate policies, and theirs is the responsibility if mistakes occur, but they have been, in my opinion, relatively few in number in so far as river and harbor legislation is concerned.

I have heretofore referred to certain projects which are favorite subjects of criticism. A few of these are in the northern group of States, while the majority are in the southern. But wherever located their adoption was intended to serve a good purpose, and it is my belief the most of these projects will.

True, the commerce accommodated by some of the waterways for which appropriations are made in this bill is not great, but I am confident such conditions are only temporary. The cost of an improvement and the present commerce of a waterway are not the only criteria for our action in the adoption or rejection of a project. Future commerce, the industrial development of a community, the cheapening of transportation, and the increased facilities for the distribution of the products of the country to the consumers at home and abroad are to be considered. Indeed, they are of more importance than present commerce, for such works are supposed to be permanent, and when we improve a stream we do so for the future much more than for the present.

Now, Mr. Chairman, as I have already remarked, it is a matter of regret that it was thought inexpedient not to include new projects in this measure. But it is to be hoped that the bill due at the next session of this Congress may contain all such as are worthy and urgent. I for one shall favor them, and it is the present purpose of the committee to begin hearings on new projects immediately after the House has disposed of this measure, with a view to having the bill practically prepared in so far as new projects are concerned before Congress convenes next December.

While there are many of these that ought to be started at an early day, I want to say to those immediately interested in new projects that from the date when this bill is likely to become a law at the end of the present session, not more than seven or eight months will elapse before the next bill will be due—not a long time to wait, especially when we remember that under the practice existing prior to the adoption of the annual bill feature three years often elapsed between river and harbor bills of any kind, whether containing old or new projects.

Now, this bill, or one substantially like this, should become a law before the end of the fiscal year, otherwise great loss to the Government will occur. I notice the gentleman from Wisconsin [Mr. FREAR] would arbitrarily cut the bill down to $15,000,000, while the gentleman from Massachusetts [Mr. TREADWAY] would postpone the whole matter indefinitely. Both of these recommendations evince a regrettable lack of information on the subject, especially by those clothed with the duty of legislating for our navigable waterways. Why, Mr. Chairman, it has been estimated by those competent to judge that the delay in passing the river and harbor bill of 1914 for a period of about four months, or one-third of a year, caused a direct and definite loss of about $400,000—to be exact, $395,554.23—and what might be called an indirect loss of nearly $500,000 more.

Now, this does not include the loss to the people from the continuation for a longer period of time of unfavorable waterway conditions which the work is intended to remedy, but the direct loss would be sufficient to make the early passage of the bill very desirable. Work of that nature is going on all over the country; plants have been assembled at many places which are being used by the Government; at others work is being done from year to year under contract with parties who, having assembled plants, would also have to tie them up and disband

their forces, making the contract price higher when work by them is again desired.

The Government has on hand to-day an aggregate of dredging plants consisting of 153 dredges, with a complement of auxiliary plants numbering more than a thousand vessels of various kinds, the whole costing originally upward of $15,000,000, with a present value of more than $12,000,000. In addition the Government has in its employ to operate these plants, and to carry on works of improvement, more than 1,700 officers and upward of 14,000 men, the most of whom would be thrown out of employment were this bill to fail of passage. Outside the Government plants the department rents more than a hundred boats of various kinds at a cost of approximately $175,000 per year, all of which would likely have to disband if an adequate amount of money to keep them going is not furnished.

I have presented all this is to give the House an idea of the nature and extent of the preparedness of the Government for the work it is now doing in river and harbor development, and what it would mean to stop this great work even for a few months. But that does not tell the whole story, for it is only a part of the loss the people would sustain. The country is developing rapidly along every line of human activity. Earth and air, forest and stream, are all being invaded by man in his efforts to cheapen the cost of living and add to the comfort and happiness of the people. The output of farm and garden, of factory and mine, is increasing rapidly, all demanding cheaper and more commodious means of transportation and distribution. The railroads, though we have the finest system in the world, can not do all this work; so the people must look, and are looking, to their harbors and navigable streams to supplement the railroads in their efforts to carry our products to the consumer at home and abroad. The people are primarily responsible for the efforts we are making to deepen their harbors and improve their inland waterways. Their wishes should be heeded and the demands of commerce for ample transportation facilities given without unnecessary delay.

Now, Mr. Chairman, after a thorough study and investigation of all projects for which appropriations were or have been recommended for this bill, an investigation covering nearly three months, we have presented this measure. It may not, indeed it is not, perfect, but we have done the best we can, and I trust the bill will meet the approval of this House. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman has consumed 1 hour and 10 minutes.

Mr. HUMPHREY of Washington. Mr. Chairman, I yield 45 minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Chairman, the question I propose to discuss to-day is of such great and far-reaching importance that I feel justified in occupying more time than I usually do upon a matter not directly concerned with a bill actually before the House. Moreover, I feel justified in asking the close attention of every Member present, because the question is a new one—new, at least, in some of its details—to a large proportion of the membership of this House.

A singularly interesting feature of this question is that it has two distinct sides, a business side and a military side. It is upon the latter phase that I shall spend most of my time, both because it has never been considered to any real extent by Congress, and because the business side was very fully and completely presented in a very able speech by the gentleman from Connecticut [Mr. HILL] in this House on the 14th of last February. I think I can not do better at this time than to invite your attention and the attention of the country to that speech and to the hearings held by the Ways and Means Committee earlier in the year; for to my mind, no individual piece of legislation of greater importance and more far-reaching consequences is before this Congress than House bill No. 702, introduced by the gentleman from Connecticut [Mr. HILL], the object of which is, and the effect of which will be, if passed, to establish and maintain in this country the manufacture of dyestuffs. My object now in addressing this House is to urge with all the force at my command that this bill or some similar bill be taken up and passed as speedily as possible.

There is no partisanship in my appeal. It is addressed equally to each side of this House, as much to Democrats as to Republicans, as much to those who in general oppose the use of the tariff-making power of Congress to establish and maintain an American industry as to those who defend it. A situation confronts us which rises high above partisan politics, a situation before which considerations of purely political expediency ought to vanish into thin air. For myself, as a Republican—and as most of you know a pretty militant one—let me say that I would scorn to seek partisan advantage from any claim of inconsistency that might be urged against Democrats who vote for this legislation. There are times when consistency ought to yield to the force of circumstances. If not, consistency means nothing more than obstinacy.

That such times are upon us no thinking man can doubt. In time of peace we find ourselves practically without a prime necessity in the life of every American citizen. More important still, we are sternly admonished that in time of war we would be practically without or, at least, greatly deficient in an absolute necessity of modern warfare and national defense.

I appeal, then, not merely to your judgment as statesmen but to your patriotism as American citizens, for I assert that bound up in this legislation is not only the prosperity but the safety of the Nation. I realize that this is a pretty strong statement, but permit me to say that I shall make no statement upon this subject which I am not able to back up by ample and competent authority.

Why do I say that not only the prosperity but even the safety of the Nation are bound up in this legislation? It is because the dye industry and the industry of making the modern high explosives go hand in hand. Like the Siamese twins, one could not exist if the other could not. Dyes and explosives are equally products of coal tar. Up to a certain point their process of manufacture is identical. From then on the making of the finished product is a question only of detail. It can be done in the same plant, with the same machinery, and by the same men. In other words, any factory which can make colors, without adding to its buildings, practically without changing its equipment and using the same working force, can equally well manufacture the modern high explosives. For this statement there is abundant authority from the leading chemists of the country, which I shall print fully in the RECORD.

I quote from the statement of Dr. Bernhard C. Hesse, one of the leading chemists of this country and chairman of the New York section of the American Chemical Society, who drafted the report upon which the Hill bill is based:

Dr. HESSE. There is an angle from which you can look at this proposition, and that is the angle of the contribution of this industry to our national equipment. I am not talking preparedness but national equipment. Whether we are in position to-day to manufacture from the materials produced within our own borders—from materials we will always have access to—a sufficient amount of materials with which to defend ourselves, I do not know; but the information I get is that we are now rapidly approaching a position or condition where we are independent of any foreign country, except Chile, for any materials that we may want for defense in the way of explosives. However, if the explosives people are not ready to assume that responsibility, if we did have a complete self-contained coal-tar dye industry in this country—and by that I mean an industry that will produce its crude, intermediates, and its finished dye—we would have an equipment—and by that I mean actual physical plant—we would have an equipment which could, with comparatively little delay, be converted into a device to manufacture explosives, and we would have the nucleus of a trained body of men—workmen, if you please—foremen and superintendents, who could, with very little added time, learn how to make these explosives properly, and they then begin to act as a nucleus for an accretion or growth of the men necessary to do the work.

The following is the statement of Dr. J. Merritt Matthews, a chemist of the highest reputation, and also a member of the same committee:

Dr. MATTHEWS. The raw materials entering into the manufacture of dyestuffs are practically the same raw materials that enter into the manufacture of these high explosives. That is to say, substances like benzol, toluol, and naphthalene form the basis of coal-tar dyes. They also form the basis of these modern high explosives, such as picric acid, trinitrotoluol, and nitronaphthalene. Also, explosive are chiefly the nitrated products. Their manufacture requires very large supplies of nitric acid and strong sulphuric acid. We have the same requirements in the manufacture of dyestuffs; large quantities of nitric acid are required, and large quantities of strong sulphuric acid. Also, I might add other chemicals, such as caustic soda, chlorine, and similar substances. That is, there is a parallel line running through this whole thing, linking at many points of contact the dyestuffs and the explosives.

A factory, for instance, which is capable of turning out dyestuffs can, with very small effort, be changed over to the manufacture of these explosives. The materials are the same, and the processes of manufacture are more or less identical. Furthermore, in the raw materials, if there is no demand in times of peace for benzol, toluol, and naphthalene, if there is no commercial outlet for them for productions of a peaceful nature, such as dyestuffs, it is natural to suppose—and we have seen it—that their recovery will be neglected. Nobody is going to recover benzol, toluol, and naphthalene simply with the idea that if he stores them up there will some day come a war. He must have an immediate commercial outlet for peaceful products, and the only peaceful product that gives him that outlet is dyestuffs.

I want to refer also to a further statement by Dr. Hesse on this subject, contained in a letter written by him on February 18:

The finished explosives are nitration products; nitration products are intermediates of coal-tar dyes; the finished explosives are of a higher degree of nitration than the nitration intermediates of the dye industry; the kind and quality of materials to make finished explosives are the same as for nitrated dye intermediates; the difference in manufacture is almost wholly a difference in proportions of the materials used; the apparatus used is the same, difference in size or capacity of individual pieces of apparatus is about the only difference; the difference in operation is not more than one of temperature and duration of time.

Upon this point I quote from a letter written upon the 19th of February by Dr. W. Beckers, the president of one of the two dye works of any importance now existing in this country:

Regarding the relationship between the dye industry and high-explosives industry, I beg to say that for the explosives the same raw materials—that is, benzol and totuol—are used, together with nitric acid and sulphuric acid, as for dyestuffs. The apparatus for making explosives—that is, the nitrating and sulphonating machinery—is similar to that used here in the manufacture of intermediate products for dyestuffs, so that as long as we have a dyestuff industry this country will keep on producing benzol and toluol, as well as the highly concentrated nitric and sulphuric acids, and in case of war these products can be used for the making of ammunition. While dyestuffs, as well as the intermediates for the manufacturing of same, are not explosive, by a change of the process one can obtain explosives out of the same raw materials and in the same apparatus, so you will see that there is a very close relation between the two.

If we should not get the Hill bill passed and the dyestuff industry should not be established, we will lose positively in this country the benzol and toluol distilling industry, as there would not be any sale for their products in time of peace. Then, if war should come, and the United States should need explosives to be made in this country, these industries would have to take the matter up again, and it would take a year or a year and a half to obtain the necessary raw materials in this country, just the same as it took this country during the present war to build the necessary plants for the raw materials for the explosives made now for the warring countries in Europe.

It also might interest you to know that the experience a dyestuff manufacturer has in the manufacture of intermediates for dyestuffs would be sufficient to enable him to start making explosives without any further experimenting.

Stripped of all technical language, the proposition comes down to this: If we had in this country an industry which in time of peace could supply the American market with all the dyes it needed, we would at the same time have an industry which in time of war could supply the Government with all the high explosives it might need, and that immediately. Without a competent dye industry it is a question whether we could in any event supply ourselves with the explosives necessary for a war of any magnitude—to successfully repel, for instance, an invasion from any first-class power. It is possible that to-day there is being manufactured in this country, mostly for export, a sufficient quantity of the material for high explosives to supply the Government in some ordinary emergency; but you must remember that it is a purely artificial industry, one which has sprung up in response to the foreign demand of the allies for explosives due to the European war, and one which will cease almost entirely and at once when the war is over.

Moreover, it has taken a long time—a year and a half, at the least—for this industry to become established. New plants had to be built and new equipment installed, all of which will go into the scrap heap when peace is declared. It is out of the question to build explosive works and have them lying idle in time of peace. The plants would deteriorate rapidly and the cost of keeping a factory in readiness during time of peace would be so enormous that it would be absolutely impracticable.

There is one very important point that ought to be considered in this connection—whether it would be practicable to manufacture high explosives in advance and store them away for an emergency. On this point the preponderance of authority is all one way, and to this effect: That it would be entirely impracticable, not only because the substances are apt to deteriorate but because most of them are highly dangerous. Dr. J. Merritt Matthews, a chemist of national reputation, summed this up in one sentence during the hearings before the Ways and Means Committee. Speaking of these high explosives, he said:

They will not only degenerate, but are liable to explosion from one cause or another, and consequently there is no great incentive for a man to manufacture large quantities of picric acid, for instance, and keep it on hand. They can be kept for a certain length of time, but the consensus of opinion is that they are rather dangerous things to have lying around.

The following colloquy took place during the hearings before the Ways and Means Committee, which it seems to me very well covers this question:

Mr. CONRY. Will the gentleman permit a question there? Is it possible to create these chemical ingredients to which you have referred and which make up a constituent part of the explosives and store them away without a process of degeneration?

Dr. MATTHEWS. You mean, can explosives be manufactured in advance?

Mr. CONRY. Yes.

Dr. MATTHEWS. To a certain extent, they can.

Mr. CONRY. Will they not degenerate?

Dr. MATTHEWS. The chances are they will; they will not only degenerate, but they are liable to explosion from one cause or another, and consequently there is no great incentive for a man to manufacture large quantities of picric acid, for instance, and keep it on hand.

Mr. CONRY. And in view of the fact that this degeneration does take place he can not manufacture those in sufficient quantities to prepare for a future contingency like a war?

Dr. MATTHEWS. Not to store them up. They can be kept for a certain length of time, but the consensus of opinion is that they are rather dangerous things to have lying around.

Mr. CONRY. Then, if the question of national equipment enters into the manufacture as a material consideration, the establishment which produces the products will have to be of such a character as to be able when the contingency arises to produce a sufficient quantity of explosives and the acids out of which explosives are manufactured to meet the demands as they arise?

Dr. MATTHEWS. You mean the peace demands?

Mr. CONRY. The demands of war.

Dr. MATTHEWS. Yes. But the dyestuff factory can, without very great change in its equipment and routine, make picric acid and trinitrotoluol and in a very short time turn from the manufacture of various dyes to the manufacture of those products. In fact, it is a much simpler proposition than it is to make dyestuffs.

Mr. CONRY. So that in your view of the situation, from the standpoint of the trade, the national equipment for a future war would be simply a secondary consideration?

Dr. MATTHEWS. A secondary consideration to have a manufacture of explosives?

Mr. CONRY. Yes.

Dr. MATTHEWS. I should think it would be a first consideration.

Mr. CONRY. I mean from the standpoint of the trade. The primary consideration is the manufacture for commercial purposes?

Dr. MATTHEWS. Yes.

Mr. MCGILLICUDDY. Do you know, Doctor, whether the dyestuff factories in Germany have shifted over to the manufacture of explosives in this war?

Dr. MATTHEWS. Of course, I have no positive or intimate knowledge of that, but it is reasonable to suppose from the circumstances surrounding those manufacturers that they have turned their attention from the manufacture of dyes to the manufacture of those explosives.

Mr. HILL. I have special information which I will file with the committee exactly on that point, that the German dyestuff manufacturers have been engaged since the beginning of the war almost exclusively in making explosives.

Mr. LONGWORTH. The gentleman questioning the witness before you asked how long it would take for those commercial organizations, assuming that the war was over, to return to the manufacture of dyestuffs with their present organization. Do you believe, from your knowledge of the efficiency of the German chemical industry, that it would take very long?

Dr. MATTHEWS. I think it would take a very short time.

Mr. LONGWORTH. That is to say, practically the moment the war was over they would almost immediately resume the manufacture of dyestuffs and export them into this market?

Dr. MATTHEWS. I should think so. I can see no reason for thinking otherwise.

Mr. LONGWORTH. When you say "a short time" you mean a matter of a few months?

Dr. MATTHEWS. A few months, or even less than that. The processes of making these explosives really do not interfere with the technic, the organization, or the apparatus, to any great extent, of manufacturing dyestuffs.

During Dr. Schoellkopf's testimony the following colloquy occurred:

Mr. LONGWORTH. The statement was made here yesterday that Germany—it being assumed that practically their entire chemical industry is engaged in making explosives—could within 60 days after the war stopped resume the manufacture of dyestuffs on the old scale. Do you think that was an exaggeration?

Mr. SCHOELLKOPF. I think they could resume the manufacture of dyestuffs in a shorter time than that. I am convinced of that.

Mr. HILL. What about the keeping qualities of modern high explosives? Can they be stored and kept in readiness for future use for any particular length of time without deteriorating?

Mr. SCHOELLKOPF. I have no definite knowledge on that point. I feel this way about it: That it would not be possible to store up any quantity of explosives which would be sufficient to run a modern war for any length of time. It would be too dangerous. The quantity of explosives necessary for a good-sized battle would be sufficient to blow up a whole county.

The question, therefore, resolves itself down to this proposition: Is it not the part of wisdom and foresight to establish and encourage an industry which can be used in time of peace for the manufacture of products for which there is a steady and universal home demand, and then convert its factories into explosive factories in time of war? It seems to me that the best answer to that question is the experience of Germany since the war began.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. With pleasure.

Mr. FESS. Is it possible to convert the institution or the industrial plant used as a dyestuff manufacturing plant into an explosive factory?

Mr. LONGWORTH. I will reply to the gentleman by saying that it is not necessary even to convert it, for the explosives can be made in precisely the same plant, with the same equipment, with the same force.

Mr. FESS. And how long would it take to do this?

Mr. LONGWORTH. It can be done immediately. One gentleman before the committee when asked that question respecting his dyestuff plant—and there are only two of them in this

country—said that he could supply the Government with modern explosives of the best quality within 10 days.

Mr. FESS. Has the gentleman looked into this question as to how long it takes to establish an explosive plant, if we had no dyestuff establishment already established?

Mr. LONGWORTH. I said that it would take about a year and a half, at least, to get up to our present point of efficiency in the manufacture of high explosives, and that I do not think would be anywhere near what would be necessary for a serious war.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. LEVER. Would not the plant to which the gentleman refers also be usable in the manufacture of fertilizer?

Mr. LONGWORTH. Hardly; because fertilizers are made out of phosphates, and those are not used directly in the manufacture of dyes.

Mr. LEVER. Oh, yes.

Mr. LONGWORTH. Not necessarily.

Mr. LEVER. Nitrogen is.

Mr. LONGWORTH. Nitrogen is used in the manufacture of high explosives; but I am coming to that a little later.

Mr. SWITZER. Will the gentleman inform us whether there is any likelihood that the Ways and Means Committee will report out a bill that would tend to relieve the present dyestuff situation and encourage that industry?

Mr. LONGWORTH. It is for the purpose of inducing the committee to do so that I am making this appeal.

A good many years ago Germany discovered that the chemical industry—and particularly the dyestuff industry—lent itself most readily to the manufacture of high explosives. The German Government therefore started out to encourage and foster this industry in every way possible, and it soon became one of the most profitable industries in the land. But the German Government was not satisfied merely that this industry should yield enormous profits. It deliberately aimed to extend it to such proportions that it might be, in time of need, converted into an explosive industry to take care under any circumstances of any demand that a great war might create. The demand for dyes at home was not sufficient for this purpose, and it was necessary, therefore, to build up an immense foreign trade. For this purpose every possible concession was granted, as, for instance, in freight rates for export; and the Government even went to the extent of remitting taxes in order that the industry might reach the highest possible stage of development. Cooperation was had between the great German universities and the dyestuff industry so that the best education and talent could be made available. Scientific research was encouraged, and the Government went to the extent even of granting special pensions to those who had devoted a certain number of years to research work in chemistry.

The inevitable consequence of this governmental activity was that almost from the beginning and for many years the German dye industry has dominated the world. Was human foresight ever more brilliantly justified than that of the German nation when war broke out? Note what happened: A general order was issued that the production of dyes should cease and that the factories should at once turn all their energies to the manufacture of high explosives. Following the plan preconceived years before, every tank and every kettle was arranged so that explosives could at once be turned out, and it was known almost to a pound what the production of each factory would be. In every one of these factories was an abundance of crude material, such as every large business concern must keep on hand, and almost every ounce of it was capable of being made into some kind of explosive.

At this point was made manifest another instance of Germany's wonderful efficiency and foresight. She had within her own borders every material necessary for the production of high explosives save one, namely, nitrogen. Now nitrogen compounds are the basis of all modern high explosives, and in time of war they must be had in unlimited quantities. Up to a few years ago Chile saltpeter was used as the basis of all nitrogen compounds, and this can be obtained only from Chile. German statesmen had realized that if any nation with which she might ever be at war should obtain control of the sea Germany would be cut off from the Chilean supply of nitrogen and hence, under then existing conditions, practically helpless. And so science set out to evolve some other method of producing nitrogen, and a process was evolved of obtaining it out of the air. It was discovered that to make nitrogen out of the air a cheap electrical energy is essential. On looking over the field German scientists had found that the cheapest source of electrical energy came from waterfalls in Norway, and accordingly large industries were established there to make nitrogen products, and these products were sent to Germany. But even then all future difficulties were not provided for. Germany still faced the question of losing the use of this water power in Norway if some other nation obtained control of the sea, and that was just what happened when England bottled up the German Navy. But in the meantime another method of obtaining the cheap electrical energy necessary for producing nitrogen out of the air had been evolved. Six large plants were established on the Rhine in districts where coal was coked. Now, in the process of coking coal a certain gas is developed which ordinarily went to waste, but under this new process this gas was used in internal explosion engines, and these engines were attached to enormous generators for the production of the necessary electrical energy. Thus in one operation Germany obtained not only her benzol and toluol but her nitric acid as well, which in combination make the modern high explosives.

Now, speaking to the question of the gentleman from South Carolina, I desire to say that while water power is a very good way to produce electrical energy necessary for the obtaining of nitrogen from the air, it is not the only way. Germany herself has proved that nitrogen can be extracted from the air equally well by the use of gas produced in the coking of coal, and therefore it is unnecessary that this Government would have to have an enormous water power in order to produce nitrogen. It may be produced that way, but as a matter of fact nitrogen can be extracted from the air in any large chemical establishment where the coking of coal goes on.

Mr. FESS. Will the gentleman yield there?

Mr. LONGWORTH. Yes; with pleasure.

Mr. FESS. Has the gentleman any estimate of the waste in our present method of coking coal?

Mr. LONGWORTH. I believe it has been something like 75 per cent. I think the gentleman from Connecticut [Mr. HILL] showed that in the ordinary beehive oven at least 75 per cent went into waste.

Mr. FESS. Could that waste be utilized?

Mr. LONGWORTH. That could be utilized in explosion engines, which are attached to generators, in the same way water power produces and stores electrical energy in generators. The whole question is such a new one that it has not yet been determined what is the best and cheapest method, I assume. In this country though we surely have an advantage over Germany, because we have a great deal of water power distributed all over the country and also a large number of coal mines and coke ovens.

Mr. LEVER. I was about to ask the gentleman if he was describing what is known as the "arc process" of extracting nitrogen from the air by this coking of coal?

Mr. LONGWORTH. I can not answer the gentleman's question specifically.

Mr. LEVER. I am inclined to think it is not. I think the process he is describing now is a recent discovery in Germany.

Mr. LONGWORTH. A recent discovery in Germany, since the war began, or at least put in operation since the war began.

Mr. LEVER. It is the newest process of the Government?

Mr. LONGWORTH. It is the newest process of the Government, and the fact is that Germany is to-day producing absolutely unlimited quantities of explosives and producing at the same time unlimited quantities of nitrogen out of the air.

Mr. LEVER. I believe, personally, that it would be unwise for this Government to commit itself to any definite process of extracting nitrogen from the air until we know what the best processes are.

Mr. LONGWORTH. I agree absolutely with the gentleman, and I think the experience of Germany conclusively proves that it would be folly on our part now to go into a great Government enterprise for extracting nitrogen out of the air because there happens to be at any particular place a very large development or possible future development of water power.

Mr. SWITZER. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. LONGWORTH. I will yield.

Mr. SWITZER. Could the gentleman say which is the cheaper method?

Mr. LONGWORTH. I can not say, because this development is of so recent origin that I presume it has never been estimated.

Mr. HULBERT. Has it been brought out in the hearings before the Ways and Means Committee as to how many such plants there are that are capable of developing nitrogen and what the approximate quantity would be?

Mr. LONGWORTH. I think there are unlimited facilities in this country, both by water power and through the process of coking coal.

Mr. HULBERT. I am speaking of those cases where at present the facilities exist.

Mr. LONGWORTH. I think facilities exist practically in every State of the Union where there is any coal or water power.

Mr. MADDEN. I understood the gentleman to say there were only two plants in existence in the United States.

Mr. LONGWORTH. Only two plants of any size that are making dyes. There is a substantial difference.

Mr. HULBERT. There are a large number of plants in existence at this time making coke, where it would be possible, with very few additional facilities, to produce nitrogen?

Mr. LONGWORTH. That is my belief, because that is what Germany is doing.

Mr. HOPWOOD. I would like to state that in my district, in southwestern Pennsylvania, there are 38,000 coke ovens of the beehive type, where all of this is going to waste, and where all of it could be utilized for the purpose the gentleman is speaking of.

Mr. LONGWORTH. I believe it could be made an almost universal industry throughout the country.

Now, gentlemen, where would Germany be to-day if she had not planned for just what happened?

I say to you, gentlemen, that history affords no more brilliant example than this of that foresight and efficiency which make a nation commercially great in time of peace and formidable in time of war. Where would Germany be to-day if she had not planned for just what happened? I repeat: Shut off from Chile, she would have been without an essential ingredient to make explosives. Without the greatest chemical industry in the world she would have been powerless to produce the explosives necessary for her military operations—and that even if she could have imported her nitrogen. To-day, so far as this very bedrock of military efficiency is concerned, she has an absolutely unlimited supply, and other things being equal, could fight forever.

Not long ago the greatest living inventor—Thomas A. Edison—speaking of war, remarked:

> There has got to be a great deal more, and it is going to be more destructive every year. I do not look for electricity to play such an important part in this newer slaughter. It is going to be a struggle of explosives. That will be the all-important element.

In the light of recent events no truer prophecy could have been made. Germany saw it years ago. She fully realized that the production, continuous and without limit, of high explosives was the very bedrock of preparedness. She realized that under conditions sure to come the chemist would displace the armorer as the underlying genius of modern warfare. She realized, in short, the plain fact that under modern conditions a nation without a great chemical industry might about as well be without an army or a navy. [Applause.]

Shall we remain blind to the plain facts? Shall we continue to ignore a situation which any man may read? What Germany has done in building up her chemical industry America can do. It remains only for our national legislators to see the light and to act accordingly. We have the crude material for making both dyes and explosives in limitless quantities. We lack only the machinery for converting them into the finished article. In one respect we even have a decided advantage over Germany. We have countless water-power sites, where, if necessary, nitrogen out of the air could be developed more cheaply than anywhere else in the world. Fortunately, too, this water power is in the center of the country, far away from either the Atlantic or the Pacific seaboard. The same is true of our resources for generating our electrical power from the by-products of coal. Even if we were cut off from Chile we could thus obtain nitrogen from the air more easily than Germany. To-day almost all of our factories producing the materials for high explosives are grouped on the Atlantic seaboard. From a strategic standpoint this is essentially wrong. If unhappily an invading force landed in this country, it is perfectly obvious that these plants would be the first object of seizure.

In the light of the lesson we have learned, or ought to have learned, from this lamentable war—a lesson which should burn itself into our minds more deeply every day—is it not absolute folly to neglect the golden opportunity, an opportunity which, if we fail to seize, may never come again, an opportunity which comes to a nation perhaps but once in a century, an opportunity not only to make ourselves free from the industrial domination of any other nation in time of peace but to make ourselves secure forever so far as the very foundation of military efficiency is concerned in time of war? [Applause.]

What was the situation with regard to the dye industry before the war broke out? It was about this: Germany had us and the world generally by the throat. Our manufacturers were producing only about 15 per cent of the finished dyes used in the American market. Germany supplied the rest. There were in this country only two dye plants of any magnitude. They were producing only about 15 colors, while Germany was producing 1,800. Even this paltry industry existed practically only on sufferance. If any American manufacturer was so bold as to attempt to produce a new color he was warned at once that this would not be permitted, and if he did not yield, the screws were put on him, and the way of it was this: If he attempted to put some new product on the market a similar product made in Germany was at once offered in the American market at 50 per cent or less of his actual cost of production. Under these circumstances he had to stop producing this color or go broke. Instances of this sort of competition were many. I will give one by way of illustration:

During the hearings before the Ways and Means Committee, Dr. Schoelkopf, one of the two large American dye manufacturers, was testifying, and I asked him this question: "Dr. Schoelkopf, before the war did you have any personal experience with what has been called here unfair methods of competition used by the German dye industry?" He replied: "We did have." I then asked him to describe what these methods were, and Dr. Schoelkopf replied: "One very serious instance was in connection with a certain black we were producing. When we started to manufacture it we put it in for about 35 cents a pound. A little later foreign manufacturers began to sell it here for 14 cents a pound. It was being sold in Germany for about 22 cents a pound. That was the regular price. They were bringing it here, paying 30 per cent duty on it, and selling it for 14 cents a pound."

Of course it is evident that no American manufacturer can live against that sort of competition. Beside it the methods in their palmiest days of some of our so-called trusts and monopolies pale into insignificance.

What happened after the war began? Just what might have been reasonably expected when the source from whence come the dyes that the American people use was, so to speak, dried up. We had persistently refused to make any provision for such a situation. We had continued to rely upon another nation than our own to furnish us with practically all our dyes, and now we were called upon to pay the price. As I said before, Germany at the outbreak of the war had turned all her dye factories over to the manufacture of high explosives. We had no dye industry in this country worthy of the name. Very soon most dyes could not be procured for love or money, and the price of the few that remained went skyward. Instances are recorded, some of which I will publish with my remarks, of advances in the prices of dyes in this country not only in hundreds but in thousands per cent. We had testimony before the Ways and Means Committee, from a manufacturer of women's and children's hats, that a dye absolutely necessary to his business, which, under ordinary circumstances cost about $1,700, he had been glad to procure for more than $52,000, and he has lately written me that this same amount would cost him to-day more than $120,000.

NEW YORK, *February 23, 1916.*

Mr. NICHOLAS LONGWORTH,
Room 319, House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: I have just read the copy of Congressman HILL'S speech before Congress on the dyestuff bill, H. R. 702, and on page 11 I read that yourself and Mr. HILL discussed the writer's statement before the Ways and Means Committee regarding our recent dyestuff purchases in China.

In order to have the matter entirely correct in your mind, I would say that you will find, on page 119 of the printed hearing before the Ways and Means Committee on the dyestuff bill that the writer answered your question as to exorbitant cost of dyestuffs, stating that my company had just paid $5.75 a pound for aniline black (made by Badische, in Germany), which we had purchased from China.

These identical goods in normal times would have cost us 20 cents per pound, or a total of $1,748, whereas we are now compelled to pay more than $52,000.

Since that time we have made another purchase of same goods from Shanghai, paying $7.50 per pound instead of $5.75, and on February 14 last we were quoted $12 a pound for exactly the same material from China.

This latest quotation means an advance of 6,000 per cent over the normal before-the-war figure of 20 cents per pound.

Yours, very truly,

R. H. COMEY CO.,
GEO. W. WILKIE,
For the Company.

I append below a communication from the Treasury Department showing the effect of the present dye famine upon a most important branch of the Government service:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, March 9, 1916.

SIR: Owing to conditions arising out of the European war, the Bureau of Engraving and Printing, which prepares all Government notes and other securities, national-bank notes and Federal reserve notes, postage and revenue stamps, and currency of the Philippine government, has found it impossible to purchase colors for inks in sufficient quantities in the United States to carry on its work. It has been compelled for over a year to use cheap and unsatisfactory substitutes for some

of the colors, and as time has gone on even these substitutes have become more and more difficult to purchase, and it seems to be only a question of a short time until the supply of them will be exhausted. At present the Bureau of Engraving and Printing has only two weeks' supply of reds and blues, which are the most important colors used by it.

Some time ago an order for 145,000 pounds of blues and reds was placed in Germany, and through the assistance of the State Department permission was granted for the exportation of these colors. The first of several consignments has just reached this country. Under the tariff act some, if not all, of these colors are dutiable, and it seems to me it is proper at this time and under these conditions for Congress by joint resolution to authorize the importation of all of these colors free. It is impossible to buy these colors here. The prices that are now paid for them in Germany are higher than the prices before the war plus the duty. The duty will be approximately $12,000, and it will be necessary to go to Congress for a deficiency appropriation if this duty is paid. There can be no question of this importation injuring in any manner any American industry.

I therefore have the honor to request that a joint resolution authorizing the admission free of duty of approximately 145,000 pounds of dry colors, valued at $40,000 to $50,000 (the exact amount not being determinable at this time owing to the fluctuations of exchange), from Germany for the use of the Bureau of Engraving and Printing, the same having been ordered December 10, 1915, and shipment being made to and in the name of the Secretary of the Treasury, said colors to be exclusively for the use of the Bureau of Engraving and Printing, may be passed by Congress. As part of these colors has already been shipped and some of them are now in this country, I request that immediate action on this resolution may be taken, if possible.

I inclose herewith a suggested form of resolution.

Respectfully,

BYRON R. NEWTON,
Acting Secretary.

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

Below is a homely illustration of the effect of the dye famine on the everyday life of the average American citizen:

IMPORTANT NOTICE.

Careful investigation made by the Laundrymen's National Association of America, both among the selling agents of dyestuffs and the manufacturers of wash goods, shows that there is a shortage of permanent dyestuffs almost amounting to a famine, and that industries depending upon fast colors are in many cases closed down.

That the better quality of shirtings now being worn are perhaps in most cases fast colors, but that this condition can not possibly continue for any great length of time.

That the wash goods in which the colors are most questionable at the present time are: Red tablecloths and napkins and towels with red borders; blacks in cotton ginghams, which are apt to wash lighter and in some cases "crock" when the damp goods are folded. Black stockings will probably "bleed" and turn lighter. Light goods with blue, red, or black trimmings are apt to cause trouble.

Some makers of wash goods are already notifying their patrons that they can not guarantee the permanency of colors.

Under these circumstances, and for the further reasons that there is no known method whereby fugitive colors can be washed so that they will not run, and no way of knowing whether colors will run or not, except by washing, we beg to notify our patrons that while we use every care in the handling of colored goods, we can not be responsible when these goods fade, as some of them surely will.

In view of the situation we strongly urge our customers to use as much white goods as possible until such time as the permanent dyes will again be available.

DICKS LAUNDRY CO.,
Greensboro, N. C.

Under such conditions does it not strike gentlemen who represent the cotton States that the price of cotton is seriously menaced? With the decline in the demand for cotton goods, with the diminished output of all, and the probable closing down of many cotton factories, will anyone contend that this decreased demand will not be reflected in the price the cotton farmer gets for his product?

To show that the women of the country have become awakened to the situation I quote a dispatch which appeared in the Cincinnati Enquirer, one of the leading newspapers of the country, not long ago.

[Special dispatch to the Enquirer.]

WASHINGTON, *February* 27.

A call went out to-night to 100,000 women to wear simple colors as much as possible during the spring and summer months to aid American dye makers and manufacturers. The call was sent out by Mrs. James M. Thompson, daughter of Speaker CHAMP CLARK, chairman of the executive committee of the Woman's National Made in the United States of America League, to the members of the league.

It is with peculiar pleasure that I cite as witness on the side of the case I advocate the highly intelligent and charming daughter of the distinguished statesman who presides over this House [applause], and I welcome the ground thus afforded to appeal to you, my Democratic colleagues, to support this bill on behalf of the women of the United States. You can not, I am convinced, turn a deaf ear to this appeal of your wives and daughters and sweethearts. You will not, I feel assured, condemn them to wear, as soon they will have to, hats and clothes only of dull, insipid gray. [Laughter.]

What possible objection can there be to the passage of legislation which will relieve this situation? Only two objections, so far as I know, have been hinted at. One is that the increase in the duties on intermediates and dyes provided in this bill might raise the cost to the consumer, and the other is that this possible increase might be seized upon by textile manufacturers as a reason for later demanding higher duties upon their products.

The first objection can be disposed of in a very few words. In normal times the cost of dyeing a suit of clothes was variously estimated by manufacturers in their testimony before the Ways and Means Committee at from 1 to 4 cents for an entire suit. At the highest estimate this bill increases the duty somewhere about 35 per cent. Therefore, if the entire duty were added to the price that the consumer would be called upon to pay, it would amount to somewhere about two-thirds of a cent for an entire suit of clothes. The thing is so infinitesimal that it is not worth talking about, and in the face of increases in the price of dyes since this war began, running up to 10,000 per cent, it becomes merely ridiculous.

Now, as to the question whether the large textile and other manufacturers will base later on upon these slightly increased duties an appeal for higher tariff rates on their manufactures. It is true that a number of them did sign a protest at the time of the making of the Payne tariff law against an increased duty on dyes; but these very same men are united in favor of this bill as consumers, and I would be much surprised if they ever resort to their former argument.

But if by chance they should, I pledge myself here and now that if I shall be in some future Congress where a new tariff bill is to be written, and if I shall be in a position where my attitude on such questions may carry any weight, I will resist to the uttermost any effort on the part of textile or other manufacturers who use dyes to obtain higher duties on their products because of the passage of this bill. [Applause.]

Addressing myself particularly to my Democratic friends, I am aware that you are opposed as a general thing to the use of the tariff-making power of Congress to create and maintain American industries. This is not though, I venture to believe, because the Democracy as a party is opposed to the encouragement of American industry, but only because you hold, as I believe wrongly, that American industry can be encouraged in other ways and can permanently exist without reasonably protective duties.

But even so, suppose a condition exists by which an industry, necessary not only to the happiness and prosperity of the American people, but to the safety of the Nation, can only be created and maintained, as concededly in this case, by the use of the tariff-making power: Are you not justified in here making an exception to your general rule? Permit me to commend to you the attitude of a prominent Democrat, Prof. Charles H. Herty, president of the American Chemical Society, of Chapel Hill, N. C. Addressing the Democratic members of the Ways and Means Committee, he said:

Let me say to you, gentlemen on the left side of the House, as a fellow Democrat, that I wrestled with this question a long time before I could bring my mind to the point of advocating a protective tariff, as it was naturally against the convictions which I had acquired earlier in life in a Democratic atmosphere. But I was finally driven to it from whatever line I tried to solve this problem and I am convinced that if we are to have such an industry in this country we must have protection for it in the way of a tariff.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPARKMAN. I yield to the gentleman five minutes more.

Mr. LONGWORTH. Can the gentleman yield to me 10 minutes? I have been interrupted to some extent.

Mr. SPARKMAN. Mr. Speaker, I can not. I have already parceled out all my time.

Mr. LONGWORTH. Will the gentleman from Washington [Mr. HUMPHREY] give me five minutes?

Mr. HUMPHREY of Washington. I will yield to the gentleman five minutes and take it out of the time of some one else.

The CHAIRMAN. The gentleman is recognized for 10 minutes.

Mr. LONGWORTH. There is one way, and one way only, to permanently establish in this country an industry which in time of peace can supply American citizens with the dyes and chemicals absolutely necessary to their happiness and well-being, and, even more important still, an industry which, if unhappily this Nation should be at war, can furnish to the Government a limitless supply of the high explosives without which we would be entirely impotent to defend ourselves. By a unanimous report a committee of the ablest chemists in this country, a committee composed of men of all shades of political opinion, have officially declared that the Hill bill, substantially as it stands, is the way to accomplish this. It is not the easiest way merely; it is the only way. The moment it is passed we are definitely assured that millions of capital will be at once invested in building up an industry which in a very short time will be able to supply the entire demand of the American market for dyes in time of peace. Furthermore, we are assured by the highest authority that when this industry shall have reached these

proportions it will be equally competent to supply the demand of the American Government for high explosives in time of war.

In the words of a great Democratic President, it is a condition and not a theory that confronts us. We can not avoid admitting the wrong. How then can we, with the remedy at hand, avoid applying it?

The Almighty has blessed this country as He has blessed no other country under the sun. He has endowed us with all the resources necessary to the life, liberty, and pursuit of happiness of our hundred million people and all the additional millions that are to follow. We have but to gather them. True, there are a very few things like tea and coffee and some tropical fruits for which we are dependent upon other countries, but these are lands lying under the Equator and upon them our sturdy competitors in our own and in the world's markets are equally dependent. But outside of these few tropical products there is absolutely nothing in the way of either luxuries or necessities in the daily life of the American Nation which can not, under wise legislation, be produced as well in this country as in any other. Under these circumstances, is it not the height of folly to rely permanently upon some other nation to furnish us with objects of imperative necessity?

It has been said that the Lord has under His protection especially three classes of persons—children, inebriates, and the people of the United States. While in the last analysis this statement is not altogether flattering to us as a people, we must concede that it has elements of truth. If we have one great fault, probably it is this, that we place too much reliance upon Providence and too little on ourselves.

History shows that it usually takes some great disaster to awaken us from our ordinary attitude of more or less smug self-complacency. That disaster is here. The European war has taught us—or ought to have taught us—two lessons by which, if we shall fail to profit, we shall not deserve the continued beneficence of Providence. It has taught us not only that we are not prepared industrially but that we are not prepared defensively. To me it seems so obvious as hardly to call for assertion that the very foundation of military efficiency in modern warfare, whether offensive or defensive, whether by land or sea, is the modern high explosive. No matter how large our Army, no matter how powerful our Navy, no matter how effective our fortifications, if we have not in unlimited quantities the explosives for use in our guns we are equally impotent in attack or defense.

If I have not failed utterly in contributing anything of value in my discussion of these all-important questions, I have shown at least these two facts: First, that this Nation is not equipped to furnish in time of need the explosives necessary for our national defense; and, second, that if we had a chemical industry capable of satisfying the entire demand of the American market for dyes we would then have an industry which, in time need, could turn out daily and almost immediately all the explosives necessary for our national defense. Permit me to reiterate that you can not manufacture explosives to-day and store them up for use in the distant future. You must have the machinery necessary to turn them out day by day, just as Germany is doing. Without that machinery we are merely courting national humiliation, and that, possibly, before many years roll by.

No matter where your sympathies may be in the European war, whether you like Germany or hate her, no man can refuse to admire her marvelous military efficiency. No man can refuse to admire the foresight of her statesmen in preparing years ago for exactly what has happened. No man can afford to ignore the obvious fact that the basis of her preparedness has consisted in her ability to turn out, under any and all contingencies, absolutely unlimited quantities of high explosives. The continuous thunder of her guns about Verdun has depended not so much upon the men that fired them as upon the scientists and workmen in her chemical factories on the Rhine. [Applause.] Were these factories nonexistent, had they been less completely built up, the thunder of her guns would have ceased long ere this. She would have been a beaten nation.

We shall be reckless and foolhardy indeed if we decline to profit by the lesson that Germany has taught us. For myself, I am in favor of every measure looking toward adequate national preparedness that is before Congress. I am ready, and indeed eager, to go further than I believe this Congress intends to go, and I am ready to vote not only for the appropriations but for the revenue measures necessary to pay the price. But I tell you, my colleagues on both sides of this House, that no matter how far you may go in increasing the Army and the Navy, no matter how far you may go in strengthening our fortifications, you will not have approached adequate preparation for the national defense unless at the same time you shall have provided for the continuous and unlimited production of high explosives. [Applause.]

In one respect the proposition I advocate stands upon a different footing from any other preparedness measure. The building of battleships costs money; the increase in the personnel and the equipment of the Army, the enlargement of our fortifications, will cost money. It is this increased cost, which must be paid by additional taxation of some sort, to which gentlemen opposed to any preparedness program object; but to establish and maintain an industry which can in time of need supply an unlimited quantity of high explosives will not cost the taxpayers of this country a single cent. Not only will it cost nothing, but it will prove a great national asset, for it will provide employment for thousands of American citizens, return substantial profit to American capital, and at once reduce the present absurd cost of dyes, and with that the materials in which these dyes are used.

But, to my mind, the question of adequate national defense rises high above a matter of dollars and cents. I would favor this particular proposition if, instead of being a great national asset, instead of costing nothing, it would cost millions. I am willing, and not only willing but eager, to vote for millions to strengthen the military arm of the Government. More than that, I am ready as a legislator to vote for measures to provide for the additional necessary revenue, and I am ready as a taxpayer to diminish my income to the extent necessary to pay the cost. [Applause.]

The world to-day is in tumult. To the south of us a volcano is in eruption which has already cost the property and lives of countless American citizens. We are sending a part of the American Army into the very crater—with what result, who can tell? Europe is in conflagration; and I think it would be a reckless man indeed who would arrogate to himself the power to prophesy what may come out of the bedlam let loose throughout the civilized world. Times are upon us when we are called to deal not with probabilities but with possibilities. The last war in which we were engaged, the War with Spain, was not probable a few weeks before it was in full blast, but it was possible. To-day war is not probable, if you please, but who will deny that it is possible; not alone with Mexico but with one or more of the most powerful of the nations? It will cost money to get ready, but it will cost infinitely more if we are attacked when we are unready. Because we have to pay some advance money down, shall we refuse to insure now against a casualty—presently improbable, if you please, but which if it does come may menace not only our honor as a Nation but our very existence as a Republic?

This is no time to count the cost. This is no time to haggle about dollars and cents. Let us, without regard to party lines, mindful only of our duty as the direct representatives of the American people, so legislate as to be well assured, come what may, that we shall hand down to posterity the Nation bequeathed to us by our fathers with its resources unimpaired and its honor unsullied. [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, I yield 15 minutes to the gentleman from Oregon [Mr. McARTHUR].

Mr. McARTHUR. Mr. Chairman, unless all signs fail, this Congress, within a short time, will commit the people of the United States to an unwise, unstatesmanlike, and unpatriotic act. I refer to the pending bill providing for independence for the Philippine Islands. This bill has passed the Senate and is now on the House calendar, and it is currently reported that arrangements are being made to force it through the House at an early date. The Clarke amendment to the original Hitchcock bill provides for withdrawal of American sovereignty from the islands four years after the President's approval of the pending measure, although the President may at that time prolong our sovereignty by proclamation until the end of the Congress then in existence.

Thus will end in shameful abandonment one of the noblest works which an enlightened nation ever undertook on behalf of an inferior people whom it had rescued from ignorance and tyranny. The United States acquired the Philippine Islands by the fortunes of war and drove out the Spaniards as a matter of military necessity, thereby assuming a great national responsibility. We did not annex the islands because of any desire for national aggrandizement or conquest, but because we realized that the people were totally unfit to govern themselves, and if left to work out their own salvation would soon have fallen under the régime of the astute and selfish mestizo politicians—the only Filipinos now clamoring for independence—and the blood-thirsty tribesmen of Mindanao. We annexed the islands with the declared purpose of making the good of the

people our sole guide and the progress which we have made is sufficient proof of the rectitude of our intentions. The arduous task of uplifting the natives of the islands from ignorance and savagery was entered upon by a party of Americans with a zeal which commanded the respect and admiration of the civilized world and great progress was made in material development—in educating the people and in placing government within their hands. This work, begun by William McKinley and continued by Theodore Roosevelt and William Howard Taft, stands forth as one of the splendid chapters of our national history and bears evidence of an altruism that speaks untold praise for our country. [Applause.] When historians of the future shall have spoken a dispassionate and final verdict upon the deeds and achievements of the first decade of our occupancy of the Philippine Islands, no more inspiring chapter of our national history will be found. [Applause.]

A party of political partisans, headed by William Jennings Bryan, who sees no good in any policy advocated by the Republican Party, have from the outset obstructed our great work in the Philippines by branding it as imperialism. They have made common cause with the mestizo politicians, who clamor for the opportunity to exploit the people in the name of independence. The present administration has already practically turned over the government of the islands to the mestizos, and by so doing has driven out many trained and experienced Americans, who had made splendid records in their several positions.

The first question that naturally suggests itself to our mind is: Are the people of the Philippine Islands capable of self-government? It is true we have lifted them from ignorance and savagery and have been schooling them in the ways of peace and industry, but it can not be successfully contended that these people are now capable of self-government and able to protect themselves against conquest by any nation that may see fit to attack them. While many offices are filled by Filipinos in a satisfactory manner at the present time, it must be remembered that the actual governmental responsibility for the islands rests upon the American people, and it is fair to assume that when our sovereignty is removed these small officeholders will aspire to higher places, and the jealousies and ambitions of the various factional leaders will soon breed a political revolution. The natives of the islands are entirely unfit to use the franchise peacefully and intelligently—an absolute essential to self-government. They have no adequate conception of liberty, equality, and constitutional rights, and are wholly unfit to conduct a republican form of government. The prolonged agitation for independence has kept the Filipinos stirred up and dissatisfied and has concentrated their attention upon political conditions rather than upon economic affairs, an influence that has worked great injury.

As there are more than 3,000 islands in the Philippine group, and as tribal and sectional feeling runs high, it is impossible to establish any system of government that would draw these heterogeneous and incongruous people into a national self-governing entity.

The Moros—the inhabitants of the island of Mindanao—number half a million people, with as many more tribesmen who are classified as "head hunters," have for generations been hereditary enemies of the Filipinos. The Moros have been Mohammedans for centuries, while the Filipinos believe in the Christian religion. They distrust the Filipinos, and have only refrained from annihilating them because of the continued presence of Spanish armies and later the troops of our own Army. It is well understood that the Moros and the Igorrotes are not in sympathy with the idea of Philippine independence, and it is fair to assume that they will make trouble as soon as the American flag is lowered from the islands.

Mr. TOWNER. Will the gentleman yield?

Mr. McARTHUR. Yes.

Mr. TOWNER. In that connection is it not true that they have repeatedly said they would never submit to the domination of the Filipinos?

Mr. McARTHUR. I think that is absolutely correct, and I shall touch upon that point a little later.

Philippine independence means revolution—such as we now witness in Mexico—and revolution would mean intervention by the United States or some other power. Our obligations to the Filipinos and other natives of the islands and to our own people who have gone there to reside would not permit us to stand by and witness bloodshed, rapine, murder, and destruction of homes and property. A revolution would necessitate intervention, if not by us then by Japan or some other world power. Indeed, it has been suggested that Japan already has a covetous eye on the islands, and will seize them on the slightest pretext after our sovereignty is withdrawn. Thus it is fair to assume that the inhabitants of the Philippine Islands—the Filipinos, the Moros, the Igorrotes, and other tribes and peoples—are altogether incapable of effecting a strong national sovereignty and of undertaking the exercise of functions of self-government. They may be capable of so doing at the end of 25 or 50 years, but they are incapable at the present time, and to turn this race over to their own chaos would be to invite revolution and seizure, with its attendant international complications. A political party that would commit the American people to a shameful surrender of this character undertakes a grave responsibility.

The next question that suggests itself is, Do the people of the Philippine Islands want self-government? To begin with, the laboring classes, who comprise the greater part of the population, are entirely satisfied with existing conditions under American rule. Most of them have no conception of independence. These are the tillers of soil and the men who labor on the sugar plantations and other agricultural properties. They are contented with assured wages and just treatment. They know that by appealing to American officials they can obtain advice and secure justice. All they ask is to be let alone.

Another class of native people who are content with the American administration are the Moros. They do not hesitate to declare that they will not tolerate Filipino domination. Since the American occupation, these people have come to realize that they are infinitely better off under American rule than ever before in their history. They distrust the Filipinos, however, and will never submit to their domination.

Mr. FESS. Will the gentleman yield?

Mr. McARTHUR. I will.

Mr. FESS. I understand the gentleman makes a distinction between independence and self-government. Mexico has independence, but what about self-government?

Mr. McARTHUR. I do make a distinction between independence and self-government. I believe the Jones bill, considered by the Committee on Insular Affairs of this House, gives the Filipinos self-government under which they would prosper, but the Hitchcock bill with the Clarke amendment, which means abandonment and scuttle, is not what the Filipino people want, or what the people of the United States want. [Applause.]

Mr. MADDEN. And is it not the opinion of the gentleman that there would be a wide difference between independence and liberty?

Mr. McARTHUR. Absolutely.

Mr. MADDEN. You might grant them independence, but it would by no means give them liberty.

Mr. McARTHUR. The Clarke amendment will not give them liberty over there, but revolution.

Mr. MADDEN. The gentleman believes that when independence is granted it should be at a time when independence will be likely to carry liberty with it. [Applause.]

Mr. McARTHUR. That is my belief. The Filipinos enjoy liberty now—much more than they would enjoy under the rule of the mestizo politicians. They enjoy more rights and liberties than many of the so-called Republics of the world. They have more liberty than did the people of the Territories of the United States before their admission to the Union. When these people show that they are capable of self-government, it will be time to consider the question of independence, but in the meantime we must protect them and insure them in their rights of life, liberty, and property under our flag.

Mr. O'SHAUNESSY. If the gentleman will allow me, since the passage of the Clarke amendment, I have been curious to know how much of a Filipino student the Senator has been. Has he ever been in the Philippine Islands?

Mr. McARTHUR. I can not answer the gentleman's question.

Mr. REAVIS. Is there anything in his amendment that would indicate that he had ever been in the islands?

Mr. McARTHUR. There is nothing to indicate that he has a true conception of what the people in the Philippine Islands want.

In this connection it is interesting to note the International News Service reports from Manila, under date of March 28. These reports indicate that the plans of the present administration, with reference to the pending bill, have caused great excitement in the islands and have created conditions almost resembling a panic among the more intelligent and substantial native residents, who see in such action nothing but political chaos and commercial ruin. Numerously signed petitions are pouring into Manila from the southern Provinces, earnestly protesting against the whole measure and urging a postponement of independence for at least 20 years.

The only advocates of Philippine independence among the native people are the politicians, whose designs have been encouraged by the present administration. This class is in a decided minority, but is sufficiently organized to exert a marked influence, especially when aided and abetted by the representatives of the present administration. Under the operation of an independent government the opportunity for political activity would be most inviting to the mestizo, and it is safe to predict that he would not long delay the exploitation of the masses of the people to his own political advantage.

The commercial value of the Philippine Islands to the people of the United States is apparent when one stops to consider that they are using annually upward of $27,000,000 worth of our products; but I must pass from the consideration of this interesting phase of the general question in order to discuss more important features which are directly concerned with our national honor and responsibility.

During the years of American occupancy of the Philippines our Government has invited settlement and investment on the part of our people. Many Americans have gone to Manila and elsewhere on the Islands and established homes. Others have invested their earnings and their capital. On top of this, $17,250,000 worth of Philippine bonds have been sold in the United States above par and have been widely distributed among savings banks and other depositories of the people's money. When the pending bill shall have become a law these investments will not be worth 10 cents on the dollar, and Americans who are now residing in the islands will either leave or submit to the blackmail and tyranny of the mestizos. No American capital would have been invested in the islands had there been any notion of the passage of such legislation as that before us.

If the liberty of an oppressed people were at stake, if some great principle of government or some right of humanity were in the balance, there might be some justification for confiscatory legislation, for human rights should prevail over property rights; but when no great crisis is at hand, when none but the politicians of the islands are crying for independence, why pass a law that will mean financial ruin to large numbers of American citizens? There is no adequate provision in the Clarke amendment for ascertaining the damage that the pending bill will inflict upon American enterprise and industry. The vague suggestion that the President may negotiate with the Philippine government on the subject is illusory and meaningless.

The treaty of Paris was between the United States and Spain, but it also indirectly obligated us to all powers of the world with which we have treaty relations. We agreed, among other things, to protect the property rights of the people of the islands, regardless of their nationality. We agreed that they should be secured in the free exercise of their religion Does any thoughtful person imagine that the rights of foreigners will be protected under the rule of the mestizo? Does anyone imagine that the Christian Filipinos will be free in the exercise of their religion when the knives of the "head-hunters" are again whetted for blood? In view of the solemn terms of our treaty, can the party in power now justify its policy of scuttle? Are we not under lasting obligations to the Philippines, to Spain, to our own people, and to the world to carry out, both in letter and in spirit, the express and implied terms of the treaty? Are we not bound by our supreme obligations to humanity itself to continue our policy of enlightenment, progress, and education toward a people born in ignorance and darkness and to endow them further with the blessings of liberty and happiness? [Applause.]

The Spanish-American War sounded the death knell to secluded statehood and proclaimed to the world that this Nation was its brother's keeper and would no longer view with toleration the oppression of a weaker race. That war has passed into history and this is the record: A war for humanity, justified by direct outrage, resulting in national responsibility in the sight of God. The hills of San Juan and the plains of Malabon, crimson with the blood of the best young manhood of our Republic, should remind us of our solemn duty to the world and of our responsibility to God. We have placed ourselves on record for truth and justice—truth for eternity; justice for man, not men. Mighty nations of antiquity stood for less and are slumbering in their own colossal ruins. Can we at this juncture of the world's affairs, with the fate of nations trembling in the balance, with the eyes of mankind turned toward our shores and our republican institutions, afford to proclaim to the world that we have abandoned the responsibility which we so courageously assumed and that we have failed to keep the faith? It is inconceivable that a great nation should so sin against its duty, against its historic traditions, against its conceptions of honor and service, as to write upon its statute books an act which the world will view in astonishment and which will cause future generations to blush with shame. [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, I yield 30 minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FREAR. Mr. Chairman, the chairman of the Rivers and Harbors Committee said to me a few moments ago that he was glad I took part in the discussion because it lends enlightenment to the proceedings, and also brings out some information. I am very glad if I am able to add to any information on this occasion. It is a very important question, and a very important bill we have here. A few minutes ago the chairman of the committee and others present questioned the assertion made in my speech because I used the term "$850,000,000 expenditure" from the Treasury instead of "appropriation." No man in the House can say exactly what is expended to-day, a week ago, or a month ago. The only thing we keep in mind is the appropriation, and we have appropriated $850,000,000 as stated. And because I use the term "expenditure" instead of the term "appropriation" it does not seem a fair criticism. Those who pursue my speech for the purpose of getting some subject for criticism I invite to take hold of this question in the same spirit in which I desire to discuss it, for the purpose of doing what is right and avoiding needless waste. The discussion in regard to 1875 was that the rivers at that time had not been improved, and not a fair comparison with European rivers. I still insist that is so, and I do not think anyone can reasonably draw any further deduction.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. FREAR. No; I can not yield at this time.

Mr. MAPES. I would like to insert a question for information.

Mr. FREAR. I will be glad to yield to any gentleman under the five-minute discussion at all times.

Mr. MAPES. The question I desire to ask relates to the particular point which the gentleman is now discussing.

Mr. FREAR. Very well; go ahead.

Mr. MAPES. I was curious to know over what period of time the appropriations mentioned were made by the countries of Europe—Germany and France.

Mr. FREAR. I could not give the gentleman the information here, although I have in my report given some information on the appropriations there.

Mr. MAPES. Not on the time.

Mr. FREAR. No; just the total appropriations as shown by the Government itself.

Mr. Chairman, when this bill is reached, under the five-minute rule I expect to offer some amendments proposing to strike out some especially bad items and to reduce extravagant appropriations in a number of instances. At this time I desire to briefly state reasons why, in my judgment, the bill should be defeated.

Last week, by a vote of 224 to 179, the House struck section 82 out of the military bill. The section concealed a $24,000,000 appropriation for the Alabama Power Co.'s Muscle Shoals project. Practically the same proposition was stricken out of the 1915 river and harbor bill last year, and it may bob up again, because it is being strenuously urged upon different committees at both ends of the Capitol. That $24,000,000 temporary saving to the Federal Treasury could not have been effectively reached, excepting for the fight made against last sessions' two river and harbor bills. Coming with a unanimous report of the Military Committee, the Alabama company's water-power project had official indorsement, but notwithstanding that approval it was driven from the bill. If no other result is achieved this session, the "fixation-of-nitrogen" proposition with its many millions subsidy for a private power company has again been defeated, and that in itself justifies the fight against waterway waste.

Over $42,000,000 was saved to the Federal Treasury by the defeat of two vicious river and harbor bills last session. The bill before us carrying $39,600,000 is worse than the 1915 bill which we defeated. It is a bold attempt to continue the same wasteful policy and illustrates the pardonable weakness of those who defend the present system. The cause is not far to find—that policy can not be defended.

Under the provisions of the wasteful 1916 river and harbor bill before us, in order to get $200,000 for Diamond Reef in New York Harbor we give $1,750,000 for the trafficless Missouri River $20,000,000 project.

Mr. HULBERT. Mr. Chairman, will the gentleman yield?

Mr. FREAR. I can not yield. I have not the time.

Mr. HULBERT. I would like to have the gentleman state the facts; that is all. The amount provided for Diamond Reef is $700,000.

Mr. FREAR. There was a $500,000 authorization proposed, of course; but if it was a million dollars, and we are going to throw away one million and a half on the Missouri River, there is no justification. I am leaving it for the gentleman to determine for himself.

In order to get $100,000 for Boston Harbor or $140,000 for Buffalo, contained in the bill, we must give $944,000 for an insignificant actual traffic on the Tennessee River and $710,000 for the Cumberland River joke, which was three times rejected by Army engineers. In order to get $75,000 for Los Angeles and $15,000 for San Francisco, the bill carries $2,765,000 for the Delaware River. The Delaware has active, vigilant, aggressive forces behind its demands. From the former head of the War Department, Army engineers, and numerous other local influences, pressure comes for over two and three-quarters millions which goes into the Delaware this year, notwithstanding the largest vessels in the Navy can reach the Philadelphia yard. Approaches to navy yards at Boston, New York, and Charleston are in bad shape, but League Island gets more than all other navy yards combined, and, according to naval officers, needs it least of all.

Again, the notorious Trinity River gets $300,000 in this bill, although it has no commerce and needs artesian wells to furnish moisture. The equally famous Brazos gets $390,000 in this bill, yet only 1,080 tons of actual commerce was floated in 1913. Texas is a large State and has many Congressmen, so over $2,300,000 is given to Texas. Its projects, with rare exceptions, are of little commercial value.

In order to get sufficient influence to navigate this bill past snags in another part of the Capitol nearly $800,000 is given to the trafficless Red, Arkansas, and Ouichita Rivers, in Arkansas. These three streams combined can not boast of 50,000 tons of actual commerce nor average 50 miles' haul, whereas New York Harbor, which receives about the same amount under the bill, has a commerce reaching over 100,000,000 tons annually, or several thousand times as great as the Red, Ouichita, and Arkansas combined.

To get $43,000 for the Superior-Duluth Harbor, that carried 46,000,000 tons of freight in 1913, it becomes necessary to give 86,000,000 for the lower Mississippi. Salaries, clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission come high, but we are asked to give unquestioningly. The traffic on the lower Mississippi, excluding soft coal, is now estimated at only 200,000 tons annually. The Superior-Duluth traffic costs the Government about $1 per 1,000 tons under this bill. The Mississippi River traffic costs $30 per ton, and in 1916 the Mississippi item reaches practically the entire amount appropriated by the Government for the Superior-Duluth Harbor since 1896. Thus far the Mississippi has received about $150,000,000 from the Federal Treasury and has lost 90 per cent of its commerce, while we were squandering all these millions.

Cleveland gets $65,000 in this bill for a harbor that handles over 16,000,000 tons of waterway freight annually, while the Ohio River gets $5,509,000 in this bill for a commerce that is rapidly dwindling. Fifty million dollars has been dumped into that stream for an insignificant commerce, apart from soft coal, that likewise is less in quantity than before the so-called improvement was begun.

Scores of questionable streams and estuaries, including the Coosa, Alabama, Warrior, Cape Fear, and Cold Spring Harbor, are well provided for. The never-to-be-forgotten and indefensible Norfolk-Beaufort Canal farce also carries $1,000,000 in this bill.

That is the character of the $39,600,000 waterway bill now before us.

Investigation and rejection by this House is urged on items that are so drunk with public funds they fall down from their own gluttony. Over half of the $39,600,000 contained in the bill ought to be stricken out and reduced appropriations made all along the line. Properly distributed, $15,000,000 would meet all necessities, and probably that amount could be reduced if the interests of a war-tax-ridden people are to be considered.

In House Report 254, part 2, this session, I have set forth definite objections to this bill and recent waterway expenditures which deserve careful consideration.

During the past 40 years we have appropriated $850,000,000 for waterways.

WHERE THE MONEY GOES.

In order to present the destination of waterway appropriations in concrete form, it may be stated that two substitute bills reaching $20,000,000 and $30,000,000 were passed during the Sixty-third Congress in lieu of two bills aggregating $92,000,000 which were defeated.

The $50,000,000 was by law turned over to Army engineers for allotment, and out of 240 projects given specific amounts there was awarded to an even dozen waterway projects out of that fund, and proposed in the bill before us, the following enormous amounts:

Engineers' allotment, 1914 and 1915, of $47,586,000, and 1916 bill.

Rivers.	1914, twenty million.	1915, thirty million.	Total Sixty-fourth Congress.	1916, proposed bill, $39,608,410.
Mississippi	$5,250,000	$5,815,000	$11,065,000	$8,327,000
Missouri	950,000	1,100,000	2,050,000	1,750,000
Ohio [1]	1,769,000	3,915,000	5,684,000	5,509,000
Tennessee	223,000	501,000	724,000	944,000
Cumberland	210,000	378,000	588,000	710,000
Ouachita	300,000	136,000	436,000	899,000
Aransas Pass	470,000	180,000	650,000	100,000
Sabine Pass	240,000	100,000	340,000	500,000
Brazos	230,000	240,000	470,000	390,000
Black Warrior	768,000	48,000	816,000	
Cape Fear	185,000	323,000	508,000	218,500
Beaufort Canal		400,000	460,000	1,000,000
Total	10,596,000	13,136,000	23,731,000	20,030,500

[1] The Ohio River was also given $3,200,000 in the 1915 sundry civil bill.

Of two hundred and twenty-odd projects given the remaining 50 per cent from the 1914 and 1915 allotments about one-half were trafficless rivers which have a combined actual commerce less than the waterway tonnage of Buffalo or Boston or Cleveland or Philadelphia, or several other lake and ocean harbors. The 12 rivers that received $23,731,000 in 1914 and 1915, or 50 per cent of the total during the Sixty-third Congress, are well recognized by the committee in the 1916 bill with an aggregate of $20,030,500 out of $39,358,410 contained in the bill after deducting $250,000 for surveys.

The 1916 bill from which the minority dissents gives these same 12 river projects nearly as much as was alloted for the two years 1914 and 1915. More striking, one-half of the entire proposed 1916 appropriation goes to these 12 river projects. Deducting $20,030,500 for them as above provided and $250,000 for new surveys leaves $19,327,910, which is divided among the remaining 270 items. Of these last items, approximately 170 are canals, bayous, and rivers all of which do not handle as much actual commerce as any one of several harbors that can be named.

Over $250,000,000 has been spent on the 12 river and canal projects by the Government in an effort to resuscitate a lost commerce. Deducting floatable timber and sand that was floated a half century ago, before these extravagant expenditures occurred and in larger quantities than to-day and which does not require expensive waterways, several of these projects are reported to have floated in 1913 approximately as follows:

	Tons.
Upper Mississippi (average upper Mississippi haul less than 50 miles, or less than 30,000 tons average continuous haul)	170,000
Lower Mississippi	200,000
Ohio (95 per cent coal) under	2,000,000
Tennessee (includes on Tennessee 78,000 tons coal hauled 16 miles)	200,000
Tombigee and Warrior (includes on Warrior 32,000 tons coal, distance not stated), average	56,000
Beaufort Canal	65,000
Cumberland	53,000
Missouri	24,000
Hennepin Canal	11,850
Muscle Shoals Canal	5,887
Red River	1,694

Aside from soft coal, as near as can be estimated, the average haul was from 30 to 100 miles on the various rivers.

During 1914, 1915, and 1916 nearly one-half of the entire amount given to all waterways will be for these 10 river and canal projects. The balance is divided among about 270 or more projects, of which 20 genuine waterways disclosed 1913 traffic as follows:

10 ocean harbors.	Tons.	10 lake harbors.	Tons.
New York (estimated)	100,000,000	Superior-Duluth	46,875,000
Philadelphia	26,267,335	Chicago-Calumet	13,275,000
Boston (estimated)	20,000,000	Milwaukee	8,547,000
Baltimore	14,781,942	Ashland	5,723,309
Norfolk	17,349,942	Ashtabula	15,714,375
Savannah	3,154,089	Cleveland	16,488,085
New Orleans	6,442,932	Buffalo	18,321,554
Galveston	4,445,088	Erie	3,340,071
San Francisco	9,353,530	Marquette	1,852,229
Portland, Oreg	7,923,902	Soo Canal	79,714,344

Approximately 200,000,000 tons of waterway commerce was handled at the 10 ocean ports, and, allowing for duplications, one-half that amount at the 10 lake ports. Presumably the commerce was carried on the average 200 to 500 miles, counting ocean and lake traffic, but, like some other waterway statistics, no definite figures are available.

The significance of the comparisons will not be overlooked. Ten ocean ports handled fifty times the actual commerce carried on 10 river projects that annually receive about half of the average waterway bill, and these same rivers floated only about 4 per cent of the commerce counted at 10 lake ports.

The cost to the Government for furnishing a waterway for inland commerce, per ton, is not definitely settled as to method of computation and only approximate results can be reached, because the amount properly chargeable to investment interest is variously estimated, although annual maintenance is sure and certain. Excluding floatable timber and sand usually hauled short distances, the following estimates have been made on the several rivers and canals noted:

	Per ton.
Ohio River (excluding coal, $40 per ton)	$3.00
Ouachita	8.00
Warrior and Tombigbee	12.00
Upper Mississippi	12.00
Lower Mississippi	35.00
Arkansas	20.00
Hennepin	36.75
Missouri	40.00
Muscle Shoals (Tennessee)	40.00
Aransas Pass Canal	80.00
Brazos	80.00
Red	100.00
Muscle Shoals (proposed)	150.00
Big Sandy, Ky	350.00

As the relatively small commerce consists largely of cheap, heavy freight, like coal, fertilizer, rock, ore, and a small amount of merchandise, and the haul is for short distances on the average, the significance of Senator Burton's advice will not be lost when he said the Government could save money on its inland waterways by buying the freight and burning it.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Will the gentleman give me more time? I will be very glad to yield to him if I can get the time.

Mr. SPARKMAN. I desire to ask the gentleman what is meant by floatable timber?

Mr. FREAR. That which can be floated in 2 or 3 feet of water, and does not need an 8 or 10 foot channel, as is repeatedly urged upon the committee. We will reach that in the five-minute discussion when instances will be presented.

WATERWAYS COST PER MILE.

Students of transportation in determining the economic value of railways or waterways first ascertain the cost per mile of the system. It is interesting to note that in round numbers the following estimate of expenditures per mile by the Government on these three waterways have been made:

	Per mile.
Lower Mississippi, 1,000 miles, at	$100,000
Ohio River to Missouri River, 200 miles, at	86,000
Upper Mississippi, 600 miles, at	40,000
Ohio River, 1,000 miles, at	60,000
Lower Missouri, 400 miles, at	40,000

Government and State canal investments are proportionately wasteful.

	Per mile.
Hennepin, 60 miles, at	$126,000
Muscle shoals, 26 miles, at	175,000
Muscle shoals, proposed, 26 miles, at	560,000
Chesapeake & Delaware Canal, proposed, 13 miles, at	1,530,000

The above river and canal projects are from waterways that float an insignificant commerce compared with the investment. Can any condemnation of our wasteful purposeless waterway policy compare with a brief statement of expenditures past, present, and prospective?

EXPERT TESTIMONY ON USELESS CANALS.

Waterways and Commerce, the leading waterway journal of the country, says in its March, 1916, issue:

The Erie Canal, costing the State of New York alone to-day $150,000,000 plus $90,000,000 expended in the past, or $240,000,000 in all, has a 12-foot draft. * * * Why spend enormous sums of money on building useless canals? When the Welland Canal is in operation all of our lake traffic will go by way of Montreal because the 25-foot Canadian ships can not use the 7 or 8 or 12 foot American waterway.

What a startling commentary on enormous waste when $150,000,000 is being thrown away on a deserted canal. Twelve-foot channels are valueless and lake canals to be of use must accommodate lake vessels. Where is the limit to waterway waste? The 1916 bill carries $1,250,000 for the Hudson River 12-foot project to connect with the canal. If the canal proves useless, the new $7,530,000 river project will be equally useless.

What further facts need be added to indicate our entire waterway lack of system, the indefensible character of a $39,608,410 proposal which enriches dredgers, contractors, and other private interests at the expense of a patient, overburdened people?

EMINENT WATERWAY AUTHORITIES AGREE.

Students of the subject and eminent authorities believe that European waterways, with one or two notable exceptions, are vastly disappointing in commercial returns for expenditures made upon them. This opinion may be open to controversy, depending upon the viewpoint of Government activities and basis of estimating profitable expenditures. However, it is difficult to understand why any unbiased mind will fail to admit the existence of enormous waste in our inland river and canal waterway development compared with tangible returns.

Apart from the effervescence of waterway convention enthusiasts, what can withstand the conclusions of eminent authorities on the subject, from several of whom I briefly quote:

WE CAN NOT TURN THE CLOCK BACK.

We have found from our study that everywhere in Europe no less than in the United States there has occurred with the development of the railways a rapid decline in the amount of traffic carried on inland waterways. * * * To attempt now to return to the antiquated system of transportation of a half century ago * * * is to attempt to turn backward the clock of time. (Prof. Moulton in Waterways against Railways.)

EXPENSIVE RIVER EXPERIMENTS VALUELESS.

Our river traffic has rapidly declined. European Governments prevent railways from maintaining direct competition and foreign bargemen are content with a few cents a day for their service. Conditions here are far more difficult to overcome, and a return to practical inland river transportation is possible only with radically changed conditions not effected by expensive river improvements. (Ex-Waterway Commissioner Reid.)

WATERWAY GUESSWORK A FAILURE.

If we are to avoid in the future the painful necessity of continued explanations of why waterway transportation is a failure, it is necessary for us to begin now to supersede guesswork and generalized assumptions by impartial and comprehensive analysis and by providing in advance for those physical and financial cooperative relations between waterway and railway that are absolutely essential to real success in water transportation. (Walter L. Fisher, Journal Political Economy, July, 1915.)

STOP WASTE ON 58 RIVERS NOW.

Specifically the writer would not abandon any navigable stream in the Mississippi Valley that has been partially improved, but would leave 58 of them in their status quo, confining operations to snagging and maintenance of existing works. * * * If facilities afforded by the Government are utilized (greater improvement of the Ohio and lower Mississippi) the upper Mississippi and the Missouri should then receive attention. (Col. C. McD. Townsend, chairman Mississippi River Commission.)

PLENTY OF WATER, BUT NO TRAFFIC.

To-day the Mississippi from St. Louis to its mouth affords a channel which is the best to be found in any stream in the world * * * and see its emptiness. An 8-foot channel is all that the most efficient service requires. The Government works unremittingly to develop waterways only to see the water-borne traffic grow less as the years go by. (J. H. Bernhard, Asso. M. Am. Soc. C. E., proceedings A. S. of C. E., Aug., 1915.)

Discussing the Missouri River project ex-Senator Burton, a man who has accomplished more for American waterways than anyone else and is acknowledged to be our greatest waterway expert, said of such projects less than a year ago:

PURE, BALD, UNMITIGATED WASTE.

You may spend $20,000,000—yes, $30,000,000—on this project, and in spite of that enormous amount the traffic will diminish, because you are facing a condition that no policy of river improvement can reverse—the loss of that class of river traffic and the utilization of other agencies for the carrying of freight. I wish it were not so * * * but I am tired of rainbow chasing, and that is what this is. It is much worse than rainbow chasing. It is pure, bald, unmitigated waste.

IMPARTIAL OPINIONS.

No reputable waterway authority, so far as known, has controverted these unprejudiced opinions of thorough students of the subject and recognized experts. Officials of interested waterway lobbies have suggested that railways may seek to warp the judgment of men who protest against "bald, unmitigated waste" of public funds on useless rainbow-chasing projects.

House resolution No. 98 was introduced January 19, 1916, to inquire into any activities of railways, and also into well-known activities of certain waterway lobbies. It is significant that the resolution has received no support from those who assail the purposes of men now trying to stop enormous waterway waste. An investigation would speedily determine the motives of those who support or oppose the present system of waterway expenditures.

In this connection it may be of interest to quote briefly a word of advice from a secretary of the Rivers and Harbors Congress, who in his address, according to the 1911 official waterway proceedings of that waterway lobby, said as follows:

A CONGRESSMAN MUST GET ALL HE CAN "FOR US."

I want to repeat and to emphasize that in supporting the National Rivers and Harbors Congress you are supporting your own cause. Another thing, be big and broad enough to demand that the improvements which are well under way, whether or not they happen to be

your own particular projects, shall be put under the continuing-contract system and taken off the appropriation map. The sooner that is done the sooner your own will receive its just recognition. The continuing-contract system is the only wise and businesslike method and one that we all have talked and written much about, but if there has been any wise and businesslike method of improving a single river in this country I am not advised of its name or where it is located. Mark you, it is not my intention to criticize either Congress or Congressmen for lack of business methods, for I truly believe that the average man who comes to Washington as a Congressman is just as good a business man as the average man he has left at home. It is not his fault, as I see it, but our fault, and I use the word "our" in a nation-wide sense. We send him here to legislate for the Nation, theoretically, but actually to get all he can for us, and if he does not get our share and then some, we do our best to replace him with some other man who will take better care of our particular congressional district.

I have given his entire statement because the present secretary of that same organization has publicly declared the last four lines quoted in the minority report state "a half truth." I do not desire to misstate any proposition and Ellison's pernicious advice speaks for itself. The more we get, the worse it sounds, and it fitly represents sentiments preached at the average waterway lobby jollification.

Distinguished from this principle of legislative conduct are the words of a man whose rugged character, great ability, and high purposes marked Robert Toombs as a legislator of different type. He said on February 27, 1857:

> Whenever the system shall be firmly established that the States are to enter into a miserable scramble for the most money for their local appropriations, and that Senator is to be regarded the ablest representative of his State who can get for it the largest slice of the Treasury, from that day public honor and property are gone and all the States are disgraced and degraded.

What holds this bill together? Why does not the present administration condemn the "miserable-scramble" proposition as it is termed by Senator Toombs?

Why not reach down and save $20,000,000 for "preparedness"?

Why is not this a good time to practice an economy that has been preached in party platforms? Why are we confronted with a river and harbor bill before the regular defense bills are passed, and why are we engaged in securing the "largest slice of the Treasury" for our constituents according to the expressive words of the same high authority?

This should not be a partisan question. I believe it ought to be kept out of politics, but the only way to keep it out is for those who desire economy and honest legislation to combine and defeat this bill.

OBJECTIONABLE ITEMS SHOULD BE EXPOSED.

Mr. Chairman, I prefer to refrain from unnecessary discussion of this bill. I desire others to show up its iniquities, and will be glad to withhold criticisms on any project if other Members will give the facts to the House, but I am not inclined to remain silent over vicious items and thereafter have defenders of the bill urge it as above reproach because of that silence. My disinclination to trespass on the time of the House has been evidenced, for I have purposelessly refrained from debating other questions and have not wasted time in useless discussion since the session began.

Last session we sat for 13 hours continuously in one day and held long sessions on several other days before the 1915 bill was finally jammed through the House to its final defeat. I hope every Member who believes in stopping wasteful expenditures under the cloak of "navigation" will take part in pointing out defects in this bill and help to secure fair and open discussion. Only by that means can we hope to gain permanent and beneficial waterway legislation.

Mr. Chairman, it has been suggested that a committee member ought to present his objections specifically before the committee and not to the House. I do not think that objection will be seriously urged, but if so, I am frank to say that few members of the committee are competent to discuss a majority of the 270 or more items contained in the bill, and the average member finds it difficult to keep informed on one-quarter of the items.

I have no apologies to make for lack of definite knowledge on items not specifically objected to at the time they were passed upon by the committee. The present system expects every Member to be primarily interested in his own particular project. Beyond that he may or may not find time or inclination to concern himself. If need be I am ready to discuss that part of the system which practically throws the burden upon the shoulders of the chairman and expects him to stand sponsor for and defend the bill. However, such discussion will not be profitable nor strengthen the character of this measure.

TWO PROPOSITIONS ARE OFFERED.

Two propositions for your consideration have been offered in my minority report, one a substitute bill with restrictions as to allotments which places $15,000,000 in the hands of Army engineers for distribution. I am frank to say the record made by Army engineers in previous allotments has been indefensible. That is a grievous fault of the present system, but no other method can be devised here for carrying on necessary projects with a reasonable appropriation.

It may be opposed by those who have persuaded the committee to make liberal allotments for their particular projects, such as the Delaware River, the Mississippi, the Ohio, the Missouri, the Tennessee, the Cumberland, and others. In like manner it will be opposed by those who realize that even with their accustomed liberality Army engineers will hesitate to fritter away much money on wasteful projects contained in this bill.

These engineers have proven to be broken reeds on which to cling, but until we change the system and make them, in fact, responsible subordinates, there seems no better plan to offer. If adopted, it will bring a saving of nearly $25,000,000, and when the fund is properly administered no legitimate waterway need suffer.

Another proposal is offered in my report. In order to avoid the blundering, illogical method now in vogue that recognizes neither scientific, commercial, nor business principles, a tentative bill is offered in the back of my minority report to this bill. If imperfect, it nevertheless is a step toward intelligent business methods.

I have been unable to get action by the committee on that measure. Necessarily, a bill that would put the committee out of business, as my bill proposes to do, will not be acceptable to the committee. However, the interests of actual waterways of the country, the necessity of avoiding scandalous waste, the spectacle of a depleted Treasury waiting the assault of an old-fashioned, wasteful bill; the willingness of its defenders to ignore needs of the Army and Navy and other governmental appropriations, in order to get local aid from the Federal Treasury; all these arguments ought to bring about a defeat of the river and harbor bill and substitution of a better system. Let us keep in mind the weakness of this present bill and the occasion for that weakness, and then proceed to permanently improve conditions and work toward a national budget system, as proposed. I do not question the personal high character of any Member when I say we are bound tight to a bad system.

Mr. Chairman, riotous waste in river appropriations has been fully disclosed during recent sessions. Remarks in the RECORD of January 13 give testimony piled on testimony, tending to show that the present system is antiquated, vicious, and ought to be abandoned. In the minority report on this bill, part 2, abundant proof is offered that as a moral and business proposition this bill ought to be defeated.

THIS BILL SHOULD BE DEFEATED.

Not one project in five would get past the House if proposed in a separate bill. Not one project in five would have been presented to the House originally if equal contribution had been required from the locality especially interested. By brushing aside contributions and combining 300 projects scattered over the country, but now all comfortably resting in one barrel, the bill stands or falls in its entirety. Not one project can be defeated.

I have not enlarged upon the fundamentally evil features of the present system, nor have I time nor inclination to do so. It is improper to waste public funds, even in times of peace, in order to secure some local aid from the Treasury. If public office is a public trust for the benefit of the public, we have much to answer for, even in times of governmental opulence; but what shall we say of ourselves, and what will the country say of us, when we now face a great Treasury deficit with which to meet a national-defense program. What will it say, upon finding we have again passed the same old bill that for years has confronted us? What apology have we to offer for lavish expenditures and waste at this time?

Will we prefer extravagance to public economy? Will we demand what Senator Toombs terms "our slice from the Treasury," before we pass public-defense measures? Last session we defeated both river and harbor bills, but we have before us a measure worse, if anything, than the last one we defeated.

Let us not deceive ourselves with any mistaken belief that House bill 12193 can be passed by Congress without bringing censure that will not down. If we would meet the present emergency patriotically, we must not be content to talk of love of country and profess pride in an intelligent democracy, the hope of our fathers. Such sentiments go with high ideals. The kind of patriotism the country demands to-day is that which rings true, and is not of lip service alone; which puts aside selfish interests to join hands for the common good and places national honor and national interests above local or personal greed, by whatever name it may be called.

If we meet the issue patriotically and defeat the wasteful measure, no man need ever apologize over his action. Our duty has never been more clearly defined than it is to-day on this bill.

Then there is the Erie Canal, on which $150,000,000 has been spent by New York State. An unprejudiced waterway journal, among the first in this country, Waterways and Commerce, says that it is practically money thrown away. I have referred to it in my report, taken from that paper. The same has been stated by gentlemen from New York, who seemed to be conversant with the facts, and it simply goes to show we are spending money without ascertaining what results we are to get from the expenditure or what commerce results will be obtained.

Mr. MADDEN. Will the gentleman yield?

Mr. FREAR. Yes; I will yield.

Mr. MADDEN. Has the gentleman thought out what effect the expenditure of $150,000,000 on the Mississippi will ultimately be?

Mr. FREAR. I can not go into that at this time, as I have so many matters to which I desire to refer. I will be glad to enter into that under the five-minute discussion. In my report I have presented the judgment of Dr. Moulton, who has studied and traveled abroad, and who is a very excellent authority on the subject of waterways. He has traveled throughout Europe and this country and he sustains the present inland waterway waste in substance. The same is true of Waterway Commissioner Reid, of Wisconsin, a man who has given study to waterways in Europe and in this country, and the same is true of Walter L. Fisher, who has traveled throughout Europe and made a study of inland waterways. The same is practically true of Col. Townsend, who says we ought to stop work on 58 of the streams—in his speech made in Washington recently—and asks us to pick out one or two projects and ascertain whether any commerce will flow from the expenditure we are making. The same thing is true of Mr. Bernhard, when he says of the Mississippi River, to-day we have a far better channel than is found on the Rhine River, notwithstanding the commerce reaches something like 40,000,000 tons on the Rhine compared to 200,000 tons annually on the Mississippi River. Of course, Germany, as we know, has Government control of the railways as well as the waterways. Senator Burton, who is an authority, has agreed substantially, both by voice and act, in the wasteful methods now pursued. Criticism has been made that some of these projects were reported while he was chairman of the committee. Mistakes may have been made in judgment. That being so, when the error is disclosed we should cease wasting money. The gentlemen whom I have quoted, who are good authorities—I have heard of no higher recognized in the country—not one takes the position of the committee, that once you have started you must continue an appropriation, irrespective of what the result may be.

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has five minutes.

Mr. FREAR. Mr. Chairman, I did not know I would get through this in time, and I now shall be glad to yield.

Mr. SMALL. In the gentleman's report filed, top of page 5, are certain improvements, together with the tonnage carried in 1913. I suppose the gentleman meant 1914?

Mr. FREAR. No; 1913, as a rule, because those estimates were made before the 1915 report was received.

Mr. SMALL. I would like to ask the gentleman the source from which he obtained the tonnage?

Mr. FREAR. From the Engineer's reports—the 1913 report, according to my recollection, unless otherwise stated—and I deducted the floatable timber or other freight as stated, which was carried.

Mr. SMALL. I am not asking about deductions.

Mr. FREAR. I speak of that and make that qualification in my report.

Mr. SMALL. What is the source from which the gentleman has made the deduction to which he refers?

Mr. FREAR. From the itemized statements that appear in the Engineer's reports, second volume, in each case.

Mr. SMALL. Then all the information has been taken from the engineer's reports?

Mr. FREAR. I think so, in every case; possibly I took something from the remarks of the Senator from Ohio when he addressed himself to that subject. I do not remember.

Mr. SMALL. From the 1913 reports?

Mr. FREAR. From the 1913 reports, as a rule, unless it specifies 1914.

Mr. SMALL. Why did not the gentleman take the 1914 report?

Mr. FREAR. Because the 1915 report was not in my hands at the time the estimate was made.

Mr. SMALL. These are for the calendar year 1913?

Mr. FREAR. They are for the years given by the Engineer's reports.

I desire to answer the gentleman from Missouri [Mr. BORLAND] or anyone else who may care to question me. I could not do so before. I am sorry to say that it takes more time than at my disposal to answer these matters as fully as I would like to answer them.

Mr. HULBERT. Will the gentleman yield for one question?

Mr. FREAR. I yield.

Mr. HULBERT. When the gentleman stated that the people from New York had voted for other provisions in the committee in order to secure the inclusion of one item of $200,000 for the improvement of the East River, did the gentleman take into consideration the other items included in the bill, of benefit to the harbor of New York?

Mr. FREAR. No. I said that in order to get the appropriation for his harbor the gentleman is obliged to accept the bill that contains these other items.

Mr. BORLAND. I wanted to ask the gentleman whether he is not aware that the total amount he has charged against the Missouri River represents the amount that was spent by the Missouri River Commission prior to 1902?

Mr. FREAR. It includes——

Mr. BORLAND. As well as the amount of the present projects?

Mr. FREAR. I so understand.

Mr. BORLAND. Does not the gentleman realize the amount spent by the Missouri River Commission between 1880 and 1902 was spent under a system of isolated local appropriation, and was practically lost, and therefore the only project before the House relating to the Missouri River is the present existing project upon which only $6,000,000 have been spent?

Mr. FREAR. I will answer the gentleman by saying that I concede that was practically lost. I believe that practically all the money that is now going into the Missouri River according to the report of Col. Townsend and Col. Denkyn is lost. And the only actual gain reported coming to the Missouri River is 500,000 acres now being reclaimed at the present time.

Mr. PARKER of New York. In your report, on page 18, you criticize the digging of the Erie Canal and the present barge canal in the State of New York as useless.

Mr. FREAR. I gave the statement and authority on which based.

Mr. PARKER of New York. This last fall there was submitted a referendum bond issue of $37,000,000 to the people of the State of New York, which was passed. Do you recognize the people of the State of New York as authority?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. PARKER of New York. Will the gentleman yield for one more question?

Mr. FREAR. I can not yield. My time has expired.

Mr. EAGLE. Mr. Chairman: It is my purpose, by the invitation of the chairman of the Committee on Rivers and Harbors, to discuss the history and policy of waterway improvements throughout the country and, by your indulgence, also to discuss in greater particularity the projects within my own district in the State of Texas—notably the Houston Ship Channel and the Brazos River; but the remarkable tone assumed and statements and insinuations made against the entire membership of the Congress and its policy of waterway improvements by the gentleman from Wisconsin [Mr. FREAR] who has just taken his seat seem to me urgently to compel a digression in order briefly to reply to him.

Mr. Chairman, it is said that there was once a good old Quaker who said to his wife, "All persons are insane but thee and me, and thou art a little queer." And so the gentleman from Wisconsin [Mr. FREAR] practically asserts that this Congress is an aggregation of incompetents, an assemblage of "pork-barrel grafters," and that the only truly wise, learned, disinterested, patriotic statesman in all the land hails from Hudson, Wis., on the classic banks of the upper reaches of the noble St. Croix.

Mr. Chairman: If the gentleman from Wisconsin entertains the low estimate of the House of Representatives which, as a new and presumptuous Member, he has expressed in his rambling remarks concerning it and the motives which govern its conduct, he might well resign his seat in disgust and refuse to serve here with so contemptible a congress of dishonorable public men.

He said one moment ago, as plainly as the English language can convey an impression that the great Rivers and Harbors Committee—at whose head the respected gentleman and learned statesman from Florida [Mr. SPARKMAN] presides with distinction, upon which my honorable and beloved colleague from Texas [Mr. BURGESS] serves with wisdom and fidelity as ranking member, and upon which are loyally associated with them

men of character and integrity from 21 States of this Union—have made up a bill upon the basis of bribing different State delegations to vote for the whole bill because their several State items were embodied in it, and that this Congress is so base as to be subject to such dishonor.

Mr. Chairman: I have heard about the sort of bird that befouls its own nest. I have read with contempt in the "yellow journals" and the muckraking magazines, which are a disgrace to American civilization—those ghouls of human character which slander and belittle every noble and unselfish effort of human life in its public activities—such statements as these, but I have been able to attribute with charity their vile slanders of public men as much to ignorance as to mendacity; but this is the first time I have seen the American Congress put in disgrace by one of its own Members by an accusation that the membership itself, in order severally for their districts and collectively for their States to obtain appropriations necessary to provide adequate facilities for water-borne commerce, were subject to the degrading charge of being thus bribed into voting for a "pork-barrel bill" which would be a dishonest loot of the Public Treasury.

His performance is unworthy of a place in these proceedings. [Applause.]

There are some more things I want later to say concerning the gentleman from Wisconsin and his State of Wisconsin, and concerning that other great "antipork-barrel" statesman whom he praises as the greatest waterway expert in the United States, Mr. Theodore E. Burton, who served in this House as chairman of the Committee on Rivers and Harbors for 10 years and who during that time carried to his State of Ohio a one twenty-second portion of the entire annual rivers and harbors appropriations and to his own city of Cleveland about 50 per cent of that amount, and who, later, in the Senate, when he became a presidential possibility, or imagined himself as such, chose to reverse his attitude of a lifetime on waterway appropriations and improvements by twice filibustering to death rivers and harbors bills which were reasonable, just and necessary, in order that he might appear before a certain portion of the admiring public as a matchless "watchdog of the Treasury." [Applause and laughter.]

If I have time I shall also show the House and the country what appropriations in times past the State of Wisconsin has received, until every harbor, inlet, river, bay, creek, and mud pond capable of accommodating a mud turtle was duly improved, before she sent here the noble statesman, Mr. FREAR, to question the integrity of Congress and to belittle statesmen who are with conspicuous devotion and painstaking care faithfully doing their duty by the entire country. [Laughter and applause.]

The Father of his Country, Gen. George Washington, inaugurated our waterway policy by calling a convention for the purpose, in 1787, to improve the navigation facilities of the Potomac River. He represented Virginia at that convention; then the State of Maryland was induced to send delegates; then Delaware and Pennsylvania, and later all of the thirteen original States. That policy is very worthy of its very respectable beginning and its lineage, and it has since been pursued, sometimes by private subscription but generally by public appropriations, as an enormous blessing to the commerce and prosperity of the entire country. Gen. Washington who presided over the constitutional convention, James Madison who did more than any other man to write the Constitution of the United States, and Alexander Hamilton who did as much as any other man except James Madison in writing it and more perhaps than any other man to secure its adoption, believed and stated that the Constitution gives the Congress the power to appropriate money for the improvement of rivers and harbors. Congress has always acted on that theory.

But a new school of statesmanship has arisen in the last few years, made up of men limited in their vision of national needs, who assert that such public expenditures are reckless and wasteful extravagance, wholly forgetting that the entire bulk of our exports is water borne and that navigation of our rivers, lakes, and harbors is an absolute necessity of that commerce. Captious criticism of each item in each bill may prove to a few gentlemen an entertaining diversion and does delay the bill to passage, but it little satisfies the country which knows that its prosperity depends upon commerce and its rapid and economical movement.

It has always been the theory upon which Congress has acted that the object and justification of appropriating money out of the Federal Treasury for rivers and harbors was to induce, increase, and accommodate commerce. In my judgment, there are two additional objects which appropriations for rivers and harbors indirectly accomplish, which are of almost equally great importance, and ought to be taken into consideration by Congress in providing for commerce on our waterways. One of them is to reduce the exorbitant charges laid against commerce for the transportation of freight, and the other is to prevent the overflow of rivers upon farms and towns and the consequent destruction of life and the wrecking of property of hundreds of millions value each year.

I shall digress from what I had in mind to say by making an illustration of the Mississippi River. It has been determined by the study of soil and climatic conditions and a consideration of the requisite amount of fertility to support an individual life, that, but for the overflows of the Mississippi River and its tributaries, 500,000,000 human beings can be supported in that basin alone. There are less than 100,000,000 inhabitants of the United States at the present time. During the course of a few centuries, when our population shall have increased to several hundred millions, students when considering the conditions of the country then, with reference to its population and the necessities of its entire areas being conserved for the blessings of mankind and for an opportunity for the full development of its matchless civilization, will read with wonder how men in the year 1916 ever doubted the expediency and the plain duty by adequate appropriations to keep the Mississippi within its banks, so that life, property, wealth, civilization, and happiness may be secure in its fertile valleys on each bank for a thousand miles as it moves on its majestic way southward toward the sea. [Applause.]

The flood waters of 31 States contribute to form the Mississippi River that empties at New Orleans into the Gulf of Mexico. And yet at most times in the year, as we all know, the Mississippi stays within its alluvial banks; but at other times, when the high waters even of the State of Pennsylvania, and, lower down, of the States of West Virginia and Kentucky to the south, and Indiana, Illinois and Ohio to the north, add their flux of water to the vast stream, it absolutely inundates and devastates for hundreds of miles on both sides.

The Congress, instead of accepting the advice of men who want to build political reputations for themselves at home by advocating here a pusillanimous doctrine that would make themselves heroes as "watchdogs of the Treasury," ought, upon the other hand, to make one continuing contract for the full amount necessary to make that noble river what it ought to be—the carrier of vast commerce at cheap rates—and to make the Mississippi Valley one of the grand garden spots of the world and the home of one of the most prosperous and glorious civilizations that man has known since the beginning of time. [Applause.]

The money that has been spent in improving navigation on the Mississippi River has resulted in a saving to the producers and shippers in its valleys on both sides of that river, from its upper reaches to the Gulf, of far more than the total about $150,000,000 that has been spent for the improvement of navigation on that river.

As an illustration of an incidental object and benefit of improving navigation primarily for purposes of commerce upon the rivers and lakes of the country, take the case of the Mississippi at Memphis, Tenn. The gentleman from Wisconsin has stated that, despite the sums expended upon the Mississippi, commerce has largely left that river and is using the railroads which parallel the river. Even granting his premise, his conclusion does not hold true, for the incidental benefit to the public of cheapening transportation by the competing lines of railroads remains permanently as a blessing. From Memphis it is some 500 miles to the Gulf at New Orleans. The freight on the railroad is 75 cents per bale of cotton. But from Waco, Tex., the same distance from the Gulf at Freeport, the charge by rail for the same service is $2.25 per bale.

If the Brazos River improvements from Waco to the Gulf were completed, as the Mississippi River improvements from Memphis to the Gulf are completed, the freight charge on a bale of cotton from Waco to the Gulf would be 75 cents instead of $2.25 as at present. Those two cities are about the same distance from a Gulf port, over exactly the same character of country. Why should the producers and shippers in the Brazos River Valley be penalized for all time to come in freight charges on their cotton and other products seeking an outlet to the sea, when the completion of the present Brazos River project will free them from such extortion? It is entirely safe to assume, and it is so clear as to be self-evident, that if snags and sand bars yet existed in the bed of the Mississippi River from Memphis to New Orleans, so that water transportation would be impossible, the railroads which run alongside the Mississippi would be charging the producers $2.25 per bale freight instead of 75 cents per bale as at present. Water competition produces freight miracles. [Applause.]

Mr. Chairman, there are four items that have absorbed the bulk of the national revenues during the last 40 years. During those 40 years the Army has received $1,973,825,531.68,

the Navy has received $2,120,214,833.29, pensions have received $4,568,251,057.52, while rivers and harbors have received only $680,552,501.01. That is, the average per year during the last 40 years has been about $49,000,000 for the Army, about $53,000,000 for the Navy, about $114,000,000 for pensions, and about $17,000,000 for rivers and harbors. Or, to state it in another way, for every $1 appropriated for rivers and harbors, by which our national commerce everywhere may move, by which the annual increment of wealth to this Nation may be doubled and trebled and quadrupled over what it would be except for our rivers and harbors, about $3 have been spent for the Army; for every $1 spent for rivers and harbors $3 have been spent for a Navy; and for every $1 spent for rivers and harbors, about $7 have been spent for pensions. In all, the Congress has appropriated about $13 each year during the past 40 years for these nonproductive purposes for each dollar that has been appropriated for rivers and harbors without which the Government would not have received the other $13 with which to pay those other items. [Applause.] This has been true notwithstanding the fact that all of our exports are water borne, and that the net profits on our exports, made possible by our lake, river and harbor improvements, over what they would be without such improved facilities, are probably enough in a single year to pay the entire bill of waterway improvements for the last 40 years; and, as stated, the entire amount of such foreign commerce is made possible only because of the river, lake and harbor improvements throughout the country.

And yet, at places throughout the country, and in portions of the public press—notably that portion of it influenced by those railroads that seek to monopolize all of the carrying trade along their lines—and by a few Members of Congress who appear to be anxious to make reputations at home as economists here, who rant and prate and belittle and question the political integrity of all Representatives who contend for appropriations for the waterway projects in their several districts to which such projects are fairly entitled by virtue of present and prospective tonnage and the normal movements of trade and commerce, the good faith as well as the wisdom of Congress is constantly called in question, and ignominy is heaped upon the heads of the people's faithful Representatives. For one I am heartily tired of such narrow vision, such poor logic and such brazen effrontery. [Applause.]

As I have sat here for three years in succession and heard a certain gentleman speak hour after hour, as long as he could secure time upon his own side, and exhaust the five-minute rule and move to strike out everything from the last word to the tenth word and the eighteenth word, until he drove Congress into the cloakroom in sheer desperation [laughter] there was at least some amusement in contemplating the spectacle of the gentleman from Wisconsin [Mr. FREAR], three years in congressional service, setting up his opinion on engineering problems against the expert opinions of the engineers of the War Department who are the honor men of West Point, the men of the highest technical knowledge in the United States and perhaps the equal of any in the world, engineers with life positions, with their reputation at stake, with a technical knowledge of engineering problems such as none of us could acquire if we began now and worked until the end of our days, and with a process of legislation directing them in reporting a project which makes it almost inevitable that they do not err. Great respect should be paid to the standing of any waterway project finally taken on and appropriated for by Congress, when the process is fairly considered by which it is taken on. First, a bill is introduced providing for a survey. Second, the Rivers and Harbors Committee, if it thinks a prima facie case is made, inserts in the next appropriation bill an item authorizing a survey. Third, the Chief of Engineers then directs the district engineer to make a preliminary examination and report, showing prospective cost, benefit and feasibility. Fourth, this examination being made, the report thereof goes from the district engineer to the colonel of the division, then with his condemnation or approval to the Board of Engineers for Rivers and Harbors for its examination, and then to the Chief of Engineers. Fifth, if the project have enough merit to pass these several tests and criticisms, it is then referred back for exhaustive examination and complete report thereon, then again to the board when complete and exhaustive hearings are held as to cost, as to present and prospective tonnage, and as to the necessities of commerce and all relevant issues. Upon the full facts thus revealed the Board of Engineers prepares its final report. Sixth, thereupon the Rivers and Harbors Committee of the House of Representatives sometimes—as in the case of the Brazos River in Texas—visit and inspect the proposed project. Seventh, as the result of such systematic, painstaking and exhaustive study, surveys and examinations, it is thereafter appropriated for until completed. It is greatly to be doubted if the expenditure of public money in any other department of Government is so thoroughly considered and minutely scrutinized as in the appropriations for waterways. Then to have some gentleman persistently belittle those who have investigated the facts, and who know the splendid people who work for waterway improvements and their exalted motives, who know of the enormous commerce that will move, and who know of the excessive freight charges collected from producers and shippers every year at the hands of those who have a monopoly upon transportation, is enough to justify language in reply that might not be parliamentary. [Applause.]

Some illustrations may be briefly made of the effect of waterways improvements upon commerce and development—each of which suffered in their incipiency from the same character of criticism now directed against present appropriations. Many years ago when De Witt Clinton was governor of the State of New York, he conceived the Erie Canal. He was ridiculed and failed of reelection because the short-sighted citizens failed to catch his splendid vision of a greater New York. He was what muckrakers would nowadays call a "pork-barrel" statesman. But later, when the people came to understand it, they reinstated him in office, and he carried through that noble work, and all men now agree that the thing that established the supremacy and the preeminence of New York over Philadelphia and other Atlantic cities was the Erie Canal, opening the vast commerce of the Northwest over the lakes and rivers through the Erie Canal and emptying its wealth into the lap of New York City. [Applause.]

On this floor, in almost the identical spot where I stand, J. Proctor Knott, of Kentucky, built his fame, as enduring as man's appreciation of genius and oratory, upon his famous speech on Duluth. At that time, Duluth was a mere name on the map of the far frontier, and had an item in the river and harbor bill. It was struck at by Mr. Knott with real wit and humor instead of the stereotyped variety that we repeatedly hear concerning the Trinity River having an artesian well bored in its bed in order to get water into it. I hear that brilliant sarcasm every time the House considers a waterways bill. And yet Duluth has become a splendid city and its great port bears annually an enormous commerce, to the blessing of the people of all that vast northwestern country.

Now I will give you another concrete illustration. Take the great port of Galveston. When I was a young man, I acted as clerk for Col. Walter Gresham, a venerable and respected citizen of Galveston, who even yet looks after Galveston's port interests with conspicuous ability, Gov. H. Bradford Prince of New Mexico and others in the draft of a resolution calling upon Congress to make Galveston a port for the accommodation of the overseas commerce of the trans-Mississippi country. Later, in 1891, at the meeting of the Trans-Mississippi Commercial Congress, at Denver—where I first had the pleasure and the honor that has lasted all these years of forming the friendship of the beloved Speaker of this House [applause], where he was also a delegate—a resolution was adopted which was transmitted to each Member of Congress asking for an appropriation sufficient to make the port of Galveston a complete success. The records of the sessions of Congress which followed show that the Galveston item was vigorously condemned as "pork" in the interest of the West and particularly of Texas.

As late as 1898 Texas with her 400 miles of coast line was compelled, in order to have the complete project for the port of Galveston finally adopted by Congress, to unite on Galveston to the utter exclusion of all other Texas rivers and harbors projects. In 1891 there were 9 feet of water over the Galveston inner bar and 12 feet over the outer bar; now there are 119,000 acres in the harbor, roads and port of Galveston having 30 feet of water. In 1891, there was only $636,000 in value of commerce imported into the port of Galveston, and that by lighter over the bar, while during the year 1914—only 23 years later—there was $12,000,000 in value of her imports. [Applause.] During 1891, the total value of exports from Galveston was $10,000,000, whereas in the year 1914 the value of exports from Galveston had climbed to the enormous total of $256,000,000. [Applause.] It is now the second port of the United States in point of exports, the matchless port of New York standing first. More than 4,000,000 bales of cotton left the port of Galveston during the year 1915, and 50,000,000 bushels of wheat coming from Texas, Kansas, Nebraska, Oklahoma and the vast central West left the port of Galveston.

And yet that splendid result has been accomplished by the expenditure of less than $11,500,000 for the harbor and less than $2,000,000 for the channel—in all, less than $13,500,000 for the development of the great port of Galveston—second in the United States in importance, at least as to exports, and cer-

tainly second only in affording the Nation an annual trade balance with the world, and which has already, even in its infancy, enabled the farmers and shippers of Texas and the great Southwest to save many times over the total amount it has cost. [Applause.]

HOUSTON SHIP CHANNEL.

I would like now to tell the House something about my home port, Houston. I think it will gratify the House to know what the splendid citizens have done down there, and what they are going to do, what they have done themselves and what the Congress helped them to do, at a place on a waterway 50 miles inland from the port of Galveston. For half a century it was a dream of the citizens of Houston that it become a deep-water port. As early as 1871 the Congress appropriated a pittance and authorized an investigation. Further appropriations were made in 1877, in 1881, in 1892 and in 1899—as the needs of commerce and the use of that waterway required; but on June 25, 1910, Congress passed a bill appropriating $1,250,000 conditioned upon the raising of a like amount by the city of Houston as she had proposed to do. Even before the Houston Ship Channel was completed, tonnage of the amounts now stated for the years named of the value following moved over the channel:

Year.	Short tons.	Value.
1905	104,937	$12,541,324
1906	132,103	15,000,000
1907	452,463	24,466,730
1908	602,734	28,318,321
1909	1,214,904	36,007,560
1910	1,371,650	39,155,557
1911	1,351,897	34,721,530
1912	1,365,050	35,938,800
1913	1,860,452	38,738,464

And yet, at the last session of Congress, when we were asking for an item of maintenance only, opponents of waterway improvements and candidates for publicity as exalted types of political morality assured the House this this tonnage of this enormous value was sand and shell! The courageous people of the city of Houston and the county of Harris, at that time knowing that about $2,000,000 had already been expended by private enterprise and Government appropriations, and that no deep water existed at Houston sufficient to accommodate ocean-borne commerce, raised $1,250,000 and in effect tendered it to Congress conditioned upon an appropriation for a like sum, so as to make the $2,500,000 necessary to complete the Houston Ship Channel. Congress accepted that proposition, because all good men admire a proud, courageous and self-confident people. [Applause.] The Houston Ship Channel was finished during the summer of 1915, and now it has a uniform depth of 25 feet of water all the way from the Gulf of Mexico to the turning basin in the city of Houston. The navigation district, meaning the city of Houston and the county of Harris, has expended about $1,000,000 of its own money in acquiring land and digging a commodious turning basin. It has raised $3,000,000 with which it has built and is building free wharfage, docks, terminals and warehouses, in order to have at least one spot on earth where monopoly shall not have a foothold. [Applause.] There were two barges built to keep that channel open, costing $200,000 each, and Houston matched dollars with Congress—Houston paying for one and the United States paying for the other. [Applause.] The Houston Ship Channel was completed during the summer of 1915, and within four months after it was completed 40,000 tons of freight—enough to load 40 trains of 50 cars each, or 1 train 16 miles long—went over the wharves at the port of Houston. The tonnage is developing rapidly. Lines of steamships, laden to the guards incoming and outgoing, ply between Houston and New York regularly, between Houston and Havana, and between Houston and Mexican ports.

Already great industrial plants line its shores—vast cotton warehouses and compresses, fertilizer works, packing plants, oil refineries and various other industries which require deep water for the conduct of their large business—noble forecasts of Houston's greatness; and the mind thrills with the noble vision of the Houston of the future, when the enterprise of our people shall have had time to develop its vast possibilities. Houston is 500 miles nearer than New York to the Panama Canal; already 17 railroads come to Houston "to meet the sea"; already she is the richest, largest and most splendid city in the vast State of Texas where 5,000,000 people dwell with pride in her past, with joy in her present and with firm assurance of her limitless future; [applause] and when, as is inevitable, the Gulf of Mexico shall have become the Mediterranean of our Western Hemisphere, Houston will be its chief city and port, sitting as an uncrowned queen upon its shore and extending her blessings to all the world. [Applause.] The bill now under consideration provides two items for the Houston Ship Channel—one for its annual maintenance and another for an investigation and report upon the necessity, feasibility and cost of deepening that channel. We have faith that Houston is destined to be the Manchester of America and the citizens of Houston are not going to wait for a later generation to do that splendid work [applause].

During the year 1915, 1,070,700 tons of freight passed over the channel, worth $32,143,500, notwithstanding that the European war smashed southern prosperity and demoralized shipping. It is apparently developing during the first year since its completion at least $50,000,000 in value of tonnage moved. Two million bales of cotton moved from Houston over that channel alone in the last year. [Applause.] That is not all: 183,000 tons of lumber and shingles worth $3,760,000, 23,000 tons of hardware and machinery worth $2,300,000, 37,000 tons of groceries valued at $2,000,000, and 42,000 tons of rice valued at $1,680,000, and much miscellaneous freight, besides 2,000,000 bales of cotton, moved over the Houston Ship Channel into and out of the port of Houston last year. The people of Houston achieved this splendid result by a total expenditure of less than $5,000,000, and the people of Texas have already saved, by virtue of the Houston Ship Channel, more than enough in freight rates to make up the whole cost of the entire enterprise.

BRAZOS RIVER.

Another Texas project, which must run the gamut at each session of Congress and overcome the jeers of the uninformed and the supercilious but which is one of the very best projects taken on and appropriated for by Congress, is the Brazos River from the Gulf of Mexico at Freeport to Waco—a distance of 425 miles. Gentlemen complain that there is little tonnage at present moved on the Brazos and offer that as a reason why the project should be abandoned after $1,700,000 have been expended upon the project. They seem to forget that not a pound of freight could move through even the Panama Canal until it was completed; but the probability that tonnage would move through the Panama Canal caused several hundred million dollars to be expended upon that project. No man lives in comfort in his house until it has been finished. As to the port called formerly Velasco and more recently Freeport, it may prove useful for the House to know that private capital constructed it by the expenditure of more than $1,000,000 and then turned the enterprise over to the United States without cost to it. Upon the banks of the Brazos River and only 3 or 4 miles above where it empties into the Gulf, there has been recently discovered and developed, at an outlay of millions of money, the greatest sulphur mine in all the world. It is estimated to contain a total of 17,000,000 tons of sulphur worth about $20 a ton. At this hour a bin of sulphur 99 per cent pure and worth $1,000,000 lies on top of the ground at Freeport on the banks of the Brazos River, and only the surface of the vast wealth deposited there has been touched. Great ships of the sea come from all over the world through the port of Velasco, or Freeport, to take that sulphur away, and thus to add to the comfort of the world and the commerce and wealth of Texas and the United States. And yet I have heard each session for the last three years some gentlemen belittle the Brazos River and the port of Freeport as being unworthy of national recognition. [Applause.]

The Brazos River project was not taken on for political reasons—because, at that time, Mr. Burton, a Republican, was chairman of the Rivers and Harbors Committee in the House, the Congress was overwhelmingly Republican, and Texas was overwhelmingly of the Democratic Party; but the Brazos River project was undertaken only because sound and compelling logic demanded it be done. Nor was the project taken on hastily or without due consideration. There have been three official and several unofficial surveys of that stream and reports accompanying. As early as 1874 Maj. C. W. Howell, in 1889 Maj. C. J. Allen, and in 1894 Maj. A. M. Miller made official examinations and reports. All of those reports agree that the improvement of the Brazos River for commerce is feasible, requiring only money to carry the enterprise to success, and that the tonnage exists to use the river when improved. In 1900 the able engineer, Col. C. S. Riché—an ornament to his profession and his Nation—made his official report concerning the Brazos after thorough examination, in which he said, among other things:

> For all the foregoing reasons, therefore, I have the honor to report that, in my opinion, the Brazos River from its mouth to the city of Waco is worthy of improvement for a light-craft navigation, even if the cost of the work should be as great as $6,000,000.

His superior officer, Col. H. M. Roberts, concurred in the report of Col. Riché, and added:

> I think the survey should be made, as, from all the data I have seen, I am forced to concur with Col. Riché in the opinion that the Brazos

River from its mouth to the city of Waco is worthy of improvement for a light-draft navigation, even if the cost of the work should be as great as $6,000,000.

This same Col. Roberts, who later became Chief of Engineers, again officially reported in its favor, in 1901. Later, Maj. Jadwin officially reported:

The Brazos River is the best river in the State of Texas. There is sufficient water, if properly conserved, to provide navigation even beyond Waco.

These reports were approved by the Chief and Board of Engineers, and the Secretary of War, Hon. William H. Taft, approved the report and transmitted it to Congress. Thereupon, the Rivers and Harbors Committee, with its chairman, Hon. Theodore E. Burton in person at its head, then visited Waco and inspected the Brazos River and unanimously approved the project for its improvement notwithstanding it should entail a total expenditure of $6,000,000; and thereafter Congress appropriated for it, the work has steadily progressed, and about $1,700,000 have already been expended upon it. And then later, in 1915, when he was a Senator, this same Mr. Burton filibustered to death an item for the Brazos River upon the ground that the river is not worthy of improvement and that the appropriation is "pork." [Laughter and applause.]

It is 425 miles by river from the Gulf to Waco. The Brazos River traverses for a thousand miles a region more fertile than the valley of the Nile. The vast and fertile area over which freight rates will be affected by making the Brazos navigable from the Gulf to Waco amounts to probably 32,000 square miles—an area larger than such large States as South Carolina, West Virginia or probably Indiana, and contains one-third of the population of 5,000,000 people in Texas, and produces one-third of her annual great cotton crop. From the Gulf to old Washington, a distance of 254 miles from its mouth, the reports of the engineers agree that 6 feet of water for eight months in the year could be secured by removing the snags and bars and the construction of training walls and spur dykes; but that from old Washington to Waco such uniform depth could be secured only by a system of locks and dams. The first part of this work has been done, and some of the locks and dams have been completed, others are in process of completion and some few others are yet to be built. To illustrate the character of country and its state of development through which the Brazos flows from Waco to the Gulf, I cite the House to the production in bales of cotton in each of these counties in the year 1914: McLennan, 99,622; Falls, 70,767; Milam, 64,323; Robertson, 42,438; Brazos, 22,147; Grimes, 22,657; Burleson, 25,891; Austin, 25,449; Washington, 34,200; Waller, 10,203; Fort Bend, 19,923; Brazoria, 5,043; a total of 442,663 bales, worth $60 to $75 per bale. The second tier counties in that same year produced: Bastrop, 33,913; Bosque, 26,254; Coryell, 29,767; Colorado, 16,853; Fayette, 40,667; Hill, 94,127; Lee, 12,488; Leon, 16,893; Limestone, 70,794; Madison, 11,072; Matagorda, 3,682; Montgomery, 8,937; Wharton, 15,665; Williamson, 112,791; a total of 503,903 bales; a grand total for those first and second tier of counties on the Brazos River, only from Waco to the Gulf, of 946,566 bales. And yet gentlemen argue that the Congress should provide no facilities for the improvement of the Brazos River on whose banks such wealth and commerce are provided by that thrifty and splendid people. [Applause.]

As an incidental benefit flowing from the improvement of the Brazos River for the purpose of commerce, I will mention not only the inevitable reduction in freight rates in competition with water rates, but the other enormous benefit of preventing overflows from floods. There are probably more than 750,000 acres of rich alluvial soil on both banks of the Brazos from Waco to the Gulf subject to overflow, which will be largely or altogether redeemed from that annual calamity by the completion of the Brazos River project. Those lands are of nominal value now, but will be worth $100 per acre then; and that will increase population and add vastly to the wealth, production and commerce of the country. It would be no less than inexcusable and almost criminal folly to abandon the Brazos River project; but its completion as speedily and economically as possible will give hope and courage to a splendid citizenship, insure immense tonnage to move at living rates, cause new centers and enterprises to spring up along that stream, add largely to the wealth and population, and bring unending blessings to that territory, to our whole country and to the world. [Applause.]

But I have promised the House that, before I concluded, I would furnish a statement, not alone of appropriations received by the great State of Ohio and the thriving city of Cleveland for rivers and harbors improvement during the 10 years Mr. Burton presided as chairman over the Rivers and Harbors Committee of the House, but also by the State of Wisconsin, and I shall discharge that promise. In passing, it may be proper to remark that the same chairman, Mr. Burton, once caused to be passed a $55,000,000 rivers and harbors bill through the House under suspension of the rules—before, in the Senate, he had arisen to filibuster to death smaller but similar bills as reckless waste of public funds. [Laughter.]

Hon. Theodore E. Burton was for 13 years a Member and for 10 years chairman of the Rivers and Harbors Committee of the House of Representatives. His service as a Member of the House terminated March 3, 1909, when he entered the Senate. He was, therefore, chairman of the Rivers and Harbors Committee of the House for five Congresses, viz, Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth, and Sixtieth Congresses, and was a member of the committee during a part of the Fifty-fourth and all of the Fifty-fifth Congresses. His official career as chairman began in December 1899 and terminated March 3, 1909.

During these 10 years the appropriations and authorizations were as follows:

Year.	Appropriations.	Authorizations.	Total.
1900	$560,000		$560,000
1902	26,771,442	$38,586,160	65,357,692
1904	3,000,000		3,000,000
1905	18,181,875	17,184,657	35,366,532
1907	37,108,083	49,954,349	87,062,432
Total	85,621,397	105,725,166	191,346,654

Following are the appropriations and authorizations by Congress made to the several rivers and harbors of the States of Ohio and Wisconsin during the years in which Mr. Burton was chairman of the River and Harbor Committee.

Act approved June 12, 1902 (Stat. L., vol. 32, pp. 32 et seq.):

For Ohio.	Appropriations.	Authorizations.
HARBORS.		
Conneaut	$200,000	$250,000
Ashtabula	200,000	
Fairport	200,000	
Cleveland	625,000	2,300,000
Black River	6,000	
Huron	40,000	
Sandusky	125,000	
Port Clinton	5,000	
Toledo	15,000	
Muskingum (river)	10,300	
Total	1,426,300	2,550,000
RIVERS.		
Ohio, Locks 2, 3, 4, 5, and 6	275,000	300,000
Lock 37	100,000	950,000
Lock 8	50,000	250,000
Lock 11	50,000	250,000
Lock at Marietta	25,000	
Open channel	400,000	
Total	900,000	1,750,000

Omitting the Ohio River, the total appropriations for rivers and harbors were	$1,426,300
Authorizations	2,550,000
Total for Ohio	3,976,300

Or about one-sixteenth of the amount appropriated for the whole country in this act.

It is not fair to charge all of the Ohio River appropriation to the State of Ohio. Mr. Burton, however, was very generous to this river.

Appropriations	$900,000
Authorizations	1,750,000
Total	2,650,000

This river primarily benefits Ohio, Pennsylvania, West Virginia, Kentucky, Illinois and Indiana. The river touches Ohio soil for a longer distance than it touches Illinois and Indiana combined. It touches West Virginia and Kentucky for a distance about equal to that of Ohio, Illinois and Indiana combined, and is formed in Pennsylvania. The Government improvement extends over a length but little short of 1,000 miles, upon which the Government expended up to June 30, 1913—

On open-channel work	$7,206,621
And on locks and dams	21,134,888
With an unappropriated authorization of	7,376,000
Making a total of	35,717,409

The present project contemplates 54 locks and dams, worked up during Mr. Burton's chairmanship, but actually adopted in 1910 after he had gone to the Senate. The estimate in 1906 was $63,731,488 in addition to the appropriations already made. The State of Ohio is directly benefited by a contact touch of 500 miles; Illinois and Indiana combined 500 miles; Kentucky and West Virginia 1,000 miles. In other words, the direct benefit to Ohio is far more than one-fourth of the distance, but in this estimate I shall charge Ohio with one-fourth of the appropriation for 1902, or $662,500 which added to the $3,976,000 appropriated, of a purely Ohio nature, makes a grand total for Ohio of about $4,638,500, or about one-fourteenth of the entire appropriations of the act.

Act approved March 3, 1905, Statutes at Large, volume 33, pages 117 et seq.:

Harbor.	Appropriations.	Authorization.
Port Clinton	$2,000	
Toledo	20,000	
Sandusky	125,000	$480,000
Huron	68,500	
Vermilion	15,000	
Lorain	85,000	
Cleveland	200,000	
Fairport	130,000	
Ashtabula	20,000	
Conneaut	60,000	
Muskingum (river)	118,000	
Total	843,500	480,000

Or a total of $1,323,500 for Ohio.

The Ohio River received $355,000.

One-fourth of this, or $88,750, added to the above gives a grand total for Ohio in this act of $1,412,250.

Act of March 2, 1907, Revised Statutes, volume 34, pages 1073 et seq.:

Harbors.	Appropriations.	Authorization.
Port Clinton	$3,000	
Sandusky	125,000	
Huron	16,000	
Vermilion	15,000	
Lorain	30,000	
Cleveland	223,000	$900,000
Fairport	100,000	
Ashtabula	20,000	
Conneaut	20,000	
Muskingum (River)	48,000	
Total	600,000	900,000

Or a total of $1,500,000.

Ohio River.	Appropriations.	Authorizations.
Dam No. 8	$250,845	$500,000
Dam No. 11	198,343	500,000
Dam Nos. 13 and 18	174,078	400,000
Dam No. 26	100,000	965,000
Dam No. 19	200,000	100,000
Dam No. 37, at Louisville	271,000	
Dam at Great Miami	20,000	
Open channel	450,000	
Total	1,664,266	2,465,000

Grand total	$4,129,266
One-fourth	1,032,316
Which added to	1,500,000
Makes for Ohio in 1907	2,532,316

Act of March 3, 1909, Statutes at Large, volume 35, page 815:

This act made a lump sum appropriation of $8,185,750 in cash and an authorization for the Ohio River of $100,000.

Out of this lump sum Ohio got the following allotments:

Toledo Harbor	$45,000
Port Clinton	2,500
Vermilion Harbor	2,000
Fairport Harbor	5,000
Total	54,500

And the Ohio River got $150,000 which, with the $100,000 in the bill, made $250,000. Charging Ohio with one-fourth of this, or $62,500, the State got a total in this act of $117,000.

Recapitulation.

Acts of—	The State got—	Cleveland got—
June 12, 1902	$4,638,500	$2,925,000
Mar. 3, 1905	1,412,250	200,000
Mar. 2, 1907	2,532,316	1,123,000
Mar. 3, 1909	117,000	
Total	8,700,066	4,248,000

Ohio received during Mr. Burton's chairmanship one twenty-second of all that was given to all the States, and Cleveland, his home city, received very nearly one-half of what was appropriated for Ohio.

HOW WISCONSIN FARED.

Act of June 12, 1902:

Harbor.	Appropriations.	Authorization.
Racine	$20,000	
Kenosha	5,000	
Milwaukee	232,000	
Ahnapee	10,000	
Port Washington	6,000	
Oronto	3,000	
Sheboygan	90,000	
Manitowoc	45,000	
Two Rivers	20,000	
Kewaunee	11,000	
Green Bay	105,600	
Sturgeon Bay	44,000	$178,000
Ashland	40,000	
Port Wing	25,000	
Superior	200,000	
Fox River	70,000	
St. Croix River	2,000	
Total	928,600	178,000

Or $1,106,600 in all.

Act of March 3, 1905:

Harbor.	Appropriations	Authorization.
Kenosha	$5,000	
Racine	30,000	
Milwaukee	250,000	$218,000
Sheboygan	18,000	
Manitowac	110,000	
Two Rivers	6,600	
Kewaunee	3,000	
Sturgeon Bay	50,000	
Green Bay	10,000	
Ashland	60,000	
Port Wing	19,992	
Fox River	35,000	
St. Croix River	4,000	
Total	601,592	218,000

Or $819,592 in all.

Act of March 2, 1907:

Harbor.	Appropriations.	Authorizations.
Kenosha	$22,000	
Racine	50,000	
Milwaukee	200,000	$392,000
Sheboygan	40,000	
Manitowoc	100,000	276,000
Two Rivers	20,000	
Kewaunee	5,000	
Algona	43,000	100,000
Sturgeon Bay	20,000	
Green Bay	5,000	
Ashland	10,000	
Port Wing	2,000	
Fox River	35,000	
St. Croix River	4,000	
Total	706,000	768,000

Or $1,474,000 in all.

Act of March 3, 1909, made appropriations as follows:

Menominee Harbor	$4,000
Green Bay Harbor	12,000
Kewaunee Harbor	5,000
Sheboygan Harbor	5,000
Port Washington Harbor	4,000
Racine Harbor	5,000
Kenosha Harbor	10,000
Fox River	20,000
Total	65,000

Or a total, in 10 years of $3,465,192.

The Mississippi River from St. Paul to the mouth of the Missouri received $3,000,000 in all. This river in this stretch touches Wisconsin approximately one-half the distance from St. Paul to the mouth of the Missouri River, and Wisconsin should be charged approximately one-fourth of this appropriation, or $750,000, which added to the amount directly charged to her makes a total of $4,215,192.

And, when all of the harbors, lakes and rivers in those splendid States are improved to completion for purposes of their great commerce, these enlightened and disinterested statesmen are loudest in denunciation of worthy and approved projects in other sections of our common country which contributed willingly their full share to the prosperity and happiness of Ohio and Wisconsin.

True statesmanship is not narrow; true patriotism is not circumscribed by sectional limitations. This is one mighty Nation with a destiny based on fraternity. Those policies and sentiments which injure some portions injure the whole; and those policies and sentiments which bless the whole aid and ennoble all sections of our beloved country.

Irrespective of section or faction or party or local interest, it is ennobling to serve well in our day, and thus to help guide this mighty Nation in its onward march toward that noble destiny of freedom, prosperity, and happiness which has always been the vision and the dream of patriots. [Long continued applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, I ask the Clerk to read in my time the matter which I send to the Clerk's desk.

The Clerk read as follows:

[Statement for the press.]

WAR DEPARTMENT, *March 31, 1916.*

Following telegram received to-day:

"SAN GERONIMO, *March 30.*

"Dodd struck Villa's command, consisting of 500, 6 o'clock, March 29, at Guerrero. Villa, who is suffering from a broken leg and lame hip, was not present. Number of Villa's dead known to be 30, probably others carried away dead. Dodd captured two machine guns, large number of horses, saddles, and arms. Our casualties, four enlisted men wounded. None serious. Attack was surprise, the Villa troops being driven in a 10-mile running fight and retreated to mountains northwest of railroad, where they separated into small bands. Large number of Carranzista prisoners, who were being held for execution, were liberated during the fight. In order to reach Guerrero Dodd marched 55 miles in 17 hours and carried on fight for 5 hours. * * * Elisio Hernandez, who commanded Villa's troop, was killed in fight. With Villa permanently disabled, Lopez wounded, and Hernandez dead, the blow administered is a serious one to Villa's band.

"PERSHING."

[Loud applause.]

Mr. TREADWAY. Mr. Chairman, I am so thoroughly interested in endeavoring to secure at this time the adoption of the project for deepening Boston Harbor that I desire to use most of my time under general debate to call the attention of the House to the merits of the Boston project. In view of the fact that the Committee on Rivers and Harbors, early in its deliberations, decided not to include new projects in the present bill, no move was made by the friends of Boston Harbor for a hearing or an opportunity to present its claims. We accepted this action on the part of the committee in good faith and with as good grace as we could in view of our great interest in its adoption.

We have a standing before the House now from the fact that the Committee on Rivers and Harbors, after hearings were closed and the bill practically made up, included in the bill the East River project, found on page 4, lines 23 to 25, and page 5, lines 1 to 12, inclusive. The East River project comes before the House in a very peculiar, I might say unprecedented, manner. The vote of the committee in reference to new projects placed the East River item in exactly the same position as the Boston item. In other words, both projects had been favorably reported upon by the Board of Engineers, but were excluded from consideration by the general vote. Were it not that the East River project finally got into the bill, I should not, at this time, be asking for consideration for Boston Harbor.

I wish to state my thorough disapproval of the manner in which the inclusion of this item was secured. The previous action of the committee was overruled on a strictly partisan basis as a result of the request of the President to insert the East River project. The facts are that the Democratic Members from New York, under the lead of the Member from New York on the committee [Mr. HULBERT], assisted by the chairman of the Committee on Appropriations, Mr. FITZGERALD, a man whose ability to foresee political advantage is well recognized, placed the matter before the President in such a way that he, under the guise of preparedness, could well cater to the Democratic politicians of New York and Brooklyn. The letter Secretary Tumulty sent to Mr. SPARKMAN was inspired by the letters of Mr. HULBERT and Mr. FITZGERALD, the latter stating that—

> The Representatives from New York would be placed in an impossible position if they supported revenue measures which largely increased the burdens of their constituents, while failing to obtain legislation deemed essential for the security of the metropolis of the Nation.

The gentleman from New York [Mr. FITZGERALD] has an extremely pleasing style of expression, but the real thought back of it all is "the support of their constituents," which means votes for both Congressmen and for President.

The only emergency existing is, before another river and harbor bill is prepared there is to be a national election. The hearing does not contain any evidence whatsoever going to show that this appropriation need be made at the present time. The facts are an appropriation of $200,000 was made last year to remove Coenties Reef. Work has begun on that and will be continued for nearly a year. The distance between Governors Island and the Battery is so narrow that it is not practical, according to Col. Black's own testimony, to work on Coenties Reef and Diamond Rock at the same time, as the channel would be blocked for navigation. All that it would be possible to do before the completion of Coenties Reef project would be to make borings in preparation for future work. It can readily be seen that this feature does not constitute an emergency.

I am heartily in favor of any improvement in New York Harbor that will be beneficial either to preparedness or to the commerce entering that port. New York is the greatest commercial center in this country and is entitled to every possible consideration commensurate with the interest of others that Congress can afford to give it.

It is on such projects as New York that Government money is wisely expended. I should be in favor of adopting in the very near future, if not at the present time, the entire project recommended for New York, which included the removal of the serious obstruction to navigation at Hell Gate and the entrance into Long Island Sound. Money properly expended on such projects as these benefits the entire country and can in no sense be regarded as open to the criticism being heard against river and harbor work.

New York lacks facilities for the enormous commerce of the port; it lacks sufficient opportunity for entrance; all large vessels must now enter at one end. The day is not far distant when vessels coming from the north at least can enter through Long Island Sound, by the removal of Hell Gate, and secure dockage in upper New York with much more convenience than they can to-day go around and enter by Ambrose Channel. The amount required to bring about this great improvement seems large, but I submit that it is small in comparison to the national benefit that would result both to commerce and to defense.

It will thus be seen that my opposition to the New York project is not one of opposition to its intrinsic merits, but, rather, to the method under which it comes before the House in the present bill. Political partiality has been shown this project by the administration. I appeal to the House to show by its action that we are sincere in our intention of bettering our national defense. Personally I would forego every possible river and harbor appropriation called for in this bill which did not have to do with national defense and vote to substitute such items as combine the commercial interest with national defense. New York Harbor is one of these; Boston Harbor is another, and they should stand or fall together. The fact that one has a positive presidential indorsement does not detract from the merits of the other. If the Boston project is adopted I will gladly vote for the New York item and other such items that can come into the bill on their own merits in behalf of national defense.

There are two courses open to this House. Either exclude the New York item from the bill or include the items for other harbors needing improvement exactly as much as New York on the ground of preparedness. One of these harbors is situated in the State I have in part the honor to represent, the port of Boston. At the proper time I intend to offer an amendment for the adoption of the project deepening Boston Harbor recommended by the Board of Engineers in their report to the Secretary of War dated April 25, 1914, Document No. 931, Sixty-third Congress, second session.

This amendment will ask for an appropriation of $400,000, with an additional authorization of $1,145,000, which is the amount of the item recommended by Gen. Kingman, then Chief of Engineers, revising the district officer's report, which called for $3,845,000. The project was divided into two sections; one in the inner harbor, extending from Presidents Road to the navy

yard, and the other in the outer harbor, from Presidents Road to the ocean. It is this latter section of the project for which we will ask for an appropriation.

I have such an abundance of material at hand in favor of the Boston item that I can but briefly refer to it at this time and will incorporate in my remarks resolutions adopted by the Board of Harbor and Land Commissioners of the Commonwealth of Massachusetts, letters from the Boston Chamber of Commerce, from the directors of the port of Boston, and the president of the Massachusetts Real Estate Exchange:

BOSTON CHAMBER OF COMMERCE,
Boston, March 2, 1916.

Hon. ALLEN T. TREADWAY,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN TREADWAY: We are very glad to know that you are planning to ask for an amendment to the river and harbor bill when it is reported in the House to include an appropriation for deepening the channels in Boston Harbor. We certainly agree with you that if an appropriation is to be made in the case of New York Harbor on the ground of preparedness and in order that there may be an adequate depth of water for vessels to reach the Brooklyn Navy Yard, Boston is fully justified in claiming recognition for the same reason.

The Charlestown Navy Yard, as you are well aware, is one of the most important in the country. As pointed out by the Board of Engineers in their report to the Secretary of War (Doc. No. 931), "the strategic conditions are such that in the event of a war with almost any European power of importance a naval battle may be expected off the New England coast. In such an event, however the battle might result, there would probably be a number of crippled ships of the first class coming into the yard for repairs, and some of these, on account of their condition, drawing more than their normal draft."

The Secretary of the Navy, in a letter to the Secretary of War, dated October 6, 1912, stated that there was urgent naval need for a 40-foot channel up to the Charlestown Navy Yard. As pointed out by these experts, it is extremely doubtful if the present depth of water in the channel approaches to the harbor would be adequate for naval emergencies.

There is a movement on foot at the present time to make the Charlestown Navy Yard available as a Government shipbuilding plant, and it appears not unlikely that it may be used in the near future for the construction and repair of battleships, so that its importance as a naval base would be greatly enhanced, and the need for adequate channel depth would thereby become of great importance to the Government. At the present time Boston has one of the largest shipbuilding plants in the country, the Fore River Shipbuilding Co., engaged in the construction of both naval and commercial vessels. The U. S. S. *Nevada*, one of the largest ships in the Navy, was recently completed at this plant, and in the rapid development in naval construction it is not unlikely that larger ships will be laid down in the not distant future. Reasonable preparedness for national defense, we believe, should certainly include provision for improved channels at the principal ports which are likely to be used by the Navy Department in time of war, and as it usually takes years to complete the deepening of a channel, it would seem urgent that the present Congress should make provision for future requirements

Commercially the importance of the port of Boston is such as to demand recognition by the Federal Government. In that branch of foreign trade from which the United States Government derives a revenue, namely, the import trade, Boston exceeds all other ports by a wide margin, with the exception of New York. A comparison of the imports of merchandise by customs districts for the year ending November 30, 1915, shows that the total value of imports for the following districts is as follows:

For the Massachusetts district (for which Boston is the principal port)	$159,917,216
For the New Orleans district (next in value to Massachusetts on the Atlantic and Gulf coasts)	79,925,716
For the Philadelphia district	67,913,141
For the Baltimore district	22,716,759
For the Galveston district	8,537,348

Of all the customs districts in the country Massachusetts was one of the few which showed an increase in imports for 1915 over 1914.

It is interesting to note the growth of import traffic at Boston over a series of years.

Imports of merchandise at Boston at intervals of 5 years since 1900.

1900	$68,630,557
1905	106,072,780
1910	121,448,107
1915 (year ending Nov. 30)	159,917,216

Total amount of imports and exports during the same years.

1900	$192,488,718
1905	199,869,674
1910	190,930,966
1915 (year ending Nov. 30)	278,916,363

The port of Boston is 190 miles nearer Europe than any of the large ports in the United States. Outside of New York, this is the only port frequented by the great passenger liners carrying first-class passengers.

Trans-Atlantic passengers handled in and out of eastern United States ports for the year ending June 30, 1913.

Boston	114,000
Philadelphia	87,000
Baltimore	38,000

Boston has exceptional attractions as a port for large combination passenger and freight steamers of the type requiring the greatest depth of water. Arrivals of foreign steamships at the port of Boston for 1915 were 1,434, with a gross tonnage of 2,270,059. Many of these ships have a draft in excess of 30 feet, and the present 35-foot channel is inadequate for the ships which, previous to the present European war, frequented this port. The channel depth of 35 feet is sufficient to take care of ships drawing up to 30 feet, but is not considered adequate for ships drawing more than 30 feet. The Cunard Steamship Line at Boston claims that the present channel depth does not permit of their ships sailing at fixed hours, as they are required to accommodate themselves to the tides. The company states that the formation of the channel in Boston Harbor is largely rock, a condition that does not exist at other ports, so that in the event of a steamer going aground she is liable to be seriously damaged.

The State is now about to award a contract for the construction at Boston of a dry dock large enough to take care of any ship yet built or proposed at a cost of approximately $3,000,000. The proposed site is adjacent to, and leading directly from, the main ship channel. The existence of this much-needed facility on the Atlantic seaboard is likely to attract to this port in case of accident the largest ships afloat. The ships having a draft in excess of 30 feet, particularly in a crippled condition, would have considerable difficulty in operating in the channel at its present depth, except at high water. If this facility is to be of value to the larger liners, it is essential that the channel should be deepened. The fact that the State has expended, and is still expending, large sums of money to provide improved docking and terminal facilities suitable for larger ships, should elicit the hearty cooperation of the Federal Government.

I presume that the directors of the port of Boston have furnished you with the full details with reference to the work which is being constructed under their supervision, and for that reason it will be unnecessary for me to cover that matter.

You can be assured that the business men of Boston and the State and local authorities are in hearty accord with you in the matter of the proposed deepening of the harbor channels. I sincerely hope that you will be able to prevail upon Congress to make the necessary appropriation for the work. I know that you will not hesitate to call upon us for any assistance you may require in promoting this important project for Boston.

Very truly, yours, JAMES A. MCKIBBEN, *Secretary.*

THE COMMONWEALTH OF MASSACHUSETTS,
DIRECTORS OF THE PORT OF BOSTON,
Boston, February 24, 1916.

Hon. ALLEN T. TREADWAY,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN TREADWAY: I beg to acknowledge your communication of February 21 relative to the rivers and harbors bill now pending in Congress, and in compliance with your request beg to supply the following pertinent information or remarks:

The foreign commerce of the port of Boston for 1915 was $290,516,803, a gain of $57,047,284, or 24.4 per cent over 1914; imports for the year amounting to $171,353,793 and exports $119,163,010. These figures do not include Canadian in-transit trade or merchandise going through Boston to other interior customs districts for appraisal and duties, which should swell the total by at least $50,000,000 more.

Twelve thousand and forty-nine ships of 15,155,568 tonnage entered the port of Boston during the past year.

Comparative figures of the tonnage of shipping entering the ports of the world in 1913—a normal year—show that Boston, when its foreign and domestic tonnage is considered, is the fifth port of the world, following New York, London, Hamburg, and Rotterdam, and outranking such ports as Antwerp and Liverpool. The figures are taken from the report of the Rotterdam Chamber of Commerce for that year, so far as continental European and other ports are concerned, and from the Port of London Authority for figures pertaining to British ports. (See p. 3 of The Port of Boston, United States of America, copy of which is inclosed.)

In normal times the port of Boston has 56 steamship lines to and from all parts of the world, 40 in the foreign trade and 16 coastwise. (See pp. 8 and 9 of The Port of Boston, United States of America.)

New England manufactures one-seventh of the manufactured goods made in the United States, the value of the product, according to the United States Census of 1910, having been $2,670,065,000. (See p. 6 of The Port of Boston, United States of America.)

The United States has expended on Boston Harbor and its tributary rivers, etc., from 1825 to 1915, a period of 90 years, the sum of $12,668,474.99, an average of $140,760.83 per year.

The State of Massachusetts has expended and actually entered into contract to expend on Boston Harbor and its tributary rivers, etc., from 1870 to 1915, a period of 45 years, the sum of $15,477,360.62, of which amount all but $2,784,152.94 has actually been expended, making an average of $343,719.03 per year by the State. In other words, while the Federal Government has spent approximately $12,500,000 on Boston Harbor in 90 years, the State of Massachusetts has spent 24 per cent more in half the time (45 years)—$15,500,000, an average per year of $343,719.03 against that of the Federal Government of $140,760.83, the State's average per year being 144 per cent greater than that of the United States.

Ten million dollars customs duties and $4,400,000 income tax was collected in the Massachusetts district last year, a total contribution of $14,400,000 to the total expenses of the Federal Government and for use in just such projects as rivers and harbors work. The customs duties collected by the Federal Government at the port of Boston for the past eight years reaches a total of $172,887,022.70, an average of $21,610,877.83 per year.

These figures show that Massachusetts does not ask that the Federal Government lavish its funds on Boston Harbor, but merely asks cooperation in a work of which she is doing the greater share herself.

The largest passenger and freight pier in the world was completed at Boston just over a year ago (November, 1914), 1,200 feet long and 400 feet wide, with 40 feet of water dredged alongside and leading to the main ship channel at low-water mark.

This terminal can accommodate any vessel afloat or projected, and with its construction and assignment of its berths for use the Hamburg-American and White Star Lines agreed in written contracts to put on their largest steamers, of greater draft and carrying capacity than the port had known heretofore

The present 35-foot channel was started in 1902 and substantially completed in 1914, a matter of 12 years, showing that an initial appropriation for a new or improved channel does not necessarily mean that it is such a project as can be built in a single year.

It took 12 years to build the present 35-foot channel, and undoubtedly would take as long to deepen it to 40 feet at low-water mark.

That the commerce and industry of the country demand such improvements is our experience in the case of the 35-foot channel, the growth of steamships, commerce, and shipping during the 12-year progress of that project showing that "between 1902 and 1914—the commencement and completion of the 35-foot channel—the steamships using this port (Boston) increased in carrying capacity from 4,500 to 6,000 tons dead-weight capacity to 8,000 to 12,000 tons dead-weight capacity, and drawing from 29 to 33 feet fully loaded; the foreign commerce from $168,000,000, in round numbers, to $235,000,000, in round numbers; and the tonnage of shipping, foreign and coastwise, from 9,906,748 net tons to 15,285,992 net tons." (See p. 95, Annual Report of the Chief of Engineers, U. S. Army, for 1915.)

A 40-foot channel started in 1916 would not be completed, judging from past experience at this port, until 1928 or 1930, and it is fair to assume that commerce and shipping will also increase proportionately in size and volume as it has in the past, so that the new 40-foot channel even then will hardly be adequate to accommodate the business which will use it. In other words, a 40-foot channel for Boston is a necessity, not a luxury.

The State of Massachusetts is building on the flats belonging to the Commonwealth in Boston Harbor the largest dry dock on the Western Hemisphere, located just off the main ship channel. It will be 1,200 feet long, 125 feet wide, and able to accommodate any vessel afloat or projected.

Five hundred thousand dollars has been expended to date to prepare the site for the dry dock. A $1,800,000 contract was awarded by the Commonwealth last fall for the actual construction of the dock, work on which was immediately commenced and is now rapidly progressing. Contract plans and specifications for pumping machinery, steel gate, and other appurtenances to finish this dry dock, amounting to $1,000,000 more, are being prepared.

The dry dock will be completed in about three years, and its immediate proximity and availability to the Boston Navy Yard, the Fore River shipyards, at Quincy, and to the Rockland trial courses for naval vessels make it most advisable for strategic purposes that the United States Government provide Boston with a 40-foot channel, so that the largest battleships and boats of the present and future may be able to reach this dry dock when completed for its utilization in case of accident or emergency, military or commercial.

It would be a sad commentary to build the largest dry dock in the country here at Boston and then have the Federal Government fail to provide the necessary channel to allow the big vessels of the present and future to approach and use it.

The Commonwealth of Massachusetts is patriotically going ahead in the improvement of Boston Harbor, and it is up to the Federal Government to assist in every possible way, for the benefits are mutual.

The additional fact that Boston Harbor has a ledge or rock bottom and a 10-foot tide is also added reason, as a matter of present safe navigation for greater depth, and the further fact that as a gateway it serves the whole country demands that cooperation of the Federal Government be forthcoming.

The State of Massachusetts is assuming a public work and service to the entire country in developing the port of Boston, and it is the duty of the Federal Government to aid and cooperate in this public development by every means in its power.

Massachusetts does not ask a lavish expenditure of Federal Government funds on Boston Harbor. It asks for cooperation in serving the commerce of the country and nothing more. The records of its own expenditures surely prove its right to ask for that assistance.

I trust the foregoing will be of value and that you will call on us whenever we can be of service.

Very truly, yours, EDW. F. MCSWEENEY, *Chairman.*

THE COMMONWEALTH OF MASSACHUSETTS,
DIRECTORS OF THE PORT OF BOSTON,
Boston, March 6, 1916.

Hon. ALLEN T. TREADWAY,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN TREADWAY: I beg to acknowledge your letter of February 25 asking for more detail on the issue of a 40-foot channel for Boston Harbor in its relation to national preparedness.

Europe is northeast of North America instead of due east, thus bringing Boston 200 miles nearer therefrom than New York, 400 miles nearer than Philadelphia, 500 miles nearer than Baltimore, 1,700 miles nearer than New Orleans, and 1,900 miles nearer than Galveston. (See p. IV of The Port of Boston, U. S. A.)

Many of the important munition, firearm, and armament plants, as well as other adjustable industries that can and are being utilized for manufacturing implements of warfare, are located in New England. (See p. 265 of The World Almanac, 1916.)

It is the woolen, worsted, cotton, and boot and shoe manufacturing center of the country.

It contains extensive meat-packing plants and grain elevators of millions of bushels capacity.

It had $1,571,917,283.53 deposits in its savings banks in 1915. (See p. 335 of The World Almanac, 1916.)

The exchanges of the Boston Clearing House last year reached a total of $7,481,341,000. (See p. 333 of The World Almanac, 1916.)

The first movement to expect of an enemy will naturally be against just such a district as New England.

The first clash will of necessity be a naval one. Boston Harbor is fairly well defended by Coast Artillery, but there are many vulnerable landing points along the coast to the north and to the south. Only an efficient naval force of this country can keep it clear. Once New England is taken, New York is endangered from the rear attack thus made possible.

Upon the port of Boston will depend the repair and refitting of naval vessels "coming (as the Secretary of the Navy says) from the initial clash of battle, with all its resulting disruption, and which might be enabled by near and convenient dockyard facilities to rapidly refit and repair and then return to action and overwhelm the enemy's similarly damaged fleet which had ventured to make an attack on our seacoast. The importance of such dry docks can not be overestimated." (See extract of Report of the Secretary of the Navy for 1915 appended hereto.)

The navy yard at Boston is less than an hour from the open sea. The $3,000,000 dry dock being built by the Commonwealth of Massachusetts at Boston is still nearer.

New York is several hours from the upper harbor to Sandy Hook.

Boston is the only port along the Atlantic coast building a dry dock large enough to accommodate the big ships of the future. Hence, the port of Boston should be given first consideration in any scheme of naval preparedness. (See extract of Report of the Secretary of the Navy for 1915 appended hereto.)

The New York dry dock is merely prospective.

At Boston over $500,000 has been paid out in preparing the site, and on October 15 last a $1,800,000 contract was further awarded by the Commonwealth for the construction of the dry dock proper. Work was begun the very next day, and has been progressing rapidly ever since.

Contract plans and specifications for its equipment with steel gate, pumping machinery, and other appurtenances, at an estimated amount of $1,000,000 more, are now under preparation and will be opened for bids in a comparatively short time.

This provides for a total expenditure of about $3,300,000 on the Boston dry dock by the Commonwealth of Massachusetts. It is expected to be completed in three years.

The proposed 40-foot project to the navy yard at New York is based on military or naval preparedness, with New York doing nothing itself in the shape of cooperation or local assistance in the matter.

New York now has a 40-foot channel. Boston's is 35 feet deep at mean low water.

Time is the essence of preparedness.

Massachusetts has taken time by the forelock. The United States Government has done nothing in this all-important matter of preparedness but discuss it. On the other hand, Massachusetts has gone into action, and, with its $3,000,000 dry dock under construction at the port of Boston, both points and makes ready the way for Federal cooperation.

The United States Army Engineer in 1914 recommended the 40-foot project for Boston Harbor, at an estimated cost of $3,845,000, complete, which, over an estimated term of 12 years, as in the case of the present 35-foot channel at Boston, would average about $325,000 per year.

The division engineer at New York approved the same.

The Board of Engineers for Rivers and Harbors cut the estimate more than 100 per cent, to $1,545,000, and recommended that that amount be appropriated by Congress.

The Chief of Engineers, United States Army, requested that this amount be allowed and that the project be authorized.

With the reports and recommendations of the Navy and War Departments both favorable, Congress should give full faith and credit to the matter of a 40-foot channel for Boston Harbor, which is a necessity—not a luxury.

A large vessel under way draws at least 3 feet more than when lying at anchor or when tied to her berth, for it then sets lower in the water, and, in addition to this allowance, is entitled to at least 3 or 4 feet more as a matter of safe navigation, particularly in a harbor with a ledge rock bottom like Boston.

This means that 6 or 7 feet must be added to the given draft of a vessel to find out how much water she really needs to make her navigation into or out of port possible.

Take the dreadnaught *Pennsylvania*, the newest battleship launched, and now undergoing its tests on the Rockland trial course just outside of Boston, which will draw 34 to 35 feet when fully loaded, armed, and equipped.

With 6 or 7 feet more allowance when under way, as a matter of safe navigation, she would require about 41 or 42 feet of water at least, and to-day could not get into or out of Boston Harbor except at high tide.

Such a ship, under these circumstances, might thus find it necessary to wait a very important 11 or 12 hours to get into or out of port to save herself or the fleet.

In case of injury, it is easily possible for a ship to settle 5 feet farther in the water, thus adding still more to its draft and bringing it to a minimum of 46 or 47 feet.

With the present 35-foot channel at Boston, it would be impossible for such a ship, under conditions now existing, to reach the new dry dock at Boston, which alone on the Atlantic seaboard, when built, will be able to accommodate the largest ships afloat.

A ship like the *Pennsylvania* is to cost $7,260,000 for hull and machinery alone; it is estimated that her armament and equipment will bring her full value up to $12,000,000.

There are four other such ships of similar value now under construction, and many more of different classes and varied costs in commission and contracted for.

A dry dock at Boston might on occasion easily save to the National Government the value of such a ship.

A 40-foot channel at Boston may also save to the National Government the value of such a ship many times over by allowing her to reach such a dry dock as is now under construction.

For these reasons it appears that a 40-foot channel for Boston Harbor should be immediately authorized by Congress.

Very truly, yours,

EDW. F. MCSWEENEY, *Chairman.*

COMMONWEALTH OF MASSACHUSETTS,
BOARD OF HARBOR AND LAND COMMISSIONERS,
Boston, February 24, 1916.

The harbor and land commissioners of Massachusetts respectfully petition the National House of Representatives for the inclusion in the pending river and harbor bill of an appropriation for the improvement project in Boston Harbor recommended by the Board of Engineers in Document No. 931.

The port of Boston is not only one of the greatest commercial ports of this country but it is also one of the greatest ports of the world. It contains at Charlestown one of our largest navy yards and one of our best naval dry docks. The Commonwealth of Massachusetts is now engaged in building a great commercial and naval dry dock, 1,200 feet long, at an estimated cost of over $3,000,000, and with approaches and accessories the cost will probably be over $4,000,000. The United States is not requested to pay a dollar of this cost, although it might reasonably be asked to pay one-half, as the preference will be given to naval vessels.

The Boston project should be included in the pending bill, because the fact that it is the nearest great American port and harbor to Europe and the first point of naval offense and defense on the Atlantic coast, and therefore should be as speedily as possible fully developed and equipped.

For the board.

WM. S. MCNARY, *Chairman.*

MASSACHUSETTS REAL ESTATE EXCHANGE,
Boston, Mass., February 17, 1916.

Hon. ALLEN T. TREADWAY,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN TREADWAY: It was most gratifying to read in the newspapers your announcement of a determination to carry to the floor of the House your efforts to secure justice for Boston Harbor in the appropriation bill, and I hasten to let you know that Massachusetts is behind you.

I was not at all surprised at the action of the committee in deciding to exclude from the appropriation bill the project for Boston's 40-foot channel.

It was altogether to be expected, and we shall get nowhere unless we take a stand in support of the Congressman who has the courage of his convictions, and knows what ought to be done for Boston.

In the light of the facts, it is utterly ridiculous that Boston should be treated after the fashion in which the House Committee on Rivers and Harbors contemplates. Massachusetts has spent millions of dollars in improving the port of Boston, and we are now expending more millions in building a great dry dock. Massachusetts has always proclaimed her willingness to meet with Massachusetts money dollar for dollar any appropriation by the Federal Government.

As a matter of fact, Massachusetts has done far more than that. And yet, here we are, the nearest great port to Europe, the second port in this country in the matter of imports and revenues to the Federal Government, sidetracked by Congress in favor of projects with not one tithe of the merit of Boston's claims.

We can not conceive of the frame of mind of a congressional body, committed as this Congress is to a policy of preparedness, which will permit to remain neglected a port of the importance of Boston and exposed to attack as is Boston.

Yours, sincerely, JOHN J. MARTIN.

The basis of the claim in behalf of this appropriation is a letter from the Acting Secretary of the Navy to the honorable Secretary of War, dated October 16, 1912, which I will also insert:

NAVY DEPARTMENT,
Washington, October 16, 1912.

From: Acting Secretary of the Navy.
To: The honorable the Secretary of War.
Subject: Dredging of channels to the principal navy yards.

1. I have the honor to quote for your consideration the following recommendation of the General Board, which has been approved by this department:

"The General Board recommends that channels leading to all the first-class docking, repair, and supply yards be dredged to a depth of 40 feet at mean low water and to a least width of 750 feet, and greater if practicable."

2. Careful consideration of this problem leads this department to believe that steps should be taken at once to dredge the channels to our principal navy yards and stations in order to accommodate ships that will undoubtedly be constructed in the near future. The battleship *Pennsylvania*, now being designed, practically reaches the limit of dimensions that can be assigned without an increase in draft; and the condition will become acute when battle cruisers already projected are authorized. Supplementing this is the possibility that battleships of our present fleet may have an increased draft due to injury in battle or otherwise.

3. In view of the above, I have the honor earnestly to request the consideration of your department upon the advisability of asking Congress for appropriation for dredging the channels to our first-class yards, including those at New York, Norfolk, Philadelphia, Boston, Puget Sound, and Pearl Harbor. If this meets with your approval, this department will endeavor to cooperate in every possible way toward securing the necessary appropriation for dredging the channels to these yards until an ultimate depth of 40 feet and least width of 750 feet has been attained.

BEEKMAN WINTHROP.

This letter calls for appropriation for dredging the channels to all first-class yards, including those at New York, Norfolk, Philadelphia, Boston, Puget Sound, and Pearl Harbor, to an ultimate depth of 40 feet.

I call attention to the fact that this recommendation was made nearly two years before the European war broke out, when this country considered itself secure in anticipation of continued peace throughout the world, and before the American people had become aroused to the degree of preparedness we find on every hand to-day. If this recommendation represented the view of the two great departments at that period, how much more applicable it is to the conditions as they exist to-day. The direct application to Boston Harbor is thoroughly covered in the report of the Secretary of the Navy, Mr. Daniels, submitted to Congress December 15, 1915, which I also insert as a part of my remarks:

[Extract of report of the Secretary of the Navy submitted to Congress Dec. 15, 1915.]

The necessity for sufficient dry docks large enough to receive the largest superdreadnaughts is obvious. In times of peace they are needed for the overhaul periods and repairs. In time of war they may turn the tide. It is easily conceivable that a $20,000,000 dreadnaught of the future might be an entire loss if there were not at hand, close to the scene of the damage or disaster, a dry dock to which that vessel could be sent for repair and refitting. More important still, a large fleet of such vessels coming from the initial clash of battle with all its resulting disruption, might be enabled, by near and convenient dockyard facilities, to rapidly refit and repair and then return to action and overwhelm the enemy's similarly damaged fleet, which had ventured to make an attack on our seacoast. The importance of such dry docks can not be overestimated.

He then continues:

The contract made by the Commonwealth of Massachusetts on the 15th day of October, 1915, insures the construction of a dry dock at Boston capable of taking the largest merchant or naval ships afloat, which will add to the all too few dry-dock facilities on the Atlantic. Naval experts were detailed to aid by their advice and experience in this large enterprise, which means so much to the Navy as well as the commerce of New England. It will be the greatest graving dock in the world. When completed it will readily dock the largest war vessels built or contemplated to be built for the future, sufficient in size to receive commercial vessels considerably larger than the giants in the trans-Atlantic Ocean trade.

This monumental work, involving an expenditure by the State of Massachusetts of well over $3,000,000, while being constructed primarily for the commercial purposes of the port of Boston, will afford the Navy of dry-dock facilities in this most important harbor superior in extent and size to that available at any other American port, and by arrangement give the United States Government prior and paramount use of the dock in time of war.

The city of New York has had under consideration the construction of a dry dock as a municipal enterprise in its port, of somewhat similar dimensions to those of the dry dock now being built at Boston, and has made, under the direction of the commissioner of docks, preliminary plans and studies for this enterprise. An officer of the Corps of Civil Engineers of the Navy has been assisting and advising the city in the enterprise.

Officers of the naval Civil Engineer Corps also assisted and advised the governor of Massachusetts and the directors of the port of Boston in the studies and negotiations which resulted in the starting of the Boston work. With the increase of merchant ships of large tonnage, dry docks of the character building in Boston must be multiplied.

I wish, however, to call the especial attention of the House to one extract from the Secretary's report to Congress, referring to the possible dry dock. He writes as follows:

It will be the greatest graving dock in the world. When completed it will readily dock the largest war vessels built or contemplated to be built for the future, sufficient in size to receive commercial vessels considerably larger than the giants in the trans-Atlantic Ocean trade.

This monumental work, involving an expenditure by the State of Massachusetts of well over $3,000,000, while being constructed primarily for the commercial purposes of the port of Boston, will afford the Navy of dry-dock facilities in this most important harbor superior in extent and size to that available at any other American port, and by arrangement give the United States Government prior and paramount use of the dock in time of war.

We ask for no better indorsement of our project than the Secretary himself has given. He states what the facilities will be for the use of that dry dock. It is perfectly apparent that he expects there will be sufficient water in the harbor for our greatest ships to reach the dry dock.

This report represents the careful survey of naval conditions and his personal opinion in his official communication to Congress. It is not the result of personal pressure from any source whatsoever, but the voluntary expression of the Secretary's judgment. I submit to the House its value is much greater coming in this way than when persistent and influential Members individually secure special prepared statements. What do these words mean? Are they written simply to fill space or do they mean that the Secretary actually considered that dry dock as of great value to the Government for the purpose of docking the largest war vessel built or contemplated to be built in the future? Does he mean that these facilities which "are superior in extent and size to those available at any other American port" are simply to be ornamental and a monument of the liberality of the State of Massachusetts toward the Federal Government or are to be a most useful adjunct to the Nation's preparedness? The question is, of course, absurd, and the answer too apparent to need expression.

In this connection I desire to quote from the report of the district engineer, found on page 24, Document No. 931, Sixty-third Congress, second session:

The navy yard located at Charlestown is one of the most important in the country. The strategic conditions are such that in the event of a war with almost any European power of importance a naval battle may be expected off the New England coast. In such an event, however the battle might result, there would probably be a number of crippled ships of the first class coming into the yard for repairs, and some of these, on account of their condition, drawing more than their normal draft.

We therefore have in Boston Harbor two most essential features for the scheme of preparedness. We have the Charlestown Navy Yard, where the repairs and construction work can be carried on, and we have in process of construction the largest dry dock in the Western Hemisphere.

I wish to call attention at this time to the contribution the State of Massachusetts itself has made toward the development of Boston Harbor. From 1870 to 1915 the State has expended, or entered into contracts to expend, the sum of $15,477,360. It has actually expended all but $2,784,000 of this amount. The State has expended in 45 years $3,000,000 more than the Federal Government has expended in 90 years on this harbor. All we ask is Federal cooperation, the State itself having more than met dollar for dollar of Federal appropriation.

The Federal project now completed was commenced in 1902, covering a period of 12 years. I submit that we can not begin the deepening recommended by the department a day too soon, as the dry dock is under contract to be completed within two years. Over $500,000 was expended in preparing a site. A contract for $1,800,000 was awarded on October 15, 1915. Work has progressed rapidly ever since. Within a comparatively short time contracts will be let for the equipment with steel gate, pumping machinery, and other appurtenances at an estimated cost of about $1,000,000. This dry dock, to be first at the call of the United States Navy, will cost the State of Massachusetts $3,300,000, and will be ready for use in less than three years from the time it was started last October.

This work of the State of Massachusetts is being carried on by a State board known as the "Directors of the port of Boston." Their authority was established by an act of the legislature in 1911, which carried with it an appropriation of $9,000,000. I may be pardoned for saying that it was with some feeling of personal satisfaction that, as president of the Massachusetts senate, I signed this bill upon its passage previous to its submission to our then governor, Eugene N. Foss, a brother of our distinguished and highly esteemed colleague from Illinois.

Every statement contained in the letters and resolutions I ask to have printed as part of my remarks are absolutely applicable as arguments for the adoption of this project, and before the amendment is acted upon which I propose to offer I ask the Members of the House to give careful consideration to the statements they contain.

Boston is 190 miles nearer Europe than New York, and correspondingly nearer to ports farther south. It is a most natural assumption that in case of war with a European nation, our Navy would have its first conflict off the New England coast on the trans-Atlantic route. As loyal Americans we would hope that our fighting forces would be as successful as our vessels were at the Battle of Santiago, but it would be foolhardy of us to rely upon this result. The facilities at Boston, both at the navy yard and dry dock, are within one hour of the open sea, and they might be the means of saving one or more of our most expensive ships.

I have said nothing of the commercial needs of this appropriation, as my argument to-day is not based on that feature. Boston has 40 steamship lines in the foreign trade, and 16 lines in the coastwise trade, to and from all ports of the world, practically all of them regular lines with fixed or determined sailings. These sailings in the foreign trade amounted during 1914 to 1,098 vessels, and in the coastwise trade to 2,542 vessels, or by ports between Boston and foreign ports 1,148, and coastwise 2,769.

It has three railroad lines connecting with all sections of the United States and Canada. It is the second largest international port in North or South America and is the fifth largest in the world, being surpassed only by New York, London, Hamburg, and Rotterdam. Boston has the greatest passenger and freight pier in the world, 1,200 feet long and 400 feet wide, providing over one-half mile of berthing space at which five large ocean-going steamships can be docked at one time. Boston is the center and distributing point in New England, which produces one-seventh of the manufactured goods made in the United States. These statistics are taken from a pamphlet published by the directors of the port of Boston in 1915. Under the five-minute rule, when the amendment I shall offer is before the House, I shall hope to speak further, briefly, of the reasons why we should at this time adopt the project for Boston Harbor, which has the approval of the Board of Engineers, and is so earnestly advocated by the eminent citizens to whom I have referred.

I wish at this time to thank the distinguished chairman of our committee for the courtesy which he showed me in his remarks this morning. Realizing as he does that we frequently differ about the committee table, he nevertheless was kind enough to express a personal regard toward me and which I am more than glad to reciprocate toward him. It has been a great privilege and pleasure for me during my brief service in Congress to feel that I was serving on a committee having a chairman so eminently fair, always so kind, and every ready to assist any member of the committee whether favorable or unfavorable to the personal attitude which he might be taking. [Applause.] Congress is honored by the service of such a man as Chairman Sparkman. [Applause.] I for one hope that many years are still before him as a distinguished Representative from the State of Florida, to serve not only its interests but those of the Nation as well. [Applause.]

I will now turn very briefly in my remaining time to some general features which have already been referred to. It is not necessary to go into details in reference to the report submitted by the gentleman from Wisconsin. He has spoken for himself and certainly needs no assistance from me.

I would add that I do not agree with the bill he submits. It seems to me that the fault in the present system is not so much with the engineers as with us and our predecessors. The engineers are the servants of Congress, and when Congress votes appropriations the engineers conceive it to be their duty to carry out those votes as instructions. This is one of the principal objections to the so-called lump-sum method of appropriations made in the last two river and harbor bills. Any project having been once adopted by Congress is regarded by the engineers as worthy of an allotment, as the engineers rightly regard Congress as the body having the authority of passing upon the actual merits of the project. The possible addition of civilians to the Board of Engineers might leaven the loaf, but the first step toward revision of river-and-harbor work is a realization on our part that money injudiciously appropriated in the past should not be used as a reason for future appropriations for the same project. There is not a man on this floor to-day but what in using his individual judgment and good sense would realize that the money expended on this class of items to date has been wasted, and a continuation of the same appropriation means an additional waste.

The river and harbor bill for 1916 carries an appropriation of cash and authorizations of $39,608,410. It is understood that this is the first rivers and harbors bill, certainly the first in many years, wherein any minority reports have been filed. Possibly we may be making up for a little lost time, in that this year there are three separate reports filed by minority members. One of these reports is signed by six members of the committee; another by the gentleman from Wisconsin [Mr. FREAR]; another by myself; and the gentleman from Iowa [Mr. KENNEDY] agrees to this one. I purpose to deal briefly with the reports of the chairman and the three minority reports.

The chairman states that the one item for a new project was placed in the bill at the request of the President. We entirely agree with his statement that this was the method wherein the East River project was included in this bill. He further states that the reductions from the engineers' estimates made in the draft of the bill was through careful investigation and review by the committee, assisted by the Corps of Engineers. It is fair to state in this connection that estimates made up for the committee's use by the engineers are very apt to be extremely liberal, and they frequently recommend reductions in the items not actually needing the money they themselves have asked for but a few months previously.

The chairman states that meritorius new projects are excluded from the bill owing to the probable increase in appropriations for national defense and "Treasury conditions growing out of the European war." With the first suggestion I heartily agree, but we can find a very much better explanation of the depleted Treasury than the European war. This excuse is covering a multitude of sins, both of omission and commission, on the part of the Democratic majority, and it will be but a short time before these fallacies will be so thoroughly shown up before the American people and the real reason explained to them for the depleted Treasury, namely, Democratic extravagance and the failure of the Democratic tariff law, that the lease of life of the Democrats as a majority in this House is now reduced to less than one year.

When it is so clearly demonstrated, as the statistics of the Democrats themselves do, that the value of imports is greater than under the Republican tariff, but that the receipts to the Government are very much less, and that the cost of the necessaries of life has in no particular been reduced, the good sense of the American people will cause them to reach but one conclusion, namely, that the Democratic Party, as the party in control of the affairs of the Government, is a very successful failure. How successful this failure has been in the minds of the people will be clearly demonstrated in the results of the election next fall.

The liberality of the people on the Trinity River at Dallas is thoroughly appreciated, but the extravagance of the committee in allowing a $50,000 bait to cause us to appropriate now $250,000, and expect to appropriate that much more, can not be justified.

I greatly enjoyed the splendid address of the gentleman from Texas [Mr. EAGLE], which he has just delivered, and congratulate him upon his eloquence. He spoke of "drifting." I am confident that he is the only gentleman in Congress who can "drift" in the amount of water in the Brazos River, which he so gloriously defended.

I am not in favor of including in this bill the item to which the chairman next refers, namely, $6,000,000 for the Mississippi River. The friends of the Mississippi River have caused a new committee to be established in this House, and the burden of carrying an appropriation for that river should at the present time be borne by the Flood Committee. We have masqueraded long enough under the guise of providing for navigation and appropriating money for the construction of levees and flood control on the Mississippi.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. TREADWAY. I have but a minute more and I would like to use it.

Mr. HUMPHREYS of Mississippi. The gentleman understands that under the rules of the House the Flood Committee has no power to appropriate?

Mr. TREADWAY. Certainly; but the Appropriation Committee can take care of its needs.

If we are to give credence to an item in yesterday's Washington Post, from which I quote, this new committee will bear out the old adage, "A new broom sweeps clean." Within a few weeks after its appointment it announces the perfection of plans which Congress will be urged to adopt. I will quote:

The plan calls for Federal Government expenditure of $45,000,000 in five years. It provides that States benefited must aid in the work and pay part of the cost. Mr. HUMPHREYS estimated the States would have to spend approximately $20 000,000. Work on the Mississippi River, under the bill, would be continued under the present Mississippi River Commission.

Under these circumstances we can well afford to take the Mississippi River item from the present bill.

The last paragraph of the chairman's report is an encouraging symptom. We have too long been carrying items in the bill based on conditions no longer existing. They should be sifted out and dropped from this as well as future bills. He has given a very pleasing description of what has grown to be a household word in reference to numerous appropriations. He does not use the word the public considers as applicable, but in writing the paragraph surely had in mind the thought of "pork."

We never have had a better time nor a better reason for withdrawing support from unmeritorious projects. The time is ripe, because the people are aroused and demand either the elimination of items of this character or the defeat of river and harbor legislation. We will never have a better reason because every dollar that can be secured for the National Treasury can be wisely and beneficially expended for national defense. The people demand the removal of "pork" from the rivers and harbors bill just as loudly, if not as effectively, as they demand the expenditure of large sums for the subject now uppermost in the minds of over 100,000,000 of people in our country. [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. FREEMAN]. [Applause.]

Mr. FREEMAN. Mr. Chairman, the improvement of all commerce-bearing rivers and harbors to their full navigable capacity as rapidly as Treasury conditions will permit has been and is, I understand, the policy of Congress.

I wish in the course of this general debate to place in the RECORD certain facts that you may have an opportunity to give them careful consideration, so that when the proper time comes I may offer an amendment, which, in the exercise of your sound discretion, you may support or oppose, as you deem best.

Thirty years ago New London Harbor was described in the annual reports of the Chief of Engineers as one of the best in the United States and as accessible for all classes of vessels at all seasons of the year. Since that time there has been a great increase in the length and draft of commercial vessels.

There is now a demand for piers of a thousand feet in length by vessels requiring over 30 feet of water at mean low tide. The State of Connecticut recognized this demand and appreciated the natural advantages of New London Harbor, with the result that in 1911 the State made an appropriation of $1,000,000 for public steamship piers and terminals at New London, as shown in the following bill, approved July 25, 1911. I will place in the RECORD the full text of the bill:

Joint resolution No. 216 of Connecticut State Senate, concerning steamship terminals at New London.

Resolved by this assembly, That the commissioners of rivers, harbors, and bridges, hereinafter called the commissioners, shall have power, on behalf of the State, to acquire, own, construct, maintain, and operate docks, wharves, piers, quays, and dikes, canals, slips, and basins, or any other appropriate harbor facilities, sheds, warehouses of all kinds, vaults, railroad tracks, yards, terminals, and equipment, and all other lands and water-transportation facilities in the city of New London and the towns of Waterford and Groton necessary to expedite the interchange of rail and water traffic; and for the purpose of carrying out the provisions of this resolution the governor and the mayor of the city of New London shall be ex officio members of the commission of rivers, harbors, and bridges.

SEC. 2. Said commissioners may, in behalf of the State, acquire, by purchase, condemnation, or otherwise, the title of private or public owners, if any there be (the United States Government being excepted, unless agreement be made with the proper Federal authorities), to land lying beneath the public waters of that part of the Atlantic Ocean known as New London Harbor and of the Thames River, and to any lands penetrating into, abutting on, or situated in such waters and riparian or other rights, if any there be, of such owners to, over, or under such public waters the submerged lands under, and any artificial or made lands in said waters. In case said commissioners can not agree with the owner or owners of property, franchises, or rights taken under the provisions of this resolution as to the amount of compensation or damages to be paid therefor, they may, through the attorney general, condemn the same in the name and on behalf of the State. The attorney general may, after 10 days written notice to the adverse party, apply to the superior court in the county in which the real estate or other property so taken or injured is situated, and thereupon said superior court shall appoint three disinterested freeholders as a committee to fix or assess the amount of such compensation or damage; and said committee shall give notice to the parties of the time and place of its meeting, at which time and place said committee shall proceed to hear the parties and inquire into the value of the property to be taken or the extent of the damages; and said committee shall assess just compensation or damages to the person whose real estate or other property has been taken or injured, which assessment shall be in writing under the hands of said committee and shall be returned to the clerk of the superior court, who shall record it. Said real estate or other property which is the subject of such assessment may be taken and used by said commissioners when the compensation or damage assessed shall have been paid to the person entitled thereto or deposited to his use with the treasurer of the county wherein said property is situated. If any person required by this section to be notified shall be unknown, or a nonresident, or absent from the State, or non compos mentis, or a minor, such notice of the proceedings intended by said commissioners to be instituted shall be given as shall be prescribed by a judge of the superior court, and such judge may grant any order of notice as in cases demanding equitable relief.

SEC. 3. Said commissioners shall also have power to acquire or condemn, as provided in section 2, any construction or other contract, any property, real, personal, or mixed, and all property rights, easements, and privileges, including all wharves, docks, piers, slips, and other harbor structures and facilities, improvements, or utilities constructed or operated in connection therewith, which said commissioners are authorized to acquire, own, construct, maintain, or operate under the provisions of this resolution, and which are owned by persons, firms, or private corporations, and all rights, terms, easements, and privileges pertaining thereto, and including also property, property rights, easements, and privileges now or hereafter devoted to public recreation or park or other public uses.

SEC. 4. Said commissioners shall have power on behalf of the State to fix and regulate rate and charges for the use of all such facilities, improvements, lands, and utilities, or any of them, to any person, firm, town, or municipal or private corporation for the purpose of using and operating the same for a period, except as to vacant land, of 10 years, and as to vacant land upon such terms and conditions as shall be fixed by said commissioners.

SEC. 5. Before said commissioners shall commence any of the docks, canals, channels, basins, or improvements authorized by this resolution they shall secure from the Secretary of War or other authorized officer of the Federal Government all necessary permits, licenses, or authority for the construction of said docks, canals, basins, channels, or improvements, and said commissioners may convey to the United States the fee simple title to the land over which said canals, basins, or channels may be or have been constructed, and may enter into agreements with authorized representatives of the Federal Government relative to sharing in or the apportionment between said Federal Government and said commissioners of the cost of constructing said canals, basins, channels, or other harbor facilities hereby authorized.

SEC. 6. Except as herein otherwise provided, all property acquired under the provisions of this resolution, and all income derived therefrom, shall belong to the State.

SEC. 7. The comptroller is hereby authorized, as funds may be necessary for the purpose of carrying out the provisions of this resolution, to draw his orders, from time to time, on the treasurer to an amount not exceeding, in the aggregate, $1,000,000.

SEC. 8. Said commissioners shall keep books and accounts of all transactions pertaining to constructing, maintaining, and operating the improvements and utilities authorized under the provisions of this resolution, including the cost of all land acquired for rights of way and all legal, clerical, engineering, and other necessary expenses, including a per diem charge of $10 for each day actually spent by the commissioners upon said work, in connection with such acquisition, improvement, maintenance, and operation, which books and accounts shall be open to the inspection of the auditors of public accounts; also all contracts, agreements, and leases pertaining to or made under the powers granted by this resolution.

SEC. 9. Said commissioners shall not carry into effect the provisions of the preceding sections until, after proper investigation, they shall have found that said improvements will, in their judgment, be for the commercial advantage of the State.

Approved, July 25, 1911.

This act shows, first of all, that nothing was to be done until the commissioners should be satisfied that the expenditure of this money would be for the commercial advantage of the State of Connecticut; and, secondly, that agreements were clearly contemplated with the Federal Government relative to the sharing in and apportionment between said Federal Government and said commissioners of the cost of constructing channels and other harbor facilities.

Therefore they awaited action by the Federal Government, and accordingly nothing was done until Congress convened the following December, when, on December 14, the Hon. Edwin W. Higgins introduced the following bill:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to cause examinations and surveys to provide a uniform depth in the harbor at New London, Conn., of 45 feet, and make such surveys, examinations, and reports as will insure the full cooperation of the United States with the State of Connecticut in the improvement of the New London (Conn.) Harbor and its approaches.

On July 25, 1912, this bill passed the House and became a law. In accordance with this law the matter was referred to the district engineer officer. On November 22, 1912, this officer made the following report, of which I quote sections 7 and 8:

In view of the appropriation of the State for the creation of improved transfer and terminal facilities, of the natural advantages of the harbor, and of its existing rail connections, I am of the opinion that New London Harbor is worthy of improvement by the United States, with a view to securing increased depth of channel, and recommend that a survey be authorized to determine the extent and cost of such improvement.

SEC. 8. I am informed by the State rivers, harbors, and bridges commission that they are not prepared at the present time, pending the result of the surveys in progress, to take up the question of the

cooperation on the part of the State of Connecticut in the improvement of the harbor and its approaches. I am led to believe, however, that this cooperation will consist in connecting the entrance channel with the docks provided by the commission.

And I now add, for the purpose of showing that the question of cooperation on the part of the State was the chief concern of the Government, the following indorsements:

OFFICE OF DIVISION ENGINEER, NORTHEAST DIVISION,
New York, November 25, 1912.

To the CHIEF OF ENGINEERS:

Concurring in the recommendations of the district engineer, a survey is necessary to furnish information on which to base a recommendation as to further improvement. The nature of such recommendation should depend on the projects of the State of Connecticut and the cost of additional work by the United States which would be justifiable.

W. M. BLACK,
Colonel, Corps of Engineers.

BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
December 5, 1912.

To the CHIEF OF ENGINEERS, UNITED STATES ARMY:

For reasons stated herein the board concurs with the district officer and the division engineer in recommending a survey in order to determine the extent and advisability of the improvement and the amount and character of cooperation that may be expected.

For the board.

WM. T. ROSSELL,
Colonel, Corps of Engineers,
Senior Member of the Board.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. FREEMAN. I can not yield just now; I have only a moment left.

Up to this time the State commissioners had not incurred a single obligation, and they had $1,000,000 still in their possession.

During the summer of 1913 the district engineer officer made the survey called for and reported as follows:

SURVEY OF NEW LONDON HARBOR, CONN.

UNITED STATES ENGINEER OFFICE,
New London, Conn., December 10, 1913.

From: The district engineer officer.

To: The Chief of Engineers, United States Army (through the division engineer).

Subject: Report of survey of New London Harbor, Conn.

1. In compliance with the provisions of the rivers and harbors act of July 25, 1912, and with departmental letter of December 12, 1912, I submit the following report on the survey of New London Harbor, Conn., with a view to securing increased depth of channel and for report upon the question of cooperation on the part of the State of Connecticut in the improvement of said harbor and its approaches.

2. The survey was made during the past summer. It embraced a complete hydrographical survey of the harbor and a topographical survey of the shores. The nature of the bottom, along the line of the proposed channel, was investigated by forcing down by hand a suitably pointed pipe. A map of the harbor, in three sheets, is submitted with this report.

3. The improvement of New London Harbor now desired is an entrance channel of size sufficient to accommodate ocean-going steamships, the natural depth available, 26 feet at mean low water, not being sufficient for vessels of that class. The harbor is, in many respects admirably adapted to development as an ocean port. It is approached by deep water over a route that does not offer any grave dangers to navigation, its waters are sheltered, and it is rarely, if ever, closed by ice. The small tidal range is advantageous from the standpoint of terminal construction and operation. The harbor bottom is of soft material, and the cost of securing an entrance channel of sufficient dimensions for the present purposes, and of enlarging it to meet future needs, will be very small in comparison with that necessary for the development of other harbors of the United States. The railroad connections with tributary territory are ample. Its disadvantages lie in its limited area of natural deep water and in the topography of its shores. While the hills bordering the harbor are of no great elevation, the amount of lowland easily and cheaply adaptable for commercial and manufacturing enterprises is somewhat limited.

4. The present commerce of the harbor is practically entirely coastwise. It amounted to 907,990 short tons, valued at $107,688,345.90 during the calendar year of 1912. The proposed improvement will not appreciably benefit the greater part of this commerce, as the existing depths are ample for vessels engaged therein. A small portion of the amount, amounting to certainly not over 15 per cent, but probably less, is received in New York Harbor from over-sea ports, and thence shipped to New London for consumption and railroad distribution. It is possible that this portion might be shipped direct to New London were the harbor an ocean port.

5. The commerce to be benefited by the proposed improvement is, except for the small amount just mentioned, entirely prospective. Its volume will depend upon a number of factors, among which the activity of the mercantile interests who may identify themselves with the port is perhaps the most important. The attached letter from the rivers, harbors, and bridges commission of the State sets forth the view of those interested in the commercial possibilities of the harbor.

6. In anticipation of such commerce the State of Connecticut has purchased lands, prepared the designs, and is about to enter into the first contract for the construction of a pier and terminal in the harbor, at the location shown on the accompanying map. The pier is to be of most modern construction, is to be 1,000 feet long, and the slips alongside will be excavated to 35 feet at mean low water. It is to be provided with cargo-handling facilities, and there are to be constructed in conjunction therewith terminal railroad yards and warehouses. The appropriation made by the State for the purpose is $1,000,000, and it appears likely that the actual cost will approach that figure. The expenditure of this large sum by the State for this purpose was not without opposition, and during the past session of the legislature a somewhat vigorously supported but unsuccessful proposal was made to withdraw the appropriation.

7. It is believed that the commerce anticipated will be carried in vessels not exceeding 30 feet in draft. A channel depth of 33 feet at mean low water has, therefore, been selected as that appropriate to the expected needs. As the harbor admits of a straight channel a width of 600 feet is believed to be ample. The alignment follows the east side, leaving undisturbed the anchorage area now largely used by coastwise vessels which have occasion to seek refuge in the harbor.

8. The estimated cost of the proposed channel is as follows:

Dredging, 2,487,000 cubic yards, at 12 cents	$298,440
Administration, inspection, and contingencies	31,560
Total	330,000

The estimate includes 745,000 cubic yards as allowance for overdepth dredging of 2 feet.

9. The channel excavated under the existing project for the improvement of the harbor front of New London, excavated in similar material, shows little deterioration in the eight years which have elapsed since its completion. While the outer portion of the proposed channel is exposed to the cross currents of Long Island Sound, the bottom appears stable, and it is believed that the cost of maintenance will be small. The estimated cost of maintenance is, therefore, placed at $2,000 per annum.

10. The cooperation proposed by the State of Connecticut in the improvement of the harbor and its approaches, as set forth in the attached letter, to which reference has previously been made, consists in the construction of the pier and terminal and in the dredging necessary to connect this pier with the channel. It appears that the State authorities have never contemplated any contribution toward the cost of improving the main channel of the harbor as a part of this cooperation.

In view of the relatively small cost of the improvement of this channel and of the long-established policy of the General Government in the improvement of waters for the use of commerce, it is believed that the State should not be called upon to contribute toward the cost of such improvement and that no cooperation other than that proposed should be required.

11. While the commerce which is expected to follow the proposed improvement can not be forecast with certainty, yet it is highly improbable that such a large and well-appointed terminal as that which the State proposes to provide will go unused, and a considerable commerce may be expected to follow the improvement. In view of the natural advantages of the harbor and the relatively small cost of improvement, I am of the opinion that New London Harbor is worthy of improvement by the General Government to the extent of providing a channel 33 feet deep at mean low water from the natural deep water in the upper harbor to Long Island Sound, at a cost of $330,000 for original and an amount estimated at $2,000 per annum for maintenance. The work should be prosecuted at such a rate as to secure its completion in two years. If the project is adopted by Congress, the amount of $170,000 should be provided as an initial appropriation and a continuing contract authorized to include the remaining amount of $160,000.

12. In compliance with the provisions of the act I further report that the cooperation by the State of Connecticut in the improvement of New London Harbor and its approaches should consist in the construction of a pier and terminal of the character proposed by the rivers, harbors, and bridges commission of the State and in the excavation of the channel to connect this pier with the main channel, and I recommend that the entering into contracts covering the essential portions of this work by the proper agencies of the State of Connecticut should be a condition precedent to the expenditure of the funds that may be appropriated by Congress for the excavation of the main channel.

G. B. PILLSBURY,
Major, Corps of Engineers.

[First indorsement.]

THE DIVISON ENGINEER, NORTHEAST DIVISION,
New York City, December 13, 1913.

To the CHIEF OF ENGINEERS, UNITED STATES ARMY:

Forwarded, concurring in the views and recommendations of the district engineer officer.

FREDERIC V. ABBOT,
Colonel, Corps of Engineers.

[Third indorsement.]

BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
December 30, 1913.

To the CHIEF OF ENGINEERS, UNITED STATES ARMY:

1. This report of New London Harbor is called for with a view to securing increased depth of channel and for report upon the question of cooperation on the part of the State of Connecticut in the improvement of said harbor and its approaches. New London Harbor comprises the lower 3 miles of the Thames River. It has a main channel of approach with a depth of 26 feet or more. The existing project provides for a ship channel 400 feet or more in width, 23 feet deep, and about 6,000 feet long in the main harbor, skirting the water front of the city, and for a depth of 15 feet in Shaws Cove. This project has been completed, the amount expended to June 30, 1913, being $153,230.55.

2. The present commerce of the harbor is practically all coastwise and amounts to about 900,000 tons, having a value of about $107,000,000. It consists principally of steamboat freight, coal, and lumber. Some foreign commerce is carried on, it being reported that 3 foreign vessels entered and 15 cleared from the port, and 2 American vessels entered from and 4 cleared for foreign ports.

3. The district officer states that the harbor is in many respects admirably adapted for development as an ocean port. It is approached by easily navigated deep water, is in a sheltered position, has a small tidal range, which is advantageous from a standpoint of terminal construction and operation, is rarely, if ever, closed by ice, and is used extensively as a harbor of refuge. The improvement now desired is an entrance channel of sufficient size to accommodate ocean-going steamships. The natural depth of 26 feet now available is not deemed sufficient for vessels of that class.

4. It is stated that in anticipation of a foreign commerce the State of Connecticut has purchased lands and is about to enter upon the construction of a commodious and modern pier 1,000 feet long, with suitable connections, and to excavate to a depth of 35 feet at mean low water slips alongside and connecting with the main channel, this work to be done under a State appropriation of $1,000,000. The furnishing of this modern terminal and its connection with the main entrance channel is the cooperation offered by the State in the development of this port. The district officer states that the commerce will be carried

in vessels not exceeding 30 feet in draft, and for their accommodation he proposes a channel depth of 33 feet at mean low water and a width of 600 feet. The estimated cost of securing such a channel is $330,000 and $2,000 annually for maintenance.

5. While the commerce expected to follow the improvement now desired is prospective, the district officer believes that it is highly probable that such a large and well-appointed terminal as that proposed by the State will result in a considerable development of commerce, and he reports the locality worthy of improvement to the extent outlined above, contingent, however, upon contracts covering the essential portions of the work proposed by the State of Connecticut being entered into as a condition precedent to the expenditure by the United States of funds upon the proposed project. In this view the division engineer concurs.

6. As stated by the district officer, this harbor is well adapted for development as an ocean port, possessing a number of advantages enumerated above. It has at present a large and growing commerce, and the expenditures for navigation facilities by the United States have been comparatively small. With the terminal proposed by the State, connected with adequate railroad facilities, it would seem reasonable to believe that a commerce of considerable size may develop, and it is believed that the United States would be justified in providing the entrance channel if it is assured that the plans of the State will be carried out.

7. The board therefore concurs with the district officer and the division engineer in reporting that in its opinion it is advisable for the United States to undertake the further improvement of New London Harbor by the construction of a channel 33 feet deep at mean low water and 600 feet wide, as proposed by the district officer, at an estimated cost of $330,000 for first construction and $2,000 annually for maintenance, the work to be begun only after assurance satisfactory to the Secretary of War has been given that the State will carry out its project practically as now proposed and described herein. The first appropriation should be $170,000 and the second $160,000, so as to complete the work in two years.

8. In compliance with law, the board reports that, except as contemplated by the above recommendations, there are no questions of terminal facilities, water power, or other subjects so related to the project proposed that they may be coordinated therewith to lessen the cost and compensate the Government for expenditures made in the interest of navigation.

For the board.

W. M. BLACK,
Colonel, Corps of Engineers, Senior Member of the Board.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 16, 1914.

From: The Chief of Engineers, United States Army.
To: The Secretary of War.
Subject: Preliminary examination and survey of the New London Harbor, Conn.

1. There are submitted herewith, for transmission to Congress, reports dated November 22, 1912, and December 10, 1913, with maps, by Maj. G. B. Pillsbury, Corps of Engineers, on preliminary examination and survey, respectively, authorized by the following item contained in the river and harbor act approved July 25, 1912:

"New London Harbor, Conn., with a view to securing increased depth of channel and for report upon the question of cooperation on the part of the State of Connecticut in the improvement of said harbor and its approaches."

2. The existing project for the improvement of New London Harbor provides for a ship channel 400 feet or more in width, 23 feet deep, and about 6,000 feet long in the main harbor, skirting the water front of the city, and for a depth of 15 feet in Shaws Cove. The district officer reports that the least depth in the main channel is 26 feet at mean low water. The commerce of this locality is large and important, but, being mainly coastwise, has not in the past required great depth. In anticipation of the development of a substantial foreign commerce, it appears that the State of Connecticut has purchased lands, prepared designs, and is about to enter into the first contract for the construction of a pier and terminal in the harbor, at a cost of about $1,000,000. The pier is to be 1,000 feet long and of most modern construction, and the slips alongside will be excavated to a depth of 35 feet at mean low water. The district officer is of the opinion that these facilities will be taken advantage of by commerce, and to afford the necessary means of approach he believes that it is advisable for the United States to provide a straight channel 600 feet wide and 33 feet deep at mean low water, located as shown on the accompanying maps, at an estimated cost of $330,000. He recommends, however, that the entering into contracts by the proper agencies of the State of Connecticut, covering the essential portions of the proposed terminal construction, be made a condition precedent to the expenditure of funds by the General Government for the channel improvement. The division engineer concurs with the views of the district officer.

3. These reports have been referred, as required by law, to the Board of Engineers for Rivers and Harbors, and attention is invited to its accompanying report, dated December 30, 1913, concurring with the views of the district officer and the division engineer.

4. After due consideration of the above-mentioned reports, I concur with the views of the district officer, the division engineer, and the Board of Engineers for Rivers and Harbors, and therefore report that the further improvement by the United States of New London Harbor, Conn., is deemed advisable so far as to provide a channel 33 feet deep at mean low water and 600 feet wide, at an estimated first cost of $330,000 and $2,000 annually for maintenance, the work to be begun only after assurance, satisfactory to the Secretary of War, has been given that the State will carry out its project of terminal development practically as now proposed and described in the report of the district officer. The first appropriation should be $170,000 and the second $160,000, so as to complete the work in two years.

EDW. BURR,
Colonel, Corps of Engineers,
Acting Chief of Engineers.

WAR DEPARTMENT,
Washington, January 17, 1914.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith a letter from the Acting Chief of Engineers, dated 16th instant, together with copies of reports from Maj. G. B. Pillsbury, Corps of Engineers, dated November 22, 1912, and December 10, 1913, with maps, on preliminary examination and survey, respectively, of New London Harbor, Conn., made by him in compliance with the provisions of the river and harbor act approved July 25, 1912.

Very respectfully,
LINDLEY M. GARRISON,
Secretary of War.

Mr. TILSON. Will my colleague yield?

Mr. FREEMAN. I ought not to do so, but I will.

Mr. TILSON. Will you put into the RECORD the part that Connecticut has done?

Mr. FREEMAN. I may get it in the RECORD in order that the House may consider it before this amendment is offered.

There is, of course, considerable repetition in these reports, but I call attention to each one of them because I want every one here to know that from the district engineer, to the division engineer, to the Board of Engineers, to the Chief of Engineers, to the Secretary of War, and into the hands of the Speaker of the House for reference to the committee, there is an implied promise of cooperation if the proposed plans of the State are carried out as a condition precedent. These various reports make up House Document 613. In addition to all this, the Rivers and Harbors Committee of the House favorably reported in the bill of 1914 this item, with this condition:

Improving harbor at New London, Conn., in accordance with the report submitted in House Document No. 613, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $170,000.

And the bill with this item and this condition passed the House.

The Connecticut State commission was headed by Gov. Simeon E. Baldwin and was composed of the best civil engineers and keenest business men of Connecticut.

They realized that the best way to do a thing was to do it; that the proper way to fulfill a condition precedent was to fulfill it. They started in to assure the Secretary of War of their good faith by the purchase and condemnation of real estate, by the awarding of contracts for the construction of a pier 1,000 feet long with modern, up-to-date equipment, by awarding a contract for the excavating of the slips and of a new channel of 35 feet depth out to meet a Government channel of only 26 feet depth. You reply that they should have awaited the action of the Senate. Perhaps; in view of subsequent events. But I submit their action in no way reflects upon their sound judgment or their business sagacity. After a long and careful investigation they were thoroughly convinced that it was a good business commercial proposition for the benefit of the whole State. They knew that the declared policy of Congress had been to develop our harbors to their full navigable capacity as rapidly as Treasury conditions would permit. They knew that there were annual rivers and harbors bills for twenty, thirty, and forty millions, and they knew that, owing to the natural advantages of the harbor, it required only an initial appropriation of $170,000, with a total of $330,000, and they had the strongest possible assurances from the Government officials. The Senate committee reported the New London item favorably, but an amendment struck out all the items in the bill and substituted the lump sum of $20,000,000, to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers. Nevertheless the committee, with faith in the implied promise of the Government officials and with confidence in the judgment of Congress, proceeded with the work. To be sure, they had to. They were already involved to the extent of several hundred thousand dollars in awarded contracts, and they continued the work awaiting the third session of the Sixty-third Congress. The committee in that session ruled that no new projects would be considered. The same amendment that I shall hereafter offer was presented, and after considerable debate, in which there was from all Members much praise and commendation of the project, it was voted down because it was then considered not to be within a strict construction of the rule regarding new projects.

Even the chairman of the committee, the gentleman from Florida, then said:

I am not going to say anything about the merits of this proposition. We passed upon it last winter, when we were dealing with new projects. When we were preparing the bill of 1914 this matter was presented to us. We went over it and regarded it then as a good project, as one that should receive the favorable consideration of our committee and of the Congress. We passed the 1914 bill with this in it, subject to the conditions imposed.

And again, in reply to the gentleman from New York [Mr. CONRY], who asked:

Does not the gentleman think that under all the circumstances of this case there is an implied obligation on the part of the Government to make this improvement?

The gentleman from Florida said:

I am not sure, but I could answer that either way and tell the truth. It depends altogether on the way a man looks at it, whether he thinks it an obligation or not.

And when the gentleman from Connecticut [Mr. REILLY] said:

The gentleman spoke about a question that he could answer either way. If an authorized agent of the Government, charged with certain work, should recommend that before the Government does this particular work the State of Connecticut shall do a certain thing, and the State of Connecticut goes ahead and does that thing, is there not an implied obligation on the part of the National Government?

To which the gentleman from Florida replied:

I do not go that far with this particular project, though it is commendable in them to undertake that. They have anticipated the action of Congress. They assumed that Congress would act favorably, and I think they were justified in that assumption, for whenever we reach new projects I, for one, shall favor this particular project.

And again, a moment later when he was reminded that the State of Connecticut would lose the interest on $1,000,000, he said:

I do not believe the failure to adopt this project is going to keep the State of Connecticut from doing whatever work it can do there, and I do not think the failure of Congress to adopt the project at this time, provided we do adopt it in the next bill and have a bill at the next session of Congress, is going to delay the State of Connecticut one minute.

This is the next session of Congress; we are about to adopt a bill; this bill contains at least one new project. I have a telegram showing the exact progress of the work to date in New London:

NEW LONDON, CONN., *March 27, 1916.*

Hon. R. P. FREEMAN,
House of Representatives, Washington, D. C.:

Yours received. State pier contract total $1,000,000; nearly $800,000 contracted for and expended to date. Work practically finished except for asphalt floor and superstructure on pier and railroad terminal track layout back of pier. Probable date of completion, early next fall. Thirty-five feet of water on both sides of pier. United States engineers have already recommended 33-foot channel, but Congress has taken no action, although the State has already dredged its part of the 33-foot channel which runs from the pier to the proposed Government channel. This entire State project can not develop its greates value until the Government completes the work as projected.

F. V. CHAPPELL,
Chairman Committee Rivers, Harbors, and Bridges.

At the proper time I shall offer an amendment appropriating $170,000 for New London Harbor. Its adoption will obviate all questions of good faith and implied obligations. Considering the amount required and the commerce affected I believe there is no project in the bill of greate merit, and I trust it will receive the favorable consideration of the committee.

[Mr. HARDY addressed the committee. See Appendix.]

Mr. SPARKMAN. I yield 15 minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Chairman, in the few minutes assigned to me I had intended to answer some of the statements and calculations of the gentleman from Wisconsin [Mr. FREAR], who has been the most persistent opponent of river improvement; but I found that his estimates and calculations had been so thoroughly discredited by the questions interjected into his own speech that I concluded that work had been pretty thoroughly done. His estimates of the amount expended upon the Missouri River are so far out of the way that it would not be difficult to disprove them; but it will be more profitable to us, in the few minutes that I have to speak to you, to investigate some of the problems which are now being solved on the Missouri River, and successfully solved, looking to the future of river navigation in this country.

In the first place, I want to say that I believe, from experience, observation, and study, that the solution of river improvement in this country is vital to the commercial development of the whole interior section of our country. We must solve successfully the problem of river improvement in order to put this country upon a basis of natural competition with the great manufacturing and producing countries of the world. [Applause.] If we are to compete with Germany, Belgium, France, England, and the other great producing countries in the world markets, we must have transportation from the producing regions of our country to the seaboard and to the foreign market. [Applause.] That great problem is before us for solution, and no hit or miss, superficial criticism will suppress that problem until it is properly solved.

I wish every Member of this House could get and would have before him House Document 463, just issued by the Public Printer. It is the report of the hearings of the Board of Army Engineers at Kansas City last October upon the Kansas City Missouri River project. It contains all the facts up to date on the subject of successful river navigation. In it you will find pictures of the successful barge fleet on the Missouri River. I want to say to you that that barge fleet is scarcely three years old.

In 1910, when we first got our appropriation for the improvement of the banks of the Missouri River, there was nothing on the Misosuri River available for river transportation, except the old frail Texas deck, inflammable boat of ante bellum days. We put a German technical engineer into the field because we had promised Congress that if it gave use the improvement of the Missouri River we would restore river navigation upon a successful and commercial basis. Mr. Von Pagenhardt reviewed every form of river craft in the country, and he evolved the steel hull barges that are now used on our river. We now have a fleet of 3 towboats and 12 steel-hull barges. These steel-hull barges run from 1,400 tons down to 300 tons. The power boat does not lose any time. It drops the empty barge at the wharf, picks up a loaded barge and goes on down the stream. The gentleman says that prior to 1875 there was navigation on the upper Missouri River. He does not know a thing about river transportation. If he did, he would know that those old boats that ran in those days into a country that had no railroad service charged rates which would pay the cost of a boat in a single season, and the boat often lasted only a single season. The average life of those boats was only three years. Under those conditions you could not transport freight to-day to save your life. I know, because I was born on the Missouri River and saw those boats when I was a boy. You could not run such boats under commercial conditions to-day. Could we use those old boats that the gentleman has in mind, which carried a deckload on a frail and inflammable wooden structure; that had to be loaded and unloaded by hand? Not at all. We must have a modern steel craft and a modern wharf. In this report you will find pictures of the modern wharf at Kansas City, with the electric conveyors by which the goods out of the hull of the steel barge are transferred to the cars. Why, your negro stevedore, whistling and singing at his work, has disappeared with Mark Twain's last account of him. He has gone and is known only to poetry and song.

We have to move freight for 30 cents a ton or less or we can not move it at all. Talk about $1.50 or $2 a day for negro labor, and casual or uncertain at that, is out of the question.

Now, take another question. We have to be able to absorb the switching charges and the marine insurance in order to haul freight on a river. That is not all. After we got the boats the railroads refused to interchange business with us and we had to force them. We came to Congress and got the act of August, 1912, passed amending the interstate-commerce law, which says that if a railroad reduces its charges to meet water competition it can not afterwards raise the charges without showing changes other than water competition. Thus we have taken away from the railroads the greatest weapon they had to drive the boat out of business.

Not only that, but Congress put into the law a provision that the railroads must give through rates and through routes with water carriers. What has been the result? The Missouri River Transportation Co. is the only one that ever made a successful fight under that law. It wanted a share of the business, but the railroads would not interchange business with it because the boats would charge 80 per cent of the route, while the railroads were charging 100 per cent, and the 20 per cent difference between Kansas and St. Louis would have gone into the pockets of the mill owners and the farmers of the West. So the roads resisted the demand of the boat line for through tariff, and we took the case to the Interstate Commerce Commission, and the commission decided that we were entitled to a through rate and through route. Now we are shipping flour, grain, and mill stuff to the seaboard at a saving of 20 per cent on a 400-mile river route. [Applause.] Every dollar of that saved goes into the pockets of the producer of the West.

Here is another point that I want to touch on. Gentlemen talk about freight rates. For the freight rate between Chicago and New York, 812 miles, by rail is 18 cents on wheat. By rail and lake it is 14 cents; by lake and canal 8 cents. Between Minneapolis and Chicago, which is only 420 miles, the rate is 10 cents for wheat. Kansas City to Chicago, 451 miles, the rate is 12 cents for wheat. Now, mark you, they will haul wheat in competition with lake and rail or lake and canal route for 18 cents a hundred 812 miles, while from Newton, Kans., 644 miles to Chicago, they charge 24½ cents for the same wheat. From Smith Center, Kans, 617 miles to Chicago, they charge 25 cents for the same wheat. The rail route is higher between Chicago and New York than the water rate—18 cents by rail, 8½ cents by water; but the rail rate of 18 cents is kept down by the water rate, because they charge 25 cents from Smith Center to Chicago for the same wheat.

Now, gentlemen, it will cost $50,000 a mile to put 400 miles of the Missouri River in perfect condition to carry freight, and if put in that condition it will haul as much as 100 single-track railroads. It will cost to-day $55,000 a mile to build one single-track railroad from Kansas City to St. Louis. It will cost $5,000 a mile more to build one single-track railroad from Kansas City

to St. Louis than it would cost to improve the entire Missouri River.

They say the railroads are in bad shape anyway. The gentleman from Wisconsin [Mr. FREAR] referred to the cost of the waterways improvement in this country. Does he know how much we are paying for the improvement of the railroads? Does he assume that the shipper does not pay the cost of the increased rail facilities? Let him look at the Five Per Cent case that went before the Interstate Commerce Commission, where the railroads got an increase of 5 cents on freight rates. What did they prove in the 5-cent increase case? They proved that the Baltimore & Ohio system cost $129,000 a mile; that the Pennsylvania system cost $113,000 a mile, while this waterway system will cost $50,000 a mile at the highest estimate and have a higher carrying power than any railroad, no matter where it is.

What are these railroads doing? I will tell you. The honest, capable, well-managed railroads in the West are making money, and the looted railroads are showing a loss. Listen to what the Interstate Commerce Commission told me the day before yesterday. The Chicago, Milwaukee & St. Paul, a good railroad, made $12,108,000 in 1915. The Missouri Pacific lost $1,318,000 in the same territory. That is the difference between railroad management, and the public pays the bill of bad railroad management and the looting of railroad companies. The Chicago, Burlington & Quincy, a fine railroad, made $19,000,000; the Atchison, Topeka & Santa Fe cleared $24,000,000; the Chicago, Rock Island & Pacific lost $745,000; the Wabash lost $2,057,000, while the Chicago & Alton went down $1,690,000. Yet the public is asked to pay 5 per cent increase on freight rates in order to pay for that kind of railroad management!

The waterway is a destroyer of monopoly; it is a destroyer of looted railroads. It is the only thing that the public can and will control, and which it can make live up to its promises to the public. Every railroad now is reaching out to seize the terminals. We in Kansas City have seized the water front and built our municipal terminal, and every boat that comes up the Missouri River is free to land at the municipal terminal by obeying the municipal regulations. The whole waterway movement is a destroyer of monopoly.

We have now gotten to the point where we are forcing railroads to meet the cut rate between Kansas City and St. Louis, and they come to you gentlemen and say, "These men have been building up a business there under the sanction of Congress, they have invested money in boat lines, capitalized by the public and the shippers, and now is the time to stop these fellows by throwing a monkey wrench in the machinery, refusing them their appropriations for one year. If we can knock them out for a single year the railroads will get back every shipper that has gone to the boat line in the last five years. Just one year is all we ask you to kill the river and harbor bill for, and by that time we will have the whip cracking over the head of every shipper in the Southwest, and he will come back to the railroads as the only safe way to get his goods to market, and he will know what happens to men who invest their capital in attempting to establish a public enterprise in opposition to the monopolies of this country." You are asked now to kill the river transportation; you are asked to put a penalty upon the men who have invested their money, their time, and capital in building up the interior navigation of the country. You are asked to say that these men shall not have the same opportunities that the railroads have had to build up a paying business. The great trans-Pacific railroads, every railroad in my part of the country, was capitalized and paid for by subsidies and grants from the public, and not one of them paid in the first nine years of its operation, not one.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. SPARKMAN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LONDON].

Mr. HUMPHREY of Washington. Mr. Chairman, does the gentleman desire me to yield him five minutes now?

Mr. LONDON. Yes.

Mr. HUMPHREY of Washington. Very well; I yield five minutes to the gentleman.

The CHAIRMAN. The gentleman from New York is recognized for 15 minutes.

Mr. LONDON. Mr. Chairman, the Commission on Industrial Relations has concluded its labors. This House some time ago adopted a resolution authorizing the publication of 100,000 copies of the report. No provision was made for the publication of the testimony.

There is a universal demand for copies of the report.

Students of society, social workers, editors, men and women interested in the labor problem, are anxious to obtain access to the report and to the testimony in the hope of finding a source of information and suggestions for future constructive action. In spite of it all, there is a sneer in certain quarters when the Commission on Industrial Relations is mentioned.

A studied effort is being made to discredit its work. It is urged that the work of the commission has no value, because the report is not unanimous. That there are, in fact, several reports, and that the lack of agreement among the members of the commission is in itself sufficient to destroy the probative value of its findings as well as the conclusiveness of its recommendations. The report could not have been unanimous, because there is no unanimity, because there can be no harmony in modern society. Naive people perhaps believed that if a group of employers, employees, and professors would get together around a table and "talk it over," the causes of industrial dissatisfaction would be ascertained and that a brotherly way would be found of allaying it. But the actualities of life disappointed these good people. It turned out that not only could not the members of the commission agree on conclusions and recommendations but that each group interpreted the facts that had been presented in accordance with its class bias and class understanding of things. The representatives of capital on the commission could not under any circumstances get themselves to indorse the view that the principal cause of unrest was the fact that the wealth of the Nation had been concentrated into the hands of a small number, and that this was the cause of the restlessness of the many.

It would have been just as reasonable to assume that a commission consisting of a Republican, a Democrat, and a Socialist would agree on a program of political action. These parties represent distinct class or group interests, and the program of each necessarily corresponds with the needs of the group it represents.

One recalls the significant statement made by one of the fathers of this Republic during the Constitutional Convention to the effect that two persons born of different nations but belonging to the same class of society will more easily understand each other than two persons of the same nation but belonging to different classes of society.

It is in the very fact that the report is not unanimous that I find the greatest significance.

The commission came into being as the result of a general demand that the cause of industrial unrest be investigated. For a long time there had been talk that violence was being resorted to in industrial disputes both by labor and capital.

Then came the climax. For many years a bitter struggle had been raging between the National Erectors' Association (employers) and the International Association of Bridge and Structural Iron Workers (employees). The erectors' association was one of the most powerful bodies of employers in the country. The contest assumed a violent character, with its finale in the McNamara case at Los Angeles, at which labor men confessed to having been guilty of a number of acts of violence against property committed in the course of union activity.

A shout went up from the enemies of organized labor all over the country that a change of labor's leadership was imperative; that labor had been proven guilty of violence; that it had been defying all law, and that its activity had been criminal. It looked as if a reign of reaction of which the working people were to be the victims was about to set in.

There were, however, silent forces in American life which made such a result impossible.

The Socialist movement had succeeded in awakening the minds of the thinking men and women of the country to the need of a study of society and of its problems. To the thinker a series of acts of violence committed by a union appeared to be something more than a mere mistake of a union leader. The student of society asked himself the question, "How did it come that a union organized primarily for the improvement of the condition of the workers was compelled to resort to violence? And how did it happen that millions of men, without knowing the merits of the case, took sides and determined in advance of the trial the guilt or the innocence of the accused as their sympathies lay with labor or against labor?"

Immediately after the conviction of these labor leaders a symposium of opinion was gathered in a journal called "The Survey." This question was propounded to the contributors of opinions: "What constructive suggestion can we make now to study or to allay the industrial unrest of which the McNamara case was such a serious manifestation?"

In an opinion which I contributed I said in part:

> What a good thing it would be, now that two labor leaders have confessed, for capital to come forward and confess; and how horrifying its confession would be, and how shocking would be the revelation of crimes of omission and commission, of the crushing of the weak and the helpless; of the bribing of voter, legislator, and judge; of the sub-

sidizing of a venal press; of thousands upon thousands crippled, mutilated, and murdered through negligence and indifference, through avarice and greed! But capital will not confess. Capital stands for "law and order."

The American people must awake to the fact that a bitter, merciless class war divides society. It is a war between those who have and those who have not, between property and its interests on one hand and life and its interests on the other. It is a war with all war's fury, with all its injustice, with all its crime-breeding hatreds.

Where are the seers and prophets of America? Where are the teachers and guides? Where are her intellectual and moral forces? Can the contending classes be compelled to adopt civilized methods of warfare?

A petition signed by a number of prominent men and women asking for the appointment of a commission on industrial relations to examine and investigate into the causes of industrial dissatisfaction was presented to the President. We have before us the report of the commission.

Here are some of the essential facts that the commission has disclosed:

In spite of the fact that this country is so young, that its population is 100,000,000, while Europe has 450,000,000, in spite of great strides in the application of science to industry, in spite of the fact that the total wealth of the United States has more than doubled during the last 20 years, that the wealth per capita has tremendously increased, there is in these United States a distressing and almost incomprehensible amount of poverty.

Occupational diseases, low wages, excessive hours of toil, insanitary conditions, improper and adulterated food are sapping the vitality of the industrial workers.

One-fifth of the women workers employed in factories, stores, and laundries earn less than $4 per week and half earn less than $6 per week. At least one-third, and possibly one-half, of the families of wage earners employed in manufacturing and mining earn less than is required for a comfortable or a decent living; that between one-third and one-fourth of the male workers earn less than $10 per week.

In the principal industries the workers are unemployed, on the average, one-fifth of the year.

Only one-third of all children in the United States complete the grammar-school course, and this in a Republic whose very existence depends upon an intelligent electorate.

The personal relation between employer and employee has disappeared. Thus, in transportation, approximately 100 per cent of the wage earners are employed by corporations; in mining, 90 per cent; in manufacturing, 75 per cent. The man, the employer, has ceased to be responsible to his fellow man, the worker.

New and ingenious methods of exploitation, calculated to extract the last ounce of energy from the living machine, were being devised, with total disregard for the permanent well-being of the man. The relationship has become one between the man and the cost sheet. It is the worker, throbbing with life, against the soulless corporation. A man is hired for a week, for a day, for an hour, by the piece, and no one cares what becomes of him when he is separated from his job.

With the increase of a propertyless and incomeless industrial proletariat, there is an alarming increase of the number of farmless farmers. Out of every 100 farms in the United States 37 per cent are operated by tenants. Here is what the commission has to say about the tenant farmers in one of our largest States:

Badly housed, ill nourished, uneducated, and hopeless, these tenants continue year after year to eke out a bare living, moving frequently from one farm to another in the hope that something will turn up.

The tenant farmer in the Southwest is not much better off. This is how his condition is described by Basil M. Manly, who wrote the main report of the commission:

The prevailing system of tenancy in the Southwest is share tenancy, under which the tenant furnishes his own seeds, tools, and teams, and pays to the landlord one-third of the grain and one-fourth of the cotton. There is, however, a constant tendency to increase the landlord's share through the payment either of cash bonuses or of a higher percentage of the product. Under this system tenants as a class earn only a bare living through the work of themselves and of their entire families.

Few of the tenants ever succeed in laying by a surplus. On the contrary, their experiences are so discouraging that they seldom remain on the same farm for more than a year, and they move from one farm to the next in the constant hope of being able to better their condition. Without the labor of the entire family the tenant farmer is helpless. As a result not only his wife is prematurely broken down, but the children remain uneducated and without the hope of any condition better than that of their parents. The tenants having no interest in the results beyond the crops of a single year, the soil is being rapidly exhausted, and the conditions therefore tend to become steadily worse. Even at present a very large proportion of the tenants' families are insufficiently clothed, badly housed, and underfed. Practically all of the white tenants are native born. As a result of these conditions, however, they are deteriorating rapidly, each generation being less efficient and more hopeless than the one preceding.

As to the agricultural laborer, his state approaches that of a slave.

Absentee landlordism is on the increase.

More than four-fifths of the large land holdings are being kept out of use; land unoccupied and held for speculative purposes is being withheld from men who could earn their livelihood as freemen by tilling the soil.

A financial and industrial oligarchy wields a power of which no potentate has ever dared dream. Two per cent of the people own 60 per cent of the wealth of the nation and 65 per cent of the people own only 5 per cent of the Nation's wealth; 6 financial groups employ 28 per cent of all industrial workers. It is within the power of the few to give or refuse the means of life to the many.

The commission registers a growing distrust for the law among the masses. It shows how laws for the elimination of child labor, for the protection of women against exploitation, for the compensation of workers injured in industrial accidents, for the promotion of safety in factory and mine, for the emancipation of the seaman, were fought at every step by capital and its minions in the legislatures and in the courts, and that—

after wholesome and necessary laws are passed they are in large part nullified by the courts, either upon technicalities of a character which would not be held to invalidate legislation favorable to the interests of manufacturers, merchants, bankers, and other property owners, or thrown out on the broad ground of unconstitutionality, through strained or illogical construction of constitutional provisions.

That the supposed guaranties by the Constitution of the rights of citizens to trial by jury, security from unwarranted arrest, freedom of speech, free assembly, writ of habeas corpus, the bearing of arms, and similar elementary rights were found to be of no avail in many jurisdictions when invoked by labor.

It may be worth while to give an extract from the testimony of Prof. Henry R. Seager, of Columbia University, on the attitude of the courts toward the workers:

I don't see how any fair-minded person can question but what our judges have shown a decided bias in favor of the employers. I would not be inclined to ascribe this so much to a class bias, although I think this is a factor, as to the antecedent training of judges. Under our legal system the principal task of the lawyer is to protect property rights, and the property rights have come to be concentrated more and more into the hands of corporations, so that the successful lawyer to-day, in the great majority of cases, is the corporation lawyer. His business is to protect the rights of employers and corporations. It is from the ranks of successful lawyers, for the most part, that our judges are selected, and from that results inevitably a certain angle on the part of a majority of our judges.

Not only has the growing power of corporate capital exercised a baneful influence upon the course of legislation, but by assuming the right to maintain private guards, private police, and private arsenals capital has usurped a power which belongs to the State, to the people in their collective capacity. Strike-breaking agencies, consisting of the very scum of the earth, are being clothed with authority of the law, and in many an industrial dispute have gangs of hoodlums in the pay of capital, fortified by a sheriff's badge or turned into improvised militiamen, stained the sacred flag of the Republic with the blood of helpless strikers. Each such corporation is a little feudal state in itself.

The story of the Colorado strike reads like a story of the days of piracy, except that the industrial pirate lacks the charm of chivalry and bravery which surrounded the pirate of old.

Organized capital has diffused its poison in the realm of thought. Not satisfied with the possession of the lion's share of the Nation's wealth, it has made a bold attempt to control the very world of ideas. Under the guise of promoting science capital has been endowing colleges and universities and has been establishing funds for pensioning professors. One can not expect to find independent thought in a dependent professor.

By generous contributions to private charity the princes of the purse are teaching the people to look to them for relief when the hour of need comes, and under present conditions it comes often. In the words of the commission:

The domination of the men in whose hands the final control of a large part of American industry rests is not limited to their employees, but is being rapidly extended to control the education and "social service" of the Nation.

These are some of the findings of the commission. No wonder there is hesitancy in some quarters to spread these findings before the people. No wonder there is anxiety to discredit in advance the work of the commission. It has established the truth of the prophecy made by James Madison during the Constitutional Convention of 1787 that—

In future times a great majority of the people will be not only without landed but any other sort of property.

I shall not undertake at this time to discuss the recommendations of the commission and of its members.

The commission has proven the contention of the Socialist that political democracy and industrial absolutism can not go hand in hand.

Our progress lies in the direction of extending the principles of democracy to industry.

The report as well as the testimony should be made accessible to the great masses.

Let the American people know the facts.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN (Mr. PARK). The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. LONDON. Yes.

Mr. COOPER of Wisconsin. To leave the gentleman's speech as he has just left it, would convey the impression to the reader that the House had not approved the resolution providing for the printing of the report. The House has passed it.

Mr. LONDON. You provided for a limited number of copies.

Mr. COOPER of Wisconsin. It is held up in the Senate.

Mr. LONDON. One hundred thousand copies will not, by any means, be sufficient. I myself have received requests for almost a thousand copies. It is perhaps true that the most intelligent people write to me.

Mr. COOPER of Wisconsin. But 100,000 copies is better than none.

Mr. LONDON. Yes.

Mr. COOPER of Wisconsin. But the impression would have been, if the gentleman had not changed it, that he wanted the House to hurry up with its distribution of this report, as if the House had been careless in the premises.

Mr. LONDON. The House passed a resolution for the printing of 100,000 copies.

Mr. COOPER of Wisconsin. And you want a much larger number.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN (Mr. HARRISON). Is there objection? [After a pause.] The Chair hears none.

Mr. SPARKMAN. Mr. Chairman, I yield to the gentleman from Georgia [Mr. CRISP].

Mr. CRISP. Mr. Chairman, I desire to ask leave to extend my remarks by having printed in the RECORD some resolutions adopted by a patriotic society in my home city, urging preparedness.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the Chair, Mr. HARRISON, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill H. R. 12193, the river and harbor appropriation bill, and had come to no resolution thereon.

Mr. SPARKMAN. Mr. Speaker, is it understood that when the House adjourns to-day it adjourns to meet to-morrow at 11 o'clock a. m.?

The SPEAKER. That was agreed to this morning.

JOINT RESOLUTION AND ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following joint resolution and bills:

H. J. Res. 68. Joint resolution to cede to the State of Maryland temporary jurisdiction over certain lands in the Fort McHenry Military Reservation;

H. R. 10037. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 11078. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Saturday, April 1, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, submitting a clause of legislation heretofore suggested, extending the limitations as to the number of delivered sheets of customs stamps and of checks, drafts, and miscellaneous work to be executed by the Bureau of Engraving and Printing, and urging immediate action by Congress (H. Doc. No. 969); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, reports on preliminary examination and survey of Housatonic River, Conn. (H. Doc. No. 970); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. McCRACKEN, from the Committee on Irrigation of Arid Lands, to which was referred the bill (H. R. 12365) to promote the reclamation of arid lands, reported the same with amendments, accompanied by a report (No. 458), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NORTON, from the Committee on Indian Affairs, to which was referred the bill (H. R. 11720) to provide for per capita payments to be made to Indians of the Fort Berthold Reservation, N. Dak., reported the same without amendment, accompanied by a report (No. 459), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 8263) granting a pension to Francis A. Grennen; Committee on Invalid Pensions discharged, and referred to Committee on Pensions.

A bill (H. R. 13953) to pension soldiers' widows who were married after 1890 act was passed; Committee on Pensions discharged, and referred to Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAYDEN: A bill (H. R. 14029) to provide for the establishment of bonded warehouses where imported grains and seeds may be stored and cleaned for exportation; to the Committee on Ways and Means.

By Mr. GALLIVAN: A bill (H. R. 14030) to erect a monument at Gainesville, Tex.; to the Committee on the Library.

By Mr. RAKER: A bill (H. R. 14031) to amend the act entitled "An act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909, as amended by an act approved January 17, 1914; to the Committee on Ways and Means.

By Mr. BURGESS: A bill (H. R. 14032) to provide for the erection of a public building in the city of Alvin, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. CARTER of Massachusetts: Memorial of the Massachusetts Legislature, favoring action by Congress toward securing the moral support of the United States for the oppressed Jews in Europe; to the Committee on Foreign Affairs.

Also, memorial by the Massachusetts Legislature, relative to the conditions of destitution in Poland and to the entry of food therein; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 14033) granting an increase of pension to John H. Lewis; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 14034) granting a pension to Lodemia Eduards; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 14035) granting a pension to Jackson St. John; to the Committee on Pensions.

By Mr. DOWELL: A bill (H. R. 14036) granting an increase of pension to Oscar W. Lowery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14037) granting an increase of pension to James W. Pace; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 14038) granting an increase of pension to Joseph W. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14039) granting an increase of pension to John G. Dalie; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 14040) for the relief of Henry Metz; to the Committee on Military Affairs.

By Mr. HASKELL: A bill (H. R. 14041) granting an increase of pension to Edward Dubey; to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 14042) for the relief of Joel Henry Mansfield; to the Committee on Naval Affairs.

By Mr. IGOE: A bill (H. R. 14043) granting a pension to Julia M. Anderson and minor child, Wilbert T. Anderson; to the Committee on Pensions.

By Mr. KAHN: A bill (H. R. 14044) granting a pension to David Mann; to the Committee on Pensions.

Also, a bill (H. R. 14045) granting an increase of pension to Louis Gottlieb; to the Committee on Pensions.

Also, a bill (H. R. 14046) for the relief of Mrs. Francesca G. Montell; to the Committee on Claims.

By Mr. KEY of Ohio: A bill (H. R. 14047) granting an increase of pension to Jacob H. Wolf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14048) granting an increase of pension to George Lloyd; to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 14049) granting an increase of pension to Henry Schaeffer; to the Committee on Invalid Pensions.

By Mr. LENROOT: A bill (H. R. 14050) for the relief of Philip S. Everest; to the Committee on Claims.

By Mr. LESHER: A bill (H. R. 14051) granting a pension to John M. Koons; to the Committee on Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 14052) to reimburse Tennie A. Anderson, postmaster at Maplewood, Fayette County, W. Va., for money, money orders, and postage stamps stolen; to the Committee on Claims.

By Mr. LONGWORTH: A bill (H. R. 14053) granting a pension to Omar Boggs; to the Committee on Invalid Pensions.

By Mr. MATTHEWS: A bill (H. R. 14054) granting an increase of pension to Spencer H. Lighthill; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 14055) granting an increase of pension to Sarah E. McCann; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 14056) granting an increase of pension to Julia E. Jones; to the Committee on Pensions.

By Mr. PARK: A bill (H. R. 14057) granting a pension to Daniel H. Gerald; to the Committee on Pensions.

By Mr. RAKER: A bill (H. R. 14058) granting a pension to Mary A. Blair; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 14059) granting an increase of pension to Sarah J. Clary; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 14060) granting an increase of pension to Edward F. Ziebarth; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 14061) granting an increase of pension to James W. Barton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14062) granting an increase of pension to Thomas H. Boyd; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Memorial of Woman's Relief Corps, of London, Uhrichsville, Yellow Springs, and Chagrin Falls, all in the State of Ohio, favoring House bill 11707, the widows' pension bill; to the Committee on Invalid Pensions.

Also, memorial of Radnor (Ohio) Grange, No. 1917, against the proposal to revolutionize our present mail service; to the Committee on the Post Office and Post Roads.

Also, petition of G. W. James and 6 others, of Mount Vernon, Ohio, against House bill 6752, Sunday-observance bill for the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of Hebron (Ohio) Grange, No. 2038, against Madden rider to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. BAILEY: Petitions of sundry citizens and church organizations of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also petition of Millard Closson, C. L. Wright, Clarence May, J. F. Mugridge, George E. Burkitt, William T. Hale, J. B. Custer, Joseph Stroud, C. B. Gilpatrick, Charles R. Clark, Joseph Childers, Oliver Makin, John Chappell, George W. Mullen, Albert N. Fink, Cloyd Gochnour, Cyrus Ling, Edwin Walls, John Closson, C. H. Bottischer, Ray Miller, Foster Custer, Albert Fry, Howard C. Fry, and Albert N. Fink, all of South Fork, Pa., against bills denying the use of the mails to certain publications; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Petition of H. M. Bickford Co., of New York, relative to appropriation for construction of Norfolk-Beaufort Inlet waterway; to the Committee on Rivers and Harbors.

By Mr. DENISON: Petition of First Baptist Church, of Sisser, Ill., for national woman's suffrage; to the Committee on the Judiciary.

Also, petition of First Baptist Church of Sesser, Ill., against laws abridging free speech and free press; to the Committee on the Post Office and Post Roads.

Also, petition of First Baptist Church of Sesser, Ill., favoring Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of First Baptist Church of Sesser, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DILLON: Petitions of sundry citizens of Mitchell, S. Dak, favoring resolution for investigation of dairy products; to the Committee on Rules.

By Mr. ELSTON: Petition of E. R. Oti and other citizens of Alameda County, Cal., protesting against the passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petition of L. H. Anderson and other citizens of Alameda County, Cal., protesting against the passage of House bill 652; to the Committee on the District of Columbia.

Also, petition of Karl W. Adler and 70 other citizens of Oakland, Cal., for passage of the Emerson resolution; to the Committee on Foreign Affairs.

By Mr. FESS: Petition of members of the Lewis Relief Corps, of Xenia, Ohio, asking Congress to pass the Ashbrook bill; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Memorial of board of directors of the Knights of Columbus Institute, stating that they join with the Sons of the American Revolution and other patriotic bodies to show their belief in preparedness by displaying the American flag on April 19, 1916; to the Committee on Military Affairs.

By Mr. FULLER: Petition of Uriah Painter and 56 other Civil War veterans, favoring additional pensions for ex-soldiers of the Civil War who were prisoners of war; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: Memorial of Eastern States Industrial and Agricultural Exposition, relative to appropriation for boys and girls' exhibit in National Dairy Show exhibit; to the Committee on Agriculture.

By Mr. GUERNSEY: Petition of sundry citizens of Amity and Cary, Me., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAMILTON of Michigan: Petitions of residents of Benton Harbor, Decatur, Wayland, Cass County, and Three Rivers, all in the State of Michigan, favoring the Susan B. Anthony amendment; to the Committee on the Judiciary.

By Mr. HOLLINGSWORTH: Memorial of Henry S. Wells and 58 ex-Union soldiers who were prisoners of war, asking for pension for time held as prisoners, at rate of $2 per day; to the Committee on Invalid Pensions.

By Mr. HOPWOOD: Petitions of sundry citizens and church organizations of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KAHN: Papers to accompany House bill 14045, for relief of Louis Gottlieb; to the Committee on Pensions.

Also, papers to accompany House bill 7160, for relief of John Blueford; to the Committee on Pensions.

Also, papers to accompany House bill 13498, for relief of Susan E. Cline; to the Committee on Pensions.

By Mr. KELLEY: Memorial of 50 citizens of Cohoctah and 53 citizens of Pontiac, Birmingham, and Royal Oak, all in the State of Michigan, favoring Susan B. Anthony amendment to the Constitution; to the Committee on the Judiciary.

Also, petition of 14 citizens of Leslie, Mich., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petition of Dr. Arthur T. Jones, of Providence, R. I., favoring preserving and strengthening the Medical Reserve Corps of the United States Army; to the Committee on Military Affairs.

By Mr. LESHER: Petitions of Woman's Christian Temperance Union of 277 people of Berwick; Woman's Christian Temperance Union of 506 people of Orangeville; Lutheran Sunday School of 956 people of Milton; 100 people of Milton; United Brethren Church of Milton; Methodist Episcopal Church of Milton; 60 men of Milton; Woman's Christian Temperance Union of 245 people of Milton; 504 people of Milton; and Methodist Episcopal Church of 500 people of Milton, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEWIS: Memorial of 457 members of labor unions and citizens of Rio Grande, P. R., asking for an investigation of conditions of the island; to the Committee on the Territories.

By Mr. LOUD: Petition of S. M. Pourie, secretary, Bangor Grange, No. 1089, Bay City, Mich., opposing the Madden rider in the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. McKINLEY: Petitions of sundry business men of the State of Illinois, favoring tax on mail-order houses; to the Committee on Ways and Means.

By Mr. MAPES: Petitions of citizens of Grandville, Holland, Cedar Springs, and Sparta, Mich., favoring passage of the Susan B. Anthony amendment, enfranchising the women of the United States; to the Committee on the Judiciary.

By Mr. MORGAN of Oklahoma: Petition from the First Baptist Church Sunday School, Cherokee, Okla., asking for the speedy passage of the Webb-Smith national prohibition resolution, House joint resolutions 84 and 85; to the Committee on the Judiciary.

Also, petition from the Sunday School of the Methodist Episcopal Church, Byron, Alfalfa County, Okla., earnestly petitioning for the speedy passage of the Webb-Smith national prohibition resolution, House joint resolutions 84 and 85; to the Committee on the Judiciary.

Also, petition signed by 13 citizens of Cherokee, Okla., asking for the speedy passage of the Webb-Smith national prohibition resolution, House joint resolutions 84 and 85; to the Committee on the Judiciary.

By Mr. PRATT: Petition of Julian A. Morris, Edward H. Perkins, and 29 other citizens of Wayland, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Petitions of 8 firms of Orland and Red Bluff; 12 firms of Yreka; 13 firms of Redding; 3 merchants of Plymouth; 9 firms of Dunsmuir; 10 firms of Corning; Campini & Garibaldi, of Drytown; 12 firms of Grass Valley; 4 firms of Amador City; 12 firms of Nevada City; 12 firms of East Auburn; 8 firms of Lincoln; 6 firms of Sisson; 4 firms of Weed; and 11 firms of Red Bluff, all in the State of California, favoring House bills 270 and 712; to the Committee on Ways and Means.

By Mr. ROGERS: Petition of citizens of Lowell, Mass., opposing House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. ROWE: Petition of the United States Steel Corporation of New York, against House bill 9411, the tag bill, relative to number painted on motor boats; to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Real Estate Board of New York and New York Building Managers' Association, favoring appointment of commission to make investigation of the coal situation; to the Committee on Rules.

Also, memorial of the Chamber of Commerce of the State of New York, relative to national defense; to the Committee on Military Affairs.

Also, petition of Abraham Goldfaden Lodge, No. 505, I. O. B. A., against passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the General Federation of Women's Clubs, favoring House bill 8668, to establish a national park service; to the Committee on the Public Lands.

By Mr. SHOUSE: Petition of sundry citizens of Larned, Kans., protesting against passage of House bills 6468 and 491 and similar legislation; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Papers to accompany House bill 13964, granting an increase of pension to Emeline L. Bennett; to the Committee on Invalid Pensions.

Also, petition of Master Printers' Association of Rhode Island, favoring House bill 11621, providing for mailing of catalogues, circulars, etc., at the pound rate of 8 cents; to the Committee on the Post Office and Post Roads.

Also, petition of Providence Branch, No. 35, National Association of Bureau of Animal Industry Employees, favoring the Lobeck bill for the classification of the employees of the Bureau of Animal Industry; to the Committee on Agriculture.

Also, petition of William B. Kimball and others, of Providence, R. I., protesting against House bills 491 and 6468, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of Dr. Arthur T. Jones, of Providence, R. I., advocating the strengthening of the Medical Reserve Corps of the Army; to the Committee on Military Affairs.

Also, petition of Rhode Island Equal Suffrage Association, favoring Susan B. Anthony Federal amendment for woman suffrage; to the Committee on the Judiciary.

Also, petition of Brown Bros. Co., of Providence, R. I., against the passage of Senate bill 3598; to the Committee on Military Affairs.

By Mr. SUTHERLAND: Memorial of 500 citizens of Clarksburg, W. Va., favoring Federal motion picture commission for censorship of motion-picture films; to the Committee on Education.

By Mr. TILSON: Petition of Pastors' Union of New Haven, Conn., urging Congress to prohibit sale of liquor in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Pastors' Union of New Haven, Conn., urging Congress to establish a Federal motion picture commission; to the Committee on Education.

By Mr. WARD: Petition signed by Mrs. Alice E. Stevens, Tillson; Mrs. Helen A. Palmer, Gardiner, James B. Palmer, Plattekill; Elliot F. Soule, jr., Plattekill; J. E. Jenkins, Plattekill; and Joseph Millett, Tillson, all in the State of New York, representing the several churches, in reference to national constitutional prohibition amendment; to the Committee on the Judiciary.

SENATE.

SATURDAY, *April 1, 1916.*

(Legislative day of Thursday, March 30, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

DEATH OF SENATOR SHIVELY.

The VICE PRESIDENT. The Chair lays before the Senate a note of thanks from Mrs. Shively addressed to the Senate of the United States, which will be read.

The Secretary read the note, as follows:

To the Senate of the United States:

Mrs. Shively and the members of her family desire to express their deep appreciation of your sympathy and extend to you their most grateful thanks for a beautiful floral wreath.

PUBLIC BUILDING AT PARIS, TEX.

Mr. CULBERSON. Mr. President, I ask unanimous consent to report back from the Committee on Public Buildings and Grounds, favorably with amendments, the bill (S. 5270) for a public building or buildings at Paris, Tex., and I submit a report (No. 321) thereon. I desire its present consideration.

Mr. CHAMBERLAIN. If it does not lead to any discussion, I shall not make any objection.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Public Buildings and Grounds with amendments, in line 4, to strike out the words "appropriated, out of any money in the Treasury not otherwise appropriated" and to insert "authorized to be expended by the Secretary of the Treasury," in line 6 to strike out the words "or buildings," and in line 8, after "Paris," to insert "Texas," so as to make the bill read:

Be it enacted, etc., That the sum of $200,000, or so much thereof as may be necessary, be, and the same is hereby, authorized to be expended by the Secretary of the Treasury, for the purpose of supplying the necessary building for the Federal court, post office, and other Government offices at Paris, Tex.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. CULBERSON, the title was amended so as to read: "A bill for a public building at Paris, Tex."

RECLAMATION PROJECTS.

Mr. WORKS. Will the Senator from Oregon yield to me just a moment to offer a resolution of inquiry?

Mr. CHAMBERLAIN. I have no objection if it does not lead to discussion.

Mr. WORKS submitted the following resolution (S. Res. 157), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior is directed to furnish the Senate with the following information:

First. The number of reclamation projects completed and under way, giving the name and the location of each of them.

Second. The number of acres being irrigated by each, and separately, the number of acres susceptible of irrigation from the system.

Third. How much of the land that is, or may be irrigated from each of the projects, is public lands and how much held in private ownership.

Fourth. The total number of acres of private lands now being irrigated by each of the projects, and how much of such lands is susceptible of irrigation by each.

NATIONAL DEFENSE.

Mr. CHAMBERLAIN. I ask to have the unfinished business laid before the Senate.

The VICE PRESIDENT. It is before the Senate now.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. POMERENE. Mr. President, I desire to speak briefly this morning to the amendment proposed by the Senator from Iowa [Mr. CUMMINS]. On the same day that he gave notice he would offer this amendment I also gave notice that I would offer the amendment, and later I learned that the junior Senator from New York [Mr. WADSWORTH], who likewise had been interested in the subject, had presented substantially the same amendment.

I recognize the fact that there has been a good deal of very learned discussion as to how far the Government may federalize the National Guard. I do not intend to go fully into that question this morning, but suffice it to say that, so far as the pending amendment is concerned, it is not, in my judgment, relevant. Under the Constitution Congress is given this power, among others:

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

Of course no question can arise after the National Guard has been mustered into the Federal service as to the authority of the Commander in Chief over the National Guard. If the service of the National Guard is desired, and if there be any question as to the authority of the Federal Government to take over the National Guard under the present law, there is no doubt in my mind, first, that the National Guard would have the right to volunteer their services just as they did during the Spanish-American War, and, secondly, if they did not desire to volunteer their services, there is, in my judgment, no question about the authority of Congress to provide for the drafting of the National Guard into that service.

The Senator from Connecticut [Mr. BRANDEGEE] on yesterday introduced into the RECORD several very learned articles by the former Secretary of War, Mr. Stimson.

Mr. CLAPP. Will the Senator pardon an interruption?

Mr. POMERENE. Certainly.

Mr. CLAPP. Does the Senator mean by his expression "drafting the National Guard" that they could be drafted otherwise than as a part of the citizenship of the country subject to draft?

Mr. POMERENE. Oh, no; I do not.

Mr. CLAPP. I supposed not, but I thought the Senator expressed a little doubt.

Mr. POMERENE. I simply mean that Congress could adopt regulations by the terms of which the National Guard could be drafted into the service of the Federal Union.

Mr. CLAPP. Simply because they would be subject to the draft, like everybody else.

Mr. POMERENE. Most assuredly.

Mr. Stimson refers in a very learned way to the difficulties which arose between the militia and the Federal Government during the War of 1812. In brief, the authorities in Massachusetts and Connecticut insisted that the Federal Government did not have the power to call them; that they were subject more immediately to the control of the States than to the Federal Government, and the Supreme Court of Massachusetts sustained that contention. But later on the Supreme Court of the United States, according to the article written by Mr. Stimson, overruled—and, I think, rightly—the position taken by the Supreme Court of the State of Massachusetts.

I think we can agree in this proposition, that while the Federal Government is given the power to organize, arm, and discipline the National Guard, if the Federal Government should refuse to exercise that power the State could exercise it or the State and the Federal authorities could exercise this power concurrently. But in the event that there should be any conflict as between the two authorities, then it must follow that the Federal authorities would have supremacy.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. POMERENE. I yield.

Mr. CUMMINS. I think the Senator from Ohio must have misunderstood the question propounded by the Senator from Minnesota. I desire to call the attention of the Senator from Ohio to the House provision with regard to the authority of the President to draft the National Guard in time of war. It is in section 77. The House provision is:

SEC. 77. That when Congress shall have authorized the use of the armed land forces of the United States in the emergency of actual or imminent war, requiring the use of troops in excess of those of the Regular Army, the President may, under such regulations as he shall prescribe, draft into the military service of the United States, to serve therein for the period of the war unless sooner discharged, any or all members of the National Guard.

I think it probable that the Senator from Ohio did not intend to say that the House provision in that respect is not valid or not constitutional.

Mr. POMERENE. I did not have in mind the House provision at all. I was simply discussing the general proposition, and I simply wanted to make myself clear as saying that the Federal Government would have the right to draft the National Guard just the same as it would the individual citizen. I do not intend to say, however, that it may not go further, and I do not intend this morning to discuss that question.

Mr. CUMMINS. I did not want any misunderstanding to arise. I express no opinion about it myself, but the House bill has definitely provided that the National Guard can in the event of war be drafted as such.

Mr. CLAPP. The Senator from Ohio and myself understood one another. He used the expression "draft the National Guard" and I supposed he meant that the members of the National Guard, as he was discussing the subject, would be subject to draft like any other citizen.

Mr. POMERENE. Most assuredly; the members of the National Guard are citizens of the State and citizens of the United States, and the mere fact that they may be members of the National Guard of a State does not deprive them of their character as citizens of the Federal Government and therefore subject to the rules and regulations which may be prescribed by the Federal Government.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Connecticut?

Mr. POMERENE. I yield.

Mr. BRANDEGEE. Let me ask the Senator from Iowa, if I may, did I understand him to claim that the President could draft into the service of the United States the National Guard organizations as such?

Mr. CUMMINS. I said that the House bill so provides, but I did not express an opinion with regard either to the wisdom or the legality of the provision.

Mr. BRANDEGEE. If the Senator will pardon me, I do not read the House bill as he does. As I read the language which he himself read a minute ago in section 77, page 97, it provides that "the President may, under such regulations as he shall prescribe, draft into the military service of the United States, to serve therein for the period of the war unless sooner discharged, any or all members of the National Guard," but not the National Guard organization as such.

Mr. CUMMINS. I read it precisely as the Senator has now read it.

Mr. BRANDEGEE. I say the Senator did read it that way, and reading it that way I do not see how he finds authority there to draft the organizations entire as organizations as such but only the members of the organizations.

Mr. CUMMINS. What I said was that the House bill provided that the National Guard could be segregated from other citizens of the country and be subjected to a draft in time of war, because they are or would be members of the National Guard, and I so understand the House provision.

Mr. BRANDEGEE. Whether that is a segregation of the members of the National Guard from the other individuals of the country who are liable to do military service and be drafted therefor is a different proposition.

Mr. POMERENE. Mr. President, the matter which is now being discussed by Senators does not affect the important question which I have in mind and that is the wisdom or the unwisdom of the amendment which has been offered by the Senator from Iowa.

I take it that whatever system may be devised by the Federal Congress it is in part going to be composed of the National Guard, and that being so, necessarily the question arises as to how we should treat the National Guard. The militia existed in this country long before the Federal Army existed. The militia had done service, and valiant service. We have had them in time of peace and in time of war.

I recognize the fact that many who seem to think that we should have one centralized Federal Army are disposed to criticize, and criticize severely, the National Guard; but I dare say that if we were to look with a critical eye into the history of the military power of this country, for every criticism that can be advanced against the National Guard an equal criticism can be made against the manner in which the Regular Army itself has been organized and controlled.

It is not necessary to take the time of the Senate to refer to the splendid service which was rendered by the militia in many of the battles during the Revolutionary War. I grant you there have been mistakes made by it; but if we are to speak of mistakes we can not lose sight of the fact that during the Spanish-American War the Regular Army of this country was not itself perfect. For every mistake that was made by the militia which was mustered into the service during that war, a like mistake can be found to have been made on the part of those who had control of the Regular Army.

Under the provisions of this bill we have the Regular Army, the Volunteer Army, so-called, and the militia. No one differs, I take it, in the thought that the militia is to form a goodly part of whatever force we may have after this legislation has been completed. That being so, it seems to me that the one matter which should be given very careful consideration by the Senate and the House of Representatives is, How shall we treat the militia?

Reference was made yesterday to the incompetence of the militia as it existed in the early history of the country; some reference was made to it as it has existed since the civil war; but I want to remind those who are criticizing the militia of the country that, if there is any fault in the regulations which have controlled them in their organization, in their discipline, the fault does not lie any more at the door of the militia or the National Guard than it lies at the door of the War Department of this country, or at the very doors of Congress itself.

It is said the militia were not properly organized; that they were not properly disciplined. Well, what of it? Congress has the power to regulate the organization and the discipline; and it does that through the administrative power of the War Department itself. So, if they have not been properly disciplined, it is not because the Congress did not have the power to regulate it, for the Constitution itself provides that the Congress has the authority to organize, to arm, and to discipline the militia.

I take it that, if the militia in past years have not measured up to the proper standard, we can go a little further and inquire why. What encouragement has the Congress given to the militia? What attention has been paid to the militia by the War Department of this country? I assert that if no more attention had been paid to the Army itself by the Congress and by the War Department, if they had been given no more encouragement than the militia has been given by the Federal Government, they would not be able to surpass even the militia, if the standard of the militia were no higher than that which is charged against it by the critics of the National Guard.

But, Mr. President, whatever may be said of the militia and of its discipline as it existed before the Civil War or as it existed prior to the Spanish-American War, the same criticism can not with justice be directed toward that branch of the service now or since the Spanish-American War. I know something of the service which has been rendered by the National Guard in my own State; and when I speak of the National Guard I include both officers and men. They come from every locality in the State. The members of the National Guard are taken from the very best of our citizenry. If any criticism can be made of the officers of the National Guard of Ohio, it is that they have given so much attention to the development of the National Guard that they have been compelled to neglect their own private affairs. They have taken upon their shoulders the organization, the training, the discipline of the men under their command because of their love of the service and of the State and of their country. Very little, if any, encouragement has been given to them by the Federal Government, and when they have come to the Capital at Washington asking favors often they have been received with scant courtesy. I want to submit that, taken man for man, the National Guard of the State of Ohio and of many of the other States of which I have some knowledge will measure up fairly well with the men in the Regular service.

Mr. Stimson, in one of his articles, refers to the fact that the attendance upon the drills by the National Guard has perhaps not been in excess of 60 per cent. It is a just criticism, which can be made; but it seems to me that if they are to be given the proper encouragement the failure to attend will be reduced to a minimum.

If we are going to criticize the militia, let us refer for a moment to conditions as they prevail in the Federal Army. According to a statement which is placed upon our desks this morning, we find that there are 67,765 men now alive who left the Regular Army during the last 10 years, and that of this number 6,893 "went into civil life" without terminating their services honorably. They either deserted and did not return to the service or were discharged by sentence of a general court-martial.

Now, if we are looking for mistakes which we want to correct, if we are looking for matters of criticism, let us be fair to both branches of the service; but it seems to me, instead of our dealing in crimination and recrimination against one branch or the other of this service, we should bend ourselves to the duty of ameliorating the condition of the service as affecting both the militia and the Regular Army.

Mr. President, we do not need to go very far to find that most of the criticism of the National Guard has emanated from the forces in the Regular Army. I take it that the War Department wants full and complete knowledge both as to the condition of the Federal forces and as to the condition of the National Guard; and if there is this prejudice or bias existing on the part of the one arm of the service against the other, it is impossible that right information can be taken to the Secretary of War or to the Commander in Chief of the Army, if he is to get all of his information through one branch of the service. Necessarily, if the Regular Army is not in sympathy with the National Guard, they will look, perhaps unconsciously, with some degree of prejudice upon that branch of the service; and if there is the defect in the discipline of the National Guard, as is contended by those who are criticizing them, is it not in part due to the fact that there has not been that close, intimate relationship existing between the National Guard and the Federal forces which ought to exist? This being so, what objection can there be to having on the General Staff a certain number of officers of the National Guard, who may be able to keep the War Department advised as to what is doing among the National Guard of the several States? Will not the War Department be benefited by this information? If any irregularities exist, can they not the better be corrected in this way?

The former Secretary of War suggested that in the National Guard there were 48 little armies, one for each State, under different degrees of discipline; that it was an inharmonious whole; and that to the extent the National Guard was composed of these different elements it was lacking in efficiency. Assuming that that criticism is just, who is to blame? Under the Federal Constitution the Federal Government has the power to legislate for the regulation and discipline of the National Guard, and if there are 48 armies in 48 States, differing in discipline, it seems to me that the Congress and the War Department are more to blame than are the National Guardsmen themselves.

Mr. LODGE. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. POMERENE. Yes.

Mr. LODGE. Is it the intention that the officers of the National Guard whom it is proposed to add to the General Staff shall take part in the management of the Regular Army?

Mr. POMERENE. I assume that they would be there in an advisory capacity.

Mr. BRANDEGEE. As experts.

Mr. LODGE. Well, as experts, of course; but are they to take part in the management and direction of the Regular Army?

Mr. POMERENE. They are to constitute a part of the General Staff of the Army.

Mr. LODGE. The officers and men of the Regular Army, then, are to be pro tanto subordinate to these officers of the National Guard?

Mr. POMERENE. I do not imagine that they would be controlled by the members on the staff taken from the National Guard. They would participate in the management. There certainly would not be a majority of National Guardsmen on the General Staff by any means.

Mr. CHAMBERLAIN. Mr. President, if I may interrupt the Senator, I will say that it is proposed that the officers detailed to the General Staff from the National Guard shall have the same status as members of the General Staff from the Regular Army.

Mr. LODGE. That is, they would have part in the direction of the Regular Army of the United States?

Mr. CLAPP. No, Mr. President; they would act only as advisers.

Mr. LODGE. There is nothing of that sort in the amendment.

Mr. WARREN. The chairman of the committee is right; they would be the same as the other members of the staff.

Mr. CHAMBERLAIN. Exactly the same.

Mr. WARREN. As I have suggested in an aside to the Senator from Minnesota, the officers of the General Staff do not direct, except through the head of the department. Of course, they are advisers to the department.

Mr. CLAPP. That is all the officers of the National Guard will do.

Mr. LODGE. Are they to advise concerning and to have power over the Regular Army, or are they to be confined to National Guard matters?

Mr. CHAMBERLAIN. Mr. President, I think there is a misapprehension as to the powers and duties of the General Staff. They do not govern the Army——

Mr. LODGE. I understand that.

Mr. CHAMBERLAIN. And the National Guard officers, whom it is proposed to place on the General Staff, will have exactly the same functions to perform as the General Staff of the Army.

Mr. LODGE. Precisely; that is, they will advise not only in regard to the National Guard, but they will advise also as to the management and control of the Regular Army, of which the President is Commander in Chief.

Mr. WARREN. The same as the other officers of the General Staff, and the General Staff would still have to act through the Secretary of War.

Mr. LODGE. I understand that.

Mr. SMITH of Georgia. There would be only 5 members of the National Guard on the General Staff containing 92 officers of the Regular Army.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. POMERENE. I yield to the Senator from Iowa.

Mr. CUMMINS. Mr. President, I simply desire to suggest to the Senator from Massachusetts that the General Staff under this bill is composed of 92 officers of the Regular Army. This amendment proposes to admit to that body 5 officers of the National Guard, and, inasmuch as the duties of the General Staff are entirely advisory, it seems to me that the presence of 5 members of the National Guard, as compared with 92 members of the Regular Army, ought not to create any great apprehension with respect to the advice that will be given from time to time by the General Staff.

Mr. LEE of Maryland. Mr. President, will the Senator from Ohio allow me to make a suggestion?

Mr. POMERENE. I yield to the Senator.

Mr. LEE of Maryland. Perhaps the Senator from Massachusetts was not here yesterday afternoon when the Senator from New York [Mr. WADSWORTH] gave a concrete and very apt example of the manner in which there could be cooperation between the National Guard officers of the General Staff as advisers and collaborators and the Regular Army officers on that staff. He illustrated a case where a militia officer had been requested to come here and collaborate with the General Staff as to the details of a proposed mobilization, and he showed how much use that officer had been to the General Staff in the suggestions he was able to give because of his knowledge of the details of the militia situation.

Mr. LODGE. If the Senator from Maryland has concluded——

Mr. LEE of Maryland. I have been trespassing on the time of the Senator from Ohio. I have concluded.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. POMERENE. I yield to the Senator from Massachusetts.

Mr. LODGE. I was aware of the duties of the General Staff, and I gathered from reading the amendment that only five officers were to be added from the National Guard; but what I want to find out is whether they are to have the same advisory powers in regard to the Regular Army as other members of the General Staff, because that I think is an important point. I also want to know—and the Senator from Maryland has been kindly enlightening me in regard to the matter—whether a National Guard officer from New York is to advise the Government what to do with the militia from Massachusetts?

Mr. POMERENE. Mr. President, the time may come, if there should be war, when it will be very necessary for the War Department to have all the information it can get from all sources. That being so, it occurs to me that it is not going to militate against the efficiency of the War Department if they can have some information and some advice from some national guardsman, particularly with reference to the efficiency of the organization and the qualifications of the National Guard, and they may be able to aid with their advice in the direction even of the Federal troops themselves. As the Senator from Iowa [Mr. CUMMINS] has suggested, the number would be so small that they could not dominate and control the operations of the Army if they would, and the members of the General Staff all act in an advisory capacity.

Let me give just a little incident which was brought to my notice by one of the officers of the National Guard of Ohio a few weeks ago in discussing this subject. At Camp Perry the National Guard meet once a year for their field practices. The entire guard are there. They go through the usual field maneuvers. Some of the officers of the Federal Army were out there to inspect the Ohio National Guard, and several of these officers stated to the officers of the National Guard that they themselves had been particularly benefited personally by witnessing these maneuvers, and further stated that never in their careers as officers of the Federal Army had they seen so many soldiers at one time on one field.

Mr. THOMPSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Kansas?

Mr. POMERENE. I do.

Mr. THOMPSON. Is it not true that the National Guard usually go to the military posts of the Regular Army for their maneuvers and drills, and that they use the same discipline as the Regular Army?

Mr. POMERENE. I know that they do attend. Whether it is a general rule or not, I can not say.

Mr. THOMPSON. The discipline is practically the same for one as it is for the other; is it not?

Mr. POMERENE. It should be the same.

Mr. President, I felt at the time this matter was called to my attention that no system was going to be adopted here which would not be in part composed of the National Guard. That being true, I see no reason why a limited number of the officers of the National Guard—who no doubt will be selected because of their efficiency and familiarity with military affairs, and particularly with the affairs of the National Guard—will not be a very great aid to the Government, not only in time of war but in time of peace, when it comes to the proper disciplining of the forces of the country.

For these reasons, very briefly stated, I indulge the hope that this amendment, or something akin to it, may be adopted.

Mr. BORAH. Mr. President, I desire to make some observations on those features of this bill which relate particularly to the so-called National Guard. I would not presume to discuss what may be called the expert features of this bill or of any bill providing for a military system, because I am not qualified to do so; but I am disposed to offer some observations as to that portion of the bill which has to do with law and government and politics.

Mr. President, the fathers nowhere disclosed greater wisdom than in those provisions of the Constitution wherein they equipped this country for self-defense. In no part of that instrument were more courage and foresight disclosed than in that part which has to do with the method and means by which the Republic can take care of itself in case of danger. With singular aloofness from those prejudices and sentiments which so often embarrassed the framers of free institutions in former times, they dared to lodge in one place that capacity for action and that unity of purpose so indispensable to governments in time of war. They were not afraid to trust the President with power sufficient to save the Republic for fear they might trust him with sufficient power to destroy the Republic. Their vision, their reasoning in this respect, amounted to the highest possible conception of statesmanship; and to do in the face of bitter denunciation what their judgment told them it was essential to do was an exhibition of moral courage ennobling to all who contemplate even again and again their work.

It was natural they should give care to this part of their work, because they had just come from the battle field. Washington and Hamilton, who had gone through the Revolution, sat in the convention. It was, therefore, quite logical for them to seek to avoid some of the mistakes which had been made by so-called republics in former times, wherein sufficient and efficient

power had not been given to the Government to protect itself in times of danger. To that end they set about to concentrate the powers of the Government so that those powers could be used effectively and efficiently and successfully in all military matters.

They had no illusions about a republic remaining at all times in a state of peace because of the fact that it was a republic. They understood thoroughly that, regardless of the form of government and of the purposes of the Government, or of the people, and of their devotion to peace, nevertheless there would be times when all the powers of the people must be concentrated in an effective means for the protection of the Government and of the people. They were perfectly familiar with the weakness of former republican governments wherein there was divided authority and divided responsibility with reference to military affairs. So, Mr. President, the builders of this Government centralized tremendous powers in the President of the United States in times of danger. The late Civil War revealed how much we owe to them for having done so.

Preliminary to the discussion of the real question before us, I call attention to the language of the Federalist upon some of these matters.

Mr. Hamilton, in the opening article of the Federalist, says:

On the other hand, it will be equally forgotten that the vigor of government is essential to the security of liberty; that in the contemplation of a sound and well-informed judgment their interests can never be separated; and that a dangerous ambition more often lurks behind the specious mask of zeal for the rights of the people than under the forbidding appearance of zeal for the firmness and efficiency of government. History will teach us that the former has been found a much more certain road to the introduction of despotism than the latter, and that of those men who have overturned the liberties of republics the greatest number have begun their career by paying an obsequious court to the people, commencing demagogues and ending tyrants.

In this opening article we find their lofty purpose indicated and a true revelation of their minds. They were not hesitant to leave the commanding of the entire Army and Navy of the United States to one man, the chosen Chief Magistrate of the country. They centralized, as no other Republic had even been willing to do, this power to command the fighting forces. While guarding the raising of the armies by certain provisions elsewhere found, in the matter of commanding the forces there was to be that individual responsibility which all their experiences warned them to be essential.

In No. 6 of the Federalist it is said:

But, notwithstanding the concurring testimony of experience in this particular, there are still to be found visionary or designing men, who stand ready to advocate the paradox of perpetual peace between the States, though dismembered and alienated from each other. The genius of Republics, say they, is pacific; the spirit of commerce has a tendency to soften the manners of men, and to extinguish those inflammable humors which have so often kindled into wars. Commercial Republics, like ours, never will be disposed to waste themselves in ruinous contentions with each other. They will be governed by mutual interest, and will cultivate a spirit of mutual amity and concord.

But, says the writer:

Have republics in practice been less addicted to war than monarchies? Are not the former administered by men as well as the latter? Are not there aversions, predilections, rivalships, and desires of unjust acquisitions that affect nations as well as kings? Are not popular assemblies frequently subject to the impulses of rage, resentment, jealousy, avarice, and of other irregular and violent propensities? Is it not well known that their determinations are often governed by a few individuals in whom they place confidence, and that they are, of course, liable to be tinctured by the passions and views of those individuals. Has commerce hitherto done anything more than change the objects of war?

This is particularly interesting at this time; for, after all, one of the controlling influences which led to the great conflict now raging in Europe was that of a desire for commercial supremacy.

Is not the love of wealth as domineering and enterprising a passion as that of love of power or glory? Have there not been as many wars founded upon commercial motives, since that has become the prevailing system of nations, as were before occasioned by the cupidity of territory or dominion? Has not the spirit of commerce, in many instances, administered new incentives to the appetite, both for the one and for the other? Let experience, the least fallible guide of human opinion, be appealed to for an answer to these inquiries.

Citing a number of historical illustrations, he further says:

Have we not already seen enough of the fallacy and extravagance of those idle theories which have amused us with promises of an exemption from the imperfections, the weaknesses, and the evils incident to society in every shape? Is it not time to awake from the deceitful dream of a golden age and to adopt as a practical maxim for the direction of our political conduct that we, as well as the other inhabitants of the globe, are yet remote from the happy empire of perfect wisdom and perfect virtue?

So, Mr. President, entertaining the view that a republic could not be considered as exempt from war, however devoted the people of that republic might be to peace, and entertaining the view that in hours of danger there must be a centralization of power, so far as military action is concerned, the framers of the Constitution did not hesitate to centralize that power in the Chief Magistrate, and made him the Commander in Chief of the Army and Navy of the United States. The right to command belongs to him, and can not be taken from him by any act of Congress. Next, they gave to Congress, acting for all the States, the power to raise and support armies, to provide a national force as distinguished from the local force known as the State militia. They said that—

The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States when called into the actual service of the United States.

It has been said in this debate that the Constitution of the United States nowhere recognizes the State militia; that there is no recognition, as it were, of a national force and of a local force; but we have that clear and unmistakable recognition in part of section 2, Article II, of the Constitution, where they refer to "the militia of the several States when called into the actual service of the United States."

The framers of the Constitution, entertaining the views that they entertained with reference to the necessity of an undivided power and undivided responsibility in the hour of danger, would scarcely have done other than recognize as a local force that over which they permitted the local authorities to have any control whatever, and to provide another and a distinct force for the National Government as contradistinguished from the local force. If they had not regarded the militia as essentially a State force and always to remain such, except in the limited instances prescribed, they would not have consented to their being officered and trained by 13, now 48, separate authorities. They would never have regarded such divided authority in military affairs as other than fatal. But regarding the militia as a State force, and having provided an undivided authority for the national force, they consented to leaving the training of the militia to the States.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Mississippi?

Mr. BORAH. I yield.

Mr. WILLIAMS. In that connection, if the Senator will pardon me, does it not seem evident that inductively and historically, as well as deductively, his argument is sound, because this force, which is called by the Constitution not the militia of the United States but the militia of the several States, so as to exclude the idea of its being the militia of the joint States, was already historically a preexisting force, and existed long before the Federal Government was formed at all, as the militia of the several Colonies? So that, historically as well as deductively, the Senator must be right about that.

Mr. BORAH. I think the Senator is entirely correct in that respect.

Mr. WILLIAMS. In other words, the framers of the Constitution merely recognized an existing thing and connected it with the Federal Government for times of war.

Mr. BORAH. Precisely. The fathers found a State militia in each State. They left a State militia in each State, and they left with the States such vital and controlling power as will, in my judgment, always make it, for the purposes of war, ineffective except in a most limited way as a national force. On the other hand, they provided for a national force without permitting any limitation whatever to be placed upon it by the States, giving to Congress authority to raise and support armies and making the Commander in Chief the President of the United States.

What I desire to do to-day—and that is all I desire to do at this time—is to show that according to the Constitution there is a distinct, vital limitation upon the power of Congress with reference to the State militia, and that by reason of that limitation, which is vital and essential, the State militia never can be made an effective force in war or an effective force as a national organization. I want to show that the power of Congress over the militia is a limited power, and that by reason of that limitation the National Government can not do that which is indispensable in fitting the militia for service in times of national danger. I want to show that the powers left with the States are, from a military standpoint, preponderating and dominant, and that to spend vast sums of money on the State militia in view of these insuperable obstacles is to waste effort—to waste our funds so sorely needed for real effective preparedness.

I am not going, Mr. President, to-day at least to review historically the effect of this division of power with reference to the State militia as it has been demonstrated from the beginning of the Government until now. I do want to say, however, in passing that in presenting this question with reference to the ineffectiveness of the State militia to serve the National Government men should not be charged with assailing the personnel or the character of the men who constitute the militia.

It is no reflection upon them as men or citizens. It is a question of power, a question of constitutional authority which we ought to have the courage to heed. The position which I take in regard to it is that by reason of these provisions of the Constitution it never can be made an effective force in Federal affairs as a military proposition, and that being true it devolves upon us to account to the people for putting them in touch with the National Treasury. We should have a reason, a most vital reason, for spending fifty or sixty millions of dollars a year when already every form of taxation is harassing and annoying the citizen.

Looking at the provisions of the Constitution with reference to the State militia we find them entirely different in every respect with reference to power from those which relates to the national force. Among other things in Article I, part of section 8, it says:

> The Congress shall have power * * * to provide for calling forth the militia

For what purpose? Not for all purposes. Not as Congress may raise and support an army, not as it may put in action the national force, but for three specific and well-defined, well-known, and recognized purposes only.

First, to execute the laws of the Union; second, to suppress insurrection; and, third, to repel invasion.

> To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

It has been said that the power of Congress over the State militia is the same as the power of Congress over the Army with the exception of the authority to appoint the officers and training the militia. We need not discuss many of the closer questions, what might be called the hair-splitting question with reference to the authority of Congress over the State militia. Let us deal alone with the vital and controlling constitutional powers. We have here the clear and unmistakable provision reserving to the States exclusively the naming of the officers and the training of the militia. These duties devolve upon and belong exclusively to the State. You can not purchase these reservations away from the State by putting the militia upon the pay roll. You can not go into the market and barter in constitutional power. You must get it from the Constitution without money and without price or you must forego its enjoyment.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I yield.

Mr. BRANDEGEE. Will the Senator be kind enough to repeat the language about the militia organization which he has just read?

Mr. BORAH (reading)—

> To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

Mr. BRANDEGEE. Will the Senator let me ask him this question: The militia to which the Senator has just referred means the unorganized militia of the country, does it not—all persons liable to military service between the years of age as fixed by law? So when it speaks about governing such portion of them as may be put into the service of the United States it does not in anyway authorize the United States to summon the State militia to serve the United States Government. Is it the unorganized militia that Congress is directed to organize? Of course, there would be no sense in organizing the Organized Militia. It must refer to those subject to military service, does it not?

Mr. BORAH. I rather think not.

Mr. STERLING. If the Senator will permit an interruption, I should like to ask him if he thinks that that question is quite so broad? Does the Senator think that the constitutionally Organized Militia of the States may not, under this expression, be ordered into the service of the United States, although organized?

Mr. BORAH. I have no doubt about that.

Mr. BRANDEGEE. Can they be ordered into the service of the United States in time of peace simply for training?

Mr. BORAH. No, sir; they can not be ordered into the service of the United States except when the President of the United States decides it is necessary to have them there for the purpose of executing the laws of the Union, to suppress insurrection, or repel invasion. They remain as a State force at all other times, and the State alone can train them. Congress can not train them. If the State declines to train them, Congress is powerless.

Mr. STERLING. Then, I should like to make this inquiry: If they may be ordered into the service of the United States for service in war, will not that solve some of our difficulties in considering that part of the bill relating to the National Guard? Will there need to be any new enlistment, for example? Will there need to be any contract with the General Government for service in the Regular Army? May they not as Organized Militia of the States be ordered into the service of the United States in time of war?

Mr. BORAH. I think so, if it is a war of invasion. However, I think that if we are going to put $50,000,000 a year into the National Guard there ought to be something besides the mere right to order them in. They ought to be equipped and prepared to fight when they get in; and the point is that as long as the State appoints the officers and does the training that never can be true. Why it can not be I am going to discuss at another time. I am interested now as to legal questions only.

Mr. President, with reference to this clause appointing the officers and training the men, and as to the limitation of the authority of Congress over the subject, I read again from the Federalist, No. 29:

> What reasonable cause of apprehension can be inferred from a power in the Union to prescribe regulations for the militia and to command its services when necessary, while the particular States are to have the sole and exclusive appointment of the officers? If it were possible seriously to indulge a jealousy of the militia upon any conceivable establishment under the Federal Government, the circumstance of the officers being in the appointment of the States ought at once to extinguish it. There can be no doubt that this circumstance will always secure to them a preponderating influence over the militia.

That number of the Federalist was written by Alexander Hamilton, who had pronounced ideas with reference to the rights of the National Government. He states, however, that so long as the officers are appointed by the States the State must necessarily at all times be the preponderating influence with reference to the State militia; and I shall undertake to show later by historic facts that that has always been true, and that in spite of any contract which you insert in this bill in the hour of crisis it always will be true. You can not change the Constitution of the United States by a contract between individuals or between the National Government and an individual. You can not change it by putting into this bill an oath to support the Constitution and laws of the United States and leaving out the oath to support the State law, from which the officer receives his commission. It is simply an attempt, futile, inexpedient in the end, to get around a plain provision of the Constitution. The fathers fully intended that there should always rest with the State the preponderous influence over this local force. The only way you can change it is to change the Constitution. It is idle to assume you can change all this by contracts or oaths or compensation.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. CUMMINS. I am not sure that I understood the Senator from Idaho a few moments ago with respect to that clause of the Constitution which provides substantially as follows:

> And for governing such part of them as may be employed in the service of the United States.

Assume that Congress has provided for the organization of the militia, I care not what you call it, State militia or otherwise, does the Senator say that the Federal Government does not employ the militia when it prescribes the arming, the equipment, and the training? I rather understood him to say that they were not then employed by the Government of the United States.

Mr. BORAH. That is my view of it.

Mr. CUMMINS. When they are employed?

Mr. BORAH. When the President for these three reasons, or either of them, under the Constitution calls them into the service of the United States.

Mr. CUMMINS. So that if the Senator——

Mr. NELSON. If the Senator will allow me——

Mr. CUMMINS. I had not concluded my question.

Mr. NELSON. I simply wanted to supplement what the Senator said by stating that when they are called into the United States service they are mustered into the service.

Mr. CUMMINS. "Mustered" simply means account, as I understand it, in military phraseology. We do not advance very far by using the word "muster." I want to know if I clearly understand the Senator as saying that there is no Federal relation with the militia or the National Guard until the President calls them into active service for the purpose of enforcing the law, suppressing insurrection, or repelling invasion.

Mr. BORAH. The Senator says, "relation." That is a term of infinite scope. There is this relation, that Congress may previously prescribe the method of organizing, arming, and disciplining it. It may lay down the rule by which the officers appointed by the State shall train them, and if the National Government does not see fit to lay down the rule the State may lay down the rule. But I concede that in training the National Guard the discipline may be prescribed by the National Government before they are actually called into the service of the United States.

Mr. CUMMINS. What office, then, does the clause to which I referred play in the matter, "and for governing such part of them as may be employed in the service of the United States"? Does the Senator understand that when they are employed in the service of the United States the latter provision in the same section reserving to the States the power to appoint officers disappears?

Mr. BORAH. No; I do not so understand.

Mr. CUMMINS. Then when are they employed by the United States and governed by the United States?

Mr. BORAH. They may be governed in a limited sense by the United States without the United States appointing the officers. After the officers are appointed the President may call them into the service of the United States. They pass then under the direction and control of the United States, and the United States governs them and governs the officers who have been appointed by the State. In other words, after they are called into the service they pass under the control of the National Government and are a part of the national force.

Mr. CUMMINS. But the Senator understands they are not in anywise governed by the United States until they are called into the service for one of the three purposes named in the preceding paragraph of the Constitution.

Mr. BORAH. I do not know what the Senator means by "governed." You might say they are being governed in a sense because the Government had prescribed the organization and the method of disciplining them and arming them, but in the sense of controlling troops, directing troops, or using troops as they are called in, they are not under the direction of the United States until the President calls them in for one of these three reasons.

Mr. CUMMINS. One more question, and I shall not detain the Senator further. Then, after Congress has organized or provided for organizing them and for arming them and for disciplining them, as I gather, it is the view of the Senator from Idaho that Congress could not prescribe the length, for instance, of the service during any year or any period, nor the character of the camp service which might be required of the militia?

Mr. BORAH. Before they are called into the service of the United States?

Mr. CUMMINS. Before any effort is made to bring them in for the purpose of enforcing the law or suppressing insurrection or repelling invasion.

Mr. BORAH. That would depend entirely upon what it would be regarded. I think that that might come under the question of discipline.

Mr. NELSON. Will the Senator from Idaho allow me?

Mr. BORAH. I yield.

Mr. NELSON. I want to state that the term "muster into the service of the United States" received a practical construction in the days of the Civil War. We had our State regiments. I myself enlisted in a State company. Eight companies of the State militia were brought into camp together. We were there a month and by-and-by the United States mustering officer came there and made us take the oath over again, and we were mustered into the United States service. From that time on we were under the control of the Federal Government. Now, that is the way it operated during the Civil War with every militia regiment that appeared in the service. They were mustered into the United States service by a United States Regular Army mustering officer swearing them in, and then they became a part of the United States Army.

Mr. CUMMINS. If the Senator from Idaho will allow me——

Mr. BORAH. I yield.

Mr. CUMMINS. I defer to the broader knowledge of the Senator from Minnesota with regard to the meaning of the word "muster." I have a little knowledge respecting it from an Army officer. The Senator from Minnesota, however, describes an enlistment. Of course, when the Senator from Minnesota enlisted in the service of the United States he was mustered in as well, but at that time Congress had not exercised the authority given to it in the Constitution, and the company of which he was a member was not in the service of the United States. I assume it is hardly fair, however, to test what is here proposed by what was done 50 years ago when Congress had not thought it necessary to employ the full power, as I view it, which it has under the Constitution.

Mr. BORAH. I want to support what I have said by calling attention to a few paragraphs from the case of Houston versus Moore.

This case was in part a construction of the act of 1792 and the act of 1795. I do not know about the act of 1792; but the act of 1795 was drawn under the direction of Mr. Hamilton, in contemplation of using the State militia in the riots which were at that time disturbing western Pennsylvania. I want Senators to bear in mind, not only the fact that it was drawn by one who had a pretty settled view as to the powers of the States and of the National Government with reference to the militia, but that the act of 1795 has been held by the Supreme Court to have exhausted the power of Congress under these clauses of the Constitution. Justice Washington, rendering the opinion of the court, said:

> The Constitution declares that Congress shall have power to provide for calling forth the militia in three specified cases: For organizing, arming, and disciplining them; and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress. * * *
>
> The laws which I have referred to—

Referring to the acts of 1792 and 1795—

> The laws which I have referred to amount to a full execution of the powers conferred upon Congress by the Constitution. They provide for calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasion. They also provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, leaving to the States, respectively, the appointment of the officers and the authority of training them according to the discipline prescribed by Congress.
>
> This system may not be formed with as much wisdom as, in the opinion of some, it might have been, or as time and experience may hereafter suggest. But, to my apprehension, the whole ground of congressional legislation is covered by the laws referred to.

On page 23 it is said:

> Upon the subject of the militia Congress has exercised the powers conferred on that body by the Constitution as fully as was thought right, and has thus excluded the power of legislation by the States on these subjects.

Justice Johnson, who rendered a separate opinion, says, as will be found on page 36:

> Indeed, extensive as their power over the militia is, the United States is obviously intended to be made in some measure dependent upon the States for the aid of this species of force. For if the States will not officer or train their men, there is no power given to Congress to supply the deficiency.

Mr. President, there is no occasion to search for closer questions or for more difficult problems, because if the officering and the training of the militia are left with the States, and Congress can not intrude itself upon that power, then there is to my mind an insuperable difficulty in doing what we are undertaking to do, to wit, make the many State forces a unified efficient force such as we would require in any contest with a powerful foe. To say that a force which is officered by 48 different appointing powers and trained by the State at its will, or no, and that no influence of power can intrude upon that—to say that, is to establish once and for all the inefficiency of the State militia as a national force. Who would lead such a force into battle against the trained armies of Europe or Japan. It would be like the militia from the many States of Greece, meeting the troops of Philip which had been trained and disciplined under one eye—another Chæronea would tell the tale.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER (Mr. CHILTON in the chair). Does the Senator from Idaho yield to the Senator from Illinois?

Mr. BORAH. I yield.

Mr. LEWIS. I only want to call the attention of the able Senator to the fact that he will discover in that case a separate opinion of Mr. Justice Story, and in the opinion of Mr. Justice Story, the Senator will find a very interesting elaboration of the concurrent powers between the States and the Federal Government touching that very service, pointing out, I think, an answer to many of the opinions urged by the able Senator in his lucid argument. I did not know whether the Senator had time to notice that separate opinion; I might say the reversion to that particular subject, as it seems not to have been alluded to by either of the other justices rendering their opinions, or the justice rendering the opinion of the full court.

Mr. BORAH. I thank the Senator from Illinois. Justice Story renders an interesting dissenting opinion, and discusses, as the Senator says, the question of concurrent power; but the concurrent power which Justice Story discusses relates alone to the question of organizing, arming, and disciplining the

militia. He does not intimate that there is any concurrent power in the Congress and in the States with reference to appointing the officers or training the men. He does say, however, that if Congress should fail to provide a system of organization or of arming and disciplining the State could exercise that power, and do it itself; and in this respect the States and the Congress have concurrent power. But upon the other question, upon which I lay stress, with reference to the appointing of the officers of the militia, Justice Story concurs with the main opinion.

Mr. WILLIAMS. And as to the training of the men.

Mr. BORAH. And as to the training of the men.

Now, I want to read a paragraph from Justice Story, and this paragraph is not out of harmony with the main decision, but, even if it were a dissenting opinion, I think an opinion of Justice Story would be persuasive upon any question:

It is almost too plain for argument that the power here given to Congress over the militia is of a limited nature and confined to the objects specified in these clauses, and that in all other respects, and for all other purposes, the militia are subject to the control and government of the State authorities. Nor can the reservation to the States of the appointment of the officers and authority of the training the militia, according to the discipline prescribed by Congress, be justly considered as weakening this conclusion. That reservation constitutes an exception merely from the power given to Congress "to provide for organizing, arming, and disciplining the militia," and is a limitation upon the authority which would otherwise have devolved upon it as to the appointment of officers. But the exception from a given power can not, upon any fair reasoning, be considered as an enumeration of all the powers which belong to the State over the militia. What those powers are must depend upon their own constitutions—

That is the constitutions of the States—

And what is not taken away by the Constitution of the United States must be considered as retained by the States or the people. The exception, then, ascertains only that Congress have not and that the States have the power to appoint the officers of the militia and to train them according to the discipline prescribed by Congress. Nor does it seem necessary to contend that the power "to provide for organizing, arming, and disciplining the militia" is exclusively vested in Congress. It is merley an affirmative power, and if not in its own nature incompatible with the existence of a like power in the States it may well leave the concurrent power in the latter.

But when Congress has once carried this power into effect it is taken away from the States—that is, with reference to organizing, arming, and disciplining the militia. Farther on Justice Story says:

In considering this question it is always to be kept in view that the case is not of a new power granted to Congress where no similar power already existed in the States.

As was said by the Senator from Mississippi [Mr. WILLIAMS] awhile ago:

On the contrary, the States, in virtue of their sovereignty, possessed general authority over their own militia, and the Constitution carved out of that a specific power in certain enumerated cases.

And that is all that Congress undertook to do. The power over the militia, in the first place, belonged, of course, exclusively to the States to arm, organize, prescribe the discipline, appoint the officers, and to train them, but the Constitution sought to carve out of this general power the limited power of organizing, arming, and disciplining, which it may exercise concurrently with the States. Congress has that power, that limited and circumscribed power, carried out, and no more. With reference to the appointing of the officers and the training of the militia, in all other respects, except that of organizing or prescribing the organization and of arming and equipping, the power over the militia rests exclusively in the States. It is a State institution, but over this State institution certain limited authority is given; but it remains and must remain a State institution.

Let us see what the Supreme Court of Illinois said in a case dealing with this question. I will not read it all, because the Senator from Connecticut [Mr. BRANDEGEE] yesterday put it in the RECORD, but I want to read a paragraph or two.

Mr. LEWIS. Will the Senator kindly give the citation?

Mr. BORAH. It is the case of Peter J. Dunne against The People, Ninty-fourth Illinois. I read from the syllabus, but the body of the opinion will be found to support fully, in my judgment, the syllabus:

3. The Federal Constitution does not confer on Congress unlimited power over the militia of the several States, but it is restricted to specific objects enumerated, and for all other purposes the militia of the States remains subject to State legislation. The power of a State over its militia is not derived from the Constitution of the United States. It is a power the States had before the adoption of that instrument, and its exercise by the States not being prohibited by it, it still remains with the States, subject only to the paramount authority of acts of Congress enacted in pursuance of the Constitution.

* * * * * * *

5. There is no question of the power of a State to organize such portion of its militia as may be deemed necessary in the execution of its laws and to aid in maintaining domestic tranquillity within its borders. The power given to the chief executive of the State to call out the militia to execute the laws, etc., by implication recognizes the right to organize a State militia.

* * * * * * *

9. It is for the legislature to determine of what number the active militia of the State shall consist, depending on the exigency that makes such organization necessary.

* * * * * * *

13. The organization of a State militia, when not in actual service, but for the purpose of training under the act of Congress, into divisions, brigades, regiments, battalions, and companies, shall be done as the State legislature may direct. When called into the national service, it is made the duty of the executive to organize the militia as the act of Congress directs.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I yield.

Mr. SUTHERLAND. Has the Senator from Idaho any doubt that, if Congress should not act upon the matter at all and should not make any provision such as it is authorized to make under the Constitution, each State in the Union would have absolute power to provide for a militia, to organize it, and to provide the rules by which it should be governed? I ask the Senator from Idaho whether he does not think that the only purpose of the provision of the Constitution which authorizes Congress to provide for these things is that a uniform rule may be established by Congress?

Mr. BORAH. That is my opinion.

Mr. SUTHERLAND. It was deemed advisable that, so far as possible, the militia of the several States should be organized and disciplined in pursuance of a uniform rule. The power of Congress is simply to prescribe the rule, and then the States carry the rule into execution.

Mr. BORAH. I think that is the correct rule. Something has been said here with reference to the fact that that provision of the Constitution which forbids the States to keep troops in time of war might have some reference to this provision, but both the Supreme Court of the United States and the Illinois Supreme Court have decided that that has no reference to the militia at all.

Mr. SUTHERLAND. The very case to which the Senator has referred, the Illinois case, does that.

Mr. BORAH. That is true. Undoubtedly a State could proceed to organize, arm, and equip its own militia, and discipline it if the Congress of the United States did not provide for its doing so. It could do so upon its own motion, upon its own theory of organization and discipline, and the prohibition of the Congress with reference to maintaining troops would not at all militate against the right or authority of the State to do so.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. CUMMINS. What is the difference between a regiment called "militia" in service throughout the year and equipped in every way for war and "troops"?

Mr. BORAH. Well, Mr. President, in popular parlance there would be no difference at all; but there is a clear line of distinction between "troops" and "State militia" so far as the Constitution is concerned. The State militia are not troops under that provision of the Constitution.

Mr. CUMMINS. That is simply one decision, and probably it would not be accepted as absolutely conclusive of the question. I think there is in the popular mind a difference. I take it that in the word "militia" there inheres the thought of occasional service.

Mr. BORAH. That is generally the way the service is rendered.

Mr. CUMMINS. If a State has the power to organize militia—and that it would have the power to organize militia if nothing had been said in the Constitution I have no doubt whatever, and I think no one has ever doubted it—but suppose the State of Iowa came to the conclusion that it wanted a standing army and would call out its militia, organize its militia, arm the men who were organized, and keep them in the service precisely as the National Government now keeps the regular force in the service, does not the Senator from Idaho think that they would be "troops"?

Mr. BORAH. No; I do not.

Mr. CUMMINS. Then, how could we get troops in the State of Iowa?

Mr. BORAH. Well, the State of Iowa can not have troops in time of peace. It can have its citizen or civilian force; or, in other words, its militia.

Mr. SUTHERLAND. Mr. President, I suggest to the Senator that the distinction between "troops" and "militia" is that

the troops are soldiers, while the militia are citizens still in civil life.

Mr. CUMMINS. How long must citizens be soldiers in order to make them "troops"?

Mr. SUTHERLAND. I have not finished—when a man becomes a member of the State militia, he does not leave his occupation in civil life; he is still a doctor or a lawyer or a clerk. Those things constitute the usual occupations of the militia. A citizen simply becomes a member of the militia in order that he may take training and be ready to respond to the call of his State or, in a larger aspect, to the call of the Nation, and he does not become a soldier.

Mr. WILLIAMS. A professional soldier.

Mr. SUTHERLAND. He at no time becomes a regular soldier.

Mr. CUMMINS. Then we have no "troops" in the United States.

Mr. SUTHERLAND. He is still a citizen in civil life.

Mr. LODGE. We have none except in the Regular Army.

Mr. CUMMINS. They are not troops. A man enlists in the Regular Army for three years, and then comes out of the service, and is still a doctor or a mason in civil life.

Mr. WILLIAMS. But he has no other occupation while he is in the Army.

Mr. LODGE. While he is there he has no other occupation.

Mr. CUMMINS. Certainly not. If the Senator from Idaho will permit me, if a State were to organize a regiment of militia, enlist the militia for three years, and keep them in the service for nine months in each of the years, would not that regiment be troops?

Mr. SUTHERLAND. If the Senator will add to it that they are put into the military business in such a way that they become professional soldiers and abandon their civil occupations, I would say yes.

Mr. CUMMINS. We have no professional soldiers in the United States save the officers who enter the service for life. All others are volunteers, who enter for a specified time. This bill provides that any soldier of the Regular Army can leave it at the end of two years and enter a reserve force. To me the distinction that is made by the Senator from Massachusetts and the Senator from Utah is not understandable at all.

Mr. LODGE. But there is no power in the world where the men enlist for an indefinite period.

Mr. CUMMINS. Oh, I know that.

Mr. LODGE. And they are professional armies.

Mr. CUMMINS. They may be professional armies, but there can be a professional militiaman just as well as a professional soldier.

Mr. LODGE. Professional militiamen, as far as my experience goes, all have some other object. On an average, in the three years of their enlistment, they drill 90 hours.

Mr. CUMMINS. Very well.

Mr. LODGE. And the regular soldier is more occupied in his profession than that.

Mr. CUMMINS. Suppose a State should call in a regiment. It has the power to organize a regiment of militia. All the members of society are unorganized parts of the militia. From the time of attaining fighting age until the man dies he is a militiaman; he is a member of the unorganized militia. But when he enters the service I am trying to find out whether the distinction between the militiaman and the trooper is one of the length of service or one of the character of service, or just how, with a regiment of fighting men who have agreed to remain in the service for a year or two years, you can tell whether they are militiamen or troops.

Mr. SUTHERLAND and Mr. LEE of Maryland addressed the Chair.

The PRESIDING OFFICER. To whom is the Senator yielding? There are several Senators on the floor at the same time.

Mr. BORAH. I yield to the Senator from Utah.

Mr. SUTHERLAND. The distinction is, if the Senator will permit me to answer the question, in the character of the service which is rendered. A man may become a professional soldier if he has enlisted for a year or for three years. The length of time does not make any difference. While he is engaged in that occupation, that is his profession, and it is none the less a profession because he has voluntarily entered it. In other words, in order to be engaged in a profession a man does not have to be compelled to enter it.

Mr. CUMMINS. Mr. President, the difference is, as I understand it, that while he is fighting he is a trooper, but while he is preparing he is a militiaman.

Mr. SUTHERLAND. Not at all. He is a soldier while he is preparing.

Mr. BORAH. Mr. President, the Senator from Iowa would not contend, I presume, that a State could not maintain a militia in time of peace.

Mr. CUMMINS. No, Mr. President; I do not so contend.

Mr. BORAH. The Constitution forbids a State from keeping troops in time of peace.

Mr. CUMMINS. I was trying to find out, however, whether there is any conflict between the various phrases used in the Constitution. We all know that they are not always reconcilable. The clause of the Constitution to which the Senator has just referred says that a State may keep troops without the consent of Congress in the event of war. In the event the State goes to war, in the event of an invasion of the State, the State can keep an army; and I do not know how it could organize the army except under its power to call out all of its citizens to defend it.

Mr. BORAH. Does the Senator contend that a State in time of peace may not maintain a militia?

Mr. CUMMINS. No; I do not.

Mr. BORAH. Then, what will he do with the provision of the Constitution which forbids a State to keep troops in time of peace?

Mr. CUMMINS. I say, I was asking the Senator to reconcile those statements, to explain the difference between the troops.

Mr. BORAH. There is a difference, evidently. The Constitution recognizes a difference, because it provides for the States maintaining a militia, or concedes their right to maintain a militia, and yet it prohibits them from maintaining troops in time of peace.

Mr. CUMMINS. The Constitution does not say anything about the States maintaining a militia. It is simply silent on that question; and I assume that unless the States granted the whole power——

Mr. BORAH. Being silent, it is just the same as if it authorized it, so far as practice is concerned, because, being silent, the States may maintain a militia. It was an original power, and the Constitution does not prohibit its use.

Mr. CUMMINS. No; the States had the power to do so, and I assume, with some little doubt upon my own part, that the States did not part with the power to organize a militia; although it could be very well argued, as the Senator knows it has been argued, that the grant of power to the Congress of the United States to organize the militia was exclusive, I do not think so, and I do not contend so. Nor is it material to any question that we are considering here to determine that delicate point.

Mr. BORAH. The Constitution says the President shall be Commander in Chief of the Army and Navy of the United States and of the militia of the several States. Not only do we have the fact that the power originally belonged to the States, but we have here written into the Constitution the recognition of the fact that there shall be State militias there to be called into action, and that a State may maintain a militia in time of peace. But afterwards the Constitution says that the States are prohibited from maintaining troops in time of peace. So the Constitution clearly recognizes that there is a clear distinction between troops and the State militia.

Mr. CUMMINS. I do not deny that. I was trying to find out what the difference is and when the militiaman might become a professional soldier.

Mr. BORAH. I will read a paragraph from the case of Dunne against The People upon that point, so that it may go in the RECORD:

> The States are forbidden to keep "troops" in time of peace; and of what avail is the militia to maintain order and to enforce the laws in the States unless it is organized? "A well-regulated militia" is declared to be "necessary to the security of a free State." The militia is the dormant force upon which both the National and State Governments rely "to execute the laws, * * * suppress insurrections, and repel invasions." It would seem to be indispensable there should be concurrent control over the militia in both governments within the limitations imposed by the Constitution. Accordingly it is laid down by text writers and courts that the power given to Congress to provide for organizing, arming, and disciplining the militia is not exclusive. It is defined to be merely an affirmative power and not incompatible with the existence of a like power in the States, and hence the conclusion is the power of concurrent legislation over the militia exists in the several States with the National Government.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from Iowa?

Mr. BORAH. Yes.

Mr. CUMMINS. I should like to reduce this argument, if I can, to the real issue, for I recognize the justice and the soundness of a large part of the argument of the Senator from Idaho. Standing as I do for the provisions of this bill in favor of the National Guard, I do not want it assumed that we are on our side disputing a large part of the argument which has just been

submitted by the Senator from Idaho. I return to one question which I propounded a short while ago.

First, let me say that we do not question or doubt that in time of peace the State has the absolute power to appoint the officers of the militia or the National Guard, and that inasmuch as men can be trained only by officers, they must be trained by the officers appointed by the State. I agree, at any rate—I do not want to bind anyone else by the admission—that we can not affect that power on the part of the States; and I agree further that if a State should refuse to appoint or make provision for the appointment or selection of officers of the militia during a time of peace, the Federal Government could not supply that omission on the part of the States.

So far, I agree with the Senator from Idaho. But, as I understand the Senator from Idaho, he goes further and says that in time of war, when the President, under the authority of Congress, calls the National Guard into the fighting service of the United States, then the State still has the power to appoint the officers of the organization so called in; and that if, in such an event, the State were not to appoint or select, the organization would be without officers, and that the Federal Government could not appoint officers in that contingency.

That is the point that is interesting, because, if that is true, then the conclusions that have been stated by the Senator from Idaho have great force; but I have never believed, and do not now understand, that that is the proper interpretation of the Constitution.

Mr. BORAH. Mr. President, I have not gone to the extent which the Senator seems to think I have with reference to the power of the National Government to govern the force after they are called into the service, because I do not think that is a vital question here. What I maintain is that if the National Government can not appoint the officers and can not enforce the training by the officers, as a military proposition it is a totally defective organization for the purpose of national defense; that it will be too late after they are called into service to do that which it was essential to have done before they were called into the service in order to make them efficient. Unless Congress can go further than is conceded by the Senator in the way of controlling the officers or initiating the training, the troops will never be fitted for the service which they will be called on to perform. They will be just the same as volunteers. If the training is not proper or is not made at all, it would be just the same as if we called so many volunteers. So, as to whether or not they shall be fitted at all is the conceded proposition here, with the statement——

Mr. CUMMINS. That, of course, is a question of fact and not of law, and can be determined only by looking over the situation and observing what the National Guard is, what its officers are—I mean their competency—and whether they are actually training men so that they will be fit for the Federal service.

Mr. BORAH. Exactly; but suppose the National Government looks over the situation and finds that the officers are not fitted and that they are not training, what is the Congress going to do about it? It can not do anything. So you fall back upon the proposition that on the vital question of fitting these men for service the Congress is powerless, and, in the view of all the authorities that I have been able to examine upon military tactics or military questions, that is a vital proposition.

The very object of putting these men in touch with the National Government is to have them properly trained, and to have them advance beyond the condition of the ordinary citizen in military capacity; and if Congress has not the power to enforce it, why should we undertake to legislate to that end? If this can not be done effectively, completely, how dare we rely on the militia? In these times, sir, we want no broken reed in the hour of peril. Above all, we do not want to spend millions upon any system that can not be relied on, and relied on with safety when the ordeal of battle comes. Our expense for preparedness will be burdensome, and in the name of justice, in all fairness to the overburdened taxpayers, let us not put any burden on them that is not essential and worth to them every dollar it costs.

Mr. LEE of Maryland. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Maryland?

Mr. BORAH. I yield.

Mr. LEE of Maryland. The Senator has been so amiable in submitting to interruptions that I should like to note, for information, an exception to his constitutional argument on the ground that in case of absolute failure of the States to regulate the militia according to the discipline prescribed by Congress, Congress would be helpless. I am under the impression that the power to enforce that discipline is clearly one of the implied powers of Congress, and absolutely covered by McCullough against Maryland. I will read that to the Senate at a later time; but before going on with this suggestion, I should like to ask the Senator a question in respect to this provision in section 8 of Article I of our Constitution, "reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress." Do I understand the Senator to maintain that the words "according to the discipline prescribed by Congress" do not apply equally to the appointment of the officers and the authority of training?

Mr. BORAH. Unquestionably they do not. If they had, there would have been no reason in the world for the Constitution making that exception. But I am interested that a southern Democrat should go further than a northern Republican on the question of implied power. I have never understood that the implied power under the Constitution went so far as to abrogate a specific provision of the Constitution to the contrary. Here the Constitution expressly reserves to the States the power to appoint officers and to train the militia. Now, the Senator would render that specific provision nugatory under the doctrine of implied power. "Verily the old order changeth."

Mr. LEE of Maryland. I do not concede that there is any specific provision to the contrary. The obligation imposed on Congress is to provide a discipline, and it should see to the enforcement of the discipline that it has the right to provide. Otherwise, the providing of the discipline would be an absolute nullity, a mere idle waste of words.

Mr. BORAH. It is, in practical effect, if the State does not see fit to train.

Mr. LEE of Maryland. So the Senator would render it.

Mr. BORAH. This provision of the Constitution is to the effect that the power to appoint the officers and to train the men is expressly reserved to the several States. Now, certainly no implied authority could in any way affect that authority or that right.

Mr. LEE of Maryland. That right or reservation is all qualified by the following words: "according to the discipline prescribed by Congress," and that is what the Senator wants to get rid of.

Mr. BORAH. Exactly; "according to the discipline prescribed by Congress." But if the Senator were correct in the proposition, all the Constitution would have said would have been that the Congress had power to organize, arm, and discipline the militia. If it had been intended by the fathers, as the Senator contends, that the discipline should also cover the officers, they would not have specifically carved out and excepted from the matter of governing an army and disciplining it the matter of appointment and of training. So they took that out of the matter of discipline. That feature of discipline can not be exercised by Congress. That feature of organization can not be exercised by Congress. That part is reserved to the States specifically. Otherwise it would belong to Congress by reason of the authority to discipline the Organized Militia.

Mr. LEE of Maryland. The Senator's argument, then, in that connection simply cancels that provision, "according to the discipline prescribed by Congress."

Mr. BORAH. No; it does not.

Mr. LEE of Maryland. It simply cancels those words.

Mr. WILLIAMS. It depends on what the word "discipline" means.

Mr. BORAH. Exactly. They appoint the officers and do the training. They do the training according to the discipline. But suppose the State does not want to train at all—what are you going to do about it?

Mr. LEE of Maryland. I think the Congress can enforce its discipline by appropriate legislation, and I think that power to enforce is clearly an implied power under McCullough versus Maryland.

Mr. HUGHES. Where are you going to get it?

Mr. BORAH. Let me read, in that connection——

Mr. CUMMINS. Before the Senator goes into that subject——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. Just let me read this, first:

> Indeed, extensive as their power over the militia is, the United States are obviously intended to be made, in some measure, dependent upon the States for the aid of this species of force. For if the States will not officer or train their men there is no power given to Congress to supply the deficiency.

Mr. HUGHES. What is that from?

Mr. BORAH. That is from the case of Houston against Moore.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I do.

Mr. CUMMINS. The Senator from Idaho has referred very often to the views of Alexander Hamilton. Has he examined the message to Congress delivered by George Washington in 1795? I assume that it reflects Hamilton's views.

Mr. BORAH. I have no idea whose views it reflects other than its author's, but I have examined it.

Mr. CUMMINS. I beg to read a sentence from it:

> In my opinion Congress has the power, by the proper organization, disciplining, equipment, and development of the militia to make it a national force, capable of meeting every military exigency of the United States.

If Hamilton had as much influence in this message as he had ordinarily over the public utterances of the first President of the United States, I suggest that the fathers, at least, believed that the militia could be made a national force. When Patrick Henry, who was rather a great man in his time, was opposing the ratification of the Constitution in the Virginia convention, he said this about the militia:

> As your militia is given up to Congress, all power will be in their own possession.

He then quotes another paragraph of the Constitution, and says:

> By this, sir, you see that their control over our last and best defense is unlimited.

So our constitutional literature is not without some reference to the efficiency of a National Guard.

Mr. BORAH. The best authority just now against Patrick Henry is the Senator from Iowa, in his statement a few moments ago, in which he showed that Mr. Henry was thoroughly mistaken in the admission of the fact that we have the absolute power to appoint officers and do the training, and if we do not train them nobody can. Certainly, if that be true, the great orator was in error in supposing that the control of Congress was unlimited. We owe much to Patrick Henry for his eloquence and his patriotism; but time has shown his fears to have been ungrounded, and the Supreme Court of the United States has shown his view of the Constitution to have been unsound.

Mr. CUMMINS. I rarely quote Patrick Henry unless he is on my side.

Mr. BORAH. But the difficulty here seems to be that he is not on the side of the Senator. The position the Senator takes is that there is no power in Congress to name the officers and train the militia.

Mr. WILLIAMS. If the Senator from Idaho will pardon me, a good deal of this argument has grown up out of a difference of opinion as to what the word "discipline" means.

Mr. BORAH. It seems so.

Mr. WILLIAMS. The word "discipline" is defined as instruction; training. It is defined as drilling. That is what it means. The State prescribes the tactics, whether it is Hardee's or Upton's. That is what is meant by discipline.

Mr. BORAH. In addition to that, Congress has put a construction on that clause of the Constitution in accordance with that definition.

Mr. CUMMINS. The Senator from Idaho imputed to me an opinion a moment ago that I think I have not expressed. I believe that the States have the power, and the exclusive power, to appoint the officers of the militia until the militia enters the employment of the United States. I might not agree with the Senator from Idaho as to just what constitutes employment by the United States. He is of the opinion—and I have not disputed it up to this time—that the militia enter the employment of the United States only when they are called into service to accomplish one of the things mentioned in the preceding paragraph of the Constitution, while I think it may be fairly contended that they can be called into the employment of the United States for the purpose of preparing them to do the things which the Constitution names in the preceding paragraph.

Mr. BORAH. Let me ask the Senator a question in order that we may get down to the real issue. The Senator concedes that the States have exclusive power to appoint the officers. Suppose the State does not see fit to train the militia, has Congress power to train the militia?

Mr. CUMMINS. I do not want to answer that question. It is an exceedingly doubtful one, and I do not think it inheres or is material to any proposition I have made or shall make with regard to the bill, and especially the pending amendment.

Mr. BORAH. Mr. President, I am just about to conclude, and I will conclude by saying that it seems clear that under the Constitution, and according to the authorities which have undertaken to construe the Constitution, this at least may be regarded as well established: First, that the appointment of the officers is exclusively under the control of the States; and, secondly, that the training of the militia is exclusively within the authority and under the control of the States; that if the State does not see fit to appoint officers the Congress of the United States can not compel the State to do so; that if the State does not see fit to train the militia the Congress of the United States can not compel the State to do so. There have been historic illustrations, but of those I am not going to speak now. There is another feature of this National Guard matter which I want to discuss later. But those two propositions as legal propositions under the Constitution seem to me beyond peradventure well established. But just a word with reference to the quotation from Washington's message to Congress, upon which the Senator justly lays stress. No doubt both Washington and Hamilton entertained a hope that the act of 1795 would work out successfully. But the Father of his Country did not live to see his hopes dashed to earth in the War of 1812. But that does not relate to the legal proposition, and I propose to take this and other more serious questions up in a later discussion.

Mr. LEWIS. Mr. President, unless I am taking up time that some other Senator would like at this particular time to occupy, as I am not anxious to proceed at any particular hour, I would like permission to say a few words touching this proposed amendment and what I regard to be the attitude of this bill toward the States' guard militia.

There seems to have been in this country something of a general fear addressed against the organization of the Army and also against the State guards. There is very generally, Mr. President, through the country, I think, a mistaken idea as to the offices to be performed by both the Army and the guards. They are not enemies of our country or opposed to the freedom of our people.

I heard the distinguished Senator from Minnesota [Mr. NELSON] expressing in commendable terms his condemnation of that general spirit pervading in different parts, indeed, I may say the whole, of the Republic, opposing any form of force or defense as militarism. Just now that spirit seems rampant and to pervade sections of the country where least we were to expect it and where the reputation for intelligence, it is assumed, would have long avoided it.

In the casual writings of Heine there is a very interesting observation produced by him to point a moral. He speaks about an oriental country where there was a judge of a court who was called upon to pass a judicial decision between two conflicting contenders for some interest, and, not liking the looks of the individuals, he committed the decision to his daughter. She heard the full case and she went to her father to report. Heine relates that the old judge asked her, "Well, what do you think of the justice of their case and which do you think is right?" She responded, "I do not know which is right; I only know that both stink." In the general estimation of a class of people throughout this country there is an assumption that the very organization of any form of military protection is a stink in the nostrils of democracy and is obnoxious to the whole spirit of justice in a republic.

For myself I can not take either of these views. What this country needs just now can be put in a single phrase. It is an army that is a sufficient army. Its States need a complete and efficient organization under the privileges of its National Guard or militia.

The danger we have is that under the general excitation prevailing in certain quarters we may go to such an extreme of militarism as to arouse the fear and aversion of a certain class of people who lack a complete understanding of what our objects are and defeat through misapprehension the very purpose of our undertaking. Or, on the other hand, we may go to the other extreme and, yielding to these fears and this aversion, fail to do anything that is necessary to the demand of the hour upon the country.

I occupy rather a difficult situation, measured by my estimate of my own position. I am not able to agree with any measure in toto which has been presented to either body. I have studied both bills, that from the House, designated the Hay bill, and that coming from the Military Committee of the Senate, designated the Chamberlain bill.

Mr. President, at the outset let me confess a prejudice, well to be understood in order that my fellow Senators may measure properly my hostility—at least keep in view what it is that influences me.

I am strongly prejudiced in favor of the National Guard. I am strongly an advocate of a State force to be kept and equipped for the purposes of local welfare as well as national defense. I have been a member of the Guards, in some form or other,

since I left my schooling. I have been an officer of the Guard, in some form or other, all my manhood life. I am now and have retained this position, and it may be that those affectionate associations, inspired by the endearing experiences that a man has year in and year out, cause me to see these agencies in a more flattering light than others far removed from personal association may view them. I have observed a tendency in this Government at every opportunity that could arise to minimize the value of the State National Guard, and in some instances to macerate them out of existence.

This bill, to my thinking, works a great injustice to every State in the Union, and, to my opinion, robs the States to a great extent of that force essential to our Government, a force within a State for the purpose of repelling invasion against that State as well as to protect that State from those disorders which may suddenly arise within a State due to its local situation. This is a condition so seldom understood and never wholly appreciated by other States many miles removed.

I have been interested in the argument of the Senator from Idaho [Mr. BORAH]—and I have been attracted by the different suggestions made to him by other Senators as the argument has proceeded—upon the distinction between the power of the Federal Government over the Army and the power of the National Government over the militia.

Mr. President, there are two things it is well to clear up in the beginning. There is a distinct difference between militia and the National Guard. The militia, under the wording of the Constitution, merely means that which is meant under the English definition. Having used governmental words in those days, which were the words of the common law or English statutes—words defining things and status which had existed in England previous to our coming into existence, it must be assumed that we used them in the same sense they were employed by those from whom we adopted them. So the word "militia" in the Constitution means that body of men from whom may be organized a distinctive force, but who, not being so organized, are "the militia," as distinguished from the organized force called "the Army."

Under the laws of England before our coming into existence, as is well remembered by the able lawyers representing their different States here in the Senate, as long ago as King Athelstane in Kent, they organized each locally a form of militia. This was adopted, it is very interesting to remark, from the ancient governments of which they had some reading and not much knowledge. It came from a series of institutions prevailing in Rome. The Gauls landing in England brought with them some such form of the government of the land from whence they came. Part of England, not desiring to accept the imperial form of Rome, rather reverted, as did the Southern States of the United States, together with New England, to the Grecian theory. They declined to accept a form of organization that extended from border to border, and they adopted the Grecian theory of organizing in each locality some form for its own separate protection in the event that one of its neighbors, for offenses real or imaginary, should attempt to invade it or to make war upon it.

The word "militis" passing, of course, from the Latin into the English, took its shape rather into the word "militia," which had no other object than merely defining those who could do military service.

Therefore I say to my eminent friend from Idaho [Mr. BORAH] that I think the distinguished Senator from Iowa [Mr. CUMMINS] and himself did not pause to reflect upon that, which reflection would so readily have restored them to the real definition of the word as used in the Constitution. The right of a State to keep a militia was intended to mean the privilege of a State to recognize that class of individuals who may bear arms, and thus it added the other words reading, "a well-organized militia." Consequently, when the provision is against the State keeping troops, that meant that it should not organize an army as an army within itself that might be used as an army opposed to the National Sovereignty, but "organized militia" meant that it should always keep itself, if it chose, in such a condition that its militia could be organized at any time for the purposes of national defense, but never to be kept as a separate army under the State sovereignty as distinguished from the General Army under the Nationality.

Therefore, while it does appear on the face of the Constitution an interesting inconsistency, difficult for the most eminent lawyers to reconcile, yet upon reading something of the history of our country we will readily see there is no real inconsistency, if we will divorce the word "militia" and the application of it from what is generally termed the National Guard. Therefore, the Organized Militia becomes a National Guard or the Organized Militia may become the Army.

Now, Mr. President, I wish to call attention to the fact that it is not at all inconsistent with the provisions of the Constitution that the Federal Government should exercise or should assume to exercise a control over the National Guard. In so far as the national defense is concerned the assumption on the part of our learned and excellent friend from Idaho, voicing the view, I dare say, held by many able Senators, that we have no control over the officering or the disciplining of the National Guard fails in this point. That particular provision of the Constitution cited by him is limited to the officering and the discipline of the National Guard while they remain a distinct State force, but the very moment any condition arises that calls for this force to be exercised in behalf of the national welfare the right then of discipline or officering is promptly vested in the very power that is authorized to call them into existence for national uses.

So we see that there is no inconsistency there, because if there were left in the power of the President of the United States the right to officer the guard of the State of Michigan, the State of Pennsylvania, the State of Illinois, or the States of Iowa or Idaho while in time of peace contemplate what would follow. That officering of their force could come from any source in the world, there being no law to compel the officer to come from the State of North Carolina if it is the guard of North Carolina, from South Carolina if it is a South Carolina guard, or from Michigan or from Idaho, we would soon have a condition which our fathers inveighed against when in the Declaration of Independence, a general expression of their grievances, they spoke of the "foreign soldier" who had been quartered upon the soil and at their doors.

If the President of the United States in time of peace could officer the guards, it would be quite apparent that he could officer them from any source whatever; that he could send men to take charge of them who bore not the slightest relation of kindliness to them, who knew neither their families, nor their needs, nor their geography, nor their environment, and would use them upon any state of circumstances according to his whim or profit or which served his particular object, though that object might be indeed removed far apart from the just needs of the hour.

So you can see, I am sure, Mr. President, that there is a great deal of wisdom in that provision of the Constitution which limits the officering and the discipline of the guard in time of peace to the State wherein it is organized.

The able Senator from Idaho called attention to the opinion in the Fifth Wheaton, a case well reasoned out, and, as the able Senator from Idaho pointed out, rather replete with separate opinions, and to that extent indicating a very great interest in the question involved. The question involved at that time was, of course, the limit of the Federal Government over the National Guards in time of peace and the limitation of the State government over a Federal force in time of war. One of the observations of that opinion impresses me as of vast interest. It is the individual opinion of Mr. Justice Story. My learned friend, the able Senator from Idaho, in using the words "dissenting opinion," I am sure happened not at that particular time to realize that it was not dissenting, he, no doubt, meaning individual; but the opinion is not dissenting. It is a separate opinion, and Mr. Justice Story has an observation that is interesting. He says of the general policy:

> But the exception from a given power can not, upon any fair reasoning, be considered as an enumeration of all the powers which belong to the States over the militia. What those powers are must depend upon their own constitutions, and what is not taken away by the Constitution of the United States must be considered as retained by the States or the people. * * *
>
> If Congress should not have exercised its own power, how, upon any other construction than that of concurrent power, could the States sufficiently provide for their own safety against domestic insurrections or the sudden invasion of a foreign enemy? They are expressly prohibited from keeping troops or ships of war in time of peace, and this, undoubtedly, upon the supposition that in such cases the militia would be their natural and sufficient defense.

Showing to my eminent friend from Idaho that distinction between troops and militia is clearly recognized by the courts along the line I assumed to point out a moment ago in my argument on this question.

Mr. BORAH. Mr. President——

Mr. LEWIS. I yield to the Senator.

Mr. BORAH. I think the Senator from Illinois is in error as to its not being a dissenting opinion.

Mr. LEWIS. If the Senator from Idaho, having the volume before him, says it is a dissenting opinion I have then forgotten that it is dissenting, being under the idea that it was an individual opinion.

Mr. BORAH. Justice Johnson rendered an individual opinion; but Justice Story rendered a dissenting opinion, holding

that the act of the Legislature of Pennsylvania was void while the court held that it was valid.

Mr. LEWIS. It may be, Mr. President, but what I wish to call the Senator's attention to is this particular phase of reasoning. Mr. Justice Story, however, is not combated, as I recall it, by any other of the writers of opinions.

Mr. BORAH. I agree with that proposition.

Mr. LEWIS. Therefore I wish to say to my able friends my judgment is this: The only judicial declaration we have in construing that act seems to be this: The concurrent jurisdiction of the State with the Federal Government over the militia gives to the Federal Government the organization and discipline of the militia in any manner touching the national defense concurrently with the State. That being therefore established, as I see it, I am unable to see that there is that barrier which Senators have heretofore apprehended against the National Government federalizing the State guards to the full extent necessary for national defense, without, however, abrogating or repealing the National Guards in their complete and sovereign existence for the welfare of the State and its State defense.

Now, Mr. President, we get some idea from a later opinion, to which I invite my learned friend's attention. I invite the Senator's attention to the case that came up growing out of a court-martial. I read also from Mr. Justice Story in Twelfth Wheaton, following the Fifth. I invite attention to some observations in this opinion as indicating to my mind that the court in this case finally yields to Mr. Justice Story's conclusions in the Fifth Wheaton, and it seems to yield to his line of reasoning. If I were before a court, I would assume to argue as follows: That in the former case, the opinion being dissenting, as my able friend says, but in the matter to which I allude separately, to which there was no dissent, subsequently, upon further consideration, this same justice had his views adopted in so far as these particular matters to which I am alluding were concerned, and then such became the full opinion of the court on that subject. I shall read.

This is a military case. The militia of New York is called out for some uses. The militia declines in the State of New York to obey the court. They are proceeded against and these particular officers in disobedience court-martialed. They make the point that they are not subject to the Federal Government, seeking to take favor under Fifth Wheaton. They contend that they were not a national force and are not the subject of a court-martial by the National Government. That they are distinctly a State force, and as there was no insurrection, no national war, it was not in the power of the United States Government to court-martial them because these particular officers assumed in their judgment to differ from the President of the United States, who had decided there was some war imminent, and in that respect thought to call the militia into action. I read but one or two paragraphs for the purpose of accentuating the position which I feel free to take. I ask my able friend from Idaho, who is an excellent lawyer, as well as an eminent Senator, as to his construction of the case in Fifth Wheaton, drawn from these observations to be found now in the subsequent opinion of Twelfth Wheaton. In this opinion Mr. Justice Story says:

> For the more clear and exact consideration of the subject, it may be necessary to refer to the Constitution of the United States and some of the provisions of the act of 1795. The Constitution declares that Congress shall have power "to provide for calling forth the militia, to execute the laws of the Union, suppress insurrections, and repel invasions"; and also "to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States." In pursuance of this authority, the act of 1795 has provided, "That whenever the United States shall be invaded, or be in imminent danger of invasion from any foreign nation or Indian tribe, it shall be lawful for the President of the United States to call forth such number of the militia of the State or States most convenient to the place of danger or scene of action as he may judge necessary to repel such invasion, and to issue his order for that purpose to such officer or officers of the militia as he shall think proper." And like provisions are made for the other cases stated in the Constitution.

Then comes some matter which is unnecessary for the purpose of my point. The court, proceeding, says:

> It has not been denied here that the act of 1795 is within the constitutional authority of Congress or that Congress may not lawfully provide for cases of imminent danger of invasion, as well as for cases where an invasion has actually taken place. In our opinion there is no ground for a doubt on this point, even if it had been relied on, for the power to provide for repelling invasions includes the power to provide against the attempt and danger of invasion, as the necessary and proper means to effectuate the object. One of the best means to repel invasion is to provide the requisite force for action before the invader himself has reached the soil.

Carrying out the idea that in the States these forces were intended to be disciplined and equipped for the purpose of repelling invasion. Then the court, proceeding, says:

> If the power of regulating the militia and of commanding its services in times of insurrection and invasion, are—as it has been emphatically said they are—natural incidents to the duties of superintending the common defense and of watching over the internal peace of the Confederacy—

This is a quotation from the Federalist, which, I assume, the able Senator had before him. Then, the court continues:

> These powers must be so construed as to the modes of their exercise as not to defeat the great end in view. If a superior officer has a right to contest the orders of the President upon his own doubts as to the exigency having arisen, it must be equally the right of every inferior officer and soldier; and any act done by any person in furtherance of such orders would subject him to responsibility in a civil suit in which his defense must finally rest upon his ability to establish the facts by competent proofs. Such a course would be subversive of all discipline and expose the best disposed officers to the chance of ruinous litigation. Besides, in many instances the evidence upon which the President might decide that there is imminent danger of invasion might be of a nature not constituting strict technical proof, or the disclosure of the evidence might reveal important secrets of state, which the public interest, and even safety, might imperiously demand to be kept in concealment.

I conclude with a single paragraph:

> The act of 1795 is not confined in its operation to cases of refusal to obey the orders of the President in time of public war.

Yet I am sure the Senator will agree with me that that expression seems exceedingly foreign to all the views the court had uttered in the case in Fifth Wheaton, and directly contrary to all views we have been educated to in this body as matter of law—that is, that the President of the United States has no power over an officer of the State militia in time of peace, and yet this observation from Justice Story, speaking now for the full court, apparently, along the line of his observation when he rendered his dissenting opinion in the same case and his separate opinion on another branch—we now find him asserting the same doctrine, apparently, with the concurrence of the court that had previously differed from him. I read as follows:

> The act of 1795 is not confined in its operation to cases of refusal to obey the orders of the President in times of public war. On the contrary, the act authorized the President to call forth the militia to suppress insurrections and to enforce the laws of the United States in times of peace.

Mr. President, I think I have indicated sufficiently, at least for the point I wish to make, that there is a power in the President of the United States over the militia in time of peace, which does authorize him concurrently with the States to supervise the organization, the officering, and the disciplining, and that the observations in the former case, read by the able Senator from Idaho, seem to be at variance with what seems to be the spirit of the later decision and what seems to have been since then something of the practice.

Mr. President, having made that assertion, I now wish to make manifest my object. The time has come when this Government must recognize that the militia or the National Guard organized in different States, to become effective for any purposes whatever, must have the concurrent cooperation of the Federal Government. This cooperation must be by the furnishing them with implements, accouterments, supplies, and opportunities. Without these the guard, however patriotic in their individual character, would be useless to the National Government. Why? The eminent Senator from New York [Mr. WADSWORTH] called attention to the general position of this bill touching such of its features of organization and to the situation of the National Guard of New York.

In a State such as New York, where the guard is brought up to a very high degree of efficiency, supported by the State—and I might add Pennsylvania, Illinois, and other States, but I am now speaking only in illustration—in such a State you could expect from the guard cooperation with the Federal Government of its own volition, because it is able to do so; but in States where the income from taxation has been limited and the amount committed to the treasury has been curtailed, so that expenditures in behalf of the guard have been most limited indeed, and where unjust prejudice has prevented their growth, there would be no money for their existence; and unless the National Government should go into such States and render them aid, that there may be uniform provisions, there would be no guard within such States kept up to such efficiency as would be of any value or service to the National Government in the hour of insurrection or of war.

Therefore it must be seen clearly that the power of concurrent jurisdiction is justified by the courts; it must be seen clearly that it is justified by the Constitution; and it must seem to be a very natural power, in order that we should have a uniform defense and a uniform force to accomplish that purpose.

Mr. President, what I wish to speak of particularly is that this bill, as I see it, fails to recognize that the National Guard should be a separate force for its State uses; it fails to recognize the great fact that the guard is a State body which exists; but, to the contrary, I am forced to the conclusion that there is not a due regard for either the uses of the guard in the past or their needs for the future, but that this bill, out of some spirit mysterious to me, conscious as I am of the patriotism of the

men who constitute this committee, has visited an affront upon that force that has remained the force of defense and sustenance of this Government in times of its greatest peril, and which at other times, sir, has been forced to endure hardships that could not be described, miseries beyond the tongue's depiction, and insults and affronts from conditions around them that ought never to have been visited upon the meanest citizen of our country, and far less upon one who tenders his life for the liberty of his country.

Now, in an hour when we have weaned many away from the prejudice of the National Guard and brought closer relation to the National Government, with the consent at least of the majority of our countrymen, by which that concurrent power of supervision and control may be exercised, there is disclosed on the part of the committee a spirit that seeks to ignore the National Guard. I think I shall be able to point out in a few words, at least to those gentlemen who have a feeling such as I have—a feeling on behalf of the guard to nurture it, to protect it, and to guard it against injustice—that in this measure there are three different sections which place the National Guard in a position of subservience to the Regular Army, which place the guard as menials to the officers of what is known as the volunteer force, which place the guard as policemen in the States in which they exist, and rob them of all the sovereignty of character, the dignity of nature, and the splendor of life that belong to an American citizen in the defense of his country and who tenders all he has to that noble aspiration.

It is said that in the beginning of our Government there was this opposition to the militia. True; but, as I pointed out to the able Senator from Idaho, keeping in view his confession that his relation to the guard as an institution had not been, of course, as intimate, as we all know, as his relation to the law on the subject, the difference—I may say the confusion—arose from the fact of our inability oftentimes to distinguish between the militia as a power out of which the guard could be organized and the National Guard being a part of the Organized Militia.

Mr. President, the able Senator from Idaho brought into requisition his usual fund of learning as he took legitimate recourse to his splendid historical knowledge. The Senator from Idaho, speaking for the school of thought for which he stands, and which he eminently represents, said that the National Government should have a supervision, I may say sovereign in character, over all of its forces within and without a State, its discipline and the officering of the guard or the militia; otherwise, according to his argument and the argument of many others, there would be no competent force within the State whatever and they would be useless organizations for national defense.

It is true that Alexander Hamilton made such observations as the able Senator from Idaho quoted from, but I wish to call to the Senator's attention and to the attention of the Senate, who do me the honor to hear these dry observations at this time, that those views were combated even then; that even then it was not regarded as prudent that we should sever local force from a local control; and I think I can point out that Mr. Hamilton subsequently, after returning to the State of New York, where he lived, finding that the people of New York did not exactly concur with his view and that it was contrary to the best interests of the local sovereignty of the States and for the future theory of our dual Government, qualified his own observation; but of that we will let the Senate judge.

I call attention, first, to the fact that during the debates upon the Constitution this question to which my able friend alludes arose, and touching the question, I wish at this time to call attention, first, to the observations of Patrick Henry upon the question of whether the Federal Government should have absolute power or control over the Organized Militia, what we now would call the National Guard, or whether it should be left, as is the theory of our Government now, to a local sovereignty, except in time of national crisis or national peril.

Says Mr. Henry:

Your militia—

Referring to a then proposed proposition—

Your militia is given up to Congress—all power will be in their own possession. Of what service would militia be to you, when, most probably, you will not have a single musket in the State? For, as arms are to be provided by Congress, they may or may not furnish them.

You will gather from this that this argument is very much along the line of my suggestions that if the States have the right to officer this force in time of peace they still would be powerless unless the Congress chooses to protect them and furnish them with proper sustenance and support. Continuing, Mr. Henry says:

Let me here call your attention to that part which gives the Congress the power to provide for organizing, arming, and disciplining the militia—

Referring, of course, to the Constitution—

and for governing such part of them as may be employed in the service of the United States; reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress. By this, sir, you see that their control over our last and best defense is unlimited. If they refuse or neglect to discipline or arm our militia, they will be useless; the States can do neither, this power being exclusively given to Congress. The power of appointing officers over men not disciplined or armed is ridiculous; so that this pretended little remains of power left the States may, at the pleasure of Congress, be rendered nugatory.

Then Mr. Madison, having this proposition before him in the Virginia Convention, says:

But the honorable member sees great danger in the provision concerning the militia. Now, sir, this I conceive to be an additional security to our liberties without diminishing the power of the States to any considerable degree. It appears to me so highly expedient that I should imagine that it would have found advocates even in the warmest friends of the present system. The authority of training the militia and appointing the officers is reserved to the States. But Congress ought to have the power of establishing a uniform system of discipline throughout the States, and to provide for the execution of the laws, suppress insurrections, and repel invasions. These are the only cases wherein they can interfere with the militia; and the obvious necessity of their having power over them in these cases must flash conviction to any reflecting mind. Without uniformity of discipline military bodies would be incapable of action; without a general controlling power to call forth the strength of the Union for the purpose of repelling invasion the country might be overrun and conquered by foreign enemies. Without such a power to suppress insurrections our liberties might be destroyed by intestine factions and domestic tyranny be established.

Indicating clearly that they saw the necessity of these local forces being organized, disciplined, and officered, even in time of peace, in order that in their own States they might be able to repel invasion against that particular State where there might not be time or opportunity to call in the forces of the Federal Government or to invoke its authority. Therefore, I think it was, that Mr. Hamilton later—I assume when discussing similar subjects, not, I must say, withdrawing from his previous attitude as expressed in the quotation made by the Senator from Idaho, yet qualified them—indulged in observations such as the following.

Says Mr. Hamilton:

It requires no skill in the science of war to discern that uniformity in the organization and discipline of the militia would be attended with the most beneficial effects whenever they were called into service for the public defense. It would enable them to discharge the duties of the camp and the field with mutual intelligence and concert, an advantage of peculiar moment in the operations of an army; and it would fit them much sooner to acquire the degree of proficiency in military functions which would be essential to their usefulness. This desirable uniformity can only be accomplished by confiding the regular of the militia to the national authority. It is therefore with the most evident propriety that the plan of the convention proposes to empower the Union "to provide for organizing, arming, and disciplining the militia and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress."

The able Senator read a portion of this utterance, after which I beg now to add:

If standing armies are dangerous to liberty, an efficacious power over the militia, in the body to whose care the State is committed, ought as far as possible to take away the inducement and the pretext to such unfriendly institutions. If the Federal Government can command the aid of the militia in those emergencies which call for the military arm in support of the civil magistrate, it can better dispense with the employment of a different kind of force. If it can not avail itself of the former, it will be obliged to recur to the latter. To render an army unnecessary will be a more certain method of preventing its existence than a thousand prohibitions on paper.

Now, I ask the committee, with great respect—I, who am not a follower of the doctrines of Mr. Alexander Hamilton, certainly not in all respects—I ask them if they will not apply to section 56 of this bill this doctrine, as I now put it in the language of Mr. Hamilton?

If the Federal Government can command the aid of the militia in those emergencies which call for the military arm in support of the civil magistrate, it can better dispense with the employment of a different kind of force.

Why, then, this different kind of force, called the "volunteer army," if the Organized Militia can serve the purposes and uses which even Mr. Hamilton at that time saw, with the concurrence of the National Government, would be accomplished? If the full uses and, I may say, needs of our Government can thus be fulfilled, why should there be the introduction of this intermediate force, which in its very nature mascerates the guard out of existence as an independent and sovereign force within the State whenever the hour shall come when it shall be called

into service for the national defense? Therefore, quoting the last clause of Mr. Hamilton's utterance:

If it can not avail itself of the former, it will be obliged to recur to the latter.

But, as we have seen, it has always availed itself of the former, and may continue to avail itself of the former, why should there be this recurrence to the latter, to this extraordinary force introduced in this measure euphoniously designated the "volunteer force," and to which in a second I shall allude in more detail?

Mr. President, I am at a loss to understand what peculiar spirit there is in this Government at this particular time that has intruded itself upon this Republic to visit what I feel to be this affront upon the National Guard of the country. Why should it be at this particular time? May we not pause and ask something of the service of the guard? Who are these people? Has there ever been any evidence that the guard has shown hostility to the welfare of the country at large? I answer, none. Barring the single instance where they doubted the national authority touching the question of courts-martial, it is difficult for anyone to lay his hand upon an instance where the States—I am not now, of course, referring to the Civil War—ever offered the slightest opposition to any movement on the part of the National Government looking to the national defense or the national welfare.

We speak of the service of the guard. We should speak of it rather reverently. I know that here and there have been instances to which gentlemen have alluded—and seemingly they do so with delight—wherein the guard has failed of that which might be expected; but those Senators, or those who have made such references, seem not to have paused to consider that much of that was caused by a lack of supplies. It was not due to a want of efficiency; it was due to a want of opportunity; they lacked the arms; they lacked munitions; they lacked training opportunity, and they could not accomplish, Mr. President, to the full extent the tasks the Regular Army accomplishes when they were so limited in means by comparison that they could not have that wherewith with which the Army had been equipped. Barring these illustrations which I offer, now, we turn and ask ourselves has there been at any time a reason why the guard should have been so discriminated against and at this particular time, so neglected?

Mr. President, we remember that the National Guard of the different States have been called upon from time to time to perform the most odious duties. They have been compelled to combat their own neighbors and friends, where there has been conflict between master and servant, between capital and labor. They have been called out to perform duty disagreeable in every aspect, wounding their every sensibilities; yet, notwithstanding that, in the pursuit of their duty they proceeded, taking the odium of the situation, the insult of those who surrounded them, bearing under disease, enduring the conflict of those who opposed them, firm in spirit and endowed with surpassing patience—in spite of all this, in spite of assaults upon them physically, they have proceeded in the performance of their duties to the State with honor and with dignity, and then they have returned to their homes to find in many instances that they were discriminated against, discharged by their employers, refused to be returned to their previous employment, left without a home, almost hopeless; and when they came here to Congress, seeking some recognition, they were flaunted and turned from the door; but, nevertheless, they returned to their undertakings in behalf of their State in just the same spirit of devotion as before. Each generation has produced a buoyant lot of young men, men of splendid spirit, with noble ardor, with warm and generous natures, who, realizing the splendid discipline they would obtain, and enjoying the association of their fellows, have every year presented that splendid front of noble force for the defense of the State and for the glory of the Nation.

Mr. President, there is a disposition now and then to assume that the National Guard of our Republic is something new and, therefore, something to be only tolerated. I assume to ask the able chairman of the committee, whose industrious efforts spent on this bill I naturally applaud, but from whose conclusions in many respects I differ materially, to pause to recall that this force, the intermediate guard, has ever been the salvation of nearly every Government which has ever assumed to support the doctrine of freedom.

I see before me eminent scholars of history. It has been an opportune reference when, occasionally, scholars have referred to the Pretorian Guard of Rome. Let it be remembered that it was the local guard of the imperial governments of Rome, created within their respective functions, that saved Rome from being overrun time and time again through the centuries. Long before the Goths and Vandals descended upon that imperial country with the blood of the virtuous Helvius Pertinax dripping from their fingers the members of the Pretorian Guard murdered their officers in fear that these might usurp the Government and overrun the land and produce that result which subsequently, years afterwards, was accomplished. On many occasions the army, being on distant outposts, could not be mustered and it was the guard led by Pretorius that saved Rome from foreign invasion. This was one of the lessons presented before our fathers who wrote the Constitution.

And Greece! Do I need refer to the historical fact that, when the Athenian League was dead and it seemed as if the liberty of that little country was imperiled by those who no longer desired it to remain free and were willing to surrender it to the legions of Philip, who then threatened it with despotism and destruction, it was the local force that amassed itself in a form which we speak of as the guard that rushing to the gates of the city stood with its sturdy strength, defended it against the invasion, and saved Greece that it might have life a little longer to present to us all the ideals of art, emblems of beauty, and models of classics; indeed, produced all the precedents and history of real democracy. It was from these that our fathers learned their earliest lessons, and profiting therefrom shaped the dual form of government by giving to the guard, the "militia," as it was then termed, its sovereignty within the States, and as Mr. Justice Story, in the last opinion in Twelfth Wheaton, directly varying from the opinion read by the eminent Senator from Idaho, clearly expressed his view of having this concurrent jurisdiction between the States and the National Government.

But surely, Senators, you will agree with me that it could never have been the idea that it could be a concurrent jurisdiction carrying with it the right of a National Government to invoke the State to the aid of the National Government in the hour of its peril, without calling for the corresponding duty of the National Government contributing to the State Government for the militia or guard, to the extent of its necessities, in order to bring it up to a disciplined organization essential to the welfare of the State against invasion that might be brought upon that State at any hour.

Yet, if the provisions of this bill shall remain as they now are, every incentive to the National Guard to continue the discipline which has been the glory of its past, and to maintain itself as a great force for defense against invasion will have ended, and the guard will have been placed in the humiliating position, after all these years of noble service of being subordinated to an intermediate force, not now in existence but to be called into power, to become commanded under the order of the President, while the officers of the guard become servants, and I may say servile, to those who will, while bearing the title of volunteer officer, will carry with them the power of the National Government. This makes the National Guard of every State of the Union really a third and ultimate force, only to be called upon when all others have been exhausted, and then used in such a manner that they remain subject to the orders of those officers who have been put in power under this bill, who may come from any part of the United States except the country, the State, or the locality whence the National Guard may have been organized. I hold that that is dangerous; I hold that that means the death of the guard. I am not willing that the home volunteer guard should receive this death stroke in the house of its guardians—I can not allow this measure, as much as I favor every form of organization of the Army, to be put upon the Senate with these provisions in it. They imperil the home forces of a country so heterogeneous as ours. Shall we mask the truth here, Senators? Are there any reasons to-day in this body why we should hide from ourselves the reasons why the National Guard should be kept in the States firmly and securely?

My friend from Iowa [Mr. CUMMINS], the able Senator who has been indulging in observations here; the Senator from Wyoming [Mr. WARREN], the eminent member of this committee; my friends, both the senior and the junior Senators from Minnesota [Mr. NELSON and Mr. CLAPP]—they live in a country of homogeneous population. They may never have reason to call for the guard in sudden emergency of things which they do not understand, not having experienced them. Let me turn to this side of the Chamber, and let us be frank at the expense of popularity. If ever the time comes that you dismember the National Guard in the States of the Pacific coast and forget the Chinese riots that they had to contend against, growing out, unfortunately, of labor disputes that Heaven hope may not be repeated, or of the Japanese uprisings, or uprisings of those who do injustice to the Japanese, we will say (accepting the views of others), or any of the nationalities upon which is precipitated difficulties which are wholly their own problems, where do you think these States, then, in such an hour, will get their defense? Shall they telegraph—as

under this bill it is necessary to do, as I think I can show you—to The Adjutant General of the United States, who may come from the State of Ohio or from the State of Illinois or from New England, and who, having possibly no appreciation of these local difficulties, must hesitate, must examine into the question, must pause, must consider before he can authorize this volunteer force to come to the defense of these localities, in the meantime of which every despoilation has been executed, every offense against the citizen, killing and murder, riot and incendiarism?

That, Senators, I am sure you will see, could not have been the intention of any of you, and yet it is the direct result of this bill in its construction, as I see it, and surely it will not be your purpose. Yet under these provisions the National Guard is left, notwithstanding the provision of the bill that seemingly masks—I do not say intentionally; I know the honor of the members of this committee—yet in its verbiage it masks the very evil to which I allude by saying there is reserved to the State the right to maintain these reserve forces, and then it immediately follows that by taking from the State every power by which it may execute, order, or enforce rights by these reserve forces, called "volunteer."

Now I come to my neighbors from the South. I was born in the South. To it I owe the gratitude of my rearing. I sympathize deeply with its problems, which never can be defined exactly to those outside of the South. You, Senators, well know what it has had to contend against from time to time; and while we will not charge the evil as against any race, we know it is sufficient to recall that the Southern States have been compelled to endure that which is nameless in respectable society. Yet under this bill, with no intention on the part of this committee, but unconscious of these situations, or for the moment indifferent to them, I do charge solemnly from my place, upon the responsibility of my position, that under four sections of this bill the State of South Carolina, the State of Mississippi, the State of Louisiana—States which in the past have been characterized with unfortunate inflammable exhibitions, or I may say the States have been inflamed because of the inflammable situation which from time to time has surrounded them—your guard, though reserved the right to serve in its local capacities, would be met with the following: The very moment there arose a crisis in these States by which this local force should be invoked for some reason it would be promptly pointed out that it had been usurped and supplanted under the provisions of the bill by the volunteer army; and it would also be pointed out, if they were attempting to interfere with what may be called rights claimed under the United States laws and the Constitution—to wit, in the case of the negro under the fourteenth amendment and in the case of the Japanese and Chinese under the treaty—that a State guard had no right or power and it was not within the right of the governor to call them out.

Of course we may haggle for weeks upon the legal construction, and we may find ourselves again, as the able Senator from Idaho and myself find ourselves now—he with one opinion of the court one way, I with an opinion from the same court another—both justified in the conclusions we draw; but in the meantime the unhappy situation of these States as I see it will become deeply deplorable beyond description.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Illinois yield to the Senator from Oregon?

Mr. LEWIS. Gladly.

Mr. CHAMBERLAIN. Do I understand now that the Senator from Illinois is complaining particularly of the provision in the bill for the creation of a volunteer force, or is he complaining of the attempt that is made to federalize the National Guard?

Mr. LEWIS. Mr. President, my complaint is twofold: First, that in federalizing the guard—which I feel should be concurrent—the effect of this bill is, as I see it, to repeal completely all the sovereign powers there are in the State with reference to the guard; second, that by virtue of the provision for the volunteer force in this bill the volunteer force will supersede the guard in all matters, except purely police duties within a State.

Mr. CHAMBERLAIN. In reference to the first proposition that the Senator lays down, permit me to say that every attempt at the federalization of the National Guard has been made at the earnest request of the National Guard itself, through its representatives, who have been given a patient hearing; and if the bill in that respect lacks anything at all, it lacks provisions that carry the National Guard as far into the federalization plan as the National Guard want to have it go.

Mr. LEE of Maryland. Mr. President——

Mr. LEWIS. Pardon me if I call my able friend's attention—I will yield to the Senator from Maryland in just a moment.

Mr. LEE of Maryland. I simply want to ask a question.

Mr. LEWIS. Certainly; I yield.

Mr. LEE of Maryland. I will ask the Senator from Oregon, the chairman of the committee, whether the provision in this bill is not that the control of the guard for services within the State is reserved to the governor and officers of the State?

Mr. CHAMBERLAIN. Practically so; but I wanted to call the Senator's attention particularly to that, because he is criticizing this bill on the ground that it contains provisions which have been insisted upon by every member of the National Guard who has been here. I call the Senator's attention particularly to an address delivered before the committee by Adjt. Gen. Foster, of Florida, and by the distinguished major general commanding the National Guard of New York, where they insisted that we had the power and that it was the desire of the National Guard to be federalized just as strongly as it was possible.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Mississippi?

Mr. LEWIS. I yield to the Senator from Mississippi.

Mr. VARDAMAN. I wanted to ask the chairman of the committee if there is any provision in this bill which would interfere with the governor of a State using the National Guard to meet any emergency within the State?

Mr. CHAMBERLAIN. I do not think so at all. That is where I differ from the Senator from Illinois.

Mr. VARDAMAN. Of course that would be quite unfortunate. Having been the governor of my State, I know the necessity for the use of the National Guard. I had the opportunity and occasion a number of times to use the National Guard; and anything that will interfere with the right of the governor to call out the National Guard to meet an emergency would be quite unfortunate.

Mr. LEWIS. Now, Mr. President, I say to my able friend the chairman of the committee that it is true that the officers of the National Guard have asked that the guard be federalized. I have been one of those officers who have sought this; but when these officers have come before the committee, I beg to say to the chairman that they have asked to have the guard federalized but recognized upon an equality with every other force. They desire that the guard shall be federalized and that there should be two forces, namely, the Army and the guard. But when the federalization comes forth in the bill, I insist that the guard has been subordinated to the intermediate force of the Volunteer Army, which, I say to the able chairman, was never submitted to them, nor have they ever accepted it; and they never could have accepted it without realizing that their uses were at an end.

Now I come to the second question. The Senator from Maryland [Mr. LEE] asked the able chairman of the committee if there was not a power reserved in the bill leaving the militia under the control of the governor, to which the able chairman says, "Practically so." And when the Senator from Mississippi [Mr. VARDAMAN]—who, like the chairman of the Military Affairs Committee, was a distinguished governor of his State, and both recognized the needs of local sovereignty—asked the chairman of the committee if this bill allows the governor to call out the militia in case of any exigency, the able chairman says he "thinks so." It is that which gives me my concern; and I pointed out some time ago that the provisions of this bill are such that even the chairman himself, with his splendid ability upon the honor of his position, can not say absolutely that it is true.

Mr. CHAMBERLAIN. Then, Mr. President—if I may interrupt again—if the Senator is going to be afraid to act because of a doubt, he will have to eliminate the whole of the National Guard provision from the bill.

Mr. LEWIS. I will say to my able friend that I purpose offering some amendments that I feel will make exact these powers. I am only calling attention now to what I charge, and what I will continue to charge—that this committee, valorous and patriotic, in the pressure of affairs did not realize what it was doing in this bill; and I shall give a reason in a moment.

The able chairman recognizes that I am here, not criticizing the bill as an opponent, nor condemning the measure as one which I would have defeated, but as one alive to the best interests of the guard, pointing out to him as I see the matter, and pointing out to the committee, what I regard as provisions in this bill which later I shall allude to as placing the guard at a great disadvantage, and subordinating it to this third force,

this intermediate force which renders the guard impracticable for use and practically puts an end to its service.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator once more?

Mr. LEWIS. Oh, certainly.

Mr. CHAMBERLAIN. I am not going to interrupt the Senator again; I shall address myself to this matter in my own time after a while; but I want to call the Senator's attention, in connection with the National Guard which he is discussing, to the fact that the Constitution itself fixes the power of the governor over the National Guard of the State, and this legislation could not possibly take away or change that power. The differences of opinion here in the Senate are not over that proposition. All concede that the governor has absolute power under the prescribed terms and limitations of the Constitution. The differences amongst Senators here are as to the power of the Federal Government over the National Guard in view of the limitations in the Constitution.

There is not any question about the governor's power. That is fixed and determined, and I think is conceded by everybody. There is no purpose in this bill to take it away from the governor, and the Congress could not take it away if they tried.

Mr. LEWIS. The suggestion of the Senator from Nebraska [Mr. HITCHCOCK], a member of the committee, to the chairman of the committee that he call my attention to the fact that the Constitution authorizes the governor to call out the militia refers to something which we all recognize. I have pointed to that before. It is this—and now I ask the chairman to note the distinction:

The Constitution vests in the governor, whoever he may be, under the dual theory of our Government to which I have alluded, the right to call out the militia. It vests him with that privilege. I respectfully urge that the militias are left by this bill in such a condition that they would have no existence by virtue of which a governor could utilize them; for in this bill, as I see it, they are left so mangled as a guard that this intermediate force, called the volunteer army, so supersedes them that first they have no potency, no virility; second, that notwithstanding the Constitution vests in the governor the power to call them out, the provisions of this bill so vest privileges that heretofore have been exercised in another way that you create a conflict between the Federal Government and the State authorities as to whether the particular occasion that calls them out justifies the governor in calling the State force or the President to order out the National Volunteer Army.

Shall I remind my friend, the able chairman of this committee, that in his own State a governor named Pennoyer from one point of view directly opposed the President of the United States, Mr. Cleveland, a Democrat, on this very issue, standing on the State constitution, while those advising Mr. Cleveland stood on the Federal statute? Shall I remind him that in the State of Illinois, which I now in part represent, we had the exact situation between Gov. Altgeld, of Illinois, and the President in the Pullman-car strikes?

What I wish to call to the attention of my able friend, the eminent chairman of the committee, is that these provisions have so beclouded the heretofore sovereign power within the States over the Guard that they are now left to be a subordinate to an intermediate force, and that hereafter there will arise legal contenders who will say that the word "militia" in the Constitution, and the power over the militia in so far as it is vested in the President or in the Federal Government or in the State, has now been expressed by the Federal Government in that force called the volunteer force, leaving the thing we now call the National Guard as having no constituted authority from any recognized national source. That it has been superseded.

Therefore, in the language of Alexander Hamilton, which I read, that intermediate force is unnecessary. As long as the Guard in its original condition, in its power and virility, if properly used concurrently with the National Government, can serve the uses, I insist, first, that the volunteer force provided in this measure is not needful; second, that its existence will destroy the uses of the governor; third, that in making any attempt to organize it we will disorganize whatever Guard there is.

I have pointed out, Mr. President——

Mr. CHAMBERLAIN. May I interrupt the Senator once more?

The PRESIDING OFFICER. Does the Senator from Illinois further yield to the Senator from Oregon?

Mr. LEWIS. Surely.

Mr. CHAMBERLAIN. The Senator has referred to an occasion when a former governor of Oregon came in conflict with the President of the United States.

Mr. LEWIS. Yes.

Mr. CHAMBERLAIN. I remember that very well, because when the President of the United States suggested some course which should be pursued in Oregon, and wired the governor to that effect, the governor of Oregon telegraphed back to Mr. Cleveland: "You attend to your business and I will attend to mine," and the fact is that nothing was done.

But, Mr. President, I feel that if the position which the Senator takes is the correct one, and the Federal authorities can not be given some control over the National Guard, I, for one, will be in favor of withdrawing any support that the Federal Government gives the National Guard now. I differ from the Senator somewhat, and I shall discuss the matter a little later. I believe that Congress, by the exercise of its unused power, as stated by the Senator from Iowa, can go very much further toward federalizing the National Guard than the Senator from Idaho does. We have attempted to exercise all the power we thought Congress had under the Constitution. If we have not the power, or if we have gone further than we had a right to go, then I think it is useless for the Government to waste any more money on the National Guard. It was the very purpose of the committee, and it is partially the purpose of this bill, not to take away the power of the governor of the State—that can not be done—but to bring the National Guards so closely in touch with the Federal department that the Government itself shall have control over them.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Idaho?

Mr. LEWIS. I do.

Mr. BORAH. As I understand, there is no contention over the proposition that it is not within the power of Congress to take from the governor of the State the power to call out the militia for the purpose of enforcing the laws of the State or protecting the peace of the State, is there?

Mr. CHAMBERLAIN. Not at all.

Mr. BORAH. The Senator from Illinois is of the opinion that the committee have undertaken to do so.

Mr. LEWIS. Will the Senator finish whatever interrogatories he has? Then, I will answer them all.

Mr. BORAH. The point I wanted to have discussed, in view of this suggestion, was whether or not there is an attempt upon the part of the committee to take away the power of the State to use the militia for the purpose of enforcing the laws of the State, suppressing insurrection, and so on.

Mr. LEWIS. Mr. President, I first return to the chairman of the committee.

The observations of the chairman of the committee would intimate that I am opposing the federalization of the National Guard. I have pointed out to the chairman that I have not only sought its federalization here, but—if I may be pardoned for the vanity of indulging in something of my own experience in this behalf—I did so in the spring of 1899, while a member of the committee in the House of Representatives. I sought there, I have sought since, to bring about its federalization; and I have to-day read authorities—I regret that the senior Senator from Iowa was not here when I did so—supplementing some of the views of the Senator from Iowa. I pointed out that what we should have is a concurrent federalization, by which the National Guard and the Army should be the two forces of defense; that the intermediate force proposed here would destroy the Guard, and destroy the concurrent support between the local sovereignty of the State and the national unity, and that such destroys the uses of the Guard and renders it ineffective in the State, because there is no longer an incentive to maintain it either in an incipient state or in a state of organization.

Now I turn to the question of the Senator from Idaho. There is no provision in this bill that assumes directly to take from any governor the authority vested in him by the Constitution. What I wish to point out is that the definitions in the bill of authority to the Guard and to the Volunteer Army provided for under this act are of a nature which, failing to recognize the right heretofore existing within the State, will be hereafter construed to be an attempt to take it away, and that unless you can stand literally upon the constitutional clause there will be a dispute between those who will insist that the Volunteer Army has been given a privilege which supersedes the Guard, and those of my school who insist that the Guard still stands in every sovereign right that the Constitution provided for the States. It is that difficulty that I am pointing out and urging that it will surely arise. The Senator from Idaho was not here a moment ago. I will point out to him what I had in my mind, and I expressed it.

In ordinary strikes, as we call them, disputes between labor and capital, arising in the Middle West, let us say, there probably would be no serious dispute; but take the State of the Senator from Idaho, or the States on the Pacific coast, where there do arise conflicts touching those of oriental nations who claim their protection under the treaties of the United States and under the laws of the United States, but particularly by virtue of our international relations; or in a certain section of our Southern States, who claim that privilege under a direct United States constitutional provision. Does the eminent Senator from Idaho fancy there will not be those, in the event of any difficulty arising, who will insist that as far as these are concerned it is their right to be protected by the National Volunteer Army; that it is not in the right of the governor now to call out the militia touching any conflict created by their position; that they have a right to be protected under Federal power; and there will be the insistence that the Volunteer force is the only one that could be called out, and that only by the President, under this bill?

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Idaho?

Mr. LEWIS. Certainly.

Mr. BORAH. I have been impressed with the view which the Senator is now expressing. I have not taken issue upon that proposition. I simply want to hear the Senator's view of it. But one thing seems to me rather extraordinary in that connection, and it is that the oath which the member of the National Guard is required to take relates alone to his obedience to the laws of the National Government and obviates entirely the question of his taking an oath to support the laws of the States. I think that is quite in harmony with the suggestion the Senator has made, but I think it is perfectly futile. It will have a tendency to mislead, as the Senator says; but as a legal proposition it can not accomplish what they seemingly seek to accomplish.

Mr. LEWIS. Mr. President, we must all concede, as the Senator from Iowa [Mr. CUMMINS] this morning intimated, that there are these legal doubts concerning these provisions. No man can really say that this or that is a fixed rule of law concerning how far the Federal Government may go toward the State and how far the State may go toward the Federal Government. We have for the first time begun to federalize the guard and put it in a position of concurrence with the Federal Government. That is to say, for the first time we have gone to a greater extent than we ever have heretofore; and it is very natural that the members of the committee should have been more or less confused in their views, able lawyers though they are. It is equally very natural that we should find ourselves at variance. We are really upon a new question, and all that Senators can do is to express, each for himself, the viewpoint as he sees it, trusting to this body, which is assembled here to do the very best it can, and hoping that it will be able, from these viewpoints, to reconcile the situation to the best conclusion possible. Thus it is that I am pointing out what I feel to be the perils of the omissions and expressions and policies set forth in this bill.

Now, let me take one particular illustration to which I happened to hear the Senator from Iowa [Mr. CUMMINS] this morning allude. Here is the guard. It is made subject to the service of the Federal Government if after you utilize the Army and the second force, known as the Volunteer force, it shall ever be reached; and if it has enough of existence then, in its being reached, to be of service to anybody—and yet this provision for advisory staff eliminates the possibility of these men, whose lives must be at stake, whose destinies are thrown in the balance, having anybody here at the Capital concerned in their welfare or speaking in their behalf or prescribing anything concerning their obligations within the State or for the national welfare. They may die for the Nation but have no representation. That is another illustration of the peculiar ignoring of the Guard which I feel has not been the intention of the committee, but which, nevertheless, expresses itself in a spirit that ought not to be longer allowed.

Now, I must move to a conclusion.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Iowa?

Mr. LEWIS. Certainly.

Mr. CUMMINS. Just a moment ago the Senator from Illinois made a suggestion that attracted my attention. I have not been able to hear his entire argument. I should like to ask him his view upon this subject:

Referring to section 56, which provides for calling out or organizing and training a certain number of men called volunteers, in doing so do we exercise the power given in Article I, section 8, of the Constitution to raise and support armies or do we exercise our authority in organizing or calling out the militia?

It has been said to-day, and with a great deal of force, that the Regular Army, so speaking, is made up of men who are professionally soldiers; that is, they enter the service for a definite time, and for that time they have no other occupation. Now, we undoubtedly have the power to raise armies. Will these volunteers, when they are organized as provided in section 56, be a part of the Regular Army or will they be one form of militia organized to prepare and train for the event of war?

Mr. LEWIS. Mr. President, the Senator has submitted a question filled with very annoying situations; and, so far as I am concerned, it is one to which I must reply that, as to the matters he is doubtful about I do not know. This much I will say to the Senator: When I have comprehended and contemplated that situation I am compelled now to say, and I will warn the able Senator from Iowa—who has been the executive of a State having a splendid Guard—that if this measure passes both Houses, then whenever this volunteer army wishes to undertake anything that can be justified as a militia it will be found claiming its authority under the term "militia" as found in the Constitution. When it runs counter to the Guard, whenever it wishes to do a thing which it feels is within the Army powers, it will contend that it is done under the Army powers as distinguished from the militia powers; and there will be that conflict until the question finally gets to the higher courts for construction. It is that very form of conflict, I will say to the eminent Senator, to which I have alluded in discussing the subject with the Senator from Idaho and other Senators taking an interest in this discussion, that compels me to invite the attention of the committee to the danger it is producing.

Now, I ask you, Senators, what do you think was the reason of introducing the provision creating this Volunteer Army as against the Guard, which I hope to see federalized with the National Government, leaving two forces, the Army and the Guard, and then the power to bring in the citizens from the hillsides and the valleys and their doorways and their homes, properly trained, as an additional force? What do you think has been the necessity of the intermediate force to which I am now referring?

I shall not permit myself to be personal, but I invite your attention to some history. I impugn the motives of no man in this place. I pray I may be divorced here from a prejudice that compels me, at times, to express condemnation in other quarters.

Mr. President and gentlemen of the Senate, do you fancy that this particular provision is new? I do not pose here as having more information than any of you; but, gentlemen of the Military Affairs Committee, I am sure your attention must have been drawn to the fact that this provision, with slight changes, found its authorship in 1866. It was duplicated in 1878. It was condemned by Gen. Grant, who was a volunteer soldier in all his sympathies and his soldierly qualities; and finally it made its appearance again in 1898, following the Spanish-American War, under the name of the Hull bill; and there has not been a time following any war in this Republic since the Indian wars when there have not been certain gentlemen who have taken the landwehr of Germany, the militis, the intermediate force that Napoleon created for the protection of the interior of France, and reproduced it in some form, and handed it in here as something new and novel; and even in the case of so able a lawyer as the former Secretary of War there were certain insistent, delusive, and attractive forces in this Government that were able to influence that eminent official into the belief that he had brought forth a new thought.

And why? I speak what I feel, and I ask no man to join me. First, it must occur to you Senators there is no need of that force if the Guard be patriotic. There is no need of that if the citizens are patriotic, for the citizen who is patriotic would go into the Volunteer Army, would go into the Guard already in existence, already caparisoned, already equipped. Then why do you seek through an intermediate course a force wholly original, to be newly trained, newly drilled, newly caparisoned for duty, for which we have already the units needed, only to be added to?

I answer, as the learned Senator from Idaho stated, the Constitution of the United States does not say "officered by the States," referring to the National Guard. If it had, this provision for a volunteer army never would have been here.

Mr. President, we have a great many men in the Army, patriotic men, who have come out of West Point and other national service and have reached some deserts, but not all they were entitled to. They have waited for years to have some recognition, and it is a legitimate aspiration. These conditions, however, our Government has not afforded the opportunity for; these officers could not be appointed officers of the Guard, a lieutenant of the United States service could not be made a captain,

a captain could not be made a major, a major could not be made a colonel because of that provision which the Senator from Idaho says stands as an obstruction to the nationalization, and the chairman, the Senator from Oregon, points out, because under that the State officers the Guard. If the President could have officered them there would never have been that provision for the Volunteer Army introduced in the Senate nor would it have imposed on our former Secretary of War, who is a good lawyer—these officers who have brought forth this invention would have had their just ambition gratified in being officers of the State forces.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Wyoming?

Mr. LEWIS. Certainly.

Mr. WARREN. I think the Senator with his vivid imagination is "seeing things" that have not materialized, as far as information that he intimates has surrounded the Committee on Military Affairs is concerned.

Mr. LEWIS. I have not intimated or said such a thing.

Mr. WARREN. So far as I know not a member of that committee had any intention by any act or any suggestion to make the National Guard less but to make it more. But I will ask the Senator, with the conditions as they are, suppose we become involved in war with Mexico, which is not entirely out of the question.

Mr. LEWIS. It is to be hoped it is out of the question.

Mr. WARREN. If we were compelled to go down into that country and meet an army much larger than our own what would the Senator do then for recruiting forces? He would send for the Regular Army.

Mr. LEWIS. The recruiting forces, the Regular Army?

Mr. WARREN. Yes; he would send for the National Guard.

Mr. LEWIS. The Senator is asking me what I would do. I promptly say that in any such condition of war I would carry out the provision that called at once for a force, as we have done many times before.

Mr. WARREN. What force?

Mr. LEWIS. I would call promptly for the volunteer forces. They would be in such time of war, the Senator will recognize, under the control of the President of the United States. It is no longer a National Guard.

Mr. WARREN. But what forces would the Senator call?

Mr. LEWIS. Any force that is within the limits capable of filling the required allotment of men necessary at the time.

Mr. WARREN. We could not do it with the National Guard unless they should enlist as volunteers in the Regular Army.

Mr. LEWIS. Surely the Senator does not intimate that the National Guard would not volunteer its services.

Mr. WARREN. I do not.

Mr. LEWIS. Its services have been volunteered in the past and they would do it again.

Mr. WARREN. The Senator has, I think, been misinformed or he would not indulge in what seems to be jealousy, because it is proposed to have some prepared force additional to the Regular Army and additional to the National Guard, which costs but little for maintenance for a few days or a month in each year, to fill such an emergency as I have indicated, where the Regular Army is too small and where the National Guard can not be called upon as a National Guard to aid the national forces. I say that that is no insult to the National Guard, as stated by the Senator, and never intended as such. Those that may claim this to the Senator either do not know what they are talking about or what others are thinking about when it is intimated that there is an intent to insult the Guard, that this has been put upon the bill in the interest of West Point officers, when, as a matter of fact, of the officers of the Army only 44 per cent of them were West Pointers to begin with. The Senator is impugning not only West Pointers but he is impugning nearly two-thirds of the force who never saw West Point as students.

Mr. LEWIS. I trust the Senator has satisfied himself that he has made his speech that may be quoted in his Army circles to prove him the great advocate of the Army and myself the critic. I certainly have nothing against the Army, nor can I ever make any reflection on the Army. The Senator knows his observations were gratuitous and unnecessary. The Senator has seen fit to put into my mouth expressions which I never used. He flatters himself that he has said something that he will stand hereafter as the great sponsor of West Point. I assure the Senator I have made no allusion to West Point soldiers except to call attention to the fact that they had not obtained their deserts. I have pointed out a way for them all to get promotion and raise of pay. This provision I condemn denies them both, yet flatters them with the prospect of superseding National Guard officials——

Mr. WARREN. Mr. President, it would be better, I think, for the Senator to answer the question. Of course, I do not mind the little ridicule in which he indulges. I accept it good-naturedly. But he has not told us yet what he would do in obtaining the additional force to take into Mexico.

Mr. LEWIS. If the Senator may be patient he will get a reply to all his inquiries. He may rest assured, since he has volunteered to make his speech in defense of some one who has not been assailed, his only purpose must have been to draw some benefit to himself at the expense of unjust criticism of me, for there was nothing from me calling forth such.

Now, the Senator says he assumes that I have exercised my vivid imagination.

Mr. WARREN. Did not the Senator say that these officers—I will not use the exact words, of course, of the Senator—have brought this about with their influence upon the committee to make promotions for themselves?

Mr. LEWIS. One can call the nature of a thing according to his own construction. I will repeat what I said, and as I repeat it and call your attention to it I think I will be able to verify it. First, I will say to the Senator the allusion that I have made to men from West Point was to call attention that large numbers of them come forth and have not received their deserts because of conditions that did not offer opportunities; that they could not be made officers of the State guard, because under this very provision those officers must be appointed wholly by the governor. I pointed out a way to use their valuable services to the State. Having made that observation once, I repeat it.

I also pointed out that if there had been places for these officers there never would have been a suggestion of intermediate force, because there would have been no incentive to create it.

The Senator from Wyoming, heretofore the chairman of this committee under a different administration, asks what I would do. I ask him, What did Lincoln do? What did the Presidents of the United States do when there was no such volunteer measure? What has ever been done? I would do exactly as has been the course of the Government for a hundred years. I would, if I were President, proceed to call out the forces, on the theory that we were at war, and so would come these volunteers, choosing their own officers or officered by the National Army, and the Army officers, whenever we could get their splendid skill, and we would get them in the exact measure we have heretofore. I would also indulge the assumption which my friend from Wyoming seems not to find agreeable, that the National Guard would be patriotic and diligent and would likewise serve their country.

I answer the Senator with another observation——

Mr. WARREN. Will the Senator allow me right there?

Mr. LEWIS. Certainly.

Mr. WARREN. I do not propose to be put in the position of taking any ground against the National Guard. I have belonged to the National Guard both as a private and as an officer, and I have in an humble way been in the Volunteer Army.

The Senator says he would raise an army as Lincoln did. If Mr. Lincoln had had a trained force of volunteers, it would have saved hundreds of thousands of lives, as we would do if we should go into war now if we had this despised force the Senator looks at, a volunteer force that may be trained and ready to go without sacrifice; but we have suffered heretofore from having called into war men entirely green and unprepared.

Mr. LEWIS. I do not know upon what assumption the able Senator from Wyoming assumes that I despise anything. I never used such an expression. I do not despise anything. I have been suffering much that was despicable at the hands of the Senator's party and the eminent Senator, but I never despised it or any member of it—I criticise, not despise.

But I pointed out to my able friend my viewpoint and I respect the viewpoint of every other Senator. I then answer the Senator as he has made an allusion which I have seen in print many times. I would like to call attention to the mistaken assumption and to say that if there had been this volunteer force to which my friend alludes and it had prevailed in all States of the Union, equipped, accoutered, provided for, previous to 1860, far from the advantage being to Mr. Lincoln there would have been a force of southerners who would have been so aided as to have made more difficult the then situation.

Mr. WARREN. I presume the Senator does not anticipate another civil war.

Mr. LEWIS. No; but my friend asked me as to what could have been done.

Mr. WARREN. The Senator does not expect such a comparison would be the same as that between the Republic of Mexico and the United States to-day.

Mr. LEWIS. No; I would not. Answering the Senator's question he asked me what I thought would have happened with Mr. Lincoln in his time if he had had trained forces. I answered that, while it had some benefit it also had a corresponding evil, so far as the Government of the Union is concerned, which has not been calculated by those who have made that very statement.

Mr. President, I ask the attention of the Senator from Wyoming to a statement of experience in military matters to verify the assertion I have made. I again assert if there had been places for many of these officers of the Army, whose splendid qualifications fit them for recognition by which they could have been appointed, or our Army had grown so large that there could have been places for them, there would not have been the suggestion of this intermediate volunteer force, because there was no need of it. It is plain that it would reopen many volunteer forces from the States who would be accessible to the Federal Government for any use in the world. I call the Senator's attention to the Hull bill.

Mr. WARREN. Will the Senator allow me?

Mr. LEWIS. Surely.

Mr. WARREN. I do not know of any commissioned officer in my acquaintance who has advocated the measure that we are now discussing unless it was referred to him and his advice asked. The inference the Senator tries to draw is that the ambition of officers who desire higher places has been the cause behind it all of our adopting this idea of a Volunteer Army. If that be true, I have never seen a shadow of it. That is all I can say, of course.

Mr. LEWIS. I will say to the Senator I can say nothing of these forces wherever they are seeking to obtain recognition of their merits except to approve such. They sincerely believe there should be an increase of the Army. Knowing in their hearts that there is a feeling in this country against a large increase in the Army, and knowing that they can not be officers of State guards, they sincerely believe that the creation of this intermediate course is justified by conditions of the time. But this creation of a force likewise gives opportunity to the scholars of military tactics which before did not exist.

I invite the able Senator's attention to the Hull bill. He was here in 1898. The provisions of the Hull bill contained a section—section 17, if I am not in error—that in the new organization of the Guards as certain members of the volunteer forces the President should appoint the officers. There was no provision to elect them between themselves, or choose them, nor in the States where these organizations were created was the power left in the governor. It was because of that opportunity—it was because of the particular privilege in that new bill—that there arose great opposition to it.

Now, the learned Senator will recall—and I must admit my turpitude, my culpability—that I was charged in those days with speaking of the West Point men as "satraps and sapheads," and that was sent out all over the United States and the State I then represented. This was to hold me up as being ridiculous and contemptible. Everyone knew I could never have said such a thing. It is well known that I, together with George B. McClellan, Member from New York, the son of Gen. McClellan, a veteran soldier; Col. Marsh, a Member from Illinois; and Gen. Grosvenor, Member from Ohio—these were the only Members who carried on the fight with me. We struggled as best we could to prevent that measure, but were unable; and when the fight was made on me, on the ground that I was opposing the organization of the Army, and I was being hissed from a waiting band of hopeful aspirants for commissions, I looked into the galleries where certain officers were caparisoned in gold lace and the soft sons of luxury breathing forth an air suggestive of golf links and tennis rackets, and who had come there in the hope of things they felt were going to transpire, I did say then, in response to this accusation, that I am in favor of an organization of the Army as it is being made; but then, on being hissed, I referred to the conditions I am now alluding to. I said, "I am in favor of an Army of soldiers." I see now my friend the Senator from Kansas [Mr. CURTIS], who was present, over there, and he will recall the expression. I said, "I shall demand the organization of the Army by soldiers; but I shall now, as I have heretofore, oppose the organization of the Army by tessellated military satraps on the one hand or gilded society sapheads on the other." I still stand there. I hope such a condition never existed, but in my mind at that time I so expressed the peculiar conditions. I call the attention of the able Senator from Minnesota [Mr. NELSON] to what happened. He called attention yesterday to this form of organization and referred to the Guard. He painted it as a general merger and said it was officered by Army officers; and I say to the able Senator from Minnesota there were some officered by officers of the Army, but in most instances political favorites were given command, without regard to any experience or no experience in military matters of any kind. I call to his attention that in a few instances they were splendidly officered; but the trouble that arose, which gave us all our difficulty, was the thing to which I now invite the attention of the Senator from Wyoming.

I call the attention of the Senator from Iowa to section 56:

> The President is hereby authorized, at any time, to organize, maintain, and train—

And so forth. You know the remainder of the act.

I read a part—

> The term of enlistment, which shall in no event be greater than that of the Regular Army, the period of service with the colors and with the reserve, and the period of training shall be as the President may prescribe, those passing to the reserve to have the status and obligations prescribed for reserves of the Regular Army. Officers and enlisted men of the volunteer forces raised under the provisions of this section shall be entitled to the pay and allowances of officers and enlisted men of corresponding grades in the Regular Army during periods of training only.
>
> Temporary appointments and promotions of officers of the Regular Army arising from the operation of this section may be terminated at the discretion of the President.
>
> Officers of the Regular Army who receive commissions in the Volunteer Army herein authorized shall in time of peace receive the pay and allowances of their respective grades in the Regular Army. * * *

Making the volunteer officers exact officers as it is now of the established Army. Then I will ask the able Senator from Wyoming to note that there is a provision by which the temporary appointment of this organization violates all the temporary-appointment laws I have ever known existing in our States. Heretofore, when a company organized in the way named, its officers were selected by the company temporarily. In the Army we know the system, but in this bill the—

> Temporary appointments and promotions of officers of the Regular Army arising from the operation of this section may be terminated at the discretion of the President.
>
> Officers of the Regular Army who receive commissions in the Volunteer Army herein authorized shall in time of peace receive the pay and allowances of their respective grades in the Regular Army, and no more.

I invite the attention of the able Senator from Wyoming that the provision there is almost identical. It enables the President of the United States to transfer any of the officers of the Army to the command of the Volunteer Army. I do not say it is a bad thing; I think it is probably an exceedingly good thing, if we are to have such an army; but I do respectfully call his attention that we now have a duplication of what Col. Marsh called attention to when he showed in 1898 that this measure was born in 1866. Now this, of 1916, was brought from 1898 all for the object that the Volunteer Army is to be officered by these members of our Regular Army, capable and efficient; and you will observe they are all but whose deserts ought be provided for by a proper increase of the Regular Army.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield further to the Senator from Wyoming?

Mr. LEWIS. Gladly. I am glad to have the views of my able friend.

Mr. WARREN. I have been following very closely what the Senator has to say, and he called my special attention to section 17. The Senator will remember that the officers of the volunteer forces always in the Civil War, and always at other times, so far as I know, were appointed by the President.

Mr. LEWIS. I quite concur with what the Senator has already said as to the army of the Civil War.

Mr. WARREN. It is true in some States the companies elected their officers and sent them, if they were in the militia, to the governor, or maybe sent them to the President; but, as a matter of fact, the President makes the appointments in the Volunteers, and always has done so.

Mr. CUMMINS. Mr. President——

Mr. LEWIS. I beg pardon. May I answer the Senator from Wyoming? In time of peace the President is to appoint the officers of the Volunteers.

Mr. WARREN. I mean in time of war.

Mr. LEWIS. Yes; I concur; and I have been contending that that is to be done in time of peace, and that I am opposing.

Mr. WARREN. We are preparing in the volunteer service for time of war, or we would not have a force.

Mr. LEWIS. I point out to the Senator from Wyoming that under the provisions, lest I misconstrue them, these officers, temporary and otherwise, in time of peace, when there is no war, are to be appointed from the Army. I am sure the Senator will not disagree with me there.

Mr. WARREN. They are assigned always, so far as I know, like officers for service with the Volunteers. They do that in war time, and this measure proposes to do it in peace.

Mr. LEWIS. The Senator and myself wholly agree as to that, and there is where I feel arises the great difficulty. I yield to the Senator from Iowa.

Mr. CUMMINS. I call the attention of the Senator from Illinois to the amendment to section 56 that has been reported by the committee, and I assume adopted. I am not sure about that, however. However, the amendment proposes a change in the section limiting the period of service to 30 days in each year. Obviously these volunteers do not become professional soldiers under the definition that we have heard more than once to-day with regard to the difference between Regular Army men and militiamen. With that statement, I ask the Senator from Illinois if I may kindly address a question to the Senator from Wyoming in his time?

Mr. LEWIS. I am delighted to serve the Senator.

Mr. CUMMINS. It is purely for information, for I have the greatest desire to organize the most efficient strength that we can organize within proper limits for the national defense.

The Senator from Wyoming, of course, understands that Congress has just two powers relating to this subject. First, it has the power to raise and support armies; second, it has the power to provide for calling out the militia and for organizing, equipping, and disciplining it. Will these volunteers who are to be raised under section 56 be parts of the Regular Army? Do we organize the volunteers under our power to raise and support an Army, and if we do, may we raise an Army merely for the purpose of training its members 30 days in the course of a year? What is the difference between such a volunteer force and the militia? There is no such thing, as we have been told this morning, as a national militia, and I want to be clear on the one point as to whether these volunteers are to be reckoned, from the time they are enlisted, as professional soldiers, members of the Regular Army.

Mr. WARREN. I will say to the Senator from Iowa that they are very much in the condition of the reserves of the Regular Army. They are all volunteers, but in the reserves, being trained as the others have been, to be called upon in case of war as reserves are called upon. They are not a part of the militia, in my view of it, and they become instead, as I have stated, a part of the Regular Army.

Mr. CHAMBERLAIN. They are enlisted.

Mr. WARREN. They are enlisted regularly. They are enlisted as a reserve force and are to be trained within certain limits, and are to be at the call of the country in case of its peril.

Mr. CHAMBERLAIN. Will the Senator from Illinois pardon me a moment?

Mr. LEWIS. I yield to the chairman of the committee.

Mr. CHAMBERLAIN. In answer to the question of the Senator from Iowa I will state that there is not any question but that they become a part of the enlisted force of the Army in time of peace, only to be called on for the purposes of training, but until the enlistment period expires they can be called on at any time.

Mr. WARREN. They are the Regular Army in reserve.

Mr. CHAMBERLAIN. Yes, sir.

Mr. CUMMINS. Mr. President, just a moment——

Mr. LEWIS. I yield.

Mr. CUMMINS. As I understand it, they have all the characteristics of the militiamen, as described by the Senator from Idaho, namely, they are not in the Army as a profession. They enter the Army retaining their individual avocations as much as do merchants, or carpenters, or masons, or lawyers, but they are not in the service until the event that war transpires, and they are called into it then to defend the country. I should like to know what the difference is between such a man and a militiaman.

Mr. CHAMBERLAIN. The great difference is, if the Senator from Illinois will pardon me a moment——

Mr. LEWIS. I yield. I would like to have these differences composed without considering me.

Mr. CHAMBERLAIN. The men who enlist in the Volunteer Army sign the regular enlistment blank that is signed by a Regular soldier, but it limits their use in time of peace to 30 days' training. As to the National Guard, we have proposed that in addition to the oath they take as guardsmen they shall have a dual oath added to it. They not only swear that they will answer the call of the governor of the State, but also to answer the call of the President of the United States.

Mr. CUMMINS. I am not asking now what provision we may make about the National Guardsmen, but I am trying to ascertain the status of these volunteer militiamen who are entering the service just as a National Guardsman enters it—for the purpose of training and without the obligation to come to the colors until war or the imminence of war appears. I say, if we are to accept these views with regard to the difference between troops and militiamen and soldiers and militiamen, Congress has no power to bring such men into the service.

Mr. CHAMBERLAIN. Let me call the attention of the Senator to the decision of the Supreme Court in One hundred and thirty-seventh United States. The court held there—Mr. Justice Brewer, I think, delivering the opinion of the court—that signing the contract of enlistment changes the status of the individual. If his oath is to the State in one instance, the contract is directly with the State. To that extent the Senator from Idaho is absolutely correct in this contention.

But as to the National Guard it is proposed to go further than that, and an amendment I think will be offered recognizing the difference between the oath the man takes to serve the State and the one which he takes to serve the Federal Government. It proposes to put him in a dual position.

Mr. CUMMINS. I think there is no doubt about our authority to do that. I have not suggested a want of authority to do what is proposed in section 56, but I am trying to reconcile the differences that appeared this morning between the Regular Army man and a militiaman. The differences seem to be altogether in the character of their service. Whereas one served only for the purpose of training and maintained his place in society, the other gave his whole time to the country and became a professional soldier. I fear in view of the provisions of section 56 those differences will have to be accounted for in some other way.

Mr. LEWIS. Mr. President, referring in conclusion to the query of the Senator from Wyoming, I wish to call the attention of the able Senator, first, to the proposition respecting these officers being named by the Government. The Senator will surely recall that in the Spanish-American War the volunteer forces that went out from the States were not named by the President, but that they were designated, as the able Senator from Alabama [Mr. UNDERWOOD] calls to my attention from his experience, by the governors of the States or by the men themselves.

Mr. WARREN. Ah, but, Mr. President, they then became a part of the national forces the same as did the militia in the Civil War—the officers and men.

Mr. LEWIS. I ask the able Senator why should not that exact course be duplicated, if we shall have need of more men in any coming conflict, and followed exactly as it has been in the past, adding, however, to it a system that shall insure through discipline and organization our citizen soldiery possessing competent qualifications?

Mr. WARREN. It depends somewhat, of course, on what we shall do as to federalizing the National Guard; but it is perfectly plain that, in the present situation of affairs, if we want a force in addition to the Regular Army to be employed outside of the continental limits of the United States, we have got to have this force in some other form than as a National Guard. If the National Guard enlists as a volunteer force, and as United States troops, well and good; of course, they go into the national forces. All of the volunteers proposed in the pending bill are a part of the Regular Army in the sense that they are not responsible particularly, first, to the States, and, second, to the United States; but they are responsible only to the United States, almost exactly as are enlisted men in the Regular Army who have gone on the retired list, receiving smaller pay but ready at any time to respond to the call of the President and the War Department without reference to the States.

Mr. LEWIS. Mr. President, concluding—and my time has been taken by Senators who have offered me much advice, and have, I am sure, tendered many wise suggestions—I hold to my viewpoint that if we ought to have this intermediate force, then, with the Senator from Iowa, I think there can be no dispute that it ought to be a part of the Army, officered by West Point men or by any other efficient officers we could obtain. The more efficient they are the more necessary it is that they should be called into the service. That they have come from our schools, all the better; that they bring that splendid training to the Government, all the more to be commended; but they should be a part of the Army of the United States. In that I concur; with that I have been in accord; of that to-day I am an advocate; but if the attempt is to be made to create such an intermediate force, it will be neither Regular Army nor National Guard; and there is no place in the organization of this country for that form of service, either under the Federal Constitution or the State constitutions.

I ask my able friend from Wyoming to contemplate this: Does the able Senator from Wyoming, with his experience in military affairs, not recognize that the moment an attempt is made to have a volunteer force that will have nothing to say as to its officers, to be officered by gentlemen from far-off places, who know nothing of the men, and of whom they know nothing, we shall not be able to get enlistments? Will men enter into these organizations to have an officer who is a member of the Army, coming from a State far-away, a gentleman of whom he knows nothing, and who will naturally feel his social superiority to the men in the ranks, notwithstanding the gentlemen in the ranks may occupy the very highest place in the community where they live, not revolt from discipline? Is it to be assumed that under those conditions there can ever be obtained enlistments; that men will enlist under those conditions in a volunteer service which makes them so subordinate to their officers that they will be regarded as inferior and having no voice? Will it be assumed that you can ever get enlistments under such circumstances? My answer from my standpoint is that I do not feel that system will ever be a success; I can not see how it can survive; but if we desire an army that can be called upon in time of need we can increase the National Guard and add to the corps of Regular officers as we may need them and send them out to the National Guard from time to time to aid in the instruction, to act as drill masters and disciplinarians for our citizen soldiers. Then we will have a real volunteer army, as I see it, without the confusion which inevitably will follow the adoption of the plan proposed, and which might result in danger to our institutions.

Mr. President, let this Federal Government join concurrently, as Mr. Justice Story well says, and as Mr. Alexander Hamilton says, with the State governments, federalizing the State troops to the extent of affording them supplies and equipment and putting them on an exact level with the Regular Army for all national purposes, but leave them within their respective States subject to the sovereignty of the State, and to the command of the governor and the government of the State in wholly local affairs. Then, we will have two succinct, clearly defined forces heretofore recognized under the Constitution, justified under the decisions of the Supreme Court, and which have been under practice and not a stranger to the welfare of the Republic.

Mr. President, I have pointed out therefore wherein I feel the bill has a vice, but, as the Senator from Wyoming has said, not an intended one. The committee would have no object in such. If this has crept into the bill, it is because of misapprehension of its effect; and I am assuming to point out its effect as I see it and as it has been pointed out to me by those who are seeking the protection of their just interest and hoping to preserve the welfare of the Guard, by manifesting its dangers which I have assumed to describe.

Mr. President, I have occupied much time without intending to do so, but I feel that the time has been well occupied from the fact that the fallacy of my argument may have been disclosed or the virtue of it manifested on the part of able Senators in their interruptions and suggestions.

Mr. President, I have given utterance to these views in order that the committee may consider them. If upon examination they are found not to be well taken, then the committee no doubt will continue in its present position in adherence to the doctrines as set forth in section 57 of the bill. If these views of mine are conceived by other Senators to be worthy of consideration, then I trust that amendments at the proper place may be submitted by the committee, or, if not submitted by it, that they may be accepted by the committee when presented from other sources. My own purpose is to seek to preserve an organization for the defense of the country which shall have the respect of our countrymen and the affection of the members who constitute it; and not to embark on a course which at the outset will bring confusion and dissipate and destroy the very object to which we are turning our patriotic devotion.

I am necessarily advocating the interest of the National Guard; and I say that I feel their splendid service in the past entitles them to prime and first consideration. Indeed, my mind reverts, as I conclude, to the exquisite expression in the literary production of Ruskin, entitled "Sesame and Lilies," where he portrays the heathen woman confronting the civilized mother. The refined woman had displayed to the heathen one her jewels of adornment. The heathen woman, turning to her children and pointing to these brothers, the Gracchi, exclaimed, "Behold, these are my jewels." I would have our Government, remembering the National Guard, which has given such valorous service in the past, which has suffered so much in sacrifice for their civilization, when there is opportunity to reward them, I would have my Nation turn to the country, as did that heathen mother to the civilized mother, and, beholding that Guard in the splendor of what they represent, say to the world, "These are my jewels."

Mr. LEE of Maryland. Mr. President, in considering the question of preparedness, which has been forced upon us by modern wars and modern conditions, we must needs be practical. We have got to consider the limitations of recruiting, the limitation of the possible number of soldiers who may be gotten to enlist, as well as the reasonable limitations of expense.

There has been universal testimony rendered before the committees of both Houses to the effect that it is impossible to enlist for the Regular Army, even with the greatest possible effort, more than 50,000 men in a year. Considering the limitation which that imposes, and considering the necessary reductions to any existing force by the operation of expiring terms of enlistment and other causes, it is inevitable that for adequate preparation there must be some resource, some means of providing military defense upon land other than what will come from these limited possible enlistments. I believe that there is probably no point upon which the authorities who have testified have been more harmonious than upon the question of the limitation of the number of men—the 50,000 annually—who can with extraordinary effort be secured by enlistment in the Regular Army under present conditions of national prosperity.

Under these circumstances we necessarily and naturally turn to other forces for defense. We naturally turn to the constitutional soldier mentioned in the Constitution with the Regular Army, and with equal degree of dignity with the Regular Army, namely, the militia of the several States, and consider the defense possibilities in connection with that militia. Although I do not wish to go far afield upon this general subject, but desire to speak to the amendment, in view of what has been said here to-day I want to read into the RECORD an extract from Gen. Washington's address, dated June 8, 1783, to the governors of the respective States recently emerged from the condition of colonies:

> The militia of this country must be considered as the palladium of our security and the first effectual resort in case of hostility. It is essential, therefore, that the same system should pervade the whole; that the formation and discipline of the militia of the continent should be absolutely uniform; and that the same species of arms, accouterments, and military apparatus should be introduced in every part of the United States.

Mr. President, such a result for "the militia of the continent" could come from but one source and but one power, and that would be exercise of Federal power throughout the whole of this country. How natural and inevitable it was that the hand that penned the quotation I have just read should have also signed, as President of the Constitutional Convention, the great provision in section 8 of Article I of the Constitution, which has been referred to here to-day and which I desire to place in the RECORD in connection with the quotation I just made from this official letter of Washington:

> The Congress shall have power * * * to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

Further in the same section of Article I:

> The Congress shall have power * * * to make all laws necessary and proper for carrying into execution the foregoing powers.

Mr. President, the amendment of the Senator from Iowa provides for the addition to the General Staff of the Army of five representatives from the National Guard or Organized Militia, a very small percentage of the whole of the staff. Naturally, it is suggested that there should be this representation by reason of the present relationship of the National Guard to the United States Army.

It was said here on the floor the other day that we have in the United States a mobile force of 30,000 men in the Regular Army. We have in this country also in the Organized Militia a mobile force of 134,000 men.

Is it inconsistent with the proportions to add to 95 officers on the General Staff, representing the 100,000 soldiers of the Army of the United States in this country and elsewhere, 5 National Guard officers, who represent 134,000 organized troops to join in consultation upon mutually important strategic questions? It is quite consistent, Mr. President, with some degree of representation and with a natural progress in harmony and cooperation which should exist between these two defending forces of our country. When you come to the question of mobilization, as I suggested this morning, the Senator from New York [Mr. WADSWORTH] on yesterday mentioned how the General Staff, having some question of mobilization to consider, sent for a National Guard officer to get from that officer the details and information absolutely necessary in considering the details involved.

I wish to read to the Senate now a quotation from a report by Capt. Mott of the United States Field Artillery, made in 1905, appearing on page 137 of Senate Document 796, presented by the Senator from Oregon [Mr. CHAMBERLAIN]. Capt. Mott calls attention to the question of mobilization; refers to what Switzerland can do in connection with mobilization with her highly organized citizen army, and points out that that citizen army of disciplined Switzers can be organized and handled quicker than our Regular Army can mobilize 30,000 Regular soldiers in this country. That is a statement of a Regular Army officer. Capt. Mott says:

> Switzerland can mobilize an army corps in three days, ready in every particular of organization, equipment, munitions, and transport, to march against the enemy; they can mobilize four such corps at one and the same time.

In Senate Document 360, which I presented to the Senate, there is conclusive evidence to show that Switzerland did mobilize 200,000 men in 10 days at the beginning of the great war, and that her mobilization was probably more prompt than either that of Germany or of France. Capt. Mott goes on to say:

> Just how many days it would require to concentrate in one place 30,000 of our Regulars with all their baggage and transport, or how long to assemble four such commands of Regulars and militia it is difficult to say, but probably it would be nearer three weeks than three days.

The Swiss mobilize their entire force every summer. Our country has never had any adequate preparation or experience in this respect. We should mobilize the whole National Guard of this country in proper military units every summer as a whole or combined with the Regular Army to make the action complete and educating the country and the military officers to the details of great military movements.

In the consultations which should take place as to mobilization and other military matters some representatives of the numerically greater existing force, the National Guard, should have their appropriate place on the General Staff, and I submit that 5 per cent of the consulting body of these conjoined military forces is not too great a proportion to concede to the National Guard. What I have already said illustrates in one aspect the necessity of this representation.

There is another matter to which I wish briefly to call the attention of the Senate, and which I think will illustrate in a different way the necessity of representation of the National Guard upon the General Staff. There is a great deal of information and a great deal as to the policy of general preparation that does not seem to be easy to get when it operates in favor of the citizen soldier. I have been since the middle of February to the middle of this month collecting, from sources which should have been able to give it at once, the information contained in Senate Document No. 360, as to the efficiency of the Swiss citizen army. If the Senate will take the trouble to read that document, they will see where difficulties and delays have occurred. They will see that there was an order of the Secretary of War preventing the giving out by the War College of this information, so that it was necessary for me to apply through the State Department to the Swiss military authorities for their permission to use information that really should have been directly and readily available, because it was in respect to matters that occurred in a neutral country, and, as is said in the letter of Maj. Lawton, could be seen by almost anybody standing on the corner of any road or street in Switzerland.

Mr. President, I wish to correct certain figures and apparent estimates that appear in the report of the committee and that appear on page 5077 of the CONGRESSIONAL RECORD. In doing so I desire to call attention to the fact that I do not believe this correction would have been necessary; I do not believe that it would have been necessary for me to write the letters which I did write to the Secretary of War, or that it would have been necessary for the Secretary of War to have answered me in the way he did, or that the committee would have been misled, as they apparently have been misled, by the figures which have been furnished to them from some source, if we had representation of the National Guard upon the General Staff. Mr. President, I will ask permission to put in the RECORD without reading the letters to which I refer.

The PRESIDING OFFICER. Without objection, permission is granted.

The letters referred to are as follows:

UNITED STATES SENATE,
Washington, March 25, 1916.

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: There seems to be considerable difference in the estimates apparently being made in connection with the cost of the National Guard under the Hay House bill and Senate bill 4840. I have understood at the department that one estimate under the Hay bill is $25,000,000, whereas another estimate for somewhat similar provisions under the Senate bill 4840 is $46,000,000.

A new estimate is now being made, I believe, of the Hay bill provision on the plan of the estimate made for Senate bill 4840.

I would like to be informed in some detail as to the estimate covering $25,000,000 or a little over as cost of the provisions under the Hay bill, and also what would be the cost under the Chamberlain bill, estimating the same way as the Hay bill.

I would also like to have the details of the estimates covered by Table XII in the report of Senator CHAMBERLAIN on Senate bill 4840—cost of volunteers, total, $24,944,000.

Respectfully, yours,
BLAIR LEE.

WAR DEPARTMENT,
Washington, March 28, 1916.

Hon. BLAIR LEE,
United States Senate.

MY DEAR SENATOR: Referring to your letter of March 25, requesting information concerning apparent discrepancies in estimates of costs furnished in connection with bill S. 4840 and bill H. R. 12766, I may say in general that the War Department has furnished statements to the Committees on Military Affairs of both the Senate and the House, but is not informed as to the exact combinations of figures or the emphasis placed on the different items so furnished. It is believed that the sums arrived at in Table XI, page 25, Report No. 263, part 1, of the Senate Committee on Military Affairs on bill S. 4840, sets forth the original cost of the National Guard for the years covered in the table. In order to arrive at what would be required in the estimates for 1917, it would be necessary, therefore, to deduct the value of the material already in the hands of the militia. Preliminary figures available indicate that for the fiscal year 1917 estimates will be submitted by the Division of Militia Affairs amounting to approximately $14,000,000, and that the Quartermaster Corps will submit similar estimates amounting to approximately $11,000,000; making a total of approximately $25,000,000 for the militia under these two items. It is assumed that this is the sum which you have in mind and to which you refer in the third paragraph of your letter.

You will note that this does not take into consideration any of the ordnance equipment, which includes small arms, field cannon of various calibers, with their carriages, nor the ammunition for either, both of which are very large items. The exact figures for these items, based on the provisions of bill H. R. 12766, have not yet been arrived at.

I am submitting to the Committee on Military Affairs of the Senate to-day tables pertaining to bill H. R. 12766, which have been figured on the same basis as for bill S. 4840; a copy of these is inclosed.

With reference to paragraphs 3 and 4 of your letter, I am inclosing also copies of statements which have been submitted by the War Department in connection with bill S. 4840, showing the cost of volunteers under the provisions of that bill.

Sincerely yours,
NEWTON D. BAKER,
Secretary of War.

MARCH 29, 1916.

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: I have received yours of the 28th with inclosed data and beg leave to thank you for same.

Unfortunately, however, this information comes in such shape as to be of very little use unless it is otherwise clarified and explained. For instance, referring to the sums arrived at in Table XI, page 25, report No. 263, part 1, of the Senate Committee on Military Affairs bill S. 4840. Your letter states that the items arrived at set forth the original cost of the National Guard for the years given in the table, but goes on to add that in order to arrive at what would be required in the estimates of 1917 it would be necessary to deduct the value of the material already in the hands of the National Guard. As the value of this material is not given, the sum required to provide for the National Guard for the first year can only be ascertained by further information.

Another difficulty is that Tables XI and XII fail to give the numbers of troops involved. Presumably from some of the substatements the minimum authorized is used for the first column, and at the end of the fourth year the maximum is arrived at. An explicit statement of the numbers would seem to be desirable.

Another suggestion, if you will permit it, would be that there is no summary or recapitulation of Tables XI and XII, or, what is more especially desirable, the first years of each with reference to the details desired and presumably furnished. I have been able to check off some of these details, but the bill being on the floor now for consideration by the Senate I should think that this statement from the department should be more explicit.

I will keep the papers sent me, as they may be of service in connection with other information sent to Senator CHAMBERLAIN, and I would respectfully suggest that my letter of March 25 be referred back to The Adjutant General together with this letter as tending to possibly lead to a more lucid statement.

As a further suggestion, taking page 25, Tables XI and XII, above referred to, and adding the numbers of men estimated for under each, what would be the average cost of a national guardsman under column 4, and what would be the average cost of a volunteer under column 4, and looking at this cost from a double aspect; first, the aspect of all that has been expended in the four years to create the individual guardsman under the fourth year; and, second, carrying forward to the cost of the guardsman of the fourth year only such elements of expenditures in the first three years as provided material in the hands of the guard in the fourth year and with a similar estimate for each volunteer in the fourth year?

As illustrating an objection to the figures given under the first year in Table XI—cost of the National Guard—above, I am advised that the National Guard already has equipment for 151,594 men, and I infer, although it is not positively stated, with reference to this first year's estimate, that it is an estimate for 87,000 men.

Respectfully, yours,
BLAIR LEE.

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, March 31, 1916.

Hon. BLAIR LEE,
United States Senate.

MY DEAR SENATOR: The department is in receipt of your letter of the 29th instant, asking for further information concerning the items referred to in Tables XI and XII, page 25, Report No. 263, part 1, from the Senate Committee on Military Affairs, on Senate bill No. 4840. *The figures showing the cost of the National Guard and of volunteers, in the tables referred to, appear to have originated with the Senate Committee on Military Affairs, although based on data*

presumably obtained from the different bureaus of the War Department. Every effort will be made to give you the additional information that you now desire, and your letter has accordingly been referred to the Chief, Division of Militia Affairs, and the Chief of Ordnance for remark, and they will be requested to furnish the data needed at the earliest practicable date, it being pointed out, however, that the assembling and comparison of the figures underlying those presented in the tables may take some little time.

However, I shall do everything possible to expedite the furnishing of the information that you ask for.

Very sincerely, yours,

H. P. McCAIN,
The Adjutant General.

—

UNITED STATES SENATE,
March 30, 1916.

Col. GEORGE W. McIVER,
Division of Militia Affairs,
War Department, Washington, D. C.

MY DEAR COL. McIVER: I have a letter from the Secretary of War dated March 28 in which he forwards some estimates in connection with Senate bill 4840 and referring more especially to Table XI of report 263, page 25, part 1, being the first year's total cost, $46,349,800, and says, "In order to arrive at what would be required in the estimates for 1917 it would be necessary, therefore, to deduct the value of the material already in the hands of the militia." This is necessary because, as he states in his letter, the $46,349,800 sets forth the original cost.

I am desirous of knowing how much material is already in the hands of the militia which would have to be deducted to arrive at the requirement for 1917.

Respectfully, yours,

BLAIR LEE.

—

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
DIVISION OF MILITIA AFFAIRS,
Washington, March 30, 1916.

Hon. BLAIR LEE,
United States Senate.

MY DEAR SENATOR: I beg to acknowledge receipt of your letter of March 30, 1916, in which you request to be furnished with the value of the material already in the hands of the militia, and in reply thereto to inform you as follows:

Value of field equipment in the hands of the—

Infantry of the Organized Militia	$6,927,549
Cavalry	954,336
Field Artillery	8,127,172
Engineers	146,718
Signal Corps	481,653
Coast Artillery	559,488
Sanitary troops	406,439
Total	17,603,355

The above figures do not include such reserve equipment that is known to be on hand in several of the States over and above their present needs, equipment of Coast Artillery armories, and ammunition. It will therefore be necessary to add to the above figures the value of this equipment, which is estimated to amount to approximately $1,800,000, making a total estimated value of the equipment now in the hands of the militia as $19,403,355.

Very respectfully, yours,

G. W. McIVER,
Colonel Infantry,
Acting Chief Division of Militia Affairs.

Mr. LEE of Maryland. I will proceed to requote portions of the letters, and especially wish to call particular attention to the portions of the report of the committee which seem to me to be in error. To briefly illustrate the situation, I read from the letter of March 28, 1916, from the Secretary of War to me, as follows:

It is believed that the sums arrived at in Table XI, page 25, report No. 263, part 1, of the Senate Committee on Military Affairs on bill S. 4840 sets forth the original cost of the National Guard for the years covered in the table.

In order to arrive at what would be required in the estimates for 1917 it would be necessary, therefore, to deduct the value of the material already in the hands of the militia.

And from the letter of Adjt. Gen. McCain, dated March 31:

The figures showing the cost of the National Guard and of Volunteers in the tables referred to appear to have originated with the Senate Committee on Military Affairs, although based on data presumably obtained from the different bureaus of the War Department.

But the most instructive letter is that of Col. McIver, Acting Chief of the Division of Militia Affairs, dated March 30, in response to my letter of the same date, in which he concludes that the amount of material or the equipment now in the hands of the militia is valued at $19,403,355.

Mr. President, according to this letter from the Acting Chief of the Militia Division the first-year cost column of Table XI of the report, and on page 5077 of the RECORD, which adds up $46,349,800, must be reduced $19,403,355 for the equipment now in the hands of the guard, and when so reduced it will represent a very liberal first-year cost.

In order to start the proposed volunteers on even terms of expense as compared with the National Guard it has been necessary to charge the guard, as of the present time, with a large part of the money spent on them in the last 12 years, which has averaged annually $5,118,863.39. And to do this the cost column, Table XI, Senate committee report, also page 5077 of the RECORD, has been made to include as a first-year cost, and without further explanation, this $19,403,355 money expended in past years and representing equipment now in the hands of the Organized Militia.

The Senate bill suggests a reduction of the National Guard from 134,000, actual present strength, and 153,000 authorized strength under existing law, to 106,200, a reduction of 27,800 men from actual strength and of 46,800 men from the present authorized strength. If we take the reduced number proposed by the Senate committee and divide it into the improperly enlarged first-year cost, namely, 106,200 men into $46,349,800, we get an apparent first-year cost of $437 as the average for the National Guard, and which is a greatly exaggerated first-year cost and, as I now show, greater by more than 50 per cent than the true first-year cost.

If, on the other hand, we deduct the value of equipment now in the hands of the Organized Militia and improperly included, I think, in the first-year column of Table XI ($46,349,800 less $19,403,355), it leaves us a more correct estimate of what must be expended the first year for the National Guard, or $26,946,445.

To get the average cost, divide this sum by 106,000, the reduced number apparently contemplated by the Senate committee for the National Guard, or by 134,000, the present actual strength, or by 153,000, the present authorized minimum strength, and we get in the first instance $254, in the second instance $201, and in the third $176, as the first-year cost per man of the National Guard. The lowest is the most nearly correct, but the average is $216, or a first-year cost per man of less than half of that which is indicated by the committee's table, as published in the committee report and put in the RECORD at page 5077.

The chairman's statement at the bottom of page 5077 of the RECORD is apparently based on an error, as the force provided for by the first-year column of Table XII is not 261,000, but only 56,829 men.

The first year cost of volunteers—Table XII, page 25, Senate report—may be arrived at by dividing $24,944,938 by the 3,036 officers and 53,793 men it provides for, and this gives a first-year volunteer cost of $439 per man.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Oregon?

Mr. LEE of Maryland. Certainly.

Mr. CHAMBERLAIN. Are the figures that the Senator is reading and the estimates he is now giving the Senate prepared by the War Department?

Mr. LEE of Maryland. What I am criticizing now is the column presented by the Senator from Oregon as chairman of the committee.

Mr. CHAMBERLAIN. No; but I am asking now if the estimates which the Senator has, and by which he seeks to correct those given in the RECORD, are given to him by the War Department?

Mr. LEE of Maryland. The only estimate that I necessarily have to have, to correct this view of the Senator's that 261,000 men are provided for by this first-year column of Table XII for the volunteers, is as to the actual number of men calculated for in that column. I have that estimate from the War Department, and they put it down as 3,036 officers and 53,793 men.

Mr. CHAMBERLAIN. But the Senator has given a good many figures and a good many estimates. I just wanted to know whether those were figured out by him or some one under him, or whether they were figured out by the War Department?

Mr. LEE of Maryland. The number of men provided for in the first-year volunteer column I have from the War Department.

Mr. CHAMBERLAIN. But the dollars?

Mr. LEE of Maryland. The dollars I get from the Senator's estimate, as published by him.

The explanation of the committee's preference for the proposed volunteer force may be found at page 5077 of the RECORD, where the chairman states, in response to my question, that the first-year estimate in Table XII provides for 261,000 men, which would give an average of $95 for first-year cost—an obvious impossibility, and contrary to the express statement of the War Department, which I can submit if desired.

The true comparison for the average first-year cost of the National Guard and the Volunteers is between $216 for the Organized Militia force and $439 for the Volunteer force; and these figures do not express some of the obvious advantages of the National Guard. The guard have had not only $19,000,000 and more already spent upon them by the United States, but also have the advantage of between $100,000,000 and $200,000,000 in armories and the annual appropriations of all the States.

If the equivalent proper and necessary expenditures were added to the Volunteer first-year cost, that would, in my judgment, largely increase the National Guardsman's advantage as to cost, so that it would be expressed better by a comparison of $216 to $500; but without adding any cost to the Volunteer first-year estimate, such as is represented by the State armories and annual State appropriations, the advantage in first-year cost to the National Government of the guardsman over the proposed Volunteer force is as $216 is to $439. And the very fact, Mr. President, that these figures and corrections have to be brought in here in this way shows the necessity and the propriety alike of some representation of this great force of citizen soldiers upon the strategic body of the United States Army.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the Georgia State Camp, Patriotic Order Sons of America, of Americus, Ga., praying for an increase in armaments, which was ordered to lie on the table.

He also presented resolutions of the United States Chamber of Commerce, favoring the enactment of legislation to prevent dumping of European products in the United States at the close of the European war, and also for the enactment of legislation to promote industrial efficiency and to protect and develop industries in the United States, which were referred to the Committee on Finance.

Mr. PHELAN presented a petition of the Woman's Club, of Watsonville, Cal., praying for an investigation into conditions surrounding the marketing of dairy products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Local Union No. 292, Musicians' Union, of Santa Rosa, Cal., and a petition of the Federated Trades and Labor Council of San Diego, Cal., praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. CLARK of Wyoming presented petitions of sundry citizens of Wyoming, praying for an increase in armaments, which were ordered to lie on the table.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Hood River, Oreg., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Michigan, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of 2,651 farmers in the State of Michigan, remonstrating against the enactment of legislation to prohibit interstate commerce in convict-made goods, which were referred to the Committee on Education and Labor.

He also presented a petition of Major John C. Durst Camp, No. 40, United Spanish War Veterans, of Lansing, Mich., praying for the enactment of legislation to grant pensions to widows and orphans of veterans of the Spanish-American War, which was ordered to lie on the table.

Mr. BURLEIGH presented a petition of Local Union No. 13048, Federal Labor Union, of Millinocket, Me., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. GALLINGER presented petitions of 17 citizens of Pittsfield, N. H., praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented the petition of S. K. Kamaiopili, of Honolulu, Hawaii, praying for prohibition in the Hawaiian Islands, which was referred to the Committee on Pacific Islands and Porto Rico.

Mr. POINDEXTER presented the memorial of Lyman H. Wilmot and sundry other citizens of Eglon, Wash., and the memorial of C. D. Raymer and sundry other citizens of Seattle, Wash., remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Walnut Grove Grange, Patrons of Husbandry, of Grandview, Wash., praying for Government ownership of the telephone and telegraph systems, which was referred to the Committee on Post Offices and Post Roads.

He also presented the petition of E. O. Hagberg and sundry other citizens of Venersborg, Wash., praying for the placing of an embargo on munitions of war, which was referred to the Committee on Foreign Relations.

He also presented memorials of Calispell Grange, No. 500, Patrons of Husbandry, of Cusick; of Liberty Grange, No. 272, Patrons of Husbandry, of Granger; and of Walnut Grove Grange, Patrons of Husbandry, of Grandview, all in the State of Washington, remonstrating against an increase in armaments, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of College Place, Wash., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

He also presented a memorial of South Basin Grange, Patrons of Husbandry, of Orin, Wash.; and a memorial of Pomona Grange, Patrons of Husbandry, of Outlook, Wash., remonstrating against the passage of the bill (S. 2986) to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes, which were ordered to lie on the table.

Mr. WADSWORTH presented a memorial of the Common Council of Hudson, N. Y., remonstrating against the enactment of legislation to provide a literacy test for immigrants, which was referred to the Committee on Immigration.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. LIPPITT presented a memorial of Pomona Grange, No. 40, Patrons of Husbandry, of Laurel, R. I., remonstrating against any change in the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Grange No. 51, Patrons of Husbandry, of Anthony, R. I., and a petition of sundry citizens of Providence and Kingston, all in the State of Rhode Island, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. CATRON presented petitions of sundry citizens of Buchanan and Yeso, in the State of New Mexico, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. LODGE presented memorials signed by A. Lawrence Lowell, president of Harvard University, and sundry other citizens of Cambridge, Mass., remonstrating against the separation of the Cambridge (Mass.) postal station from the Boston (Mass.) post office, which were referred to the Committee on Post Offices and Post Roads.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ASHURST:

A bill (S. 5346) granting a pension to Henry W. Buckley; and

A bill (S. 5347) granting a pension to George Seaver; to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 5348) to authorize the exchange of lot 10, section 19, township 45 north, range 114 west, sixth principal meridian, for certain private lands needed in connection with the construction of Jackson Lake Reservoir, Wyo., and for other purposes; to the Committee on Public Lands.

By Mr. McLEAN:

A bill (S. 5349) to amend section 4414 of the Revised Statutes of the United States relating to the appointment of local and assistant inspectors of steam vessels; to the Committee on Commerce.

By Mr. PHELAN:

A bill (S. 5350) granting a pension to Susan E. Cline (with accompanying papers);

A bill (S. 5351) granting a pension to Rose Butcher (with accompanying papers); and

A bill (S. 5352) granting an increase of pension to Viola E. Webster (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER (for Mr. PENROSE):

A bill (S. 5353) to correct the military record of John Brown; to the Committee on Military Affairs.

A bill (S. 5354) granting an increase of pension to Susan Liggins;

A bill (S. 5355) granting a pension to John B. Chandler; and

A bill (S. 5356) granting a pension to Joseph Zimmerman; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 5357) granting a pension to E. P. Lewis;

A bill (S. 5358) granting an increase of pension to Matilda Stoneback;

A bill (S. 5359) granting an increase of pension to Louise D. Finley; and

A bill (S. 5360) granting an increase of pension to Philip Robuck; to the Committee on Pensions.

By Mr. GORE:

A bill (S. 5361) to encourage military instruction in certain educational institutions; to the Committee on Education and Labor.

By Mr. SMOOT:

A bill (S. 5362) to authorize the Secretary of the Interior to issue patent for certain lands in the State of Utah to Cyrena E. Young; to the Committee on Public Lands.

THE JUDICIAL CODE.

Mr. SHERMAN submitted an amendment intended to be proposed by him to the bill (S. 1412) further to codify, revise, and amend the laws relating to the judiciary, which was referred to the Committee on the Judiciary and ordered to be printed.

NATIONAL DEFENSE.

Mr. GORE. I submit an amendment to the pending Military Establishment bill, which I ask may be printed in the RECORD.

There being no objection, the amendment was ordered to lie on the table and be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. GORE to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, viz: On page 196, after section 120, add the following:

"SEC. 121. That before the next succeeding 13 sections of this act shall be administered in any State the legislature thereof shall assent to the same.

"SEC. 122. That the term 'school board' as used in this act shall include any board of regents, board of trustees, board of commissioners, or any other duly constituted authority having legal control and direction of an eligible school as hereinafter defined and having power to employ the members of the faculty thereof and to determine courses of instruction therein.

"SEC. 123. That eligible schools for the purposes of this act shall consist of universities, colleges, academies, high schools, and other secondary schools, not including those institutions to which officers from the active or retired list of the United States Army are now or may be hereafter detailed under existing law which have a bona fide enrollment of not less than 50 male students 16 years of age or over and which have in their employ an instructor qualified, in the judgment of the Secretary of War, to impart suitable military instruction and training.

"SEC. 124. That in addition to the requirements and conditions enumerated in section 123 of this act the Secretary of War shall have the power to prescribe such requirements and conditions and to make such rules and regulations as may be necessary to carry into effect the provisions of sections 121 to 134, inclusive, of this act.

"SEC. 125. That any school board desiring to secure the benefits of this act in behalf of the school or schools under its control and direction shall make and file with the Secretary of War an application to that effect upon a form to be prescribed and furnished by said Secretary. Said application shall state specifically the character, amount, and other conditions concerning military instruction and training to be required by the Secretary of War, and shall include any information that may be required by said Secretary. The board shall also specifically declare its desire to secure the benefits of this act in behalf of the school or schools under its control and direction, and shall obligate itself to the faithful observance and execution of the terms and conditions of this act and of the rules and regulations made in pursuance thereof. The board shall also in its application specify the name of the instructor expected and qualified to impart the required military instruction and training, together with the amount of the total annual salary contracted to be paid such instructor.

"SEC. 126. That upon the receipt of any application fulfilling aforesaid requirements, and if, in the opinion of the Secretary of War, the public interest will be subserved thereby, said Secretary shall ascertain the qualifications of the instructor designated to perform the duties required by this act, and if said Secretary is satisfied as to his fitness, said instructor shall be designated as a military instructor of the United States.

"SEC. 127. That before any such instructor shall enter upon the discharge of his duties, he shall subscribe to the oath of office required of officials of the Government of the United States, and the school board employing such instructor shall execute to the Secretary of War, in such form and in such amount as he may require, a bond for the safe care and keeping of all property of the United States furnished to said board.

"SEC. 128. That when such bond shall have been executed and such instructor shall have entered upon his duties, the Secretary of War is hereby authorized and directed to pay to such instructor from time to time an amount not exceeding two-fifths of his stipulated salary in any one scholastic year: *Provided*, That in addition to such payment upon his salary, the Secretary of War may pay to such instructor an additional sum not exceeding 20 per cent of such salary at the end of the scholastic year, to be based on and graduated by the fitness and efficiency of such instructor: *Provided however*, That the Secretary of War is hereby authorized to discontinue such arrangement and such payments whenever the services of such instructor shall prove unsatisfactory or whenever his employment shall be discontinued.

"SEC. 129. That the Secretary of War is hereby authorized to enter into an agreement with any school board for admittance to military instruction and training of all male persons of suitable age who are not duly enrolled as students in such school.

"SEC. 130. That the Secretary of War is hereby authorized to supply to school boards rifles, side arms, and other necessary military accouterments for the use of persons receiving military instruction and training in pursuance of this act.

"SEC. 131. That the Secretary of War is hereby authorized and directed to prepare for the files of his office from the names of men who have graduated from any educational institution to which an Army officer has been detailed as military instructor under existing laws a list of persons qualified to give military instruction and training; and said Secretary may furnish such list upon request to any school board desiring to take advantage of this act.

"SEC. 132. That whenever the legislature of any State shall give its consent the Secretary of War is hereby authorized to enter into an arrangement with the State superintendent of public instruction of such State for the furnishing of such information and for the performance of such other service in the administration of this act as may be mutually agreed upon by said Secretary and said State superintendent of public instruction; and for compensation for such service the Secretary of War is authorized to pay such superintendent not exceeding $500 per annum to be graduated in accordance with the character and amount of such service.

"SEC. 133. That to carry into effect the provisions of this act the sum of $ is hereby annually appropriated out of any money in the Treasury of the United States not otherwise appropriated; and all payments for the purposes of sections 121 to 134, inclusive, of this act shall be made by the Secretary of the Treasury upon the warrant of the Secretary of War.

"SEC. 134. That the Secretary of War is hereby authorized to require such reports to be made by the school boards having in charge the schools benefited by this act and to make such inspections from time to time as he may deem necessary and proper."

Mr. BRANDEGEE. I submit an amendment to add to the committee amendment proposed by the Senator from Oregon [Mr. CHAMBERLAIN], which I ask may be read.

The amendment was read, ordered to lie on the table, and to be printed, as follows:

Amend the amendment proposed by the committee on page 106, end of section 2, as follows:

"Strike out the words 'one hundred and eighty thousand' and insert the words 'two hundred and fifty thousand' and add at the end of the amendment the following:

"'*Provided further*, That in addition to the units specified in this section, additional units of Infantry, Cavalry, or Field Artillery to conform in composition with the requirements of sections 19, 20, and 21 of this act may be organized in the discretion of the President; but in no case shall the additional units so organized exceed in total enlisted strength the number of 50,000 men.'"

RECESS.

Mr. CHAMBERLAIN. Mr. President, I do not know of any other Senator who wishes to address the Senate this evening. I therefore move that the Senate take a recess until Monday at 12 o'clock.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m., Saturday, April 1, 1916) the Senate took a recess until Monday, April 3, 1916, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April 1, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, we thank Thee for a great country, a great people, a great past, and for the promise of a greater future. And we most earnestly pray that every American citizen may be inspired with a patriotism which shall make him loyal to its sacred institutions, a patriotism broad enough and strong enough to render unto others the privileges which he desires for himself in his civil, political, and religious preferences, that we may live together in peace and harmony and grow in everything that makes a nation truly great, and strive to live in peace with all the nations of the earth, ever remembering that "righteousness exalteth a nation, but sin is a reproach to any people." So may we live, prosper, and grow valiant in the things which make for righteousness. For Thine is the kingdom, and the power, and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

DESERT-LAND ENTRIES IN RIVERSIDE COUNTY, CAL.

Mr. HAYES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate bill 4671, agree to the Senate amendment, and pass the bill, and that an identical House bill, which is now upon the calendar, be laid on the table.

The SPEAKER. The Chair lays before the House the Senate bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4671) to exempt from cancellation certain desert-land entries in Riverside County, Cal.

Be it enacted, etc., That no desert-land entry heretofore made in good faith under the public-land laws for lands in townships 4 and 5 south, range 15 east; townships 4 and 5 south, range 16 east; townships 4, 5, and 6 south, range 17 east; townships 5, 6, and 7 south, range 18 east; townships 6 and 7 south, range 19 east; townships 6 and 7 south, range 20 east; townships 4, 5, 6, 7, and 8 south, range 21 east; townships 5, 6, and sections 3, 4, 5, 6, 7, 8, 18, and 19, in township 7 south, range 22 east; township 5 south, range 23 east, San Bernardino meridian, in Riverside County, State of California, shall be canceled prior to May 1, 1919, because of failure on the part of the entrymen to make any annual or final proof falling due upon any such entry prior to said date. The requirements of law as to annual assessments and final proof shall become operative from said date as though no suspension had been had. If the said entrymen are unable to procure water to irrigate the said lands above described through no fault of theirs, after using due diligence, or the legal questions as to their right to divert or impound water for the irrigation of said lands are still pend-

ing and undetermined by said May 1, 1919, the Secretary of the Interior is hereby authorized to grant a further extension for an additional period of not exceeding two years.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. HAYES. The Senate amendment was read in the bill.

Mr. MANN. The question is on unanimous consent.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Reserving the right to object, what is the effect of the Senate amendment as compared with the House bill?

Mr. HAYES. The House bill is recommended by a unanimous vote of the Committee on the Public Lands to be amended in exactly the same particular.

Mr. MANN. The Senate bill follows the amendment which the House committee reported.

Mr. HAYES. It simply cuts out some provisions at the end as to further extensions, and limits the bill as it was originally introduced.

The SPEAKER. The gentleman is talking about an amendment. Is it a Senate amendment?

Mr. HAYES. Yes; a Senate amendment.

The SPEAKER. Then it comes over here as a part of the bill.

Mr. SPARKMAN. Mr. Speaker, I want to ask where this will lead us? How much discussion is there to be on it?

Mr. HAYES. None at all.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER. Without objection, the similar House bill (No. 11081) will be laid on the table.

There was no objection.

RIVERS AND HARBORS.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the rivers and harbors bill.

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193, the rivers and harbors bill.

The motion was agreed to.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193, the rivers and harbors bill, with Mr. SHERLEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. DUPRÉ. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. DUPRÉ. How much time remains for general debate under the agreement?

The CHAIRMAN. Fifty-five minutes remain to the gentleman from Florida [Mr. SPARKMAN] and 70 minutes to the gentleman from Washington [Mr. HUMPHREY].

Mr. MANN. Each 70 minutes?

The CHAIRMAN. No; 55 to the gentleman from Florida and 70 to the gentleman from Washington.

Mr. SPARKMAN. Mr. Chairman, will the gentleman from Washington use some of his time now?

The CHAIRMAN. Does the gentleman from Florida desire to be recognized?

Mr. SPARKMAN. I yield seven minutes to the gentleman from Maryland [Mr. LINTHICUM].

The CHAIRMAN. The gentleman from Maryland [Mr. LINTHICUM] is recognized for seven minutes.

Mr. LINTHICUM. Mr. Chairman, of late we have heard a great deal about preparedness. The whole country seems to be on tiptoe demanding proper defense in the event of an attack by any foreign power. We all are in favor of preparedness and the proper protection of this country against anything that may happen.

There is a subject, however, which I feel is almost as vital to the American people as preparedness, and that is the protection of our food supply. The vitality of the people is the strength of the Nation, and the proper protection of foods and their sources of supply is of the utmost necessity for this vitality.

We have enacted a great deal of legislation and spent much money in the protection and inspection of the meat supply of the country. We have endeavored to protect the children from undue hardships and to prevent their employment in factories under certain ages, because it is detrimental to their strength and their ability to become useful, healthy, and prosperous citizens in later years. There is one subject, however, which it seems to me has been utterly neglected by Congress, and to a great extent by the various States throughout the Union, and that is the dairy and dairy products of the land.

For that reason I have introduced into this House a resolution providing for the appointment by the Speaker of a committee of five Members of the House, whose duty it shall be to investigate and report as speedily as practicable, as follows:

(a) Whether conditions prevailing in dairies and dairy products seriously menace the health and property of the people of the United States.

(b) Whether Federal inspection and supervision, either alone or in cooperation with State and municipal inspection and supervision, is necessary to the reasonable protection of the health and property of the citizens of the United States.

(c) If so, then the best and most economic methods of inaugurating and enforcing such inspection and supervision.

WIDE USE OF MILK AND MILK PRODUCTS.

Milk and milk products enter more universally into human health and happiness than any of all the foods. The safety and good name of milk and milk products should be guarded by Federal, State, and municipal authorities more carefully than any other food, and yet Congress has paid less attention to this, the greatest of all human necessities, than to any other food affecting the health and vitality of our people. So far as the National Government is concerned, dairies, creameries, and centralized plants and butter factories may be said to run wide open.

It is widely claimed that outrageous crimes are committed by the manufacturers of butter against the American people and vast frauds against the revenues of the Government and the good name of American-made goods in foreign markets.

I am not prepared to say whether these facts are true, although I am prepared to quote the testimonials of many people and the editorials from many reputable papers and magazines of the country showing their belief in its correctness. If these charges are true, then it is the duty of Congress to investigate and to pass such legislation as may be necessary to remedy the evil. If they are untrue, then Congress should, by proper investigation, show this to be the fact that the uncertainty now prevalent among our citizens may be alleviated and the real facts known, so that the people may freely and unceasingly avail themselves without fear and trembling of this splendid product, the most nutritious, useful, and, when produced and distributed under proper sanitary methods, the most healthful of all.

NEW CONDITIONS.

It may be said by some, Why has it become necessary for Congress to investigate the dairies and dairy products of the country? Have they not continued for years and years under present conditions and have not our people thrived as perhaps no others in the world, and why, then, is there danger arising from this source?

We must remember in connection with this that conditions have changed in reference to dairies and dairy products as well as they have changed in reference to the other food products of the country. There was a time when the farmer's wife prepared the butter in the cool spring house with definite care and cleanliness, and it was carried to market and sold directly to the consumer. Then came the time when creameries sprang up in every milk-producing neighborhood. The fresh milk was carried directly from the farm to the creamery in the near-by village, where the cream was separated and made into butter and the separated milk returned to the farmer for such purposes as he might apply it on his farm. The butter made from it was known as whole-milk butter and was well made, cleanly, fresh, and usually pure. Then came the present situation. New methods created by virtue of our greater population and the unusual demand for these products resulted in the centralizing factories, to which milk is shipped for hundreds of miles to be made into dairy products. The new situation brought new conditions on the farms and among the purchasers of milk. The long-distance hauls made delays beneficial until large quantities for shipment could be collected.

Then came the question of stale milk and cream and the further question of the methods used by the centralizers in preparing this stale milk and cream so that it could be made into butter. The question of the use of coloring matter in butter, so

that no matter how impure, no matter how long it had stood, no matter how unclean it might be, it could be covered and hidden from the general consuming public by this coloring matter, the contents of which in itself is usually impure and unhealthy.

INVESTIGATION.

This situation having arisen, the National Government, through the Department of Agriculture, felt the necessity of making some investigation into the dairies and dairy products industry. The department reported the situation in the Annual Report of the Department of Agriculture for 1912, pages 315 to 334, in which it says that cream is frequently shipped great distances to creameries to be made into butter and is very often received in such a filthy and putrid state as to be thoroughly unfit to enter into composition of a good product; that an examination of 1,554 lots of cream after being delivered to the creameries and cream-buying stations showed that 957, or 61.5 per cent, were of third grade, i. e., cream that is dirty, decomposed, or very sour; that an inquiry covering 715 creameries, located in six States, showed that only 196 pasteurized their cream, while 519, or 72.6 per cent, do not pasteurize the milk so as to destroy any disease germs that might be present; that as disease-producing germs are known to survive a long period in butter made from unpasteurized cream, and as butter is eaten in the raw state, this product when made under such conditions as prevail in the majority of creameries can not be said to be wholesome and free from danger to human health; that millions of gallons of cream that has been allowed to stand in the barn, in the cellar, or in the woodshed until it is sour or decomposed is sent to the creamery and without even being pasteurized is made into butter.

Referring to this report of the Department of Agriculture, Hoard's Dairyman, in an editorial February 21, 1913, commenting upon the report, says:

Is the butter industry working under conditions about which we must speak in whispers and behind closed doors? Are we hiding a skeleton in the closet? Dare we not speak the truth about American butter making without shuddering, lest the truth will be used against us? Where are we at anyhow? * * * We know that there has not been a dairy convention for years but at which one of the subjects that absorbed the most earnest attention was the bad cream conditions. Resolutions have been passed and passed again. Grading systems have been created only to go to pot. * * * The cry is, "Something must be done," but nothing has been done. All have favored reform and yet reforms have not come.

No one familiar with the facts, and finding himself behind suitably closed doors, has denied the conditions. That these conditions must be remedied before the butter-making business is above criticism is an axiom.

There are certain tendencies in the creamery business that are demoralizing to the last degree. We refer to the willingness of creameries to accept poor, badly decomposed cream, knowing if they do not the cream will go to a competitor. The large centralized creameries have been the chief, although not the only, sinners in this respect. They have invaded the territory of the local creameries and forced them to let down the bars to all that is bad in cream.

In conclusion the editor says:

Would it not be the wiser part to act on the suggestions of the Department of Agriculture and secure inspection that will remove all further criticism and put the dairy business on a higher plane, at least as high as has been vouchsafed to the packing business by the Government?

The same journal as late as November 5, 1915, page 458, complaining, says:

Much is said and but little done about the importance of patrons delivering a better quality of cream to our creameries. Too many feel that if they refuse to accept anything but good cream they will suffer financially, that competitors will drive them out of business.

In the American Food Journal, November, 1915, page 566, it is said:

There are practically three grades of cream used: First. Sweet cream, from which is manufactured the highest quality of butter, known on the market as "whole-milk" butter, which is produced only in the smaller creameries of the Northern States which draw their supply of butter fat from within a radius of a few miles.

Second. What is known in centralized creameries as No. 1 cream, which is of a fair flavor and which will respond to the use of chemicals or what is known as "neutralizer." * * * When this cream is churned it makes a commercial grade of butter of passably good quality, which is in fact the standard creamery butter of the country.

Third. Stale cream or cream that foams or that has contracted some foreign flavor, such as coal oil, due to age or poor handling, graded commercially as No. 2.

A. W. McCann, pure-food editor of the New York Globe, in a series of editorials in that paper and largely quoted in National Pure Food News, describes conditions as he claims to have found them on a recent tour of investigation through the creameries and butter factories of several Western States. He says that in a pasteurizing creamery in Chicago he found men working over full tubs scraping the surplus off with a stick, squeezing it with bare hands into lumps, and flopping it into empty tubs, and that flops of butter hanging from the tubs were picked up from the floor and put back into the tubs, and that it was called pasteurized butter. He claims that in a pasteurizing plant he found processed, renovated, and ladle butter being manufactured. In the ripening vat of one plant he says dirt was scattered over the surface of the pasteurized cream. In another creamery, also pasteurizing, he says he found an open sewer trap ejecting sewer gas into the plant, and girls working with their bare hands in the print room, one of them was coughing, and that there was no medical supervision in the institution. He claims the same conditions are characteristic of hundreds of Illinois creameries and centralizing plants.

He claims to have visited a Wisconsin creamery and to have seen a lot of cream received which was so fermented that one can had blown the top off, notwithstanding the shipper had taken the precaution to tie the tops down with a tar rope. He says he saw rotten cream neutralized with whitewash before churning; that in this dairy, as was the case with hundreds of others, some of the cream was sour, some stringy, some lumpy, some vile smelling, some merely dirty.

Referring to McCann's charges, Prof. Farrington, head of the dairy school of the University of Wisconsin, is quoted in the Chicago Dairy Produce, November 22, 1915, page 22, as saying:

I am not going to offer up any excuse for a lot of the bad conditions that do exist in the Wisconsin creameries, and the same will apply to the creameries of all other States. There is poor-cream conditions on many of the farms in Wisconsin; poor cream is taken at a great many of the creameries and made into poor butter. I believe I am safe in saying that 90 per cent of the creameries of the State do not pasteurize.

In the Chicago Dairy Produce, August 7, 1915, page 22, it is said:

The introduction of the hand separator opened avenues for poor cream way beyond the possibility of the old gravity system. For example, 90 per cent of the hand separators in dairy use throughout the country receive improper care, and on many farms the cream is allowed to accumulate from 3 to 10 days exposed to all sorts of contamination, and without proper methods of cooling before it is hauled to the creamery. The result is inevitable, a poor grade of butter, for which is received a correspondingly poor price. Last year 63 per cent of the butter in Minnesota was classed as seconds and thirds, and butter of these grades is not considered of high enough quality to satisfy the taste of the average consumer. Now, the reason poor cream is hauled to a creamery is not because the farmer does not know better, but he has been used to think that if one man does not take his inferior produce another would.

Prof. T. L. Haecker, head of the dairy department of the University of Minnesota, is quoted in the Rural Weekly, St. Paul, Minn., November 4, 1915, as saying:

The butter produced in St. Paul and Minneapolis is not fit to eat. It comes from the centralizers of those cities, and these centralizers are a menace to the dairy industry. Men and women who will pasteurize skimmed milk for their hogs and neglect to pasteurize milk, butter, and ice cream for their children deserve to be classified with the hogs. If they understood what we who are said to occupy higher places understand concerning the dangers of raw dairy products, Congress would pass a law overnight forbidding the manufacture of butter except pasteurized butter for interstate commerce, and all the milk of the country would have to be pasteurized before its consumption.

* * * Take one centralizer, for instance, in St. Paul. I happen to know that at this place cream of all ages is used. It oftentimes takes a long trip, generally in cans not free from germs; then it is all dumped into one big lot and the butter made from that; such butter is dirty and impure. If the cattle from which the cream comes have tuberculosis, there may be chances of infection; but even if it does not cause tuberculosis, it certainly can cause intestinal disturbances.

The Butter, Cheese, and Egg Journal of December, 1915, in speaking of the chemicals used in cream for neutralizing the acidity, says that they stand with any individual or publication in the condemnation of that practice, and further:

We take this stand unhesitatingly, as we feel sanguine that it has been the ruination of the quality of the bulk of American butter, and so long as dope will be permitted to be used in cream, so long will the United States make a poor quality of butter and so long will the farmers receive a low price for their cream.

* * * It will only be a question of time that the deodorizing processes will be tolerated, and the sooner the practice is prohibited the sooner the creamery business will be placed on a satisfactory and rational basis (p. 11).

The protection of those who eat ice cream is the aim of the New Rochelle (N. Y.) Board of Health. * * * It was said that ice cream being a milk and cream product is just as popular a breeding medium for bacteria as milk, and ice cream that is made from low-grade milk or other materials, or which is not kept properly, is quite as dangerous for human consumption as low-grade milk.

COLORING MATTER.

Mr. Chairman, it is my idea that if the creameries of the country propose to use coloring matter for their butter, then this fact should be known to the consumer by the proper marking of the covering containing same. The purchaser should know that he is using a food product so colored as to make it attractive or perhaps for the purpose of rendering its impurities less ascertainable. I earnestly hope I shall see the day when coloring matter will be eliminated from the manufacture of butter. It is useless, except for looks, and from all the data I can obtain as to the composition of the coloring matter, it is insanitary and generally unclean and should not be used.

Those who have a desire to ascertain more as to the ingredients of this coloring matter need but turn to Wagner's Chemical Technology, published in 1887, by D. Appleton & Co., page 523, or Allen's Commercial Organic Analysis, volume 5, published by F. Blackiston & Co., Philadelphia.

It is not commonly known among consumers that the great bulk of butter is colored in imitation of the June product. The butter thus painted sells for considerable over its true value, while if not colored it would mean a saving of millions of dollars to the consumers, money which at the present time is being spent in the innocent support of a fraudulent practice. If butter is to be sold artificially colored, why should it not be made obligatory to state this fact upon the label?

As Hoard's Dairyman has well said, milk is so constituted that the eye can not detect careless handling to which it may have been subjected and so its quality can not be determined. When purchasing many other commodities the eye assists the purchaser in selecting the desired grade; hence we see the crying need of some way to ascertain quality in milk for the information of the consumer so that he can be sure of getting quality in milk when quality is sought.

The act of Congress of August 2, 1886, as amended May 9, 1902, defines butter to mean "the food product which is made exclusively from milk or cream, both with or without common salt, and with or without additional coloring matter," and under this act the Department of Agriculture has ruled that artificial coloration of butter is not required to appear upon the label.

Does it not seem strange that oleomargarine should be prepared under Government inspection, thus protecting the consumer against unwholesomeness and allowing the producers whatever commercial advantages there may be in inspection, while no such benefits are offered in the case of butter? From the standpoint of the consumer there is just as much need for inspection of one as of the other—quite apart from any question as to the merits of the two products.

I feel that the manufacturer of good butter is just as much entitled to have the Government, by inspection, give him its guaranty as is the manufacturer of oleomargarine or the dealer in meat products.

The American Food Journal, December, 1915, says:

Oleomargarine is now being manufactured under Federal inspection, the same as we suggest for butter, and bears on each container the legend "Inspected and passed by Department of Agriculture, under the act of Congress of June 30, 1906." Can the creamery man afford to permit the oleomargarine manufacturer to have this tremendous leverage in his favor?

CAUSES DISEASE.

Mr. Chairman, there is, however, another vital point connected with this investigation which I have inaugurated, and that is the effect of milk obtained from tubercular cattle upon the consumer.

Shocking as are the charges of uncleanness, worse still is it that these products are among the most active agents in spreading disease. Tuberculosis is one of the diseases which may be passed from animal to man. Tubercular bacilli are frequently found in milk and butter. Hoard's Dairyman of December 31, 1915, quoting H. L. Russell, Dean of the Wisconsin College of Agriculture, says:

There is no use of talking. The fact is that there is an element of danger in the presence of bacilli in milk. It is, however, now thoroughly well recognized that this danger is very much greater in the case of infants and young children than with adults.

A considerable fraction of glandular tuberculosis which develops in connection with the cervical gland and glandular organs associated with the intestines are produced by the ingestion of tubercular milk from bovine sources. It is also recognized that the tubercular bacilli may live in butter, if such product is made from infected milk and cream.

From the twenty-fifth annual report of the United States Bureau of Animal Industry, page 148, I find that a fair average of our dairy cows infected with tuberculosis is about 20 per cent, and that tuberculosis occurs to some extent in about 30 per cent of our dairy herds.

D. E. Schroeder, in a hearing before the Committee on Agriculture in the Sixty-first Congress, said:

The remarkable thing found by Dr. W. H. Park and his associates was that among a certain number of fatal cases of tuberculosis among infants 10 per cent is due to bovine sources. Among a certain number of children under 5 years of age, not all of which were fatal, something in the neighborhood of 26 per cent was due to bovine sources; among children between 5 years of age and 16 years of age about 16 per cent was due to this source; and he estimates that 15 per cent of all American tuberculosis is of bovine origin.

It is also shown by estimates—

Said Mr. Schroeder—

that 60 per cent of the bacilli in a sample of milk is concentrated in the cream.

In the twenty-fifth annual report of the Bureau of Animal Industry, page 152, it is said:

The conclusion is almost forced upon us that a tubercular dairy cow is, to say the very least, one of the most important sources of tubercular bacilli with which we have to deal.

In an examination made by Park, of the New York City Board of Health, says Milk Hygiene by Moeller and Eichhorn, page 106, and so forth, the presence of bovine tuberculosis in man is as follows:

In adults 955 cases were examined, of which 940 showed human infection and 15 bovine infection. In children from 5 to 16 years of age, out of 177 cases examined, 131 were human infection and 46 bovine infection. Among children under 5 years of age, out of 368 cases, 292 were of human infection and 76 of bovine infection.

Furthermore, Park mentions the very suggestive results obtained from nine children under 6 years of age who were fed exclusively on cows' milk at the Foundling Hospital; five of these children died of bovine infection and four of human infection. On the other hand, in the Babies' Hospital, where the children are nursed or fed on prescription milk, out of 63 children dying of tuberculosis, 59 deaths were brought about by human infection and 4 by bovine infection.

If we compile the result of these figures—

Says he—

the following conclusion may be seen: That although tubercular cattle are less dangerous for men than is tuberculosis of man, the danger from the enormous spread of the disease in our herds, and especially among the dairy cows, should in no way be underestimated. Therefore the requirement of the elimination from dairy herds of all tuberculous animals which pass tubercle bacilli with their milk appears to follow as a matter of course.

The Forecast, of December, 1915, page 399, says:

The Department of Agriculture several years ago proved conclusively that disease germs survive in butter kept in cold storage for five months and suffered no diminution in virulence in three months.

Other investigators, working independently in various parts of the world, have proved with equal conclusiveness that children are the chief sufferers from the bovine type of tuberculosis, which is so prevalent in cattle that it is useless to think of its immediate eradication. The only protection for our children, until this can be accomplished, is pasteurization.

There is no escape from the conclusion, therefore, that in permitting the use of milk or milk products without pasteurization we are responsible for the slaughter of innocents compared with which that of Herod was a trifle; and many of those whom we do not kill we maim and cripple for life, for the deadly tubercle bacillus attacks the bones, joints, and glands of the unhappy little ones rather than their lungs.

In an address by Prof. A. W. Rudnick at the Iowa Dairymen's convention he is quoted in the Chicago Dairy Produce, November 2, 1916, as follows:

Tuberculous cattle are kept on one farm; the milk or cream is brought to the creamery; skim milk or buttermilk is taken home by other patrons as food for the various animals, thus spreading tuberculosis over the entire community. In one community where a study was made of this prob'em only three herds were found to be free from tuberculosis.

The by-products are not the only substances that offer means of spreading disease. The butter itself may carry disease. We have known that some investigators found that out of 1,233 samples of butter examined 163, or 13.2 per cent, were found to contain these organisms.

I have thus endeavored to give quotations and figures from many people who have made a study of tuberculosis in dairy cattle—an exhaustive one—but there is far more that I could use to uphold my position had I sufficient time and space in which to use it.

REVENUE FRAUDS.

There is another important phase of this subject, however, about which I will not have much to say, and that is the phase which covers in dollars and cents the loss to the Government. My particular interest in this subject is to protect this extremely important food product in the interest of the children and adults of the country; to make it wholesome and pure as well as nutritious; to prevent the spread of tuberculosis and other diseases by impurities and disease germs contained in the dairy products of the country and the dairy cattle of the land. While I merely mention the loss of revenue, it is not one in which I am very deeply concerned, because when a subject is merely a question of dollars and cents it can be borne without material injury to anyone; but when it comes to a question of the health and happiness of our people, then it is one which strikes at the very root of the Nation. Suffice it to say, however, that while these charges of widespread, unclean, and diseased condition of dairies and dairy products are generally made, there are other charges against the dairy and butter business as at present conducted in the United States which is likewise of grave concern, and that is the fact that by reason of noninspection of the dairies and dairy products of the country by the National Government vast revenue frauds are perpetrated. For example,

the annual report of the Secretary of the Treasury for 1915, page 139, says:

One case was discovered during the current year where the amount out of which the Government had been defrauded reached a total of $1,503,203.30, which sum represented the tax on the product manufactured for a period of six years. These frauds had continued undetected, all of the product in this case having been placed on the market as butter without payment of any tax.

This was classed as an oleomargarine fraud, because it was claimed that under the law all butter into which any foreign fat is introduced is removed from the classification of butter to that of oleomargarine.

Butter factories being free from inspection, it is said, are able to get into their factories oils, artificial colorings, and so forth, and thereby greatly increase their output which they sell as if it were butter. It is not claimed, of course, that any large percentage commit this fraud, but from articles appearing in the papers from time to time it would appear that it is not an uncommon thing.

TOO MUCH MOISTURE AND SALT.

It is likewise claimed that too much moisture is used in the manufacture of butter and, of course, increases its weight and is sold at the price of butter when it is merely water. In the Chicago Dairy Produce, February 1, 1916, its New York staff correspondent is quoted as saying:

The excess moisture trouble is not a new one by any means. Last summer and early this fall, when 10,000 or more tubs of good table butter was being exported weekly to England, the amount of excess moisture discovered was not only surprising but appalling, and quite a number of concrete instances were given these columns.

Exporters were greatly discouraged, as so many of their purchases had to be turned back after moisture test had been made. For weeks and weeks at a stretch all the dairy organs discussed the excess-moisture question, during which time a number of creamery men who had been heavily fined were exposed, but it is the same old story.

In the Chicago Dairy Produce, September 7, 1915, it is said:

Nine arrests were made in Brooklyn, N. Y., Thursday of last week by Federal authorities, alleged butter frauds being charged. It is said that there is a trust back of the alleged violators of the Federal law. Assistant United States District Attorney Henry Ward Beer, who has charge of the prosecution, said he is determined to break up the trust. According to Beer, the agents of the alleged trust have driven legitimate dealers of farm products out of business by underselling them with inferior products.

In the Chicago Dairy Produce, November 16, 1916, page 2, it is said:

All over the country there is a movement on to demand purity in all food products and a demand for State or Government action or laws to insure purity in all foods. We need to get the idea of and the necessity for pure dairy products more prominently before our minds.

In a communication sent out last week, said this journal, the Agriculture Department is calling attention to criticism from Great Britain of cheese recently exported from the United States to that country. Our cheese makers are acused of making cheese with an abnormally high-water mark and a consequently poor quality.

In connection with these alleged evils I would call attention to the address of B. H. Rawl, chief, Dairy Division, of the Department of Agriculture, before a meeting of the National Dairy Council, November 5, 1916, page 31, in which he mentions the fact that while in 1881 the United States had an export business of 150,000,000 pounds of cheese a year, it was gradually reduced until in 1914 it amounted to practically nothing. While prior to 1881 there was comparatively small importation in this product, now we are importing something like 50,000,000 to 60,000,000 pounds.

Then there is the charge of too much salt. The New York correspondent of the Chicago Dairy Produce is quoted, November 2, 1915, page 12, under the heading "Too much salt," as follows:

If it is not one thing it is another it seems. For weeks it has been necessary to discuss the abundance of excess moisture in butter coming to this market, which, by the way, is still coming, but in lesser amounts, fortunately. Now, it is necessary to complain about the butter being overloaded with salt.

The Chicago Dairy Produce, October 12, 1915, strikes the right key when it says:

For a considerable time past the question of the unwholesomeness of butter as it is marketed to-day and the consequent danger to health incident to its consumption have been very generally discussed by the daily press and the creamery-trade papers, creamery men's associations, food commissioners, woman's clubs, and medical associations. It would be quite in keeping with this knowledge and moreover consistent with sound business policy for the American creamery man immediately upon the assembling of Congress to demand that the Department of Agriculture take over the supervision of the manufacture of butter and cheese and establish a system of inspection. Should the confidence of the American people in dairy products be weakened or shakened, the consumption of these products would very naturally suffer a decline. The National Dairy Council's decision a few days ago to expend some $600,000 in promoting a larger consumption of dairy products will result in a useless waste of money if the adverse publicity now appearing in the columns of the press is allowed to proceed; and since there is no good or valid defense against the truthfulness of this publicity, we believe that our suggested solution of the difficulty is the only one practical. The trend of the times is for better food, better health, better living conditions, better physical men and women, better things to live for. The people have suddenly come to a realization of their needs, their ills, and their rights.

I do not propose, Mr. Chairman, to take up any more of the time of the committee at this time. I have alluded to many things and given data which seems to sustain the resolution which I have introduced. I believe that we need proper supervision and inspection under the Agriculture Department, and that we would by such action not only vastly improve the dairies and dairy products of the country and remove to a great extent the cause of so much disease arising from impurities in this industry, but we would also place the industry itself upon a high plane, from which it would make wonderful progress, not alone by the increase of consumption of the products in this country, but by a much larger export business. In this view I am sustained by innumerable resolutions and letters from organizations of all kinds and men and women occupying important positions of trust. The whole sentiment and demand is for action not words. [Applause.]

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. LINTHICUM. Mr. Chairman, I ask permission to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, will the gentleman from Washington use some of his time?

Mr. HUMPHREY of Washington. I yield 10 minutes to the gentleman [Mr. TOWNER].

The CHAIRMAN. The gentleman from Iowa [Mr. TOWNER] is recognized for 10 minutes.

Mr. TOWNER. Mr. Chairman, I am glad so many yesterday expressed their objection to the consideration of this bill at this time. I voted against considering it yesterday, and I shall vote against its passage. Neither the immigration bill nor the rivers and harbors bill are necessary for consideration at this time. There is a necessary program of legislation which consists of three classes—national defense, appropriations, and revenue bills. All other bills, while important, should be deferred until this necessary and imperative legislation has been secured. The House can not justify itself in taking up other bills until this necessary legislation is passed. To take up a week's time as we did in considering the immigration bill, while bills of the necessary character referred to were deferred, was unwise. To take up a week's more time now with the consideration of this bill is wholly unjustifiable. If bills belonging to the necessary program were not ready, there might be some excuse for taking up other matters.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield for a brief question only?

Mr. TOWNER. Yes.

Mr. SPARKMAN. Is not the river and harbor bill a regular appropriation bill?

Mr. TOWNER. Yes; but not a necessary one. There have been many times, many years, when no river and harbor bill was passed. My point is this, I will say to the gentleman: That while this may be an important bill, it is not a necessary bill for consideration, especially ahead of and displacing the bills that should be immediately considered.

Mr. SPARKMAN. In those years when no river and harbor bills were passed by Congress provision was made for works in progress by anterior bills; bills that had passed theretofore. Occasionally three years passed without a river and harbor bill, but appropriations were arranged for three years ahead.

Mr. TOWNER. But that does not change the fact that now there is no necessity for passing a river and harbor bill, but there is an absolute and imperative necessity that we should now pass these national-defense bills and appropriation bills and revenue bills.

It was possible immediately following the passage of the military bill to have at once entered upon the consideration of bills necessary to be passed, and to have continued their consideration until the necessary legislation was passed. The Agricultural appropriation bill has been ready for consideration since March 4. It must be considered and passed.

The Diplomatic and Consular bill has been on the calendar since March 17. It is necessary.

The Senate has sent us a bill doubling the number of cadets at West Point.

It has also sent us a bill authorizing the construction or purchase of an armor-plate plant.

I am informed that the fortifications bill is ready to be reported.

These are national-defense bills, and no other matters should be allowed to precede them.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. TOWNER. I yield to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. The gentleman does not object to continuing work already in progress, where large amounts of Government money are at stake?

Mr. TOWNER. I do not object to the consideration of such projects, but I think that now we ought to make these other questions to which I have referred primary and bills such as this secondary.

Mr. MOORE of Pennsylvania. If a dam has been partially constructed in the middle of a river, and the failure of this bill will mean the cessation of work upon that dam, and great waste will result, does not the gentleman think that such a condition would put this bill in the category of necessary bills? I will say to the gentleman that that condition does prevail in many parts of the country.

Mr. TOWNER. I am aware of the gentleman's interest, and I appreciate it.

Mr. MOORE of Pennsylvania. It is not a personal interest.

Mr. TOWNER. I know it is not a personal interest, and this is a great question; but my proposition is that we ought not now to displace these necessary matters of national defense and appropriations and revenue for this bill, which is not necessary at this time.

Mr. MOORE of Pennsylvania. Will the gentleman permit one more question?

Mr. TOWNER. I have such a small amount of time——

Mr. MOORE of Pennsylvania. I beg the gentlemans pardon. I will not trespass upon it.

Mr. TOWNER. I am aware there has been much unwarranted criticism of Congress for its inactivity. Congress has met promptly and fully every demand made upon it by the Executive for provision for national defense. It will continue to do so. But there is a measure of responsibility which is our own, and that consists in disposing of our necessary duties before we take up unnecessary ones. While the press of the country is holding Congress responsible for delays in legislation, which is not justly ours, we should be very careful that we promptly and fully perform those duties which are justly ours. We can not justify ourselves before the country for thrusting aside national defense measures to consider what the country believes to be a "pork-barrel" bill.

It has been stated in the press and elsewhere that these unnecessary bills are pressed now because it is believed they will not be considered at all this session unless they are forced in ahead of necessary legislation; that Congress will be likely to adjourn at once on having completed such necessary program. I hope no one has been authorized to make such statement. It is utterly indefensible and discreditable. To so act would merit all the condemnation we have received and more.

I sincerely hope no other unnecessary bills will be thrust in to delay consideration of the program of necessary legislation. I believe it to be the duty of every patriotic member of the House, no matter how it may affect bills in which his constituents may be particularly interested, to vote against the consideration of every bill which is not a part of the imperative legislation until that program is completed. [Applause.]

Mr. BENNET. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count. [After counting.] Fifty-eight Members are present—not a quorum. The Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Anthony	Copley	Focht	Howard
Austin	Crago	Gallagher	Hutchinson
Bacharach	Crosser	Gallivan	Igoe
Bailey	Dale, N. Y	Gard	Johnson, Wash.
Barchfeld	Dale, Vt.	Gardner	Jones
Beales	Dallinger	Garrett	Kahn
Browne	Darrow	Glass	Kearns
Browning	Davis, Minn.	Godwin, N. C.	Keister
Bruckner	Dent	Graham	Kennedy, Iowa
Burnett	Dewalt	Gray, N. J.	Kennedy, R. I.
Caldwell	Dooling	Greene, Vt.	Kiess, Pa.
Cantrill	Doremus	Griest	Kreider
Carew	Drukker	Hamill	Lafean
Carlin	Dyer	Hastings	Lehlbach
Carter, Mass.	Edmonds	Haugen	Lewis
Cary	Edwards	Hay	Liebel
Casey	Emerson	Heaton	Lindbergh
Chandler, N. Y.	Estopinal	Henry	Littlepage
Clark, Fla.	Fairchild	Hill	Loft
Coady	Farley	Hilliard	Loud
Coleman	Fess	Hood	McArthur
Collier	Finley	Houston	McCracken
McCulloch	Oakey	Sabath	Sutherland
McKenzie	Oldfield	Scott, Pa.	Swift
Maher	Olney	Scully	Talbott
Meeker	Patten	Shackleford	Tinkham
Mooney	Peters	Shouse	Vare
Moores, Ind.	Pou	Siegel	Venable
Morin	Price	Slayden	Walker
Morrison	Ragsdale	Slemp	Ward
Moss, W. Va.	Reilly	Smith, N. Y.	Watkins
Mudd	Riordan	Snyder	Watson, Pa.
Neely	Roberts, Mass.	Stedman	Williams, W. E.
Nelson	Roberts, Nev.	Steele, Pa.	Wilson, Ill.
Nichols, Mich.	Rodenberg	Stephens, Cal.	Wingo
North	Rowe	Stiness	Young, Tex.
Norton	Rowland	Sumners	

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the river and harbor bill, H. R. 12193, and finding itself without a quorum, he caused the roll to be called, whereupon 286 Members, a quorum, answered to their names, and he reported the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. Two hundred and eighty-five Members, a quorum, have answered to their names, and the committee will resume its sitting.

Accordingly the House again resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill, H. R. 12193, with Mr. SHERLEY in the chair.

The CHAIRMAN. The gentleman from Washington [Mr. HUMPHREY] has 51 minutes.

Mr. HUMPHREY of Washington. Mr. Chairman, a few days ago my distinguished friend from North Carolina [Mr. KITCHIN], the majority leader, made one of his brilliant and characteristic speeches upon the floor of the House. I refer to the gentleman as my friend because he is my friend, and there is no man in this House on either side for whom I have a more genuine affection than I have for the gentleman from North Carolina, and I have been greatly pleased to see him receive deserved honor at the hands of his party.

In making that speech the other day the distinguished gentleman did me the honor of devoting a portion of it in reply to what I had formerly said upon the floor of the House. As I recall, the speech to which he referred and which he was answering, was delivered about two years ago. I think that a Democratic leader who can keep within two years of current events is to be congratulated, and I hope that in two years from now the distinguished gentleman may reply to what I say to-day.

Now, among other things that he read were a number of clippings from certain papers in the West. He also referred to a certain letter—I do not remember that he gave the name of the writer—but it was some one of my constituents, in which he said that the conditions in the State of Washington were all right. Sometimes a little incident throws a great light on a big question. As I was saying, I do not recollect that the distinguished gentleman from North Carolina gave the name of the writer of the letter who said that things were all right in the State of Washington under this administration, but I think, if I remember correctly, the headline was Steilacoom. I will not say that Steilacoom is the headquarters of the Democratic Party in my State, but that is where the insane asylum is located. [Laughter.]

I have some clippings myself here to-day that I would like to read that were called forth by the statement of my distinguished friend from North Carolina that conditions were in good shape in the State of Washington. I will read, first, one written by a member of the legislature from Danville, Wash., in which he says:

DANVILLE, WASH., *March 18, 1916.*

Hon. W. E. HUMPHREY,
Washington, D. C.

MY DEAR MR. HUMPHREY: The inclosed clipping from yesterday's Spokesman-Review indicates that with our Democratic friends prosperity, like business depression, may be largely psychological. If your district is "enjoying exceptional prosperity because of the Democratic national administration," then I think I shall move over on the Sound; but maybe at that I would have to become a Democrat in order to "function on that particular plane." Mr. KITCHIN certainly has a large imagination and a convenient memory. He knows how to sugar-coat his "Views with alarm the robber tariff."

Now I will read an extract from another letter. This is from Issaquah, written by Mr. Sylvester, a justice of the peace:

ISSAQUAH, WASH., *March 21, 1916.*

MY DEAR MR. HUMPHREY: I have been wanting for some time to write and tell you how heartily I am in sympathy with all of your utterances, and I back you up thoroughly. I haven't a single favor of any kind to ask. I just want to let you know that I am with you.

Referring to the inclosed clipping, you can tell the honorable gentleman that when he says that this section is enjoying exceptional prosperity that he is as far from the truth as heaven is from hell. I

haven't been away anywhere; have been right here for the past 20 years, and I know that the Democratic administration has just about ruined us. I am over 65, had practically retired on a nice little competence, but the taking the tariff off from shingles has changed income to an expense and bids fair to take every cent I have and leave me dependent on my daily labor in my old age. As I said, I have been here and I know.

Yours, very sincerely, W. W. SYLVESTER.

Now, then, I have another letter here which is written to a distinguished Member of this House, and I have been furnished with a copy of it, but, being a modest man, I will ask the Clerk to read it, and I hope he will read it slowly, with emphasis, so that my distinguished friend from North Carolina can get the full import of it.

The Clerk read as follows:

SEATTLE, WASH., *March 17, 1916.*

HON. CLAUDE KITCHIN,
House of Representatives, Washington, D. C.

MY DEAR MR. KITCHIN: I read the press reports of your speech in the House yesterday criticizing our Congressman HUMPHREY, and am prompted to write you because of the many delightful chats I had with you at the Hotel Driscoll a couple of winters some years ago.

Let me state that I voted for President Wilson and during that campaign served on the committee of the Democratic candidate against Congressman HUMPHREY. While Mr. HUMPHREY is really my personal friend, and I admire him for his many brilliant qualities and, above all, for his steadfast and consistent attitude on public questions, yet we are so far apart on some vital matters that I was especially interested in his defeat four years ago. We failed in the attempt, but succeeded in electing a Democratic governor, and came very near capturing the electoral vote for Mr. Wilson.

Since then I am sorry to state that we have had the most distressing period financially that I have ever known in Seattle or on the Pacific coast. I am sorry that, as one who voted for President Wilson, I must confess that Congressman HUMPHREY has not exaggerated the situation here in his speeches I have read, and I think I have read all of them. Times have been very bad on the Pacific coast during the past two years especially. Now, I do not blame all of this on the administration at Washington, but it is chiefly responsible. We are delighted with the improvement in the Interior Department under Secretary Lane, and I want to extend credit where it is so justly due, but I doubt if even that will justify me in again voting for President Wilson, while a majority of the committee who conducted the campaign against Mr. HUMPHREY four years ago, including myself, now say they will vote for his election to the Senate.

Yours, very truly,

MAURICE D. LEEHEY.

Mr. HUMPHREY of Washington. Now, Mr. Chairman, I have other clippings that I am not going to take the time to read. One of them I will refer to. It shows that the increase of the imports from British Columbia to the State of Washington during the last year increased 83 per cent. The imports that came into the State of Washington last year from British Columbia was of the value of $31,847,000, practically double what it was the year before and three or four times what it was during the last year of Republican administration. These imports represent largely lumber and shingles. This $31,847,000 represents that much work taken away from the workmen in my State and given to the workmen in British Columbia. As the workmen in my State look at the trainloads of shingles coming in from British Columbia while a large portion of our own mills are closed and many men idle, seeing more than a million dollars a month taken away from him in wages and given to the Chinese, Hindus, and Japanese in British Columbia, can you wonder that they are not worshipers of this Democratic administration.

The Democratic Party not only took off the duty on shingles and lumber but also on lime, and you also took it off of fish. Ten thousand men engaged in fishing in the State of Washington are directly affected by having their wages reduced. Not only that, you took the duty off from eggs, and I would like the distinguished gentleman from North Carolina to go with me some day down on the wharf and see the loads of Chinese eggs coming into this country. I know that then he would realize that the poultry raisers of my State ought to be grateful to the Democratic Party.

You also took the duty off from fruit, and the fruit growers of my State ought to be grateful to the Democratic Party. Today the Royal Ann cherry can be sent from Italy as far west as Indianapolis and Cincinnati at a less price than we can send them from Washington, owing to the cheap labor in Italy, so the fruit growers of the West are very grateful to the Democratic Party.

Mr. GORDON. Will the gentleman yield?

Mr. HUMPHREY of Washington. Well, I do not know that I would feel that my speech was complete without one interruption from the gentleman from Ohio. [Laughter.]

Mr. GORDON. Does the gentleman think that we ought to put on a tariff so high that it would enable them to grow tropical fruits in Washington?

Mr. HUMPHREY of Washington. I want the tariff so high that the American citizens in my country will not have to compete with the Chinese in British Columbia or the cheap labor of Italy, and that is what the Democratic Party made us do.

Mr. GORDON. Will the gentleman yield further?

Mr. HUMPHREY of Washington. No; I will not yield to the gentleman further; he has embalmed in my remarks one question, and that is quite enough.

Mr. LONGWORTH. Were not the Chinese eggs the gentleman alludes to embalmed?

Mr. HUMPHREY of Washington. Yes; being somewhat bad they stand as a good illustration of the Democratic Party. Now, another reason why we are greatly enamored with this Democratic administration outside of the tariff question. They promised us a free canal for American ships in the coastwise trade. Then the President came before the House and asked you gentlemen on that side to change that law, to show your "generosity," and to do it without asking whether you were "right or wrong," and 50 Democrats changed their position and did it. There were some honorable exceptions.

Mr. FITZGERALD. How many Republicans on that side changed?

Mr. HUMPHREY of Washington. Because the Democrats made an error is no justification for Republicans.

Mr. FITZGERALD. Will the gentleman yield?

Mr. HUMPHREY of Washington. No; I will not.

Mr. FITZGERALD. For one little question?

A MEMBER. Just a little one? [Laughter.]

Mr. HUMPHREY of Washington. Oh, if it is going to cause so much hilarity on this side of the House I will yield to the gentleman from New York.

Mr. FITZGERALD. No; I will not put the question. It would improve the gentleman's speech too much and give it tone, and I will not contribute to it. [Laughter.]

Mr. HUMPHREY of Washington. Perhaps everyone would not place so high an estimate on the gentleman's remarks as he does or as I do. Mr. Chairman, in regard to the Panama Canal, we had expended something like $10,000,000 at the port of Seattle in preparation for the opening of that canal, based on Democratic promises; and the Democratic Party, in the face of its promises in its platform, repealed that law. By that act the freight upon every thousand feet of lumber that crosses this continent or that goes through Panama Canal was increased a dollar and a half. It increased the freight rate upon every bushel of wheat 5 cents and the freight rate upon every car that crosses this continent $60. Yet they expect us out in the State of Washington to be enamored of this Democratic administration.

I want to ask you gentlemen on that side what a Democratic promise is going to be worth in the platform that you are going to write at the coming convention at St. Louis? Who will believe it or place any credence in what you may say in your platform, in view of the repudiation of the Panama Canal and practically every other plank in your last platform? After you got through with the Panama Canal you passed the seamen's law. Oh, you stood up here, some of you, and you sobbed and sniffled about the American sailor and said that we must enact this seamen's law in order to protect the American sailor and free him from slavery. You were repeatedly told on the floor of the House that if you did pass the seamen's bill every American ship would be driven from the Pacific Ocean, and that is what has happened.

The other day they had examinations out in the Puget Sound district under this new seamen's law to see who were qualified under that act. They examined at the city of Seattle 891 applicants, and out of that number 9 were American citizens. Yet, in order to do something for these men who do not think enough of the country that feeds them and gives them employment to take out their naturalization papers and become American citizens, you passed the seamen's law and drove every vessel from the Pacific Ocean that flies the American flag, and you are rapidly driving every foreign line from Seattle over to Vancouver, British Columbia. That is another reason why we are not greatly enamored of the Democratic Party out in my State. You propose now to follow the seamen's law by passing a half-baked socialistic proposition that you call your Government shipping bill, and take away from the Pacific coast all hope for an indefinite period of ever having an American merchant marine.

My good friend from North Carolina [Mr. KITCHIN] says that we are having great prosperity out in the State of Washington under this Democratic administration. If so, we are ungrateful; we do not appreciate it. Let me make him a prophecy here to-day. When we think of the tariff law and the seamen's act and the Panama Canal act—and the people out there have not forgotten—in next November when we have an opportunity to express our opinion of this Democratic administration at the polls, remember this prophecy: The State of Washington will give a Republican majority of not less than 75,000. [Applause on the Republican side.]

There is one other matter to which I desire to call attention for a few moments in regard to the policy of this Democratic administration. I want to read from a dispatch from Tacoma, Wash., under date of March 1:

TACOMA, WASH., *March 1.*

Stirred by the announcement that the contract for supplying the Alaska Railway Commission with 1,500,000 feet of lumber will go to H. A. Dent, a Seattle lumber broker, who is interested in a British Columbia mill, and by the fact that Mr. Dent's bid was $2,000 less than the bids put in by any of the large Puget Sound mills, Northwest lumbermen are discussing the matter from all angles at the meeting of the West Coast Lumbermen's Association, being held here.

Local manufacturers say that the awarding of the contract to a Canadian firm will put the Government in a false position.

The announcement of the result of the opening of the bids came like a bombshell to the Sound mills, who anticipated securing the order. Mr. Dent's bid was $30,794.21 for the entire order, while the large mills bid all the way from $32,000 to $35,000.

The big mills there referred to are the mills on Puget Sound. I do not know whether that deal has been consummated or not, but that is in line with Democratic administration. You take Government money and expend it in Alaska for an Alaskan railway——

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREY of Washington. No.

Mr. GORDON. I would like to ask the gentleman——

Mr. HUMPHREY of Washington. Oh, if I were to yield every time the gentleman wanted to ask me something I would not occupy any of my own time. I do not know what has been done in reference to that particular matter, but I do know that it is in line with the general Democratic policy. They propose to take Government money and expend it in Alaska, build the Government railroad, and then go over into British Columbia and buy their material instead of buying it in America. Of course the $2,000 of difference will be saved to the Government, it is true, but that means that $31,000 are taken from this country and given to British Columbia, and what is still more, of that more than 90 per cent represents wages, and those wages are taken from the men who work in the mills on Puget Sound in the United States and are given to those across the line who work in foreign mills.

The other day we had the sugar tariff under consideration, and during that debate the argument was made, as it has been from the beginning, that it is necessary to have this tariff on sugar because of the reduction in the revenues at the custom-house.

FREE TRADE AND NOT THE WAR IN EUROPE IS RESPONSIBLE FOR THE PRESENT DIRECT TAX LEVIED UPON THE PEOPLE.

The echo of the first gun in the great European tragedy had hardly reached our shores until the President rushed before Congress and declared that the customs revenues had been so reduced on account of the war that a direct tax must be placed upon the American people to raise money to meet the expenses of government. The appearance of the President, asking that this be done, was so prompt that it demonstrated that the question of revenue was troubling the administration before anyone ever suspected that we would have war in Europe. Ten months had demonstrated conclusively the dismal failure of the Underwood law as a revenue producer and its unexampled success as a poverty producer.

The Democratic Party was delighted to find an excuse to levy taxes. They proceeded to do it in such haste as to suggest the thought that they were not going to take any chances on the war ending before they got such a law on the statute books. They passed a direct-tax law, the first one in time of peace in the history of the Nation, and then loudly proclaimed it a "war tax," although it was a time of profound peace. Ever since they have been boasting of the fact that this administration has kept us out of the war. The present direct tax was solely the result of the war waged by the Democratic Party on American industry.

Ever since the day that the President appeared before Congress and asked this legislation administration officials have kept up the cry that the war in Europe has reduced imports and caused the decrease in the customs revenues. Before this administration went into power I prophesied that before it ended it would levy a direct tax or issue bonds, or do both, to meet the ordinary expenses of government. They have levied the tax, and I still predict that they will issue bonds before they go out of power, as they certainly will on the 4th of March, 1917. I read from one of the campaign documents sent out every few days by the Department of Commerce, for which a part of the direct tax levied upon the people is used to pay:

Decreased customs revenues in the fiscal year 1915 clearly reflect the influence of war, which operated to cut off imports generally.

How much truth is there in that statement and in all statements of a similar character that the war in Europe has reduced imports and thereby the customs revenue? The distinguished leader of the majority, Mr. KITCHIN, said that the only fair way to judge the present tariff law was by its workings and results before the war. I agree with him entirely. In that statement he is absolutely fair and just. Let us see how the figures correspond with the statement that I have just referred to issued by the Department of Commerce. I call your attention to this table of figures:

Imports of merchandise by months during the first 10 months of the Underwood (Democratic) tariff law preceding the European war and during the 10 months preceding the enactment of the Underwood law, or the last 10 months of the Payne (Republican) tariff law; also the revenue collected thereon.

October, 1913, to July, 1914, Underwood law before European War.			December, 1912, to September, 1913, Payne law, last 10 months.		
	Imports.			Imports.	
	Value.	Revenue.		Value.	Revenue.
1913.			1912.		
October	$132,949,302	$30,138,049	December	$154,095,444	$24,243,161
November	148,236,536	21,173,627			
December	184,025,575	21,510,139	1913.		
			January	163,068,438	29,334,124
1914.			February	149,913,918	27,605,116
January	154,742,923	23,528,079	March	155,445,498	27,457,480
February	148,044,776	17,609,603	April	146,194,461	23,693,967
March	182,555,304	25,927,212	May	133,723,713	20,434,741
April	173,762,114	22,232,766	June	131,245,877	23,608,539
May	164,281,515	20,800,573	July	139,061,770	27,806,655
June	157,529,450	23,553,447	August	137,651,553	30,934,952
July	159,677,291	22,988,465	September	171,084,843	26,794,491
Total	1,605,804,786	228,861,960	Total	1,481,480,515	261,918,305

Gain in imports, $124,324,271; loss in revenue, $33,056,346.

Says the majority leader, the Underwood law should be judged by its results before the war, and there it is.

During the 10 months period under the Underwood law before the war the foreigner invaded our markets in a greater degree than ever before in the Nation's history, as these figures fully demonstrate. During that time we bought from the foreigner $1,605,804,786 worth of products. This was $124,324,271 more than we had bought during the last 10 months of the Payne law. And yet the Government lost in revenue during the 10 months under the Underwood law, compared with the 10 months under the Payne law, $33,056,346 in revenue. This vast loss must be made up by direct taxes on the people.

This free-trade law not only took the markets of the American producer and the work of the American laborer from them and gave them to the foreigner, but it actually makes the American producer and the American workingman pay for the privilege of having the foreigner compete with them. This is what the President probably had in mind when he talked about sharpening our wits in a contest with the other nations of the world.

Will some one who contends that the present loss of revenue is due to the war in Europe please explain how it was that we lost over $33,000,000 during the first 10 months of the Underwood law—over $3,000,000 per month—before the war in Europe began. As you look at these figures showing conditions before anyone anticipated war, you can easily understand the feverish haste, when war did come, of the Democratic Party to enact a direct tax giving this as an excuse.

But while the foreigner was selling us more than ever before under this new Democratic tariff law, were we selling him more than ever before? Not so. This free-trade law benefits only the foreigner but never the American. During the 10 months' period of the Underwood law before the war in Europe began, we lost in our foreign trade at the rate of more than a million dollars a day. While the foreigner sold us $124,324,000 more during that period than during the last 10 months of the Payne law, we sold the foreigner $350,000,000 less than we did during the last 10 months under the Republican law. Or, during the first 10 months of the Underwood law, before the war in Europe, we lost and the foreigner gained over $475,000,000.

During the month of December, 1913, the second full month of the present law, the first month when its full effect was really felt, we lost in our foreign trade, as compared with the corresponding month of December, 1912, $46,000,000. The last month before the war in Europe—July, 1914—we lost in our foreign trade, as compared with July, 1913, $27,457,000. Were these vast losses, incurred months before the war in Europe, due to that tremendous tragedy?

Canada is our greatest and best customer. During the first 10 months of the present free-trade law, before the war in Europe, the amount we sold to Canada, as compared with the

last 10 months under the Republican law, decreased 15 per cent. The amount Canada sold to us increased 35 per cent. Or, a benefit to the foreigner in that vast volume of trade of 50 per cent in 10 months, and this 10 months was before there was any war in Europe.

During the first 10 months the Underwood law was upon our statute books, the 10 months before the war, the 10 months which the leader of the majority says is the fair and just period by which it should be judged, there were more imports brought into this country than during any other 10 months' period in our history. We lost more of our foreign trade at that time than in any other 10 months' period in our history. During those 10 months there were more business failures in the United States than during any other 10 months in our history. During those 10 months there was a greater decrease in the bank clearances in this country than in any other 10 months' period in our history. During those 10 months there were more mills and factories closed than in any other 10 months in our history. During those 10 months there were more idle cars on the sidetracks of our railroads than during any other 10 months in our history. During those 10 months there were more men and women thrown out of employment than during any other 10 months in our history. During those 10 months there were more unemployed being fed by charity than during any other 10 months in our history. [Applause on Republican side.] Certainly I agree with the distinguished leader of the majority that the 10 months before the war in Europe is the period that really demonstrates what the Underwood tariff will do in normal times and is the period by which it can be justly judged.

But did these falling revenues and rapidly emptying Treasury, all this poverty and want mean anything to the Democratic Party? Instead of practicing economy and trying to decrease the burdens that the people have to carry, they created more high-salaried, useless offices and filled them with deserving Democrats than ever was done before. As the distinguished Chairman of the Appropriations Committee, Mr. FITZGERALD, said, during this period the Democratic Congress was the most extravagant that ever met in the Capitol.

No one can look upon these figures and the record of this Democratic administration and not fail to realize the truth. It was not the war in Europe but Democratic incompetency and extravagance that emptied the National Treasury and made necessary a direct tax upon the people. Yes; the present tariff law should be judged by its effect before the war in Europe, and upon that record the American people have already set their seal of disapproval.

But what about the oft-repeated statement *that since the war decreasing imports are responsible for the decreasing revenues?* As the fairest comparison that can probably be made, let us take the last nine months of 1915, the latest figures available, and compare them with the last nine corresponding months of the last Republican tariff. I ask your attention to these official figures and you will see demonstrated the utter falseness of this statement. To bring out the condition more fully, I have compared in this table this period by separate months.

Nine months of Payne law, 1912–13, compared with corresponding nine months of Underwood law, 1915.

	Imports.	Revenue.	Gain in imports.	Loss in revenue.
April, 1913	$146,194,461	$23,693,967	$14,381,645	$7,673,277
April, 1915	160,576,106	16,020,690		
May, 1913	133,723,713	20,434,749	8,561,133	3,449,923
May, 1915	142,284,851	16,984,826		
June, 1913	131,245,877	23,608,599	26,749,263	5,615,855
June, 1915	157,695,140	17,991,744		
July, 1913	139,061,770	27,806,655	4,182,937	12,821,013
July, 1915	143,244,737	14,985,642		
August, 1913	137,651,553	30,934,952	4,152,649	15,151,392
August, 1915	141,804,202	15,780,540		
September, 1913	171,084,483	26,794,494	[1] 19,848,457	11,873,831
September, 1915	151,236,023	14,923,639		
October, 1912	177,987,983	30,216,824	[1] 28,815,257	12,909,934
October, 1915	149,172,729	17,306,830		
November, 1912	153,094,898	25,666,353	2,401,777	9,273,609
November, 1915	155,496,675	16,393,353		
December, 1912	154,095,441	24,248,161	17,746,211	7,877,622
December, 1915	171,841,655	16,370,539		
Total			29,212,136	86,646,695

[1] Decrease.

Total imports.

1912–13, nine months' period	$1,344,140,185
1915, nine months' period	$1,373,352,321

Total revenue.

1912–13, nine months' period	$233,404,754
1915, nine months' period	$146,757,801
Rate of duty under Payne law—per cent	17.36
Rate of duty under Underwood law—per cent	10.60
Amount of duty that would have been received under Payne rate	$238,413,962
Loss by Underwood rate as compared with Payne rate	$91,656,161

Let us look at April, 1913. Gain in imports, $14,000,000; loss in revenues, $7,000,000. In June, gain in imports, $26,000,000; loss in revenues, $5,000,000. September and October are the only two months in which there was a decrease in imports, and in December there was a gain of $17,000,000 in imports and a loss of $7,000,000 in revenue. So, taking the total of those nine months we have a gain of $29,000,000 in imports and a loss of $86,600,000 in revenues. [Applause on Republican side.] Now, how can you say that it is the loss in imports that has caused the decrease in revenue?

Mr. KITCHIN. Will the gentleman yield for an interruption?

Mr. HUMPHREY of Washington. Certainly.

Mr. KITCHIN. Why does not the gentleman take the whole year 1915 and show the imports for the entire year instead of taking nine months and compare with the imports of 1913? If you take the year instead of taking the nine months the gentleman will have over $10,000,000 less imports in 1915 than in 1913. And does not the gentleman know that there was an increase of $82,000,000 in the imports of 1915 of articles which were on the free list under the Dingley Act, on the free list under the Payne Act, and which were retained on the free list under the Underwood Act? The gentleman did not know about that. [Applause on Democratic side.]

Mr. HUMPHREY of Washington. Yes; I knew about that; but I do not know that I know what the gentleman thinks he knows.

Mr. KITCHIN. I will say to the gentleman that what I stated are exactly the facts——

Mr. HUMPHREY of Washington. The gentleman thinks he knows; but the facts will show differently. I put these figures against the gentleman's statement.

Mr. KITCHIN. I will suggest to the gentleman why he took them. It is because in taking those months instead of the whole year you had an excess of imports of 1915 over 1913. Let me tell the gentleman, I can take three months of 1913 and compare with same three months of 1915 and make $76,000,000 excess of imports over the imports in 1915; but that would not be right and fair. The gentleman ought to take the whole year, and then he will have over $10,000,000 excess of imports of 1913 over 1915.

Mr. HUMPHREY of Washington. I will satisfy the gentleman in a moment with some other figures of some other months that I think will please the gentleman more than the ones I have used. I have not had time to put them on the chart yet. The gentleman can explain to the House two years from now when he replies to this speech, if he takes as long to reply to this one as he did to the one he replied to a few days ago.

If you had put the Payne rate upon the statute books instead of the rate you have under the Underwood law upon these imports for the last nine months, 1915, you would have had in the Treasury $91,656,000 more than you have now. [Applause on the Republican side.] Now, the distinguished gentleman [Mr. KITCHIN] seems to think I have selected those months because it made out a good case. On yesterday I got the figures for the last two months, just past, January and February of this year, and I hope the distinguished gentleman will listen to these figures—and I compare January and February of 1913, under the Republican law, with them. The imports for January, 1913, were $163,000,000, giving round numbers; for January, 1916, they were $184,000,000, a gain of imports of $21,000,000, a loss in revenue of $13,790,000. [Applause on the Republican side.]

But if that astonishes the gentleman, I want to call his attention to the last month just past, the month of February, and I want the House to listen to these figures. For February, 1913, our imports were $149,913,918, under a Republican tariff law. For February, 1916, under the Democratic tariff law, when you on that side were here before the House and asking to place a tariff upon sugar because imports were decreasing, the imports for February, 1916, were $193,935,117—the largest imports in any month in all the history of this Nation. [Applause on the Republican side.]

Mr. KITCHIN. Would the gentleman mind giving us the exports during those months, too, showing what the balance of trade is in our favor?

Mr. HUMPHREY of Washington. That does not look very much like a balance of trade in your favor.

Mr. KITCHIN. Give the exports, and see how much they are. [Applause on the Democratic side.]

Mr. HUMPHREY of Washington. I know that you gentlemen over there need information. If you give me the time I will furnish you the figures. I confess that the only way you

will get the facts will be for me to furnish them, judging from the speech the gentleman from North Carolina made. He has not put it in the RECORD yet. It has been held out so long—I may have forgotten part of it, I am not criticizing him for holding it out—but if I misrepresent anything that he said in that speech I am certain it will be decidedly to his advantage.

The gain of imports in the month of February, 1916, was $44,000,000, as compared with the month of February, 1913. The loss of revenue for February, 1916, as compared with February, 1913, was $8,365,581. Here are the figures for these two months arranged as I have the others I have quoted:

	Imports.	Revenue.	Gain in imports.	Loss in revenue.
January, 1913	$163,063,438	$29,334,124	$21,128,562	$13,790,124
January, 1916	184,192,000	15,544,000		
February, 1913	149,913,913	27,605,116	44,021,190	8,365,581
February, 1916	193,935,117	19,239,535		

Now, these figures make it perfectly plain what is the matter with our revenue. It is not the war in Europe. It is the free-trade tariff law upon our statute books that is reducing our revenue. [Applause on the Republican side.] If you had had the same rates under the Underwood law that you had under the Payne law during the last 11 months, this Government would have received into the Treasury $105,000,000 more than it did receive. [Applause on the Republican side.]

Mr. MILLER of Pennsylvania. And you would not have needed the war tax.

Mr. HUMPHREY of Washington. No; especially if our Democratic friends had not been quite so extravagant with their appropriations.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Ohio?

Mr. HUMPHREY of Washington. No. I would yield to the gentleman, but I do not want to get into the Democratic habit of changing my mind every few minutes. [Laughter.]

But, say our Democratic friends, while you are speaking of our imports, look at the vast increase in exports. But exports have nothing whatever to do with bringing in revenue, and I am now speaking of the causes for a depleted Treasury.

In the munitions of war there has been an increase. Our increased exports are measured by the toll of death taken by the battle fields of Europe. Our balance of trade boasted about by the Democratic Party is the balance produced by the awful tragedy of war. I demonstrated this conclusively a few days ago by official figures when I spoke upon "Battle Field Prosperity."

Our exports to the nations of peace under the present tariff law have generally decreased or our imports have generally increased. This is strongly shown when you compare the figures for 1915, the last year under the present Democratic tariff law, with the figures for 1913, the last year under the Republican tariff. Taking these years for comparison, the following is the result:

With Argentina our imports increased 270 per cent; our exports decreased 4 per cent.

With Brazil our imports increased 19 per cent; our exports decreased 12 per cent.

With Peru our imports increased 46 per cent; our exports only 4 per cent.

With Chile our imports increased 26 per cent; our exports only 7 per cent.

With Australia our imports increased 207 per cent; our exports decreased 20 per cent.

With China our imports increased 32 per cent; our exports decreased 22 per cent.

These figures show conclusively what the present tariff law will do when it is not stimulated by the abnormal demands that come from the great tragedy being waged in Europe.

But I am not dealing with exports to-day. I am dealing with the many times repeated assertion that the condition of the Treasury is due to decreased imports caused by the war in Europe—a statement that the figures that I have given demonstrate to be absolutely without a shadow of foundation in fact.

Our Democratic friends say that it is necessary to tax the people to secure money to run the Government because of decreased imports brought about by the war in Europe. The conclusive answer is the figures that I have already quoted.

Under the present tariff our imports would have to increase more than a billion dollars a year over what they were last year to produce a sufficient amount of revenue to meet the expenses of government. Such a tremendous increase would close our mills and factories, make us a nation of paupers, and plunge us into poverty and wretchedness beyond imagination. Does the Democratic Party advocate this plan? Does the Democratic Party advocate increasing imports or direct taxes or a bond issue to secure money with which to run the Government? Either course is certain eventually to bring us industrial ruin.

These figures that I have quoted demonstrate that there were more imports in this country during the last nine months of 1915 than in any other nine months' period in our history, except only the nine months prior to the war in Europe, under the present law. These figures tell the entire story. Nothing more can be added. If the same rate of revenue had been imposed in the Underwood law as in the Payne law during the last nine months of 1915, we would have collected $91,656,161 more than we did collect under the present law. Take this sum and add to it the amount of useless and inexcusable extravagance by the present administration, and you will have approximately the present estimated deficit. Or, in other words, by official figures it is shown that not the war in Europe but free trade and extravagance are responsible for our present financial condition.

And let it never be forgotten that if the imports amounting to $1,344,140,185 that came into this country during the last nine months of 1915 to compete with our producers and our laboring classes had paid $91,656,000 more revenue into the Treasury than they did pay, that this amount would not have added a single penny to the price of the goods, as they were sold to the original producer, and the American people would not have been compelled to pay a direct tax to that amount. While the foreigner was selling in our market, he got the entire benefit of the $91,656,000. It went into his pocket instead of the United States Treasury, and the American consumer paid just as much for these imported goods as he would have paid if the additional duty had been levied.

On the other hand, most of these imports consist of competitive articles that could have been made at home, and if they had been produced at home not only would our own people have had the work and the wages; not only would the money have remained in this country instead of going abroad; not only would we have had both the goods and the money, but the American consumer would undoubtedly have paid less for a large portion of what we buy, and the Treasury would have been enriched by the vast sum of over $90,000,000 and the American people would have been relieved from that much taxation.

When you look at these facts and figures you can readily understand the frantic efforts of the majority to keep the tariff upon sugar. You can understand the sudden conversion of the Democratic Party to a tariff commission that it has so often heretofore condemned and denounced. When you look upon these facts and figures you can understand the many reverses of the President that have recently been made so rapidly and completely as to cause the entire country to be seasick from the motion. You look at these figures and you see more imports than ever before, less revenue than ever before, more free trade than ever before, more taxation than ever before, more Democracy than ever before, more discontent than ever before. [Applause on the Republican side.] Free trade, direct taxes, and an empty Treasury—the trinity certain and inseparable that comes with every Democratic administration. [Applause on the Republican side.]

Mr. ROGERS. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Massachusetts?

Mr. HUMPHREY of Washington. Yes.

Mr. ROGERS. Just for one question. Can the gentleman give us the ad valorem rate for the last two months?

Mr. HUMPHREY of Washington. I am only stating the facts from memory. I think it was about 9 per cent.

Mr. ROGERS. It was 8.4 per cent.

Mr. HUMPHREY of Washington. Then I was conservative in my statement. These figures further demonstrate that but for the war in Europe, that is acting as a high protective tariff, that is compelling the foreigner to sell us less and buy from us more, that this country would absolutely have been flooded with foreign cheap goods. These figures demonstrate that but for the war in Europe the foreigner would have largely driven us from our own markets and our own people into idleness and poverty.

But it is not what might have happened, it is not what has happened, but what the future holds that now most concerns us. These tables show that before the war our imports were greater than ever before. They show that even since the war our imports are greater than they have ever been before, even in time of peace, except only the period under the present law before the war. The loss of revenue followed by direct taxation is only one of the evils. What will follow when the war in Europe

ends if we still stand defenseless under the present free-trade law?

Twenty millions of men are to-day under arms, women are filling the many places in the field of labor formerly filled by these soldiers, more people are working to-day in Europe than ever worked before if we count those who are in the army. What will be the result in the industrial world when the great conflict is over, when these millions turn from the pursuits of war to the pursuits of peace, when these nations burdened with poverty and debt, when every country will be struggling to revive her industries? It must be remembered that all of Germany, all of England, practically all of France, Italy, Austria, and the greater part of Russia have not been invaded; that these nations can instantly, when the war closes, start their mills and factories running. With the end of hostilities in the tented fields will begin the industrial contest, the greatest industrial war in all the world's history, as stupendous and surprising as the present contest of armies, and surpassing all others as the present war has surpassed all other wars heretofore fought. Yet, in the face of this inevitable danger, uncertain only in the exact hour it will come, we procrastinate, vacillate, hesitate, and do nothing.

Unless we prepare against that time by placing a protective tariff upon our statute books it is just as certain as that the war will end that this Nation will be invaded and overwhelmed by the products of the cheap labor of Europe. Then either our mills and factories must close or wages in this country must be reduced to the level of that paid in Europe, and the American workman must live as the workmen of those poverty-stricken nations will live. Poverty and ruin is certain. The only question is, In what shape will it come?

The talk of an "antidumping" law as a remedy for this situation is too silly to command serious consideration. To talk of a tariff commission to be appointed by the President is to temporize and evade for campaign purposes. To place the tariff on one item at a time is simply to juggle and speculate as to how long we can escape the inevitable. The one remedy, and the only one, is to place upon our statute books a tariff law not founded upon free trade, not "for revenue only," but for the specific purpose of protection—to protect American labor and American industry from the deadly competition of the foreigner. [Applause.]

To keep out of America the products of foreign pauper labor is as important as to keep out pauper labor itself.

Foreign pauper labor admitted into this country would be no more deadly to American labor than the products of the pauper labor produced in foreign soil and admitted free to American markets. [Applause.]

This great duty of enacting a protective tariff for the protection and the safety of America can hardly be left to the party that has always worshipped at the shrine of free trade and daily pays its adoration to the discredited fetish of "revenue only," and that for three-quarters of a century has mumbled that protection is unconstitutional. The safety and the hope of the American people lies in the fact that each day makes more certain that on the 4th of March, 1917, the party of protection, preparedness, patriotism, and prosperity will again enter into power. [Applause.]

Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has 12 minutes remaining.

Mr. HUMPHREY of Washington. Mr. Chairman, I promised to yield 10 minutes to the gentleman from New York [Mr. HULBERT].

The CHAIRMAN. The gentleman from New York [Mr. HULBERT] is recognized for 10 minutes.

Mr. HULBERT. Mr. Chairman, it is to be hoped, in view of the very wide discussion that has taken place during the seven hours allowed for debate, that gentlemen will remember that it is the river and harbor bill that is under consideration; and if the gentleman from Washington [Mr. HUMPHREY] did not see fit to spend any part of the time allotted to himself for the consideration of the question to discuss the single item contained in the minority views filed by him with reference to the inclusion of the item appropriating $700,000 for the improvement of the East River in New York, it is at least due to him that I should say that he has been fair and courteous enough to extend to me an opportunity to defend that item, which I was active in having included in the bill, when, as a matter of fact, I, although a member of the Committee on Rivers and Harbors, was unable to secure any time whatever from the chairman on my own side of the House.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Florida?

Mr. HULBERT. Yes.

Mr. SPARKMAN. I suppose the gentleman is aware of the fact that I tendered him 10 minutes?

Mr. HULBERT. The gentleman did not tender me 10 minutes. On the contrary, the gentleman told me last evening that the time had been allotted—15 minutes to New York Harbor—and he was going to allot that 15 minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. SPARKMAN. I did tender to him 10 minutes, through another party, this morning.

Mr. HULBERT. After the gentleman told me last night that he would not give me any time, and after I had gone to the gentleman from Washington and secured the time, a gentleman on the Republican side of the House came to me and said I could get the time if I would apply again.

Mr. MILLER of Pennsylvania. Take it now.

Mr. HULBERT. No; I do not want the time. I will not take it on that side now.

Now, Mr. Chairman, I ask leave to extend my remarks by putting in the RECORD evidence and facts taken before the Committee on Rivers and Harbors on February 12, 1916.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting the matter referred to. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Does this include the entire hearing?

Mr. HULBERT. It includes so much of it as relates specifically to the New York Harbor project.

Mr. MOORE of Pennsylvania. That is rather lengthy, is it not?

Mr. HULBERT. It covers altogether, I think, 39 pages.

Mr. MOORE of Pennsylvania. I will say to the gentleman that I am in favor of his project.

The matter referred to is as follows:

EAST RIVER, N. Y.

COMMITTEE ON RIVERS AND HARBORS,
HOUSE OF REPRESENTATIVES,
February 12, 1916.

The committee met at 10.30 o'clock a. m.

The CHAIRMAN. We have met this morning partly for the purpose of hearing parties whom Mr. HULBERT desires to present to the committee. Before we do that I want to read a letter I received from the secretary to the President.

Mr. HULBERT. Mr. Chairman, pardon me. I wanted to introduce the correspondence that brought forth that letter, if I may do so, as a part of the hearings.

The CHAIRMAN. Let me read the letter first. [Reading:]

THE WHITE HOUSE,
Washington, February 11, 1916.

MY DEAR MR. SPARKMAN: The President directs me to say to you that he is strongly of the opinion that the pending river and harbor bill should carry an appropriation for the immediate improvement of the East River adjacent to the Brooklyn Navy Yard. He fully appreciates the fact that this would be contrary to the rule of the committee not to recommend appropriations for new projects at this time, but he feels that the importance of the matter in its relation to the question of national preparedness fully justifies an exception to the rule.

The President understands that Secretary Daniels has fully explained this matter to the committee.

Sincerely, yours, (Signed) J. P. TUMULTY,
Secretary to the President.

HON. S. M. SPARKMAN,
Chairman Committee on Rivers and Harbors.

The CHAIRMAN. Inasmuch as this is a part of the project which has been recommended by the engineers for the improvement of the East River in the interest of commerce and navigation, of course it is properly before our committee.

Mr. HUMPHREY. I was just wondering how many other letters we could get of a similar nature?

The CHAIRMAN. I do not know.

Mr. HUMPHREY. Personally, I am not inclined to let the President tell this committee what it should do.

The CHAIRMAN. At all events, we have this letter before us.

Mr HUMPHREY. If we are going to inaugurate that system, I want to pass up some more before we act upon this bill. There are other places in this country where it is necessary to have improvements for preparedness, and if we are going to pass this bill up to the White House with regard to certain features, why not pass it up in its entirety and get opinions on all of it?

The CHAIRMAN. That, of course, is for the committee to say.

Mr. HULBERT. I would like to put those letters into the record to show the sequence of events.

The CHAIRMAN. Put them in and they may be printed.

Mr. HULBERT. I want to offer, first of all, a letter from the Secretary of the Navy addressed to the Speaker of the House of Representatives and dated December 21, 1915.

The CHAIRMAN. To what end? Does that give the committee any information it ought to have on this matter?

Mr. HULBERT. This is the matter which the President's letter referred to, as I understand from my conference down there yesterday, when he said that the Secretary had already put the facts before the committee. It is a letter which was written by Secretary Daniels to the Speaker on December 21, and was referred by the Speaker to this committee, and I brought the matter to your attention yesterday, and you read the letter yesterday before the committee.

The CHAIRMAN. That may be printed.

(The letter here submitted by Mr. HULBERT is as follows:)

DECEMBER 21, 1915.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to invite your attention to the serious condition existing at the navy yard, Brooklyn, N. Y., in so far as pertains to the depth of water in ship channels leading thereto.

There is not sufficient water in these channels to insure the entering or leaving of a first-class battleship at all times.

At present only one battleship can be handled per day, and then only provided the weather conditions are normal. If the winds are such as to blow the water out of New York Bay then the depth of water in the approach channel is not sufficient to safely navigate a large ship. As an illustration, the following is noted:

On November 3, 1915, the U. S. S. *Texas*, one of our new first-class battleships, was ready to leave the yard, but the prevailing northwest winds had so reduced the depth of water in the Buttermilk Channel that even at high water there was not sufficient depth to insure her leaving the yard in safety. This ship therefore, was forced to remain in the navy yard for over 24 hours.

This condition is a serious one and might cause grave complications. I understand there are two propositions before Congress—one providing a channel 35 feet deep and 1,000 feet wide in Buttermilk Channel, and the other north of Governors Island up the East River through Hell Gate. The second would provide for ships passing from the yard to lower New York Bay or to the Sound, a condition highly desirable from a strategic point of view. Either project will provide for free access to the navy yard.

The increase in size of ships has not yet reached its limit.

Through injuries received in battle, a ship could readily be drawing more water than normally at a time when it was most necessary to dock her.

It is therefore most urgent that an approach channel to the New York Navy Yard be maintained of not less than 35 feet depth at mean low water and 1,000 feet wide, and I can not too strongly urge the serious attention of Congress to this matter.

Sincerely, yours,

(Signed) JOSEPHUS DANIELS.

Mr. HULBERT. I want to submit a letter written by me to Secretary Daniels on January 25, 1916, in which I asked him for a further expression of his opinion; and I submit his reply to that letter, addressed to me, under date of February 10, 1916. I do not know whether the committee desire to have that read or not, but I would like to call the attention of the committee to a sentence in the letter. The letter goes into specific details in regard to this matter, and it contains, among other things, this sentence [reading]:

"As stated above, the question of deepening the East River and clearing Hell Gate and the channel through into Long Island Sound is of paramount importance and a pressing need and it should receive immediate attention."

The CHAIRMAN. That all shows the forces that were at work to get the President to write this letter. I have no objection whatever to those going in the record, but I do not think it necessary to take up the time of the committee to read them.

Mr. HULBERT. I just read an excerpt to give you the character of the letter, and that is all.

The CHAIRMAN. The first and the main thing the committee wants to know is the President's views on the subject.

(The letters here submitted by Mr. HULBERT are as follows:)

JANUARY 25, 1916.

Hon. JOSEPHUS DANIELS,
Secretary of the Navy, Washington, D. C.

MY DEAR MR. SECRETARY: In the copy of last Saturday's RECORD, which I handed you this morning, I discussed the necessity for the deepening of the channel in the East River to 35 feet, to which you called attention in your letter of December 21, 1915, and which I put in the RECORD. I also emphasized that this improvement, connecting up New York Harbor and Long Island Sound, would constitute a marine trench, upon which I propose to elaborate in an address I have been invited to deliver at the annual banquet of the Cleveland Democracy in New York next Saturday evening.

I should like to know, if it is possible to make an estimate for such an illustration, approximately how many battleships or other naval vessels might be dispensed with, in the event of such improvement being made, to make equally efficient the defense of New York Harbor and the New England coast under present conditions—that is, if your timely warning were not heeded and the improvement failed of adoption—and I would appreciate as strong a letter from you on this subject as you can consistently write to aid me in organizing and enlisting the support of the civic associations of New York City.

If, when you have revised the admirable address made by you at the National Democratic Club a week ago last Saturday, you will favor me with a copy, I should be pleased to extend my remarks in the RECORD so as to incorporate the same.

—

FEBRUARY 10, 1916.

MY DEAR MR. HULBERT: Replying to your letter of January 25, regarding the deepening of East River to 35 feet, I have to say that this question has recently received very earnest consideration by the officers of the department, and particularly by the General Board.

The value, if not the absolute necessity, of deepening East River to 35 feet and clearing the channel to Hell Gate is considered one of the most important questions now before the Navy Department. The reason for this is that a study of the strategic features of the east coast of the United States, with a view to making the best disposition of our forces for defense against a possible enemy in the Atlantic, has demonstrated the fact that Long Island Sound is probably one of the strongest natural rendezvous for a naval force that possibly could be formed, either artificially or by nature. Its value would be decidedly enhanced by having two outlets; that is to say, either through the race at the east end of Long Island Sound or through the harbor of New York and out by Sandy Hook or the Ambrose Channel.

However, having the above two outlets must not be considered as in any way decreasing the number of ships that are needed for the naval service, but it can readily be seen that with these two outlets it would require a double force of the enemy's vessels to guard both of these outlets in order to prevent our vessels from getting to sea through either one or the other.

The necessity for at least 35 feet of channel is too evident to be dwelt upon, because any engagement taking place off New York would probably result in injury to some vessels, compelling them to seek shelter and to be drydocked as soon as possible. Naturally the draft of these vessels would be very much increased due to the injury they had received, so that from a military standpoint the deep channel is absolutely necessary. "As stated above, the question of deepening the East River and clearing Hell Gate and the channel through into Long Island Sound is of paramount importance and a pressing need, and it should receive immediate attention."

As regards the deeping of the East River between the navy yard and the entrance to New York Bay to the southward—that is, through Ambrose Channel—has been made very evident during the past winter when some of our larger ships were not able to reach the navy yard for necessary work, although only at their normal draft (and possibly a little less), and had to wait several days before they could bet in, and had the same trouble to get out after getting in. It needs no argument to impress upon anyone how serious it would be should some of our large battleships, which now are all based on the New York Navy Yard, be at the yard at the time their presence is urgently needed outside and the condition of the channel should be such that they could not get out.

Sincerely, yours,

(Signed) JOSEPHUS DANIELS.

Hon. MURRAY HULBERT, M. C.,
House of Representatives.

Mr. HULBERT. In order that the letter which you have just referred to from the President, in which he emphasized its relation to the Brooklyn Navy Yard, may be understood by the committee, it seems to me it is also essential that a foundation may be laid so that this committee may know what facts were presented to him that brought forth that letter.

Mr. TREADWAY. This hearing is connected with the East River project, so called, is it not?

Mr. HULBERT. It is.

Mr. TREADWAY. Just what is the bearing between the East River and the location of the Brooklyn Navy Yard?

Mr. HULBERT. The Brooklyn Navy Yard is on the east side of the East River, just above the Brooklyn Bridge.

Mr. TREADWAY. Will this project begin there? In other words, where does this new project that we are considering to-day begin?

Mr. HULBERT. This project begins at the Battery and extends the length of the river, which is 16 miles long, and connects with Long Island Sound at a point known as Throgs Neck.

Mr. TREADWAY. I understood you, before the committee all through our hearings, to refer more especially to the channel connecting East River with Long Island Sound, did you not?

Mr. HULBERT. Precisely.

Mr. TREADWAY. So that the navy yard is practically at the beginning of the position where you desire to have the project work done?

Mr. HULBERT. Oh, no; not at all; and, moreover, Mr. TREADWAY, do not lose sight of the fact——

Mr. TREADWAY. I only want to get the geography clear in my mind.

Mr. HULBERT. I will emphasize it as much as I can. You are going to have Admiral Benson and Col. Black before you. Admiral Benson has navigated the largest type of battleships in that very channel from the Battery up to the navy yard, but by connecting up this project for the East River, aside from its commercial importance, which, of course, affects materially its navigability, so far as such projects are taken up by this committee, it will also afford an entrance channel from the upper bay of New York Harbor to the Long Island Sound by the adoption of the project. So that we are then in a position, as this committee may from time to time deem it advisable to appropriate money for the completion of that 35-foot channel, giving you a double entrance to the Brooklyn Navy Yard.

Have you ever stopped to consider what might happen——

The CHAIRMAN. We have experts here.

Mr. HULBERT. I want to offer next, Mr. Chairman, a letter which I addressed to the President yesterday, under date of February 11, and also a letter addressed by Congresman FITZGERALD, chairman of the Committee on Appropriations, to the President yesterday; and then, following that, is a letter from the Secretary to the President, which the chairman has already read and which I suppose is now in the RECORD.

(The letters here presented by Mr. HULBERT are as follows:)

FEBRUARY 11, 1916.

The PRESIDENT, *The White House.*

MY DEAR MR. PRESIDENT: The Committee on Rivers and Harbors have practically concluded their labors and will presently report a bill carrying approximately $40,000,000 to continue the work on existing projects.

Since my appointment upon this committee at the opening of the present session, I have been strenuously urging the necessity for the adoption of a 35-foot project for the improvement of the East River, even to the extent of making it the one exception to the committee's rule not to take on any new projects.

The present project is for a 26-foot channel, adopted in 1868 and 70 per cent completed. Since Col. Black recommended a 35-foot channel in 1912, no moneys have been appropriated for the improvement of the East River. Aside from its commercial importance, having a commerce of 45,000,000 tons of an approximate value of $1,500,000,000 and 22,500,000 passengers, there is no doubt that at this time its strategic value is of paramount importance. Secretary Daniels pointed out in a letter to the House of Representatives, under date of December 21, 1915, that it was impossible to float modern dreadnaughts in or out of the Brooklyn Navy Yard except in high tide, and that there have been occasions when, owing to a heavy wind, which blew the water out of the channel, it has been necessary to hold the boats in the yard for 48 hours. In another letter which the writer received from him this morning, the Secretary emphasizes the value which this improvement would have in making New York Harbor the only harbor in the world having two entrances and two exits; for the connecting up of the upper bay with Long Island Sound by the 16-mile 35-foot channel would make necessary double the number of vessels now required to successfully blockade New York Harbor in addition to giving the vessels in the navy yard a means of exit to the east in the event that the channel below the yard might be blockaded by the destruction of a bridge below the yard. Admiral Mahan testified at the hearings of 1911 that of the Atlantic bases, New York is distinctly the best, and, because of its two entrances, etc., "constitutes a base of naval operation probably unique in the world."

Chairman SPARKMAN reported that you were opposed to taking on any new projects, but the exception always proves the rule, and Congressman FITZGERALD subsequently said that you had told him you expected the East River improvement, which only involves an initial appropriation of $500,000 this year, would be taken on as a part of the national defense. Inasmuch, however, as some of the members of

the committee still seem to feel that an exception should not be made unless with your acquiescence, I hope you will feel at liberty to advise the committee before the bill is reported.

FEBRUARY 11, 1916.

The PRESIDENT, *The White House.*

DEAR MR. PRESIDENT: I am reliably informed that the river and harbor bill will not contain any new projects. The determination to follow such a policy excludes the possibility of provision for the improvement of the East River or Buttermilk Channel in New York Harbor so that safe passage may be afforded naval vessels entering or leaving the navy yard.

It will be preposterous to provide extraordinary appropriations for new and larger war vessels, if provision be not made to enable them to utilize the essential facilities for their maintenance; and the Representatives from New York will be placed in an impossible position if they support revenue measures which will largely increase the burdens of their constituents while failing to obtain legislation deemed essential for the security of the metropolis of the Nation.

Unless some word be sent by you to the Committee on Rivers and Harbors that the situation relative to New York is essentially different from new projects for purely commercial projects no provision will be made for the improvement. The Secretary of the Navy has addressed two communications to the House on the subject, and I sincerely trust that you will urge that action be taken at this time.

Respectfully, yours,

(Signed) JOHN J. FITZGERALD.

In that connection I would like permission to submit here a telegram from the commissioner of the department of docks and ferries, R. A. C. Smith, addressed to me, dated yesterday [reading]:

[Telegram.]

NEW YORK, *February 11, 1916.*

Hon. MURRAY HULBERT,
House of Representatives, Washington, D. C.:

Confirming telegram of to-day, it is with deep regret that I can not be with you to-morrow morning and appear before the committee. Aside from the question of national defense, which so strongly demands the provision of an East River channel for an outlet to the east through the Sound, the amended project submitted in report in House Document No. 188, Sixty-third Congress, first session, should be approved by Congress as an urgently needed commercial improvement of national importance. I will cite but one section of the East River water front: From Williamsburg Bridge to Forty-second Street, which is nearly 2 miles in length and capable of immediate development for the accommodation of ocean-going vessels so soon as the Government removes from the navigable waters the dangerous reefs and rock shoals in that neighborhood. I may add that on that stretch alone 82 steam vessels could be accommodated. This is only one of the sections which is of potential value to foreign commerce and now paralyzed because of impossibility of access. For the best illustration as to the wisdom of these improvements, I need only refer to one of them: The Bay Ridge Channel, which cost the Government approximately $2,500,000. I believe that I am conservative when I say that the total cost of the improvements at that point by the State of New York, by the municipality, and by privately owned properties amounts to over $30,000,000 since the project was made a fact, and that if it were not for that particular territory to-day, the port of New York would not be able to meet the demands of commerce. There are many sections of this harbor in the East River section which are as important and subject to prompt development on the adoption of the amended project recommended by the Army Engineers. I will in the next few days send you a complete analysis of all improvements to this harbor as requested by you.

R. A. C. SMITH,
Commissioner Department of Docks and Ferries.

In addition to that I want to submit an excerpt from the testimony of Rear Admiral Mahan, appearing on page 54 of the hearings of 1911, before the Committee on Expenditures in the Navy Department, House of Representatives, which I also will not take the trouble to read at this time, but the gist of it is that it emphasizes the fact that in New York Harbor strategic considerations, industrial considerations, and economical considerations are all combined, which is one of the few places where you will find the trinity with regard to the development of the naval resources and commercial resources and the economical advantages of this Government; and then he emphasizes the necessity for a strategic base on the Atlantic Ocean and expresses the opinion that New York Harbor is the most desirable place on the Atlantic Ocean for the larger vessels of the Navy.

Mr. BURGESS. What is the date of that?

Mr. HULBERT. That is 1911. That is prior to the report upon which this provision or project was adopted and included in the bill of 1913.

(The statement here submitted by Mr. HULBERT is as follows:)

"As before remarked, the entire coast frontier, like any land frontier, is the national base of operations. Our coast frontier divides into three sections—the Atlantic, the Gulf, and the Pacific. Naval stations for these must be chosen in accordance with the two principal objects stated: (1) To insure the safety of the coast; (2) to facilitate external operations in support of national policies.

"This is the point to introduce a remark which governs the military determination of navy yards and naval stations, a consideration too rarely distinctly formulated; that is, that navy yards are for war, not for peace; that, therefore, they are primarily yards for repair and refit, not for construction, because under modern conditions naval vessels must be constructed in peace, the duration of war not allowing time. The function of naval stations therefore is to maintain in efficiency ships already built, and their location should be determined by this consideration, irrespective of facilities for building, whether natural or acquired.

"This amounts to saying that the choice and maintenance of naval stations should be determined by strategic considerations rather than by such as are industrial or economical. Of course, where the three coincide, as in New York, it is a fortunate conjunction; but where there is a collision of considerations the place which is superior by situation, nearness, defensive strength, and the possibility of storing resources is to be preferred to one industrially or economically greater. Let me add that the chief of all elements of refit is the dock, and suitable ground for docking or harboring floating docks is a prime consideration.

"The Atlantic seaboard is obviously the most important of the three principal divisions of our sea frontier. Its function in a general scheme of naval provision is largely defensive, because it is not nearest to either of our external objects of policy. In case of war with a naval power so far superior as to be able to maintain on that coast a navy stronger than our fleet our fleet would need at least two principal bases, because the existence of two not only provides alternate refuges in case of need, but by that very fact facilitates also the offensive operations of any character, the execution of which is the office of a defendant navy. The question of the Atlantic seaboard, viewed distinctly as a military problem, is therefore simple; nor is there any doubt that Chesapeake Bay and New York represent the two best positions. That the two are principal does not imply that they are equal or should receive equal development. New York is distinctly the better, because it has two entrances, for New York must be understood to embrace Long Island Sound and may advantageously be extended to include Narragansett Bay. So extensive an interior sheet of water, covering unlimited resources, with two entrances over a hundred miles apart, each capable of powerful fortification, constitutes a base of naval operations probably unique in the world."

Mr. Chairman, I think now we had better call either Admiral Benson or Col. Black.

STATEMENT OF REAR ADMIRAL WILLIAM S. BENSON, UNITED STATES NAVY.

The CHAIRMAN. Admiral, you are here this morning at the request of the Secretary of the Navy, I believe?

Admiral BENSON. Yes, sir.

The CHAIRMAN. For the purpose of explaining the importance of the improvement of so much of East River as would permit the Navy to carry its vessels to and from the navy yard?

Admiral BENSON. Yes, sir.

The CHAIRMAN. Will you kindly proceed now and give your own views as to the necessity for that work?

Admiral BENSON. The necessity for having a proper channel, particularly to the southern entrance of the navy yard, to get into the navy yard with safety with our large vessels, has been very apparent for some time.

The CHAIRMAN. Before you proceed any further, Admiral, have you a map showing the East River and bay?

Mr. HULBERT. In that connection, if any gentlemen are examining the map, I would like you to notice the depth at the points in the river except where these shallow rocks occur.

The CHAIRMAN. That will be all right.

Mr. HULBERT. You will see, gentlemen, the river is 50 or 75 feet deep, except where these rocks occur. May I also suggest that much of this data will be found in House Document 188 (63d Cong., 1st sess.), which individual members might like to look at.

Admiral BENSON. I think I can make the point more clear by pointing out the direction the ships ordinarily take.

Mr. HULBERT. Will you identify Governors Island before you begin, as a starting point?

Admiral BENSON. This [indicating on map] is Governors Island; this is North River, and this is East River, going up through here. This is the navy yard, this is the Brooklyn Bridge, and this is the Manhattan Bridge, as it is called. Then, there is another one here, and so on.

Vessels, for instance, come out of East River or down the North River or down here through the Narrows and out through the main channel out to the ocean; that is the channel that is used now.

The CHAIRMAN. Ambrose Channel is below there?

Admiral BENSON. The Ambrose Channel is 6 or 8 miles below this point [indicating], out through the lower bay and Narrows, and leaving Sandy Hook on the right as you go out, and standing eastward, with Coney Island on the left.

Mr. TREADWAY. Where is the Statue of Liberty?

Admiral BENSON. The Statue of Liberty is over here [indicating], and this is Jersey City, with the Pennsylvania Railroad Station and the Jersey Central there. Here is the Battery [indicating].

For many years vessels coming up from the anchorage down at Staten Island would come up and go through here [indicating].

Mr. HULBERT. You mean between Governors Island and the Battery?

Admiral BENSON. Between Governors Island and the Battery. I have never used any other channel.

Mr. HULBERT. I am asking that question, Admiral, for the purpose of the record, so that anyone reading it hereafter may identify it.

Admiral BENSON. I myself have always used the channel between Governors Island and the Battery, running in on a range on end of pier over in Brooklyn and the Hotel Margaret. I commanded the *Utah*, and she was quite a good-sized ship.

Mr. HULBERT. What is the draft?

Admiral BENSON. I have come out of there in the *Utah* drawing a little over 29 feet; 29.6 is about the most I have ever taken through there, and I have frequently gone in and out without a pilot; but it was always with a great deal of anxiety and only at the very top of the tide, when the current was practically still and not running at all, because on the south side here [indicating] toward Governors Island, is Diamond Rock, which is a very dangerous reef, and on the left going in is Coenties Reef, and it is absolutely necessary to steer between those two shoals; then, after getting over to a certain point in the river, you stand up to the navy yard just in here.

Mr. TREADWAY. May I ask what the distance is from Governors Island to the Battery?

Admiral BENSON. Across there? It is not more than five or six hundred yards. I am simply guessing.

Mr. TREADWAY. From Governors Island to the Battery?

Mr. HULBERT. Eight hundred yards.

Mr. TREADWAY. And then may I further ask how far those two reefs, one from Governors Island to which you refer and one from the Battery—in other words, how wide is your full depth of channel between Coenties Reef and Diamond Rock?

Admiral BENSON. Diamond Rock is there [indicating] and Coenties Reef is there. The distance between those two reefs, of course, in one direction is, I should say, probably 200 yards; but in going in, in order to get your turn up the river and avoid both of them, you have to steer at an angle, and it leaves the available space between them very small, not certainly over 100 yards, and I do not think it is that much. I never felt I had that much leeway when I went up there.

Mr. HUMPHREY. How often do battleships go through there?

Admiral BENSON. I should say, for instance, we base all of our big battleships as they come out, as a rule. Heretofore they have been fitted out at the New York Yard, and they all have to go there to fit out, and then the first four or five of them have been basing on the New York Yard until another one came out, and then the smallest one of the five dropped out and went to some other yard; and I imagine these five ships will average going up there and out again at least four times a year.

Mr. HUMPHREY. And all of the battleships of the Navy have gone in and out of that channel, have they not?

Admiral BENSON. No; latterly all of the big ships have been going up Buttermilk Channel on account of the greater difficulty of steering in between those reefs.

Mr. SMALL. Where is that channel?

Admiral BENSON. Buttermilk Channel is between Governors Island and Brooklyn shore.

Mr. HUMPHREY. How many accidents have happened getting battleships in and out there?

Admiral BENSON. Well, I can recall, I think, three. For instance, there was one ship, the *North Dakota*, that struck some object in going out of there.

Mr. HULBERT. Out of the North Channel?

Admiral BENSON. Out through here [indicating], north of Governors Island, and in that vicinity; I do not know exactly where it was. There was another case of an obstruction being struck, and I think the *Massachusetts* struck something there at one time. Those are the only three I have in my mind, and they are more or less indistinct, except the *North Dakota*.

Mr. HUMPHREY. What was the obstruction which you say they struck?

Admiral BENSON. My opinion is that there is a rock somewhere in there, a very small pinnacle rock, which it probably struck. At the time it was supposed that it struck an obstruction which had dropped over, because at a certain point along there there is at low water only about 27 or 28 feet, and an obstruction dropping over, even a very small one in that depth, and the vessels passing over it, even if only a couple of feet, would probably strike. That was the supposition. You can readily understand how a big stone from a barge might drop over on this hard bottom, as I understand it is, and that might bring the bottom up, so to speak, that much, and the vessel going over it would strike.

Mr. COSTELLO. By using Buttermilk Channel you avoid all that?

Admiral BENSON. As I say, latterly the big vessels have been using that.

Mr. COSTELLO. With complete safety in doing so?

Admiral BENSON. At certain stages of the tide there is not water enough there.

I was going on to say that this was emphasized recently by the big ships *Wyoming*, *Arkansas*, and *New York*, when a northwest wind was blowing at low water, could not go up there because there was not enough water.

Mr. TREADWAY. How much do they draw?

Admiral BENSON. They draw between 29 and 30 feet.

Mr. TREADWAY. The same as the *Utah*?

Admiral BENSON. About the same.

Mr. HULBERT. The later vessels draw more water, do they not—the *Arizona*?

Admiral BENSON. They may draw up to 32 feet.

The CHAIRMAN. What depth has Buttermilk Channel?

Admiral BENSON. Thirty to thirty-one feet.

Mr. HUMPHREY. What is the depth at high tide?

Admiral BENSON. The rise and fall, as I recollect it, is about 5 feet.

Col. BLACK. The ordinary range of the tide there is 4 feet. The spring tides have a range of 6 feet, and the water is lowered by wind action frequently 2 feet. So it is not at all unusual to have 4 feet less than mean low water in that vicinity.

Admiral BENSON. There are points here having 27, 29, and 28 feet, and I think about 27 feet is the lowest I have seen here. That would give you at the ordinary high tide 31 feet.

Mr. TREADWAY. What is the width between Governors Island and the Brooklyn shore?

Admiral BENSON. I would say that at the narrow point there would be about 200 yards.

I would like to say to the committee that they may be surprised that I do not know these figures more exactly, but I have navigated in every port on this coast and many others, and it is a little hard to remember all the details. That is the reason I can not give you more definitely the figures.

Mr. HUMPHREY. I want to ask you about the obstruction. You said one of the battleships struck an obstruction going through the channel. Was not that simply a temporary obstruction, a stone dropped off the barges or something of that character?

Admiral BENSON. I really could not say what it was. My own opinion is that there is a rock there somewhere which probably ought to be removed. That I do not know, and I got that idea very largely in conversation with Col. Black.

Mr. HUMPHREY. Your experience has been at high tide. To put it another way, except in low water, the battleship can get in and out of the yard without much difficulty?

Admiral BENSON. Under normal conditions, with good high tide and dead high water, a battleship properly handled up to certain draft, say, 30 feet, could get in there, but it is always a dangerous undertaking. I always feel in going in there that while I had confidence in myself that I could take the ship in, I was taking more or less chances to do it, and I do not think, if I may state it, that it is a risk that any commanding officer should be exposed to in command of one of our big ships unnecessarily.

Mr. EDWARDS. Where is the navy yard?

Admiral BENSON. Right there [indicating on map]

Mr. HULBERT. How far is it from Governors Island to the navy yard?

Admiral BENSON. That is 1½ to 2 miles, about.

Mr. EDWARDS. Admiral, how much has the Government invested in that navy yard up there?

Admiral BENSON. I should say in the neighborhood of twenty or twenty-five million dollars.

Mr. EDWARDS. How do you suppose it was that they ever located the navy yard in there where they could not get to it?

Mr. HULBERT. They could get up easily with the draft of vessels being built at that time.

Admiral BENSON. At the time it was located, of course, vessels were very much smaller, and the draft of water was such that they had no difficulty whatever in going out and coming in there at any time.

Mr. EDWARDS. They did not locate it there with a view to deep-draft vessels, because they did not have deep-draft vessels and the larger type of vessels?

Admiral BENSON. Oh, no. The yard has been there a hundred years, nearly.

Mr. EDWARDS. Is there not a point below there, outside that point, on which that navy yard could be transferred?

Admiral BENSON. There are other places where the navy yard could be placed, certainly.

Mr. COSTELLO. When the tide is high, in using Buttermilk Channel you avoid all the dangers ascribed to the other?

Admiral BENSON. Yes, sir.

Mr. COSTELLO. And there is no reason why you should not use it under those conditions, is there?

Admiral BENSON. If there is sufficient water, there is no reason.

Mr. COSTELLO. There is no need of your taking all the chances of going up through the channel between the Battery and Governors Island when you can go on this side of the island?

Admiral BENSON. Not at all; that would be the normal thing; but you have got to take that at the high tide, because there is only 27 or 28 feet there, and you must take it at the height of the tide, but if we can get 31 or 32 feet—31 feet is running pretty close—that is better, because we are running with the tide and the dangers should be less.

The CHAIRMAN. How long does low tide last?

Admiral BENSON. I think the water is slack off the Battery there about 20 minutes or a half an hour.

The CHAIRMAN. As a rule, you would not have to wait long, then, for a tide providing sufficient water?

Admiral BENSON. We have high tide about every 12 hours.

The CHAIRMAN. Would you then have to wait 12 hours?

Admiral BENSON. We would have to wait 12 hours for high water; and at night, as a rule, we do not attempt to go in there. That is another objection, because the yard is closed, and all the activities of the yard are closed.

Mr. BOOHER. Are there any other navy yards on the Atlantic coast where these big vessels can get in that are heavy-draft vessels.

Admiral BENSON. They can go into most any of the yards now; that is to say, they could get sufficient water in the Delaware for them to get up there.

Mr. BOOHER. That navy yard is open at all times?

Admiral BENSON. You would have to go up the Delaware, and you have to take it at practically high water. It is the same thing at Norfolk. You would want the high water, because the channel at Norfolk is very restricted, and at present it is too narrow to turn one of our big ships.

Mr. BOOHER. Then the navy yards all along the Atlantic coast are practically in the same condition as the one at Brooklyn is—the harbor conditions are practically the same?

Admiral BENSON. I do not know. I do not think so, sir.

Mr. BOOHER. You say you have got to wait for high water if you take the Buttermilk Channel? What is the difference in the channel there and at the other navy yards?

Admiral BENSON. The conditions are practically the same in that respect—that you have to wait for high water; but at Norfolk, for instance, I think the later ships coming out will have considerable difficulty in turning.

Mr. BOOHER. The difficulty is about the same at all the navy yards on the Atlantic coast, is it not?

Admiral BENSON. No; I would not say it was so great in the Philadelphia yard.

Mr. TREADWAY. How about Charlestown?

Admiral BENSON. At Boston?

Mr. TREADWAY. Yes, sir.

Admiral BENSON. They could go there, too.

Mr. BOOHER. Can you use the Philadelphia Navy Yard for the largest vessels without waiting for high water?

Admiral BENSON. We could use that, but there is no dry dock at Philadelphia that would take the ships. That is one of the features the Brooklyn yard possesses that the Philadelphia yard does not—they have a dry dock that big ships may go into.

Mr. BOOHER. Would not it be cheaper for the Government to build a dry dock at Philadelphia than to deepen this channel we are considering?

Admiral BENSON. I do not think so.

Mr. BOOHER. What would be the cost of a dry dock at the Philadelphia Navy Yard?

Admiral BENSON. The lowest estimate we had on the big dock there was a little over $3,000,000.

Mr. BOOHER. What will it cost to do this work? Is it not estimated to be $13,000,000?

Mr. HULBERT. $700,000; the $13,000,000 covers the whole East River up to Long Island Sound. This is the initial part of the project.

Mr. BOOHER. Then this would only be a portion of that project. How much larger vessels will the Brooklyn Navy Yard take in the dry dock than Philadelphia?

Admiral BENSON. And all of our ships can dock there, sir, that we have in contemplation.

Mr. BOOHER. At Philadelphia?

Admiral BENSON. No; New York, sir. For instance, the *Arkansas* and *Wyoming* and all of the vessels coming after those—the *New York* and *Texas*, the *Pennsylvania*, *California*, and all those ships would not be able to dock at Philadelphia.

Mr. HULBERT. Those ships have a draft of 31 feet, have they not—the *Arizona* has 30 feet?

Admiral BENSON. It has about 30 feet.

Mr. BOOHER. Can not all of these vessels you mentioned dry-dock at Portsmouth?

Admiral BENSON. I do not think so; I do not think any of them could.

Mr. BOOHER. The reason I asked you that is that somebody connected with the Navy in the hearings before the Naval Committee said that Portsmouth is the only naval station on the Atlantic coast where all of these larger vessels could dock.

Admiral BENSON. We dock them all at New York.

Mr. BOOHER. Could they dock at Portsmouth, too?

Admiral BENSON. I do not think they could, sir.

Mr. BOOHER. Could they dock at Charleston?

Admiral BENSON. South Carolina?

Mr. BOOHER. Yes, sir.

Admiral BENSON. They could not.

Mr. TREADWAY. Will you please make the same comparison with the Boston Harbor? Can these large vessels get into Boston?

Admiral BENSON. They might get in; they could not dock—these later ones.

Mr. TREADWAY. Has not the State of Massachusetts constructed a dry dock?

Admiral BENSON. They are building one, and when it is completed they will be able to take in any of them. It is to be 1,000 feet long, and it would hold any ship we are contemplating building.

Mr. TREADWAY. Is that larger than the one the navy yard now owns at New York?

Admiral BENSON. I think it is.

Mr. TREADWAY. But, so far as water is concerned, there is ample water to get in at Boston?

Admiral BENSON. Yes; they could get in there.

The CHAIRMAN. What size ships can you dock at Brooklyn Navy Yard?

Admiral BENSON. I have forgotten—about 32 feet.

Mr. HULBERT. Except for these rocks referred to being there, what is the depth of the channel in the East River from Governors Island up to New York Yard?

Admiral BENSON. You could count on getting at least 40 feet.

Mr. HULBERT. When you have been interrogated in regard to the desirability of entrances to other navy yards, as compared to New York, have you had in mind the fact of the size of the commerce in the East River as compared with the commerce upon the streams leading to the other navy yards upon the Atlantic seaboard?

Admiral BENSON. I have no idea whatever of the commercial side of it.

Mr. HULBERT. Do you know, for instance, that the commerce on the East River is twice as large as the commerce on the Delaware leading up to Philadelphia?

Admiral BENSON. I have not the slightest idea.

Mr. BOOHER. If that was true, would it not be better to dry dock war vessels where commerce did not interfere; for instance, if the Charlestown Navy Yard could be made usable with the expenditure of money for a dry dock, would it not be better to avoid the large commerce in the East River and take it some place where there is not so much commerce and where you would have more room for the war vessels?

Admiral BENSON. I would say, sir, that if we could start a navy yard new, where we could avoid the channels and commerce and at the same time get the labor market and the supplies that are necessary for the proper running of the navy yard, that it would undoubtedly be very much more desirable.

Mr. BOOHER. Could not that be had at Philadelphia, Boston, or Charlestown, or Hampton Roads, down here, with a great deal less money than you could get it there, or even lower down in the city of New York?

Admiral BENSON. That might be; if you only want one navy yard, it could be done. I do not know about the cost. I am not in a position to discuss the cost of this.

Mr. BOOHER. Could you not get all the naval stores at Boston, Philadelphia, and lower down there in New York, or at Charlestown—any of those places?

Admiral BENSON. Unquestionably.

Mr. HULBERT. Is not the importance of the naval base determined by the value of the property to be protected, and is not the choice of the New York Navy Yard one of importance, by reason of the great amount of wealth centered in that section of the country?

Mr. BOOHER. What is the objection to letting the West contribute?

Mr. HULBERT. New York City is contributing very liberally and paying two-thirds of the Underwood tariff law and nearly one-half of the tax upon individual incomes, and more than one-fourth of the tax upon corporation incomes.

Mr. BOOHER. You ought not to have so many rich men in one locality, but spread them around over the country.

Mr. HULBERT. New York hands it all back to the country.

Mr. COSTELLO. I take it you are here to answer questions in regard to navigation on these two points?

Admiral BENSON. Yes, sir.

Mr. COSTELLO. You do not want to enter into the controversy in regard to these other matters? There are other parts of the country besides New York. Admiral, if the Buttermilk Channel was dredged to give you a sufficient depth, as far as the naval base there is concerned, all the requirements would be met?

Admiral BENSON. Under normal conditions.

Mr. COSTELLO. I take it that is what you are here for, to answer these particular questions about getting in and out of the war vessels?

Admiral BENSON. Yes.

Mr. TREADWAY. That being the case, Admiral, what is the distance from where you get 40 feet down here below Governors Island up to a point where you begin to get 40 feet again in the river?

Admiral BENSON. About how far is it?

Mr. TREADWAY. How far would it require to be dredged to get 40 feet through the Buttermilk Channel?

Admiral BENSON. About half a mile.

Mr. TREADWAY. Then, by dredging about a half mile through the Buttermilk Channel you can get 40 feet of water from the ocean, by way of the Ambrose Channel, to the Brooklyn Navy Yard?

Admiral BENSON. Yes; I should say so.

Mr. TREADWAY. In other words, from the Battery up there is ample water; I understood you to say there was 40 feet of water from the Battery up?

Admiral BENSON. If this channel were deeper, there is no question about getting on this side, from the south.

Mr. SMALL. In using Buttermilk Channel there, the deepening required would be to the extent of about a half mile, you say?

Admiral BENSON. Yes.

Mr. SMALL. And after leaving that stretch, going up the East River, until you come to the navy yard, there is how much water?

Admiral BENSON. It is about 40 feet, the least I find there.

Mr. LIEB. Are you familiar with the quality of material at the bottom; is it hard or soft in the Buttermilk Channel?

Admiral BENSON. I understand it is soft; I do not know.

Mr. LIEB. It could be dredged?

Admiral BENSON. I understand it could, sir.

Mr. HULBERT. Admiral, will you tell us what is the importance, from a strategical standpoint, of the improvement of the East River beyond the navy yard up through Hell Gate and up into Long Island Sound?

Admiral BENSON. That is, from the naval standpoint, the strategical value of the navy yard, we consider it almost if not an absolute necessity, in order to fully develop this position. For instance, not so much the New York Navy Yard as Long Island Sound. Long Island Sound has a tremendous strategic value from its position and the fact that at the eastern end of Long Island Sound it is already fortified and is susceptible of being protected at the entrance to it by mines and other means.

Mr. HULBERT. How long is Long Island Sound?

Col. BLACK. The distance between the Sandy Hook entrance at the southern end of New York Harbor and the eastern entrance of Long Island Sound is about 110 miles; practically it is 125 miles.

Mr. HULBERT. And what is the greatest width of Long Island Sound?

Col. BLACK. Fifteen or twenty miles.

Mr. HULBERT. What is the least width of Long Island Sound?

Col. BLACK. The least width is at the two ends. At one end, at Throgs Neck, there is a width of 4,000 feet, with deep bays at the side. Thence to the east the sound widens and continues wide until you get to the eastern entrance, and at the eastern entrance, as I recollect it—about 5½ miles.

The CHAIRMAN. Follow on down the map; I think it shows that.

Col. BLACK. You can see that here is Throgs Neck [indicating on map], the western end of the sound. Throgs Neck is 16 miles from the Battery. Then it widens out into a very large body of water, and at the eastern entrance is where the fortifications are.

Mr. HULBERT. I would like to ask a question, if it is proper for me to do so. I do not want to go beyond the scope of what is proper here. I would like to ask if there are desirable places on Long Island Sound for the location of a navy yard and naval ship-building plant.

Admiral BENSON. I think that there are, but, as I say, that is a question that should be decided by a careful examination, by men who are familiar with that particular phase of the work. I should think, from the general conditions as I have seen them in passing there, that there are places that would do for a navy yard very satisfactorily.

Mr. HULBERT. How many bridges are there below or south of the Brooklyn Navy Yard?

Admiral BENSON. Two.

Mr. HULBERT. One is the Brooklyn Bridge and the other is the new bridge known as Manhattan Bridge?

Admiral BENSON. Yes.

Mr. HULBERT. If either one of those bridges were destroyed and blocked the channel of the East River, would it be possible for you to take the large-draft dreadnaughts through Hell Gate and Throgs Neck and Long Island Sound and through the Race out into the Atlantic Ocean?

Admiral BENSON. I do not believe it would. It would be one of those cases where you might run the risk, but it would be too hazardous to undertake. It would be absolutely unpardonable to attempt it except in a case of absolute necessity.

Mr. HULBERT. Was there not a vessel taken through there some years ago?

Admiral BENSON. Yes; the *Massachusetts* ran through there.

Mr. HULBERT. What is her draft?

Admiral BENSON. Twenty-five or twenty-six feet.

Mr. HULBERT. She is one of the oldest ships?

Admiral BENSON. One of the first.

Mr. HULBERT. And after she went through was there not an order issued by the Secretary of the Navy directing commanders not to take any vessels of that class or character through Hell Gate?

Admiral BENSON. Yes, sir.

Mr. HULBERT. What is the minimum depth of the East River Channel above the navy yard, if you know?

Admiral BENSON. I do not know; probably 40 or 50 feet.

Mr. HULBERT. You have referred here to the North River. For the purpose of the record I would like to have it appear that the North River and the Hudson River are interchangeable terms.

Admiral BENSON. They are; yes, sir.

Mr. HULBERT. Can any of these larger vessels, such as vessels of the *Arizona* type, be accommodated at the present time in the Charleston (S. C.) Navy Yard?

Admiral BENSON. They could not.

Mr. HULBERT. Do you know what the average depth of the Delaware River is up to Philadelphia Navy Yard?

Admiral BENSON. I think you can count on 35 feet at high water all the way up.

Mr. BOOHER. How much at low water?

Admiral BENSON. I should think you could count on 30 feet.

Mr. BOOHER. Then, low water at Philadelphia Navy Yard is about as high as high water at New York Navy Yard, is it not?

Admiral BENSON. At certain points. For instance, in the Buttermilk Channel, as I said, you could count normal high water at 32 feet.

Mr. BOOHER. That is at New York?

Admiral BENSON. That is at New York in the Buttermilk Channel.

Mr. BOOHER. Thirty-five feet at Philadelphia?

Admiral BENSON. At high water.

Mr. BOOHER. At low water at Philadelphia it is 30 feet; what is the low water at New York Navy Yard?

Admiral BENSON. You mean the channel leading to it, I presume?

Mr. BOOHER. Oh, yes.

Admiral BENSON. In the Buttermilk Channel, as I say, there are places as low as 27 feet, and in this channel here it is 28 feet.

Mr. BOOHER. That is between Governors Island and the Battery?

Admiral BENSON. Between Governors Island and the Battery.

Mr. BOOHER. The low water at Philadelphia and high water at Philadelphia is better than it is at New York, is it not, at the navy yards?

Mr. HULBERT. Of course, Judge Booher knows we just appropriated over $2,000,000 for the deepening of the Delaware River, and have not appropriated anything in four years for the development of the East River.

The CHAIRMAN. Let the admiral answer the question and then interject remarks.

Mr. BOOHER. It does not do any harm to get all of these statistics before the committee.

The CHAIRMAN. One at a time.

Mr. BOOHER. I want all of the facts before the committee, so they can put it properly before the House.

Admiral BENSON. As I said, I think you can count on 30 feet in the channel normally. Of course, when everything is normal you can get 30 feet at the Philadelphia Navy Yard at low water.

Mr. BOOHER. How much can you count on when the same conditions prevail at the New York yard?

Admiral BENSON. I should say not over 28 feet.

Mr. BOOHER. Under the same conditions, what is the state of affairs at the Boston Navy Yard?

Admiral BENSON. I would have to look over the Boston charts. As I said in the beginning, while I have taken the *Utah* into the Boston Harbor, I have taken it into every other harbor along the coast, and I would have to look at the chart to give you any exact information. I would not be willing to risk a positive statement without consulting the chart.

Mr. BOOHER. Admiral, would it not be a good plan, in your judgment, to have a navy yard properly equipped with a dry dock into which all the larger vessels of our Navy could go, south of Hatteras?

Admiral BENSON. Yes I think so; yes, I do.

Mr. BOOHER. Would it not be better for the vessels themselves, for the men on the vessels, and for the Government if a navy yard

was south of Hatteras and one north of Hatteras, into which all the large vessels could go—those coming from the north to go to one north of Hatteras and those coming from the south to the dock south of Hatteras?

Admiral BENSON. I understand you are only going to have one navy yard?

Mr. BOOHER. I asked if it would not be better to have the two, one to be located south of Hatteras?

Admiral BENSON. I think we ought to have one on both sides. I think we ought to have at least one south of Hatteras and I think the other should be north of Hatteras.

Mr. BOOHER. Would it not be a good idea to put it at the place north of Hatteras where we have got the best water conditions as to depth, and so forth?

Admiral BENSON. You must consider the labor market and materials. That is a very important adjunct.

Mr. HULBERT. Must you also not consider the present investment?

Admiral BENSON. I think that should be. Of course, that is not in my province, but I think it should be.

Mr. BOOHER. Taking everything into consideration, would it not be better to put the navy yards at a place where you have got plenty of water—Boston, Philadelphia, or Portsmouth—than to put it where you have got to dredge so much for water?

Admiral BENSON. I think that goes without saying; if you can get all the conditions as they should be, that is the place to put the navy yard.

Mr. HULBERT. May I interject? I will put it in the form of a statement. I just want to call attention to the fact that for the improvement of the East River the total amount of money expended up to the present time is $6,505,203, and no appropriations have been made under the project of 1868 (70 per cent completed) since 1912; that the annual commerce is 46,553,605 tons, having an approximate value of $1,537,239,286, while for the improvement of the Delaware River from Allegheny Avenue, Philadelphia, to the sea the total amount expended is $21,187,000, and $5,388,525 will be required to complete the project for a river having a commerce of 24,817,952 tons having an approximate value of $1,033,229,869, and that last year the Government expended on that river $1,278,039.89, as against nothing on the East River.

Mr. COSTELLO. In answer to Judge BOOHER'S question about having ideal conditions, or what you had in your mind about ideal conditions, Philadelphia could furnish those conditions as to labor, raw material, and water facilities.

Mr. TREADWAY. Include Boston and I will agree with you.

Admiral BENSON. I would say, without any hesitation, that I do think that Philadelphia possesses all of the qualifications for a first-class naval station, providing the channel is kept up in proper condition to reach it.

Mr. TREADWAY. Suppose I should ask the same question in regard to Boston, what would be your reply to that?

Admiral BENSON. I think the Boston yard possesses a great many of the desirable features. It has the location to a certain extent; it is a little nearer the position that the enemy's vessels could take up on the outside with modern gunfire, and its area is very restricted.

Mr. TREADWAY. Have you any information, Admiral, as to how nearly completed the dry dock is in Boston?

Admiral BENSON. They have just commenced it, and I think probably it will take one and a half or two years to complete it.

Mr. TREADWAY. But you have already told me that when completed it will be able to accommodate the largest vessels so far planned?

Admiral BENSON. Yes, sir. Any vessel that would go through the Panama locks could be accommodated in that dock.

Mr. HULBERT. Admiral Benson, is there any harbor in the United States other than the New York harbor that has a double entrance and double exit?

Admiral BENSON. I do not think we have any, sir.

Mr. HULBERT. Do you consider that to be a decided advantage in favor of the navy yard and New York Harbor, as against Philadelphia and Boston?

Admiral BENSON. I think that this channel, if dredged to proper depth, regardless of the navy yard or the city of New York or Brooklyn or any other consideration whatever except the national defense of the country, from the strategic standpoint, is unexampled on the coast.

* * * * * * * *

Mr. COSTELLO. Mr. HULBERT in his remarks brought out the fact that the East River has two entrances. The Government has considered, and there is before the committee, a project for the purchase of the Delaware & Chesapeake Canal, and with the taking of that over by the Government, and Philadelphia on the Delaware River, Chesapeake Bay would be connected up by that link, and that would give an exit both by the Chesapeake Bay and Delaware River to the Atlantic Ocean.

* * * * * * * *

Mr. HULBERT. Will the gentleman from Pennsylvania permit a question? The Chesapeake Canal is a new project. What is the estimated cost of its completion?

Mr. COSTELLO. I can not answer that question. I do not know.

Mr. HULBERT. Connect up the Delaware River with Raritan Bay, and New York Harbor will have three entrances and three exits.

Mr. BURGESS. Admiral, how long has this navy yard been located in New York?

Admiral BENSON. As I said, about 100 years. I would have to consult the records to get it exactly.

Mr. BURGESS. Can you give me any rough figures of the total cost of the yard up to date?

Admiral BENSON. You mean the yard and what it cost to man it, and all that?

Mr. BURGESS. Just rough figures, if you can come near it.

Admiral BENSON. That would be the wildest kind of a guess. To begin with, I do not know just how many years, as I said before, it has been in existence. The estimated value would be between $20,000,000 and $25,000,000, but part of the yard, as you know, was sold off some years ago, and whether that was a source of revenue I could not say, and it would be an absolute impossibility for me to approximate what it has cost the Government, but it must have cost—as I take it you would want all of the money expended on it, regardless of any other consideration?

Mr. BURGESS. Yes.

Admiral BENSON. That would be hundreds of millions. I could not tell.

Mr. EDWARDS. Have you conceived a proper plan for national defense that would fail to include a navy yard in the neighborhood of New York that could be satisfactory and meet the necessities?

Admiral BENSON. It might be possible, but not desirable.

Mr. HULBERT. Admiral, you were speaking of the difficulties awhile ago of getting around from the North River to the navy yard, both as to going through Buttermilk Channel, on account of the lack of depth at certain times, and through the other channel of East River on account of certain obstructions. There are times, I suppose, when a vessel might be in such a condition as to draw much more water than in normal conditions?

Admiral BENSON. Yes, sir; she might be injured, and from our point of view that is what we always consider—that we ought to have a depth of water that would allow a ship that had suffered underwater damage and was drawing an abnormal draft to enter, and it would undoubtedly require a greater draft of water to get up there.

The CHAIRMAN. Suppose you had a depth of 30 feet, you could carry the vessels you now have through the channel under ordinary conditions? I am not speaking of vessels to be built in the future.

Admiral BENSON. Yes, sir.

The CHAIRMAN. How much water might one draw in a crippled condition?

Admiral BENSON. We ought to have at least 35 feet.

Mr. BOOHER. What is the condition of the river at Buttermilk Channel; is that soft bottom?

Admiral BENSON. I understand that is soft.

Mr. BOOHER. And could be dredged out to get all the depth there you want in a half mile, could you not?

Admiral BENSON. That is my understanding.

Mr. BOOHER. Have you ever estimated what the cost would be to dredge Buttermilk Channel and give you all the water you need to get up to the navy yard?

Admiral BENSON. I have not.

Mr. HULBERT. I would like to ask the admiral if there is any other explanation he desires to make.

Admiral BENSON. As representing the Navy Department, I would feel that I was neglecting what I came for, so far as the department is concerned, if I did not insist that as long as we have a New York Navy Yard, with the dry dock prepared to do the work it is intended for, that it is a pressing necessity that we should be able to get up there under all conditions.

Mr. HULBERT. Are there any dreadnaughts under construction at the New York Navy Yard at the present time?

Admiral BENSON. Two—at least, the *California* is nearing completion there; the *Arizona* is being constructed; and *No.* 43 will be laid down there during this year.

Mr. HULBERT. What is the draft of the *California?*

Admiral BENSON. About 30 feet.

Mr. HULBERT. And the *Arizona* is 30 feet?

Admiral BENSON. They are all that.

Mr. HULBERT. And what is intended to be the draft of *Nos.* 43 and 44, which are about to be laid down?

Admiral BENSON. They are the same.

Mr. TREADWAY. Is that the full capacity of the yard?

Admiral BENSON. Practically, at present. The *Arizona* has been launched, the *California* will be launched this summer, and one of the others will be laid down.

Mr. TREADWAY. You have as many in the ways as the capacity of the yard will accommodate?

Admiral BENSON. Under present conditions.

Mr. HULBERT. When the *California* is launched it will be possible to lay down another on the ways?

Admiral BENSON. It will be possible to lay down another on her ways immediately on her being launched, and we are also anticipating possibly trying to get the way for another.

Mr. HULBERT. So that you anticipate within the next year having three dreadnaughts of 30-foot draft or more under construction in the Brooklyn Navy Yard?

Admiral BENSON. The *California, Arizona,* and *No.* 43, all 30 feet.

Mr. HULBERT. Is not the *California* 31 feet?

Admiral BENSON. I do not think it is.

Mr. TREADWAY. Has there been any estimates as to the time of completion of the *California?*

Admiral BENSON. There has been. We hope to complete her certainly within a year.

The CHAIRMAN. Admiral, what is the difference in draft of those battleships before the load is on and after the guns and equipment are aboard?

Admiral BENSON. I suppose when they are launched they would not draw over 20 feet. The way we get at it is by tons per inch; about 91 tons weight on one of them causes them to sink in the water 1 inch.

The CHAIRMAN. Is there in contemplation the building of larger guns—guns of heavier weight?

Admiral BENSON. We are putting 14-inch guns on all these vessels being built there.

The CHAIRMAN. That adds to the weight, of course.

Admiral BENSON. That adds to the weight; but their ultimate weight will be approximately what they were designed to carry, and they were designed to carry 14-inch guns.

The CHAIRMAN. I was inquiring whether or not that would necessitate deeper-draft vessels?

Admiral BENSON. They were designed to carry 14-inch guns; so that their draft would be, as I say, 30 feet.

The CHAIRMAN. You do not have in contemplation building any vessels that would draw more than 30 feet?

Admiral BENSON. Yes; the subject is under discussion; and, as I say, we have even contemplated building vessels up to 32 feet draft.

The CHAIRMAN. You may have stated awhile ago, but how many vessels can you accommodate at the same time at the Brooklyn Navy Yard?

Admiral BENSON. We only have one building slip there now—for dreadnaughts—but in a recent report received from the yard they said they had room there to build one more slip, provided the money were appropriated—that they thought they could provide for one more slip—so that two ships would be on the building ways under construction, and two alongside the fitting-out pier for completion, which would practically mean four ships under construction at the yard at the same time. At present, of course, we only have the one building slip.

The CHAIRMAN. Two for construction and two for the purposes of fitting out vessels?

Admiral BENSON. Yes, sir.

The CHAIRMAN. After they have been launched?

Admiral BENSON. After they have been launched they are completed and then fitted out at that yard.

Mr. SMALL. As I understand you, representing the Navy Department, you express the opinion that an increase of depth of the entrance from

the lower bay, either via Buttermilk Channel or through the channel between Governors Island and the Battery, to 35 feet will answer the purposes of a complete use and utilization of the navy yard?

Admiral BENSON. Yes, sir.

The CHAIRMAN. If there is anything more, Admiral, we will be glad to hear you.

Admiral BENSON. I think I have stated my case. There is only one thing we would like you to fully understand—that is, we consider it a pressing necessity to be able to get to the New York Navy Yard under all conditions.

STATEMENT OF COL. WILLIAM M. BLACK, PRESIDENT BOARD OF ENGINEERS FOR RIVERS AND HARBORS, GOVERNORS ISLAND, N. Y.

The CHAIRMAN. What I wanted to ask you about first, Colonel, was the cost of removing the obstructions in East River where the vessels go out of North River to the navy yard.

Col. BLACK. Yes, sir.

Mr. HULBERT. May not Col. Black take up each successive obstruction from the North River Channel up to the navy yard and locate the rocks to be removed and give us an idea of its extent and what it would cost to take it out?

The CHAIRMAN. I wish to confine the investigation first to the matter covered by the letter from the President.

Mr. HULBERT. Up to the navy yard.

Col. BLACK. There are no obstructions at all in the channel from a point opposite old slip on the East River, east side of Manhattan, to the entrance to the navy yard. The only obstructions that there are in the channel itself are limited to Coenties Reef, southwest of that slip on the East River and on a line between Castle William and the Battery on the west.

Mr. HULBERT. Castle William being on Governors Island?

Col. BLACK. Castle William being on Governors Island. There is deep water all through here. I will show you a channel to-day which has over 35 feet, if you will just follow my pointer. There is a channel now through the rock, but you can see the shape of it; a ship can not follow it.

Mr. HULBERT. It is like a letter "S."

Col. BLACK. There [indicating] and right in the channel is a pinnacle rock having over it only 28 feet of water, and all around it it is over 35 feet.

These obstructions here consist, first, of a rocky reef running out from Governors Island toward this deep channel; another rocky reef running out from the Battery, limiting the channel.

These are pinnacle rocks in the channel, and the reef called Coenties Reef, lying in East River, a little way beyond it. The Coenties Reef lies directly across the line of the present deep channel there [indicating]. This material in these "reefs," as we call them, is not very thoroughly known. The reason is that in order to know it thoroughly you have to go to a very large expense in making probings and borings over the whole surface, and that expense has not been warranted yet, for the reason that it has not yet been allowed by Congress, the project not having been approved, but Coenties Reef has been gone all over in that way, and it is almost entirely rock. There are 28,000 cubic yards of rock in Coenties Reef and only about 5,000 yards of soft material, so that is negligible. We believe, from the knowledge that we have of pinnacle points sticking up and the knowledge of the formation of the bottom of the East River elsewhere, that these reefs are irregular rock surfaces, with the hollows filled in with hardpan, and until we have money and the project is adopted, which will enable us to bore over the whole thing, that is the closest description anybody can give; but we know there are rocky points sticking up in that.

The CHAIRMAN. Has the process of sweeping been utilized to ascertain that?

Col. BLACK. The process of sweeping will tell us how many protuberances there are, but the course we have been compelled to follow in the absence of a general project for the East River is to have a ship run into one of these. The complaint is then made that there is an obstruction; then we sweep to find the nature of the obstruction, and we find the rock.

The CHAIRMAN. It has to injure the ship first?

Col. BLACK. Yes, sir; that is the way the rocks are found in East River. I am not joking, because only two weeks ago on Shell Reef the advice came in that a ship had struck an obstruction where the water was reported 19 or 20 feet deep, and it was supposed to be a rock. Then, as is our duty, we went out to investigate and found pinnacle rocks right there where the chart shows a greater depth, and the reason the charts are wrong is no fault of the Coast Survey, but simply you can not locate those rocks by sounding, and sweeping each river is expensive, and we are doing it as fast as we can, but it is slow.

On this Buttermilk Channel we have here [indicating] a reef of rock sticking out. Separate projects have been made for the improvement of the Buttermilk Channel and for the channel between Governors Island and the Battery. The Buttermilk Channel is part compacted mud and sand, some rock, and some soft material. The estimated cost of making a channel through the Buttermilk Channel which would take up the whole width between Governors Island and Brooklyn is, as I recall, $1,950,000, with $25,000 annually for maintenance. I would want to look up the figures to be accurate. There is a printed and recommended project before you, so it is easy enough to tell from that. All I know is that it is considerably more than it would cost to improve and take out the reefs here [indicating the outer channel]. The cost of removing these reefs here and getting the 35-foot channel 1,000 feet wide, which will afford 1,000 feet of channel with a depth of 35 feet at mean low water and 1,100 feet in addition of channel with depths over 18 feet of water, is $777,000. Nothing is estimated for maintenance, since experience so far has shown that stable conditions prevail.

The CHAIRMAN. You are speaking now of removing the obstructions?

Col. BLACK. All obstructions here in this entrance of East River directly off the Battery.

Mr. SMALL. That gives an uninterrupted minimum of 35 feet from the east to the navy yard?

Col. BLACK. Yes, sir. I am taking this whole thing, including Coenties Reef, as one piece of work.

Mr. SMALL. Will you kindly describe the location of Coenties Reef; point it out?

Col. BLACK. Coenties Reef is here [indicating], running that direction.

Mr. SMALL. Opposite where?

Col. BLACK. Opposite Coenties Slip. The other reefs then start in a little to the south of that, right here [indicating], this one coming north from Governors Island; this one going south from the Battery, leaving this deep channel in between, which has some pinnacle rocks in it.

Mr. SMALL. And the partial project you describe, giving a minimum depth of 35 feet from the east up to the navy yard, between Governors Island and the Battery, includes Coenties Reef?

Col. BLACK. Yes, sir.

Mr. SMALL. And it would cost $777,000?

Col. BLACK. That is the estimated cost we gave here.

Coenties Reef is about to be taken out, partly by the city of New York, and the specifications for that work are in the hands of the Chief of Engineers for approval. We hope to get them back and have the work advertised for proposal within a very short time.

Mr. SMALL. How much has been appropriated for that? Has sufficient been appropriated for that work by Congress in cooperation?

Col. BLACK. Yes, sir. Congress has appropriated a sufficient sum, but there was an unfortunate misunderstanding of just the meaning of Congress, and the city of New York has appropriated $240,000, and unless I can get pretty good bids, which I am working for, and which I have reason to hope we will get, we can not go into it, because I do not think the city of New York, tied up with a subway and big piers, can afford to give more than $240,000.

Mr. SMALL. How much had she ought to give?

Col. BLACK. That is all she ought to give; but in order that I should be able then to enter into contract at all for any of it, the contract price must be low enough to have the $240,000 cover New York City's share. Do I make myself clear?

Mr. HULBERT. For the purpose of the record, how much has Congress appropriated for this work of removing Coenties Reef?

Col. BLACK. Congress passed a joint resolution last year, authorizing this work to be done, and allotment has been made from the lump sum for that.

Mr. HULBERT. Of how much?

Col. BLACK. I did not bring those figures with me; I can find them for you. I have, from the allotment and the authorization from the whole appropriation, available for this work the sum of $264,000, and I did not expect to use it. The cost to the United States would be in the neighborhood of $150,000 or $160,000—considerably less than the cost to the city of New York. In order that we can make a contract at all I have got to get a price which will be less than $240,000 for the city of New York's share, which is more than half the total cost.

Mr. SMALL. Have you gone sufficiently far to see what the probability of your getting such a bid is?

Col. BLACK. I did not put out specifications until I found that out, Mr. Small.

The CHAIRMAN. Why is it costing New York more?

Col. BLACK. The reason is this, and I did not think it was apprehended—the rock is of that shape [indicating a flat cone]. The United States takes down to the 35-foot depth, taking off the small top. New York takes down there between 35 and 40 foot depth and gets the big base.

Mr. TREADWAY. You spoke of a misunderstanding as between the city and Congress?

Col. BLACK. No, sir; I did not speak of that. The misunderstanding was between my office and the Chief of Engineers, but that is a separate matter. I would be very glad to explain. However, all I think is necessary now is that I have every reason to believe that within the next month we can advertise and that after the month of advertisement we will be able to enter into a contract in accordance with the terms of Congress for the complete removal of Coenties Reef.

Mr. SMALL. How much will that reduce the original estimate of $777,000?

Col. BLACK. I made my estimate three or four years ago for $777,000 for that whole thing. Since then, the State of New York has passed a labor law, and employer's liability law, which bears particularly hard on men engaged in dredging and excavating rock under water. In addition to that, the prices of labor have gone up very materially, and I had put my estimates down to what I thought was the lowest figure I possibly could at that time. I was very much in hopes that the committee would not interrogate me too closely and would let me have that little margin that I may get from Coenties Reef, knowing perfectly well I will get the best contracts I could and keep the prices down to the lowest, and I would have a little margin.

The CHAIRMAN. He is asking you with reference to the estimates.

Col. BLACK. That is it. I was just saying I was hoping that question would not be asked, and that you would take $777,000 and forget there was anything as to Coenties Reef, knowing full well that the money would not be spent if not needed.

Mr. FREAR. Do you not think it best to let us work intelligently?

Col. BLACK. I am perfectly willing to tell the committee everything.

The effect of my work in New York, gentlemen, has been to reduce the cost of work of excavation each time, because I was convinced that the price that had been paid for rock excavation was too high. The contractors complained a little, but I threatened to put my own plant in and do a lot more things, and the result is I have been successful in getting cheaper bids right along.

You gentlemen ask me what reason I had to believe that I could get this contract made for Coenties Reef. The reason was just this——

(At this point informal discussion was had.)

Mr. KETTNER. There are two channels. One is termed Buttermilk and the one between Governors Island and the Battery—they have been spoken of this morning?

Col. BLACK. Yes.

Mr. KETTNER. Which one of those, in your opinion, is the greatest good to commerce?

Col. BLACK. This one, because it is wider; the one between Governors Island and the Battery will give, in addition to a thousand-foot channel, 35 feet deep, 1,100 feet of channel for vessels between 18 and 30 feet.

Mr. KETTNER. Then if the committee would undertake either one——

Col. BLACK. I would strongly recommend this one [indicating]. Then there is another advantage about this one, and that is in all of this work on the East River we had ever done in clearing away these reefs there is no cost for maintenance. It is permanent.

Gentlemen were speaking of the Delaware River. It is true they have a 60-mile channel 30 feet deep, a pretty nice channel, of ample width. But they have to dredge it each year; it will not hold. This work in the East River is permanent. It is a removal of things which do not come back.

Mr. KETTNER. The only work you think that it is absolutely necessary in the interest of both commerce and the Navy would be this $777,000 appropriation that you speak of?

Col. BLACK. At this point [indicating Corlears Hook Reef] is a reef, which also figures in our estimates, a reef opposite the navy ward.

Mr. TREADWAY. You said that this estimate of $777,000 was made several years ago?

Col. BLACK. Yes, sir.

Mr. TREADWAY. And in the meantime we have appropriated money to do away with Coenties Reef?

Col. BLACK. Yes, sir.

Mr. TREADWAY. And consequently there is a come and go margin in that $777,000?

Col. BLACK. Yes, sir.

Mr. TREADWAY. But in view of the additional cost to which you have referred, such as increased labor, the liability law, etc., how much difference, do you take it, there would be in your estimate of $777,000 if we were bringing that estimate up to date?

Col. BLACK. I think if I were bringing that estimate up to date I would put pretty nearly the same I have now. One reason why I always hold my estimates low, at the risk of going back to Congress, is this: When the contractor has commenced to figure on a new piece of work, the first thing he does is to take the engineer's estimate, and if the engineer's estimate is up in the air he will bid accordingly. So, even at the risk of having to come back—fortunately, I have not done it—all my works are being completed inside of the estimate; I take the risk of coming back partly for the reason that if I put my estimates high the contractor will bid high.

Mr. TREADWAY. As I understand you, $250,000 will be expended on Coenties Reef?

Col. BLACK. No, sir; I have $248,000 available, belonging to the United States, of which I expect to spend $150,000, or maybe $170,000.

Mr. TREADWAY. In other words, you would increase the estimate to-day for that work if you had it to do over again $150,000?

Col. BLACK. About that; about what would do for this Coenties Reef.

Mr. TREADWAY. I would like to get that clear in my mind. What project is this $777,000 item under?

Col. BLACK. The general project for the improvement of East River.

Mr. HULBERT. I have a map here, Mr. Chairman, which has the exact outline of what these rocks are, and perhaps it would be better understood if you would look at this map.

Mr. TREADWAY. I would like to get it in my mind clearly as regards the relations between the project now in process, including this appropriation, and the further appropriation. That, of course, is the old project; that has been adopted?

Col. BLACK. Which one?

Mr. TREADWAY. This $777,000?

Col. BLACK. No, sir.

Mr. TREADWAY. But the Coenties Reef has?

Col. BLACK. That was last year by a joint resolution, and the reason of that is because they are building a tunnel there, and it would be dangerous to take the reef out after the tunnel has been completed.

Mr. TREADWAY. Yes; but this $777,000 project—where does that project end and where does the so-called East River project of $777,000 begin?

Col. BLACK. The $777,000 item is a part of the $13,000,000 project.

Mr. TREADWAY. To what point does your $777,000 estimate run?

Col. BLACK. From that slip to the deep water of the bay [indicating].

Mr. TREADWAY. In other words, the adoption of the $777,000 project would give 40 feet to the Brooklyn Navy Yard?

Col. BLACK. Thirty-five feet mean low water.

Mr. TREADWAY. The admiral testified both sides above Governors Island and below, 40 feet. You say 35 feet.

Col. BLACK. I am only taking out 35 feet across these reefs.

Mr. TREADWAY. Other than at the reefs, the highest projections?

Col. BLACK. Exactly.

Mr. TREADWAY. Then you would, by the adoption of the $777,000 project, get clear 35 feet from here to the Brooklyn Navy Yard at mean low water?

Col. BLACK. Yes, sir

Mr. TREADWAY. If the wind does not blow it out more than ordinarily?

Col. BLACK. The mean low water is the mean between the spring and the neap-tide low waters.

Mr. TREADWAY. Does the adoption of that portion of the project calling for the apropriation of this $777,000 carry with it the adoption of the entire East River project?

Col. BLACK. Not unless Congress so wills.

Mr. TREADWAY. In other words, are we considering two separate projects? That is what I am trying to get clear. Whether we are mixing in the fact of getting good water to the Brooklyn Navy Yard with the further fact of getting 30 or 35 feet out to Long Island Sound?

Col. BLACK. The original project that I had was to get deep water and good water from the deep water of the upper harbor to the deep water of the Sound.

Mr. TREADWAY. What do you call the "upper harbor"?

Col. BLACK. The upper bay of New York. There are the upper and lower bays [indicating on the map]. The completion of the entire project would get deep water from the ocean on the south to the deep water of the ocean oposite the eastern end of Long Island, and in making estimates of required work the estimates for certain specific points which I named were totaled. This is one of the specific points, one of the items entering into the $13,000,000 project.

I had this strong hope that Congress would see its way clear to adopt the project in full, and then allow the money to be expended at the points where it was most needed, but under the circumstances that seems to be considered impracticable.

Mr. TREADWAY. Under your hopes, as expressed, what would you consider the first point needed?

Col. BLACK. Gentlemen, here is Long Island Sound [indicating]; here are the Narrows down there. The distance between here, the entrance to the Sound, and the entrance there, is about 125 miles, roughly, outside. We have fortifications here [indicating]; we have inner fortifications here at Throgs Neck.

Mr. TREADWAY. How far is Throgs Neck from the navy yard?

Col. BLACK. About 15 miles, just at the end of East River.

Then we have fortifications here, right across there [indicating], at the eastern end of Long Island Sound.

Mr. HULBERT. That is what you refer to as the "race."

Mr. SWITZER. How long would it take to do the work covered by this $777,000 project?

Col. BLACK. Three years.

Mr. TREADWAY. May I finish?

Col. BLACK. There was one other point I have not finished. There is one other reef area, out at Hell Gate, which bars the passage into the Sound, and that is all. The estimated cost of removing that reef area is about $1,841,000.

The CHAIRMAN. Point that out.

Col. BLACK. Right here [indicating on the map]. Going back to the $13,000,000 project, as reported on page 6 of Document 188, Sixty-third Congress, first session, the items of work named in the table at the foot of the page, which are necessary to do for the free movement of the Navy in or out of New York Harbor, at both entrances, are the first item: Work at and near Battery Channel, 1,000 feet wide, $777,223, and the seventh and eighth items for $1,841,000.

Mr. BOOHER. Is that the project we are talking about now?

Col. BLACK. Yes, sir; the seventh and eighth items.

Mr. FREAR. It would help us if you would point to it.

Col. BLACK. These items cover the work of removal of the reef between Wards Island and Hallets Point.

The CHAIRMAN. Colonel, will you point the places out on that map?

Col. BLACK. Right there [indicating on map]. If you will take that House document, it is all there. It is these shaded portions right there.

The CHAIRMAN. Where is the navy yard?

Col. BLACK. The navy yard is here, where my stick is pointing.

The CHAIRMAN. You had a map with both?

Col. BLACK. Here it is on this map [indicating on blue print]. Here, where you see the spots of red is the $777,000 point.

Mr. HULBERT. That is the first one?

Col. BLACK. That is the first one. Coming up the East River there is the navy yard [indicating]; going on out the East River there is the end of Hell Gate, where the $1,000,000 work ought to be done.

The CHAIRMAN. $1,800,000 work?

Col. BLACK. Yes, sir.

Mr. HULBERT. Where is the pot rock?

Col. BLACK. Right in this same area I pointed out.

Mr. TAYLOR. I want to ask you one question. The President informs our chairman of the committee that immediate improvement of the East River adjacent to Brooklyn Navy Yard should be taken up. Point with your stick what you construe his meaning to be on the chart.

Col. BLACK. I am quite sure that he means this down here [indicating], and he may mean this [indicating Corlears Hook Reef] as well.

Mr. TAYLOR. Remembering what you have available, if anything, what should this bill contain to cover the idea expressed by the President adjacent to the navy yard?

Col. BLACK. I think he had in mind purely the reefs at the mouth of the river.

Mr. BURGESS. That is between Governors Island and the yard?

Col. BLACK. Yes, sir. If you should want to include an item of this kind, you simply say for the item such and such page, such and such document, to provide a through channel 35 feet, work at or near channel 1,000 feet wide.

Mr. TREADWAY. That brings us right back to the question previously asked, which I do not still understand. Do you construe that item as a possible item, irrespective of the adoption of the entire East River project?

Col. BLACK. Yes, sir; it can be put in in either way Congress desires.

Mr. TREADWAY. And you consider that the item that you have just read is the one to which the President refers in his communication to Mr. SPARKMAN?

Col. BLACK. That is my belief.

Mr. TREADWAY. You have given us a very interesting description of certain features of the so-called preparedness or national-defense proposition. Let me ask you whether or not, under our jurisdiction—I mean this committee—having to do with commercial navigation, this one item to which you have referred, called for $777,000, is not the item directly applicable to navigation in connection with various subdivisions?

Col. BLACK. It is. One of the United Fruit steamers struck on Coenties Reef a while ago.

Mr. TREADWAY. We ought not to consider Coenties Reef.

Col. BLACK. That is in this item.

Mr. TREADWAY. What, in addition to the depth of 35 feet at Coenties Reef, will remain to be done of this $777,000 project when that project is finished?

Col. BLACK. About $700,000 worth of work will be required.

Mr. TREADWAY. What proportion of the entire project is the Coenties Reef project—I mean this one item?

Col. BLACK. Perhaps one-eighth; I am not quite sure. It is very hard to get at it in that way. Coenties Reef is a deep reef, and you can cut it off in deep cuts. These others are shallow cuts.

The CHAIRMAN. It is considerably more than one-eighth, because it is $250,000 out of nearly $800,000.

Mr. SMALL. I understood the colonel to say the matter was made difficult and indefinite on account of labor conditions and other conditions.

Col. BLACK. I have allowed that margin to get through on.

The CHAIRMAN. In answer to Mr. TREADWAY'S suggestion, of course it is very easy to adopt that particular work and not adopt the whole project. We did that when we took on the Coenties Reef by using appropriate language.

Col. BLACK. And if you are alluding, in your adoption, to this document, the place and the work to be done is absolutely fixed on the maps given in this document.

The CHAIRMAN. The language can be framed to cover that.

Mr. TREADWAY. I understand him to say so far as the $13,000,000 project is concerned, the one section calling for this appropriation of $777,000 or thereabout, is the one section having to do with the item of commercial interest of New York.

Col. BLACK. Not the one section; it all has to do with that, but all of it is very important commercial matter to New York.

Mr. TREADWAY. The exigencies which we are meeting hereabout and which our colleague has presented to this committee, looking toward certain features of preparedness, would not apply to mercantile projects other than from the factor of preparedness? I am trying to differentiate in my mind between what is important in this project for commerce and what is important for preparedness.

Col. BLACK. For commerce the whole project is important: for preparedness the two ends of it, the Hell Gate and the Governors Island end.

Mr. SMALL. May I make a statement here, and follow it by a question, with the hope of clarifying the situation a little? The President has asked that we include in this bill the improvement of the East River adjacent to the Brooklyn Navy Yard?

Col. BLACK. Yes, sir.

Mr. SMALL. You have stated, in answer to a question, that you interpreted that language to mean that part of the improvement leading from

the Upper Bay through the channel between Governors Island and the Battery, and which includes Coenties Reef, at an estimated cost of $777,000?

Col. BLACK. Yes, sir.

Mr. SMALL. Now, you have found it difficult to estimate how much the pending appropriation for the removal of the Coenties Reef would reduce that original estimate?

Col. BLACK. Yes, sir.

Mr. SMALL. But you would bring it down to $700,000?

Col. BLACK. I think so.

Mr. SMALL. Now, if this committee should undertake to include that in this bill, how much of that $700,000 would you require—how much could you economically spend for the next fiscal year, or until the next river and harbor bill, which must be passed at the short session in December?

Col. BLACK. I could not expend in that time over $200,000.

Mr. SMALL. Then, further, you have also stated that while this was an entire project from the Upper Bay to the end of the East River at Hell Gate, that it had been divided and that this part, leading from the Upper Bay to the navy yard could be adopted as a part without adopting as a whole.

Col. BLACK. Yes, sir; that can be done.

Mr. SMALL. So that if the committee should adopt this part of the project it would only require an appropriation in this bill of $200,000.

Col. BLACK. That is all the appropriation, but if you want to get the work done inside the figures, you would have to give me authority to make a continuing contract for the whole of it.

Mr. SMALL. For the whole thing?

Col. BLACK. Yes. Cash $200,000, and a continuing contract for about $500,000. That would enable me then to get the best bid.

The CHAIRMAN. Just one moment. Then, Colonel, in order to get the larger ships to the navy yard, all that we have to take out is Coenties Reef. Just point to the places where rocks are that should be taken out to comply with the President's recommendation, and to enable ships to get into the navy yard with 35 feet of water.

Col. BLACK. They extend from a point here [indicating] to the south of Old Slip right to a point at the east end of the Battery, this area here that I am covering with my pointer between the Battery and Governors Island.

The CHAIRMAN. That requires about $730,000—$777,000 is given, less whatever comes out? That is the item you refer to?

Col. BLACK. Yes.

Mr. BOOHER. Colonel, I want to ask you a question as to Document No. 44, Sixty-third Congress, first session, relative to the improvement of Buttermilk Channel. Now, you say that the other is better. Why the change?

Col. BLACK. There is no change. You will find that both projects are printed in the House documents of the Sixty-third Congress, first session. The Buttermilk Channel report is in Document No. 44, the East River report in Document No. 188. Both are important and much-used entrances to the East River. They were considered as such, reported on by different people. Both are worthy of improvement. At some time both will be improved, and it is simply a question which will be improved first.

* * * * * * *

Mr. EDWARDS. Both are a menace to commerce now?

Col. BLACK. Yes; and both are crowded.

The CHAIRMAN. You are correct in assuming that both will be done, I think, because both are needed.

Col. BLACK. Yes. There is no question of that.

The CHAIRMAN. Buttermilk Channel will have to be deepened eventually?

Col. BLACK. Yes; as certainly as anything can be.

Mr. EDWARDS. Why do they call it Buttermilk Channel?

Col. BLACK. I don't know. It is said that at one time the cows used to walk across from Governors Island to Brooklyn. I don't know whether that has anything to do with it or not.

Mr. BOOHER. Now, you refer to that navy yard there as New York Navy Yard and then as Brooklyn Navy Yard. Are they both the same?

Col. BLACK. Both the same. The New York Navy Yard is situated in Brooklyn.

Mr. BOOHER. I asked that because I didn't think there were two navy yards there.

Col. BLACK. Just the one

The CHAIRMAN. It was at one time called Brooklyn Navy Yard, because Brooklyn was not in New York City then.

Mr. EDWARDS. It used to be always known as the Brooklyn Navy Yard.

* * * * * * *

Mr. HULBERT. I want to ask you if the ferry boats operating between New York and Brooklyn and New York and Staten Island do not make almost exclusive use of the Buttermilk Channel route?

Col. BLACK. The greater numbers operating from the south ferry go through the Buttermilk Channel. One line which runs to Staten Island sometimes goes this way and sometimes the other way.

Mr. HULBERT. Isn't there a greater amount of small boats passing through Buttermilk Channel than through the channel between the Battery and Governors Island?

Col. BLACK. No; there is not a greater amount in quantity but relatively to the width of the channel there is. The maximum channel that can be obtained through the Buttermilk Channel is 1,000 feet, while the channel between Governors Island and the Battery can have 2,200 feet.

Mr. HULBERT. So that the development of Buttermilk Channel to the exclusion of the other would create greater interference with small boats?

Col. BLACK. Yes.

Mr. HULBERT. Have you a statement of the amount of money expended by the local interests for the improvement of East River?

Col. BLACK. I have one that is not up to date. It was prepared in July, 1913, by direction of the Chief of Engineers.

Mr. HULBERT. You spoke of the necessity of improving Hell Gate and Potts Rock, and I want to ask what is the smallest amount of money, or what is the greatest amount of money that you could expend in the improvement of those places within the next year?

Col. BLACK. They are very close together, and there should be only one plant working there, and they would not spend more than $300,000 or $400,000 a year.

Mr. HULBERT. So that considering the improvement of Hell Gate, with respect to giving us an outlet to the ocean to the east of Long Island, and the improvement of the reef off the Battery, giving us an outlet from the navy yard to the ocean to the west of Lond Island, which would make navigable the whole East River from the Upper Bay to the sea for the larger vessels, you would require an appropriation of $500,000 and a continuing contract in the case of the lower reef of $500,000, and to Hell Gate and Potts Rock of how much?

Col. BLACK. If I could get $400,000 or $500,000 for that—I don't think it is advantageous or that anything would be gained by making a contract for more than $500,000 or $600,000. No contracts can be made for amounts greater than have been authorized by Congress. Therefore the amount appropriated, or authorized by continuing contract provision, should be the amount necessary to obtain advantageous bids. In the case in question, since the estimate is $1,841,000, three separate appropriations of $613,000 each would secure good results.

Mr. HULBERT. You don't think it advisable that the whole project should be adopted with an authorization at this time for the commencement of work at the Battery, and at Hell Gate, and at Potts Rock?

Col. BLACK. If that were practicable. I understand that there are objections against the adoption of the entire project at this time. It would be very advantageous if it were adopted in its entirety, because every once in a while we find a rock in the East River which should be removed promptly. The adoption of the complete project would enable the most advantageous use to be made of whatever sums might be appropriated annually. Further, it is expected that the contract prices will vary from time to time, and that while the entire work can be completed within the estimate, the actual cost of work included in any one of the items given on page 6 of document 188 may be somewhat greater or less than the estimate for that item.

Mr. HULBERT. In other words, if the whole project for the improvement of the East River were taken on at this time, it would leave you free to spend the appropriation of Congress to remove these obstructions, which are not now easily discoverable, but which are turned up from time to time by injuries resulting to freight steamers and passenger steamers?

Col. BLACK. Yes.

The CHAIRMAN. Any further questions? Capt. Knapp is here. Would you like to make a statement, Capt. Knapp? We would be glad to hear you.

Mr. HULBERT. I would like to have a statement from Col. Black, as a matter of record. I am going to refer to this map, and I want to call Col. Black's attention to the piers which are represented on this map.

Col. BLACK. Piers 4, 5, and 6 are used for barge traffic. Piers 7 to 14 are used mainly for coastwise lines. The Ward Line people are making very many improvements at their piers, 13 and 14.

Mr. HULBERT. This rock that you have just been speaking about, the removal of which will cost in the neighborhood of $700,000, projects in front of piers 4, 5, and 6, and when that rock is removed, then it will be possible for the city of New York, by deepening, to get the deeper draft vessels up to pier 4.

Col. BLACK. At present no deep-draft vessels use any pier between 4 and 7.

The CHAIRMAN. Any further questions? Capt. Knapp is here. Would you like to make a statement, Capt. Knapp?

STATEMENT OF CAPT. H. S. KNAPP, UNITED STATES NAVY.

Capt. KNAPP. I have very little to add, except that I do not think Admiral Benson perhaps made plain all the difficulties that we have in getting through this present channel between Governors Island and the Battery. In the first place, this range over here [pointing to range of channel just mentioned] is a miserable affair, owing to the formation of the land. There is a low front range mark on the wharf and a high back range mark on the Hotel Margaret, and very frequently a mist will cut out the lower range. In the second place the deep-water channel is very narrow, and in the third place there is a large amount of traffic around there [pointing to channel]. I have myself been in a ship in this channel when we had to stop and back to avoid a tow that was being swept down the tide across our bow; and to stop a large vessel in a narrow channel with cross currents is a dangerous thing to do. Finally, to avoid Coenties Reef in entering it is necessary to go over quite close to the Brooklyn shore, and then make a considerable turn in order to go under the bridge and approach the navy yard.

If I may add a word about the navy yard. A number of questions have been asked about that. The yard is there. It is not adequate in area for the growing needs of the Navy. But if we had an appropriation at this moment for a new navy yard and the site all picked out, we would still have to use the existing yard for many years, because it takes a long time to build up a new yard and get all its utilities in. So, looking at the approach to the navy yard as a practical question, whatever is done about a new site for a navy yard, if that should be decided on later, we have got to count for a great many years ahead upon using every facility of the existing yard in Brooklyn.

The CHAIRMAN. Your statement might or might not suggest some intention of moving that navy yard or discontinuing it later on.

Capt. KNAPP. Well, sir, that was brought out, as I understood, in previous testimony.

The CHAIRMAN. You are referring to previous questions?

Capt. KNAPP. Yes; but whatever is done and whether we have a new yard on a new site, we have got to use the present navy yard for a long time, and it should be a place whose approach is safe.

Now, as a naval officer handling a ship, if this [pointing to Buttermilk Channel] was a perfectly good channel I would prefer it, because it is a comparatively straight channel; but still, with Coenties Reef removed, the channel north of Governors Island will be perhaps as straight as the other. At any rate, as I understand the scheme given by Col. Black, the removal of Coenties Reef will make a perfectly safe and practicable channel from the south to the navy yard.

There has been a very unfortunate side to the lack of depth and width of channel on the way to the navy yard in this fact—that two ships are about all that can go up on a tide. There are times, especially in the winter, when there is only one daylight tide a day, strange as it may seem. I have known it to be the case when it was most desirable to get a number of ships into the navy yard as quickly as possible, that owing to the fact that the ships had to go through within a limited time—about slack water—and to the fact that there was only one daylight tide—only one, or perhaps two ships at most would get up to the navy yard in one day. We do sadly need an improved channel to the navy yard, one making approach possible at any time as far as depth and width of channel are concerned.

The CHAIRMAN. Anything else?

Capt. KNAPP. There is one thing that I may mention which has been recommended by the General Board of the Navy: That the depth from the sea to all of our naval stations should be 40 feet. That is a question of what should be, of course, and not of immediate action. That recommendation has been approved by the Navy Department as its policy. While 35 feet is better than anything we have now, it would not, I think, certainly take care of a wounded ship, as our battleships are now designed. A wounded dreadnaught might easily draw 37 or 38, perhaps 40, feet.

Mr. HULBERT. A reading of this record, Mr. Chairman, will evidence the fact that the proposition that has been presented in this bill is not as well understood as might be the case if all of the gentlemen had the opportunity to grasp the physical situation that is presented in the case. For instance, it was emphasized by one of the gentlemen at that hearing that five or six of the capital ships of the Navy had occasion to enter the East River to go to dry dock in the Brooklyn Navy Yard perhaps four or five times a year, making a total of about twenty-four times for those ships. So I wrote to the commandant of the Brooklyn Navy Yard, and I desire now to read a letter which I received from him, giving the exact particulars with regard to that situation. The letter is dated March 3, 1916, and is as follows:

UNITED STATES NAVY YARD,
New York, N. Y., March 3, 1916.

MY DEAR MR. HULBERT: I have just returned from duty in Washington for one or two days, and find your letter of February 29 asking information as to the ordinary tonnage of naval vessels passing to and from the navy yard, and this with a view of affording you data in connection with the provisions in the rivers and harbors bill for removing Diamond Reef, off the Battery, in the channel north of Governors Island. The Diamond Reef, as you know, lies in the way of the North Channel, whereas the navy-yard ships are using the Buttermilk Channel at present, and probably must continue to use it for some time to come, and consequently I hope your interest includes the deepening of the Buttermilk Channel as the immediate necessity for providing free access for deep-draft capital ships of the Navy to and from the navy yard.

I might state in that connection that the Buttermilk Channel can only be used at high water; and as high water comes twice in 24 hours, and once at night, therefore the channel can be used only once in 24 hours, and then for a period of about 30 minutes.

Data compiled in this office shows the number of vessels piloted to and from the navy yard during the last eight years and is quoted below:

1908	372
1909	392
1910	442
1911	415
1912	456
1913	418
1914	416
1915	462

Evidencing the fact that there has been an increase of approximately 25 per cent in the last eight years. Yet, in spite of that, I want to call the attention of the House to the fact that since the year 1912 there has not been a dollar appropriated for the improvement of the East River at that or any other point.

These figures show not only that in 1908 we were piloting more than one vessel per day, but that in 1915 we piloted 90 more ships than in 1908.

It should be noted further that the pilot's services are required almost exclusively for large vessels, so that these figures quoted above apply in large measure to the heaviest ships.

These heaviest ships are increasing in tonnage from year to year with each new vessel launched; and while the earlier dreadnaught displaced 20,000 tons, those building to-day will displace 32,000 tons.

I have quoted these tonnages as a more direct answer to your request for the same, but when speaking of the depth of water in the channel it occurs to me that the draft of ships is more pertinent, and I would say that our large vessels, such as are referred to above, draw 29, 30, and 31 feet, as circumstances may require, and these drafts necessitate plenty of water in the channel, certainly not less than 35 feet at low water, if we are to enjoy the facility for handling vessels in and out of the yard without restriction as to the depth of water in the channel.

And I would say that at this time the depth of the channel in the East River at this point is only 26 feet, whereas the average depth of the vessels is 29, 30, and 31 feet, so that they can be brought in there only at high tide.

Indeed—

The letter continues—

one collier arrived at the yard drawing 33 feet, and could only be brought at exceptionally high tide. Nor is it a question of whether we wish to take one or more vessels out of the navy yard at one time, but rather a matter of military necessity as, for instance, on an occasion when the fleet might be suddenly called to action from a period of docking or fitting out in the navy yard, since, under present conditions, we are many times restricted to taking out only one ship a day and, indeed, only within the last few months we were unable to take even one ship out during a period of several days, and this for the reason that long-continued westerly winds had kept even the high tides so low that we dared not venture the channel.

On another occasion three dreadnaughts were detained at Tompkinsville for several days, waiting for the westerly winds to permit of higher tides.

Nor does any of this touch upon the even deeper water that would be necessary for bringing to the yard a ship wounded in action, leaking, and perhaps at abnormal draught.

It is my earnest hope that as an urgent item of national defense, you may be successful in representing these facts before the Congress with such conviction as to carry the appropriation.

Faithfully, yours,

N. R. USHER,
Rear Admiral, United States Navy,
Commandant, Navy Yard and Station.

Hon. MURRAY HULBERT, M. C.,
House of Representatives,
Washington, D. C.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. HULBERT. I yield to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. The New York Navy Yard item was placed in the bill very much at the instance of the gentleman from New York [Mr. HULBERT], who is now addressing the House?

Mr. HULBERT. And of my colleague [Mr. FITZGERALD].

Mr. MOORE of Pennsylvania. It had the indorsement of the President of the United States?

Mr. HULBERT. And of the Secretary of the Navy.

Mr. MOORE of Pennsylvania. And it was the only exception, so far as new projects were concerned, admitted into the bill by the Rivers and Harbors Committee?

Mr. HULBERT. It was.

Mr. MOORE of Pennsylvania. The only new project in the bill?

Mr. HULBERT. Yes.

Mr. MOORE of Pennsylvania. Now, that being the actual condition with respect to this New York item, the merit of which I concede, does the gentleman intend to support the river and harbor bill as written?

Mr. HULBERT. I am not in a position to answer that question at this time. I want to state that when the bill came up in the committee I did not vote to report it out. There are items in the bill to which I objected in committee, and I did not vote to report it out because I desired to reserve the right to vote upon the floor to strike out any provision of the bill which I do not believe a Member of the House in conscience can support.

Mr. MOORE of Pennsylvania. There being other meritorious projects not admitted to the bill by reason of the action of the committee prior to the visit of the gentleman to the White House, I want to know, now that the New York item is in the bill, and properly in the bill, whether the gentleman intends to support the bill?

Mr. HULBERT. I propose to support every item in this bill which a majority of this House determines to be an honest, equitable, proper provision.

Now, the gentleman has directed my attention to the letter of the Secretary of the Navy which precipitated this action on my part, which letter was addressed to the Speaker of this House under the date of December 21, 1915, and was never brought to the attention of the Rivers and Harbors Committee until I brought it up at the close of the hearings on this bill. That letter was permitted to slumber in the office of the chairman of the committee and never was brought to the attention of any individual member of the committee, so far as I know, until it was mentioned to me by the Secretary of the Navy and brought by me to the attention of the committee.

Mr. SPARKMAN. I yield 15 minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, I very rarely discuss tariff matters. As illustrated by the remarks of the gentleman from Washington [Mr. HUMPHREY], anything can be demonstrated from figures on the tariff. The gentleman from Washington [Mr. HUMPHREY] is not a notorious exception to the rule. He has shown that he can establish any position, regardless of the facts, to meet the peculiar exigency of his situation.

I have a table on imports from the official records of the Treasury Department to which I wish to refer. It will to some extent explain what I shall have to say upon the river and harbor bill and my justification for certain conclusions which I shall reach.

It appears that in the fiscal year 1911 the value of the free imports was $776,972,509; in 1912, $881,670,830; in 1913, $987,524,162; in 1914, $1,127,502,699; in 1915, $1,033,526,675. The percentage of free imports in those years was, in 1911, 50.88 per cent; in 1912, 53.95 per cent; in 1913, 54.47 per cent; in 1914, 59.53 per cent; in 1915, 61.70 per cent.

So that under the Democratic tariff bill the volume of free imports was much in excess of the free imports under the Payne bill and the value of the dutiable imports considerably less. In the fiscal year 1911 the value of all imports was $1,527,226,105; in 1912, $1,653,264,934; in 1913, $1,813,008,234; in 1914, $1,893,925,657; in 1915, $1,674,169,740, or $200,000,000 less than in the fiscal year 1914. Yet it is insisted that the imports are greater now than in previous years, and that they have been increasing instead of falling off.

Fiscal year—	Free imports, value.	Per cent free.	Dutiable imports.	Per cent dutiable.	Total imports, value.	Duty collected on consumption.	Average rate.
							Per cent.
1911	$776,972,509	50.88	$750,253,596	49.12	$1,527,226,105	$309,581,944	0.203
1912	881,670,830	53.95	771,594,104	46.05	1,653,264,934	304,597,035	.184
1913	987,524,162	54.47	825,484,072	45.53	1,813,008,234	312,252,215	.172
1914	1,127,502,699	59.53	766,422,958	40.47	1,893,925,657	283,511,564	.149
1915	1,033,526,675	61.70	640,643,065	38.30	1,674,169,740	205,754,064	.123

Imports for the last five years for the subdivisions noted below were as follows:

Countries.	1911	1912	1913	1914	1915
Australia	$9,102,868	$9,606,423	$10,956,200	$17,088,534	$23,705,010
Europe	768,167,760	819,585,326	892,866,384	895,602,868	614,354,645
North America	305,496,793	334,072,039	361,943,659	427,399,354	473,079,796
South America	182,623,750	215,089,316	217,734,629	222,677,075	261,489,563
Asia	213,449,730	225,468,250	276,494,777	286,932,486	247,770,103
Oceania	30,274,452	36,464,115	37,543,441	42,144,398	52,522,552
Africa	27,213,620	22,585,888	26,425,344	19,149,476	24,953,081

The tax on consumption in 1911 was 0.203 per cent; in 1912, 0.184 per cent; in 1913, 0.172 per cent; in 1914, 0.149 per cent; and in 1915, 0.123 per cent. So that under the Democratic tariff law the tax on consumption has been very greatly reduced and the value of imports free of duty has been very greatly increased. These are the facts available to the gentleman from Washington, which completely demolish his argument; but his peculiar use of facts explains, perhaps, the statement in the minority report that he submitted to the House on the pending bill, and to which he had five of his associates on the Republican side subscribe. The report contains this statement:

We regard the inclusion of the item in the bill giving $700,000 for the improvement of the East River, N. Y., as plain, political favoritism and without justification. The committee voted that, owing to the condition of the National Treasury and in compliance with the wishes of the President, no new projects should be carried in the bill. This rule, after it was adopted, was violated by taking on the above item, it being the only new project carried in the bill, and it is worthy of note that the majority, that had favored the rule in the first place, largely at the suggestion of the President, was willing to violate it because of influence coming from the same source.

That is a very extraordinary declaration for a Member of this House to make—that the President of the United States, pretending that an appropriation was essential for the national defense, used that subterfuge for a purely political advantage. The gentleman from Washington knew that his statement was not justified by the facts. This matter had been called to the attention of Congress in a communication addressed to the Speaker of the House and the President of the Senate on the 21st of December, 1915. The letter is as follows:

DECEMBER 21, 1915.

The PRESIDENT OF THE SENATE.

SIR: I have the honor to invite your attention to the serious condition existing at the navy yard, Brooklyn, N. Y., in so far as pertains to the depth of water in ship channels leading thereto. There is not sufficient water in these channels to insure the entering or leaving of a first-class battleship at all times.

At present only one battleship can be handled per day, and then only provided the weather conditions are normal. If the winds are such as to blow the water out of New York Bay, then the depth of water in the approach channel is not sufficient to safely navigate a large ship. As an illustration of this condition, the following is noted:

On November 3, 1915, the U. S. S. *Texas* (one of our new first-class battleships) was ready to leave the yard, but the prevailing northwest winds had so reduced the depth of water in the Buttermilk Channel that even at high water there was not sufficient depth to insure her leaving the yard in safety. This ship, therefore, was forced to remain in the navy yard for over 24 hours.

This condition is a serious one and might cause grave complications. I understand there are two propositions before Congress—one providing a channel 35 feet deep and 1,000 feet wide in Buttermilk Channel and the other north of Governors Island up the East River through Hell Gate. The second would provide for ships passing from the yard to lower New York Bay or to the Sound, a condition highly desirable from a strategic point of view. Either project will provide for free access to the navy yard.

The increase in size of ships has not yet reached its limit. Through injuries received in battle, a ship could readily be drawing more water than normally at a time when it was most necessary to dock her.

It is therefore most urgent that an approach channel to the New York Navy Yard be maintained of not less than 35-foot depth at mean low water and 1,000 feet wide, and I can not too strongly urge the serious attention of Congress to this matter.

Sincerely, yours,

JOSEPHUS DANIELS,
Secretary of the Navy.

(Similar letter sent to the Speaker of the House.)

In it the Secretary of the Navy points out the necessity for certain improvements of immediate importance, as a matter imperative for the public defense.

On the 19th of January, 1916, he addressed another communication to the Speaker of the House, reiterating his position and emphasizing the necessity for this improvement. These letters came to my attention, and upon making inquiry I ascertained that the Committee on Rivers and Harbors had determined not to include in the pending bill items that are known as new projects, and that that determination had been reached after a conference with the President, when it was agreed upon as a matter of policy because of existing conditions.

I called the attention of the President to the situation, and pointed out that such a rule, in view of existing conditions, could not be justified; that if this Congress were to be asked to expend very large sums in order to perfect the defenses of the country, that an item pointed out by the Navy Department as absolutely essential from the standpoint of the Navy could not be excluded from consideration because of such a hard and fast rule.

The importance of this matter was presented to the Committee on Rivers and Harbors by Admiral Benson. He stated in the hearings before the committee that while he had frequently taken vessels in and out from the navy yard, he had always done it with the utmost anxiety, fearing on every occasion disaster to vessels under his control.

Yet the gentleman from Washington, with that peculiar bitterness which characterizes all of his utterances in the House, in the minority report filed on this bill in which he discusses this one item, attempts to make it appear that there is no justification whatever or any necessity for the provision, but that the President had indulged in cheap, dishonest partisan politics for some personal or party advantage.

In his remarks yesterday the gentleman from Massachusetts [Mr. TREADWAY] stated that—

The only emergency existing is, before another river and harbor bill is prepared there is to be a national election. The hearing does not contain any evidence whatsoever going to show that this appropriation need be made at the present time.

Not only do the hearings show the absolute necessity of the initiation of this work and for the removal of certain rocky shoals that are now a menace to navigation of battleships or other large naval vessels going into the navy yard, but Col. Black, when he appeared before the Committee on Rivers and Harbors, was asked how much of the total $700,000 required for this work could be used prior to the enactment of the river and harbor bill at the next session of Congress, and in reply to that question stated that he could not expend in that time more than $200,000; but that if the work were to be done within the estimates which he had made authority was necessary for contracts for the entire work. The provision in the bill is in strict accord with his recommendation. It makes a cash appropriation of $200,000, with an authorization for continuing contracts for $500,000 additional.

This is one of two isolated parts of a great project imperative to be done at this time. The last Congress authorized the removal of Coenties Reef to a depth of 35 feet provided the city of New York would provide the money necessary to produce a depth of 40 feet. It will cost the Federal Government to obtain a depth of 35 feet about $160,000, and it will cost the city of New York $240,000 in order to get the additional 5 feet.

And yet, in view of all the information before the committee, six members of the minority seeking in a desperation to obtain some political advantage, have attempted to place this entire matter upon the plane of pure political expediency.

Yesterday the gentleman from Massachusetts [Mr. TREADWAY] stated that he believed that this was an important and desirable improvement, that it was a necessary improvement, that it was a meritorious improvement, and that his only objection to it was that it should have been included in this bill, while an item in which he was interested for the harbor of Boston was excluded.

Mr. Chairman, that is a justifiable argument, but the gentleman from Massachusetts is one of those members who in addition to filing minority views upon this bill himself joined with those other partisans on that side of the House in which he said he regarded this item as plain political favoritism and without justification.

and perhaps at abnormal draught.

increasing instead of falling off.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SPARKMAN. I will yield the gentleman three minutes more.

Mr. FITZGERALD. Let me read what the gentleman stated about it so as to compare the two statements.

In his speech yesterday the gentleman stated:

It will thus be seen that my opposition to the New York project is not one of opposition to its intrinsic merits, but rather to the method in which it comes before the House in the present bill. Political partiality has been shown this project by the administration——

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. I yield for a question.

Mr. TREADWAY. I wanted to ask the gentleman if he considered the way in which it was included in the bill was right and proper in view of the method that we employ in the committee to make up the bill?

Mr. FITZGERALD. It was the only way it could have been gotten in. I have stated what the facts were. There is nothing to conceal. It was believed desirable by those in charge of the administration that new projects should not be included in this bill. The naval experts for a number of years have been pointing out the necessity for this improvement. The Secretary of the Navy addressed two communications to the Congress emphasizing the necessity of commencing it at once as a matter essential for the safety of naval vessels. I took the matter up with the President. Does anybody find fault with that action? Is it a crime to discuss a matter of vital importance to the port of New York with the President of the United States? Upon stating what the facts were he very frankly expressed the opinion that this matter was one of such extraordinary importance, so vital to the defense of the country, that exception should be made in its favor, and as a result gentlemen see phantoms and ghosts. I heard it rumored—I looked for it in some of these statements—that the President had made a political bargain with me as a result of which Democratic Members from New York were to support matters in which he is interested.

I am glad that gentleman did not have the temerity to make any such statement as that publicly. The Democratic Members from the city of New York will give this President and this administration as loyal support as Members of Congress from any section of the country. They appreciate the splendid manner in which he is administering public affairs. They realize the benefits that the people are deriving from this Democratic administration. They know that he has earned and has won the respect and confidence, and deserves the support of the country, and they know that that confidence and respect will be expressed this fall by votes so substantial and by majorities so overwhelming that it will silence forever these narrow, petty, partisan critics of a man who retains his poise under such an unwarranted attack and continues to merit public approval by his disinterested public services. [Applause on the Democratic side.]

Mr. HUMPHREY of Washington. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. SCHALL].

Mr. SCHALL. Mr. Chairman—

Truth crushed to earth shall rise again—
The eternal years of God are hers;
But Error, wounded, writhes with pain,
And dies among his worshippers.

I wish to add my little in assistance of the burial by asking unanimous consent to extend my remarks in the RECORD upon the well-worn subject of protection.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, I yield now to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I yield 25 minutes to the gentleman from North Carolina [Mr. SMALL].

[Mr. SMALL addressed the committee. See Appendix.]

Mr. SPARKMAN. I yield to the gentleman from Indiana [Mr. LIEB].

Mr. LIEB. Mr. Chairman, this is the third time a river and harbor bill has been brought before the House since I have been a Member of this exalted body. On the two previous occasions I felt it my duty to address the House in favor of the pending measures. Now that it is my privilege to command the worthy aims of legislation for rivers and harbors, as proposed for the third time within my own experience, I feel it more than ever my duty to say a few words.

I hope the House will pass the bill in its present form. The committee, of which I am a member, has worked long and tirelessly to shape up a measure that would meet existing needs, at the same time having in mind the question of economy. The committee took into consideration the present condition of the Treasury; it weighed long and carefully every item, ever with a view of the resources, conditions, and prospects of stimulating navigation in the particular section where money was to be expended. The work has been done thoroughly. Critics may hurl invectives at every item read; they may go into hysterics on every proposal advanced; they may tell us we can spit across half the rivers in the United States; but as men of modern times stand up courageously by their honest convictions and withstand the merciless onslaughts of their decriers, so can this bill stand up under any kind of fire and in the end commend itself to the people of the country.

This bill contains no new projects, with the single exception of the East River item, which Chairman SPARKMAN has already discussed. This bill, then, proposes to continue work on which money has already been expended. Could anything be more simple? While there are projects that are worthy, indeed, other than provided for in this bill, the committee did not find it possible to incorporate any of them, for the reason we were bound to place a limitation, in view of other pressing questions of the hour.

A great deal of money must come from the Treasury for rejuvenating our land, our sea, and our air forces in connection with the policy of national preparedness. At the same time everybody should agree that it would be a national shame to neglect our rivers and harbors. It is a business proposition. We should not have our future generations say of us that we let our works lie idle one year or two years once we had started these projects. If all of our works should be stopped to-morrow and not a dollar spent for river and harbor improvements for one year, the Government would be charged with neglect on a scale that would amount to open revolt and national indignation.

The House has overwhelmingly gone on record in favor of national preparedness. I refer to the passage of the Hay bill. It was the first of the preparedness bills. I maintain—and I think others accept it as such—that the rivers and harbors bill is also a preparedness bill. Transportation is a tremendous factor in warfare of to-day. If we should have war to-morrow, every navigable waterway in the country would be subject to the usages of transportation of supplies, ammunition, armor, arms, food, clothing, and for the transportation of troops and horses. Any railroad line in the United States could be paralyzed in a few seconds with a few sticks of dynamite properly set off by the enemy. But you can not efface a single river in the United States. That is one reason why we should perfect the system of navigation, so if the occasion ever arises we can utilize our rivers, and the only way they could be utilized with absolute dependence would be by the foresight of the present generation in providing for permanent navigation.

A good deal has been said about lobbying for the rivers and and harbors bill. One or two critics would have us believe a few men in this country are back of these appropriation bills. Mr. Chairman, I came from a district where 140,000 people live on or within short access of the banks of the Ohio River. I have met about every voter in my district, and I have yet to have a single one of these persons say a word against this legislation. In fact, I can say that I have more than 140,000 lobbyists in my district, for while they do not all of them come to Washington to attend the annual meeting of the National Rivers and Harbors Congress they are always represented by a few delegates whose expenses are paid out of public funds of city and county governments. And I have never heard anyone kick about the taxes thereby imposed, although very often there are earthly rumblings when taxes for some other things become due. Looking at this matter from a broader viewpoint, let us consider the number of people who live on the banks of the entire length of the Ohio River. The last Federal census gives the population of the counties bordering on the Ohio River as 4,135,832. That does not take into consideration the hundreds of thousands of people living on the tributaries of this one river. It does not take into consideration the hundreds of thousands of people living in the Ohio Valley whose counties do not touch the river, but who in a great measure are among those awful lobbyists who see the tremendous advantage to their commercial interests to have the Ohio made permanently navi-

nication to the Speaker of the House, reiterating his position without justification.

gable by this Congress. It does not take into consideration the millions of other people who live on all other rivers in the United States. Yes; if a census were taken to-morrow of the lobbyists for river and harbor improvements we would find that some forty or fifty million of them live on rivers which the Government should eventually improve so they would have navigation the year round.

Suppose private interests as powerful financially as the owners of the railroad systems of the United States should suddenly obtain possession of all the rivers of the country. Would they hesitate to grasp the opportunity to finish canalization of the Ohio or of the other rivers? Why, then, should the Federal Government hesitate? Because some improvements in the past have been held up as horrible examples of public expenditure of money, does it signify that the present bill is indefensible?

Some critics gloat in quoting tonnage figures in their opposition to this legislation. The inconsistency of this can be summed up in the recitation of one example of the unreliability of this method of argument. From 1870 until 1900 water traffic between the Atlantic and Pacific coasts declined to a noticeable extent. Did that deter the Government from building the Panama Canal? Should the fact of decline in river tonnage shipments on some rivers deter the Government from improving them?

In closing I want to summarize briefly some of the things I have in mind regarding the Ohio River:

It is the only river in the United States carrying tonnage from its source to its mouth.

It has a shipping tonnage greater than the Panama Canal, even though the Ohio is not now navigable at all seasons.

If the river is to be canalized as authorized, there must be consent to annual appropriations.

The Ohio Valley is in the throes of commercial rejuvenation since the canalization project was launched six years ago.

The internal-revenue receipts of the six Ohio River States are annually more than one-half the receipts of the entire country.

From whatever view the Ohio River improvement is regarded, whether from the standpoint of peace or war, or both, its early completion is essential to the public welfare.

Mr. SPARKMAN. I yield to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Chairman, I rise to discuss one of the most important rivers in the country. The Red River is over 1,200 miles in length, nearly 400 miles of which is in Louisiana. With the proper improvements it will be one of the great rivers of the world, draining an area of over 200,000 square miles of the most fertile soil on earth, growing luxuriantly every plant known to the Temperate Zone. The Red River is 300 miles longer than the Ohio, twice the length of the Seine, drains an area as large as France, now supports a population of over a million and a half, and is capable of supporting well 10,000,000 people—one-tenth of the population of the United States. Surely, then, such a river deserves continued support from the Federal Government. With reasonable support, this great valley will be more productive and versatile than the reclaimed arid lands of the West. As an economic proposition for settlement alone, the eyes of the country should turn there. The urgent necessity is for the country to know the actual advantages and possibilities of this wonderful valley with its enormous wealth of soil and climate. The $10,000,000 recommended by Gen. Bixby for the improvement of Red River and its valley would be a profitable investment by the Government, far more profitable than reclaiming the deserts of the West. Through the dissemination of information and education the people of the country will ultimately come to see this patent fact.

The Board of Engineers of the War Department went to Shreveport in person, had a hearing on Red River, and have made a favorable report upon this project named in the item of this bill. The board could not go to this rich valley without being impressed with its possiblilities and its value to the whole country.

The fact first to present is the enormous tonnage of commerce adjacent and accessible to the river, including 2,000,000 bales of cotton and other agricultural products in proportion, with timber and minerals—all astounding in the volume of commerce available when this river is made navigable.

Take one city, for example, to illustrate the growing importance of the Red River and the rapidly increasing commerce of its valley. Alexandria is located on Red River, within 7 miles of the center of Louisiana, 184 miles northwest of New Orleans, and 125 miles southeast of Shreveport. Its present population, as shown in the city directory published in May, 1915, is 18,249.

It is the largest lumber manufacturing point in the State, there being eight large lumber mills located there, and shipping an average of 75 cars per day, a large percentage of which is for export through New Orleans. It is the second largest interior cotton market in the State, and handles annually about 40,000 bales of cotton.

It is served by eight railroads: Chicago, Rock Island & Pacific, Louisiana & Arkansas, Louisiana Railway & Navigation Co., Alexandria & Western, Southern Pacific, Texas & Pacific, St. Louis, Iron Mountain & Southern, and Vicksburg, Alexandria & Southern Railway.

Alexandria is the third largest distributing center in the State, being exceeded only by New Orleans and Shreveport. It is the distributing point for practically all central Louisiana. There are 19 jobbing houses located at Alexandria, serving a territory within a radius of 75 miles, and covering 15 parishes, with a population of 430,513.

It is a fast-growing city, and to give an index of the increase in population I quote from the Thirteenth Census Report of the United States for 1910:

Population in 1890	2,861
Population in 1900	5,643
Population in 1910	11,213
Census of Louisiana Directory Co., in May, 1915	18,249

There are at present located in Alexandria 23 manufacturing concerns, with a combined capital of $5,800,000, consisting of sawmills, iron works, machine shops, cottonseed products, mattress factories, shuttle, barrel, ice cream, brick, and wood works, with a total output of $4,500,000 yearly.

The eight railroads serving Alexandria for the period from June 30, 1914, to June 30, 1915, handled into Alexandria 213,310 tons of freight and 647,340 tons outbound. The excess in outbound tonnage is accounted for by the large amount of forest products which has its origin at Alexandria.

It is estimated that at least one-eighth of this tonnage, or about 100,000 tons could be handled on Red River.

With the present shortage of motive power and car equipment the railroads are not able to handle the tonnage without serious delay and the resultant injury to the shipping public, and only through water navigation can this difficulty be overcome.

Shreveport, La., with her 71 factories, 11 railroads, and population of 40,000 people, has had an equally remarkable growth and also fully illustrates the commanding position of this great valley and her growing cities and increasing wealth.

To say nothing of the money that the people of Arkansas, Texas, and Oklahoma have expended on this river, the State of Louisiana in the past five years has expended $1,377,000 in bank protection and drainage work. Louisiana has constructed 249 miles of controlling lines of levees on Red River.

The project for the bed and bank improvement of lower Red River adopted by Congress in 1828, renewed in 1872, reenacted in 1892, and again recognized in 1909, involves an expenditure by the Federal Government and the local interests of $3,448,000. With reference to this project which is nearly 100 years old, in his report to the Government, Gen. Bixby, of the War Department, says:

> I am decidedly of the opinion that while the river is at present only partially utilized for purposes of navigation, yet it exercises a great and valuable control over the transportation interests of its entire drainage area, and that, as the river conditions shall be improved, its actual use will increase and its control of transportation interests will be better at the same time that the country next the river will become better developed.

Gen. Bixby then recommends a large and comprehensive plan of improving the Red River and its great valley. He estimates that the cost will be ten millions, to be expended jointly by the Federal Government and the States in the valley, which would be money profitably invested. I greatly hope to see this plan of bed, bank, and drainage improvement soon adopted by Congress and Gen. Bixby's great idea made a reality.

That the river, if made navigable, is worth millions to the valley alone in freight rates is shown by the fact that the freight rate on flour from St. Louis to Pollock is 7½ cents higher than it is to Alexandria. The same difference in freight rates to all inland and river points is noted. The difference is even greater on first-class freight. If the river is abandoned, the whole valley will suffer seriously by the advance of freight rates to all river points certain to follow such abandonment.

The Government reports show that for 23 years, ending June 30, 1913, the average annual value of the tonnage on Red River, below Fulton and above the mouth of the Black, was $4,220,000, while the average value of the tonnage between the mouth of the Black River and the mouth of the Red River for the same period was $5,401,648, making the average total value of the tonnage on the lower Red, below Fulton, exactly $9,621,648 a year.

It is true that the tonnage on the Red for the last few years has been light, but the tonnage of a few years taken apart from the history of a river does not correctly indicate its commerce.

The value of the tonnage in 1915 was $3,000,000, but the nine million mark, which was the average for 23 years prior to 1913, can and will be reached again by the keen interest and hearty cooperation of all our commercial and industrial organizations along the river. The proper steps are being taken now. The cities of Shreveport and Alexandria, supported by other towns on Red River, have organized a boat-line company, capitalized at $200,000. They have paid in now about $75,000 of that amount for a boat and barge line from Shreveport to New Orleans. This company has the active support and cooperation of the leading bankers and business men of the entire valley within the Louisiana limits. It is not a theory. This boat line has been organized and will go into effect. The people of the valley are stirred as never before. They will demonstrate to the country the value of the river in handling its great commerce, in holding transportation rates at a reasonable figure, and thus influencing the whole great fertile valley by gradually bringing back to the river a commerce that will not only be satisfactory to this Congress but will startle the country with its growing importance.

In view of these facts, surely there will be little opposition to this small item of $55,000, which should be increased to $150,000 for Red River.

Not even the gentleman from Wisconsin [Mr. FREAR], who has had his rivers and harbors and creeks and mud puddles all fixed by Federal aid, and who now opposes such aid in an effort to imitate Mr. Burton—our greatest American four flusher on this subject—the gentleman from Wisconsin who delights in incessant and senseless talk merely "to hear himself roar," not even he, the gentleman from Wisconsin, can make an honest objection to this item of $55,000 recommended and indorsed by expert engineers who have visited the ground and have ample and intelligent information on the subject.

Mr. FREAR. Mr. Speaker, I desire to extend my remarks in the RECORD on this one subject which has just been discussed.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I wish to use a portion of the few minutes remaining in an effort to explain, in so far as an explanation may be necessary, what the gentleman from New York [Mr. HULBERT] unwittingly left unexplained a while ago regarding an episode between him and myself. Yesterday afternoon, after the House adjourned, I met the gentleman on the way from here to the House Office Building, and after some remarks regarding this bill he asked me in substance when his time would come to speak. I told him that I understood it would come under the five-minute rule. He said he wanted to speak in general debate. I then remarked that I did not know those were his wishes, but that I had understood he was willing to speak under the five-minute rule when the New York item should be reached, and that I had promised to try to secure for him ample time under the five-minute debate. I will say, further, that was my purpose then and is my purpose now. I then explained to him that I had parceled out all the time and had agreed to yield to the gentleman from New York [Mr. FITZGERALD], his colleague, 15 minutes. He stated that he did not know that Mr. FITZGERALD had been given any time, and that he desired time as a member of the committee. Now, having allotted the entire time at my disposal, I could not say just then what I could do, because it was growing late and I could not see the Members to whom I had agreed to yield.

Mr. HULBERT. Will the gentleman yield for a question?

Mr. SPARKMAN. Let me finish my statement.

Mr. HULBERT. Will the gentleman then give me an opportunity to reply?

Mr. SPARKMAN. Let me finish my statement first; then I will yield. This morning, having seen one of the gentlemen to whom I had promised 10 minutes, I asked him to permit me to yield that 10 minutes to the gentleman from New York, which he very kindly and promptly consented that I should do. About that time another Member of the House spoke to me here on the floor in regard to the desire of the gentleman from New York [Mr. HULBERT] for further time, and I told him he might say to the gentleman that I had secured 10 minutes which I would yield to him. The message came back that he had already made arrangements and did not desire the time. That is all I care to say about the matter.

Mr. HULBERT. I would like to ask the gentleman if he recalls a morning in this House when I appeared here with a prepared speech to answer the gentleman from Wisconsin [Mr. FREAR] in reference to a letter which the gentleman had put into the RECORD, and if the gentleman from Florida recalls that I discussed the subject of that speech both with himself and with the gentleman from New York [Mr. FITZGERALD], and if I did not tell the gentleman from Florida that the gentleman from New York [Mr. FITZGERALD] thought that I had better defer that reply until the river and harbor bill came up, and put it in under general debate, and if the gentleman from Florida did not agree with me at that time?

Mr. SPARKMAN. I do not now recall that, but I have no doubt but that it is true. I remember I did intend, so far as I could bring it about, that the gentleman should have ample time to discuss the East River item either in general debate or under the five-minute rule. This is the only explanation I want to make. I may say, however, in behalf of the gentleman from New York [Mr. HULBERT] that he has been very industrious and insistent in regard to this and other New York items. I was very sorry to hear him admit awhile ago, however, that he had not voted to report the bill. I did not intend to state that. I never feel justified in stating outside what goes on in the executive meetings of the committee. But although the gentleman was very properly so industrious and active in behalf of the East River project, yet without the motion to report the bill for which he says he did not vote it could not have been considered in the House.

Mr. HULBERT. Will the gentleman yield for one further question?

The CHAIRMAN. The gentleman's time has expired. All time has expired.

Mr. SPARKMAN. I ask the Clerk to read the bill for amendment under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction, completion, repair, and preservation of the public works hereinafter named.

Mr. MANN. Mr. Speaker, in line 4, page 1, I move to strike out the words "to be paid."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Page 1, line 4, strike out the words "to be paid."

Mr. SPARKMAN. I can not understand the importance of that amendment. It certainly is not surplusage there.

Mr. MANN. It certainly is surplusage there. I guess it is the first time it ever appeared in an appropriation bill. We appropriate money out of any money in the Treasury not otherwise appropriated. That is the form.

Mr. SPARKMAN. Perhaps this is not absolutely necessary.

Mr. MANN. It is improper language.

Mr. SPARKMAN. I can not see that it is, Mr. Chairman; but I have no objection to its being stricken out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The amendment was agreed to.

Mr. MANN. Mr. Chairman, I move to amend, in line 5, by striking out the words "to be immediately available."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 5, strike out the words "to be immediately available."

Mr. MANN. Mr. Chairman, this is not an appropriation for a fiscal year. If it was a regular appropriation bill for the fiscal year ending June 30, 1917, the appropriation would not be available until the 1st of July unless we used the language "to be immediately available"; but all of the appropriations in this bill are available as soon as the bill becomes a law.

Mr. GARNER. Has the gentleman ever had any construction of that language by the Engineering Corps of the Army?

Mr. MANN. It does not require any construction.

Mr. GARNER. I am inclined to think that the gentleman is in error, from their construction of the language in river and harbor bills heretofore.

Mr. MANN. Oh, no; not at all.

Mr. GARNER. Probably not.

Mr. MANN. This is not an appropriation bill.

Mr. GARNER. I agree to the gentleman's conclusions; but I do not know how it would be construed.

Mr. MANN. There is no earthly object in sticking in things that do not mean anything. I know it is the common practice of many gentlemen introducing bills, where the bill carries an appropriation, to say "to be immediately available," but everything in this bill is immediately available as soon as it is law. It is not an appropriation for a particular fiscal year.

Mr. SPARKMAN. I shall have to insist, Mr. Chairman, on the words remaining in the bill.

Mr. MANN. I suppose they will stay in the bill, if the gentleman insists upon it. The gentleman can insist upon putting in useless language in the bill, but it does not change the meaning.

Mr. SPARKMAN. According to my recollection, this language has been in all the river and harbor appropriation bills. I do not like to consent to a departure from established language, language that has been used on river and harbor bills almost from time immemorial.

Mr. MANN. The language has been in some river and harbor bills, no doubt about that, but that means nothing. If the man who prepared the first bill knew what he was about, the language never would have been in it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

At the end of line 9, page 1, insert:

"*Provided*, That before the payment of any moneys for projects hereinafter specifically mentioned the Secretary of Agriculture, Secretary of Labor, and Secretary of Commerce shall, by written report to the Secretary of the Treasury, approve the public necessity on each individual project, and that such expenditure is to serve a public use in aid of navigation: *Provided further*, That said board may make or cause to be made independent examinations of the character of any and all projects and may call upon the Army engineers or employ the service of such other experts as may be necessary in determining the surrounding conditions, general character, and public use which such project is intended to serve."

Mr. FREAR. Mr. Chairman, I will say that this is practically the same amendment that was offered to the last bill, and the purpose is to provide a check upon the system and an investigation of public necessities before paying over the money. It has been set forth so frequently that I will not go into it. We would have by this a check by the administration, so that we would know whether or not public interests will be benefited by the appropriation.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. FREAR. I will.

Mr. COOPER of Wisconsin. The gentleman a few moments ago said that the engineers of the United States Army who have charge of the river and harbor work were influenced, some of them; that two Senators and nine Members of the House of Representatives visited them and talked to them about certain river and harbor matters. Does the gentleman think that the United States Army engineers, who are not in political life at all and not amenable to the votes of Senators and Representatives, are any more susceptible to influence by two Senators and nine Members of the House of Representatives than the Secretary of Commerce, the Secretary of Labor, and the Secretary of Agriculture would be, all of whom belong to one party and have to be confirmed by the Senate?

Mr. FREAR. The time the gentleman occupies unfortunately takes away my time. He has misapprehended my position. I asked a question and stated the facts that existed.

Mr. COOPER of Wisconsin. But I asked the gentleman——

Mr. FREAR. Mr. Chairman, I want to occupy my time myself. I have not made the statement that the gentleman suggests. I asked if it was not a fact that the engineers did change their report after these people came before them, and that is the fact. I do not believe that the Army engineers are infallible, and we have plenty of evidence of what I state. I do believe that if a check is placed here upon them by three administrative officers it will be a check on unnecessary appropriations and be a benefit to the Public Treasury.

The CHAIRMAN. Does the gentleman from Florida make the point of order?

Mr. SPARKMAN. I do.

The CHAIRMAN. The point of order is sustained.

Mr. MANN. But, Mr. Chairman, this is a legislative bill, and we have a right to change the law. I do not know what the point of order is, for the gentleman from Florida has not stated it. We have a right to provide for river and harbor improvement on any condition we please. It is not an appropriation bill. There is no point of order as to change of law; there can be no point of order as to the germaneness of the proposition, because here is an appropriation to be expended as provided by the bill under the direction of the Secretary of War and Chief of Engineers. We have the right to say before the money is expended other conditions shall prevail. We frequently insert in a river and harbor bill that the appropriation shall not be available until local intersets provide money for certain purposes. We have the same right to say that the money shall not be expended until some one else has passed on the proposition. The Chair will recall that the rules in reference to appropriation bills do not apply. This is a legislative bill. We may make an appropriation for improvement of rivers and harbors on any condition we choose as a matter of legislation.

The CHAIRMAN. Does the gentleman from Florida desire to say anything?

Mr. SPARKMAN. I do not desire to say anything except to say that I am not entirely clear that it is subject to a point of order.

The CHAIRMAN. The Chair in ruling had in mind legislation on appropriation bills. The gentleman from Illinois is quite right that a river and harbor bill is in a different class, carrying certain legislative powers as well as appropriating money, and on reconsideration, the Chair overrules the point of order.

Mr. SPARKMAN. Mr. Chairman, I hope the amendment will not prevail. This is only one of a class of efforts that is being made by the gentleman from Wisconsin to take the improvement of rivers and harbors out of the hands of the Secretary of War and the Engineer Corps of the Army, and I do not think it ought to be done; in fact, I am sure that it ought not to be done.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 1, at the end of line 9, insert:

"*Provided*, That if the President shall, upon investigation, ascertain and determine that any project or projects hereinafter provided for are not of material value to the public, he may, in his discretion, withhold such specific appropriations until further action by Congress."

Mr. FREAR. Mr. Chairman, I do not care to take up the time of the House in discussing this because the purpose of the amendment is clearly shown when it is read.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. FREAR. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

At the end of line 9, page 1, insert:

"*Provided*, That no expenditure for any project shall be made until the Secretary of the Treasury shall be advised by the Board of Army Engineers that suitable public wharves and terminals have been provided by local interests sufficient in character to afford ample accommodations for all traffic upon said waterways, and that such public wharves and terminals, subject to general supervision and care of the local authorities, will be kept open at all reasonable hours for the free use of any and all persons desiring to use the same."

Mr. FREAR. Mr. Chairman, in line with the suggestions made by the gentleman from North Carolina [Mr. SMALL] a few moments ago upon the floor, and based upon the action of the River and Harbor Committee of some years ago, when that committee urged terminals be supplied, I have offered this amendment. The purport of it is to require public terminals to be furnished in every case, in order that the Government be not engaged in improving waterways whether they be harbors or rivers, without having public places at which to land. The chairman of the committee well knows that in many cases that provision is not complied with to-day.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. COX. What is the rule in this particular in foreign Governments, particularly England, Germany, and France?

Mr. FREAR. I would say that the rule is different in different countries. I do not profess to give the exact rules. For instance, in some cases in England the rights are let out to private parties and they make the charge themselves and maintain the improvements and the Government has no part in the improvements, as, for instance, in the case of the Manchester Canal. In Germany and other countries they pursue different policies.

Mr. COX. What is the German policy? I have a very high opinion of the Germans.

Mr. FREAR. I would not care to be quoted as to that. The Government owns the railroads and owns the waterways and owns practically all of the privileges that are granted. I assume from that that there must be public terminals in every case. We have not those public terminals in our country, and it seems to me that we ought to pass an amendment of this kind in order to require public terminals before making an appropriation.

Mr. SPARKMAN. Mr. Chairman, we have not yet reached the point in the development of the rivers and harbors of this country when we can establish a hard and fast rule of that kind. It is to be hoped that in the not distant future we will reach the point where Congress will refuse to make appropriations for such improvements unless there are ample public terminals, owned either by the municipalities or the State or by

some other subdivision of the State that can control them as against private monopoly. I think that is proper, and we are going in that direction as rapidly as possible, but we have not yet come to the point where we can establish such a rule without doing injustice to many harbors and rivers now unimproved, but needing improvement very badly. I hope the amendment will not prevail.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. FREAR. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 1, at end of line 9, insert:

"*Provided*, That one-half of the appropriation shall be available whenever there shall be contributed by the State, county, city, or locality or localities an amount equal to one-half of such appropriation, which amount so raised shall be placed to the order of the Secretary of War and shall be expended by him pursuant to the report of the United States engineers on such project: *Provided further*, That the remaining half of such appropriation shall be retained in the Treasury subject to the order of the Secretary of War, and to be used by him whenever needed in the completion of the project for which such appropriation is made."

Mr. FREAR. Mr. Chairman, I shall discuss this but a moment. I simply want to say that local cooperation is required in practically every country of continental Europe, according to my investigation. We have applied the same rule in this country in many cases. The State of Texas and the State of California and other States are making contributions to-day under the requirements of Congress. It would seem to me that it is fair to treat all alike, and it will at least remove part of the inducements offered in securing appropriations when there is no contributions on the part of local interests.

Mr. SWITZER. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. SWITZER. I would ask the gentleman whether his amendment would apply to the Ohio River, for which Congress has appropriated about half the money for the completion of a sixty-four million dollar project, and whether he would expect the localities and States along that river to make a contribution in such sum as may be necessary to complete the project?

Mr. FREAR. Mr. Chairman, in view of the fact that the people along the Ohio River have made no contribution up to the present time, either to the improvements or public terminals, so far as I am aware, it would seem to me that it is a proper time to urge upon them the necessity of cooperation and that they do something toward the project.

Mr. SWITZER. And if the States should refuse to contribute, would the gentleman favor leaving the 20 uncompleted dams in the river?

Mr. FREAR. I do not know but that it would be for the benefit of the Government to-day if we were to stop work on the Ohio at the present time. I am not prepared to say as to that. I would like to have better information. At the present time I am urging them to show a disposition for cooperation before further appropriations are made.

Mr. McLAUGHLIN. Mr. Chairman, the unwisdom of the amendment offered by the gentleman from Wisconsin [Mr. FREAR] is shown clearly enough in the matter of the St. Marys River Canal, between Michigan and Ontario, where something more than $13,000,000 have been expended in the building of locks and in otherwise preparing the waterway there for transportation. It is a project in which the localities are not particularly interested. That river improved as it is takes care of commerce of the Lakes for the entire Northwest going east and south and the commerce of the East going north and west. Some idea of the importance of those works can be gathered from the fact that $13,275,000 had been expended upon that river at that locality where the locks are located up to the 1st day of July, 1915—the greatest waterway in the world, where more commerce passes and of greater value than through any other waterway in the world, aggregating, according to the last figures that I have, something like 80,000,000 tons of freight a year. The value of that improvement to general commerce may be gathered from the fact that the average rate of freight per ton-mile is only six-tenths of a mill, whereas the average freight rate by railroad is ten times that amount.

Mr. BARCHFELD. Will the gentleman permit an inquiry?

Mr. McLAUGHLIN. I will.

Mr. BARCHFELD. The gentleman says that the amendment of the gentleman from Wisconsin is one of unwisdom.

Mr. McLAUGHLIN. I do; in my opinion it is.

Mr. BARCHFELD. That the people along St. Marys River have no license to contribute personally. We are in the habit of buying our iron ore from the Mesaba country to the extent of about 30,000,000 tons a year. If the people of the St. Marys country will not contribute, I suppose the gentleman from Wisconsin would have us at Pittsburgh contribute for the operation of the canal which makes it possible to keep our city going?

Mr. McLAUGHLIN. Why, it is a matter of general interest to the country. Sixty per cent of the entire freight carried through these locks was iron and copper ore last year, and I believe that has been about the average during several years back. It is a matter in which particular localities are not interested, but is a matter of interest to the entire country, and the entire country ought to bear the expenses.

Mr. CALLAWAY. Will the gentleman yield?

Mr. McLAUGHLIN. I do.

Mr. CALLAWAY. The gentleman is defending the St. Marys Canal, and that is a little different problem from inland waterways and rivers and canals ordinarily. Possibly the proposition the gentleman from Wisconsin wishes to apply generally to rivers and canals he would not desire to apply to that at all. No man, as far as I have heard in my service in this House, objected to the Government opening canals between great waterways, and when a canal is the line of transportation——

Mr. McLAUGHLIN. But the amendment offered by the gentleman applies to the entire bill, to all projects alike. Many gentlemen here have no conception of the magnitude or the importance of the improvements on St. Marys River or of the business transacted on and through that river.

During the year 1913 the freight carried through the Soo Locks amounted to 79,718,344 short tons. The value of that freight was $865,957,838; there was paid for carrying that freight, including loading and unloading, $44,380,864, and the value of the craft using the canals that year was $142,421,200. The cheapness of water transportation and the great reduction even in the low water rates as a result of the improvement of this river appears when it is known that in 1887 the freight rate per ton-mile on freight passing through the Soo Locks was 2.3 mills, while the rate per ton in 1914 was only six-tenths of 1 mill. The average railroad freight rate per ton-mile is about 7 mills, or more than ten times the water rate.

The Suez Canal is known as one of the great waterways of the world. It is. It cost $100,000,000, while the canals of St. Marys River have cost only $13,275,000. And how about the amount of business passing through the Suez and the St. Marys Canals? Possibly you believe the business is in proportion to the cost of the canals. In the year 1913 the number of ships of all kinds passing through the Suez was 5,085 and the net registered tonnage of those ships was 20,033,884, while the number of ships which passed the St. Marys locks that year was 23,795, with a net registered tonnage of 57,990,000.

The Panama Canal is a great waterway. It ought to be; it has cost $375,000,000. We have no figures as to the amount or value of business transacted, but it is interesting to remember that a few years ago, when Government experts were estimating the amount of tonnage to be passed through the canal, for the purpose of arriving at the proper toll to be charged against and paid by ships using the canal, it was estimated that within the next 10 years an annual tonnage of 10,500,000 tons would pass through; that is, after a development of 10 years the business of the Panama Canal will be one-sixth of the business now done at the St. Marys Canals each year.

Mr. Chairman, the amendment offered by the gentleman from Wisconsin [Mr. FREAR] ought not to be adopted. It might be all right for some kinds of projects which are largely of local interest and of local advantage, but it is all wrong as to the waterways of the Great Lakes, which are national projects.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HULBERT. Mr. Chairman, I move to strike out the last word for the purpose of correcting the RECORD as between the gentleman from Florida and myself. I wish to merely state that last Wednesday, and again yesterday, when the gentleman from Wisconsin was discussing the question before the committee, I requested time from the gentleman from Florida.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. MADDEN. Mr. Chairman, I would like to ask unanimous consent to speak for 15 minutes. I have not taken up any time on this bill.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to speak for 15 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Mr. Chairman, there is no committee in the House more industrious or painstaking than the Committee on Rivers and Harbors. They are at work all the year round. They not only work in their committee room, but they travel

around the country to ascertain where the money which they appropriate should be expended. I am in favor of appropriations for rivers and harbors where navigation is to be advanced by reason of the improvements, and it would be a great mistake to dispense with appropriations for proper river improvement, and especially for harbors. I believe, however, that there are many items in this bill which could just as well be postponed. We are to-day confronted with an empty Treasury. We have been taxed in time of peace in the name of war to produce sufficient revenue to run the ordinary affairs of the Government. We are faced to-day with a situation in the country which demands the expenditure of large sums of money. We will be called upon to levy additional taxes upon the people to meet the preparedness which is now in contemplation. We ought in justice to the people, who are already overburdened with taxation, to go slow in the appropriation of moneys for purposes which can be well set aside. I have no special complaint to make about any particular item in this bill, but I realize, as everyone must, that there are many items in the bill that could be left out, and if we can lighten the burden of taxation upon the people by leaving out unnecessary items from this bill, we should feel in duty bound to do so. We will be called upon very shortly, in view of legislation already enacted, to vote additional sums of money for the maintenance of the Army.

We will be called upon at no distant day to vote out additional sums for the increase of the Navy. The sentiment of the people is in favor of these additional appropriations. They are willing to pay taxes to meet any necessary preparations for the defense of America, but I submit to the judgment of the House that in the face of the necessity for this preparation every additional unnecessary expenditure should be set aside. The allotments in this bill are made in a large measure to a section of the country which will pay but little toward the additional cost of maintaining the Government under the system of preparation for defense upon which we are about to enter. For example, in the present bill during the fiscal year 1915 the State of Illinois paid into the Treasury of the United States $2,949,789.60 in corporation income taxes and $2,668,520.78 in individual income taxes, making a total net revenue from the State of Illinois from these two sources alone of $5,618,400.38. While its cash appropriations for rivers and harbors in this bill amount to but $136,000, of course it is true that there is an item for continuing contracts amounting to $714,000 which might be added to the $136,000. The State of Florida has $956,500 in this bill, and in 1915 it paid into the Treasury of the United States $107,344.21 in corporation income taxes and $120,114.05 in individual income taxes, making a total of $228,358.25.

And that will be the proportion of its payment toward any added cost to maintain the Government when we finish our preparation for the defense of the Nation.

The State of Louisiana has $395,000 in this bill, and in 1915 it paid into the Treasury of the United States for the two kinds of tax that I have described but $519,467.75, whereas the State of Florida will take out through this bill alone over $700,000 more than it paid into the Treasury as income tax in 1915.

Mr. SWITZER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. MADDEN. No; not just now. I will yield later. The State of North Carolina has $271,850 in this bill, and that State paid into the Treasury of the United States $255,959.64 in corporation income tax, and $123,384.96 in individual income tax, making a total of $379,344.60 for the year 1915.

The State of South Carolina has $259,250 in this bill, and it paid into the Treasury in 1915 for income tax $159,000, thus drawing out over $100,000 more in this one bill than it paid in from the income tax.

The State of Georgia has $873,750 in the bill, and the State of Georgia paid into the Treasury last year $433,928.41.

The State of Texas—the great State of Texas—has $2,861,500 in the bill, and it paid into the Treasury for income tax in 1915 $1,033,873.91, thus drawing out of the Treasury $1,500,000 for rivers and harbors alone more than it paid in during the year 1915 on the incomes of individuals and corporations in that State.

The State of Arkansas has $560,000 in the bill, and paid but $125,954.51 income tax in 1915.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield right there?

Mr. MADDEN. Yes.

Mr. SPARKMAN. I did not catch the gentleman's criticism in regard to Florida.

Mr. MADDEN. I said Florida had $976,500 in the bill.

Mr. SPARKMAN. Did the gentleman state in that connection that the projects in Florida were given more than was collected from the income of the industries in that State?

Mr. MADDEN. I said that the State of Florida got $733,000 more out of the Treasury in this bill than it paid into the Treasury of the United States in 1915 for income tax and corporation tax. The records of the Treasury Department show that. These figures are not mine. They are the Treasury figures.

Mr. SPARKMAN. I will say to the gentleman that the city in which I live paid into the Treasury $3,000,000.

Mr. MADDEN. Not of income or corporation tax.

Mr. SPARKMAN. It is just as relevant.

Mr. MADDEN. Oh, the gentleman is talking about customs revenue tax. I could say that the State of Illinois itself pays about $11,000,000 into the Treasury annually in customs duties and $30,000,000 internal-revenue tax, besides $20,000,000 from the post office in Chicago, in addition to what it pays in as corporation and income tax, so that you see Illinois would pay one-tenth of all the money paid into the Treasury of the United States from every source. But we do not take credit for that, because the customs tax may be collected in Florida or Illinois or New York, while it may belong to some other place. But the income tax is the only true tax that can be charged or credited to a State.

Mr. BLACK. Mr. Chairman, will the gentleman yield there for a question?

Mr. MADDEN. Surely.

Mr. BLACK. Is it not true that the great city of Chicago gets a great deal of trade throughout the South, and especially from the State of Texas?

Mr. MADDEN. I hope so.

Mr. BLACK. That is true.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Surely.

Mr. BARKLEY. Are we to infer from the gentleman's remarks that the appropriations ought to be made by the Government in proportion to the prosperity of the different sections?

Mr. MADDEN. What I wanted to impress upon the House was this, I will say to the gentleman from Kentucky: That when we enter upon the preparedness program, which will take millions and millions of appropriations, we may expect the States which I am enumerating to pay only the proportion which their income tax and corporation tax indicate toward this vast expenditure of money, and that the people living in the section of country that receive no appropriations to speak of for any purpose out of the Federal Treasury will be called upon to pay all the cost, while the States that pay no part of the cost take the appropriations.

Take, for example, the Agricultural appropriation bill alone. Last year we increased the Agricultural appropriation bill materially. Those appropriations are made in lump sums, allotted to the Secretary of Agriculture for distribution; and in making the distribution among the various States he allotted 202 per cent additional to the Southern States, and to the great North and Northwest and East only 11 per cent.

Tennessee has $705,000 in this bill, and it only pays into the Treasury $407,000.

Alabama, the great State from which comes the former Democratic leader of the House, now the distinguished Senator from that State, my friend, Mr. OSCAR UNDERWOOD, has $879,000 in this bill; and the State of Alabama, with all its great iron and steel institutions and its other manufactures, paid into the Treasury of the United States in 1915, for income and corporation tax, only $258,000.

The State of Mississippi has $896,000 in this bill, and in 1915 paid into the Treasury $72,786.52 in corporation-income tax and $34,528.93 in individual-income tax, making a total of $107,315.45.

It will be seen that the corporation and individual income tax paid by the State of Illinois to the Federal Government in 1915 amounted to $5,618,400.38, or one-fourteenth of the total revenue derived from these two sources, while the combined amount paid by the States of Florida, Mississippi, Louisiana, Texas, Arkansas, Tennessee, North Carolina, South Carolina, Georgia, and Alabama was $3,654,294.17, or one twenty-first of the total corporation and individual income tax received by the Government.

The total appropriation in this bill for rivers and harbors in the State of Illinois, including a continuing-contract item of $714,300, amounts to but $850,300, while the appropriation for the States above enumerated amounts to $6,478,050.

The total appropriation carried in the river and harbor bill amounts to $39,608,410. Of this the State of Illinois receives but one forty-sixth, although paying one-fourteenth of the corporation and individual income tax received by the Government.

The 10 States above enumerated receive one-sixth of the total appropriation for rivers and harbors, but pay only one twenty-first of the corporation and individual income tax.

The South is truly in the saddle. It has come back into its father's house. It has the power to tax the North while it enacts legislation to retard the country's prosperity, and we Republicans are powerless to prevent it. The northern Democrats here are bound by caucus rule while a minority controls the destiny of the country and continues to impose unjust and unjustifiable burdens upon the people.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, since I have not spoken on this bill I ask unanimous consent to proceed for 15 minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. HULBERT. Reserving the right to object—and I do not intend to object—I would like to ask the gentleman from Illinois [Mr. MADDEN] if in connection with the figures given by the gentleman he will allow me to put into the RECORD two items of figures?

Mr. MOORE of Pennsylvania. If the gentleman from Illinois does not object, I shall not object.

Mr. MADDEN. I did not hear the gentleman.

Mr. HULBERT. I asked the gentleman if, in connection with the figures he gave, I may insert in the RECORD two items of figures.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting the figures indicated. Is there objection?

There was no objection.

Mr. HULBERT. These are the figures: The total annual corporation income tax collected in New York was $10,221,206.65 and the total individual income tax collected was $17,417,537.60, making a total of $27,638,744.25.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to proceed for 15 minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, the project that I wish to speak about briefly is one of those that is criticized in connection with the general agitation against what is called "pork-barrel" legislation. It suffers by reason of that criticism.

It is one of the projects that is not now in the river and harbor bill. I regret to say that the committee, following out its idea of economy to which the gentleman from Illinois [Mr. MADDEN] has just referred, did not see fit to put into the bill this year any provision for the opening up of the waterway between the Chesapeake and the Delaware Bays, a connecting link, which you will pardon me for saying, has been approved by the War and Navy Departments for years, and which, no matter what its importance seems to be to the Nation, comes generally under the ban when we get to the River and Harbor Committee. Yet no more meritorious project appears in the bill than this one of linking up these two great bays, the Delaware and the Chesapeake, with a view of further linking up all the waterways of the North and the South along the Atlantic seaboard. Sometimes gentlemen who come from the interior—and I say this as politely as I can—and particularly those who have been criticizing river and harbor legislation recently, misunderstand what we call the coastal project. They seem to think that we intend to build a canal all the way, 1,800 miles, from Maine to Florida. A more ridiculous misapprehension, or one showing more ignorance of the geography of the country, could not be advanced. The truth of the matter is that God Himself in His wise dispensation adjusted certain channels, bays, sounds, rivers, ponds, and so forth, along the Atlantic seaboard inside the coast line, which simply require a little digging in order to connect them up in a completed chain.

The total amount of digging is insignificant, and the relative cost, in view of the importance of the population and the manufactures and the agricultural interests involved, would be trifling indeed. For instance, here [indicating upon map] is the port of Boston, directly upon the sea. For 200 years it has been proposed to bring Boston closer to New York and the South by cutting through Cape Cod, this arm of land which juts out into the sea and around which storms and fogs constantly prevail, making it a great danger point to mariners. For 200 years there has been an agitation for it, in Congress and out; that is to say, in Congress since Congress was organized, something less than 200 years ago. Only recently, however, has a cut been made through that arm of land, and that cut is due to a private corporation. There is now a canal running from Cape Cod on this side [indicating] over to Buzzards Bay, on that side, a distance of 8 miles, which saves an outside sailing distance through storms and fogs and the perils of the sea and greatly reduces the sailing time to New York and the South. Now, we approach Long Island Sound and the East River of New York, a project for which will be reached here a little later. It is the only so-called new project introduced into this bill, a project that ought to be written into the law and for which an appropriaion ought to be made, because it tends to make a safe and natural inside passage as between the North and South from Long Island Sound to New York Bay.

I shall not discuss Coenties Reef, which was referred to here by the gentlemen from New York, Mr. FITZGERALD, Mr. BENNET, and Mr. HULBERT, but I shall stop long enough to say that it seems a menace and a shame that a great connecting link of water like that between Long Island Sound on the north and New York Bay on the south and those other connecting waterways which run on inland to the Southern States should not be improved.

The claim that it would be expensive is absurd in view of the importance of it all. Of course, it would cost money, but suppose in case of war our fleet should be driven into Long Island Sound. What would we then pay to get them out? These little marks here on the map are intended to indicate a hostile fleet that is blockading the coast. If the United States fleet were driven into Long Island Sound from the upper or eastern entrance, with the East River rocks as they are to-day, that fleet could not pass through to the New York Navy Yard, but could be bottled up in the Sound by a superior force on the outside just as securely as Sampson and Schley bottled up Cervera in the Bay of Santiago.

Mr. HULBERT. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. I am afraid I have not time.

Mr. HULBERT. It is very brief.

Mr. MOORE of Pennsylvania. Go ahead.

Mr. HULBERT. Does the gentleman know that a full 35-foot channel, which will accommodate any battleship in the United States, connecting East River with Long Island Sound, can be completed for the sum of $3,225,000?

Mr. MOORE of Pennsylvania. That may be, and until it is completed you must contend with rocks and a treacherous current, to which the naval property of this Government ought not to be subjected. There should be no such risk to Government vessels, at least.

Now, the coastal project, which is so often misunderstood, passes through from Long Island Sound into New York Bay and connects with Raritan Bay. Years ago, before the advent of railroads, the Delaware & Raritan Canal was constructed across the State of New Jersey, connecting New York Bay through the Raritan River with the Delaware River at a point near Trenton.

In this way is made up the great coastal canal which these gentlemen worry themselves about who think we expect to do 1,800 miles of digging. What is proposed here across the State of New Jersey is simply to improve an existing canal of 33 miles or build a new one. Our forefathers built this old canal and opened it up for business in 1834. They at least saw the wisdom of it; it bisects the State of New Jersey and is in active operation to-day, but it is absolutely controlled by one great railroad corporation which fixes the freight rate and determines the commerce that seeks to pass through it from New York to Philadelphia, and so to the north and to the south. And yet gentlemen, apparently in the interest of the railroad corporation that owns this canal, contend that we should not spend a little Government money to give the people a serviceable waterway that means so much for commerce or defense, as between New York Bay and the Delaware River and points beyond.

But what I want to talk about particularly now is this: More than 50 per cent of all the wealth of this country lies in this section here—indicating New England and Middle States. Over 50 per cent of all the manufactured products of the United States are developed on this coast line, within half the area of the thirteen original States. We should be prepared to protect so important a territory. The completion of the coastal project is one of the ways to do it.

In 1825 some of our forefathers conceived the idea of connecting up the Delaware River at this point—at Delaware City, Del.—with the Chesapeake Bay at this point—Cheseapake City, Md.—a distance of 13 miles. Why did they do it? They were

using sailing vessels then, and Philadelphia was the great maritime center, having exceeded New York as a metropolis prior to the construction of the Erie Canal. When they sailed out of Philadelphia these vessels came down the Delaware River, and came out through the Delaware Bay with its varying channels. And understand, incidentally, that no channel can be maintained from year to year without the expenditure of money. A channel swept by wind and tide must be cared for.

It is just like a floor that has to be swept every day in order to keep it clean. It is this fact which goes to explain why we have to make appropriations constantly for the maintenance of channels after we construct them.

Now these vessels came out of the Delaware Bay into the sea. Those whose draft exceeds 9 feet have to do so yet. They would sail outside, and if any of you have taken the trip on a pilot boat or sailing craft you know what it means. It is hard on the landlubber, and unless you are a good sailor you do not want to take a second trip. The ships come out here—Delaware Bay—and if their destination is Baltimore they pass Delaware, they pass Maryland, they pass Virginia, and sail around here to the Chesapeake and up to the Patapsco, and then land at Baltimore, a very long and expensive outside route. This little cut of 13.7 miles, marked by the black line, between the Chesapeake and the Delaware is a route laid out by our forefathers who, by the construction of this canal in 1825, shortened this route from Philadelphia to Baltimore just 321 miles. This canal is in operation to-day; it carries a million tons of commerce annually, which pays a liberal freight. The advantage in going through the canal is not so much a saving in freight rate as it is to get more expeditious service by water. It is true that whereas you can ship a cargo from New York via Philadelphia to Baltimore in 12 hours from the time of shipment at Philadelphia, the delivery by rail under present conditions from Philadelphia to Baltimore runs into days, and under recent embargo conditions sometimes not at all.

Now, that is the commercial part of it. As we are discussing preparedness for war, let us see what it means not to undertake improvements of this kind. The water in this canal, antiquated as it is, will not permit of vessels to pass through with a draft of more than 9 feet. It has nominally 10 feet of water in it, but no vessel is permitted to go through that draws more than 9 feet. Gentlemen, that bars the smallest torpedo boat or submarine the Government now possesses. It is not commonly known that the War Department itself, which uses the inside waterways upon which it conducts its business, has a fleet of more than 2,500 vessels; they do not all go to sea.

They are not all transports. Some of them are vessels that ply along the coast line and use the inside waterways, and this canal would be of service to them. Submarines of the Navy can not pass through it. Let us suppose a fleet of superior force lies outside, a British fleet or a German fleet, for instance, and our vessels go up here into this bay. They could not proceed to the Philadelphia Navy Yard for strategic reasons or for repairs. They could not go forward or backward.

Mr. HULBERT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. HULBERT. With the development of the two canals, would it not give three exits and three entrances both to New York and Philadelphia?

Mr. MOORE of Pennsylvania. I am very glad the gentleman from New York made the point. I am coming to that if I can get to it in the brief time I have remaining. Here is Norfolk, with its navy yard——

Mr. CALLAWAY rose.

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Texas?

Mr. MOORE of Pennsylvania. I will.

Mr. CALLAWAY. Is the gentleman advocating a canal wide enough and deep enough for all the war vessels to pass through?

Mr. MOORE of Pennsylvania. If I had my way, that canal of 13 miles would be capable of passing the greatest battleship the United States owns. [Applause.] I will say further to the gentleman from Texas that the paltry sum that any one State contributes to the United States Government would be insignificant compared with the defense that would be accorded to all the States by opening up that canal so that war vessels could pass back and forth.

Mr. CALLAWAY. Has the gentleman any estimate as to how much it would cost to construct the canal so that war vessels could pass through?

Mr. MOORE of Pennsylvania. To a depth of 12 feet through here, it would cost about $8,000,000.

Mr. CALLAWAY. But it takes 35 feet to pass a dreadnaught through.

Mr. MOORE of Pennsylvania. A depth of 35 feet could be put in there for $20,000,000. That was the estimate of the Agnus Commission in 1907.

Mr. CALLAWAY. The three canals the gentleman speaks of?

Mr. MOORE of Pennsylvania. If you make the cut across the State of New Jersey, which is an expensive one, and the other cuts that have been recommended by the United States Army engineers, the total cost at the depths recommended for commercial purposes from New York to Key West would be about $47,000,000. If greater depths are to be attained, it might approximate $75,000,000.

Mr. CALLAWAY. That is for all three.

Mr. MOORE of Pennsylvania. And I will tell the gentleman this: It would be worth the money. At the port of Philadelphia, where they have not had $20,000,000 spent on their river from the beginning, they take in as much as $20,000,000 every year at the customhouse and turn it into the Treasury of the United States. That is a mighty good return on the investment for the channel.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BENNET. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Pennsylvania be extended five minutes. Is there objection?

There was no objection.

Mr. CALLAWAY rose.

Mr. MOORE of Pennsylvania. Mr. Chairman, I must decline to yield to the gentleman because of the time limit.

Mr. CALLAWAY. Has the Government ever been called upon to make an estimate as to the cost of this?

Mr. MOORE of Pennsylvania. Yes, and the gentleman from Texas is thoroughly familiar with it; several times he has undertaken to dissect it on the floor. Estimates have been presented here from time immemorial, and it is just such obstructive tactics as the gentleman from Texas is well capable of that have held up this project, that in time of war would be a saving clause to the Nation. [Applause.]

Mr. Chairman, it is unnecessary for me to refer, so far as the gentleman from Texas [Mr. CALLAWAY] is concerned, to the reports of the engineers or to the distinguished men of the Army and Navy who have urged the construction of these important coastal canals—no less distinguished a man than George Dewey, the present Admiral of the Navy, was one of them. Men of this type have been on the boards reporting on this project, and they have said that it is absolutely essential to the proper protection of the coast. They have dealt with the commercial features of it, but they have always insisted that as a matter of preparedness for war it is necessary, and yet all these reports do not seem to prevail with the gentleman. I could quote Secretary Daniels and other Secretaries of War and Navy, but time does not now permit.

I have in my hand one of the latest of the reports, known as the "Agnus" report, which was prepared by military and naval officers and civilians. In that report (1907), as to the commercial side, they say:

An idea of the trade immediately affected can be had from the statement contained in report No. 2725 to the Fifty-eighth Congress, which says:

"The commerce of the Delaware & Chesapeake, registered and otherwise, has been estimated all the way from 50,000,000 to 90,000,000 tons annually. This is much larger than the tonnage of the entire annual foreign commerce of the United States. The Isthmian Canal Commission estimated that the Panama Canal, now to be built at a cost approximating $200,000,000, would have carried a tonnage in 1899 of but 4,574,852 tons."

Of the registered tonnage traffic in a recent compilation, 25,873,167 were on Delaware Bay points and 24,151,932 on Chesapeake Bay points. These figures, however, do not include the undocumented and unregistered tonnage traffic, which would add nearly 100 per cent to the total.

Considerably less than one-tenth of the traffic on the Delaware and Chesapeake Bays and their various points belongs to foreign commerce. The great value of the proposed canal would be in facilitating the coastwise trade.

As to the military side, they say:

Assuming, however, that both termini are to be properly defended, the canal itself offers many advantages to such defense by the ready means of intercommunication afforded. The canal would permit the prompt interchange of troops and munitions between the coast batteries, and particularly of the submarines, scout boats, and coast-defense monitors, that now form an important factor in seacoast defense, thus minimizing the number required for a complete defense.

Another important feature of the canal would be the obstacle presented by it as an adjunct for land defenses. These would serve as a base for troops operating to break up military occupation of the peninsula, or to check advances therefrom, without reembarkation should such occupation become effective. A geographical study of the Atlantic coast of the United States, as at present defended, shows the peninsula of Maryland and Delaware as the most vulnerable and suit-

able place for the location of a base for land operations, should our Navy be driven from the seas. This was demonstrated by history in the War of 1812.

There is so much of this that I shall have to stop in order to read a portion of an even more recent report. It is contained in Senate Document No. 14, a document that was prepared since the present agitation for preparedness began. These military gentlemen know exactly what it means for a foreign ship to get into those bays. There are no defenses here at the entrance to the Delaware Bay, no fortification on the Cape May side nor on the other side. This bay is clean and clear of fortifications until we arrive up here 40 miles from the mouth, where there are three forts, and I wish to say, to the shame of our state of preparedness, that this Government has but 200 men to man these three forts, not sufficient to keep the guns of the Government in order. The nominal quota is 800 men, but they have been removed from two of the forts and have been put on the Delaware side of the river in order to keep the machinery in that fort, at least, oiled and in condition. It is easy to observe that if an enemy came into this river—the Delaware—with its great industrial establishments and shipyards, the railroads from Boston and New York and points north going along this coast line to points south could be put under control. It would not take very long, in our present condition, to stop communication between the north and the south, if those railroads were torn up or if the enemy should take possession of that country.

But I desire, in the few minutes left, to say something about the latest Army report. It comes from Brig. Gen. M. Macomb, Chief of the War College Division; Brig. Gen. Tasker H. Bliss, of the United States Army, Chief of Staff; and ex-Secretary of War Garrison. On February 27, 1916, they joined in making the following answer to queries put to them by the Senate:

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SMALL. How much time would the gentleman take to develop that idea?

Mr. MOORE of Pennsylvania. I would want only about three minutes.

Mr. SMALL. Then I ask unanimous consent that he be permitted to proceed for three minutes.

Mr. HOPWOOD. Mr. Chairman, I suggest that he be given sufficient time to conclude.

Mr. MOORE of Pennsylvania. I shall not want more than five minutes.

Mr. HOPWOOD. Then I ask unanimous consent that he may proceed for five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that his colleague may proceed for five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, this is the official report of the War College, backed up by the Secretary of War. Kindly bear in mind that we propose to spend millions, maybe hundreds of millions, putting new battleships on the seas and in building submarines. We propose to spend millions, even a hundred million, in increasing the armed forces upon land; and yet here, where the vessels of the Government and these increased forces may be called upon to make their final stand, we stop, even though in times of peace it would be of the greatest commercial advantage to the people of the land; still we stop, unprepared, because it will cost eight millions or some other sum to build a canal and put our Government in possession of essential advantages for passing submarines and warships to our various navy yards.

Mr. STAFFORD. Mr. Chairman, is the present canal suitable for the passage of submarines?

Mr. MOORE of Pennsylvania. It is not. I have asked the Navy Department on several occasions to send their submarines through that canal, and in each instance they have replied they could not do it. In one instance four of those vessels were sent from the navy yard at Philadelphia to the navy yard at Charleston. I asked that they be sent through the canal. The answer was that there was not sufficient depth of water there to permit it. Those valuable pieces of Government property went to sea, and they struck a storm outside of Cape Hatteras and were blown back. In due course Congress was asked to make appropriations to put in repair the ships that were damaged.

Mr. SMALL. It has a depth of only 9 feet and the width of locks is only 34.

Mr. MOORE of Pennsylvania. The width of locks of the Chesapeake & Delaware Canal is 24 feet odd, and the commercial vessels that use those locks are built away up in the air, to accommodate these antiquated locks of 1829. And yet commerce is begging, commerce is pleading, to go through, while the railroads have the situation entirely in their hands. [Applause.] This War Department report which bears so directly upon this matter is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, February 27, 1915.

Memorandum for the Chief of Staff.
Subject: Military advantages of the Chesapeake & Delaware Canal.

1. There is returned herewith a memorandum with attached papers on the above subject, dated February 24, 1915, from the Secretary of War to the Chief of Staff, wherein three questions are submitted:

"(a) The military advantage, if any, of the existence of this canal.

"(b) Whether a canal along this line would be of any military advantage; and if so, what?

"(c) What character and size the canal would have to be in order to be of any advantage?"

These questions apparently refer both to the present and contemplated canal along this line.

2. In answer to 1 (a), it is believed that the existing canal has some value as it exists to-day as an obstacle to the advance of a hostile expedition landing on the west bank of Delaware Bay and advancing against Wilmington and Philadelphia. The fine, undefended harbor at Lewes, Del., makes such a landing a probability. The canal, especially at the locks, is so narrow, only 24 feet at the locks, as to form an obstacle not very formidable. The canal is too small for the passage of submarines or other naval craft that would be used for preventing the landing of troops from hostile transports, and too small and obstructed by locks for rapid transport of troops and material from one bay to the other.

3. As to 1 (b), a sea-level canal along this same line would be of very great military importance from the following points of view:

(a) For the movement of submarines and other craft that must constitute an important part of our coast-defense system.

(b) As forming an almost impassable obstacle to the passage of troops advancing to attack Wilmington or Philadelphia from the peninsula between Delaware and Chesapeake Bays.

(c) For the transport of men and matériel of the Coast Artillery and the Coast Artillery supports from one bay to the other.

4. The first of the points enumerated in paragraph 3 is a military one, because submarines and other small craft are believed to be at present an integral part of the seacoast defense, for use not only against naval attack on the harbors, but in a still more important sense against transports attempting to land a hostile force on our shores in case of the defeat of our Navy. Seacoast defenses reach no farther than the range of their guns, and it is impossible to distribute mobile army troops at all possible landing places to prevent the landing of troops without so frittering away the Army in small detachments as to render it almost impossible to collect them for united action. A canal such as proposed would allow the whole force of submarines, etc., to be held in one of the two bays and used with equal efficiency in either. Without the canal the force of submarines, etc., must be divided between the two bays, and to reenforce one another they must attempt a passage by the outside, a distance of over 200 miles, as against about 15 miles by the canal.

A canal along this line and one from Delaware Bay to New York Harbor would make a landing of hostile troops almost impossible between Narragansett Bay and Chesapeake Bay, and the construction of this canal is an important step toward the accomplishment of this result.

5. As an obstacle and a part of the land defense of Wilmington and Philadelphia a canal suited for other commercial and naval purposes would be of great importance. Defended by a few troops and small gunboats, such an obstacle (of the size recommended below) would hardly be crossed, and it is not believed that it would be attempted.

6. As a means of transport it has a measure of value for the easy transportation of men and matériel between the fortifications of Delaware Bay and of Baltimore.

7. As to 1 (c), the objects set forth in paragraph 3 above can be obtained by a sea-level canal having a depth of 18 feet at mean low water and a bottom width of about 150 feet. While tides of 6 feet to 10 feet prevail in the waters at the ends of the canal, investigation has shown that guard locks will not be necessary and that an open canal will be entirely feasible.

M. M. MACOMB,
Brigadier General, Chief of War College Division.

I concur.

TASKER H. BLISS,
Brigadier General, United States Army, Acting Chief of Staff.

I concur.

LINDLEY M. GARRISON,
Secretary of War.

With these facts before us, gentlemen, what shall we do? If a foreign fleet should suddenly drive our vessels in, what are we going to say to the people of the United States when they ask us why we did not make ready a passageway for our own vessels, so that they might get to New York or to the Philadelphia Navy Yard for repairs? It is not a question of digging 1,800 miles; that is rot. It is a question of connecting up a little link here and there to make a connected chain. It is the doing by man of that sensible thing which God intended he should do along that coast. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, may I have leave to extend my remarks?

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, at the end of line 9, insert the following:

"*Provided*, That no part of the money hereby appropriated shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the cost of doing the work by a Government plant."

Mr. GOOD. Mr. Chairman, this bill, as I understand, carries an appropriation of $39,600,000. By the majority of the committee reporting it here it is contended that every item in it is a meritorious provision. By others it is contended there is a great deal of "pork" in the bill, and that many items should not be appropriated for. With this contention I have no quarrel. In reading over some of the items it seems to me, however, that we are providing considerable pork in the way of private contracts. For instance, under the engineer's reports, at page 486, with reference to inland waterways from Norfolk to Beaufort, I find the engineers report 1,282,833 cubic yards of material have been removed by day labor, using Government plants, resulting in 3.2 miles of completed channel; 4,698,225 cubic yards of material have been removed by contract, giving 14.4 miles of completed channel. The average cost of the work with Government plants was 0.043 cent per cubic yard, place measurement. The average contract price was 0.0752 cent per cubic yard, place measurement. That shows there is over 100 per cent profit to the private contractor. That certainly is unreasonable. We ought to put in this bill some provision, some limitation, beyond which the Army engineers, or those having control of this large sum of money, can not go. We ought to say, when we are appropriating $40,000,000, all of which can be expended by private contract, that not to exceed 25 per cent of profit shall be given to private contractors. If we are ever to relieve this bill from the charge of "pork," let us put in such a provision; and if 25 per cent is not sufficient, write in a larger percentage, but let us put a limitation, beyond which the Army engineers can not go. I for one feel that 25 per cent is sufficient.

Mr. FORDNEY. Will the gentleman yield?

Mr. GOOD. I yield.

Mr. FORDNEY. In the expense given for that work done by the Government, what is included there for dead expense, depreciation, taxes, insurance which that property would pay provided it were private property? Are those things put into the cost of production the same as private property?

Mr. GOOD. I do not know.

Mr. FORDNEY. No, they are not.

Mr. GOOD. The report as I read it does not show, but the gentleman, I fear, is not informed with regard to this because I have searched the report and it is silent on this subject.

Mr. FORDNEY. It never is on Government property.

Mr. GOOD. I may say to the gentleman even if it is not included, if the amount I have inserted is not sufficient to yield fair returns, let us here as business men, capable of passing upon this subject, say how much shall be included as interest on investment, for depreciation, and everything of that kind. I believe, knowing what I do of a project wherein we are appropriating this year a million dollars, that 35 or 40 per cent of it will be profit to the private contractor if the work is all done by private contract. He will do that work in one year or less time. His equipment does not involve a great amount of money, but his profit will be between $300,000 and $400,000, and it seems to me that some limitation ought to be put on these expenditures. Such a thing ought to be impossible.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Chairman, I move to strike out the last word. I want to say in reply to the gentleman from Iowa [Mr. GOOD] that it would be fair to say when comparing the cost of construction of work by doing the entire amount of work by private contract or by a Government contract in the calculation of the cost, that where it is done by the Government or by municipalities, the cost of interest on the money invested in the plant, the taxes that property would pay if it were private property, depreciation, and all overhead expenses are not included. Therefore, when comparisons are made of the cost in such a matter it is not a fair comparison. It is not just to private individuals, and I defy the gentleman or any other gentleman to point out where the Government, or any State, or any city, or any municipality, ever did work by day or by month or in any other way where it did not cost more money than if constructed by private individuals. Of course, contracts may be made with private individuals where the price is entirely too high, but the actual cost between the two is always greater.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GOOD. Perhaps the gentleman did not notice the reading of my amendment.

Mr. FORDNEY. Yes; I did.

Mr. GOOD. It took the cost to the Government, which the gentleman says is much higher than it would cost a private manufacturer. Therefore, instead of a profit of 25 per cent, we ought to cut down the percentage, because the private manufacturer will have some profit in addition to the 25 per cent.

Mr. FORDNEY. I am agreeing with the gentleman that some limitation would be right; but to make those comparisons without giving all items of cost in production is absolutely unfair. The gentleman knows that in giving Government costs overhead expenses are not included.

Mr. SMALL. Mr. Chairman, everyone must be in sympathy with the purpose of the gentleman who offers this amendment in so far as it is intended to effect economy, but the amendment is not practicable and will not subserve the purpose which the gentleman has in view.

In the first place, while it appears in this particular instance that the contract price was greater than the cost of what appears to have been similar work done by the Government, that was an exceptional case. According to my information, upon the average the contract price of dredging and other excavation is less than it usually costs by Government plants.

Now, in making the calculation of the cost by Government plant there is not taken into consideration the initial investment in the dredge and the equipment. There is not taken into consideration the necessary cost of supervision by the engineers, whose salaries are already paid and do not come out of the appropriation. Neither is there taken into consideration the wear and tear of the plant; so that when you omit those three items—wear and tear, the interest on the investment, and the cost of supervision—it can well be seen that there is no fair comparison between the cost by Government plant and the cost by private contractor.

Mr. SWITZER. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Yes.

Mr. SWITZER. Will the gentleman please state how long it would take to complete the project referred to on the Beaufort Canal with Government equipment?

Mr. SMALL. It would be indefinite. Probably if they were given all the money they could spend, by Government plant it would take 15 years.

Mr. SWITZER. Has not the price of iron and everything gone up considerably in the last two years?

Mr. SMALL. There is no doubt about that.

Mr. HULBERT. Mr. Chairman, will the gentleman yield there?

Mr. SMALL. Yes.

Mr. HULBERT. Did not Col. Taylor state that if this work were done entirely by Government plant it would require only six or seven years?

Mr. SMALL. It is my impression that he said "15 years."

Mr. HULBERT. I have it written down that he so stated; that it would require six or seven years.

Mr. SMALL. Then I am glad to be corrected.

Mr. SIMS. Mr. Chairman, will the gentleman yield there?

Mr. SMALL. Yes.

Mr. SIMS. Is it not a fact that the building of the Panama Canal was undertaken at first by getting outside men to look after it, but is it not also a fact that after the Government placed its own engineers in charge, with Col. Goethals at the head, they continually decreased the cost per unit of construction from the time they took charge until they finished the work, and had no motive except to build as best they could for the least money? And even considering the deterioration in the value of equipment, the work ever since the engineers took charge at Panama has been cheaper than any work ever done by private contractors on earth?

Mr. SMALL. Perhaps that is a debatable question as to the cost, but there were reasons for putting that work into the hands of the Army engineers that seemed to be conclusive. But there is another fact that I wish to suggest, and that is that there is not a Government plant used upon many works of improvement. There are only a few works of improvement where the construction of a dredge has been authorized by the Government, so that on many of the works of improvement in progress there would be no test of the prospective cost by private contract or by Government plant; so that no matter how much we may be in sympathy with the amendment to effect economy, yet as a matter of fact under existing conditions it is impracticable.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. FREAR. Mr. Chairman, I believe the chairman of the committee will agree that when Col. Taylor was before us on this very proposition he stated that when the Government had a dredge upon any particular piece of work it had the effect of creating competition, so that private companies always reduced their rate. That is true, is it not?

Mr. SPARKMAN. That is substantially true.

Mr. FREAR. So the very fact that the Government has its plant there compels the private company to reduce the charge it

would otherwise make. In this case of the Beaufort Canal the charge is about double the cost of Government work. There was no statement made before the committee, so far as I recollect, why a million dollars should be appropriated when something like $200,000 was sufficient to keep the Government crew employed. It was stated that six or eight years would complete the work, if I remember correctly. That means between three and four hundred thousand dollars additional price for 1916 because of private contractors, without reference to the Government dredge. Just why private contractors are to be employed and why the large appropriation is proposed has not been made plain.

Mr. HUDDLESTON. Mr. Chairman, it seems to me that the arguments of the gentleman from North Carolina [Mr. SMALL] and of the gentleman from Michigan [Mr. FORDNEY] do not respond to the amendment proposed by the gentleman from Iowa [Mr. GOOD]. The argument in favor of that amendment is that where the Government can do the work cheaper than it can be done by private contract the work ought to be done by the Government.

Assuming that the Government can do the work 25 per cent cheaper than by having it done by private contract, why should not the work be done by the Government directly? I ask any gentleman to give me any good reason why the Government should let out the work to private contractors when the Government can do it more cheaply than the contract price. This Government does not exist and Government work is not done in order to make private business. It is done for the public welfare. Contracts are not let in order to have contractors make profits. They are let in order that the business of the Government may go on in the best and most satisfactory and cheapest way.

I would like to have some gentleman here present a fair answer to the question, Why should we take money out of the Public Treasury merely in order to put it in the pockets of contractors? I want to say to you gentlemen that I think all Government work should be done directly by the Government when it can be done as cheaply and as satisfactorily as it can be done by private contractors. If there is any good reason to the contrary, I should like very much to hear it, for I have never had the pleasure of hearing such reason in all my life.

Mr. McLAUGHLIN. Mr. Chairman, I move to strike out the last two words. I have some information in regard to river and harbor work down on the Great Lakes. I have a harbor district, and I have seen some of that work going on, and know something of the letting of contracts for the work. As to the dredging, I think it would be advisable for the Government to provide dredges for doing much more of the work than is now done by the Government itself. On the Great Lakes there is one large dredge, or sand sucker, the *Gen. Meade*, which is in constant use during the season of navigation and is doing splendid work. One reason why the dredging that is done by the *Gen. Meade* can not be done to advantage by private interests is that when the work is to be let to individuals or private companies it must be let by contract, and often it is necessary to do dredging work without permitting the time to elapse which would be necessary for getting bids for the work. All along the shores of the Great Lakes after a storm bars are formed at the harbor mouths, and the *Gen. Meade* is sent from one harbor to another under the direction of the local Government engineer to dredge away those bars, and in that way the work is done promptly. If it were necessary to have the work done by private concerns it would be necessary in each case to advertise for proposals, and considerable time must elapse, which would be time wasted.

Now as to the difference between the cost to the Government of doing its own work and the cost to the Government of having it done by private interests, I believe the Government is doing the work much more cheaply, although it is true, as stated by the gentleman from North Carolina [Mr. SMALL], that it is difficult for us to make an estimate of the original cost to the Government of supplying the plant, of building the ship, and of operating and maintaining it when it is not engaged in actual work. But I should dislike very much to see any reduction in the plants of the Government now devoted to that kind of work. Some one asks why the Government does not do all that kind of work itself, and not permit private interests to bid on it and do the work. It is on account of the unwillingness of Congress to supply the money necessary for the building of these great dredges. I think it would be the part of wisdom and that it would certainly work economy if the Government were willing to appropriate the money for the building of more of these great dredges. The work would be done more expeditiously, more satisfactorily, and with economy if Congress would appropriate the money necessary for the construction, maintenance, and operation of these dredges.

Mr. SPARKMAN. Mr. Chairman, this is another effort to establish a hard and fast rule where I think it is not advisable to do so. The House is not at this time in a position to do that intelligently. It has not the information before it necessary to enable it to act wisely, even if it were otherwise thought advisable to establish such a rule, which I very much doubt. If a remedy is needed it does not lie along that line, in my opinion, but along the line of more Government dredges; that is, a sufficient number of dredging and auxiliary plants owned by the Government to do all the river and harbor work the Government has to do. When the Government is thus equipped and not before can we eliminate this contract work. I may say further, that it has not been the policy of Congress, so far as I know, to discourage private enterprise. But it has been the policy to construct dredges enough to prevent private contractors from holding up the Government, and this has practically been accomplished. We have a large collection of plants now; perhaps not as many as we ought to have, but we have enough to exert a potent influence on private contractors or would-be contractors In some instances it may cost more to employ them, but in others it is cheaper. Still, in the future it may be wise to establish some such rule; but until we have more information before us, sufficient information to enable us to establish an equitable rule—a rule that is workable—we should not, in my judgment, adopt any such provision as this, and I hope it will be voted down.

Mr. GOOD. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Iowa [Mr. GOOD] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. SIMS. May I ask the gentleman if he does not think it is our patriotic duty to save this Government from being robbed of 100 per cent more than a reasonable profit, by making no limitation on these things?

Mr. GOOD. Yes; and if this committee votes down this amendment it practically reverses itself with regard to the purchasing of ammunition and war supplies. A few years ago we found that limbers purchased from the Bethlehem Steel Co. for as high at $1,700 and $1,800 apiece were being manufactured in the Government arsenal for $650 apiece, and Congress put a stop to the practice of paying that exorbitant price. The gentleman from Michigan says that the matter of depreciation is not figured in here at all. I do not know that. I rather think he is correct, but I do know that at a hearing before the committee on fortifications, when we were considering the matter of depreciation of plant relative of the cost of powder, Admiral Twining appeared before the committee and said depreciation should be figured at 3 cents a pound. We found that we had one Government plant where the buildings and equipment cost $340,000 which had an annual capacity of 3,000,000 pounds. Multiply 3,000,000 pounds by 3 cents, which he said was a reasonable allowance for depreciation, and you have $90,000 a year depreciation of plant that only cost $340,000. Then we have his testimony that the plant ought to last at least 10 years, and that the Government plant at Indianhead, with slight improvements, was as good then as it was 10 or 12 years before, when it was constructed.

The Wall Street Journal of the 29th of February contains a statement made by Dow, Jones & Co., wherein they say that 27 munition factories in the United States have contracts of war orders for 1916 to deliver to the European powers aggregating $2,000,000,000 and that the profits on those contracts will aggregate more than $1,000,000,000. That is about the percentage of profit recognized by military men. When you gentlemen come to face the preparedness bills that will come before this House you will have the same question that confronts us now. Are you going to run away from it or are you going to meet it like men? If 25 per cent is not enough—and I think it is enough for any concern—if that is not enough profit, make it 50 per cent, but for Heaven's sake do not let the Army engineers in the future, as they have in the past, give private contracts with more than 100 per cent profit. I have instanced cases where the profit is over 300 per cent. That is all this amendment is; it simply provides a limitation on the power of the Army engineers and the Secretary of War to grant private contracts. It provides that contracts shall not be made when the profits aggregate more than 25 per cent as based on the cost to the Government. Everybody concedes that the Government costs are always higher than private costs for the same thing. That has been testified to by admirals in the Navy and by generals in the Army in regard to the production of war supplies. There are

many reasons for it. It is true because of certain regulations in all Government work that do not obtain with a private manufacturer, and therefore when I am offering an amendment limiting the profit to 25 per cent, based on Government costs, in actual operation it will yield a profit of more than 35 per cent to the private manufacturer, and I submit that that is enough to take reasonable care of interest on capital invested, depreciation, insurance, and such charges, and it will, in addition, even pay a big return on watered stock.

Gentlemen talk about competition in contracts. You and I know that in railroad contracts and river and harbor contracts there is, as a general rule, no fair competition, and the only place you have to practice real economy and to protect the Treasury from being robbed is to write in bills like this limitations of this kind. I submit that 25 per cent is not only ample, but it is a liberal profit.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. Good), there were 22 ayes and 48 noes.

So the amendment was rejected.

The Clerk read as follows:

Georges River (Thomaston Harbor), Me.: For maintenance, $10,000.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word. I do that for the purpose of saying to the chairman that I will ask unanimous consent that before we consider any of the other items we go to the item at the bottom of page 4, the East River of New York, and take that up and dispose of it. The reason I do that is because I think the item in regard to the East River may influence Members whichever way we act on it, especially if we reject it. And it would shorten up the time on the consideration of the bill. Further than that, I feel that a good many Members will be guided in their votes on other items quite largely by what happens to that item.

Another thing, I do not think that it is fair that we should pass upon the items before we reach the New York item, because if we are going to take on new projects I anticipate that will decide a good many votes on the other items in the bill. Speaking for myself frankly, to illustrate what I mean, if the New York item be taken on in the bill, being a new project, I think there are several other items which will be offered as new projects. I do not think that we ought to be compelled to vote on the Boston Harbor amendment until we know whether the committee is going to sustain the River and Harbor Committee in taking on this new project. I think it would be a saving of time, and I think it would be fair all around, if we go to the East River item first. Therefore I ask unanimous consent that the East River item be immediately considered before reading any other portion of the bill.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that the item found on page 4 of the bill, line 23, be considered now, out of its order. Is there objection?

Mr. SPARKMAN. Mr. Chairman, I very reluctantly object to that. I have been giving it consideration while the gentleman has been speaking, and it seems to me that we had better go ahead with the bill as it is.

The Clerk read as follows:

Harbor at Boston, Mass.: For maintenance, $100,000.

Mr. TREADWAY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After the period, on page 2, line 8, insert the following:
"Harbor at Boston, Mass.: For improvement with a view of providing a channel between President Roads and the sea, 40 feet deep at mean low water, in accordance with report of the Chief of Engineers, United States Army, published in House Document No. 931, Sixty-third Congress, second session, $400,000."

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent that the amendment which I have just offered be regarded as pending and passed over until the item on page 4, line 23, and page 5, lines 1 to 12, be disposed of, and that this amendment which I have just offered be taken up at the conclusion of the item referred to.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the item and amendment he has offered thereto be passed until after the consideration of the item found at the bottom of page 4, line 23. Is there objection?

Mr. SPARKMAN. I object.

Mr. TAGUE. Mr. Chairman, the amendment offered by my colleague from Massachusetts [Mr. TREADWAY] is, to my mind, one that deserves the favorable consideration of this House at the present time. I do not intend in any way to hold up the proceedings of this body in supporting this amendment, and it is only with the intention of laying before the body just what this amendment means to the people of Massachusetts that I rise. We have heard a good deal during this session about preparedness. We have been told that we are going to expend millions of dollars in building up a Navy and Army, and yet, Mr. Chairman, at this very moment there stands one of the new products of the Navy of this country, the *Pennsylvania*, unable at low tide to come up into the navy yard at Boston, because there is not water enough to admit her. That is the condition that prevails to-day in the harbor at Boston in the bay of Massachusetts, and we, the Representatives from that State, come before you and ask in all fairness to Massachusetts, which is nearer by 190 miles to the countries across the sea than any other port of the country, that our harbor be deepened, as it should be. For years the merchants of Boston and Massachusetts have liberally expended their money upon the port of Boston. For years they have been building up a port that will be a credit to the Nation, anticipating, as they have, that when the right time came, and it comes now, the United States Government would be willing to put their small share into the bucket in order that the harbor might be improved as it should be.

In our city within the last few years we have expended $9,000,000 in building docks and are to-day building the largest and the best dry dock that can be built for the reception of the ships for repair. This dry dock will be built at an expense of over $3,000,000 of the business men's money of the State of Massachusetts. The State of Massachusetts has said to the Government, "You have the right to that dock as against all commercial or business enterprises." The State of Massachusetts has also built at a great expense out of her treasury the largest pier on the Atlantic coast, large enough to accommodate six of the largest ships afloat, and in each of these docks they have deepened the water to 40 feet, while the main channel in our bay is only 35 feet, and is unable to accommodate ships that are now being constructed, and which should be brought in for commercial as well as military purposes. A great deal has been said here in criticism of the committee that has brought in this appropriation bill, but I do not wish to criticize that committee and I will not, because I believe they have done a great work for the Government. I realize how hard it is to bring in an appropriation bill that will satisfy everyone. I realize that every district of the Nation is clamoring for some improvement, which is the same that we are doing for the improvement in our district, and I realize, too, that it is the ambition of every Member of Congress that that improvement shall go where he thinks it is for the best interest for the people of his community and will bring to the Government the best return. I am a believer in the opening up of the waterways of the country.

I think it is the best thing for the commercial interests of the Nation that wherever a river is not navigable and it is going to improve the Nation's resources, it is the duty of the Government to open the river up to such a degree of navigation that any ship that floats that will be required to enter may be able to do so. It is with that in mind that we from Massachusetts to-day say to you—and I know I speak the mind of my colleagues—that we do not want to deter this measure by any rider or amendment that might be proposed. We simply come here and ask as an act of justice at this time that the navy yard of our district be protected; that the commercial interests of our district be protected; that means be used whereby one of the great navy yards of these United States can be utilized to the best interests of the Government. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to proceed for five minutes further.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TAGUE. Mr. Chairman, I do not intend to tire this House with figures or facts; I do not intend to delve into many figures I could present to the House; but I will ask to insert them in the RECORD, because I know that before this bill is passed you will have heard so much of figures that you will not care to go into them as we should. I do desire to state this: The foreign commerce of the port of Boston for the year 1915 was $290,516,803, a gain of $57,000,000 over that of 1914. New England manufactures one-seventh of the entire manufactured products of the Nation, and into the port of Boston and out of the port of Boston go the greater amount of these manufactures.

The United States has expended on Boston Harbor and its tributary rivers from 1825 to 1915, a period of 90 years, $12,668,000, or an average of $140,000 a year, while the State of Massachusetts in one-half of that time, from 1870 to 1915, 45 years, has expended the sum of $15,000,000, or $343,000 a year. The receipts from the customs at the port of Boston are over

$10,000,000 a year, and the income tax to the Government from the citizens of Massachusetts is $4,400,000 a year. I do not bring in these figures to show that any other part of the Nation or any other river or harbor is not entitled to consideration from this body, but I do contend, and I hope the members of this committee will agree with me, that when an expenditure is asked for that means so much to the State of Massachusetts and to all New England, which means the opportunity of enlarging the business of that section of the country, the expenditure of $400,000 at this time should not in any way deter the Members of the House from granting it to us. [Applause.]

Mr. ROBERTS of Massachusetts. Mr. Chairman, the amendment offered by my colleague from Massachusetts [Mr. TREADWAY] has another aspect than that of the purely commercial benefit to the port of Boston by a deepening of the channel. Preparedness is the watchword of the hour. In the harbor of Boston we have as fine a navy yard as you can find in the country, ample facilities for repairing battleships; and with the expenditure of a small amount of money that yard can be equipped to build battleships. We have, in addition to the navy yard, a new dry dock, mentioned by my colleague [Mr. TAGUE], which is being constructed under the direction of the directors of the port of Boston.

I want to say to this committee that battleships now under construction are practically twice the length of battleships built 12 or 15 years ago, and that we have not in this country to-day a dry dock that will accommodate the ships that the present Congress will probably authorize, because if we carry out——

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. ROBERTS of Massachusetts. The presidential program. I yield.

Mr. HUMPHREY of Washington. Did I understand the gentleman to say we did not have a dock in a navy yard that would accommodate these vessels?

Mr. ROBERTS of Massachusetts. I said the ships we will probably authorize this year.

Mr. HUMPHREY of Washington. What is the size?

Mr. ROBERTS of Massachusetts. They are eight or nine hundred feet in length.

Mr. HUMPHREY of Washington. I think the gentleman is mistaken about that——

Mr. ROBERTS of Massachusetts. I am not mistaken on that proposition. I think the gentleman will find——

Mr. HUMPHREY of Washington. The gentleman is mistaken about there not being a dock to put them in.

Mr. ROBERTS of Massachusetts. The only docks under construction that will take in ships of that size are the dock at Boston, being built by the municipality, the dock being built by the Union Iron Works in San Francisco Bay, and the dock at Hawaii, being built by the Government. It is essential, if this plan of preparedness is to be a successful——

Mr. TREADWAY. Will the gentleman yield?

Mr. ROBERTS of Massachusetts. I do.

Mr. TREADWAY. Will the gentleman be kind enough to state the depth that these battleships will draw as at present contemplated?

Mr. ROBERTS of Massachusetts. That, of course, is a matter of conjecture, because, as I understand, the plans have not yet been made. Presumably, however, the draft will not exceed 31 feet. They may not be that draft, but if we are to have a successful plan of preparedness we must make it possible that these great battleships can come from the ocean into a dock or into a navy yard, and to do that we must provide a sufficient depth of water in the channels leading from the ocean to these docks and these navy yards. Hence, it is essential as a part of the broad plan of preparedness that this port of Boston and other ports of this country be provided with sufficient depth of water to take in these battleships. Now, that does not mean that there should be depth of water enough to take a battleship under normal conditions; you must have a sufficient depth of water to take a battleship to a dock or to a navy yard when she has been wounded in a fight and she is drawing from 5 to 10 or more feet, by reason of that condition, over the normal draft, otherwise you may lose your ship because you can not get her to a place of safety to make the repairs.

Mr. TREADWAY. Mr. Chairman, I occupied so much of the time of the committee yesterday in connection with the subject matter of the amendment now before us that I do not feel inclined to transgress too long upon the committee at this time. I agree most heartily with all the statements made by my two colleagues, the gentleman from Boston [Mr. TAGUE] and the other gentleman from our State [Mr. ROBERTS]. There is every argument possible to be made that the appropriation asked for by this amendment should go into the bill at this time. In conversation a short time ago with Admiral Benson, he told me that there was water enough now to get into Boston Harbor any ship at present in commission. He did say that the future would require more water to reach the dry dock now in process of construction, and I called his attention to the fact that the last improvement of Boston Harbor required 12 years to complete; that the dry dock in process of construction now would require about a year and a half to complete, so that if we are to have water enough to reach that dry dock we certainly must begin before the time of its completion. We can not afford to wait, Mr. Chairman, 12 years to secure sufficient water to reach the dry dock put at the disposal of the Federal Government, paid for by the State of Massachusetts, the largest dry dock on the Western Hemisphere, a dock which Admiral Benson testified before the committee will take in any vessel that can go through the Panama Canal. Now, the gentleman from Illinois [Mr. MADDEN] a few moments ago referred to the percentage between the amount contained in this bill for the various States and the amount that those States pay into the Federal Treasury in the way of income taxes.

I just wish to use the comparison to carry out the same idea as the gentleman from Massachusetts [Mr. TAGUE] did in these same figures. Massachusetts has in this bill to-day $315,000—$150,000 of it is for improvements and $165,000 of it is for maintenance of existing projects. Last year, Mr. Chairman, there was collected in the State of Massachusetts from the corporation income taxes, $1,853,157.41; from the individual income taxes, $2,683,084.53; making a total paid by citizens of the State of Massachusetts of $4,536,141.94. So that no Member of this House can claim that Massachusetts is asking anything unfair from the Congress of the United States when it affords a channel whereby its own vessels can reach the dry dock built by the money of the citizens of Massachusetts and which the State is glad to have the Federal Government use. Massachusetts has not only made this large contribution to the Federal Treasury, but has more than matched dollar for dollar in the development of the harbor. I submit, Mr. Chairman, that that is as fair a proposition as ever was put before this House.

Mr. SIMS. Will the gentleman yield for a question?

Mr. TREADWAY. I will.

Mr. SIMS. I hear this income-tax argument so often I would like to ask a question. Is it not a fact that in sections like this there is quite a percentage of people who own stock in corporations beyond the State from which they receive profit and pay taxes on?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ROBERTS of Massachusetts. Mr. Chairman, I ask unanimous consent that my colleague may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. TREADWAY. I think the gentleman's question is rather beyond the point. It is a mutual business transaction. People get their money's worth for anything they buy in the Commonwealth of Massachusetts.

Mr. SIMS. I am not opposing the gentleman's amendment, but it is like talking about where the revenues are collected.

Mr. TREADWAY. I do not consider the argument I make as the sole basis on which I ask the appropriation.

Mr. SIMS. I have no doubt some of the investments in my own State pay some of that.

Mr. TREADWAY. The gentleman's people, then, have investments in good corporations.

Mr. HOLLAND. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Virginia?

Mr. TREADWAY. Yes. If I get the time, I am perfectly willing to answer all questions, but I trust the chairman of the Committee on Rivers and Harbors will not cut me off in the matter of time.

Mr. SPARKMAN. I want a reasonable time to be allowed for this discussion.

Mr. HOLLAND. Would it not be a good plan to improve channels used by the Government for the Navy without deviating too much from the rule of the committee by including new projects?

Mr. TREADWAY. Yes. I am glad the gentleman brought up that question. I referred to it indirectly in my remarks yesterday. I think the approaches to our navy yards in this country are absolutely to-day in a class by themselves. There is no comparison between the merits of improvement of the approaches to any navy yard on the Atlantic or Pacific coast with the possibility of improving or maintaining some little

commercial channel, whether in New England or elsewhere in the country. That is where we want to spend our money. We want to spend it on just such propositions as this amendment calls for. It is an element of preparedness. It is what the people of our country demand to-day, and therefore I say we come right here absolutely on our merits asking, as one feature of the element of preparedness, that we deepen the channel so that battleships can get to the dry dock at Boston and to the Charlestown Navy Yard. I agree absolutely with the gentleman from Virginia [Mr. HOLLAND].

Mr. ROGERS. Mr. Chairman, will my colleague yield there?

Mr. TREADWAY. Certainly.

Mr. ROGERS. Is it not a fact that the port of Boston, in value of trade, is the second port in the United States?

Mr. TREADWAY. Yes; the second port in the United States and the fifth in all the world. I have all those statistics in the articles I inserted in the RECORD yesterday.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield there?

Mr. TREADWAY. Yes.

Mr. MOORE of Pennsylvania. I hope the gentleman will make that statement with a reservation. Philadelphia is now the second port in the matter of collections.

Mr. TREADWAY. In what particular?

Mr. MOORE of Pennsylvania. In the matter of collections, and also in the matter of tonnage.

Mr. TREADWAY. Well, my authority is the document which I quoted from yesterday. If it is not up to date, I am very glad that occasionally the State of Pennsylvania is not so slow as our good, old, conservative New England. Certainly it would not be if all its citizens were like the gentleman from Philadelphia. [Applause.]

But, Mr. Chairman, in order that the gentleman may not have too exalted an idea of Philadelphia's greatness and as a matter of accuracy I will state the total value of imports for the Massachusetts district in 1915 was $159,917,216, whereas the value for the Philadelphia district was $67,913,141. Also, total number of trans-Atlantic passengers handled during 1913 out of Boston was 114,000 and out of Philadelphia 87,000.

Mr. MOORE of Pennsylvania. Well, Mr. Chairman, under those circumstances I will not press the fact so as to interfere with the gentleman's argument. [Laughter.]

Mr. TREADWAY. Now, Mr. Chairman, my argument for this amendment is based very largely on two factors. One is the article we find in the House document to which I referred when I offered my amendment—House Document 931, Sixty-third Congress, second session. It contains this statement from the Board of Engineers:

> The navy yard located at Charlestown is one of the most important in the country. The strategic conditions are such that in the event of a war with almost any European power of importance a naval battle may be expected off the New England coast. In such an event, however the battle might result, there would probably be a number of crippled ships of the first class coming into the yard for repairs, and some of these, on account of their condition, drawing more than their normal draft.

That is exactly the nature of the argument used by my colleague, Mr. ROBERTS, and it has the official backing of the Chief of Engineers. I am quoting directly from the language used in his report. Then again I referred yesterday to the annual report of the Secretary of the Navy which he made to this Congress on December 15 last.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. TREADWAY. I ask unanimous consent, Mr. Chairman, for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. TREADWAY. The Secretary of the Navy, in his report submitted to this very Congress on December 15, 1915, uses this language:

> It will be the greatest graving dock in the world. When completed it will readily dock the largest war vessels built or contemplated to be built for the future, sufficient in size to receive commercial vessels considerably larger than the giants in the trans-Atlantic Ocean trade.
>
> This monumental work, involving an expenditure by the State of Massachusetts of well over $3,000,000, while being constructed primarily for the commercial purposes of the port of Boston, will afford the Navy of dry-dock facilities in this most important harbor superior in extent and size to that available at any other American port, and by arrangement give the United States Government prior and paramount use of the dock in time of war.

I think I have quoted that section now three times upon this floor, and I shall be glad to quote it three times three if it will bring home to the minds of our Members here the importance of the proposition I am presenting.

Mr. BORLAND. Mr. Chairman, will the gentleman yield there?

Mr. TREADWAY. Yes.

Mr. BORLAND. I understand the gentleman is urging this improvement largely as an entrance to the dry dock at Charlestown Navy Yard?

Mr. TREADWAY. There are two facilities. Do not confuse them. There are two of them, the dry dock and the navy yard.

Mr. BORLAND. But in addition to that, it is also a commercial channel, used by the port of Boston?

Mr. TREADWAY. Certainly.

Mr. BORLAND. So that the use of it by the Navy is only one feature that the gentleman is laying some stress on, and in addition to that the port of Boston is largely benefited by the channel being open?

Mr. TREADWAY. Undoubtedly. I said yesterday, Mr. Chairman, that the argument at the present time is not based on the commercial interest. We have the argument for that; but we want here to-day to be put to the test, and the call of the hour is for better preparation all along the line. We must have a bigger Navy, we must have docks at which the vessels can be repaired, and we must have a yard where they can be equipped. Above all, we must have a sufficient depth of water to make use of these facilities. It all goes to make up a part of the preparedness program.

And it is, as I have said several times, largely on that score, rather than on the commercial side, that I present the claims of Boston to this House at this time.

Now, I want to add just one word more about the report of the Secretary of the Navy. Just what did he intend to convey to this House by the report he made to us on December 15? I recognize that it is perhaps not the means by which the executive departments ask for legislation. They go before our committees in the usual process of appropriating for various items. But it does carry with it the weight of the judgment of the Secretary of the Navy in calling to the attention of the House of Representatives various meritorious ideas which he wishes to impress upon the membership in view of their action. What other reason would there be for the Secretary of the Navy spending his time in writing a report if it was not that he wanted his opinion brought before Congress, with an idea of the influence that it would have on congressional action? So I am very willing indeed to leave this case in your hands, realizing what the views of the Secretary of the Navy are and the importance of the immediate adoption of this project for preparedness. [Applause.]

Under permission given to extend my remarks I append the report of the Chief of Engineers and the report of the Board of Engineers and a portion of the survey from the district engineer officer, Lieut. Col. W. E. Craighill:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, April 25, 1914.

From: The Chief of Engineers, United States Army.
To: The Secretary of War.
Subject: Report on preliminary examination and survey of Boston Harbor, Mass.

1. There are submitted herewith, for transmission to Congress, report dated December 11, 1912, by Col. Frederic V. Abbot, Corps of Engineers, and report dated April 4, 1914, with map, by Lieut. Col. W. E. Craighill, Corps of Engineers, on preliminary examination and survey, respectively, authorized by the following item contained in the river and harbor act approved July 25, 1912:

"Boston Harbor, Mass., with a view to securing increased width and depth in the channel from President Roads to the sea; also with a view to providing deep-water connection with such suitable terminals as may be established by the directors of the port of Boston."

The act approved March 4, 1913, provides for an examination of "Boston Harbor, Mass., with a view to securing increased width and depth of channel from Mystic River to President Roads." As this locality is included within the scope of the investigation authorized by the act approved July 25, 1912, and is fully covered by the reports mentioned above, no separate report thereon will be submitted.

2. The existing project for improvement of the portion of Boston Harbor specified in the above-quoted items provides for channels 35 feet deep at mean low water, 1,200 feet wide from the navy yard at Charlestown and the Chelsea Bridge and Charles River Bridge to President Roads, 6 miles, and 1,500 feet wide from President Roads through Broad Sound to the ocean, 1½ miles, at an estimated cost in round numbers of $7,994,000. This project is nearly completed. The commerce of Boston Harbor is large and important, and a number of deep-draft vessels are engaged in its foreign trade. It appears that several large foreign steamship lines have recently entered the Boston service, and the further improvement of the entrance channels desired is largely to facilitate the movement of these vessels, the existing channel capacities being ample for all coastwise vessels and for the bulk of the foreign carriers. The district officer states that the most important desire of the Boston interests is that the large steamers may load to full capacity in the port itself and sail direct to their destinations abroad without regard to the tide and without touching at any other American port to complete their cargoes. Taking into account the low tides at certain times, the effect of the winds upon the water surface, the presence of ledge rock on the bottom, and the necessity for ample clearance for deep-draft vessels, he reaches the conclusion that the inner channel from the navy yard to President Roads should be given a depth of 40 feet at mean low water over a width of 600 feet covering the southerly half of the present 1,200-foot channel.

This work is estimated to cost $2,300,000. For the outer or Broad Sound Channel he recommends a depth of 45 feet in the rock section and a nominal depth of 40 feet where the material can be dredged, this channel to be 900 feet wide and to be located along the southeasterly side of the present 35-foot cut, with a slight bend to the eastward at the entrance opposite Finns Ledge. The cost of this channel is estimated at $985,000. He proposes to do the bulk of the work by contract, but for the prompt and economical execution of the project and for its maintenance after completion he recommends the construction of a self-propelling seagoing ladder dredge, with seagoing tug and necessary dump scows, at an estimated cost of $560,000, making a total expenditure of $3,845,000 for work and plant, with $30,000 annually for maintenance. To this extent he believes the locality to be worthy of further improvement, and in this view the division engineer concurs.

3. These reports have been referred, as required by law, to the Board of Engineers for Rivers and Harbors, and attention is invited to its report herewith, dated April 22, 1914. In connection with its consideration of the subject, the board visited the locality and held a public hearing in Boston on March 19, 1913. For reasons fully explained the board considers it inadvisable to enlarge the present inner channels of Boston Harbor at this time, but it is of opinion that the general project for the harbor should be modified by providing a channel between President Roads and the sea, on the lines recommended by the district officer, 900 feet wide except at the outer end, where it is widened to 1,100 feet, 40 feet deep in general, but 45 feet deep through rock, and the building of a dredging plant, at a total estimated cost of $1,545,000.

4. After due consideration of the above-mentioned reports, I concur with the views of the Board of Engineers for Rivers and Harbors, and therefore report that the further improvement of Boston Harbor, Mass., is deemed advisable to the extent of providing a channel between President Roads and the sea, on the lines recommended by the district officer and indicated on the accompanying map, 900 feet in width, widening to 1,100 feet at the outer end, 40 feet deep at mean low water in general, but 45 feet deep through rock, and the construction of a dredging plant, at a total estimated cost of $1,545,000. The initial appropriation should be $400,000 in cash, with contract authorization for the remainder.

DAN C. KINGMAN,
Chief of Engineers, United States Army.

REPORT OF THE BOARD OF ENGINEERS FOR RIVERS AND HARBORS ON SURVEY.

[Third indorsement.]

BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
April 22, 1914.

To the CHIEF OF ENGINEERS, UNITED STATES ARMY:

1. The act of July 25, 1912, provides for a preliminary examination of Boston Harbor, Mass., with a view to securing increased width and depth in the channel from President Roads to the sea; also with a view to providing deep-water connection with such suitable terminals as may be established by the directors of the port of Boston. The act of March 4, 1913, provides for an examination of Boston Harbor, Mass., with a view to securing increased width and depth of channel from Mystic River to President Roads. Both subjects are covered by the reports on preliminary examination and survey, submitted herewith, under the act of 1912.

2. The entrance channel to President Roads have been under improvement since 1867 under projects providing successively for depths of 23, 27, 30, and 35 feet. On these channels there had been expended to June 30, 1912, practically $11,000,000. The total expenditures for the harbor, including tributary streams and auxiliary works, have amounted to something over $12,000,000. The 23, 27, and 30 foot channels have been completed. The 35-foot project, which provides for a width of 1,500 feet in Broad Sound and 1,200 feet inside of President Roads, was adopted by the act of June 13, 1902, and is nearly complete, there being an available depth of 33 feet, although the work done has not included the removal of Finns Ledge, a detached 25½-foot ledge lying about a mile outside of but in line with the 35-foot channel. The district officer states that if a 40-foot channel is provided by Congress, the best method of disposing of Finns Ledge will be to use it as a foundation for a lighthouse. The range of tides at Boston Navy Yard is from 8.1 feet to 10.9 feet, the mean tide being 9.6 feet.

3. The foreign commerce reported herein has in recent years ranged from about 1,600,000 to 2,000,000 tons, valued at $190,000,000 to $200,000,000. There is also a very large coastwise commerce at Boston, but this is carried in moderate draft vessels and does not properly enter into the consideration of greater depths in the channels of approach to this harbor. Several large foreign steamship lines have recently entered the Boston service, and the further improvement of the entrance channels desired is largely to meet this condition.

4. The State of Massachusetts, through the directors of the port of Boston, is doing its part toward the development of the harbor by the creation of an anchorage basin, connecting channels, and extensive terminals, on which and for other improvements there has been expended nearly $8,000,000 up to the present time, and provision has been made for a further expenditure of about $7,000,000. It is in connection with the latter that the second item of the act is concerned.

5. The district officer's study of the needs of commerce in the inner harbor, taking into account the low tides at certain times, the effect of the winds upon the water surface, the presence of ledge rock on the bottom, and the necessity of ample clearance for deep-draft vessels, has led him to the conclusion that a depth of 40 feet at mean low water is essential. He has given consideration to a width of 1,200 feet, corresponding to that of the present channel, but concludes that a width of 600 feet will answer the needs of the port for many years to come. The survey covered a channel north of Governors Island, as suggested by the directors of the port of Boston, but the results show that to create a channel here 40 feet deep would be much more expensive than by following the present channel. Moreover, it appears that the proposed terminal developments at East Boston will not be available in the near future, and therefore the channel to the north of Governors Island is not urgently needed.

6. Various estimates are submitted for the outer or Broad Sound Channel covering widths of from 900 to 2,000 feet by slightly different routes and depths of 40 and 45 feet. The investigations of the district officer, which included consultations with experienced navigators, led him to the conclusion that a channel depth of 45 feet in the rock section and a nominal depth of 40 feet elsewhere, with a width of 900 feet, widened to 1,100 feet at the outer end where the channel bends to the eastward of Finns Ledge, will serve the needs of commerce for the present. For the prompt and economical execution of the project and its subsequent maintenance, the district officer believes a seagoing ladder dredge, with necessary floating plant, is desirable, and he submits an estimate therefor. He recommends the locality as worthy of additional improvement in accordance with the following estimates:

An inner channel 600 feet wide, 40 feet deep, from President Roads to the navy yard	$2,300,000
An outer channel from President Roads to the sea 900 feet wide, with a slight bend at the outer end, and 1,100 feet wide at the entrance east of Finns Ledge, 45 feet deep through rock and of sufficient depth to insure safe navigation at mean low water for vessels requiring 40 feet draft in the inner harbor	985,000
Dredge with seagoing tug and dump scows	560,000
Total	3,845,000

His estimate for the maintenance of the project is $30,000 per annum. The division engineer concurs in the views and recommendations of the district officer.

7. In addition to the information secured through the reports on preliminary examination and survey the board held a public hearing in reference to this subject in the city of Boston on March 19, 1913, which was largely attended by representatives of the principal interests concerned. It appears that the needs of the city of Boston have, up to the present time, outgrown successively the various projects adopted for the entrance channels, and arrangements have recently been made with some of the more important trans-Atlantic lines to engage in service at this port, using large and deep-draft vessels, for which an increase in depth is considered necessary. It is claimed that out of a total of 172 vessels in existence in 1911–12 having a length of 500 feet or over, 25 were in the Boston trade, and 4 others over 600 feet in length had been contracted for. These vessels draw from about 30 feet up to 34 feet. Stress was laid upon the fact that Boston has an advantage over New York in that it shortens the trip to European ports by 190 miles, a matter of particular importance to the passenger service.

8. It is quite clear from the data presented that the present entrance channels at Boston Harbor have ample width, and that the additional depth desired is merely to enable a few large trans-Atlantic passenger boats to sail fully loaded without reference to the tide. The European ports for these same boats do not generally have as great low-water depth as that already provided at Boston. A change of not exceeding three hours from a fixed time of departure would apparently enable the largest of these boats to sail without any difficulty. It is not believed that the resulting inconvenience would be sufficient to warrant the large initial expenditure of nearly $4,000,000 to prevent it.

9. On the other hand, it is apparent that on account of the exceptional exposure of this locality a somewhat greater depth is necessary in the outer channel from President Roads to the sea in order to give it a capacity equivalent to that of the inner channel, and the board believes that a depth of 40 feet is required for this purpose. Moreover, in giving the depth of 40 feet it is considered advisable to remove ledge rock to a depth of 45 feet, as the additional expense involved is not very large. The board therefore concurs with the district officer and the division engineer in recommending the outer channel proposed by the district officer, except that the general project depth should be limited to 40 feet. The board also concurs with the district officer and the division engineer in the opinion that it is of great importance to provide the Government dredge.

10. In conclusion, therefore, the board considers it inadvisable to enlarge the present inner channels of Boston Harbor at this time, but it is of opinion that the general project for the harbor should be modified by providing a channel between President Roads and the sea, on the lines recommended by the district officer, 900 feet wide, except at the outer end, where it is widened to 1,100 feet, 40 feet deep in general, but 45 feet deep through rock, and the building of a dredging plant, at a total estimated cost of $1,545,000. The initial appropriation should provide the sum of $400,000 in cash and contract authorization for the balance.

11. The board concurs with the district officer and the division engineer in the opinion that a lighthouse on Finns Ledge is essential to properly mark the entrance and give reasonable safety to navigation.

12. In compliance with law, the board reports that there are no questions of terminal facilities, water power, or other subjects so related to the project proposed that they may be coordinated therewith to lessen the cost and compensate the Government for expenditures made in the interests of navigation.

For the board:

W. M. BLACK,
Colonel, Corps of Engineers,
Senior Member of the Board.

* * * * * * *

SURVEY OF BOSTON HARBOR, MASS.

WAR DEPARTMENT,
UNITED STATES ENGINEER OFFICE,
Boston, Mass., April 4, 1914.

From: The District Engineer Officer.
To: The Chief of Engineers, United States Army
(Through the Division Engineer).
Subject: Survey of Boston Harbor, Mass.

1. In compliance with instructions in your letter dated March 27, 1913, the following report is submitted on the survey of "Boston Harbor, Mass., with a view to securing increased width and depth in the channel from President Roads to the sea; also with a view to providing deep-water connection with such suitable terminals as may be established by the directors of the port of Boston."

These instructions were accompanied by the following recommendations of the Board of Engineers for Rivers and Harbors of March 24, 1913:

"2. It is recommended that estimates be prepared for depths of both 40 and 45 feet, and widths of 1,200, 1,500, and 2,000 in the outer channel; and for a depth of 40 feet and widths as suggested by the district officer in the inner channel."

The Chief of Engineers directed that these recommendations be complied with.

2. The channel is divided into two parts, viz, from the bridges at the head of the harbor to President Roads, about 5½ miles, and from President Roads to the sea, which is, to the outer end near Finn's Ledge by the present deep-draft channel, about 3 miles. It is necessary first to consider and fix the depth required in the channel from the city to President Roads, which will be designated as the inner channel. Three controlling features are present, (a) the needs of deep-sea traffic using the port, (b) the new dry dock being built with

State funds and the State terminals at South Boston, and (c) the navy yard at Charlestown. On October 16, 1912, the Acting Secretary of the Navy advised the Secretary of War of the following recommendation of the General Board, which had been approved by the Navy Department:

"The General Board recommends that channels leading to all the first-class docking, repair, and supply yards be dredged to a depth of 40 feet at mean low water and to a least width of 750 feet, and greater if practicable."

(a) The needs of the deep-sea traffic would require the extension of the channel to the upper harbor, where are located the White Star, Allan, Red Star, and other trans-Atlantic lines. The expense to the United States to meet the needs of such commerce would be lessened by requiring all lines to establish themselves in one neighborhood, and efforts to this end are being made. For the present study, however, it is not a material matter, as if the channel is to go to the navy yard the commercial docks of deep draft at the upper end of the inner harbor would be similarly benefited. The most important desire of the Boston interests is that the large steamers may load to full capacity in the port itself and sail direct, without regard to the tide, to their destination abroad, without touching at any other American port to complete their cargoes. The advantages of this manifest and the commercial statistics indicate that full cargoes can be offered. A vessel capable of loading to 34 feet, which has to go to sea drawing only, say, 31 feet, loses the most profitable part of the voyage. The additional 3 feet draft in vessels of the type under consideration would carry practically one-third more cargo, with comparatively little increase of cost to the carrier. Boston is the commercial center of New England, and with proper facilities can draw both export and import business from and to the most important manufacturing States in the country, which are near it, without regard to its business with the Middle West. It has exceptionally good facilities at both State-owned and private terminals for transferring freight from rail to vessel and vice versa, as no lighterage is required. In this respect it is superior to New York, and I have been told by the Chicago agent of one of the most important trans-Atlantic lines that Boston is preferred by his company for this purpose. The largest class of steamers now coming to this port are capable of loading to depths of 33 to 34 feet; when under way in shallow water, even at the moderate speed required for steerageway, they no doubt settle as much as 3 feet more at the stern.

Twice a month, when the spring tides occur at the sailing hour, there may be 1 to 3 feet less than the present mean low-water depth. A list of predicted tides in excess of 1 foot below mean low water at Boston, from Coast Survey Tide Tables, 1913, is appended. (Not printed.) These do not take into account the effect of the wind, which at not infrequent intervals produces low tides in the inner harbor five-tenths to 1 foot below the predicted normal. This effect of the wind naturally grows less as we approach the open sea. My conclusion is that it is reasonable to say that 40 feet is desirable in the inner harbor for the commercial interests of the port, this margin being no more than is reasonable to allow under the ship's bottom to make her steer properly. Added to this are the uncertainties of maintaining any deep channel within a foot or two of the project, or even of knowing whether or not the depths exist to within this limit. The danger of too narrow a margin between a vessel's keel and the bottom is a more than usually serious consideration in Boston Harbor because of the presence of ledge rock bottom over large areas. The above remarks in this paragraph are based on vessels drawing 34 feet, the deepest draft now used or under contract for use in Boston Harbor, but many of the newer steamships are being built to load to as much as 37 feet. There is no reason why these steamers may not later come into Boston, if not within a few years on account of the commerce of the port, at least for dry-dock accommodation. I am informed that the *Aquitania*, *Mauretania*, *Lusitania*, and *Imperator* are unable to dock anywhere on this side of the Atlantic. Any one of them could readily be accommodated in the dry dock now building at South Boston.

(b) The dry dock is the nearest to the sea of the three points to be reached for the purposes named above. It is being built to have 35 feet on the sills, and could at normal high tide dock vessels of perhaps 43 feet draft. This indicates that they are providing for at least 40 feet draft. This is also the depth being provided at the State terminals at South Boston and Commonwealth Pier No. 1, East Boston, in the slips and approaches.

(c) The navy yard located at Charlestown is one of the most important in the country. The strategic conditions are such that in the event of a war with almost any European power of importance a naval battle may be expected off the New England coast. In such an event, however the battle might result, there would probably be a number of crippled ships of the first class coming into the yard for repairs, and some of these, on account of their condition, drawing more than their normal draft.

Mr. SPARKMAN. Mr. Chairman, I hope this amendment will not be adopted. There is really no excuse for it at this time that could not be urged in favor of many other projects that we are leaving for another bill. This is essentially a new project—one of a class that we have excluded from this bill, with one single, solitary exception. That exception is the East River project. I may say, further, that this project is not on all fours with that by any means. There was one overpowering reason for the insertion of that project in this bill, namely, the letter expressing the conviction of the President that it should go in as a part of the national-preparedness plans to come up before Congress at this session.

Mr. TREADWAY. I should like to ask the chairman of the committee whether, if a similar communication had been asked for and secured from the President in behalf of the Boston project, he would then consider it overwhelmingly necessary to put it in the bill?

Mr. SPARKMAN. If, in addition to such a request from the President, the proper naval officers had come before us, as in the East River project, or in any other way had assured us that they needed this improvement in the interest of the Navy, and that its improvement was urgent, of course, we would have included it in the bill.

But they have not done that; on the contrary, they have practically said it was not urgent. Admiral Benson, in speaking of the importance of Boston as a navy yard, says in a letter to myself:

> Referring to our conversation over the telephone—

This letter was written on March 4—

> and to more fully state the situation with regard to the navy yards and channels on the eastern coast of the United States, I think it well to inform you that the only navy yard on this coast now fitted for building battleships is the one at New York, which emphasizes the necessity for deepening the channel to that yard.

A little further on and with reference to the Boston yard he says:

> The Boston yard has one building slip on which an 8,500-ton ship is being constructed and will be completed probably this year. It would be necessary, in order to build battleships at this yard, to construct an entirely new building slip, and it is not believed desirable to do this at that yard.

We therefore see that, so far as the Government dry dock is concerned, there is no necessity for its improvement. It is urged here, however, that, while it is not needed for that purpose, it is necessary on account of the fact that the State of Massachusetts proposes very soon to erect——

Mr. TREADWAY. Is erecting——

Mr. SPARKMAN. Is erecting and will have constructed within the next, three or four years a dry dock capable of accommodating battleships. But that yard is not now ready, is only under construction, and will not be completed for three or four years. Now, if this Congress adjourns, we will say, on the 30th of June—I can not tell as to that——

Mr. TREADWAY. We will pray for that.

Mr. SPARKMAN. Or it may be in July or August, or whenever it is, only a very few months will elapse before we will have another river and harbor bill. Then this particular project can, no doubt will, come before the Committee on Rivers and Harbors, where it will be duly considered, and, if it has the merits that our friend from Massachusetts says it has, it will most assuredly be adopted. I am not, however, making any promises just now.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. SPARKMAN. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. SPARKMAN. I know something of this project, having read and studied it very carefully. The work recommended begins 6 or 7 miles from the city of Boston and covers the stretch of channel known as Presidents Roads, a channel about a mile and a half in length. It is the outer channel from Boston, leading into deep water in the Atlantic Ocean. They have 35 feet of water there now, with a 9 or 10 foot tidal rise, which affords 45 feet at high tide, or an available depth of 40 feet. That tide carries the same depth up to the city of Boston and to the navy yard they are now constructing there, so if the plant was finished and ready now I would not consider it as presenting an urgent case by any means; certainly not such a case as would justify an exception to our rule as to new projects. New York, with the greatest navy yard on the Atlantic seaboard, capable of accommodating the largest battleships that we propose to build, has only 30 feet of water.

Mr. MADDEN. Will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Illinois.

Mr. MADDEN. Is not the gentleman mistaken about the depth at New York. Is it not 40 feet?

Mr. SPARKMAN. Oh, no; not up to the navy yard. It is only 30 feet.

Mr. HULBERT. Twenty-six feet.

Mr. SPARKMAN. The gentleman from New York [Mr. HULBERT] says only 26 feet. Whatever the depth is, it is not sufficient to admit these large battleships to the navy yard except at high tide. But I am not going to discuss that particular feature now. We will reach that later.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. MOORE of Pennsylvania. Has the committee had before it any other new project like that at the port of Boston which it declined to consider?

Mr. SPARKMAN. We have had many projects before us, 150 in number.

Mr. MOORE of Pennsylvania. Were there any other navy-yard projects like that at Boston before the committee?

Mr. SPARKMAN. Yes; there was a navy yard brought to the attention of the chairman of this committee by the President some time ago, with the request that it be given consideration by the committee. That was the navy yard at Charleston, S. C.

Mr. MOORE of Pennsylvania. I want the gentleman to explain whether any other ports have made similar requests like that of Boston.

Mr. SPARKMAN. Yes; both Norfolk and Charleston. Now, Mr. Chairman, a word in regard to the work the State of Massachusetts is doing in the matter of developing her rivers and harbors. She is doing well along that line. Few, only two or three others, if any, are doing as well, and they are on the Pacific coast. But that should not influence us in this matter. The question here is whether we want to include in this bill another new project, one not in the same class with the ones we have included. There is no excuse and no reason for it, and I hope the amendment will not be adopted.

Mr. HUMPHREY of Washington. Mr. Chairman, this item under consideration differs from the New York item in one respect only, and the chairman of the committee has told you what that respect is. The only mistake the gentlemen from Massachusetts made who are in favor of this amendment was that they did not go to the White House and get its indorsement. In every other way it is equal with New York, except that it is better because they are going to have a larger dock. The truth about the matter is there is no emergency in either proposition. It is simply an attempt to take advantage of this general proposition of preparedness to get some money that otherwise they could not get. That is all there is in either one of the propositions. Notwithstanding what the gentleman from New York said, that I insinuated that he was playing politics, I assure the committee that I would not accuse the gentleman from New York under any circumstances of playing politics. [Laughter.]

Mr. FITZGERALD. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. FITZGERALD. The gentleman did not do me the honor to pay close attention to my remarks. I did not charge the gentleman with intimating that I was playing politics. What I resented was the intimation that the President of the United States, according to the gentleman from Washington, would stoop to request Congress for money for an improvement for national defense, merely as a subterfuge, when he was, according to the gentleman, seeking political advantage. I do not think it was worthy of the gentleman from Washington to make such a charge as that against the President, and to represent him to be doing an ordinary "fence-repairing job" that the gentleman from Washington and myself might indulge in without much criticism.

Mr. MANN. Which the gentleman from New York was, in fact, indulging in. [Laughter.]

Mr. FITZGERALD. Oh, no; I am a fence demolisher and not a fence repairer. [Laughter.]

Mr. HUMPHREY of Washington. Of course the gentleman from New York would not indulge in playing politics. I would not make that assertion on the floor of the House or anywhere else. If the gentleman from New York had read the rest of the report that he had in his hand——

Mr. FITZGERALD. I intend to put it all in the RECORD, as well as my letter from which the gentleman quoted one sentence.

Mr. HUMPHREY of Washington. That one sentence was enough; I did not want to incorporate the rest for fear that some one would accuse him of playing politics. If the gentleman had read a little further in the report, he would have found these words:

> It should, in fairness to the President, be stated that the presentation of the matter to him was entirely ex parte, and he was undoubtedly misled as to the facts and no doubt believed that an emergency really existed. But the majority of the committee can have no such excuse for their action. They had all the facts before them, and they knew that there was no existing reason justifying the inclusion of this item in the bill. In fact, the only defense made of the item was that the President desired it.

And that is the only defense made of it now. That was the defense that the chairman of the Rivers and Harbors Committee just made.

Mr. SPARKMAN. I want to say that that was the one proposition—not the overpowering reason, but the very great reason why we took it on, and I couple with that the explanation that Admiral Benson, from the navy yard, made as to the importance of the work.

Mr. HUMPHREY of Washington. The explanation Admiral Benson made absolutely demonstrated that there was nothing in the proposition at all.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Without objection, the gentleman's time will be extended five minutes.

There was no objection.

Mr. HUMPHREY of Washington. Now, gentlemen of the committee, I am not saying anything that I think I ought not to say as to what occurred in the committee. I think it appears in the report, but the truth about it is that there is not a man on that committee that would have voted for this item except the gentleman from New York [Mr. HULBERT] if it had not been for the letter, not from the President, but from his secretary, and I would not accuse the secretary of playing politics any more than I would accuse the gentleman from New York.

Here is what happened: We went through the bill and took on no new items. The President had intimated that on account of the condition of the Treasury, as I understood it, we should not take on any new items. I was one of the Members who was in favor of taking on the new items. I believed this New York project ought to be put in the bill on a commercial basis, but it was no more emergency than many other items. But after we had done that, after we had gone through the bill, too late to get on any other item, then comes this letter from the President's secretary saying there was this emergency. I have respect for the President. We took it up, went into it and investigated it, and the investigation showed that there was no emergency whatever in regard to it. My distinguished friend from Missouri, Judge BOOHER, when Admiral Benson was before the committee, asked the question if there was not the same condition existing in all of the navy yards on the Atlantic coast, and his reply was substantially "yes." He said the same condition existed at Philadelphia and Norfolk and a worse condition at Charleston, S. C. So there was no emergency, and this talk that my friend from Massachusetts made——

Mr. HULBERT. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. HULBERT. Did not Admiral Benson state that there was sufficient water at Boston for the accommodation of the largest vessel of the United States Navy?

Mr. HUMPHREY of Washington. I do not know.

Mr. HULBERT. Did he not state that there was sufficient water in the Delaware River for the accommodation of the largest vessel in the United States Navy?

Mr. HUMPHREY of Washington. Yes. I do not want to be interrupted any more.

Mr. HULBERT. The gentleman yielded to me for a question.

Mr. HUMPHREY of Washington. Is the gentleman through with his question?

Mr. HULBERT. No; I am not.

Mr. HUMPHREY of Washington. Then state it.

Mr. HULBERT. What does the gentleman mean, then, by stating that the conditions at all of these navy yards along the Atlantic coast are the same?

Mr. HUMPHREY of Washington. I meant just exactly what Admiral Benson said, and I quote from the hearings:

> Mr. BOOHER. That navy yard is open at all times?
>
> Admiral BENSON. You would have to go up the Delaware, and you have to take it at practically high water. It is the same thing at Norfolk. You would want the high water, because the channel at Norfolk is very restricted, and at present it is too narrow to turn one of our big ships.
>
> Mr. BOOHER. Then the navy yards all along the Atlantic coast are practically in the same condition as the one at Brooklyn is—the harbor conditions are practically the same?
>
> Admiral BENSON. I do not know. I do not think so, sir.
>
> Mr. BOOHER. You say you have got to wait for high water if you take the Buttermilk Channel? What is the difference in the channel there and at the other navy yards?
>
> Admiral BENSON. The conditions are practically the same in that respect—that you have to wait for high water; but at Norfolk, for instance, I think the later ships coming out will have considerable difficulty in turning.

And that is the only thing that has ever been contended for the New York yard, that sometimes they have to wait for high tide in order to get in there. That is the testimony of Admiral Benson, and the testimony further shows that there are from 20 to 30 minutes in the day when they have extremely low water, and it is troublesome for a battleship to go up the channel. Not only that, but I call attention to the fact that Admiral Benson testified that during the year—now, listen to the great emergency for making the exception, the great exception—on an average 20 battleships go up to the New York Navy Yard, and the emergency is that there are 30 minutes in the day when these 20 battleships making these 20 trips could not get up to the channel.

Mr. SMALL. Mr. Chairman, this amendment putting in the bill a new project for Boston can not be adopted without doing a great injustice to a great many other projects throughout the country which have received favorable reports and which are also clamoring to be included in the bill. Boston is a great port for commerce and for other reasons, and the directors of the

port of Boston have constructed wonderful terminals and a great dry dock, but these are not decisive of the question. The amendment is to add a new project to this bill. What is the project? There was authorized by Congress in the act of 1912 an examination and survey with a view to increase the width and depth from President Roads to the sea, and also to provide deep water in connection with such suitable terminals as may be established by the directors of the port of Boston. Here is a project which was favorably reported, and I have the map before me. The report says that no further improvement is needed from the navy yard for 6 miles down the harbor to President Roads, but they do recommend that from President Roads to the sea, a distance of 1½ miles, they have an increased depth from 35 to 40 feet, and an increased width at the outer edge. That is the project which is sought to be included in the bill, so that if the project is adopted you get no deeper water from the navy yard to President Roads, a distance of 6 miles, than exists at the present time. Boston already has been generously provided for. They have 35 feet from Chelsea Street Bridge and Charles Street Bridge and from the navy yard down to the sea.

There is no other harbor in the United States which has a greater depth by improvement than 35 feet, except the harbor of New York, and that only on the North or Hudson River side. The navy yard is on the East River side, and the proposed East River project has reference to that.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. SMALL. In a moment. When they get to this East River project, the project asked to be adopted is for 35 feet, the same as Boston has at the present time, leading up to the navy yard, and I may say at the same time that there is no harbor in the United States having a navy yard that to-day has a depth of more than 35 feet by improvement leading to it.

Mr. SULLOWAY. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Oh, at Portsmouth the depth was natural and they did not get it by improvement. The same is true of Puget Sound. I am talking about channels improved by dredging. There is no improved channel leading to any navy yard in the United States that has more than 35 feet, and Boston has that depth already. So the chairman of the committee is right. There is no emergency about it. You can not adopt this project without doing a grave injustice to many other projects upon which favorable reports have been made.

Mr. BENNET. Mr. Chairman, without particular reference to this particular Boston project, I think it is due to my colleague [Mr. FITZGERALD] that the proposition that this is a political matter aimed at reconciling the Democratic Representatives from New York City with the President be refuted by a Republican from the city of New York.

Mr. HUMPHREY of Washington. The gentleman is the first one who has mentioned that.

Mr. BENNET. Oh, that is the report, and that is the purport very largely of the attack on my colleague. The facts are these, that at the beginning of the Congress two or three of us introduced bills covering this whole East River project, and along about the 1st of January we held a meeting of the delegation from New York City, to which the entire 24 were invited, which meeting was attended by more than a majority, irrespective of politics. Our colleague [Mr. FITZGERALD] was elected by the voice of his colleagues chairman of our city delegation, and while there was no formal vote taken, there was an expression of the sense of all of us that both he and Mr. HULBERT, who represented our city on the Committee on Rivers and Harbors, should use every reasonable effort to get this particular project in whole or in part in the bill. There were no politics in it. If any politics have been injected into it, I unwittingly am the guilty party.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. LONGWORTH. Is it the deliberate judgment of the gentleman that this is in the interest, necessarily and properly, of adequate national defense?

Mr. BENNET. Yes.

Mr. LONGWORTH. Then I am for it; I do not care how much Democratic politics there is in it.

Mr. TREADWAY. Does the gentleman from Ohio understand the project the gentleman is discussing? My amendment is for Boston Harbor.

Mr. LONGWORTH. I was talking about the New York project.

Mr. BENNET. It is in the interest of adequate national preparedness and adequate defense, and it seems to me that the President of the United States, as Commander in Chief of the Navy, is not at all to be criticized when he favors this exception to the rule at the request of the united voice of the Republican and Democratic Representatives from the city of New York.

We demand the whole project if we can get it, but we are glad to get part, if not more.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. HUMPHREY of Washington. The gentleman says this is in the interest of preparedness. I trust the gentleman will say why. Admiral Benson did not say.

Mr. BENNET. When we get to our amendment, if there is opposition, I do not want to take up the time on the Boston amendment to do that.

Mr. GILLETT. Will the gentleman yield for a question?

Mr. BENNET. Yes.

Mr. GILLETT. Will the gentleman say how many Republicans there were in the 24 Representatives from New York City?

Mr. BENNET. Oh, I regret there are not more.

Mr. GILLET. But how many are there?

Mr. BENNET. Out of 24 there are 7.

Mr. MOORE of Pennsylvania. They are united?

Mr. BENNET. Absolutely united.

Mr. MADDEN. The gentleman stated that a majority of the 24 were present. How large a majority of the Republicans were present?

Mr. BENNET. My recollection is every one of the 7 Republicans were there, and my recollection is there were something like 19 of the 24 present.

Mr. GREEN of Iowa. I would like to ask if there ever was a time when all of the Representatives of the two parties from the State of New York have not been able to unite on an appropriation for New York Harbor?

Mr. BENNET. Never, because the appropriations for New York Harbor have been always correct and proper.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chairman announced that the noes seemed to have it.

On a division (demanded by Mr. TREADWAY), there were—ayes 29, noes 80.

So the amendment was rejected.

Mr. TREADWAY. Mr. Chairman, I desire to ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.

The Clerk read as follows:

Merrimac River, Mass.: For maintenance, $10,000.

Mr. ROGERS. Mr. Chairman, I move to amend by adding the letter "k" to the word "Merrimac," in line 18.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 18, add the letter "k" to the word "Merrimac."

Mr. ROGERS. Mr. Chairman, I have been struggling since coming to Congress to have the name of the Merrimack River, on the banks of which I live, correctly spelled. The Government Printing Office seems to have a distinct aversion to spelling it as the Indians, who gave it its name, intended, and insists on habitually omitting the final "k." About three months ago the Geographic Board of the United States was asked for a ruling upon the correct spelling of the name of this river; under date of January 5 they handed down a ruling that it should be spelled with a final "k." The Geographic Board, as I need not remind Members of the House, is charged with the duty of passing upon the spelling of doubtful geographic names. I quote from the current Congressional Directory, page 340, a paragraph defining the duties of the board:

> The board passes on all unsettled questions concerning geographic names which arise in the departments, as well as determining, changing, and fixing place names within the United States and its insular possessions, and all names hereafter suggested by any officer of the Government shall be referred to the board before publication. The decisions of the board are to be accepted by all the departments of the Government as standard authority.

I suppose there will be no disposition on the part of this House to question that ruling or to decline to acquiesce in saying that the word "Merrimack" shall hereafter always be spelled with the final "k." I am ambitious, Mr. Chairman, I will say, to be known in Massachusetts and New Hampshire as the man who anchored the "k" in the "Merrimack" River.

Mr. MANN. Has this amendment the approval of the simplified-spelling faddists?

Mr. ROGERS. If I can get their approval, I will place it in the RECORD. I ask the chairman of the committee if he will accept the amendment?

Mr. SPARKMAN. I will say that if that is the way this river ought to be spelled I have no objection.

Mr. SIMS. Mr. Chairman, I desire to oppose the amendment, unless the gentleman says it is done in the interest of national preparedness. We are not asking for anything that does not include national preparedness.

Mr. MANN. Does not the gentleman think it will be harder to get up the river if it has the "k" in it?

Mr. ROGERS. The change will make the river longer and bigger. It ought to help navigation on it. So the amendment comes within the requirements of the exacting gentleman from Tennessee [Mr. SIMS].

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. ROGERS), there were—ayes 65, noes none.

So the amendment was agreed to.

Mr. GREENE of Massachusetts. Mr. Chairman, I desire to submit a few remarks in relation to an item which has been passed in reference to Pollock Rip Channel, Mass.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GREENE of Massachusetts. Mr. Chairman, I did not obtain an opportunity to engage the attention of the Chair before the item had been passed.

The item in regard to Pollock Rip Channel is one that has been provided for by an appropriation in every river and harbor bill since 1911 but the item has been rejected in the Senate on account of some extraordinary demand from all-powerful Senators during 1914 and 1915. This matter of the improvement of Pollock Rip Channel is a subject that has been discussed by vessel owners and by maritime interests along the entire Atlantic coast for many years.

It had the opposition of engineers of the United States for several years, until finally, after the matter was presented before the Rivers and Harbors Committee and after a hearing at Newport, R. I., at which the maritime interests of the Atlantic coast were represented, reasons were given by master mariners, mates, and pilots who had traversed the coast on the southerly side of Cape Cod in Vineyard and Nantucket Sounds which convinced the engineers that there was an opportunity to make an improvement on the important shoals in the Pollock Rip Channel which would provide safety in the means of navigation, which would guarantee greater protection to human lives and better security to owners of vessel property and to the owners of valuable cargoes, which had long been menaced by lack of a direct channel of suitable width and depth through this important waterway. Pollock Rip Shoal is located about 60 miles from Boston. It has two distinct angles in it, and it is made very hard for navigation, one of them with 90 degrees radius and the other with 70 degrees radius, in line for a course that makes it distinctly dangerous for vessels navigating this most dangerous coast. Finally, after the presentations made at the hearing to which I have referred, the engineers made a preliminary examination in order that they might obtain information upon which they could make a report to the Congress as to the necessity of this important improvement to navigation. As a result of this examination and report an appropriation of $125,000 was made, which was included in the river and harbor act of 1912, and the appropriation of a second sum of $125,000 was included in the act of 1913.

The dredger *Navesink* was sent to Nantucket Sound for the purpose of demonstrating by means of a thorough examination and persistent work that two dangerous shoals, known as Bearses and Stone Horse Shoals, which had been referred to as an impediment in the channel, were assemblages of large-sized gravel stones, almost the size of paving stones, and that they could be removed and would be useful in defining definitely the line of the proposed channel. The proposed depth of the channel was to be 30 feet and the proposed length of it was to be 7 miles and the proposed width was to be 1 mile. Thus the usefulness and importance of the proposed improvement was made apparent.

There has been nothing done upon this important channel during the last two years, and it was thought by some of the engineers, before any work was begun, that it would be impossible to maintain a definite channel through that part of Vineyard Sound, which was so tortuous and which had so many sloughs and shifting sands in it, and that it would be impossible to maintain either a depth or width of channel urged by the proponents of the improvement; but the advocates claimed if the channel was made of suitable width and depth, and if it were constructed in the direction of the wind and tides passing through the channel the expense and improvement would be fully justified. It appears from the report made and submitted to Congress on the 21st of January of the present year that the work which was done two years ago has given a depth of 46 feet for a part of the channel and not less than 30 feet where the work has been completed. The fact that the work done has not deteriorated during the last two years clearly demonstrates the usefulness of the work done, the permanence of the channel and its importance to the maritime interests of the entire Atlantic coast.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GREENE of Massachusetts. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. Without objection, it is so ordered.

Mr. GREENE of Massachusetts. Mr. Chairman, the importance of this channel that I call to your attention is emphasized in a report that is submitted here, showing the commercial statistics of the channel.

I want to say further that this channel has no local bearing. It is a channel that affects the commerce of the entire Atlantic coast. In fact, the map that was presented here by the gentleman from Pennsylvania [Mr. MOORE] this afternoon showed the entire Atlantic coast that would be benefited by the improvement of the Pollock Rip Channel that is proposed to be made. I will read a portion of the commercial statistics presented by the engineers. I read:

It is estimated that a commerce of over 20,000,000 short tons annually will be benefited greatly if it be practicable to construct and maintain the proposed channel. It is impracticable to estimate the value of the commerce passing through this locality. During the calendar year 1914 the following vessels are reported as having passed the Pollock Rip Slue Light Vessel: Steamers, 5,160; sailing, 4,380; barges, 7,698.

That makes in all 17,238 different vessels passing through that important channel during the year 1915. I think these facts alone clearly demonstrate the usefulness of the channel. I believe that it is a very wise appropriation, and I trust that the money will be expended, if this appropriation meets with the approval of the other branch of Congress, in such a way as will demonstrate more fully the real advantage which this channel, which has been such a menace to navigation for a very long period of time, will be to future ages. [Applause.]

Mr. Chairman, under authority granted me to extend my remarks, I append extracts from the reports of the United States Engineers which give useful information regarding this improvement:

POLLOCK RIP SHOALS, NANTUCKET SOUND, MASS.

Location: Pollock Rip Channel is the northerly passage through the shoals off the eastern entrance to Nantucket Sound, connecting the deep water of the sound with that of the ocean. It is about 26 miles east from the harbor of Vineyard Haven on the island of Marthas Vineyard, Mass., and 60 miles south from Provincetown Harbor, at the northern extremity of Cape Cod.

Present project: The present project, adopted by the river and harbor act of July 25, 1912 (H. Doc. No. 536, 62d Cong., 2d sess.), provides for experimental dredging on the shoals, using an available Government-owned plant under appropriations aggregating $250,000, with a view to determining the amount of improvement, if any, which may be advisable. The mean range of the tide is about 3.7 feet at Mononomy Point.

Conditions at the end of fiscal year: The present project, which provides for experimental dredging, is completed, and it has been demonstrated that a dredge of the type used is well adapted to the conditions that obtain in the locality and to the material to be handled. In the vicinity of Stone Horse Shoal the increased width of channel at a point where there is a sharp bend in the existing sailing course has been immediately beneficial to navigation. The increased depth obtained at the eastern end of the channel has not been utilized by commercial vessels, but would be of great importance in the event of further prosecution of this work. The total expenditures under the present project has been $220,431.42, all of which were for original work.

Local cooperation: None.

Effect of improvement: The effect of the improvement on freight rates, if any, will not be known until the improvement is completed, but the widening of the channel near the Shovelful Light Vessel has made the sharp turn in the sailing course somewhat easier.

Proposed operations: Further operations await the action of Congress.

Since the close of the last fiscal year, and on January 21, 1916, the Chief of Engineers has forwarded a report of the Board of Engineers for Rivers and Harbors in response to resolution dated January 18 of the present year, asking whether, in its opinion, any further improvement of the locality within the scope of the project contemplated in said report is justified by the commercial interests involved, and if so whether the results obtained by the work authorized by the river and harbor act approved July 25, 1912, have been sufficient to determine the extent and character of the improvement to be further undertaken. The report recommends legislation authorizing the permanent transfer of the dredge *Navesink*, or such other suitable dredge as may be available, and an annual appropriation of $150,000 for its operation and upkeep in carrying the improvement along the general lines indicated by the district officer. Following is the recommendation of the board and that of the district officer, to which reference is made.

Recommendation of the Board of Engineers for Rivers and Harbors:

"The board concurs in general with the views of the district officer and the division engineer, but it believes that the construction of a new dredge is not advisable, as it understands that the dredge *Navesink* can be spared permanently for this work and can perform the desired service effectively. The navigation interests involved are of great importance and they earnestly desire the continuance of the work. It is believed that the results have been sufficiently encouraging to warrant the expense involved. Experience indicates that with the dredge *Navesink* this work could be carried on at an annual cost of not exceeding $150,000. The board therefore recommends legislation authorizing the permanent transfer of the dredge *Navesink* or such other suitable dredge as may be available to this work without charge, and an annual appropriation of $150,000 for its operation and upkeep in carrying on the improvement along the general lines indicated by the district officer.

"For the board:

"W. M. BLACK,
"*Colonel, Corps of Engineers,*
"*Senior Member of the Board.*"

Recommendation of the district officer:

"(a) That it is not practicable to produce and maintain by dredging operations the proposed mile-wide channel with a clear depth of 30 feet, as defined by the lines originally projected.

"(b) That it is doubtful if it will be found practicable to make and maintain a similar channel within modified limits in this locality as a permanent improvement, owing to the shifting nature of the material of the shoals, the effects of storms and currents, and the absence of natural material tendencies to preserve a channel of that depth and width.

"(c) That it will be practicable to render great assistance and benefit to a very large and important commerce by providing a suitable dredging vessel to be assigned to duty at the shoals for an indefinite period. The general duties of such a vessel would be to keep constantly in touch with the location of the best channel, the tendencies of changes in the effects of the natural scour and wave action, and to assist the natural agencies wherein their tendencies are favorable to improvements in the location and depth of the navigable channel. The regular presence of such a vessel would insure that passing ships would know where the best water is and would insure against disaster or accident resulting from rapid changes. She would show the way to passing vessels and contribute to the beneficial effects from increased scour which it is believed by those having local experience would result from regulated use of any new channel. Just at present, if the appropriation would permit, a dredger would render valuable service by assisting the natural tendency to scour in the east end of the new channel and in removing the extending shoal near buoy 3A.

"JOHN MILLIS, *Colonel, Engineers.*"

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Thames River, Conn.: For maintenance, $9,000.

Mr. FREEMAN. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FREEMAN: At the end of line 25, at the bottom of page 2, add the following: "For improving the harbor at New London, Conn., in accordance with the report submitted in House Document 613, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $170,000."

Mr. FREEMAN. Mr. Chairman, notwithstanding the untimely fate of the Boston project, I feel it my duty to offer this amendment. This amendment is identical with a provision in the bill of 1914, which was favorably reported by the Committee on Rivers and Harbors and successfully passed the House.

Only under a strict construction of the rule regarding new projects can this be considered a new project. But whether it is or not a new project, I hold that the good faith of the United States is involved in the passage of the amendment I have proposed.

At the very beginning of this matter, when the State of Connecticut took up the improvement of New London Harbor, she invited the cooperation of the Federal Government; but the matter did not go very far before the Federal Government demanded as a condition precedent the expenditure of $1,000,000 by the State of Connecticut. As I pointed out yesterday, various reports were made, and the proposition was approved by the division engineer, the district engineer, the Board of Engineers, the Chief of Engineers; submitted to the House, approved by the committee, and passed the House. Then the State of Connecticut began to expend this money. She has spent nearly all the $1,000,000. She has erected a modern pier 1,000 feet long. She has dredged the channel to a depth of 35 feet, to meet the Government channel, which still remains but 26 feet in depth. So that unless this amendment prevails, the sole object of the State of Connecticut in spending $1,000,000 for harbor improvements in order to accommodate ocean-going traffic is entirely lost.

No Member of the House, least of all the distinguished chairman of the Committee on Rivers and Harbors, has had aught to say save words of praise and commendation of the generous, energetic public spirit of the State of Connecticut in this enterprise. Not even the critical gentleman from Wisconsin [Mr. FREAR] could find any fault with a local expenditure of $1,000,000, coupled with the modest request for a Federal appropriation of $170,000 to be spent upon a real harbor, with an annual traffic of a million tons, of the value of $125,000,000. It meets every criticism raised by the gentleman from Illinois [Mr. MADDEN]. Connecticut has always been a dividend payer to the National Government. Whether you figure it in customs taxes, corporation taxes, or individual income-tax returns, Connecticut has always been in the front rank. This bill contains scarcely anything for the rivers and harbors of Connecticut. The State of Connecticut has erected this 1,000-foot pier and has dredged this channel. It has a pier equipped with all the modern conveniences, railroad tracks running upon it, with ample railroad connections; the Grand Trunk going through to the North and to the far West, and the New York, New Haven & Hartford going through all New England and to points beyond.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Connecticut may continue for five minutes. Is there objection?

There was no objection.

Mr. FREEMAN. This magnificent natural harbor, within 15 or 20 minutes of the open ocean, open at all seasons of the year, free of all delay from fogs, with a saving of 6 hours and at times of over 24 hours, as compared with New York and the Ambrose Channel, with lower wharfage charges, and with a saving of 50 cents a ton, because of the direct unloading from the ship into the car or from the train into the ship, is a commercial proposition of benefit to every shipper and every consignee in the country.

I do not know that I ought to overwork the preparedness proposition, but it meets that test. If you assume that this is a new project and that new projects can come into this bill only in connection with national defense, I submit that this project completely meets that test. One hundred and twenty-five miles nearer Europe than New York, New London guards the eastern entrance to New York Harbor. Within 4 or 5 miles of New London are the strongest coast defenses in our Nation to-day, modern and up to date. You may have noticed on the map submitted by the gentleman from Pennsylvania [Mr. MOORE] the location of Fort Michie, Fort Terry, Fort Mansfield, and Fort Wright. Our fleet could retire behind these forts into the harbor of New London for necessary repairs, for coaling, and so forth. In the War of 1812 the fleet of Decatur found there a safe and secure retreat. With this appropriation to deepen this channel to 33 feet our fleet of dreadnaughts could find a safe and secure place of refuge in the harbor of the city of New London.

Now, gentlemen of the House, I believe that the project I have offered here meets every condition laid down by the advocates of this bill and every criticism advanced by its opponents. It seems to me, indeed, a strange situation if out of an appropriation of $39,000,000 for rivers and harbors you can not find $170,000 to make good an implied obligation of the Government of the United States which has cost the State of Connecticut $1,000,000 and which is an absolute waste—at least the interest on it—until you make good.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. FREEMAN. Certainly.

Mr. HUMPHREY of Washington. Have you a dry dock at New London?

Mr. FREEMAN. We have a navy yard with a base for submarines there. We built there a dock from which were built the *Minnesota* and the *Dakota*, two of the greatest cargo-bearing ships that were ever built.

Mr. HULBERT. Will the gentleman yield?

Mr. FREEMAN. I will.

Mr. HULBERT. Would it not shorten the distance of any vessel coming from the south and intending to make New London a port for a vessel to proceed through Hell Gate instead of going down around Rhode Island?

Mr. FREEMAN. I hardly agree to that, because I think the trip up through Ambrose Channel and through Hell Gate would be longer; but I am not sure of that.

Mr. HICKS. Does not the gentleman think it would be the shorter route for vessels to land at Fort Pond Bay, at the east end of Long Island?

Mr. FREEMAN. I think the railroad facilities there would hardly be sufficient.

Mr. MADDEN. Mr. Chairman, I think good faith requires affirmative action on the amendment offered by the gentleman from Connecticut. The State of Connecticut and the city of New London have expended a million dollars to build a great pier to accommodate incoming ships. Alongside this pier they have built the channel which will accommodate any

ships that float the seas, and only because of the fact that the Government of the United States has failed to deepen the outer harbor are they unable to use the channel on which they have spent a million dollars because of a tentative agreement between the people of the State of Connecticut and the people of the United States. It seems to me that there can be no more meritorious proposition embodied in the bill than the amendment now proposed and pending before the House, and if there is any merit in the bill at all that merit will be increased by the insertion of the amendment offered by the gentleman from Connecticut.

Why invite communities to invest vast amounts of money to furnish facilities which can not be used unless the Government does its part? The State of Connecticut can not be expected to deepen the outer harbor leading up to the channel on the edge of which they have built a great pier and in connection with which are the railroads leading east, west, north, and south, with all the facilities for loading and unloading vessels from the ship into the train and from the train into the ship without any cartage, with more economical methods of moving the cargoes than can be found anywhere else in the country. All these facilities can not be utilized simply because the Government of the United States refuses to appropriate $170,000 to deepen the channel which will enable the ships to reach the pier upon which the people of the city of New London have expended a million dollars with the distinct understanding that the Government of the United States would cooperate when that million dollars was expended. I hope the House will see the necessity, importance, and justice of adopting the amendment offered by the gentleman from Connecticut. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I hope the amendment will not be adopted. It is true the item was inserted in the 1914 bill with 75 or 78 other items, but they all went out in the Senate. There are a lot of items in the same class with this. I would not like to throw any rocks at this particular project, but it is not as strongly urged by the engineers, even from a commercial standpoint, as some other projects that went into that bill. Still, unless the committee changes its mind from what it was two years ago, the chances are that it will be inserted in the next bill containing new projects. Until then it should wait with the others similarly situated.

Mr. MANN. Mr. Chairman, I move to strike out the last word. For years Congress has been endeavoring, where it was practicable, to induce local authorities to spend money in the improvement of rivers and harbors and to get local municipalities to provide docks and wharves.

Here is a case where this has been done under a practical agreement with the Government to construct a pier and channel. The local authorities have done in this particular case what we have been unsuccessfully trying to get other municipalities to do—the local municipalities have carried out their share of the agreement, spent a million dollars, but the technical rule of the committee is invoked to prevent the Government from in good faith carrying out its contract. I say contract because that was the agreement. I do not believe in violating contracts. There was an understanding that the Government would do the outer channel work, which would cost $170,000. The local people have gone ahead and constructed their pier and deepened the channel, at a cost of a million dollars. Now, the committee asks us to be too mean to complete our share of the understanding, in order to spend large sums of money at places where we are bearing all the expense and the local people are bearing not any of the expense, and where the commerce is not so important, whatever else may be said.

It will not do to say that there are 65 or 75 other cases like this, because it is not correct. There is no other case in the United States like this. There has been, so far as my observation goes, no other case where the local people have expended the same amount of money to do their share in order to get a little spent by the Government. As a rule, if anything of the sort was done it would be that the Government would spend a million dollars and the local people $170,000. I think we ought to encourage the local people who are willing to do more than their share, and that we may well keep our agreement, and at that we will continue to pay the most of the money out of the Federal Treasury and get very little of it from stingy municipalities. When a municipality or a State is generous, we ought to meet them—with a little stinginess, it is true, but we ought to meet them.

Mr. SPARKMAN. Mr. Chairman, the gentleman from Illinois [Mr. MANN] says that there is no other place in the country where the same amount of money has been offered or expended by local authorities, and he may be technically correct as to that. It may be that no other place has put up just a million dollars or proposed to put up precisely that sum of money, but there are several other places in the country where they are willing to contribute and are contributing large sums of money, some directly, for the improvement of a river or harbor, some by way of terminal building. I will mention one, the much-abused Trinity River. There local interests came forward and offered, if we would adopt the project, to put up dollar for dollar with the Government until $3,000,000 should have been contributed, but we could not meet their offer at this time, because a certain survey now under way is not finished, and, further, because it is a new project.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. COOPER of Wisconsin. Did New London pay out this money under a law providing that if it would make that expenditure the Government would make this other expenditure?

Mr. SPARKMAN. Oh, nothing of that kind.

Mr. COOPER of Wisconsin. Then whence comes this statement that this was put up under an agreement?

Mr. MANN. I said a practical agreement.

Mr. SMALL. Then I will state that this money was put up by the State of Connecticut, not by the city of New London.

Mr. HUMPHREY of Washington. Mr. Chairman, in referring to the matter of contributions I think there are perhaps other localities that have made contributions equal to this, but there is one situation in regard to this particular item that does not exist in regard to any other, and I am surprised that the Secretary of the Navy has not sent some communication in regard to this particular item to the committee. Here is the situation at New London. Up at that great dock where the *Minnesota* and *Dakota* were constructed they have 35 feet of water. The localities have provided that depth of water. They have a channel there that is only 26 or 28 feet at high tide to reach this dock. If we would expend $330,000 we would have access to that great dock, and this is what the Government practically agreed to do, as I understand it. If there are any items in all this bill that are for preparedness, here is one of them. It is proposed to spend $700,000 on the East River where they can already get a battleship through, where they already have no trouble in taking her on either side of Governor's Island, at high tide, but here is an opportunity to secure the use of a great dock where they already have the water at the dock, at an expenditure of $330,000. This item ought to be made an exception, not only because the Government, to a certain extent, entered into a contract—I am not arguing that phase of it—but as a question of preparedness. Here is an opportunity for the Government to get into a dry dock for $330,000, and no such condition exists anywhere else in the United States. I think under the circumstances that this item ought to be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Connecticut.

The question was taken; and on a division (demanded by Mr. SPARKMAN) there were—ayes 28, noes 44.

So the amendment was rejected.

The Clerk read as follows:

Connecticut River, Conn.: Of the appropriation authorized in the river and harbor act approved July 25, 1912, so much as may be necessary may, in the discretion of the Chief of Engineers, be expended for maintenance dredging in said river above Hartford.

Connecticut River, Conn.: For maintenance below Hartford, $15,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. These two items in reference to the Connecticut River bring up the very interesting subject of another important measure that is excluded from the present bill under the vote of the committee not to take on new projects. Long before my service in this body a very strenuous effort was made, and continued over a period of years, to secure navigation in the Connecticut River from Hartford to Holyoke. Finally a favorable report has been secured from the Board of Engineers, House Document 417, Sixty-fourth Congress, first session. This is a great step forward toward securing navigation to Holyoke. This project waits both the pleasure of Congress in adopting new projects and the possibility of cooperation between individuals or private corporations and the Federal Government in hydroelectric development. I therefore hope that the time is not far distant when we can have new projects in the river and harbor bill and also when a general dam act such as is probably the proposal of the gentleman from Georgia [Mr. ADAMSON] in this Congress may be adopted. We have conserved so strongly the natural resources of the country that we have wasted indefinitely the possibility of development of that

kind. Conservation has run riot, and it is time that we did conserve by saving the great waste that has been lost for all of these years. The Connecticut River is one of those projects, and therefore I am heartily in favor of such a proposition as will bring it before the House. I addressed the House at some length on the subject of Connecticut River navigation in the last Congress and so will not take up further time to-day. I ask unanimous consent to extend my remarks in the RECORD in order that I may incorporate in my remarks the recommendations of the engineers.

The CHAIRMAN. Is there objection?

There was no objection.

CONNECTICUT RIVER BETWEEN HARTFORD, CONN., AND HOLYOKE, MASS.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, November 12, 1915.

From: The Chief of Engineers, United States Army.
To: The Secretary of War.
Subject: Preliminary examination of Connecticut River between Hartford and Holyoke.

1. There are submitted herewith for transmission to Congress reports, dated May 28, 1913, and April 15, 1915, with maps, by Maj. G. B. Pillsbury, Corps of Engineers, on preliminary examination and survey, respectively, authorized by the river and harbor act approved March 4, 1913, of Connecticut River from Hartford, Conn., to Holyoke, Mass.

2. The Connecticut River is under improvement from its mouth to Hartford, a distance of 52 miles, with a view to securing a channel 12 feet deep at mean low water and 100 feet wide. The project has not been completed, but a channel of sufficient depth to accommodate vessels having a draft of 10 feet has been provided and is being maintained. The stretch from Hartford to Holyoke is 34 miles long, and is naturally divided into three distinct sections. From Hartford to the foot of Enfield Rapids, 10½ miles, the river has a sandy, shifting bottom; from the foot to the head of Enfield Rapids, 5½ miles, the total fall of low water is 35 feet, and the bed of the river is largely rock; from Enfield Rapids to Holyoke, 18 miles, the river is of moderate width, gentle slope, fair depth, and stable bottom. From 1871 to 1886 a small amount of wing-dam work was done by the United States between Hartford and Enfield Rapids, and appropriations have been since made for maintenance of this work. Permanent benefit, however, can be secured only from a more radical and expensive form of improvement. Several examinations and surveys with this object in view have been made. The most recent of these prior investigations was made in 1909 and 1910, and the report is printed in House Document No. 818, Sixty-first Congress, second session.

3. To render the improvement of this section of the river commercially successful, having in mind the needed capacity of vessels and their suitability for navigation in Long Island Sound, the district officer believes that a depth of 12 feet at mean low water and width of 100 feet should be given. He submits a plan providing for a channel of these dimensions, to be secured by the construction of locks and dams at Hartford and at Enfield Rapids and by channel excavation and regulating works of limited extent, at a total first cost to the United States of $1,870,000, and $65,000 annually for maintenance and operation, this estimate being on the basis of the Enfield Lock and Dam being constructed by private interests. If this lock and dam is not constructed by private interests within a reasonable time, he believes the United States should undertake the entire work and lease the power created. On this basis, the cost to the United States will be increased to $3,950,000. He recommends, however, that the appropriation be made subject to the provision that no work be done by the United States until the Secretary of War is satisfied that adequate terminal facilities under municipal or other public control will be provided at the cities of Springfield, Holyoke, and Chicopee by the time the project is completed. The division engineer concurs in the main with the district officer, but believes that work should not be undertaken by the United States unless the lock and dam at Enfield Rapids are constructed by private, municipal, or State funds, and the use of all water needed for navigation purposes be deeded to the United States by the parties operating the dam for power purposes.

4. These reports have been referred, as required by law, to the Board of Engineers for Rivers and Harbors, and attention is invited to its report herewith, dated September 14, 1915, concurring in general with the views of the district officer and the division engineer.

5. After due consideration of the above-mentioned report, I concur in general with the views of the district officer, the division engineer, and the Board of Engineers for Rivers and Harbors, and therefore report that the improvement by the United States of the Connecticut River between Hartford, Conn., and Holyoke, Mass., is deemed advisable to the extent of providing a channel 12 feet deep at mean low water and 100 feet wide, under the plans proposed by the district officer (subject to such modifications as may appear advisable during construction), at an estimated cost of $1,870,000 for first construction and $65,000 annually thereafter for maintenance, subject to the following conditions:

(*a*) That water power or other interests will construct a new lock and dam at Enfield in accordance with the plans proposed by the district officer or such other modified plans as may be approved by the Chief of Engineers and the Secretary of War, under the general provision of law applicable to such cases;

(*b*) That the lock and such adjacent land as may be needed for its operation and care shall be deeded without cost to the United States, and sufficient power shall be supplied free of cost for its operation, but that otherwise the lock shall be maintained and operated at the expense of the Federal Government;

(*c*) That those constructing the lock and dam shall assume all responsibility for claims for damages that may arise from flowage rights, from injury to water power, or from any other source; and

(*d*) That the cities of Springfield, Holyoke, and Chicopee shall make suitable provision for terminal facilities satisfactory to the Secretary of War.

The first appropriation should be $520,000, with authority to enter into contracts to an additional sum of $300,000. Subsequent appropriations should be at the rate of $350,000 per year for three years.

DAN C. KINGMAN,
Chief of Engineers, United States Army.

REPORT OF THE BOARD OF ENGINEERS FOR RIVERS AND HARBORS ON SURVEY.

[Third indorsement.]

BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
September 14, 1915.

To the CHIEF OF ENGINEERS, UNITED STATES ARMY:

1. The following is in review of the district officer's reports on preliminary examination and survey of Connecticut River from Hartford, Conn., to Holyoke, Mass., called for by the act of March 4, 1913:

2. The Connecticut River is under improvement from its mouth to Hartford, a distance of 52 miles, the project providing for a channel 12 feet deep at mean low water and 100 feet wide. The project has not been completed, but a channel has been provided and is being maintained of sufficient depth to accommodate vessels having a draft of 10 feet.

3. The city of Holyoke is situated about 33 miles above Hartford. The river between these cities is divided into three sections of different characteristics—(1) Hartford to Enfield Rapids, about 11 miles, having a navigable depth of 2 to 3 feet at mean low water. (2) Enfield Falls reach, 5.2 miles, total fall about 35 feet, surmounted by a privately constructed canal with locks about 18 by 80 feet, with 3.7 feet depth at mean low water on the lower sill of lower lock. The canal was nominally constructed for navigation purposes but is used mainly for supplying water power to manufacturing establishments at the town of Windsor Locks. The canal is owned by the Connecticut River Co., chartered by the State of Connecticut in 1828. (3) The pool formed by the Enfield Dam, extending to Holyoke, 16.5 miles, with navigable depth at mean low water of about 6 feet. Several towns of importance are located on this reach. A power dam at Holyoke prevents further navigation up the river, the locks and navigation canal at this place having fallen into ruin.

4. Until about 1882 there was a light-draft steamboat service up to Springfield, but for many years navigation has been confined to excursion and motor boats in the Enfield Dam pool. During the period 1871–1886 a small amount of wing-dam work was done by the United States between Hartford and the Enfield Rapids, but without lasting results.

5. Numerous plans for the improvement of the reach under consideration have been presented in reports referred to by the district officer. The last one, submitted in 1910, published in House Document No. 818, Sixty-first Congress, second session, recommends the improvement of the river by the United States under a project providing for a channel 7 feet deep and 100 feet wide at an estimated cost of $1,015,600, with the condition that a suitable lock and dam for surmounting Enfield Rapids shall be built by private or corporate interests, free of cost to the United States; that navigation shall be free from tolls; that those constructing the lock and dam shall assume all responsibility for damages; and that after construction the lock and dam shall become the property of and be maintained by the United States. No action by Congress has been taken on this report.

6. The population of the territory directly affected by the proposed improvement is reported as exceeding 200,000. The total freight tonnage is given as 2,977,900, the principal commodity being coal. What part of this commerce would be carried by water if adequate facilities were provided is speculative, but the district officer believes it would amount to as much as 700,000 tons annually and would effect a saving of from $200,000 to $300,000 a year, with a prospect of this amount being increased if the communities adjacent continue to grow.

7. The district officer discusses the question of the proper depth to be provided to meet the probable demands of commerce and, for reasons given, concludes that it should be 12 feet and the width generally 100 feet, so as to accommodate the vessels to be used on the enlarged Erie Canal and to permit such vessels as now go to Hartford to proceed to points on the river above without breaking bulk.

8. Plans with estimates are presented for improving the reach between Hartford and the Enfield Rapids both by open-channel improvement and by canalization by means of one lock and dam located 1½ miles above the Hartford Bridge, the respective estimates being $2,030,000 and $1,405,000, with $45,000 and $40,000 per annum for maintenance. Due to the lower cost of construction and maintenance and on account of other advantages, the district officer is of opinion that the canalization plan is the better.

9. In the upper reach the pool formed by the Enfield Dam gives generally a depth greater than proposed, and the only work required is some dredging and rock excavation, estimated to cost $465,000, and $15,000 annually for maintenance.

10. To complete the improvement and make it of value to navigation, as well as to water-power interests, will require a new lock and dam at the Enfield Rapids. It appears that private interests are ready to provide these structures without cost to the United States for the use of the power developed, if the necessary authority is given. Plans are presented for a dam and a lock having a chamber 310 by 45 feet in horizontal dimensions, estimated to cost $2,080,000, and $10,000 per annum for maintenance and operation. The cost of improvement to the United States will therefore be $1,870,000, if private interests construct the new lock and dam at the rapids, and $3,950,000 if the United States constructs the lock and dam in addition to the work required above and below. Maintenance and operation would amount to $65,000 a year.

11. The amount of water power that may be expected from the development in excess of that now used by the mills is computed by the district officer, on the basis of a 30,000-horsepower plant, at about 13,333 horsepower, which he states would have a leasing value estimated at $100,000, or $7.50 per horsepower per annum.

12. The district officer discusses the question of terminals and cooperation, and he believes that local interests and the State should cooperate by constructing suitable and adequate terminals at several points, which he estimates will represent a considerable sum when compared with the cost of the project.

13. In conclusion, the district officer expresses the opinion that the Connecticut River between Hartford and Holyoke is worthy of improvement by the United States, under a project providing for a channel 12 feet deep at mean low water and generally 100 feet wide, to be obtained by the construction of a lock and dam at Hartford and by channel excavation and regulating works of limited extent, at a total first cost of $1,870,000 and $65,000 annually for maintenance and operation, this estimate being on the basis of the Enfield Lock and Dam being constructed by private interests. If such lock and dam are not constructed by private interests within a reasonable time, he believes the United States should undertake the entire work and

lease the power created. On this basis the cost will be increased $2,080,000. He recommends, however, that the appropriations be made subject to the provision that no work be done by the United States until the Secretary of War is satisfied that adequate terminal facilities under municipal or other public control will be provided at the cities of Springfield, Holyoke, and Chicopee by the time the project is completed.

14. The division engineer concurs in the main with the district officer, but believes that work should not be undertaken by the United States, unless the lock and dam at Enfield Rapids is constructed by private, municipal, or State funds, and the use of all water needed for navigation purposes be deeded to the United States by the parties operating the dam for power purposes.

15. As stated by the district officer, favorable recommendation has been made for the improvement of this waterway at a cost to the United States of $1,015,600, provided, among other things, that private or cooperate interests construct a suitable lock and dam free of cost to the United States. The depth adopted at that time was 7 feet. In view of the prospective opening of the enlarged Erie Canal in the near future, the increasing size of vessels used in the Sound and tributary waters, and the continual growth of population and business adjacent, it appears that the proper depth of channel would now be 12 feet, which will necessitate a corresponding increase in cost. The present estimate is $1,870,000, aside from the Enfield Lock and Dam, which the board believes, in concurrence with the division engineer, should be constructed by water-power interests.

16. This increase in cost over the former estimates seems fully justified, and therefore the board recommends the adoption of a project for the improvement of the Connecticut River from Hartford to Holyoke, Mass., following generally the plans proposed by the district officer, at a cost to the United States of $1,870,000 for first construction and $65,000 annually thereafter for maintenance, provided (a) that water-power or other interests will construct a new lock and dam at Enfield in accordance with the plans proposed by the district officer, or such other modified plans as may be approved by the Chief of Engineers and the Secretary of War, under the general provision of law applicable to such cases; (b) that the lock and such adjacent land as may be needed for its operation and care shall be deeded without cost to the United States, and sufficient power shall be supplied free of cost for its operation, but that otherwise the lock shall be maintained and operated at the expense of the Federal Government; (c) that those constructing the lock and dam shall assume all responsibility for claims for damages that may arise from flowage rights, from injury to water power, or from any other source; (d) that the cities of Springfield, Holyoke, and Chicopee shall make suitable provision for terminal facilities satisfactory to the Secretary of War.

17. In compliance with law, the board reports that, except as contemplated by the above recommendations, there are no questions of terminal facilities, water power, or other subjects so related to the project proposed that they may be coordinated therewith to lessen the cost and compensate the Government for expenditures made in the interests of navigation.

For the board:

FREDERIC V. ABBOT,
Colonel, Corps of Engineers,
Senior Member Present.

Mr. HUMPHREY of Washington. Mr. Chairman, I would like to have the attention of the chairman of the committee for a moment. I think that as this is Saturday evening and we have now reached 5 o'clock I would suggest we have done enough work for this week.

Mr. DEMPSEY. Mr. Chairman, I have a short item to present——

Mr. HUMPHREY of Washington. If the gentleman wishes to offer an amendment, I will withhold the request.

Mr. SPARKMAN. I was going to say that I proposed to ask that the committee rise when we reached the East River project, if that is satisfactory.

Mr. HUMPHREY of Washington. I am not sure but there is going to be some debate provoked before that time. I will withhold the request for the present.

Mr. DEMPSEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, between lines 8 and 9, insert:

"Black Rock Harbor and Channel: To extend about 5,100 feet, the 23-foot channel, 400 feet wide, in Niagara River, to the Tonawanda Iron & Steel Co.'s plant, with a basin about 1,230 feet long and 1,050 feet wide (the extension and basin being shown in the map accompanying Doc. No. 658, 63d Cong., 2d sess.), $300,000."

Mr. DEMPSEY. Mr. Chairman and gentlemen, previous to 1913 there had been built up at Tonawanda two large businesses—a steel business and a lumber business. The lumber business is the second or third in the whole of the United States. The steel business was large enough so that the plant was installed at a cost of nearly $1,500,000. At the time when these industries were built up it was sufficient to have a depth in the river of 15 feet. Business has changed so that to-day the lumber business and the steel business can not be accommodated at that point with vessels of that draft. To-day we must have 23 feet of depth to float the vessels now in use. Now, the result of the situation that has existed is that Tonawanda is a city, with all the improvements that come with the growth of a city. It has a police force; it has streets and lights; it has the homes of the workers in the steel business and the lumber business. Yet to-day there has been built up, 5 miles in the country, above Tonawanda, a steel plant, known as the Wickwire plant, remote in the country, simply because they have a 23-foot channel to that point in the river, and down below, at Tonawanda, where there has been invested $1,300,000 in a steel plant, where millions of dollars have been invested in the lumber business, the steel plant has been nearly shut down and the lumber business is at a very low ebb because of the facts, first, that vessels of small type have largely gone out of existence, as they can not run profitably, and, secondly, because the larger draft vessels can not come down there at all. We have the report of the Army Engineers favoring this project. It was made after an investigation in 1913. It has been reported upon twice and the money was actually authorized, but it was diverted to other projects.

In the case of New London, it has been said here that the Government of the United States made a practical agreement with that city to make it possible for her to utilize the $1,000,000 which she had spent. I say to you that a great business center has grown up at the Tonawandas—they have grown from villages to cities, because those two great industries believed that they would be able to continue to have a depth in the river sufficient to bring the boats there, but that has not been done, and the result is that those businesses will perish unless this amendment is adopted. Why, to-day the laboring men are going from Tonawanda 5 miles into the country to the Wickwire plant. They have to go that distance, requiring an hour morning and night, whereas that can be avoided and these great industries maintained by the deepening of this river channel. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

East Chester Creek, N. Y.: Continuing improvement and for maintenance, $6,000.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. Pending that, the gentleman from Massachusetts [Mr. GREENE] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. SMALL, Mr. HUDDLESTON, and Mr. BENNET made the same request.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The committee rose; and the Speaker having resumed the chair, Mr. SHERLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12193 and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 5270. An act for a public building at Paris, Tex.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4505. An act appropriating money to equip Puget Sound Navy Yard for battleship construction; to the Committee on Naval Affairs.

S. 5270. An act for a public building at Paris, Tex.; to the Committee on Public Buildings and Grounds.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4657. An act to authorize the Cincinnati, New Orleans & Texas Pacific Railway Co. to rebuild and reconstruct, maintain, and operate a bridge across the Tennessee River near Chatanooga, in Hamilton County, in the State of Tennessee.

HOUR OF MEETING MONDAY.

Mr. KITCHIN. Mr. Speaker, I would like to ask unanimous consent that when we adjourn to-day we adjourn to meet at 11 o'clock—no; I withdraw that.

Mr. MANN. Mr. Speaker, reserving the right to object, what is coming up Monday?

Mr. KITCHIN. I believe it is unanimous-consent day, and I therefore withdraw the request. I move that the House do now adjourn.

ADJOURNMENT.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned to meet on Monday, April 3, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the chief clerk of the Court of Claims transmitting a copy of the findings of the court in the case of Aaron L. Abbey *v.* The United States (H. Doc. No. 971); to the Committee on War Claims and ordered to be printed.

2. A letter from the chief clerk of the Court of Claims transmitting a copy of the findings of the court in the case of Paralee Evans *v.* The United States (H. Doc. No. 972); to the Committee on War Claims and ordered to be printed.

3. A letter from the chief clerk of the Court of Claims transmitting a copy of the findings of the court in the case of Joseph V. Kendall *v.* The United States (H. Doc. No. 973); to the Committee on War Claims and ordered to be printed.

4. A letter from the chief clerk of the Court of Claims transmitting a copy of the findings of the court in the case of Lizzie W. Townsley *v.* The United States (H. Doc. No. 974); to the Committee on War Claims and ordered to be printed.

5. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Nicholas C. Buswell *v.* The United States (H. Doc. No. 975); to the Committee on War Claims and ordered to be printed.

6. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Orange Parret *v.* The United States (H. Doc. No. 976); to the Committee on War Claims and ordered to be printed.

7. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Frank Winter and Walter C. Winter *v.* The United States (H. Doc. No. 977); to the Committee on War Claims and ordered to be printed.

8. A letter from the Acting Secretary of the Treasury, submitting estimates of appropriations for new boarding launches for quarantine stations at Cape Charles, Va., and Columbia River, Oreg. (H. Doc. No. 978); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (S. 1351) providing for the discovery, development, and protection of streams, springs, and water holes in the desert and arid public lands of the United States in the State of California, for rendering the same more readily accessible, and for the establishment of and maintenance of signboards and monuments locating the same, reported the same with amendment, accompanied by a report (No. 460), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 10305) to grant certain lands to the State of Oregon as a public park, for the benefit and enjoyment of the people, reported the same with amendment, accompanied by a report (No. 461), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COADY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 721) to provide divisions of mental hygiene and rural sanitation in the United States Public Health Service, reported the same with amendment, accompanied by a report (No. 462), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEPHENS of Texas, from the Committee on Indian Affairs, to which was referred the bill (H. R. 10989) making appropriation for the preservation, improvement, and perpetual care of Huron Cemetery, a burial place of the Wyandotte Indians, in the city of Kansas City, Kans., reported the same with amendment, accompanied by a report (No. 463), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 393) to authorize an exchange of lands with the State of North Dakota for promotion of experiments in dry-land agriculture, and for other purposes, reported the same with amendment, accompanied by a report (No. 464), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12362) granting the consent of Congress to the Dallas & Southwestern Motorway Co. to construct a bridge across the Brazos River, in the State of Texas, reported the same with amendment, accompanied by a report (No. 465), which said bill and report were referred to the House Calendar.

Mr. CULLOP, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13669) to authorize the county of Wabash, in the State of Indiana, to construct a bridge across the Wabash River, at the city of Wabash, Ind., reported the same with amendment, accompanied by a report (No. 466), which said bill and report were referred to the House Calendar.

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (H. R. 11878) to amend section 99, chapter 231, of the act to codify, revise, and amend the laws relating to the judiciary, reported the same with amendment, accompanied by a report (No. 467), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NICHOLLS of South Carolina, from the Committee on Military Affairs, to which was referred the bill (H. R. 13769) to authorize the Secretary of War to supply tents for temporary use of the sufferers from the recent conflagration in Paris, Tex., and for other purposes, reported the same with amendment, accompanied by a report (No. 468), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 1996) granting a pension to Flora B. Warren; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9250) granting a pension to Sarah E. Dillon; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LESHER: A bill (H. R. 14063) to authorize the Secretary of War to donate to Fort Augusta, in the town of Sunbury, in the State of Pennsylvania, two bronze cannon or field-pieces; to the Committee on Military Affairs.

By Mr. TIMBERLAKE: A bill (H. R. 14064) adding certain lands to the Colorado National Forest, Colo.; to the Committee on the Public Lands.

By Mr. STEELE of Iowa: A bill (H. R. 14065) to provide for the purchase of additional ground and for erecting an addition to and making alterations in the Federal building at Sioux City, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. MILLER of Minnesota: A bill (H. R. 14066) authorizing the selection, under certain circumstances, of commissioned officers of the Philippine Scouts and the Philippine Constabulary to fill vacancies in the grade of second lieutenant in the United States Army; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 14067) authorizing the Secretary of War to donate condemned cannon and balls; to the Committee on Military Affairs.

By Mr. HELM: A bill (H. R. 14068) authorizing the Commissioner of Internal Revenue to collect and transmit to the Director of the Census for publication statistics of leaf tobacco; to the Committee on the Census.

By Mr. SEARS: A bill (H. R. 14069) to provide for the examination and survey of Key West Harbor, Monroe County, Fla.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 14070) to provide for the examination and survey of Onoshohatchee River, St. Lucie County, Fla.; to the Committee on Rivers and Harbors.

By Mr. KALANIANAOLE: A bill (H. R. 14071) to amend certain public-utility company franchises in the Territory of Hawaii; to the Committee on the Territories.

By Mr. FOCHT: A bill (H. R. 14072) to provide for the purchase of a site for and the erection of a public building at Lewisburg, Pa.; to the Committee on Public Buildings and Grounds.

Also, A bill (H. R. 14073) to increase the limit of cost of public building and site therefor at Lewistown, Pa.: to the Committee on Public Buildings and Grounds.

By Mr. FOSS: A bill (H. R. 14074) granting the consent of Congress to the village of Fox Lake, in the county of Lake, State of Illinois, to construct a bridge across both arms of the Fox River which passes through Pistakee Lake and Nippersink Lake, a point suitable to the interests of navigation, at or near their point of intersection, in the county of Lake, State of Illinois; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALEY: A bill (H. R. 14075) for the purchase of a site for a public building at Walterboro, Colleton County, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14076) for the purchase of a site for a public building at Manning, Clarendon County, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14077) for the purchase of a site for a public building at St. George, Dorchester County, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14078) for the purchase of a site for a public building at Summerville, Dorchester County, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. PORTER: A bill (H. R. 14079) to increase the internal revenue by revising and amending the tax on cigars and cigarettes; to the Committee on Ways and Means.

By Mr. DYER: A bill (H. R. 14080) providing for amending section 6 of the act relative to liability of common carriers by railroads to their employees in certain cases; to the Committee on the Judiciary.

By Mr. DRISCOLL: A bill (H. R. 14081) fixing the rate of second-class mail matter at 2 cents per pound; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 14082) for the reduction of the rate of postage chargeable on first-class mail matter for local delivery; to the Committee on the Post Office and Post Roads.

By Mr. PORTER: A bill (H. R. 14083) to authorize the Secretary of the Treasury of the United States to sell the post-office site thereof in the borough of Tarentum, Pa., and to purchase a new site; to the Committee on Public Buildings and Grounds.

By Mr. RAYBURN: Resolution (H. Res. 192) providing for the consideration of House bill 563; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL: A bill (H. R. 14084) granting an increase of pension to Letta Blackwell; to the Committee on Pensions.

Also, a bill (H. R. 14085) granting an increase of pension to Bedie A. Long; to the Committee on Pensions.

By Mr. CANTRILL: A bill (H. R. 14086) granting an increase of pension to Pleasant D. Broaddus; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 14087) granting a pension to Anna E. Luker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14088) granting a pension to Eliza Bridges; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14089) granting an increase of pension to Thomas S. James; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14090) granting an increase of pension to Henry Willman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14091) granting an increase of pension to Angeline Jackson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14092) granting an increase of pension to Isaac Higgins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14093) granting an increase of pension to Mary A. Fredenburg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14094) to correct the military record of William T. Rominger; to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 14095) for the relief of W. W. Taylor; to the Committee on Claims.

By Mr. GLYNN: A bill (H. R. 14096) granting an increase of pension to Harriet M. Richmond; to the Committee on Invalid Pensions.

By Mr. GRAY of Indiana: A bill (H. R. 14097) granting an increase of pension to Melissa L. Yates; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 14098) granting a pension to Emma A. Ball; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 14099) granting an increase of pension to James Mitchell; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 14100) to correct the military record of John W. Morse; to the Committee on Military Affairs.

By Mr. POWERS: A bill (H. R. 14101) granting a pension to John Storms; to the Committee on Pensions.

By Mr. RAUCH: A bill (H. R. 14102) granting an increase of pension to Alexander Little; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14103) granting an increase of pension to Daniel Bell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14104) granting a pension to Margaret M. Zurmehly; to the Committee on Pensions.

Also, a bill (H. R. 14105) granting a pension to Edward West; to the Committee on Pensions.

Also, a bill (H. R. 14106) granting a pension to George Rauch; to the Committee on Pensions.

Also, a bill (H. R. 14107) granting a pension to Josiah Phillips; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 14108) granting an increase of pension to Miles Bockwith, alias Miles Turner; to the Committee on Invalid Pensions.

By Mr. SAUNDERS: A bill (H. R. 14109) granting an increase of pension to Isaac Slygh; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 14110) granting an increase of pension to Joseph W. Anderson; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 14111) granting an increase of pension to Henry C. Towner; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 14112) granting an increase of pension to George Critzman; to the Committee on Pensions.

Also, a bill (H. R. 14113) granting a pension to Samuel C. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14114) granting an extension of patent to Rosella Rebecca Reilly; to the Committee on Patents.

By Mr. THOMAS: A bill (H. R. 14115) granting a pension to Lonnie Beller; to the Committee on Pensions.

Also, a bill (H. R. 14116) granting an increase of pension to James A. Faxon; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALMON: Petition signed by J. R. Hall and others, of Sheffield, Ala., to Congress, not to pass the House bill 6468, to amend the postal laws, and also House bill 491, with the same title, or any other like measure; to the Committee on the Post Office and Post Roads.

Also, petition signed by Harris & Co., of Town Creek, Ala., and others, urging support of House bills 270 and 712, to tax mail-order houses; to the Committee on Ways and Means.

Also, petition signed by James L. Pippin and others, of Sheffield, Ala., to Congress not to pass the compulsory Sunday-observance bill, House bill 652, to provide for the closing of barber shops in the District of Columbia on Sunday, or any other like religious measure; to the Committee on the District of Columbia.

By Mr. BAILEY: Protest of C. B. Varner, W. H. Wirick, Charles B. St. Clair, J. E. Croyle, Charles Gable, Samuel Jordan, Henry Walker, Walter S. Penrod, J. W. Marlin, H. W. Miller, James Walker, William O. Jordan, Jonas A. Wirick, F. E. Hetrick, Charles Pasglat, Harvey Myers, G. E. Flenner, J. H. Croyle, M. C. Lyac, Daniel Wirick, Robert W. Soule, R. C. Buertnett, Richard Fleck, H. A. Bauers, John A. Cusen, G. J. Gouchenour, J. F. Varner, William Box, S. J. Helman, George Bowen, and F. D. Heilman, all of South Fork, Pa., against the passage of House bills 491 and 6468, to exclude certain publications from the mails; to the Committee on the Post Office and Post Roads.

Also, memorial on preparedness; to the Committee on Military Affairs.

Also, memorial on postalizing the wires; to the Committee on the Post Office and Post Roads.

By Mr. BURKE: Petitions signed by 98 merchants and business men of Jefferson County, Wis., asking for the passage of House bill 270 or House bill 712, to compel concerns selling goods direct to consumers entirely by mail to contribute their portion of funds in the development of the local community, the county, and the State; to the Committee on Ways and Means.

By Mr. DENISON: Petition of 89 citizens of Carbondale, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DILLON: Petition of the History Club, of Sioux Falls, favoring inspection of dairy products; to the Committee on Agriculture.

Also, petition of sundry citizens of Canova, S. Dak., favoring the embargo resolution; to the Committee on Foreign Affairs.

By Mr. FLYNN: Petition of the H. M. Bickford Co., New York City, relative to appropriation for the Norfolk-Beaufort inlet waterway; to the Committee on Rivers and Harbors.

By Mr. FULLER: Petition of the Central Federated Union, opposing any modification of the seamen's act, etc.; to the Committee on the Merchant Marine and Fisheries.

Also, petition of National Association of Bureau of Animal Industry Employees, favoring the Lobeck bill (H. R. 5792); to the Committee on Agriculture.

By Mr. GARDNER: Petition of Major How Post, No. 47, Grand Army of the Republic, of Haverhill, Mass., favoring the passage of bill to increase the pension of widows; to the Committee on Invalid Pensions.

Also, petition of sundry citizens of Haverhill, Mass., protesting against the passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, memorial of General Court of Massachusetts, relative to conditions in Poland and to the entry of food therein; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAY of Indiana: Petition of Don Lamoreaux, Samuel J. Tomlinson, and other citizens of the sixth congressional district of Indiana, protesting against the enactment of House bill 6468; to the Committee on the Post Office and Post Roads.

Also, petition of H. M. Gibson and others, of the sixth congressional district of Indiana, favoring House bill 652; to the Committee on the District of Columbia.

By Mr. GUERNSEY: Petition against House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. HAMILTON of New York: Petition of sundry citizens of Jamestown, N. Y., favoring the passage of the Emerson resolution; to the Committee on Ways and Means.

By Mr. HAYDEN: Petitions of sundry citizens and church organizations of Arizona, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HILL: Petition of citizens of Georgetown, Conn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HINDS: Resolutions covered by the report of the legislative committee of the chamber of commerce and unanimously ratified by the board of managers, against the passage of House bill 12773, for dividing the United States district court in the district of Maine into divisions; to the Committee on the Judiciary.

By Mr. HOLLINGSWORTH: Memorial of Colonel George W. McCook Camp, Sons of Veterans, of Steubenville, Ohio, favoring preparedness; to the Committee on Military Affairs.

By Mr. HUMPHREY of Washington: Petition of sundry citizens of Yakima County, Wash., relative to Sunday observance bill in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Spokane, Wash., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. JAMES: Petition of 32 citizens of Calumet, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of Branch No. 5, Amalgamated Lace Makers, Alton, R. I., favoring investigation of dairy products; to the Committee on Agriculture.

Also, memorial of Smithfield Savings Bank and National Exchange Bank, both of Greenville, R. I., favoring passage of House bill 11533, amending Clayton Antitrust Act; to the Committee on the Judiciary.

By Mr. KONOP: Petition of sundry citizens and church organization of the State of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MOON: Papers to accompany House bill 3304, for the relief of George W. Pinion; to the Committee on Pensions.

By Mr. MORIN: Petition of American Temperance Board of Churches of Christ (Disciples) in America, in opposition to referendum in District of Columbia on Sheppard-Barkley bill; to the Committee on the Judiciary.

Also, petition of Western Military Academy, of Alton, Ill., in favor of House bill 11086 and Senate bill 4705 and House bill 18015; to the Committee on Military Affairs.

Also, petition of H. A. Taylor, R. H. Brownlee, John H. Carlin, Gregory M. Dexter, R. Klum, jr., R. S. Quick, G. S. Taynnon, A. E. Abel, H. P. Davis, Alexander L. Hoerr, L. Gressen, K. H. Talbot, J. P. Henry, J. H. Dickerson, John D. Stevenson, W. Dudley, L. C. Frohrieb, Thomas W. Smith, L. H. Marten, William Arnold, A. Stucki, H. N. Scofield, Robert Horton, W. G. Whermey, R. D. Day, A. C. Beeson, George T. Haldeman, J. E. Hoheck, Charles M. Reppert, P. E. Hunley, J. G. Richardson, Henry C. Cronemeyer, Carl D. Smith, Charles A. Failey, Samuel E. Duff, Harry W. Stevenson, Charles C. Dornbush, Robert S. Kline, E. K. Morse, E. G. Ericson, C. D. Terry, C. B. Kell, W. C. Coryell, R. Trimble, A. A. Schneider, A. J. Schroth, D. Ashworth, George Hardy, J. M. Larned, D. S. Mekell, E. J. Taylor, Frederick Schafer, G. H. Weaver, Grant B. Shipley, John E. Carr, W. S. Dawson, A. E. Kurcherlocke, R. E. Noble, William A. Weldin, E. E. Augustine, all of Pittsburgh, Pa., in favor of Senate bill 3946 and House bill 10845; to the Committee on Military Affairs.

By Mr. NORTH: Memorial on preparedness and postalizing the wires from Elder Grange, No. 503, James H. Elder, master, and Charles A. Morris, secretary, Jefferson County; Mount Pleasant Grange, No. 1612, J. S. Kauffman, master, and Mrs. R. C. McWilliams, secretary, Indiana County, Pa.; and Success Grange, No. 1656, R. B. Flemming, master, and P. D. Wilson, secretary, Indiana County, Pa.; to the Committee on Military Affairs.

Also, petition of Pomona Grange, No. 58, Indiana, Indiana County, Pa., W. M. Wright, I. C. Rank, and I. D. Mumau, committee, protesting against the enactment of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petition of Lloyd I. Gorman, Wilgus, Indiana County, Pa., protesting, with 35 other citizens, against the enactment of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. NORTON: Petition of Chenho Kappo and 224 other citizens of Lawton, N. Dak., favoring national constitutional prohibition; to the Committee on the Judiciary.

Also, memorial of Rolling Green Grange, No. 19, of Deslacs, N. Dak., protesting against great military and naval preparedness; to the Committee on Military Affairs.

Also, memorial of Rolling Green Grange, No. 19, of Deslacs, N. Dak., urging postalization of wires; to the Committee on the Post Office and Post Roads.

By Mr. PRATT: Petition of Haskinville Woman's Christian Temperance Union, of Cohocton, N. Y., favoring national censorship of motion pictures; to the Committee on Education.

By Mr. ROWE: Petition of Louis B. Rettberg, of Brooklyn, N. Y., relative to Emerson resolution for relief of babies of the war zone; to the Committee on Ways and Means.

Also, petition of S. B. Haig, of New York City, favoring House bill 10845, relative to preparedness; to the Committee on Military Affairs.

Also, petition of the Typothetæ of the City of New York, favoring Tague bill, House bill 11621; to the Committee on the Post Office and Post Roads.

Also, petition of Evinrude Motor Co., of Milwaukee, Wis., against passage of tag bill, House bill 9411, to number motor boats; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Jewish Orthodox Community of Brooklyn, against the passage of the immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of Congregation of Lenox Road Baptist Church, of Brooklyn, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SCULLY: Petition of Mrs. Jennie Stevens, of Matawan, N. J., indorsing the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of Essex County (N. J.) Medical Society, in favor of increasing the number of medical officers in the Army; to the Committee on Military Affairs.

Also, petition of citizens of Manasquan, N. J., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SMALL: Petition of citizens of Wanchese, N. C., favoring national prohibition; to the Committee on the Judiciary.

Mr. SMITH of Idaho: Papers to accompany House bill 13976, for the relief of George Ashley; to the Committee on Claims.

By Mr. SNELL: Resolution of Mrs. W. A. E. Cummings, Mrs. Ira E. Bartholomew, and Mrs. F. G. Lampman, in behalf of the Woman's Christian Temperance Union of Ticonderoga, N. Y., urging the passage of a national prohibition amendment; to the Committee on the Judiciary.

Also, petition of A. K. Botsford, B. L. Wilcox, A. M. Wilcox, C. N. Scofield, D. Scofield, E. M. Wilcox, L. M. Wilcox, Edwin Wilcox, M. E. Collins, Lyman Collins, I. M. M. Moody, Brad Wilcox, E. W. Wilcox, H. A. Stevens, Sherman Stevens, F. F. Harvey, W. B. Forney, A. M. Foster, George Walton, M. L. Phillips, C. A. Morehouse, M. C. Haggard, John Foster, M. H. Collins, and Ira Collins, all of Saranac Lake, N. Y., protesting against House bill 652, to provide for the closing of barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

Also, petition of Kenneth W. Goldthwaite, Edward Krauss, C. A. McAfee, and H. F. Towner, of Saranac Lake, N. Y., protesting against House bill 6468, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, resolution of Mrs. J. D. More, in behalf of Brier Hill Grange, No. 744, of Brier Hill, N. Y., in favor of a national prohibition amendment to the Constitution; to the Committee on the Judiciary.

Also, petition of E. P. Mitchell, E. E. Barrett, H. P. Jefferson, Clayton Goslin, Milton Welch, George Cowles, John M. Flint, W. O. Daniels, Floyd S. Fenner, J. Fred Hoyt, Edwin Wilcox, and others, of Parishville, N. Y., favoring the passage of a national prohibition amendment to the Constitution; to the Committee on the Judiciary.

Also, petition of T. J. Scofield, L. G. Scofield, M. H. Collins, L. Collins, M. E. Collins, I. M. Moody, E. M. Wilcox, L. M. Wilcox, A. M. Foster, George Walton, John Foster, M. L. Phillips, George A. Pratt, B. F. Moody, Sidney Smith, C. E. Doody, Allison Darr, jr., S. C. Smith, E. Hennessey, F. L. Hillman, M. C. Daniels, H. M. Swinger, Charles E. Bailey, D. C. McLane, G. M. Richardson, D. Kelley, Peter Bessette, and others, of Saranac Lake, N. Y., protesting against the passage of House bill 6468, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of Mrs. H. J. Potter, Mrs. M. Ling, Mrs. J. H. Cutler, J. B. Cutler, A. C. Randall, Mrs. S. W. North, Albert Forbes, and Mrs. Albert Forbes, of Newman; Millicent Lengfeld, Mrs. G. W. Lengfeld, G. W. Lengfeld, Mrs. Henry Packard, and W. M. Morrow, of Lake Placid, all in the State of New York, protesting against the passage of House bill 6468, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of Mrs. C. E. M. Edwards, Mrs. Edw. S. Dodds, Maude S. Learned, F. S. Gilliland, Fredrika H. Day, Alma M. Gilliland, Mrs. E. J. Robinson, J. G. McKinney, Mrs. Frank E. Tromblee, Mrs. George H. Rymers, Mrs. S. B. Miller, Mrs. M. A. Darby, Julia Joy, Mrs. L. G. Barton, Mrs. A. B. Chatterton, Mary P. Brown, and D. G. Barton, all of Plattsburg, N. Y., urging the passage of the Sisson resolution; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Memorial of Chamber of Commerce of Los Angeles, Cal., favoring the building of a road to the summit of Mount Whitney, Cal.; to the Committee on Appropriations.

Also, petition of L. C. Gibbs, Los Angeles, Cal., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of W. D. Van Noctran and 2 other citizens of Los Angeles, Cal., favoring an appropriation of $100,000 for the capture of Pancho Villa; to the Committee on Appropriations.

Also, memorial of Chamber of Commerce of Humboldt County, Cal., indorsing national and Pacific coast defense, etc.; to the Committee on Military Affairs.

Also, petition of Joseph Pedott and 53 others, of Los Angeles, Cal., against Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of Chamber of Commerce of Los Angeles, Cal., indorsing House bill 5806, to provide for the construction of the San Juan Railway in Colorado and New Mexico; to the Committee on Interstate and Foreign Commerce.

By Mr. STINESS: Petition of citizens of West Warwick, R. I., favoring national prohibition; to the Committee on the Judiciary.

By Mr. THOMAS: Petition of sundry citizens of Bowling Green, Ky., against passage of House bills 491 and 6468, to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. TIMBERLAKE: Petitions of citizens of Longmont, Colo., against House bills 491 and 6468, to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. TINKHAM: Petition of Board of Governors of India House, New York City, and citizens of the eleventh district of Massachusetts, favoring adequate preparedness; to the Committee on Military Affairs.

By Mr. WASON: Petitions of Men's Forum, representing 50 people, of the town of Bristol; the Nashaway Woman's Club, representing 300 people, of Nashua; the Woman's Christian Temperance Union, representing 35 people, of Nashua; the Mothers' Class of the First Congregational Church, representing 50 people, of Nashua; the Baptist Church, representing 45 people, of Peterboro; the Baptist Christian Endeavor Society, representing 34 people, of Peterboro; the Congregational Sunday School, representing 100 people, of Peterboro; and the Woman's Christian Temperance Union, representing 24 people, of Peterboro, all in the State of New Hampshire, favoring the national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, resolution of the Greenville Grange, of Greenville, N. H., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

MONDAY, *April 3, 1916.*

(Legislative day of Thursday, March 30, 1916.)

The Senate reassembled at 12 o'clock m., on the expiration of the recess.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. UNDERWOOD. Mr. President, on Thursday last in the speech which I delivered in the Senate I made some statements about the Du Pont Powder Co. This morning I received a letter from Mr. du Pont, the president of the company, somewhat explaining in reference to the statements I made. I think it is fair to myself and fair to Mr. du Pont that I should have his letter read at the desk and my answer to it, so that the RECORD may show both statements.

The VICE PRESIDENT. If there is no objection, the Secretary will read as requested.

The Secretary read as follows:

E. I. DU PONT DE NEMOURS & CO.,
Wilmington, Del., April 1, 1916.

Hon. OSCAR W. UNDERWOOD,
United States Senate, Washington, D. C.

MY DEAR SIR: After reading what you said in the Senate Thursday bearing on our nitric-acid proposition I have reached the conclusion that you do not understand the position of this company.

We regret to take exception to your statements on the floor that we had endeavored to influence Congressmen against the Muscle Shoals proposition. We have never in any way, either directly or through Mr. Cooper, who was especially mentioned, made any such endeavor, nor has it been our intention to do so.

We do not desire to keep the Government of the United States, or any individual or corporation, from building a plant for fixation of atmospheric nitrogen. Nor are we soliciting the business of manufacturing nitric acid for the Government.

The United States is to-day in a position never before known to any nation. Among the greatest, it is alone in a condition of peace. Magnificent in its financial and commercial development, power, and strength, it is weak to the despair of its citizens, be they rich or poor, in its preparedness against outside attack. Never has there been more willingness to do, coupled with less power for the doing, than now. Never has there been greater necessity for mutual faith and for cooperation. Let, then, each man bear his part of the burden as best he can in the cause of preparedness.

Those in charge of E. I. du Pont de Nemours & Co. have conceived it their duty in this crisis to be that of performance and not of influence. We, who of necessity must be prominent in military affairs, are not the unbiased judges of the question of preparedness, its character and extent. Whatever may be our personal conviction of the overwhelming advantages of peace to our large commercial business against the smaller advantages of war to our lesser military interest, we could not escape from the suspicion of our fellow men if we were to attempt to advise preparedness. These facts have led us to stand for absolute neutrality in this discussion. Those who are and feel themselves unbiased in this question must decide the amount and character of preparation. It is for us to take action under their decision.

The European war brought to our company calls for assistance that few organizations have been made to face. To the response that has been made we may refer with pardonable pride. In October, 1914, when the first demands for powder came from abroad, our company had capacity to manufacture military explosives amounting to 10,000,000 pounds per annum; of this capacity about 50 per cent had remained idle for five years owing to the activities in manufacture of our own Government. In fact this surplus capacity was about to be abandoned. To-day we are manufacturing at an output of 375,000,000 pounds per annum, and every pound of material necessary for this vast production finds its source in our own United States excepting one item alone, nitrate.

The possible failure of the Chilean nitrate beds, whose lifetime is measureable in a few decades, has long led consumers to think of other sources of supply. The formation of oxides of nitrogen and of nitric acid from the air through the electric discharge has been long known, but those who turned to that source of commercial supply met with long discouragement; though in recent years nitrates for use in fertilizers have been made commercially through the use of cheap water power, it was not until the year immediately preceding the European war that nitric acid was produced in quantity, quality, and cost to compete with that made from Chilean nitrate.

The activity of our company in examining all possible sources of fixed nitrogen led to a careful examination of the successful processes of the Norwegian Nitrate Co., and we have made purchase of the patent rights and accumulated the necessary drawings, data, and information for the immediate installation of a nitric-acid factory from designs which have been proved commercially successful. We believe that these are the only plans and processes in existence on which a factory on a large and commercial scale can be produced to-day. While it is true that nitric acid is being made in Germany by processes unknown, it is neither proved nor even supposed that these processes are commercially satisfactory; more likely they are devised and maintained under military necessity.

Since the acquisition of the above-mentioned patents we have failed to find a satisfactory water power in the United States that is privately owned, and we have recognized existing laws of the United States which make prohibitory the development of water powers now under governmental control. On this account we turned abroad for the purpose of finding suitable power for our uses, and had well-nigh closed a contract for the use of a Canadian supply when the European war drew attention to the necessities of the United States and its position of extreme weakness in event of war. Our company is in a position of unique usefulness to the United States Government on the question of nitric-acid supply. It is essential that any source of material be kept alive and in healthy development in times of peace for use in times of war; otherwise failure of operation and lack of trained workmen are quick to depreciate the value of any organization, no matter matter how perfect. Our company alone can consume in times of peace for commercial use the enormous quantity of nitric acid that the United States Government might require for military use in times of war. This fact makes it imperative that our supply should be made available to the United States. Whether other auxiliary sources of supply are obtained or not is entirely apart from the concerns of our company. On this account we have crystallized our ideas as quickly as possible and have presented to the Secretary of War and at his assent to the United States Senate, through Senator SAULSBURY, a bill, the sole object of which is to make it possible for the Secretary of War, in conjunction with a suitable board of engineers, to grant water-power rights for the production of nitric acid under certain conditions. The bill gives to our company no rights that are not open for acquisition by other citizens and does not make it mandatory for the Secretary of War to deal with us or any other individual; nor does the bill interfere with the development of any other source of supply of nitric acid, nor with any other project at hand now or in the future. As a further safeguard, the Government is to have a call for the product of factories licensed under this bill either in times of peace or times of war, and the profit allowed to the manufacturer is to be decided by the Government alone. Notwithstanding these full powers the licensee is to provide all funds for construction under plans to be approved by Government officials. It is inconceivable that a supply of nitric acid could be more favorably obtained.

You must appreciate that the above presentation of our case leaves little cause for an accusation of "lobbying"; that is, for underhanded promotion of individual interests. Our company has no desire other than to fully exploit the information which it has in hand and has no wish to influence the decision of a question in which it has no right to interfere.

In closing, I must ask pardon for making so lengthy an explanation of our affairs. I have thought it important that you should be relieved of a misunderstanding which evidently exists in your mind. If any further information can be rendered by this company we shall cheerfully accept any calls made upon us.

Very sincerely,

PIERRE S. DU PONT,
President.

Mr. UNDERWOOD. Mr. President, I ask that my letter in answer to Mr. du Pont's letter may be read at the desk.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

APRIL 3, 1916.

Mr. PIERRE S. DU PONT,
President E. I. du Pont de Nemours & Co.,
Wilmington, Del.

MY DEAR MR. DU PONT: I received your letter of the 1st of April today in reference to the speech I made on last Thursday in the United States Senate in reference to the Government of the United States building a nitrate plant.

Your letter says, "I regret to take exception to your statement on the floor that we had endeavored to influence Congressmen against the Muscle Shoals proposition." I made no such statement. I recognize that the possible water-power development at Muscle Shoals on the Tennessee River is very great and can be used by the Government or private individuals to great advantage, but not once since this question has been pending before the Congress have I advocated the proposition that the Government should go to Muscle Shoals for the development of its power or that Muscle Shoals should be turned over to any private corporation or individual for the development of that power. I have contended from the beginning that the Government of the United States should thoroughly investigate the question of the most available power for its own use and the most available methods for the manufacture of nitrogen, and that when it reached a conclusion through a board to act for the Government that then the facts in reference to the case should be laid before the Congress for its determination, so that you are edivently building a straw man at which to shoot when you assert that you have made no effort against the Muscle Shoals proposition. I am sure that you have not, as there has been no such proposition pending before the Congress.

The House bill and the proposals before the House committee sought to give the Government of the United States an opportunity to act in this matter after investigation and consideration. What I charged against your company was that it opposed the House proposals and the efforts being made to develop one or more of our great waterways for the use of the Government and for the Government to establish its own plant for the manufacture of nitrogen or nitrate acid.

I am glad to have the opportunity to give you the reasons why I made this statement. I have been advised by men whose credibility there is no reason whatever to doubt that Mr. Hugh L. Cooper, whom I have been informed has been in your employ and acting for you, stated that he was opposed to the House provisions relating to this subject and that he intended to defeat them. I have also been informed that Mr. Charles B. Landis, an employee of your company, has been in Washington and exerted his influence against the proposals in the House bill looking to the Government securing a supply of nitrogen. I have also been informed that you had other agents fighting the proposition when it was pending before the House. I do not know whether these agents are opposing the amendment that I have offered in the Senate or not, and so stated in my speech on last Thursday. If Mr. Cooper was not in Washington opposing the provisions of the House bill, and if Mr. Charles B. Landis was not in Washington opposing the provisions of the House bill, and they will write letters to me to that effect, I will be glad to publish them in the RECORD. If you have had no agents opposing the House proposals on this subject and you will write a letter making that statement clearly and distinctly, I will be glad to have your letter published in the RECORD and will endeavor at the same time to get a statement from the gentlemen who advised me in reference to the situation as to their information in reference to the subject.

You state in another paragraph of your letter, "You must appreciate that the above presentation of our case leaves little cause for an accusation of 'lobbying'; that is, for underhanded promotion of individual interests." In my speech in the Senate I do not think that I said anywhere in the speech that you were "lobbying" or in any way reflected on the methods used by your company except in so far as the statement of fact that I made may have been a reflection on them. If you had agents in Washington opposing the House bill, then the statement contained in my speech is justified by the facts. If you did not have them in Washington and will furnish me with letters stating that fact under their own signatures and a statement from yourself, I will publish them in the RECORD on my own motion.

As to the second proposition, I stated in my speech on Thursday that I thought the Government of the United States should develop sufficient horsepower to be controlled by it to assure at all times an adequate supply of nitrogen in this country for governmental purposes, and I also stated that if the Government would not take the initiative in the matter I did not believe in obstruction and that I thought that the private corporations in the United States ought to be given an opportunity to do so. I have no objection whatever to your company developing a nitrogen supply for itself or securing available water power to do so, but I believe, first, that the Government of the United States ought to have the first opportunity to select from the available water powers of the United States to develop them for governmental uses, and, second, I do not know of any reason why your company or private corporations seeking to produce nitrogen for their personal profit should have any advantage over other business corporations in the United States.

The general dam bill has passed the Senate with certain restrictions to guard the public interests. I am in hopes that the bill will pass the House, and that before this Congress is over we will have legislation on the statute books that will authorize the development of the water power in this country in such a way that the interests of the public will be safeguarded and at the same time the terms may be sufficiently reasonable as to invite private capital to invest its money in this line of development. If this is done, you will have the same opportunity that your competitors or other business interests in the United States will have.

The bill that you propose to the Congress does not have the limitations in it nor does it guard the public interests in the way that the general dam bill does that recently passed the Senate.

As to the development of your process for making nitrogen, I am advised that it is not economical and available process for making nitric acid for powder and nitrogen for fertilizer both at the same time. Personally I am as much interested in the development of plants for the manufacture of nitrogen to develop fertilizer for the farmers of this country as I am in the manufacture of nitrate acid to furnish us our powder supply, although, of course, I recognize the powder supply is our first patriotic duty and first governmental obligation.

As to the pending legislation, the amendment I have offered to the Senate bill in no way advocates the cause of any corporation or individual, in no way proposes the development of any particular water power, in no way seeks to advance any particular process for the making of nitrogen. I merely propose to investigate as to what is the best process and as to what is the best water power that can be used. As to the lines on which the Government can avail itself of the use of a nitrogen process, and as to the cost of development and place of location of a hydroelectric plant, if this resolution becomes a law it will be open for your company to present your case to the Board of Army Engineers. If your company has the best one, I have no doubt that it will be adopted. If your plan is not practicable and feasible, and there is another plan which is more meritorious, I have no doubt that will be adopted, and I can not see where there can be any particular objection on the part of your company to the plan I have proposed, unless you are opposed to the proposition because you do not desire the Government to go into the business of developing its own water power or making its own nitrogen.

I am not one of those who indulge the habit of abusing private corporations. I have not the slightest desire or intention of dealing unfairly with your company. What I stated in my speech I then believed, and believe now, to be justified by fact. They were facts that the Congress of the United States and the public at large were entitled to know. If I have been mistaken in my statement of facts and you furnish me with the evidence to that effect, I shall be glad to correct it.

With kindest regards, I have the honor to be,

Very truly, yours,

O. W. UNDERWOOD.

Mr. UNDERWOOD. Mr. President, I do not intend to discuss the question further at this time. I merely felt that it was justice to the Du Pont Powder Co. to publish their statement, and also to publish my answer to their letter.

I have not charged this company with any improper motive. I charged that its agents were endeavoring to defeat the legislation that was before the House looking to the Government of the United States establishing a water-power and a nitrate plant for the Government's own use.

The statements I made were based on statements coming from reputable men. I have stated in my letter to Mr. du Pont that if the men whom I have named on the floor of the Senate and in those letters will write letters over their own signatures and deny the facts to me I will present their letters at the desk and have them read in justice to them. If they do not write such letters and deny the facts that I have stated, it will be a

confession on the part of the Du Pont Co. that the facts I stated in my speech on last Thursday are true.

The VICE PRESIDENT. The Chair begs the indulgence of the Senate for one moment. The present occupant of the chair recognizes the fact that the Senate is a self-governing body, and that the rules are most generally "more honored in the breach than the observance"; but the Chair is about to assume that the Senate would like the following rule enforced:

No Senator shall interrupt another Senator in debate without his consent; and to obtain such consent he shall first address the presiding officer. And no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate, which shall be determined without debate.

In the consideration of the pending bill in the last week that rule has been constantly violated. It has been done through what is known as senatorial courtesy, and the Senator holding the floor has been compelled to have his remarks interrupted by another Senator speaking upon an entirely different subject. The Chair is going to enforce the rule which he has just read until the Senate informs the Chair that it shall not be done.

Mr. CHAMBERLAIN. Mr. President, so far as I am personally concerned, I should like to see the rule enforced in order that we may expedite the business of the Senate if we intend to get through this summer.

Mr. President, the pending amendment is that offered by the Senator from Iowa [Mr. CUMMINS] proposing to add five officers of the National Guard to the General Staff of the Army. I feel that it is my duty, as the temporary spokesman for the Committee on Military Affairs, to oppose this proposed addition to the General Staff. I want to call the attention of the Senate to the fact that this same proposition was involved in the bill that was reported to the House of Representatives by the House Committee on Military Affairs; it was involved before the Committee on Military Affairs of the Senate; and both of those committees reported adversely to the adding of the officers of the National Guard to the General Staff of the Army.

Mr. President, I want to say in the outset that I am not unfriendly to the National Guard. I served four years as an officer in the National Guard, and I have always felt deeply interested in the work of that splendid and patriotic organization in my State, and in all of the States of the Union, as a matter of fact. It is true, as has been a number of times stated upon the floor of the Senate, that they have given their time without pay, and have diligently undertaken to fit themselves for the service of their country, sometimes at very great sacrifice, and nobody realizes that more than do I because of my association with that organization for a number of years.

So our committee, Mr. President, approached the discussion of this subject in no unfriendly way. But the discussions on the floor of the Senate have convinced this body that the status of the National Guard under the Constitution of the United States has never been determined, and there is nearly as great contrariety of opinion upon the subject as there are Senators. Some, like the distinguished Senator from Idaho [Mr. BORAH], than whom there is no abler exponent of the Constitution in this body, insists that it is impossible practically to nationalize the National Guard so as to bring it under the control of the Central Government. I state that as a general outline of the Senator's claim. On the other hand, the Senator from Iowa [Mr. CUMMINS], who is also a very distinguished and learned lawyer, claims that it is possible to so federalize the National Guard of the country as to make them a Federal force almost as immediately subject to the control of the War Department as are the regular forces themselves. I am rather in line with the view of the Senator from Iowa. I think if the Congress of the United States will exhaust the powers it has under the Constitution, that we can very nearly approximate a federalization of the National Guard; but I realize that that is a very debatable question.

Able lawyers have insisted that the National Guard might be federalized in everything except the appointment and control of the officers of the National Guard, it being insisted that such officers must be appointed by the governors of the States, and that Congress can not interfere to control the appointment of officers.

Mr. BRANDEGEE. Mr. President, I wish to ask has the Senator from Oregon heard any lawyer claim that Congress can authorize the President to order the militia of the States into the service of the United States for the purpose of training?

Mr. CHAMBERLAIN. No; I do not believe I have.

Mr. BRANDEGEE. So that it is not simply that the Federal Government can not appoint the officers of the militia of the States, but that the Federal Government can not constitutionally compel the State militia to enter the service of the United States to train them; and the power of training them is reserved to the several States under the same clause of the Constitution by which the power to appoint the officers is reserved to the several States.

Mr. CHAMBERLAIN. Mr. President, I do not propose to enter into the discussion of the constitutional question at all, because it has been so ably discussed by others. I am going to address myself more particularly to the pending question, leaving, for the present at least, the constitutional question to be discussed by Senators on the floor of the Senate; but I will say, in answer to the Senator from Connecticut, that it is contended by many Senators, and by the Senator from Iowa amongst others, that the training to which the Senator refers is training by the States under the discipline prescribed by the Congress itself, so that, if that contention be carried to its farthest limits, it is a part of the discipline that Congress has power to prescribe that the States must pursue in training the militia. I do not know how far Congress can go in this behalf.

Mr. BRANDEGEE. Mr. President, I observe what the Senator from Oregon says, but right at that point—and I shall not interrupt the Senator again—I desire to state that, in my opinion, the discipline——

The VICE PRESIDENT. We are starting in wrong now, in that the Senator from Connecticut is expressing his views instead of asking a question.

Mr. BRANDEGEE. If it is so that a Senator can not make a statement in the process of making an inquiry, I shall put it in this form: I will ask if the Senator from Oregon will yield for that purpose?

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. BRANDEGEE. Does the Senator from Oregon think, from the fact that the Constitution uses the word "disciplining" and also uses the word "training," that there is a distinction between those things? And does the Senator think that "the discipline" to be "prescribed by Congress" is a statement of the kind of training that the National Guard shall have but is not at all the process of training?

Mr. CHAMBERLAIN. If Congress undertakes to lay down a rule for the discipline of the State militia and they are to be trained pursuant to that regulation, whatever it may be, great or small, it seems to me that they might have the power practically to lay down rules for the training of the troops in the States themselves. But I do not intend to discuss that question, Mr. President.

I want to express very great regret that the National Guard of the several States, after having been patiently heard, through its representative officers, in the committees of the House and Senate, and after a most painstaking hearing on the part of these committees, has seen fit to inject itself into the Halls of Congress, until now it looks very much as though it were a fight between the Regular forces of this country or, rather, those who believe in maintaining a Regular Establishment for the defense of this country, and the National Guard, as to which is to be considered in legislation which affects the whole country. I am not going to limit that criticism, Mr. President, to the National Guard. I want my position to be fully understood about this matter. I have with the Military Affairs Committee devoted nearly three months of my time to working just as hard as I know how, and this bill, as I have explained heretofore, has run the gamut of the department here in Washington, including the General Staff, the War College, and all the other military departments of the Government. We have had the views of the representative men of these bodies, and after we have undertaken to formulate a bill which seemed, in the committee at least, to meet pretty generally the approval of the authorities, we find that not only the National Guard and its officers—and I sometimes fear a lobby is maintained for that purpose—but we find officers of the Army around the Halls of the Senate and House of Representatives interfering with this legislation instead of leaving the matter to Congress, who have the matter in hand and are responsible for the legislation affecting the Army, until, Mr. President, the work is like Pelion on Ossa piled. The work of the committees of this Congress amounts to nothing if men representing the National Guard and men representing the different branches of the Army as well are to be permitted to come here and interfere with the due course of legislation. I do not mean to say that it is a dishonest interference, but it certainly is impeding and interfering with legislation. I regret very much this condition. I have sometimes felt that I ought to call the attention of the War Department to the situation here, and I may do so later.

With reference to the representation of the National Guard on the General Staff, I hope the amendment will not be adopted; because, as I said a while ago, the status of the National Guard from a constitutional viewpoint is undetermined. The committee, feeling friendly to the National Guard, has gone the limit—and I sometimes fear has trod upon the heels of the Constitution—in undertaking to make it a federalized force. We

have not only undertaken to make it a Federal force, but we have undertaken to limit the power of the appointment of officers by the governors of the States, requiring that selections for appointment shall be made under rules determining the capacity of these men. Whether that can be done or not I do not pretend to say with certainty, but we have tried it.

Mr. SUTHERLAND. Mr. President——

Mr. CHAMBERLAIN. If the Senator will pardon me a moment, we have tried it for the purpose of enabling the National Guard to have its status determined as a dependable force in time of emergency.

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Utah?

Mr. CHAMBERLAIN. Yes.

Mr. SUTHERLAND. If the Senator will permit me to interrupt him, I desire to ask him a question; but it is necessary that I should say a single word as a foundation for the question.

I sympathize with the views expressed by the Senator from Idaho [Mr. BORAH] as to the interpretation of the Constitution, but I also sympathize with the amendment proposed by the Senator from Iowa [Mr. CUMMINS] with reference to providing representation on the General Staff for the National Guard. Now, I want to ask the Senator from Oregon whether he sees any constitutional difficulty in the way of the amendment which the Senator from Iowa proposes.

Mr. CHAMBERLAIN. Frankly, I do not. I think it might be constitutionally done; but I am going to show, Mr. President that it ought not to be done, in view of the recognition which is now given by the laws of Congress to the National Guard, and I am going to address myself to that subject for a few moments.

Mr. SUTHERLAND. I shall listen to the Senator with much interest, because that is a matter about which I am very much concerned.

Mr. CHAMBERLAIN. What are the functions of the General Staff? From a compilation of the laws and regulations governing the General Staff, I find that the general staff of all armies is composed of military experts in various lines, whose duty it is to make studies on military subjects, to examine projects and proposals for the improvement of the army in all lines, to plan for the instruction of the forces, to recommend upon questions of military policy, to make plans for possible military exigencies, to study geography and various areas in our own and other countries, and to collect and arrange military information concerning foreign countries.

It has been the practice of all governments to select their best military experts for service on the general staff. Our General Staff is a mere bagatelle in numbers as compared with some of the general staffs of the armies now engaged in the war in Europe. Not only are they advised as to conditions in their own country from a military standpoint, but they are advised about the conditions in our country; and newspaper discussion and some discussions on the floor of the Senate have convinced me that they know more about our own Military Establishment and our military conditions than our people do themselves.

It will be seen from an examination of the duties of the General Staff that they are all technical and require to the highest degree a knowledge of the military art. If this proposed amendment is passed, it will inject into the General Staff a body of men whose knowledge of military matters must be small, because the study of the military art has been an avocation with them and not a vocation, as is the case with the professional soldier. Their usefulness will be, in the very nature of things, limited; and the committee could not see that the services returned to the Government would be at all commensurate with the cost involved in their pay and allowances. The General Staff is not a partisan body nor a political body, and to detail a certain number of officers from the militia, with the avowed intention of giving them representation, would be to inject a new principle into the General Staff and would constitute a most unfortunate precedent.

There are apparently, as I suggested a while ago, some erroneous views in regard to the General Staff and its duties; for the distinguished Senator from Maryland [Mr. LEE] seemed to think that if they had a fixed status on the General Staff, information which was sought by him from the War Department might have been furnished very much more quickly than he was able to get it. The fact that the Secretary of War prevented the War College from giving out certain information is a matter of policy to be determined by that official, and has nothing to do with the General Staff.

Judging from his address the other day, the Senator from Maryland seemed to be under a misapprehension as to the functions of the General Staff as to mobilization, and appeared to think, if I did not misconstrue what he said, that having certain members of the National Guard on the General Staff would facilitate these plans. Mobilization consists in the transformation of the Military Establishment from its status of peace to that of war, and has to do with the formation of the field army recruited to full strength, armed, equipped, and provided with transportation for field service, the formation of reserves to reinforce it, the formation of depots of recruits to replace its losses, the plans for the occupation of vacated garrisons, and the organization of the auxiliary service necessary to maintain the combatant force in a high state of efficiency. This mobilization is effected without loss of time if a proper plan of mobilization has been prepared in advance; and I will say, Mr. President, that the general staff corps of other armies, in addition to the work that they have done at home, have maps and plans and diagrams and everything formulated for the future in case of conflict with some other power. I may say that information has recently come to me to the effect that the general staff of a certain one of the belligerents has every bit of the information, diagrams, and plats necessary for the movement of troops in case we happened to have any differences with that particular belligerent.

So that the duties of the general staff of an army are of the highest technical importance, and ought not to be considered except by the best experts that an army can furnish. Let me say here that in the organization of our General Staff, so jealous have they been with reference to the naming of men on the staff that the Secretary of War details five general officers who act under oath and select men for the General Staff—the experts of the Army, not below the rank of captain. These experts are the men who are selected for General Staff duty; and they are chosen for their peculiar fitness for any particular branch of the service.

Mr. BRANDEGEE. Mr. President, will the Senator allow me to ask him a question there?

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Connecticut?

Mr. CHAMBERLAIN. Certainly.

Mr. BRANDEGEE. Does the Senator understand that if officers of the State militia or of the so-called National Guard—and I believe the Dick Act provides that all these organizations, by whatever name they have been previously known, shall in the future be known officially as the Organized Militia—if officers of the Organized Militia are made members of the General Staff by act of Congress, would that subject them to the military discipline of the United States Regular Army as to court-martial, and the entire regular military discipline?

Mr. CHAMBERLAIN. I think the purpose of the Senator from Iowa [Mr. CUMMINS] was distinctly to have that done, because he feels that it can be done; but there is a difference of opinion amongst the Senators about that, and that is one of the reasons why I say that this amendment ought not to be adopted—because of the difference of opinion, not only amongst the Senators, but among the courts of the country as well.

Mr. CUMMINS. Mr. President, may I ask the Senator from Oregon a question?

Mr. CHAMBERLAIN. Certainly.

Mr. CUMMINS. Does not the bill that he has reported so provide?

Mr. CHAMBERLAIN. It does. We have tried to do it.

Mr. CUMMINS. I have therefore simply proceeded upon the basis of the bill which the committee has reported.

Mr. CHAMBERLAIN. I realize that. I am not criticizing the Senator's position, as I am largely in accord with him; but my difference with the Senator grows out of this fact: He would put on the General Staff, which has for its purpose all of these plans that I am discussing, representatives of the National Guard, who in the very nature of things have not been in a position to learn how to do this work that is required of the General Staff in any army. I say that without intending to discredit these gentlemen. As I say, I was a member of the National Guard myself; but I realize, as most of the Senators here realize, that it is a physical impossibility for members of the guard, in the short time they have, to learn as much about all of these questions as those who make the Army a profession in life from the time they leave the Military Academy until they retire for old age.

Speaking of the other duties of the General Staff, the mobilization to which I referred a while ago is effected without loss of time if a proper plan of mobilization has been prepared in advance; but the preparation of this plan deals entirely with technical subjects and not at all with the class of soldiers composing the Army. Each man, each company, and the regiment is a unit, and merely considered as a unit, and not as to whether it is a Regular unit, a National Guard unit, or a Volunteer unit. It is not apparent how the acquaintance of the National Guard

officers with their peculiar organizations—for that is the argument that is made here—would be of any benefit in the preparation of a plan for mobilization.

One of the Senators insisted that if the National Guards were represented on the General Staff many of the difficulties which attend the transportation of troops from one point to another would be avoided. I do not understand that that is a part of the general plan of the General Staff. It is their duty to say where troops should be mobilized and not how the mobilization should be effected. That is done through other instrumentalities than the General Staff. If they say, from the plans they have worked out as affecting the war, that the troops should be mobilized at a certain point along the Mexican border, that is the thing that is done and accepted as a part of the program of the War Department. How to get them there does not necessarily come within the general scope and purpose of the General Staff, except in so far as they have formulated maps and plans showing the railroads, the methods of reaching certain points where mobilization is to be had, and so forth. The only necessary thing is that the individuals on the General Staff should have a thorough knowledge of the military art and not that they should come from any particular source.

The distinguished Senator from Maryland [Mr. LEE] speaks about the mobilization of the Swiss forces in 10 days, and says that her mobilization was more prompt than that of Germany. This is undoubtedly a fact; but it must be remembered that the principal reason therefor is that Switzerland is a country about the size of Vermont and New Hampshire, whereas Germany and France are each about the size of Texas and the United States stretches as far as from Portugal almost to Siberia and from England to Persia.

On questions affecting policies regarding the treatment of the National Guard and for presenting their views to the Secretary of War, the National Militia Board already exists, and will remain in existence under the terms of the bill. The questions that come up for the consideration of its members are few in number, and they can always be called together by the Secretary of War to advise on such matters.

I am going to call attention to that now, Mr. President. I want to show that the National Guards of the country have representation now for all purposes required to bring them in touch with the War Department and the General Staff.

Section 1337 of the military laws of the United States provides:

> The Secretary of War is hereby authorized to appoint a board of five officers on the active list of the Organized Militia, so selected as to secure, as far as practicable, equitable representation to all sections of the United States, and which shall from time to time, as the Secretary of War may direct, proceed to Washington, D. C., for consultation with the Secretary of War respecting the condition, status, and needs of the whole body of the Organized Militia. Such officers shall be appointed for the term of four years, unless sooner relieved by the Secretary of War.

Mr. President, pursuant to that, this board of National Guard officers has been appointed, and acts in conjunction with the Secretary of War. There is not a single need of the National Guard that can not be brought immediately to the attention of the Secretary of War just as effectively, if not more effectively, than it would be possible to bring it to his attention through the instrumentality of representatives of the National Guard on the General Staff. In other words, Mr. President, until the status of the National Guard has been determined beyond any question of doubt, it seems to me that they ought not to be added to a board which has peculiar functions of a technical nature to perform, and which, in the very nature of things, officers of the National Guard are not in a condition to perform.

I attained the rank of a captain of the National Guard. The lowest grade of the General Staff Corps is that of captain. I am frank to say that after four years of service as a member of the National Guard—and I think I had ordinary intelligence in undertaking to learn the duties of an officer—I would have been powerless to master the technique necessary to say where the troops of the United States should have been mobilized and mass in a given emergency for the purpose of a proper defense of this country. In the very nature of things, Mr. President, practicing law, as I was, engaged in the civil walks of life, I could not devote to the duties of that place the time required to master the details of all of these great questions.

Let me say here that Gen. Mills—who is at the head of the Division of Militia Affairs, and in holding that office a member of the General Staff, and a very painstaking man—has gone into all this subject very fully, and I invite the attention of Senators to his report. I want to say here, Mr. President, because the suggestion has been made in two or three quarters that the Army is opposed to the National Guard, that I have never at any time found a disposition upon the part of any Army officer to attempt to discredit the National Guard, or to do anything that would make it less effective. On the contrary, my experience is that they have tried to bring it into closer touch with the regular forces of the United States, so that in case of emergency it could be readily made available and efficient. I do not know what the experience of others may have been. We had a distinguished officer of the Engineer Corps detailed with us by the War Department to assist us in the use of the proper technical language in framing this bill, and we had with us a distinguished retired officer of the United States Army; and I have never seen two gentlemen of any body of men listen more patiently to the suggestions of the National Guard and try harder than these gentlemen did to assist in carrying out the wishes of the National Guard and making it an effective body under the control of the War Department. The only questions that ever arose in the minds of these gentlemen were the same questions that have arisen in the minds of the distinguished Senators here, and they were discussed without prejudice, and fairly. That was the fact about it. And so, whenever I have called into requisition the services of any Army officer in the preparation of this bill, they were all anxious to do what? To create a force, first, of the Regular Army, and then an efficient force of National Guardsmen or Volunteers that might be drawn upon whenever the emergencies of the country required some force to be called upon—and, God knows, we all realize the necessity of it.

Mr. OVERMAN. Mr. President, may I ask the Senator a question?

Mr. CHAMBERLAIN. Certainly.

Mr. OVERMAN. Was there any demand before the committee on the part of the National Guard that they should have representation on the General Staff?

Mr. CHAMBERLAIN. Oh, yes. Both committees passed on it—the committee of the House and the committee of the Senate.

Mr. OVERMAN. And both declined?

Mr. CHAMBERLAIN. Both declined. We passed on nearly every question that is going to be submitted here, Mr. President. After having given patient attention to the hearings that were had before those committees and having undertaken impartially to reach a conclusion that would be best not for the National Guard and not for the Army, but for the country, we find all of these men and branches of the different services here beseeching the Congress to undo what the committee has done and to formulate a piecemeal statute that will be ineffective in time of stress and storm. The purpose of the committee has been—and I hope the purpose of the Senate will be—to ignore the demands of special interests, whether in the Army or in the National Guard, and undertake to reach a conclusion which will help our country rather than individuals.

Mr. President, I am going to ask to have inserted in the RECORD a diagram that has been prepared with great care to show the peace organization and administration of the office of the Chief of the Division of Militia Affairs. It shows, Mr. President, briefly and succinctly, just exactly how the National Guard, under the present system, is brought in touch with the Regular Establishment and exactly what are the functions that are to be performed; and it shows further that under the system as it now exists the National Guard is just as nearly in touch with the War Department as is possible to make it by placing members of the National Guard on the General Staff not to benefit the General Staff, but to impair the efficiency of the work of the General Staff.

I ask that this statement may be printed in connection with my remarks.

The VICE PRESIDENT. Without objection, it will be so ordered.

Mr. CHAMBERLAIN. Then, too, I desire to insert in the RECORD from the Congressional Directory, under the head "Department of War," a short statement in regard to the Division of Militia Affairs. It is a compact statement of the duties of the Division of Militia Affairs and will save the Members of the Senate time in trying to trace them up. The rules and regulations governing the Militia Board are quite long. I call the attention of the Senate to the Organized Militia Regulations of the War Department, an authoritative publication issued by the War Department, article 8 of which sets out the rules and regulations governing the National Guards of the country. But the statement that I desire to have inserted in the RECORD is found at page 301 of the Congressional Directory:

DIVISION OF MILITIA AFFAIRS.

The Division of Militia Affairs is vested with the transaction of business pertaining to the organized and unorganized militia of the United States, its jurisdiction embracing all administrative duties involving the armament, equipment, discipline, training, education, and organization of the militia; the conduct of camps of instruction and

PEACE ORGANIZATION AND ADMINISTRATION OF THE OFFICE OF THE CHIEF, DIVISION OF MILITIA AFFAIRS.

Chief of division.

Brigadier General, General Staff.

In charge of all business of the War Department pertaining to the organized and unorganized militia of the United States, embracing all administrative duties involving the armament, equipment, discipline, training, education, and organization of the militia, the conduct of camps of instruction, the participation of the Organized Militia in field exercises and maneuvers of the Regular Army, mobilization and relations of the militia to the Regular Army in time of peace, and all other matters pertaining to the militia which do not, under existing laws, regulations, orders, or practice, come within the jurisdiction of the General Staff or any division or bureau of the department. Is responsible for the records of all matters pertaining to the militia when not in the military service of the United States and is the channel of communication between the Secretary of War and the adjutants general of the States, Territories, and the District of Columbia, in relation to business pertaining to the militia when not in the military service of the United States.

Principal assistant to Chief of division.

Colonel, Infantry.

Assistant and executive officer of the division, in charge of the general subject of organization.

Assistant to the chief of division.	*Assistant to the chief of division.*	*Assistant to the chief of division.*	*Assistant to the chief of division.*	*Assistant to the chief of division.*	*Assistant to the chief of division.*	*Assistant to the chief of division.*	*Assistant to the chief of division.*	*Assistant to the chief of division.*
Lieutenant colonel, Infantry.	Major, Medical Corps.	Major, Field Artillery.	Major, Corps of Engineers.	Captain, Coast Artillery Corps	Captain, Quartermaster Corps.	Captain, Cavalry.	Captain, Infantry (Signal Corps).	First lieutenant, Infantry.
In charge of matters pertaining to the organization and instruction of the Infantry personnel of the Organized Militia.	In charge of matters pertaining to the organization and instruction of the sanitary personnel of the Organized Militia.	In charge of matters pertaining to the organization and instruction of the Field Artillery personnel of the Organized Militia.	In charge of matters pertaining to the organization and instruction of the Engineer personnel of the Organized Militia.	In charge of matters pertaining to the organization and instruction of the Coast Artillery personnel of the Organized Militia.	In charge of property and financial matters pertaining to the Organized Militia, the equipment of organizations of all arms, and issues to States.	In charge of matters pertaining to the organization and instruction of the Cavalry personnel of the Organized Militia.	In charge of matters pertaining to the organization and instruction of Signal Corps and machine-gun organizations of the Organized Militia and matters of personnel relating to sergeant-instructors.	Assistant to the officer in charge of matters pertaining to the organization and instruction of the Infantry personnel and in charge of matters pertaining to target practice of the Organized Militia.

Chief clerk of the division.

In general charge of all clerical work of the division and responsible to the chief of the division for the general character and quantity of the work performed.

Assistant chief clerk.

In the absence of the chief clerk he will perform the duties assigned to the latter; will examine all papers prepared for the action of the chief of the division which are checked to his basket by the chiefs of section and check them to the chief clerk's basket; and will perform such other work in connection with the general work of the office as may be assigned to him by the chief clerk.

Correspondence section.	*Record section.*	*Financial section.*	*Property section.*	*Statistical section.*	*Blank room.*
One chief of section (assistant chief clerk) and six clerks. Will perform such stenographic work as the business of the office may demand under the supervision of the chief of section and chief clerk.	One chief of section and five clerks. The work of this section consists of the receiving and mailing of all correspondence of the office, the searching of records for previous correspondence or relevant cases; the briefing, indexing, and filing thereof.	One chief of section and two clerks. Will keep books of accounts between the War Department and the Organized Militia; draw requisitions for funds; examine and record the accounts of disbursing officers, and check auditor's settlement thereof with the accounts and books of the office.	One chief of section and two clerks. Will act on all requisitions for supplies received from the several States, including the preparation of correspondence relating thereto.	One chief of section and five clerks. Will examine reports of inspections, of small-arms firing and annual returns of strength; will prepare statistical matter for the annual report of the Chief of the Division of the Organized Militia; make requisitions for supplies for the division, and examine and act on survey proceedings and property accounts and returns.	One clerk and one messenger, who will make distribution of general orders, bulletins, circulars, blank forms, etc., to the Organized Militia.

participation in the field exercises and maneuvers of the Regular Army; the mobilization and relations of the militia to the Regular Army in time of peace; the preparation of annual returns of the militia required by law to be submitted to Congress; and all matters pertaining to the militia not herein generically enumerated which do not, under existing laws, regulations, orders, or practice, come within the jurisdiction of any other division or bureau of the War Department. It is the central office of record for all matters pertaining to the militia not in the military service of the United States.

Now, so much for that.

Mr. President, I am not going to indulge in any severe strictures of the National Guard, because I can not repeat too often that I feel friendly to them and I want to see them made a strong and effective force, and I have attempted to do all in my power to make them so.

Some National Guards of this country are splendid bodies of troops. Take the New York National Guard, for instance. I have never seen them in action, but they are under the control of Maj. Gen. O'Ryan, a very distinguished and a very able gentleman, a man who is paid a good salary by the State and who is to all intents and purposes a professional soldier, because he makes that his business. He is trying to make the National Guard a strong force, a commanding force, and he has come as near doing it as almost any man in the United States. He was before our committee and testified not only as a soldier but as a constitutional lawyer, and he has been of great assistance in preparing a bill. I might speak in the same way about other guardsmen and guards, but I individualize for the purpose of illustration.

Mr. DU PONT. I should like to ask the Senator from Oregon if it is not a fact that a large portion of the provisions in the bill with respect to the militia were suggested or certainly approved by Maj. Gen. O'Ryan?

Mr. CHAMBERLAIN. Oh, yes; I think probably it is safe to say that nearly all of them have been approved by representatives of the National Guard. But they do not stop with

those; they want more. I think I heard the Senator from Mississippi [Mr. WILLIAMS] speak once about a man who on a certain occasion, familiar to us all, called for "beef! beef! more beef!" Our friends of the guard are not satisfied with what we have attempted to do for them to carry out what they profess to want, federalization, Federal control, but they want more. They want more than the safety of this country would warrant Congress in giving them. Now, I am not going, as I said a while ago, to call attention to the delinquencies of the National Guard. They are not professional soldiers. But I do ask Senators to read the impartial statement of Gen. Mills in the House hearings, volume 2, at page 187. I am not going to discuss it. I merely want the Senate to read it and be advised from authoritative sources, and I call the attention of Senators to the report of Gen. Mills.

In the very nature of things these distinguished gentlemen of the guard, however honest they may be and however capable in their ordinary avocations of life, are not competent to handle these technical questions as to the duties of the soldier in the time they devote to training themselves for the service of their country.

Mr. President, without having the figures right before me, I call your attention to the fact that over a million dollars' worth of property that has been turned over by the General Government to the National Guard has been lost. Scandals have grown out of the handling of it. It has been charged that uniforms condemned by officers of the National Guard have been sold for the troops of other countries.

I am not impeaching the general personnel of the National Guard, but I am calling attention to conditions which have grown out of the policy in dealing with the National Guard and the properties of the Government turned over to them. Yet it is proposed to transfer these patriotic and distinguished gentlemen from places where there have been abuses to higher places where still other and greater and higher trusts might be abused.

Not only that, but in the adoption of plans for the mobilization of troops and other matters in time of emergency, not only is the property of the Government at stake, but the lives of the men of the Army as well. Shall we place upon the General Staff men who lack experience in the details necessary to successfully work out these great questions and problems?

Mr. President, there are a number of other questions that have been discussed here. I shall take them up as we reach them. One of these is the volunteer force that my distinguished friend from Illinois [Mr. LEWIS] spoke of as an intermediary force slipped into this bill for some sinister purpose. I shall discuss it when we come to it and show the genesis of that provision. It is not true, as the Senator said, that it had its suggestion in some unpatriotic suggestion of anybody. It was recommended by Washington and by nearly every general who has had anything to do with the organization of troops. I shall call the attention of the Senate to that when we reach it, but the matter now before the Senate is the amendment proposed by the Senator from Iowa to add to the General Staff of the Army five officers of the National Guard.

Mr. President, I do hope that the Senate will not adopt that amendment. We have increased the General Staff from 34, I believe, to 88 officers. Still it is small as compared with the general staff of the German Army; it is small as compared with the general staff of the French Army; it is small as compared with the general staff of the British Army; and if there is anything that Britain has been brought to realize in the terrible struggle going on in Europe it is the necessity of a general staff of long-established reputation to arrange for the future plans for mobilization and other kindred subjects for the conduct of her armies.

Mr. President, I call the attention of the Senate to some of the work that is being done by the General Staff, the purely technical character of work that that body is doing.

The War College division of the General Staff is at work all the time studying not only international questions in connection with the Army, but the War Establishment locally as well. I have in my hand some of the papers that have been prepared by the Army War College division of the General Staff discussing questions like these, for example:

The militia as organized under the Constitution and its value to the Nation as a military asset.
Study on places of origin and ability to procure supplies needed in vast quantities in time of war.
Personnel versus matériel in plans for national defense.
The pension roll as affected by the War with Spain in 1898.
Outline of plan for military training in public schools of the United States.
Organization, training, and mobilization of Volunteers under the act of April 25, 1914.
Organization, training, and mobilization of a reserve for the Regular Army.
1. Organization, training, and mobilization of a force of citizen soldiery. 2. Method of training a citizen army on the outbreak of war to insure its preparedness for field service—

And papers on many other kindred subjects. I will not read further, but they all cover technical questions, and they ought not to be intrusted to men who have not had military education and training such as is necessary to make them efficient and proficient in the discharge of these highly important duties.

It would very much weaken the Army, Mr. President, I think, to go further than the Senate committee has attempted to go in the preparation of this bill with respect to the National Guard. It would very much weaken the Army, it seems to me, to elevate gentlemen from the National Guard into positions on the General Staff, and I do hope that the Senate will vote down the amendment proposed to the bill as reported by the committee.

Mr. BRANDEGEE. Mr. President, I rise for the purpose of making a parliamentary inquiry, which is this: The Chamberlain bill, so called, which is now under consideration, is reported, as I understand it, as a substitute for the so-called Hay bill, which came over from the House. Certain committee amendments to the Chamberlain bill have also been recommended by the committee. Are those committee amendments, which have been recommended, themselves subject to amendment during the consideration of the Chamberlain bill as a substitute for the Hay bill?

The VICE PRESIDENT. There is not any doubt in the mind of the Chair as to what the rules are and as to the status. The Senate committee has moved to strike out the entire Hay bill and substitute another bill in its place. The other day, by a motion made directly in violation of the rules of the Senate, which are that when there is a pending question to strike out and to insert each is subject to amendment, but that the portion to be stricken out is first to be amended and the portion to be substituted is thereafter to be amended, it was decided that the substitute was to be first amended. On that question the Chair cares nothing whatever, but when amendments are submitted by the committee to the committee amendment the Chair has no doubt that each Senator may offer to amend the amendment.

Mr. BRANDEGEE. That answers my question. I asked it because I had introduced a proposed amendment to a committee amendment, and if the ruling of the Chair was to be otherwise I desired to redraft it or to withhold it.

The VICE PRESIDENT. The question is on the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS. Mr. President, I am not surprised to know the attitude of the Senator from Oregon [Mr. CHAMBERLAIN] upon the amendment which I have offered, for I was entirely aware that he did not regard it as wise. I am surprised, however, to hear my right to offer the amendment challenged. There is but one conclusion that can be drawn from the statements of the Senator from Oregon, and that is that it is impertinent for any Senator to offer an amendment concerning a subject that has been considered by the committee. I am entirely willing that he shall criticize the officers of the National Guard; I am entirely willing that he shall criticize anybody else who may be in favor of this amendment; but I am not willing to hear it suggested that a Senator may not question, without offense to the committee, a bill that has been reported.

Mr. CHAMBERLAIN. Let me interrupt the Senator there. I want to disclaim any such intention as that, Mr. President. If I said anything that led the Senator to infer that, it was the farthest from my intention to question the right of any Senator. What I was referring to was what had transpired outside of the Senate.

Mr. CUMMINS. I am very glad to hear the Senator say that, because I could put no other construction upon his observation than that such amendments as this, which are intended to promote the interests of the National Guard and to make it more secure as a part of the Military Establishment of the United States, should not be seriously considered because they had been presented to the committee and there denied or refused.

This is not a new subject with me. I was in favor of the proposition that is contained in this amendment before I became a Senator, and I am in favor of it still. I am in favor of it because I think it is a valuable change in the direction of preparedness. I am not in favor of what is called the Volunteer Army, but I am not opposed to it because it adds to the preparedness of the United States; I am opposed to it because I think it will destroy in part the preparedness of the country in the event of war. But I shall argue that question when we reach that part of the bill.

I sincerely hope that the Senator from Oregon and the committee will not look upon the amendments that may be offered, especially those that I may offer, as a disparagement of the

work which the committee has done. I understand perfectly the long, weary toil which has been expended in the preparation of this bill, and, as I said the other day, I think it is by far the most complete and the most effective disposition of this very difficult subject that has been proposed to the American people. I am heartily in favor of the bill generally. I am not hostile to the Regular Army, because I look upon it as the great source of defense in our land forces, and I want no one to infer from anything that I have said that I question its place in the establishment of the country.

I have already remarked that whereas there is or has been some difference of opinion with regard to the extent to which we should increase the Regular Army, I intend to stand with the committee in its proposals in that regard. I would support the committee in the proposed organization of what is called the Volunteer Army if I did not thoroughly, profoundly believe that if the plan there suggested is put in operation it will result in the destruction of the National Guard without substituting in its stead any real training force for our young men who now compose the National Guard.

I know, and Senators I think must all feel, that when peace comes, when our minds are no longer distracted with the conflict going on not only in Mexico but across the sea, and Congress comes to consider the wisdom of appropriating annually something like $30,000,000 or more for the maintenance of the Volunteer Army for purposes of training only, and something like $40,000,000 or $50,000,000 for the maintenance of the National Guard, it will not do it, and one or the other of these organizations will be dismissed, and one or the other of them will disappear so far as congressional legislation is concerned.

I am opposed to the volunteer organization simply because I believe that but one organization will be supported by the Congress of the United States, and it is my judgment, and this is a subject upon which I have reflected a great deal, that the most effective body for training, for getting ready to be a soldier, is the National Guard and not the Volunteer Army.

I wanted that to be fully understood in this early part of the discussion because it is so easy to misunderstand one who is insisting upon the interests of the National Guard and its place in the military affairs of the country and to infer that because I am for the National Guard in this respect therefore I do not desire efficient general military discipline and education and training.

So, if war should fall upon us, we would have a great body of men between the ages of 18 and 30 who could be called quickly into the service of the country and could quickly become efficient soldiers. I recognize that the question I have just discussed does not inhere in the amendment which is before the Senate, but it has been brought forward. I have no objection to that, and I wanted my views about it to be known.

Some question has been made with regard to our constitutional power over the National Guard. I am rather sorry that the argument has taken place on either side at this time, although it is not useless, because every word that has been said will become pertinent at some time during the consideration of the bill. In offering this amendment I have taken the bill which has been presented by the committee; I have accepted its view of the relation which should exist between the National Guard and the General Government. I for one do not ask that Congress shall go one step, constitutionally speaking, beyond the bill as it is now before the Senate. I would be, indeed, less than frank if I were not to state that in one particular the bill goes further than I would have gone if I had been composing it myself; in one respect it takes a position which I look upon as somewhat doubtful, and it takes it in behalf of the federalization of the National Guard. This amendment assumes, however, that the report of the committee with regard to the National Guard and the provisions it has embodied in the bill are sound and will be accepted by the Senate. The amendment simply says that if the bill is sound, if the National Guard ought to sustain toward the National Government the relation which is there established, that then at least five officers of the guard should become members of the General Staff.

It is impossible for me to conceive how the federalized National Guard can accomplish all the purposes that this bill seeks to accomplish unless it has representation upon the General Staff. I assume that the President of the United States, to whom is given the power of detail or appointment, will select from among the officers of the National Guard the men most distinguished for their military learning, who have given sufficient study to military science to have mastered it, in so far as it can be mastered. It is unthinkable that the presence of these 5 officers in a General Staff that will be made up of 92 officers could impair the efficiency of the officers of the Regular Army. The very utmost that can be said is that these 5 officers on the General Staff will add nothing to the learning, the accomplishments, and the skill of the 92 officers of the General Staff. But who dare assert that? Who is willing to say that these 5 officers, selected by the President from all the States of the Union and gathered together with the General Staff, will not be able to add something to the efficiency of that staff?

It occurred to me during the progress of the argument of the Senator from Oregon [Mr. CHAMBERLAIN] that some one had thought—although I do not think he intended to convey it as his meaning—that the secrets of the General Staff might not be safe if five citizens of the United States, who had been commissioned as officers of the National Guard, who had taken exactly the same oath to support the Constitution, to protect and defend it, and to obey the orders of the President of the United States which the regular officer takes, would disobey or be false or treacherous to their country and impart the secrets of that body to anyone not entitled to know them.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I yield for a question.

Mr. POMERENE. If the position is sound that no man should be on the General Staff who belongs to the National Guard because he did not have the professional skill of the Regular Army officer and might disclose secrets which the Regular Army officer would not disclose, might not that same argument apply with equal force to the Secretary of War himself, who is usually taken from civil life?

Mr. CUMMINS. Undoubtedly so; but I do not say that the Senator from Oregon made any such suggestion as that. It seemed to me, however, to glimmer through some suggestion that may have been made to him. I know that he would be the first to repudiate any such want of fidelity on the part of the officers of the National Guard. Moreover——

Mr. POMERENE. Mr. President——

Mr. CUMMINS. Just a moment. This amendment provides that no officer of the National Guard who has not been in continuous service for 10 years shall be eligible for the detail. If you will find me an officer of the guard who has been willing to give, without substantial compensation, his service to his country for a period of 10 years in connection with the National Guard, I will show you a man who, in many respects at least, is the equal of any officer of the Regular Army in point of study and general accomplishment. I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, I want to assure the chairman of the committee that I did not even mean to suggest that he himself entertains that view with respect to the disclosing of secrets by an officer of the National Guard or anything of that sort. I was simply following out what I believed to be the radical consequences which might follow the argument against placing National Guardsmen upon the General Staff.

Mr. CUMMINS. Mr. President, if I were in favor of the volunteer section of the bill instead of being opposed to it, and knew that the 260,000 or 270,000 men who may be enlisted under it were to go into the service, I would think it all the more necessary that five officers of the National Guard should be connected with the General Staff, for the volunteer army will be in all essential respects a part of the Regular Army. Their officers are Regular Army officers, and they will be represented on the General Staff by men who command them in a military way.

Now, why should not the National Guard have a representation of the character provided in the amendment? We are all trying to reach the same object; we all want the National Guard to be just as efficient, just as real a strength to the country in time of war as legislation can make it. I hope that those who believe with me that the guard ought to play the part which is assigned to it in this bill will also see the high necessity of giving its officers some relation to the General Staff.

Mr. MARTINE of New Jersey. Mr. President, I have no knowledge of or taste for military matters. I might enjoy the pomp and parade of well-drilled troops, with all their fine discipline and display, could I rid my mind of the fact that it means in the final analysis the slaughter of mankind.

Mr. President, I hate the very thought of war. To my mind, it is a step backward in our civilization. It is a reflection upon our boasted advance and our claimed religion. Were I the means, through my act or vote, of bringing on war, whereby homes should be devastated and my fellowman maimed and slaughtered simply for glory, so called, or for the acquisition of territory, I feel that my slumbers would be but a continuous nightmare. I will never vote one dollar for a war waged for territory or any form of aggrandizement under any name. Our

policy in this fair land should ever be a policy simply of defense and protection.

I approach this military measure with much hesitancy. I realize that conditions in the world have much changed in the past few years; that we are confronted by a situation that demands on our part action for the defense of our country. Mr. President, our National Guard has been as our right arm in the past, and I should hesitate to support any legislation that would tend to disintegrate and destroy its splendid service. In New Jersey we have tested it, and well know its value. I am impressed with the thought and I believe that if the pending bill should pass, it would be the death knell of that great arm of our service for protection. I submit that any legislation that should tend to impair or in any way detract from the splendid spirit and ardent patriotism of our National Guard would be a calamity.

The National Guard in New Jersey have acquired armories to the value of over $3,500,000; in the United States to the value of $35,000,000. Almost in every instance great sacrifices have been made by the individual members of the companies for the erection and maintenance of these structures. With the destruction of the National Guard they would become but empty barracks. Do the advocates of this measure desire such a result? Deeply impressed with the belief that such will be the result if this bill shall pass unamended, I shall move to strike from the measure section 56. This I shall do in a spirit of patriotism and kindliness, thoroughly appreciating the unselfish zeal and thought given this great problem by the committee. I trust, in the interest of my Commonwealth, in the interest of our country, in the interest of the splendid National Guard this land over, that this particular section may be stricken out. Better results will come and the protection and safeguarding afforded our institutions will be more efficient with the National Guard in existence under the present plan than with the National Guard disintegrated and overwhelmed by the overbearing forces of national power.

The PRESIDING OFFICER (Mr. HUGHES in the chair). The question is on the amendment proposed by the Senator from Iowa [Mr. CUMMINS] to the amendment reported by the committee.

Mr. CHAMBERLAIN and Mr. CUMMINS addressed the Chair.

Mr. CHAMBERLAIN. Does the Senator from Iowa desire to address the Senate?

Mr. CUMMINS. I was about to ask for the yeas and nays on the amendment.

Mr. CHAMBERLAIN. I suggest, first, the absence of a quorum.

The PRESIDING OFFICER. The Senator from Oregon suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Martine, N. J.	Simmons
Bankhead	Hitchcock	Myers	Smith, S. C.
Beckham	Hollis	Nelson	Smoot
Brady	Hughes	O'Gorman	Sutherland
Brandegee	Husting	Overman	Swanson
Broussard	Johnson, Me.	Page	Thompson
Burleigh	Jones	Phelan	Townsend
Catron	Kenyon	Pittman	Underwood
Chamberlain	Lane	Poindexter	Vardaman
Clapp	Lee, Md.	Pomerene	Wadsworth
Clark, Wyo.	Lewis	Ransdell	Warren
Clarke, Ark.	Lippitt	Robinson	Weeks
Cummins	Lodge	Saulsbury	Williams
Curtis	McCumber	Shafroth	Works
du Pont	McLean	Sheppard	
Gore	Martin, Va.	Sherman	

Mr. HUSTING. I desire to announce that the Senator from South Dakota [Mr. JOHNSON] is necessarily absent on business.

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. A quorum of the Senate is present.

Mr. WORKS. Mr. President, up to the present time I have taken no part in this somewhat extended discussion of the amendment now before the Senate. I am only going to say a few words now, in order to make my own position clear, if I can.

I look upon the National Guard as an excellent organization in its place, but I regard it as a State institution and not Federal. The fact that the State is entitled to select the officers and authorized to do so, and to train the National Guard, is evidence to my mind that it was intended by the framers of the Constitution that the State should have absolute control over this force. The State may prevent the calling out of the militia by refusing to appoint officers or refusing to train them and make them efficient soldiers, and I think it is entirely proper that that should be so. It was not only the intention, but I think it was an entirely proper thing to do.

I think, taking that view, that it would be a mistake to undertake to mingle the Federal branch of the military service and the State branch, and simply for that reason—not because I have any animosities or any objections to the National Guard—I am opposed to this amendment, and shall, for that reason, and that alone, vote against it.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRADY (when his name was called). I have a general pair with the senior Senator from Florida [Mr. FLETCHER] and therefore withhold my vote.

Mr. BURLEIGH (when his name was called). I have a pair with the junior Senator from Tennessee [Mr. SHIELDS]. I therefore withhold my vote.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE], who is absent from the Chamber, and therefore withhold my vote. If I were at liberty to vote, I would vote "yea."

Mr. HUSTING (when the name of Mr. JOHNSON of South Dakota was called). I desire to announce that the junior Senator from South Dakota [Mr. JOHNSON] is absent on important business. I ask to have this announcement stand for the day.

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Florida [Mr. BRYAN] and will vote. I vote "yea."

Mr. SAULSBURY (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. COLT]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and will vote. I vote "nay."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. In his absence I withhold my vote.

Mr. LEWIS (when Mr. TILLMAN'S name was called). I desire to announce the absence of the senior Senator from South Carolina [Mr. TILLMAN], who has been suddenly called to his State, and to announce that he has a pair with the junior Senator from West Virginia [Mr. GOFF].

Mr. TOWNSEND (when his name was called). I have a pair with the junior Senator from Florida [Mr. BRYAN]. The junior Senator from Missouri [Mr. REED] has a pair with my colleague [Mr. SMITH of Michigan]. In talking with the junior Senator from Missouri we have concluded to transfer our pairs, thus allowing each of us to vote. I vote "yea."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. I transfer that pair to the junior Senator from Nebraska [Mr. NORRIS] and will vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Arizona [Mr. SMITH] and will vote. I vote "nay."

The roll call was concluded.

Mr. ASHURST. I wish to announce that my colleague [Mr. SMITH of Arizona] is unavoidably detained from the Chamber.

Mr. CHILTON. I desire to announce that the senior Senator from Indiana [Mr. KERN] is absent on official business. I also desire to announce that my colleague [Mr. GOFF] is absent on account of illness. I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the senior Senator from Indiana [Mr. KERN] and vote "nay."

Mr. SHAFROTH. I desire to announce the absence of my colleague [Mr. THOMAS] on account of business of the Senate. He is paired with the senior Senator from North Dakota [Mr. MCCUMBER].

Mr. SMITH of Maryland. I transfer my pair with the senior Senator from Vermont [Mr. DILLINGHAM] to the junior Senator from South Dakota [Mr. JOHNSON] and will vote. I vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The senior Senator from North Dakota [Mr. MCCUMBER] with the senior Senator from Colorado [Mr. THOMAS];

The junior Senator from West Virginia [Mr. GOFF] with the senior Senator from South Carolina [Mr. TILLMAN]; and

The junior Senator from North Dakota [Mr. GRONNA] with the senior Senator from Maine [Mr. JOHNSON].

Mr. CHILTON. I wish to announce the absence of the senior Senator from Florida [Mr. FLETCHER] on account of official business.

The result was announced—yeas 35, nays 30, as follows:

YEAS—35.

Ashurst	Jones	Pomerene	Sterling
Bankhead	Kenyon	Reed	Sutherland
Clapp	Lane	Robinson	Swanson
Clarke, Ark.	Lee, Md.	Shafroth	Thompson
Cummins	Lewis	Sheppard	Townsend
Curtis	Martin, Va.	Simmons	Underwood
Harding	Martine, N. J.	Smith, Ga.	Vardaman
Hardwick	Myers	Smith, Md.	Wadsworth
Husting	Poindexter	Smith, S. C.	

NAYS—30.

Beckham	Gallinger	Nelson	Sherman
Borah	Gore	O'Gorman	Walsh
Brandegee	Hitchcock	Oliver	Warren
Broussard	Hollis	Overman	Weeks
Catron	Hughes	Page	Williams
Chamberlain	Lippitt	Phelan	Works
Chilton	Lodge	Pittman	
du Pont	McLean	Saulsbury	

NOT VOTING—31.

Brady	Fletcher	Lea, Tenn.	Smith, Ariz.
Bryan	Goff	McCumber	Smith, Mich.
Burleigh	Gronna	Newlands	Smoot
Clark, Wyo.	James	Norris	Stone
Colt	Johnson, Me.	Owen	Taggart
Culberson	Johnson, S. Dak.	Penrose	Thomas
Dillingham	Kern	Ransdell	Tillman
Fall	La Follette	Shields	

So Mr. CUMMINS's amendment was agreed to.

Mr. LEWIS. Mr. President, on Saturday last I addressed the Senate upon what I regarded as the wisdom of striking out section 56 of the bill, but it appears that I did not tender my amendment. I wish to ask if there is any parliamentary rule against my amendment being considered as having been offered at the time? I thought I had tendered it, but it appears that I had not.

Mr. CHAMBERLAIN. I will state to the Senator from Illinois that I think there is another amendment pending for the same purpose which has been submitted by the Senator from New York.

Mr. WARREN. The amendment offered by the Senator from Iowa was to strike out section 56, if that is the one to which the Senator refers.

Mr. LEWIS. Yes. I should like, however, to have my amendment considered as having been tendered at that time. Do I understand that it is consented that my amendment may be considered as having been tendered on Saturday last when I addressed the Senate?

The PRESIDING OFFICER. So far as the Chair is concerned, he is perfectly willing to have the amendment considered as pending, since the Senator assures the Chair that he has such an amendment.

Mr. LEWIS. It was my intention to offer it at that time. I presented the matter to the Senate in my argument, but did not tender the amendment formally. I think it was generally understood by Senators.

The PRESIDING OFFICER. Where is the amendment?

Mr. GALLINGER. It could not have been accepted at that time, another amendment being under consideration.

The PRESIDING OFFICER. The Chair would like to know where the amendment is.

Mr. LEWIS. I have discovered that the amendment had not been tendered to the clerks; it is not in their possession; and I desire now, nunc pro tunc, to supply it.

Mr. SMITH of Georgia. There is certainly, however, an amendment pending to strike out section 56; and I rise for the purpose of suggesting to the chairman of the committee and to the Senate that it would be of great help to us in the study of the other provisions of the bill to know at once what we are going to do with section 56. If we should strike out section 56, our votes might be different with reference to other matters in the bill.

Section 56, providing practically for the continental army, involves an appropriation of between twenty and twenty-five million dollars a year. I am, for one, very much opposed to section 56. I hope we will strike it out. I hope we will undertake to develop our forces through the Regular Army and the Regular Army reserve, through the National Guard, and the National Guard reserve. I wish to suggest to the chairman of the committee that if we could take up the motion to strike out section 56 next, and find out what the Senate will do with that motion, it will put us in better shape to know what we wish to do upon other parts of the bill, because many of us would be ready to be more liberal as to the Regular Army if section 56 should be done away with.

Mr. LEE of Maryland. Mr. President, I simply desire to state that I offered some amendments on Saturday, and they were pending when the Senator from Illinois spoke. The very first one of them was to strike out all of section 56. I should like to add that the Volunteer Army appears also, in line 10 of section 1, and I believe it appears somewhere else in the bill; I am not quite sure; but, of course, section 56 is the main section providing for a volunteer army.

Mr. SMITH of Georgia. The Senator's motion is to strike out section 56?

Mr. LEE of Maryland. I submitted that motion on Saturday.

Mr. SMITH of Georgia. I suggest that the Senator present it formally as an amendment.

Mr. LEE of Maryland. If there is no objection on the part of the chairman, I call up the motion to strike out all of section 56, providing for a volunteer army, and, as I have it in this statement, in time of peace, and in opposition to the Organized Militia.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Maryland.

Mr. GALLINGER. Let the amendment be read.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. The Senator from Maryland proposes to strike out, on page 160, lines 9 to 25, both inclusive, and on page 161, lines 1 to 9, both inclusive, including the proviso at the end of line 2 heretofore agreed to, in the following words:

SEC. 56. The Volunteer Army: The President is hereby authorized, at any time, to organize, maintain, and train, under the provisions of sections 3 to 12, both inclusive, of an act entitled "An act to provide for raising the volunteer forces of the United States in time of actual or threatened war," approved April 25, 1914, volunteer forces, not exceeding an average of 600 officers and enlisted men for each congressional district. The term of enlistment, which shall in no event be greater than that of the Regular Army, the period of service with the colors and with the reserve, and the period of training shall be as the President may prescribe, those passing to the reserve to have the status and obligations prescribed for reserves of the Regular Army. Officers and enlisted men of the volunteer forces raised under the provisions of this section shall be entitled to the pay and allowances of officers and enlisted men of corresponding grades in the Regular Army during periods of training only: *Provided*, That without the consent of Congress such volunteer force shall not be called out for field service for more than a total period exceeding 30 days in any one year.

Temporary appointments and promotions of officers of the Regular Army arising from the operation of this section may be terminated at the discretion of the President.

Officers of the Regular Army who receive commissions in the Volunteer Army herein authorized shall in time of peace receive the pay and allowances of their respective grades in the Regular Army, and no more.

Mr. LEE of Maryland. Mr. President, I wish to state very briefly why I offer an amendment to strike out this section. The development under this section 56 is left wholly a matter of policy with the department, and there is nothing in the section to provide a definite action. This section, therefore, provides in the first year for a limited number of troops, and for 261,000 if desired and obtainable at the end of four years.

In connection with the suggestion to strike this section out, I have incorporated with other amendments here an amendment to raise the limit that is put by this bill upon the number of the National Guard; and the number suggested will be such that, if the Senate approves, it will make possible a defensive force for this country of 125,000 men more than is provided by this section for the volunteers and the National Guard now in existence.

The real objection to this volunteer section, Mr. President, is that it is a delusion, that it will not give preparedness to this country, and can not give it. If there is anything upon which the experts who testified so extensively before the committees of the House and the Senate did agree, the thing they agreed on was that there can be raised in this country, with extraordinary effort, not more than 50,000 regular soldiers in the course of a year. Of course it may be suggested that as to this volunteer force, who are to be regulars in all respects and purposes so far as compensation is concerned, that the department may provide for them a different status, such as will make the status of volunteers more acceptable, such as will give some incentive to the average man who might enlist, but it is altogether problematical what the department will do and what will be the real result of their action.

This in substance is nothing more than the old Garrison plan of a continental army revived with a little new clothing upon it. I believe the best experts in the War Department have testified as to there being very great doubt as to there being any sufficient enlistments under the Garrison continental army plan. If this volunteer is substantially a regular soldier, according to the compensation of a regular soldier, you can get no more of the volunteers than you can get in the Regular Army to-day.

This is therefore to say the best of it experimental. Yet this proposition is put up in opposition to and for the purpose undoubtedly of beating down the one great force of soldiers who are in sight in this country.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Wyoming?

Mr. LEE of Maryland. I do.

Mr. WARREN. Do I understand the Senator correctly? Does he claim that this plan is to beat down the National Guard and is intended to be such?

Mr. LEE of Maryland. That is what I intend to suggest, and that I think is the inevitable consequence of the adoption of this volunteer-army plan.

Mr. WARREN. It is going a long way, I think, to impugn those who may think differently. I will say that so far as I know there is not a friend of that measure who is not a friend of the National Guard, and probably as good a friend of the National Guard as is the Senator from Maryland.

Mr. LEE of Maryland. I am very glad to hear that, because if that is the case some of them will be more easy of persuasion than I think they are. But however that may be, the availability for purposes of defense of any reasonable number of troops along these lines is certainly very doubtful. If we can take the unvarying testimony of competent officers of the Army, such as Adjt. Gen. McCain, they can enlist only 50,000 men a year for the Regular Army under present conditions, and I doubt if they will get many more under this volunteer proposition.

The real army that is in sight, the actual body of soldiers that are available, are these 144,000 National Guardsmen of this country.

Mr. President, I am going to send to the desk and ask to have incorporated in the RECORD a list of the National Guardsmen of the country, totaling on the last of December, 1915, 134,692 officers and men.

The list referred to is as follows:

Strength of the Organized Militia, commissioned and enlisted, Adjutant General's report, Dec. 31, 1915.

1. Alabama	2,968
2. Arizona	931
3. Arkansas	1,652
4. California	3,681
5. Colorado	1,059
6. Connecticut	3,821
7. Delaware	430
8. District of Columbia	1,891
9. Florida	1,505
10. Georgia	3,045
11. Hawaii	2,066
12. Idaho	931
13. Illinois	6,914
14. Indiana	2,810
15. Iowa	3,507
16. Kansas	2,032
17. Kentucky	2,583
18. Louisiana	1,098
19. Maine	1,522
20. Maryland	2,346
21. Massachusetts	6,033
22. Michigan	3,638
23. Minnesota	3,224
24. Mississippi	1,471
25. Missouri	3,493
26. Montana	839
27. Nebraska	1,525
28. Nevada	
29. New Hampshire	1,300
30. New Jersey	4,428
31. New Mexico	872
32. New York	17,013
33. North Carolina	3,203
34. North Dakota	719
35. Ohio	7,526
36. Oklahoma	1,330
37. Oregon	1,559
38. Pennsylvania	10,910
39. Rhode Island	1,519
40. South Carolina	1,411
41. South Dakota	925
42. Tennessee	1,926
43. Texas	2,878
44. Utah	544
45. Vermont	852
46. Virginia	3,279
47. Washington	1,308
48. West Virginia	1,756
49. Wisconsin	3,290
50. Wyoming	595
Total	134,692

Mr. LEE of Maryland. There is something actual, there is something real, there is something substantial. Yet this bill comes in and proposes to cut that force down by putting in a minimum of 106,000 men. The present law authorizes 153,000 or 154,000 militia National Guardsmen in this country. Why change the law? Why cut down the number of the Organized Militia?

The Senator from Wyoming suggested just now friendliness on the part of the committee to the National Guard, yet they come in with estimates that inflate the cost of the National Guard for the first year $19,000,000 and with a measure that cuts down the actual authorized strength of the National Guard of this country from 153,000 to 106,000.

Mr. WARREN. May I ask where the Senator gets those figures?

Mr. LEE of Maryland. The National Guard is limited to 200 to each congressional district and to each Senator. That may not be strictly the provision in this law as proposed by the committee, but I have gone over that section with a competent officer of the Army, and while, in my judgment, it was not absolutely mandatory upon the War Department under the section to limit the numbers of the National Guard to 106,000, yet that officer, reading that section, construed it as the inevitable purpose of Congress, if the section was passed in the words in which the Senate committee reported it, that the National Guard would be cut down to 106,000 officers and men. The department estimates would be based on 106,000——

Mr. WARREN. That may be the idea of the Senator, but I differ with the Senator. It is not my idea.

Mr. LEE of Maryland. The Senator knows there is a limitation there of 200 men. I will be very glad to read that section to the Senator if there is any doubt in his mind.

Mr. WARREN. There is not a line such as that contained in the bill relating to the National Guard, I will say to the Senator.

Mr. LEE of Maryland. Unquestionably there is. I do not need to go on with this matter. I think the country wants substantial preparation and I think the country demands substantial preparation. The worst thing we can do is to go ahead with the unwise policy, so to speak, of setting up one kind of soldier against the other. We had better take the Regular Army of the United States and do for it whatever we can do for it and then take the great Army of the Constitution, that Gen. Washington and all the fathers stood for, and do for that what we can do to make it a great, harmonious whole, a well-prepared, thoroughly equipped, and highly disciplined force for the defense of this country. The introduction of this third element here is for nothing but to produce confusion and for no other purpose in the world but to keep up a method of retarding real preparation, that, I regret to say, has been the policy of some officers in the War Department for many years in the past.

But, Mr. President, I believe that there is a larger element of officers in the Regular Army who realize the greatness of this country, realize the marked economy that there is in the citizen soldier, in training him, in supporting him, in keeping him in the industries of the country while he is being trained and while he is being made into a soldier; realize the continental size of this great country and its obligation to the world; and who add to this realization a high sense of loyalty to the Constitution of the United States. There are a great many officers in the Army who would accept with joy and gladness anything that can be done to make the National Guard of this country the proper defensive force it should be and should have been during all of these years past.

Mr. President, it is high time this jealousy of the citizen soldiery of the United States should be brought to a close and that Congress should take firm hold of this question and carry it through to a successful termination.

The Senator from Oregon [Mr. CHAMBERLAIN] the other day said this bill exhausted the powers of Congress on the subject of handling the National Guard and developing the militia. Quite the contrary, Mr. President. I hope to be able to show the Senate a little later that this bill avoids some of the real questions that are involved. The House bill certainly did settle the main questions. The House bill was evidently considered from the standpoint of men who actually wanted to take hold of this question and settle it once for all. But this bill is drawn more upon lines of avoidance of the main questions of law as well as the actual reduction of numbers of men authorized to be in the National Guard of the country from 154,000 to 106,000.

Mr. CHAMBERLAIN. Mr. President, I wish to correct a statement of the Senator from Maryland. I assume he wants to be fair.

Mr. LEE of Maryland. I certainly do, Mr. President.

Mr. CHAMBERLAIN. I want to repeat that the bill reported by the committee embodies nearly all the recommendations of the National Guard of the country that the Senator speaks of. Of course we did not give them all they asked, and I do not think Congress is going to give them all they asked, neither did the committee attempt to give the regular forces all they asked, or the several branches of the Army Establishment what they asked. I do not think this Congress will do it either. But the Senator says that the effect of this is not only to reduce the number of the present National Guard but to render it less efficient than it is now.

Mr. LEE of Maryland. I beg the Senator's pardon. I made no suggestion or intimation that the reduced number would be less efficient relatively than the present number, so far as discipline is concerned.

Mr. CHAMBERLAIN. In the very nature of things if you reduce the strength you make them more inefficient.

Mr. LEE of Maryland. With the permission of the Senator, you can reduce the strength of a number of men and at the same time by increasing their discipline make them more efficient. This bill reduces the strength and provides pay, and other methods, ascertaining the fitness of officers for the discipline and development of the National Guard. I think this bill will improve the discipline of the reduced number of National Guardsmen which it seems to leave as a remnant, but what I object to is that you do not take the whole present existing or authorized guard and go on and make it the great citizen army that it can be made and should be made by the Congress of the United States exercising the powers given in the Constitution.

Mr. CHAMBERLAIN. I do not care to go into a discussion as to the efficiency of the guard. I think the history of this country is pretty well understood about that. If anyone has any doubt, I simply ask him to read some of Washington's letters to the Continental Congress, and later to read Gen. Upton's Military Policy of the United States, and ascertain what he says about it. He goes into the subject very fully. But I am not going to discuss that. I want to say that there is no provision in the bill that reduces the National Guard to 106,000. On the contrary, the National Guard is to be increased by increments until it reaches about 265,000 in four years. The bill particularly provides that the present organization shall be maintained; that is, the bill is to perfect the present organization.

Mr. BORAH. May I ask the Senator to state again to what extent the number is increased under the bill?

Mr. CHAMBERLAIN. There is a possible increase to about 265,000.

Mr. BORAH. The present membership of the National Guard is about 129,000.

Mr. CHAMBERLAIN. It is about 129,000. Section 62 of the bill provides that—

> The number of the National Guard to be organized under this bill within one year shall be for each State in the proportion of 200 for each Senator and Representative in Congress from such State, and a number to be determined by the President for Territories and the District of Columbia, and may be increased each year thereafter in the proportion of 50 per cent until a total peace strength averaging 500 for each Senator and Representative in Congress has been reached—

This is the proviso—

> *Provided*, That this shall not be construed to prevent any State, Territory, or the District of Columbia from organizing the full number of troops required under this section in less time, or from maintaining existing organizatons if they conform to such rules and regulatons regarding organization, strength, and armament as the President may prescribe.

That protects the present organization if they propose to pay any attention whatever to any rules that may be prescribed for their conduct and control. I do not think the position of the Senator is well taken as to that amendment.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Kansas?

Mr. CHAMBERLAIN. I yield.

Mr. CURTIS. What effect does the bill have upon the existing National Guard? It does not increase it, but under the bill you limit the number to 106,200. There are already 134,000. Are they to continue under the State laws or will they be brought in under this section of the law?

Mr. CHAMBERLAIN. I was trying to show in my feeble way that the provision of the bill I have just read preserves the present organizations as they are notwithstanding the limitations in the previous part of the section to which I referred. If the contention of the Senator from Maryland is correct then 106,000 would be the number to be raised according to the senatorial and congressional representation, if there were not the further proviso that the present organization shall remain intact. At least that was the intention of the committee in reporting the bill.

Mr. LEE of Maryland. Will the Senator from Oregon yield to me for a moment?

Mr. CHAMBERLAIN. Certainly.

Mr. LEE of Maryland. What I alluded to was the requirement in line 9 of section 62, that the number should be in the proportion of 200 for each Senator and Representative in Congress. Of course, if it had been stating the mere proportions you might have said in proportion of 100 to each Senator and each Member of the House, and you would have gotten your proportion just that way and just as well. You said 200, and the only inference that can be drawn from that 200 is that you propose to start with 200 for each Senator and Member, because it is wholly unnecessary to use the figures 200 to give a proportion.

Mr. CHAMBERLAIN. Of course what the Senator says is true, if it were not for the proviso. The proviso particularly maintains the present organization, notwithstanding the portion of the section to which the Senator refers. It is true, as I stated a while ago, that under the proportion of 200 for each Senator and Representative in Congress the first increment would raise the National Guard to 106,000, practically, as the Senator says; and if the proviso maintains the present organizations as they are, in the course of the second year or the third year or the fourth year the National Guard will be raised to a force of 265,000, in round numbers, exceeding the present organization of 129,000, which remains intact until all the organization is completed under the bill.

Mr. LEE of Maryland. I will ask the Senator just one question in conclusion. In view, therefore, of the uncertainty produced upon the minds of the very men who have to administer this law by its language, would it not be better to put in 350,000 as a sufficient proportion? Then you would be sure not to reduce your militia.

Mr. CHAMBERLAIN. I think the judgment of the committee is very different from that of the Senator, and it is just as good as the opinion of some Army officer the Senator has evidently been consulting, or at least he so states. I think the bill is not susceptible of the construction the Senator places on it.

Mr. WEEKS. Mr. President, I hope the motion to strike out section 56 will not prevail. This bill is the first attempt made in this country with which I am familiar to build up from a proper foundation an efficient and homogeneous Army. It has been considered for three months. The chairman of the committee and those veterans of the committee who have been associated with military legislation, like the Senator from Wyoming [Mr. WARREN] and the Senator from Delaware [Mr. DU PONT], have given it the most intelligent consideration. Consideration has been given to every means which would add anything to the efficiency of the Army. There has been no prejudice whatever against the militia, against any body of Volunteers, or against the Regular Army.

Everyone who knows anything about an Army agrees that the nearer we can come to a regular force serving with the colors the more efficient the Army is going to be, but it is not possible for a nation in time of peace to maintain an army sufficient for its purposes in time of war, and therefore it is necessary to prepare some kind of a supplemental force, a reserve of some kind.

If it were possible to have enough men who had served with the colors and who were then transferred to the reserve to make up such a supplementary force, that would be the most effective way to provide for it, in which case it would be unwise to spend money to maintain a volunteer force or for the National Guard. But that is not possible. We can not get men enough to serve with the colors and then transfer them into the reserve, at least for several years, to properly equip us for our necessities in time of war. Therefore it is necessary to provide an additional force, and the National Guard is the first one to which we naturally turn, because the National Guard is an institution as old as the Government itself. It can not be said, even by the greatest friends of the National Guard, that it has always been an efficient force. It can not be said that it has ever been a thoroughly efficient force, but it is better equipped and drilled to-day, in my judgment, than it has ever been. The Government has in recent years been giving it more intelligent assistance than ever before, and I believe it can be used in the emergency which exists to good advantage.

The War Department came to Congress with a proposition for a continental army of 500,000 men, a proposition which was originally recommended by Maj. Gen. Emory Upton, one of the greatest military experts we have had in the United States. In the intervening years it has met the approval of a great many military men, including that of our General Staff and War College. Yet after giving careful consideration to the arguments in its favor, it did not seem to me it could be adopted and put into effective operation within a reasonable time, and it did seem to me that if an army of anything like 500,000 men were provided in this way it would have a material influence in destroying the National Guard. Therefore I did not think the proposition in that form was practicable.

But we have developed a great deal of military enthusiasm in the past year, and a great many men have become sufficiently interested so that they are willing to give their time and their efforts to assist in building up this supplementary force of

which I have spoken. They are generally men who prefer to perform their service at one time rather than to drill weekly as is done by the National Guard. It is claimed by those who hold themselves as the specially ordained protectors and defenders of the National Guard that if such men want to serve at all they ought to serve in the National Guard.

I have served both in the regular service and in the National Guard a great many years, and I think I am familiar with the reasons why men go into the National Guard and why they go into the regular service. A college man, for instance, may be willing to give a month or even two months of his vacation to military service when it would be exceedingly inconvenient for him to give one or two nights a week to drills, taking time which he should devote to his academic studies. Are we going to say to that young man who can serve in one way but can not in another, "You can not enlist at all unless you serve in a certain prescribed way"? I think such action would be distinctly unwise, and would prevent the Government from getting the benefit of the service of a great number of patriotic young men.

The Military Committee was told by the young men who went to the Plattsburg camp last year and who are going again this year, as well as those who are to go to other camps which are to be established, that they are confident that from thirty to fifty thousand men will be willing to enlist as reserves in the Regular Army, including a willingness to serve whatever time the Government determines is necessary, either one month or six weeks or two months, as the case may be, to qualify themselves to act as reserves until we have enough men who have served with the colors and passed into a reserve to make a suitable military establishment.

If we strike out section 56, we are going to say to these men, "You must either come into the service as National Guardsmen or we do not want you at all." In this emergency why not make provision for both classes, by so doing much more expeditiously and effectively providing for our universally recognized requirements?

I think we are in a position of wanting to get every patriotic man we can into the military service at this time until we have even up to an Army of 500,000 men in all serving under the colors; 500,000 men who can be called on at a moment's notice; 500,000 men who will be sufficiently trained so that they will be efficient when they are called into the service; and it is going to take us a long time to do this unless we adopt every means we can find in order to get men into the service.

Mr. President, I am not saying anything against the National Guard; I want every man who is serving in the guard to be satisfied with that service; but when we look at the report which this committee has made, can it be said that there could be any antagonism to the guard? We are increasing the amount of money which shall be appropriated for its purposes from $8,000,000 to between $40,000,000 and $50,000,000, and I do not hesitate to say that if that amount of money could be devoted to men serving under the colors, serving for one year and then transferring them into the reserve, in my judgment, it would be better expended than it will be.

I do not expect marvels from men serving in the guard. I have served too many years with them to expect anything in the way of a marvel. I know how difficult it is frequently for them to get to their drilling points—to get to their armories—because it conflicts with other engagements. I know how soon the enthusiasm ebbs away after a man has enlisted, and how difficult it is for his officers to get him to drill and to perform necessary military functions. All those prevent a thorough, efficient military force. We must depend on the guard. We ought to federalize it as far as possible. I do not myself know a single thoroughly equipped military officer in it who does not want it to become a part of the National establishment rather than a part of the State establishment.

I am not going to discuss any constitutional question, because I am thankful to say I am not a constitutional lawyer, and I will leave that to the ninety-odd constitutional lawyers in the Senate, but I want to say as a practical proposition the nearer we come to getting away from the 48 armies we have in this country and getting to 1 national army, creating a national spirit in the country and in the men who are serving, the nearer we are going to come to efficiency and good results, and as far as possible we have done that. We have gone perhaps further than we can under strictly constitutional limits. As far as possible we have provided for that in this bill. Let us not throw away the opportunities which we can see by striking out of the bill a proposition which will give us some additional men whom we otherwise would not get.

I do not believe, Mr. President, that it will make any difference in the enlistments in the National Guard. I do not think any man who will take this camp training would go into the National Guard under ordinary circumstances. Under the new conditions, if the bill is adopted as it is now before the Senate, I expect the guards to be kept at as full strength as in the past, but I think we will get some men whom we could not get under other circumstances, and therefore that it would be weakening our position to strike out section 56 from the bill.

Mr. SMITH of Georgia. Mr. President, I agree with much that the Senator from Massachusetts has said, and yet I reach very different conclusions from the Senator. I hope we shall strike out section 56. I am opposed to section 56, because I have no faith in the value as soldiers of a body of men who simply go out 30 days each year, principally for a frolic, on a camping expedition.

We have been told over and over again that it takes at least half the time of a private soldier for two years to make a soldier of him. If it takes half the time of a private soldier for two years in a fort, regularly at work, to make a soldier, how are you to make a soldier out of a business or a professional man who goes into camp for 30 days? If the extent of the drill is only 30 days each year, if the length of time that the camp is to last is only 30 days annually, it is to cost us over $20,000,000. That was the statement and those are the figures in the exhibits to the report of the committee; and the estimate for this camp is, I think, $21,000,000.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. SMITH of Georgia. I do.

Mr. SUTHERLAND. Where does the Senator from Georgia find the provision which limits the training to 30 days a year?

Mr. SMITH of Georgia. I am not finding any such provision. I said the estimate was that, with a limit of 30 days, we should spend $20,000,000. If we continued the encampment for 60 days, it would cost $40,000,000. I am giving an estimate of the expenses in connection with the estimate of the time.

Mr. SUTHERLAND. For how many men would that be?

Mr. SMITH of Georgia. I think that was for 200,000 men, or perhaps 260,000.

Mr. WEEKS. Mr. President, I think the Senator from Georgia is doing the military camps which we had last year and those which are to be provided for this year an injustice in the rather flippant, I think, suggestion which he has made, that the men went into camp for a month for a frolic. There is no testimony before the Military Committee that the men did anything other than hard work in those camps. I think, if the Senator will investigate, he will find that as vigorous military service was performed there as is ever performed by men collected for that purpose.

Mr. SMITH of Georgia. Yet I have no doubt that the men go into the camps for a frolic. I do not believe that there can be less pleasure because there is a good deal of work. Idleness never brings pleasure. It will be the frolic and the excitement of the camp, accompanied no doubt with considerable military work. But I have simply no faith in making soldiers out of any such enterprise, and I am backed in my opinion by the evidence we have from those who are our officers, who have told us a number of times that they must have a private two years, working half his time, to make a soldier of him.

I do not believe there is any merit in section 56. I do not believe we shall get any soldiers out of section 56. I would vastly rather spend the money in a more practical and, I think, more useful way.

I have no great confidence in the National Guard as an immediately effective force. I think, however, it is the very best second line of defense that we can establish. It is recognized by our Constitution and it is already organized in the respective States. I have no doubt the National Guard, to become hardened soldiers, would be compelled to work from 90 days to 6 months after they had been called out by the President before they would be really effective for first-line defense; but they are vastly better than the 30-day excursionists; they are really organized; they are really trained; they really, to the extent of the training which they have had, are good soldiers. I am not in favor of yielding to any reckless demands of expenditure on the National Guard. I think this bill is liberal to them so far as expenses go. I would be willing to vote for less.

The real defense of the country—the first line—must be made from the Regular troops and the reservists, and I think we should aim in the Regular troops and the reservists to be prepared to call into action in 30 days a substantial army.

I am not against national defense; I am cordially in favor of preparing for national defense, and it can be done without any great increased outlay of money. If we will make the place of the private in the Regular Army something fit for civil life, if

we will make it a preparation not alone for war but for his work at home after his two years' enlistment with the colors has expired, if we will put half his time during those two years in a substantial, intelligent preparation for the work of the citizen when he goes back to the farm or when he goes back to the store or goes back to the shop, there will not be any trouble about volunteers; there will not be any trouble about getting 100,000 men a year to enter the Regular Army if we want them.

It is the place which the private soldier now occupies that prevents enlistments, and it ought to prevent them. We must greatly change the life and work of the private soldier if we desire to promote enlistment by men as privates in the Regular Army. If we will put an end to the extreme caste that exists; if we will require of the officers a little more decent treatment of the men; if we will put a stop to some of the cruel and barbarous sentences that are put upon the private for trivial offenses; if we will organize a system of devoting one-half the time of the private to preparation for life; if we will introduce into the camp instruction which will give the private soldiers an opportunity to grow mentally and on vocational lines, we can make the Regular Army a place into which boys will be glad to go as privates to develop for the work of civil life.

The Secretary of the Navy two or three years ago directed a system of instruction to private sailors, and he was criticized and ridiculed by certain admirals for doing it; yet while the enlistment in the Navy for the four years prior to his administration never brought the men up to within 8,000 of the allotted number, to-day it is full; to-day there is no difficulty about obtaining regular sailors in number up to the quota allowed by law. During the four years preceding his administration only 3 men were promoted from the ranks to ensign, while during the past three years, under this system of training men in the ranks, 13 have stood the examinations for ensign. With the system introduced of requiring instruction to be given to the men on boats with a view of developing them mentally and of preparing them better for life at home when they have returned home, a substantial improvement has taken place in the character of the men. Thirteen stood examinations for the Naval Academy, and far more numerous promotions have been made from the ranks to paymasters' places and to the clerical force. As I said before, with an 8,000 shortage at the beginning, with this new plan of caring for the men, of treating the men humanely, of regarding their future, the numbers filled up, and there is now no difficulty to get a full quota of men to man the Navy. Yet, Mr. President and Senators, vastly better is the opportunity on land for the development of the private soldier than it is on the water; vastly broader is the opportunity to give them vocational and general instruction.

It is true that we have a little school in some of the forts to which men who desire can go, which is conducted by the chaplains; but it is also true, as I have been assured by a number of chaplains who have sought to do good along these lines, that officers frequently sneer at the men who attend the schools.

I am in favor of putting the stamp of our legislative will, speaking for the people, upon the treatment that is to be given to the private soldier; I am in favor of making the training for civil life by congressional direction a part of the life of the private soldier. Then you will see a change of conduct in the force.

Mr. President, this subject has been one upon which an elaborate report has been made by an officer of the War College. I hold in my hand the report of Col. John Biddle, which is also signed by Brig. Gen. Liggett. The report is upon the advisability of "Instruction of enlisted men in clerical work and in some of the mechanic arts." He says he will take it up in a broad way and that the matter shall "be considered from the standpoint of its effect on the Nation, the Army, and the individual." The report contains the following:

> The nation: The security of a nation rests on its military strength, and where, as in our case, this strength, represented by its Regular Army, is so small as not to secure its safety, the Army should be used in time of peace in the creation of a war reserve. We recognize that we need a reserve large enough to raise our Army immediately to war strength and to fill the vacancies caused by the first six months of active operations.

He then takes up the subject of vocational training as it would affect enlisted men, and he reaches the conclusion that if you will introduce educational work for the privates, if you will devote a reasonable portion of the time of the privates to preparing them for civil life, in two years' time you can make them fit soldiers, and yet send them back to their homes wonderfully improved and strengthened for civil life.

Mr. VARDAMAN. Mr. President, I was not in the Chamber when the Senator from Georgia began to read, and I ask from whom he is quoting?

Mr. SMITH of Georgia. I am quoting from a report of Col. John Biddle, of the General Staff, Chief of the War College Division, made October 27, 1913. He approves thoroughly of the introduction of vocational training as an inducement for enlistment.

> The hope in offering this is that a new class of young men may be reached. There can be no doubt that the thoughtful young man will hesitate and think a long time before exchanging three or four years of the formative period of his life for a certain training that, at its end, will find him where he started plus certain qualifications that are not generally recognized in the commercial world as increasing his earning capacity.
>
> On the other hand, if this same service will discharge him with some training of a clerk or an artisan the case will be very different, and he will doubtless be willing to be a member of the reserve for a period in exchange for the training. If we are exhausting the resources of the classes now attracted to the Army, we must reach other classes in the building of a reserve. The requirements should not be made less, so that a lower class of men, now barred, may enter; but a larger high class must be reached. A great obstacle, in the form of the popular idea of what constitutes a soldier, intervenes.

He then goes on to say that if in the Army during the two years of enlistment we provide a school of instruction partly along vocational lines and we offer to the young men and to the grown boys two years' service, part of which is to develop them for life and train them to return to their homes and fill better the position that may be theirs, then we may expect a higher order of enlistments; and he adds that, with a higher order of enlistments, the length of time it will take to train them for soldiers will be much less.

Mr. VARDAMAN. And they will render a higher order of service.

Mr. SMITH of Georgia. And a higher order of service will come from the men who enlist.

> Unless some better plan than vocational training can be offered to stimulate enlistment—and none has yet been found—such training will soon have an important effect on the welfare of the Nation.

His final conclusion is:

> If it be the purpose of the Army to spread military training through the Nation, to create an adequate reserve, to break down the popular prejudice against the Army, to fill our ranks with men who later will be a valuable class of citizens, vocational training is an advisable measure to adopt toward this end.

I ask, Mr. President, that at the close of my remarks the entire report of Col. Biddle be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SMITH of Georgia. Now, what does this mean? Our reservists after two years' service with the colors are to receive only $24 a year. I believe that the way to build up our national defense in the first line is from the Regular Army and through the regular reservists. The hesitation on the part of some officers about pressing reliance upon the Regular Army and the reserve from the Regular Army has been the fear of enlistments, and some have actually talked about conscription. Ah, Mr. President, it is a reflection on the treatment of the privates when any thought of conscription is suggested. Give them what they are entitled to, give them what we can give them, and they will beg for the opportunity to enlist, instead of resisting it. Under the two-year system—because under this bill any private at the end of two years may retire to the reserve—we will in a short time transfer to the reserve a splendid body of young men who have had two years' thorough training and are thorough soldiers. They will go back to their homes with their buttons as members of the reserve army of their country. They will be an inspiration because of the knowledge they will be able to furnish to their fellows as to the treatment they have received and as to the instruction they have received as private soldiers.

We ought to build in a few years a reserve of 400,000 men not only fit for soldiers but prepared for citizenship, to do their part at home.

This can be done with nominal additional expense if we will require half the time of privates with the colors devoted to study and instruction, coupled with vocational training.

Mr. VARDAMAN. Mr. President, if the Senator will permit me, I will suggest, in this connection, that anything that equips the citizen to meet the duties of life, that enables him to contribute something to the well-being of his Government and makes him a useful factor, is one of the largest contributions to this thing we call "preparedness." Instead of being a mere machine, he becomes a factor in the Government, and, instead of being a consumer, which the Regular Army soldier is, he contributes something to the total wealth of the country. It is an investment when you equip him in the Army for the duties of life.

Mr. SMITH of Georgia. And, Mr. President, that will be equally true when we say to our graduates of West Point, "We are not preparing you simply to be soldiers; you are to be citizens also; you are to carry in your forts and in your barracks part of the responsibility of training men for civil life; you are

to train the boys; we trust to you; you are to help build up the boys who are permitted by their parents to leave their homes and to enter as privates in the Regular Army. We trust you, officers, to take these young men and, by example and by instruction, build them into a substantial part of our national citizenship." By such a course you will make the officers grow; they will be better men and bigger men; they will be bigger officers when they carry part of the responsibility of preparing the boys of the country to be better citizens; and the horror we have of militarism will be gone, for the officer, while prepared to defend his Nation in case of war, will be contributing all the time to strengthen his Nation by adding to the power of these young men in times of peace.

Mr. President, I am opposed to section 56. I am opposed to that section because I do not believe we will get any real effective Army out of it. I believe that we should eliminate that paragraph, and we should turn our attention to the reserves that we are to obtain from the Regular Army, and we should so frame the measure that in a few years we may have as many as 500,000 men, partly with the colors and partly in reserve, who, in 30 days, could be called to the colors, ready for immediate and efficient service.

With such a body of men prepared to meet an enemy at our coast, no nation in the world would undertake to land troops upon our shores. I am not seriously afraid of that contingency, anyhow. I do not believe we are in great danger of war; but if we can build up in the line of preparedness a reserve to preserve peace, if we can insure preparedness against a possible enemy, and at the same time add to the power of our young men in civil life, if we can strip the system of waste and make it a dynamic force for civil life, the objection to it is gone. I think the money proposed to be spent upon the 30-day excursions would be vastly more useful if spent in employing teachers, in addition to the officers of the Army, to train the boys who enter the Regular Army. I am not opposed to preparedness, but, because I wish real preparedness, I am opposed to section 56.

APPENDIX.

[Memorandum for the Chief of Staff.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, October 27, 1913.

Subject: Instruction of enlisted men in clerical work and in some of the mechanic arts.

Herewith is a memorandum from the Chief of Staff, dated September 17, 1913, calling for an opinion as to the advisability and practicability of establishing certain classes of instruction for enlisted men in clerical work and in some of the mechanic arts. In considering this subject, the Secretary of War desires that the matter be gone into carefully, and that the report submitted be not limited to the subjects indicated but that it be as full as practicable.

I. PREVIOUS CONSIDERATION OF THIS SUBJECT.

1. This matter has been considered on two previous occasions. Some two years ago Chaplain John A. Randolph, United States Army, submitted a plan with a view to instructing enlisted men by means of the several correspondence schools operating in this country. In War College memorandum, September 7, 1911 (6031–4), the plan was adversely reported, it being deemed impracticable by reason of the expense involved.

2. Consideration was next given to a plan, proposed by Mr. Wilson L. Gill, in which civic and industrial training was to be made a leading feature of Army instruction, but which required the use of so much time as to interfere with military training. This also was adversely reported upon and the plan was not put into effect, the decision being based solely on military expediency (WCD. 6845–3, Nov. 3, 1911).

II. ADVISABILITY.

3. In considering the advisability of introducing this system the War College argument against it is as potent to-day as it was two years ago, but the changes that have occurred since then, the development of our military policy, and the awakened interest of the public in the Army, all indicate that the matter may need reconsideration.

To take as broad a view as possible, this matter should be considered from the standpoint of its effect on the (a) Nation; (b) the Army, and (c) the individual.

4. (a) The Nation: The security of a nation rests on its military strength, and where, as in our case, this strength, represented by its Regular Army, is so small as not to secure its safety, the Army should be used in time of peace in the creation of a war reserve. We recognize that we need a reserve large enough to raise our Army immediately to war strength and to fill the vacancies caused by the first six months' of active operations.

In this connection it may be accepted that a maximum army of 100,000 men, in time of peace, is all that the Nation will allow. To create an adequate force in time of peace a system must be adopted by which a large number of men may be enlisted to serve with the colors only long enough to train them into soldiers, and then pass into the reserve, and their places to be filled by new men. As it is now it is only with considerable difficulty that an army of some 80,000 can be kept recruited; how, then, can the voluntary enlistment of a vastly greater number be secured? Obviously by offering inducements greater than now offered and large enough to accomplish the object sought. Increased pay allowances have been suggested as such inducements, but this may be dismissed, as the classes of men that can be reached by pay are now being enlisted, except those who may be induced by pay so great as to be prohibitive. Shortening the term of service has also been suggested, but the length of term of service must be based on the time required to make a soldier, and moreover must be determined mathematically by the size of the Army and the required reserve.

5. A third suggestion is that of offering vocational training as an inducement for enlistment. The hope in offering this is that a new class of young men may be reached. There can be no doubt that the thoughtful young man will hesitate and think a long time before exchanging three or four years of the formative period of his life for a certain training that, at its end, will find him where he started plus certain qualifications that are not generally recognized in the commercial world as increasing his earning capacity. On the other hand, if this same service will discharge him with some training of a clerk or an artisan, the case will be very different, and he will doubtless be willing to be a member of the reserve for a period in exchange for the training.

6. If we are exhausting the resources of the classes now attracted to the Army, we must reach other classes in the building of a reserve. The requirements should not be made less, so that a lower class of men, now barred, may enter, but a larger high class must be reached. A great obstacle in the form of the popular idea of what constitutes a soldier intervenes.

According to popular belief, give a man a rifle and a uniform, teach him enough to march in a parade, and you have a soldier, and in a collection of such an army. There is nothing that the public can then see for the rest of the soldier's enlistment, but idleness and its attendant evils, and self-respecting parents oppose the entrance of their sons in such a life. The prejudice of the better class of people must be overcome, and when they are convinced that the Army is spending what they now believe to be idle time in industrial training, we may expect such magazine articles as "The Army—an idle man's job," to disappear.

7. Unless some better plan than vocational training can be offered to stimulate enlistment, and none has yet been found, such training will soon have an important bearing on the welfare of the Nation.

8. (b) The Army: When those who have been engaged in the training of enlisted men for some years are brought in contact with the results accomplished at educational institutions where officers of the Army are on duty, they can hardly, at first, believe it has been possible to accomplish in weeks what the enlisted man requires months to master. It is soon apparent that the superior intelligence of the student, combined with his purpose to do, places him in a class apart. It is believed that the inducement of vocational training will bring to the Army a class of intelligence that will not only permit of soldiers being made in less time, but will make a better, more contented, and more valuable Army. This, then, would indicate that a shorter term of enlistment is necessary before this class may pass to the reserve.

9. The individual: The offering of this training is rather to the enlisted man whom it is expected will be obtained under the new policies than to the majority of the present enlisted force. The Army now consists largely of two great classes—the professional soldier, whose business it is to be a soldier and who consequently is not seeking other training, and the man whose purpose in life was not formed before he enlisted and who for the present is contented with what he has. The latter man, if they be young, as is generally the case, have never been provident, have never tried any occupation seriously, and will be extremely difficult to interest in any; and, if they be older—that is, past 30—they have failed to establish themselves in anything, and are past the age when they may be trained along a particular line. There are also a few—it may be said a very few—men in the Army whose enlistments were prompted by other motives, such as patriotism, or a desire for travel, and in almost every company to-day there are from one to three men who are following a correspondence school course. All these latter classes, together with the men of the other classes whose interest can be aroused, would welcome an opportunity for clerical or manual training.

Certainly the introduction of this training will place a different aspect on Army service from the viewpoint of those who will accept the training. They will have an occupation for their leisure time, they will be made more content, and will be given a purpose in life.

10. Conclusion: If it be the purpose of the Army to spread military training through the Nation, to create an adequate reserve, to break down the popular prejudice against the Army, to fill our ranks with men who later will be a valuable class of citizens, vocational training is an advisable measure to adopt toward this end.

III. PRACTICABILITY.

11. In considering this subject it will be well first to examine what is now being done along this line in the Army. There is conducted at every post a school for enlisted men where the ordinary school subjects are taught. Attendance on the part of the enlisted men is voluntary, but when once accepted the course becomes a military duty for that school year. The attendance is usually very small, the school not being favorably regarded. The chaplain, where there is one, is in charge of the school, and where successful it is due to his personal fitness for the work and his standing with the men. The schools for cooks and bakers are open to all enlisted men, and in a course of some four months make of an intelligent man who tries a competent cook or baker. It is frequently difficult to find men to volunteer for this instruction. The other schools pertain to particular branches of the service, in which instruction is given as follows:

12. Hospital Corps: Trains in nursing, sanitation, and pharmacy, and has afforded opportunities for X-ray and laboratory work, which have been embraced by some enlisted men to their subsequent advantage in civil life.

13. Signal Corps: Trains in several branches of electricity, in telegraphy, telephony, and aviation. Maintains one Signal Corps school. Discharged soldiers of this corps are now filling many positions in civil life by reason of this training.

14. Engineer Corps: During the season of indoor instruction "trade schools" are maintained at all posts and subjects such as surveying, drafting, photography, carpentry, pipe fitting, cement and masonry work, and lithography are taught. Such progress is made that upon discharge the average man has a vocation.

15. Mounted service: Schools for saddlers, blacksmiths and farriers, and a school of equitation have, together with the daily work, produced a great many trained men.

16. Coast Artillery Corps: The training of the indoor season is largely along lines which will fit a man for a civil occupation. Posts have power plants, and much of the training is in their operation and in the development of engineers (steam, oil, and gas), firemen, mechanics, and electricians. Selected men are sent to the school for enlisted specialists, where the training in certain of the mechanic arts is quite complete.

17. Infantry: Training, except as cooks and bakers, is only in military matters. Enlisted men, from time to time, at the post shops pick up more or less of a trade by assisting those regularly employed.

18. The foregoing shows that in those corps—Medical, Signal, Engineer, and Coast Artillery—where the work pertains to certain of technical lines of civil life, the enlisted man is receiving vocational training, while in the mobile branches, where the work is essentially military, he generally is not receiving such training.

19. The pursuits of civil life qualify men to fill many of the positions in the technical corps of the Army in event of war, but not so in the mobile Army. It is here that the reserve is principally needed, that the greatest inducements to promote enlistment must be made, and that the proposed inducement of vocational training now exists the least.

20. To what extent can vocational training be introduced in the mobile Army without sacrificing the first essential of military training and efficiency?

21. The year for the mobile Army is divided into two periods of training—field and garrison. During the field-training period there is little time available, and on some days none, as during the target practice. During the garrison-training period the garrison-school course of five months, beginning November 1, is held, and most of the period is of necessity given to indoor work largely theoretical. The time that can be given to this kind of instruction is limited by the time the man's attention can be held, his intelligence, and the extent to which it is desirable that a subject be carried. This season is characterized by confinement to barracks and consequent idleness on the part of the enlisted man, but the officer, with his administrative work, boards, courts-martial, noncommissioned officers and garrison schools, and post-graduate work, with all the study, reading, and research these call for, finds this his busiest time, in which he can hope to do but little more. During this period the average enlisted man, not a noncommissioned officer, could give one hour in the morning and three in the afternoon to civil training. When the tactical instruction is properly conducted, it can and should be completed ordinarily by noon, which leaves little but certain routine work, such as stables, for the afternoon. To prevent idleness or to improve the looks of the reservation, it has been a practice on the part of some post commanders to impose excessive fatigue and to have much time spent in nonmilitary labor of no practical value.

22. Many a post commander who has been complimented for the appearance of his post should have been censured for imposing upon his command hours of needless drudgery that lowered the military value of his command and caused discontent and desertion. Time that has so often been put to such purpose as this will give a good many hours of vocational training, with excellent results.

23. It must be concluded that we can give some time in summer and more in winter without encroaching on the time usually given to military training, and if vocational training does take some of the military time, we can in the six months of outdoor work do more intensive training.

If the European soldier can be made in 14 months, as it is agreed, we can certainly in two or three years, in each of which six consecutive months entirely and a small part of each day of the other six are available, accomplish the same and more with the American.

24. Conclusion: The practicability of introducing this training is apparent, but such practicability should not be destroyed by the application of an impracticable system. The whole question will be solved successfully or otherwise by the methods employed.

IV. ADOPTION OF A SYSTEM OF VOCATIONAL TRAINING.

25. If it be decided to introduce this as a feature of Army training, care must be taken not to so introduce it as to have it meet with opposition in the Army. The training of an Army officer makes him cautious. His profession teaches him to adhere to tried principles and to view innovations with distrust. The officer of long service has seen too many changes, too many schemes introduced that amounted to naught and those that have survived; he has seen come in one at a time, with a rush, until the service was dominated by this one thing; then he has seen it collapse and recover or begin a retrograde movement until a successful equilibrium was finally attained. If this plan be put in effect simply by a peremptory order, it may be taken for granted that there is going to be some opposition and lack of cooperation, for every officer believes it is his duty to make the best possible soldier of the enlisted man and to oppose any plan he thinks might prevent the most complete attainment of this purpose. On the other hand, if the officer learns that this is not a visionary scheme thrust upon him which after a time will be allowed to drop into oblivion, but is a vital issue; if he is made to understand the greater purpose, why this is being done and what it is hoped to accomplish thereby, his loyal cooperation is a certainty and the success of the plan assured.

26. The past furnishes some examples, and the study of some scheme carried to a successful conclusion will afford some precedents that may prevent a false start now being made. Consider military education, for instance, a subject closely allied to the one being studied. The excellence and great value of our garrison and service schools were not speedily attained. Orders were issued, but the idea, while received with enthusiasm by the younger officers, was generally opposed.

27. For years the schools, although the subject of some elaborate orders and reports, produced no practical results. There was no General Staff, no one in particular to push this work forward and to be responsible for its development. It required nearly the growth of a new generation to make this a vital matter. Had there then been a committee of the General Staff, as there now is, directly charged with the coordination, fostering, and developing of this matter, years of failure might have been avoided.

28. All of the foregoing, then, suggests a plan of procedure as follows:

The 1st of November, the opening of the school training period, is the natural date for beginning the system, which for the first year should be tentative and put in effect at a few selected posts. The posts selected should be garrisoned by each arm of the mobile army, be widely separated in climatic conditions and surroundings, large enough in size to afford enough volunteers for the purpose, garrisoned by organizations not apt to be moved during the time of the trial, and preferably be in different departments. Posts that meet these requirements are suggested as, in the Eastern Department, Fort McPherson, Ga., a post well equipped with post shops, and where this plan has already received favorable comment, and at Fort Ethan Allen, Vt.; in the Central Department, Fort Riley, Kans., garrisoned by Field Artillery, and about the only post now available in that department, and, moreover, the site of two schools for enlisted men; in the Southern Department garrisons are now too much occupied by the border patrol to be considered; and in the Western Department, Vancouver Barracks, Wash.

29. The posts having been decided upon, the next step will be for an officer who thoroughly understands the purpose, who believes in it and its successful culmination, to visit the selected posts in turn. Here a conference will be held with the officers, explanations made, and their cooperation secured. With the enlisted men who then volunteer a school will be established to fit that particular locality and to utilize local facilities.

30. The three or four schools, once established, will by the end of six months furnish information and experience on which to base future plans. It should then become the duty of the committee of the General Staff charged with educational matters to take charge of this as an educational matter and prepare the general plan to go into operation on the following November 1.

31. There will then be a nucleus of experienced officers whose services will be available in starting the training. In the meantime the General Staff committee mentioned will have time to make a detailed study, with a view to profiting thereby, of the experiences of several countries that since 1906 have done more or less along these lines.

V. COURSE OF INSTRUCTION.

32. It is advisable to begin with the means at hand and to avoid expenditures wherever possible and not to seek congressional aid. The following course is suggested as of practical operation at the posts considered, and involves slight expenditure. Textbooks, as heretofore, will be supplied by the Quartermaster Corps, as well as stationery and other simple supplies.

33. The plan proposed with which tentatively to start the work is as follows:

1. Course in electrical work:
   1. Stenography
   2. Typewriting
   3. Bookkeeping and penmanship

   } Spelling.
2. Course in telegraphy and telephony:
   1. Operation of the central energy system
   2. Operation of the local battery system

   } of telephones.
   3. Overhead and underground lineman.
   4. Telegraphy.
3. Course as clerk in grocery business:
   1. { Handling of wholesale groceries. / Weighing and sale of retail groceries.
   2. Meat cutting.
4. Course in hospital work:
   1. Nursing.
   2. Pharmacy.
5. Course as janitor:
   1. { Care and cleaning of buildings, windows, floors, etc. / Care of plumbing and electric lighting systems. / Operation of steam and hot-water heating plants.
6. Course as stationary engineer:
   1. Operation of stationary engines and pumps.
   2. Fireman.
7. Stable course:
   1. Stableman: Grooming, feeding, and care of horses; care of stable; care of harness.
   2. Driver: Same as above; harnessing, driving.
   3. Delivery man: Same as 2; care of delivery wagons.
8. Course in cooking.
9. Course in baking.
10. Course in mechanic arts:
    1. Carpentry and building.
    2. Blacksmithing and horseshoeing.
    3. Saddlery and harness making.
    4. Painting.
    5. Masonry, plastering, cement work.
    6. Printing, typesetting.
11. Course as barber.
12. Course in surveying and mechanical drawing:
    1. Use of transit, level, stadia, and plane table.
    2. Drawing, blue-print reproduction.
13. Garrison school course:
    1. Common-school branches.
    2. Advanced work.
    3. Languages.
14. Special courses.

DISCUSSION OF COURSES.

Course 1: The teaching of stenography might require a civilian instructor. If so, the hire of a clerk could be authorized, who would be required to teach in the afternoon and evening. The other courses under this heading will require no expenditures.

Course 2: To be under the signal officer, who, with the Signal Corps men at the post and the means at hand, can conduct the course. The number of telegraph instruments at the post might have to be increased.

Course 3. To be given at the commissary. There is generally one man on duty as butcher. If no enlisted man, who is an expert meat cutter, is available, the hire of a competent civilian to perform this duty and teach the enlisted men should be authorized. The sale of meat is now part of almost every retail grocery, and a man capable of working in each department is much sought.

Course 4: To be under the surgeon. The demand for competent male nurses always exists. Men could be prepared for examination for registered pharmacist.

Course 5: Needs no discussion.

Course 6. Can be carried on in the post pumping plant.

Course 7: The post stables and the services of civilian employees and veterinarians to be utilized.

Courses 8, 9: Best conducted at the regular schools. Men so desiring, be allowed to attend.

Course 10: The post shops; civilian and enlisted employees to be utilized.

Course 11: There is much demand for this instruction, and many barbers in every command. There will be difficulty in establishing this instruction, which must be solved according to the local circumstances surrounding the question.

Course 12: Any graduate of the Military Academy can conduct this instruction.

Course 13: To be extended, made liberal, and attendance encouraged. Night classes to be held, without exception, in addition to those in the daytime.

Course 14: By this it is intended to cover special cases. For instance, should an electric line run into the post, it will probably be possible to arrange for the training of conductors, motormen, etc.; also, the company that lights the post would probably assist in the instruction

of men in the various duties of their employees. Nothing definite can be laid down in this matter, but officers interested can accomplish much.

Lectures: By officers, on subjects of general interest, should be given frequently. Local educators, ministers, professional men, and mechanics would probably respond to an invitation to address the garrison or the special classes.

Agriculture: The Army does now and always will, draw largely from the rural districts. The average young man from the country who enlists, giving his occupation as a farmer, can plow, sow, and perform the other work incident to the farm, but of scientific agriculture, horticulture, dairying, breeding, poultry raising, and similar subjects he knows but little. The establishment of these courses is most desirable and most difficult of all, as there are no instructors available, generally speaking. Land and many farming implements are available. There is in every State a Government-supported agricultural college. Most of these maintain a six-months' winter course, to be held when outdoor work on the farm is suspended. These institutions are those where Army officers conduct, by law, a course in military science and tactics. A reasonable number of enlisted men could be sent to these institutions for the short course. Doubtless free tuition could be arranged in return for their services as assistants to the Army officer on duty there. Their pay and a 50-cent per day commutation of rations would doubtless meet all their expenses. As the short-course students take the military course, the presence of a few enlisted men would be the greatest aid in the training of this class.

Possibly the Department of Agriculture could and would lend aid in establishing this course. The bulletins and literature of this department, at least, are available.

EXPENSE TO THE ENLISTED MAN.

At first nothing. A study to be made of the experiences of foreign services, where a charge has been made, under the supposition that, if paid for, more attention will be given by the student than he would give to free instruction.

VI. PRACTICABILITY OF INTRODUCING VOCATIONAL TRAINING IF THE ENLISTMENT PERIOD BE REDUCED.

34. The reduction of the enlistment period from the present four years to two years or so, as the policy of the War Department, will not, it is thought, affect the above conclusion.

While, of course, the training during that short time is presumed to be intensive, in order to secure the highest results within that time, nevertheless, it is believed that there will be many hours, especially during the winter, when the soldier can not be engaged in actual military training, and during that time it would seem proper that he should be offered opportunities to improve himself in other ways. The vocational training suggested is not intended in any way to take the place of military training. If there is no time for the purpose, then the men would not be able to have this vocational instruction.

It is not the intention to establish schools which will take up time of the enlisted man to the detriment of his military training, but simply to give him occupation for his spare time, making him better suited to follow a civil pursuit on discharge, and thus to attract to the service a larger class of men who look beyond their time of enlistment. This is especially true in the short-time service with reenlistment not permitted, where a good man must consider his future after discharge.

VII. RECOMMENDATION.

1. That the instruction of enlisted men in clerical work and in some of the mechanic arts be adopted tentatively as a part of Army training.
2. That the plan outlined herein be put into operation.

JOHN BIDDLE,
Colonel, General Staff, Chief of War College Division.

H. LIGGETT,
Brigadier General, United States Army.

Mr. CHAMBERLAIN. Mr. President, I desire to refer to one or two statements of the Senator from Georgia [Mr. SMITH] as to section 56. The Senator refers to the annual encampments as being in the nature of picnics, and intimates that the training the men get in such encampments is wholly insufficient to fit them for the Army. Mr. President, the Senator has evidently not used a pencil in his calculations, but I ask him to take a pencil and use it just a little bit in reference to the National Guard, and to compare the results obtained with the results that he would obtain by making an estimate as to the 30-day "picnics" of which he speaks. Under the practice usually followed now by the National Guard of the country they usually meet once a week; there may be exceptions to the rule, but I think pretty generally they meet once a week and drill in their armories from one and a half to two hours. With 52 weeks in a year and placing the number of drill hours at the outside limit of 3 in each week there is a maximum of about 156 hours of drill a year.

If you will add to that the time spent at the annual encampments, where they engage in maneuvers, sometimes in connection with the Regular Army, you will have 24 days longer of training. Twenty-four days, say, at 8 hours a day, will make about 192 hours more that they would drill in a year. That added to the drills in the armories, will not make over 348 hours of drills in a year. Now, take this bill, which specifies how much time shall be spent by the National Guard in drilling, and we find the following provision:

SEC. 91. Training of the National Guard: Each company, troop, battery, and detachment in the National Guard shall assemble for drill and instruction, including indoor target practice, not less than 48 times each year, and shall, in addition thereto, participate in encampments, maneuvers, or other exercises, including outdoor target practice, at least 24 days each year, 5 of which shall be in rifle practice, unless such company, troop, battery, or detachment shall have been excused from participation in any part thereof by the Secretary of War.

And further:

Provided, That such enlisted man shall receive the compensation herein provided if he shall have attended not less than 48 regular drills of not less than 1½ hours each during any one year, and a proportionate amount for attendance upon a lesser number of such drills, not less than 24: *Provided further*, That the compensation provided herein shall be computed for semiannual periods, beginning the 1st day of January and the 1st day of July of each year, in proportion to the number of drills attended; and no compensation shall be paid to any enlisted man for the first semiannual period of any year unless he shall have attended during said period at least 24 drills, but any lesser number of drills attended during said period shall be reckoned with the drills attended during the second semiannual period in computing the compensation, if any, due him for that year: *And provided further*, That when any man enters into an enlistment he shall be entitled to proportional compensation for that year if during the remainder of the year he shall attend a number of drills whose ratio to 24 is not less than the ration of the part of the year so served to the whole year; and when any man's enlistment shall expire the compensation, if any, to which he may be entitled shall be determined in like manner: *And provided further*, That periods of any actual military duty equivalent to the drills herein prescribed, except those periods of service for which under existing laws members of the National Guard may become entitled to the same pay as officers and enlisted men of the corresponding grades in the Regular Army, may be accepted as service in lieu of such drills when approved by the Secretary of War.

Forty-eight times, with one hour and a half spent at each drill, amounts to 72 hours of drill that they will have to engage in. Add to that the 24 days, if you please, when they are out in the field, and put it at the highest limit—8 hours a day—and you have 192 hours more, which added to the 72 hours, makes 264 hours, for which we will pay a large sum of money, as disclosed by the estimates.

Mr. SMITH of Georgia. How much?

Mr. CHAMBERLAIN. Look at the estimate here—over $40,000,000.

Mr. SMITH of Georgia. Is it proposed that we pay that much?

Mr. CHAMBERLAIN. It is proposed that we pay that much to the National Guard.

Mr. SMITH of Georgia. If the Senator will allow me, I am not urging that we pay them that amount. I myself said that I did not know that I would vote for that increase of pay to them.

Mr. CHAMBERLAIN. I want to find out what the Senator does want.

The Senator charges that these volunteers go out on a picnic once a year. If they go out on a picnic once a year, the National Guard go out on a picnic once a year, because they indulge in exactly the same maneuvers and the same kind of practice and under the same kind of officers and for a less time. So that the National Guard under this bill—and I am not criticizing them, but I think Senators ought to be fair when they come to talk about this bill—the National Guardsmen under this bill, for which they are getting paid, drill 264 hours in a year. Under the same bill, the men at these encampments that the Senator says are simply engaged in summer picnics go out and drill 30 days—8 hours a day—and putting it at the same limit that was given the National Guard, they drill 240 hours; and it is consecutive training—30 days of absolutely consecutive training. So that there is only 24 hours difference in a year between the volunteers provided here and the National Guard, the members of which are getting paid for their services. That is a fair statement of it, Mr. President.

Mr. SMITH of Georgia. Then, Mr. President, let us cut the others down half.

Mr. CHAMBERLAIN. I am not proposing—the Senator is——

The VICE PRESIDENT. The Chair might as well settle this question now. The rules require that after two speeches have been made by a Senator on any one day on the same subject, there must be consent of the Senate to make any further one.

Mr. CHAMBERLAIN. I am perfectly willing to comply with the rule. The motion now is really to strike out section 56, although the Senator has discussed another feature of the bill, which I assume will come up a little later. I am not going to address myself to that now. I am talking about the striking out of section 56, which provides for the Volunteer Army. You see, then, the unfairness of the Senator's criticism in talking about the volunteer system as a "picnic," when they drill 240 hours a year, and the National Guard, which pretends to drill for a whole year, indulges in drilling for 254 hours. That is just the difference between the two systems.

As to the efficiency of the volunteer system, I want to ask the Secretary to read a letter received by me from the Secretary of War under date of March 23, inclosing to me a letter written to him by the Secretary of the Governing Committee of the Military Training Camps Association of the United States, which was referred to by the Senator from Massachusetts.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The SECRETARY read as follows:

WAR DEPARTMENT,
Washington, March 23, 1916.

Hon. GEORGE E. CHAMBERLAIN,
Chairman Committee on Military Affairs,
United States Senate.

DEAR SIR: I am inclosing herewith a copy of a letter addressed to me from the secretary of the Governing Committee, Military Training Camps Association of the United States. As this letter gives a brief review of the results obtained from the training-camp movement and the importance of the legislation now pending in reference thereto, it occurred to me that it would be of value to your committee.

Sincerely, yours,

NEWTON D. BAKER,
Secretary of War.

MILITARY TRAINING CAMPS ASSOCIATION
OF THE UNITED STATES,
31 Nassau Street, New York City, March 18, 1916.

To the Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

DEAR MR. SECRETARY: I want to thank you most sincerely for the letter you gave us on March 16, indorsing the work of the Military Training Camps Association. We are sending a copy to all of the 4,200 men who have attended Regular Army camps of instruction, and I can assure you that your words of encouragement will mean a great deal to the many civilians throughout the country who, at considerable personal sacrifice, are working to promote the training-camp idea.

There is one phase of the movement I did not touch upon at our conference the other day to which I would respectfully invite your attention. Heretofore, owing to the absence of legislation, these camps have had no definite legal status and no appropriation to support them. Consequently we have, unfortunately and much against our will, been compelled to limit our recruiting to men who could afford to pay their own way, which, including uniform, rations, transportation, etc., averages nearly $60 per man. It is obvious that these camps can never be thoroughly democratized unless they are thrown open to every able-bodied citizen of the United States who desires to take the training. No movement of this character could be either permanent or of real benefit to the Nation unless it is placed upon this democratic basis.

It has been and will be the policy of this association to refrain from any attempt to influence legislation and to confine its activities solely to recruiting. To that end we consulted with Mr. Garrison last autumn and were advised that he would do his best to see that legislative provision be made for the training camps. On his resignation we were thrown back upon our own resources and felt it necessary to send a delegation to appear before the House Committee on Military Affairs on the last day of their hearings. The committee has made provision for the camps in section 83 of the bill H. R. 12766, recently reported by Mr. HAY and now before the House.

The hearings of the Senate committee had closed, but we addressed a letter to the Senate Committee on Military Affairs, in which we asked for the legislation embodied in section 83 of the House bill, not being then aware that the Senate committee proposed to provide for a force of Federal volunteers. It now appears that the training camps can readily be merged with the Federal volunteer system provided for by section 58 of the Senate bill and can be carried on to greater advantage under that bill than under the House bill, section 83.

A comparison of the two sections will indicate that, while section 83 of the House bill furnishes legal authority for the future conduct of the camps, it contemplates an appropriation covering only a small portion of the individual's expenses, namely, his rations, while section 58 of the Senate bill embraces a far more comprehensive scheme looking to the establishment of a real Federal volunteer force. Under the provisions of section 58, which entirely eliminates the matter of expense to the individual, a really democratic citizens' force can be established.

The section very wisely leaves the question of enlistment to the discretion of the President, and we can not too emphatically urge that this be done, for in building upon the volunteer sentiment it is essential that the Secretary of War have wide latitude in devising forms of enlistment to men of various ages and groups (such as married and unmarried), so as to tap all sections of the population of military age. A drastic and inflexible enlistment provision at the outset might seriously endanger the whole movement for raising citizen reserves under the volunteer system, whereas a liberal and flexible policy in this regard is capable of far-reaching results.

For the reasons stated it is our hope that when the two bills go to conference section 83 of the House bill will give way to section 58 of the Senate bill, and that the latter will become law. But the absolutely essential point for us is that the training camps shall obtain some reasonable legislative recognition and appropriation.

We can assure you of the existence of a strong Federal volunteer sentiment that is abroad in the country, a sentiment that has sought and will continue to seek expression through the training-camp movement. We conservatively estimate, on the basis of reports from our committees and offices throughout the country, that 30,000 men will attend the camps this summer. This enrollment is being made on the basis of each man paying $50 to $60 for expenses and transportation, and it is obvious that the numbers would be multiplied if the camps were opened to all able-bodied citizens, irrespective of their ability to pay their own way. This Federal volunteer sentiment, if wisely conserved and administered, will, we believe, lead to a citizenry trained to arms.

I venture to inclose a file of papers which, if you find time to read, will give you pretty much the whole story of this movement. I particularly direct your attention to the copy of my letter to the Senate committee.

Respectfully, yours, GRENVILLE CLARK,
Secretary Governing Committee,
Military Training Camps Association of the United States.

Mr. CLAPP. Mr. President, will the Senator permit some inquiries at this point?

Mr. CHAMBERLAIN. Yes, sir.

Mr. CLAPP. I have not had time to examine the law referred to in section 56. I see it provides that "the President is hereby authorized, at any time, to organize, maintain, and train, under the provisions of section 3 to 12," and so forth. Can the Senator briefly state the concrete effect of those sections?

Mr. CHAMBERLAIN. I will say to the Senator that that was an act passed for raising a volunteer army in time of war, approved April 25, 1914. It is quite long, but it was embodied in the RECORD the other day. It is Public Document No. 90.

Mr. CLAPP. Does that or this contemplate that these men shall pass an examination such as they would have to pass if they were being enlisted for war?

Mr. CHAMBERLAIN. Oh, yes. They can not go into that service unless they are physically and morally fit.

Mr. CLAPP. They have to be physically fit?

Mr. CHAMBERLAIN. Yes.

Mr. CLAPP. Then what provision, if any, does it make to meet their expenses?

Mr. CHAMBERLAIN. It is found on page 160 of the bill:

> Officers and enlisted men of the volunteer forces raised under the provisions of this section shall be entitled to the pay and allowances of officers and enlisted men of corresponding grades in the Regular Army during periods of training only.

Mr. CLAPP. Is it expected that that will cover the actual expense? What I am getting at is this: This letter states that these men would be willing to contribute $50 or $60 a year. Now, if this section is to remain in the bill, I think it ought to be so worded that a man could show his patriotism and obtain the training that this is supposed to give, even though he might not be able to make that contribution.

Mr. CHAMBERLAIN. The bill covers the expenses of the men who participate in these encampments. The letter that was just read calls attention to the fact that heretofore they have been participating in the drills and paying their own expenses.

Mr. CLAPP. I know; but I was asking whether this bill contemplated covering the expenses, so that, if a man felt the promptings which would move one in this matter, he could participate in this drill, even though he was not able to stand any of the expense himself?

Mr. CHAMBERLAIN. It does. It intends to cover that, I will say to the Senator, and the letter which was read here shows that the bill will do it.

Mr. CLAPP. One other question: I have heard a good deal of reference here to 30 days' training under section 56. As I read the section, that is left entirely with the President. I was wondering how it came about that we heard so much reference to it.

Mr. CHAMBERLAIN. Mr. President, the Senate a few days ago adopted as a committee amendment a proviso, to be added at the end of line 2, page 161, reading as follows:

> *Provided*, That without the consent of Congress such volunteer force shall not be called out for field service for more than a total period exceeding 30 days in any one year.

Mr. CLAPP. That was adopted at a time when I was absent from the Chamber.

Mr. CHAMBERLAIN. Yes; but, of course, that is subject to amendment, and I understand that some of the Senators will propose an amendment aimed at that.

Mr. President, I had not quite finished addressing myself to some of the remarks of the Senator from Georgia [Mr. SMITH]. I want to call the Senator's attention to the fact that if the reserve force attempted to be created here is the subject of ridicule because it is out on a "holiday trip," the same criticism will apply with equal force to the National Guard, for whom the Senator stands here as the sponsor.

I hope that provision will not be stricken from the bill. It has been stated more than once, in Congress and out of Congress, that the greatest piece of constructive military legislation that ever passed the Congress of the United States was that volunteer act approved April 25, 1914, applicable only to the raising of a volunteer force in time of war. It was along the lines of recommendations that have been made by very distinguished officers of the Army, and civilians as well, if you please. We have simply adapted to a time of peace several provisions of an act which was intended to be utilized only in time of war, for the purpose of undertaking to raise a volunteer force; and it seems to me that it ought to be attempted, because even the Senators who criticize this proposition talk about the difficulty of raising a volunteer force. I want to do as much as the Senator from Georgia to make easier the position of the private soldier; but I do not like to hear the Army criticized as it has been, and to hear the officers of the Army criticized as a lot of military martinets. There is not any reason in the world why they should be so termed and so treated.

Why, take it in my own State: I have lived there for 40 years, and I have seen the young men go from the field, the factory, and the workshop to West Point. They have graduated there, and have simply undertaken to follow arms as their profession in life. Now, why should the fact that these sturdy young men have gone to West Point from every walk of life cause them to graduate into a caste that are determined to exer-

cise arbitrary and unjust authority over the young men who come under them? I do not think that condition exists at all, Mr. President.

The Senator from Georgia talks about the vicious and humiliating treatment to which the private soldier is subjected. I wish the Senator would give some instances of that. I have heard that statement made here before. I am sorry the Senator from Georgia did not stay here, because I should like to have him give instances of that treatment. As a matter of fact, it does not exist. There may be individual instances where cruelty is practiced toward the private soldier, just as there are instances where the employer practices acts of cruelty toward the employee; but as a general rule the officer of the Army is a kind, considerate, and humane man. Further than that, the law provides against using the enlisted man in menial service, and he does not perform it, or, if he does, he gets paid for it and adds a little to the salary which the Government pays him. Mr. President, I do hope that the gentlemen who criticize the officers of the Army for the treatment of the private soldier will particularize and show wherein that condition exists. I promise, if they do, our committee will investigate the charges and report conditions.

Mr. HARDWICK. Mr. President, as I understand, the pending proposition is to strike out section 56 of the bill.

The VICE PRESIDENT. That is the pending motion.

Mr. HARDWICK. I desire to state that I am in hearty sympathy with that motion, and hope it will prevail. I think I can demonstrate to the Senate that there is no necessity whatever for the retention of that section in the bill if the Senate will take just one action further on in respect to the creation of a reserve force.

The creation of a volunteer national reserve is of course an act of great importance, and the establishment of such a system as would provide an effective reserve force for our Army is most difficult if the plan recommended by the committee is followed; but it seems to me that if the Government of the United States would utilize the schools and colleges of this country, and the vast number of boys who are attending those schools and colleges, for the purpose of creating a reserve force, there would be no necessity whatever for having anything like a continental army, or anything like a voluntary army as provided in section 56.

We have already determined that we will greatly enlarge the standing army of the United States. I am in hearty accord with the provisions of the bill in that respect. We have already determined, or I think most of the Senators have, that we will increase our aid to the National Guard, and will do all that we can, considering constitutional limitations, to make those organizations as nearly as can be a part of our national Army system. But, Mr. President, those constitutional limitations can be neither forgotton nor ignored. In spite of what some Senators say, the fact remains that these State troops are primarily the troops of 48 separate subdivisions of our Government; and unless we change the present Constitution of the United States there is no way in which these forces can be used as really a first line of reserve.

I thoroughly favor and entirely sympathize with a movement to render service in these organizations more popular, to do what we can in the way of furnishing more arms and more equipment and more financial aid, so that service in these organizations can be made more popular, and will be more generally rendered by the citizens of the 48 States; but, after all, even when that is done, we are going to find ourselves up against this proposition: We will have no real reserve army of the United States; we will have no real force unless we adopt some different plan from any suggested in this bill, because my honest judgment is that section 56, even if it could receive the approval of this body, would never raise a really effective reserve force. Now, how can we raise such a force?

Mr. LIPPITT. Mr. President, would the Senator care to yield?

Mr. HARDWICK. Yes, sir; I yield to the Senator, with pleasure.

Mr. LIPPITT. I presume that the feeling of the Senator is very much in accordance with the feeling of most of the other Senators here—that in this Army bill we want to give as wide an opportunity as possible for the different classes of patriotic American citizens to participate and to prepare themselves to participate in the defense of the country if any unfortunate necessity of that kind should arise.

The Senator has very truly said that some training of that kind can be given to the young men in our schools. The militia affords an opportunity for another class of men—older men, more seasoned men. But there is a third class of men who are not students at the public schools, who are not able to join the militia on account of their employment and on account of their affiliations in other ways, but who nevertheless would be glad in some way to prepare themselves to take part in the defense of the country.

As I understand, this volunteer army opens an opportunity for those men. For instance, take the case of a traveling salesman. It is impossible for him to join the militia, because the militia requires two or three nights a week of each man's time to be given to it. The salesman is away from home a week at a time, or two or three weeks at a time, perhaps; but he can take concentrated time of two weeks or a month, perhaps, in the summer, to train himself to play a proper part if the occasion arises.

Why is it not wise for Congress to open the door as wide as possible to the patriotic American citizens who want so to prepare themselves? It seems to me that that is the argument that is behind this volunteer army force; and I must say that as I have studied this bill, it appeals to me very strongly indeed.

Mr. HARDWICK. There is force, of course, in the Senator's suggestion, as there usually is in the suggestions of the Senator; but at the same time, in most cases, men even of the kind that the Senator has referred to can join the National Guards and can drill as much as once a week; and the provisions of this bill do not require drilling by the National Guard more than once a week.

Mr. LIPPITT. As a matter of fact, Mr. President, a well-drilled National Guard does drill oftener than once a week. I know that the mounted artillery in my own State, which is a very efficient and enthusiastic organization of young men, gives much more time than that to it. In fact, it is so exacting that a great many of the young men who are anxious to join it have been unable to do so on account of the time it takes. The Senator does not mind my breaking in upon his remarks?

Mr. HARDWICK. Oh, no.

The VICE PRESIDENT. We are drifting back to just the statement of the rules that the Chair made this morning, and the Chair is going to enforce the rule.

Mr. LIPPITT. I beg the pardon of the Chair.

Mr. HARDWICK. I did not understand——

The VICE PRESIDENT. The Chair announced this morning that if a Senator yielded for anything except a question he yielded the floor.

Mr. HARDWICK. I would not care to do that.

Mr. LIPPITT. I do not care to ask it.

The VICE PRESIDENT. The rules say that no Senator shall make more than two speeches on any one question without the consent of the Senate.

Mr. GALLINGER. On the same day, of course.

The VICE PRESIDENT. On the same day.

Mr. LIPPITT. Then may I ask the Senator if he has also considered the fact that these Plattsburg camps have demonstrated that there is a large body of men who are anxious to take military training, but who could not or did not feel disposed to join the National Guard, and if this volunteer army is not in itself an extension of a system that has already proven its effectiveness?

Mr. HARDWICK. Mr. President, I am still where I was when I started on this question in spite of the Senator's observations. The crack military organizations to which he has referred undoubtedly do drill oftener than once a week, and there are many such throughout the country, but they are the exception rather than the rule. You will find that the military organizations in the State militia, called National Guards in this bill, do not drill on an average more than once a week. I served many years in that organization in my State, and was a captain of the State troops for quite a while; and I know it is quite difficult, with an ordinary military company, to get them to drill as often as once a week. But most of the men in civil life who want the benefits of military training can undoubtedly secure it in these different companies in the State militia, or in the National Guard, if you prefer that term. If there are some instances of men who do not feel that they can belong to the National Guard or to any troop of cavalry or company of infantry or of artillery in that body, provision might well be made for summer training camps along the line of the Senator's suggestion, and in accordance with some experiments already made by this Government. But after all, Mr. President, it seems to me to be almost demonstrable that we can not rely on this system to furnish any considerable number of soldiers, to furnish anything that would do for a real first reserve if this country had to face war with a real power.

Besides that, Mr. President, we do not need to rely on such a plan. There are in this country nearly 2,000,000 boys from 15 to 21 years of age attending the schools, a large majority of whom, in my judgment, would be not only willing but anxious to receive this training. They could receive it in times of peace

without any interference with or disturbance of the business and commercial interests of this country. They could receive it at the time of life when it is most valuable to them. They could receive it at the time when it is most important that they should receive it, because these very young men are the men who would constitute our first battle line if we engaged in a war.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. HARDWICK. I yield to the Senator if he wants to ask me a question and if I may do so without yielding the floor.

Mr. GALLINGER. That is all I will do. I wish to ask the Senator how these boys will be equipped and from what source and in what way they will be drilled?

Mr. HARDWICK. I shall be very glad to answer the Senator's question. I have proposed a bill, which is pending before the Committee on Military Affairs—and I propose to put the proposition in the shape of an amendment to this bill, a very short one—which answers the Senator's question. I would arm them, equip them, and supply them at the expense of the Government of the United States; I would instruct them through commissioned officers detailed for that purpose by the Government of the United States; and I would require of these young men, when they receive these benefits from the Government, simply that they enlist as a part of the reserve forces of the Army of the United States, to be called on for actual military service only in the event that this country should become engaged in war.

Mr. GALLINGER. Mr. President, a further question. Does the Senator think that we could spare a very sufficient number of officers to go to the hundreds and thousands of schools throughout the country to instruct the boys?

Mr. HARDWICK. I answer the Senator's question with pleasure. If we have them not already, my proposition provides that we shall create additional officers. I know of no way which would be so fruitful in results as this plan would be. It is recommended by the experience of other countries; it is recommended by the highest military and civic authorities in this country. It seems to me that in the schools and colleges of this country where the young men are of the right age to receive this training with beneficial results to themselves and with the very best results to the country, military instruction ought to be given, and if we will adopt that system instead of the volunteer plan we will not need any volunteer army. We will have the greatest reserve army that this country has ever seen, without the slightest disturbance to the ordinary business and the ordinary industries of the Republic.

Mr. President, the bill contains in sections 42 to 55, inclusive, a plan somewhat along that line, a plan reported by the committee, and yet not the work of the committee, because they have adopted it bodily from a report made by the General Staff and without the slightest change from the report made by the General Staff of the Army.

Mr. SMITH of South Carolina. May I ask the Senator from Georgia what provision is made for binding these boys, trained by officers detailed to drill them, that they would respond to a demand for their services.

Mr. HARDWICK. I will answer the Senator. My idea would be not to establish a reserve company in any school or college except where the authorities of that school or college requested it and except where the parents or guardians of these young men agree to it, in each individual case where they are minors. These young men would be required to sign a statement that they would become members of the reserve forces of the United States, subject to the rules and regulations laid down by law.

Mr. President, as I was going on to say when the Senator from South Carolina interrupted me, the committee has taken bodily a report from the General Staff of the Army and has provided for a somewhat more general utilization of the schools and colleges of the country than at present by providing that these schools and colleges shall be used under certain terms and regulations prescribed in the bill for the training of reserve officers. So far as it goes the proposition is a good one, and I shall support it most heartily, but it does not go half far enough, because it does not utilize the abundant material we have in the schools for the solution of the most difficult part of this problem. If it is a good thing to train officers in the schools and colleges by the detailing of Army officers to drill them and train them and by equipping them, why is it not also a good thing to train privates in the same way for that reserve? Why should we make at the schools and colleges all officers and no privates? Of course officers are very useful as well as ornamental.

Mr. NELSON. Will the Senator allow me a question?

Mr. HARDWICK. I yield.

Mr. NELSON. Is there not great danger that all these college students when war broke out would want to be officers and none of them privates?

Mr. HARDWICK. I think so, if the Senator will pardon me, if we follow the bill laid down by the committee, because the bill seems to provide for nothing but officers from this source; as I was starting to observe, while officers are not only entirely ornamental and are possibly partially useful, it seems to me privates are just about as useful and fully as necessary if we are going to have any real trouble. If these schools and colleges and high schools throughout the land can be utilized, as the committee contends and as the General Staff recommends, for the training of officers of the reserve corps, then I want to know why is it that 2,000,000 American boys can not also be utilized by training privates, who are fully as necessary if not quite so ornamental as officers?

Mr. DU PONT. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Delaware?

Mr. HARDWICK. I yield for a question.

Mr. DU PONT. I understood the Senator from Georgia to say that the officers are of no more use than privates.

Mr. HARDWICK. No; not exactly. I said that officers are useful as well as very ornamental, but we will always find it necessary to have a few privates if we have any real trouble.

Mr. DU PONT. I simply want to call the Senator's attention to the fact that it takes a much longer time to train an officer than it takes to train a private soldier.

Mr. HARDWICK. Undoubtedly. The Senator and I are in no disagreement about that. My point is that with material like the 2,000,000 American boys of ripe age in the schools and colleges of this land, why should we utilize such a tremendous source of military strength only to train officers? Why not train a few privates, too? Why not have your real reserve there? And if we do have our real reserve there we will need no volunteer arm or anything else. Even if 25 per cent—aye, if 10 per cent—of the American schoolboys throughout the United States enlist in this reserve force that my amendment provides for, it does not differ materially from the principle of the provision advanced by the committee and we will have this most splendid reserve that any Republic ever had.

Mr. WARREN. Would they not be volunteers?

Mr. HARDWICK. Undoubtedly; and I would give the schoolboys, volunteers in companies of 50, wherever they are, in town or country, in whatever State, all the necessary equipment, instruction, and everything necessary in order to train them to be soldiers who could render real service to the country if danger arose.

Mr. KENYON. Does the Senator's amendment cover high schools?

Mr. HARDWICK. Yes.

Mr. KENYON. Is there any limit as to the number of students in a school who shall have training?

Mr. HARDWICK. The amendment proposes, of course, an arbitrary one. I had to fix the figure somewhere, and I provided that wherever a school may give 50 or more of these reserve students an officer shall be detailed.

Mr. KENYON. How many officers does the Senator think it would require? Could one officer attend a number of schools?

Mr. HARDWICK. No; I think not.

Mr. KENYON. Would not that be practicable in some cases?

Mr. HARDWICK. That is a question of detail about which the Senator might find himself in agreement with me, but I rather think there should be at least one officer to each school that can furnish as many as 50 or more reserve students.

Mr. KENYON. I am very much interested in the question.

Mr. HARDWICK. I am glad the Senator is. I will say if Senators on both sides of the Chamber will study this question, and if they will not object to the amendment simply because the committee has not proposed it in the exact form in which I have presented it, I believe it will get the votes of two-thirds of the Senators.

Mr. JONES. Does the Senator contemplate that the students in the schools shall, for instance, drill every day?

Mr. HARDWICK. Yes; every day. It would be a part of the regular school training. On Saturdays they would have more extended drill; they could drill out in the country; it may be do rifle practice and such things as that. On vacations, according to the terms of my amendment, they would be mobilized in regiments or brigades or even divisions, if you want to. That is the only time we pay anything for the service. They will not want any pay except for that service. It will do the boys of this country a great deal of good to assemble in brigades

and divisions during the summer vacation and let them camp and drill and see something of real soldiering.

Mr. JONES. If they should be required to drill, however, only two or three times a day, it seems to me one officer could take care of two or three schools.

Mr. HARDWICK. Of course, those are matters of detail that we might agree about.

Mr. CLAPP. Will the Senator allow me to ask him a question?

Mr. HARDWICK. Certainly.

Mr. CLAPP. I shall transgress the rules slightly by prefacing the question with the statement that I am heartily in favor of some such plan as the Senator suggests. What I want to ask the Senator is how section 56 would interfere with the plan outlined by the Senator?

Mr. HARDWICK. In answer to the Senator's question I will state that it does not interfere with it except in this way and in this view: If you adopt the plan I have suggested, you have no need of section 56. There is absolutely no necessity for any further reserve force than you will get under the plan I have offered to the Senate. You will not need the other. If any Senator thinks we would need the other, too, I do not care particularly about it one way or the other. I shall vote to strike out section 56, as far as my own vote is concerned, because I regard it as entirely unnecessary if we are going to adopt anything like the plan I have suggested.

Mr. CLAPP. The Senator has little thought that these boys under his plan would ever go to the battle front. I will put it in the form of an inquiry. Is his suggestion not based upon the fact of the benefit it would be to the citizenship of the country to give the boys this training, and is not that equally true of the younger manhood of the country that has passed the school age?

Mr. HARDWICK. I think so; but answering the Senator frankly, as I answered the Senator from Rhode Island just now, I do think in the large majority of cases at least the younger manhood of the country, out of schools to which the Senator refers, would get the training in connection with the State troops or the National Guard.

Mr. CLAPP. Is not the Senator aware that there is a large proportion of our people who from their vocation and their condition do not find it convenient to be in the National Guard? In other words, dealing now with citizenship and not with war, is it not our duty to carry to the entire younger portion of our citizenship at least that inspiration, that development of ideals and physical advantage of training which would come from the National Guard, the volunteer army, and the school plan outlined by the Senator?

Mr. HARDWICK. I do not find myself in violent disagreement with the Senator on that proposition. I agree with him thoroughly in this view of the matter, that the training—mental, moral, and physical—that American schoolboy would get though this discipline would be available to him in peace as well as in war; it would make a better citizen of him as well as a more efficient soldier, if we needed him for the latter purpose.

Mr. DU PONT. May I ask the Senator a question?

Mr. HARDWICK. Certainly; I yield.

Mr. DU PONT. The young men the Senator proposes to instruct in the manner he has stated, I understand, could not be organized permanently into the establishment. They would be simply military assets to be used in case of war in the formation of new units or new organizations. Is not that it?

Mr. HARDWICK. No; that is not the plan I have in mind at all.

Mr. DU PONT. What is it?

Mr. HARDWICK. The plan I have in mind is that wherever you can get a company of as many as 50 of these young men from 15 years of age upward you form them into a company, and during school term itself you could not have a larger unit probably than these companies, except in the larger schools, like the public schools of New York, or it may be the public schools of Atlanta or Chicago or some other larger cities of the country, but during the vacation of about three months of every year you can form larger units, brigades, divisions.

Mr. DU PONT. I understand.

Mr. HARDWICK. In the corps of these reserve forces these young men are trained to act together.

Mr. DU PONT. I understand that.

Mr. HARDWICK. Of course it might not be the precise unit in which you would use these reserve soldiers in case war broke out, although as far as possible the organization already made during times of peace and in vacation and the units already employed during those times ought to be followed in time of war.

Mr. DU PONT. The Senator would take a school and organize it every year in this way? A certain number of them would every year leave the school and disappear, would they not?

Mr. HARDWICK. Undoubtedly.

Mr. DU PONT. The Senator's idea would be, in case of war, to call out the schoolboys representing these units? Is that the idea?

Mr. HARDWICK. Undoubtedly, to some extent.

Mr. DU PONT. Then you would have an army composed to a large extent of young men between 15 and 20 years of age who enlisted in the service of the United States with the consent of their parents and guardians. Is that the idea?

Mr. HARDWICK. Yes, sir; that is it exactly.

Now, Mr. President, there are other advantages which the Senator's question suggests. It is true that these boys are going out into civil life every year, and they go out with some training; and that, as a Senator suggests to me, is one of the strongest virtues of the plan. As they go out their places will be taken by younger boys, and year after year in this country you will have a constantly increasing force of young men who do know something about military affairs, who could render efficient service to this country in time of danger, and at the same time, as they went out into civil life, class after class of younger men coming would take their places, so that we would have a reserve force, constantly expanding in numbers, without a constantly expanding increase.

Mr. WARREN. Mr. President——

Mr. HARDWICK. I yield to the Senator from Wyoming.

Mr. WARREN. I agree with very much the Senator has said about universal military education, but I want to ask the Senator, if I understood him correctly, to say that he thought there are some constitutional difficulties to get over in regard to the National Guard? I assume that he meant to ask whether the guards could be used in an adjoining country. The Senator believes that they could not under the Constitution.

Mr. HARDWICK. Yes, sir.

Mr. WARREN. Very well. At the present time, as the Senator knows, and he will correct me if I am wrong, we have no reserves.

Mr. HARDWICK. The Senator is right.

Mr. WARREN. We are providing for reserves in this bill. It takes two years to accomplish it. We hope to have them. What would the Senator do, if matters which I hope may not terminate so but I believe the chances are 4 to 5 they will so terminate, about being compelled to go into an adjoining country to pacify conditions? Where would we get the forces.

Mr. HARDWICK. Of course, I can see only one answer to the Senator's question. As far as the reserves are concerned—troops outside of the Regular Army—we would have to depend on the enlistment of the militia into the Federal force. You could not take them as militia; but brigade after brigade, and regiment after regiment, and company after company they may enlist, and they would be used to fight.

Mr. WARREN. And thus they would become United States Volunteers.

Mr. HARDWICK. Yes; they would. I think that is what would happen.

Mr. WARREN. In the meantime, following exactly the Senator's question, is it not safer to have a force of volunteers who, for reasons of their own, are not going into the National Guard or the Regular Army and are in some manner trained and organized in troops and in companies, so that they may be called immediately, rather than to depend at the present time upon the youth the Senator mentions, none of whom, if their parents objected, could enlist? Would it not be better to not depend entirely upon the National Guard, as the Senator knows many of those could not go?

Mr. HARDWICK. Answering the Senator's question, I beg to say that I very much doubt, under the present condition, whether you would get anything like an efficient reserve force from this volunteer provision known as section 56. I do not believe you would get it. I do not believe you would get enough men to even hunt down a bandit in Mexico under such a provision.

Mr. WARREN. Does the Senator mean that they would not enlist or that having enlisted they would not go?

Mr. HARDWICK. I do not mean to imply that the people, after they once assumed the obligation, would fail in patriotism, but I do not think the system is attractive to the business men of the country or that any considerable number would be willing to embrace it.

Mr. WARREN. Yet, if the Senator will permit me, many may want to go who, being instructed, would become volunteers in the Regular Army.

Mr. HARDWICK. If the Senator will permit me, I spoke just now about these camps. How many really have been to these camps?

Mr. WARREN. In the various camps probably 10,000 or 12,000 out of an organization of 60,000, all of whom are represented as anxious to join such a force.

Mr. HARDWICK. As far as these camps are concerned, I believe they are a good thing. I am perfectly willing to join the Senator to an extent that would result in an improvement in that direction. So far, the encampment of 12,000 or 15,000 men of all the millions in this country does not indicate any general desire on the part of a large number of our citizens to embrace that opportunity.

Mr. WARREN. I answer the Senator that it is in its incipiency. Last year was the first, and it was the opinion of the committee that if we were to provide means for support during the time of training we had better do it, and there would be a dependable force, one that by obligation places itself at the command of the Government as volunteers. We might start with 30-day camps at half a dozen places. They have an association of sixty-odd thousands, and it is only a matter of one or two months once a year. Is it not fair to presume that there would be a very much larger number in following seasons and finally a very considerable force, compared with the little Regular Army we have now?

Mr. HARDWICK. I do not know whether there has been any difference owing to this reason. Those encampments have been held at a time when the minds of the people of the country were greatly excited by the talk of war and rumors of war all over the world, and it looks to me like if the scheme was ever going to appeal to the American citizen in large numbers this is particularly the time of all times when it would appeal to them and that even the first year we would have had better results than we did under the experiment so far.

Be that as it may, however, I am perfectly willing to have summer camps. I am perfectly willing to have the Government establish and maintain them wherever American citizens want to avail themselves of the advantages they offer. The Senator can not rely, however, on a volunteer force made up under existing circumstances and conditions in this country of these business men.

In every country in every age the very flower of the country's soldiery has come from the young men of the country, from 16 to 21 or 22 years of age. If we had a war in this country tomorrow with a power of first magnitude, so that American patriotism was stirred to its very depths and so that the resources as well as the patriotism of this country were taxed, you would find it would be these young boys out of the schools who would do our fighting; that they would be the first to volunteer and the first in battle when it came to defending this country.

Mr. WARREN. Mr. President——

Mr. HARDWICK. I yield to the Senator.

Mr. WARREN. The Senator, I think, is right, so far as the young men being ready. I think boys are more enthusiastic than are men. An observation was made as to the laboring men. The Senator knows whether we want to discuss that question or not. He knows the laboring people do not go into the National Guard to any great extent under the present plan; that there is a widespread prejudice against the National Guard because of possible local or police duties they might be called upon to perform.

Mr. VARDAMAN. Pardon me, that is not true of Mississippi.

Mr. WARREN. I presume you do not have those large united communities of laboring people who make known their wants as organizations.

The VICE PRESIDENT. Again Senators are paying absolutely no attention to the rules.

Mr. HARDWICK. Mr. President, since the Chair has called attention to it, I do not yield the floor until I have concluded.

The VICE PRESIDENT. The Senator from Georgia has yielded three or four times.

Mr. HARDWICK. I will yield altogether if the Chair so rules.

The VICE PRESIDENT. The Chair simply wants to place this discussion in a shape so that the rule may be obeyed by the Senate.

Mr. HARDWICK. Mr. President——

The VICE PRESIDENT. The Senator from Georgia.

Mr. HARDWICK. Now, I had very nearly finished what I want to say about this measure. Anyway, I think I can sum it up in just a few sentences.

I have no objection to these military camps. I have no serious objection to this section 56 providing for a volunteer force. The main objection I have had is because I believe it will not accomplish much. I believe if we are to have a real reserve army in this country we shall have to rely upon our schools and colleges to furnish its very backbone and its flower.

So far as the proposition presented by the committee, or rather by the General Staff, is concerned, I want to say here and now that I am going a little later to request the vote of the Senate on why it is if the schools and colleges can be utilized to furnish officers for the reserve corps of the Army that they can not also, and ought also as a matter of fact to some extent, be utilized to furnish privates for the reserve corps. Why should we not use every resource in this country in the most sensible and the most economical and the most practical way in our attempt to solve this vexatious and troublesome question? Therefore I say instead of this volunteer army, instead of this reserve corps of officers, in connection with the schools and colleges of this country, at the proper time and as soon as we vote on this motion, if I may then have the opportunity, I propose to offer as a substitute that we shall establish a reserve force of the Army of the United States in every school and college in this country where both students and school authorities favor the establishment and are willing to take the benefit of the training, the equipment, and the instruction that the Government of the United States shall provide.

Mr. WILLIAMS. Mr. President, there has been very much, indeed, in what the Senator from Georgia [Mr. HARDWICK] has said, nor is it altogether a new thing. The thought has been entertained by a great many people who have stood very high in leadership in America. I can see, however, no conflict between what he desires to do and section 56 of the bill. They aim to accomplish different purposes, and each of them can be left to accomplish its purpose in its own way. There is no reason why the people who are willing to go out and be trained for 30 or 60 or 90 days every summer should be shut out because there is a desire to make a reserve force of the students of the country between 15 and 21.

Mr. President, I rose simply to say this: Something has been said about training officers, and there seems to be an idea that it is just as important to train privates as it is to train officers. That is absolutely unfounded, because you can train a private in very much less time, and you require a very much less broad field of preparation to make a good private than to make a competent officer.

If this war in Europe has proved anything at all, it has proved the necessity of such a provision as sections 48 up to 50, I believe, in the bill, inclusive. The Russians and the English both have found that much out. The English Government had to turn its corporals and its sergeants into commissioned officers to train troops. Then it had to look elsewhere for noncommissioned officers. There is very little doubt about the fact that the Russian Army was beaten back just as much by the lack of officers to train their privates, who came by the million, but who had no one competent to train them and no one competent to lead them, as it was at first defeated by the lack of munitions of war.

Mr. President, everybody seems to be using this bill as a vehicle whereby to transport into the public attention some favorite idea of his own. I also want to bring out one of mine. I think that every State university in this Union can be turned into a West Point for the purpose of training officers at an expense of not over twenty to thirty thousand dollars a year for each State university. The State universities already contain as a rule everything taught at West Point except two things. They have an engineering course, which might perhaps in many cases be made better. They have an electrical engineering course, nearly all of them, if not every one. They have the ordinary course in history and literature and modern languages, which West Point has. They have the ordinary course in pure and applied mathematics, which West Point has.

Now, if the Government of the United States were to detail to each one of the 48 State universities two professors, one of tactics and drill and the other of strategy and military history, they would thereby build up a military curriculum akin to that existing at West Point, and it would cost them nothing to detail the officers. All the Federal Government would have to spend for the students of the State universities, which are public institutions, where for the most part in nearly all the States the students get their schooling without paying a dollar for tuition, and the students therefore owe something to the country, would be enough money to equip them with their uniforms, their guns, their artillery, and in certain cases their horses, where they were going to have cavalry companies.

Mr. KENYON. Mr. President——

Mr. WILLIAMS. In one moment. Take some of the great universities out West and the large universities in Wisconsin and Illinois.

Mr. CLAPP. And Minnesota.

Mr. WILLIAMS. And Minnesota and Iowa. There the number of students runs up into the thousands.

This is not a new idea. Mr. Jefferson, in founding the first university in this country, wanted the university to provide a professor in military science, as he called it, so that all the boys at the university who volunteered for that purpose should have the advantage of taking military science as one of their studies, along with the other studies which they took, and taking a degree at the end of their course in military science as well. Of course, the degree in military science would carry not only tactics and strategy, but military history, engineering, and the things that are absolutely necessary to equip an officer, the only difference being that, under his idea, the State of Virginia was to pay for it all, of course, and not the Federal Government; but the State was never rich enough to do so. The university even yet has no such school; but his idea was that 100 or 200 students would volunteer every year, or, since the university has grown to larger proportions, I dare say 500 now would volunteer, receive this excellent training, and form a reserve corps of trained officers learned in military science, educated and equipped to lead and to train men.

Mr. President, if you take the ordinary American citizen, and you put him through an intensive course of drill, you could make a pretty well-equipped private soldier of him, I believe, in six months. They talk about two years being a short period of enlistment. With intensive drill you can make of that man a good soldier, toughened, hardened, ready for almost any test, because he is highly intelligent, highly initiative and enterprising, and you can make a good noncommissioned officer out of him.

Mr. President, it seems to me that some of the most valuable parts of this bill are section 48 and the sections following it. I hope that if the Senator from Georgia does offer his amendment he will offer it in such a way as not to cancel those sections but to coordinate his amendments with them. I see no reason why there should be any conflict between his idea, as he expressed it a moment ago, and section 56.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Ohio?

Mr. WILLIAMS. I will yield for a question.

Mr. POMERENE. Senators were referring to sections of the bill from 48 to 52. I want to call the attention of the Senator from Mississippi to sections 42, 43, and 44, which provide for extending facilities to different classes of universities. Section 42 calls attention to what are known as the land-grant colleges, section 43 to such institutions as are organized under State laws, and section 44 to other established institutions of learning.

Mr. WILLIAMS. Yes, I understand; but that does not quite go as far as my idea. I want to detail not only drill masters, but I want to detail professors, or men who shall go there as professors, of strategy and of military science, and professors of military engineering, and that the Federal Government could do. After it did that by furnishing from two to three men at each State university—at the utmost three—you would have a full faculty for military training at each State university, just as you have at West Point, because the State universities already have all the other branches.

Mr. CLAPP. Mr. President, I think it was unfortunate that section 56 was entitled "The Volunteer Army." It in no sense creates any army. It simply provides for there existing among the body of our citizenship men who by previous training, and having already taken the oath, may be organized into an army at any time when needed. I regret that there has grown up here any difference between the different forces that might constitute the fighting force of this country in time of war. It seems to me, as a people and as a deliberative body, we have too much fallen into the habit of taking it for granted that we must have this or that particular thing, and that everything else must be rejected.

I am a believer in and would be the last man to strike a blow at the National Guard. As it is growing and developing, it would be our main reliance aside from the standing army in case of a war of any magnitude. I have long believed that this Government could well afford to make a large contribution annually to the National Guard, not primarily for war purposes, for there is slight prospect of war, although it would be there if needed, but that it might take the young men who would join the National Guard and give them the benefits of out-of-door camp life; give them the benefits of the discipline, which every young man ought to have; and, at the same time, keep alive the symbol of patriotism, which, in a Republic, must be the military thought, more especially the military tradition.

I do not believe in a large standing army, and I think the committee is to be congratulated at the result of its labor and deliberations, in view of the pressure that has been upon them, in bringing to the Senate such a moderate bill as this as to that part which relates to the standing army; but I do believe that we can well afford to devote a certain amount of public funds to the development among our people, especially among our young men, of that spirit out of which would come the soldier, if there ever comes a time—which God forbid—again in our history when any considerable number of soldiers will be required.

The National Guard exists year after year. Out from its ranks, year after year, go drilled men, with 10, 15, or perhaps 20 years of their life left within that active period where, if they were required, they could serve in the Army. Believing in that principle, I believe, after making provision for the standing army that is provided for, that the next question that should be considered at every point is where will the money that we propose to collect by taxation and appropriate do the greatest good, combining the thought of a citizenship, qualified to fight, if ever the time to do so should come, but in the meantime the development of the citizen himself along mental, physical, and moral lines. This is accomplished by the creation and development of the National Guard. If we have not made ample provision therefor, it should be made. We have already amended this bill to put officers from the National Guard upon the General Staff.

For the very reason that I have always believed that we should expend money upon the National Guard I believe in the provisions of section 56. It ought to have been entitled "The annual training camp" or some term like that. To call it a volunteer camp is misleading, for it provides for no army. It simply provides for making the material out of which, if occasion ever arose, an army could be created.

We know that there are in this country men who for various reasons can not join the National Guard, but who can give a reasonable amount of time each summer to an encampment, and that is really what section 56 provides for, that encampment resulting along the same lines of good that service in the National Guard does; in other words, it gives them an out-of-door experience; it gives them discipline, and keeps alive in them that patriotic spirit that comes, in the last analysis, much as we mght be prone to regret it, from military traditions. Nor do I think, perhaps, we should regret it. Our achievements in the past have been military achievements, and they are the inspiration to a free people for the ideals and standards of citizenship in time of peace.

Why should there be any conflict between these two? Why should there be any conflict between either of these and the school proposition advocated by the Senator from Georgia [Mr. SMITH]? I think, Senators, if we would get out of the thought that we must always have this thing or nothing, that what we advocate is the sole thing, and that what some one else advocates is full of danger and harm, and recognize that there is a broad equation to be served, we would make much headway toward wiser and more permanent legislation. I therefore felt that it was only proper that I should make these few brief remarks.

I found my support of section 56 upon the same broad principle that I found my support of the school training and of the National Guard, namely, that we are developing in the youth of our country those traits, that physical, moral, and mental training, which will fit them alike for civil or military duties, if the occasion ever requires; and the more thoroughly a man is fitted for that occasion, if it ever comes, the better fitted he is, in my judgment, for the duties and the experiences of civil life.

Mr. WADSWORTH. Mr. President, I desire to ask the Senator from Oregon a question with respect to one of the terms of section 56. On line 21, referring to the men who are expected to enlist in the so-called volunteer army, this language occurs:

> Those passing to the reserve to have the status and obligations prescribed for reserves of the Regular Army.

In another part of the bill it is provided that the Regular Army reserves are to be paid $24 a year. Does the language in section 56 indicate that the reserves of the volunteer army for four years are to draw the $24 a year from the Federal Government?

Mr. CHAMBERLAIN. I do not think the committee so intended.

Mr. WADSWORTH. It is rather an important matter, Mr. President.

Mr. CHAMBERLAIN. It may be that some provision might have to be made to more clearly express the intent; but I think

that the $24 per annum was intended for the Regular Army. I will ask the Senator from Wyoming if that is not his understanding?

Mr. WARREN. Yes.

Mr. WADSWORTH. The language is:

Those passing to the reserve to have the status and obligations prescribed for reserves of the Regular Army.

Mr. CHAMBERLAIN. I think the committee intended that they should have the military status, being subject to the call of the President, but we did not intend to have the $24 per annum paid to those men.

Mr. WADSWORTH. Is the Senator from Oregon confident that under that section those men will not be able to claim that amount?

Mr. CHAMBERLAIN. I would not say that without examining the language a little more critically than I have done. The Senator from New York is the first person who has suggested the matter to me. I will say, however, that was not the intent of the committee. It was only intended that that language should apply to those men who had served out their enlistment under the colors and had gone into the reserve.

Mr. WADSWORTH. Will the Senator, with his usual generosity, yield for another question on the general purpose of this section? Am I to understand that this volunteer army, to be composed of 260,000 troops, is to be actually a force in being?

Mr. CHAMBERLAIN. I so understand.

Mr. WADSWORTH. A force in being?

Mr. CHAMBERLAIN. Yes, sir.

Mr. WADSWORTH. Organized, then, into brigades, regiments, battalions, squadrons, companies, troops, and batteries?

Mr. CHAMBERLAIN. If enough men enlist; yes.

Mr. WADSWORTH. Well, Mr. President——

Mr. WEEKS. Mr. President——

Mr. WADSWORTH. I am glad to yield to the Senator from Massachusetts.

Mr. WEEKS. I was going to ask the chairman of the committee if it is not a fact that this provision is experimental in its character? No one knows that 260,000 men can be obtained, or 100,000 or 50,000. We had assurance from those largely interested in the camps last year that there would probably be from thirty to forty thousand men who would come into a service of this kind in this way; but I do not think there is any assurance that there will be a greater number at this time, and it may not be possible even to get that many.

Mr. CHAMBERLAIN. The Senator is correct about that. It is experimental, but it is along the line of the recommendations of men who have had more or less experience in this service. The committee has had to meet the question of how best to create some sort of reserve, and met it with this experimental provision, adopting in times of peace provisions which had been enacted to apply to times of war.

Mr. WEEKS. Mr. President——

Mr. WADSWORTH. I very gladly yield again to the Senator from Massachusetts.

Mr. WEEKS. I do not think it violates the committee's secrets in any way to say that the general proposition of a volunteer army was not perhaps favorably considered by the committee until there was an assurance that the men who had attended the volunteer camps would be willing to enlist, become volunteer reserves, and serve as the Government required in that capacity.

Mr. CHAMBERLAIN. That is true. It was a question whether the men who had been taking part in these encampments would enlist so that they would be subject to the call of the President. The matter was taken up with men who were interested in the movement in different parts of the country, and they expressed a perfect willingness to have the bill so framed that they should really become a part of the enlisted strength of the United States Army.

Mr. DU PONT. Mr. President, will the Senator from New York yield to me for a moment?

Mr. WADSWORTH. I yield to the Senator from Delaware for a question.

Mr. DU PONT. I merely wish to say, Mr. President, that this assurance came from the Volunteer Training Camps Association. They have formed a national organization, and their officers were believed to represent all those who were interested in the training camps throughout the country. So, the assurance was official, and, to the committee at least, of a satisfactory nature.

Mr. WADSWORTH. Mr. President, the point of my inquiry was not to develop how many men were to be recruited or whether it would be possible to recruit 260,000; the point of my inquiry was to ascertain, if possible, whether it was intended to maintain these men in organizations, fully equipped and ready to take the field at the outbreak of war. The inquiry has some importance, I think, in connection with the estimated cost. It is proposed that these men shall attend training camps 30 days in the year. I am fairly familiar with "the Plattsburg idea," so-called. It is a most excellent idea, but no one can contend that the 1,200-odd men who attended the camp at Plattsburg for five or six weeks last summer have been maintained, or could be maintained, for the succeeding 11 months in a regimental organization. To begin with, they have no place whatsoever to store their equipment; and the impedimenta of a regiment of Infantry is a very sizable thing to take into consideration. At least 24 great army wagons are necessary for the transport train of one regiment of infantry. My inquiry is to that point. Is this to be an army, or is it not to be an army, but simply a group of men in training and not organized into units? The Senator from Minnesota, as I gather, understands it in the latter sense.

Mr. CLAPP. Certainly.

Mr. WADSWORTH. But the Senator from Oregon, the chairman of the committee, replies that it is to be a force in being; and there is a very grave distinction between the two. One might go on for some time indicating the amount of work, the amount of money, the amount of building necessary to house the equipment for an army of 260,000 men; likewise the number of headquarters that would have to be maintained, the number of officers who must be permanently detailed to those regiments or brigades or squads or battalions or companies or troops, for it must be understood, of course that, in any such recruiting, the units will be scattered all over the United States; and yet each unit must have quarters at some place in which to store its material and equipment.

Mr. DU PONT. Mr. President, I should like to say, if the Senator will pardon an interruption, that the bill provides that there is to be one Regular Army officer detailed in each congressional district to look out for all those things.

Mr. WADSWORTH. Mr. President, it is exceedingly easy to detail an officer to take charge of men recruited in a given congressional district, but what I am endeavoring to find out is whether there will be, we will say, the Tenth United States Volunteer Infantry, ready to take the field, or the Fifteenth United States Volunteer Cavalry, ready to take the field, trained, it is true, for only 30 days, but in possession of headquarters, in possession of buildings in which their impedimenta may be stored and protected from the weather and from fire risk, buildings in which the men can gather and take possession of their equipment in time of war on the outbreak of hostilities—headquarters at which they can mobilize? Are these units to have continuous life through the years, or are the men simply to attend 30 days training camps and then disperse and return to civil life, with no permanent organization and with no control over them during the other 11 months of the year?

When we come to consider the matter of supplies and impedimenta we must also understand that animals must be had for the equipment of this great army, and if it is to be an army—and I am trying to develop that fact—it is going to take thousands of horses, and what is to happen to the horses for the other 11 months? Who is to feed them?

I do not believe that that item is contained in the estimate of $25,000,000 as the cost of this force; and if these things have not been considered, if these units of the Volunteer Army are not to be placed on the basis of a permanent organization, with appropriate headquarters, a place for storing material and at which the men may gather, then it is not an army.

Mr. LEE of Maryland. Mr. President, in connection with what has just been said by the Senator from New York [Mr. WADSWORTH] I wish to call the attention of the Senate to the fact that amongst the valuable assets that this genuine American institution, the citizen soldiery or the National Guard, have is the support, the liberal support, of the States. The amount appropriated—and this is official information—by the States for the construction, upkeep, and repair of armories for the last fiscal year was $1,942,780; for rentals of armories, $740,817; for caretakers for armories, $704,000; making a total for armories annually appropriated by the States of $3,387,733, and not including new armories being annually provided for.

Mr. President, the points made by the Senator from New York are absolutely apposite to this situation. Now comes this proposition to improvise a volunteer army, so called, to compete with and to overthrow, if possible, the old and established form of citizen soldiery in this country. Instead of perfecting the one, which should be done, this bill aims to undermine the large existing investment in the National Guard and to interfere with the purpose of our country with respect to its citizen soldiery, the power to arm, organize, and discipline the militia, long a dormant power, but now it is hoped to be effectively exercised.

In this connection I want to call attention to the fact that the amendment which I have in contemplation does not propose to reduce the forces available for preparedness, but would strike out and then double the limitation which the committee has put upon the number of National Guard. This limitation they have placed at 500 for each Senator and Member of the House of Representatives. I would make the limitation 1,000, giving a substantial increase in probable troops over and above the number of the experimental volunteer army.

In that connection also the House bill made the limitation of the National Guard 800, whereas the Senate committee has brought in a limitation of 500. That can not be out of friendliness to the National Guard. The committee must have realized the inconsistency between the National Guard and the volunteer type which they propose, and must have contemplated a reduction of the National Guard to that extent.

Mr. President, the idea of multiplying types is an unsound military proposition. We have two types. We have the Regular soldier. Do what you can for him; make him as good as possible; pay him as much as you can; discipline him as highly as you can; pay his officers as much as you can afford; and give him every convenience of education which has been suggested. Then, you have the other type—the citizen soldier mentioned in the Constitution. Stick to that. Do not multiply types. In Army affairs it is always well to have uniformity; have guns that shoot the same cartridge; have a type of citizen soldier that will meet the requirements; but do not give the crustacean Army officer an opportunity to play two types of citizen soldiery against one another. There are some crustacean Army officers. The Army officers of this country as a class are as brave, as honest, as loyal, and as faithful professional men as any other professional men in the country; yet they have their crustacean types, and that type of officer has an undue power by reason of the reverence which the Army pays to seniority. It would be unwise to afford an opportunity to retard a great movement or to curb the citizen soldier's development by a privileged or to be petted volunteer-army proposition.

Mr. President, I have another amendment in contemplation which I wish to discuss very briefly in connection with what was said by the junior Senator from Georgia [Mr. HARDWICK]. He suggested a volunteer system for schools. I propose to add a new section to come in after section 98, and to read as follows:

SEC. —. National Guard units at civilian schools: At colleges and schools approved by the President, and under such special regulations as he may provide (applicable or not applicable to other units of the National Guard), there may be organized and composed, in whole or in part of the students of such schools or colleges, specified units of the National Guard—

Why have them volunteers? Why get another type? Can they not enlist and become National Guardsmen in the community where the school is located?

Mr. HARDWICK. Mr. President, will the Senator yield for a question?

Mr. LEE of Maryland. Certainly.

Mr. HARDWICK. Does not the Senator regard it as desirable for the United States to have some reserve force——

Mr. LEE of Maryland. That is the idea exactly——

Mr. HARDWICK. Just a moment; let me finish—which is not subject to any constitutional limitations as to the manner in which they may be employed in the service of the Government even in time of war?

Mr. LEE of Maryland. Well, the three great purposes mentioned in the Constitution—to repel invasions, suppress insurrections, and enforce the laws—are pretty much everything that I want to see soldiers used for, with very few exceptions.

Mr. HARDWICK. That may be true; but the Senator can very readily understand that the country might be involved in many troublesome situations where we would have to go further than that.

Mr. LEE of Maryland. We would have no difficulty in getting the men if the situation were serious.

Mr. HARDWICK. But we have got to provide some proper method of meeting that situation, have we not?

Mr. LEE of Maryland. Unquestionably. We are increasing the Regular Army up to 250,000 men, and we are doing other things that will increase the forces of this country. We are proposing to increase the naval force; and then there is the Marine Corps, which is now really our over-seas diplomatic force in one sense. But to go on with the suggestion of National Guard units at civilian schools, my proposed amendment continues—

and whose term of enlistment and manner of service may be arranged in relation to the scholastic year or course of study in such schools or colleges.

The commissioned officers of such specified units shall be entitled to one-fourth of the pay of an officer in the Regular Army; those detailed from the Regular Army to receive all the pay and allowances of their rank; and the enlisted men while in actual service, and as may be provided by such special regulations, to receive the pay of enlisted men in the United States Army with a ration or commutation therefor, or such part of such pay or ration as the President may direct.

Thus, Mr. President, there would be no trouble about an army. There is a legitimate opportunity for the youth of this country of the age to become soldiers to enlist and to receive the pay and rations, or such part of the pay and rations as the President may see fit under regulations to give them. You can attach that unit to any school in this country, have the unit large or small as you like, and at the same time preserve uniformity in military matters, have this military unit subject to the provisions and regulations that apply to the National Guards of the several States, and do away with the disadvantageous condition that is necessarily incident to setting up a different type of soldier, available under different conditions, and to be, perhaps, the petted favorite of some military clique, or, if not, to be of a type that will not enlist and follow the colors of his country with the average of his countrymen.

We want to have the youth of this country follow the flag. The suggestion that has come here from the secretary of this association that these summer camps will democratize a certain type of youth is a manifest error, Mr. President, except with reference to a very limited class of youth. If you want to democratize your youth, let them enlist and follow the flag as National Guardsmen of the several States, or let them enlist and follow the flag as enlisted soldiers of the United States; and if there is any limitation upon their means to get an education or opportunities to serve full enlistments when at schools or colleges, that can be recognized by the regulations of the President, and due consideration shown under those circumstances.

Mr. DU PONT. Mr. President——

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Delaware?

Mr. LEE of Maryland. Certainly.

Mr. DU PONT. I should like to ask the Senator from Maryland how the youth of the country who had enrolled themselves in the National Guard could make themselves useful in case of operations in foreign countries?

Mr. LEE of Maryland. That was suggested by the Senator from Georgia [Mr. HARDWICK], but in view of the fact that this bill gives us 250,000 regular soldiers for oversea operations how many more does the Senator want?

Mr. DU PONT. Not 250,000.

Mr. LEE of Maryland. That is the maximum possible number in the bill which the committee has just reported. In addition to that there would be added the marine and naval resources the United States.

Mr. DU PONT. Oh, that is in time of war—yes.

Mr. LEE of Maryland. Certainly.

Mr. HARDWICK. But, Mr. President, if the Senator will yield to me for a question——

Mr. LEE of Maryland. Certainly.

Mr. HARDWICK. If we got into a war with a power of first magnitude, a real power—something other than a Mexican war, or something like that—we would need a great many more than that, as the Senator very well knows.

Mr. LEE of Maryland. Certainly.

Mr. HARDWICK. Does the Senator agree to that?

Mr. LEE of Maryland. I should say so.

Mr. HARDWICK. Therefore, why not have your school reserves free from these constitutional difficulties that hedge about the State troops? Of course the Senator will understand that I am in favor of doing everything we can for the National Guard. I am not opposing any of his propositions for them; but I see no reason for taking your school reserves, that ought to be the real flower of your Army, and putting them under the same constitutional limitations and inhibitions that the National Guard rest under.

Mr. LEE of Maryland. The inhibitions and limitations of the National Guard are extremely small, and apply only to these over-sea operations, and yet in that case there would be little or no difficulty, in the very twinkling of an eye, in changing these forces by an universal enlistment to just the types of volunteer forces that are provided for under existing law. This very section 56 applies to existing law, and makes that existing law, which was never operative in this country before except in time of war, operative now in time of peace, and adds a centralized force in excess of anything that was contemplated by Gen. Emory Upton as a reformer of the military policies of this country.

Gen. Upton's suggestions, if applied to the population of this country to-day, would give us 206,000 men in the Regular Army.

His theory was 1,000 men for every million population in the Regular Army, and, I think, 200 for every Congressman and Senator, which would be 100,000, and 106,000, or a total of 206,000 men in the Army subject to the orders of the President of the United States. That was his conception, and at a time when the power of the disciplined and equipped soldier was much less, relatively to unarmed population, than that power is now. The provision of the bill, with 250,000 Regular Army in time of war and 261,000 volunteers, or over 500,000 National Guard, if these amendments are adopted, would recognize to some extent the larger masses in modern war and improved means of ocean transportation not available when Gen. Upton wrote, and when we were less exposed than now to foreign attack.

Mr. President, I certainly hope that we will not multiply types, but that we will go on and increase the National Guard to the degree that it ought to be increased for the protection of this country, especially from invasion. We have to harmonize many thoughts and many ideas in this legislation, and I hope that behind a genuine citizen soldiery there will be no lack of congressional unanimity or of appropriation to make those soldiers fit in every particular.

Mr. BRANDEGEE. Mr. President, I hardly think the Senator from Maryland, on second thought, would say that section 56 would increase the number of types of soldiers contemplated. Neither do I think he would, upon reflection, consider that a man who might volunteer in the service of his country under section 56 would do so in contemplation of being the "gilded pet of some clique of Army officers," as he expressed it.

Any force organized under section 56 would, under the terms of the section, be organized under the provisions of sections 3 to 12 of the act approved April 25, 1914, which provides for exactly the same type of soldier for which section 56 provides. The type of soldier which the Senator from Maryland thinks is to be newly created and organized is already provided for under this act, and the only thing section 56 does is to make the act approved April 25, 1914, apply during times of peace as well as during times of war and when war is imminent.

For the benefit of those who are interested in seeing what are the provisions of the act of April 25, 1914, that being existing law, I will say that it is printed on page 5829 and the following page of the CONGRESSIONAL RECORD under date of March 29, 1916.

Mr. President, I think section 56 of this bill is one of the most valuable parts of the whole bill—valuable in that I think in time emergency there is at least a possibility that some good might come out of it.

The Senator from Maryland [Mr. LEE] and other Senators have taken occasion to say that we can rely, in case of emergency, to augment our first line of defense—which, in case of an invasion of this country by the veteran troops of other countries, the General Board has estimated would take a force of about 500,000 men—upon the militia of the several States, who, commendable as they may be and efficient as they may be in the several States, train, as has been described here, on an average of one night a week in an armory under shelter. These gentlemen who want to rely upon separate organizations in the several States of the State militia, under the officers appointed by the governors of the States, to form an efficient aid to the Regular Army of the United States to repel an invasion or to conduct one, seem to me to be basing their hopes upon something that in the past has always met with disaster; and, in my opinion, unless in some way, under the constitutional authority granted, the State troops can be drilled and trained efficiently to the approval and satisfaction of the commander-in-chief, will in the future prove to be a broken reed.

Mr. President, the Senator from Maryland skips very lightly over the constitutional inhibitions against the successful use of the State troops in the first line of defense. What we want in this country, if I correctly apprehend the situation and the feeling of the people, is an effective, well-drilled, well-trained Army in time of emergency. It is not sufficient, in my opinion, after the emergency is upon us in time of war that then the President may call into the service of the United States the troops of the several States and commence to train them and discipline them and give them the necessary endurance to act with the Regulars. I do not think the people will be satisfied with that kind of preparedness. Mr. President, that is no preparedness at all.

I admit freely that the State troops—their efficiency varies in the several States—are, so far as they go and to the extent to which they are trained and to which they are competent, of course in advance of any green volunteers that could be raised on the spur of the moment; and they have some equipment, and that could all be availed of. But one of the purposes and objects of section 56 is that in time of peace the President, if he apprehends an emergency and desires to call upon the country for volunteers, may obtain a supply of men that he can put into camp and discipline and train in the field, and not in armories, to supplement the Regular force of the United States.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER [Mr. SAULSBURY in the chair]. Does the Senator from Connecticut yield to the Senator from Kansas?

Mr. BRANDEGEE. I yield to the Senator.

Mr. CURTIS. I desire to call the Senator's attention to section 91, which provides for the training of the National Guard and provides that they "shall, in addition thereto, participate in encampments, maneuvers, or other exercises, including outdoor target practice, at least 24 days each year."

Mr. BRANDEGEE. I thank the Senator for calling my attention to the section. The trouble is that the provisions of the committee bill and of the Hay bill which are mandatory in tone are not mandatory in fact, and can not be made so under the Constitution of the United States.

The militia need not, in time of peace, come out at the call of the President. The attempt of this bill, and of the Hay bill is to induce the militia to participate in these trainings, and so forth, for the purpose of getting the pay provided in the bills for so doing. Any State militia that is willing to forego the pay provided for in this bill need not come in response to the call; so that it is impossible for the Federal Government, although we call it federalizing the State militia, to impose over the militia of the several States that degree of military discipline which is necessary to make an effective Regular.

Section 56 would allow that to be done. It would also do this, Mr. President: If the President of the United States is proposing some diplomatic course with some foreign power and we have not yet gone to war, but the President is apprehensive that ultimately we may get into it, although war may not be imminent under the language of the act of April 25, 1914, and he desires to prepare himself and the country for eventualities if he has to enforce his policy, or if some foreign nation is making demands upon him which he can not then disclose to the country, but which he thinks may result in an emergency, he can call for 100,000 volunteers or 200,000 volunteers, and state that, in his opinion, it is necessary under section 56 for him to do so. Everybody will then know that, in the opinion of the President, it is desirable that there should be 100,000 or 200,000 volunteers put into the field and trained. I am rather inclined to think that might have some effect in making some diplomacies more successful than the mere conducting of literary correspondence on the subject.

I want to see an army in this country that is an army and an effective one. If we can not have an army as well as a navy that can transact the business for which it exists, we ought to abolish both branches of the service and cease making any pretenses that we are doing anything to prepare this country for eventualities.

Mr. President, I was extremely sorry to hear to-day what I learned for the first time—that there had been put on the other day, as an amendment to section 56, at the end of line 2, of page 161, an amendment providing that field service under that section should only last for 30 days in any one year. Why, Mr. President, if the desire is to hamstring the section and, under color of giving the President authority to call for volunteer forces and put them into the field and train them, to pretend that they have given it when they say he can not do it for more than 30 days, of course I admit there is no use in adopting section 56 under those circumstances. The volunteers provided by that intelligent action of this body would not be nearly as well qualified to meet the emergency as the militia of the several States, for they, all parties agree, are trained at least 52 nights in the year, which would be an equivalent of 52 days' training, and this section is now limited so that these men can get only 30 days' training. They could hardly get into camp and pitch their tents and make a few evolutions before they would be required to go back home.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Mississippi?

Mr. BRANDEGEE. I do.

Mr. WILLIAMS. In that connection, I want to ask the Senator if he is not mistaken. I agree with him that the 30-day limitation ought not to be there. I think the least limitation that ought to be there is 90 days. I had contemplated offering a substitute for that provision later. I think it would be still better if the bill had been left as the committee brought it in. But does not the Senator think he is mistaken in his calculation?

The National Guard is required to meet only once a week, and it generally drills from one to one and a half hours. If you multiply whichever that is by 52, you get your result. Now, these men who will meet under section 56 have been doing very intensive work while they have been at it. They have been working not less than eight hours a day. So that when you reduce it to hours, instead of days, the Senator's calculation is wrong.

Mr. BRANDEGEE. I think plainly the Senator is right and I am wrong about that; that while they were in the field 30 days they would be devoting their entire time to it, and their training would be much more intensive. But it would not be enough at all, as everybody knows, to put men into condition to do what our troops are called upon to do in Mexico now—to endure the grueling marching and countermarching day and night, the loss of sleep, the enduring of a tropical sun, the going without food, the being inured to hardship. No 30-day training could do that; and if I understand the object of this section, it is to put in the President's hands in time of peace, in case emergency comes, the possibility of developing a force which will be in training and fit to do the duty which they are called upon to perform.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from South Dakota?

Mr. BRANDEGEE. I do.

Mr. STERLING. The Senator refers to this section as not authorizing the President to make a call for volunteers in time of peace but when some emergency occurs. The bill, in its terms, authorizes the President to make the call for volunteers at any time.

Mr. BRANDEGEE. It does.

Mr. STERLING. Does not the Senator think it is in contemplation that the call may be made for volunteers who may be put in training now, although there is no emergency, or although war is not imminent?

Mr. BRANDEGEE. Mr. President, of course I do not know what the committee intended by the use of the language. What I assume is that the President would not call for a number of volunteers, in addition to the Regular Army provided for in this bill, and in addition to what he could get if we got into war from the militia of the several States, unless there was some emergency. For the purpose of my remarks, and the purpose of establishing what section 56 proposes, as far as I am concerned, I would be perfectly willing to write into the section the words "the President, whenever in his opinion any emergency shall exist." I had not any idea but that it would never be exercised except under those conditions, although the bill does say that the President is authorized at any time to do it.

Mr. STERLING. I will simply say, Mr. President, that I inferred that that was largely the object of section 56—that we might have a large force in training, or a trained force to meet any emergency that might come hereafter, and that that was was the purpose in providing for this so-called volunteer army.

Mr. BRANDEGEE. I am perfectly willing that it should stand just as it is; and I will trust the President of the United States, whatever political party he may belong to, to defend the country if the section is passed as it stands. If that were done, and the President wanted to avail himself of this authority in order to prove what the country could do, if he simply did it as an experiment to find out, in case an emergency should come where he would be compelled to call for volunteers, how quickly they could be volunteered and mobilized and trained, to see what the difficulties to be encountered were, I would be willing to let him call for 50,000 volunteers and see what happened. I would like to test the sentiment of the country on that question.

A great deal has been said about our not being able to get volunteers. A great many people assume that the volunteer system would utterly break down. Others insist that the militia system would break down if called upon. I should like to see it tried. I have no doubt that if the President called for volunteers we could raise three or four regiments in the city of Chicago alone.

Another feature about this section is that these men would be enlisted for such times, and so forth, and under such conditions, as the President might prescribe. I have heard it stated, and I think it is probably true, that volunteers could be secured in the large cities for one period of enlistment and under certain conditions, and I think that in country places and in other sections of the country they could be secured for other terms and under other conditions. I see no reason why the recruiting officers of the United States, under the orders of the department, might not vary the conditions of volunteering to suit the needs of the people in the several parts of the country.

It is said that this is an experiment. It is no more of an experiment, of course, than the act approved April 25, 1914, which has never been operated under. The Senator from New York [Mr. WADSWORTH] suggests what of course would occur to any thoughtful man: "How about the headquarters? How about the encampments? How about furnishing the equipment and supplies and wagons and tentage, and so forth, for these troops?"

Mr. President, how about doing it anyway? Suppose the President calls for volunteers under the existing law. Those problems will have to be met, of course, as they arise. I assume that when Congress has authorized a thing to be done, any contracts made by the President or by the War Department for the necessary equipment would be legal, and would have to be appropriated for by Congress. They certainly would have to be provided; but the whole thing is experimental.

The Senator from New York inquires: "Is this to be a permanent army, a volunteer army, and kept up year after year, or are these men simply to be called into the service as volunteers for a year or two years or six months?"

I do not know. I do know that section 56 provides that those things are to be decided by the President of the United States.

Mr. STERLING and Mr. DU PONT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield, and to whom?

Mr. BRANDEGEE. I yield to the Senator from South Dakota.

Mr. STERLING. I should like to ask the Senator if the omission of section 13 from the provisions of section 56 would not, in a sense, answer the question as to whether or not this was to be a permanent volunteer army?

Mr. BRANDEGEE. Sections 3 to 12, inclusive?

Mr. STERLING. Yes. If the Senator will observe, it is provided that the provisions of the act of 1914 from sections 3 to 12, inclusive, are to govern the volunteer army proposed to be raised under this act; but section 13 of the act of 1914 provides as follows:

> That all officers and enlisted men of the volunteer forces shall be in all respects on the same footing as to pay, allowances, and pensions as officers and enlisted men of corresponding grades in the Regular Army.

Would not the omission of that section from the provisions of the present act indicate that it was not to be a permanent Army force?

Mr. BRANDEGEE. Well, Mr. President, I had not given that question consideration, and I am not quite clear about it. It may be that the Senator is right about that.

Section 56, line 13, then provides as follows:

> The term of enlistment, which shall in no event be greater than that of the Regular Army, the period of service with the colors and with the reserve, and the period of training shall be as the President may prescribe, those passing to the reserve to have the status and obligations prescribed for reserves of the Regular Army.

So I think the President could maintain it for years, if he wanted to, during his term, or I think he could limit it to a shorter time. However, I have not given that sufficient consideration.

Mr. President, there need be no attempt to misrepresent this question at all. There is no use in attempting to raise on the floor of this body the idea that anyone is hostile to the militia of the States. This question is before us now because the country has been clamoring for preparedness to protect the country in case it was attacked. Under the Constitution of the United States, which places the officering and the training of the militia in the States under the control of the States, I do not think in an emergency they can be successfully called upon by the President to cooperate with the Regular Army against veteran troops. When I say that I do not think I have said anything hostile to the militia of the States. They are very good bodies undoubtedly for the purposes which they are accomplishing. It may be that the kind of training they keep up and the kind of physical condition they preserve are sufficient for them to perform their duties in the States, and with the additional training they could get in being put into the service of the United States, or if they were relinquished from their daily employments as business men, bank clerks, and professional men, merchants, and storekeepers, and could have 60 or 90 or 120 days, they could very likely get in a condition for hard field service.

But the trouble is that this bill and the Hay bill contemplate treating them as though they were regular, hardened, disciplined troops, and as though they could over nightfall be called upon to cooperate effectively and efficiently with the Regular Army of the United States in competition and conflict with veteran troops, and that, in my opinion, is the deadly de-

fect of both the Hay bill and the Chamberlain bill. Excellent as I think the Chamberlain bill is in many other respects, it is absolutely fatally defective in relying upon the State militia as the first line of defense. They could with a few months' training be made a most excellent second line of defense.

So I hope most sincerely that section 56 will be retained in the bill, and I hope as fully and sincerely that the amendment which the Senate added the other day, which restricts the good it may accomplish, may be reconsidered and defeated.

Mr. REED obtained the floor.

Mr. CHAMBERLAIN. With the permission of the Senator from Missouri, I move that the Senate proceed to the consideration of executive business.

Mr. SIMMONS. Before the Senator makes that motion I wish to inquire of the Senator if he has any purpose of holding night sessions for the consideration of this bill?

Mr. CHAMBERLAIN. I will say to the Senator that unless we make rapid progress I shall probably try to have the Senate hold night sessions after to-morrow, at least.

Mr. SIMMONS. I asked the question, because I had some reason to believe it was the Senator's purpose to begin holding night sessions to-morrow night, and I thought it would be well for him now to give that notice.

Mr. GALLINGER. Mr. President, would it not be better for us before we commence night sessions to try the experiment of earlier sessions in the daytime? I think there would be very little objection to meeting at 11 o'clock.

Mr. SIMMONS. We would probably find objection to meeting earlier than 11 o'clock, and meeting at 11 would add only one hour, and it would not amount to very much.

Mr. GALLINGER. It would amount to one hour each day.

Mr. SIMMONS. By holding night session we could add three or four hours.

Mr. SMOOT. Mr. President, I wish to suggest to the Senator from North Carolina that so far most of the time has been taken up in what may be called set speeches, and I think when the question of the militia is settled there will not be so very much discussion in that way upon the bill. I thought we were getting along with the bill pretty well, and I believe myself that we shall get through with the bill within a reasonable time.

Mr. SIMMONS. What does the Senator call a reasonable time?

Mr. SMOOT. I think by the end of this week the greater part of the bill will be decided upon.

Mr. SIMMONS. I want to say to the Senator that I think every Senator here will recognize the necessity of taking up and disposing at a very early date of the so-called sugar bill.

Mr. SMOOT. Yes; I hope that will be disposed of.

Mr. SIMMONS. It is necessary that that bill should pass before the 1st day of May. Senators know that there is a sharp difference between the House bill and the substitute brought out by the Committee on Finance of the Senate, and by reason of that difference if the report of the Committee on Finance should be approved by the Senate there would be in conference a sharp disagreement between the two Houses. I can see how that may result in a settlement that would subject the conference report to a somewhat extended discussion in this body.

Mr. SMOOT. I realize that what the Senator says is true, and I sincerely trust that nothing will stand in the way of the passage of that bill, so that it may become a law before the 1st day of May. I myself think that if it should go over one day, instead of millions of dollars going into the Treasury of the United States it would go into the treasury of the Sugar Trust.

Mr. SIMMONS. The Senator is absolutely right as to the importance of passing the bill before the 1st of May.

Mr. SMOOT. I trust the bill will be passed and become a law before the 1st day of May, but I do not see any danger of its not passing by that time, even though we did not hold night sessions on this bill, because I think we have been proceeding rather rapidly with the bill.

Mr. SIMMONS. I am not agreeing to the statement made by the Senator from Utah, but I do agree to the statement that if we should allow the duty to lapse there would be a large influx of free sugar.

Mr. REED. Mr. President, I rise to a point of order. I observe that several Senators are sitting down. I think they ought all to stand up.

Mr. GALLINGER. I ask for the regular order, and then I will sit down.

The PRESIDING OFFICER. It is moved——

Mr. SIMMONS. Before we leave this subject I wish to ask the Senator from Oregon if it should develop that we can not dispose of the pending bill within a reasonable time whether he would yield for the purpose of putting the sugar bill upon its passage? I think, from the intimations I have received, it will take a very short time to pass that bill in the Senate.

Mr. CHAMBERLAIN. I would be unwilling to concede that any bill could pass through the Senate in a short time. So far as I am concerned, I agree with the Senator from Utah that this bill is making fairly good progress. After the discussion of the National Guard situation I do not believe there will be very much discussion of the bill. I think Senators ought to be able to finish that discussion to-morrow, or the next day, at the latest, and then we can very quickly dispose of the bill. It seems to me that we ought to be able to dispose of it this week.

Mr. SIMMONS. Does the Senator propose to give notice of a night session to-morrow?

Mr. CHAMBERLAIN. I hardly think it necessary to commence to-morrow. My experience here is that we do not gain much by trying to force Senators to come here at night. If I thought there was a disposition to filibuster on the bill and delay the enactment of the measure, I would feel differently about it; but I think Senators have shown a reasonable desire to get this measure out of the way, and I do not feel that we ought yet to ask the Senate to hold night sessions.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 4671) to exempt from cancellation certain desert-land entries in Riverside County, Cal.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 4657) to authorize the Cincinnati, New Orleans & Texas Pacific Railway Co. to rebuild and reconstruct, maintain, and operate a bridge across the Tennessee River near Chattanooga, in Hamilton County, in the State of Tennessee, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. PHELAN presented petitions of sundry citizens of Berkeley, Alameda, and Oakland, all in the State of California, praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which were referred to the Committee on Interstate Commerce.

He also presented a memorial of Local Grange No. 369, Patrons of Husbandry, of Cotati, Cal., remonstrating against any change being made in the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the congregation of the North Congregational Church, of Berkeley, Cal., praying for the enactment of legislation to prohibit the exportation of alcoholic liquors to Africa, and also for prohibition in the Hawaiian Islands, the Philippine Islands, and Porto Rico, which was ordered to lie on the table.

Mr. JONES presented memorials of sundry citizens of Toppenish, Anacortes, Carrolls, Granger, North Yakima, and Wapato, all in the State of Washington, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of the St. Urban Booster Club, of Winlock, Wash., praying for the creation of a system of rural credits, which was ordered to lie on the table.

He also presented memorials of sundry citizens of South Bellingham, Cloverland, Pipestone, and Bayview, all in the State of Washington, remonstrating against any change being made in the parcel-post law, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of the State of Washington, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Michigan, remonstrating against the enactment of legislation to prohibit interstate commerce in convict-made goods, which were referred to the Committee on Education and Labor.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. POINDEXTER presented memorials of Mrs. Elva Harrington and sundry other citizens of North Yakima, Wash., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a memorial of Local Grange No. 248, Patrons of Husbandry, of Sauk, Wash., and a memorial of Local Grange No. 204, Patrons of Husbandry, of Wiser Lake, Wash., remonstrating against an increase in armaments, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Ione, Carrollton, Sauk, Wiser Lake, and Custer, all in the State of Washington, praying for Government ownership of telephone and telegraph systems, which were referred to the Committee on Post Offices and Post Roads.

He also presented the memorial of Archie Spence and sundry other citizens of Kennewick, Wash., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented the petition of E. E. Reynolds and sundry other citizens of Vancouver, Wash., praying for the creation of a system of rural credits, which was ordered to lie on the table.

He also presented a memorial of Cedar Grange, No. 534, Patrons of Husbandry, of Maple Valley, Wash., remonstrating against the passage of the bill (S. 2986) to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes, which was ordered to lie on the table.

Mr. GALLINGER presented a petition of the Humane Society of Mansfield, Ohio, praying for an investigation into the practice of vivisection, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the New England Society, of Portland, Oreg., praying for the enactment of legislation to grant to the public-school system of Oregon 40 per cent of the proceeds from the sale of forfeited Southern Pacific grant lands, which was referred to the Committee on Public Lands.

He also presented a petition of the board of governors of India House, New York City, N. Y., praying for an increase in armaments, which was ordered to lie on the table.

Mr. TILLMAN presented a petition of sundry citizens of Philadelphia, Pa., praying that the prices of food be regulated by law, which was referred to the Committee on Interstate Commerce.

THE LIGHTHOUSE SERVICE.

Mr. NELSON, from the Committee on Commerce, to which was referred the bill (S. 4425) to provide for the retirement of officers and employees of the Bureau of Lighthouses and the Lighthouse Service, reported it without amendment and submitted a report (No. 322) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second, and referred as follows:

By Mr. JONES:

A bill (S. 5363) granting an increase of pension to Solomon Terpenning (with accompanying papers); and

A bill (S. 5364) granting an increase of pension to Roxey Pierce (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 5365) granting an increase of pension to J. Augustus Thilman (with accompanying papers); and

A bill (S. 5366) granting an increase of pension to Ira Chamberlain (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 5367) to reimburse the Women's Board of Domestic Missions, Reformed Church in America, for buildings on the Fort Sill Military Reserve, Okla.; to the Committee on Claims.

By Mr. TOWNSEND:

A bill (S. 5368) granting a pension to William M. Hammond (with accompanying papers); to the Committee on Pensions.

By Mr. HARDING:

A bill (S. 5369) for the relief of sundry building and loan associations of the State of Ohio; to the Committee on Claims.

By Mr. BURLEIGH:

A bill (S. 5370) granting a pension to Edith A. Grover; to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 5371) to provide for the procuring of rights of way for the construction of an electric power transmission line upon the Nez Perce Indian Reservation for the service of the town of Fort Lapwai and its inhabitants and the Nez Perce Indian Sanatorium; to the Committee on Indian Affairs.

By Mr. O'GORMAN:

A bill (S. 5372) granting an increase of pension to Terrence Dobson (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 5373) for the relief of Charles Dade (with accompanying papers); to the Committee on Military Affairs.

By Mr. CUMMINS:

A bill (S. 5374) granting a pension to Jonah B. Eaton (with accompanying papers); to the Committee on Pensions.

By Mr. HUGHES:

A joint resolution (S. J. Res. 118) authorizing the Postmaster General to provide the postmaster of Newark, N. J., with a special canceling die for the Newark Two Hundred and Fiftieth Anniversary Celebration; to the Committee on Post Offices and Post Roads.

NATIONAL DEFENSE.

Mr. SMOOT submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

Mr. OLIVER submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

Mr. WADSWORTH submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CURTIS submitted an amendment intended to be proposed by him to the river and harbor appropriation bill (H. R. 12193), which was referred to the Committee on Commerce and ordered to be printed.

Mr. STERLING submitted an amendment providing for the promotion of 5 per cent of the letter carriers in second-class offices from the fifth to the sixth grade, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 10484), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. I renew my motion.

The PRESIDING OFFICER (Mr. SAULSBURY in the chair). The Senator from Oregon moves that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session, the doors were reopened, and (at 5 o'clock and 20 minutes p. m., Monday, April 3, 1916) the Senate took a recess until to-morrow, Tuesday, April 4, 1916, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 3 (legislative day of March 30), 1916.

UNITED STATES DISTRICT JUDGE.

Joseph W. Woodrough to be United States district judge, district of Nebraska.

POSTMASTERS.

IOWA.

Lester R. Hudgel, Anthon.
W. H. Ward, Ryan.

KANSAS.

John C. Jones, Kanorado.
Bessie Young, Dighton.

LOUISIANA.

Jonas Rosenthal, Alexandria.

MISSOURI.

William M. Brown, Polo.

PENNSYLVANIA.

Josiah Cole, Slatington.
Joseph C. Luman, Hyndman.
John A. McGinley, Bristol.

TEXAS.

Abundio Contreras, Riogrande.

WYOMING.

A. F. Scott, Douglas.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 3, 1916.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite, Eternal Spirit, whom we have been taught to call Our Father, an appellation which brings us close to Thee, and makes the whole world akin, in the simplicity of children we pray for our daily needs; wisdom, that we may comprehend somewhat of life and its far-reaching purposes; truth, which shall lift us out of the transient into the eternals, that our work may have a deeper significance and our life a fuller sweep in all that pertains to the now and the then; the sublime, the beneficent, in the thought and purpose of Thy love and will, that our longings, hopes, and aspirations may be satisfied in the fullness of joy. In Christ Jesus our Lord. Amen.

The Journal of the proceedings of Saturday, April 1, 1916, was read and approved.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. The Clerk will call the first bill on the calendar.

ADDITIONAL TERM OF COURT AT SACRAMENTO, CAL.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 6099) to amend section 72 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 72 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same is hereby, amended so as to read as follows:

"SEC. 72. The State of California is divided into two districts, to be known as the northern and southern districts of California. The southern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Fresno, Kern, Kings, Madera, Mariposa, Merced, and Tulare, which shall constitute the northern division of said district; also the territory embraced on the date last mentioned in the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura, which shall constitute the southern division of said district. Terms of the district court for the northern division shall be held at Fresno on the first Monday in May and the second Monday in November; and for the southern division, at Los Angeles on the second Monday in January and the second Monday in July, and at San Diego on the second Monday in March and September. The northern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Del Norte, Siskiyou, Modoc, Humboldt, Trinity, Shasta, Lassen, Tehama, Plumas, Mendocino, Lake, Colusa, Glenn, Butte, Sierra, Sutter, Yuba, Nevada, Sonoma, Napa, Yolo, Placer, Solano, Sacramento, El Dorado, San Joaquin, Amador, Calaveras, Stanislaus, Tuolumne, Alpine, and Mono, which shall constitute the northern division of said district; also the territory embraced on the date last mentioned in the counties of San Francisco, Marin, Contra Costa, Alameda, San Mateo, Santa Clara, Santa Cruz, Monterey, and San Benito, which shall constitute the southern division of said district. Terms of the district court for the northern division of the northern district shall be held at Sacramento on the second Monday in April and the first Monday in October, and at Eureka on the third Monday in July; and for the southern division of the northern district at San Francisco on the first Monday in March, the second Monday in July, and the first Monday in November. The clerk of the district court for the northern district shall maintain an office at Sacramento, in charge of himself or a deputy, which shall be kept open at all times for the transaction of the business of the court."

With a committee amendment, as follows:

Amend, page 2, line 1, by inserting after the word "Fresno" the word "Inyo."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. STEELE of Pennsylvania, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next one.

ADDITIONAL JUDGE IN THE DISTRICT OF NEW JERSEY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 538) to appoint an additional judge in the district of New Jersey.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I suppose that if the bill comes up at all the gentleman from New Jersey [Mr. EAGAN] wants to take up the Senate bill.

Mr. EAGAN. Yes; I shall ask to take up the Senate bill.

Mr. MANN. The Senate bill is No. 66 on the Unanimous Consent Calendar.

Mr. EAGAN. Mr. Speaker, I ask unanimous consent to substitute the Senate bill 1809 for the House bill.

The SPEAKER. The gentleman from New Jersey [Mr. EAGAN] asks unanimous consent that the Senate bill of the same tenor be considered in lieu of the House bill just reported. Is there objection?

There was no objection.

The SPEAKER. Is there objection to the consideration of the Senate bill at this time?

Mr. MANN. It is on the calendar as No. 66.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

A bill (S. 1809) to create an additional judge in the district of New Jersey.

Be it enacted, etc., That the President of the United States be, and he hereby is, authorized and directed, by and with the advice and consent of the Senate, to appoint an additional judge of the district court of the United States for the district of New Jersey, who shall reside in said district, and whose term of office, compensation, duties, and powers shall be the same as now provided by law for the judge of said district.

SEC. 2. That this act shall take effect immediately.

The SPEAKER. Is there objection? This bill is on the Union Calendar.

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I would like to inquire whether any consideration was given to the desirability of holding court in the southern district of New Jersey? At present, as I understand it, there are two district judges, who hold court, respectively, at Newark and Trenton. A number of us are acquainted with the large volume of work arising in the southern district of New Jersey. I want to know whether the bar has petitioned the Committee on the Judiciary concerning terms of court to be held, for instance, at Camden or in some other portion of the State?

Mr. STEELE of Pennsylvania. No such matter was presented to the committee. The matter was not taken up for consideration by the committee.

Mr. STAFFORD. It is rather novel to have three judges without the State being divided into districts. The additional judge is because of the increased volume of business, as the two judges are not able to take care of it. I wanted to inquire whether any recommendations had been made by the bar of southern New Jersey as, for instance, for holding court at Camden?

Mr. EAGAN. Not to my knowledge.

Mr. STAFFORD. I think there is occasion for having an additional court for the convenience of the practitioners of southern New Jersey.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. EAGAN. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New Jersey [Mr. EAGAN] asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. EAGAN. Mr. Speaker, there is an amendment, to insert, on line 9, page 1, after the word "therein," the following:

Provided, however, That the President shall make public all indorsements made in behalf of the person appointed as such district judge.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend the bill by inserting, in line 9, page 1, after the word "therein," the following:

"*Provided, however*, That the President shall make public all indorsements made in behalf of the person appointed as such district judge."

Mr. MANN. Where does this come in?

Mr. EAGAN. On line 9, page 1.

Mr. STAFFORD. Mr. Speaker, may we have the amendment reported again? I could not quite follow it.

Mr. MANN. There is no such word as "therein" in the bill.

The SPEAKER. Without objection, the Clerk will again report the amendment.

The amendment was again read.

Mr. STAFFORD. There is no such word in that line, Mr. Speaker.

Mr. MANN. There is no such word as "therein" in the bill, either in line 9 or anywhere else.

The SPEAKER. Where does the gentleman want the amendment to come in?

Mr. MANN. It should come in after the word "district," on line 9.

Mr. EAGAN. It should come in after the word "district," on line 9; yes.

The SPEAKER. The Clerk will again report the amendment.

The Clerk read as follows:

At the end of line 9, after the word "district," insert the following: "*Provided, however*, That the President shall make public all indorsements made in behalf of the person appointed as such district judge."

Mr. GARNER. Mr. Speaker, will the gentleman from New Jersey yield?

Mr. EAGAN. I yield to the gentleman from Texas.

Mr. GARNER. Do I understand the gentleman from New Jersey to say that this is a committee amendment?

Mr. EAGAN. No.

Mr. GARNER. This is an amendment offered by the gentleman from New Jersey on his own behalf?

Mr. EAGAN. No. The question came up in the last House, and objection was made because we had not agreed to such an amendment.

The SPEAKER. The question is on the amendment.

The question being taken, on a division (demanded by Mr. CULLOP) there were—ayes 20, noes 61.

Accordingly the amendment was rejected.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. STEELE of Pennsylvania, a motion to reconsider the last vote was laid on the table.

By unanimous consent the corresponding House bill was ordered to lie on the table.

HOMESTEAD OF ABRAHAM LINCOLN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8351) to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and, further, to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, the Committee on the Library will very shortly be reached on Calendar Wednesday, probably on next Wednesday. There are some amendments that ought to be made to this bill. I hope there will be no objection to letting it go over until it is reached on Calendar Wednesday.

Mr. JOHNSON of Kentucky. There are only two amendments, and they are very simple. One is the change from the Secretary of State to the Secretary of War and the other is a short amendment putting the Secretary of War in control of the property.

Mr. MANN. I think it is a matter that ought to go over, inasmuch as it will be reached anyhow this week.

Mr. JOHNSON of Kentucky. I hope the gentleman will let the matter be considered now. I do not think there is any serious objection.

Mr. STAFFORD. I think there will be some debate on the proposition, and as we have had no Unanimous Consent Calendar for a month for the hearing of bills on that calendar, no harm can be done by letting this go over until Wednesday, when it can be brought up under the call of the committee.

Mr. MANN. I wish the gentleman would ask to have it passed by unanimous consent.

Mr. JOHNSON of Kentucky. I do not like to do that, unless the gentleman proposes to object to its consideration now.

Mr. MANN. I would object to its consideration to-day, Mr. Speaker.

Mr. JOHNSON of Kentucky. Under those circumstances I ask unanimous consent that the bill be passed without prejudice, with the understanding that it is to hold its present position on the Unanimous Consent Calendar.

The SPEAKER. The gentleman asks unanimous consent to pass the bill without prejudice. Is there objection?

There was no objection.

THE CORBETT TUNNEL.

The next business on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 51) appropriating money for the payment of certain claims on account of labor, supplies, materials, and cash furnished in the construction of the Corbett Tunnel.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

Mr. MONDELL. Will not the gentleman withhold his objection?

Mr. STAFFORD. I will reserve the objection at the request of the gentleman from Wyoming.

Mr. MANN. The bill will have to be read.

Mr. MONDELL. Will the gentleman withhold his objection?

Mr. STAFFORD. Mr. Speaker, I am quite positive that there will be nothing developed that will change my opinion on this bill.

Mr. MONDELL. I think it is possible that something might develop.

Mr. STAFFORD. I will withhold my objection out of courtesy to the gentleman from Wyoming.

Mr. MONDELL. I want to state to the gentleman that something ought to be done with regard to this matter. It has been pending a long time. A number of years ago Congress made an appropriation of $42,000 to pay certain claims. Recently the Secretary of the Interior has been enjoined from the payment of those claims. The people to whom these moneys are due are all of them people who are needing the money very badly, most of them people of very limited means, and they have already waited a long time for their money.

Mr. STAFFORD. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. STAFFORD. Does the gentleman consider that it is good governmental policy to pay a definite amount, as is provided in this bill, to a certain lobbyist, and thereby establish as a precedent of the House that we will pay those who try to obtain the payment of claims against the Government?

Mr. MONDELL. That depends. Congress has appropriated hundreds of thousands of dollars that have been paid to people who have prosecuted claims against the Government.

Mr. STAFFORD. If the gentleman will permit, I do not believe there has ever been an instance where we have separately recognized a lobbyist who has generated such claims as this bill provides.

Mr. MONDELL. I do not think the party who would be a beneficiary under this provision ought to be called a lobbyist. I would not be in favor of the passage of the bill as reported by the committee. I do not think that ought to be done, but I think the Senate bill ought to pass, and I want to make this suggestion with regard to what the effect of the Senate bill would be: In order to bring these claims within the $42,000 appropriated by Congress it became necessary for the Secretary of the Interior to cut down the amount of the claims. This was done by the action of one of the claimants, who agreed to accept about $3,000 less than the amount of his claim in order to bring about a settlement. Now, in addition to a little over $45,000 that is actually due there is a claim for something more than $3,000, which was not covered by the original appropriation, which is for work done on the spillway. So as a matter of fact there are claims for over $6,000 which would not be paid if there were no further legislation and the $42,000 were distributed. If we pass the Senate bill, it would pay those additional claims and would leave something over $8,000, which, under the terms of the Senate bill, the Secretary could pay, or a reasonable amount of it, to the person through whose services said claims were presented to the attention of Congress.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. MONDELL. Yes; but just let me conclude this sentence. The effect of the passage of the Senate bill would be to pay all the claims, including the spillway claim, and leave something over $8,000, which the Secretary could pay in whole or in part to Mrs. MacDonald. There is no question but what Mrs. MacDonald did a great deal of work in connection with securing the legislation for the payment of these claims, and while I do not think it would be right to scale down, as is proposed in the House amendment, the sums already appropriated, it does seem to me that it would be entirely proper to provide the additional appropriation, which will pay all additional claims, and leave, as I said, about $8,000, a part of which the Secretary could pay to Mrs. MacDonald if he felt it proper to do so.

Mr. McLAUGHLIN. The gentleman says that the bill ought to be passed promptly because the amount is going to persons in great need of the money. Is it not a fact that a very large part of these claims involved, a large part of the appropriation to be made, is in the hands of those who did not do the work, in the hands of others by assignment?

Mr. MONDELL. That is not entirely true. As a matter of fact Mrs. MacDonald, who did have an assignment of quite a

number of claims, found when she came to present the claims to the Interior Department that the assignments were not all of a character they could accept. My understanding is that the claims which she holds amounts to less than $6,000 in all. I understand the gentleman from Montana to say that is correct. She is the largest holder, and practically the only holder, of assigned claims, if I am rightfully informed, otherwise the payments will be made directly to the parties who did the work or furnished the material.

Mr. STOUT. The assigned claims were stricken out by the department.

Mr. McLAUGHLIN. All the assigned claims have not been stricken out, and a large part of the money will go to the assignees.

Mr. MONDELL. I thought I had stated that to the gentleman. I understand that Mrs. MacDonald has in the neighborhood of $6,000 of claims. She actually put in more than $6,000.

Mr. McLAUGHLIN. By the purchase of claims by others.

Mr. MONDELL. No; only where she received them in payment of sums due. The department has not accepted any of those assignments except where it was very clearly shown that the assignment was made for value received. Outside of that one case, so far as I am informed—and I am fairly familiar with this matter—the original claimants still hold their claims.

Mr. McLAUGHLIN. This claim, or one similar to it covering the same matter, has been before the House before, and objected to largely because the claims were not in the hands of those who performed the work and to whom the debts were originally due.

Mr. MONDELL. I think the gentleman is mistaken about that. Objection has been made to paying Mrs. MacDonald money which she claimed for bringing the matter to the attention to Congress.

Mr. McLAUGHLIN. Is not her claim now largely in excess of the amount she paid for the claims?

Mr. MONDELL. No; that has not developed. So far as the department has proof of her claims, and they do not amount in all to more than $6,000, they are all for value received. She is making nothing out of them, I understand. So if Mrs. MacDonald gets anything for her time and trouble it will be by providing in the appropriation that she may be paid. Now, if we pass the Senate bill it will pay certain claims that were not included in the $42,000 of approved claims, and will leave about $8,000, which the Secretary could distribute under the terms of the bill to those who had been instrumental in securing the passage of the legislation.

Mr. McLAUGHLIN. In other words, the Government puts a premium on, and pays for the services of those who work up claims against the Government.

Mr. MONDELL. I think that is hardly a fair statement of the matter.

Mr. McLAUGHLIN. I think it is a fair statement, because the money will be paid.

Mr. MONDELL. For bringing claims to the attention of Congress. I am not interested in Mrs. MacDonald's claim, but I am interested in having people who furnished these supplies paid for them.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. HAMILTON of Michigan. Mrs. MacDonald was boarding the men employed?

Mr. MONDELL. Yes; some of them.

Mr. HAMILTON of Michigan. And she never received pay for the board?

Mr. MONDELL. She did not in all cases.

Mr. HAMILTON of Michigan. And these claims that these men had for services were assigned to her to compensate her for the obligations that they were under to her?

Mr. MONDELL. That is it, and I will say that it is my understanding that not only have none of her claims been approved, except where it was clear that they were transferred to pay for board or supplies, but the department has not accepted, and will not accept, some of the transfers made, because they are not made in a way that the department considers regular. I am told that so far as Mrs. MacDonald is concerned she would not be repaid for the money she has actually spent and for the food subsistence she has furnished as matters now stand.

Mr. HAMILTON of Michigan. And I assume that she became active in the presentation of the claim inspired by her desire to get pay for what she had actually furnished.

Mr. MANN. And now she wants $7,000 to $10,000 in addition.

Mr. HAMILTON of Michigan. I am not discussing that.

Mr. MANN. That is the very thing we are discussing.

Mr. HAMILTON of Michigan. As to the assigned claims, it seems to me that it is only fair that she should be paid.

Mr. MANN. She would have been paid the money long before this if she had not filed injunction proceedings to prevent the Government paying it over—a proceeding which was valueless—and if the Government had attended to its business the suit would have been dismissed.

Mr. MONDELL. In the meantime these people who can not afford to wait are kept out of their money. They are writing continuously in regard to the claims and wanting to know when they will be paid. I am not interested in compensating Mrs. MacDonald, except as I am in favor of having the fair and just thing done, but I am interested in having the money paid to some of my constitutents who have waited for it for years.

Mr. MANN. The gentleman knows that in the last Congress, Congress was prepared to appropriate the money, but the one who held it up was Mrs. MacDonald, or those seeking to protect her rights, to prevent Congress appropriating sufficient money to pay the claims unless they included a large sum to pay her over and above her claim. It will be a long time before they get the money on those terms, in my judgment.

Mr. MONDELL. Is not the gentleman willing to leave it to the Secretary, as the Senate bill does, to determine that matter?

Mr. MANN. The Senate bill in effect directs the Secretary to pay Mrs. MacDonald in the neighborhood of $10,000 over and above the amount of her claims, because she claims she was instrumental in bringing the claims to the attention of Congress.

Mr. MONDELL. And she was. There is no doubt about that.

Mr. MANN. Oh, she is not the only one. We might as well treat them all alike—double the amount of their claims, because they had a claim against the Government and got it allowed, because they called it to the attention of Congress, when the whole thing was a gratuity. There was no legal claim against the Government.

Mr. MONDELL. There should have been.

Mr. MANN. But there was not.

Mr. MONDELL. If there was no legal claim against the Government, it is the fault of Congress, and we certainly ought not to have a condition in which there is no claim against the Government for material furnished for Government work. If we have so neglected our duty here that we have not provided for a legal claim in such cases, then the fault is ours and not that of the people who furnished the material.

Mr. MANN. There is no fault about it. It was the deliberate intention of Congress.

Mr. FORDNEY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. FORDNEY. Is it not true that those claims are the ones that were really the course of the breach between Mr. Pinchot and Secretary of the Interior Ballinger, for this reason, that when Mr. Ballinger was appointed Secretary of the Interior it was found that those in charge of the construction of these irrigation projects out there had run out of money, there was no more money in the fund to carry out the work, and due-bills or those receipts were given to the people who had settled on the lands that were likely to be irrigated by these projects, squatted on the land before they had the right to take up the land, and had gone to work for the Government on these projects——

Mr. MANN. Oh, the gentleman is as far from the facts in this case as the sun is from the moon.

Mr. MONDELL. The gentleman is barking up the wrong tree.

Mr. FORDNEY. Are not those receipts that were issued to those men made transferable?

Mr. MONDELL. What the gentleman is talking about has nothing to do with this matter at all.

Mr. FORDNEY. If I am wrong about it, I desire to be set right.

Mr. MONDELL. There is no connection at all between the matter the gentleman has in mind and the things here involved.

Mr. FORDNEY. What were those receipts issued for?

Mr. MONDELL. There were some due bills issued, but not upon this project or anywhere near it.

Mr. FORDNEY. I refer to the whole 32. Testimony of that kind came before the committee.

Mr. MONDELL. I am talking from knowledge, and I am afraid the gentleman has been misinformed.

Mr. FORDNEY. That was the testimony before the committee.

Mr. MANN. Not these claims.

Mr. MONDELL. None of these claims had anything to do with that situation. Mr. Speaker, it seems to me it would be fair to pass this Senate bill and settle this matter which has been hanging up for so many years.

Mr. MADDEN. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar.

EXCHANGING CERTAIN LANDS IN WYOMING.

The next business on the Calendar for Unanimous Consent was the bill H. R. 177, authorizing the Secretary of the Interior to accept the relinquishment of the State of Wyoming to certain lands heretofore certified to said State, and the State of Wyoming to select other lands in lieu of the lands thus relinquished.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, I reserve the right to object.

Mr. STAFFORD. Let the bill be reported.

Mr. FOSTER. The bill has been reported by title and the Speaker asked if there is objection. I notice that this bill provides that the State of Wyoming shall have the right to select other lands of approximately equal acreage. There is nothing said about the value of the land at all.

Mr. MONDELL. Mr. Speaker, I will say, if the gentleman will permit, that a number of years ago the State of Wyoming selected, on the application of one of its citizens, 320 acres of land, this man desiring to lease the same. While he had the land under lease, but had not cultivated or improved it in any way, an ambitious young woman came from the State of Michigan into the State of Wyoming looking for a homestead. She saw this particular tract of land, and while it was not much better or very different from the surrounding lands she concluded it would make a good homestead and she settled upon these lands and built her house upon them, understanding they were public lands subject to entry. A few months later she discovered that these lands belonged to the State. The State was willing to go out of the way in order to aid this young lady in her laudable ambition to secure a home, and all that the State asks is authority to select another 320 acres of land which they could have selected when they selected these, the same character of lands.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MANN. In order to assist this young lady in her laudable ambition to have a home, why does not the State give her title to the land?

Mr. MONDELL. The State can not do it, because under our law and constitution the State can not part with title to its lands except in exchange with the Government or on payment of $10 an acre.

Mr. MANN. They do not seem to be very anxious in the State to get settlers out there.

Mr. MONDELL. They are very anxious, and the State land board went to the trouble of passing a resolution asking that this be done, and agreeing to take other lands in lieu of these lands.

Mr. MANN. They are very anxious to get settlers on Government lands, but not on the State lands.

Mr. MONDELL. This young woman can not afford to pay $10 an acre to the State for these lands; they are not worth that amount, anyway, in their natural state.

Mr. MANN. The State could afford to give the lady land as well as the Government, worth just as much whether owned by the State or the Government.

Mr. MONDELL. The State can not under its constitution give this young lady this land.

Mr. MANN. But it does not do for a new State to hide behind a constitution in dealing with settlers, because they made the constitution.

Mr. MONDELL. I trust the gentleman from Illinois will not urge, as some others have, that a constitution is not worthy of consideration and should be ignored.

Mr. MANN. No; but it comes with poor grace for the people in a new country to adopt a constitution which is against the settlers and those coming in and say that the General Government ought to be generous because we can not; we prohibited ourselves from doing it.

Mr. MONDELL. I will tell the gentleman how we came to adopt that provision. Gentlemen like the gentleman from Illinois said at one time and another that the Western States were wasting their lands, were frittering them away, and were not getting much of anything for them. So the people of Wyoming said, "Very well, we will agree that we will not sell any land unless we get $10 an acre for it." We did that because certain gentlemen in Congress insisted on having it done. We are not, however, especially regretting it.

Mr. MANN. I think probably that was a good thing.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. MONDELL. The lady in question comes from the State of my distinguished friend.

Mr. McLAUGHLIN. I should think there would have to be ample inducement to offer to citizens of Michigan to go to Wyoming and settle. [Laughter.] There is nothing in here that gives any assurance that the title to the land after it is vested in the State of Wyoming will be transferred to this woman, in whom, of course, I am very much interested.

Mr. MONDELL. If the gentleman will read the report, he will find the young lady has been living on this land for some time, and, being a resident upon the land, she has the preference right to enter the land when transfer shall be made.

Mr. McLAUGHLIN. I will say to the gentleman a number of bills of this kind come before the House and a number of them of similar import have come before the committee of which I am a member—that is, providing for transfers—and no bill of the kind now receives favorable consideration unless the value of the land to be exchanged is taken into consideration. Now, then, the land described here may be of little value and it will be possible for the State of Wyoming to select land of similar quantity but of higher value. That would not be right, would it?

Mr. MONDELL. If the gentleman will listen for a moment, I will show him how little there is in his contention. At the time the State of Wyoming selected this land it could have selected any vacant land subject to homestead settlement in the entire State. That was a number of years ago. That is all it can do now. It does not have nearly so wide a selection now as it had then, because in the meantime a lot of lands have been homesteaded. The State can not take an acre now it could not have taken at the time it took this land. They are lands of approximately the same character, nonmineral lands, subject to homestead settlement.

Mr. McLAUGHLIN. I am disposed to do anything that will help this young woman.

Mr. MONDELL. Then help us pass the bill and give the young lady the homestead.

Mr. McLAUGHLIN. Because I think it is evident the Land Department made a mistake in permitting her to settle on land not subject to homestead entry, and Congress is so lax in making provision for those who are the victims of mistakes of that kind. In my district a few years ago a woman settled on a piece of land which she understood from the Land Department was subject to entry as a homestead. She settled and made improvements to the extent of $2,500, as appears by the testimony before the Committee on the Public Lands of this House. The committee accepted that statement on her part and proof she submitted as correct, that she laid out $2,500. Later it became known that an error had been made in the Land Office and the land was not subject to homestead. She lost the land and all she put in, and the Land Office refused to reimburse her in any respect whatever, and in the last session when a bill for her relief came up I am ashamed to say to this House it was objected to and it was defeated. If there is any way to penalize the Government and make this grant clear, I will be glad to see it done. As far as I can see, this land would go to the State and the woman could not get anything.

Mr. MONDELL. I desire to say to the gentleman from Michigan that if this bill passes the young lady in question will get the land. It is simply an effort to give to a young lady who has already established her residence upon it a tract of ordinary bench land and give to the State, which now owns it, authority to take another piece of land.

Mr. CANNON. If that is so, had not we better stand by the girl?

Mr. McLAUGHLIN. As before, the girl will have to take her chances.

Mr. FOSTER. Mr. Speaker, in view of the fact that this young lady was willing to go from the State of Michigan out into Wyoming, I believe she is entitled to consideration, and for that reason I will make no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. MONDELL. Mr. Speaker, I ask that the bill may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 177) authorizing the Secretary of the Interior to accept the relinquishment of the State of Wyoming to certain lands heretofore certified to said State, and the State of Wyoming to select other lands in lieu of the lands thus relinquished.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to accept the relinquishment of the State of Wyoming to the east half of the northwest quarter, southwest quarter of northeast quarter, northwest quarter of southeast quarter, south half of southeast quarter of section 19, township 53 north, range 103 west of sixth principal meridian, which lands were certified to the State of Wyoming in Lander Clear List No. 6, approved March 10, 1910; and the State of Wyoming is hereby authorized to select, and the Secretary of the Interior is authorized to certify to the State of Wyoming, an approximate equal acreage of lands subject to selection under the terms of the grant under which the lands herein described were selected.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

TITLE TO CERTAIN LANDS IN COLORADO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2744) to correct the title to certain lands in Colorado.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, I would like to have the bill read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to issue a patent conveying to the Lily Park Stock Growing Association, a corporation of Colorado, all of lots 2 and 4 in section 23; lots 7, 9, and 11 in section 24; lots 3, 4, 5, 6, 7, 8, 12, 13, 14, 15, 17, and 19 in section 25; lots 1, 2, 7, 8, 9, 10, 15, and 17 in section 26, township 6 north, range 99 west, sixth principal meridian, Colorado, containing 639.14 acres, according to resurvey made in pursuance of the act of April 28, 1904 (33 Stat. L., p. 519), being the same land transferred to the said Lily Park Stock Growing Association by the State of Colorado by patent dated September 6, 1894, and filed for record August 15, 1901, in book 37, page 18, one of the land records for Routt County, Colo., and described in said patent from the State as section 36 of said township.

Also the following committee amendment was read:

Page 1, lines 4 and 5, strike out the words "Lily Park Stock Growing Association, a corporation of Colorado," and insert "State of Colorado and its assigns."

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Colorado asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

The question is on agreeing to the committee amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

Amend, on page 2, line 3, by inserting after the word "acres" the words "more or less."

The amendment was agreed to.

Also the following committee amendment was read:

Page 2, at the beginning of line 7, strike out the word "said."

The amendment was agreed to.

Also the following committee amendment was read:

On page 2, line 7, insert the words "a corporation of the State of Utah."

The amendment was agreed to.

Also the following committee amendment was read:

Page 2, line 13, after the word "township," insert:

Provided, That the State of Colorado and the said Lily Park Stock Growing Association, its successors or assigns, if any, shall relinquish to the United States any and all claims to section 36 of said township and range, as shown by the survey made in pursuance of said act of April 28, 1904, which survey was approved August 14, 1907.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

NATIONAL PARK, TERRITORY OF HAWAII.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9525) to establish a national park in the Territory of Hawaii.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. FOSTER. I object.

Mr. AUSTIN. Will the gentleman from Illinois withhold his objection?

Mr. FOSTER. I am going to object, Mr. Speaker, but I will reserve it for a few minutes.

Mr. AUSTIN. I think you are probably subject to conversion on the proposition.

Mr. FOSTER. We are going to object.

The SPEAKER. Is there objection?

Mr. FOSTER. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

BRIDGE ACROSS THE MISSOURI RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9909) to authorize the Chicago, Milwaukee & St. Paul Railway Co. to construct a bridge across the Missouri River.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I would like to have the bill reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Chicago, Milwaukee & St. Paul Railway Co., its successors and assigns, are hereby authorized to construct, maintain, and operate a bridge, and approaches thereto, across the Missouri River at a point suitable to the interests of navigation, said bridge to extend from a point on the west bank of said river in the county of Lyman to a point in or near the city of Chamberlain, in Brule County, in the State of South Dakota, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the act of Congress approved February 9, 1905, which granted to the White River Valley Co., its successors and assigns, the right to construct and maintain a pontoon and pile bridge across said Missouri River from a point on the west bank of said river in the county of Lyman to a point on the east bank of said river in or near the city of Chamberlain, in Brule County, in the State of South Dakota, is hereby repealed, but permission is hereby granted to maintain the present pontoon and pile bridge for one year from and after the date of this act: *Provided*, That if, on or before one year from and after the date of this act, it shall be shown to the satisfaction of the Secretary of War that actual construction of the bridge herein authorized has been commenced, then the said company, its successors or assigns, is hereby granted permission to maintain said pontoon and pile bridge during the period of construction of the bridge herein authorized, but in no case is said company granted permission to maintain said pontoon and pile bridge for a period longer than three years from and after the date of this act.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, this bill is different from the ordinary bridge bill. It is the first bridge bill to my knowledge in which an attempt is made to repeal a prior bridge act and force the railroad company to build a bridge of a different character from that now existing. I would like to inquire of the gentleman who has reported the bill whether the railroad company was granted a hearing or whether they appeared before the committee as to their wishes in the matter and as to the need of having a permanent bridge substituted for this present pontoon bridge.

Mr. DILLON. I will say to the gentleman that this pontoon bridge has been maintained for about nine years. It goes out from one to four times every year; usually whenever the spring snows melt the pontoon bridge and the piles of the bridge are carried out, and there is no service there for a period of from two to four weeks. And then, again, when the June rise comes it takes out the pontoon bridge and the piles. And you have the same thing of no service for about a month. And then, again, in July we usually have the same result; and in the fall of the year, when the ice begins to freeze, we also have a similar condition. Now, the railroad company has made constant assurances to the people along the line that they will put in a permanent bridge. The railroad commission of the State has frequently requested the company to put in a permanent bridge and had hearings on the matter, and the company promised to put in a permanent bridge.

Notice of this matter has been published in all the papers of South Dakota, and the committee has not heard one word of opposition, and we understand that the company is satisfied with it.

Mr. STAFFORD. On what does the gentleman base his position that the company has no opposition to the repeal of the present act authorizing the pontoon bridge and the substitution under this act of a permanent bridge instead?

Mr. DILLON. We base it on the theory that they have a representative here, and that it is a matter of general publicity, and that they have assured these people for the last five or six years that they would construct this permanent bridge.

Mr. STAFFORD. Has any notice been given to the company or its officials that there is a proposal to do away with the

pontoon bridge and require the company to erect a permanent bridge, as is proposed by this act?

Mr. DILLON. I do not know as to the notice, but it is a matter of general publicity. They know all about it, and they have assured our people from time to time that they would construct this permanent bridge.

Mr. STAFFORD. Who has assured you?

Mr. DILLON. The company officials.

Mr. STAFFORD. Assured whom?

Mr. DILLON. They have assured our railroad commissioners and the people along the line.

Mr. STAFFORD. There has been no assurance given to any person connected with the National Government?

Mr. DILLON. Not so far as I know, except as they have representatives in the city.

Mr. STAFFORD. Are you sure they have representatives in the city?

Mr. DILLON. Yes; I so understand. Mr. Charles McCoy represents the company.

Mr. STAFFORD. Although I come from a city where this railroad had its headquarters, I never knew that it had a representative here.

Mr. MADDEN. Was he sent for when this bill was under consideration?

Mr. DILLON. Not to my knowledge.

Mr. MADDEN. Ought he not to have been?

Mr. DILLON. Mr. Speaker, I will yield to my colleague Mr. GANDY, who has special knowledge of the subject.

Mr. STAFFORD. I believe I have the floor. I will yield to the gentleman in a minute.

Mr. HAMILTON of Michigan. How does the gentleman from Wisconsin happen to have the floor?

Mr. STAFFORD. I reserved the right to object, and I yielded the floor temporarily to the gentleman from South Dakota [Mr. DILLON].

Mr. ADAMSON. Mr. Speaker, I wanted to ask a question of the gentleman from Wisconsin and make a suggestion or two, and then, I think, the other gentleman from Wisconsin [Mr. ESCH] will say something valuable concerning this matter. In the first place, my recollection is that the author of the bill, Mr. GANDY, stated that it had been a matter of frequent statement and correspondence, and that the attorney for the railroad had conversed with him about it, and that it was always understood that this permanent bridge would be built.

Mr. DILLON. That is my understanding.

Mr. ADAMSON. The next suggestion I have to make is that the act of 1905, which we undertake to repeal by section 2, expressly provided for the modification and repeal of that act, and we are now repealing it, as we have the right to do.

Mr. DILLON. Yes. The bridge is wholly unsafe as it is.

Mr. HAMILTON of Michigan. I wanted to suggest to the gentleman from Wisconsin that the railroad company was put upon notice by the passage of the original act, which reserved the right to amend, alter, and repeal.

Mr. STAFFORD. Oh, every bridge act reserves that right.

Mr. HAMILTON of Michigan. Certainly.

Mr. STAFFORD. But here is a new proposition entirely.

Mr. HAMILTON of Michigan. Not at all.

Mr. STAFFORD. In a case where you would compel the railroad company to go to an expense of possibly several million dollars it is well to know whether they have been given notice of this bill before they shall be forced to discontinue their train service across the Missouri River without knowledge of this new obligation. and the question is whether the railroad has received notice of this proceeding before we take this action.

Mr. ESCH. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes; I yield.

Mr. ESCH. The Legislature of the State of South Dakota on March 17, 1915, passed a resolution as follows:

A joint resolution memorializing Congress and our Senators and Representatives in Congress to use all honorable means to compel the Chicago, Milwaukee & St. Paul Railway Co. to construct a permanent railway bridge across the Missouri River at the city of Chamberlain.

Be it resolved by the Senate and House of Representatives of the State of South Dakota:

Whereas, about the year 1905, the Chicago, Milwaukee & St. Paul Railway Co., as the parent corporation of the White River Valley Railway Co., entered upon the construction of a line of railway commencing at the east bank of the Missouri River at the city of Chamberlain and extending westward through Lyman, Stanley, and Pennington Counties to the city of Rapid City, and as a part of said line of railway constructed a pontoon bridge across the Missouri River at Chamberlain; and

Whereas the said Chicago, Milwaukee & St. Paul Railway Co. has taken over the property of the White River Valley Railway Co., including the pontoon or pile bridge at Chamberlain, but has never constructed a permanent railroad bridge; and

Whereas the said pontoon or pile bridge goes out at least from one to four times each year when there is any unusual condition of the Missouri River at Chamberlain; and

Whereas said pontoon or pile bridge is unsafe and dangerous to the traveling public, and by reason of the maintenance of said bridge in its unsafe condition a railway train, either passenger or freight, is liable at any time to be precipitated in the Missouri River, especially during the early spring of the year when the ice is going out and during the June rise, and in the fall of the year and when the ice is formed or floating in said river, it is impossible to operate the draw in said bridge, and the maintenance of said bridge by the said railway company is inimical and dangerous to the public health and safety of the traveling public generally as well as to shippers; and

Whereas, by reason of the fact that all traffic to points west of the Missouri River when said bridge is out or the draw open must be sent via the lines of the Chicago Northwestern Railway Co. via Wolsey and Rapid City to consignees between Chamberlain and Rapid City, and passengers, mail, express, and freight are thereby greatly delayed and the development of said country deterred and the business interests of the people located between Chamberlain and Rapid City jeopardized: Therefore be it

Resolved by the Legislature of the State of South Dakota, That the Congress of the United States and our Senators and Representatives in Congress be, and hereby are, urged to use all honorable and lawful means at their command to compel the Chicago, Milwaukee & St. Paul Railway Co. to erect at the earliest possible date a good, safe, permanent railway bridge across the Missouri River at Chamberlain; and be it further

Resolved, That a copy of this resolution be sent to the Congress of the United States and to our Senators and Representatives in Congress and to the Secretary of War.

That would be considered sufficient notice, would it not?

Mr. STAFFORD. No; it would not be sufficient notice that the matter would be brought up in Congress. It might be sufficient notice of the agitation in the State, but as the gentleman knows, we often receive memorials to which we do not give attention, because we know the signers or originators are not conversant with the facts.

The question is a larger one than that. What will be the cost to the railroad company of this bridge? And, further, in case the railroad company does not think it is financially warranted in going ahead at this time to erect a permanent bridge, the question arises whether it should discontinue the present train service. The gentleman knows that between Baltimore and Philadelphia the Pennsylvania Railroad maintained for many years pile bridges across Gunpowder Creek and adjoining bights of Chesapeake Bay, and only recently did it erect permanent structures. But here Congress, without calling upon the railroad company, is proposing that the company shall erect a permanent structure, when, perhaps, the structure is very expensive and its finances will not warrant the railroad company in expending millions and millions of dollars on such a permanent structure.

Mr. ESCH. When Congress passed the original grant in 1905 to build a bridge across the Missouri River Congress had the right to assume that the railroad company would fulfill its obligations and put a structure there that would not at all obstruct the passage of mails and passengers.

Mr. STAFFORD. You might as well say that when Congress granted the right to the Pennsylvania Railroad Co. to erect a pile bridge across Gunpowder Creek Congress had the right to assume that ultimately a permanent structure would be erected. The Pennsylvania Railroad Co. did in due time erect a permanent structure. I want to know whether the railroad company, which has some rights that are proper to be considered, have had a hearing on this proposition.

Mr. GANDY. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from South Dakota.

Mr. GANDY. I want to say to the gentleman that since this bill was introduced in this Congress one of the men from the head offices of the Milwaukee Railroad system, Mr. Harry Hunter, who for years has been one of their publicity men and one of their field men out of the Chicago office, talked about this bill with me in this city, and he and the company have full notice of what is going on. This matter has been mentioned time and again in the newspapers in South Dakota. Every Milwaukee superintendent and agent and employee knows what is going on, and so far as the temporary bridge is concerned, not a vestige of that bridge remains this day except a few piles sticking out of the water.

Mr. STAFFORD. Will the gentleman yield?

Mr. GANDY. Yes.

Mr. STAFFORD. Will the gentleman inform the House who this Mr. Harry Hunter is, and what is his representative capacity, and whether he has authority to represent the railroad in this particular matter?

Mr. GANDY. I can not say as to that. He has been connected with the Milwaukee general offices, and appeared for the company before committees of the Legislature of the State of South Dakota at the time when I was a member of that body, and he seems to represent them in field matters.

Mr. DILLON. In all legislative matters.

Mr. STAFFORD. Out in South Dakota.

Mr. DILLON. He lives in Chicago.

Mr. GANDY. His home is in Chicago.

Mr. STAFFORD. Does not the gentleman think that in a matter of this importance to the Chicago, Milwaukee & St. Paul Railroad Co., or any railroad company, involving the expenditure of how much——

Mr. GANDY. I do not know. Less than a million dollars.

Mr. STAFFORD. That some information should be given to the representatives of the company that it is pending, so that they may be heard?

Mr. GANDY. I mailed a copy of this bill to the head office of the Chicago & Milwaukee Railroad Co.

Mr. STAFFORD. When did the gentleman do that?

Mr. GANDY. About two months ago.

Mr. MANN. I received a protest, I think from the counsel of the Chicago, Milwaukee & St. Paul Railroad, against the repeal of the act authorizing them to construct a pontoon bridge, and requiring them to construct a new bridge which they say will cost a million dollars and which they say they are not able to finance at this time. I know nothing about that, but it seems to me that where we propose to repeal a bridge act, which we have the power to do, although I am not certain that we can do it without making recompense for the damage—we insert a repealing clause in all the bridge bills that we pass—if the company desires to be heard before the committee, it ought to have that opportunity. I do not know whether the company were neglectful about appearing or not, but we all know that these bridge bills are usually passed through the committee without very much special consideration, because they are largely formal matters. I hope the gentleman will let this go over until there is some consideration by the committee.

Mr. ADAMSON. I want to assure the gentleman from Illinois that every question raised by him and by the gentleman from Wisconsin [Mr. STAFFORD] was raised by me as chairman of the committee. We postponed the hearing several times to secure the attendance of the author of the bill and examined him about every one of these questions, and by his statement he satisfied the committee that the railroad company had had full and ample knowledge of the pendency of the bill.

Mr. MANN. The committee may have secured the presence of the author of the bill, which, I take it, was not hard to do——

Mr. ADAMSON. It was a little difficult in this case.

Mr. MANN. But it seems to me if the company desire to be heard before you repeal an act giving them rights you ought to give them an opportunity to be heard.

Mr. ADAMSON. We had no protest. If there had been any protest it would have been regarded.

Mr. MANN. Doubtless the committee would have regarded it if they had received it, and it ought to have been presented to them.

Mr. ADAMSON. If the railroad company want to be heard they can be heard.

Mr. HAMILTON of Michigan. I want to ask the gentleman from Illinois [Mr. MANN] whether it does not raise a fair presumption that the railroad company did have notice, when their agent called upon the Representative from that district and discussed the matter with him, and thereafter failed to send anyone to appear before the committee.

Mr. MANN. I do not know whether it was thereafter. The gentleman from South Dakota did not say thereafter.

Mr. ADAMSON. Gentlemen state that protests have reached them which did not reach the committee, and so I do not think we ought to pass the bill without giving the railroad company an opportunity to be heard. I ask unanimous consent that the bill be passed without prejudice, in order that between now and the next unanimous-consent day the railroad company may be heard before the committee.

The SPEAKER. The gentleman from Georgia asks unanimous consent to pass this bill without prejudice. Is there objection?

There was no objection.

NEW ORLEANS, BATON ROUGE & VICKSBURG RAILROAD CO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 540) for the relief of settlers within the limits of the grant to the New Orleans, Baton Rouge & Vicksburg Railroad Co.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MADDEN. Reserving the right to object, I think this bill covers such important questions that it ought not to be considered on the Unanimous Consent Calendar. I have been trying to get some information in connection with just what it does. It is not clear in the bill what it does, though there is a letter here from some one to the chairman of the Committee on the Public Lands.

Mr. FERRIS. Does not the gentleman think it is fairly clear that it only authorizes a readjudication by the department?

Mr. MADDEN. That may be, but it takes away certain rights from private individuals.

Mr. FERRIS. It might result in that, but not without a hearing.

Mr. MADDEN. I think the bill is so important that it ought not to be considered by unanimous consent. I am perfectly willing, however, if the gentleman from Louisiana prefers to do it, to have the matter go over without prejudice. I would not object to that; but unless he is willing to do that I shall feel constrained to object.

Mr. FERRIS. Will the gentleman yield for a suggestion? Of course the bill, as the gentleman knows, was up last year and had great consideration. The witnesses for the lumber people and the railroads were before us, and the settlers were before us, and heard at great length. The hearing is voluminous; it is all printed and preserved. The bill went through here by almost unanimous consent, and this year, rather than bring the old settlers up here again, the committee reported the bill out, and it was passed without prejudice two or three weeks ago because the gentleman from Michigan, Mr. FORDNEY, was absent. It has been kicked and cuffed around a good deal, and would not the gentleman be willing to let us consider it and have it out of the way. Unanimous consent for consideration does not mean that the bill will necessarily be passed; but let us debate it and have a chance.

Mr. MADDEN. I would like to have an opportunity to read the hearings.

Mr. FERRIS. Does the gentleman think he will read them now? They have been printed, I think, for two years.

Mr. LENROOT. If the gentleman will permit me, the reading of the report on the bill, I do not think, would give anybody a correct idea of what the bill itself does do. The report deals with the merits of the question involved. The bill itself does nothing more than direct the Interior Department to take up the question and deal with the merits under the law as it may exist. I am frank to say that the reading of the report is in favor of the contention made by the constituents of the gentleman from Louisiana, Dr. ASWELL, but the bill itself does not in any way attempt to decide anything.

Mr. ASWELL. It merely puts the question up to the Land Office, and there are only a few people to be considered under the bill. We have had altogether five hearings on this bill.

Mr. MADDEN. Will not the gentleman let it go over without prejudice?

Mr. ASWELL. I would like to have it taken up and considered now.

Mr. MADDEN. I want to read the hearings before the committee.

Mr. ASWELL. Would not the gentleman be willing for it to come and be debated and discussed? The gentleman and others can vote against it.

Mr. MADDEN. No; I shall object to the bill unless it goes over without prejudice.

Mr. ASWELL. We have had so many hearings and so many discussions that I would like to have it considered now.

Mr. MADDEN. As I say, I have not read the hearings, but I will do so between now and next unanimous-consent day.

Mr. ASWELL. All this bill does is to put the matter up to the Land Office.

Mr. MADDEN. I must insist that unless it goes over without prejudice I shall object.

Mr. FORDNEY. Mr. Speaker, I object.

The SPEAKER. The gentleman from Michigan objects, and the Clerk will report the next bill.

BRIDGE ACROSS THE MONONGAHELA RIVER, FAIRMONT, W. VA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10139) to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the city of Fairmont, a municipal corporation under the laws of the State of West Virginia, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Monongahela River at or near the city of Fairmont, in Marion County, W. Va., at a point suitable to the interests of navigation, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

COLLECTION OF ADDITIONAL STATISTICS ON COTTON.

The next business on the Calendar for Unanimous Consent was House joint resolution 103, authorizing and directing the Director of the Census to collect and publish additional statistics.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, this resolution is under consideration by the House on Calendar Wednesday, and it will require some little further consideration.

Mr. HEFLIN. Will the gentleman withhold his objection?

Mr. STAFFORD. I will gladly withhold.

Mr. HEFLIN. I will say that this measure is very important. The Director of the Census is anxious to have it enacted at the earliest moment. I thought if we could consider it to-day we could get it over so much earlier to the Senate.

Mr. STAFFORD. The gentleman realizes that it is now under consideration on Calendar Wednesday. We have not had unanimous consent for a month, and as this would require some time for consideration I think it would expedite business to have it considered on Calendar Wednesday, and so I will object.

The SPEAKER. The gentleman from Wisconsin objects, and the Clerk will report the next bill.

BRIDGE ACROSS SUSQUEHANNA RIVER, MILTON, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9666) to authorize the Catawissa Railroad Co., its lessees, successors, and assigns, to construct a railroad bridge across the west branch of the Susquehanna River from the borough of Milton, Northumberland County, Pa., to the borough of West Milton, Union County, Pa.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAMSON. Mr. Speaker, I expected the gentleman from Pennsylvania to be here and attend to this matter, but I understand that he is ill. There is a Senate bill of identical character on the calendar, and I ask unanimous consent that the Senate bill be considered in lieu of the House bill.

The SPEAKER. The gentleman from Georgia asks unanimous consent to consider the Senate bill in lieu of the House bill. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

An act (S. 3978) to authorize the Catawissa Railroad Co., its lessees, successors, and assigns to construct a railroad bridge across the west branch of the Susquehanna River from the borough of Milton, Northumberland County, Pa., to the borough of West Milton, Union County, Pa.

Be it enacted, etc., That the Catawissa Railroad Co., its lessees, successors, and assigns be, and they are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across the west branch of the Susquehanna River, at a point suitable to the interests of navigation, from the borough of Milton, county of Northumberland, State of Pennsylvania, to a point about 1,700 feet south of West Milton Station, in the borough of West Milton, in the County of Union, in the State of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The following committee amendment was agreed to:

In line 5, page 1, strike out the word "railroad."

The bill as amended was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to authorize the Catawissa Railroad Co., its lessees, successors, and assigns, to construct a bridge across the west branch of the Suquehanna River from the borough of Milton, Northumberland County, Pa., to the borough of Wet Milton, Union County, Pa."

The bill H. R. 9666 was laid on the table.

BRIDGE ACROSS SUSQUEHANNA RIVER AT SUNBURY, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9667) to authorize the Shamokin, Sunbury & Lewisburg Railroad Co., its lessees, successors, and assigns, to construct a railroad bridge across the Susquehanna River from the borough of Sunbury, Northumberland County, Pa., to Monroe Township, Snyder County, Pa.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

Mr. ADAMSON. Mr. Speaker, there is an identical Senate bill, S. 3977, Calendar No. 79, on the calendar, and I ask unanimous consent that it be considered in lieu of House bill 9667.

The SPEAKER. The gentleman from Georgia asks unanimous consent that an identical Senate bill be considered in lieu of the House bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That the Shamokin, Sunbury & Lewisburg Railroad Co., its lessees, successors, and assigns, be, and there are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across the Susquehanna River at a point suitable to the interests of navigation, at or about 560 feet north of Sunbury Station, county of Northumberland, State of Pennsylvania, to a point at or near the existing bridge south of Clement Station, in the township of Monroe, in the county of Snyder, in the State of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, lines 5 and 6, strike out the word "railroad."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended so as to read: "An act to authorize the Shamokin, Sunbury & Lewisburg Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Susquehanna River from the borough of Sunbury, Northumberland County, Pa., to Monroe Township, Snyder County, Pa."

BRIDGE ACROSS FLINT RIVER, GA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9923) granting the consent of Congress to the county of Mitchell, or to the county of Baker, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Mitchell, or to the county of Baker, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Flint River at a point suitable to the interests of navigation, at or near Newton, in the county of Baker, in the State of Georgia, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2 That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. PARK, a motion to reconsider the vote by which the bill was passed was laid on the table.

WESTERN AND EASTERN JUDICIAL DISTRICTS OF OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11148) transferring the counties of Osage and Pawnee from the western judicial district of the United States court, in the State of Oklahoma, to the eastern judicial district of said court in said State, for judicial purposes.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object.

Mr. THOMPSON. Mr. Speaker, I object.

Mr. DAVENPORT. Mr. Speaker, I will ask the gentleman to reserve his objection.

Mr. THOMPSON. I reserve the objection.

Mr. DAVENPORT. Mr. Speaker, I ask the gentleman to reserve his objection, for the reason that I desire to present to the House a letter from the trial judge of the eastern judicial district and also from the Department of Justice saying that they do not raise any objection to the passage of this bill, and also telegrams from the members of the bars of those two counties affected by this legislation. The truth is that the Osage County line runs down and corners in the city of Tulsa, where the Federal court is held in the eastern judicial district, within half a mile of where the court sits, and people living in that county must go all of the way from 75 to 150 miles to court when they could go this short distance if this legislation were passed. Pawnee County corners on a direct line of railroad within 14 miles of the city of Tulsa, in the eastern district, and

there are railroads coming into Tulsa from all sections of the two counties, as the trial judge says, making it more convenient to attend court at Tulsa than any other point where the court is now held, and while he says it will increase his work, he states if Congress passes this legislation he will have no objection to it.

Mr. THOMPSON. Mr. Speaker, is it not a fact that the United States court for the eastern district of Oklahoma, to which the gentleman is trying to attach these counties, is something like two and a half to three years behind with its docket, and that in the western district they are now about up with the docket?

Mr. DAVENPORT. That is not the fact. It is a fact that the docket at Muskogee in the eastern judicial district is behind, but the docket that is tried at Tulsa is not behind, and they never sit there the full length of time that is assigned for that docket. A copy of the docket for the April term, 1916, is as follows:

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA—ASSIGNMENT FOR APRIL TERM, 1916, AT TULSA.

MOTIONS AND DEMURRERS.

Monday, April 3.

2169E. United States *v.* W. E. Privett et al.: Motion to strike answers of John O. Mitchell and J. E. Crosbie.
2253E. The Fred W. Wolf Co. *v.* Weleetka Light & Water Co. et al.: Motion of Irrigation Loan & Trust Co. to dismiss.
2255E. United States *v.* Canoe Jimsey et al.: Motion of Roma Oil Co. et al to dismiss.
2267E. United States *v.* Henry Hornecker: Motion to dismiss.
2269E. The Uncle Sam Oil Co. *v.* The City of Tulsa et al.: Application for temporary injunction; motion to dismiss.
2333. Golda Buxton, administratrix, *v.* Receivers St. Louis & San Francisco Railroad Co.: Motion to strike amendment to petition.
2341. William B. Mars *v.* Receivers St. Louis & San Francisco Railroad Co.: Demurrer to petition.
2345. United States *v.* Charles Price: Motion to make more definite and certain.
2359. Receivers St. Louis & San Francisco Railroad Co. *v.* G. S. Straughber: Demurrer to petition.
2377. Smith Barnes & Strobber Co. *v.* The Tulsa Music Co. et al.: Demurrer to petition.
2378. C. A. Smith *v.* The Tulsa Music Co. et al.: Motion to make more definite and certain.
2390. Anna Haley *v.* Receivers St. Louis & San Francisco Railroad Co.: Motion to quash service.
2393. George W. Summers *v.* The Hubert Mining Co.: Motion to strike parts of petition; motion for costs.

CRIMINAL ASSIGNMENT.

Tuesday, April 4.

1144. Martin F. Witte, introducing.
1661. W. R. Sanders, retail liquor dealer.
1971. Clarence Nail, forgery of money order.
1965. John P. Matthews, embezzlement of mail matter.
1890. John Scruggs, introducing.
1862. Algie Baldridge and Bolin Reed, introducing.

Wednesday, April 5.

2018. John Foley, ratail liquor dealer.
2020. W. G. Holleman, retail liquor dealer.
2064. Grant Gordon, introducing.
2073. Ike Reynolds, introducing.
2074. Cam Finley, introducing.

Thursday, April 6.

2088. Aaron Paxton, introducing.
2098. Oscar Sauls, introducing.
2097. Etta Tweedy, introducing.
2106. Hiram May, introducing.
2117. Andrew J. Wandick, white slavery.

Monday, April 10.

1908. Ed E. Lewis, making false entry.
1909. Ed E. Lewis, making false entry.
1910. Ed E. Lewis, misapplication of funds of national bank.
1911. George Lewis, misapplication of funds of national bank.
1912. George Lewis, unlawful certification of check on national bank.

The above criminal cases have by order of court been assigned for trial in the United States District Court at the April, 1916, term, at Tulsa, in the order set forth. All defendants in such cases are required to be in attendance upon said court on the date when herein assigned.

D. H. LINEBAUGH,
United States Attorney.

CIVIL TRIAL ASSIGNMENT.

Thursday, April 13.

2360. United States *v.* J. Knox Greer et al.
2361. United States *v.* J. Knox Greer et al.
2366. United States *v.* Charles Roper et al.
2381. United States *v.* Twenty-three 60-pound Tubs of Uncolored Oleomargarine, and so forth.

Friday, April 14.

2328. Continental Gin Co. *v.* W. L. Stocker et al.
2280. Andrew Reed *v.* A. L. Atchison.
1404. In re Orpheum Theater, bankruptcy.

Saturday, April 15.

2120. Clint Moore *v.* Midland Valley Railroad Co.
2248. Richardson Dry Goods Co. *v.* Elmer Coon.
2268. Richardson Dry Goods Co. *v.* Rachel C. Brady.

Monday, April 17.

1853. Annie Silas *v.* W. E. Waddle et al.
2049. Reinforced Concrete Co. *v.* August Nelson et al.
2118. S. Phillips *v.* J. W. Boen et al.

Tuesday, April 18.

2253. Missouri, Kansas & Texas Railway Co. *v.* Bartlesville Supply Co.
2332. Edward C. Mahan *v.* St. Louis & San Francisco Railroad Co.
2365. Receivers St. Louis & San Francisco Railroad Co. *v.* Oce Allen, county treasurer of Rogers County.

Wednesday, April 19.

2348. Harry S. Evans *v.* The Board of County Commissioners of Hughes County.
2376. Miami Lead & Zinc Co. *v.* James S. Mabon et al.
2392. Minnie Goodell et al. *v.* St. Louis, Iron Mountain & Southern Railway Co.

Thursday, April 20.

235. Thomas L. Sloan *v.* World Publishing Co. et al.
2239. Thomas L. Sloan *v.* The Petroleum Publishing Co.

EQUITY TRIAL ASSIGNMENT.

Monday, April 24.

2211E. Harry Lee Taft et al. *v.* Joe McIntosh et al.
2019E. A. H. Sharum *v.* Whitehead Coal & Mining Co.
2174E. Loues Friedman *v.* Regina M. Kaadt.

Tuesday, April 25.

2192E. James A. Swindle *v.* Lon C. Hill et al.
2238E. Finley Shuck *v.* William Spencer.
2271E. Wade S. Stanfield *v.* Winnifred T. Stanfield et al.

Wednesday, April 26.

2010E. T. N. Barnsdall *v.* Charles Owen.
2023E. Alluwe Oil Co. *v.* Morgan-Nelson Oil & Gas Co. et al.
2037E. Charles A. Bosworth, Trustee, *v.* Frederick Oil Co. et al.

Thursday, April 27.

2216E. The Presto-Lite Co. *v.* The Western Auto Supply Co. et al.

Friday, April 28.

2090E. Joseph Burns et al. *v.* John Finlayson et al.

The next term of court for the eastern district is the first Monday in June, 1916, after the term in April at Tulsa.

Mr. THOMPSON. In the western and eastern districts they do not have any lines between the courts. They do business all over the entire district, and Muskogee being the headquarters, they try most of the business there, and so necessarily the judge sits there most of the time.

Mr. DAVENPORT. A date is fixed in each place for holding court in the eastern district. They commence on a certain day at Tulsa and they have three or four weeks assigned, and use such time as is necessary to dispose of the cases for trial. The docket is always disposed of before the time is up. In Muskogee in the Federal court there is a large docket. I want to say to the gentleman that while the counties sought to be transferred are not in his congressional district, they are in the western district of Oklahoma, and I do not believe there is a single man interested in the Federal court proceedings in the two counties who has not asked to have these counties transferred to Tulsa where the railroads lead into the town and where nearly all men having business with the court can leave home in the morning or early in the night and get there for court the next day instead of having to go a very much greater distance.

Mr. THOMPSON. Mr. Speaker, I will say that I have a great many protests against the change, for the reason that the eastern counties were in the original territory of Oklahoma, and under Oklahoma law, and the two jurisdictions down there, the eastern district and the western district, were entirely separate. If you transfer these two counties out of the western district you transfer them out of the code of laws under which they have been since the enabling act and you will put them into a district that has had the Arkansas laws, entirely dissimilar. I have a great many protests and I have telegrams from the counties affected showing that they want to remain in the western district, because they say they can get their business transacted down there expeditiously, whereas they can not, if the two counties are transferred to the eastern district.

Mr. DAVENPORT. Mr. Speaker, I am surprised that the gentleman, a lawyer by profession, should make such a statement when he knows that since November 16, 1907, the whole State has been operating under a universal code of laws.

Mr. THOMPSON. I understand the question involved here comes up under the question of construction of treaties. The questions involved will be questions of Osage treaties in Osage County, and do not apply to the Five Civilized Tribes of the eastern district, and the court in the eastern district would not be familiar with that question, whereas the judge of the western district has tried many of those cases.

Mr. DAVENPORT. I know and I realize the opposition of my colleague. Guthrie is one of the cities where court is held and they do not want to lose jurisdiction.

Mr. THOMPSON. That is not the question. The people affected feel that it can not be done as well in the eastern district as in the western district.

Mr. DAVENPORT. If the gentleman wants to object, he can do so; but I would like for him to put his telegram and protests in the RECORD from the bar or business men, either or both, of

the counties—business man or lawyer—who are opposing this bill.

Mr. THOMPSON. I will say to the gentleman I can put in a letter from the Attorney General that was written to the gentleman himself showing that he thinks there should be an entire rearrangement.

The SPEAKER. Is there objection?

Mr. DAVENPORT. And the Attorney General suggests that in the gentleman's district there should be some of those counties transferred to the western district in order to make it more convenient for litigants who have to attend Federal court.

Mr. THOMPSON. Our people object to that for the same reason that those people object to being transferred to the eastern district.

The SPEAKER. Is there objection?

Mr. THOMPSON. I object.

The SPEAKER. The gentleman objects. Both gentlemen ask leave to extend their remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The matter referred to above is as follows:

PAWHUSKA, OKLA., *February 9, 1916.*

Hon. JAMES S. DAVENPORT, M. C.,
Washington, D. C.:

At a call of the meeting of the Osage County Bar Association the following resolution was adopted:

"*Resolved*, That the Osage County Bar Association is unanimously in favor of the transfer of Osage County, Okla., from the jurisdiction of the Federal court, western district of Oklahoma, to the eastern district of Oklahoma. We also believe proposed change meets the approval of all the citizens of Osage County, Okla."

C. S. MACDONAL,
L. F. ROBERTS,
E. E. GRINSTEAD,
Committee.

—

TULSA, OKLA., *February 9, 1916.*

Hon. JAMES S. DAVENPORT,
Care House of Representatives, Washington, D. C.:

It is the consensus of opinion of the bar of Tulsa County that Osage and Pawnee Counties should be transferred from western to eastern Federal district. We urge the Oklahoma delegation to support bill and desire that you transmit this communication to Chairman Webb of the Judiciary Committee.

TULSA COUNTY BAR ASSOCIATION,
By ALBERT H. BELL, *President.*

—

BIG HEART, OKLA., *March 27, 1916.*

Hon. JAMES DAVENPORT,
Washington, D. C.:

The citizens of this section are strongly in favor of Tulsa for several reasons. Better railroad center; closer accommodations; better in general. If I can be of any further service, call.

K. L. COLLEY.

—

HOMINY, OKLA., *March 28, 1916.*

JAS. S. DAVENPORT,
Washington, D. C.:

Citizens of this section are heartily in favor bill relative to Federal court. We are all with you.

CARL MULLENDORE.

—

DEPARTMENT OF JUSTICE,
Washington, D. C., March 22, 1916.

Hon. JAMES S. DAVENPORT,
House of Representatives.

SIR: Referring to your letter of the 17th instant relative to H. R. 11148, transferring the counties of Osage and Pawnee from the western judicial district to the eastern judicial district of Oklahoma, you are respectfully informed that this matter was considered to some extent in connection with the bill introduced some time ago providing for the division of the eastern district of Oklahoma into three divisions, etc. The following information is submitted from the files of the department:

According to the views of the officials in the western district of Oklahoma, as expressed in the past, the proposed transfer of Osage County would be objectionable. This view was expressed at the time the bill for dividing the eastern district was under consideration. In connection with that bill the department recommended that it might be advisable to transfer the counties of Grady, McClain, Garvin, Stephens, Murray, Carter, Jefferson, and Love from the eastern judicial district to the western judicial district on account of the railroad facilities in that section of the country.

The district attorney and marshal for the eastern district of Oklahoma were in Washington some time ago and suggested that the counties specified above be transferred to the western district and that Osage and Pawnee be placed in the eastern district. There appears to be no real objection to the proposed transfer of the two counties in question. As far as the department is concerned, the transfer would be satisfactory.

If it is desired that an expression of the views of each of the court officials in each of the two districts of Oklahoma be procured, please advise, and arrangements will be made to secure the same.

Respectfully,

SAM J. GRAHAM,
Assistant Attorney General
(For the Attorney General).

—

DEPARTMENT OF JUSTICE,
Washington, D. C., March 28, 1916.

Hon. JAMES S. DAVENPORT,
House of Representatives, Washington, D. C.

SIR: In reply to your letter of the 23d instant relating to H. R. 11148, you are respectfully informed that the information furnished by department letter of the 22d instant was obtained from the files of the office. The last reports bearing in any way upon the question of transfer of the counties mentioned in the bill were made in 1910, and no additional facts have been procured since that time. This being the case, it is impracticable for the department to make any further statement than that contained in its previous communication.

Whatever change is considered best by those affected in the two districts of Oklahoma with reference to the counties in question will be entirely satisfactory to the department, as it has no other interest in the matter.

As heretofore stated, the views of the several court officials will be obtained, if you so desire.

Respectfully, for the Attorney General,

SAMUEL J. GRAHAM,
Assistant Attorney General.

—

UNITED STATES DISTRICT COURT,
EASTERN DISTRICT OF OKLAHOMA,
Muskogee, Okla., March 31, 1916.

Hon. JAMES S. DAVENPORT,
Washington, D. C.

MY DEAR MR. DAVENPORT: Answering yours of the 29th relative to your bill to add Osage and Pawnee Counties to the eastern district of Oklahoma for judicial purposes, I agree with you that from the standpoint of railroad facilities the people of these two counties can no doubt reach Tulsa, a place of holding court in the eastern district, more conveniently than they can any court town in the western district; and if I could have the relief which you say the department suggests by way of attaching certain of the western counties of the eastern district to the western district I would consider it a wise "swap" from the standpoint of the convenience of the litigants and the courts. I do feel, though, that if the additional litigation arising in Osage and Pawnee Counties be added to the eastern district, this additional burden should be compensated by some such corresponding relief as the department suggests, especially in view of the already large volume of business in this district. It always has seemed to me an unwise arrangement of the districts which necessitates my going right through Oklahoma City, a court town in the western district, on to Chickasha, 60 miles farther, to hold court for the eastern district. If it seems best to Congress to make the change contemplated by your bill, I shall, of course, not complain, but I do think if any change is made at all it should be such an adjustment as will not result in increasing rather than lightening the load this district now carries.

Yours, very truly,

RALPH E. CAMPBELL, *Judge.*

HOMESTEAD ENTRIES OF MINORS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16) permitting minors of the age of 18 years or over to make homestead entry or other entry of the public lands of the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object——

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The bill goes off the calendar.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. MANN. What is the use? We have had this up a dozen or more times.

Mr. TAYLOR of Colorado. This bill has been up for consideration by unanimous consent once or possibly twice before, and the bill has never been considered by the House at all yet. The gentleman will observe this bill has been modified a great deal from the form in which it was a year ago. It does not apply now to anything except homestead entries, and does not permit entry until the entryman becomes 24 years of age. It merely allows a boy or girl to go and select a piece of land. It is to induce boys to stay on the farm and to give them some incentive to work and get a start in the world. It seems to me there could be no better use of the public domain than to encourage our boys to undertake to take it up and improve it and let them have something to work for when and before they reach their majority. The people of the West are very much interested in the matter.

Mr. MANN. Mr. Speaker, it would make a world of difference, to hear some men talk, whether a minor got a homestead a year earlier or a year later.

The SPEAKER. Is the gentleman from Illinois going to object?

Mr. MANN. I am not going to object, but I did object a moment ago.

Mr. TAYLOR of Colorado. Did not the gentleman withhold it?

Mr. MANN. No; I did not.

Mr. TAYLOR of Colorado. I feel we ought to give our boys every chance we can in this country. I want to read into the RECORD a few statements from the report of the Public Lands Committee on this bill, as follows:

As will appear from the report of the Secretary of the Interior, this bill was favorably approved and reported upon by the Interior Department during the Sixty-third Congress. The bill was passed by the Senate and unanimously and favorably reported by the Public Lands Committee of the House, but was never reached for consideration in the House before the adjournment of that Congress.

The bill as it passed the Senate authorized a minor to make any kind of entry of the public lands. The bill as it was reported to the House by the Public Lands Committee on March 19, 1914 (Rept. No.

419), favorably recommended the bill allowing minors to make homestead and desert-land entries only, and in that form the bill was again introduced on the first day of this session as H. R. 16 by Mr. TAYLOR of Colorado. Your committee, however, has deemed it advisable to limit the authorization of entries by minors to the homestead right only, and it also deems it advisable to prohibit final entry until the entryman has attained the age of 24 years. The amendment does not require six years' residence, but merely the usual period of three years' residence after attaining the age of 21 years.

While the bill in this form is very greatly limited in its operation, as compared with the form recommended by the Interior Department, as well as by the Department of Agriculture, which reported thereon favorably on June 14, 1914 (S. 2419); at the same time, the bill as recommended by your committee will be of considerable benefit.

The main object of this legislation is to induce the boys to stay on the farm by giving them an opportunity of initiating a right to a piece of public land upon which they can make improvements, and have a small start in the world when they have reached their majority, and thereby induce them to continue in the improvement of the land and the making of a home thereon.

It is believed that this law would be in accordance with sound public policy and in the interest of the development of the West. The Legislature of the State of South Dakota has memorialized Congress urging the passage of this measure, and the platforms and public resolutions of various parties and communities of the West have urged the passage of the bill. The demands for this measure have come primarily from the Northwestern States by reason of the fact that the Dominion of Canada has a law much more liberal than this provision. Their minors of the age of 18 years are permitted to make public-land entry and at the same time reside with their parents, and a very large number of ambitious boys who have been compelled to make a living before attaining their majority have gone to Canada for the purpose of acquiring a home.

Your committee after having this matter pending before it and in Congress for nearly three years are still of the unanimous opinion that this legislation would be a wise and beneficent measure in the interest of encouraging the youths of the country to make a home upon the public domain, and thereby very greatly assisting in the development of the country.

ADDITIONAL COURT TO BE HELD AT SALINA, KANS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 6914) to amend section 82, chapter 231, of the act to codify, revise, and amend the laws relating to the judiciary.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I ask that the bill be read; it is short.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

A bill (H. R. 6914) to amend section 82, chapter 231, of the act to codify, revise, and amend the laws relating to the judiciary.

Be it enacted, etc., That section 82, page 1112, part 1, volume 36, of the act to codify, revise, and amend the laws relating to the judiciary be amended to read as follows:

"SEC. 82. That the State of Kansas shall constitute one judicial district, to be known as the district of Kansas. It is divided into three divisions, to be known as the first, second, and third divisions of the district of Kansas. The first division shall include the territory embraced on the 1st day of July, 1910, in the counties of Atchison, Brown, Chase, Cheyenne, Clay, Cloud, Decatur, Dickinson, Doniphan, Douglas, Ellis, Franklin, Geary, Gove, Graham, Jackson, Jefferson, Jewell, Johnson, Leavenworth, Lincoln, Logan, Lyon, Marion, Marshall, Mitchell, Morris, Nemaha, Norton, Osage, Osborne, Ottawa, Phillips, Pottawatomie, Rawlins, Republic, Riley, Rooks, Russell, Saline, Shawnee, Sheridan, Sherman, Smith, Thomas, Trego, Wabaunsee, Wallace, Washington, and Wyandotte. The second division shall include the territory embraced on the date last mentioned in the counties of Barber, Barton, Butler, Clark, Comanche, Cowley, Edwards, Ellsworth, Finney, Ford, Grant, Gray, Greeley, Hamilton, Harper, Harvey, Hodgeman, Haskell, Kingman, Kiowa, Kearny, Lane, McPherson, Morton, Meade, Ness, Pratt, Pawnee, Reno, Rice, Rush, Scott, Sedgwick, Stafford, Stevens, Seward, Sumner, Stanton, and Wichita. The third division shall include the territory embraced on the said date last mentioned in the counties of Allen, Anderson, Bourbon, Cherokee, Coffey, Chautauqua, Crawford, Elk, Greenwood, Labette, Linn, Miami, Montgomery, Neosho, Wilson, and Woodson. Terms of the district court for the first division shall be held at Leavenworth on the second Monday in October; at Topeka on the second Monday in April; at Kansas City on the second Monday in January and the first Monday in October; and at Salina on the second Monday in May; terms of the court for the second division shall be at Wichita on the second Mondays in March and September; and for the third division, at Fort Scott on the first Monday in May and the second Monday in November. The clerk of the district court shall appoint three deputies, one of whom shall reside and keep his office at Fort Scott, one at Wichita, and the other at Salina, and the marshal shall appoint a deputy who shall reside and keep his office at Fort Scott."

The committee amendment was read, as follows:

Page 3, after the word "Scott," on line 11, insert the words "and the marshal shall also appoint a deputy who shall reside and keep his office in Kansas City."

Mr. MANN. Where does that amendment come from? It is not in my copy of the bill.

Mr. CONNELLY. It comes from the Committee on the Judiciary.

The SPEAKER. The Clerk has the correct copy.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the amendment may be reported again so we will know exactly what it is.

The SPEAKER. Without objection, the amendment will be again reported.

There was no objection.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, there are one or two matters I would like to inquire about of the gentleman who introduced this bill. First, I notice he provides the term of court for the second Monday in May, at Salina.

Mr. HELVERING. Yes.

Mr. STAFFORD. Whereas, under existing law and in this bill the gentleman provides for a term of court to be held on the first Monday of May, at Fort Scott. I wish to ask this practical question of the gentleman, whether there is sufficient interval of time between the first Monday in May and the second Monday in May whereby court could be held at Fort Scott, and whether it would not be better to make a different date for the holding of court at Salina?

Mr. HELVERING. As I understand, in drawing this bill, the work at Fort Scott is very light and that in the Kansas City division——

Mr. MANN. There is no change from existing law.

Mr. STAFFORD. No change from existing law; but at the term herein provided for holding court on the second Monday in May the court would not have sufficient time to dispatch even a jury trial which might be in progress at Fort Scott in the term beginning on the first Monday in May.

Mr. MANN. That is the case now.

Mr. STAFFORD. No; it is not compulsory now to hold court in Salina. It is optional with the judge, so that he can, if he wishes to, under existing law, postpone the term of court that is provided to be held at Salina. I would like to ask the gentleman whether he has considered that overlapping?

Mr. HELVERING. We did consider that, and we considered that the judge could dispose of the work that week and come home and go out to Fort Scott and Kansas City.

Mr. STAFFORD. There is not sufficient time to give for a jury trial.

Mr. HELVERING. The way the business is transacted, it goes to Kansas City rather than to Fort Scott.

Mr. STAFFORD. I think it will be more corrective to have it on the third Monday in May in Salina, and provide for that contingency in case there was a jury trial on the first Monday in May at Fort Scott.

Mr. HELVERING. The time for holding court at Fort Scott and Salina has been changed.

Mr. STAFFORD. Heretofore it has not been obligatory to hold the court at Salina on the second Monday in May.

Mr. MANN. It is just as obligatory as it is now. Absolutely no change in that respect.

Mr. STAFFORD. Under the existing law it was left to the judge whether he would hold court there or not.

Mr. MANN. Oh, no. It was left as to what cases he would try.

Mr. STAFFORD. It was left as to whether he would hold court there or not.

Mr. MANN. I have the language of the law in front of me, and there is no such thing in the law.

Mr. STAFFORD. I read the law recently, and I recall it as I have stated.

Mr. HELVERING. We know that under the law the judge never held court there. Since the western part of the State has become so thickly settled, it is better to take the court to the litigants rather than to bring lawyers and litigants 400 miles in order to try these cases. Therefore we thought it better to introduce this bill rather than to introduce the bill for a special district, as many are asking us to do.

Mr. STAFFORD. Are there any jury trials at the term of court held on the first Monday in May at Fort Scott?

Mr. HELVERING. I am not advised. There are likely to be.

Mr. STAFFORD. It is very possible the judge could not get through a jury trial if it was a lengthy one inside of a week, and he would be compelled to adjourn court and open the court at Salina on the second Monday in May.

Mr. WEBB. The question was raised in the Judiciary Committee and the gentleman from Kansas [Mr. TAGGART], who represents part of Kansas on the committee, said that there would be no trouble in getting from Fort Scott on Saturday to Salina on Monday morning.

Mr. STAFFORD. Did the committee consider the possibility of the holding over of a jury trial at Fort Scott, say, on the first Monday in May, that would go over to the following week, and the judge would not be able to hold court on the second Monday in Salina?

Mr. WEBB. The judges in one week will not take up an important case on Friday or Saturday, for the very reason that they would not want to hold the jury over.

Mr. STAFFORD. Here is an instance where the court only holds a session once every six months in these cases where there might be need of having a jury trial, and yet the court could not expedite the case for hearing because there is a mandatory expression to hold court on the next Monday at another place.

Mr. WEBB. I see the force of the gentleman's suggestion, and if there is any trouble about it we can have it fixed later on.

Mr. STAFFORD. But we are making permanent law.

Mr. WEBB. There are numbers of cases in the books which provide one term shall follow immediately after another. This provision is nothing new.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object——

Mr. CANNON. Is there any business at Fort Scott whatever?

Mr. WEBB. I can not say. I can only say that the evidence before the committee says so.

Mr. CANNON. Twice a year they do summon a petit and a grand jury at Fort Scott?

Mr. WEBB. I think so.

Mr. HELVERING. I will say it has been the practice at Fort Scott at the spring term to take up such matters as could be easily disposed of, and in the fall term take up cases that the gentleman refers to. I understand it will be no hindrance to the work of the judge. I understand they never call a jury at Fort Scott in the spring.

Mr. CANNON. They dispense with it at least for one term in the year?

Mr. HELVERING. I will say to the gentleman that this law, as I have introduced it, simply makes it compulsory on the judge to hold court at Salina——

Mr. CANNON. There is no business, practically, at Salina or Fort Scott, is there?

Mr. HELVERING. At Salina now, no; but we contemplate that there will be a great deal of business there on account of the way the western part of the State has settled up. The object of this bill is to take the court out as far west as we can, where we have a public building and a court room already established, and hold court in the western part of the State.

Mr. CANNON. Why do you not do away with the Fort Scott court?

Mr. WEBB. I suppose it has not been suggested, for one reason.

Mr. HELVERING. We could not do that.

Mr. CANNON. You could do it by legislation.

Mr. HELVERING. We could, but I do not think it would be just.

Mr. WEBB. If you will take up the map of Kansas, you will see the western part of the State is without court facilities.

Mr. CANNON. I am talking about the southern part of the State. Primarily these things are an excuse to get a public building. You have got a public building at Salina?

Mr. HELVERING. Not in this case.

Mr. CANNON. But primarily. In my home State there was a court held at Cairo pro forma and in Quincy pro forma, and I think in several other places, which resulted in public buildings. As I understand it, it is not necessary to have the jury at Fort Scott but once a year instead of twice.

Mr. HELVERING. I will say it is the practice to have a jury meet at the fall term, which is a longer term than the spring term, which is only, under the original law, one week in length.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. WEBB. I ask unanimous consent, Mr. Speaker, that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I move to amend by inserting, on page 1, line 4, after the word "thirty-six" the words "Statutes at Large," and then inclose the language beginning with "page 112" and ending with the word "Large" in parenthesis.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Insert, page 1, line 4, after the word "thirty-six," the words "Statutes at Large," and inclose the language "page 112, part 1, volume 36, Statutes at Large" in parenthesis.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HELVERING, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RELIEF OF INDIANS IN ARIZONA, NEW MEXICO, AND CALIFORNIA.

The next business on the Calendar for Unanimous Consent was the bill (S. 3391) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913.

The title of the bill was read.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That all of the provisions of an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913, be, and the same are hereby, extended for a period of two years from and after the 4th day of March, 1916.

The SPEAKER. The question is on the third reading of the bill.

Mr. MANN. I would like to know what anybody expects to accomplish by this bill unless it is amended.

Mr. STEPHENS of Texas. It is the bill of the gentleman from New Mexico [Mr. HERNANDEZ], and he will explain it.

Mr. MANN. He did not draw the bill.

Mr. HERNANDEZ. Mr. Speaker, the House bill, H. R. 9131, of similar import, has been reported to the House. It is a similar bill.

Mr. MANN. Yes. I am familiar with both bills, but I call the attention of the gentleman from New Mexico to the fact that this only extends all the provisions of a certain act, which act limited the amount of land that could be disposed of under it, and that that land has all been disposed of already.

Mr. HERNANDEZ. My understanding is that there has been very little of the land that the original bill provided for allotted to these Indians.

Mr. MANN. But the Secretary of the Interior says that the records of the Indian Office show that the area applied for in Arizona exceeds the authorized area by possibly 2,000 acres, and he makes a similar statement practically in regard to New Mexico, where 16,000 acres have been applied for, while the limit in the act which it is proposed to extend is not to exceed 3,000 acres in Arizona and 1,000 acres in New Mexico and 5,000 acres in California. All that could be applied for under the original act has already been applied for, so that the extending the act would not accomplish what is desired. I offer an amendment to correct it.

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: At the end of line 8 insert the following after the word "sixteen":

"*Provided*, That there may be exchanged under the provisions of the act named herein a total area not exceeding 10,000 acres in Arizona and 25,000 acres in New Mexico."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HERNANDEZ, House bill No. 9131, of similar tenor, was laid on the table.

LAND FOR OMAHA INDIAN CEMETERY PURPOSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6417) to provide for the selection by the Omaha Indians and the setting apart of reservation lands for tribal cemetery purposes.

The title of the bill was read.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. STEPHENS of Texas. I ask unanimous consent, Mr. Speaker, that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Texas asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to reserve from sale, under the terms of the act of May 11, 1912 (37 Stat. L., 111), the following-described tracts of land within the Omaha Agency Reserve in Nebraska: The northwest quarter of the southwest quarter of the southwest quarter, formerly used by the Presbyterian missionary; and the northeast quarter of the southwest quarter of the southwest quarter, in addition to the 8 acres in the southeast quarter of the southwest quarter of the southwest quarter which have already been set apart; all in section 24, township 25 north, range 9 east, of the sixth principal meridian; said lands to be used by the Omaha Indians for cemetery purposes.

SEC. 2. That the Secretary of the Interior, in his discretion, may likewise cause to be set apart for Indian cemetery purposes unappropriated lands as follows: Not to exceed 10 acres other than herein described in the south half of the southwest quarter of section 24, township 25 north, range 9 east, and not to exceed 40 acres in two or more tracts in other parts of the reservation, said tracts to be selected by the Indians.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

AMENDMENT OF THE COPYRIGHT LAWS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8356) to amend sections 28 and 30 of an act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909.

The title of the bill was read.

The SPEAKER pro tempore (Mr. CARAWAY). Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That sections 28 and 30 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, be amended to read as follows:

"SEC. 28. That any person who willfully and for profit shall infringe any copyright in any work protected under the copyright laws of the United States, or who shall knowingly and willfully aid or abet such infringement, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for not exceeding one year or by a fine of not less than $100 nor more than $1,000, or both, in the discretion of the court: *Provided, however*, That nothing in this act shall be so construed as to prevent the performance of religious or secular works, such as oratories, cantatas, masses, or octavo choruses by public schools, church choirs, or vocal societies, rented, borrowed, or obtained from some public library, public school, church choir, school choir, or vocal society, provided the performance is given for charitable or educational purposes and not for profit.

"SEC. 30. That the importation into the United States of any article bearing a false notice of copyright when there is no existing copyright thereon in the United States, or of any infringing copies, matter, or material of any work copyrighted in the United States, is prohibited."

With a committee amendment, as follows:

On page 2, line 6, strike out the word "oratories" and insert the word "oratorios."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

CHARITON COUNTY, MO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11792) transferring Chariton County from the northern division of the eastern district to the western division of the western judicial district of Missouri.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Let the bill be read, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the county of Chariton, in the State of Missouri, be detached from the northern division of the eastern judicial district and attached to the western division of the western judicial district of the State of Missouri: *Provided*, That courts of the northern division of the eastern district shall retain and exercise jurisdiction over all causes and proceedings, civil and criminal, arising in or coming from said county and begun and pending at the date of taking effect of this act and of all criminal offenses committed in said county prior to the date this act goes into effect, the prosecution of which have not begun, as completely as if this act were not passed.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Reserving the right to object, in view of the very illuminating statement in the report, which is simply a recommendation that the bill do pass, I would like a little information on the subject, and on the form of the bill.

Before the gentleman makes a statement as to the form, I will say that the Judiciary Committee has fallen into the practice of reporting some bills, making slight changes in various judicial districts, and changes in the time of holding courts, by amending the sections of the Judicial Code in some cases, and in other cases by paying no attention at all to the section of the Judicial Code, but putting in an independent statute. It seems to me that the committee ought to have a uniform practice, one way or the other, and adhere to it. We passed the Judicial Code a few years ago and divided up the States into districts, naming the counties, and so forth; and for a time most of the amendments to that code were passed by amending the section, repeating it and making the change in the section, so that anyone who had the amended act would have the whole thing before him. Now bills are introduced, some of them doing it in that way and some in the other way. The Judiciary Committee ought to have a practice on the subject to which it conforms, and have all of these alike, so that anyone examining the statute can know what the custom is.

Mr. IGOE. Mr. Chairman, when this bill was considered that question was raised, as to whether it might not be the better practice to set out the statute as it would read when amended, and some of us were informed that on another occasion when that had been done the Senate changed the practice and reported back the bill in some such form as this.

Mr. MANN. The gentleman's information was incorrect. There has been no such case. There has been no case where the House passed a bill amending an original section, where the Senate struck that out and inserted a mere change of the law.

Mr. IGOE. As to the necessity for this, the gentleman from Missouri, my colleague [Mr. RUCKER], who drew the bill and introduced it, and who comes from Chariton County, will explain the necessity for it.

Mr. MANN. I suppose it was on account of the importance of it that the gentleman from Missouri, my friend [Mr. RUCKER], did not have any information contained in the report.

Mr. RUCKER. Mr. Chairman, I have no doubt the criticism of the gentleman from Illinois——

Mr. MANN. I am not making any criticism—far from it.

Mr. RUCKER. I have no doubt the remarks of the gentleman are well founded, and possibly it would be better to follow the suggestion he makes. The fact is, however, that this bill is in the form in which like bills have frequently passed the House.

In this particular matter the gentleman asks for information because the report does not fully disclose the reasons for the bill. I will say that Chariton County, Mo., in which I reside, was always in the western division of the western district of Missouri until a few years ago, when a certain judge presided over that court before whom the lawyers were so reluctant to try their cases that at their request and the request of the people I introduced a bill, in form like this one, by which Chariton County was transferred from the western to the eastern division of the State. Since that time a new occupant of the bench has appeared, before whom the lawyers are perfectly willing to try their cases, and for convenience they desire to be put back into the western district.

I will say that the county seat of Chariton County is on the main line of the Wabash Railway and close by Kansas City, so that it is very convenient to travel backward and forward, while the court in the eastern district is much more inconveniently located, requiring a longer time, a greater distance, and at least one, if not two, transfers on the railroad, with the incidental delay in waiting for trains, and so forth.

Mr. MANN. How long is it since we transferred this county to the eastern district?

Mr. RUCKER. I do not remember definitely, but I would say about 10 years.

Mr. MANN. And now we are transferring it back?

Mr. RUCKER. Yes.

Mr. MANN. How long does the gentleman think it will be before we transfer it back again?

Mr. RUCKER. Whenever we get another judge on the bench like the one who was there at the time it was transferred before.

Mr. MANN. That excuse hardly goes.

Mr. RUCKER. I have told the gentleman frankly why this county was taken out of the western district some years ago and why it is desirable to put it back now.

Mr. MANN. I know; but the gentleman says they took one county out of the district because that county did not happen to like the judge.

Mr. RUCKER. The gentleman well knows that proceedings of a different character were threatened here; and this is not the only county, but a number of other counties were taken out of the jurisdiction of a certain judge; and when he saw that something was being done that interfered with his jurisdiction, he retired from the bench, as he had the right to do under the law, and then the trouble disappeared.

Mr. MANN. As I understand it, if somebody in Missouri thinks the judge is looking cross-eyed at him, he wants his county moved into another district.

Mr. RUCKER. I will say to the gentleman that there can be no quarrel between him and me about that, because the judge I have reference to was appointed by President Cleveland and happened to come from this side of the House, the side I represent. We could not get along, and that is all there is about it. I will say to the gentleman that if he had been in the court and had seen what I have seen he would not have hesitated to do what has been done.

Mr. MANN. I can understand now why the report did not contain any information.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. RUCKER, a motion to reconsider the last vote was laid on the table.

DESERT-LAND ENTRIES IN RIVERSIDE COUNTY, CAL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11081) to exempt from cancellation certain desert-land entries in Riverside County, Cal.

Mr. FERRIS. Mr. Speaker, the corresponding Senate bill was passed Saturday by unanimous consent; and I ask unanimous consent that this bill lie on the table.

Mr. MANN. This House bill, the Raker bill, has already been laid on the table.

Mr. FERRIS. Yes; it is unnecessary to have it done again.

BRIDGE ACROSS MISSOURI RIVER, YANKTON COUNTY, N. DAK.

The next business on the Calendar for Unanimous Consent was the bill H. R. 10836, granting the consent of Congress to the Yankton County Bridge Co., a corporation, to construct a bridge across the Missouri River at a point between Yankton County, S. Dak., and Cedar County, Nebr.

Mr. DILLON. Mr. Speaker, I ask unanimous consent that the bill S. 4190, a bill of the same tenor, be substituted for the House bill.

The SPEAKER pro tempore. Is there objection to considering the Senate bill in lieu of the House bill? [After a pause.] The Chair hears none.

The Clerk read the Senate bill, as follows:

An act (S. 4190) authorizing the Yankton County Bridge Co., a corporation, to construct and maintain a bridge or bridges and approaches thereto across the Missouri River at a point between Yankton County, S. Dak., and Cedar County, Nebr.

Be it enacted, etc., That the Yankton County Bridge Co., a corporation organized under the laws of the State of South Dakota, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a bridge or bridges and approaches thereto across the Missouri River at a point suitable to the interest of navigation, in section 13, township 93 north, of range 56 west, Yankton County, S. Dak., to the shore opposite thereto, at a point in section 11, township 33 north, range 1 west, Cedar County, Nebr., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. DILLON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The bill H. R. 10836 was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, MONT.

The next business on the Calendar for Unanimous Consent was the bill H. R. 10750, permitting the Mondak Bridge Co. to construct, maintain, and operate a bridge across the Missouri River, in the State of Montana.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Mondak Bridge Co., a corporation organized under the laws of the State of Montana, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation at or near sections 14 and 15 township 26 north, range 59 east, Montana principal meridian, in the counties of Sheridan and Richland, in the State of Montana, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The following committee amendment was read and agreed to:

Line 1, page 2, after the word "Montana," insert the following: "at least one-half mile distant from the existing bridge of the Great Northern Railway Co. in that vicinity.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. DILLON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AMENDING SECTION 17 OF THE BANKRUPTCY LAW.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12195) to amend section 17 of the United States bankruptcy law of July 1, 1898, and amendments thereto of February 5, 1903.

The SPEAKER. Is there objection?

Mr. MANN. Let the bill be read.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 17 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended February 5, 1903, be amended so as hereafter to read as follows:

"SEC. 17. Debts not affected by a discharge.—A discharge in bankruptcy shall release a bankrupt from all of his provable debts, except such as (first) are due as a tax levied by the United States, the State, county, district, or municipality in which he resides; (second) are liabilities for obtaining property by false pretenses or false representations, or for willful and malicious injuries to the person or property of another, or for alimony due or to become due, or for maintenance or support of wife or child, or for seduction of an unmarried female, or for breach of promise of marriage accompanied by seduction, or for criminal conversation; (third) have not been duly scheduled in time for proof and allowance, with the name of the creditor, if known to the bankrupt, unless such creditor had notice or actual knowledge of the proceedings in bankruptcy; or (fourth) were created by his fraud, embezzlement, misappropriation, or defalcation while acting as an officer or in any fiduciary capacity."

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I would like first to ask in reference to a matter of form which is not, perhaps, important. I notice that the gentleman introducing the bill changes "one" to "first," "two" to "second," "three" to "third," and "four" to "fourth." It is not quite the form of the bankruptcy act. I want to ask out of curiosity why the change was made?

Mr. DANFORTH. I will say that that was against the wishes of the introducer of the bill. The copy was changed twice so as to make it accord with the original section, but the Government Printing Office insisted on substituting the words "first," "second," and so forth.

Mr. MANN. I think it is about time that the Public Printer had some one down there who knew how to follow copy. He has frequently and impudently made changes from the copy.

Mr. DANFORTH. I think the rules that the Printing Office prescribe require these words to be used.

Mr. MANN. The other day we sent to the Printing Office the record of some pairs which did not in the slightest degree concern the Public Printer in any way that I know of. He did not like the form in which the pairs were put and so he changed them around—thought it was none of our business—and fixed up the pairs the way he wanted them, giving no information. He deliberately cut it out. He has done that a number of times lately. Here is a bill introduced amending a section of a long law, drawn on certain lines. The original act might have said "first" instead of "one," but it did not. All through it is divided up into one, two, three, four, five, and six. The Public Printer thought "first" would look better than "one," so he changed it; he thought "second" would look better than "two," so he changed that. It is not possible to have the Public Printer print an amendment to a law following the language of the original law. I think it is about time it was stopped.

The SPEAKER. Is there objection. [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. DANFORTH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEASING OF IRRIGABLE ARID LANDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6782) providing for the leasing of arid lands which are irrigable belonging to Indian allottees and fixing the maximum time for which such leases may run.

The Clerk read the title to the bill.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent that that bill be passed without prejudice.

The SPEAKER. The gentleman from Texas asks unanimous consent that that bill be passed without prejudice. Is there objection?

There was no objection.

UNITED STATES COURT AT AIKEN, S. C.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9819) to amend the act of March 3, 1915, providing the time for the holding of the United States court at Aiken, S. C.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, let the bill be reported.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the act of March 3, 1915, entitled "An act to provide for the appointment of a district judge, district attorney, and marshal for the western district of South Carolina, and for other purposes," be, and the same is hereby, amended to read as follows:

"SEC. 5. That terms of the district court for the eastern district shall be held at Charleston on the first Tuesdays in June and December; at Columbia on the third Tuesday in January and the first Tuesday in November; at Florence on the first Tuesday in March; and at Aiken on the fourth Tuesdays in March and October."

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I assume that this bill is possibly to accommodate or, if not to accommodate, to accord with the recommendation of Judge Johnson.

Mr. WEBB. No; I can not say that it is.

Mr. MANN. If it is not in accord with his wishes, it has not the chance of a snow flake.

Mr. WEBB. I will say to the gentleman that the United States court and the State courts are held in the State courthouse in South Carolina. The holding of the United States court conflicts with the holding of the State courts, and in order to relieve the conflict and permit both authorities to hold their courts regularly this bill is recommended.

Mr. BYRNES of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Certainly.

Mr. BYRNES of South Carolina. I can say to the gentleman from Illinois that this courthouse is not in the district in which Judge Johnson is presiding judge, but is in the district in which Judge Smith presides and is recommended by him. The bill is introduced for the purpose stated by the gentleman from North Carolina [Mr. WEBB].

Mr. WEBB. There is no other place for holding court in Aiken except the State courthouse.

Mr. MANN. This is amending the act of last year which created an additional judge down there?

Mr. BYRNES of South Carolina. Yes.

Mr. MANN. Did the act do any more than that?

Mr. BYRNES of South Carolina. Yes; it fixed the time for holding the courts at all of the points in the State. Through an error a date was fixed which conflicts with the holding of the State court at this point. For that reason a change is sought to be made in the time for holding the court at Aiken.

Mr. MANN. Mr. Speaker, I am rather slow at getting at what I want to say, but I arose simply to say that one of the ablest Members this House ever had, in my opinion, was appointed United States district judge in the State of South Carolina, Mr. Joseph T. Johnson, and I will take my hat off to him at any time, whether in the House or on the bench. [Applause.]

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

LOCATING AND MARKING CONFEDERATE GRAVES.

The next business on the Calendar for Unanimous Consent was House joint resolution 171, to continue in effect the provisions of the act of March 9, 1906.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the act entitled "An act to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate army and navy who died in northern prisons and were buried near the prisons where they died, and for other purposes," approved March 9, 1906; and continued in full force and effect for two years by joint resolution approved February 26, 1908; and for the additional period of one year by a joint resolution approved February 25, 1910; and for the additional period of two years by a joint resolution approved December 23, 1910; and for the further additional period of two years by a joint resolution approved March 14, 1914, be, and the same is hereby, continued in full force and effect for two years from the expiration of the present continuation, March 13, 1916; and the unexpended balance of the appropriation made by said act of March 9, 1906, is continued and made applicable for expenditure during the additional period of two years herein provided for: *Provided*, That the triplicate registers provided for in the original act shall include the time and place of death of each Confederate soldier prisoner of war: *Provided further*, That the compensation of the commissioner shall be fixed by the Secretary of War.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I do not think there is a Member on either side of the aisle who is opposed to the worthy purpose covered by this resolution, but I do think there should be some evidence of a desire to terminate this work. I would like to inquire of the gentleman from Virginia [Mr. HAY] whether he thinks the work will be completed when the present unexpended balance of $40,000 is exhausted, or whether there will be this biennial call upon Congress to continue reviving the work of this commission and providing for additional funds when we are long out of Congress?

Mr. HAY. Mr. Speaker, it is impossible for me to answer that question, as I do not know how much more work has to be done. The present incumbent of this office has filed a very full report showing what has been done under his administration, and he says in the last part of that report that it is not possible at this time to definitely forecast the time required to complete the work, but that due diligence is being exercised to do so in the shortest time possible.

Mr. STAFFORD. Perhaps he meant by that that he might surprise Congress by completing the work within the two-year period?

Mr. HAY. Yes. I will say that the present commissioner is a gentleman of great industry and has discharged the duties of his office with great ability.

Mr. STAFFORD. The recent report shows that he has been very assiduous in the work, but I assume that the gentleman from Virginia is in sympathy with this work being concluded at some time?

Mr. HAY. Oh, certainly.

Mr. STAFFORD. We would all like to see the work brought to a close, and there is no reason why it should not be brought to a close.

Mr. HAY. Yes; I should think in two years it ought to be completed.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This resolution is on the Union Calendar.

Mr. HAY. Mr. Speaker, I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAY, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

ALSEA INDIANS, SILETZ RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10307) authorizing the Secretary of the Interior to pay and to distribute the balance now in the Treasury to the credit of the Alsea and other Indians on the Siletz Reservation.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, in his discretion, to pay to the heirs of any deceased person enrolled as living on the Siletz Reservation at the time of the ratification of the agreement with the Alsea and other Indians on the Siletz Reservation on August 15, 1894 (28 Stat. L., p. 324), the pro rata share of such deceased person in the fund of $100,000 set aside as a permanent fund by article 2 of the agreement.

The Secretary of the Interior is also hereby authorized to pay per capita to living members of the tribe any or all of any balance remaining from the $42,600 set aside by article 2 of the agreement for paying $75 each to "males of 21 years and females of 18 years or more, and all married persons, whether they shall be of age or not." The Secretary is also authorized, in his discretion, to expend all or any part of said balance for the care and support of aged, infirm, or destitute members enrolled under the provisions of the agreement.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as I understand it, there are about 28 persons to whom this fund will be available.

Mr. HAWLEY. In the distribution of the first part of it, the balance of the $100,000.

Mr. STAFFORD. And there are some $42,600 now undistributed?

Mr. HAWLEY. Of the $42,000, the sum in the second part of the bill, there is about $4,600 yet undistributed, with some accrued interest.

Mr. STAFFORD. What I wish to inquire especially about is this: I could not get a clear idea from reading the report how much per capita will be paid to these heirs per stirpes.

Mr. HAWLEY. As I understand from the department's statement, the same amount as would have been paid to the original persons had they lived. Each heir will take that which would have been paid to the immediate ancestor.

Mr. STAFFORD. Where is there any such direction in the bill under consideration, that they shall receive no more than what their original ancestor would have taken?

Mr. HAWLEY. I can not answer that, except that the bill was prepared by the department in order to enable them to carry out that purpose. They have been doing this work before—distributing the money.

Mr. STAFFORD. To the heirs of the original persons entitled to it?

Mr. HAWLEY. Yes; and as they state in their report, they reread the terms of the agreement and concluded that it did not warrant them in doing that—about three years ago—and so they ceased the distribution that had been formerly made, holding it up awaiting this legislation to enable them to go on with the work as it had been heretofore carried on.

Mr. STAFFORD. Can the gentleman give estimate as to the amount of money that will be available for payment to these heirs?

Mr. HAWLEY. As I remember the report of the Commissioner of Indian Affairs, which I do not have before me at this time, there would be a few thousand dollars, I have forgotten how many but not a very large sum.

Mr. STAFFORD. Well, it says here in the report payment has been made to the heirs of all but 4 deceased persons, and in addition to those 4 persons there are now 24 living who are entitled to their pro rata share, making in all some 28. I was curious to find out what would be the basis of apportionment to those who are heirs, whether they would receive a larger percentage than the original ancestor would be entitled to.

Mr. HAWLEY. Well, I understood the practice of the department was to pay the heirs what their ancestors would have received.

Mr. STAFFORD. Of course, there is nothing here in the bill making such a limitation. I do not think it would be fair to pay the heirs a greater pro rata than what the ancestors were originally entitled to.

Mr. MANN. Why not? They usually treat an Indian as an Indian; I do not know what they do here, where every one is born it comes in as though he was a grandfather.

Mr. STAFFORD. These descendants are not necessarily members of the tribe.

Mr. HAWLEY. Oh, yes.

Mr. STAFFORD. Oh, no. They do not have to be members of the tribe. The original allottee did not receive the fund, because he was perhaps a shiftless person or noncompetent or for some other reason the money was held up. There are only 24 persons who have received the fund and there are 4 other shares of deceased persons whose heirs would be entitled to a share in the proceeds of this fund under this bill, and I am curious to know whether they are going to receive more or only the same portion as the original allotment.

Mr. HAWLEY. My understanding is that the 24 who did not receive the amount when it was originally distributed will receive their full share, and the heirs of the others will receive the part that their ancestors would have received.

Mr. STAFFORD. Would there be any balance of this $48,000 remaining after it is divided into 28 equal parts?

Mr. HAWLEY. Of the $100,000?

Mr. STAFFORD. There is only $42,000.

Mr. HAWLEY. That is the second part of the bill and in the last paragraph.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. HAWLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENLARGED HOMESTEADS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 8654) to amend an act entitled "An act to provide for an enlarged homestead."

The Clerk read as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to provide for an enlarged homestead," approved February 19, 1909, and of an act entitled "An act to provide for an enlarged homstead," approved June 17, 1910, as amended by an act approved February 11, 1913, and as amended by an act approved March 3, 1915, be, and the same is hereby, amended to read as follows:

"SEC. 3. That any person who has made or shall make homestead entry of the character herein described and who has not submitted final proof thereon, or who, having submitted final proof, still owns and occupies the land thus entered, shall have the right to enter public lands, subject to the provisions of this act, contiguous to his first entry, which shall not, together with the original entry, exceed 320 acres: *Provided*, That if there be no vacant land of this character contiguous to his original entry such person may enter as such additional entry other land situated in the land district where such former entry was made: *Provided*, That the land originally entered and that covered by the additional entry shall have first been designated as subject to this act, as provided by section 1 hereof."

The committee amendment was read, as follows:

Strike out all the matter just read and insert the following:

"That the act entitled 'An act to provide for an enlarged homestead,' approved February 19, 1909, be amended by adding thereto an additional section to be known as section 7:

"'SEC. 7. That any person who has made or shall make entry of less than 320 acres of lands of the character herein described, and who shall have submitted final proof thereon, shall have the right to enter public lands subject to the provisions of this act, not contiguous to his first entry, which shall not with the original entry exceed 320 acres: *Provided*, That the land originally entered and that covered by the additional entry shall first have been designated as subject to this act as provided by section 1 thereof: *Provided further*, That in no case shall patent issue for the land covered by such additional entry until the person making same shall have actually and in conformity with the homestead laws resided upon and cultivated the lands so additionally entered, and otherwise complied with such laws: *And provided further*, That this section shall not be construed as affecting any rights as to location of soldiers' additional homesteads under section 2306 of the Revised Statutes.'"

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I understand this bill goes farther than any bill passed by this House, as the additional land to which the former homesteader could make entry under former bills was to within 30 miles of his homestead, but this gives the privilege to go anywhere and take up an additional amount of land to make up his quota of 320 acres.

Mr. TIMBERLAKE. I will say he is restricted, however, to the character of land contained in his first application. This amendment was a recommendation by the Department of the Interior.

Mr. STAFFORD. But he is not restricted to any local district. He may go anywhere, even if he is no longer living on the land, even if he has sold his homestead right; he can make additional entry for an amount of land to equal 320 acres.

Mr. TIMBERLAKE. That is only in the case where 320 would be necessary for a homestead entry. There is a reason for that. They have undergone all the hardships incident to that country, and just when the time arrives when he could be recompensed for the work he had done he was barred by reason of the fact he had made final proof, and he sees his neighbor, who had not undergone the hardships, take an adjacent homestead giving him 320 acres.

Mr. STAFFORD. He had a preferential choice and he decided on land on which the entire homestead was sufficient to maintain him. He went ahead and entered and improved the property. Just because we passed an enlarged homestead law, because the remaining land was not sufficient to sustain a family, you are going to give this man, who may have abandoned the farm a year ago, the right to locate somewhere else and take up a second entry.

Mr. TIMBERLAKE. I would like to say to the gentleman that applied to the person who is given the benefits of this act. Now, three or four years later a settler settles in this same locality; the Government comes on and says that it requires 320 acres in order to make a comfortable living. Now, that man comes in there three or four years later than this man and he is given the benefit of the 320 acres.

Mr. STAFFORD. Those were cases where the man had not up to that time made final proof.

Mr. TIMBERLAKE. That is true.

Mr. STAFFORD. And, of course, granting to everyone who was then going to enter upon land the additional right to take up land of 320 acres, Congress was naturally influenced by the equitable side to extend it to those who had already entered but had not made final proof. But here you are giving a second homestead entry to persons who already may have abandoned their homesteads, a departure entirely from the policy of Congress which can not be justified, in my opinion.

Mr. TIMBERLAKE. Mr. Chairman, it seems to me there is every justification to give this to those people who went out to that country in an early day. It had not been said to him that

160 acres was ample for him to maintain himself and family, and they had gone out there presuming that they might be able to do so, and they underwent a hardship for five or six years on that 160 acres, and very nearly starved to death in many cases. They were required to make proof in seven years, which prevented them from getting the benefit of the 320 acres which Congress decided afterwards was necessary for a living on that character of public land, and the consequence is that they really received no benefit from this homestead entry. Now, the provisions of this bill require that they comply with the homestead law. It does not give it to them in fee. They have to go and cultivate it and reside on it for three years. And it does seem to me it is giving consideration to those who went to this country at an early day and underwent all the hardships of that region, and there is no justification, in my mind, for barring them.

Mr. STAFFORD. Does not the gentleman think it is giving them a second homestead entry to the land?

Mr. TIMBERLAKE. It is a second homestead entry, but it simply equalizes them with their neighbors who came in later and had not undergone all the hardships of that country that the earlier settler had undergone.

Mr. STAFFORD. This could not be used in conjunction with a homestead entry.

Mr. MANN. Under this they have to live on the new land.

Mr. STAFFORD. They may have sold their old entry, and this gives them a second homestead entry.

Mr. MANN. On this class of land.

Mr. TIMBERLAKE. Possibly some of them have sold it and the title has parted from them for the reason that they absolutely exhausted all they could get out of the land to keep their families and educate their children.

Mr. STAFFORD. The gentleman is taking an inconsistent position. He claims that formerly, under the original law, before the enlarged homestead entry, a man could not make a living on 160 acres of that character of land. Now, he has abandoned that land, and you are going to give him the right to enter upon a remnant of the 320 acres, the difference between his original entry and the 320, where it is acknowledged he could not make a living, just merely for the purpose, maybe, to get title to it and sell it.

Mr. MANN. Is not this the situation: We have given to those who are now on the land, and have their homesteads there, the right to 160 additional acres of the same class, without their even going to live upon it at all; that we will make them a present of it?

Mr. STAFFORD. Subject to the passage of the enlarged homestead entry.

Mr. MANN. Now, this proposition proposes to give those who did make a homestead and lost it, perhaps, or I might say sold it—but I take it that most of them practically lost it—a chance to try it over on the same class of land.

Mr. STAFFORD. On a smaller fraction.

Mr. MANN. Not a smaller fraction—the same fraction. What they could take before was 160 acres, and this would give them a chance to take a new 160 acres. Can we not just as well afford to take care of the fellow who lost his place as one who kept it?

Mr. STAFFORD. Are we not taking care of the fellow who has got an advantage in his original homestead entry of 160 acres, and now wishes to go and exploit another 160 acres?

Mr. MANN. I take it that in most cases they have lost it.

Mr. TIMBERLAKE. In 99 cases out of 100.

Mr. STAFFORD. This is not a case where a man goes and takes a piece of ground out of which he makes profit.

Mr. FERRIS. These must be investigated by the Geological Survey, and it must be found to be nonirrigated, nonmineral, and notimbered.

Mr. STAFFORD. And 320 acres are required and, therefore, you propose to give him 160——

Mr. FERRIS. The gentleman will recall that on our way out through The Needles there was land similiar to this. Suppose it did exist, and suppose he did worry along with it and get title to the first 160 acres, and then came along under the act of 1899, which gave a man a right to 320 acres, that amount is not too much.

Mr. STAFFORD. I would not object to granting to the man who is still living on his land the right to an additional 160 acres, provided it was tributary, but to grant him an additional right, no matter where the location is to be, I think is to adopt a policy that should not be approved by this House.

Mr. FERRIS. I wish to say that the gentleman from Colorado [Mr. TIMBERLAKE] has been in the Land Office himself as receiver, and his judgment is sound on that, and he is right about it. It is not too much to give a man an additional entry of 160 acres that already has 160 acres of this nonirrigable, nontimbered land.

If it was irrigable land, if it was timberland, if it was mineral land, I would be in agreement with the gentleman—and he and I agree about most things as to that kind of land—but Congress has got to display a little liberality toward those people, you know.

Mr. STAFFORD. Does not the gentleman think Congress has been displaying a considerable amount of liberality toward those persons who are on the land? I do not object to affording further rights to the man who is on the land, but to the man who has sold his entry I do not think we should do it.

Mr. FERRIS. They are constrained by the direst circumstances sometimes to part with their 160 acres. They may have only a team of ponies, worth about $25 apiece, and a barrel of water and a shanty, and they may be trying to raise a family and a little broom corn and a little sod crop, and they do not have much music while they eat, I can assure the gentleman.

Mr. STAFFORD. I will withhold my objection, Mr. Speaker, in response to the request of the gentleman from Colorado [Mr. TIMBERLAKE].

Mr. TIMBERLAKE. Mr. Speaker, I want to say that this is in line with the acts of Congress all the way through. The act of 1889 gave an additional homestead to the men who had filed on an earlier homestead, where it was deemed at first that 80 acres would be enough to keep a family. They went out to this territory, where it was designated that 320 acres were necessary to make a homestead, and the department allows them to take up, in all, 320 acres.

Mr. STAFFORD. Mr. Speaker, will the gentleman be willing to pass this over until next week without prejudice, when I can make further inquiry along the line of the gentleman's remarks?

Mr. TIMBERLAKE. Yes. I ask unanimous consent, Mr. Speaker, that we pass over this bill without prejudice.

The SPEAKER. The gentleman from Colorado [Mr. TIMBERLAKE] asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

ENLISTED MEN OF THE NAVY AND MARINE CORPS IN SERVICE OF THE REPUBLIC OF HAITI.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12835) to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Republic of Haiti, and for other purposes.

The title of the bill was read.

Mr. MANN. Mr. Speaker, what became of Calendar No. 82?

Mr. STAFFORD. That was passed over by the Clerk without prejudice. [Laughter.] That is House Calendar 66, known as the Gordon bill.

The SPEAKER. The Clerk will report it.

REPEAL OF SECTION 1342, REVISED STATUTES.

The Clerk read the title of the bill, as follows:

A bill (H. R. 7619) to repeal section 3 of section 1342 of the Revised Statutes of the United States, enacted July 27, 1892.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, is this another star print? I do not recognize the bill from the copy that I have as read by the Clerk.

The SPEAKER. Is this the star print of this bill or not? The Chair understands that this is the original print.

Mr. MANN. The Clerk did not read the copy that I have in my hand. I ask that it be read over again.

The SPEAKER. The Clerk will again report the bill.

The Clerk read as follows:

A bill (H. R. 7619) to repeal section 3 of section 1342 of the Revised Statutes of the United States, enacted July 27, 1892.

Be it enacted, etc., That section 3 of section 1342 of the Revised Statutes of the United States be, and the same hereby is, repealed.

SEC. 2. That this act shall take effect and be in force from and after its passage, and shall apply to all pending prosecutions and existing causes of prosecutions.

The SPEAKER. Is there objection.

Mr. GORDON. I will ask unanimous consent to pass the measure without prejudice.

The SPEAKER. The gentleman from Ohio asks unanimous consent to pass the bill without prejudice. Is there objection?

There was no objection.

NAVAL AND MARINE OFFICERS IN HAITI.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12835) to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under

the Government of the Republic of Haiti, and for other purposes.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, the gentleman from Tennessee [Mr. PADGETT] is out of the hall at present on committee work. I told him that I was not willing to let this bill be passed to-day. I ask unanimous consent that it may be passed over without prejudice.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent to pass the bill without prejudice. Is there objection?

There was no objection.

BRIDGE ACROSS WABASH RIVER, SILVERWOOD, IND.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13006) to authorize the reconstruction of an existing bridge across the Wabash River at Silverwood, in the State of Indiana, and the maintenance and operation of the bridge so reconstructed.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That the Toledo, St. Louis & Western Railroad Co. and Walter L. Ross, its receiver, their successors or assigns, be, and they are hereby, authorized to reconstruct the bridge of said company and operate the same across the Wabash River at or near Silverwood, Ind., at a point suitable to the interests of navigation, on the line of the existing bridge of said company, in accordance with the provisions of the act entitled, "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 6, insert after the word "and" the words "maintain and."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. CULLOP, a motion to reconsider the last vote was laid on the table.

COMMERCE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 308) to amend the act to regulate commerce, as amended, and for other purposes.

The Clerk read the title of the bill.

Mr. ADAMSON. I understand the gentleman from Illinois [Mr. MANN] does not think we ought to consider this bill and the following bill and joint resolution to-day?

Mr. MANN. Yes.

Mr. ADAMSON. Then I ask unanimous consent that Unanimous Consent Calendar Nos. 85, 86, and 87 go over without prejudice until the next unanimous-consent day.

The SPEAKER. The gentleman from Georgia asks unanimous consent that Unanimous Consent Calendar Nos. 85, 86, and 87 be passed without prejudice. Is there objection?

There was no objection.

HOMESTEAD LAW IN ALASKA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 228) to amend the United States homestead law in its application to Alaska, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, let the bill be reported.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That every person who is qualified under existing laws to make homestead entry of the public lands of the United States who has settled upon or who shall hereafter settle upon any of the public lands of the United States situated in the District of Alaska, whether surveyed or unsurveyed, with the intention of claiming the same under the homestead laws, shall, subject to the provisions and limitations hereof, be entitled to enter 160 acres or a less quantity of unappropriated public land in said District of Alaska, and no more.

SEC. 2. Additional homestead entries authorized in Alaska: That every person who is the head of a family, or who has arrived at the age of 21 years, and is a citizen of the United States, or who has filed his or her declaration of intention to become such, as required by the naturalization laws, shall be and is hereby authorized to enter one quarter section or a less quantity of unappropriated public in the Territory of Alaska, under the provisions of the homestead laws of the United States, and the fact that such person has prior to such entry in Alaska entered or acquired title to a homestead entry under the homestead laws of the United States in any other State or Territory shall not be held to bar such additional entry in Alaska, and the Secretary of the Interior shall make such additional rules and regulations as may be necessary to carry out the provisions of this section: *Provided*, That said additional homestead may be located and entered upon surveyed or unsurveyed lands, and when so entered upon unsurveyed lands shall be so entered under the laws now in force in Alaska in relation to the entry of unsurveyed lands, except as modified by this act: *And provided further*, That this section shall apply to any person in Alaska who has in good faith entered upon said land for homestead entry prior to the passage and approval of this act.

With the following committee amendment:

Page 3, after line 2, insert the following as a new section:

"SEC. 3. That there shall be excepted from homestead settlement and entry under this act the lands in Annette and Pribilof Islands, the islands leased or occupied for the propagation of foxes, and such other lands as have been or may be reserved or withdrawn from settlement or entry."

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I will ask the gentleman, have they got tired of 320 acres up there in Alaska?

Mr. FERRIS. Where the expense of clearing is great and the terms of the law are mandatory, as to cultivating a certain area, these provisions have proven burdensome to the people up there, and the Delegate from Alaska and numerous citizens who have written to the committee urge that the limit be cut down.

Mr. MANN. Is it mandatory on them to take 320 acres under the existing law?

Mr. FERRIS. No; but they do take it under the law, and they have to cultivate a certain proportion, I believe one-eighth of it, the first year and some additional each year.

Mr. MANN. But a man who protests against his right to take more than 160 acres may confine himself to the privilege of taking 160 acres. He may take more, but he is not compelled to.

Mr. FERRIS. Perhaps what the gentleman says may be true, although it is handled in this way: The Geological Survey goes out and makes an examination of certain lands and designates them as entitled to be entered under the 320-acre or enlarged homestead law or under the 160-acre homestead law. Now, if a man made application to enter 160 acres, in lands that were designated as dry-farming lands, or entitled to be entered under the 320-acre law, I am not sure that his application would be received.

Mr. MANN. I am sure that there is no law of the United States that requires a man to take a fixed quantity of land. He is permitted to do it, but he may take less if it is divided, and there is that division.

I am very certain that we have not learned all the reasons for the passage of this bill, because when people protest that the law permits them to take too much and they have the right to take less and they want the law changed, you have got to show me. [Laughter.]

Mr. FERRIS. I will yield to the gentleman from Alaska, who is more familiar with it. I know of no reason why the area should not be reduced if they desire it up there.

Mr. MONDELL. Before the gentleman does that will he yield to me for a question to refresh my memory. Have we extended to Alaska the limited homestead law, the law allowing a limited patent on mineral lands?

Mr. FERRIS. I think so. The gentleman from Alaska will probably know better than I about local laws up there.

Mr. WICKERSHAM. We have a special law in Alaska allowing the homesteader to take 320 acres.

Mr. MONDELL. That is not the question. Have we extended to Alaska what is known as the limited-title law, under which a homesteader may take lands containing certain minerals, secure a patent, reserving to the Government the minerals?

Mr. WICKERSHAM. I do not know.

Mr. FERRIS. We passed a law in 1898 extending the homestead law and in March, 1893, an act providing that the homestead law shall be applicable up there, and now the gentleman asks if we provided for a limited homestead, a surface patent.

Mr. MONDELL. What is erroneously called a surface homestead—was that law extended to Alaska?

Mr. FERRIS. I am not sure about that.

Mr. LENROOT. It is my recollection that in the coal-leasing law we did, but I am not certain about it.

Mr. MONDELL. Let me suggest this to the gentleman, that as to the second section, which seems to me to be the only part of the bill that is important, because the gentleman from Illinois has called attention to the fact that there is no necessity of reducing the area of a homestead if the object be to relieve the homesteader of the necessity of more clearing and cultivation, he can comply with that, because he can meet that situation himself. That matter is entirely under his control. But the second section contains a provision which, I think, is a very wise one, under which a former entry in the United States is not a bar to a homestead in Alaska. That could be provided for in a bill of two lines, and that is important. But the difficulty of the bill, as I see it, is that reenacting, as it does at great length and in extenso the homestead law, following, if it does, the law providing for a limited patent and containing no provision at all with regard to minerals, it raises a question of what class of lands you are confining.

Mr. FERRIS. I will yield to the gentleman from Alaska, who, I am sure, can give you the information.

Mr. WICKERSHAM. In regard to the point made by the gentleman from Illinois [Mr. MANN], the bill was not introduced in the interest of the man who has taken the homestead. It was not introduced for the purpose of preventing him from getting the benefits of the old law, but it was introduced because there is a small area of this good land in Alaska, and it is now being taken by men in these large tracts. There is not enough to go around, and we think 320 acres is altogether too much to allow a homesteader in valleys where there is such a limited quantity of this good land. Along the line of the new railroad there are thousands of people going in, and to allow each one 320 acres is to limit the population too much, which will happen if each one takes 320 acres.

Mr. MANN. Why did you not give the reason when the proposition came up instead of giving the reason that it required them to cultivate too much, which on its face is an absurdity?

Mr. WICKERSHAM. Both reasons are good.

Mr. MANN. The gentleman does not claim that it is a good reason to say if a man has a right to take 160 acres or 320 acres that he wants a law passed saying that he can not take over 160 acres because he can not restrain himself from work.

Mr. WICKERSHAM. We find that where they can take 320 acres or 640 acres they invariably take the maximum and then groan about it.

Mr. MANN. Let them groan.

Mr. WICKERSHAM. I want to limit them so that some other man can get a chance.

Mr. MANN. That is another reason, but it is not the reason set forth in the report. We all know that people have to restrain themselves, restrain their passions and appetite in eating and drinking, and so forth, but to say that a man must restrain his passion for work on a homestead entry by law gets me.

Mr. FERRIS. If the gentleman will yield, in Congress a few years ago we passed the enlarged-homestead act giving the right to enter 320 acres, and they now say they only want to enter 160. Now, what earthly objection can there be to that?

Mr. MANN. No objection on my part, but as a reason on its face it is palpably incorrect. I asked the question hoping that I might find out the real reason for the passage of the bill. It is absolutely silly to say that a man who has the right to take 160 acres or 320 acres insists that Congress shall limit him to 160 acres. He can take 160 acres if he wants it. Everybody knows that that is not the reason for the passage of the bill.

Mr. FERRIS. What is the reason? I know of none other than the one assigned and the additional one, that they desire it.

Mr. MANN. That is what I am trying to find out.

Mr. WICKERSHAM. I stated the reason to the gentleman from Illinois.

Mr. MANN. The gentleman from Alaska may have given the reason, but that is not the reason assigned in the report. The reason assigned in the report is so palpably incorrect that I wanted to know what the real reason was.

Mr. WICKERSHAM. I have given the gentleman the real reason.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire of the chairman of the committee whether, in considering the question of granting an additional homestead right to those who had heretofore exercised that right in the United States, the committee considered those instances where persons merely go on to timberlands, strip the timber off, and dispose of it, without any idea of making it a permanent home. I know, on a visit to Canada some years ago as a member of the select committee on pulp and paper investigation—the Mann Committee, so called—we found numerous instances in northern Canada where persons made it a practice of locating on timberlands with the sole idea of stripping the lands of the timber, selling it, and then abandoning the land. We all know that in Alaska there are large timberlands.

Mr. FERRIS. But the timberlands are all in the forest reserves.

Mr. STAFFORD. Oh, there are some lands outside of the forest reserves that necessarily have timber on them, and the idea came to my mind whether this would not permit that character of exploitation?

Mr. FERRIS. Mr. Chairman, I will give the theory of the committee. Of course, what the gentleman says now touches section 2 of the bill, and what the gentleman from Illinois [Mr. MANN] was talking about was section 1.

Mr. STAFFORD. Yes; I referred to section 2.

Mr. FERRIS. The committee were of opinion that if any citizen of the United States, whether he had had lands in the States or not, was willing to go up to Alaska and amid the rigid climate there reduce any part of that Territory to a homestead and put it in cultivation he ought to have the right to do it.

Mr. STAFFORD. Mr. Speaker, I am in sympathy with that idea, that those up there should, if they wish to make a permanent home, even though they have heretofore exercised the right of homestead in the United States, be given the privilege in Alaska.

Mr. FERRIS. And let me give the gentleman another reason. There are 370,000,000 acres of unentered land in Alaska, and only two homesteads have ever gone to patent up there. There are 35,000 people, or thereabouts, in the entire Territory. Congress has seen fit to appropriate thirty-five or forty million dollars for a railroad to open that Territory up, and it seems to me the height of folly to remain rigid and binding and hold that country back when there is so much public land there waiting to be taken up by anyone.

Mr. STAFFORD. Can the gentleman inform the House why but two homestead entries have been availed of up there in the frozen north? I know the gentleman was violently opposed to the policy of extending the railroad up into those frozen regions.

Mr. FERRIS. Mr. Speaker, I did not care to go into that feature of it at all, although I think what the gentleman says is true. I thought it was appropriating too much money for such a sparsely settled country. We have such a multiplicity of needs at home. However, it is passed and it is now my duty to help all I can to make it a success.

Mr. STAFFORD. Why is it that but two homesteads have gone to patent up there?

Mr. FERRIS. I think I can tell the gentleman. A few years ago during the Ballinger-Pinchot controversy a great flare went up all over the land that made everyone think, whether rightfully or wrongfully, that they were trying to steal all of the coal mines and the copper mines in that country. The President, perhaps rightfully, withdrew the accessible areas of that land from entry for mineral purposes, not knowing where it was or what it was, and the Geological Survey did not have enough money to enable them to find out. The President by a blanket order withdrew it all, and much of it was not open to any sort of entry and people did not try to go there. If they did, they were abused like pickpockets, if they went there and tried to develop the country. Under those conditions there could not be any development or settlement, and with 370,000,000 acres waiting to be developed, with scarcely any of the land entered, I think we better let these sturdy fellows who have gone on the frontier press a little farther west and develop that territory.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MONDELL. I think if the gentleman from Alaska [Mr. WICKERSHAM] thinks that these homesteads ought to be reduced in size in Alaska we should do it, for he is probably more familiar with the situation than anyone else. He has now given what strikes me as being a good reason for it. The second section is important, and I am entirely in harmony with it, but I want to suggest to the gentleman from Oklahoma that in view of legislation that is following the original homestead act it is not wise to put a new homestead act on the statute books if we can avoid it, and all that is necessary to do to accomplish that which is proposed by section 2 is to say at the end of section 1, "and a former homestead entry in any other State or Territory shall not be a bar to a homestead entry in Alaska." You will accomplish everything, and you avoid several questions that seem to me would be raised under the language in section 2.

Mr. FERRIS. The gentleman from Alaska will probably know better than I, but I think that is a good suggestion.

Mr. WICKERSHAM. I have no objection to that.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Speaker, I offer the following amendment, to come in at the end of section 1, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 3, by adding, after line 2, the following: "And a former homestead entry in any other State or Territory shall not be a bar to a homestead entry in Alaska."

Mr. FERRIS. Mr. Speaker, the Committee has no objection to that amendment.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MONDELL. Mr. Speaker, I now move to strike out section 2 of the bill.

The SPEAKER. The question is on the amendment offered by the gentleman from Wyoming to strike out section 2.

The amendment was agreed to.

Mr. FERRIS. Mr. Speaker, I will ask the Clerk to report the committee amendment.

The Clerk read as follows:

Add as a new section the following:

"SEC. 3. That there shall be excepted from homestead settlement and entry under this act the lands in Annette and Pribilof Islands, the islands leased or occupied for the propagation of foxes, and such other lands as have been or may be reserved or withdrawn from settlement or entry."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the section just adopted be numbered 2 instead of 3.

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

Mr. LENROOT. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 1, in line 10, strike out the word "hereof" and insert "of the act approved March 3, 1903, chapter 1012, United States Statutes at Large, page 1028."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

AID TO PARIS, TEX., FIRE SUFFERERS.

The SPEAKER. The gentleman from Texas [Mr. BLACK] has a bill which the Chair thinks is an emergency matter, and, if there is no objection to it, he will recognize him to call it up.

Mr. MANN. Why does not the gentleman make a request to suspend the rules?

Mr. GARNER. If there is no objection to it——

The SPEAKER. The Chair will say to the gentleman from Illinois that this matter——

Mr. MANN. I know not what it is; but I think on unanimous-consent day, even on this matter, it is wiser to recognize him to suspend the rules.

Mr. GARNER. I understand the gentleman from Illinois [Mr. MANN] simply does not want to make a precedent of this character?

Mr. MANN. I did not say that.

Mr. GARNER. I wanted to get the gentleman to say it, if I could.

The SPEAKER. The gentleman from Texas [Mr. BLACK] moves to suspend the rules and pass the bill (H. R. 13769), with an amendment, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to supply for temporary use, under such rules and regulations as he may prescribe, a sufficient number of tents to afford shelter for the sufferers from the recent conflagration in Paris, Tex., who are in need of the same.

SEC. 2. That the sum of $60,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War in the purchase and distribution of tents, cots, and blankets to such destitute person as may require assistance in said conflagration district.

Mr. MANN. Mr. Speaker, I ask for a second.

Mr. BLACK. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

Mr. MONDELL. Has the amendment been read?

The SPEAKER. No. The Clerk will read it right now.

The Clerk read as follows:

Pages 1 and 2, after the enacting clause, strike out all of the language of the bill and insert in lieu thereof the following:

"That the Secretary of War is authorized to supply for temporary use, under certain rules and regulations as he may prescribe, a sufficient number of tents to afford shelter for the sufferers from the recent conflagration in Paris, Tex., who are in need of same, and to furnish such cots, blankets, and supplies as in his judgment are necessary to relieve the destitute persons who may require assistance in such conflagration district."

The SPEAKER. Is a second demanded?

Mr. MANN. Mr. Speaker, I demand a second.

Mr. BLACK. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. May I ask the gentleman whether the word "supplies" in there includes food?

Mr. BLACK. I will say to the gentleman from Illinois that I assume that matter would depend on such construction as the Secretary of War might give it.

Mr. MANN. I have no doubt of that, but I would like to ascertain in advance what the construction is.

Mr. BLACK. I do not think any rations will be necessary at all, and it is not contemplated that rations will be furnished, unless the situation requires it. I will say to the gentleman from Illinois that the people of Paris have raised locally, so I am informed, the sum of $22,000, and the neighboring cities have raised about $23,000, to take care of these immediate necessities for food supplies. These amounts will probably care for all the emergency needs for food.

Mr. MANN. I would like to ask the gentleman from New York [Mr. FITZGERALD], the distinguished chairman of the Committee on Appropriations, who I believe drafted the amendment, whether this is intended to cover the furnishing of rations or food?

Mr. FITZGERALD. Yes; if it is found to be necessary. I mean that the intention was that if a situation existed there in the emergency where it is thought by the War Department to be necessary to issue rations to persons in that district, they should have power to do so.

Mr. MANN. This bill, which was ordered reported and dropped in the basket on Saturday, has not yet come into my hands, and I was informed on Saturday that the Committee on Military Affairs had decided not to recommend the furnishing of food. I do not know whether that is correct or not. But that was the impression I got.

Mr. GARNER. The gentleman from Illinois is in error about that. The Committee on Military Affairs reported a bill carrying an appropriation of $60,000 for cots, tents, and rations.

Mr. BLACK. And supplies.

Mr. MANN. I am afraid the gentleman from Texas [Mr. GARNER] is in error now.

Mr. BLACK. I will say to the gentleman that the Committee on Military Affairs in the bill that they have reported to this House, and which is the bill introduced by me on March 27, used the same language as is used by the gentleman from New York [Mr. FITZGERALD] in the amendment which he has proposed. The only difference is that his amendment eliminates the specific appropriation of $60,000 and authorizes the Secretary of War to go ahead and give such relief as he finds necessary, and the sum expended will be covered by a deficiency appropriation later on. This is the effect of the amendment prepared by the gentleman from New York [Mr. FITZGERALD].

Mr. MANN. Was there a question raised in the Committee on Military Affairs as to whether we should furnish rations or not?

Mr. BLACK. I will say to the gentleman that the bill as originally drafted did use the word "food."

Mr. MANN. Did not the committee cut that out?

Mr. BLACK. They did; and used the same language as used here by the gentleman from New York [Mr. FITZGERALD] in his amendment which he drafted, which eliminates the word "food" and substitutes in lieu thereof the words "and such supplies as in the judgment of the War Department are necessary."

Mr. FITZGERALD. This amendment contains the language from the bill as reported from the Committee on Military Affairs and simply rearranges it some. I was under the impression from statements that have been made to me that there might be a condition where it would be highly desirable, if not important, to issue rations and supplies for temporary use. Therefore such provision was left in the bill, at the request of the gentleman from Texas [Mr. BLACK].

Mr. MANN. Oh, I appreciate that; but I thought that the Committee on Military Affairs had decided that they would not recommend the furnishing of food, and I did not desire then, through the inadvertence of the gentleman from New York [Mr. FITZGERALD] in drafting an amendment to cover it, to let it go without anybody knowing it. I supposed the gentleman from New York was informed.

Mr. FITZGERALD. The wording of the amendment as now proposed is no broader than the bill as reported. It contains no additional wording and no additional language.

Mr. MANN. Very well.

Mr. FITZGERALD. The word "ration" or "food" is not mentioned, but in order to avoid a specific appropriation it

could only be done by combining the two separate sections of the bill in one section to have it read with anything like consistency.

Mr. MANN. In my recollection we passed a joint resolution not long ago to furnish supplies to people on the Mississippi River, and the War Department raised a question about it—about there being no appropriation.

Mr. DAVIS of Texas. Mr. Speaker, will the gentleman yield there?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Texas?

Mr. MANN. In a moment.

Mr. FITZGERALD. In that case this was the situation, if I recall correctly: The department had no plantation rations, which were different from the Army rations, and it wanted authority to be able to obtain supplies to issue the plantation rations in case it was necessary. The department would prefer a specific appropriation to be made, but there will be a deficit in these appropriations, anyway, and, because of the number of resolutions of this character that continuously come before Congress, it is believed better to clothe the department with the power to do what is necessary under these emergencies and let Congress provide the money subsequently.

Mr. MANN. I have no objection. I yield to the gentleman from Texas.

Mr. DAVIS of Texas. Mr. Speaker, I wish to say to the gentleman from Illinois [Mr. MANN] that I represent the State of Texas at large and, besides, that is one of my neighboring cities. It was one of the most disastrous fires that ever occurred in the United States. About the fourth building that was burned was the power house, leaving the town helpless, with no power to throw water, and the flames swept through in front of a vast gale, which, I understand, left 240 acres practically bare, making hundreds of families homeless. We do not want to let anything go by default, and we want the House to know exactly what we are asking. But we ask that something be done speedily and without hesitation.

The SPEAKER. The question is on suspending the rules and passing this bill.

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

RELIEF OF SETTLERS WITHIN LIMITS OF GRANT TO NEW ORLEANS, BATON ROUGE & VICKSBURG RAILROAD CO.

Mr. ASWELL rose.

The SPEAKER. The gentleman from Louisiana [Mr. ASWELL] is recognized.

Mr. ASWELL. Mr. Speaker, I move that the rules be suspended and that the bill H. R. 540 as amended be passed.

The SPEAKER. Is the amendment in the bill?

Mr. ASWELL. Yes.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (H. R. 540) for the relief of settlers within the limits of the grant to New Orleans, Baton Rouge & Vicksburg Railroad Co.

Mr. CRAMTON rose.

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. CRAMTON. To make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Michigan makes the point of order that there is no quorum present. The Chair will count. [After counting.] Evidently there is no quorum present.

Mr. CRAMTON. Mr. Speaker, I withdraw the point.

Mr. MANN. It is too late, Mr. Speaker.

The SPEAKER. It is too late.

Mr. CRISP. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Georgia [Mr. CRISP] moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Abercrombie	Carlin	Davenport	Flynn
Adair	Carter, Mass.	Dempsey	Gallagher
Bacharach	Cary	Dent	Gallivan
Barchfeld	Casey	Dewalt	Gardner
Beales	Charles	Dill	Garrett
Borland	Coleman	Dooling	Glass
Browning	Cooper, Ohio	Doremus	Godwin, N. C.
Bruckner	Costello	Dowell	Graham
Buchanan, Ill.	Crago	Drukker	Gray, N. J.
Burnett	Crosser	Dunn	Griest
Butler	Curry	Edwards	Guernsey
Callaway	Dale, N. Y.	Fairchild	Hamill
Cantrill	Dallinger	Finley	Hamilton, N. Y.
Carew	Darrow	Flood	Haskell
Hay	London	Nichols, Mich.	Scully
Hayes	Longworth	North	Sells
Henry	Loud	Oakey	Shackleford
Hill	McAndrews	Olney	Siegel
Hilliard	McCracken	Overmyer	Slayden
Houston	McCulloch	Padgett	Slemp
Humphreys, Miss.	McDermott	Parker, N. J.	Smith, Minn.
Husted	McFadden	Patten	Smith, N. Y.
Hutchinson	McKellar	Peters	Snyder
Jones	McKenzie	Platt	Stedman
Kearns	Maher	Pou	Sutherland
Keating	Martin	Powers	Swift
Keister	Meeker	Price	Tilson
Kennedy, Iowa	Miller, Del.	Ragsdale	Tinkham
Kennedy, R. I.	Montague	Reavis	Vare
Kiess, Pa.	Mooney	Riordan	Walker
Kreider	Moore, Pa.	Roberts, Mass.	Wason
Lafean	Moores, Ind.	Rodenberg	Watkins
Lesher	Morin	Rowe	Watson, Pa.
Lewis	Morrison	Rowland	Williams, Wm. E.
Liebel	Mott	Rubey	Wingo
Lloyd	Neely	Sabath	Wood, Ind.
Loft	Nicholls, S. C.	Scott, Pa.	Young, Tex.

The SPEAKER. On this vote 285 Members, a quorum, have answered to their names.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from North Carolina moves to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors, and the Clerk will report the bill.

The bill (H. R. 540) for the relief of settlers within the limits of the grant to the New Orleans, Baton Rouge & Vicksburg Railroad was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to immediately take up and resume the adjustment and adjudication of all rights and privileges relinquished, granted, conveyed, and confirmed to the New Orleans Pacific Railway Co., as the assignee of the New Orleans, Baton Rouge & Vicksburg Railroad Co., by the act of Congress approved February 8, 1887, and entitled "An act to declare a forfeiture of lands granted to the New Orleans, Baton Rouge & Vicksburg Railroad Co., to confirm title to certain lands, and for other purposes," subject to all the provisions and conditions therein contained for the protection of actual settlers, their heirs, and assigns.

SEC. 2. That on the application of persons to make entry in accordance with the provisions of the act aforesaid, the rights only of those who were actual settlers at the date of definite location, their heirs, or other persons to whom they may have assigned their possessory rights prior to December 1, 1913, shall be given consideration as against the outstanding patent or patents to the New Orleans Pacific Railway Co.

SEC. 3. That in determining rights asserted by or on behalf of actual settlers, their heirs or assigns, proof showing actual settlement at the date of definite location and the existence of such settlement and occupancy at the present time shall be deemed prima facie evidence of the continuity of the settlement claim.

SEC. 4. That all claims adverse to the New Orleans Pacific Railway Co., or its successors in interest, which are not asserted as herein provided within the period of two years from the passage and approval of this act shall be deemed and considered forever barred.

The SPEAKER. Is a second demanded?

Mr. CRAMTON. Mr. Speaker, I demand a second.

Mr. ASWELL. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Louisiana asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Louisiana [Mr. ASWELL] has 20 minutes and the gentleman from Michigan [Mr. CRAMTON] 20 minutes.

Mr. ASWELL. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. FERRIS], chairman of the Committee on the Public Lands.

Mr. FERRIS. Mr. Speaker, in 1871 the New Orleans, Baton Rouge & Vicksburg Railroad Co. received a land grant, a part of which was in the district represented by the gentleman from Louisiana [Mr. ASWELL]. He has introduced a bill providing that certain settlers may have their rights adjudicated before the Interior Department. To pass such a bill is but scant and tardy justice. The bill was drafted by the Interior Department. Two drafts were made, draft No. 1 and draft No. 2. The department was of the opinion that draft No. 2 was the best one. Draft No. 2 was brought out as a substitute for the original bill. Draft No. 2 last year, as well as this year, received the favorable report of the committee and passed the House last Congress with little or no opposition. In fact, I think it passed by unanimous consent last year. The railroad grant was for approximately 3,000,000 acres of land to the New Orleans, Baton Rouge & Vicksburg Railroad Co., upon condition that they build certain lines of railroad. They did not build the railroad, or at least built only a small part of it, and the grant failed. Later, some 8 or 10 years afterwards, I think in 1885, the grantee railroad company, by deed, transferred what rights they had to another railroad company. It developed that they had no

rights to convey, and the new railroad company came to Congress and asked it to pass an act giving them the right to build the railroad and further to confirm the grant. On their application an act was passed in 1887 confirming the title of the railroad to certain of the lands where the railroad had built the line and forfeiting that part where the railroad had not constructed the line.

Section 2 and section 6 of that act both provided that, in so far as any of the lands contained within the grant had settlers residing upon them, the title should not pass. However, the grantees under the railroad company later came to Washington and received patents to their lands, notwithstanding the fact that settlers were actually living on the lands. But all of the patents presented to us in the hearings—and I therefore assume they all contained it—specifically provided that the grant of title should not and did not pass, except under a certain reservation which was set up in the patent.

The timber companies who now own most of these lands say they should not be disturbed, because they bought from the railroad, which held a Government patent. They did buy from the railroad, which had obtained a patent, but it was a limited patent, having in it the express condition that the grant was subject to the reservation in the act of 1887.

The issuance of these patents ignoring the settler was erroneous, and the Interior Department now wants to be given authority to reinvestigate this erroneous issuance of patents, and adjust and, in all things, adjudicate the controversy.

This is not too much to ask. This violates no vested rights. This only affords a day in court those who had their rights patented away without any such day in court.

We will be told these lumber people purchasing this land are innocent purchasers, for value, and so forth. This, we think, could not be, as the patents and the law all put purchasers on full notice of the limited title that could be acquired.

Mr. CHIPERFIELD. Will the gentleman yield for a question?

Mr. FERRIS. I have only a moment, but I yield to the gentleman.

Mr. CHIPERFIELD. Have the committee a copy of the language used in the reservation in the patent?

Mr. FERRIS. We have the entire patent in the hearings.

Mr. CHIPERFIELD. I wish the gentleman would give that language to us.

Mr. FERRIS. I have not the time to do it, but it appears in the hearing, and the provision is very specific. The gentleman from Louisiana will have a little more time, and perhaps he can give it to the gentleman. It is here on the desk.

Now, it has been said here that this act ought not to pass, on the theory that to pass it would be to take away vested rights. We do no such thing, and the bill does not even attempt it. It merely authorizes the Interior Department to do plain justice in readjudicating the relative rights. We repeal no law; we upset no vested rights. The report of the Interior Department is very full and complete. The hearings are quite complete. There should be but very few votes against this bill. It ought to pass by unanimous consent. Under the procedure to-day two-thirds of those voting must vote "yea" to suspend the rules.

This is but scant and tardy justice to these old settlers. They have been denied their titles for almost 50 years now.

The SPEAKER. The time of the gentleman from Oklahoma has expired. Does the gentleman from Michigan want to use any of his time?

Mr. CRAMTON. I yield 10 minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker, the lands affected by this bill were withdrawn for the purpose of aiding in the construction of a railroad through Louisiana in 1871. The definite line of location of the road was established in 1881 and 1882. Two-thirds of the lands in this grant were patented prior to 1885, and the Government reserved to the actual settlers upon the land at the time of the definite location of the line of the road all the rights of those settlers.

There have been acts of Congress and agreements entered into. Later on a Member of Congress and one or both Senators from Louisiana, representing these claimants, entered into an agreement with representatives of the railroad company that the actual settlers upon the land at the time the definite line of location of the road was fixed were to have two years within which to come in and settle and obtain title to their lands. A great many did come in and obtain title.

There are two questions involved in this matter, gentlemen. On March 2, 1896, Congress passed an act which provides that the holder of any patent erroneously issued by the Government shall become possessed of a good title unless the Government within five years proceeds to cancel the same. That act further provided that patents issued in the future should be unassailable by the Government after having been in existence six years; that is to say, that the statute of limitations should run in favor of that patent, and the Government be barred from proceeding to cancel it after six years.

None of the lands in question are owned to-day by the railroad company that earned them or any other railroad company. They are in the hands of bona fide purchasers. For years those lands were absolutely worthless. Homesteaders did not want them because they could not utilize the timberlands for farming purposes until the country was opened up by the railroads and the sawmills established in the country, whereby the timber became valuable. As an illustration, in 1890, on the 10th of April, 147,000 acres of these lands were sold at public auction at 13.56 cents per acre, or $20,000 for the whole 147,000 acres.

Mr. ASWELL. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. ASWELL. Will the gentleman state who sold and who purchased the land?

Mr. FORDNEY. It does not make any difference who sold or who bought the lands; they were bid in for 13.56 cents per acre.

Mr. ASWELL. The same man that sold it bought it, did he not?

Mr. FORDNEY. The same man that brought suit to have them sold; but is it not true that the bidding was open to the whole public to bid on the land? Now, a fact that the gentleman perhaps will not tell you is that these cases now are in the courts of the United States, and last week on the 29th and 30th days of March in the Court of Appeals in the State of Louisiana five of these cases as test cases were argued and have been submitted and are now awaiting decision. And yet the gentleman would come in and ask that the right be taken away from the court to settle the disputed question between the bona fide purchasers of these lands and these would-be claimants. I believe that I am safe in saying to the gentleman from Louisiana that there is not a single claimant now claiming these lands that was a settler upon the land at the time the railroad company's rights attached to the land.

Mr. ASWELL. Will the gentleman yield. I will ask the gentleman if he says that not a single claimant was an original settler——

Mr. FORDNEY. I think I am safe in saying that there is not a single claimant to-day that was a settler on the land at the time the rights of the railroad attached in 1881 and 1882.

Mr. ASWELL. If that be true, how does it happen that at the first hearing before the Public Lands Committee of the House the heirs of Jay Gould came before the Department of Justice and paid 38 of these settlers, and I have a sworn statement——

Mr. FORDNEY. Will the gentleman yield me some of his time if he is going to take up mine? The bill provides that you are going to adjust the claims of the settlers, their heirs and assignees. I was present at the hearing before the Committee on the Public Lands two years ago when the first bill was being considered, which you introduced, it was there stated that a man came in and claimed to be the assignee of an original settler.

Let me show you what an assignee can do. Here was a case where a man settled upon the land down here, and by courtesy permitted his brother to move onto the same land which he claimed, and the brother cleared a little patch of land and lived there. The original settler sold his right and moved away, and so did the brother. Later on the brother comes in and claims to be the original settler on the land and assigns his claim. A settler upon 40 acres in the center of a section, either one of these four center forties can assign 600 acres, 15 contiguous forties, one to the other. Many assignments can be made by the same man where he had settled on 40 acres. If I only had the time, I could explain this more clearly. But the objection to this bill is that the people who now claim to be the bona fide purchasers of these lands, holding title under a Government patent, two-thirds of which was patented prior to 1885, and in face of the fact that there is a law on the statute books that bars the Government by statute of limitations to begin a suit to cancel a patent after it has been in existence six years.

The SPEAKER. The time of the gentleman has expired.

Mr. CRAMTON. I yield to the gentleman two minutes more.

Mr. FORDNEY. This bill now proposes to put the power in the Secretary of the Interior to take the title away from these people that have purchased and paid a valuable consideration for the land and paid taxes on the land all these years. Not a single one of these men whose claims are now pending as-

serted any rights to these lands until after the lands had become valuable for the timber thereon.

Gentlemen, let me say that in 1893 I was in the State of Louisiana looking at lands on even sections right where these lands are located, and the choicest locations of fine timber at that time were offered to me for $2.50 an acre. Nobody wanted timber in Louisiana, for timber then had but little value. I say the 147,000 acres that were sold at 13½ cents are just as good farming lands and better than these timber lands, because the timber lands can not be used for cultivation until the timber has been cut off.

The real "nigger in the fence" is the fact that the bill provides that the assignees of the old original claimants are the men that can get these lands, and the bill ingeniously states that if he has presented his claim or settled on the land prior to 1913.

You and I know that an unscrupulous man can purchase an assignment from another unscrupulous man and put in any date he sees fit to. There are in suit 16 of these cases to be decided by the court within the next 30 or 60 days—five test cases. These gentlemen want to take the right away from the courts to settle this great and important question on so much valuable land and place it in the hands of the Secretary of the Interior. I say, gentlemen, it is absolutely wrong and cruel and beyond the rights of Congress to do a thing of that kind, and you will bring these people into court and cause extraordinary expense in litigation if you pass this bill.

The SPEAKER. The time of the gentleman from Michigan has again expired.

Mr. ASWELL. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, the gentleman from Michigan [Mr. FORDNEY] has made two points that would be well taken if they were applicable to this bill. He says, first, that we propose in this bill to take away from the courts the jurisdiction to decide the questions involved, and, in the second place, that we propose to give to the Secretary of the Interior the right to take title of these lands from the purchasers. We do neither of these things by the pending bill. As has been stated, in 1871 a land grant was given to the New Orleans & Pacific Railway. They failed to fulfill the terms of the grant, and they assigned to the New Orleans, Baton Rouge & Vicksburg Railway Co. such rights as they had in the grant. On February 8, 1887, Congress forfeited a certain portion of that grant and confirmed a certain other portion to the New Orleans, Baton Rouge & Vicksburg Railway Co., but in making that grant there was a proviso that reads as follows:

Provided, That all said lands occupied by actual settlers at the date of the definite location of said road and still remaining in their possession, or in possession of their heirs or assigns, shall be held and deemed excepted from said grant and shall be subject to entry under the public-land laws of the United States.

Mr. Speaker, the pending bill relates only to lands that had actual settlers upon them at the time referred to, and as to those lands there never was a grant to the railroad at all under the express provisions of the grant. Further on in the bill it is provided that where the lands have been patented those lands shall also be deemed subject to the rights of the settlers. This was February 8, 1887.

On March 3, 1887, a little less than a month later, Congress passed a general act providing for the general adjustment of all land grants, and these purchasers claim, because that act had an innocent purchaser's clause in it, that they are entitled to the benefits of that act, but this act of February 8, 1887, especially provided that the New Orleans, Baton Rouge & Vicksburg Railway Co., before they were entitled to the benefits of the act, should accept it in all its terms, and in April, a month after the passage of the general act, in March, the railroad filed its acceptance with the Secretary of the Interior, getting the benefits and assuming the burdens of the grant. Then in March, 1896, the general statute of limitations act was passed applying to all land grants in general, by which it was provided that the Government should be barred after five years after the passage of the act from bringing any action on any patent erroneously issued, and as to all future patents erroneously issued action should be brought within six years or they should be forever barred.

This railroad company did sell, as has been stated, to various purchasers, and it was admitted before our committee that unless the acts of March 3, 1887, or the general act of 1896 protected them because they were innocent purchasers, they had no title to these lands and the settlers were entitled to make homestead entries. And so, Mr. Speaker, the only question is a question of law. The question is whether or not these people are entitled to the benefit of the statute of limitations of the two acts to which I have referred. The reason this comes before Congress is that a number of years ago the Department of the Interior held that the act of 1896 and the act of 1887 did apply to this particular grant, notwithstanding its acceptance by the railroad company, and notwithstanding the specific provisions contained in it. The department now is of opinion that those decisions were erroneous, and has stated that if it was open as an original question it would reverse the decisions made many years ago in relation to this grant.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. LENROOT. Can I have two minutes more?

Mr. ASWELL. I grant the gentleman two minutes more.

Mr. LENROOT. But in view of that line of decisions that shut out all these settlers the department has said that they did not feel warranted in opening this matter up unless they had a legislative direction from Congress to do so, and that is what this bill does and nothing more. It directs the Secretary of the Interior to reopen this matter and adjust this grant, leaving the act of 1896 to apply if it ought to apply, leaving the act of 1887 to apply if it ought to apply. It does not deprive one of these purchasers of a single right that he has. If the Secretary of the Interior shall find that the act of 1896 does not apply, or the act of 1887, he will presumably allow entries of these settlers for homestead entries, but if he does that every one of these purchasers well have his remedy in court to get a decision on the questions involved, because that is purely a question of law that is not binding upon these purchasers in any degree. It gives these settlers an opportunity to get an adjudication of their rights. It deprives these purchasers of timberlands of no legal rights that they possess.

Mr. FORDNEY. Mr. Speaker, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. FORDNEY. Have not practically all of the cases that have been decided by the court been decided in favor of the bona fide purchasers?

Mr. LENROOT. I hold in my hand a letter from the Government counsel. Some of the cases are now pending in the United States Circuit Court of Appeals, and the Government counsel asserts that in his opinion there is no question but that these timber purchasers will not succeed in the court of appeals but——

Mr. MAPES. They did succeed in the court below.

Mr. LENROOT. If the court of appeals does decide this in their favor, does decide that the act of 1896 applies, then the Secretary of the Interior in readjusting this grant will, of course, follow the law as laid down by the circuit court of appeals.

The SPEAKER. The time of the gentleman from Wisconsin has again expired.

Mr. CRAMTON. I yield three minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I think wherever there is a case in court in process of adjudication it ought not to be legislated out of court; that the final adjudication of the matter should be left to the court. There is no reason why this body should assume jurisdiction while the case is under consideration by the courts of the land. There can be no doubt but that a right conclusion will be reached by the court if the matter is allowed to go to a conclusion. And it is because of my belief that never under any circumstances should this body assume jurisdiction of a case that is in litigation——

Mr. ASWELL. Will the gentleman yield?

The SPEAKER. Will the gentleman from Illinois yield to the gentleman from Louisiana?

Mr. MADDEN. No; I have but a minute or two.

So my opposition is based entirely on the fact that the questions involved in this case are in process of litigation, and because of that fact this House ought to move slowly. I am told that the case is likely to reach a conclusion in the not far-distant future—not to exceed 30 or 60 days—and if that be true this body can well afford to wait. And if after the courts have reached a conclusion there is any legislation necessary, this House will still have jurisdiction. Now, why hurry the case? Why run pell-mell into the enactment of a law to take away from the courts of the land the consideration of a question as important as this? I recall, not long since, another bill of this character, where on the face of the bill itself there was no evidence whatever that an attempt was being made by the House to legislate the case out of court, but during the consideration of the bill questions were asked, and the answers disclosed that if the bill became a law the question would be taken away from the courts. And so the House very wisely decided that ought not to be the case. Although I believe the House was almost unanimously in favor of the bill to begin with, when

the facts were disclosed they refused to pass the bill. And I hope they will do that in this case.

The SPEAKER. The time of the gentleman has expired.

Mr. CRAMTON. Mr. Speaker, have I four minutes remaining?

The SPEAKER. Yes.

Mr. CRAMTON. Mr. Speaker, the act was passed in 1871, which provided the first grant. That was assigned to a second company, which built the road which called for the lands in question. In 1887 an act was passed confirming the title of the second company as to all the lands in question. The settlers at that time were taken care of by two provisions—first, a provision that any lands actually occupied at the time of the location of the road by settlers should be thrown open to homestead entry; so these settlers could have homesteaded the land. And, second, settlers in possession of the land at a certain time could purchase the land of the company at $2 an acre, one-third down—about 66 cents—and the balance in four annual payments—an annual payment of 33 cents a year. Those were the terms provided, and practically no one availed himself of them. Practically none of them were homesteaders. They were simply squatters, hunters, who were hung up there temporarily, with no desire to buy. Now the lands have gone into the hands of the fifth and sixth purchasers, and have gone up in price, and they desire to overturn the act of 1896, which was to quiet title within a period of five or six year. Within that period of six years a suit was brought by the United States. The district attorney curried over the whole area and dug out all the cases he could find that gave any promise of merit—some 150. These were embraced in a suit brought by the Government. That suit not being pushed, eventually he selected from those 150 a smaller number, which claims were embraced in another suit, and that is now in the courts, was argued last week, and a decision will soon be reached.

So it is apparent to anyone here that has had the time to examine the records that the act of 1896 does apply and ought to apply. Can you imagine the difficulty of defending the title against these squatters down there in their own neighborhood who can under this act establish title if they can once prove that they have had possession in the remote past? They are not required to prove they have had continuous possession. The bill only requires proof that they were in possession in 1887 and that they are in possession now. The period in between is not covered by this act, and these people, these men, largely from the North, who have gone down there and invested their money in good faith, fifth or sixth in the chain of title, are asked to surrender their title on any evidence that can be trumped up.

They tell us that the United States Court of Appeals is going to do so-and-so. What have the courts done? There have been 26 law cases and 9 equity cases involving these lands, and in every one the settlers have been defeated. There have been five of those equity cases appealed, and they are now pending. Why not wait and see what are done in those cases? There are two cases in Louisiana State courts in which the settlers were defeated. Why not let the law take its course, instead of Congress in 40 minutes trying to pass on litigation 40 years old?

Mr. ASWELL. Mr. Speaker, the statement made by the gentlemen who have preceded me are erroneous in many respects. In the first place, the arguments made by the gentleman from Michigan [Mr. FORDNEY] have been made five times before the various committees of the House and Senate during the past three years. Even those very maps were brought before those committees and presented, practically the same maps, without any effect, because committees understood the absurdity of the proposition presented at that time and now.

The gentleman from Michigan, for whom I have the profoundest respect, made a speech on the floor of this House in the Sixtieth Congress, in 1908, in opposition to the Senate joint resolution authorizing the Attorney General of the United States to punish violators of the Oregon land grant. The contest was waged here for three hours, led by the gentleman from Wyoming [Mr. MONDELL], and opposed by the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Will the gentleman yield?

Mr. ASWELL. Let me finish my statement. And after three hours of debate this House voted 247 in favor of that Oregon resolution, and exactly 7 voted with the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker, will the gentleman yield?

Mr. ASWELL. Yes.

Mr. FORDNEY. The gentleman is in error. I have opposed that bill so far as the bona fide purchasers were concerned, and their titles have been confirmed by the Government, sir.

Mr. ASWELL. And this same measure, Mr. Speaker, that was passed by the House the Supreme Court has confirmed. A bill is now favorably before the Public Lands Committee for $50,000,000 to be returned to the Government.

It has been stated that these settlers have not tried to be heard. Mr. Speaker, for 30 years and more those settlers, who have not had the money to come to Washington or to prosecute their cases before the courts, have been trying to be heard. It was only during the last Congress that they were ever given any recognition, and the settlers came to this city and presented their case in person. The efforts of the opposition all the way has been and is for delay. As to the old settler who testified before the committee and to whom the gentleman referred as having purchased his home at a very small price, strange it is that he was in such wrong that the guilty Jay Gould heirs at the close of that hearing took him out and gave him $300 in money and a deed to his home. If he had no claim, why did the Jay Gould heirs pay him for his timber and deed him his home?

Mr. FORDNEY. Mr. Speaker, will the gentleman yield there?

The SPEAKER. Does the gentleman from Louisiana yield to the gentleman from Michigan?

Mr. ASWELL. Yes.

Mr. FORDNEY. Is it not true that these settlers made a perfect title, so that title could be passed?

Mr. ASWELL. This bill is intended to permit the Land Office to adjudicate the title so that all men can know to whom the lands belong. And let me say to the gentleman from Michigan [Mr. FORDNEY] that when it comes to a contest between the Lumber Trust or any other trust and the average citizen of this Republic you will always know where to find me.

Mr. FORDNEY. Mr. Speaker, will the gentleman yield?

Mr. ASWELL. I decline to yield further.

Mr. FORDNEY. I yielded to the gentleman.

Mr. ALLEN rose.

Mr. ASWELL. I yielded to the gentleman twice. I now yield to the gentleman from Ohio [Mr. ALLEN].

Mr. MANN. The gentleman will not make anything by that.

Mr. ALLEN. About two weeks ago I received a letter from former Gov. Harmon, of Ohio, stating that a good many years ago he purchased for cash, at a good price, some timberlands in Louisiana that are affected by this bill and stating that they are within the St. Landry and Calcasieu Parishes. Now, the gentleman from Louisiana was good enough to write me a statement, which I forwarded to Gov. Harmon last week, but, unfortunately, he has had illness and death in his family, and I have not had time to receive an answer from him. But I would like to inquire of the gentleman——

Mr. ASWELL. I will say to the gentleman from Ohio that this land grant is not near those two counties or parishes. The governor's land holdings are not in this grant. I took the pains since I discussed the matter with the gentleman from Ohio to have the court records searched, and Gov. Harmon's lands, I find, are not in this grant.

Mr. ALLEN. Those lands would not be affected?

Mr. ASWELL. Those lands would not be affected. And I will say, further, at this point that the gentlemen who are interested in opposition to this bill have gone to the greatest extremes in the last few weeks. They have tried to enlist the influence of gentlemen like the gentleman to whom my friend from Ohio refers, they brought a lobby to this Capitol, and some of them are in the galleries of this House now. One is hiding now behind his hat.

Beyond that they have gone to the State of Arkansas and employed a gentleman to come here as a legal attorney probably because he served in the House with two Members of the Senate. And, Mr. Speaker, they have gone beyond that and have appealed in the magic name of "conservation," trying to make it appear that this little bill, merely putting up to the Land Office the right to adjudicate some of these cases in the eighth district of Louisiana, would affect the great question of conservation in the United States and in all the world. They tried to fool the senior Senator from Georgia on this point.

Mr. FORDNEY. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Louisiana yield again to the gentleman from Michigan?

Mr. FORDNEY. I will ask to have the gentleman's time extended.

Mr. ASWELL. I yield, but you can not extend my time.

Mr. FORDNEY. Is it not true that under the laws of the State of Louisiana a peaceable possession for 10 years under color of title passes title?

Mr. ASWELL. It is not true.

Mr. FORDNEY. And 30 years are required?

Mr. ASWELL. Thirty years are required.

Mr. FORDNEY. Therefore these men do not need 30 years.

Mr. ASWELL. The statute of limitations does not operate against the Government, but some of these settlers have waited 50 years without a decent hearing.

Mr. FORDNEY. It is the statute of limitations you are attacking.

Mr. ASWELL. I would like to read this patent issued to the railroad company, providing that "where the same shall have not been sold, reserved, or otherwise disposed of" shall go to the railroad company. I call the attention of this House to section 2, to which the gentleman from Wisconsin [Mr. LENROOT] referred. Section 2 provides in this confirmatory act that these lands actually occupied by settlers in 1882 should be excepted from this grant and reserved to the actual settlers. The patents provide that where the land shall have been reserved or otherwise disposed of by the United States, and to which a preemption or homestead claim shall not have attached at the time the said road was definitely fixed—which was in 1881 or 1882—the title shall not vest in the railroad. So that, Mr. Speaker, this patent on the face of it reserves to these settlers the right to occupy their homes. They have lived there all these years. There are not more than 350 of them in my opinion who will ever be considered by the Land Office, and this bill merely directs that they have the right to have their cases adjudicated by the department. You say the cases are in the courts and we should wait. The settlers know they have waited for 15 years on the courts. Delay has been your scheme until you get the timber from the lands. You mention the Blanchard-Robinson compromise. Why should the settlers pay $2 an acre for their homes when section 2 of the act of February 8, 1887, provided they should have their homes free? The Land Office says this act is all the law there is or ever was on the subject. This bill does not affect or change that law.

The SPEAKER. The gentleman's time has expired. All time has expired. The question is on suspending the rules and passing the bill.

The question being taken, the Speaker announced that in the opinion of the Chair two-thirds had voted in the affirmative.

Mr. CRAMTON. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 198, nays 75, answered "present" 6, not voting 154, as follows:

YEAS—198.

Adair	Doughton	Johnson, Ky.	Rucker
Adamson	Dupré	Kettner	Russell, Ohio
Aiken	Eagan	Key, Ohio	Saunders
Alexander	Eagle	Kincheloe	Sears
Allen	Elston	Kinkaid	Shallenberger
Almon	Esch	Kitchin	Sims
Anderson	Estopinal	Konop	Sinnott
Ashbrook	Evans	La Follette	Sisson
Aswell	Ferris	Lazaro	Sloan
Ayres	Fields	Lee	Small
Bailey	Flood	Lenroot	Smith, Idaho
Barkley	Focht	Lever	Smith, Minn.
Barnhart	Foster	Lieb	Smith, Tex.
Beakes	Freeman	Lindbergh	Sparkman
Bell	Gandy	Littlepage	Steagall
Blackmon	Gard	Lloyd	Steele, Iowa
Booher	Gardner	Lobeck	Steele, Pa.
Borland	Garner	London	Stephens, Cal.
Britt	Glynn	McClintic	Stephens, Miss.
Brown	Goodwin, Ark.	McGillicuddy	Stephens, Nebr.
Brumbaugh	Gordon	McKellar	Stephens, Tex.
Buchanan, Tex.	Gray, Ala.	McLemore	Sterling
Burgess	Gray, Ind.	Mann	Stone
Byrnes, S. C.	Greene, Vt.	Martin	Stout
Byrns, Tenn.	Gregg	Mays	Sumners
Caldwell	Griffin	Mondell	Taggart
Candler, Miss.	Hadley	Montague	Tague
Cantrill	Hamlin	Moon	Talbott
Caraway	Hardy	Morgan, La.	Tavenner
Carlin	Harrison	Moss, Ind.	Taylor, Ark.
Carter, Okla.	Hastings	Murray	Taylor, Colo.
Church	Hayden	Nelson	Thomas
Clark, Fla.	Heflin	Nicholls, S. C.	Thompson
Coady	Helgesen	Nolan	Tillman
Collier	Helm	Norton	Timberlake
Conry	Helvering	Oldfield	Tribble
Cooper, Wis.	Hensley	Oliver	Van Dyke
Cox	Hernandez	O'Shaunessy	Venable
Crisp	Hicks	Page, N. C.	Vinson
Cullop	Holland	Park	Walsh
Dale, Vt.	Hollingsworth	Phelan	Watson, Va.
Davis, Minn.	Hood	Quin	Webb
Davis, Tex.	Howard	Rainey	Whaley
Decker	Huddleston	Raker	Wheeler
Dickinson	Hughes	Ramseyer	Williams, T. S.
Dies	Hulbert	Randall	Wilson, Fla.
Dill	Hull, Tenn.	Rauch	Wilson, La.
Dillon	Humphreys, Miss.	Rayburn	Wise
Dixon	Igoe	Reilly	
Doolittle	Jacoway	Rouse	

NAYS—75.

Bennet	Capstick	Cramton	Dunn
Butler	Chiperfield	Danforth	Dyer
Campbell	Cooper, W. Va.	Dowell	Edmonds
Cannon	Copley	Driscoll	Ellsworth
Emerson	Hopwood	Matthews	Stafford
Fess	Howell	Miller, Minn.	Sulloway
Fordney	Hull, Iowa	Morgan, Okla.	Sweet
Foss	Husted	Mudd	Switzer
Frear	James	Paige, Mass.	Temple
Fuller	Johnson, Wash.	Parker, N. Y.	Towner
Garland	Kahn	Porter	Treadway
Good	Kearns	Pratt	Volstead
Gould	King	Ricketts	Ward
Greene, Mass.	Lehlbach	Rogers	Williams, Ohio
Hamilton, Mich.	McArthur	Sanford	Wilson, Ill
Hamilton, N. Y.	McKinley	Scott, Mich.	Winslow
Haugen	McLaughlin	Smith, Mich.	Woods, Iowa
Heaton	Madden	Smith, N. Y.	Young, N. Dak.
Hinds	Mapes	Snell	

ANSWERED "PRESENT"—6.

Britten	Green, Iowa	Humphrey, Wash.	Schall
Browning	Hawley		

NOT VOTING—154.

Abercrombie	Farley	Liebel	Reavis
Anthony	Farr	Linthicum	Riordan
Austin	Finley	Loft	Roberts, Mass.
Bacharach	Fitzgerald	Longworth	Roberts, Nev.
Barchfeld	Flynn	Loud	Rodenberg
Beales	Gallagher	McAndrews	Rowe
Black	Gallivan	McCracken	Rowland
Bruckner	Garrett	McCulloch	Rubey
Buchanan, Ill.	Gillett	McDermott	Russell, Mo.
Burke	Glass	McFadden	Sabath
Burnett	Godwin, N. C.	McKenzie	Scott, Pa.
Callaway	Graham	Magee	Scully
Carew	Gray, N. J.	Maher	Sells
Carter, Mass.	Griest	Mecker	Shackleford
Cary	Guernsey	Miller, Del.	Sherley
Casey	Hamill	Miller, Pa.	Sherwood
Chandler, N. Y.	Hart	Mooney	Shouse
Charles	Haskell	Moore, Pa.	Siegel
Cline	Hay	Moores, Ind.	Slayden
Coleman	Hayes	Morin	Slemp
Connelly	Henry	Morrison	Snyder
Cooper, Ohio	Hill	Moss, W. Va.	Stedman
Costello	Hilliard	Mott	Steenerson
Crago	Houston	Neely	Stiness
Crosser	Hutchinson	Nichols, Mich.	Sutherland
Curry	Johnson, S. Dak.	North	Swift
Dale, N. Y.	Jones	Oakey	Tilson
Dallinger	Keating	Oglesby	Tinkham
Darrow	Kelster	Olney	Vare
Davenport	Kelley	Overmyer	Walker
Dempsey	Kennedy, Iowa	Padgett	Wason
Denison	Kennedy, R. I.	Parker, N. J.	Watkins
Dent	Kent	Patten	Watson, Pa.
Dewalt	Kiess, Pa.	Peters	Williams, W. E.
Dooling	Kreider	Platt	Wingo
Doremus	Lafean	Pou	Wood, Ind
Drukker	Langley	Powers	Young, Tex.
Edwards	Lesher	Price	
Fairchild	Lewis	Ragsdale	

So, two-thirds voting in the affirmative, the rules were suspended and the bill passed.

The Clerk announced the following pairs:

For the session:

Mr. LIEBEL with Mr. ROWLAND.

Mr. DEWALT with Mr. MCFADDEN.

Mr. SCULLY with Mr. BROWNING.

Until further notice:

Mr. PRICE with Mr. SELLS.

Mr. POU with Mr. SCOTT of Pennsylvania.

Mr. PADGETT with Mr. MCKENZIE.

Mr. OVERMYER with Mr. MCCRACKEN.

Mr. OLNEY with Mr. LONGWORTH.

Mr. NEELY with Mr. LANGLEY.

Mr. MCDERMOTT with Mr. LAFEAN.

Mr. LOFT with Mr. KREIDER.

Mr. LINTHICUM with Mr. KIESS of Pennsylvania.

Mr. KEATING with Mr. KENNEDY of Rhode Island.

Mr. JONES with Mr. KELLEY.

Mr. HILLIARD with Mr. JOHNSON of South Dakota.

Mr. HENRY with Mr. HAYES.

Mr. HAY with Mr. GRAY of New Jersey.

Mr. HART with Mr. HASKELL.

Mr. HAMILL with Mr. GRAHAM.

Mr. SHERLEY with Mr. GILLETT.

Mr. DALE of New York with Mr. HUTCHINSON.

Mr. MCANDREWS with Mr. HILL.

Mr. PATTEN with Mr. FAIRCHILD.

Mr. GALLAGHER with Mr. SNYDER.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. WM. ELZA WILLIAMS with Mr. GRIEST.

Mr. DENT with Mr. KENNEDY of Iowa.

Mr. ABERCROMBIE with Mr. TINKHAM.

Mr. MAHER with Mr. AUSTIN.

Mr. DOREMUS with Mr. OAKEY.

Mr. LEWIS with Mr. STINESS.

Mr. HOUSTON with Mr. GUERNSEY.

Mr. FLYNN with Mr. MCCULLOCH.

Mr. GLASS with Mr. SLEMP.

Mr. RAGSDALE with Mr. SUTHERLAND.

Mr. RIORDAN with Mr. SWIFT.

Mr. BLACK with Mr. ANTHONY.
Mr. BRUCKNER with Mr. BACHARACH.
Mr. BUCHANAN of Illinois with Mr. BARCHFELD.
Mr. BURKE with Mr. CARTER of Massachusetts.
Mr. BURNETT with Mr. CHARLES.
Mr. CALLAWAY with Mr. COLEMAN.
Mr. CAREW with Mr. COOPER of Ohio.
Mr. CASEY with Mr. CRAGO.
Mr. CLINE with Mr. DALLINGER.
Mr. CONNELLY with Mr. DARROW.
Mr. CROSSER with Mr. DEMPSEY.
Mr. DAVENPORT with Mr. DRUKKER.
Mr. DOOLING with Mr. TILSON.
Mr. EDWARDS with Mr. WASON.
Mr. FINLEY with Mr. WATSON of Pennsylvania.
Mr. FITZGERALD with Mr. WOOD of Indiana.
Mr. RUBEY with Mr. MAGEE.
Mr. RUSSELL of Missouri with Mr. MEEKER.
Mr. SHACKLEFORD with Mr. MILLER of Delaware.
Mr. SHERWOOD with Mr. MOONEY.
Mr. SHOUSE with Mr. MOORE of Pennsylvania.
Mr. SLAYDEN with Mr. MORIN.
Mr. STEDMAN with Mr. MOTT.
Mr. WALKER with Mr. NICHOLS of Michigan.
Mr. WATKINS with Mr. PARKER of New Jersey.
Mr. WINGO with Mr. PETERS.
Mr. YOUNG of Texas with Mr. PLATT.
Mr. FARLEY with Mr. REAVIS.
Mr. LESHER with Mr. ROBERTS of Nevada.
Mr. OGLESBY with Mr. ROBERTS of Massachusetts.
Mr. GALLIVAN with Mr. RODENBERG.
Mr. GARRETT with Mr. BRITTEN.
Mr. GODWIN of North Carolina with Mr. CHANDLER of New York.

For two weeks:

Mr. SABATH with Mr. NORTH.

Mr. BROWNING. Mr. Speaker, I voted "no," but I have a general pair with the gentleman from New Jersey, Mr. SCULLY. I desire to withdraw that vote and answer "present."

Mr. BROWNING answered "Present," as above recorded.

Mr. BURKE. Mr. Speaker, I want to vote "yea."

The SPEAKER. Was the gentleman in the Hall listening when his name should have been called?

Mr. BURKE. I was not.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was then announced, as above recorded.

HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2, Rule XXIV, House bill with Senate amendments was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

H. R. 10385. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1917; to the Committee on Indian Affairs.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MOONEY, for one week, on account of death in his family.

To Mr. LOBECK, indefinitely, on account of important business.

To Mr. RUBEY, for two days, on account of illness.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. CARLIN. Reserving the right to object, I want to ask if the gentleman from North Carolina understands that the committees of the House meet at 10.30, and this early meeting makes it almost impossible for us to do any work at all?

Mr. KITCHIN. Yes; I understand.

Mr. MANN. The gentleman from North Carolina will recall that we have an evening session to-morrow night until 11 o'clock. Does not he think that 12 hours is a little too long?

Mr. KITCHIN. I think we ought to work 12 hours one day in the month.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Chair will appoint the gentleman from Missouri [Mr. IGOE] to preside to-morrow evening.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 16 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Tuesday, April 4, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on reexamination of Ouachita River, Ark and La. (H. Doc. No. 979); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Lorain Harbor, Ohio, with a view to preventing erosion of banks, if any, caused by the extension of the Government breakwater on either side of the harbor (H. Doc. No. 980); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on reexamination of Tennessee River, Tenn., Ala., and Ky. (H. Doc. No. 981); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (H. R. 11472) to reserve certain lands and make them a part of the Pike National Forest, reported the same without amendment, accompanied by a report (No. 469); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DILL, from the Committee on Indian Affairs, to which was referred the bill (H. R. 1776) for the relief of the Wisconsin Band of Pottawatomie Indians, and for other purposes, reported the same with amendment, accompanied by a report (No. 470); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. POU, from the Committee on Claims, to which was referred the bill (H. R. 12798) for the relief of the estate of Abram M. Matthews, reported the same with amendment, accompanied by a report (No. 471), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 5501) for the relief of the estate of Isaac Ivy, reported the same with amendment, accompanied by a report (No. 472), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. H. 5502) for the relief of the heirs of R. F. Jarrell, reported the same with amendment, accompanied by a report (No. 473), which said bill and report were referred to the Private Calendar.

Mr. CAPSTICK, from the Committee on Claims, to which was referred the bill (H. R. 8141) for the relief of the dependent widow of Patrick Curran, civilian employee of the Government, who was killed while in the discharge of his duties at the United States naval magazine at Iona Island, N. Y., reported the same with amendment, accompanied by a report (No. 474), which said bill and report were referred to the Private Calendar.

Mr. POU, from the Committee on Claims, to which was referred the bill (H. R. 9181) for the relief of the heirs of James R. Tolbert, reported the same with amendment, accompanied by a report (No. 475), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 8310) for the relief of George T. Hamilton, reported the same with amendment, accompanied by a report (No. 476), which said bill and report were referred to the Private Calendar.

Mr. POU, from the Committee on Claims, to which was referred the bill (H. R. 11150) for the relief of mail contractors, reported the same with amendment, accompanied by a report (No. 477), which said bill and report were referred to the Private Calendar.

Mr. YOUNG of North Dakota, from the Committee on Claims, to which was referred the bill (H. R. 2540) for the relief of Lena Garagnon, reported the same with amendment, accompanied by a report (No. 478), which said bill and report were referred to the Private Calendar.

Mr. CAPSTICK, from the Committee on Claims, to which was referred the bill (H. R. 9288) providing for the refund of certain duties illegally levied and collected on acetate of lime, reported the same without amendment, accompanied by a report (No. 479), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 11679) for the relief of Samuel D. Kingsbury, reported the same without amendment, accompanied by a report (No. 480), which said bill and report were referred to the Private Calendar.

Mr. FOSTER, from the Committee on Claims, to which was referred the bill (H. R. 10546) for the relief of the Illinois Central Railroad Co., and for other purposes, reported the same without amendment, accompanied by a report (No. 481), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 585) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States, reported the same without amendment, accompanied by a report (No. 482), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 1326) for the relief of Vilhelm Torkildsen, reported the same without amendment, accompanied by a report (No. 483), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 1161) to pay Cowden & Cowden, of Amory, Monroe County, Miss., for the loss of a horse while being used by the Department of Agriculture, reported the same without amendment, accompanied by a report (No. 484), which said bill and report were referred to the Private Calendar.

Mr. YOUNG of North Dakota, from the Committee on Claims, to which was referred the bill (H. R. 2538) for the relief of Ethel Fredrickson and daughter Ethel, reported the same without amendment, accompanied by a report (No. 485), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 3436) for the relief of John Alexander Besonen, reported the same without amendment, accompanied by a report (No. 486), which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. CAPSTICK, from the Committee on Claims, to which was referred the bill (H. R. 11800) for the relief of John F. Joy, reported the same adversely, accompanied by a report (No. 487), which said bill and report were laid on the table.

Mr. FOSTER, from the Committee on Claims, to which was referred the bill (H. R. 6208) for the relief of William E. Campbell, reported the same adversely, accompanied by a report (No. 488), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 6336) granting an increase of pension to Matthew J. McKeon; and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HULL of Tennessee: A bill (H. R. 14117) making appropriation for the construction and equipment of a Weather Bureau observatory on Crab Orchard Mountain, Cumberland County, Tenn.; to the Committee on Agriculture.

Also, a bill (H. R. 14118) to establish a fish hatchery and biological station in the fourth congressional district of the State of Tennessee; to the Committee on the Merchant Marine and Fisheries.

By Mr. HULBERT: A bill (H. R. 14119) to create two additional judges in the District Court of the United States for the Southern District of New York; to the Committee on the Judiciary.

By Mr. DALE of New York: A bill (H. R. 14120) to establish fish hatching and fish cultural stations in the States of Alabama, Arizona, Colorado, Florida, Indiana, Illinois, Maryland, New York, North Carolina, Oregon, Oklahoma, Texas, South Carolina, Massachusetts, and Washington; to the Committee on the Merchant Marine and Fisheries.

By Mr. MILLER of Delaware: A bill (H. R. 14121) for the erection of a public building at Newark, Del.; to the Committee on Public Buildings and Grounds.

By Mr. CARLIN (by request): A bill (H. R. 14122) to authorize certain late physicians and surgeons of the United States Volunteer Army in the War with Spain to practice their respective professions in any Territory, District, dependency, or possession of the United States under the constitutional jurisdiction of Congress upon the presentation and proof of certain facts; to the Committee on Military Affairs.

By Mr. HOWELL: A bill (H. R. 14123) giving the right to an additional homestead to all persons who have exhausted or who shall exhaust their original right of entry through the purchase of Uintah Indian Reservation lands; to the Committee on the Public Lands.

Also, a bill (H. R. 14124) to add certain lands to the Ashley National Forest, Utah, and for other purposes; to the Committee on the Public Lands.

By Mr. FOSS: A bill (H. R. 14125) to authorize the acquisition of a site and the erection of a Federal building at Lake Forest, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. BAILEY: A bill (H. R. 14126) to authorize and empower the Secretary of the Interior immediately to develop oil-producing lands belonging to the public domain, to make an appropriation therefor, and for other purposes; to the Committee on Appropriations.

By Mr. OVERMYER (by request): A bill (H. R. 14127) to authorize the adoption of "Uncle Sam's Power" as the national anthem of the United States of America; to the Committee on the Library.

By Mr. AIKEN: A bill (H. R. 14128) for the erection of a public building at Easley, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14129) for the erection of a public building at Seneca, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. KONOP: A bill (H. R. 14130) for the relief of the Wisconsin Band of Pottawatomie Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. JACOWAY: A bill (H. R. 14131) providing for a survey of Arkansas River, Ark., with the view to making same navigable; to the Committee on Rivers and Harbors.

By Mr. KEY of Ohio: A bill (H. R. 14132) to provide for the erection of a monument to soldiers of the War of 1812 at Fort McArthur, Hardin County, Ohio; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 14133) granting a pension to Henrietta Abney; to the Committee on Pensions.

Also, a bill (H. R. 14134) granting a pension to Medicus F. Day; to the Committee on Pensions.

By Mr. BARNHART: A bill (H. R. 14135) granting an increase of pension to Harmon Kaylor; to the Committee on Invalid Pensions.

By Mr. BYRNES of South Carolina: A bill (H. R. 14136) for the relief of Lewis Claxton; to the Committee on Claims.

Also, a bill (H. R. 14137) for the relief of the estate of T. J. Counts; to the Committee on Claims.

By Mr. CANNON: A bill (H. R. 14138) granting an increase of pension to John Jay Ingersoll; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 14139) granting an increase of pension to Ann E. Quinn; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 14140) granting a pension to William G. Kennedy (Spanish-American War); to the Committee on Pensions.

By Mr. CRAMTON: A bill (H. R. 14141) granting an increase of pension to Benjamin Harrison; to the Committee on Pensions.

By Mr. DIXON: A bill (H. R. 14142) granting a pension to Nancy Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14143) granting an increase of pension to Jacob Eppelsheimer; to the Committee on Pensions.

Also, a bill (H. R. 14144) granting an increase of pension to John M. Hoefling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14145) granting an increase of pension to Benjamin F. Hedrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14146) granting an increase of pension to Charles M. Gaumer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14147) granting an increase of pension to James W. Boyl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14148) granting an increase of pension to Samuel Parker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14149) granting an increase of pension to Margaret J. Cornett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14150) granting an increase of pension to John S. Kephart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14151) granting an increase of pension to Peter M. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14152) granting an increase of pension to George S. Dickey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14153) granting an increase of pension to Dalton Hinchman, alias Samuel McBurson; to the Committee on Invalid Pensions.

By Mr. EAGLE: A bill (H. R. 14154) for the relief of the estate of Francis Busch, deceased; to the Committee on Claims.

By Mr. GARNER: A bill (H. R. 14155) for the relief of the widow of Albert Champion; to the Committee on Claims.

By Mr. HASTINGS: A bill (H. R. 14156) granting an increase of pension to Lenora N. Hoyt; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 14157) granting an increase of pension to Louisa H. Highley; to the Committee on Pensions.

By Mr. HOWELL: A bill (H. R. 14158) to reinstate Edward Eugene Conroy as a midshipman in the United States Navy; to the Committee on Naval Affairs.

By Mr. HULBERT: A bill (H. R. 14159) granting a pension to Anna M. Callahan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14160) granting an honorable discharge to James Neal; to the Committee on Military Affairs.

By Mr. HULL of Tennessee: A bill (H. R. 14161) granting an increase of pension to Ade Hayes Garrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14162) granting an increase of pension to Joseph Hurt; to the Committee on Pensions.

Also, a bill (H. R. 14163) for the relief of James W. Turner; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 14164) granting a pension to James O'Heron; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 14165) granting an increase of pension to Milton B. Smith; to the Committee on Invalid Pensions.

By Mr. LIEBEL: A bill (H. R. 14166) granting a pension to Charles A. Smith; to the Committee on Pensions.

Also, a bill (H. R. 14167) granting a pension to Harry F. Douglas; to the Committee on Pensions.

Also, a bill (H. R. 14168) granting a pension to Margaret Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14169) granting an increase of pension to Charles S. Hohman; to the Committee on Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 14170) granting an increase of pension to Martha L. Lloyd; to the Committee on Invalid Pensions.

By Mr. MATTHEWS: A bill (H. R. 14171) granting an increase of pension to Hiram Shartleff; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: A bill (H. R. 14172) to correct the military record of George W. Parker; to the Committee on Military Affairs.

By Mr. NORTH: A bill (H. R. 14173) granting an increase of pension to Benevell Haugh; to the Committee on Invalid Pensions.

By Mr. PARKER of New York: A bill (H. R. 14174) granting an increase of pension to Elizabeth Weiss; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 14175) granting an increase of pension to Washington M. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14176) granting a pension to George Brewer; to the Committee on Pensions.

Also, a bill (H. R. 14177) granting a pension to John Ferman; to the Committee on Pensions.

By Mr. RANDALL: A bill (H. R. 14178) to remove the charge of desertion from the record of Joseph Willett; to the Committee on Military Affairs.

By Mr. RUSSELL of Missouri: A bill (H. R. 14179) granting an increase of pension to Henry Sinnard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14180) granting an increase of pension to Samuel B. Scism; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14181) granting a pension to Annie Eggers; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 14182) granting a pension to Sallie Blevins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14183) granting an increase of pension to James Minor; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 14184) granting a pension to Isaac D. Caldwell; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 14185) granting an increase of pension to Amaziah Shaeffer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of board of governors of India House; to the Committee on Military Affairs.

By Mr. ANTHONY: Petition of C. A. Cascool and other citizens of the District of Columbia, against bills to amend postal laws; to the Committee on the Post Office and Post Roads.

By Mr. BAILEY: Petition of National Grange, Oakland, Cal., relative to postalizing the wires; to the Committee on the Post Office and Post Roads.

Also, petition of National Grange at Oakland, Cal., against preparedness; to the Committee on Military Affairs.

Also, protest of W. C. Crawford, J. E. Hesketh, G. H. Rice, John C. Bauerle, B. H. Saks, J. F. Mugridge, Roye V. Clemmence, W. F. Hemker, A. S. Rice, Evan Townsend, Thomas Clifford, C. G. Evans, J. A. Dunsmore, L. Kishbaugh, I. J. Gochnour, R. C. Sackett, W. E. Saunders, and C. A. Stineman, all of South Fork, Pa., members of Pride of the Valley Commandery, Knights of Malta, against the passage of House bills 491 and 6468, denying the use of the mails to certain publications; to the Committee on the Post Office and Post Roads.

Also, protest of John A. James, Ambrose Berkebile, L. T. Gardner, C. W. Thomas, Dr. C. A. Reber, O. W. Mauges, F. S. Smith, Elmer Mitchell, Thomas Rudge, D. W. Dietz, Charles Kaufman, James T. Berkey, B. F. Ream, George R. Cook, G. B. Botts, J. G. Hock, Rollin Holsopple, Elmer Bittner, D. F. Wingard, J. B. Holsinger, George J. Holsinger, Harry T. Stettler, C. O. Bowman, W. R. Hartman, W. B. Miles, H. M. Stull, S. L. Cohen, and William R. Berkebile, all of Johnstown, Pa., against the passage of House bills 491 and 6468, denying the use of the mails to certain publications; to the Committee on the Post Office and Post Roads.

Also, protest of Frederick J. Baily, Harvey F. Fry, Thomas S. Brewer, Charles Gusky, W. C. Crawford, H. H. Nicodemus, S. S. Paul, B. H. Saks, John F. Hices, C. G. Evans, H. A. Dettry, M. L. Nissley, J. L. George, John H. Stoner, Robert E. Albright, C. E. Tyson, Hershel Roberts, J. A. Dunsmore, M. F. Closson, A. S. Rice, Joseph Hill, and Samuel S. Penrod, all of South Fork, Pa., against the passage of House bills 491 and 6468, denying the use of the mails to certain publications; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Petition of the International Council for Patriotic Service, relative to polygamy in Utah; to the Committee on the Judiciary.

Also, memorial of Jamaica Bay Improvement Association, relative to delay in improvement of bay; to the Committee on Rivers and Harbors.

Also, petition of Moran Towing & Transportation Co., of New York, protesting against House bill 8036, relative to eight-hour basis; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Board of Governors of India House, of New York, favoring preparedness; to the Committee on Military Affairs.

By Mr. DAVIS of Texas: Petition of sundry citizens against preparedness; to the Committee on Military Affairs.

Also, memorial of Order of Railway Conductors of America, Railway Conductors' Division No. 434, indorsing the Burnett immigration bill, and Herzl Lodge, No. 608, Independent Order B'nai B'rith, opposing passage of said bill; to the Committee on Immigration and Naturalization.

Also, petition of the American Temperance Board, in favor of the Sheppard-Barkley bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens in favor of national prohibition; to the Committee on the Judiciary.

Also, petition of Texas Drug Co., of Dallas, Tex., indorsing House bill 12421; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Chalk Mountain, Tex., opposing the Fitzgerald, Gallivan, and Siegel bills; to the Committee on the Post Office and Post Roads.

By Mr. ELSTON: Petition of Mrs. B. Winter and others, of Berkeley, favoring Government manufacture of munitions, etc.; to the Committee on the Judiciary.

By Mr. FLYNN: Petition of the International Council for Patriotic Service, relative to polygamy in the United States; to the Committee on the Judiciary.

Also, petition of McAllister Towing Line, of New York, against House bill 8036, relative to eight-hour basis; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Jamaica Bay Improvement Association, relative to delay in improvements of bay; to the Committee on Rivers and Harbors.

Also, memorial of F. N. Greene Chapter, Daughters of American Revolution, Brooklyn, N. Y., favoring preparedness; to the Committee on Military Affairs.

By Mr. FULLER: Petition of Robert Larson and 148 other citizens of Rockford, Ill., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. HASTINGS: Petition of Epworth League of Braggs, Methodist Episcopal Church South of Braggs, Methodist Episcopal Sunday School of Webbers Falls, and Methodist Episcopal Sunday School of Braggs, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HUMPHREY of Washington: Petition of St. Urban (Wash.) Booster Club, favoring the passage of Senate bill 2086, Federal farm-loan bill; to the Committee on Banking and Currency.

Also, petition of sundry citizens of Anacortes, Wash., against Sunday closing in District of Columbia; to the Committee on the District of Columbia.

Also, petition of citizens of Seattle, Wash., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. JOHNSON of South Dakota: Petition of Baptist Mission Circle of Watertown and Presbyterian Ladies' Aid of 42 people, of Watertown, and 28 people of Watertown, S. Dak., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KIESS of Pennsylvania: Petitions of sundry citizens, the Baptist Church of Warrensville, and sundry citizens of Tioga County, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LIEBEL: Papers to accompany House bill granting a pension to Harry F. Douglas; to the Committee on Pensions.

Also, papers to accompany bill granting a pension to Margaret Butler; to the Committee on Invalid Pensions.

Also, papers to accompany bill granting pension to Charles S. Hohman; to the Committee on Pensions.

Also, papers to accompany bill granting pension to Charles A. Smith; to the Committee on Pensions.

By Mr. LONDON: Petition from 112 citizens of Hamilton, Ohio, opposing increase in Regular Army; to the Committee on Military Affairs.

By Mr. LOUD: Petition of Mount Vernon Grange, No. 992, Clare County, Mich., protesting against the Madden rider to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. MATTHEWS: Evidence in support of House bill 14015, to grant a pension to Nancy A. Welch; to the Committee on Invalid Pensions.

Also, petitions of 59 citizens of Liberty Center, Henry County; 21 citizens of Liberty Center, Henry County; 80 citizens of Mark Center, Defiance County; and 32 citizens of Elgin and Venedocia, Van Wert County, all in the State of Ohio, protesting against the passage of House bill 6468, to amend the postal laws, and House bill 491, same title; to the Committee on the Post Office and Post Roads.

Also, petitions of 21 citizens of Liberty Center, Henry County; 54 citizens of Liberty Center, Henry County; and 25 citizens of Elgin and Venedocia, Van Wert County, all in the State of Ohio, against the passage of House bill 652, compulsory Sunday observance bill; to the Committee on the District of Columbia.

Also, protests against the Madden rider to the Post Office appropriation bill by the masters of the following granges: Paulding Grange, No. 332, Paulding County; Pomona Grange, No. 77, Paulding County; Emerald Grange, No. 1896, Paulding County; Fort Defiance Grange, No. 267, Defiance County; Fulton Grange, No. 217, Fulton County; Ottokee Grange, No. 273, Fulton County; Aetna Grange, No. 310, Fulton County; and Northwest Grange, No. 413, Williams County, all in the State of Ohio; to the Committee on the Post Office and Post Roads.

Also, evidence in support of House bill 14054, to increase the pension of Spencer H. Lighthill; to the Committee on Invalid Pensions.

By Mr. MILLER of Pennsylvania: Petitions of 80 citizens of Franklin, 24 citizens of Stoneman, and 80 members of the Woman's Christian Temperance Union of Clarendon, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 80 citizens of Oil City, Pa., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. MOORE of Pennsylvania: Petitions of Harry L. Gealt, John C. Trautwine, H. J. Seman, and M. Skolone, of Philadelphia, Pa., against preparedness; to the Committee on Military Affairs.

Also, memorial of India House, of New York City, favoring preparedness; to the Committee on Military Affairs.

Also, memorial of Board of Governors of Commercial Club of Nashville, Tenn., against Rainey flour bill; to the Committee on Ways and Means.

By Mr. NEELY: Petition of sundry citizens and Roneys Point United Presbyterian Church, of Ohio County, W. Va., favoring national prohibition; to the Committee on the Judiciary.

By Mr. NOLAN: Petition of Los Angeles (Cal.) Chamber of Commerce, favoring building an automobile road to Mount Whitney; to the Committee on Roads.

Also, memorial of Stereotypers and Electrotypers' Union, No. 29, of San Francisco, Cal., relative to printing of report of Industrial Relations Commission; to the Committee on Printing.

Also, memorial of Fortuna (Cal.) Woman's Civic Club and Chamber of Commerce of northern San Joaquin County, Lodi and Corona Club, San Francisco, Cal., favoring passage of bill for national park service, etc.; to the Committee on the Public Lands.

Also, memorial of Corona Club and Labor Council, of San Francisco, Cal., favoring inspection of dairy products; to the Committee on Agriculture.

Also, memorial of Humboldt Chamber of Commerce, Eureka, Cal., and Oneonta Park Chapter, Daughters of American Revolution, South Pasadena, Cal., favoring national defense; to the Committee on Military Affairs.

Also, memorial of Los Angeles (Cal.) Chamber of Commerce, favoring House bill 5806, to provide for the construction of the San Juan Railway in Colorado and New Mexico; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Humboldt Chamber of Commerce, of Eureka, Cal., indorsing amendment to Senate bill 2739; to the Committee on Rivers and Harbors.

Also, petition of San Diego (Cal.) Society for the Study and Prevention of Tuberculosis, favoring House bill 8352, relative to Government aid in care of indigent consumptives in Southwest; to the Committee on Interstate and Foreign Commerce.

Also, petition of Guggenhime & Co., San Francisco, Cal., favoring passage of bill providing for the maintenance of the Indian warehouse at San Francisco, Cal.; to the Committee on Indian Affairs.

By Mr. OLNEY: Petition of citizens of Norwood, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. OVERMYER: Petition of Woman's Christian Temperance Union of Berlin Heights, Ohio, favoring prohibition for the Island of Porto Rico; to the Committee on the Territories.

Also, petition of the Tuesday Club, of Berlin Heights, Ohio, asking for the amendment of the pure food and drug law; to the Committee on Agriculture.

By Mr. RAKER: Petition of Contra Costa Fruit Growers' Association, protesting against the embargo by Great Britain on fruits, etc.; to the Committee on Foreign Affairs.

Also, petition of Frank Burt, of Seal Beach, Cal., protesting against war tax on theaters; to the Committee on Ways and Means.

By Mr. ROWE: Petition of G. E. Palmer, of New York, indorsing House bill 10845; to the Committee on Military Affairs.

Also, petition of H. G. Diefendorf, of Detroit, Mich., protesting against House bill 9411; to the Committee on the Merchant Marine and Fisheries.

Also, petition of H. M. Bickford, of New York, favoring appropriation for construction of Norfolk-Beaufort Inlet waterway; to the Committee on Rivers and Harbors.

By Mr. RUSSELL of Ohio: Petition of Presbyterian Sabbath School of Bradford and citizens of Bradford, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEELE of Pennsylvania: Petition of 25 citizens and Beecher Bible Class, English Congregational Church, of Laus-

ford, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of citizens of Matamoras, Pa., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. TAYLOR of Arkansas: Petition of S. S. Hood and others, of Dalark, Ark., favoring rural-credits bill; to the Committee on Banking and Currency.

By Mr. TIMBERLAKE: Memorial of East Side Woman's Christian Temperance Union, Colorado Springs, Colo., urging suffrage amendment; to the Committee on the Judiciary.

Also, petition of citizens of Longmont, and T. E. Moore and other citizens, of Prairie, Colo., against Sunday closing legislation in the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of the Aid Society, First Presbyterian Church, Gipron Ladies' Social Club, and Woman's Christian Temperance Union, of Greeley, Colo., against practice of polygamy in the United States; to the Committee on the Judiciary.

By Mr. TOWNER: Petition of Jacob Shively and others against the passage of the bills to amend the postal laws, House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition of Jacob Shivelt and others against the passage of the compulsory Sunday observance bill, House bill 652; to the Committee on the District of Columbia.

By Mr. WINSLOW: Petition of citizens of Worcester, Mass., against proposed legislation to bar certain publications from the use of the mails; to the Committee on the Post Office and Post Roads.

Also, petition of Swedish Christian Temperance Federation of Worcester, Mass., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

TUESDAY, *April 4, 1916.*

(Legislative day of Thursday, March 30, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Nelson	Sterling
Beckham	Hollis	Norris	Sutherland
Borah	Husting	Overman	Swanson
Brady	James	Page	Taggart
Broussard	Johnson, Me.	Pomerene	Thomas
Burleigh	Johnson, S. Dak.	Ransdell	Townsend
Catron	Jones	Reed	Underwood
Chamberlain	Kenyon	Robinson	Vardaman
Chilton	Lane	Shafroth	Wadsworth
Clark, Wyo.	Lee, Md.	Sheppard	Warren
Culberson	Lodge	Sherman	Weeks
Cummins	McCumber	Simmons	Williams
Curtis	McLean	Smith, Ga.	Works
du Pont	Martin, Va.	Smith, Md.	
Gallinger	Martine, N. J.	Smith, S. C.	
Hardwick	Myers	Smoot	

Mr. CHILTON. I wish to announce the necessary absence of the Senator from Indiana [Mr. KERN], and also the absence of my colleague [Mr. GOFF] on account of illness. I will let this announcement stand for the day.

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

Mr. BORAH obtained the floor.

Mr. SUTHERLAND. Will the Senator from Idaho permit me to offer an amendment to the pending bill?

Mr. BORAH. I yield for that purpose.

Mr. SUTHERLAND. I offer an amendment to the pending bill, which I ask may be printed and lie on the table.

NATIONAL DEFENSE IN CALIFORNIA (S. DOC. NO. 388).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 27th ultimo, a tabulated statement setting forth the military forces of the United States now in the State of California. The communication and accompanying papers will be printed in the RECORD and referred to the Committee on Military Affairs.

The communication is as follows:

WAR DEPARTMENT,
Washington, March 31, 1916.

The PRESIDENT OF THE UNITED STATES SENATE.

SIR: In compliance with the Senate resolution of March 27, 1916, I have the honor to inclose herewith a tabulated statement setting forth the military forces of the United States now in the State of California, together with information showing to what branch or arm of the service they belong, the strength of each, the places in the State where they are stationed, and the force of men at each place.

There is also inclosed herewith another tabulated statement showing the coast defenses in the State of California, how they are manned, and the number and kind of guns in each fort.

Very respectfully,
NEWTON D. BAKER,
Secretary of War.

Statement showing the station and strength of troops in California.

	Staff Corps.		Line	
	Officers.	Enlisted men.	Officers.	Enlisted men.
Coast defenses of Fort Winfield Scott, including Forts Baker, Barry, Miley, and Winfield Scott: Third Band, Thirteenth, Twenty-fifth, Twenty-seventh, Twenty-ninth, Thirty-second, Thirty-eighth, Fifty-seventh, Sixtieth, Sixty-first, Sixty-fourth, Sixty-fifth, Sixty-sixth, Sixty-seventh, One hundred and forty-seventh, One hundred and forty-eighth, and One hundred and fifty-eighth, and One hundred and sixty-first Companies Coast Artillery	4	123	47	1,817
Coast defenses of San Diego, Fort Rosecrans, Cal.: Twenty-eighth and One hundred and fifteenth Companies Coast Artillery	2	14	10	233
Benicia Arsenal: Ordnance detachment	3	47	.....	.....
Calexico: Troops B and M, First Cavalry	1	8	3	150
El Centro: Third Battalion, Twenty-first Infantry	1	9	11	285
McDowell, Fort: Recruit depot	7	94	11	761
Mason, Fort: Company M, Signal Corps	2	38	.....	.....
Presidio of Monterey, Cal.: Staff department	11	158	.....	.....
Presidio of San Francisco: Staff department	23	265	.....	.....
San Diego: Companies A, B, and D, Twenty-first Infantry	.....	.....	10	243
San Francisco: Headquarters Western Department	7	5	15	.....
Alcatraz: Disciplinary Barracks	3	48	8	168
Total	64	809	115	3,657

THE ADJUTANT GENERAL'S OFFICE, *March 31, 1916.*

Seacoast fortification, State of California.

Coast defense and fort.	Number and caliber of guns.	Manned by—
San Diego:		
Rosecrans	Two 3-inch (15-pounder) guns.	Twenty-eighth Company, Coast Artillery Corps.
	Two 5-inch guns	One hundred and fifteenth Company, Coast Artillery Corps.
	Four 10-inch guns	
Pio Pico	Two 3-inch (15-pounder) guns.	
San Fnacisco:		
Miley	Two 5-inch guns	Thirteenth and Twenty-fifth Companies, Coast Artillery Corps.
	Three 12-inch guns	
	Sixteen 12-inch mortars	
Barry	Four 3-inch (15-pounder) guns.	One hundred and sixty-first Company, Coast Artillery Corps.
	Eight 6-inch guns	
	Two 12-inch guns	
	Eight 12-inch mortars	Sixty-sixth Company, Coast Artillery Corps.
Baker	Six 3-inch (15-pounder) guns.	One hundred and forty-eighth Company, Coast Artillery Corps.
	Two 5-inch guns	
	Two 8-inch guns	Thirty-second and Sixty-first Companies, Coast Artillery Corps.
	Five 12-inch guns	
Winfield Scott	Two 2.24-inch (6-pounder) guns	Fifty-seventh Company, Coast Artillery Corps.
	Six 3-inch (15-pounder) guns	
	Five 5-inch guns	Sixtieth and One hundred and forty-seventh Companies, Coast Artillery Corps.
	Six 6-inch guns	
	Three 8-inch guns	Sixty-fourth and One hundred and fifty-eighth Companies, Coast Artillery Corps.
	Five 10-inch guns	
	Eight 12-inch guns	Twenty-seventh, Twenty-ninth, and Sixty-seventh Companies, Coast Artillery Corps.
	Thirty-two 12-inch mortars	Thirty-eighth and Sixty-fifth Companies, Coast Artillery Corps.
Los Angeles:		
McDowell	Two 8-inch guns	
	Four 3-inch (15-pounder) guns[1].	
McArthur	Four 14-inch guns[1]	
	Eight 12-inch mortars[1]	

[1] Appropriated for, but not completed.

OFFICE CHIEF OF ORDNANCE, *March 30, 1916.*

VESSELS OF THE NAVY (S. DOC. NO. 387).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 27th ultimo, certain information regarding vessels of the Navy, together with lists of vessels on the Asiatic station and those which are on neither coast of the United States. The communication and accompanying papers will be printed in the RECORD and referred to the Committee on Naval Affairs.

The communication is as follows:

NAVY DEPARTMENT,
Washington, April 1, 1916.

SIR: I have the honor to forward herewith the information regarding vessels of the Navy requested by Senate resolution of March 27, 1916.

In addition to the information asked for, there have also been forwarded lists of the vessels on the Asiatic station and those which are on neither coast of the United States.

Sincerely, yours, JOSEPHUS DANIELS.

The PRESIDENT OF THE SENATE.

Numbers and types of vessels in the Navy.

Type.	Number.	Type.	Number.
Battleships, first line	9	Gunboats	29
Battleships, second line	25	Transports	4
Armored cruisers	10	Supply ships	4
Cruisers, first class	5	Hospital ship	1
Cruisers, second class	4	Fuel ships	20
Cruisers, third class	16	Converted yachts	14
Monitors	7	Tugs	48
Destroyers	43	Special type	8
Coast torpedo vessels	16	Unserviceable for war purposes	21
Torpedo boats	18		
Submarines	37	Total of all classes	347
Tenders to torpedo vessels	8		

Numbers and types of vessels in the Atlantic Ocean.

Type.	Number.	Type.	Number.
ASSIGNED TO THE ATLANTIC FLEET.		OTHER VESSELS.	
		Battleships, first line	2
Battleships, first line	7	Battleships, second line	12
Battleships, second line	12	Cruisers, second class	3
Armored cruisers	4	Cruisers, third class	4
Cruiser, second class	1	Monitor	1
Cruisers, third class	2	Destroyers	5
Monitors	3	Torpedo boats	14
Destroyers	38	Submarine	1
Coast torpedo vessels	2	Tender to torpedo vessels	1
Submarines	17	Gunboats	4
Tenders to torpedo vessels	4	Transport	1
Gunboats	8	Fuel ships [1]	10
Transport	1	Converted yachts	9
Supply ships	2	Tugs	29
Hospital ship	1	Special type	4
Fuel ships	5	Unserviceable for war purposes	11
Converted yacht	1		
Tugs	5	Total	111
Special type	4		
Unserviceable for war purposes	1		
Total	118		

[1] Two fuel ships are engaged in carrying coal from the Atlantic coast to the Philippine Islands.

Numbers and types of vessels in the Pacific Ocean.

Type.	Number.	Type.	Number.
ASSIGNED TO THE PACIFIC FLEET.		OTHER VESSELS.	
		Battleship, second line	1
Armored cruiser	1	Armored cruisers	5
Cruisers, third class	5	Cruisers, first class	4
Monitor	1	Cruisers, third class	3
Coast torpedo vessels	9	Gunboats	2
Submarines	10	Supply ship	1
Tenders to torpedo vessels	2	Tugs	10
Gunboats	2	Torpedo boats	3
Transport	1	Unserviceable for war purposes	2
Supply ship	1		
Fuel ships	3	Total	31
Tug	1		
Unserviceable for war purposes	1		
Total	37		

Numbers and types of vessels on the Asiatic Station.

Type.	Number.	Type.	Number.
Cruiser, first class	1	Fuel ships	2
Cruisers, third class	2	Tugs	3
Monitors	2	Transport	1
Coast torpedo vessels	5	Unserviceable for war purposes	2
Submarines	9		
Tender to torpedo vessels	1	Total	38
Gunboats	10		

Number and types of vessels assigned to naval militia organizations and others which are on neither the Atlantic nor the Pacific coasts of the United States.

Converted yachts	4
Torpedo boat	1
Unserviceable for war purposes	4
Gunboats	3
Total	12

Number and type of vessels under contract or construction and where building.

Battleships	8
Destroyers	15
Fuel ships	2
Transport	1
Submarines	36
Supply ship	1
Tugs	2
Total vessels under construction	65

The following table indicates where the above vessels are being built:

	Where building.		Where building.
BATTLESHIPS.		TRANSPORT.	
Oklahoma	New York Shipbuilding Co.	Henderson	Navy yard, Philadelphia.
Idaho	Do.	SUPPLY SHIP.	
Pennsylvania	Newport News Shipbuilding Co.	No. 1	Navy yard, Boston.
Mississippi	Do.	TUGS.	
New Mexico	New York Navy Yard.	Wando	Navy yard, Charleston.
Arizona	Do.	Pocahontas	Navy yard, Norfolk.
No. 43	Do.	SUBMARINES.	
California	Mare Island Navy Yard.		
DESTROYERS.		L-1, L-2, L-3, L-4, L-9, L-10, L-11, M-1,	
Tucker	Fore River Shipbuilding Corporation.	Schley	Electric Boat Co., Quincy.
Sampson	Do.	L-5	Lake Co., Bridgeport.
Rowan	Do.	L-6	Lake Co., Long Beach.
Porter	Wm. Cramp & Sons.	L-7	Do.
Wilkes	Do.	L-8	Navy yard, Portsmouth.
Wainwright	New York Shipbuilding Co.	N-1, N-2, N-3	Electric Boat Co., Seattle.
Davis	Bath Iron Works.	N-4, N-5, N-6, and N-7.	Lake Co., Bridgeport.
Allen	Do.	O-1	Navy yard, Portsmouth.
Shaw	Mare Island Navy Yard.	O-2	Navy yard, Puget Sound.
No. 69	Do	O-3, O-4, O-5, O-6, O-7, O-8, O-9, O-10.	Electric Boat Co., Quincy.
No. 70	Norfolk Navy Yard.	O-11, O-12, and O-13.	Lake Co., Bridgeport.
No. 71	Seattle Construction & Dry Dock Co.	O-14, O-15, O-16	California Shipbuilding Co., Long Beach, Cal.
No. 72	Wm. Cramp & Sons.		
No. 73	Do.		
No. 74	Bath Iron Works.		
FUEL SHIPS.			
Cuyama	Mare Island Navy Yard.		
Maumee	Built at Mare Island, but to be completed at the New York Navy Yard.		

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 1809. An act to create an additional judge in the district of New Jersey; and

S. 4190. An act to authorize the Yankton County Bridge Co., a corporation, to construct and maintain a bridge or bridges and approaches thereto across the Missouri River at a point between Yankton County, S. Dak., and Cedar County, Nebr.

The message also announced that the House had passed the following bills with amendments, in which it requested the concurrence of the Senate:

S. 3977. An act to authorize the Shamokin, Sunbury & Lewisburg Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Susquehanna River from the borough of Sunbury, Northumberland County, Pa., to Monroe Township, Snyder County, Pa.; and

S. 3978. An act to authorize the Catawissa Railroad Co., its lessees, successors, and assigns, to construct a bridge across the west branch of the Susquehanna River from the borough of Milton, Northumberland County, Pa., to the borough of West Milton, Union County, Pa.

The message further announced that the House had passed the bill (S. 3391) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 177. An act authorizing the Secretary of the Interior to accept the relinquishment of the State of Wyoming to certain lands heretofore certified to said State, and the State of Wyoming to select other lands in lieu of the lands thus relinquished;

H. R. 228. An act to amend the United States homestead law in its application to Alaska, and for other purposes;

H. R. 540. An act for the relief of settlers within the limits of the grant to the New Orleans, Baton Rouge & Vicksburg Railroad Co.;

H. R. 2744. An act to correct title to certain lands in Colorado;

H. R. 6099. An act to amend section 72 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

H. R. 6417. An act to provide for the selection by the Omaha Indians and the setting apart of reservation lands for tribal cemetery purposes;

H. R. 6914. An act to amend section 82, chapter 231, of the act to codify, revise, and amend the laws relating to the judiciary;

H. R. 8356. An act to amend sections 28 and 30 of an act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909;

H. R. 9819. An act to amend the act of March 3, 1915, providing the time for the holding of United States court at Aiken, S. C.;

H. R. 9923. An act granting the consent of Congress to the county of Mitchell, or to the county of Baker, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River;

H. R. 10139. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia;

H. R. 10307. An act authorizing the Secretary of the Interior to pay and to distribute the balance now in the Treasury to the credit of the Alsea and other Indians on the Siletz Reservation;

H. R. 11792. An act transferring Chariton County from the northern division of the eastern district to the western division of the western judicial district of Missouri;

H. R. 12195. An act to amend section 17 of the United States bankruptcy law of July 1, 1898, and amendments thereto of February 5, 1903;

H. R. 13006. An act to authorize the reconstruction of an existing bridge across the Wabash River at Silverwood, in the State of Indiana, and the maintenance and operation of the bridge so reconstructed;

H. R. 13769. An act to authorize the Secretary of War to supply tents for temporary use of the sufferers from the recent conflagration in Paris, Tex., and for other purposes; and

H. J. Res. 171. Joint resolution to continue in effect the provisions of the act of March 9, 1906.

PETITIONS AND MEMORIALS.

Mr. THOMAS presented memorials of sundry citizens of Colorado, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. MYERS. I present a letter in the nature of a petition favoring the enactment of water-power legislation, which I ask may be printed in the RECORD.

There being no objection, the letter was ordered to lie on the table and to be printed in the RECORD, as follows:

MISSOULA, MONT., *March 28, 1916.*

Hon. HENRY L. MYERS,
United States Senate, Washington, D. C.

DEAR SIR: Under date of March 16, 1916, the Missoula Sentinel published an article entitled "Western Senators oppose Myers' bill," clipping inclosed.

This bill to conserve to the people of the United States the water power is one of the best bills proposed in the Senate for a decade, for it is absolutely in the interests of all the people and should have the support of every Senator.

State control of the natural advantages is not for the best interests of the people, as has been shown; and it has been, and always will be, easier to control these inherent rights better through the National Government.

Other pending legislation vital to the welfare and interests of the people should be as valiantly supported, and above all every Member of Congress should endeavor to serve the whole people even though sacrifices are necessary. Convey to Congress if need be, that I, we, all the people want your bill to pass, as well as other legislation for their interests.

Place this letter before them, if you will, so that they will understand that the people want this legislation.

Very truly, yours, CHAS. G. ADAMS.

Mr. MYERS. I present a letter in the nature of a petition from the Farmers' Society of Equity, of Leon, Mont., praying for the enactment of legislation in regard to the Flathead Reservation, in that State, and the price of oil products, and so forth. I ask that the letter be printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the letter was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

LEON, MONT., *March 25, 1916.*

Hon. HENRY L. MYERS,
United States Senator, Washington, D. C.

MY DEAR SENATOR: The Farmers' Society of Equity, of Leon, desires to express its appreciation of the good work you are doing in Congress for the State of Montana, and especially for the Flathead Reservation, in your endeavor to have a Government plant established on Flathead River.

You know the real condition of the settlers on the reservation and their needs, and may rest assured that we will appreciate whatever you can do for the betterment of our condition.

We would also ask you to use your influence to deal with the oil companies to stop the raise in all kinds of oil products, especially gasoline.

Yours, very respectfully,

LEON LOCAL, FARMERS' SOCIETY OF EQUITY,
By E. C. JENKINS, *Secretary.*

Mr. MYERS. I present a petition from the congregation of the Grand Avenue Christian Church, of Bozeman, Mont., praying for prohibition in the District of Columbia, which I ask may be printed in the RECORD.

There being no objection, the petition was ordered to lie on the table and to be printed in the RECORD, as follows:

BOZEMAN, MONT., *March 26, 1916.*

At the regular meeting of the Grand Avenue Christian Church, Bozeman, Mont., the following resolution was adopted:

"To the Hon. HENRY L. MYERS,
"*United States Senate, Washington, D. C.*

"DEAR SIR: We the members of the Grand Avenue Christian Church, of Bozeman, Mont., representing a membership of 450, respectfully petition you to use all your influence to bring to a vote, and that you support the measure now before Congress to outlaw the saloons in Washington, D. C."

Respectfully submitted.

J. H. HARRIS,
Chairman Official Board.
W. C. DAWES, D. O.,
Secretary Official Board.

Mr. MYERS. I present a petition of Silver Bow Chapter, Daughters of the American Revolution, of Butte, Mont., praying for adequate preparedness legislation, which I ask may be printed in the RECORD.

There being no objection, the petition was ordered to lie on the table and to be printed in the RECORD, as follows:

Silver Bow Chapter, Daughters of the American Revolution, Butte, Mont., has placed itself on record as favoring national preparedness against war and authorized the following resolutions:

"Whereas the preservation and protection of our country is of vital moment, and the lessons taught us by the terrible European war have brought realization of the inadequate means of defense now available; and

"Whereas we long for universal peace, but believe that to enjoy peace we must be prepared to defend our beloved country; and

"Whereas we believe that to continue to preserve peace, and to uphold the honor and dignity of our Government, better national defenses are needed: Therefore be it

"*Resolved*, That we, as Daughters of the American Revolution whose ancesters founded this Republic, uphold all measures to put our Army and Navy in a position where, should the need come, they will be able to defend the honor of our country and the lives and the property of its citizens; and

"*Resolved*, That we indorse the endeavors of the President of the United States to increase the efficiency of both Army and Navy, to equip Army and Navy to resist armed invasion of any foe; and

"*Resolved*, That we ask the Montana representatives in Congress to support national preparedness against war."

OLIVIA H. HOPKINS,
BERTHA TAFT KEITH,
Authorized Committee, Silver Bow Chapter, D. A. R.

BUTTE, MONT., *March 25, 1916.*

Mr. MYERS. I present a petition of the Madison County Automobile and Good Roads Association, of Montana, praying for legislation for roads through the national forests. I ask that the petition be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the petition was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Resolution.

Whereas large areas of the public domain lie within the boundaries of the various national forests, the title to which is in the United States, and which is permanently withdrawn from settlement; and
Whereas all said large areas, not being subject to taxation, contribute nothing toward the development of the country within or adjoining said national forests; and
Whereas it is imperatively necessary that roads should be built through the national forests in order to establish communications between lands adjoining said forests and promote the development of same, and also to provide proper protection against loss by fire; and
Whereas the amounts now apportioned to the various States through the acts of May 23, 1908, and August 10, 1912, from the receipts from said national forests are inadequate for such purposes: Now, therefore, be it

Resolved by the Madison County Automobile and Good Roads Association, That our Representatives in Congress be strongly urged to use every effort to obtain from Congress a permanent annual appropriation of at least 25 per cent of the gross receipts accruing from the operation of said national forests, or a temporary advance for a period of at least 10 years of 75 per cent of said receipts, for the purpose of building, constructing, and maintaining roads through said national forests, to be built by and under the supervision of the Forest Service; and be it further

Resolved, That a copy of this resolution be forwarded to our Representatives in Congress.

Mr. MYERS. I present a petition of the Christian Endeavor Society of the Presbyterian Church of Hamilton, Mont., praying for prohibition in the District of Columbia, which I ask may be printed in the RECORD.

There being no objection, the petition was ordered to lie on the table and be printed in the RECORD, as follows:

HAMILTON, MONT., *March 26, 1916.*

Senator H. L. MYERS,
Washington, D. C.

HONORABLE SIR: We, the undersigned, members of the Christian Endeavor Society of the Presbyterian Church of Hamilton, Mont., hereby petition you to support the bill now pending in Congress for the prohibition of the liquor traffic in the District of Columbia.

Respectfully submitted.

Miss Bessie Carpenter (president), Bethel Irwin (vice president), J. T. Caughmanep (secretary), Jacob Erickson, Mrs. D. E. Anson, Mrs. Fred A. Patch, Fred L. Carpenter, J. N. Taylor, Estella Carpenter, Carrie E. Lupton, F. A. Patch, Helen Shaw, Vashti E. Prentiss, D. E. Anson, J. C. Irwin, Dorris F. Carpenter, Franz S. Carpenter, Reba J. Malin, Mrs. Shaw, Helen Ensign, Emma B. Williams.

Mr. JOHNSON of Maine presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WARREN. I present resolutions adopted by the Albany County Branch of the Congressional Union for Woman Suffrage in the State of Wyoming, favoring the adoption of an amendment to the Constitution of the United States conferring upon women the right of suffrage. I ask that the resolutions be printed in the RECORD.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

CONGRESSIONAL UNION FOR WOMAN SUFFRAGE,
Laramie, Wyo., March 28, 1916.

Resolved, That this meeting, the Albany County Branch of the Congressional Union at Laramie, Wyo., March 28, 1916, calls upon the members of the Judiciary Committee to report immediately and favorably to the House of Representatives the Sutherland-Mondell resolution; and be it further

Resolved, That a copy of this resolution be sent to each member of the Judiciary Committee of the House of Representatives and also that it be sent to each Member of the congressional delegation of Wyoming, and that it be read into the CONGRESSIONAL RECORD by Representative FRANK W. MONDELL, of the House, and Senator FRANCIS E. WARREN, of the Senate.

ALBANY COUNTY COMMITTEE,
Mrs. M. C. BROWN, *Chairman*,
Member School Board.
Mrs. W. S. INGHAM,
Dr. GRACE RAYMOND HEBARD,
Professor Political Economy, University of Wyoming.
Mrs. ETTA ROACH.
Mrs. C. L. PATCHELL,
Mrs. MAY BAIRD CAMPBELL, *Secretary.*
Mrs. FRANK D. SPAFFORD, *Treasurer.*
Mrs. C. A. DUNIWAY,
Chairman Resolution Committee.

Mr. WARREN presented petitions of sundry citizens of Wyoming, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented memorials signed by 727 farmers in the State of Michigan, remonstrating against the enactment of legislation to prohibit interstate commerce in convict-made goods, which were referred to the Committee on Education and Labor.

Mr. POINDEXTER presented memorials of F. J. Ogden and sundry other citizens of Farmington, Wash., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of Stenilt Hill Grange, No. 555, Patrons of Husbandry, of Wenatchee, Wash., praying for Government ownership of telephone and telegraph systems, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of Stenilt Hill Grange, No. 555, Patrons of Husbandry, of Wenatchee, Wash., remonstrating against an increase in armaments, which was ordered to lie on the table.

Mr. HOLLIS presented a petition of Local Grange No. 278, Patrons of Husbandry, of Greenville, N. H., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. TAGGART presented a memorial of sundry citizens of Elkhart, Ind., remonstrating against any change in the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

Mr. GALLINGER presented petitions of the congregation of the Congregational Church, of Cornish; the Conference on Child Welfare, of Somersworth; and of 28 citizens of Westmoreland, all in the State of New Hampshire, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Calhoun Commercial Club, of Minneapolis, Minn., praying that an appropriation be made providing for the control of the flood waters of the Mississippi River, which was referred to the Committee on Commerce.

Mr. JONES presented petitions of sundry citizens of the State of Washington, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Olympia, Wash., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Seattle, Wash., remonstrating against the enactment of legislation to enlarge the powers of the juvenile courts relating to the guardianship of children, which were ordered to lie on the table.

He also presented a memorial of Local Grange No. 99, Patrons of Husbandry, of Catlin, Wash., remonstrating against any change in the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Camden and Portland, in the State of Maine, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. PAGE presented a memorial of sundry citizens of Bristol, Vt., remonstrating against compulsory military training, which was ordered to lie on the table.

Mr. O'GORMAN. I present resolutions adopted at a meeting of the common council of the city of Hudson, N. Y., which I ask may be printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the resolutions were referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

HUDSON, N. Y., *March 31, 1916.*

Hon. JAMES A. O'GORMAN,
United States Senate, Washington, D. C.

DEAR SIR: At a regular meeting of the common council of the city of Hudson, N. Y., held March 30, 1916, a resolution, of which the annexed is a copy, was passed by said body, protesting against the enactment of any legislation which would provide a literacy test for admission to the United States. I was directed by that body to transmit a copy of the same to you for your attention.

I am, very respectfully, yours.

HENRY M. JAMES, *City Clerk.*

Whereas there is now pending before the Congress of the United States legislation, which if enacted would impose a literacy test upon those who come to our shores seeking homes and happiness, upon those who seek to better their manner of living, not for themselves alone but for the sake of their children and their children's children; and
Whereas our country has been known and recognized since its foundation as a land dedicated by God to be the home and refuge of the oppressed of all nations; the land of universal opportunity, to which the people of the world might turn; the land of the free, which welcomes all the peoples of the earth irrespective of race, color, creed, or previous condition of servitude; and
Whereas those immigrants who have come to our shores have grown up into the bone and sinew of our Nation, many of whom have died upon the battle field that their country, which gave them shelter, might live. They have become, in many instances, the foremost citizens of the land, and at all times they have been loyal and patriotic Americans; and

Whereas we believe that the enactment of legislation imposing a literacy test would be detrimental to the welfare of the Nation, would bar admission to many who would become valuable citizens of our country, and would work a hardship upon many who, either by birth or conditions over which they had no control, were unable to secure the benefits of even a meager education. We believe further that the imposition of such a test is contrary to the spirit which actuated the founders of this Nation, contrary to the wishes of the Almighty, who has blest this land with the sunshine of his favor and guidance, and has made it to prosper as the home and refuge of the oppressed of the world: Now, therefore be it

Resolved, That we, the common council of the city of Hudson, N. Y., in regular meeting duly assembled on this 30th day of March, 1916, do hereby strongly protest against the enactment of any legislation which would impose a literacy test upon those who seek admission to our country; and further, that we urge the Hon. JAMES A. O'GORMAN and the Hon. JAMES W. WADSWORTH, the Senators from New York State, and the Hon. CHARLES B. WARD, the Representative in Congress from this twenty-seventh congressional district, to vote against such legislation; and be it further

Resolved, That copies of this preamble and resolution be sent to our Representatives in the Senate and the House of Representatives.

CITY OF HUDSON, COUNTY OF COLUMBIA,
State of New York, ss:

I, Henry M. James, clerk of the city of Hudson and clerk to the common council of said city, do hereby certify that I have compared the foregoing resolution with the original adopted by the common council and now on file in my office, and that the same is a true and correct transcript therefrom and of the whole thereof.

In witness whereof I have hereunto set my hand and affixed the seal of said city of Hudson, N. Y., this 31st day of March, 1916.

[SEAL.] HENRY M. JAMES, *City Clerk.*

REPORTS OF COMMITTEES.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (H. R. 8466) to relieve J. Lawrence Latham, postmaster at Eupora, Webster County, Miss., of the payment of cash and funds stolen from the post office, reported it without amendment and submitted a report (No. 323) thereon.

Mr. MYERS, from the Committee on Military Affairs, to which was referred the bill (S. 3101) authorizing the Secretary of War to extend the lease issued under the act of August 23, 1912, entitled "An act authorizing the Secretary of War to lease to the Chicago, Milwaukee & Puget Sound Railway Co. a tract of land in the Fort Keogh Military Reservation, in the State of Montana, and for a right of way thereto for the removal of gravel and ballast material, reported it without amendment and submitted a report (No. 324) thereon.

Mr. SMITH of South Carolina, from the Committee on Agriculture and Forestry, submitted a report (No. 325) to accompany the bill (S. 4971) to authorize the designation and withdrawal of water-power sites and the construction of water power and other plants by the United States for the manufacture of nitrates, and for other purposes, heretofore reported by him.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. O'GORMAN:

A bill (S. 5375) for the relief of Maurice Edgar Rose, late assistant surgeon, United States Navy (with accompanying papers); to the Committee on Naval Affairs.

By Mr. MYERS:

A bill (S. 5376) to authorize exploration for and disposition of coal;

A bill (S. 5377) to provide for the sale and development of certain public lands and for the construction and maintenance of public roads;

A bill (S. 5378) to provide for an investigation to determine the best means of furnishing an adequate supply of nitric acid for military purposes by the fixation of atmospheric nitrogen with hydroelectric power, or by other means; and

A bill (S. 5379) validating certain homestead entries; to the Committee on Public Lands.

By Mr. SMOOT:

A bill (S. 5380) for the relief of George E. Yeadon; to the Committee on Claims.

A bill (S. 5381) granting an increase of pension to William Grogan (with accompanying papers); to the Committee on Pensions.

By Mr. TAGGART:

A bill (S. 5382) granting an increase of pension to Allen Conner (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 5383) granting an increase of pension to Ellen Billcock (with accompanying papers); to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 5384) for the relief of the Western Grain & Sugar Products Co. of California (with accompanying papers); and

A bill (S. 5385) for the relief of Albert Edgerton Buckman and others; to the Committee on Claims.

A bill (S. 5386) granting an increase of pension to F. Isabelle Lawrance; to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 5387) for the relief of the Commissioner of Internal Revenue, and

A bill (S. 5388) for the relief of the Commissioner of Internal Revenue; to the Committee on Finance.

NATIONAL DEFENSE.

Mr. SUTHERLAND submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

Mr. LEWIS submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

Mr. WEEKS submitted two amendments intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which were ordered to lie on the table and be printed.

AMENDMENT TO LEGISLATIVE APPROPRIATION BILL.

Mr. ROBINSON submitted an amendment providing that in the development of color standards and methods of manufacture and of color measurement, with special reference to their industrial use in standardization and specification of colorants, such as dyestuffs, inks, and pigments, and other products, cottonseed oil shall be omitted, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 12207), which was referred to the Committee on Appropriations and ordered to be printed.

PRODUCTION OF SUGAR.

Mr. LODGE. I submit an amendment intended to be proposed by me to the bill (H. R. 11471) to amend an act entitled, "An act to reduce revenue duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, which I ask may be printed in the RECORD.

There being no objection, the amendment was ordered to lie on the table and be printed, and to be printed in the RECORD, as follows:

That on and after the day following the passage of this act, except as otherwise specially provided for in this act, there shall be levied, collected, and paid upon the articles named herein when imported from any foreign country into the United States or into any of its possessions, except the Philippine Islands and the islands of Guam and Tutuila, the rates of duties which are herein prescribed, namely:

DUTIABLE LIST.

First. All products of coal, produced in commercial quantities through the destructive distillation of coal or otherwise, such as benzol, toluol, xylol, cumol, naphthalin, methylnaphthalin, azenaphten, fluorin, anthracene, phenol, cresol, pyridin, chinolin, carbazol, and others, not specially provided for and not colors or dyes, 5 per cent ad valorem.

Second. All the so-called "intermediates," made from the products referred to in paragraph 1, not colors or dyes, not specially provided for, 3½ cents per pound and 15 per cent ad valorem.

Third. All colors or dyes derived from coal, 7½ cents per pound and 30 per cent ad valorem.

FREE LIST.

Fourth. Acids: Acetic or pyroligneous, arsenic or arsenious, chromic, fluoric, hydrofluoric, hydrochloric or muriatic, nitric, phosphoric, prussic, silicic, sulphuric or oil of vitriol, and valerianic.

Fifth. Coal-tar, crude, pitch of coal-tar, woor or other tar, dead or creosote oil.

Sixth. Indigo, natural.

SEC. 2. That paragraphs 20, 21, 22, and 23 of Schedule A of section 1 of an act entitled, "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved 9.10 p. m. October 3, 1913, and paragraphs 387, 394, 452, and 514 of the "free list" of section 1 of said act, and so much of any heretofore existing law or parts of law as may be inconsistent with this act are hereby repealed.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. BORAH. Mr. President, the expense or burden of any program of preparedness which shall be efficient and sufficient in time of danger will be great, and startlingly great, do the best we may. Be as economical as we can and as careful as we may, the expense which confronts us is one that will be surprisingly large when we come to view it as a whole. We have heard much complaint of late years of high taxes—municipal, State, and National. Now we are about to add tremendously to the cost of Government.

Nevertheless, we are practically all agreed that even in these times of peace it is proper that the Republic should prepare itself for times when we may not have peace. But in organiz-

ing and presenting our program of preparedness we ought to undertake to make every dollar count. We ought to be able to justify the expenditure and to say to the taxpayers, those who have to meet the burden, that this represents a dollar's worth of preparation for which you are paying a dollar. If we do this we will hear less complaint than has been anticipated, for the people want protection. But they want protection in fact and reality, not merely on paper and in appearance.

This is a Government of public opinion. The programs formulated here and the policies initiated must stand the test of another forum. Another Congress, acting under the specific instructions of the voters, will shortly review our work, and it will remain or be discredited in accordance with the approval or condemnation of the electorate. That is the kind of a Government we have made, and we are not permitted to ignore the fact when we come to deal with matters which so vitally concern the people as the subject now under consideration. To their judgment everything must in the end accord. If we succeed in pushing through a program of preparedness not in harmony with the view of the majority of the people, our labor will be without benefit or avail to the country. Any such program to be effective must be in a measure continuing and permanent and fully sustained by public opinion. It must necessarily have the earnest support of those who come after us, for it will call for large appropriations in the future. If it is to be efficient, it must enlist the interest and pride of those who are to sustain and perfect it as well as the interest and pride of those who originated it. Those, therefore, who believe that there ought to be a permanent program or a program which shall result in permanent preparedness feel that every item of this expenditure ought to be tested, that we may feel assured that the money expended is bringing that which the people desire, real preparation.

Mr. President, we have now upon the pay roll of the Federal Government between 500,000 and 600,000 employees, and the number is increasing with exceptional rapidity year by year regardless of the party or the administration in power. The ordinary running expenses of the Government are increasing at a rate of about $150,000,000 or $200,000,000 a year. This is the ordinary annual increase of expenditure for running the Government superinduced by reason of the fact that we have a perfectly reckless way of increasing the number of employees who draw from the National Treasury and of creating bureaus, departments, and commissions of every conceivable form.

Now, we are about to put upon the national pay roll 280,000 civilians, who will remain in the community in connection with their business affairs and in the politics of the country, at an expenditure of from $50,000,000 to $75,000,000 a year, a cost which will never be less, and if we are to judge the future by the past it will increase from year to year with remarkable strides, a cost which will be enlarged from year to year by the interest and activity of this large number of men who, without charging any bad faith or any improper motives, will nevertheless be interested in building up their strength and widening their power and accentuating their influence. Ten years is a short period, but in that time we will have expended from five hundred to seven hundred and fifty million dollars, even according to present estimates. Thus we get a glimpse of this obligation which we are with what seems to me an air of indifference contracting. And once it is contracted I know not what power will have the courage to cancel it, for these payees take part in the proceedings by which we are sent here, and we know, have good cause to know, they are able and vigilant in such matters.

We are breaking new ground, we are establishing a new precedent, we are making history when we put 280,000 civilians, the police force of the States, in touch with the National Treasury. We are putting out to sea when we practically say to anyone who joins a militia "Your pay begins." We are doing it, Mr. President, under the guise of preparedness, and if it is preparedness, if it means that in the hour of peril the people who shall have borne the burden will have their just returns, well and good. But it behooves us, in establishing this precedent, in obligating ourselves to this $50,000,000 to $75,000,000 a year, to know that it meets in the matter of military preparation the test of experience, that it meets the test of history, that it meets the test of the soundest judgment in the matter of readiness for defense.

We may put sufficient dynamite in this preparedness program to cause later its entire destruction, because if it shall be found that we have put into the program that which is expenditure without returns, a proper discrimination may not be made when the people come to pass upon it between that which is good and that which is bad, and all may go together—all may pass under the condemnation of the voter.

Now, Mr. President, keeping in mind this expenditure and this precedent, let us look into the facts—the precedents, the history, the experience of this and other countries with reference to a militia where a militia system has obtained. If I were disposed to go back, which I am not disposed to do to any length, because I know the Senate would not be patient with such a review, I would ask you to start with me at the time when Philip of Macedon brought his trained soldiers in conflict with the State militia or the city State militias of the free cities of Greece. These troops were not soldiery trained from day to day and year to year in their camps, as Philip's soldiers were, but civilians trained occasionally and relied upon, rather, for their patriotism than their science to overcome the troops trained under the direction and genius of Philip, that master of organization and military skill, who stands back there in history so commanding 300 years before Christ. The soldiers of Greece were not less patriotic, not less courageous, not less brave than the soldiers of Philip. But they melted away before the skill and drill of the Macedonian phalanx. Neither is the State militia, man for man and citizen for citizen, less courageous, less brave, or less patriotic than the average citizen of the community in which he moves, or less brave or courageous than our Regular soldiers, but to march them from the armory in front of the Regulars of some European army would be to offer them for shameless slaughter. When Canada sent her militia to England it took six months, hard pressed as they were for soldiers, to fit them for the front. What I object to is spending this stupendous sum for that kind of training which does not fit the soldier for battle and never has from Philip's hour to this.

If history and experience are worth anything, you can not take a man, whatever his courage may be, and by calling him to an armory once or twice a month at night, away from his family, and sending him back to his family the next day, to bury any sentiment of military training that he may have in the social affairs of his country—you can not prepare him to meet the man who is really a trained soldier. If we were to start, therefore, with the beginning, we should find ample precedent to put us upon our inquiry. But let us come down a little later and deal with our own history and our own experience. Pardon me while I read a single paragraph from the Federalist, which I regard in many respects as a political bible. It makes a good text from which to start our discussion with reference to our own experience. In this number of the Federalist Hamilton said:

> Here I expect we shall be told that the militia of the country is its natural bulwark and would at all times be equal to the national defense. This doctrine, in substance, had like to have lost us our independence. It cost millions to the United States that might have been saved. These facts, which from our own experience forbid a reliance of this kind, are too recent to permit us to be the dupes of such a suggestion. The steady operations of war against a regular and disciplined army can only be successfully conducted by a force of the same kind. Considerations of economy, not less than of stability and vigor, confirm this position. The American Militia, in the course of the late war have, by their valor on numerous occasions, erected eternal monuments to their fame; but the bravest of them feel and know that the liberty of their country could not have been established by their efforts alone, however great and valuable they were. War, like most other things, is a science to be acquired and perfected by diligence, by perseverence, by time, and by practice.

We will pass over the Revolutionary War and examine a later precedent established under better circumstances. In 1792 Washington, Hamilton, and associates conceived the idea of framing a bill to put the militia of the respective States under national control, government, and discipline, in so far as it could be done. In 1795 that act was reenacted with renewed vigor and with extended power, and, as I said the other day, was supposed to have exhausted the entire power of the National Government under the Constitution. It did about all we could do in the way of fitting the militia for war.

Under the acts of 1792 and 1795—in those days which were much more given to military training and to military thought and consideration than these—every effort was made to build up the State militia of the respective States. Not only had they passed lately through a conflict which involved the question of independence, but in those days it was understood, during the time that the French Revolution and such disturbances in Europe were in progress, that at any time this Republic might become involved. There was ever reason to be prepared, to be in readiness for conflict.

In 1807 began the first disturbances which led to the second war with England. Under the inspiration of the Revolution, under the direction and the inspiration of Washington, under the inspiration of the oncoming events which led to the War of 1812, every effort was made to build up the State militia under statutes which were supposed, in the minds of those who framed the Constitution, to give all the power that could be given.

What was the result? I again repeat, although it is not necessary to do so, that the men who constituted the State militia in the War of 1812 are not to be disparaged because of their lack of personal courage or of patriotism; but the story of the State militia of the War of 1812 is one continuous and almost unbroken story of disaster, of humiliation, and of defeat. I stop long enough to read a part of the record, the official reports which disclose the real facts.

Gen. Upton, in his Military Policy of the United States, says:

The wisdom of the Constitution in giving Congress the sole power of raising and supporting armies was demonstrated at the beginning of this war by the refusal of the governors of Massachusetts and Connecticut to furnish their quotas of 100,000 militia authorized by the act of April 10, 1812.

Speaking later of the disastrous expedition of Gen. Hull in his effort to invade Canada, he says:

He—

Referring to Gen. Hull's report—

also states that the 180 of the Ohio militia refused to cross the river at Detroit, alleging as a reason that they were not obliged to serve outside of the United States.

Citing still further from the author, it is said:

The value set upon the militia by our opponents was shown by the fact that they permitted them to return to their homes while the Regulars were sent as prisoners to Montreal.

Again the authority says, speaking of the troops under Gen. Harrison:

The militia of Kentucky and of Tennessee assembled at Louisville and at Newport and those from Virginia at Urbana; those from Pennsylvania at Erie. * * * The left column from Kentucky when a few days out was only prevailed upon to remain by the personal entreaties of the general and other officers. The middle column from Urbana, after a slight engagement with the Indians, refused to obey orders for further pursuit and deliberately returned to their camp. This ended the autumn campaign.

Further on we find this statement:

The construction which the militia put on the powers of Congress to call them out under the Constitution to repel invasions was again illustrated on this occasion. Of the 3,000 militia who marched with Dearborn for Canada nearly all refused to cross the line, including the company who advanced with Pike but halted at the very border. * * * The failures and disasters of the campaign can be plainly traced to the pernicious military organization established by the act of 1792. It will be remembered that instead of relying upon a small but well-disciplined Regular Establishment, this law intrusted the safety and honor of the Nation to armies of militia supported by the several States during the long intervals of peace. These armies, though elaborately organized on paper into battalions, brigades, and divisions, were only to receive such drill and instructions as the various States might think proper.

This history is made up from the official reports of the different expeditions and battles of the war. It is a part of the undisputed history, evincing and establishing beyond question the weakness of the State militias as a national force. No man can read it and feel that he can justify in his own conscience the proposition to put upon the people an expense of from fifty to seventy-five million dollars a year for troops which the National Government can neither train nor compel the States to train.

Time after time was the militia, when placed in conflict with the Regulars, found deficient in training, and their inefficiency as a fighting force was disclosed upon more than one battle field. George Washington said—not with regard to the War of 1812, of course, because he had passed away—but he said in regard to the Revolution that—

If I was called upon to declare upon oath whether the militia had been more serviceable or hurtful, I should subscribe to the latter.

This was said by some in regard to the War of 1812.

Mr. HARDWICK. Mr. President, will the Senator from Idaho yield to me?

Mr. BORAH. And more than once that fact is recorded in the military history of the War of 1812. Not because of the lack of patriotism, but because of the system of training under our dual form of government and the limitations of Congress, it is impossible to prepare men for that ordeal of battle which is necessary when there is a real contest on between this Nation and some other real power.

Mr. HARDWICK. Mr. President, I just wanted to inquire of the Senator from Idaho if he did not think the militia made a pretty good showing at New Orleans under Jackson?

Mr. BORAH. Mr. President, if I were disposed to go into that I would say that in a general way they did; but let us bear in mind that Andrew Jackson more than once had trouble with the militia, and upon one occasion at least put the Regulars in front of the militia, and notified them that if they undertook to return home the shooting would then begin.

Mr. HARDWICK. Yes; but when they faced a foreign foe, the militia gave a pretty good account of themselves at New Orleans, as the Senator from Idaho may recall.

Mr. BORAH. Mr. President, when Andrew Jackson began to realize that he had won his battle, and looked about, he discovered that a part of the militia had broken and was fleeing into the city. This is a part of the history of the War of 1812. I quote here from Upton:

This campaign of 1815 opened and closed with the only brilliant victory of the war, won at the Battle of New Orleans on the 8th of January, two weeks after the conclusion of the treaty of peace.

The British loss was about 2,000 killed and wounded; our own, 7 killed and 6 wounded. * * *

Despite all of his difficulties, such was the indomitable energy and perseverance of the commander that on the morning of the battle the force he had collected, consisting of Regulars, Volunteers, militia, marines, sailors, and privateers, numbered 5,698 men. With these posted behind works so formidable that no one but a reckless or infatuated commander would have hazarded an assault he awaited the onset of 8,000 veterans, the flower of the British Army. The struggle was soon over. In the brief space of 25 minutes the enemy lost 2,100 killed and wounded, followed after the cessation of the firing by the surrender of 500 prisoners. The survivors of the assaulting columns, bereft of their general and nearly all of their commanding officers, fled in the wildest confusion and disorder. This terrible slaughter was attended on our side by the loss of but 7 killed and 6 wounded.

While the Nation had reason to exult over so signal a victory, the battle in no sense vindicated a dependence on raw troops. * * * Agreeable as it might be to give the entire credit for this battle to raw troops, their heroic commander knew so well the uncertainty of their conduct in the open field that he was obliged to accept the advantages of a mere passive defense.

In fact, at the very moment when the men from the breastworks were cheering over a victory still unparalleled in our history, at a time, too, when the advance of a skirmish line might possibly have compelled the surrender of the British Army, the commander had the mortification of seeing the division on the west bank of the river abandon their position and run in headlong flight toward the city.

Not only that, Mr. President, but the governors of many of the States, being unfriendly to the War of 1812, refused to cooperate, refused to permit the militia to take part.

Mr. President, the putting of an oath in a different form would not change the situation; the writing of a different obligation would not change the situation; the giving of compensation would not change the situation; unless we can be assured of success in this matter of training, of discipline, of fitting the men for soldiership, we can not justify ourselves in incurring an expenditure of from fifty million to seventy-five million dollars a year, when the millions which will be essential and indispensable will be all that the taxpayers of this country can afford to pay.

Not only have we in our support the history of the country, but we have an almost unanimous concurrence of opinion upon the part of those who have studied this question. We have the view of ex-Secretary Root, ex-Secretary Stimson, ex-Secretary Garrison, and, as I understand, Secretary Baker, of Gen. Wood, of Gen. Scott, and, so far as I know, of all who have studied or given consideration to this question as against the precedent which we are about to establish.

Ex-Secretary of War Root has said:

An effective army must be built up on the principle of national control. This can never be attained by developing 48 different bodies, under officers appointed by 48 different governors, and up to the time of war under the direction of 48 different commanders in chief.

Ex-Secretary of War Stimson declares:

No effective national citizens' army can be created out of a force dominated by 48 State sovereignties. History and statistics show this beyond peradventure. It would be trying to force the militia to serve two masters, to create a national army out of what is primarily a State or local force. * * * It can not be done. It works evil in both directions.

Ex-Secretary of War Garrison, when before the committee, said:

The Constitution absolutely vests in the State the right to govern these troops, excepting when called out by the Federal authorities, to officer them and train them.

It has very often happened in the history of the country that the States have prevented their troops from responding to the call of the National Government; they have even ordered their disbandment to thwart the Federal Government. At all times, therefore, excepting when these forces are actually in the service of the Federal Government, under a call for one of the three purposes specified, they are under the exclusive control, government, and command of the State authorities, who raise, recruit, officer, and train them. In my view, it is utterly impossible, so long as the Constitution remains as it is, for the Federal Government to obtain the right to do anything else than the Constitution specifies, or for the State authorities to surrender legally any of the powers and rights vested therein. It is, of course, true that the Federal Government can make appropriations of money for and on behalf of the National Guard, and can annex conditions thereto so that the National Guard or the States in which such Guard exists can only obtain the money by fulfilling such conditions, but this does not and can not alter the legal situation existing under the Constitution. It may result, as long as it is acquiesced in by all parties, in a much greater participation by the Federal Government in the control, command, officering, and training of these troops than the Constitution warrants, but it would not stand the slightest legal test or strain, and there is, in my view, not the slightest doubt that no enforceable obligation can arise out of any such legislation—that is to say, any legislation which seeks to give

greater right or power to the Federal Government over these forces than the Constitution warrants. It is absolutely axiomatic that jurisdiction can not be acquired by consent, and can not, of course, be any more successfully acquired by purchase. Wherever a constitution fixes the limits of jurisdiction, there they must stand until the constitution is changed.

This situation has been recognized by every attentive student of the matter almost from the very beginning of the practical operation of the Government under the Constitution. Innumerable attempts have been made to obviate the difficulties. They have usually taken the form of what is termed federalizing the militia or federalizing the National Guard. All such attempts have failed for the reason which, in my judgment, makes it certain that all such attempts will fail. So long as these troops are those raised by the States, under the Constitution they can not be governed, officered, or trained by any other authority than the State—that is, no other situation can be constitutionally produced.

May I read a single line also from one of the President's addresses bearing upon this question? He said:

You know, gentlemen, that under the Constitution of the United States the National Guard is under the direction of more than two score States; that it is not permitted to the National Government directly to have a voice in its development and organization; and that only upon occasion of actual invasion has the President of the United States the right to ask those men to leave their respective States. I, for my part, am afraid, though some gentlemen differ with me, that there is no way in which that force can be made a direct resource as a national reserve under national authority.

That statement of the President is borne out by those who, in connection with this subject, have given their time and their thought to it.

Mr. President, I had intended to call attention at some length to some of the expenditures which have taken place upon the part of the State militia under the Dick law, but shall endeavor to curtail to get to more vital matters. But if Senators have not already familiarized themselves with the facts, I suggest they examine into the method and manner of the distribution and the utilization of the fund known as the Dick law fund, what has become of it, how it has been used, how it has been wasted, how it has been lost. I will not use a stronger term, although in one State one of the parties is charged with the embezzlement of some $20,000; but that might happen in any instance; I care nothing about that; but this matter shows the manner in which they have taken care of arms and ammunition and accouterments which have been given to them, the manner in which they paid the officers compared with the small amount which they have given the enlisted men. It has been practically used in that way.

When we began operation under the Dick law it was estimated that the expenditure would be about two and a half million dollars a year. It is now between seven and eight million dollars a year. These are some of the interesting items showing the manner in which this fund has been utilized. In 1915, 564 officers and 19,382 men were absent from the annual inspection. During the year 1914 the average number of men absent from each weekly drill of instruction was 63,201, or nearly one-half of the entire strength, or supposed strength, of the Organized Militia. There is a total shortage of the property furnished by the National Government to the respective militias of $1,352,761.14. In a recent investigation in one of the States it was disclosed that there was a shortage of Federal property and that the quartermaster had embezzled to the amount of $30,743.

At camp instruction in one of the States in 1912 the troops in attendance were never in excess of one regiment and the duration 20 days. The amount of money paid to the staff departments of its States who were not members of the regiments participating at all was $2,822.12.

In another State at the camp of instruction the enlisted men participating were never in excess of 200, while the total payments to officers of staff departments only was $1,999.45. The duration of the encampment was 20 days. In another State the total funds disbursed during the latter part of 1911 was $11,893.77. Of this amount $9,754.47 was paid to officers and $694.44 to enlisted men.

In another State at the national rifle match of 1911 there was an expenditure of $13,892.07 on the rifle team, all of whom were officers. In the same State from July, 1911, to September, 1912, one officer, a colonel, drew pay to the amount of $1,411.18. In the period from July 1, 1911, to September 15, 1912, another officer, also a colonel, drew pay to the amount of $1,610.95. In the period of July 30, 1911, to September 1, 1913, in the same State, a third colonel drew pay to the amount of $1,299.87.

In another State a general officer drew pay to the amount of $1,286.93. In another State the Federal funds expended from July, 1911, to July 30, 1912, was $8,414.40. Of this amount $2,070.96 was expended for officers and $4,998.93 for State rifle teams of which 12 out of a total of 18 members were officers.

There is more of the same material. We started with an appropriation, as I have said, of two and one-half millions. It has grown under these expenditures to $8,000,000, and now we propose to donate $50,000,000 to be turned over to the same class of men and officers. Does it not seem like a shameless waste of public funds?

All this results, putting the most charitable view on it, from the fact that this question is an incident to their real life. It is a mere incident to their civil life. They go once or twice a week or once or twice a month to the armory. It is not a serious matter with the majority of them. There are exceptions, of course. There are some splendid men in the National Guard. They would be splendid men and take an interest in these affairs if there were no National Guard, because they have that taste, that disposition; but take them as a body and it is a mere incident to their life; they do not look upon it with that seriousness with which they should look upon a matter of that kind; they waste property, remain away from drill, and the officers draw unreasonable salaries for little service.

Mr. President, all these things, unfortunate and unwise as I believe them to be, are not to my mind the worst feature of the State militia and the undertaking upon our part to federalize it. Let us never lose sight of the fact that the State militia is the police force of the States; that it never can be relieved of that duty except upon the action of the respective States; that we are building up and accentuating and extending the power of the police force of the respective States, and putting them upon the Federal pay roll. We must take into consideration things which may occur in this country after the present European war shall close; we must realize that we will have some domestic concerns with which to deal; and we should be sensitive of the precedents which we are establishing or indorsing by building up and strengthening and putting upon the national pay roll the police force of the States.

For the first time in the history of this Republic, or in the history of any country with free institutions that I know of, you are going to put upon the national pay roll 300,000 civilians and leave them in the business and in the politics of the respective States, and at the same time give them leave to organize as a military authority and in the respective States to utilize and exercise the power of military organization. We are going to build up a dominant and aggressive military organization in the States, and while they may never be useful in war, judging by past precedents they will be a source of profound concern to the communities in which they are situated.

Let us go back a little. A few years ago we passed the Dick law. Have you stopped to reflect how many precedents have been established with reference to the military domination of civil authority since the passage of the Dick law? Do you know how many States have called into service in times of strife or riot their State militia and have supplanted by the State militia the civil courts and civil authorities since the passage of the law known as the Dick law? It is coming to be a common practice not only to call them out to maintain order, to which no objection could be raised, but to take the place, through their improvised courts-martial, of the civil courts and to supplant the constitution and the statutes of the State adopted by the people, by the orders and proclamations of an adjutant general. It is worth our while, Mr. President, to stop and reflect upon that proposition. Take, for instance, a late incident occurring in West Virginia. The most startling record anywhere to be found of military domination is that of the National Guard, so called, or the State militia in the coal strikes in West Virginia. I read you the order which was issued by the National Guard of West Virginia, in which the constitution of the State, the Constitution of the United States, and the statutes were suspended until such time as the adjutant general of the State of West Virginia should declare that they were again in effect. It abrogates all statutory and constitutional law and sets at naught every safeguard of individual liberty. Here is the order:

The military commission is substituted for the criminal courts of the district covered by the martial-law proclamation, and all offenses against the civil laws as they existed prior to the proclamation—

Observe that—

all offenses against the civil laws as they existed prior to the proclamation of November 15, 1912, shall be regarded as offenses under the military law, and as a punishment therefor the military commission can impose such sentences, either lighter or heavier than those imposed under the civil law, as in their judgment the offender may merit.

2. Cognizances of offenses against the civil law as they existed prior to November 15, 1912, committed prior to the declaration of martial law, and unpunished, will be taken by the military commission.

In other words, when the strike occurred the adjutant general of the State proceeded to suspend those fundamental principles embodied in State and National Constitutions upon which this Republic and these States are organized. The right of trial by jury, the right to have a complaint presented against

you upon the oath of some responsible citizen, the right to have an attorney and to produce witnesses, every semblance of common-law right was abrogated and annulled by the action of the adjutant general. Was it a mere official announcement? Did it die with the ostentatious display of power upon the part of the adjutant general? Not at all. After the riots had been going on for some 10 days and difficulties occurred and shootings had taken place between the rioters and the militia and one or two what they called battles had occurred, they proceeded, then, after having finished their shooting and their clubbing, to organize a court-martial, composed of the men who had been using the guns, and proceeded to try the rioters, and tried them and sent them to the penitentiary for crimes unknown to the laws of West Virginia, imposing punishment unknown to the laws of the State—tried them in groups of ten, fifteen, twenty, and a hundred.

When we asked the captain of one of the regiments if he felt that they had the power to have executed these men, he said they had. We asked him if a man committed perjury and he thought it was worthy of death, did he have the power to punish him accordingly, and he said, "Of course, we would not have done so, but we had the power to do so." When he was asked where were the Constitution of the United States and the constitution of the State of West Virginia, he said they were suspended during the time of the operation of martial law. When he was asked who would put them into force again, he was not certain of that, but thought that they would come back automatically upon the revocation of the order of the adjutant general.

So they tried two men for crimes committed before martial law was declared and sent them to the penitentiary, and each and every one of the men tried was tried without any warrant, without a hearing before a jury, or without any of those rights and privileges which are guaranteed by the laws of West Virginia and the laws of every Commonwealth in the Union.

Mr. President, if that case stood alone, if that was a single instance, you might credit it to the fact that the young men who were at the head of these regiments and had bestowed upon them such unusual power had lost their heads; but there are numerous other instances before and since, all of which show this state of facts; and that is, that it is dangerous to bestow upon men this kind of power when they come from a community where they imbibe the same prejudices and feelings, the same hatred, and the same bias that the community may have.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. BORAH. I yield.

Mr. REED. The Senator has spoken of this outrageous order issued by the adjutant general. He will remember that in the debate on the West Virginia episode I concurred with his view Indeed, I think there was a general concurrence that the conduct there of these militia officers was indefensible. But does not the Senator think that it ought to be stated, in fairness, that back of the order of the adjutant general and back of the action of the court-martial lay the order of the governor undertaking to confer this extraordinary power upon the militia?

Mr. BORAH. Mr. President, I agree perfectly with the Senator; but with all——

Mr. REED. So that, if that be true, when an indictment is brought for this misconduct against the militia officers, it might equally be brought against that system of law which permits the creation of a governor who will so far forget the Constitution as did the governor of West Virginia.

Mr. BORAH. Mr. President, I am only concerned in one thing to-day, and that is to show that by reason of this condition of affairs, whatever else may be true or false, you never can make a military force efficient and sufficient for the National Government. If the governor of a State saw fit to give this order, and the militia of the State obeyed, may we not look for just such conflicts between the National Government, the governor, and the President constantly in regard to these matters? Will not the governor use our fifty-million-dollar militia as quickly as our eight million, and if he does use them, will the guard not drop to mere policemen, kicked about in the passion and politics of the State and be constantly mobbed in the local troubles? May we not see recurring again what occurred in Illinois in 1894, when there was a decided conflict between the governor and the State militia, representing the governor, and the Federal forces, representing the President? Whoever is to blame, it destroys that unity, that aloofness from politics, that aloofness from prejudice upon the part of the local authorities which is indispensable to building up a really efficient military force for national purposes.

It is immaterial to me whether the governor ordered them or not. If he did order them, and they obeyed, and must have obeyed, if they were compelled to obey or if they voluntarily obeyed, it presents this anomalous condition here—that we are undertaking to make a national force out of that which will always be connected with the politics of the State. They may profess not to be in the politics of the State, but they are there unconsciously, because those things which happened in West Virginia raise the most acute political issues the State can experience.

The National Guard, under such circumstances, is the issue around which the political fight is waged. I have known, in States of the West, the National Guard to be disbanded at different times on account of the political issues raised in regard to their action. I have known governors to make a campaign on curtailing the activities and disbanding entirely the Guard. I know of a State where armories built up under the enthusiasm of one administration have become rookeries, a rendezvous for owls and bats, under other administrations, all because the Guard had been called into matters that aroused feeling against them throughout the State. On the other hand, I recall an instance when the Guard, sympathizing with the strikers, turned their arms over to them, and for that reason raised an ugly fight against them.

Will you say that you can afford to spend seventy-five or one hundred million dollars upon a force which may be called into such transactions as that, and thus be tied up with the bias and prejudice of the political fights of the State, trained or not trained according to the feelings of the State, disciplined or not disciplined according to the feelings of the State, taking part as a part of the political fight? In my judgment, that is the one conclusive reason why the militia can not be made a national force, to wit, because the governor of the State has charge of them under these circumstances, and may use them to their utter demoralization and disband them.

Mr. BRANDEGEE. He could disband them.

Mr. BORAH. Yes; he could disband them, as governors have done.

But let me call your attention to another illustration, more deliberate, and to my judgment more interesting, for it indicates more thoroughly the trend of things.

They had a constitutional convention in the State of New York last summer, in which great lawyers and reputable citizens from all parts of the State were engaged in forming a new charter for the State. The committee on the bill of rights reported to that convention a provision as follows:

> Nor shall any military tribunal exercise jurisdiction over a civilian while the regularly constituted State courts are open to administer justice.

Can anyone conceive of opposition to a principle so thoroughly grounded in the traditions and principles and jurisprudence of our Government and of our history? Mr. President, in 1322 the Earl of Lancaster raised a rebellion against King Edward II, and was afterward captured at the head of his troops, court-martialed, and executed. A short time afterwards they tried the members of the court-martial and hung them for murder, for the reason, as the Parliament declared, that when the common-law courts are open the Kingdom is in a state of peace. Six hundred years ago that precedent was established, and the first time we find a precedent against it is in West Virginia and the second time we find it controverted is in the constitutional convention of New York. For centuries our ancestors in Anglo-Saxon civilizations have fought and sacrificed to make the military subordinate to the civil authorities. They guarded well the principle upon all occasions. But now, in the morning of the twentieth century, we are trying to solve our conflicts between labor and capital by inaugurating a system condemned by the common judgment of enlightened mankind. And it is spreading with marvelous rapidity throughout the land.

What became of this amendment? Why, the State militia or National Guard of the State of New York immediately initiated a fight against it. The major general commanding the militia wrote a letter, which was read by the chairman of the military committee to the convention, in which he said:

> The proposed amendment would seriously trespass upon the jurisdiction, established by necessity and custom, of two classes of military courts, namely, military commissions and courts-martial.

The only fight made in the constitutional convention against that well-established principle of American Government was made upon the basis that it would interfere with or hamper or circumscribe or embarrass the National Guard of the State of New York. What was the result of the contest? It was defeated; and the constitutional convention of New York, yielding

to the argument—shall I say "argument"?—yielding to the influence—perhaps I had better say the commanding reason—of the adjutant general of the State of New York, left out from the great charter of a great State the fundamental and indispensable principle that when the common-law courts are open every man has a right to a trial by a jury and before the civil tribunals.

Mr. SUTHERLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. SUTHERLAND. I see no reason why the amendment which the Senator has just read should not have been incorporated into the proposed constitution of the State of New York; but my recollection is that the principal reason which was given for not incorporating that provision in the constitution was that it was wholly unnecessary. I think the Senator from Idaho will agree that it would not have altered the rule. It would have been simply declaratory of the rule, which, as the Senator has very clearly indicated, began 600 years ago in English law. It began in fact with Magna Charta, and it has found expression, as I understand, in the due-process-of-law clause of the Constitution of the United States. So I ask the Senator whether or not he thinks the omission of an express statement of that character would have altered in any way the constitutional rule that precludes the military courts trying a citizen for a violation of law at a time when the civil courts of the State are open?

Mr. BORAH. Mr. President, I am going to answer the Senator's question; but before I do so I want to say, with all due respect to the Senator, that that is aside from the question which I am arguing. The point I want to stress is the fact that these State militias have, by practice and by principle, entered upon the proposition that the military courts of which they are in control are superior to the civil courts of the State. Now, I am willing to concede for the sake of the argument that the Senator is correct in his proposition; but what has the Senator to say to the fact that the State militia appeared there and opposed it because it would hamper and embarrass their jurisdiction?

Mr. SUTHERLAND. Mr. President, if the State militia did that—I was not aware of that until the Senator had read it—I have no excuse to make for what they did. I think they were utterly wrong in advancing any such reason for rejecting this proposition; but I call the Senator's attention to the fact——

Mr. BORAH. Mr. President, I do not want to lose the floor.

The VICE PRESIDENT. The Senator pretty nearly lost it.

Mr. BORAH. I know the Senator from Utah did not intend to have that happen.

Mr. SUTHERLAND. No; I did not intend to take the Senator from the floor, of course.

Mr. BORAH. I do not want to be discourteous; but I am rather anxious to support the President.

Mr. REED. Mr. President, I do not want the Senator to lose the floor, but I want to ask him a question. The Senator has referred to a New York convention that refused to put in this constitutional safeguard. Was that the convention presided over by Mr. Root?

Mr. BORAH. That is the only convention, I understand, that they had there last summer, and I understand Mr. Root presided over it.

Mr. REED. Is it not true that when they submitted the constitution with that provision left out—and I do not say simply on that account—it was defeated by close to half million votes by the people?

Mr. BORAH. Yes. Judge Parker and Mr. Root were not able to stem the tide of public opposition.

Mr. REED. Was Judge Parker a member of that convention?

Mr. BORAH. He was a very able advocate in the campaign for the adoption of the constitution.

Mr. REED. And not for the first time was out of harmony with his party, I believe?

Mr. BORAH. Well, I do not know. There may be periods when he is not in harmony with his party, but that is nothing to his discredit.

Mr. President, all these matters, while they are interesting, are aside from the proposition which I want the Senate to consider, and that is the disposition of the State militia, with reference to its relationship to the civil authorities and the civil courts, its attitude, its frame of mind toward the proposition. This most extraordinary doctrine finds its resurrection from a long sleep under the resuscitating powers of the so-called National Guard. Before I vote to turn over $50,000,000 to them I want it made clear that they are in harmony with American institutions.

Now, I want to refer to the suggestion of the Senator from Utah. I want the Senator from Utah to keep in mind the fact that the Supreme Court of West Virginia sustained the court-martial proceedings of the State of West Virginia. It seems incredible, but they sustained the action of the State militia in trying and condemning and punishing those dozens of men whom they tried as they did try them.

Mr. SUTHERLAND. There was a very vigorous dissenting opinion.

Mr. BORAH. There was a very vigorous dissenting opinion, but the Senator and I know how little consolation there is for our client in a dissenting opinion when he is in the penitentiary.

I want to say to the Senators here, as was so well said by Judge Cullen in his presentation of this matter to the people of New York, that if this proposed amendment had never been offered in the constitutional convention that would have been one thing, and the law may be well established aside from any special provision with reference to it. But, said Judge Cullen, when we realize that the Supreme Court of West Virginia has sustained such a precedent, and then when we realize that it has been presented to the constitutional convention of New York and rejected for the reason that it would embarrass the State militia in holding its court-martial trials, who can estimate the influence of that kind of a proposition upon a court disposed to find a way to sustain court-martial proceedings? They did sustain them under the West Virginia constitution, and the West Virginia constitution is one of the best drawn of the constitutions that I know of upon that subject. That constitution was drawn just after the Civil War, and in the convention which drew it sat many men who had been made acquainted with court-martial proceedings during the Civil War, and they threw every possible safeguard around military trials in time of peace. They had in it this provision which it was attempted to put into the constitution of New York, and they had other provisions, all of which seemed to surround the proposition with ample safeguards; but the court seemed to wind up all at last by saying, as the adjutant general said, that really the constitution of the State of West Virginia was suspended for a season.

Mr. President, when such precedents find lodgment in the minds of men who have been selected for the highest judicial office of the State, and find themselves embedded in the precedents of a great State, it is worth while for the Senate of the United States to stop and ask, "Shall we feed that spirit by putting the court-martial officers upon the pay roll of the National Government?"

So far as I am concerned, I will never vote to add one iota of power or influence to the police force of the State as against the complete action and control of the State so long as that police force assumes to contend against the fundamental principles upon which this Government was organized. I will give no aid and comfort for organizations which entertain anywhere such an infamous, treasonable doctrine. Let the National Guard as a body repudiate such vicious principles before they come professing a desire to serve their country. It will serve us to little purpose to reject a foreigner and fall within the malediction of Macaulay.

Mr. President, in one of the Western States only a short time ago they had trouble in enforcing the prohibition law in one of the counties. A little disturbance having arisen, the governor of the State declared martial law and sent the militia down there and took possession of the county and the town and began to punish men for the violation of the prohibition law. Precedent after precedent can be found to support the proposition that this spirit, which seems to be a part of the military spirit, is reaching out for power as against the civil courts and the civil authorities of the State.

If we ever establish in this country anything like a rule of conduct such as that which obtained in West Virginia and was supported by the courts of West Virginia, we will have a more pronounced menace to contend with in this Government than any foreign army which will invade our shores in the coming century. We can take care of the foreign enemy, but it requires some considerable courage to take care of precedents which have been thoroughly established in your Government and supported by large bodies of voters upon the pay roll of the National Government interested in accentuating and extending that influence and enlarging their jurisdictions.

Under the Dick law we started with two and a half million dollars and in eight years it increased to $8,000,000 a year. If we may judge the future by the past during the time in this Senate of Members now serving their terms, it will be increased from $50,000,000 and $75,000,000 to $100,000,000 or $150,000,000.

Mr. LEWIS. Mr. President, will the Senator from Idaho yield?

Mr. BORAH. I yield.

Mr. LEWIS. I wish to ask the Senator that upon principle, if he contends that the exercise by a State guard of proceedings under court-martial is equivalent to taking a man's liberty while the civil courts are open, and therefore contrary to the Constitution, which in the abstract we all admit, is it not true that by the same argument does he not necessarily condemn the National Army or the United States Army officials in the exercise of any court-martial on their part, taking the liberty from any soldier while the United States courts or the civil courts of the State are open?

Mr. BORAH. From any soldier?

Mr. NORRIS. Soldier or citizen, wherever a trial arises involving the National Army.

Mr. BORAH. Of course the right to try a member of the Army by a court-martial is recognized in the Constitution. He is a part of the military force and subject to military discipline.

Mr. LEWIS. I am assuming a court-martial declared by the National Government independent from the civil court. I could take the Colorado case, but I will not illustrate. I put the question to the Senator, would not his argument, in the nature of things, by principle, condemn likewise the exercise on the part of the Army of the United States of the right to try any person at any time by a declaration of martial law by the Federal Government in any particular locality where the civil courts are open?

Mr. BORAH. Not at all, except as to civilians, and I am not aware that since the Civil War any such attempt has been made. If so it should be condemned.

Mr. LEWIS. What distinction does the Senator make on principle?

Mr. BORAH. If I understand the Senator correctly, he is assuming that if the Regular Army assumes to try one of its members that that is in violation of some principle which I claimed was violated when the State militia tried a civilian.

Mr. LEWIS. No; I do not.

Mr. BORAH. I do not know of any instance in which the Regular Army has tried a civilian when the courts were open except in the Milligan case, which the Supreme Court of the United States set aside.

Mr. LEWIS. I was not calling the attention of the Senator, if I may be pardoned——

The VICE PRESIDENT. That is just as the Senator from Idaho chooses.

Mr. LEWIS. I have asked the question—I understand there has been a ruling made under which I might more or less embarrass the Senator's right to the floor. I do not wish to do that, and I will not interrogate the Senator further.

Mr. BORAH. Mr. President, of course all military organizations may be disposed to find fault with the civil authorities in their not being sufficiently speedy in the administration of justice. We had an illustration of that at the close of the Civil War, and it illustrates how cautious the American people should be. Court-martial proceedings were had against an individual who lived in Indiana. He was sentenced to be shot, and one of the greatest of men approved of the court-martial proceedings. The public sentiment of the country approved of the court-martial proceedings. Old Thad Stevens said it was right, and that the decision of the Supreme Court of the United States in the Milligan case was more of a menace to this Republic than the Dred Scott decision. Public sentiment was all in favor of the court-martial proceeding. I recognize the fact that that is liable to happen. But the Supreme Court of the United States established beyond peradventure the fact that the proceeding was wholly void and released the man to his liberty. But that was at the close of a great Civil War and under the claim that the individual was aiding the enemy.

But we have, Mr. President, an entirely different proposition. War did not exist in West Virginia. It was not a state of war such as the Regular Army based its proceedings upon in the Milligan case. It was simply a riot, a local disturbance, a labor trouble. The courts were open, the grand jury was sitting, the judges were there, all the machinery of the State was in operation as the proceedings show, and yet, notwithstanding that fact, the court-martial proceeded to try civilians for crimes committed prior to the court-martial law, as well as crimes committed after the court-martial, upon the theory that they could suspend the Constitution of the United States and the constitution of the State.

Mr. President, I am not going further into these details. The matters of which I have spoken and a multitude of other similar matters are of record. Others may investigate and come to what conclusion they may. But I can not vote for this attempt to federalize the National Guard. It is wrong in theory, wrong in principle, will be vicious in practice, and practically futile in supplying any real defense to the country in time of need. If I have an opportunity, I shall vote to strike it from the bill. If I do not, I shall likely be compelled to vote against the bill as a whole. I realize the necessity of some preparedness, and I would be anxious to vote for what I deem to be real and efficient preparedness. But if this remains in the bill I shall have to weigh the postponement of the bill for a season as against assisting in establishing a precedent unwise and to my mind full of menace to our institutions and to the personal liberties of the American people.

Mr. LODGE. Mr. President, I desire to say a word in regard to the proposition to strike out section 56. The purpose of this bill is to improve the military defenses of this country in the direction of the Army. I shall not spend any time in meeting what may be called the argument of the pacificists in regard to national defense. If their argument is sound, it applies to the use of force for the maintenance of law or the maintenance of national security by every community and every nation. There is no difference in principle between the force which a nation puts behind its own security and its own peace and the force which a State puts behind its own laws or a municipality behind its police. The people who are resisting the preparation of this country for defense or the upbuilding of the national defense ought logically to be just as much opposed to the police force in cities, the militia of States, and to any soldiers or any ship, as they are to the increase which it is now proposed to make. It may be said in passing that I know no people who would cry out more against the withdrawal of police protection from their homes and persons than those who favor peace at any price and would keep the Nation defenseless. For my part I believe most thoroughly that not only order but civilization rests upon the capacity of a community to put force behind its laws. In the same way the safety of a nation rests in its power to put an adequate defense behind its own security, its own peace, and its own policies.

At this moment this country is practically undefended. Our defenses now go just far enough, if we were invaded by a formidable modern army well equipped, to insure the sacrifice of many brave and noble lives, and nothing else. It does not go far enough to insure in any way the defense or safety of the country.

Of the two branches of defense that which can be most quickly provided for is the defense by land—the Army. Of course, if we had a Navy competent to meet an attack from the navy of any nation in the world, the defense by land, though important, would be less important than it is to-day. We have no such Navy to-day, and there is no use in dwelling in a fool's paradise and telling ourselves that we have.

As to our defense by land, what we need, stated broadly and simply, is that we should have a force sufficient to meet the first rush or attack of an invading foe, and to hold it long enough to enable us to call out our resources and train additional men. The lowest estimate of such a force as that is 500,000 men; and the one object that I think ought to be pursued is to see to it that we have that force and more, because we must allow for casualties and for the failure of men to respond in the organizations already made.

The House bill is to my mind practically worthless; it really does nothing. The Senate committee bill is a most excellent bill. I regard it as valuable so far as it goes. It does not go nearly far enough, in my opinion. It is inadequate. I think, to begin with, that we ought to have at least 250,000 men in the Regular Army. I do not mean the power of the President, as given by this bill, to fill the Army to 250,000, but an actual force of 250,000 Regulars.

The next most important thing is to have a reserve, or whatever you please to call it, a force that can be quickly mobilized and put in immediate cooperation with the Regular Army. That is the essential thing for our defense by land.

I agree with the chairman of the Committee on Military Affairs that universal compulsory training is what we ought to have, and that the country must sooner or later come to it. But we are dealing now with things as they are. The provisions of this bill, and probably the provisions in any bill, to judge from the resistance that even this bill is meeting, in a more or less makeshift way endeavor to give us a force to put behind the Regular Army.

What have we got at this moment? We have a nominal Army of 100,000 Regulars. We have a mobile force of about 25,000 men. We have a militia of which in Infantry the prescribed strength is 120,000 men, and there were only 90,000 on the rolls at the date of the last inspection. Of those men we can hope to get but a portion. I do not mean to say it will be as it was in 1898, when in the response from the militia of those borne on the company rolls 25 per cent were rejected prior to muster,

and 25 per cent were rejected on physical examination, and many refused to volunteer on reasonable grounds; but even with the improvements we can only expect a portion. The officers of the War College estimate 75,000 men. If you double the militia, as the bill expects to do, you can count on 150,000. Your mobile force of Regulars, I suppose, may be enlarged to 50,000 under this bill, and thus with the militia you will get at the outside 200,000 men of a mobile force. It may be a little larger than that. If I am wrong, the chairman of the committee will correct me. I mean by 50,000 the mobile force of the Regular Army.

Now, you must have at least 300,000 men more to meet the first attack of a well-equipped invading enemy, and I want to draw on every possible resource. I am ready to sustain the militia clauses. I believe that we can get certain great advantages from the militia. We can get men with a certain amount of training, and any training is of some value. But it is unwise to exaggerate the militia training. The last returns I have been able to get show that at the armory drills of the last year 56.6 per cent were present; a little more than one-half present at the armory drills; at camps of instruction 66.6 per cent, not two-thirds, were present. The regulations require, in order to get the Federal pay under existing law, that there should be 24 drills of 1½ hours each and 5 days in camp.

That means that a man would receive about 60 hours' instruction in a year and that in his three years he would get 180 hours' instruction, while the best judgment of the most highly trained officers is that a man, to be an efficient soldier, with intensive training under experienced officers and noncommissioned officers, should have 1,500 hours. It is easy to see from this that the militia is not, and can not in the nature of things, be a fully trained force. I believe that it can be of great service, and I want to use it; I wish to encourage it as a source of men for the hour of the defense when the stress comes, but what I can not comprehend is why those who appear to be peculiarly friendly to the militia seek to prevent our getting supplies of men from any other source.

Mr. POMERENE. Mr. President, will the Senator from Massachusetts pardon me for an interruption?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Ohio?

Mr. LODGE. I yield.

Mr. POMERENE. The Senator from Massachusetts has referred to the lack of discipline which has existed, at least during a part of the time, in the militia.

Mr. LODGE. I have not referred to the "lack of discipline." I have not used the words.

Mr. POMERENE. Well, not the lack of discipline, but the fact that the militia do not attend their drills.

Mr. LODGE. I am simply giving statistics.

Mr. POMERENE. I am trying to get, if I can, at the cause of this. May not the cause be attributable just as much to the failure of Congress to provide the necessary discipline as it is to the militia themselves?

Mr. LODGE. Mr. President, I am not blaming anybody; I am taking the facts. I am not interested in who is to blame. What I am interested in is in getting men who will furnish the necessary force to protect the United States when invasion shall come. If that force can be supplied from the militia, well and good; but there is not the slightest indication in the facts to-day that it can be supplied from the militia alone.

Now, it is proposed to add another source of supply in the volunteer force. The provision is very much injured by the amendment, which it was said in debate had been put on, limiting it to a 30 days' period in camp. That was referred to by the Senator from Connecticut yesterday as having been placed in the bill. I myself was not here when it was done. But even those 30 continuous days in camp would make more hours of training than we get for the militia, and those men would also have a certain training and a certain value.

Mr. WILLIAMS. Mr. President, will the Senator pardon me to ask a question?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Mississippi?

Mr. LODGE. Yes.

Mr. WILLIAMS. Is it not also true that the militia, being trained in armories, can be trained only in company drills; that there can be no skirmish drills because there is no room for them; and that the men who go through these 30 days, even if they have only 30 days drilling for 8 or 10 hours a day, will receive instruction in skirmish drill, and practically in regimental drill, as well as in company drill?

Mr. LODGE. That is very true; and the men in their 30 days, calling for an 8-hour day, would get 240 hours, while the militiaman who would qualify under the Dick Act, with pay, gets 180 hours in three years. Then the time of his discharge comes; and it is calculated he has had, on the average, about 90 hours. I am not saying this to find fault with the militia, but to show that we certainly can not rely on them alone for the defense of the United States. We must have other sources of supply, and section 56 gives us another source of supply.

I do not myself believe that the great body of the militia throughout this country, who are patriotic and public-spirited men, and who show it by being in the militia, are desirous of crippling other sources of supply. I can not believe that they want to kill the clause in this bill which recognizes the Plattsburg camps. Such camps will do most valuable work; they have done valuable work. They were tested last year, and it is believed by those who are most interested, that, with this recognition of the camp, they will get 30,000 men into those camps for 30 days at least, and in many cases 60 days of training. I know that there was hard, practical training in the camps and in the open air, and not in armories.

The Plattsburg camp and the volunteers appeal to me simply because they are other sources for a supply of men fit to cooperate with the Regular Army in the hour of danger; and I object to any plan that would shut us up and narrow our resources, at best very defective under existing law. We shall have none too many men in the reserve force to come to the support of the mobile army of the United States. However much we do here, we shall have none too many, because none of these measures go to the root of the difficulty. Therefore, I want to draw from every possible source. If we can get men from the militia, as we hope to do under these provisions, I am for these provisions, so far as they can be made constitutional. I hope we shall get good results from them, and I hope we shall encourage and train and discipline our militia even better and more effectively than it is done to-day. I have no doubt we shall. The militia is extremely good in many States now.

I also desire earnestly to have the volunteer provision, because I believe we can get something from that source. For the same reason I am most anxious to retain the Plattsburg provision.

Mr. JOHNSON of South Dakota. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from South Dakota?

Mr. LODGE. I yield to the Senator.

Mr. JOHNSON of South Dakota. I understand that in order to enable the Government to use our National Guard or militia, it is necessary to get the permission of the different States. Is that correct?

Mr. LODGE. Well, that opens a very large and somewhat painful question. The President has the right to call out the militia under certain conditions, of course.

Mr. HARDWICK. If the Senator will pardon me, it is Congress and not the President.

Mr. LODGE. Yes; Congress provides for it. The President issues the call.

Mr. JOHNSON of South Dakota. The point I want to understand is this: If I understand it correctly, the National Guard receives permission from Congress to organize——

Mr. LODGE. They have to be called out under the Constitution in the well-known cases of invasion and domestic insurrection. If they are called out, they must respond. That is the theory which I have held, though at one time—I do not want to go back to painful periods—but at one time the governors of Massachusetts and Connecticut, and later on the governors of Vermont, Virginia, North Carolina, Kentucky, Tennessee, Arkansas, and Missouri refused to call forth the militia in response to the President's request. That is one of the difficulties which have arisen about the militia; but I did not mean to go into the constitutional aspect of the question.

Mr. JOHNSON of South Dakota. The thought I had was that if Congress must give permission to organize a national State guard, then the question arising as to a conflict between them and the Army, whether Congress would not also have the power to make restrictions as to what their duty shall be in case of need before giving that permission? I do not mean these questions to apply to my own State, because I know the National Guard would respond promptly, if called, unless restricted by the State constitution. As I infer from the arguments I have heard here of several Senators that that condition might happen generally in various States.

Mr. LODGE. Well, Mr. President, that opens up many legal questions, which I do not think it is necessary at this moment to discuss. We have a right to prescribe the discipline under the Constitution; and that is all practically that we have the right to do.

Mr. HUGHES. Mr. President, will the Senator from Massachusetts permit me to ask him a question?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from New Jersey?

Mr. LODGE. I yield.

Mr. HUGHES. The Senator from Massachusetts made a statement a moment ago that the provisions of this bill had not gone to the root of the difficulty. That is also my belief. I ask the Senator what he regards as the great difficulty in the way of enabling us to have an army, if we desire one?

Mr. LODGE. Mr. President, I said when I began that I agreed with the chairman of the Committee on Military Affairs, that we ought to have universal military training—I did not mean conscription or anything of that kind, but training, which is a very different thing, and then you have the material from which you can draw an army at any time.

Mr. HUGHES. Does not the Senator think there is something extremely significant in the fact which he stated a while ago, that we are not able now to secure for the Regular Establishment the number of men authorized by law?

Mr. LODGE. I did not say anything on that point; but the Senator refers, of course, to the difficulties of securing enlistments?

Mr. HUGHES. Yes. Does it not seem to the Senator that there must be something radically wrong with the manner in which our Regular Army is organized or with the inducements that are held out for enlistment, or with the treatment that is accorded the men which prevents men from enlisting?

Mr. LODGE. I am not speaking of the Regular Army. The Regular Army will always be a comparatively small force. There is no need of a great Regular Army. By that I mean in constant service under the National Government, and doing nothing else. Everybody knows what a Regular Army means.

Mr. HUGHES. I was speaking of the Regular Army.

Mr. LODGE. It is not a part of my plan to make a great Regular Army. I do not believe in that at all.

Mr. HUGHES. It is not part of the Senator's plan to make a great Regular Army, but it is part of everybody's plan to have an army, and we should surely like to have the Regular Army recruited up to its authorized enlisted strength.

Mr. LODGE. Certainly. I said in the beginning that we ought to have a Regular Army of at least 250,000 men.

Mr. HUGHES. That is about the figure I would suggest.

Mr. LODGE. I think such a Regular Army necessary in times of peace—indeed at all times.

Mr. HUGHES. It does not seem possible to get such an army under present conditions, and it occurs to me that that is the question we should deal with and solve, and then consider the question of the volunteers and the National Guard.

Mr. LODGE. Mr. President, we can not fill the Regular Army in a month by enlistment, but a Regular Army of 250,000 men can be raised, according to those who are best able to judge from recruiting experience, in the course of two or three years or, at any rate, in three or four years. They can recruit the Army up to that stength.

But all I rose for, Mr. President, was to show that, in my opinion, we can not afford to rest the defense of the country on the militia alone. I want to strengthen it; I want to improve it to the highest possible point; but it is impossible to rest the defense of the country on them alone for men who can be called to the colors to support the Regular Army when actual invasion occurs. We can not rely on the militia alone for that, and I do not wish to have the country deprived of these other sources of supply which are proposed in section 56 and in the Plattsburg Camp section by striking out those paragraphs, because I think they are two of the most valuable features of the bill.

Mr. BRANDEGEE. Mr. President, if the Senator will permit me, I will state that I have seen it stated in the public prints within the last two days that the rate of voluntary enlistments under our recruiting system has doubled in the last six months. It was not satisfactory a year ago, but it has doubled in the last six months.

Mr. CURTIS obtained the floor.

Mr. LEWIS. Mr. President, may I take the liberty to ask the Senator from Kansas to yield to me while I may have sent to the desk an amendment which I said yesterday I had sent, but which I find was not sent to the desk? It was a motion to strike out section 56. It should have been in writing, and I thought I had sent it up to the desk on Saturday last.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Such an amendment is now pending, the Chair is advised.

Mr. LEWIS. Mr. President, if the Senator from Kansas will pardon me, on Saturday I made the motion. I had prepared it, but for some reason I did not send it to the desk. Yesterday I called the attention of the Chair that such had been omitted, and asked consent to have it sent to the desk then. I am merely sending it to the desk now in compliance with the consent that was granted me yesterday. It will have to take its place, of course, in the ordinary course of things, but I should like to have it take its place as of Saturday, at the time I made the motion. I thank the Senator from Kansas for allowing me to make this request.

Mr. HUGHES. Mr. President, I simply wish to state that I happened to be in the chair yesterday when the Senator from Illinois made his request. A verbal motion was made by the Senator from Maryland [Mr. LEE] to strike out section 56. I merely wanted to get the parliamentary situation straight. I understand that such a motion is now pending.

The PRESIDING OFFICER. The Chair assumes there is no objection to having the amendment presented by the Senator from Illinois printed. A similar motion is the pending question before the Senate.

Mr. HUGHES. There is no objection on my part. I simply wanted the Chair to understand what happened yesterday when I was temporarily occupying the chair.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BRANDEGEE. As matters stand, if a motion to strike out section 56 is the pending amendment, who offered it? Whose amendment is it?

The PRESIDING OFFICER. The amendment was offered by the Senator from Maryland [Mr. LEE].

Mr. BRANDEGEE. Therefore, if the Senator from Illinois has offered the same amendment, it is not in order at present.

The PRESIDING OFFICER. The Senator from Illinois is simply asking to have it printed at the present time.

Mr. BRANDEGEE. He is asking to have printed an amendment which is already pending?

The PRESIDING OFFICER. That is what it amounts to, in substance.

Mr. BRANDEGEE. I do not object to the printing of the amendment, but of course it has no parliamentary standing.

Mr. HUGHES. Mr. President, on yesterday the Senator from Illinois asked unanimous consent that he might have printed and pending a motion which he had made some time prior to that time, but which he failed to reduce to writing and send to the Secretary's desk. Unanimous consent for that purpose was given while I was in the chair.

The PRESIDING OFFICER. The Chair is informed now that there was another amendment pending at that time, so that the amendment of the Senator from Illinois could not have been pending.

Mr. SMITH of Georgia. Mr. President, the truth about it is that at least three Senators had amendments to strike out paragraph 56; each had given informal notice to that effect without knowledge of the fact that the others had similar amendments to present. I know, however, that the motion of the Senator from Maryland [Mr. LEE] really was the first one that reached the desk.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. The amendment will be printed as requested by the Senator from Illinois; but the RECORD shows that the pending amendment is the amendment of the Senator from Maryland [Mr. LEE].

Mr. LEWIS. Mr. President, if the Senator from Kansas will permit me just a word, let there be no misunderstanding. I seek to make no contention as to whether the present argument is upon my motion, upon the motion of the Senator from Maryland, or upon the motion of any other Senator. I am contending that the RECORD should remain in its natural precedence, and I am only desirous of having in the RECORD, as would be customary, the fact that I have made the motion, to take its place in such chronological order as in the nature of things it should. I make no contention whatever with any Senator as to precedence.

Mr. CURTIS. Mr. President, I merely desire to say a few words on behalf of the motion to strike out section 56, embodying the so-called continental-army plan. It has been stated by the chairman of the committee and by other Senators who have spoken on behalf of this section that it is an experiment. I agree with those Senators that it is an experiment; but, in my judgment, it will prove to be a very expensive and very unsatisfactory experiment. The report of the committee shows that the first year this experiment will cost $24,944,938; the second year, $31,536,177; the third year, $39,311,975; the fourth year, $47,413,567; the fifth year, $27,609,067; and annually thereafter, $27,609,067. I do not believe, under existing conditions, in view of the amendment limiting the training of the men provided for in this section to 30 days in a year, that any good can come from the provision.

It has been stated on the floor of the Senate that it takes from a year to two years to make a soldier; in other words, that much training is requisite to make a soldier. If that is so, and if these men are trained 30 days a year, it would take at least 12 years to make a soldier. If that is so, how are we to secure the 500,000 men that the junior Senator from Massachusetts [Mr. WEEKS] yesterday said were required, and the 500,000 men that the senior Senator from Massachusetts [Mr. LODGE] said this morning would be required for service?

It seems to me that the two Senators from Massachusetts, and the other Senators who are in favor of this section, have overlooked a very large body of men who could be called into the service, and called into the service in a very short time; and I want to call the attention of the Senate to those men.

During the 17 years ending June 30, 1915, there were 393,767 enlistments in the Regular Army. This does not include reenlistments. From 1901 to 1915, inclusive, it is estimated that 743,505 men received some training in and were discharged from the Organized Militia in the several States. To-day the organization numbers 129,000. It is estimated that 50,000 of these men have died. The number of students under military instruction in civil institutions of learning at which officers of the Army were detailed as military instructors from 1905 to 1914 amounts to about 267,000 men. The number of military students graduated in that time was 39,430. The enrollment in military drill in 262 colleges and schools in 1914 amounted to 49,287, and in 1915 over 300 institutions reported about 55,000 students in military drill.

This gives us a reserve force, allowing for those who have died in the meantime, of over 1,300,000 men who have had training, men who have had some experience, men who have had just as much or more experience than the men will receive under section 56, the so-called continental army section. Those men, I venture to say, 500,000 or 1,000,000 of them, could be called into the service, if their services were needed, within 30 days.

If all we need is the 500,000 men suggested in the debate yesterday and to-day, why not call upon those trained men instead of organizing a new force, for which it will take from 6 to 12 years at least to get men?

I was sorry to hear the criticisms of the Senator from Idaho [Mr. BORAH] this morning of the State militia and of the officers appointed by the governors of the States. I can remember that in 1898 there were a few organizations sent out from the State of Kansas. The governor of that State appointed the officers. I appeal to the Senate, and I ask you to-day to find any regiment that did greater service or reflected greater honor upon the Army than did the Twentieth Kansas Regiment. I ask you, furthermore, to go back to the Civil War and recall the men who were called out from the State militia to repel Price's raid. They did not serve long, but history tells us that the service rendered by those State militiamen from the State of Kansas equaled that of any organization in the service, and so great and so valuable was the service that the good people of the State have erected monuments to their memory.

It may be true that some of the State militia of the different States have not come up to a high standard; but, Senators, whose fault is it? If they have not been drilled as they should have been, if the discipline does not come up to what we think it should be, whose fault is it? Why, under the Constitution, Congress is to prescribe the discipline; and if Congress has neglected its duty, why blame the States? Why blame the State organizations?

So far as I am concerned, I do not believe any good can come from section 56, the section providing for the so-called continental army; and it is my purpose to vote against it, and I hope it will be voted out of the bill.

Another thing that I think has been overlooked by the Senators who have framed this measure and those who advocate section 56 is that the great citizen soldiery of this country have always been dependable. Never has the country appealed to the citizen soldier in vain; and if the services of the citizens of this country were needed, you would find them answering the call from every section of the country, and every man in this country able to carry a gun would respond to the call and uphold the honor of our common country.

Mr. VARDAMAN. Mr. President, it is not my purpose to discuss this bill at any length this afternoon. I confess, however, to some surprise at the remarks derogatory to the State militia which have been made upon the floor of this Chamber to-day.

Thomas Jefferson regarded the State militia as "our best reliance in time of peace and for the first moments of war." I regard Jefferson as pretty good authority on such matters.

George Washington, whose brilliant record on the field of battle as well as consummate ability as a statesman qualified him preeminently to speak with authority on such a subject, said:

> The militia of this country must be considered as the palladium of our security and for the first effectual resort in case of hostilities.

The opinions of Jefferson and Washington are worth just as much in this year of our Lord 1916, and the principles and policies supported by them just as applicable to conditions to-day as they were a century ago.

In my own State, while the National Guard has not been organized and drilled to a very high degree of efficiency, it has been very useful in local matters, and when war was declared against Spain the members of the guard responded promptly to the call of the Nation to defend the flag. As the governor of Mississippi, on quite a number of occasions I found them trustworthy, courageous, and always patriotic, and it affords me pleasure at this time to testify to their worth and efficiency.

When the unfortunate differences between the States arose more than half a century ago the value of the training received in the State Militia was manifested in the service rendered the Confederacy by the volunteers of the southern army.

He reads history to no good effect who would deny the efficiency of the individual soldier of the army that followed the fortunes of the ill-fated Stars and Bars in that unfortunate conflict.

We are all concerned just now about "preparedness," a phrase coined by the advocates of a large Standing Army and big Navy, and used to good effect upon the mind to fire the patriotic zeal of the slow-thinking, home-loving multitude. But we are not all agreed as to what is real "preparedness," but I shall not dilate upon that question at this time.

I have no doubt, however, about the American people being able to resist successfully any power that may attack this country now or in the future. I do not share the apprehension of danger of foreign invasion which seems to have aroused the patriotic spirits and pestered the souls of the manufacturers of munitions of war.

I am inclined to agree with President Wilson that we are "at peace with the world." And I am quite sure that if we attend to our own affairs there is not the remotest possibility of our becoming involved in war with any foreign country in the very near future, at any rate. And when war shall come, whether in the remote future or immediate present, I have no more fear of our ability to meet any contingency that may arise than I have dissatisfaction with the splendid way in which the armies of the United States have conducted themselves in the past.

But I did not rise to discuss that phase of the question.

But there is something about section 56 which vitally concerns the people of my State. It touches an issue of vital moment to them, and one which they must always be prepared to meet. Mr. President, we are living in an age of change—marvelous mutations have taken place that were not dreamed of two years ago, and the most marvelous change of them all is the change that has taken place in the minds of men of mature years and the change in the attitude which those men maintain toward some of the problems which confront the civilization of our people.

If the enactment of the measure which we are considering to-day, a measure which, I think, marks a change in the life of this Republic—probably the beginning of a system which will lead us to military despotism—had been promised by the Democratic Party in its platform of 1912, I am very sure that the present occupant of the White House would not be there to-day. I do not believe any political party could have carried it through a campaign. It involves a departure from the policy of the Democratic Party and the policy of the Nation which has existed for more than 100 years. It is at variance with the teachings of the fathers of the Republic and the men who have made this country strong and great.

We should consider well every phase of this bill—the possibilities, contingencies, exigencies that may arise out of it.

I do not know who is going to succeed the present occupant of the White House. I hope he may succeed himself, but I would not hazard a prediction of what is going to happen. If a man should be elected President who is so color blind on the race question and whose olfactories have become so desensitized, if I may use that word, that he could not distinguish between a white man and a negro, and who is so politically antagonistic to the South that he would be willing to use the power conferred upon him by section 56 of this bill for partisan political purposes, he could order negro regiments and mobilize them for military training in every congressional district of the State of Mississippi.

Now, of course, that would be very offensive to the white people of Mississippi, and what could be done in Mississippi

could be done in every other State of the South. It would therefore be very disastrous to the interests of the entire South. I do not charge that any man who could be elected President would be guilty of such a monstrous act, but I am not willing to take any chances. I am not willing to permit a peril so grave as that involved in the enactment of such a law as this to pass without at least calling it to the attention of the Senate.

I do not propose to enter upon a discussion of the race question generally. I understand that under the leadership of white men negroes make fairly good soldiers. A negro may become an obedient, effective piece of machinery, but he is devoid of the initiative and therefore could not be relied upon in an emergency.

It is a peculiarity of the negro character that he can be taught to take orders, to imitate, to obey, but he can not be trusted to "carry a message to Garcia." If I could have my way about it, I should prohibit the use of negroes in the Army in any way except in positions of menials, but I am not going to discuss this question now. I hope to have more to say about this bill at a later day during its consideration and shall content myself this afternoon with simply calling attention to the danger involved in section 56.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	O'Gorman	Sterling
Bankhead	Hitchcock	Overman	Sutherland
Beckham	Hollis	Page	Taggart
Brady	Hughes	Pittman	Thomas
Burleigh	Husting	Poindexter	Thompson
Catron	Johnson, Me.	Pomerene	Townsend
Chamberlain	Johnson, S. Dak.	Reed	Underwood
Chilton	Kenyon	Saulsbury	Vardaman
Clapp	Lee, Md.	Shafroth	Wadsworth
Clarke, Ark.	Lewis	Sheppard	Warren
Cummins	Lippitt	Sherman	Weeks
Curtis	McCumber	Simmons	Williams
Dillingham	Martine, N. J.	Smith, Ga.	Works
du Pont	Myers	Smith, Md.	
Gallinger	Norris	Smoot	

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. A quorum of the Senate is present.

Mr. REED. Mr. President, I desire to make a few observations partially in reply to the argument made by the distinguished Senator from Idaho [Mr. BORAH]. Epitomized, his contention is that the increase of our defense forces will involve expense and that whatever money is appropriated should be wisely expended. Of course no one will controvert that proposition. We all agree that the money appropriated ought to be so expended as to give the best possible result.

But the Senator then proceeds to make a somewhat unique argument. It is that by spending some money for the maintenance of the National Guard we are putting upon the Government pay roll 200,000 men in civil life, and that these 200,000 men in civil life will exercise some kind of sinister influence upon the Government of the United States. If I followed the logic of the Senator correctly, he insisted that what we ought to have in this country as our defense force is not men who are surrounded by the "dangerous environment of civil life," but who are engaged in the business of professional soldiering, and are entirely separated and cut off from the civil influences of the country.

It is to me a remarkable thing that the Senator from Idaho should raise his very potent voice against the National Guard upon the theory that they are too closely identified with the influences of the civil life of the country and that he seems to prefer the professional soldier to the citizen soldier.

I believe that upon sober reflection the Senator will not want to remain in that attitude. History does not afford an instance of the liberties of the people being destroyed by the people themselves. It affords many bloody instances of the liberties of the people being subverted by an armed force, trained simply for the purpose of fighting, and accordingly being out of sympathy with the commonalty of the country, absolutely subservient to the command of some executive officer.

I have always thought it a part of the very warp and woof of our political philosophy that this country should rely for its defense upon the valor of its citizens. It has been generally regarded that in a republic it is always unsafe to create a vast professional soldiery lest in some precarious hour an evil genius might employ them for the destruction of the freedom of the people.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. I yield.

Mr. VARDAMAN. If the Senator will pardon me just at this point in his speech, I will quote from Madison. He says:

The greatest danger to liberty is from large standing armies. It is best to prevent them by an effectual provision for a good militia.

Mr. REED. I thank the Senator.

In my judgment the argument the Senator from Idaho advances against the militia is the strongest possible argument for the establishment and maintenance of a militia.

I want a great military force in this country. I want that military force to be strong enough to maintain peace within our borders and to defend our country against all possible assaults. But I want the greater part of that military force to be so tied and united and bound up with the common life of the country that it never can be employed to wrest from the American citizen the liberties the Constitution guarantees.

I have always believed that it is necessary to have a standing army to be employed for emergencies, to be employed for those occasions when there is not time to call into the ranks the citizen soldiery; but I am irrevocably opposed to the creation of a body of trained fighters who are disassociated from the common life of the country and who are so powerful that in some tragic moment of our Nation's life they may be employed against the Nation itself.

I make no attack upon our standing army, but every man in this world is influenced by environment. You may train men in the operating rooms of hospitals until they lose that sense of sympathy which the ordinary person feels. You may train men as police officers until they gain so prejudiced a viewpoint of life as to be unfit to sit upon juries to try questions of personal liberty or of life, not because they are consciously cruel, but because they are unconsciously influenced by their business and environment. You can train men even in trades and avocations until you have given them so narrow or peculiar a view of life that they are incapable of passing a fair judgment upon matters of ordinary concern. I call attention to the fact that for many years, if not now, the common law would not permit a butcher to sit on a jury in a capital case.

I need not enlarge upon this line of argument. The mere statement of the position is enough. I desire to apply it. When you place a young man in his teens in a military college, what follows? You teach him by example, by precept, by environment the one eternal, everlasting lesson of obedience, blind obedience to the authority above. You train him to the use of arms. He studies the deadly results of certain projectiles. His entire mind is concerned in the question how best to kill an antagonist. You graduate him. You place him in charge of other men. He continues this training and environment throughout the years of his life. He learns to regard killing as a profession and a calling. Inevitably there is born in a man so environed such a disposition of obedience and command, such a disregard of those civil rights which we so much cherish, that he ceases to be the kind of force I desire to have dominant in this Republic. Some of him is all right, too much of him is all wrong, if I may so outrage the English language.

Therefore I desire to see created a military power which is not separated from the civil life of the country. The argument that the National Guard is in sympathy with the civil life of the country is the best and highest argument in its favor. I am in favor of the National Guard because it is a force that will only fight when it fights for the salvation of the country, and because it will not fight to oppress and destroy the liberties of the people.

The only criticism I have to pass upon the National Guard is that it has been too often employed and has been too ready to obey the commands of those who have perpetrated such outrages as occurred in West Virginia, to which the Senator from Idaho so forcibly referred.

Let me remark by way of preliminary to what I am going to say in a moment that the most fallacious reasoning in the world is that which proceeds from a single instance. Proceeding by that sort of theory, you can destroy or prove to be inadequate or oppressive any system of government ever devised in the brain of man or any instrumentality of government ever conceived.

Why, sirs, that course of logic is easily shown to be unsound, because I can point you to an occasional decision of a court that overrides the Constitution, that has destroyed the law, that has been wicked, and yet, because of such a single instance, we do not lose faith or confidence in our courts. I can point to great outrages that have been perpetrated by the chiefs of police of cities, and yet for that reason we do not disband our police forces. I can point to great crimes that have been committed in the name of the Christian religion, and yet for that reason we do not assail the religion that was handed to us from our fathers and to them by the inspired writers. I can point to Members of this body in the past who have been derelict, yet

we do not therefore seek to abolish the Senate. So I might extend the illustrations indefinitely. Single instances argue nothing but the frailty of the human heart and mind. They prove nothing except that there are occasionally bad or wicked or foolish men.

Now, applying the foregoing to the argument made by the Senator from Idaho. He undertakes to condemn the militia system of the United States because the adjutant general of the State of West Virginia organized a court-martial and undertook to send men to prison in violation of their constitutional rights. If the conclusion is a sound one, if the single wrongful act of one adjutant general ought to condemn the militia as a whole, then by following the same line of reasoning we must condemn our entire system of civil government, and why? Because back of the orders of the adjutant general, back of his order issued in disregard of the Constitution, the common law, the Bill of Rights, and the Magna Charta, all of which were so eloquently referred to by the Senator from Idaho—back of the adjutant general stood the governor of the State commanding the adjutant general to perpetrate every outrage by him committed. If we are to condemn the militia system because the adjutant general summoned a court-martial contrary to the Constitution, we must condemn our system of constitutional State governments because they have conferred upon their respective governors powers which were by the governor of West Virginia grossly abused. The argument of West Virginia is more an argument against the civil government of West Virginia, against the very right of the people to select a governor to rule over them or to serve them, than it is an argument against the adjutant general or against the militia system of the State.

In the instance referred to before the militia could do one thing that was wrong, before they could lay or did lay one finger upon the rights of the people of West Virginia it was necessary for the governor of the State to issue the order for the militia to act as it did. The governor, therefore, was the moving force in and responsible for all that thereafter occurred.

Moreover, if we were to proceed along the line of argument advanced by the Senator from Idaho, namely, to condemn the militia system as a system because it was misused by the governor of West Virginia, we by the same process of reasoning in an equally marked case condemn the Volunteer Army of the United States in time of war, condemn the Regular Army of the United States in time of war, and condemn the President of the United States as Commander in Chief of the Army, and thus condemn our entire system of National Government, military and civil, and this because of the very instance to which the Senator referred, the case of ex parte Milligan. It appears that we might go further and condemn the Congress of the United States, because Congress enacted the law under which the military authorities sought to act in the celebrated Milligan case.

Now, what were the facts in the Milligan case? Milligan was haled before a court-martial, the charges against him being conspiracy against the Government of the United States, affording aid and comfort to rebels against the authority of the United States, inciting insurrection, disloyal practices, and violations of the laws of war. Indiana was in a state of peace; the civil courts were open. Congress had passed a law which provided that the writ of habeas corpus could be set aside by the mandate of the President of the United States in any cases where there was rebellion, and so forth. Acting under that authority the President assumed to abolish the right of the writ of habeas corpus. Acting under that supposed authority a military tribunal proceeded to try Milligan upon the charges referred to, and acting under that supposed authority the court-martial sentenced Milligan to be hanged. And yet, as a matter of fact, there was not a state of war in Indiana. As a matter of fact, the civil tribunals were open. As a matter of fact, all of these officers of the Army who proceeded to sit and condemn Milligan to death were proceeding without law, without authority, and in violation of the Constitution.

Aye, more, when the President signed the order suspending the writ of habeas corpus he was violating the Constitution of the United States. And more than that, when in 1865, on the 19th day of May, I believe it was—it is impossible to fix the date exactly from this record before me—the President signed the warrant of death for Milligan he was proceeding without authority of law, in violation of the Constitution, and was doing the very thing for which the Senator from Idaho condemns the militia of the country because, forsooth, down in West Virginia one violation by militia officers occurred. The Supreme Court of the United States declared that the trial of Milligan was illegal; that the court-martial could not condemn him to death; that the writ of habeas corpus still lived; and the justices of the Supreme Court rescued him from death.

So, if you argue that the militia ought to be condemned as a whole because it was once wrongfully employed by the adjutant general of West Virginia, acting under the orders of the governor, I reply that that argument applied to the Army of the United States would condemn it, and applied to our system of civil government would condemn it, and applied to the presidential office would condemn it. Hence, it would appear to follow that we should abolish our entire system of government because in one instance its officers failed to properly construe the Constitution.

Mr. President, I say this because I think I ought to say it in order that we may get to the proper viewpoint in considering questions of this kind. I frankly admit, and herein I agree with the Senator from Idaho, that the State militia has been too often employed by governors where the civil authorities should have been employed. Whatever can be done to limit within reasonable bounds the employment by State governors of the National Guard I want to see done. I do not believe it is consistent with the genius of this Republic that every time there is a disturbance which ought to be settled by the ordinary constabulary or the posse comitatus of a community, that the militia should be called out.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I do.

Mr. BORAH. I have been listening to the Senator, and I do not think the Senator and I disagree very much. What I undertook to contend was that so long as they can be employed as a police force they always will be employed in that way, and thereby render them unfit for the other service which we seek to impose upon them.

Mr. REED. I understand, I think, the Senator's position. I am not trying to put him in a false position. He knows I would not do that. I am admitting frankly that there is a difficulty which I think ought to be considered and which I think can be in some way met. But I am at the same time insisting that whatever is wrong with the system of the National Guard is not a thing that inheres in the system, but inheres in the misuse of the National Guard by governors of States.

Mr. BORAH. Will the Senator permit me to ask him this question, then? So long as the governors of the States have the authority to use the National Guard in this way, must we not assume, in view of what has happened, that it is liable to happen again?

Mr. REED. I do not think so; I do not think the condition is irremedial.

But now I am going to call attention, while I am speaking to this point, to the further fact that whenever riots occur, whenever property is being destroyed, whenever the condition gets bad enough, there will be an armed force called out; we might as well understand that; and if it is not the militia it will be the Regular troops. They were employed in Chicago a few years ago; and I do not want to see the Regular troops sent into the States unless there be some grave reason for it.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. REED. I do.

Mr. SHAFROTH. Does not the difficulty arise, very largely, by reason of the fact that the governors do not understand the law? As a matter of fact, the right to declare martial law is extremely limited. There is hardly one case of disturbance out of a great many where that course is justified under the law. It is not the position of rioters upon one side and another body upon the other that constitutes the right to declare martial law, but it is only where there is in fact an effort to attack the State, to kill an officer, to prevent arrests—those are the instances, and the only instances, where the right to declare martial law exists.

The PRESIDING OFFICER. The Chair cautions the Senator that, under the strict enforcement of the rules now in effect, only an interruption for the purpose of asking a question is permissible.

Mr. SHAFROTH. I should like to have the Senator's opinion with relation to what are the defects in the declaration of martial law?

Mr. REED. I think I have covered it, and the Senator has covered it. I do not exactly agree with his definition. I hardly think it is technically right, but it is substantially right.

The whole trouble comes from governors of the States misusing their authority or going beyond their authority. I have thought, and I yet think, that something can be written in this bill that will minimize the difficulty that I have been discussing,

namely, the too frequent use of soldiers when the constabulary ought to be employed; but I do not care to go into that at great length to-day.

Mr. VARDAMAN. Mr. President, I should like to ask the Senator a question at this point.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. Yes.

Mr. VARDAMAN. The power to use the National Guard belongs to the governors of the respective States, and I can not see how that could be interfered with by an act of Congress.

Mr. REED. I think I can suggest something while I am on my feet—although I do not offer it as any complete plan—but I suggest that the equipment, which we are proposing to furnish the National Guard, is the Government equipment. If we want to do so, we can provide in this bill that the equipment supplied by the National Government shall not be employed until the President of the United States has given his permission; such a provision might at least put a check on the abuses we are discussing.

Mr. President, I do not think that the argument made by the Senator about what happened in the New York constitutional convention is very potential. One man out of 100,000,000, who happened to be the commander of the National Guard, protested against a certain limitation upon the powers of courts-martial being placed in the constitution of New York. What his grounds or reasons were, whether they were good or bad, I do not care. The Senate of the United States can not pass laws in a certain way because one individual at some time or in some place advocated something that was unsound.

Moreover, the New York constitutional convention was presided over by the great constitutional lawyer, Mr. Root. He gave his approval to its work. I do not understand that he is a man who is at all in favor of wiping out the Constitution of the United States. I apprehend that if the whole truth were known, the real argument that prevailed in that constitutional convention was that it was unnecessary to reiterate in the constitution of the State of New York a principle that is graven in the Constitution of the United States itself and which has remained steadfastly unimpaired, so far as the Federal decisions are concerned. But if the Senator prefers to say that the great Elihu Root ran from the adjutant general of the State of New York and abandoned the rock of the Constitution before the bayonet of that gentleman's awful disapproval, he is, of course, privileged so to maintain. He may thus catalogue and classify Mr. Root if he so desires.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I do.

Mr. BORAH. I am under the rule obliged to put my statement in the form of a question.

Mr. REED. Oh, Mr. President, I do not think there is any such rule. Somebody dreamed that rule the other day and we have since been pestered a good deal with it.

The PRESIDING OFFICER. It is the rule under which the Senate is now operating.

Mr. BORAH. I will put it in the form of a question. I will ask the Senator from Missouri to read the debate, and then to tell me privately whether or not he thinks it turned upon the question that that provision was not necessary?

Mr. REED. Well, I shall try to read the debate, but I can see nothing but one of two alternatives: Either the argument that it was unnecessary to repeat in the constitution of New York a guaranty already reserved in the Federal Constitution prevailed, or the great Republican Party, assembled to write a constitution, headed by one of its most distinguished sons—I will not say its most distinguished son, but one of its most distinguished sons—ran away from its duty, retired in the face of the charge of this adjutant general, and abandoned the constitution to its fate; either that or they concluded that it was not necessary to have a controversy about the matter, because it was already safeguarded.

Neither do I want the National Guard of the country judged by what the adjutant general of New York did. Again, it is a single instance and a single man. I am not acquainted with all the adjutant generals or all the generals in the National Guard, but the commander of the National Guard in my State I do know. I know that he is as sound a constitutional lawyer as we have in the State. I know he is so sound a constitutional lawyer that if the governor of the State ordered him to try citizens for nonmilitary offenses by court-martial when the civil courts were open and the State at peace he would tell the governor of the State to go and get a lawyer to advise him as to his powers.

I know many officers of the National Guard. They are from among our lawyers and our business men. They represent that class of our citizens who have always felt that it is necessary to maintain some sort of military force in this country if the country is not to be left in a helpless condition. They have been more patriotic than the average citizen of the community. They have given their time, therefore, to this organization for the general public weal. I say the Constitution is mighty nearly as safe in their hands as it is in the hands of the Senate, for I have heard Senators on this floor say that where the constitutionality of a bill was doubtful it was all right to pass the bill and to let the courts take care of it. If I were to cite the single instances where that has been said, I might thereby, according to the "single-instance logic," prove that the Senate is not itself a fit custodian of the Constitution.

Mr. President, with this preliminary, I am coming to discuss that phase of the bill which relates to the so-called Volunteer Army. I am sorry that I can not get enthusiastic over that proposition. A little bit of experience is all that is necessary to fix firmly in the mind the fact that the plan is doomed to failure.

I do not pose as a military expert, but I once belonged to the National Guard, and the defects and troubles of the National Guard then developed furnished to me sufficient evidence to convince me that your summer camps will disappear just as soon as the smoke of European battles has blown away and the enthusiasm of the hour and the excitement of the day is gone.

Mr. President, less than three years ago everybody was going around singing, "I didn't raise my boy to be a soldier." It was dangerous for a man to stand up in almost any community and intimate that there ever would come a time in our history when we would need a single gun or a single soldier. The individual who talked about matters of that kind was regarded as a sort of barbarian. Our ears were attuned only to listen to the sweet harmonies of "Peace on earth, good will toward men." The very individuals who are loudest now in their clamor for great armies and mighty navies were then the gentlemen who were attending The Hague peace convention. The other day Mr. Root stood up in the State of New York before a great convention and, in substance and effect, said the United States ought to have broken off diplomatic relations, if indeed she should not have gone to war when Germany crossed the red line of the map that separated her from Belgium. Yet I remember that only two years before that time he had taken down the $40,000 Nobel peace prize in recompense and acknowledgment of his great labors in the cause of universal peace!

I recall that the warlike Roosevelt, who goes about the earth gnashing his teeth, breathing forth fire, blood, and smoke, was a delegate to The Hague Peace Convention. I remember with great distinctness how these gentlemen told us that all controversies were hereafter going to be settled in the amicable councils of great international courts, and how the golden sun of the millennium was to pour the flood of its wonderful light over a regenerated earth. And now we find the same gentlemen, with myriads of others, working themselves into an excitement, which leads some of them to believe that they can already hear the tramp of the Teutonic legions and the scream of the double-headed eagle of Austria and Germany, in fancy they behold New York City in flames, and San Francisco quaking with the thunders of mighty cannon. So under these circumstances men who six months or a year ago were preaching eternal peace have suddenly exhibited a wonderful enthusiasm for preparedness.

Why, I saw a convention of a society—I think it calls itself a national society for preparedness, or something of that kind—meet out in Chicago. I saw the delegates who had been selected. I will not say anything about any of them, except those who came from my own community. In my own community six months ago they were the most peaceful, tame specimens of the human family then running at large, but when I beheld them in this convention they were getting ready for war; they bore the front of Jove and the spear of Mars, their eyes "in fine frenzy rolling" surveyed fields of carnage. When one looked at them he wondered if they were not laboring under the stimulus of some drug which had taken possession of their brains.

When men feel that way, when a sentiment of that kind is sweeping over the country, when everybody has quit singing "Peace on earth and good will to men" and all are shouting, "Johnny, get your gun," why, of course, you can get up a summer camp. It is a kind of picnic excursion, very earnestly indulged in by men acting in splendid good faith, very speedily rushed to by men who are acting with the best motives; but let the occasion pass by, let the hour come when "grim-visaged war hath smoothed his wrinkled front" and you will observe these warlike gentlemen "capering nimbly to the lascivious

pleasing of a lute." They will not be at the camp. You may expend $25,000,000 or $30,000,000 or $40,000,000 and they will not be there—and this not that they lack patriotism, not that they would not fight if the fight were upon us, for they would, I doubt not, display good red-blooded valor, but because they are just like the average American citizen when the danger is gone, when the enthusiasm is spent, they are going back to attend to their business. When that time arrives and you ask them to give 30 days of their time out of the hot summer months to leave their business and go into camp you will find most of them are taking passage to Europe; that they have an ambition to behold the scenery of the Alps, or they prefer going out West to shoot jackrabbits or North to fish for small-mouthed bass. That is what you will come to. You can not get men, busy men, grown-up men, to give their time for 30 days or 60 days out of the summer. Which one of us has not from year to year planned his summer vacations, and how many of us have been able to take them? What one of these busy business men in a great city will give his time from his countinghouse, from his factory, or from his mercantile establishment and go into a military camp for 30 days in the summer year after year? It is not by such men that you will ever build up an army that will be ready to march when the order is given.

The Senator from New York [Mr. WADSWORTH] asked a question here yesterday which had a great deal of sound sense in it. He inquired whether this was going to be a real army, really organized, really ready to take the field. I do not think the chairman of the committee made the situation exactly plain, but I will make it plain. No body of men that voluntarily comes into a camp for 30 days once a year, that is without headquarters, that does not have arms and equipment set aside is ready to march. It disintegrates, it dissolves, it goes back into the body of the people. Its individuals may ultimately be gotten together, but they can not be rendezvoused in a very short space of time.

I started to say that I had some experience in the National Guard—just a little; just enough to learn this fact, that you could enlist a hundred of the brightest, keenest young men in a community, they would enlist with every intention of attending drills; they would be buoyed up with the hope that their company was going to be the best in the regiment; but as you proceeded with your drills from night to night you began to find absentees, and then more and more. When you began to inquire the reason, you did not in most instances find that these men had voluntarily stayed away. Here, however, was a plumber who had to fix a pipe which had broken that night; here was a young lawyer who had to go out of town to attend to some business; here was a medical student who was called to witness a clinic; and so it went until you found that, even meeting at night, even where the place was convenient, it was extremely difficult to get a full attendance of your members. That argues somewhat against the efficiency of the National Guard, but it argues with a thousandfold more force against the efficiency of one of these bodies of men who are to be brought together once in 12 months, and who are to come voluntarily.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. REED. I do.

Mr. HITCHCOCK. Does the Senator not lose sight of the fact that in the proposed volunteer army the men and officers are regularly enlisted, under the full pay of the United States during the time they are called out, and that absence would mean court-martial?

Mr. REED. That simply means that you are putting up a bar that will keep the men from joining at all, for who is going to agree that every year for two, three, four, or five years, at a given period, he will report at a certain camp for 30 days; and, if he does not do so, that he can be court-martialed, tried on a drumhead, and sent to jail? You will not get enough men under that sort of system, in my opinion, to ever accomplish anything.

When we come to the National Guard, however, a different case is presented. I want, in the first place, to tell you what I think has been the trouble with the National Guard. The trouble with the National Guard has been the National and State Governments.

When I belonged to the National Guard, which was about 15 or 16 years ago—I only belonged a little while but long enough to find out some things—the best arms we were able to get were the old Springfield rifles, which had been used during the late rebellion. I do not say that the National Guard in all parts of the country are armed in that way, but that is the kind of arms we had in the State of Missouri. We received inferior equipment of every character. Our batteries had obsolete cannon that would not have been permitted in a Spanish fortress a hundred years ago. We received no pay. The State furnished an inadequate sum for the armory and the officers of the regiment had to regularly get together and guarantee the rent. We had the blessed privilege of turning out once a week, or as often as we saw fit, and drilling in quarters that were utterly insufficient. If we went to camp we paid our own expenses. The officers sometimes helped out the younger boys who could not afford to pay their own way. It was under such circumstances as those that we were required to keep up companies. There was no law by which you could punish a man who did not come to drill; there was no way by which you could reward him if he did come to drill. All the Government gave to us were these old guns, and if one of them was lost the captain of the company had to pay for it. Under such circumstances as these it is impossible to keep up an organization. To condemn a system because it was not a success under such circumstances is as absurd as it would be to condemn a child for not being fat and at the same time starving it to death.

Since the time I am speaking of a great improvement has taken place; more money has been furnished by the States, and, indeed, during all this time some States have more generously provided for their guard. Since that time modern arms have been provided in most instances, and, better than that, since that time the officers of the National Guard have been required to pass examinations before they are permitted to become officers, so that it is an absolute truth that many officers of the National Guard to-day, while not military experts in the higher sense of the term, are nevertheless very well qualified men.

I follow this by saying that sneering at the National Guard, sneering at its efficiency, is an absolutely unjust thing. A few days ago they had a riot in East Youngstown, Ohio. I read in the newspapers at that time that the governor had called for troops. I believe that the circumstances of that strike were of an exceedingly exaggerated and aggravated character, but I do not desire to discuss the merits of the strike. The governor saw fit to call for troops. This is what I read in the paper of that date, the Cincinnati Enquirer of January 8, 1916:

> Upon formal request of Sheriff J. C. Umstead, of Mahoning County, the telephone and telegraph pleas of scores of citizens, and the suggestion of Brig. Gen. John C. Speaks, Gov. Frank B. Willis to-night ordered the entire second brigade of the Ohio National Guard, with a strength of 2,412 men, to move at once to Youngstown to aid the civil authorities in enforcement of law and order.

And at 11 o'clock that night four companies were reported on their way with ample medical supplies and officers; and as I understand the fact, they had substantially 2,000 men in that town inside of 15 hours.

Mr. POMERENE. And, Mr. President, a goodly portion of them were there before daylight the next morning.

Mr. REED. The Senator from Ohio states that a goodly portion of them were there before daylight the next day. Now, I assume that in this instance the governor was right in calling them out, but I do not stop to argue that question. What I insist on is that it is a complete answer to the charge that the National Guard is inefficient, that it can not be mobilized, that it does not amount to anything; and if I read this paper aright, if I understand the Senator from Ohio aright, substantially every man called out responded at once, and got to the ground practically as soon as a company of Regular soldiers would have arrived.

How did they demean themselves when they were there? Was there any complaint as to their discipline? Were they not well held under command? Did they not perform their duty? Did they not restore order? Did they not save property?

Mr. President, the experience of Ohio has been repeated many times in many places. Even in the days to which I referred, when our National Guard was not equipped, when it was not supported, I remember one illustration that I shall never forget. We had a great flood in Kansas City. It swept through an immense portion of the business district of the city. One part of that business district lay in Kansas City, Kans. The greater part of it lay in Kansas City, Mo. I called—for I happened to be mayor of the city—for the assistance of the Third Regiment of the National Guard. They patrolled the city for a week. They prevented theft. They maintained order. They did not shoot or shoot at, they did not injure or kill, a single man. On the other side of the line the Regular troops from Fort Leavenworth were called out, and a number of men were killed, and they did not maintain as good order as the militia did on the Missouri side.

What is necessary to build up the National Guard? Money and some sensible regulations; that is all. You can not ask a boy—and these guards are composed of young men—to leave his home and attend drill and spend some of his money, for it always costs them a little—you can not ask him in the summer time to go out to the camps and drill in the broiling sun and spend his own money. You can not expect him to do all that

without some compensation. If you offer him even the small stipend that is provided in this bill and hold back his pay until the end of a six months' or a year's period, and if his failure to come to drill cuts him off from his pay, and if the pay when he does come compensates him for the loss occasioned by his coming, you will do a very great deal toward building up the National Guard.

If you will pay the officers something to compensate them for the time consumed in study you will make it possible for them to devote to their work that time which is necessary. If you accompany that by regulations which compel them to know their business and to pass examinations you will have officers of the National Guard who are competent.

Mr. President, who are these men constituting the National Guard? Are they people apart? Answer me this question, some advocate of this army plan. The name by which you call the organization does not make any difference. Who is to compose these two organizations? Plainly, they are to be composed of citizens of the country, of men who work in the trench, or of men who work in the bank, or of men who work somewhere between. In each instance they have to be the citizens of the United States.

If you can not get them out to drill once a week in an armory in their own town, where they have their own officers, where they have some social entertainments, where they have something to draw them together and to give them a cohesiveness, then you can not get those same men to go into a camp once a year, where there are none of the advantages just referred to to be enjoyed. When you argue that you can not fill up the National Guard, you prove that you can not fill up your volunteer army; you demonstrate it, because the National Guard offers much the greater inducement.

There has been a good deal of talk to the effect that we can not depend upon anybody but professional soldiers. That is the meaning of a good deal of the talk that we hear here, although it is not said in that blunt way. I believe as much I think as anybody can that you can not take a body of the bravest and best men on earth, without any training or discipline whatever, and make them stand fire. The reason is not that the individual is lacking in individual courage, but because that individual knows that the man beside him has not been trained, and he does not know what he is going to do, and consequently a shiver runs down the line and everybody is afraid of disaster, whereas if you put the same man in a line of battle along with men that he knows are going to stand he will stay there as long as the best of them.

Mr. President, it is strange how opinions shift and change on this question of the value of volunteers. For my part, I believe that the National Guard can be put in condition so that with a Regular Army of reasonable size to form the first line, the National Guard in a very few weeks' time can be made into efficient soldiers. It already exists. Why try to tear it down? Why try to discriminate against it? Why try to set up a rival organization that has not a single element of virtue that the National Guard does not already possess?

Now, I am going to say a word, with the permission of the Senate—and I have talked too long—on what I think is necessary in order to fit this country for its defense.

I do not believe we will ever have a standing army in this country big enough by itself to protect our shores against a serious and prolonged attack. Neither do I believe our standing army is organized along the right lines. The army of France is not really a standing army. Nearly every citizen in France has been trained, and a certain proportion of them are in the army all the time. Germany's great army is not really a standing army. All her citizens are trained, and a certain number of them constitute the army to-day, and to-morrow others take their places. So that when a great war came practically every citizen of France was qualified to be a soldier, and every citizen of Germany was qualified to be a soldier. They adopted a system of universal training, which, of course, from the military standpoint is the ideal thing. I do not think we have arrived at a period in our country where we can do that, but I do believe that we can approximate it to a certain degree; but if we are to approximate it we must train our soldiers at a time prior to their engaging in the ordinary activities of life.

After a boy has obtained a job and is earning a living you can not expect him to sacrifice that job for the sake of going into a military camp for 30 days. There is no use in trying to deceive ourselves. If the employees of any of the great factories of this country were in great numbers to go to their employers and say, "We want to join a volunteer army, and every July we want to quit our jobs and go out and drill in that army," I undertake to say that in most instances they would be told that they could go and drill for 30 days and they could continue to drill for 30 years if they want to; that they need not come back to their jobs. We might as well face things in this world as they are. I do not mean to say that our business men are altogether unpatriotic, for they are nearly altogether patriotic; but men are selfish and look to their own interests, and when you propose to make up a great army of men by taking them from their vocations in life and drilling them after they have adopted vocations in life you are going to make a failure. You can not help but make a failure.

You may take the young lawyer; you may take the clerk in the store; you may take the young doctor; you may take the man who is a brick mason; you may take the hod carrier—and the hod carrier is just as likely to stand on the field of battle and fight as the college professor, and a little bit more so; those men can not quit their employment; they can not quit their work. They surely will not quit their work after the enthusiasm created by the great world cataclysm has passed away. But if you can reach the boy before he has entered upon the duties and business of life, if you can get him at a time when he has time to devote to military training, you can produce in this country military knowledge and military genius in abundance.

Mr. President, according to the estimates, it will take $25,000,000 a year to maintain this Volunteer Army of men, who will never volunteer, or who, if they do, will volunteer only the one time; men who may volunteer just now, when there is a possible danger, but who, when peace folds her gentle wings, will lose all their enthusiasm. You can take that $25,000,000 of money and employ it so among the students of this country as to train every year 100,000 men.

Mr. HITCHCOCK. Mr. President——

Mr. REED. I yield to the Senator from Nebraska for a question.

Mr. HITCHCOCK. I should like to ask the Senator how he can reconcile those two statements—that men will not volunteer, and therefore there will be no Volunteer Army, and yet that it will cost $25,000,000 annually? Does not the Senator realize that if they do not volunteer the money will not be expended?

Mr. REED. Oh, yes; I do. Of course I do. I realize perfectly that if nobody volunteers it will not cost anything; but if they did volunteer it would cost $25,000,000, and you would have 30 days of work from these men. I maintain that we can spend that money so that we will get an actual result.

I have not given to the amendment of the Senator from Georgia [Mr. HARDWICK] any careful study as to its details, but that he is on the right track with that amendment I have not the slightest doubt.

Let us think about it a moment. Suppose this $25,000,000 were to be expended annually through the various public and private schools of our land. It would mean, on an average, $500,000 a year to each State. I maintain that with that amount of money you can so expend it as to pay a large portion of the expense of students in all the agricultural colleges of the country, in all the small military schools of the country, and in those high schools and other educational institutions and colleges where there are sufficient groups of boys brought together, and that if you pay each student $100 a year who really enlisted, really put himself under discipline a certain number of hours every day, and really enlisted so that he could be called upon for a reserve, that inducement of the $100 a year to these students would be such a blessing to the boy of limited means who has to work his way through school, or whose parents find his education a burden, that you could secure a sufficient number of men in every State so that you would have in training 100,000 men at all times.

Mr. President, that is not all. You would be getting the pick of the young men of the country. You would be getting an entirely different class of men than enlist now in the Army. You would not be getting the derelict who went into the Army because he could not make a living. You would not be obtaining the boy who had learned no trade and who had no ambition, and who went into the Army because it afforded a bed at night and food during the day. You would be getting young men of keen and active minds, of ambition, of hope. You would be getting men some of whom would develop into officers. Besides the inducement referred to, we ought always and forever to hold before the rank and file the chance of promotion. Any system that omits that will be a mistaken system.

Here I want to pause long enough to remark that I believe our whole military system in this country is on the wrong basis. I believe we have built it along the lines of the old Prussian system as it existed in the days of Frederick William, where the man was a slave and the officer was all-powerful.

But, not to digress, I believe—and before the consideration of this bill is ended I propose to offer an amendment to that effect—that this Government can afford to establish a number of military academies. I distinguish between the kind of academy to which I now refer and West Point or Annapolis.

Mr. HARDWICK. Mr. President, if the Senator will pardon me just a moment for the suggestion, it will be absolutely necessary, if we put training into the schools, to have the necessary halls for training to carry out his ideas.

Mr. REED. Yes. To my mind West Point and Annapolis ought to be two great military universities from which men practically never graduate. They ought to be the great schools to which our war and naval colleges should be attached, and they should be places where the highest qualities known to military science are acquired. But I believe that we could well afford to establish in this country a number of military academies which might be entered by every boy who could pass a physical and mental examination. They should be open to boys of the age of 15 or 16. A liberal general education should be afforded, especially along practical lines, and at the same time the student could be carried far enough in military science so that he would be competent to handle a company and the best of them could command a battery. The flower of these schools ought to be graduated into West Point and Annapolis. We ought to pick our Army officers by the process of selection and competition rather than by political favoritism.

Now, you say that will cost some money. It will not begin to cost as much money as it will to maintain a large standing army. It ought to turn out in this country every year ten or fifteen thousand men; for I would not put the general graduate of that school into the Army. I would equip him for civil life, and let that be his recompense and his reward. I believe that by following such a plan as that you could fill this country with men of military knowledge. I believe in that kind of a school, because I believe in this proposition—that you can give a discipline there, a genuine Army discipline, which is invaluable in time of war.

Mr. President, if you speak of the cost, I make you this answer—that there never yet was a dollar expended in education that was wasted, and that it is utterly immaterial whether the township, the city, the State, or the Nation pays the tax for education of this character, because in the last analysis the people have to bear the whole burden anyway.

So I hope that instead of spending our money on these transitory and evanescent camps, in this experiment, we shall support the National Guard, we shall safeguard it against the abuses which have been referred to, and that the rest of our money will be expended in the promotion of education along military lines in the schools of this country. Thus you shall reach a class of people who have the time to spend, and who have the intellect and the willingness to work.

Mr. SMITH of Georgia obtained the floor.

Mr. CLAPP. Mr. President, will the Senator yield a moment while I suggest an amendment?

Mr. SMITH of Georgia. Certainly.

Mr. CLAPP. The Senator from New York [Mr. WADSWORTH] yesterday suggested that there might be a question as to whether, under this annual training-camp provision called the volunteer army, the reserves were entitled to any compensation. I call the attention of the chairman of the committee to the matter, and suggest that after the word "army" on line 23 we insert the words:

Provided, That as reserves no compensation shall be paid except for actual services."

I do not think they would be entitled to it anyway, but that would put it beyond any question.

Mr. CHAMBERLAIN. I do not know that it is in order now, as there is another amendment pending, but so far as I am personally concerned I see no objection to it, because it carries out the purpose the committee had in view.

Mr. CLAPP. It would be in order to amend the amendment.

Mr. CHAMBERLAIN. I have no objection to it so far as I am concerned.

Mr. SMITH of Georgia. It is to perfect section 56 before the question is taken on the motion to strike it out.

Mr. CLAPP. Yes; I make a motion to perfect the section.

Mr. SMITH of Georgia. Mr. President, yesterday the chairman of the committee replied to certain criticisms that I placed upon the treatment of private soldiers. At the time I was out of the Chamber, having gone to lunch. It was suggested that citations of cases should be given. My criticism, at least that part of the criticism which was severe, had reference to sentences which I termed extremely severe, placed upon private soldiers for trivial offenses. The vigorous language which I used with reference to those sentences was limited to that class of treatment of the Men. The Senator wanted instances. I will cite the Senator to an article by Charles Johnson Post, which appeared February 21, 1914, on page 14 of Harper's Weekly, and for three weeks following, each successive week, this writer furnished a number of illustrations of what I considered harsh and cruel sentences placed upon private soldiers for trivial offenses. I understand that the accuracy of the description of those sentences has never been questioned in any response to these articles, and that they are accurate. The articles furnish a number of illustrations of sentences which are, I think, inexcusably harsh for trivial offenses and calculated to deter enlistment in the Army, and when compared to the sentences placed upon officers they are very severe.

I believe there ought to be a reformation in this respect in the Army, and I believe it will help to bring it about to mention the necessity for it.

Mr. CHAMBERLAIN. In answer to the Senator from Georgia, I rather inferred from what he said yesterday that he had reference to cruelty practiced by officers against enlisted men. It was instances of that kind of cruelty that I desired to have the Senator call to my attention. There is no question but that there are cases where courts-martial have imposed severe sentences just as there are instances where courts have imposed very severe sentences for very small crimes.

I wish to call the attention of the Senator to this fact, however: An effort was made by Congress at the last session to correct that, and we embodied in the appropriation bill a provision which did away with the imprisonment and the dismissal of enlisted men from the Army without having a chance for the future by providing for detention camps in barracks instead of sentencing them to prison. Now young men go into these detention camps which were provided by the last military appropriation bill, and if the crime was slight they have a chance by good conduct to restore themselves to the colors and not be dismissed from the Army.

Mr. SMITH of Georgia. The exact language I used was the following:

If we will put a stop to some of the cruel and barbarous sentences that are put upon the private for trivial offenses.

That was the language.

Mr. CHAMBERLAIN. May I call the attention of the Senator to that provision of the law which was adopted at the last session?

Mr. SMITH of Georgia. I simply wish to say that there can not be in the Senate or anywhere else a man with a broader spirit or a more complete love of justice and of his fellow men than the chairman of this committee of ours; and that anything which can be done by one man will be done by him to help improve conditions; and I am not surprised to learn from him that he has already been at work upon that line.

Mr. CHAMBERLAIN. I appreciate the words of the Senator, I assure him; but the appropriation bill that was passed at the last session of Congress amends chapter 6, Title XIV, of the Revised Statutes of the United States in the particular to which I called attention. It covers that provision and provides for the complete restoration of these young men to the colors by good conduct, with the result that some of the young men who have been sentenced to detention camps have made better soldiers than they were before; they have gone back to the colors and are now serving out their enlistment. Section 2 of the act to which I refer, approved March 4, 1915, is as follows:

SEC. 2. That chapter 6, Title XIV, of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

"1. The United States Military Prison, Fort Leavenworth, Kans., shall hereafter be known as the United States Disciplinary Barracks.

"2. Persons sentenced to confinement upon conviction by courts-martial or other military tribunals of crimes or offenses which, under some statute of the United States or under some law of the State, Territory, District, or other jurisdiction in which the crime or offense may be committed, are punishable by confinement in a penitentiary, including persons sentenced to confinement upon conviction by courts-martial or other military tribunals of two or more acts or omissions, any one of which, under the statute or other law hereinbefore mentioned, constitutes or includes a crime or offense punishable by confinement in a penitentiary, may be confined at hard labor, during the entire period of confinement so adjudged, in any United States, State, Territorial, or District penitentiary, or in any other penitentiary directly or indirectly under the jurisdiction of the United States; and all persons sentenced to confinement upon conviction by courts-martial or other military tribunal who are not confined in a penitentiary may be confined and detained in the United States Disciplinary Barracks.

"3. The government and control of the United States Disciplinary Barracks and of all offenders sent thereto for confinement and detention therein shall be vested in The Adjutant General of the Army, under the direction of the Secretary of War, who shall from time to time make such regulations respecting the same as may be deemed necessary, and who shall submit annually to Congress a full statement of the financial and other affairs of said institution for the preceding fiscal year.

"4. The officers of the United States Disciplinary Barracks shall consist of a commandant and such subordinate officers as may be

necessary, who shall be detailed by the Secretary of War from the commissioned officers of the Army at large. In addition to detailing for duty at said disciplinary barracks such number of enlisted men of the Staff Corps and departments as he may deem necessary, the Secretary of War shall assign a sufficient number of enlisted men of the line of the Army for duty as guards at said disciplinary barracks and as noncommissioned officers of the disciplinary organizations hereinafter authorized. Said guards, and also the enlisted men assigned for duty as noncommissioned officers of disciplinary organizations, shall be detached from the line of the Army, or enlisted for the purpose; and said guards shall be organized as infantry, with noncommissioned officers, musicians, artificers, and cooks of the number and grades allowed by law for infantry organizations of like strength: *Provided*, That at least one of said guards shall have the rank, pay, and allowances of a battalion sergeant major.

"5. The commandant of the United States Disciplinary Barracks shall have command thereof and charge and custody of all offenders sent thereto for confinement and detention therein; shall govern such offenders and cause them to be employed at such labor and in such trades and to perform such duties as may be deemed best for their health and reformation and with a view to their honorable restoration to duty or their reenlistment as hereinafter authorized; shall cause note to be taken and a record to be made of the conduct of such offenders; and may shorten the daily time of hard labor of those who by their obedience, honesty, industry, and general good conduct earn such favors—all under such regulations as the Secretary of War may from time to time prescribe.

"6. The Secretary of War shall provide for placing under military training those offenders sent to the United States Disciplinary Barracks for confinement and detention therein whose record and conduct are such as to warrant the belief that upon the completion of a course of military training they may be worthy of an honorable restoration to duty or of being permitted to reenlist; may provide for the organization of offenders so placed under military training into disciplinary companies and higher units, organized as infantry, with noncommissioned officers, except color sergeants, selected or appointed from the enlisted men assigned to duty for that purpose pursuant to the provisions of paragraph 4 hereof; and may provide for uniforming, arming, and equipping such organizations.

"7. Whenever he shall deem such action merited, the Secretary of War may remit the unexecuted portions of the sentences of offenders sent to the United States Disciplinary Barracks for confinement and detention therein, and in addition to such remission may grant those who have not been discharged from the Army an honorable restoration to duty, and may authorize the reenlistment of those who have been discharged or upon their written application to that end order their restoration to the Army to complete their respective terms of enlistment, and such application and order of restoration shall be effective to revive the enlistment contract for a period equal to the one not served under said contract.

"8. The Secretary of War may, from time to time, designate any building or structure or any part thereof under the control of the Secretary of War and pertaining to the Military Establishment as a branch disciplinary barracks for the confinement and detention of offenders whom it is impracticable to send to the United States Disciplinary Barracks at Fort Leavenworth, Kans.; and all branch disciplinary barracks and all offenders sent thereto for confinement and detention therein shall be subject to the laws respecting the United States Disciplinary Barracks at Fort Leavenworth, Kans., and the offenders sent thereto for confinement and detention therein."

The VICE PRESIDENT. The Secretary will state the amendment offered by the Senator from Minnesota [Mr. CLAPP] to the amendment.

The SECRETARY. On page 160, line 24, after the word "Army" and before the period, insert a comma and the following proviso:

Provided, That as reserves no compensation shall be paid except for actual services.

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to. Now, the pending question is on the motion of the Senator from Maryland [Mr. LEE] to strike out section 56.

Mr. STERLING. I offer an amendment to section 56.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to add to section 56 as a separate paragraph the following:

In case it shall become necessary by reason of actual or threatened war to employ or order into the service armed forces of the United States in addition to the forces constituting the Regular Army, the National Guard, as organized under the provisions of this act, shall take precedence and next after the Regular Army organization shall be the first of said armed forces to be mobilized and employed in active service in the field.

The VICE PRESIDENT. Let the Chair inquire, is this an amendment to section 56 or a new section?

Mr. STERLING. It is an amendment to section 56. It is proposed as a separate paragraph, but is an amendment of the section.

The VICE PRESIDENT. The Chair is a little in doubt about how far the right of amendment goes in offering a separate paragraph rather than a new section.

Mr. STERLING. I had not thought of introducing it as an amendment at this time, but in view of the fact that an amendment was offered by the Senator from Minnesota [Mr. CLAPP] to the amendment I thought any amendment offered at this time to section 56 would be proper to perfect the section.

The VICE PRESIDENT. The Chair presumes that it is in order.

Mr. CHAMBERLAIN. I should like to hear the amendment to the amendment read again.

The Secretary again read the amendment to the amendment.

Mr. STERLING. Mr. President, I have hesitated somewhat in regard to the proposition to strike out section 56, providing for the volunteer army, and yet on reflection I have concluded that this section should not be stricken out of the bill. My belief is that with section 56 and the provision it makes for a volunteer army, together with the provision made for the National Guard, we shall then with the two together have provided for no more than a reasonable state of preparedness.

Mention has been made, Mr. President, of the fact that there is no need for section 56, because of the great number who in our military schools, academies, and our State agricultural colleges and State universities are getting military training, and who will be available for service in case of war, actual or threatened. But, Mr. President, these men, competent and qualified as they may be, will belong to no organization available for service, and it seems to me the volunteer army will in and of itself open up a field and opportunity for the young men from the military schools other than West Point and from the State institutions which give a course of training in military science or tactics. There will be the chance for promotions within that volunteer army, a chance for the man who is competent and qualified to receive a commission in that army, and I think because of the opportunities thus afforded, and because we shall have in the volunteer army itself a trained citizen soldiery, with opportunities for competent and able officers, we should retain the provisions of section 56 in the bill.

But, Mr. President, my amendment, just read, has reference to the place of the National Guard in the system we are providing in this bill. I can not sympathize with many of the criticisms made of the National Guard. I think the National Guard constitutes, as it exists to-day and as it is organized to-day, a splendid force upon which this Government may rely in case of an emergency.

Reference has been made to the State militia as it was constituted many years ago, as it was organized then, as it was trained then. There is no comparison between the conditions as they were then in all these respects and the conditions as they are to-day, so far as the National Guard is concerned. There is a new spirit and a new pride on the part of those who belong to the National Guard and new interest in making of it an efficient military force.

I want to say Mr. President, as to the national guardsman, be he enlisted man or be he officer in the guard, the prime and animating motive for his being there is not, in the first instance, that he may suppress or engage in the suppression of any particular disorder within the State or that he may help execute the laws of the State, but his primary motive in belonging to the National Guard is that he may render service at some time to the National Government.

I imagine that in former times a different spirit actuated the State militia, and that its members were there purely as State militia for the purpose of protecting the State or the people of the State against domestic disorders or violence or on occasion to assist in executing the laws of the State. But that is no longer the primary motive for enlistment in the National Guard.

I want to call attention to a little of the testimony adduced before the Committee on Military Affairs in respect to the National Guard. Maj. Gen. J. Clifford R. Foster, chairman of the executive committee of the National Guard Association of the United States, has this to say on page 785 of the hearings:

It is a cause for wonder that in a Government which proclaims its dependence for defense upon the citizenry of the country, and makes a direct appeal to the patriotic impulses of the people to sustain it, an institution such as is the National Guard, a force designed to stimulate and to develop those qualities which are the highest attributes of American citizenship, should have to fight, constantly to fight, not only to maintain but to justify its existence.

And this fight always commences with the happenings of 1812.

We have heard that reiterated again and again in this Chamber and during this discussion. The critics of the National Guard go back to the time when the primary notion in regard to a State militia was the State defense. They hark back to Queenstown and the refusal of some of the State militia to cross the border line for the purpose of engaging in battle on Canadian soil, with the resultant defeat of the American forces at that time.

But, as I said, the guardsmen are not inspired by any such narrow or provincial feeling in these days. Their interests are not confined to State interests. They are as broad as the Nation itself, and they feel when they enlist as guardsmen that their greatest privilege will be to engage in the service of the Federal Government.

Gen. Foster goes on to say further:

The present Organized Militia forces bear as much relation to the enrolled militia of that time as do the electrically propelled cars of our modern railroads to the stage coaches of the long ago. But we are arbitrarily constituted hereditary legatees to the inefficiency which

distinguished the minute men of the revolutionary period, and, despite our earnest endeavors, are still held responsible for the burning of Washington by the British.

So I think much of that same sentiment has most unjustly been injected into this discussion and in opposition to the National Guard as an efficient military force in case of war.

Mr. President, in my own time I have witnessed something in regard to the progress and development of the National Guard. I have known it when I thought it did not, perhaps, amount to much and that it was hardly to be relied upon as an efficient force; but I have seen it in these latter years, and I know something of the pride taken by the officers and the men in drill and in the work of the encampment; and I have seen, too, the energy and enthusiasm with which they did their work.

No longer ago than last summer I attended the encampment of the National Guard of the State of South Dakota, consisting of about 700 men and officers. I visited the camp and every part of it. I visited the company cook tents, and if there can be perfect cleanliness and perfect sanitation in a military camp it was exhibited there. I saw drills, the various maneuvers. I stood on the firing line in the midst of a mimic battle and there had a fine view of both the attacking force and the defense. I heard officers, competent military critics, as I believed them to be, criticize the movements of the men and say whether or not they thought this or that particular feature of the attack or resistance was, according to military rules, justified or not, or justified up to the point to which it was carried. That was the kind of training they were undergoing there.

As I said, I have witnessed during the last few years this increasing interest and this increasing efficiency in the work of the National Guard, and this notwithstanding the discouragement in the way of lack of compensation and other hindrances to which the National Guard has been subjected during all these years.

They are the men from the farm, the men from the stores, the men from other businesses, sacrificing in time and sacrificing in money in order that they may maintain a creditable National Guard in the State, and that not for State purposes alone, such as quelling a riot or putting down a coal-mine strike or something of the kind, but with the expectation and purpose of answering their country's call in case of need; and this is their greatest inspiration in becoming members of the National Guard.

Believing this, I can not help but say, All honor to our National Guard. Just as it is in my own State, so, I think, much the same spirit animates the National Guard as it is formed in the 48 States of the Union.

This bill, Mr. President, makes elaborate provision for the National Guard. There is this one comparatively short section in regard to the Volunteer Army. Of course, in its effect it embraces the law of 1914 providing for a volunteer army, one that may be called on in case of actual or threatened war, but until war is threatened or war actually exists it is a volunteer army for training purposes only.

When we come to compare the two, the Volunteer Army and the National Guard, the latter will surely be more efficient. Its traditions, its training, its spirit will make it so. My amendment provides for simply this, namely, that when, in case of war, actual or threatened, it becomes necessary to call upon the armed forces of the United States, aside from the Regular Army, for the purposes of mobilization and for active service in the field, the National Guard shall take precedence and shall be the first to be mobilized and assigned to or employed in that actual service.

I think it a good thing that we know the status, respectively, of the Volunteer Army for which we provide and the National Guard as it now stands in this great scheme, and hence I have offered this amendment.

To give it first place in actual service is an honor and a recognition justly due the National Guard, and it will be a stimulus and an incentive to the officers and men of the Guard to be recognized as having the right to this place in the mobilization of troops outside of or in addition to the Regular Army forces.

Mr. CHAMBERLAIN. Mr. President, I wish in just a moment to call the attention of the Senator from South Dakota to the fact that that law is already in force. Section 5 of the Dick bill approved May 27, 1908, amending the original section, provides as follows. The Senator will find it on page 2 of the copy of the laws.

Mr. STERLING. I find it, although I had not seen it before. I think the Senator has reference to this provision:

Provided further, That when the military needs of the Federal Government arising from the necessity to execute the laws of the Union, suppress insurrection, or repel invasion, can not be met by the regular forces, the Organized Militia shall be called into the service of the United States in advance of any volunteer force which it may be determined to raise.

Mr. CHAMBERLAIN. Yes; I call the Senator's attention to a further provision so that it will remove any doubt the Senator has in mind. He referred to the domestic uses to which the guard might be put.

Mr. STERLING. Yes.

Mr. CHAMBERLAIN. If the Senator will notice section 3 of the Volunteer Army act approved April 25, 1914, he will find a further provision on the same subject, which is as follows:

Provided further, That when three-fourths of the prescribed minimum enlisted strength of any company, troop, or battery, or when three-fourths of the prescribed minimum enlisted strength of each company, troop, or battery comprised in any battalion or regiment of the organized land militia of any State, Territory, or the District of Columbia, organized as prescribed by law and War Department regulations, shall volunteer and be accepted for service in the Volunteer Army as such company, troop, battery, battalion, or regiment, such organization may be received into the volunteer forces in advance of other organizations of the same arm or class from the same State, Territory, or District, and the officers in the organized land militia serving with such organization may then, within the limits prescribed by law, be appointed by the President, by and with the advice and consent of the Senate, as officers of corresponding grades in the Volunteer Army and be assigned to the same grades in the said organization or elsewhere as the President may direct.

That authorizes this organization upon a footing to be received as a body. If the Senator will examine section 3 of the Volunteer Army act approved April 25, 1914, he will also find this provision:

That when the raising of a volunteer force shall have been authorized by Congress, and after the organized land militia of any arm or class shall have been called into the military service of the United States, volunteers of that particular arm or class may be raised and accepted into said service in accordance with the terms of this act regardless of the extent to which other arms or classes of said militia shall have been called into said service.

It seems to me, taking these statutes together, the amendment of the Senator is provided for.

Mr. STERLING. I am much obliged to the Senator from Oregon for pointing out those provisions, and I think they are reasonably clear in connection with the other provisions of the statutes to which he refers. But we are here providing for a new volunteer army, a volunteer army that may be raised in time of peace at any time under the language of the bill itself. Then you make elaborate provision, as I stated, for the organization of the National Guard, for the training of it, for the officering of it, so far as it can be officered by Federal forces; it is a new National Guard law and a new volunteer army law you propose to enact, and in order to avoid any doubt or misunderstanding the amendment I have proposed should be added to section 56.

Mr. DU PONT. Mr. President, as everyone knows, there is a general feeling throughout the country that steps should be taken to prepare for a more adequate defense than now exists. This feeling is practically unanimous in some portions of our country, and there are hundreds of thousands of the youth and manhood of the United States who are anxious to have some personal participation in the measures which they think should be adopted.

Mr. President, if we strike out section 56, we are confronted with the proposition that the Senate says practically to the young men of the country and to the manhood of the country that they can not personally participate in its defense unless they choose to enlist in the Regular Army or to enlist in the National Guard.

It seems to me that the Senate can not afford to take such a position. It is not democratic; it is not fair. It is largely in the interest of a particular class, and of a class, be it remembered, whose status under the terms of the bill is disputed, so far as its constitutionality is concerned. I believe that the practical workings of section 56 are not thoroughly appreciated, and I think that some of the remarks which have been heard on the floor of the Senate during the last few days will bear out the statement.

I shall not attempt to analyze and discuss at this time the general features of the section, but I will say that I notice the junior Senator from New York [Mr. WADSWORTH] in his remarks spoke of horses and of mounted troops, which he seemed to think were a part and parcel of the Federal volunteer system. There is nothing of the kind prescribed in the bill, and it seems to be intended in the main for the organization of Coast Artillery companies and of Infantry. No fair-minded man ought to dispute the proposition that the organization and instruction of, say, two or three hundred thousand Infantry and Coast Artillery is not in the nature of a sensible contribution to the national defense.

The scheme of our coast-artillery defense, as is well known to all, provided that half of the guns now actually mounted and

ready for service should be manned by the Regular Coast Artillery and that the other half should be manned by the Militia Coast Artillery; but, unfortunately, the Militia Coast Artillery have been forthcoming only to a limited extent, which is the cause of a sensible weakness in that particular item of national defense.

It may be said that if we raised this Federal volunteer force, it should have its proportion of Cavalry and Light Artillery. That would probably be much better if it were practicable, but still we must remember that in the defense of our seacoast fortifications a large body of Infantry is required to protect them from land attacks from the marines of a hostile fleet, which would seek to take them in the rear. Our fortifications must be defended and, in my opinion, the organization of these Federal volunteers will amply meet this contingency as well as many others.

The scheme, in short, provides for the organization in time of peace of companies, battalions, regiments, and Coast Artillery batteries—whichever the President may decide to be the best—that the officers shall all be appointed upon examination as to their capacity, and that the Federal volunteers shall be ready at any time to be called into the service of the United States as completely organized bodies. Under the terms of the volunteer law, as provided for in the bill, they will have an effective organization—machine-gun companies, staff officers, and everything that is necessary. It is true that their instruction may not be as great as that of troops who have had longer periods of service, but the bill never contemplated that their efficiency for all purposes should be on an equality with the Regular Army. I think, however, that it fills a place in our scheme of national defense which is greatly needed, and I trust that the paragraph may not be stricken out.

Mr. WEEKS. Mr. President, I think the law to which the chairman of the Committee on Military Affairs [Mr. CHAMBERLAIN] called the attention of the Senator from South Dakota [Mr. STERLING] would hardly apply in this case, but it seemed to be justified in the case to which the chairman referred.

The Government has been supporting a Regular Army and assisting in the support of the militia or the National Guard, and very naturally, under those circumstances, it would call on those forces to which it had given its support before calling for volunteers. We are now, however, providing a different kind of force—a volunteer army. I am entirely in sympathy with what the Senator from South Dakota has said about the desire which men have when they go into the National Guard. My judgment is that, generally speaking, they want national service. Pretty nearly the only service the State has for them to perform is that connected with strike or riot duty. My judgment is that the militia should never be used for that purpose. I think every State—and I would be glad to see a provision for that purpose made a part of this bill—should provide a State constabulary, which should be used in case of strikes and riots.

Mr. HARDWICK. If the Senator from Massachusetts will yield to a question, I desire to ask what power have we to prescribe any such rule of conduct as that for the States?

Mr. WEEKS. We may enact that unless the States do provide such force that part of the appropriation for the National Guard shall not go to the State for the maintenance of the National Guard.

Mr. HARDWICK. Oh, well, of course we can limit the appropriation which is to go to the States.

Mr. WEEKS. That would be the only method in which we could accomplish that purpose. The National Guard is not an entirely efficient force in connection with strike and riot duty.

Furthermore, there is always a conflict in men's minds about what they ought to do and how far they ought to go in such cases. They themselves very frequently sympathize with the strikers. Men sometimes even hesitate about going into the National Guard because they may be called upon to do such duty. In every case, however, in my judgment, Mr. President, the State should provide a constabulary force similar to that which is maintained by the State of Pennsylvania, which everyone knows is infinitely more efficient in performing riot duty than the National Guard forces can possibly be.

We have in the Commonwealth of Massachusetts a very strong militia organization. The best young men in the State have for a long time gone into the service, and I am confident in saying that generally they go into the militia for the ultimate reason that they hope their service may be connected with the National Government. I have before me a letter from a former adjutant general of the State, James P. Parker, one of the best soldiers we have had for years, in which he says that his investigation convinces him that a great majority of the National Guardsmen of Massachusetts would transfer to the volunteer forces which section 56 provides for if the opportunity were given.

Last year we had in operation in Massachusetts a commission composed of three retired general officers, several leading citizens of the State, including the presidents of Boston College and of Amherst College—a special commission on military education and the reserves. Without any consultation with the War Department that commission came practically to the conclusion that it was most desirable that every part of the volunteer forces, including the National Guard, should be federalized so far as possible; and it is clearly demonstrated that there was a desire to perform national service, to exchange the "M. V. M." for "U. S.," and in that manner be useful in the ways that every real soldier desires to be.

Mr. BRANDEGEE. Mr. President, will the Senator from Massachusetts let me ask him, as to these young men who have joined the State militia, and who, the Senator says, do so with the idea and hope that they may be given national service—does he think that they would want to go out of the country, out of continental United States, on that kind of service?

Mr. WEEKS. Mr. President, I think they would. I think there is a strong desire that there should be cooperation between the State forces and the National Government; that the National Guard should be federalized; and that, if necessary, a constitutional amendment should be passed, so that they might transfer bodily into the volunteer force for which section 56 provides, and thus become a real national organization.

Mr. BRANDEGEE. If that is so, why do they not enlist in the Regular Army?

Mr. WEEKS. Because they are employed in all the varied pursuits of civil life, and they do not want to become professional soldiers. They are perfectly willing, however, to be trained so that they may be useful in case of necessity to supplement the Regular Army. A bill is now pending in the Massachusetts Legislature which, in substance, provides that the National Guard of Massachusetts may transfer itself bodily or individually into this volunteer army in case it can do so; and I understand that that bill is about to be reported favorably from the military committee of the House of Representatives of Massachusetts as a unanimous report. Undoubtedly the sentiment, in Massachusetts at least, is that so far as may be this force shall be federalized.

Mr. WORKS. Mr. President, the Senator from Massachusetts refers to the necessity of amending the Constitution of the United States in order to federalize the State militia. Does the Senator think that would be a wise thing to do?

Mr. WEEKS. Mr. President, I suggested yesterday that I would leave the constitutional phases of this question to the lawyers of the Senate. I am not confident that that would be a wise thing to do; but I very much doubt whether we can federalize the National Guard without an amendment to the Constitution, so that there will not be some kind of a string retained by the States over those forces.

Mr. WORKS. I am sure the Senator is right so far as the legal question is concerned. I was not, however, asking him about the legal phases, but about the wisdom or the propriety of doing it, if it is necessary to be done for that purpose.

Mr. WEEKS. Mr. President, I have just stated that, in my judgment, the only real use to which the National Guard is put in these days is in connection with strike and riot duty, and I do not think it should be used for that purpose at all. I think a State constabulary should take its place in connection with such duty. Therefore if we are going to maintain these organizations and spend forty or fifty million dollars annually for that purpose, I think they ought to be available under every possible circumstance for national service.

What I particularly arose to address myself to, Mr. President, was the amendment offered by the Senator from South Dakota—not that I wish to discuss it for any length of time, but because it seems to me to provide very bad military law. It proposes that the President of the United States, who is the constitutional commander of the Army and Navy, shall be limited in the forces which he shall call to the aid of the Government in time of necessity.

Suppose this proposed volunteer force does develop and become a thoroughly trained and useful force, better in every respect for the uses of the National Government than is the National Guard, then would it be desirable or wise to have on the statute books a limitation that in case of need the President should call on the National Guard before calling on the more efficient force which the Government had been supporting and developing? I think that is bad military law and bad military precedent. I do not think it should go on the statute books, and I hope that the amendment will not prevail.

Mr. CHAMBERLAIN. Mr. President, if I may interrupt the Senator, I desire to ask did the Senator notice that section 56 adopted the act of 1914 as the law upon which it is framed and that section 3 of it carries that provision?

Mr. WEEKS. Mr. President, I had overlooked that; but I am sorry to say it does. I do not think it should do so, and, if it were possible, I think it ought to be eliminated from the section.

Mr. BRANDEGEE. Mr. President, has the Senator from Massachusetts concluded?

Mr. WEEKS. I have finished; yes.

Mr. BRANDEGEE. I want to ask the Secretary to read the proviso in section 3 of the act of April 25, 1914, to show that, in my opinion, if I caught correctly the idea of the Senator from Massachusetts, the act of his legislature is unnecessary, because it is practically contained in the act I have named, the marked part of which I ask the Secretary to read.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Provided further, That when three-fourths of the prescribed minimum enlisted strength of any company, troop, or battery, or when three-fourths of the prescribed minimum enlisted strength of each company, troop, or battery comprised in any battalion or regiment of the organized land militia of any State, Territory, or the District of Columbia, organized as prescribed by law and War Department regulations, shall volunteer and be accepted for service in the Volunteer Army as such company, troop, battery, battalion, or regiment, such organization may be received into the volunteer forces in advance of other organizations of the same arm or class from the same State, Territory, or District, and the officers in the organized land militia service with such organization may then, within the limits prescribed by law, be appointed by the President, by and with the advice and consent of the Senate, as officers of corresponding grades in the Volunteer Army and be assigned to the same grades in the said organization or elsewhere as the President may direct.

Mr. BRANDEGEE. I am informed, Mr. President, that while I was not on the floor of the Senate the Senator from South Dakota [Mr. STERLING] proposed an amendment providing in general terms that the militia shall have preference if a call for troops is made under section 56. I wondered whether the provision just read did not also cover substantially the point raised by the amendment offered by the Senator from South Dakota.

Now, I will ask the Secretary to read also the first paragraph on page 2, at the top of the page, as rather reenforcing what he has just read.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

That when the raising of a volunteer force shall have been authorized by Congress, and after the organized land militia of any arm or class shall have been called into the military service of the United States, volunteers of that particular arm or class may be raised and accepted into said service in accordance with the terms of this act regardless of the extent to which other arms or classes of said militia shall have been called into said service.

Mr. WEEKS. Mr. President, the bill pending in the Massachusetts Legislature, to which I have referred, is very short, and I should like to read it. First, I will say that the report of the commission recommends that the militia be "actually a Federal force and nothing else," and states:

To accomplish this result three things must concur:
1. An act of Congress under authority of its constitutional power "to raise and support armies."
2. Consent of the State legislature.
3. Consent by reenlistment of members of the militia.

Now, the bill pending in the Legislature of Massachusetts provides as follows:

SECTION 1. The governor may, without expense to the Commonwealth, and upon such terms to secure the Commonwealth against expense or damage as he may approve, lend to or permit to be used by any Federal military force organized under the laws of the United States any military property provided for the use of the Organized Militia of the Commonwealth, including camp equipage, camp grounds, parade grounds, drill grounds, ranges for target practice, armories of any class, uniforms, arms, and equipment, except that in case of any such military property which has been provided for the particular use of any particular military unit of the Organized Militia it shall first appear to the satisfaction of the governor that, by vote of the enlisted men composing such unit, they shall have manifested their intention to join such Federal military force.

SEC. 2. Any military unit of the Organized Militia is hereby authorized to join in a body any Federal military force organized under the laws of the United States by vote of the enlisted men composing such unit. Service as prescribed by the laws of the United States in any such Federal military force on the part of any enlisted man in any company or corresponding military unit of the Organized Militia which shall have voted to join such Federal military force shall be accepted by the Commonwealth as full discharge of all claims by the Commonwealth for active militia service.

Mr. BRANDEGEE. Mr. President, inasmuch as the Chamberlain bill, which is now under discussion, is being considered as a substitute for the Hay bill, the bill which passed the House, I ask the Secretary to read the letter of Maj. Gen. Edward C. Young, including his criticism of the Hay bill. I will ask the Secretary to read the portion I have marked. It seems to me it touches the weak points in the Hay bill in such a manner as should satisfy the Senate that certainly the Hay bill ought not to be the measure finally to be passed.

The Secretary read as follows:

"The Hay bill fails utterly to provide for an adequate preparedness.

"It makes no substantial increase in the Regular Army and would be a positive menace to the National Guard.

"Militia legislation up to this date has been based upon the theory that the militia is primarily a State force to be used by the National Government under conditions as specified in the Constitution of the United States. This bill is framed upon the theory that the militia is primarily a national force, the use of which is granted to the State in times of peace.

"The bill assumes that Congress has power to organize, arm, and discipline the militia, call it into the service of the United States at any time, or under any conditions, to govern it either when in the service of the State or the United States, to directly train it under command of Regular Army officers, and to provide rules and regulations and conditions for the appointment of the officers. All of which is clearly contrary to the provisions of the Constitution. The power to provide is very different from the power to directly execute.

"The bill, therefore, fairly bristles with unconstitutional and impracticable provisions. Among these the following more important ones may be noted:

"Sections 36, 37, and 38 provide conditions and limitations for the appointment of officers. The examination to determine qualifications for commission is to be conducted by a board of commissioned officers appointed by the Secretary of War, consisting of officers of the Regular Army or the National Guard. By what constitutional authority can the Secretary of War give an official status to a board of National Guard officers when the National Guard is not in the service of the United States? What authority can a board of Regular Army officers have over the appointment of officers to the National Guard? What right has the Secretary of War to interfere with the States in the appointment of officers when this right is specially reserved to the States by the Constitution?

"All of the provisions in relation to the appointment of officers is clearly unconstitutional, and some of the provisions might easily be carried out to the detriment of the orderly government of the State troops. Any officer of the National Guard not acceptable to a board of Army officers, no matter what may have been his previous service or his ability or the desire of the governor of the State to appoint him, could be denied a commission.

"Section 39 is of similar character, providing for the dismissal of officers of the National Guard. This section, however, fails to designate the authority for the appointment of the efficiency board. It would probably be claimed by the Secretary of War following the provisions in section 37.

"Section 30 provides for the assigning of the National Guard to divisions, brigades, and other tactical units, and the detail of officers from the National Guard or the Regular Army to command such units. These tactical units would undoubtedly have to be made up of the National Guard from different States. The only assumed authority which the officer detailed to command could have would be derived through his detail by the President. This is clearly a question of government. By what authority can the President govern the National Guard except when it is in the service of the United States? What authority can an officer of one State exercise over the National Guard of another State? Indeed, it is a serious question whether any laws governing the National Guard are effective outside of the State to which the National Guard belongs, except, of course, when it is in the service of the United States. The only laws which can govern the National Guard in time of peace are the State laws, and these laws are not operative beyond the limits of the State. It may be contended in this connection that National Guard organizations have taken part in joint encampments under the command of Regular Army officers and National Guard officers of other States. This, however, is purely a question of courtesy, and no attempt has been made to enforce a legal control or government.

"Section 54 provides 'that the President may call into the service of the United States the National Guard, or any part thereof, to participate in encampments,' etc., 'for at least 15 days each year.' This is clearly unconstitutional, as the militia can not be called into the service of the United States except as provided by the Constitution. Even if constitutional, it would be a dangerous provision, for it might subject the National Guard to unexpected and indefinite service, thereby

greatly interfering with their civil affairs. This was the objection to the continental-army scheme. It is even more objectionable here, for in addition to all of the requirements of the State they would be subjected to indefinite service under the National Government. It should be noted that in this section it is proposed to call these organizations into the service of the United States as militia. Attention is directed especially to this, because later on a similiar authority, although derived from a different source in the Constitution, is used to transfer the National Guard to the service of the United States in time of war.

"Sections 64, 65, 66, 67, 68, 69, and 70 are all unconstitutional, for they assume the right to govern the militia in time of peace and when not in the service of the United States. Discipline, as used in the Constitution, does not mean trial or punishment; it means simply drill or training. Section 65 provides that the President may convene general courts-martial for the trial of members of the National Guard. No limitations are placed upon this, and he could detail an entire court of Regular Army officers. What jurisdiction could such a court have? Here, again, if the provisions were constitutional, they would be very dangerous to the National Guard. Every man on trial for his life, his liberty, or his property should have a jury of his peers. Under the above provisions the President of the United States, which means the Secretary of War, which means the Chief of Staff of the Regular Army, could organize a court-martial of Regular Army officers, try an officer of the National Guard, dismiss him from the service, fine him $200, and in lieu of the fine put him in jail for 200 days, and call upon the United States marshal to execute the sentence. This is the limit of injustice and unfairness.

"Section 76 is the most dangerous provision in this bill and is the real joker. Two cardinal principles have been insisted upon by the National Guard. First, that the National Guard shall have prior service—that is, next in line to the Regular Army; second, that the organizations of the National Guard and the rank of its officers be preserved when the National Guard is taken into the service of the United States, either under a call as militia, as provided by the Constitution, or under a transfer to the United States forces under the power of Congress to raise armies and provide for the national defense. This bill fails completely in both particulars. It provides for a draft of the individual member. The word 'draft' is most repugnant in this connection and does not properly express the action to be taken. From the date of the draft all persons stand discharged from the militia. In other words, there are simply so many men with no exact status; all organizations are automatically destroyed, all officers automatically discharged. No matter what may have been the length and efficiency of an officer's service, he finds himself when drafted as naked of power and position as when he first enlisted in the service. The only status given these men is that they are subject to such laws and regulations for the government of the Army of the United States as are applicable to members of the Volunteer Army. Having drafted this body of men, they shall be embodied in organizations corresponding to the Regular Army, or otherwise assigned, as the President may direct. For instance, the President could form a regiment of Infantry by taking approximately 50 men from each and every State, irrespective of whether they had been officers or enlisted men in the National Guard. Having constituted this organization, he could then appoint officers to command it from its own members. A former enlisted man might be appointed colonel and the colonel might remain an enlisted man. Moreover, there is no redress. Even a reserve officer of the Regular Army, who might have had no service whatever except in schools, or perhaps one year in a cadet corps, can not be compelled without his consent to serve in a rank lower than that held by him in the reserve corps.

"Immediately upon the draft the Organized Militia, or at least the portion drafted, ceases to exist. It is ended completely. At the conclusion of the national service, even though it might be for a month only, all the officers and men of the National Guard return to the States simply as citizens, without any position or rank.

"This bill also fails to provide for priority of service. The President may call into service as many volunteers or as many Army reserves as he may wish before making use of the National Guard. All that the National Guard has accomplished then, or can accomplish under the provisions of this bill, is to train so many citizens for service. The officer, after many years of study and sacrifice of time, may find himself divested of his rank and humiliated at the time when he may be of service to his country. The purely mechanical work of reorganizing the entire National Guard and appointing all of its officers would involve much confusion and delay. It would be even worse than it was at the beginning of the Spanish-American War.

"It might be contended that the President would not go to any unusual extremes nor deal unfairly or unjustly with the National Guard. We have before us the history of our previous wars and the effect of political influences in the appointment of officers. Unless the law protects the officers of the National Guard, what reason have we for believing that the future will be different from the past? Political influence would certainly not fail to exert itself to the maximum under such a favorable opportunity when the President alone has the appointment of thousands of officers.

"No provision is made in this bill for pensions for members of the National Guard drafted into the military service of the United States.

"No provision is made for calling forth the militia under the provisions of the Constitution for the suppression of insurrections and the maintenance of law and order in the execution of the laws of the Union.

"The bill, after having indulged in extravagant and unconstitutional provisions, unconsciously recognizes the fact that there is no means for enforcing the same, except to withdraw from the State the financial support of the National Government (see sec. 27). If, therefore, under a most objectionable bill, a State is unable to comply with all of the provisions of this law, then the National Guard of such State will be completely abandoned, except where the State, unaided, can support it.

"The appropriations made by Congress are to be apportioned in ratio to the appropriations made by the State. This is wrong in theory and will not work out in practice. The object of national support is to develop and encourage the National Guard, and this assistance is most needed in the States having the least resources. The National Guard should be developed in every State. To withdraw support from the poorer States would ruin the National Guard of such States and would throw the entire organization to the richer sections of the country. A certain portion of the national appropriations should be distributed in proportion to congressional representation, conditioned upon a minimum number which could be readily maintained by the States.

"It is a serious question whether the National Guard could be maintained under the provisions of this bill. It is extremely doubtful whether men would voluntarily enter the service under the conditions imposed.

"If we are to organize a national defense under a purely volunteer system, it would be much better to leave the National Guard to the voluntary action of the States for training and development in time of peace. A doubtful authority is repugnant to military efficiency and will necessarily lead to confusion and discouragement. The National Guard should be purely a State force in time of peace, developed by the States under liberal aid from the National Government, with proper provisions for its transfer without confusion or delay to the service of the United States.

"The Chamberlain bill, as presented to the Senate December 10, 1915, provides for the proper method for transferring the National Guard from the State service to the national service. There are many minor omissions and objections to the proposed Hay bill, but those pointed out should be ample to cause its defeat."

During the reading of the foregoing letter,

Mr. CUMMINS. Mr. President, I desire to ask the Senator from Connecticut how much more there is of this communication? I assume that he has read it.

Mr. BRANDEGEE. Yes; I have read it. There is a very little more. The Secretary can answer the Senator better than I, as he has it before him.

Mr. CUMMINS. I do not think we ought to sit and listen to a very long article or speech or argument of this sort.

Mr. LEWIS. Mr. President, if I may inform the Senator——

Mr. BRANDEGEE. There is no compulsion on the Senator. If he does not want to listen to it, nobody can compel him to do so.

Mr. CUMMINS. I intend to object if it is very much longer.

Mr. BRANDEGEE. The Senator has that right.

Mr. CUMMINS. I ask to be given some idea as to how much more there is of it?

The VICE PRESIDENT. The Chair understands from the Secretary that there is half a column more. Is there objection?

Mr. CUMMINS. I shall not object.

The VICE PRESIDENT. The Chair hears no objection. The Secretary will continue the reading of the letter.

The Secretary resumed and concluded the reading of the letter.

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota [Mr. STERLING].

The amendment was rejected.

The VICE PRESIDENT. The question now recurs on the motion of the Senator from Maryland [Mr. LEE] to strike out section 56, as amended.

Mr. CUMMINS. Mr. President, the word "preparedness" is in grave danger of being charged with as many crimes as have sometimes been imputed to the sacred word "liberty." Whenever a legislative proposal is made in these days, it is connected in some way with preparedness. I have heard it suggested that our amiable friend from New Hampshire [Mr. HOLLIS] believes the rural-credits bill ought to pass because it is a measure of preparedness, and anyone who opposes it may be accused of a failure to protect his country in time of need. The child-labor bill, which is now receiving the consideration of the Committee on Interstate Commerce, is urged by some of its friends as a proper measure of preparedness, inasmuch as it is exceedingly necessary that the citizenship of the country shall be able-bodied. I might enumerate a score of suggestions made in the Senate and elsewhere with regard to particular propositions, and all that it is necessary to do is to declare that we must be prepared and that this is one of the necessary elements of preparedness in order to command the attention of the country.

It has been said here this afternoon that if one is opposed to this section he is opposed to preparedness. It is labeled as a part of the program of preparedness. I intend to adopt the nomenclature of the discussion, and I intend to oppose the section because I think it is unpreparedness, leads to unpreparedness, and destroys the efficiency of the system created by the bill under consideration.

The United States ought to have first, for its land defense, an adequate Regular Army composed of soldiers who render their service continuously throughout the year during the period of enlistment. I have no hesitation in saying that the force so composed and so trained is better, more efficient, than any force that can be organized whose training is but temporary or continues over a small part of the year. How many Regular soldiers we ought to have is a matter upon which there is difference of opinion; but it is very unfair, I think, to assert that any specific number is the standard of preparedness. Some may think that we ought to have a Regular Army of 500,000 men, others may honestly believe that an Army of 150,000 is adequate. I shall not discuss the question, because it is not material to this amendment, and we could not reach any conclusion upon it at this time if in any event. Whatever number is reasonably required we ought to have, and the composite judgment of Congress will determine the number.

The next element in adequate preparedness is a force of men who devote part of the time to training, a part of the time to acquiring the knowledge necessary to enable men to perform the duties of war; but they must not only be trained in this partial way, but they must be organized as well. We need a force of semitrained organized men who in time of danger, in time of war, or imminence of war, can be speedily transferred into the service of the country, not as men, not as individuals, but as organizations. They probably will not be so well prepared to meet an enemy as an equal number of organizations in the Regular Army; but they will be fairly prepared, and can quickly become efficient in the duties that the country requires of them. But remember that they must not only be partially trained, but they must be equipped; they must be organized; there must be some way, some instrumentality, through which the President can speedily send them into the service.

We need, therefore, this secondary force, and we need it just as imperatively as we need the first, although I am quite willing to admit that it will not be quite so efficient, man for man, as is the first.

This bill provides one such force, namely, the National Guard. I do not intend to consider again the character of the National Guard nor of the men who compose it. I am sure that the Senate will see the injustice of imputing to the Guard as a body of men the infirmities or the delinquencies of certain governors who have declared martial law when it ought not to have been declared. So far as I know, the Guard has faithfully obeyed the command of the governor or governors of the States to which it has belonged in those contingencies. It was the duty of the National Guard to obey; and if the argument that has been made to-day has any potency at all, it proves that we ought to readjust our form of government and ought to have no governors, ought to have no States, because the errors that have been committed are mainly the errors of civil officers of the States rather than the military officers of the States.

But, recurring to what I was saying a moment ago, this bill provides one such force, namely, fairly well-trained men, organized men, who can, when the moment comes, be sent directly in organization, with all their arms and equipment ready for war, to the point of danger; and this bill proposes to do that at great expense to the General Government. I am not questioning the propriety of the expenditure. I am not one who measures public danger with the expenditure or cost necessary to avert it. I have no criticism to make upon the bill in that respect; but it is now proposed to add another such force of men, a volunteer army, not to be trained continuously throughout the year, not to constitute a part of the Regular Army, but a force substantially like the National Guard, lacking only the material organization pointed out yesterday by the Senator from New York [Mr. WADSWORTH].

I am not opposed to section 56 because it creates an additional force. I am opposed to it because, when this war or these wars come to an end and we enter upon a period of peace, I know, and every Senator here knows, that the General Government will not maintain two forces engaged in training and which are at the same time organized for movement. There is not a Senator here but who must be impressed with the total impracticability of maintaining two such forces. In the first place, there would be a rivalry between them in enlistment that would make it impossible, in my judgment, to create either of sufficient strength and size. Moreover, it would be a wasteful method of maintaining such a force, because of the two organizations instead of one. The result of these considerations would be that in a few years Congress would dismiss one or the other. If it did not dismiss one or the other, it would maintain both inadequately, and so meagerly that the purpose sought to be accomplished would not be attained.

I believe that, looking into the future, past the present crisis, we will have more organizations fairly well trained and fully organized and ready to move upon the command of the President if we unite all our energies in the maintenance of one, rather than to divide our assistance among two.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. I yield to the Senator for a question.

Mr. HITCHCOCK. Does not the Senator recognize that there is a difference in the duties to be performed by these different organizations?

Mr. CUMMINS. I do not recognize any difference.

Mr. HITCHCOCK. Is it not a fact that one organization—the National Guard—has obligations to the State, has duties to perform to the State, which the other has not?

Mr. CUMMINS. I thought the Senator from Nebraska meant a difference in the duties owing to the General Government.

Mr. HITCHCOCK. Well, that is true also.

Mr. CUMMINS. No.

Mr. HITCHCOCK. For instance, is it not a fact that the National Guard can refuse to leave its own State?

Mr. CUMMINS. Mr. President, a National Guard can be ordered to any part of the United States in time of war or imminence of war just as fully and completely as could the volunteer regiment, if there were one. The only point of difference upon that question that has arisen in the Senate, or that could arise anywhere, is as to whether the regiment of the National Guard could be ordered into a foreign country for service.

Mr. HITCHCOCK. Is it not a fact that governors have refused to permit the National Guard to leave the State boundaries?

Mr. CUMMINS. Mr. President, treason has been committed in the United States more than once.

Mr. HITCHCOCK. I ask the Senator whether that was treason?

Mr. CUMMINS. I think it was, in a broad sense, but any officer of the National Guard under this bill or any man in the National Guard under this bill—and the Senator helped to prepare the bill—who should refuse to obey the command of the President in the event of war or threatened war would be guilty of just exactly the same offense as would a Regular soldier or as would a member of the Volunteer Army, just the same.

Mr. HITCHCOCK. That is, of course, assuming that it was constitutional legislation; but is there not a dispute right here in the Senate Chamber at the present time as to whether this legislation does not transcend the limits of the Constitution?

Mr. CUMMINS. No; I do not so understand it.

Mr. LEWIS. Mr. President——

Mr. CUMMINS. Just a moment. There are but two disputes with regard to that subject. First, it is asserted that the regiment of the National Guard—and I will use a regiment for illustration—could not be commanded or ordered into the foreign service, into a war of aggression or conquest; and, second, it is

insisted that the Federal Government can not affect in any way in time of peace the selection of the officers of the National Guard. Those are the only two constitutional questions that have been raised against the National Guard.

Mr. HITCHCOCK. Let me ask the Senator a further question. In the present emergency it is a very doubtful question whether the President would have the power, or whether he would attempt to exercise the power, of ordering the National Guard into Mexico. Is not that true?

Mr. CUMMINS. I do not think that is true; but I will ask the Senator and the Senate the question, Why are we in Mexico? What are we there for?

Mr. HITCHCOCK. That is another story.

Mr. CUMMINS. Precisely; it is another story, but it would have to be answered; and it would have to be answered with regard to the Regular Army just as it would have to be answered with reference to the National Guard. We are not making war on Mexico. We are not invading Mexico. We are, I assume, executing the laws of the United States, and defending the United States against invasion.

Mr. HITCHCOCK. I think the Senator misunderstood my question.

Mr. CUMMINS. Now, if that is our mission in Mexico we could send the Guard there just as clearly as we could send the Regular Army.

Mr. HITCHCOCK. The question I put to the Senator was not whether he thinks the President has the power to order the militia into Mexico three or four hundred miles in the present juncture. The question I ask is this: Is there not grave doubt on that point, and do not eminent lawyers disagree as to whether the President has that power?

Mr. CUMMINS. I do not think so. The points upon which eminent lawyers disagree relate to an entirely different matter. I do not believe eminent lawyers disagree with regard to this—that we have the same right to send the National Guard into Mexico that we have to send the Regular Army into Mexico under the present conditions.

If we were to declare war on Mexico, not to repel an invasion, not to execute our laws, then there would be doubt with respect to our right to send the National Guard into Mexico; but there can be no such doubt so long as we are simply executing a police duty—for that is all we are doing in Mexico. We are doing nothing more than to vindicate the laws of the United States and to arrest and punish a transgressor against those laws. If the Senator from Nebraska can offer any other reason for our being in Mexico I should like to know what it is, but of course not in my time, because I have a few more words to say.

Mr. HITCHCOCK. I ask the Senator a few specific questions. Are we sending the soldiers into Mexico at the present time to repel an invasion? I ask that question.

Mr. CUMMINS. I say yes.

Mr. HITCHCOCK. To repel an invasion?

Mr. CUMMINS. I say yes.

Mr. HITCHCOCK. I understood the Senator just disclaimed that a moment ago—that we were not sending them into Mexico to repel an invasion.

Mr. CUMMINS. I said we were sending them into Mexico to arrest an offender against our laws.

Mr. HITCHCOCK. That is not to repel an invasion.

Mr. CUMMINS. It is to repel an invasion, because it was through an invasion that our laws were violated. What did Villa do? He came into the United States not as the representative of the Government of Mexico but as a marauder, a murderer, a bandit. He might just as well have been a citizen of the United States. He came into our country and killed a number of our people, and we are undertaking to punish him for doing it. We can not apprehend him through the ordinary instrumentalities of the police, and therefore we take the Army. I have no doubt about the right of the President of the United States to employ our Army for the purpose of executing our laws and apprehending offenders under such circumstances as surrounded the Columbus incident. And if I correctly apprehend our mission into Mexico it is one that may be executed by the National Guard with the same sanction of the law that surrounds the Regular Army in performing the same function.

Mr. President, in order that we may be prepared I want just as large a force as is practicable of these partially trained men in full organization ready for the service of the country whenever danger presents itself. I fear, and it is no fancy, that the attempt to support two organizations, the purpose of both of which is simply to train for a limited period in each year our citizenship in arms and in the science of war, will result in having neither force competent, efficient, and of numbers that will meet the emergency, whatever it may be.

My sole reason for voting in favor of the amendment offered by the Senator from Maryland is that we will be better prepared, if war should ever unhappily come upon us, in depending upon the National Guard, with full, generous support to that organization, than we will be if we rely partly upon the Guard and partly upon the so-called volunteers.

I know what is intended by section 56. It has been stated, I think, by the Senator from Delaware [Mr. DU PONT], and possibly the Senator from Oregon [Mr. CHAMBERLAIN], too. Last year we had at Plattsburg a camp, one of the most inspiring spectacles of the time. I admire the spirit of the men who gathered there. I have nothing but commendation for their purpose. I do not look upon a camp of that kind as a great auxiliary in time of need, but it was an exhibition of patriotism that has rarely been surpassed in this country, and it indicated instantly that we are not a Nation of poltroons and cowards, indifferent to our national danger and national need. But who would expect any considerable number of the men who gathered at Plattsburg to be ordered into the service of the country in the event of war? I am merely surmising, for I have no authentic information on the subject; but I venture to say that the average age of the men who exhibited so much patriotism at Plattsburg was above 40 years. There is no Senator so blind to the necessities of military life as to doubt that the wars of every country are fought by the young men, not the old men, not the men of middle age. It is not until the country is in its last extremity and until its boys have all been killed or disabled, until the youthful supply of vigor, strength, and endurance is exhausted, that any country calls upon its old men for defense.

It was just so at Fort Sheridan. The good done by these meetings was incalculable, and it must not be understood that I am discouraging them or criticizing them in any way. I would be perfectly willing to lend the aid of the Government in some fashion or other to encourage just such meetings. There may be a half dozen more of them in the coming year. If the war that is now affecting the world continues we shall have more of them; but the moment peace dawns there will be no such camp as that held at Plattsburg or Fort Sheridan. Then we will settle down into the normal way of the Republic, and we will need the consistent and the persistent enlistment of young men in some organization that will continue, not for a year, not for five years, but during the whole life of the country. I predict that when that time comes it will be seen more clearly than it can possibly be seen now that the National Guard, with its traditions, with its present development, with its tendency, is the organization upon which we must depend for the secondary force to which I have referred.

There is a third element in the program of preparedness that ought not to be overlooked. In addition to the Regular Army always in service, in addition to the force that is gathered simply to train and to organize, it is necessary to give the young men who are unorganized some military training and education. They will not be called into the service of the country save as volunteers, for they are and will be unorganized men who have acquired some knowledge of military science. I am very much in favor of some such proposition as has been made by the Senator from Georgia [Mr. HARDWICK] with regard to utilizing the natural disposition of the young man who is at school to become familiar with the military affairs of the country and be ready and efficient when danger comes to volunteer in defense of the Republic.

For these reasons, Mr. President, I feel that in performing my duty toward preparedness I must vote to strike out section 56.

Mr. THOMAS. Mr. President, I have taken no part in the discussion to-day of the amendment proposed by the Senator from Maryland [Mr. LEE]. I have, however, subject to some unavoidable interruptions, endeavored to pay close attention to the debate, which has been extensive and illumining.

I have not, however, heard anything which convinces me that I should do otherwise than stand by the committee report and vote against the proposed amendment. This section was inserted by the committee after weeks of very careful consideration, and because of the convictions of some of us that the State militia should be resorted to for the purpose of providing a national reserve. Hence, the section entitled the "Volunteer Army."

Mr. President, I do not profess to be very familiar either with the military history of the United States or with the requirements in detail at least of a plan of military organization, but it seems to me to be a self-evident proposition that in all martial affairs there must be unity of control and unity of purpose, with-

out which efficiency in a military organization I will not say is impossible, but it is extremely difficult of accomplishment.

The Constitution of the United States was framed by a body of men whose purpose was to create a General Government and at the same time leave the States in possession as full as possible of their powers and their sovereignty. At that time the dread of a standing army was a very real thing. The people of that generation were very mindful, largely from personal experience, of the dangers consequent upon a permanent armed force in a community of freemen, and very naturally the States desired to reserve, and did reserve, to themselves the practical control of their own military strength, subject only to the necessary power of Congress to raise and support armies, and also to provide for the discipline and organization of the militia. That necessitated—in fact, I can not reach any other conclusion than that it necessitated—the existence contemporaneously of one general Military Establishment, accompanied by as many possible separate ones as there were or might be distinctive States in the Union.

Much has been accomplished by way of construction and very considerable by way of amendment of our Constitution, so that it might be made to fit new conditions as the future might bring them to the front, but there has been less, I will not say discussion, but less real interference with or change of the particular sections of the Constitution which relates to military and naval affairs than perhaps to any others. Of course, Congress has legislated from time to time with regard to the State militia, what is known as the Dick bill being the last general expression of the National Legislature upon this subject, the design being among other things, the principal design I may say, to make it an effective arm of the public service, and therefore efficient should the exigencies of the national authority require it to call upon some other than the Regular Army in the discharge of the national function.

Mr. President, this bill and the Hay bill with regard to the State militia has been framed, and I think has been carried to the extreme in some instances, so as to extend or at least so as to assert the power of the National Government over that class of troops. No doubt the committee have profited by the experience of the Dick bill, whose defective operation in many respects is conceded. I have no doubt that they have stretched the limit of their power and of their sense of duty in carrying the jurisdiction of the National Government as far as possible over the entire subject.

But there are some recitals of the Constitution which can not be avoided by any sort of statutory expression. We may disregard them in practice, we may offer an inducement by appropriations from the National Treasury through the operation of which they may be minimized and possibly ignored at times, but we can not escape the conclusion or the effect, Mr. President, and that effect may appear sometimes at the most unfortunate moment. We can not escape the direct provisions of the Constitution which endow the governors of the States with power through the appointment of officers and through the control, which they may exercise as commanders in chief in their respective Commonwealths. We can not deprive them of the operation of these provisions of the Constitution no matter what form our legislation may take, provided that those who are endowed with it see fit at any time to assert it. They may not do so. Far be it from me, Mr. President, to even imply that there would be at any time so little patriotism in the average executive of any State as that in a period of great emergency they would interfere with or attempt to obstruct the operation of the national authority, but the fact that it can be done and the fact that it has been done are the best guides which we can use in determining what our legislation shall be, experience being the dearest and sometimes the only standard by which we can judge of the future.

The National Guard as it at present exists is a virile force. It is in a much better condition than it ever was before, and it unquestionably would respond not to the maximum of its force, but it would unquestionably respond, and respond enthusiastically, to any requisition made by the President of the United States in the event it became necessary to call out additional forces.

This, Mr. President, suggests, however, another provision of the Constitution which might become exceedingly embarrassing, even in the situation which may confront us in the course of a short time in the Republic of Mexico. I refer, of course, to those three subjects, the occurrence of either of which endows the President of the United States with authority to mobilize the militia. They are "to execute the laws of the Union, suppress insurrections, and repel invasions."

There is nothing, Mr. President, in my judgment, either in the inherent nature of things or in any well-reasoned opinion or expression upon the subject which I have seen, that can justify the conclusion that the President of the United States has power to summon the National Guard for any other than one or more of these three purposes. Of course, the theory of preparedness is based very largely, as I had occasion to say the other day, upon the menace of an invasion, in which event the militia forces would be available under the Constitution; but a system of preparedness that is based merely upon one condition, is no system at all. If it is to be made effective, it must be such as can be efficient under all possible conditions as they may arise.

Mr. President, the history of the country, as stated by the Senator from Idaho [Mr. BORAH] this morning, is replete with instances in which this Army, no matter how patriotic, how desirous of performing its duties, how enthusiastic in the cause of the Union, nevertheless fails at the critical moment, and for reasons which were so much better expressed by the Senator than I could possibly expect to express them. It seems, therefore, Mr. President—and I shall speak but a very short time upon the subject—that the three things which this bill has in view are each of them desirable, and that the committee is justified in the bill which is now under consideration in making provision for them all: First, the increase of the Army; second, the strengthening of the National Guard; and, third, provision for an additional force, distinct from both, wholly under the authority of the Government of the United States, and which should be, in conjunction with the other two, a sufficient guaranty to all concerned that Congress had taken such steps as were necessary in view of the existing exigency.

Now, should the contest come, which, of course, is a matter of conjecture, it would be much better to have the three provisions—the standing army or the Regular Army; the reserve force, under the complete control of the national authorities; and the reserve force, under the partial control of the national authorities—as reservoirs from which to draw in time of need.

The use of the Regular Army plus the National Guard in wars of the past has, at least during the initial periods of difficulty, been inefficient. In no instance in which this country has been engaged in war has the National Guard, by whatever name you may call it, together with the Regular Army, been for the time being efficient. It is only when the former has been hardened into service, and when its members have become veterans through actual experience—and it is due to them to say that that process is extremely rapid, or it has been extremely rapid, and will be again—it is only, however, after that transformation has taken place that the Nation has been in a position to meet its enemies and to overcome them.

I believe that whenever the National Guard are called upon, as I said before, the response is going to be all that could be desired, their numbers considered, their discipline considered, and the embarrassments consequent upon this so-called dual control—which is hardly a correct expression—are also considered.

There is no question but what the great war in Europe is going to leave the world in a very different situation from what it was before. Somebody has said that after a war no nation ever occupies the position that it did in any respect—economically, socially, or politically—that it did before. It may be that this is the last war which will ever curse humanity. God grant that it may be so! It may be that the fierce conflict and commercial competition that will inevitably spring into existence when the war is over will confront us with crises which at present are not even imagined. I do not think so. Nevertheless these are possibilities. It may be that the growing power in the Orient is as great a menace to American institutions and to the American future as so many declare, and as perhaps so many more actually fear. I do not think so. But upon the assumption that preparation is essential to meet what are called actual as well as what may be called contingent dangers, let us supplement, by the experiences which we have had in the past, the military force of the Nation by an additional reserve, a separate reserve, a distinct reserve, absolutely under the control of the President of the United States, owing its origin, its support, and its continuance to the national as contradistinguished from the State authority.

Mr. President, I think that it is not too much to say that, but for the opposition of the representatives of the National Guard, who fear that the development of another parallel line of preparation may interfere, in whole or in part, with its own development, there would be no serious discussion or difficulty concerning, or opposition to, section 56 of this bill. Of course, this is my own conclusion, based simply upon what I have heard from those who have consulted me personally with regard to it. Gentlemen connected with the National Guard have said to me, as they doubtless have said to others, that the establishment of

the Volunteer Army will practically deprive the National Guard of the assistance and the support of the General Government. I am not able to agree with them; but even if it were so, Mr. President, I would still be for this provision for reasons which have been so well stated to-day, and to which I have heretofore adverted.

It may be that we do not need all of the force which would be represented by the State militia, by the Volunteer Army, and by the Regular Army; but when we consider the extent of the country, our present enormous population, and the possibilities of a given number of troops, certainly it is the part of wisdom to make provision for drafting men—and, of course, I use the term in a general sense; for mobilizing men I prefer to say—men of experience, men familiar with arms and with tactics, not alone those under the control of the States, but those for whom we have made provision in this bill; and I do not believe, Mr. President, that we are going to meet the views of the sober-thinking masses of the country unless we do make this provision.

It may be that so far as some of the details of the section are concerned they are not satisfactory. So far as that is concerned, I confess my inability to say anything, because my own familiarity with the details of the section is not what it should be as a member of the committee, due to causes which it is not necessary here to elaborate upon. The confidence which I feel, however, Mr. President, that this is going to be an aid to, instead of something in antagonism with either of the other branches of the Army, the fact that it has been well thought out, that it has been considered from every standpoint, and that, generally speaking, it conforms to the view of most of the men who have advised us or who have by our invitation consulted with us in regard to what this bill should be, is the apology which I must offer at this late hour for saying anything upon the subject at all.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the amendment of the Senator from Maryland [Mr. LEE].

Mr. LEE of Maryland. On that I ask for the yeas and nays.

The VICE PRESIDENT. The Senator from Maryland asks for the yeas and nays.

Mr. HITCHCOCK. I suggest the absence of a quorum.

Mr. LEWIS. I suggest to the Senator that the presence of a quorum will be developed by the yea-and-nay vote.

Mr. HITCHCOCK. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Nelson	Sterling
Bankhead	Hollis	Norris	Sutherland
Beckham	Hughes	O'Gorman	Swanson
Brandegee	Husting	Overman	Taggart
Catron	Johnson, S. Dak.	Page	Thomas
Chamberlain	Jones	Pittman	Vardaman
Chilton	Kenyon	Pomerene	Wadsworth
Clapp	Lee, Md.	Shafroth	Warren
Cummins	Lewis	Sheppard	Weeks
Curtis	Lippitt	Sherman	Williams
Dillingham	Lodge	Simmons	Works
du Pont	Martin, Va.	Smith Ga.	
Gallinger	Martine, N. J.	Smith, S. C.	
Hardwick	Myers	Smoot	

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present.

Mr. CHAMBERLAIN. Mr. President, in view of the fact that quite a number of Senators are not present who desire to vote on this amendment, I am going to suggest that the Senate take a recess until to-morrow at 12 o'clock.

Mr. VARDAMAN. Mr. President, before the Senator makes that motion, will he permit me to make a request for unanimous consent for the present consideration of a short bill?

The VICE PRESIDENT. The Chair desires to lay before the Senate certain messages from the House of Representatives.

Mr. VARDAMAN. Very well.

INDIAN LANDS IN ARIZONA, NEW MEXICO, ETC.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3391) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913, which was on page 1, line 8, after "sixteen," to insert: ": *Provided*, That there may be exchanged under the provisions of the act named herein a total area not exceeding 10,000 acres in Arizona and 25,000 acres in New Mexico."

Mr. CATRON. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H. R. 6099. An act to amend section 72 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

H. R. 6914. An act to amend section 82, chapter 231, of the act to codify, revise, and amend the laws relating to the judiciary;

H. R. 9819. An act to amend the act of March 3, 1915, providing the time for the holding of United States court at Aiken, S. C.;

H. R. 11792. An act transferring Chariton County from the northern division of the eastern district to the western division of the western judicial district of Missouri; and

H. R. 12195. An act to amend section 17 of the United States bankruptcy law of July 1, 1898, and amendments thereto of February 5, 1903.

The following bills were severally read twice by their titles and referred to the Committee on Indian Affairs:

H. R. 6417. An act to provide for the selection by the Omaha Indians and the setting apart of reservation lands for tribal cemetery purposes; and

H. R. 10307. An act authorizing the Secretary of the Interior to pay and to distribute the balance now in the Treasury to the credit of the Alsea and other Indians on the Siletz Reservation.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 9923. An act granting the consent of Congress to the county of Mitchell, or to the county of Baker, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River;

H. R. 10139. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia; and

H. R. 13006. An act to authorize the reconstruction of an existing bridge across the Wabash River at Silverwood, in the State of Indiana, and the maintenance and operation of the bridge so reconstructed.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 177. An act authorizing the Secretary of the Interior to accept the relinquishment of the State of Wyoming to certain lands heretofore certified to said State, and the State of Wyoming to select other lands in lieu of the lands thus relinquished;

H. R. 228. An act to amend the United States homestead law in its application to Alaska, and for other purposes;

H. R. 540. An act for the relief of settlers within the limits of the grant to the New Orleans, Baton Rouge & Vicksburg Railroad Co; and

H. R. 2744. An act to correct the title to certain lands in Colorado.

H. R. 8356. An act to amend sections 28 and 30 of an act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, was read twice by its title and referred to the Committee on Patents.

The following bill and joint resolution were severally read twice by their titles and referred to the Committee on Appropriations:

H. R. 13769. An act to authorize the Secretary of War to supply tents for temporary use of the sufferers from the recent conflagration in Paris, Tex., and for other purposes; and

H. J. Res. 171. Joint resolution to continue in effect the provisions of the act of March 9, 1906.

RELIEF OF SUFFERERS BY FIRE AT PARIS, TEX.

Mr. MARTIN of Virginia. From the Committee on Appropriations I report back favorably without amendment the bill (H. R. 13769) to authorize the Secretary of War to supply tents for the temporary use of the sufferers from the recent conflagration in Paris, Tex., and for other purposes. I call the attention of the Senator from Texas [Mr. SHEPPARD] to the bill.

Mr. SHEPPARD. Mr. President, I ask unanimous consent for the present consideration of the bill. It is an emergency matter. It authorizes the use of tents, cots, and such supplies as may be found necessary for the destitute at Paris, Tex., where one of the most disastrous conflagrations in the history of the South has recently occurred. The House has passed the bill, and immediate action is necessary if it is to serve the purposes for which it is intended.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of War to supply for temporary use, under such rules

and regulations as he may prescribe, a sufficient number of tents to afford shelter for the sufferers from the recent conflagration in Paris, Tex., and to furnish such cots, blankets, and supplies as in his judgment are necessary to relieve the destitute persons who may require assistance.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. LAWRENCE LATHAM.

Mr. VARDAMAN. Mr. President, I ask unanimous consent for the present consideration of the bill (H. R. 8466) to relieve J. Lawrence Latham, postmaster at Eupora, Webster County, Miss., of the payment of cash and funds stolen from the post office. The bill has been passed upon by the Committee on Post Offices and Post Roads; it has been favorably reported by that committee, and has also been passed upon by the Committee on Claims. It has passed the other House, and is here with the indorsements, after careful consideration, of the two committees I have named. I should like very much to have it considered and acted upon at this time.

Mr. CHAMBERLAIN. Mr. President, I am not going to object to the request of the Senator from Mississippi, but I am going to object to anything else this afternoon or to-morrow afternoon until we get rid of the pending bill.

Mr. GALLINGER. I will ask the Senator from Mississippi if the bill is on the Senate Calendar?

Mr. VARDAMAN. It is No. 302 on the calendar. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to relieve J. Lawrence Latham, postmaster at Eupora, Webster County, Miss., of the payment of $3,098.78, or any part thereof, being the amount of cash and funds held due from him to the United States Government for moneys and stamps and other property stolen from the post office of Eupora, Webster County, Miss., on November 15, 1914, by unknown persons.

Mr. GALLINGER. Mr. President, I have not objected to the consideration of this bill; but I want to submit to those having in charge the procedure of the Senate that it would be very much better if we could have a morning hour once in three or four days if we could not have it oftener.

Mr. CHAMBERLAIN. We pretty nearly have one every afternoon.

The VICE PRESIDENT. We have an evening hour.

Mr. GALLINGER. Yes; we are getting to that; but it is favoritism, absolutely.

The VICE PRESIDENT. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NEWARK (N. J.) ANNIVERSARY CELEBRATION.

Mr. BANKHEAD. From the Committee on Post Offices and Post Roads I report back favorably without amendment the joint resolution (S. J. Res. 118) authorizing the Postmaster General to provide the postmaster of Newark, N. J., with a special canceling die for the Newark Two hundred and fiftieth Anniversary Celebration, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Whereas the city of Newark, N. J., is making extensive preparations to celebrate the two hundred and fiftieth anniversary of its founding, the celebration to begin on May 1, 1916, and to continue until October 1, 1916; and

Whereas the projected celebration in said city will include industrial and other exhibitions, pageants, national athletic games, tournaments, parades, conventions, and many other interesting features that will attract visitors from all parts of the United States; and

Whereas the citizens' committee of one hundred having the celebration in charge have widely advertised the approaching events, with the result that a great increase of incoming and outgoing mail matter is now being handled by the Newark post office; and

Whereas the size and importance of the city of Newark, N. J., and the extensive preparations being made by its citizens for the celebration of the two hundred and fiftieth anniversary of its founding give to said celebration a national character and significance: Therefore be it

Resolved, etc., That the Postmaster General of the United States be, and he hereby is, authorized to prepare and deliver to the postmaster of Newark a special canceling die to be used in the cancellation of mail matter in the post office of that city from May 1, 1916, to October 1, 1916, said die to be of such design as may be agreed upon by the Postmaster General and the Newark citizens' committee of one hundred.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and on motion of Mr. CHAMBERLAIN (at 5 o'clock and 45 minutes p. m., Tuesday, April 4, 1916) the Senate took a recess until to-morrow, Wednesday, April 5, 1916, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 4 (legislative day of March 30), 1916.

CHIEF JUSTICE OF THE SUPREME COURT OF HAWAII.

Alexander G. M. Robertson to be chief justice of the Supreme Court of the Territory of Hawaii.

UNITED STATES DISTRICT JUDGE.

Horace W. Vaughan to be United States district judge, district of Hawaii.

JUDGE OF THE CIRCUIT COURT.

Clement K. Quinn to be judge of the circuit court of the fourth circuit of the Territory of Hawaii.

SECOND JUDGE OF THE CIRCUIT COURT.

William L. Whitney to be second judge of the Circuit Court of the First Circuit of the Territory of Hawaii.

POSTMASTER.

NEW YORK.

Jerry B. Martin, Fonda.

REJECTION.

Executive nomination rejected by the Senate April 4 (legislative day of March 30), 1916.

J. J. Thomasson to be postmaster at Carrollton, Ga.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 4, 1916.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, incline Thine ear and hear our prayer. Let Thy holy influence guide us in the duties of the hour and all subsequent duties, that whatsoever we put our hands to we may sincerely and conscientiously ask Thy blessing upon; that our days may be full of faith and good works, and the result of our life be the fruits of righteousness. In the name of the Father and of the Son and of the Holy Ghost. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE ROLL.

Mr. HUMPHREY of Washington. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Washington makes the point of order that there is no quorum present. Evidently there is not.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Abercrombie	Dent	Greene, Vt.	Kiess, Pa.
Anthony	Dewalt	Griest	Kreider
Barchfeld	Dies	Griffin	La Follette
Beales	Doremus	Guernsey	Lehlbach
Bruckner	Driscoll	Hamill	Lenroot
Burnett	Drukker	Harrison	Lever
Cantrill	Dyer	Haskell	Lewis
Carew	Eagan	Hay	Liebel
Carter, Mass.	Edwards	Hayes	Loft
Cary	Fairchild	Henry	Longworth
Casey	Ferris	Hill	Loud
Chandler, N. Y.	Finley	Hilliard	McAndrews
Charles	Fitzgerald	Houston	McCulloch
Clark, Fla.	Flynn	Howard	McFadden
Coleman	Freeman	Humphreys, Miss.	McKenzie
Cooper, Ohio	Gallagher	Hutchinson	Maher
Crago	Gardner	Jones	Mays
Crosser	Garrett	Kahn	Meeker
Dallinger	Glass	Keister	Mondell
Davis, Minn.	Godwin, N. C.	Kennedy, Iowa	Mooney
Dempsey	Gray, N. J.	Kennedy, R. I.	Moores, Ind.

Morgan, La.	Price	Snyder	Vare
Morin	Ragsdale	Stedman	Venable
Morrison	Riordan	Steenerson	Ward
Mott	Rodenberg	Stephens, Miss.	Wason
Mudd	Rowland	Stephens, Tex.	Watkins
Nichols, Mich.	Sabath	Stiness	Watson, Pa.
Oakey	Scott, Pa.	Stone	Williams, W. E.
Overmyer	Scully	Sutherland	Wilson, Fla.
Patten	Sells	Swift	Wingo
Peters	Shackleford	Taylor, Colo.	Wood, Ind.
Platt	Shouse	Tilson	Young, Tex.
Porter	Sinnott	Tinkham	
Pou	Slayden	Towner	

The SPEAKER. Two hundred and ninety-nine Members have answered to their names, a quorum.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

CHANGE OF REFERENCE.

Mr. DOOLITTLE. Mr. Speaker, I ask unanimous consent for change of reference of House resolution 124, providing for the appointment of a select committee to investigate certain matters relating to the meat-packing industry, from the Committee on Rules to the Committee on the Judiciary.

The SPEAKER. The gentleman from Kansas asks unanimous consent to change the reference of House resolution 124 from the Committee on Rules to the Committee on the Judiciary. Is there objection?

Mr. FOSTER. Mr. Speaker, do I understand that the resolution creates a special committee?

Mr. DOOLITTLE. It does.

Mr. FOSTER. Then it properly belongs to the Committee on Rules.

Mr. DOOLITTLE. It is already with the Committee on Rules, and I am asking unanimous consent that it be referred to the Committee on the Judiciary.

Mr. FOSTER. But that is not the proper place for it if it creates a special committee.

The SPEAKER. Does the gentleman object?

Mr. FOSTER. If it creates a special committee, I do.

Mr. DOOLITTLE. Will the gentleman withhold his objection for a moment?

Mr. FOSTER. Yes.

Mr. DOOLITTLE. A subcommittee of the Committee on the Judiciary is now considering the subject as a whole, and in particular the Borland resolution.

Mr. FOSTER. I have no objection to its going to the Committee on the Judiciary, but if it creates a special committee it properly belongs to the Committee on Rules.

Mr. DOOLITTLE. It does under the general rules of the House, and it has been properly referred to that committee, but I am asking now to have it changed.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, for the time being I object.

The SPEAKER. The gentleman from Wisconsin objects.

LEAVE OF ABSENCE.

By unanimous consent, on the request of Mr. OLDFIELD, leave of absence was granted to Mr. GOODWIN of Arkansas indefinitely, on account of illness.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193, the river and harbor appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill, with Mr. SHERLEY in the chair.

The Clerk read as follows:

East River, N. Y.: For improvement with a view to providing a channel 35 feet deep from deep water in New York Harbor to the Brooklyn Navy Yard in accordance with so much of the report published in House Document No. 188, Sixty-third Congress, first session, as applies to the channel west of the navy yard, $200,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $500,000, exclusive of the amount herein and heretofore appropriated: *Provided further*, That nothing herein contained shall be construed as adopting the said project beyond the work to the extent and in the manner specified.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to amend by striking out the paragraph.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, beginning on line 23, strike out the paragraph down to and including line 12, on page 5.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that he may continue for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HUMPHREY of Washington. Mr. Chairman, I wish to call the attention of the committee to this particular item and remind them that this is the only new project in this bill. When we took up the consideration of the river and harbor bill we voted to take on no new projects. It was the understanding, and I am violating no confidence in stating it, that that was the wish of the President. After we had practically completed the bill, then this item was referred to and adopted. Every other item in the country was treated exactly the same, with the single exception of this one. There are many meritorious projects throughout the country, and every other member of the committee except the gentleman from New York [Mr. HULBERT] was willing to abide by the decision we had already made in regard to new projects.

Now, the excuse given as to why this project should be preferred over any other in the country is because it was recommended in a letter sent to the committee by the Secretary to the President. That letter was called out by a letter that was written by the chairman of the Committee on Appropriations, the gentleman from New York [Mr. FITZGERALD].

Now, I am not criticizing the President for doing this. It is not the first time that the President has interfered with the appropriations in the river and harbor bill. When President Taft was President he did the same in regard to the Anacostia project here in Chesapeake Bay, and the result was that that project, after it was adopted, was found to be without merit. President Taft was deceived in regard to that item just as President Wilson has been deceived in regard to this particular item. That item that President Taft insisted should go in the bill—and I was one of the men on the committee who refused to follow the suggestion of the President, and who voted against it in the committee—that item put on at his suggestion has now been recommended for abandonment, because it is without merit. The President is not to blame when Members go and make an ex parte presentation of their case, if he is misled in reference to some particular project. It is impossible for the President himself to have knowledge of the particular item that should go into the river and harbor bill.

Now, this item is urged upon the ground of preparedness; that it is necessary in order that battleships may reach the New York yard. This is by far the most important item in this bill that will be criticized. It is important to both sides. During all the years that I have been upon the committee, with the single exception of this item, I do not think there has been any politics or sectionalism in the bill, and my friends on the Democratic side are more interested in this item than we are on the Republican side. If there is any politics in it, it is not going to hurt the Republicans, but the Democrats, and for that reason I would like to have the attention of the committee for a few minutes, because every man who has a project in this bill, every man who wants a river and harbor improvement, is interested in knowing why his item and his project is pushed aside and this one taken up and given preference over all the others.

Now, the reason given was because it was in the interest of preparedness, so that the battleships might reach the New York yard. They brought Admiral Benson before the committee to demonstrate the necessity of this improvement. Now, I want to call your attention to the facts that were developed on that hearing by the witness that they produced—a witness that was brought for the purpose of showing this necessity. First of all, it was shown by his testimony that there are about five battleships of the larger class, the only ones for which this improvement is intended, that visit the New York yard.

He shows that they make about four or five trips each during the year or, in other words, the improvement is intended in order that battleships may go in and out of the navy yard 20 times in a year. And the evidence further shows that a battleship can go in and out of that yard any day in the year with perfect safety except perhaps for a few minutes at low tide, the evidence being that the extreme low tide lasted from 20 to 30 minutes. During all the time except at low tide, which might perhaps extend over two or three hours, these battleships can pass with perfect safety through Buttermilk Channel. I will read you what the admiral said upon that point, on page 11 of the hearing:

Mr. HUMPHREY. And all of the battleships of the Navy have gone in and out of that channel, have they not?

That was referring to the channel they want improved.

Admiral Benson answered:

No; latterly all of the big ships have been going up Buttermilk Channel on account of the great difficulty of steering in between those reefs.

So all these battleships do go up Buttermilk Channel and have been going up there, and there is no evidence that they have any difficulty in going up that channel—not a particle. And the evidence shows that while at extremely low tide there is a question, when they have strong east wind and extreme low water, there may be an hour or two when there would be some difficulty in using this channel. The evidence further shows that the bottom of Buttermilk Channel is of soft mud, and there is not a particle of danger in a battleship going through there, because if they went through when the tide was too low and stuck there would be no danger whatever because the bottom is soft mud.

But the evidence shows that of the ships that have been going up through Buttermilk Channel for several years none of them ever had an accident or struck bottom.

Now, I want to call attention to another fact. This particular channel for which they are now asking an emergency appropriation, and for which there is no necessity, has been condemned by one of the engineers. And I read from page 34 of the hearing, from a report made by Col. Roessler. He says:

On account of the great cost of suitably enlarging the channel passing between Governors Island and the Battery—

And there is the place where they want to use this emergency appropriation—

and the difficulties attending the prosecution of work in this congested part of the harbor, the district officer does not favor the enlargement of this channel; but recommends instead the improvement of the Buttermilk Channel to a depth of 40 feet at mean low water and width of 1,000 feet, believing that this route will adequately meet the needs of the Navy and be of future benefit to general commerce and navigation.

Now, there is the statement of one of the engineers, who recommends the improvement of Buttermilk Channel instead of this one, where they want this $700,000, and this Buttermilk Channel already has 30 to 31 feet, and that its bottom is of soft mud, and only takes that improvement of less than half a mile, as the evidence shows, in order to give them a channel 40 feet deep and 1,000 feet wide.

And I want to call the attention of the committee to the fact that, in addition to there not being any necessity for the improvement of this particular channel, this link that they wish now to make an exception and insert in this bill is part of the $13,000,000 project that they are seeking to have adopted at New York.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. HUMPHREY of Washington. I will yield in one moment. While it is true that this paragraph says that this shall not be considered as adopting any part of the $13,000,000 project, yet the committee knows that if we once improve a portion of that project it will be a strong argument later on to take up the entire $13,000,000 project, and, in fact, I think my friend from New York [Mr. HULBERT] was very anxious at this time to have the entire project taken on.

Mr. MADDEN. How much will it cost to improve the half mile of Buttermilk Channel to a depth of 40 feet?

Mr. HULBERT. A million and a half—twice as much as we are asking for.

Mr. HUMPHREY of Washington. If the gentleman knows what was said in the hearings, I think it was $1,300,000.

Mr. MADDEN. As against $13,000,000?

Mr. HUMPHREY of Washington. Yes; $13,000,000 for the whole project.

Mr. HULBERT. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. HUMPHREY of Washington. In a moment. Now, the objection that our friends from New York have to taking the Buttermilk Channel is that they claim that that would be only 1,000 feet wide for commercial purposes. That is true; but they are urging this on the score of preparedness, and is not a channel 1,000 feet wide wide enough to take battleships through, when they make only 20 trips a year? I certainly would not criticize my friends from New York for trying to get this; they are not subject to criticism on either side of the aisle. But the truth is it is not a military emergency; it is not for preparedness; it is for commerce. That is the reason why they want to adopt this channel.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HUMPHREY of Washington. I ask unanimous consent, Mr. Chairman, to continue for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HUMPHREY of Washington. Now I yield to the gentleman from New York.

Mr. HULBERT. Is it not a fact that at the second session of the Sixty-third Congress the entire East River project, involving approximately an expenditure of $14,000,000, was adopted by this House?

Mr. HUMPHREY of Washington. I think the RECORD will show, but I do not think it is material.

Mr. HULBERT. Was not the gentleman on the committee at the time, and did he not vote for it?

Mr. HUMPHREY of Washington. I probably would vote for this if it were placed on the basis of a commercial proposition, the same as every other project in the bill.

Mr. HULBERT. The gentleman had no doubt about the merits of the project at the time, and he had no doubt of the merits of the channel north of Governors Island, as against the channel known as Buttermilk Channel, at that time.

Mr. HUMPHREY of Washington. Now, I will tell the gentleman the difference, since he has sought to inject a personal element in this matter between himself and myself in regard to this improvement: I have an improvement in my own city, the city of Seattle, and in order to complete that $10,000,000 project it was necessary to have $657,000, so that that great canal might be safely opened. That was declared to be a new project, although it was for a revetment of that canal. The committee refused to take on new projects. I wrote out to the people at Seattle and told them that this item could not be included in this bill. What did they do? They did not do like little old New York; they did not attempt to set aside the ruling that had been made by the committee; they did not begin to lobby with the President; they did not ask that they be made the favorite; they did not whine, but I will tell you what the people of Seattle did. When I notified them that the committee here would not take on new projects on this bill, the people of Seattle made up the money and paid it themselves, and the contract for the improvement is going to be let in a few days. That is the difference between Seattle and New York. We can raise $657,000 to do that work—a city of 300,000 inhabitants—and New York, a city that whines and invokes the assistance of the President, is the city that has the largest commerce in the world, is the richest city in the world, but it depends on the Government and does nothing to help itself. It does not even want to be placed on the same basis in its projects with other projects, but asks that an exception be made on the pretense that it is for "preparedness." There is no ground for any such statement as that. I was perfectly willing, when the President wrote the letter, to take up that project, and we did, and after investigation the evidence showed that the President was mistaken about it. That is all there is to this case, gentlemen.

Mr. O'SHAUNESSY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. O'SHAUNESSY. I recall hearing the gentleman from New York speak the other day of the difficulty of bringing the battleships to the Brooklyn Navy Yard and the expression of one of the captains that he did it with fear and trembling every time he brought a battleship to the Brooklyn Navy Yard. May I have enlightenment on that subject?

Mr. HUMPHREY of Washington. Yes. That was Admiral Benson, who said he went through this particular channel that they want to improve with some fear and trepidation, because there had been some accidents there. I asked him how many had occurred, and he answered three; and I said, "All the battleships of the Navy have gone in and out of the channel, have they not?" And he said, "No; latterly all the big warships have been going up Buttermilk Channel, a different channel."

Mr. O'SHAUNESSY. Another question, if the gentleman will permit.

Mr. HUMPHREY of Washington. Yes.

Mr. O'SHAUNESSY. Does the gentleman think it is a time for a narrow view, when we want to conserve our naval strength and when we want to do everything possible to help national defense, to be squirming about an appropriation for a harbor like New York and for an entrance to the Brooklyn Navy Yard, where millions of dollars' worth of naval property is at stake?

Mr. HUMPHREY of Washington. I will say to the gentleman that I am one of the men in favor of preparedness in this House. I would like to see them take their battleships up to the navy yard at Philadelphia and the navy yard at Norfolk and——

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HUMPHREY of Washington. I ask unanimous consent for five minutes more, Mr. Chairman.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HUMPHREY of Washington. And then you take it at the Norfolk yard. There is just as much reason for improving that channel down there.

Admiral Benson in his testimony stated that exactly the same condition existed at Norfolk and Philadelphia, and at Charleston the condition is far worse. In all these yards they have to wait for high tides. Now, I ask the gentleman, when we have only five of these large battleships, as Admiral Benson states, and they make four or five trips a year to the navy yard, and have to wait perhaps two hours for a high tide to go up this Buttermilk Channel, what is the emergency which requires this?

Mr. O'SHAUNESSY. I am thinking of other times than times of peace, and what 20 or 30 minutes wait at low tide might mean in the matter of national defense.

Mr. HUMPHREY of Washington. Then that same condition is true at Norfolk and at Philadelphia and at Charleston?

Mr. O'SHAUNESSY. Yes; but New York is the commercial and financial center of the United States.

Mr. HUMPHREY of Washington. Now you are getting back to the real thing. It is commercial, and that is what this is.

Mr. O'SHAUNESSY. Why should there be a difference between the preparedness reason and the commercial reason? Are they not in a sense interchangeable?

Mr. HUMPHREY of Washington. Every other project in the country, where there is as great necessity as there is here, was refused consideration by the committee, and an exception was made to this one project. Now, why should Boston, if she has a greater commercial necessity, be pushed aside and New York favored? Why should Norfolk be pushed aside and New York favored? Why should every other project in the country be pushed aside and New York favored?

Mr. O'SHAUNESSY. It is better to have one port thoroughly prepared than none.

Mr. HUMPHREY of Washington. I agree with the gentleman; but why not take them all on? Why take New York alone, when New York has absolutely failed to make any showing of greater necessity? Of course, if you see fit to do this, and that is the view that the House takes of it, as I said awhile ago, it is not the Republican side of the House that is going to be hurt. If there is any politics in this proposition it is going to inure to our benefit. When I go out on the stump and go to the people in Washington and say, "Here is a project recommended by the engineers, it is meritorious, but you could not get your appropriation," they will say, "Well, why? New York got hers." "Yes, New York got hers. The President recommended it." "Well, why?" "Because the chairman of the Appropriations Committee wrote a letter and asked him to." "Why did he do that?" "Oh, well, I do not know; but it is said that there was a great deal of feeling between the President and Tammany, and that this might be a good political proposition." [Applause on the Republican side.] They will ask, "Was there any necessity for it?" And I will say, "None whatever was shown." If you think that will not make good politics for us, carry out your program.

Mr. DALE of New York. Does the gentleman from Washington know that since Tammany Hall existed it has contributed more money to charity than the appropriation that New York gets in this bill? [Applause on the Democratic side.]

Mr. HUMPHREY of Washington. Yes; and when I look at the nonpartisan and altruistic character of Tammany, I would not accuse them of playing politics. [Laughter.]

Mr. BORLAND. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. BORLAND. Is the gentleman really very much worried about the political fortunes of the Democrats?

Mr. HUMPHREY of Washington. No; I am not worried, and I do not think we need this in order to defeat the Democratic Party.

Mr. BORLAND. Does the gentleman think we need this to help the political fortunes of the Democratic Party?

Mr. HUMPHREY of Washington. I do not think it will help them.

Mr. GRIFFIN. Does the gentleman desire to have this House believe that the chairman of the Appropriations Committee is a member of Tammany Hall?

Mr. HUMPHREY of Washington. I do not know whether he is a member of Tammany Hall or not. I know he is a very distinguished gentleman, and I did not bring this out. My good friend from New York [Mr. BENNET] was the first one who talked about there being any feeling between the administration and certain New York Democrats. I do not know anything about it.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BENNET. Mr. Chairman, I ask unanimous consent to proceed for the same length of time that the gentleman from Washington did.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for 20 minutes. Is there objection?

Mr. SPARKMAN. Reserving the right to object, I think the time might be extended if the gentleman really needs it. How would it do to ask for 10 minutes?

Mr. BENNET. I will say to the chairman of the committee that I probably will not use 20 minutes, but I will speak with more ease if I know that I am not liable to be cut off, and I will stop when I am through.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman is recognized for 20 minutes.

Mr. BENNET. Mr. Chairman, I desire first to say that I am not a member of that charitable organization known as Tammany Hall. [Laughter.]

Mr. DALE of New York. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York yield to his colleague?

Mr. BENNET. I prefer not to yield to my colleague. He will understand why.

Mr. DALE of New York. I just wanted to ask the gentleman whether there was any question about his being a member of the Republican organization of the city of New York.

Mr. BENNET. No; I am that. I am a regular Republican.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. HUMPHREY of Washington. What about that large Democratic constituency that the gentleman so often speaks of?

Mr. BENNET. I will say to the gentleman that I do have the honor of representing the largest Democratic congressional district in the United States, and I am not ashamed of it. [Applause.] But I want to say to my friend that I represent it as a regular Republican, and they are not ashamed of that. [Applause on the Republican side.] Now let us talk about this project.

Mr. DALE of New York. Will the gentleman yield?

Mr. BENNET. No; I can not yield.

Mr. DALE of New York. I just wanted to find out——

The CHAIRMAN. The gentleman declines to yield.

Mr. BENNET of New York. I want to take up first the astounding statement of the gentleman from Washington that the State of New York does nothing to help itself in connection with commerce.

Mr. HUMPHREY of Washington. I did not say the State of New York. I said the city of New York.

Mr. BENNET. As the city of New York pays 85 per cent of the taxes of the State, it seems to me that when the State appropriates money the city pays quite a good part of it.

Mr. HUMPHREY of Washington. But the gentleman——

Mr. BENNET. I did not interrupt the gentleman from Washington when he was speaking.

Mr. HUMPHREY of Washington. I am well aware of the fact that the city of New York pays a large part of the taxes of the State, but——

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Washington?

Mr. BENNET. No.

The CHAIRMAN. The gentleman declines to yield.

Mr. HUMPHREY of Washington. I shall interrupt the gentleman when he misquotes me whether he wants me to do so or not.

Mr. BENNET. If I can have the protection of the Chair——

The CHAIRMAN. The Chair will see that the gentleman has his time.

Mr. BENNET. The city of New York pays 85 per cent of the taxes of the State.

Just at this moment the State of New York is spending $19,000,000 to take out this shoal here [indicating] and put in a terminus here [indicating] for a barge canal. As to the city of New York here [indicating] is Coenties Reef, and at this moment the city of New York without any help from the State, out of a total appropriation of $350,000 for the removal of Coenties Reef, is appropriating $240,000 of that $350,000. In the last 18 months the city of New York has put in to help out

commerce 45 acres of made land, increasing our pier space by 7 miles. That is at the expense of the city of New York without any help from the State or Nation.

Everybody knows that the States of New York, with 85 per cent of the taxes coming from the city, is spending $156,000,000 to build a canal across the State of New York without any help from the Nation.

The gentleman from Washington says this is not an emergency. One thing the gentleman forgot to state, and that is that right here [indicating] is the most active navy yard on the whole Atlantic coast. There is at present one battleship being built on the ways, one being constructed alongside the ways, and I am informed that it is the purpose of the naval authorities to double that so that the Government can be constructing at one time four battleships. That is what actuated the President. I stated to the committee on last Saturday that my colleague Mr. FITZGERALD was absolutely correct in what he did, that there was no politics in it, that by his delegation he had been chosen the chairman of the delegation and was directed to use every means to put this project through, at a meeting at which all of the Republicans were present, and 19 out of the entire 24 Members. If there is any politics in the matter I am guilty because I introduced the original bill on which the proposition is based. If there is any political tinge I am guilty again, for on the 13th of January I made a speech to this House in which I said that up to now the House had treated the port of New York fairly, and if the Sixty-fourth Congress failed to do it it would be the first time.

Now let us see the situation. Here is the chief navy yard for the repair of ships on the Atlantic coast. The gentleman from Washington says that it is a mere bagatelle, that only 20 battleships go up there a year. What does a battleship cost? I am informed that it costs about $18,000,000. Twenty times $18,000,000 is $360,000,000 of Government property that goes up here every year. "Nothing; just a trifle." It seems to me that the President and the Secretary of the Navy are quite right in striving to protect that property.

The harbor of New York is—well, to save any hard feelings, I will say one of the finest harbors in the world. As you come in through here [indicating] it is simple—anyone can bring a vessel in. Congress has been good. We have a 40-foot channel marked as clearly as the buildings on either side of Pennsylvania Avenue. A navigating officer can bring his ship up to the lower bay, through the Narrows, through the big upper bay, until he gets to Governors Island, and then he has two choices; he can go to the south of Governors Island through Buttermilk Channel. What has he got to take through there? He has $18,000,000 of Government property and 800 men on board his ship. He also has his whole professional future at stake. He has the choice. If he goes through Buttermilk Channel he has one foot of water under his keel, and any hard rock dropped from a passing barge in Buttermilk Channel—and it is full of traffic—is liable to cause an accident to his ship. That is one choice. What is the other? It is up through the channel around Governors Island, up through East River. There are two reefs up here—Coenties Reef and Diamond Reef—not directly opposite each other, but cater-cornered, and curiously enough situated like Scylla and Charybdis that we used to read about in school days. Now, the naval officer has to lie close off Governors Island, and when he gets abreast of Castle William so that Castle William and the hotel Margaret over here [indicating] nearly range, he puts his helm to port, brings his vessel to starboard at an angle of about 45 degrees, leaving Governors Island on the starboard hand. He swings in here [indicating] until he gets the range mark over here [indicating] about a mile away, on pier 10, Brooklyn, and if there is a slight mist he can not do it. The gentleman from Washington says that there is only one time in the day that he can not come up here; as a matter of fact, there is only one time in the day when he can come up.

Admiral Benson says on page 10 of the hearings:

> I have come out of there in the *Utah* drawing a little over 29 feet; 29.6 is about the most I have ever taken through there, and I have frequently gone in and out without a pilot; but it was always with a great deal of anxiety and only at the very top of the tide, when the current was practically still and not running at all, because on the south side here [indicating] toward Governors Island, is Diamond Rock, which is a very dangerous reef, and on the left going in is Coenties Reef, and it is absolutely necessary to steer between those two shoals; then, after getting over to a certain point in the river, you stand up to the navy yard just in here.

Here comes a man with an $18,000,000 Government property. He must go at least 8 knots an hour, and he is better off if he goes at the rate of 10 knots an hour, with a 45° turn, and with an opening between these two reefs not set opposite each other, but cater-cornered of about 600 feet. He proceeds along here, leaving Governors Island 126° true on his starboard quarter, on a course 78° true, until he gets away over here [indicating] opposite pier 8 on the New York side and looks directly up that pier. Then he puts his helm to port and makes another 45° turn and starts up to the navy yard, mid-channel, having gone through an opening only 600 feet wide between two reefs, cater-cornered. If that does not constitute an emergency, I do not know what does. What are the two alternatives? They could dredge out Buttermilk Channel at an expense of $1,900,000 and have a channel only 1,000 feet wide when they get through. They can take off Diamond Reef, where the water is already 25 feet over it, at an expense of $700,000, which is less than half of the other amount, and in connection with Coenties Reef, already appropriated for, will, when they get through, have a channel 2,000 feet wide at half the expense.

Mr. BOOHER. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. BOOHER. Has work been commenced on Coenties Reef?

Mr. BENNET. The contracts have been let.

Mr. BOOHER. How long will it take to complete the work there?

Mr. BENNET. I do not think——

Mr. BOOHER. Estimated three years, is it not?

Mr. BENNET. Oh, no.

Mr. HULBERT. Fifteen months. The work has already started.

Mr. BOOHER. That is what I want to get at. It will take 15 months to complete it. It has been started, and you can not work on both Coenties and Diamond at the same time, can you?

Mr. BENNET. Yes, you can.

Mr. BOOHER. Does not Col. Black say that you can not?

Mr. BENNET. I can not find it in the hearings.

Mr. BOOHER. You will find it in his letter.

Mr. HULBERT. If I may be permitted to interrupt——

Mr. BOOHER. Oh, I wish the gentleman from New York would permit me to finish. Col. Black said in his letter that they can not work on Coenties and Diamond at the same time on account of obstruction to navigation. The Coenties Reef proposition was adopted as an emergency proposition, was it not?

Mr. BENNET. No——

Mr. BOOHER. As a separate proposition.

Mr. BENNET. Will the gentleman permit me to answer that?

Mr. BOOHER. Certainly.

Mr. BENNET. Not in the sense of an emergency, as I understand it. The situation was this. The city of New York was putting a subway right under Coenties Reef. The project, under Document 188 of the Sixty-second Congress, called for a 35-foot channel. The city of New York believes that some time that channel will go down to 40 feet, and the city of New York made the proposition to the United States Congress that if they would make an appropriation to remove Coenties Reef, which can not be removed after the subway goes through, the city of New York would pay the expense of taking the reef down from 35 feet to 40 feet. The Congress accepted that proposition, making an appropriation, as I recall it, of $350,000. The city of New York has already made an appropriation of $240,000, and has let the contracts, so that when the Government gets its work down to 35 feet the city of New York, at its expense, will carry the work down 5 feet more.

Mr. BOOHER. If it be true that you can not carry on the work on both sides at once, is not Coenties Reef the most important point?

Mr. BENNET. I would not want to say that. They are both important.

Mr. BOOHER. The other was an emergency for the purpose of enabling them to put the subway through so that it would not be interferred with by deepening that channel hereafter.

Mr. BENNET. Precisely.

Mr. BOOHER. They are putting the subway through.

Mr. BENNET. Yes.

Mr. BOOHER. As I understand from the argument when the emergency bill was passed, they can not deepen that channel after the subway is put through?

Mr. BENNET. The gentleman is correct.

Mr. BOOHER. Then it ought to be completed as soon as it can be.

Mr. BENNET. The work will be pushed as rapidly as possible.

Mr. BOOHER. Is it not a fact that that channel is so congested now with commerce that they can work only a very small portion of the time, even at Coenties Reef?

Mr. BENNET. I am very glad the gentleman has called my attention to that. It is quite true, according to Col. Black's testimony, that both of these channels are congested with commerce and that either removal operation will be attended with

difficulty. There is no doubt about that, but I will say to the gentleman from Missouri, who is a fair-minded man, that he will realize instantly that in order to get this dangerous obstruction out of the way the thing to do is to start it as soon as possible, no matter whether Coenties Reef is being taken away or not.

Mr. BOOHER. I agree with the gentleman on that proposition, but why appropriate this money now when you can not use it until you get through with Coenties Reef or you abandon work on Coenties Reef? You have to do one thing or the other.

Mr. BENNET. For this reason: The large thing in this item, which the gentleman from Washington [Mr. HUMPHREY] seeks to strike out, is the authorization for contracts, and the gentleman from Missouri [Mr. BOOHER], as a member of the committee and the House, is familiar with the fact that it is impossible to proceed with the letting of contracts until there is authorization to the Secretary of War to let the contract. The appropriation here is but $200,000. The authorization is $500,000, and there is a distinct saving to the Government, I might say, in being permitted to let this contract while the machinery and appliances are not only there, but while also other firms have large appliances up the river, so that we can get the work done for a less sum of money if it is permitted now while other work is in operation.

Mr. BOOHER. The gentleman thinks this is more important on account of preparedness and for a navy yard than in any other way?

Mr. BENNET. I did not intend to enter into a comparative argument about that, but I will answer the gentleman. I had no desire to bring in the commercial situation, but the gentleman has asked me.

There is no doubt at all that the removal of these two reefs will help to open up this whole section of the East River. Now, the situation in relation to commerce is this: We have run our wharves up here [indicating on the Hudson River] north 6 miles, every one of them used, and the city has bought half of the wharves and has improved them. We have improved down here all we can, and we are actually driven to a point where we are landing occasional ships, European liners and tramp vessels and ships coming from India, here [indicating] at Staten Island, and sometimes they have to lie at this anchorage over here [indicating] for two weeks before they can get a berth. Now, as a Member of the United States Congress who is interested in the defense of the country, I am frank to say I consider access to the navy yard predominant; but I am not blind to the fact that it is a great thing for this——

Mr. BOOHER. That being true, is not this a question, then, for the Committee on Naval Affairs to tell us what they need there?

Mr. BENNET. The answer to that is that the President of the United States is the Commander in Chief of the Navy, the Secretary of the Navy is the head of the Navy, Admiral Benson is the Chief of Operations, and all three of those men have told your committee that what they want is this reef taken out.

Mr. BOOHER. I want to ask the gentleman if he remembers in House Document No. 44 of the Sixty-third Congress, the report of Col. Roessler on this matter, in which he said that as a channel to go to the navy yard Buttermilk Channel was a better channel and a cheaper channel to repair?

Mr. BENNET. Mr. Chairman, the gentleman from Missouri is correct, as he usually is.

Mr. BOOHER. Thank you.

Mr. BENNET. The situation is this: The whole country is divided up into districts. There were two colonels. Col. Roessler was assigned to Buttermilk Channel, as his study. Col. Black was assigned to this channel to the north of Governors Island. Col. Black, now the Chief of the Corps of Engineers, reported that the channel between these two reefs was the better channel and the one that ought to be improved. That was the one he was studying. Col. Roessler, who was assigned to the other channel, reported that the southern channel was the better.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BOOHER. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Missouri [Mr. BOOHER] asks unanimous consent that the gentleman from New York may have five minutes additional. Is there objection?

There was no objection.

Mr. BENNET. As between those two colonels there had to be a referee or referees, and the referees were the Secretary of the Navy and the President of the United States, and they have decided that the better channel for the needs of the Navy is the northerly channel.

Mr. BOOHER. But did not the former Secretary of War decide that Col. Roessler was right and that Buttermilk Channel was the better?

Mr. BENNET. I do not know that he did. We were talking about Secretaries of the Navy.

Mr. BOOHER. But, begging the gentleman's pardon, the Secretary of War is the man who passes on the report of the Engineers.

Mr. BENNET. It was the Secretary of the Navy who came before your committee by letter and advocated this for the benefit of the navy yard, and I submit to the House that the Secretary of the Navy knows the needs of the Navy, or ought to, better than the Secretary of War.

Mr. CALDWELL. Will the gentleman yield?

Mr. BENNET. I yield.

Mr. CALDWELL. The question has been raised as to whether or not this would obstruct the traffic if both of those reefs would be worked on at the same time. The fact that they are working on these reefs at the same time would not prevent the use of Buttermilk Channel at the same time?

Mr. BENNET. Buttermilk Channel will be there. The ships will be driven to the use of it as they are now, when they have to take an $18,000,000 battleship through there with only a foot under the keel. That is what they do, and they will be no worse off. The peril will be there—no greater and no less.

Mr. Chairman, I thank the committee for its courtesy. [Applause.]

Mr. SWITZER. Mr. Chairman, I favor reasonable preparedness, but I do not favor the use of the cry of preparedness as a ruse or device to secure undue advantages and preferences and even appropriations. The proponents of measures at this session of Congress claiming to be vital to the interests of national defense have become so numerous that they are looked upon with about as much suspicion as was cast upon the boy who cried "Wolf!" once too often.

No one will contend but that the project sought to be stricken out by the amendment proposed by the gentleman from Washington [Mr. HUMPHREY] is a meritorious one, especially in the interest of commerce and navigation. But, gentlemen, remember that ever since this letter was written, on the 21st day of December last, by Secretary Daniels, to February, 1916, it had lain before the committee; and remember that the Committee on Rivers and Harbors, at the instance of the President, by a majority vote adopted the policy prohibiting the taking on of new projects in the preparation of the bill that is now before you for consideration. And I was one of those who opposed that policy. I did not believe and do not yet feel that it was giving fair treatment to the rest of the country. The last two river and harbor bills had been made the "goat" for those who were crying for economy, and many of us believe that justice demanded that the long-waiting and meritorious projects throughout the country ought to immediately receive consideration at the hands of Congress. I say that there is no question about this being a meritorious proposition in the interests of commerce; but recollect that it goes in here upon the proposition that it is vital to national defense; not only that, but that it is urgent and that it is an emergency measure; not only that, but it is vital. You can argue that anything here is in the interest of national defense; but the question is, Is there urgent necessity for the taking on and keeping in the bill of this item?

Now, the gentlemen say that navigators go in and out of this channel with great anxiety, and all that sort of thing, but, if you read the hearings, the evidence shows conclusively that they can use Buttermilk Channel, and that they do use Buttermilk Channel. Of course, it would be to some extent in the interest of preparedness to build a lateral canal. It is simply this sort of a proposition: There is Buttermilk Channel connecting up the navy yard with the ocean, and they propose to have another channel, and so it is a matter of extreme emergency.

Why, the gentleman from New York [Mr. HULBERT], if you will all turn to your copy of the RECORD, on last Saturday, you will find, put this into the RECORD. He was not satisfied with the hearings, which show that there is no necessity for this appropriation. He knew that there ought to be more evidence here showing this urgency, and so he writes to the naval officer at the navy yard at New York, who answers him under date of March 3, 1916, and what does that officer say? He says:

UNITED STATES NAVY YARD,
New York, N. Y., March 3, 1916.

MY DEAR MR. HULBERT: I have just returned from duty in Washington for one or two days, and find your letter of February 29 asking information as to the ordinary tonnage of naval vessels passing to and from the navy yard, and this with a view of affording you data in connection with the provisions in the rivers and harbors bill for removing

Diamond Reef, off the Battery, in the channel north of Governors Island. The Diamond Reef, as you know, lies in the way of the North Channel.

The CHAIRMAN (Mr. PAGE of North Carolina). The time of the gentleman from Ohio has expired.

Mr. SWITZER. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SWITZER. Now listen to what the naval officer in command of the Brooklyn Navy Yard says in that letter of March 3, when you want more evidence of this urgent necessity. He says:

Whereas the navy-yard ships are using the Buttermilk Channel at present, and probably must continue to use it for some time to come, and consequently I hope your interest includes the deeping of the Buttermilk Channel as the immediate necessity for providing free access for deep-draft capital ships of the Navy to and from the navy yard.

If this is an emergency, why is not the appropriation made for Buttermilk Channel, as this officer writes to Mr. HULBERT, the Representative from New York? This letter was written on the 3d day of March. If you will read the rest of that letter, put in last Saturday's RECORD, you will find that a collier was brought up there drawing 33 feet. Yet they say it is an urgent matter. Why, gentlemen, a year ago the chairman of the Committee on Appropriations [Mr. FITZGERALD] put through an independent bill here as an emergency matter to remove Coenties Reef because of the tunnels to be put into the East River at that place. Was there a whimper then about national preparedness? Did anybody say then that this was urgent for our national defense? Now they would have you believe that this is an urgent necessity, an emergency. They would have you believe that it is such an emergency when, as shown by the questioning here, brought out by the gentleman from Missouri [Mr. BOOHER], the officers who have charge of the taking out of Coenties Reef have failed to make a contract for more than a year. What reason is there to make this appropriation upon that ground? It is true that it is in the interest of 45,000,000 tons of annual commerce that goes in and out of this harbor, but it is not an emergency.

Now, something was said about the vessels of great depth going out here endangering craft worth $18,000,000. Just let us see what is said by the captain who appeared before that committee, Capt. Knapp. Listen to what Capt. Knapp says, This is the parting shot, and he seems to be in favor of Buttermilk Channel. He says:

There is one thing that I may mention that has been recommended by the General Board of the Navy, and that is that the depth for our naval vessels should be 40 feet.

Recollecting the letter of Secretary Daniels, which has been sent here to the Speaker of the House and referred to the Committee on Rivers and Harbors, indorsing a channel of 35 feet, here is a captain who says that the Board says that there should be a channel of 40 feet. You can get the 40 feet easily enough in the Buttermilk Channel, and if this is in the interest of preparedness, why was not the recommendation made in favor of Buttermilk Channel, which can be deepened in a very short time?

Gentlemen must recollect that this project that is in this bill will require three years for completion, as the hearings show, while Buttermilk Channel could promptly be dredged out for half a mile. If we are going to appropriate for that navy yard, why not take what the board recommends and what the commander of the yard that Mr. HULBERT wrote to urged, when he says Buttermilk Channel is the best channel?

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. SWITZER. Mr. Chairman, may I have three minutes more?

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. SWITZER. Now, Mr. Chairman, just to show you what sort of an emergency matter this has been, nothing was said about this "preparedness" feature until after this rule was adopted in the Committee on Rivers and Harbors, and then, all of a sudden, they began to bombard the President with letters—those two gentleman from New York did. Why, this emergency was discovered by the gentleman from New York, Mr. HULBERT. Mr. FITZGERALD did not know anything about it until Mr. HULBERT jagged him up. [Laughter.] Mr. FITZGERALD, the chairman of the powerful Committee on Appropriations, is the gentleman who brought down the "meat." He wrote the President the letter that it would be impossible for gentlemen from New York to vote for the appropriation if nothing was done for the defense of the city of New York. We are all interested in the defense of New York and of the Atlantic coast, of course, but just see how urgent this was. In place of Secretary Daniels writing to the President, the Commander in Chief, and the President calling your attention to it here in the way of recommendation, Secretary Daniels writes a letter to the Speaker of the House; in other words, he introduces a bill which is referred to the Committee on Rivers and Harbors, and that bill lay there for months and months, and no hearing was demanded. If this was an emergency matter, a matter vital to defense, you know the bill would have been brought in here promptly and voted through.

The fact is that when the gentleman from New York [Mr. FITZGERALD] wanted an emergency matter here a year ago he brought in a separate bill. If this bill is enacted in the shape in which the last two river and harbor bills were enacted, lump-sum appropriations, this item will not appear in the bill. If any of you gentlemen had had a bill introduced in Congress based upon preparedness, you would certainly have appeared before the Committee on Rivers and Harbors and had some sort of a hearing thereon. That is the course that gentlemen pursue when they want emergency legislation. They bring it in as a separate bill and pass it without trouble.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. GILLETT. Mr. Chairman, I have listened to the discussion of this item, and I was very much affected——

Mr. SPARKMAN. One moment, Mr. Chairman. Can there be some arrangement made by which we can limit the discussion?

Mr. HUMPHREY of Washington. I do not think we had better try to agree upon time just now. I think we had better run for a time.

Mr. GILLETT. Mr. Chairman, I was very much touched and affected, as I am sure all the Members of the House were, by the beautiful picture that the gentleman from New York [Mr. BENNET] painted of the noble, disinterested manner in which the New York delegation, rising above all partisanship into an atmosphere of pure patriotism, had gotten together and united for this national project.

It is the old case of the flag and an appropriation, and I presume it will always unite the discordant Representatives of New York City, and I suspect it will always unite the Representatives of any other delegation and partisanship will be forgotten in the common interest.

Mr. BENNET. Will the gentleman yield?

Mr. GILLETT. Not just now. I have only five minutes. But as I saw the smiling face of the gentleman from New York [Mr. BENNET] on this side of the Chamber when he said that there was no politics in this proposition, it reminded me of the limerick for which the late Thomas Nast made one of his best cartoons:

There was a young lady of Niger,
Who smiled as she rode on a tiger.
They returned from the ride with the lady inside,
And the smile on the face of the tiger.

[Laughter.]

Mr. Chairman, the tiger has been grumbling of late. There has been no smile on his face for some time. It is said that he has not been fed regularly and that always makes him cross. [Laughter.] I suspect the grumblings have reached the White House, and as election is coming on it is quite important that that smile shall be brought back; that some sop and food shall be given to the hungry animal; and so when the gentleman says there is no politics in it I am not quite so guileless as to credit that statement. I very much fear that there is politics in it, and that one reason the President and the majority are so in favor of this project is in order that on next election day the gentleman from New York [Mr. BENNET] may come back inside, and the smile be on the face of his Tammany opponent. It seems to me that the talk about preparedness is a mere pretense so far as this appropriation is concerned, and that the real reason for it is to bring back the smile to the face of the tiger.

Now, personally I think this is a most meritorious proposition. I rather think I shall vote for it [applause], but I shall not vote for it on any flimsy pretext that it is necessary for the national defense. My criticism of the committee is that they make up their bill according to the novelty of the projects and not according to their merits. I should like to vote for this proposition, and then I should like to vote against some of the propositions in this bill which are in it just because they are not novel. I should like to vote against that old historic proposition, which we have heard of so often, and which I see is in this bill, for the river down South where the engineer officers suggested that they should dig artesian wells in order to give it water. [Laughter.] If there is an emergency this year which

demands economy, we ought to strike out some of those propositions. If this is a time for economy, why do they not bring in a bill which will let us vote for propositions on their merits. My only objection to this proposition is that it is not brought forward on its merits, which I believe are good, but that it is a discrimination and is brought here under disingenuous and unfair pretense. [Applause.]

Mr. HULBERT. Mr. Chairman, I ask unanimous consent that I may proceed for 15 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for 15 minutes. Is there objection?

There was no objection.

Mr. HULBERT. Mr. Chairman and gentlemen, if the geographical situation affected by this provision of the bill were better understood, undoubtedly there would be considerably less discussion of the subject in order to arrive at a proper conclusion.

The present project for the improvement of the East River was adopted in 1868, and provided for a channel 26 feet deep. The East River is a tidal streams which connects upper New York Bay at the Battery with Long Island Sound at Throgs Neck, and has a total length of 16 miles. At the present time there are just two places in the river where the depth of water is less than 35 feet. One is at Diamond Reef, indicated on this map by the red circle, and is the part which is referred to in the appropriation which the gentleman from Washington [Mr. HUMPHREY] has moved to strike from the bill. The other is a series of rocks farther up in the river, indicated on this map by the second red circle, at the point designated as Hell Gate, which is probably known to you historically, if not physically.

The removal of these rocks at Hell Gate at a cost of $2,500,000, and the removal of the reef known as Diamond Reef at the Battery at a cost of $700,000, would make the East River a 35-foot channel throughout its entire length, and would then permit any battleship heretofore or now in course of construction to leave New York Harbor either by the present route via Sandy Hook, or up the East River and out Long Island Sound. And in that connection, I merely want to digress to emphasize the fact that within the past 10 years, in the section of New York just above Hell Gate, and just on the other side of the Harlem River, which connects the Hudson River with the East River at Hell Gate, there has been a tremendous commercial development, and that section of New York City known as the Borough of The Bronx has now increased in population to that extent that to-day it would be, if an independent city, the sixth city in population in the United States, having a population greater than Pittsburg and nearly equal to that of Detroit and Cleveland.

Now, along the water front of that section of New York up to Throgs Neck, the entrance to Long Island Sound, we have a present natural depth of water of from 70 to 90 feet, so that the largest vessels afloat can secure access to the piers at that point. But in order that these vessels, which come from the State of my friend from Washington [Mr. HUMPHREY] loaded with quantities of lumber to supply the piano-manufacturing industry for instance—one-third of all of those in the United States are located at that particular point in the Borough of The Bronx—those vessels, if they draw more than 23 feet of water, instead of proceeding into New York Harbor and up through that 16-mile channel known as the East River, are compelled to go out to the east end of Long Island and then up through the Sound, making a total distance of more than 200 miles; whereas with the improvement of these two points indicated upon this map, at a total expense to the Federal Government of $3,200,000, those vessels could reduce that distance to 16 miles; and, moreover, after discharging cargo, such vessels might proceed to any other pier in New York Harbor for a further cargo and not be compelled, as now, to return by way of Long Island Sound and Atlantic Ocean to another port of the same harbor by way of Sandy Hook.

Mr. TREADWAY. Will the gentleman yield?

Mr. HULBERT. I yield to the gentleman for a question.

Mr. TREADWAY. I wanted to inquire what he meant by referring to the two points which he pointed out.

Mr. HULBERT. The first one that I referred to was Diamond Reef, off the Battery; and the second one I referred to was Hell Gate.

Mr. TREADWAY. May I further ask if we have under consideration at the present time anything connected with the Hell Gate project?

Mr. HULBERT. No; I stated that I was going to digress for the purpose of making an explanation of conditions at that point because its improvement was urged by the Secretary of the Navy.

Mr. TREADWAY. I wanted it clear in the minds of Members that the gentleman was discussing another proposition entirely.

Mr. HULBERT. Yes. The gentleman referred to the fact, at least one or two gentlemen who sat near me seem to be under the impression, that the application to the President and the securing of the letter which he wrote to the chairman of the Rivers and Harbors Committee was an afterthought on the part of some Members of the New York delegation as a means of having this particular provision included in this bill. I have here a map which is laid out on a larger scale than that referred to by my colleague [Mr. BENNET]. Here you will see is Governors Island. The channel I am pointing to at the right is the channel known as Buttermilk Channel, and the channel to the left is known as the Northern Channel, and here is the reef known as Diamond Reef, extending out from the mainland not quite half the distance across that channel. This straight line across here is the steering line, which is the course that a battleship has to steer in coming into the Northern Channel in order to secure access to the navy yard. The gentleman from New York [Mr. BENNET] described to you, with true maritime phraseology, of which he is quite capable, the course that a battleship needs to take in order to make the present 35-foot depth channel and secure access to the navy yard, describing figuratively the letter "S."

Shortly after this session of Congress convened the situation with regard to these two channels was brought to the attention of this Congress. I might say that in 1913 there were two reports made relating to the improvement of the two channels. In House Document 44 Col. Roessler, who was the district officer in the first district of New York, recommended the improvement of Buttermilk Channel, at a cost of $1,300,000. That report was approved by the Secretary of War.

In the same Congress, Brig. Gen. Black, Chief of Engineers, then Col. Black, and the district officer in the second district of New York, made a report for the general improvement of East River throughout its entire length, at a cost of $13,400,000, and that report, which will be found in House Document 188, as well as the report of Col. Roessler, was likewise approved by the Secretary of War.

Mr. SPARKMAN. Will the gentleman yield?

Mr. HULBERT. I will.

Mr. SPARKMAN. I think the report for the improvement of Buttermilk Channel to a 35-foot depth was at a cost of $1,900,000.

Mr. HULBERT. Mr. Chairman, I stand corrected; that improvement was $1,900,000 instead of $1,300,000.

I want to say in fairness to the House that the recommendations of Col. (now Gen.) Black were adopted by the House in the Sixty-third Congress at the second session, but when the bill went to the Senate it was eliminated on a filibuster which was conducted over there.

Mr. SWITZER. Will the gentleman yield?

Mr. HULBERT. I will yield to the gentleman.

Mr. SWITZER. When this work is completed with the appropriation that is asked for, there will only be a 35-foot channel?

Mr. HULBERT. That is right.

Mr. SWITZER. Does not the record show that the General Board of the Navy says that it ought to be 40 feet deep?

Mr. HULBERT. If the record shows it, it speaks for itself.

Mr. SWITZER. If this is in the interest of preparedness, why have not you followed out the recommendations of the General Board for a depth of 40 feet?

Mr. HULBERT. What recommendations does the gentleman refer to?

Mr. SWITZER. The gentleman will find it on the last page of the hearings, where Capt. Knapp says that the depth from the sea to all of our naval stations should be 40 feet. He also stated that Buttermilk Channel was the proper channel to improve. Why was not the recommendation made for a depth of 40 feet?

Mr. HULBERT. I have not seen any report from the General Board recommending 40 feet. The gentleman refers to the testimony of an officer called before the committee, who expressed an opinion. I have the recommendation of the Secretary of the Navy, and I am going to read it now in order to call the attention of the House to the fact that the recommendations of the Secretary of the Navy, acting upon the recommendations that the General Board of the Navy considered sufficient, were presented to this committee on the 31st of December, 1915, and that you gentlemen took no action in regard to it.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. HULBERT. Yes.

Mr. MOORE of Pennsylvania. Admiral Knapp stated that the General Board had recommended that the depth from the sea to all of the naval stations be 40 feet, and I think that is the opinion of the board. But I want to ask the gentleman, in the matter of preparedness, how long it would take the United States

Congress to build up all of the channels to the navy yards to a depth of 40 feet, and whether we might not have a dozen wars before that could be accomplished?

Mr. HULBERT. Mr. Chairman, I hope, in view of the long service the gentleman has had in Congress and the fact that this is my first term, if he has been unable to determine, he will spare me the hopelessness of predicting what Congress will do in the matter of preparedness.

Mr. MOORE of Pennsylvania. I think the gentleman has done very well in his first term. [Laughter and applause.] The question is a serious one. Practically how long would it take Congress, at the present dribbling rate of appropriations, to make all of these waterways 40 feet deep from the sea to the navy yards?

Mr. HULBERT. If my vote was a controlling one, it would take no longer than it would require for the work to be done expeditiously.

Mr. MOORE of Pennsylvania. Would it not mean now that all of the shipping would be centralized at New York?

Mr. BENNET. Will the gentleman from New York, my colleague, allow me to answer the gentleman from Pennsylvania?

Mr. HULBERT. Yes.

Mr. BENNET. I think the question of the gentleman from Pennsylvania is a serious one, and I think the gentleman will agree with me that if the program of the Navy board was started in on it would take 25 years to complete it.

Mr. MOORE of Pennsylvania. It would mean that with every freak ship that we built every harbor would have to be dredged to accommodate it. Every time we built such a ship we would have to go all over the United States and rebuild the rivers and harbors to accommodate it. It is a question that involves such an enormous expense that at this time it is absurd to discuss it.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. HULBERT. I can not yield unless I get some more time.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HULBERT. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HULBERT. I will now yield to the gentleman from Washington.

Mr. HUMPHREY of Washington. I simply wanted to say to my colleague on the committee that while, generally speaking, the statement of the distinguished gentleman from Pennsylvania [Mr. MOORE] may be true, so far as New York is concerned he is not correct, because the evidence before the committee is conclusive that by dredging through half a mile in Buttermilk Channel you can get 40 feet up to the navy yard.

Mr. HULBERT. Thirty-five feet, under the $1,900,000 project, if the gentleman will permit me to correct him, and a corresponding increase to get 40 feet.

Mr. MOORE of Pennsylvania. To undertake a uniform 40-foot channel policy at the present time would mean the wiping out of most of the naval stations of the United States if they were to be made ready for war within a year or two.

Mr. HULBERT. It would.

Mr. BENNET. And I will say, to put the gentleman's point directly before the House, that if we adopted the recommendation of the Navy board for 40-foot channels, it would simply concentrate our entire Naval Establishment in the port of New York.

Mr. MOORE of Pennsylvania. And possibly Boston for a time.

Mr. BENNET. Yes.

Mr. MOORE of Pennsylvania. And it would put out of business every other navy yard, with the possible exception of Bremerton.

Mr. BENNET. And nobody desires to do that.

Mr. MOORE of Pennsylvania. Of course not.

Mr. HULBERT. Mr. Chairman, I desire now to read to the House a letter from the Secretary of the Navy under date of December 21, 1915, addressed to the Speaker of the House, and referred by him to the Committee on Rivers and Harbors:

DECEMBER 21, 1915.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to invite your attention to the serious condition existing at the navy yard, Brooklyn, N. Y., in so far as pertains to the depth of water in ship channels leading thereto.

There is not sufficient water in these channels to insure the entering or leaving of a first-class battleship at all times.

At present only one battleship can be handled per day, and then only provided the weather conditions are normal. If the winds are such as to blow the water out of New York Bay then the depth of water in the approach channel is not sufficient to safely navigate a large ship. As an illustration, the following is noted:

On November 3, 1915, the U. S. S. *Texas*, one of our new first-class battleships, was ready to leave the yard, but the prevailing northwest winds had so reduced the depth of water in the Buttermilk Channel that even at high water there was not sufficient depth to insure her leaving the yard in safety. This ship, therefore, was forced to remain in the navy yard for over 24 hours.

This condition is a serious one and might cause grave complications. I understand there are two propositions before Congress—one providing a channel 35 feet deep and 1,000 feet wide in Buttermilk Channel, and the other north of Governors Island up the East River through Hell Gate. The second would provide for ships passing from the yard to lower New York Bay or to the Sound, a condition highly desirable from a strategic point of view. Either project will provide for free access to the navy yard.

The increase in size of ships has not yet reached its limit.

Through injuries received in battle, a ship could readily be drawing more water than normally at a time when it was most necessary to dock her.

It is therefore most urgent that an approach channel to the New York Navy Yard be maintained of not less than 35 feet depth at mean low water and 1,000 feet wide, and I can not too strongly urge the serious attention of Congress to this matter.

Sincerely, yours,

(Signed) JOSEPHUS DANIELS.

After that letter had been received by the committee and the matter had been taken up at my suggestion in the committee, I had some further correspondence with the Secretary of the Navy, the concluding letter of which was the following, under date of February 10, 1916:

FEBRUARY 10, 1916.

MY DEAR MR. HULBERT: Replying to your letter of January 25, regarding the deepening of East River to 35 feet, I have to say that this question has recently received very earnest consideration by the officers of the department, and particularly by the General Board.

The value, if not the absolute necessity, of deepening East River to 35 feet and clearing the channel to Hell Gate is considered one of the most important questions now before the Navy Department. The reason for this is that a study of the strategic features of the east coast of the United States, with a view to making the best disposition of our forces for defense against a possible enemy in the Atlantic, has demonstrated the fact that Long Island Sound is probably one of the strongest natural rendezvous for a naval force that possibly could be formed, either artificially or by nature. Its value would be decidedly enhanced by having two outlets; that is so say, either through the race at the east end of Long Island Sound or through the harbor of New York and out by Sandy Hook or the Ambrose Channel.

However, having the above two outlets must not be considered as in any way decreasing the number of ships that are needed for the naval service, but it can readily be seen that with these two outlets it would require a double force of the enemy's vessels to guard both of these outlets in order to prevent our vessels from getting to sea through either one or the other.

The necessity for at least 35 feet of channel is too evident to be dwelt upon, because any engagement taking place off New York would probably result in injury to some vessels, compelling them to seek shelter and to be dry-docked as soon as possible. Naturally the draft of these vessels would be very much increased due to the injury they had received, so that from a military standpoint the deep channel is absolutely necessary. "As stated above, the question of deeping the East River and clearing Hell Gate and the channel through into Long Island Sound is of paramount importance and a pressing need, and it should receive immediate attention."

As regards the deepening of the East River between the navy yard and the entrance to New York Bay to the southward—that is, through Ambrose Channel—has been made very evident during the past winter when some of our larger ships were not able to reach the navy yard for necessary work, although only at their normal draft (and possibly a little less), and had to wait several days before they could get in, and had the same trouble to get out after getting in. It needs no argument to impress upon anyone how serious it would be should some of our large battleships, which now are all based on the New York Navy Yard, be at the yard at the time their presence is urgently needed outside and the condition of the channel should be such that they could not get out.

Sincerely, yours,

JOSEPHUS DANIELS.

It is true that there might be just as much advantage, from a naval standpoint, in the improvement of Buttermilk Channel as there is in the northern channel, but the improvement of Buttermilk Channel would give no greater advantage, and it would cost $1,900,000, whereas the northern channel will cost only $700,000, and the improvement of the northern channel at $700,000 will immediately release for pier-ship purposes on the east side of Manhattan space which will accommodate several steamship lines, and I am informed by the Commissioner of Docks and Ferries of the city of New York within the past few weeks steamship companies desiring to enter into competition in commerce with South American and Central American ports here applied for docking facilities at New York and can not at the present time be accommodated in order that they may make New York their home port, because of lack of docks and piers with sufficient depth of water.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. HULBERT. Yes.

Mr. TREADWAY. Is the gentleman arguing the emergency of this appropriation from the commercial standpoint?

Mr. HULBERT. No; I am attempting to emphasize the fact that the improvement of this channel for naval purposes will at the same time give us an improvement which can be utilized for commercial purposes without the expenditure of another dollar, so far as the Federal Government is concerned.

Mr. TREADWAY. Will the gentleman yield further?

Mr. HULBERT. Yes.

Mr. TREADWAY. Do I understand the gentleman to be arguing in behalf of this item that is before us or of the Hell Gate proposition?

Mr. HULBERT. I am arguing in opposition to the motion made by the gentleman from Washington [Mr. HUMPHREY] to strike out the item providing $700,000 for the improvement of the river off the Battery.

Mr. TREADWAY. Then, I take it that the gentleman is in favor of the item in the bill?

Mr. HULBERT. I am.

Mr. TREADWAY. Did the gentleman so vote in the committee?

Mr. BENNET. Mr. Chairman, I make the point of order that that is in violation of the rules of the House.

Mr. TREADWAY. Oh, I think not.

The CHAIRMAN. The Chair sustains the point of order.

Mr. COOPER of Wisconsin. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOPER of Wisconsin. Is there a rule of the House which prohibits a question of that kind and its being answered as to what happened in the committee?

The CHAIRMAN. The present occupant of the chair could not cite any rule of the House, but thinks there is no rule of the House that would force the gentleman having the floor to reply.

Mr. COOPER of Wisconsin. The gentleman from New York [Mr. BENNET] invoked a rule of the House. I am not aware of any such rule.

Mr. BENNET. There is a rule of the House that prevents a member of the committee disclosing what takes place in the committee.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. HULBERT. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five minutes. Is there objection?

Mr. THOMPSON. Mr. Chairman, I object.

Mr. HULBERT. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HULBERT. During the brief period that I have been a Member of this House and of the Rivers and Harbors Committee I have been unable to discover any general rule by which the amount of money appropriated has been regulated.

The gentleman from Illinois [Mr. MADDEN] suggested a comparison of internal-revenue receipts from districts in divers States with the appropriations made upon rivers and harbors in those States. For the purpose of the record I ask leave to put in a statement of the aggregate collection of internal revenue, by States and Territories, for the year ending on June 30, 1915:

RECEIPTS BY STATES AND TERRITORIES DURING THE LAST FISCAL YEAR.

Aggregate collection of internal revenue, by States and Territories of the United States and the Philippine Islands, during the fiscal year ended June 30, 1915.

States, Territories, etc.	Aggregate collections.
Alabama	$661,217.64
Alaska	31,699.46
Arizona	208,912.05
Arkansas	394,536.43
California	13,129,026.52
Colorado	1,509,773.16
Connecticut	3,222,249.67
Delaware	722,298.66
District of Columbia	1,438,628.75
Florida	1,562,425.02
Georgia	1,041,349.35
Hawaii	434,582.62
Idaho	208,004.69
Illinois	56,242,546.12
Indiana	25,761,193.45
Iowa	2,621,308.38
Kansas	1,101,868.00
Kentucky	33,653,848.21
Louisiana	8,604,940.00
Maine	718,084.03
Maryland	7,766,490.56
Massachusetts	12,094,625.11
Michigan	11,085,043.07
Minnesota	5,195,257.80
Mississippi	223,965.84
Missouri	14,874,845.68
Montana	752,908.96
Nebraska	2,878,265.06
Nevada	171,095.06
New Hampshire	783,234.45
New Jersey	15,358,014.08
New Mexico	142,593.08
NEW YORK	76,271,908.24
North Carolina	13,651,937.38
North Dakota	261,610.05
Ohio	27,424,294.20
Oklahoma	729,323.56
Oregon	1,160,496.09
Pennsylvania	37,611,791.32
Porto Rico	624,793.60
Rhode Island	1,797,903.53
South Carolina	453,396.66
South Dakota	359,551.25
Tennessee	2,375,418.27
Texas	2,841,336.60
Utah	576,720.59
Vermont	276,446.50
Virginia	8,642,358.70
Washington	2,329,311.84
West Virginia	1,969,473.72
Wisconsin	11,390,243.87
Wyoming	133,509.79
Philippine Islands	193,302.08
Alaska (special fund)	11,065.06
Total	415,681,023.86

CORPORATION AND INDIVIDUAL INCOME TAX.

Supplemental statement showing, by States and Territories, the receipts under act of Oct. 3, 1913, during the fiscal year ended June 30, 1915.

States, Territories, etc.	Corporation income tax.	Individual income tax.
Alabama	$177,127.39	$84,633.49
Alaska	4,412.49	4,559.11
Arizona	74,935.76	51,624.12
Arkansas	89,149.52	38,177.09
California	1,620,250.50	1,240,591.03
Colorado	333,693.28	226,745.74
Connecticut	634,804.71	648,894.26
Delaware	142,955.10	138,845.94
District of Columbia	134,767.04	378,675.72
Florida	108,141.60	121,268.22
Georgia	320,617.52	119,983.61
Hawaii	198,610.97	45,211.04
Idaho	71,392.56	24,517.89
Illinois	2,983,527.31	2,670,630.34
Indiana	644,147.38	345,653.92
Iowa	469,173.05	264,315.61
Kansas	460,043.69	94,975.59
Kentucky	467,638.45	163,191.46
Louisiana	316,361.74	200,813.20
Maine	325,168.99	150,094.51
Maryland	385,539.58	636,340.03
Massachusetts	1,853,057.41	2,683,084.53
Michigan	1,379,478.99	1,533,839.14
Minnesota	1,202,379.50	581,949.32
Mississippi	73,516.09	34,634.57
Missouri	1,099,384.38	934,139.02
Montana	134,651.53	51,184.39
Nebraska	232,638.07	128,735.25
Nevada	51,843.57	31,216.39
New Hampshire	96,944.33	71,023.29
New Jersey	1,395,098.46	1,278,160.92
New Mexico	37,240.58	16,278.55
NEW YORK	10,221,206.65	17,417,537.09
North Carolina	257,825.38	123,533.96
North Dakota	71,340.70	26,155.98
Ohio	2,538,058.60	1,489,891.11
Oklahoma	273,203.26	133,685.76
Oregon	184,433.04	121,305.87
Pennsylvania	4,725,139.26	4,642,537.08
Rhode Island	278,658.26	432,453.37
South Carolina	118,032.23	43,360.72
South Dakota	58,966.15	15,071.31
Tennessee	244,305.05	165,904.45
Texas	622,646.16	425,631.57
Utah	216,234.83	44,975.43
Vermont	53,645.86	141,428.77
Virginia	430,379.24	197,550.27
Washington	316,322.33	198,579.39
West Virginia	357,614.85	139,188.47
Wisconsin	602,876.39	272,473.09
Wyoming	54,146.91	12,248.63
Total	39,144,531.71	41,046,162.09

I call attention to the fact that of the $415,681,023 collected and paid into the Federal Treasury, New York contributed $76,271,908.24; and of the $80,190,693.80 corporation and individual income-tax collections, New York contributed $27,638,743.25.

If the allotment in this bill were based upon that proportion, New York should receive approximately $7,000,000.

But another gentleman made comparisons of the customs duties at the divers ports of entry. The entire receipts from every source for 1915 were $209,786,672.21, and of that amount $148,536,425.81 was collected at New York City alone.

If the allotment in this bill were based upon that proportion, New York should receive approximately $25,000,000.

Now, I do not contend New York should be credited with all of those amounts. It comes from every section of the country. But, correspondingly, as every portion of the country receives the benefit, should not the whole people recognize that New York is the Nation's port, and an amendment to this bill should not be regarded as a local measure, but the whole membership of this House should favor it.

What is the basis of allotment? What should be the basis of allotment?

Is it not the commerce, or, rather, the ships which carry the commerce, to be accommodated?

The following table affords interesting study:

Port.	1913			Appropriations.
	Entered.	Cleared.	Total.	
Passamaquoddy, Me	293,353	316,201	609,554	Nothing.
Portland, Me	572,367	559,298	1,131,665	Nothing (previous total, $1,982,727).
Boston, Mass	3,069,111	1,900,308	4,969,419	$193,000 (previous total, $12,432,477).
New York, N. Y	14,464,161	14,370,619	28,834,780	$640,000 (previous total, $13,538,840).[1]
Philadelphia, Pa	2,883,975	2,274,625	5,158,600	$2,165,000 (previous total, $17,269,448).
Baltimore, Md	1,593,794	1,900,038	3,483,832	Nothing (previous total, $9,199,180).
Newport News, Va	450,252	556,191	1,006,443	Nothing (Norfolk) (previous total $4,521,782).
Norfolk and Portsmouth, Va	422,864	1,069,539	1,492,403	Nothing (previous total, $4,521,782).
Charleston, S. C	217,111	109,476	326,587	$80,000 (previous total, $5,201,966).
Brunswick, Ga	75,464	95,553	171,017	$36,250 (previous total, $1,438,150).
Savannah, Ga	289,028	449,084	738,112	$545,000 (previous total, $10,788,563).
Pensacola, Fla	369,205	502,012	871,217	$20,000 (previous total, $1,380,000).
Mobile, Ala	638,883	689,806	1,328,689	$155,000 (previous total, $7,669,230).
Pearl River, Miss	291,627	300,297	591,924	$35,000 (previous total, $311,411).
New Orleans, La	2,545,241	2,766,775	5,312,016	Not readily proportionable.
Galveston, Tex	1,443,767	1,881,693	3,325,460	$810,000 (previous total, $13,978,000).
San Francisco, Cal	1,007,796	1,270,736	2,278,532	$15,000 (previous total, $626,927).
Puget Sound, Wash	2,887,322	3,058,505	5,945,826	
All other ports	4,457,515	3,495,197	7,952,712	

[1] Not including E. R.

In 1888 the net tonnage of all of the vessels entering and clearing from the port of New York was five and one-half million tons; in 1913, it was fourteen and one-half million tons. Within the same time that this tonnage trebled what did the Federal Government do to meet the necessity thereby created? Of the $850,000,000 appropriated less than 3 per cent has been expended on New York Harbor and its connecting waters.

Meanwhile let me put before the House the extent to which local interests here cooperated:

WAR DEPARTMENT,
UNITED STATES ENGINEER OFFICE,
FIRST DISTRICT NEW YORK CITY,
New York, N. Y., July 7, 1913.

From: The district engineer officer, first district, New York City.
To: The Chief of Engineers, United States Army.
Subject: Cooperation by local interests in river and harbor improvements.

1. In compliance with directions contained in letter from the office of the Chief of Engineers, United States Army, dated January 17, 1913, Eastern Department 88106, the following report of cooperation by local interests in river and harbor improvement under the direction of this office is submitted:

(a) Locality—Hudson River Channel, New York Harbor, N. Y.

(b) Amount spent by the United States:

To June 30, 1912 (last expenditure in fiscal year ending June 30, 1877), dredging channel in Jersey City water front	$25,000.00	
To Apr. 30, 1913, removing rock off Pier A	41,479.12	
June 30, 1912, to May 31, 1913, dredging channel in Hoboken water front (completed)	21,064.64	
Total		87,543.76

(c) Amount spent by local interests in front of shore or harbor lines: By railroad and steamship companies at Jersey City and Hoboken (for dredging) 116,737.95

Total 116,737.95

(d) Amount spent by local interests on public piers, docks, slips, behind harbor lines or equivalent:

By local authorities of Jersey City, N. J.—		
Construction of pier at Morgan Street	$61,754.11	
Dredging at pier	6,768.29	
		68,522.40
By local authorities of the city of New York—		
Construction of piers, bulkheads, etc	43,774,511.85	
Repairs to piers and cost of maintenance	11,353,775.05	
Acquisition of pier property	22,990,558.04	
Dredging between West Tenth and West Twenty-second Streets	471,375.00	
		78,590,219.94
		78,658,742.34

(d) Amount spent by local interests on public piers, docks, slips, etc.—Continued.

By private interests—		
Construction and repairs—		
In water front of New York City	$8,645,373.27	
In water front of New Jersey	18,177,434.43	
Dredging water front of New York City	12,717.90	
Dredging water front of New Jersey	9,949.11	
		$26,845,474.71
Total		105,504,217.05

(e) Reference to acts which require local cooperation: None.

(a) Locality—Harlem River, N. Y.

(b) Amount spent by the United States:

To June 30, 1912		1,567,490.00
June 30, 1912, to Apr. 30, 1913		30,000.26
Total		1,597,490.26

(c) Amount spent by local interests in front of shore or harbor lines: By the local authorities of the city of New York for removing old bridge piers between One hundred and fourteenth Street and Wards Island in 1858 3,900.00

(d) Amount spent by local interests on public piers, docks, slips, behind harbor lines, or equivalent:

By the local authorities of the city of New York—		
Construction of piers, bulkheads, etc.[1]	$3,127,679.42	
Repairs to piers and cost of maintenance	810,983.93	
Acquisition of pier property	1,642,182.72	
		5,580,846.07
By private interests:		
On public piers and bulkheads	207,825.00	
For dredging	19,724.84	
		227,549.84
Total		5,808,395.91

(e) Reference to acts which require local cooperation: River and harbor acts approved June 18, 1878, and Mar. 3, 1879.

(a) Locality—East River and Hell Gate, N. Y.

(b) Amount spent by the United States:

To June 30, 1912		5,219,141.00
June 30, 1912, to Apr. 30, 1913		125,600.59
Total		5,344,741.59

(c) Amount spent by local interests in front of shore or harbor line:

By local authorities of the city of New York—		
Removal of smaller rocks in Hell Gate in 1851	$13,861.59	

[1] Includes cost of grading and paving marginal streets.

(c) Amount spent by local interests in front of shore or harbor line—Continued.		
By local authorities of the city of New York—Continued.		
Partial removal of Coenties Reef in 1861–1863	(1)	
Dredging part of Rhinelanders Reef	$7,313.20	
		$21,174.79
By local interests for dredging		52,000.00
Total		73,174.79
(d) Amount spent by local interests on public piers, docks, slips, behind harbor lines, or equivalent:		
By local authorities of the city of New York—		
Construction of piers, bulkheads, etc	$15,638,397.09	
Repairs to piers and cost of maintenance	4,054,919.66	
Acquisition of pier property	8,210,913.58	
Construction of ferry terminals	5,172,725.39	
Acquisition of terminal property	2,561,751.27	
Dredging between Rivington and East Third Streets	21,028.70	
		35,659,735.69
By private interests—		
On public ferries and docks	3,554,684.00	
In dredging	21,440.00	
		3,576,124.00
Total		39,235,859.69
(e) Reference to acts which require local cooperation: None.		
(a) Locality—Bronx River, N. Y.		
(b) Amount spent by the United States:		
To June 30, 1912		84,212.00
June 30, 1912, to Apr. 30, 1913		10,927.56
Total		95,139.56
(c) Amount spent by local interests in front of shore or harbor lines: By local interests for dredging		20,200.00
Total		20,200.00
(d) Amount spent by local interests on public piers, docks, slips, behind harbor lines, or equivalent:		
By local authorities, city of New York—		
Construction of public wharf and maintenance		8,000.00
By private interests on public docks and bulkheads		45,000.00
Total		53,000.00
(e) Reference to acts which require local cooperation: River and harbor act approved Mar. 4, 1913.		
(a) Locality—East Chester Creek, N. Y.		
(b) Amount spent by the United States:		
To June 30, 1912		142,000.00
June 30, 1912, to Apr. 30, 1913		8,096.49
Total		150,096.49
(c) Amount spent by local interests in front of shore or harbor lines: None.		
(d) Amount spent by local interests on public piers, docks, slips, behind harbor lines, or equivalent, by private interests:		
Construction of bulkheads and filling		14,500.00
Maintenance		5,000.00
Total		19,500.00
(e) Reference to acts which require local cooperation: None.		
(a) Locality—Westchester Creek, N. Y.		
(b) Amount spent by the United States:		
To June 30, 1912		5,419.00
June 30, 1912, to Apr. 30, 1913		26,593.43
Total		32,012.43
(c) Amount spent by local interests in front of shore or harbor lines, by private interests for dredging		1,875.00
Total		1,875.00
(d) Amount spent by local interests on public piers, docks, slips, behind harbor lines, or equivalent:		
By local authorities, city of New York, construction of public wharf		13,500.00
By private interests on public wharves		37,000.00
Total		50,500.00
(e) Reference to acts which require local cooperation: None.		

[1] Amount unknown.

So much is taken for granted when mention is made of New York that few persons have an appreciative realization of the greatness of the city, so I shall under my leave to extend my remarks include an article printed in the current issue of Greater New York, published by the Merchants' Association:

Here are a few facts which will make it possible for even the most casual observer to visualize New York in its various phases.

ABSORBER OF CITIES.

To bring into existence a city the size of Boston or St. Louis might well be regarded as a 10-year task for a nation. To rear such a municipality, with its streets sewered, paved, and lighted, its government organized, its police and fire departments efficient, its transportation problem solved, its various business enterprises founded in prosperity, with first-class hotels to house its visitors, theaters for their amusement, and churches for their worship, in less time would be classed as a miracle. And yet New York takes unto itself every four years a city equal to a Boston or a St. Louis.

COSMOPOLITAN POPULATION.

The wonder city of the world, New York, has a cosmopolitan population which no other community can equal. It is by far the greatest of all Jewish cities. It is the greatest Irish city, there being here 674,721 of Irish blood. In New York are 723,333 Germans, 306,422 Austrians, 543,437 Italians, and 734,577 Russians.

THE CITY'S FINANCES.

In its general administration, public-construction enterprises, interest on its debt, and redemption of bonds New York spent last year $424,662,455.06. During the same year its income totaled $424,658,320.31, leaving Father Knickerbocker more than $4,000 "in the hole"—a trifle not worth a second thought.

New York's municipal debt is $1,361,483,821.28—greater by more than a quarter of a billion dollars than the debt of the United States and six times the combined debt of Boston, Philadelphia, and Chicago. However, in spite of the immensity of its indebtedness, New York has an asset for every dollar it owes, and could liquidate to-morrow, if called upon to do so, and still have much valuable property left. Indeed, New York could borrow this year $144,062,952.36 before reaching its legal debt limit.

ITS RUNNING EXPENSES.

In no manner is New York niggardly or tight fisted. Last year it spent for educational purposes $46,436,307.70, including $6,707,756.64 for school buildings and sites. Those who believe that water is not the ordinary Knickerbocker beverage will be surprised to learn that last year the city spent $6,731,536.53 on its water-supply system.

THE WATER SUPPLY.

Few persons realize that in tapping the Catskills for water New York had to solve engineering problems equal to those encountered in connection with the Panama Canal. All manner of building difficulties had to be overcome. Where Storm King stands a tunnel was sunk 1,114 feet to solid bedrock, and at that depth below sea level pipes were driven under the Hudson.

Through 127 miles of pipes water flows in three days from the Ashokan Reservoir to the aqueduct which penetrates the full length of Manhattan Island, lying from 200 to 750 feet below the city's streets.

To feed water to New York's consumers 3,087 miles of pipe have been laid under the city. The present storage capacity of all reservoirs is 170,000,000,000 gallons. This is to be added to in the near future by the construction of another immense reservoir to impound the waters of the Schoharie, which drains 314 square miles of territory. This will mean available for New York a water storage of 250,000,000,000 gallons.

At the present time we consume daily an average of 100 gallons of water per person. Each person has stored for his use 20,800 gallons, and we can look forward to 1940 as the first year which by any possibility can threaten a water shortage.

POLICE AND FIRE DEPARTMENTS.

New York's police department cost last year for its upbuilding and maintenance $16,241,323.07. Yet with a population within its metropolitan district of 7,500,000, it has only 10,674 uniformed police, while London, with a population of 7,250,000 covering a like district, has twice that number. On its fire department, the most efficient in the world, this city last year spent $9,719,945.10.

FIVE CITIES IN ONE.

While making comparisons, attention might be called to the fact that New York is composed of five great cities. Manhattan still commands supremacy, having by itself a greater population than Chicago. Brooklyn, having outstripped Philadelphia, is rapidly approaching second rank among American communities. The Bronx is reaching for sixth honors, competing with Cleveland and Detroit. Queens is larger than Minneapolis or Toronto and is just ready for much more rapid growth. Richmond is the equal in population to Dallas or Salt Lake City and is waiting only upon real rapid transit to take on a development that will astonish even its sister boroughs.

Added to its own great stationary population, New York always has with it an army of strangers, sometimes estimated as high as half a million. Every day there enter and depart from New York railway stations 290,000 persons.

ALL ROADS LEAD HERE.

As all roads of the ancient world led to Rome, so it may be said with whole truth that all American railroads lead to New York. From the most obscure station in the remotest corner of the country a ticket for New York may be purchased. The railway systems which actually have termination in New York have a combined mileage of 45,323, or about 18 per cent of the total mileage of the country.

With its wonderful sky line, shifting almost as rapidly as the clouds, New York is building and rebuilding in a manner that astonishes even those who knew it best. Where yesterday stood a stunted 10-story structure, to-day a building of 40 or 50 stories houses hundreds of business establishments or gives office room to thousands of professional men. It has been said that it requires only 50 minutes to erect a building in New York—an exaggeration, of course, and yet so energetic are builders that a new structure is completed on an average every 50 minutes of every day of the year.

NEW CORPORATIONS.

Twice an hour a new business corporation is formed in New York and once every 45 minutes a corporation is dissolved.

Once every four minutes—more frequently than that, to be exact—a new New Yorker is brought into existence. In round numbers, 150,000 babies arrive every year to help swell the city's population.

GREATEST IN MANUFACTURE.

The greatest manufacturing center the world has ever known, New York now has about 38,000 factories, there having been a material increase in their number since 1913, when, according to the Industrial Directory, 35,849 establishments in Greater New York were turning out manufactured articles of various kinds.

These manufacturing establishments employ capital amounting to $1,800,000,000 and turn out products to the value of $2,900,000,000 annually.

In New York factories are employed 810,000 persons, including 660,000 wage earners. In salaries and wages $540,000,000 is paid annually to factory employees of all kinds.

THE BANKING CENTER.

More than 21 per cent of the Nation's bank resources are right here in New York, and it is not too much to say that during the last 18 months this city has become the world's banking center. The resources of the banks of the country, computed June 30, 1915, amount to $28,185,585,677, while the resources of the New York banks are $6,072,506,075. New York's banks have a total capital of $216,157,000 and deposits of $5,377,461,797.

In the matter of savings banks, New York is in a class by itself, having 58 such institutions, with deposits amounting to $1,231,202,000, while the thrifty depositors draw in the form of interest more than $150,000 every day, Sundays excluded.

TRANSIT SYSTEMS.

Working incessantly, night and day, New York is now building about 300 miles of street railways, including a subway system unequaled in any city except this. At this time there are here in active operation street railway systems with 1,730 miles of tracks and 11,895 cars.

Theoretically every man, woman, and child in the world had a ride in New York's street cars last year and almost 200,000,000 of them rode twice. In other words, 1,813,204,356 cash fares were paid in 1915 by passengers in New York's street cars. Every day during the year 4,967,680 persons were carried through the streets of the city—an army, greater by far, than Germany has fighting on all of her war fronts.

THE HARBOR AND COMMERCE.

As a shipping center New York is without a rival, either in amount of business transacted or facilities offered. It has a water frontage of 771 miles, which, measured around piers and along shore line, is increased to 980 miles, of which 395 miles have been developed.

An idea of the relative importance of New York as a port may be had by comparing it with nine other cities—the world's greatest. Before the war began in Europe the tonnage entering the port of New York, plus the tonnage cleared, was 27,223,000. Antwerp came second, with a total tonnage of 26,656,000. Other ports in the order of their importance were: Hamburg, 23,776,000; Rotterdam, 21,853,000; Liverpool, 21,824,000; London, 20,978,000; Hongkong, 20,491,000; Shanghai, 18,600,000; Marseilles, 16,348,000; and Singapore, 15,456,000.

Besides having the greatest tonnage in foreign trade, New York has a larger coastwise trade than any other seaboard city.

PARKS AND BEACHES.

While leading the world in business and other affairs of a serious nature, New York also knows how to play well and to give entertainment to itself and its visitors. For purposes of outdoor recreation the city has 198 parks and 25 parkways, with a total acreage of 8,615. That its children may have room in which to expand and grow physically, the city maintains 98 playgrounds, and at 13 free beaches old and young have opportunity during the summer months to breathe fresh air and bathe in the waters of the ocean.

To shelter its transients, New York has 1,500 good hotels, of which 252 are first class. Filled to their capacity limit, which most of them have been during the last five months, these hotels accommodate 150,000 persons.

CLUBS AND CONVENTIONS.

In club life New York excels. Thousands of clubs cater to the demands of their members. Of these 81 are classed as leaders, having fixed their annual dues at not less than $100. In these clubs 57,548 men and women hold membership.

New York has come to be the leading convention city of the country. More than 500 conventions are scheduled for the present year, with an estimated attendance of 400,000.

THEATERS AND CHURCHES.

There are in New York 250 theaters, each of which pays an annual license fee of $500. In addition, there are 600 smaller theaters, each with a seating capacity of less than 300, which pay a license fee of $100. In these theaters 400,000 persons are entertained at least once, and frequently twice, a day. Other hundreds of thousands of persons are entertained in theaters devoted to moving pictures.

On Sunday the city turns to worship with an earnestness for which it receives little credit and which is rarely equaled in other cities, large or small. Practically every Christian denomination is represented here, while faiths not Christian have followers numbered by the tens of thousands.

In New York there are 1,525 church edifices, most of which are filled whenever their doors are opened. The New York churches have 1,769,241 communicants and hold title to property valued at $156,652,410, against which rests an indebtedness of about $20,000,000. In the city's Sunday schools are enrolled 512,000 pupils.

THE SCHOOL SYSTEM.

Of its public schools New York is justly proud. Owing to the ever-increasing pressure of population the city has not in recent years been able to catch up with the need for room in which to house pupils while at their studies. The proportion of half-time pupils, however, is being constantly reduced.

At the present time 802,573 pupils are on register in the city, being cared for in 553 day schools. Looking after these children, leading them through the period of their education, are 20,063 teachers, exclusive of superintendents, directors, special teachers, and substitutes. In schoolhouses and school sites, New York has invested $129,066,061.

CARE OF THE SICK.

For the proper care of those who are sick New York has provided 102 hospitals, which, taken as a whole, are unequalled elsewhere in the world. In the city are 72 general hospitals, 11 special hospitals, 11 hospitals for women and children, 5 for incurables, and 3 for patients having contagious diseases. In these institutions are 21,858 beds, and under pressure at least 2,000 more beds can be set up.

In its post offices New York demonstrates, as it does everywhere, its leadership as a world community. Incidentally, there are 31 independent post offices within the limits of New York, those representing Manhattan and Brooklyn, of course, far overshadowing all others.

THE NEW YORK POST OFFICE.

The Manhattan, or New York, post office last year had receipts amounting to $30,127,062.01. Its expenditures were $10,915,212.99. During the year, of second-class matter alone, it handled 169,480 tons, on which it collected, at the rate of 1 cent a pound, $2,189,600.33. In its money-order department the post office transacted business amounting to $108,442,474.90, of which $84,894,045.07 was in the form of money orders paid, while $23,588,329.83 was in the form of orders issued. The New York postal savings bank has 121,831 depositors, whose savings total $15,678,317.

In the main post office and its branches are 9,436 employees, of whom 3,348 are carriers.

The Brooklyn post office, in the amount of business transacted, compares favorably with the Manhattan office. The Brooklyn carriers push the total for the city up to 4,636.

RECORD-BREAKING COMMERCE.

For the first time in its history the port of New York may this year (ending June 30) have foreign commerce totaling more than $2,000,000,000. A fairly accurate idea of how the business of the port is increasing may be had by comparing present records with those of three years ago.

Total exports from the port of New York for the week ending March 11, 1916, were $60,204,165; for the corresponding week of 1915 the exports totaled $40,864,337; for the corresponding year of 1914 the total was $20,945,607.

LEADER IN FOREIGN TRADE.

During the year ending December 31, 1915, New York demonstrated as never before its position of overwhelming importance to the remainder of the country in the matter of foreign trade. During the 12 months referred to the imports of the United States were valued at $1,280,069,666, and of this total $987,447,342 entered the country through the port of New York.

Our national exports were valued at $2,431,004,047, of which $1,785,101,131 were sent out through the port of New York. Of a total foreign commerce, valued at $3,711,073,713, the share falling to the port of New York amounted to $2,772,548,473—New York's export and import trade amounting to more than 74 per cent of the country's total.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. THOMPSON. Mr. Chairman, I shall object in the future to any extension over five minutes. We have been on this item now for an hour and a half.

The CHAIRMAN. The gentleman from Oklahoma objects.

Mr. TREADWAY. Does the gentleman insist upon his objection?

Mr. SMALL. Mr. Chairman, the gentleman from Massachusetts is a member of the committee, and I hope the gentleman from Oklahoma will withdraw his objection.

Mr. TREADWAY. I can get five minutes more, and I shall not ask any courtesy of the gentleman from Oklahoma.

Mr. BENNET. I hope the gentleman from Oklahoma will not insist upon his objection.

Mr. THOMPSON. I am not going to insist upon it.

The CHAIRMAN. The gentleman from Oklahoma withdraws his objection, and the gentleman from Massachusetts will proceed for 10 minutes.

Mr. TREADWAY. Mr. Chairman, I am not altogether certain about the infallibility of the gentleman from New York [Mr. BENNET] in quoting the rules of the House. I think it is a fair proposition to know whether a Member of the House advocating a measure on the floor of the House is or is not in favor of the item he is discussing. I did not intend to infringe on any rule in the question I asked by colleague. I simply wanted to bring out the facts in the case in connection with this particular matter. Now, it is a well-known fact, and it appears in the printed hearings of the Committee on Rivers and Harbors, that the gentleman from New York [Mr. HULBERT] did not go before our committee advocating this item under discussion here to-day. He was advocating—and I think he will bear me out in my statement of the fact—the adoption of the bigger project, the Hell Gate project, so-called, of which the project now before us is simply one item.

Mr. O'SHAUNESSY. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. O'SHAUNESSY. I want to know if the gentleman from Massachusetts [Mr. TREADWAY] considers that a fair statement in view of the ruling of the Chair?

Mr. TREADWAY. I will say that I am not trying to infringe the rule or get around the rule, but we have the printed hearings, wherein, I think, I will be borne out in that statement. If the gentleman from New York objects to the statement, I withdraw it, because we are both members of the committee, and I do not wish to misrepresent his attitude.

Mr. HULBERT. Does the gentleman assume that the matter I presented to the committee was the matter contained in the letter of the Secretary of the Navy addressed to the Speaker of this House under date of December 21, 1915, and no more?

Mr. BENNET. Mr. Chairman, I make the same point of order against my colleague. He has no right to disclose what took place in the committee, except as it appears in the printed hearings.

Mr. TREADWAY. I think we can change the line of discussion without intruding on the rules in any sense. I think there is not much disagreement as to what the viewpoint of the gentleman from New York is on the whole project.

I will pass to another phase of the matter, Mr. Chairman, and that is one of congratulation to the gentleman from New York, and the fact that he has been able through his very persistent methods to bring this matter squarely before the House to-day. He says this is his first term, and if he can carry a thing like this through in his first term, Heaven help the rest of us after he has served 15 or 20 terms, as he probably can, if he is as successful in other political relations as he evidently is going to be in this instance.

I want to say this in all fairness as to the proposition in New York Harbor. I am in favor of the proposition, and would be only too glad to vote for it if I felt it was rightly here. It is a good project, and I do not blame any man for voting for it. It is just the kind of a place where we ought to expend our money for harbor improvements—at great commercial centers, having likewise to do with preparedness. But that is not the point at stake here. The question before this House to decide in connection with this debate to-day is whether or not this item should be given a special right over every other similar one because the President was induced to favor it. The gentleman from New York [Mr. BENNET] speaks about the time he introduced the bill. He introduced the bill on the 6th of December, the very day the House opened—I have a copy of it here—asking for an appropriation of $500,000. Now, Mr. Chairman, I submit that that was long in advance of the time when the Committee on Rivers and Harbors had under consideration whether or not new projects should go into this bill. There was ample time with all this correspondence back and forth with the Secretary of the Navy and submitting letters to the House and all that sort of thing to have had a hearing in regular order and then have given other new projects the same opportunity.

The gentleman from New York said that this was in response to the urgent request of the President of the United States. Well, why, in the name of all that is good, was not that urgent request of the President of the United States put up to our committee? More than six weeks elapsed from the time that this bill was introduced until February 11; at the urgent request of the gentleman from New York [Mr. FITZGERALD], the President writes a letter that brought about the action of the committee. The chairman of the committee said the other day that the reason this item was admitted was because on February 11 the Committee on Rivers and Harbors received a request from the President of the United States stating the urgency, and saying that it was imperative, or whatever the construction of Mr. Tumulty's letter may have been. The friends of the project had from the 6th of December until the last of February to discover that condition. They never availed themselves of the opportunity for a hearing until all hearings had been closed by the Committee on Rivers and Harbors.

Mr. HULBERT. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman.

Mr. HULBERT. Do I understand the gentleman to state that I never brought this thing to the attention of the committee until the 11th of February?

Mr. TREADWAY. No. On the contrary, Mr. Chairman, I corroborate the gentleman's statement, made on page 6053 of the CONGRESSIONAL RECORD, that that letter, referring to the letter of the Secretary of the Navy, December 21, "was permitted to slumber in the office of the chairman of the committee, and was never brought to the attention of any individual member of the committee, so far as I know, until it was mentioned to me by the Secretary of the Navy and brought by me to the attention of the committee." I absolutely corroborate the gentleman's statement that so far as he was concerned it was not slumbering.

Now, reference has been made also to the political feature of the matter. My colleague, the gentleman from Massachusetts, stated the political situation very thoroughly; only he omitted one factor in that great combine. Our friend the gentleman from New York [Mr. BENNET], who is so distinguished in his services here, and has been in previous Congresses, and who now is so proud of the Democratic district which we are also proud he was able to carry, in the face of great difficulties, last fall—no one would accuse him of not knowing anything about the political game, so called, that was played either here or in New York or Albany——

Mr. BENNET. Mr. Chairman, will the gentleman yield there?

Mr. TREADWAY. I would like to complete the political picture drawn by the gentleman.

Mr. BENNET. I wanted simply to say there are people in New York State who will not agree with the gentleman's statement.

Mr. TREADWAY. Well, we will not dispute the fact that he may know something about the game, so far as his colleagues here are concerned. Now, as to the able chairman of the Committee on Appropriations [Mr. FITZGERALD], I have served here only 3 years now, but if at the end of 25 years of long and continuous study I should have the slightest inkling that I knew one particle of the political game that the able gentleman from Brooklyn does I would suppose that the possibilities of political knowledge had been exhausted. [Laughter.] He has the whole thing down in a nutshell, and we all admit that there was no possibility of assuming the fact that he had very much to do with Tammany, but, then, we knew he had reached the leaders of Tammany, and they are included in this group of New York Representatives. They, too, can surely qualify in the group of nonpartisan, nonpolitical, nonorganization gentlemen. But my friend from Massachusetts forgot a very important part of the political group in New York City as represented upon this floor, and evidently other gentlemen from New York forgot that political party also. It is small, but it is mighty important, and I can not, for my part, conceive of why in this harmony of nonpartisanship that was being displayed by these various gentlemen they overlooked the great Socialist Party as represented here on this floor. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CONRY rose.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for five minutes more. Is there objection?

Mr. THOMPSON. I object.

Mr. TREADWAY. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Massachusetts makes the point that there is no quorum present. The Chair will count. [After counting.] One hundred and three gentlemen are present, a quorum. The gentleman from New York [Mr. CONRY] is recognized.

Mr. CONRY. Mr. Chairman, I regret exceedingly that certain gentlemen connected with the opposition to this item have deemed it necessary to introduce the cry of politics into this situation, a cry for the introduction of which there is absolutely no justification. The gentleman from Washington [Mr. HUMPHREY] and his colleagues from Massachusetts have raised the cry of Tammany in this discussion. Every discredited politician in the city of New York who is seeking rehabilitation in politics raises the cry of Tammany to subserve his purpose. Every repudiated corruptionist with whose career the people are familiar, seeking to get back into power, raises the same cry. To-day these gentlemen raise that cry to cover up the fatuous fallacy contained in the contention that there is no merit from a strategical standpoint in the item contained in this bill. This will deceive no one as to the purpose back of this opposition. It will not be effective in the accomplishment of its purpose, because of the intrinsic and superlative merit of the item.

Talk about politics! Where do you get politics in this situation? Is the Admiral of the Navy, Admiral Benson, a politician? He was summoned before this committee to testify; the hearings were held with due solemnity, and I do not think that any man will impute political motives or political considerations to this distinguished seaman when he says, in the introduction of his testimony, that the necessity for having a proper channel, particularly to the southern entrance to the navy yard, to get into the navy yard safely with our larger vessels, has been very apparent for some time.

Is there politics in that statement? That is the statement of a fact [applause], delivered with due force and solemnity by a distinguished officer of our Naval Establishment, who is absolutely disinterested and who has the courage to tell the whole and absolute truth. [Applause.]

He goes further in his testimony and testifies:

I have come out of there in the *Utah*, drawing a little over 29 feet—29.6 feet is about the most I have ever taken through there—and I have frequently gone in and out without a pilot, but it was always with a great deal of anxiety, and only at the top of the tide, when the current was practically still and not running at all.

There is the testimony of a gentleman distinguished in the naval service of our country, unconnected with politics, who is telling the absolute truth. [Applause.]

He is not looking to the political situation, as some of our petty politicians are, but he is looking to the question and consideration of preparedness; preparedness, which can not be accomplished in a day; preparedness, the consummation of which requires weeks and months and years.

The testimony of Col. Black in relation to this particular item is that this improvement of the harbor, if begun now, will consume three years in its completion. Gentlemen, you can not prepare these vast and extensive improvements in a day. We are talking strategy now. We are providing for it in this item. We want to be prepared to perfect the strategical situation in this the most important navy yard in the country. The New York Navy Yard is the only governmental navy yard in which our large dreadnaughts are being built to-day. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CONRY. I ask leave to proceed for five minutes more, Mr. Chairman.

The CHAIRMAN. The gentleman from New York [Mr. CONRY] asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. CONRY. This navy yard is the only navy yard in the country at which the dreadnaughts are being built to-day, as I have said before; and here is an admiral of the Navy who testifies that in taking in the *Utah*, which is smaller than the vessels now being constructed at that yard, he had to strain every nerve, exercise every care, and exert all the ingenuity known to navigation in order to steer between this modern Scylla and Charybdis.

Now, gentlemen, business sense, if no other consideration, should compel us to make all necessary improvements in these waters in order to protect the $360,000,000 or $370,000,000 of floating property that is liable at any time in negotiating this passage to be destroyed and sent to the bottom of the bay. The necessity for this improvement is apparent and insistent. Good business sense dictates it, and strategical considerations imperatively demand it.

Enlightened statesmanship and ordinary prudence dictate that the proper improvement should be made in these waters in order that millions of property may be effectively protected from the perils and hazards of these shoals. In making this improvement now an immense profit will accrue from this small expenditure. An expenditure of $700,000 is all that is required. Remember, there is in progress on the other side of the world a terrible war that is rewriting the whole map of Europe, and changing the political situation on that continent. Nobody knows what is going to happen after this terrible holocaust of death comes to an end. We may not become involved. I hope we may not; but after these nations have spent their energies and their wealth in this devastating war they will be poor; we will be rich, exciting the envy and jealousy of the world. There is no nation prepared to spring at us to-day. We know not from what quarter the blow will be struck if the blow must come, but the air seems to be charged with ominous forebodings. Let us, in preparing to meet any emergency that may arise, look to development of our strategical naval stations in such a way as to have our Navy—the first arm of defense—prepared to strike effectively and disastrously any and every enemy, in order that this Republic may continue to the end of time to fulfill her glorious destiny and to guarantee to all the preservation of American civilization upon this continent. [Applause.]

Mr. SPARKMAN. I ask unanimous consent that debate on this paragraph and all amendments thereto conclude in 10 minutes, and that I be permitted to use three minutes of that time?

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate upon the pending amendment and paragraph be concluded in 10 minutes, and that he, as chairman of the committee, may have three minutes of that time. Is there objection?

Mr. MOORE of Pennsylvania. I should like to have five minutes of that time.

Mr. SPARKMAN. A member of the committee wants five minutes.

Mr. HUMPHREY of Washington. I want five minutes.

The CHAIRMAN. Is there objection?

Mr. MANN. Reserving the right to object, let us see if we can not agree upon time.

Mr. SPARKMAN. How much time does the gentleman from Washington want?

Mr. HUMPHREY of Washington. Five minutes.

Mr. MANN. We would like to have 15 minutes over here.

Mr. SPARKMAN. Then I ask unanimous consent that debate on this amendment and paragraph be concluded in 25 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate on this paragraph and all amendments thereto close in 25 minutes. Is there objection?

Mr. HUMPHREY of Washington. Fifteen minutes to be used on this side.

Mr. SPARKMAN. Fifteen minutes upon that side; yes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, it makes very little difference to me whether there is any politics in this proposition or not. The project is a meritorious one, and it ought to be included in this bill.

I am aware that some of the evidence presented by the gentleman from New York [Mr. HULBERT] to the Committee on Rivers and Harbors, which is now in print, indicates that there may have been some politics in the proposition in its inception; but if politics was introduced in this matter at all it was good politics, and when we need improvements of this kind the more politics we have to secure them the better. Now, here is a proposition which may have originated with the New York delegation and the hand of Tammany may have been in it. It appears from some of the correspondence in the hearings that the Secretary of the Navy had made a speech on the subject of preparedness before the National Democratic Club of New York and that the gentleman from New York [Mr. HULBERT] desired also to discuss the same proposition, using some of the facts that the Secretary had used before the Cleveland Democracy in New York. That may be. I do not care. I am frank to say, as a Republican, that if I saw the necessity for a great project like this in a river and harbor bill, I would resort to every political method at my command in order to get recognition at the hands of Congress. The needs of the country demand it. [Applause.] I pay tribute to the methods of the New York Democracy for getting together once in awhile to secure what the country needs and what it ought to have. The chaplet falls upon the brows of those who got together in this instance and convinced the President of the United States—a minority President, if you please—that this was an extreme case of necessity, and that provision ought to be made in the bill for a suitable approach to the navy yard at Brooklyn.

We have to watch the navy yard at Brooklyn from a Philadelphia standpoint, because Brooklyn has an advance over the other navy yards of the country. Brooklyn is the only navy yard equipped to build battleships. It is the only navy yard, as the gentleman from New York [Mr. CONRY] has just indicated, that is building dreadnaughts, because it is the only navy yard in the United States that has building ways equipped to build superdreadnaughts. However, if all the battleship building is to be centralized at the port of New York because it has the only building ways in the country suitable for the construction of battleships, then we are going to concentrate business in a manner that is unfair to other sections of the country that are knocking at the doors of Congress for recognition.

I sympathize with the chairman of the Committee on Rivers and Harbors [Mr. SPARKMAN] in the predicament in which he finds himself with regard to this transaction. On December 1, 1915, he appeared at the White House, and the newspapers reported that the President advised him that there should be economy in the matter of river and harbor improvements. Yes; this old plod horse of the Government, by which commerce is generated and upon which it moves business which pays the expenses of the Government—this old plod horse was again to be robbed in the interest of certain other branches of the Government service. Preparedness, was it? I care not what it was; rivers and harbors were selected to bear the burden and the appropriations were to be cut down. The President indicated that he wanted economy in this regard, and the chairman of the committee in good faith reported it to his committee, and the committee in good faith, and agreeing with the President of the United States, decided that there should be no new projects. There were a number of worthy new projects that should have been considered, but only the New York project, for which the President stood, was admitted. It was hard on the rest of us; but as the New York project is meritorious, I intend to support it, no matter how it got into the bill.

Mr. BOOHER. Mr. Chairman, the position in which I find myself, so far as this item is concerned, is not a pleasant one. As a member of the committee, I in good faith voted to place no new projects in this bill. That was done after due discussion in the committee. This proposition was not heard of in the Committee on Rivers and Harbors until after the river and harbor bill had been completed and was almost ready to be reported to this House. The proposition was then sprung that this was a case of emergency in the preparedness program; and of all the arguments that have been made upon this item to-day there

has been but one upon the subject of preparedness, and that was by the gentleman from New York [Mr. CONRY], who sees war right now, and who sees armies landing upon our shores and sees the necessity for this preparedness proposition. Well, they may come, they may land, but God save them, they will never get away. Now, if this is a preparedness proposition, it ought to go to the Committee on Naval Affairs, and I will tell you why. We have a Committee on Naval Affairs that provides for building warships, dreadnaughts, and battle cruisers so large that you can not get them in any dry dock in the country, so large that they can not get over bars in the harbors. In the hearings before our committee Capt. Knapp, of the Navy, says, "You can not take a wounded dreadnaught over a 35-foot channel." What do you want of a dry dock if you can not take a wounded vessel into it? You can not do it over Diamond Reef if you make it 35 feet deep; put 35 feet of water there and you can not get to the dock with a wounded dreadnaught. If it is a question of preparedness, it ought to go to the committee that has jurisdiction of naval affairs, which will provide a channel that will take the vessels into a harbor of refuge.

If this had been a question of preparedness and not a commercial proposition, the members of the River and Harbor Committee would not have been deluged by documents from every commercial body in the city of New York to take this project on, not as a question of preparedness but as a commercial proposition. That was all it was then. Why, even this great organization known as the Security League never asked the Committee on Rivers and Harbors to deepen this channel because that would be for preparedness; they never heard of it.

Mr. BENNET. Will the gentleman yield?

Mr. BOOHER. Certainly.

Mr. BENNET. As a commercial proposition, does not the gentleman think it is a good one?

Mr. BOOHER. As a commercial proposition it is one of the best in the world, and if I had not voted in committee not to take on any new projects I would vote to take on the whole project and put it in the bill. [Applause.] So I would with the navy yard at Philadelphia, the navy yard at Boston, the navy yard at Charleston, the navy yard at Norfolk, and the mouth of the Columbia River. But in our wisdom we decided that none of these should go on to the bill, and for that reason I am unable to support this proposition. It is a commercial proposition, and no better than the others. The others are entitled to as much consideration, and if this stays in the bill I hope every other one that I have mentioned will be put on. [Applause.]

Mr. TREADWAY. Mr. Chairman, the point made by the last speaker is the very one that certain gentlemen of the House wanted to bring about last Saturday. The gentleman from Washington asked unanimous consent that this item should be taken up before any similar item might be reached in the bill. That was objected to, and when I offered an amendment for Boston I asked that the Boston item should follow this because this was the one example before the House, and what was done with this item should be the action on other similar items. That, likewise, was objected to. It is exactly on that ground that I wanted the matter to come in that order, as the gentleman from Missouri has stated, in order that the same action might be taken by this House on other as meritorious projects as this, depending upon what the House might do with this item.

Now let us go back to where we stand as regarding the action of the committee. The chairman of our committee, as we were informed, waited on the President. The President informed him that he did not believe any new projects should go into the bill. Some of us did not think that that was final, and I was one of those voting that we should put new projects in the bill, having in mind among others this very project now under discussion. I made myself very plain, and I hope I do now, that I favor, as the gentleman from Missouri does, this project as one of the most meritorious before Congress to-day along the line of river and harbor work.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. MOORE of Pennsylvania. Does not the fact that this has gone into the bill, the fact that the majority of the committee reported it to the House, give it a different status from other worthy projects?

Mr. TREADWAY. I do not consider that it does when you consider the manner in which it reached the bill. I, for one, do not intend to take dictation from the source that secured this item in the bill. Then there is the further fact that all the gentlemen from New York, all the parties except the Socialist Party, met and asked the President to make an exception in behalf of this one item, and the very day of the hearing, given out of courtesy to a member of the committee, this presidential indorsement is secured. The President asked the Committee on Rivers and Harbors to make an exception of this one case. He reversed himself, and then he asked the Committee on Rivers and Harbors to reverse itself. The gentleman from Wisconsin a few days ago brought up a very apt illustration of this very same point. He said it had been quoted right and left that we should stand by the President. I can not say it in the beautiful language that the gentleman did, but in effect he said that if we were to stand by anything, that thing must remain in a permanent position, and the same illustration he used in connection with the McElmore resolution actually applies to taking on the project of the East River at the dictation of the President.

Now one further word. They say this is an existing emergency. It is in evidence that the work can not be begun on Diamond Reef for at least the best part of a year. Now it will absolutely block commerce in that particular channel if they try to work on Diamond Reef and Coenties Reef at the same time, so that until the $200,000 we voted as an emergency last year is expended it will be impossible to do anything on Diamond Reef.

I will add under leave to extend my remarks that during this discussion the chairman [Mr. SPARKMAN] quoted extracts from a letter addressed to me by Col. Black. He did not quote the following sentence from the same letter: "It would be undesirable on account of interference with traffic to commence the removal of these two reefs at the same time."

Mr. HUMPHREY of Washington. Mr. Chairman, the gentleman from New York [Mr. CONRY] read from the testimony of Admiral Benson, saying that he had passed through this channel with a great deal of anxiety and only at the very top of the tide. And he said with great emphasis that was not the statement of a politician. That was true, and that was received with applause on that side of the House. Mr. Chairman, if he had turned right over on page 13, he would have found this language:

> Mr. COSTELLO. When the tide is high, in using Buttermilk Channel you avoid all the dangers ascribed to the other?
> Admiral BENSON. Yes.

That is all there is in this entire proposition. They can use Buttermilk Channel whenever they please without any danger, and, notwithstanding the dangers that have been ascribed to the other channel, an accident of importance has never occurred to a naval vessel going through either of those channels, although they go up there in great numbers.

Mr. HULBERT. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREY of Washington. I can not yield; and by the evidence that the distinguished gentleman, Mr. HULBERT, placed in the RECORD on Saturday there are 33 feet in that Buttermilk Channel at high tide, and a mud bottom—absolutely no danger—and the new vessels we are going to construct for the Navy will draw no more than 30 feet. While the vessels are to be enlarged in other ways, so far as the draft is concerned, it is not going to be increased.

I think I shall have to stop a moment to compliment my distinguished friend from Pennsylvania [Mr. MOORE]. I have heard him stand up here a great many times and talk about the President's dictation, and he was one of the last men whom I expected to see join that procession. He says that he is convinced from the evidence that has been introduced——

Mr. O'SHAUNESSY. Will the gentleman yield?

Mr. HUMPHREY of Washington. I decline to yield.

Mr. O'SHAUNESSY. I just wanted to say that everybody is joining the procession.

Mr. HUMPHREY of Washington. That is true; but the procession is moving in the opposite direction from what the gentleman from Rhode Island thinks it is. [Laughter and applause on the Republican side.] As I was starting to say a moment ago, my distinguished friend from Pennsylvania [Mr. MOORE] said that he is convinced from the evidence that has been brought out before the committee that this is a meritorious project. Mr. Chairman, he is very easily convinced, because there was not a single man on the committee who was convinced, not a single one; and Mr. HULBERT is the only one on that committee who would have voted for this project——

Mr. MOORE of Pennsylvania. I have not heard it disputed by a member of the committee.

Mr. HUMPHREY of Washington. There is not a single man on the committee who would have voted for this project, with the exception of Mr. HULBERT, of New York, if it had not been for that letter from the President; so it does not take very much to convince my distinguished friend from Pennsylvania and persuade him to follow the President. I regret that he is one of those distinguished gentlemen that I fear hereafter will

take orders from the White House without waiting to hear any evidence beyond the mere expression of the President's will.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. MOORE of Pennsylvania. Would the gentleman have hesitated to go to a Republican President and ask to get a project through for Puget Sound?

Mr. HUMPHREY of Washington. Is the gentleman through?

Mr. MOORE of Pennsylvania. Yes.

Mr. HUMPHREY of Washington. If I had, and if I could not have made any better showing than has been made here, I would have been ashamed of my friend if he had voted for it.

Mr. MOORE of Pennsylvania. If the gentleman had a letter from the President, I guess he would not have hesitated to use it.

Mr. HUMPHREY of Washington. It would depend on what it was. [Laughter.]

Mr. MOORE of Pennsylvania. Of course, if the gentleman wanted a channel he would not hesitate to go after it.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. SPARKMAN. Mr. Chairman, after the discussion here to-day and what I had the privilege of saying in my opening statement, I do not care to detain the House more than a few minutes. I wish to say that there is not, in my opinion, a single channel or harbor in the entire country upon which a navy yard is located that is in a class with the one now under consideration. The navy yard at Brooklyn, as has been said, is the most important in the entire country, and while it can accommodate the largest battleships afloat or in contemplation it can not, by reason of the shallowness of the channel, be reached by these larger vessels. So far as the political side is concerned, I have nothing to say except that if it is politics that inspired the movement it is the broadest kind of politics, that kind that comes from the performance of a duty to the country, and there is never any objection to playing that kind of politics. Now, with reference to the claim that work can not go on at Diamond Reef and Coenties Reef at the same time, I wish to say that Col. (now Gen.) Black, then in charge of the work in and around New York Harbor, takes a different view. In a letter to the gentleman from Massachusetts [Mr. TREADWAY], dated February 14 last, Gen. Black showed how this can be done. I will read a couple of paragraphs from this letter. They are short and are as follows:

> Before specifications and invitations for bids for the removal of Diamond Reef are issued it will be necessary to make a rather extensive examination of the reef by borings. The work on Coenties Reef should have progressed sufficiently by next fall so that this examination could be made without undue interference with traffic. Upon the completion of the examination the specifications must be prepared and advertised for 30 days. Approximately another month must be allowed for entering into a contract for the work.
>
> It is thought that the actual work of removal of Diamond Reef could be started advantageously about the 1st of January, 1917, if the necessary funds should be appropriated during this session of Congress.

That is the reason, Mr. Chairman, for the authorization in this bill. The $200,000 will permit of the necessary examination and plans and the $500,000 authorized will permit a contract, which the engineers wish to enter into with some contractor as soon as the necessary examination, borings, and plans are made. Gen. Black's letter shows very clearly how much time will be saved by making the appropriation and authorization now. I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken, and the amendment was rejected.

Mr. HUMPHREY of Washington. Mr. Chairman, I have another amendment to offer, to strike out all of line 4, on page 5, after the colon down to the word "that," in line 10, which is the proviso.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Amend, on page 5, by striking out after the colon, in line 4, down to and including "*Provided further,*" in line 10.

Mr. HUMPHREY of Washington. What I really want to do is to strike out the first proviso.

The CHAIRMAN. Debate upon this paragraph and all amendments has been exhausted. The question is on the amendment offered by the gentleman from Washington.

Mr. HUMPHREY of Washington. Oh, no.

The CHAIRMAN. The Chair expressly so stated.

Mr. HUMPHREY of Washington. I did not so understand that. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that he may proceed for five minutes. Is there objection?

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto end in seven minutes, and that the gentleman have five minutes of the time.

The CHAIRMAN. The Chair will state to the gentleman from Florida that debate is now being ended on all amendments to the paragraph. If he desires to make a unanimous-consent request, it will be submitted. Is there objection to the gentleman proceeding for five minutes? [After a pause.] The Chair hears none.

Mr. HUMPHREY of Washington. Mr. Chairman, I am reading from the hearings on page 33. Mr. SMALL, a member of the committee, asked this question of Col. Black:

> Now, if this committee should undertake to include that in this bill, how much of that $700,000 would you require—how much could you economically spend for the next fiscal year, or until the next river and harbor bill, which must be passed at the short session in December?

To which Col. Black replied:

> I could not expend in that time over $200,000.

Now, we have heard a great deal about preparedness and the necessity for economy, and here is a statement made by the engineer who has the matter in charge, to the effect that we are giving them $500,000 more than he can use. That may not be politics, but it certainly is not the economy that our Democratic friends have been preaching so much about.

Now, I did not clearly understand the chairman of the committee as to what he said about politics a little while ago. A good deal has been said about it, and a good many references have been made to what I have said about politics. Mr. Chairman, I have no apology for anything I have said in regard to this item being placed in here for political reasons. The fact about it is that it was politics from the beginning to the end. It was adroitly worked. They waited until the committee had finished its bill, and then it was brought to the attention of the committee, when there was no opportunity to consider any of the other items that stood exactly on the same footing. Then the same thing was practiced here on the floor of the House, and I am not going to criticize those gentlemen on the other side of the House for taking their orders from the White House. They have been at it so long that you can not expect anything else, and it has come down to the point where the White House must even dictate the items that go into an appropriation bill. And I am not surprised to see the gentlemen on that side of the House follow the suggestion. They have become accustomed to it.

They are reversing themselves, and if they will follow out the directions of the President, they will reverse themselves every day. He reverses himself on the policy of this bill as he has upon many other propositions.

And I have no apologies to make when I say that this item was placed in the bill for politics and not for preparedness. I am perfectly willing to leave it to the country to judge whether or not I am justified in saying it. The country knows the condition that existed between this administration and the Democrats in New York. They know whether it is worth while just at campaign time to make a reconciliation, and if they want to take a campaign fund out of the National Treasury for the purpose of reconciling Tammary, let them have it if they have the assurance to take it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. HUMPHREY].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> Hudson River, N. Y.: Continuing improvement and for maintenance, $640,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $610,000, exclusive of the amounts herein and heretofore appropriated.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

I believe this is one of the most important projects that we have. At this stage of the proceedings it is very important for us to realize that the gentlemen from New York will probably be bound to this bill irrespective of what else happens, and that had their project preceding this one been struck from the bill those gentlemen would have been against the bill. I speak of that because it shows the way that our waterway bills are constructed. One proposition has to hang with all others; for if it goes down, then the bill goes.

On this particular project the Government is expending $7,500,000 on the Hudson River. It was originally $5,000,000, but it has been increased about $2,500,000. It is to connect with the Erie Canal, which originally was to cost $100,000,000. New York State courageously took that proposition on its own shoulders.

Since that time they have voted something like $35,000,000. The estimates of those who have taken into consideration terminals and all is that $170,000,000 will be borne under this bonded indebtedness for the Erie Canal. That is in addition to $90,000,000 which originally existed, or $240,000,000 in all on the Erie Canal. It would be small and niggardly for this Government to refuse to connect the Hudson River with that project.

But I wish to call attention at this time, Mr. Chairman, because it seems a very important proposition, to the fact that one of the strongest waterway publications in the country, Waterways and Commerce, declares that this project will be useless for commercial purposes, and they go on and give the reasons why, and one of them is that you can not carry a deep-water vessel through that canal.

Mr. PARKER of New York. Will the gentleman yield?

Mr. FREAR. I can not just now. I have only five minutes, and I do not want to take further time in addition to that.

I insert herewith the portion of the article to which I have referred:

[From Waterways and Commerce, March, 1916.]

OF INTEREST TO AMERICANS.

The magazine Waterways and Commerce is all pro-American. It always has been so and always will be pro-American. The founder of this magazine two years ago did not imagine that the day was so near when the United States could have a merchant marine.

Every shipper of merchandise must be familiar with the power of the Interstate Commerce Commission. He must know the intimate relations existing between the railroads of the United States and the merchant ships of Great Britain.

* * * * * * * *

We see Canada building the Welland Canal for boats of 25-foot draft, at a cost of $50,000,000, while the Erie Canal, costing the State of New York alone to-day $150,000,000 plus $90,000,000 expended in the past, or $240,000,000 in all, has only a 12-foot draft. More than that, the 12-foot Erie Canal unites with the Hudson River at Albany, where there is only 8 feet of water.

Worse yet, the Erie Canal lock at Oswego accommodates boats of only a 7-foot draft, thereby limiting the Erie Canal to 7-foot-draft boats at the only place where there will be competition with the Welland Canal ships.

Of what use is a 12-foot canal to the 25-foot ships that will use the Welland Canal, and what will be the cost of transshipment from the 25-foot boat to a 12-foot boat and from a 12-foot boat to an 8-foot boat and from an 8-foot boat to a 7-foot boat?

Why spend enormous sums of money on building useless canals? When the Welland Canal is in operation all of our Lake traffic will go by the way of Montreal, because the 25-foot Canadian ships can not use the 7 or 8 or 12 foot American waterway. At best, these Canadian ships will deliver cargoes for American cities to the railroads for distribution.

In addition to that, the opinion of some of the best waterway experts in the country is to the effect that the canal will be practically useless. Now, this is only a prediction on their part, I concede. I trust it will not be so. But it is one of the most important matters for us to consider, by reason of the vote upon it—I admit by the city of New York, largely, and those along the canal—whether or not we should do this. Gentlemen on the floor of the House have told me that they voted against it, believing it was useless. Some of the leading gentlemen in New York having to do with the transportation question believe it will be useless. It is possibly necessary on our part that, New York having expended $170,000,000 for the canal in addition to what was expended before, we should pay $7,500,000 for the approaches, but it is an evidence of our reckless waterway system, which goes on without regard to past experiences.

Now, I simply suggest these things as a prediction coming from men who are waterway experts, or who assume to be, and that is their judgment. I withdraw my pro forma amendment, Mr. Chairman.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. PARKER of New York. Mr. Chairman, I wish to strike out the last two words.

The CHAIRMAN. The gentleman from New York moves to strike out the last two words.

Mr. PARKER of New York. Will the gentleman from Wisconsin [Mr. FREAR] tell me whether the authority he has just quoted is not in the form of an advertisement for a ship canal?

Mr. FREAR. I do not so understand it.

Mr. PARKER of New York. Does it not ask at the bottom for a contribution for a ship canal?

Mr. FREAR. I do not understand so. It is written by the editor and is placed on the last page. I shall submit it in the RECORD, and it will answer the gentleman's question. The editor writes it, and I think he is perfectly sincere.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Absecon Inlet, N. J.: For maintenance, $25,000.

Mr. FREAR. Mr. Chairman, again I move to strike out the last word. I have not endeavored heretofore to strike out any items, and I do not propose to do so as a rule—that is, to go through the form of making a motion—but I wish to call the attention of the House to various projects here and there, and these are projects that are in the North, and I trust I will not be charged with being sectional in that respect.

This item, Absecon Inlet, receives $25,000. It is a mile long, separating Atlantic City from Brigantine Beach. There are one or two facts showing the nature of the improvements we are making. This is on the New Jersey coast, as you will understand. The appropriations to 1915 were $320,000. This bill carries an item for this project of $25,000. It was reported against by Chief Marshall, but Chief Bixby overruled him. The commerce at that time was estimated at from 2,000 to 7,000 tons daily. That was the estimate of what was to be carried, or upward of 2,530,000 tons a year. The commerce last year was 13,413 tons—only a mere nominal commerce, an insignificant commerce as compared with what was expected.

Now, I want to say that when we are appropriating $25,000 for projects of this kind, after placing $320,000 in a project, it is time for us to stop and ascertain whether or not we are investing our money wisely. I will not call for a vote, and so withdraw my pro forma amendment, Mr. Chairman.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. MOORE of Pennsylvania. Mr. Chairman, with respect to this item I wish to say that, if we are to give encouragement to commerce at all, this is one of the instances in which it ought to be given.

Hundreds of thousands of people visit Atlantic City every year. It is the playground of the United States and this is the chief approach to it. Appropriations have been made for far less worthy projects in other sections of the country. I do not question them now, but I want the House to know, with regard to any criticism of the Absecon Inlet projects, that steamboat lines run from Atlantic City to New York and Philadelphia through this inlet. Vessels have gone on the bar here time and time again. It is within the easy recollection of many Members of this House that the *Cherokee* went ashore at this point. The whole country stood aghast because of that incident. Accidents are constantly occurring along the shoals in this vicinity, and there is no earthly reason why the Government of the United States should not take care of the situation. It should encourage the commerce that is created at this port, but it should also provide for the safe passage of vessels which every summer carry hundreds of thousands of human lives. It is one of the instances to which criticism does not fairly apply, because the business concerns and the life and the property are there, and the Government should afford them protection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Cold Spring Inlet, N. J.: For maintenance, $40,000.

Mr. FREAR. Mr. Chairman, I am expecting that the gentleman from Pennsylvania [Mr. MOORE] will not advocate this project. This is a project for $40,000, in which the engineers only recommend $20,000.

Cold Spring Inlet is located near Cape May. This is for a $1,311,000 project, on which $905,000 has been expended and $961,000 has been appropriated.

As I said, the amount that can be profitably expended is $20,000, according to the engineers' reports, but double that amount is recommended here. The commerce in 1914 was 6,193 tons of commerce, with $103,000 valuation, whereas at the time that this project was placed in the bill originally it was estimated that the valuation would be $2,226,000. That is the engineers' estimate. Here is $103,000.

Now, I wish to quote from the engineers' report, which seems to be very interesting on this point. Capt. Lockwood says, on page 8 of the document:

The project of improvement, if carried to completion, will be of material benefit to the city of Cape May as a pleasure resort by filling the adjacent swamp lands, obliterating mosquito-breeding beds, and furnishing opportunity for expansion of building sites.

That was the determination of the engineers. Let it be said that the real estate company that was making this improvement, as they called it at that time, put up $100,000, but I understand that the gentleman from Illinois [Mr. MADDEN], when this bill was up before, presented the condition of affairs, and showed it was a real estate project.

But let us read from Capt. Flagler's report, page 5, under date of August 14, 1905, Document 388, Fifty-ninth Congress. He said that this improvement—

would also permit a resumption of the yacht races that were at one time sailed at Cape May and formed the most attractive event of the season. The Cape May cup, an international trophy, I am informed, is now sailed for at New York.

He proceeds, further, as follows:

Together with the projects in real estate improvements at Cape May, the establishment of a secure harbor would, I am sure, largely increase the present patronage of summer visitors at this locality.

This was to get the races away from you gentlemen at New York. Mr. Chairman, it is a real estate project. I do not care what administration it was put in under; I do not care where it is located; it was a real estate proposition originally. This appropriation doubles the engineers' recommendation, which only asked for $20,000. The committee have put in $40,000. It accommodates 6,000 tons of commerce annually, and I move to strike it out.

Mr. SPARKMAN. Mr. Chairman, I wish to say just a few words on the motion made by the gentleman from Wisconsin, for the purpose of explaining the position of the committee with reference to this matter.

This project was adopted in the bill of 1907. Three projects were suggested by the engineers. The board recommended the smaller project, and the chief, after stating that it was a question that only Congress in its wisdom should decide, concurred with the board and advised the adoption of the least expensive of the three. The Committee on Rivers and Harbors, however, recommended the most expensive upon condition, among other things, that the locality should contribute a given sum of money toward the work. In this recommendation the House concurred and the project was adopted.

Mr. KITCHIN. How much has been expended?

Mr. SPARKMAN. Nearly $1,000,000.

Mr. FREAR. About $900,000.

Mr. SPARKMAN. Now, the project was at one time considered as completed, but there is a system of jetties there which have deteriorated, so that the channel has been filling up, and if something is not done will soon become useless so that if we are going to keep it up at all, it is absolutely necessary to appropriate this money. It is true that only $20,000 was originally estimated by the engineers for this bill, but later on, and after further investigations, the engineer in charge found the injury more serious than when the first estimate was made and recommended that the amount be increased to $40,000 instead of $20,000. Now it is for the House to say what shall be done, but if you are going to keep up the project you must appropriate this money. If you do not intend to keep it up, but wish to abandon it, then, of course, it can be stricken out.

Mr. HULBERT. Will the gentleman yield for a question?

Mr. SPARKMAN. Yes.

Mr. HULBERT. What was the amount of money expended for the improvement of this harbor last year?

Mr. SPARKMAN. Fifty-six thousand dollars.

Mr. HULBERT. Fifty-six thousand dollars last year, and you intend to give $40,000 more.

Mr. SPARKMAN. That is the proposition.

Mr. HULBERT. Will the gentleman yield for one further question?

Mr. SPARKMAN. Certainly.

Mr. HULBERT. We have heard a whole lot here about the greatest waterway expert in America. Was not this particular project adopted while Mr. Burton was chairman of the Committee on Rivers and Harbors?

Mr. SPARKMAN. That is true; and it was adopted in the bill of 1907, which has been regarded by some experts, at least, as the very best river and harbor bill that ever passed through this House or ever became a law.

Mr. MOORE of Pennsylvania. Mr. Chairman, during my first session of Congress this matter of the Cold Spring Inlet was brought up in the river and harbor bill. I remember it very well, because we were intensely interested in opening up the approaches to the Delaware River at that time. Cold Spring Inlet was about 14 miles above the entrance to Delaware Bay, and there was a great deal of discussion as to whether it was such an improvement as could be successfully maintained by the Government. There were certain suggestions of private ownership of land, and the maintenance of the project was also a debated question; but the then chairman of the River and Harbor Committee, Mr. Burton, of Ohio, who is often referred to with very great admiration by the gentleman from Wisconsin [Mr. FREAR] as one of the leading experts of the country, made one of the most eloquent and forceful appeals I have ever heard, urging the adoption of the project.

Mr. BUTLER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. BUTLER. I remember when the gentleman came to Congress, and we gave him a very welcome reception. We were mighty glad to have him come.

Mr. MOORE of Pennsylvania. I thank the gentleman. I was glad to get here.

Mr. BUTLER. Does the gentleman recollect having heard Senator Burton commend this project?

Mr. MOORE of Pennsylvania. I was about to say that the greatest waterway expert of the country advocated this project most earnestly and eloquently at that time. I mention it because my friend from Wisconsin, Mr. FREAR, is very proud of the information he obtained from Mr. Burton, who was then chairman of the River and Harbor Committee, and who is undoubtedly a great waterway expert. At that time the galleries were filled, the floor was occupied by Members in larger numbers than we usually see here.

The gentleman from Illinois [Mr. MADDEN] had made a speech very much after the fashion of the speech just made by the gentleman from Wisconsin [Mr. FREAR]. He had before him a map indicating the lots that were to be sold. He pointed out on the map the territory that was to be covered by the sand that was to be dredged up from the sea, so that summer residents might obtain attractive home sites, and all that. I recall the discussion very well; it was memorable because of my interest in the Delaware River. The gentleman from Ohio, Mr. Burton, was in charge of the bill; it was said to be one of the best and most economical of all river and harbor bills ever brought into Congress. I remember that the gentleman from Ohio turned to that side of the House as if to give a challenge and said, "Is there anyone on this side who opposes this project?" Then he turned to the other side and with a sweep of his arm said, "Is there anyone on this side who rises to oppose this project?" No one having arisen, and the argument being concluded, the question was put and the item went into the bill. It is true that it held up the improvement of the Delaware River for some time, but it was supported by the gentleman from Ohio and it went into the bill. The gentleman from Ohio put that project in the bill. The improvement has been made. The engineers, who once reported against the project, said they could do the work if ordered to do so, and they did. The jetties were built and now the sweeping sands——

Mr. MADDEN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not yield now. It is true the harbor fills up and the channel has to be cleared occasionally for the vessels that use it. A million dollars has been spent at this point, and now the question of maintenance naturally arises. The harbor is a good harbor for the people of Cape May and those along the Atlantic seaboard who desire to use it. Small naval vessels, yachts, and other boats go in and out, and cargoes of fish and other commodities are transported to different ports. The channel has to be kept in order. It ought to be, and I trust the work done in 1907 by the gentleman from Ohio will not be abandoned now through the failure of an appropriation to keep this channel clear.

Mr. FESS. Mr. Chairman, I do not think that Mr. Burton needs any defense from me or from anyone else in the House. His name has been frequently used in this debate on the rivers and harbors bill. I have been studying the make-up of this bill, and I have no criticism on it. I do not know enough about it in detail, and I try to be a student of the legislation so as to be intelligent on questions upon which I am called to vote. After a project has been undertaken, I can not without knowing all the facts say whether I would support it or not, and therefore I must take it largely from the committee.

I was in favor of the project that was voted into the bill a while ago—the East River item—because it seemed to me a good one, but I was not in favor of the manner in which it was put in. It seemed to me that that was open to severe criticism.

It is a very easy thing to take a position at one time and to see the necessity of changing it later on. Many reasons may be assigned for modification of one's position. I have no condemnation for anyone who changes his mind. I think it was Lowell that said that new times demand new duties. Time makes ancient good uncouth.

Senator Burton took a position. He is well known upon that position. He has been severely criticized for not following what seemed to be the position he originally took. I do not know whether he was inconsistent or not. I do not have the facts, but I do know that he has refused to stand for certain projects when it would appear that it would be to his favor personally to do it. I do know that a committee or a representative came here from Cleveland appointed by the Chamber of Commerce or other commercial body of the city to ask him to stand for a project for the city that would require a great deal of money. I know, too, that the committee or members of the Rivers and Harbors Committee, to which the representatives went, declared that Senator Burton's indorsement was necessary, and it was further declared that if he indorses the same this matter will go through. I do know that Senator Burton said to the representatives from Cleveland that while it would be his personal pleasure as well as his political advantage if such a project could be put into the bill, yet he could not indorse it because it did not seem to him that it was justifiable. And with the statement made by the representatives of the com-

mercial interests of Cleveland that if he would indorse it the committee would do it, he said that he could not indorse it, and he would not.

I do not think that whatever criticism Mr. Burton may be subject to no one will charge him of taking advantage of a situation that confronted him, when to do so would be more easy than not to do so. I say to you that I do not know about the change of course that has been mentioned here, but I do not think that his motives are open to the criticism that strikes me has crept into this discussion. While I do not rise to defend his name because I feel that such defense is necessary, I simply call the attention of the House to his exalted position on public questions, always free from personal grounds and based upon the plane of a statesman, of which he is a splendid example.

Mr. BACHARACH. Mr. Chairman, I represent the district that Cold Spring Harbor is located in. I want to say that it is the only harbor of refuge from Delaware River to Sandy Hook and the only place a boat can go in and find any depth of water in stress of weather. I think there is about 70 feet over the bar after they get inside. The people appropriated $100,000 toward the $1,000,000 which the Government is expending, and they have spent several hundred thousand dollars inside to get a sufficient depth of water. Many boats do go in and out of there, also using the harbor of refuge.

I want to state in contradiction of what the gentleman from Wisconsin has stated about the channel never being used that it has been used by torpedo boats and other boats of the Navy and that the commercial end of it is gradually growing. In addition to that there are a number of small passenger boats that go in and out of there to other nearby points.

Let me read a letter received by me March 5 from the Engineer of the War Department.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, March 6, 1916.

Hon. ISAAC BACHARACH,
House of Representatives.

SIR: 1. Replying to your letter of the 4th instant, asking for information in regard to the Cold Spring project, I beg to say that the report upon which this project is based is printed in House Document No. 388, Fifty-ninth Congress, second session. The Annual Report of the Chief of Engineers for 1915, which is printed as House Document No. 91, Sixty-fourth Congress, first session, gives the status of the work on June 30, 1915. Both of the documents referred to you can undoubtedly obtain from the House Document Room.

2. You will note that the only estimate which was submitted in the annual report is $20,000 for maintenance of the improvement, and in the footnote on page 351 it is stated that the "funds on hand are sufficient to complete the project, and further appropriation will not be needed."

3. Due to unexpected shoaling and the necessity for repairs to the jetties a larger appropriation became necessary than was indicated last June. The changes which had occurred in the condition of the work subsequent to the time the annual report was submitted were described to the River and Harbor Committee when the amounts which should be appropriated were being considered, and it is assumed that it was upon the information thus obtained that the committee recommended the appropriation of $40,000 instead of $20,000 as estimated for originally.

4. No printed reports other than the documents referred to and the regular annual reports which have described the progress of the work year by year are available.

Very respectfully,
H. TAYLOR,
Colonel, Corps of Engineers,
Acting Chief of Engineers, United States Army.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. BACHARACH. I will.

Mr. COOPER of Wisconsin. I understood the gentleman to say that this was the only harbor of refuge between the Delaware River and Sandy Hook.

Mr. BACHARACH. With a sufficient depth of water.

Mr. COOPER of Wisconsin. What is that distance?

Mr. BACHARACH. From Sandy Hook about 135 miles.

Mr. LENROOT. How far from Delaware River?

Mr. BACHARACH. About 15 miles.

Mr. LENROOT. Mr. Chairman, I move to strike out the last word.

Mr. SPARKMAN. Mr. Chairman, I did not suppose that this item would call for an extended debate, and I move that all debate on the amendment close in five minutes.

The CHAIRMAN. The gentleman from Florida moves that all debate on the pending amendment close in five minutes. Is there objection?

There was no objection.

Mr. LENROOT. Mr. Chairman, I do not know whether the committee observed a statement of the chairman of the committee with respect to this item. He stated that it was reported because it was the carrying out of an adopted project, and stated, as to whether or not this should be continued, the committee itself had no opinion, but left it to the House to decide.

Mr. SPARKMAN. Mr. Chairman, if the gentleman will yield, I do not know but that my language was open to that construction, but I did not intend to say that. The committee did have a decided opinion on the subject, but I stated that as to whether the committee was going to be sustained or not was a matter to be left to the House—that is, whether the item should remain in the bill would be left to the House.

Mr. LENROOT. Mr. Chairman, of course that would be true of every project that comes in the bill. What I wanted to say is this, that if this Congress desires to be relieved from the charge, and a just charge, that the river and harbor bill is a pork-barrel proposition, it must come to that point where it will strike out such items as is now before the committee. The defense for this item is wholly that it has heretofore been adopted by Congress and was indorsed by Mr. Burton, who was then a Member of the House. I submit that we are entitled to better evidence than that. The question of whether or not an appropriation should be made ought to be considered in the light of circumstances as they now exist, and if it is clear that a project that has heretofore been adopted ought not to have been adopted, or if, after being nearly completed, it has been shown that it was not such a project as warranted Government appropriation, then, notwithstanding the fact that it is the carrying out of an existing project, this House, if it does not wish to stand for pork-barrel bills, should treat it upon its merits and vote out an item that ought not to be there.

With reference to this item I hold in my hand a report of the Board of Engineers. The project is 93 per cent completed—practically completed—and has cost nearly $1,000,000. The tonnage last year was 6,000, and upon a basis of $40,000 per year for maintenance it will cost the Government $6 per ton. Is that the kind of business administration that this Congress ought to indulge in in river and harbor appropriation bills? Mr. Chairman, I am in favor of a river and harbor bill; I think it is one of the most important things that this Congress can deal with. The improvement of our rivers and harbors is a matter of vital importance; but because I am in favor of a proper river and harbor bill, because I want to see such a bill relieved of just criticism, I believe that this House, when it comes to items like this, ought to strike them out of the bill; and if we will treat some of these propositions upon that basis, then it will no longer be said of the different river and harbor appropriation bills that they are pork-barrel propositions, and people will not be able to point to a few items like this to substantiate it.

Mr. BACHARACH. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. BACHARACH. The gentleman referred to the tonnage. He did not speak of the passengers, though I think that is referred to right on the same page of the report.

Mr. LENROOT. No, it is not.

Mr. BACHARACH. The passengers taken over and returned from the fishing banks were 5,083. I merely desire to call attention to that to show that it is valuable for passenger service.

Mr. LENROOT. Even that does not authorize an appropriation of $40,000 a year upon the part of the Government for 5,000 passengers and 6,000 tons of merchandise.

Mr. BACHARACH. The gentleman realizes, of course, that $40,000 is an unusual proposition, owing to the fact that it has shoaled up this particular year.

Mr. LENROOT. The gentleman does realize that the engineers recommended $20,000, and I say that any project that calls for an appropriation of $20,000 a year upon the showing made here is not justified and is nothing but pork.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. All time has expired. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. LENROOT), there were—ayes 24, noes 26.

So the amendment was rejected.

The Clerk read as follows:

Woodbridge Creek, N. J.: For maintenance, $3,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. The last project which was commented upon was criticized because of the fact that it was a real-estate project. I am not moving to strike this out, although I want to state to the House what it appears to be from the engineer's report. Let me say, incidentally, I do not think that the gentleman who has been criticized on this floor, Senator Burton, needs any defender, although the gentleman from Ohio [Mr. FESS] defended him so well. He is the ablest expert, I believe generally so considered, excepting in the mind of, perhaps, several gentlemen who may have that opinion of themselves. He has done more for the waterways of this country possibly than any other man, and he has done it sincerely, but he has made mistakes in judgment, as every man has made upon the subject of waterways who has recommended many of these projects. This one project

carries only $3,000, but there is a balance unexpended of $6,000, and I want to call attention to the fact that, so far as the record shows, it has to be expended—and that is the engineer's recommendation—for a channel 1¼ mile long up to Vallentine's private dock. I do not believe that it is a right use to make of public funds. Mr. Vallentine can well afford to give the money if he chooses to, or he can make some contribution. I do not understand on what principle we are entitled to go to work and use public funds for a private interest of this kind for a mile or a mile and three-quarters. I call attention to the fact that commerce to the extent of 203,000 tons went through this channel in 1912, but had diminished to 59,000 tons in 1914, showing a loss of 70 per cent in two years.

Let me call attention to another fact. Very few Members have an intelligible understanding of the project, and it involves, just as the other did, a real estate project. The question is, Are you going to use public funds to help out private concerns. The dredging company receives 35 cents a yard for dredging, whereas in Woodbury Creek they receive 8¼ cents. I do not know but that that may be a fair proposition, but I can not fail to remember what the gentleman from Iowa [Mr. GOOD] said at the last hearing of the committee, that nearly twice as much is paid to private contractors for dredging as is paid out by the Government when it does its own work. Here is a case where we are paying 35 cents a yard instead of 8¼ cents a yard for a commerce that fell off 70 per cent last year. I do not know that I care to say anything further.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. PARKER of New Jersey. Does it not appear, even from what is found here, that there are a good many docks on this project? The Salamander is the farthest up, and then Vallentine's, and there are various other docks within the township of Woodbridge.

Mr. FREAR. That may be true, but, so far as the official reports show, there are no public docks there—no public wharves.

Mr. CLARK of Florida. Mr. Chairman, I move to strike out the last two words and I do that for the purpose of referring to some remarks made a few days ago by the gentleman from Illinois [Mr. MADDEN].

The gentleman from Illinois [Mr. MADDEN] in discussing this bill undertook to draw a comparison with reference to the appropriations made in the bill for the State of Illinois and the appropriations made in the bill for the State of Florida. The gentleman stated that the State of Illinois paid some $5,618,400.38 for income and corporation taxes in the last fiscal year, and the State of Florida paid $228,358.85 for those purposes, and the State of Illinois got in this bill some $850,000, whereas the State of Florida got some $950,000, and some odd. I want to state, Mr. Chairman, in the first place, that the river and harbor bill is not constructed as the gentleman appears to believe upon the theory of allotting money pro rata among the several States. The river and harbor bill is constructed upon the theory of taking care of the river and harbor projects of the country in the interest of the commerce of the country. And I want to say, Mr. Chairman, if the gentleman is to draw that rule, and if that is to be the basis of river and harbor appropriations, that since this Government began appropriating money for river and harbor improvement the State of Illinois has received $19,874,336.32, with only 325 miles of navigable rivers and no sea coast to take care of, whereas the State of Florida has received $17,535,579.88, with 3,421 miles of coast line and navigable rivers to be taken care of. [Applause.] The fact of the business is that the rivers in the State of Illinois were cared for years ago and their improvement practically completed, and I presume the gentlemen from that State are satisfied with what has been done. Mr. Chairman, that is not all. The gentleman stops with the corporation tax and the income tax, but I want to remind him of the fact that the State of Illinois receives annually out of the Treasury of the United States for pensions the magnificent sum of $11,409,082.92, while the State of Florida receives only $1,027,368.29.

Mr. MADDEN. Will the gentleman yield?

Mr. CLARK of Florida. For a question.

Mr. MADDEN. And the State of Illinois furnished the men to defend and preserve the Union, while the State of Florida did everything it could to destroy it. [Applause on the Republican side.]

Mr. CLARK of Florida. But, Mr. Chairman, the men in Florida who are drawing these pensions are men who came from his State and from every other Northern State and live in the State of Florida, and they are Union soldiers just the same as your people are Union soldiers. [Applause on the Democratic side.] The natives of Florida and the natives of the other Southern States who live in Florida draw practically nothing in pensions from the Government of the United States.

Mr. MADDEN. They are not entitled to them and ought not to draw them.

Mr. CLARK of Florida. I am not saying they are, and I want to say, Mr. Chairman, I shall never vote for them to do it. I would be ashamed of myself if I did.

Mr. Chairman, that is not all.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. CLARK of Florida. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to proceed for five minutes more. Is there objection.

There was no objection.

Mr. CLARK of Florida. That is not all. The State of Illinois has had $19,874,336.32, the figures which I have mentioned, which makes $61,153.34 contributed to every mile of navigable streams in the State of Illinois, while the State of Florida has received $17,535,579.88, which makes $5,126.15 for every mile of her navigable waterways.

Mr. MADDEN. Will the gentleman yield for another question?

Mr. CLARK of Florida. I will.

Mr. MADDEN. Will the gentleman tell the House how much Illinois contributed more than the State of Florida contributed toward the revenues of the Government out of which this expenditure was made?

Mr. CLARK of Florida. Yes. I will tell the gentleman that Illinois pays a great deal more than does the State of Florida, and I will also tell him that the population of the State of Illinois is 5,628,591, while the population of the State of Florida is only 752,619, about half of them negroes, who do not pay a dollar of taxes.

Mr. MADDEN. And not allowed to vote, either, I suppose?

Mr. CLARK of Florida. And will not be, I will say to the gentleman. [Laughter.]

Mr. Chairman, if the gentleman's theory is true, then the States of Arizona, Wyoming, Idaho, Utah, Nevada, Colorado, New Mexico, and Oklahoma, which do not get a dollar for the improvement of rivers and harbors, do not get their share. These States get nothing in this bill, however, for the simple reason that they have no navigable waters within their borders.

Mr. Chairman, the gentleman's statement was made purely for political and sectional purposes. [Applause on the Democratic side.] I have never during my 11 years' service in this House—and no man upon this floor can say to the contrary—uttered one word calculated to stir up sectional prejudice in this country. If it is true that we are all citizens of this country, we are asking for nothing more here than we are entitled to by reason of the rivers and harbors that happen to be in our section.

Mr. Chairman, the gentleman states that northern Democrats upon this floor are bound by caucus rule. He knows that no caucus has been held upon this bill. He knows that every Member of this House, be he Democrat or Republican, and no matter from what section he comes, is at liberty to vote as he pleases upon any amendment and upon the bill as a whole. No caucus has tied the hands of anybody.

I want to correct my statement of a moment ago by saying this: That in the State of Florida we have no law denying to any man the right to vote. They simply have a poll-tax prerequisite and the Australian ballot, which is an educational qualification, and that is the reason the ignorant are denied a vote; but if the gentleman means to intimate that we ought to allow those people to control us, I say to him that we never will do that, no matter what happens in this country. [Applause.]

Mr. Chairman, under the leave granted to extend my remarks I desire to submit one or two more thoughts in this connection. The complaint of the gentleman from Illinois [Mr. MADDEN] that his State is not being treated fairly, that this is a sectional bill, and that "the South is truly in the saddle" is unjust and with no basis of fact to support it.

Take, for instance, the matter of public-building construction by the Federal Government in the different States, and we will find that since the State of Illinois has been a State in the Union there has been expended for the erection of Federal buildings within her borders the sum of $16,100,525.70, while within the State of Florida the United States Government has only expended the sum of $3,018,867.71. And in this present Congress the city of Chicago alone, through its Representatives upon this floor, is asking for $4,250,000 additional to $1,750,000 already authorized, making a total of $6,000,000 with which to purchase a site upon which to erect a new Federal building for that great city. But, Mr. Chairman, I am not criticizing

either Chicago or the State of Illinois. I glory in the achievements and the progress of that magnificent city and great Commonwealth. Year after year the South and the West pour millions into the coffers of Chicago, and as patriotic American citizens we take just pride in her progress.

I am an American citizen, and I wish every portion of my great country Godspeed in the march of progress. I would place no obstacle in the pathway of any city or State within the broad domain of this Republic, and I would consider myself unworthy of a seat in this historic Chamber if I should by word or deed seek to rekindle the dead embers of sectional hate.

I have said that the negro did not, as a rule, vote in my State. He does not vote not because the right to vote is arbitrarily denied him. We have in the State of Florida the Australian ballot in its purity and simplicity. No ornament, party emblem, or other distinguishing mark is on the ticket. The names of candidates for each office are placed on the ticket alphabetically and no voter unless he be blind can be assisted in marking his ticket. The voter goes in the booth alone, and he must make a cross mark to the left of each person's name for whom he desires to vote. It will thus be seen that he must be able to read before he can vote intelligently. This is our educational qualification and the only one we have. Does the gentleman from Illinois think this is unfair?

We also levy each year a poll tax on all males between the ages of 21 and 55, and unless a man shall have paid his poll taxes for the two years immediately preceding the year in which he offers to vote he can not cast his ballot. This poll tax is only $1 a year and it goes into the school fund of the State. Does the gentleman from Illinois think this is unfair? The great mass of the negroes can not read and hardly any of them will pay their poll taxes, and consequently very few of them vote. We disfranchise them in no other way. But I want to say to the gentleman from Illinois and to all the world that we of the South agree with George Washington when he said in his Farewell Address that "the intelligence and virtue of a country must rule it." We regard the negro as an inferior being—made so by God himself—and we will never consent that the negro shall dominate in our affairs. And it is time that those who are not his friends, but who profess to be for selfish political purposes, quit trying to instill such notions into his head.

The men on both sides who fought out the War between the States ceased fighting at Appomattox, and from that day until this good hour no real soldier on either side has endeavored to rekindle the fires of sectional animosity. It does seem to me, Mr. Chairman, that more than 50 years having elapsed since the close of that awful fratricidal struggle, the man who would reopen the old wounds and attempt to supplant brotherly love with sectional hate is, indeed and in truth, an enemy to his country. We of the South have accepted the results of that great war in good faith; we have demonstrated that good faith by the sacrifice of the lives of our sons and brothers on land and sea in the War with Spain. If unhappily our beloved country should become involved—which God forbid—in war with some other foreign power, the best blood of the South will be willingly offered on our country's altar. This is our country, and Old Glory is our flag. Let us, then, as one people of one country with one flag move forward to the music of national progress toward the high destiny decreed for us by the Creator of Nations.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The gentleman from Florida [Mr. CLARK] seems to be worried about what I said. I simply stated a few facts taken from the records of the Democratic administration as to where the revenue comes from and where it goes. He does not like it. It seems to hurt. Then he commences to argue about how much Illinois has received since its organization as a State for river improvement. He forgets to tell how many more hundred million dollars it has paid into the Treasury than it has taken out. The gentleman also forgets to state how much less Florida has paid into the Treasury of the United States than it has taken out.

Now, as to the question of whether men are prohibited from voting just because they are black, I want to say to the gentleman from Florida that the time must come, and I hope to God it will come soon, when every man that lives under the Stars and Stripes, whether he is black or white, will be permitted to exercise his rights as an American citizen, as provided by the Constitution of the United States. [Applause.]

Ah, the gentleman says they have no law that prohibits men because they are black from voting, but he says they have methods by means of which they produce the same result.

Mr. McKELLAR. Mr. Chairman, will the gentleman yield there?

Mr. MADDEN. No; I must refuse to yield at this time. He says they propose never to permit these men to vote. Well, I suppose that will be true if they have their way. But there are 10,000,000 of these people in America. They will rise in their might some day against those who are keeping them down. They have been loyal to the flag. They have fought in every battle that has been waged for the liberty of the Nation. They have shed their blood upon every battle field. They are law-abiding citizens. They are loyal to the country and to the Constitution, and they are entitled to better consideration than they are receiving at the hands of men like my distinguished friend from Florida, who has just taken his seat. And I resent the attitude of the gentleman from Florida and all who think and act as he does upon that question, because I believe that every human being, no matter what his creed or what his color, is entitled to his right to participate in the activities of this Republic, if he be a citizen of the United States. Oh, you do not ask these men what the color of their skin is when you want them to fight for the flag. Oh, no. You only ask them what the color of their skin is when they want to exercise their right of franchise. You did not ask those men who went to Santiago, who led the charge at San Juan Hill, what the color of their skin was when they won the victory for our flag there. You did not ask them what the color of their skin was when they fought with Gen. Jackson at New Orleans. Oh, no. You did not ask them what the color of their skin was when they fought in the Revolution, and no one asked them what the color of their skin was when they fought for the preservation of the Union under which we now all live in that degree of prosperity and happiness of which we are all so proud. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CLARK of Florida. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Florida [Mr. CLARK] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Keyport Harbor, Matawan Creek, Raritan, South, and Elizabeth Rivers, Shoal Harbor, and Compton Creek, N. J.: For maintenance, $10,000.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington moves to strike out the last word.

Mr. HUMPHREY of Washington. It is with great reluctance, Mr. Chairman, that I propose to add anything to the gaiety that has been created in this discussion. But I want to call the attention of my friend from Florida [Mr. CLARK] to the fact that if he had been on the floor of the House to-day when the discussion was had awhile ago he would have hesitated to make the statement that gentlemen on that side of the House voted as they pleased in regard to the items of this bill. If he had made an exception of the item in regard to New York Harbor, he would not have had to revise his statement.

Mr. CLARK of Florida. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. CLARK of Florida. Does the gentleman mean to say that there has been a caucus on the New York item or on any items to bind Democrats on this bill?

Mr. HUMPHREY of Washington. Oh, it is not necessary to have a caucus for the Democrats to know how they will vote. All that it is necessary to have is an intimation from the White House. You did not have to call any caucus. [Laughter and applause on the Republican side.] That is what I am saying. With the exception of that one item, where they got their direction from the White House, that is probably true. I am sure my good friend the gentleman from Florida was not on the floor or he would not have made that statement.

Mr. CLARK of Florida. Did the gentleman oppose the New York item?

Mr. HUMPHREY of Washington. I supposed I did. I made a good deal of noise about it. [Laughter.]

Mr. CLARK of Florida. I understand about the noise; but did the gentleman vote against it?

Mr. HUMPHREY of Washington. I certainly did.

Mr. CLARK of Florida. Was there a call for a division?

Mr. HUMPHREY of Washington. Oh, there was no call for a division. I knew that the Democrats would do what they were told to do over there. [Laughter on the Republican side.]

Mr. MANN. If that side wants a division on every vote, you can have it.

Mr. CLARK of Florida. I was asking the gentleman from Washington why, if he was opposed to that item, he did not call for a division.

Mr. MANN. And I was butting in. [Laughter.]

Mr. HUMPHREY of Washington. I did not want to take up unnecessary time. I could see, as anyone could see, that it was not necessary to prolong the agony any further. I was certainly opposed to that item in the bill. I do not think it was justified, and I do not think it was put in there for any other reason than as a political favor.

Mr. CLARK of Florida. Will the gentleman allow me to ask him one more question?

Mr. HUMPHREY of Washington. Certainly.

Mr. CLARK of Florida. Did any of the Republicans vote for that item? [Laughter on the Democratic side.]

Mr. HUMPHREY of Washington. Oh, you can always find some misguided Republicans that will vote occasionally with the other side. [Laughter.]

Mr. CLARK of Florida. Did the President tell them to vote for it? [Laughter on the Democratic side.]

Mr. HUMPHREY of Washington. Well, you can ask the gentleman from Pennsylvania [Mr. MOORE] about that. I was a little bit suspicious of the way he acted on that. [Laughter.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Shrewsbury River, N. J.: For maintenance, $10,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. I wanted to get the parliamentary status. Is the Clerk reading the bill?

The CHAIRMAN. Yes.

Mr. MOORE of Pennsylvania. A parliamentary inquiry. Under those circumstances "the gentleman from Pennsylvania" would not have a chance to answer the question propounded by the gentleman from Florida [Mr. CLARK]?

The CHAIRMAN. The Chair thinks the gentleman from Pennsylvania is familiar with the rule that entitles a Member to the floor.

Mr. MOORE of Pennsylvania. I am, and I yield to the rule.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. The gentleman from Florida was not in the Chamber when the New York item was discussed and voted upon. I noticed on the floor a little while ago that he evidently was receiving some coaching from Members who were in the Chamber.

Thereupon, with a view to showing that the gentleman from Washington was not in favor of his own motion to strike out, he asked the gentleman from Washington whether he had asked for a division. I asked the gentleman from Washington not to ask for a division merely for the purpose of not having undue delay; but if every time a gentleman offers a motion gentlemen on the committee are going to take it that he is not in favor of his motion because he does not ask for a division, I will not only ask for a division each time, but for tellers. If gentlemen on that side of the House want delay of that kind, we will give it to them. [Applause on the Republican side.]

The Clerk read as follows:

Mantua Creek, N. J.: For maintenance, $10,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. The criticism may be made a little later on against those who are objecting to different items that, as suggested by the gentleman from Florida [Mr. SPARKMAN], there is something sectional in these objections. I am endeavoring to show that there is absolutely nothing of that kind; that the projects mentioned are objectionable in some features; and I believe that the facts ought to be disclosed to the House, irrespective of where they may be located.

Take, for instance, this Mantua Creek item of $10,000. The Engineer's report says that it is 85 per cent completed and that the remainder is unimportant. On page 2215 the Engineer says:

No operations were in progress during the year, as no dredging was necessary for maintenance in the portion of improvement completed, nor any repairs to the jetties, and the remainder of the project is unimportant.

And yet we are appropriating $10,000 in this bill, as is disclosed here, to put a channel of 12 feet up to J. P. Thomas & Sons' phosphate works. Now, if that be a proper expenditure of the public money, it is just as fair to put it down at Northeast River, N. C., as it is up in New Jersey, because the same proposition came up at Northeast River. There is no choice between the two. That is the purpose, as suggested by the engineer's report. There is no local contribution. It is just a question of making an outright appropriation to reach a private factory. The engineer's report shows, as to the ordinary traffic there, that the loss in commerce was 45 per cent in the last two years.

Mr. MANN. Do I understand the gentleman's position to be that if there is an industry there, the fact that it is a private industry—and all industries are private—is a reason for not making an improvement to navigation in order to reach the industry?

Mr. FREAR. I am very glad that the gentleman asks that question, because I did not make it clear. In our bill we insist time after time on local contributions. We urge that the locality shall make its fair contribution toward the project. Not often, I admit, but occasionally. We insist on that on projects in Texas and California, and some other places. But here there is no imposition of any terms, and I say when you are making an improvement up to a private wharf—because it is not a public wharf, as I take it—up to the private wharf of a manufacturing institution of this kind, there ought to be some contribution by that concern. If not, you can see how wide open we throw the doors of the Federal Treasury for the purpose of making these improvements, or dredging up to every wharf where a channel is desired.

Mr. SPARKMAN. Has the gentleman the figures as to the tonnage there?

Mr. FREAR. There was a tonnage of 113,000 tons last year, and a loss of 45 per cent, but where it occurs there is nothing to show.

Mr. SPARKMAN. I know the gentleman stated the percentage of loss. What is the present tonnage?

Mr. FREAR. The present tonnage is 113,000 tons, of which 90,000 tons is fertilizer.

Mr. SPARKMAN. I notice the gentleman has a special dislike for fertilizer.

Mr. FREAR. Oh, no.

Mr. SPARKMAN. And I would like to inquire if he does not wish us to improve the rivers of the country so that we can even carry fertilizer?

Mr. FREAR. I will answer the gentleman that my objection lies to dredging up to a private wharf. That was the reason offered.

I have only moved to strike out the last word, and I withdraw the motion.

Mr. PARKER of New Jersey. Does not the gentleman recognize the fact that during 1913 and 1914 there was a great falling off of such freight as building materials in New Jersey and other sections of the United States because of the destruction of manufactures on account of the change in our commercial relations?

Mr. FREAR. That is true all over the country and on every waterway. I did not lay any emphasis on that. That was called out by the chairman.

Mr. PARKER of New Jersey. In 1912 the commerce was 202,000 tons.

Mr. FREAR. That is true, I presume.

Mr. PARKER of New Jersey. And it is probably more than that now.

The Clerk read as follows:

Toms River, N. J.: For maintenance, $2,000.

Mr. FREAR. Mr. Chairman, I wish to read the recommendation of the engineers when Toms River was improved and the reason for that improvement. It is a small project. There were 92 tons of commerce last year, valued at $2,714. Document 346, Sixtieth Congress, states that there are two railroads there, which in 1907 carried 15,000 to 20,000 tons of freight—

Much of which, it is expected, would be shipped by water if the channel permitted.

They had 92 tons of commerce last year on this waterway. I call the attention of the House to the reason given by engineers for putting in this improvement. At page 4 of this document Maj. Flagler states:

Toms River is located on one of the three principal automobile lines of travel and has a large and increasing business from this source. Suitable depth in the river would increase this traffic, owing to the ease with which owners could communicate with their yachts at this point.
Local cooperation, none.

That was the reason given by the engineer for recommending this improvement. I have moved to strike out the last word, and I withdraw the motion, because I only desired to disclose reasons for recommending the project.

Mr. MOORE of Pennsylvania. I happen to know something about Toms River, N. J., and I do not see any reason why it should be criticized, as it has been, by the gentleman from Wisconsin. The river empties into Barnegat Bay, and throughout the year it is frequented by vessels of various dimensions, largely pleasure craft, as he states. The town of Toms River is

at the western end of this stream. There are other towns along the stream. The river is somewhat remote from the larger cities, but the settlements along it are frequented by people from New York, Philadelphia, and elsewhere. The craft that use the river come in from all points on Barnegat Bay, some of them coming in from the ocean. They stop at the various towns, many of them going to Toms River for their supplies. The paltry sum of $2,000 is appropriated for the purpose of maintaining this channel. It is a tidal stream, with a sandy bottom, which when wind swept is apt to fill. Two thousand dollars a year is what the Government is asked to spend to maintain the channel, in order that thousands of people may come and go upon it. It is small enough.

I want to say to the gentleman from Wisconsin and to the House that a tidal channel can not be kept clear and free for navigation unless it is maintained. To say that we spent $10,000, which was spent on Toms River years ago in order to get a 6-foot depth, and that that is all we have to do, is an absurd proposition. From year to year the tide fills up the channel and the sand drops in from the embankments, closing up the passageway. It must be cleaned out once in a while, just as the housewife must sweep the floor once in awhile to keep it clean. I mention this because the gentleman from Wisconsin on several occasions has referred to the question of maintenance, and has complained against it. It is as essential to maintain our channels and keep them in order as it is to cover a building once in awhile with a tin roof to keep out the rain.

Mr. SPARKMAN. Mr. Chairman, I think it is well that I should say a word here. This item was inserted in the bill after very careful consideration. It was one of the first items presented when we began to consider the bill in December last year, and during the two and a half months that we were at work upon it the estimate remained before us unadopted, because we wanted to get all the evidence obtainable both as to the amount necessary and the tonnage, which was small. The information finally obtained was the same as that just furnished by the gentleman from Pennsylvania [Mr. MOORE], and was such that after due consideration the committee concluded to allow the amendment. I think it should remain in the bill as we have it.

The Clerk read as follows:

Chester River, Pa.: For maintenance, $3,000.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that we may pass this item and later return to it in order to offer an amendment.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the item on page 7, line 9, Chester River, Pa., be passed, and that the committee may return to it later for the purpose of offering an amendment. Is there objection?

There was no objection.

The Clerk read as follows:

Delaware River, Pa., N. J., and Del.: Continuing improvement and for maintenance from Allegheny Avenue, Philadelphia, to the sea, $2,100,000; for maintenance of improvement from Allegheny Avenue, Philadelphia, to Lalor Street, Trenton, $25,000; and completing improvement above Lalor Street, Trenton, $40,000; in all, $2,165,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the project from Allegheny Avenue, Philadelphia, to the sea, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $600,000, exclusive of the amounts herein and heretofore appropriated.

Mr. FREAR. Mr. Chairman, I move to strike out the last word, and I do it to allow the gentleman from Pennsylvania to speak on the excellent qualities of his river and harbor and also to impress on the committee the fact that where there is something legitimate—not a 92-ton project, as was the last one criticized, but where there is a valuable traffic—no one will object, unless it is to say that this is a large appropriation at this particular time, and that is a matter of judgment.

Mr. MANN. But is there any reason at this time, under the condition of the Treasury and our large expenditures for preparedness, for expending over $2,000,000 on the Delaware River?

Mr. FREAR. Two million seven hundred thousand dollars.

Mr. MANN. This is a pretty large sum of money. How much was spent last year?

Mr. FREAR. Something like a million and a half.

Mr. MANN. Out of the $20,000,000 appropriation?

Mr. FREAR. I think so.

Mr. MANN. How much was spent on the Delaware River last year, the current year or the year before?

Mr. SPARKMAN. One million two hundred and seventy-eight thousand dollars.

Mr. MANN. Is there no limit to this capacity for absorption of the public funds?

Mr. SPARKMAN. Oh, yes; but I do not think we reached it last year.

Mr. MANN. It seems to be a large sum of money. Did what we spent last year do any good?

Mr. SPARKMAN. Yes; it did a great deal of good, and what we propose to spend next year I hope will do more.

Mr. MANN. How long is this going to continue?

Mr. SPARKMAN. At the rate we are going on——

Mr. MANN. Oh, I will not ask the gentleman to guess, for the gentleman does not know how long the gentleman from Pennsylvania will remain in the House. [Laughter.]

Mr. MOORE of Pennsylvania. The gentleman from Pennsylvania is fortified by his colleague from Pennsylvania, Mr. COSTELLO, who I hope will address the House and give the details asked for by the gentleman from Illinois and the gentleman from Wisconsin.

It goes without saying that this is the most meritorious project in the bill. [Laughter.]

If we are to continue the policy of making river and harbor improvements, I can not conceive of any being so productive of returns upon the Government investment as the Delaware River.

It produces a large sum of money every year by reason of commerce that traverses it, and it pays into the Treasury of the United States as high as twenty and twenty-one million dollars per annum in customs revenues, which is an earning power worth while. At the same time, since the beginning of our history, even prior to the days when Daniel Webster made his celebrated reply to Mr. Hayne, in which he made reference to the Delaware, we had not received as much from the improvement of the entire Delaware as is turned in from customs in Philadelphia in a single year. That ought to be a satisfactory answer to the good-natured questions that have been propounded. It is a revenue-earning property. The commerce upon the Delaware River is increasing. In the city of Philadelphia we do more than a billion dollars worth of manufacturing per annum, and much of this goes out on the Delaware River to other ports of the United States and to foreign countries. The Delaware River has become a veritable beehive of industry during the last two years by reason of war conditions in Europe. We make more ships on the Delaware River than are made on any other river in the United States. It is now the center of the shipbuilding industries, the Clyde of America. In 1910 Congress approved a project for a 35-foot channel in the Delaware, which was agitated here largely upon the ground that New York had a commercial channel of 40 feet, Boston had more than 35 feet, Baltimore had 35 feet, and Philadelphia, the center of the shipbuilding industry, with its great navy yard, its great arsenals, was being left behind in the commercial as well as in the naval race.

We are now constructing a 35-foot channel, for which we have to thank Congress, but that project was commenced in 1910; at that time the engineer in charge was Herbert Deakyne, a major who has frequently been quoted on the floor here by the gentleman from Wisconsin [Mr. FREAR], who in his report estimated that the total cost of a 35-foot channel would be $10,900,000. He said, and the Chief of Engineers and the Board of Engineers sustained him, that, "with proper appropriations the work would require for completition about six years."

Up to the present time the work has been completed to the extent of about 40 per cent. The appropriations have not been coming along at a rate to complete the project in six years. To that extent there has been a waste, in that the work has not been proceeding as rapidly as it might, in order to effectuate an economical finish. This year, for the first time, the committee has made an appropriation which approximates the engineer's six-years-to-completion recommendation. With the sum provided for in this bill it may now be possible to advance the work more rapidly. It is to be hoped we will catch up to the original estimate of the engineers. I think that is about all that ought to be said at this time except that my colleague from Pennsylvania [Mr. COSTELLO] ought to be heard upon this subject. He is a member of the Rivers and Harbors Committee and I trust will address the House.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. COSTELLO. Mr. Chairman, I was in hopes that this item would pass without any criticism, as my friend from Wisconsin [Mr. FREAR] seems to think it is all right. The $2,100,000 cash item contained in the bill is $300,000 less than the engineer desired for the next year. In addition there is a $600,000 continuing contract making $2,700,000 in all. There are $900,000 of that item involved in the removing of a ledge of rock, which is necessary before we will ever acquire a 35-foot channel—$300,000 in this appropriation and $600,000 for a con-

tinuing appropriation—$300,000 to be used each year. We do not expend half enough money for our rivers and harbors. I often wonder while sitting here listening to men commenting upon river and harbor legislation what they would do if the Government owned the railroads. You ought to appropriate $100,000,000 a year for rivers and harbors work in order to get the most good out of it. More money was lost in the Union Pacific and the Northern Pacific and other railroads that attempted to cross this continent than you have appropriated to the river and harbor item since the beginning of this Government. I hope that this item will pass, and I am satisfied it will. Gentlemen may play along a little with it, but there is no doubt that here is a project that has all the merit of worth, and I know this House will recognize that worth. [Applause.]

It was necessary to make this appropriation in that way in order that the Government would get the best results from the contractors who will bid on this work. It would take from 10 to 15 per cent of the total amount to erect a plant necessary to do this work, and if we made three contracts it would just cost the Government about 30 per cent for the placing of the plant in operation in place of 10 per cent.

I do not think it is necessary to go into this very extensively. The Government has given the city of Philadelphia in about 114 years the magnificent sum of $21,000,000, and we pay back into the Treasury of the United States over that amount sometimes in one year. We have paid in 50 years over $800,000,000 on duty collected on imports, while our internal-revenue tax in 50 years amounted to over $264,000,000. Our value in commerce is over $1,200,000,000 per annum, while the tonnage is over 25,000,000 tons per annum; in 10 years our tonnage equals 250,000,000 tons. [Applause.]

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking why it is that the gentleman from Pennsylvania [Mr. MOORE] and his colleague [Mr. COSTELLO] omitted one of the very best reasons for improving the Delaware, and that is that the Delaware shad is the best fish that lives in the East.

Mr. MANN. Oh, anyone who knows shad does not believe that.

Mr. FESS. Mr. Chairman, I rise in opposition to the amendment of the gentleman from New York [Mr. BENNET]. I am impressed with his suggestion in reference to the value of shad, and it reminds me of a couplet on the subject that I think I can reproduce:

O fishermen on the Delaware, with slaughter on thy brow,
Come, speak the truth, your duty tell, what fortune is thine now?
The fishermen on the Delaware, with visage grim and sad,
Replied, "I can not tell a lie—full fifteen million shad."
O fishermen on the Delaware, with slaughter on thy brow,
Truth crushed to earth will rise again; she ought to do it now!

[Laughter and applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last two words. I have just listened to my colleague on the committee speak of this project—and it is a great project—but as he was telling about the wealth of Philadelphia the same thought occurred to me that did awhile ago when I heard my distinguished friend Mr. BENNET, of New York, and other gentlemen speak of the wonderful wealth of that city.

I wonder why it never occurs to some of these cities of immense wealth to help themselves. I never heard of Philadelphia or New York appropriating any great amount of money to help their harbors.

Mr. CONRY. Will the gentleman yield?

Mr. HUMPHREY of Washington. Certainly.

Mr. CONRY. Does not the gentleman know that New York City in the improvement of the North River expended $105,000,000 for doing work that the National Government should have done?

Mr. HUMPHREY of Washington. No.

Mr. COSTELLO. Will the gentleman yield?

Mr. HUMPHREY of Washington. I think the gentleman has got a misconception of the facts. My distinguished friend from New York, Mr. BENNET, placed the sum at $240,000, and certainly he would not overlook anything. You certainly would not accuse him of placing the estimate too low.

Mr. COSTELLO. I do not think that can apply to Philadelphia. Our city and State have appropriated over $10,000,000 for the improvement of the river, and we are now developing docks that will amount to about $25,000,000, for which we get scarcely a nominal consideration.

Mr. HUMPHREY of Washington. I am glad to know that Philadelphia has been helping herself. It constantly occurs to me when I hear these gentlemen from New York and Philadelphia boasting of the tremendous wealth of those cities, which nobody disputes, why, they have to have the Government help them so much. They do not have to do it out in our country. You take Portland, Oreg., for example, and they appropriate half a million dollars every year for river and harbor improvements, and they do not brag about it, either.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words.

Mr. HUMPHREY of Washington. I have not yielded the floor yet, unless my time has expired.

Mr. MOORE of Pennsylvania. Does the gentleman yield?

Mr. HUMPHREY of Washington. Do you want me to yield to you?

Mr. MOORE of Pennsylvania. I wanted to pay the gentleman a compliment. I do not know how to do it unless I get some time. Suppose I ask the gentleman a question, will he answer?

Mr. HUMPHREY of Washington. I will.

Mr. MOORE of Pennsylvania. I have a faint recollection of having seen somewhere in a Washington or Seattle newspaper a cartoon which indicated that the gentleman from Washington had drawn out of the Treasury for his splendid river, the Columbia, and its tributary, the Willamette, no less than $26,000,000, which I regard as the highest evidence of the activity of a Congressman. Has the gentleman ever seen that cartoon?

Mr. HUMPHREY of Washington. Well——

Mr. BUTLER. I have no doubt he paid for it. [Laughter.]

Mr. HUMPHREY of Washington. I am sorry my distinguished friend, usually so accurate, should have made a mistake.

Mr. MOORE of Pennsylvania. It may have been $28,000,000.

Mr. HUMPHREY of Washington. In the first place, it was not $26,000,000; it was $23,000,000. It was over on Puget Sound, and scattered generally throughout the State. This does not include the amount for the Columbia. What the total would be if that is added I do not know.

Mr. MOORE of Pennsylvania. But the gentleman got it, and he is entitled to the credit.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Harbor at Wilmington, Del.: For maintenance, $30,000.

Mr. FREAR. I move to strike out the last word for the purpose of putting an inquiry, which, I understand, the gentleman from Delaware [Mr. MILLER] is willing to answer. In the engineers' report for Wilmington Harbor there appears this provision:

By an act of the Delaware State Legislature, passed March 9, 1901, the city of Wilmington was authorized to contribute toward the improvement of Wilmington Harbor the amount of 10 per cent of the United States Government appropriation, not exceeding $60,000. To the close of the fiscal year the city has contributed, including interest, $20,707, which is less than 2 per cent of the amount appropriated by the United States since 1901.

I recognize that that is one of the places where the Government has insisted upon contribution, but I wish to ask the gentleman from Delaware if he knows, or I may ask the chairman of the committee, why that has not been insisted upon; why the other $40,000 has not been contributed, in view of the fact that the Government has spent over $1,000,000 on the project.

Mr. MILLER of Delaware. Mr. Chairman, I would prefer to make a motion and take five minutes of my own time to answer the gentleman.

Mr. FREAR. The gentleman can do that now.

Mr. MILLER of Delaware. Mr. Chairman, I move to strike out the last word.

I am very glad the gentleman from Wisconsin saw fit to bring this up, because if he had not done so I would have made the usual pro forma amendment in order to obtain the floor to explain it. This question came up last year, when the United States Engineer officer at Wilmington, Del., called my attention to a letter which he had written to the city authorities in Wilmington with reference to this matter. Under the act of the General Assembly of Delaware, passed in 1901, the city of Wilmington is authorized to contribute 10 per cent of the amount appropriated by the National Government up to and including the sum of $60,000. Heretofore it has been the practice of the district engineer to make known to the city authorities the state of the finances in connection with these appropriations, and then the money would be included in the next annual budget of the city. In other words, the initiative, as has been the practice, has come from the United States Engineer in that district. Maj. Johnston, the present engineer, reported in his letter in June to the city council, that since 1901, when this act went into effect, $554,000 had been appropriated by the National Government for Wilmington Harbor. I want to call to the attention of the gentleman from Wisconsin [Mr. FREAR], that although there may have been, as he says, $1,000,000 expended on the projects at Wilmington, Del., to date, the act of

the General Assembly of Delaware is only construed to mean that the city shall pay this 10 per cent from 1901, and up until the end of the last fiscal year, June 30, 1915, there has been $554,000 appropriated by the National Government. Ten per cent of that would be $55,000. Up to June, 1915, there had been appropriated about $21,000. In the rivers and harbors act of 1912 a dredging plant was established for the Wilmington (Del.) district, and to date above $200,000 has been expended on that dredging plant.

I will here insert that portion of the river and harbor act of 1912 relative to the dredging plant for the Wilmington district:

An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes. (July 25, 1912; vol. 37, p. 201.)

Improving harbor at Wilmington, Del., in accordance with the report submitted in House Document No. 359, Sixty-second Congress, second session, $250,000, of which amount so much as may be necessary may be used for the purchase or construction of a dredging plant to be used in connection with the work of improving and maintaining the harbor at Wilmington, Del., and at other places in the engineer district, with headquarters at Wilmington: *Provided*, That if, in the opinion of the Secretary of War, dredges of a suitable character to do the work at Wilmington, Del., are readily obtainable for doing the work by contract at reasonable rates, the amount herein appropriated shall become immediately available for the prosecution of such work.

As I have said, to date about $200,000 has been expended on that dredging plant, but there was a sharp difference of opinion between the city authorities and the various organizations of the city of Wilmington, such as the chamber of commerce and the engineer officer at Wilmington, my people claiming that the cost of this dredge should not be charged up against the total appropriations of Wilmington Harbor, for the reason that by the wording of the river and harbor act of 1912 this dredging plant can be used in connection with the improvement of the harbor at Wilmington, Del., and in other places in the engineering district with headquarters at Wilmington. That means any other project in the State of Delaware and any other project in the State of New Jersey down as far as Cape May and up as far as Absecon Inlet, on the Atlantic Ocean; so that I think the committee will bear with me in the contention that there is merit in the claim of the city authorities that the cost of this dredging plant should not be charged up against the total appropriation for Wilmington Harbor. Therefore that reduces the total to about $350,000, and 10 per cent of that, as we see, is $35,000, in round figures.

Following the letter of the engineer to the city authorities, the sum of $10,000 was appropriated, but it was not appropriated in time for the engineer to take cognizance of it in this report. That would raise the amount to about $31,000, and just as soon as the United States engineer shows that the Government is ready to go ahead with its money, he will make application to the city council, and they will appropriate additional money.

One of the duties of a Representative in Congress, besides representing his State as a national legislator, is to look out for such cases as this that come up in regard to his district and concern his people, and I am very glad that the gentleman from Wisconsin [Mr. FREAR] has brought this matter up before you gentlemen to-day, because I was aware of the fact last spring, when my service in Congress began, of what the engineer, who was a personal friend of mine, stated in his report, and I presumed that this question would undoubtedly be mentioned in the Committee on Rivers and Harbors, where it was mentioned, and that it would also be mentioned on the floor of the House.

Mr. Chairman, while I have a few minutes remaining I would like to state that throughout the State of Delaware, in connection with other projects where cooperation is mentioned, it is shown that in every instance the people have lived up to the spirit of the agreement between the National Government and the localities to cooperate wherever they can. My people and my State are not a rich people; neither are any of the municipalities or towns in that State what might be termed as rich cities or municipalities as compared with other cities that have been discussed here to-day.

The CHAIRMAN. The time of the gentleman from Delaware has expired.

Mr. MILLER of Delaware. Mr. Chairman, I have not had any time heretofore on this bill, and may I ask that the House give me five minutes more?

Mr. SMALL. Mr. Chairman, I ask unanimous consent that the gentleman from Delaware may proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this item and amendments thereto end in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this item and amendments thereto close in five minutes. Is there objection?

There was no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina [Mr. SMALL], that the gentleman from Delaware [Mr. MILLER] may proceed for five minutes more?

There was no objection.

Mr. MILLER of Delaware. Mr. Chairman, I would not be fulfilling my duty if I did not see to it that there was written into the CONGRESSIONAL RECORD the fact that my people had cooperated to the fullest extent of their capabilities with the Federal authorities.

I am not going to deal with this subject of cooperation any longer, because I think I may have already answered the statement of the gentleman from Wisconsin [Mr. FREAR], and if he has any further questions to ask I would like to answer them. I would like to take up the question suggested by my friend from North Carolina [Mr. SMALL] as to the shortness of tonnage, the lack of tonnage, on the various streams in the State of Delaware. It seems that the tonnage of streams all over the country went down in the fiscal year 1914, but there were so many glaring inconsistencies in the statistics of various streams in my State as compared with the tonnage of the year before that I made it my duty to investigate and ask various shipping men and to write letters and visit these places myself to ascertain just what the cause was. The act of February 21, 1891, practically makes it mandatory upon shipping men to report their tonnage, but I dare say that the penalty carried in section 2 of that act is never enforced, and therefore the shipping men have grown careless.

I am not going to take the time of the House to-day to go over the report of the committee or the report of the engineer from that district, which is also a public document, and show where there is more tonnage; but I am going to ask the House for permission to extend my remarks to the extent of inserting various data that I have collected about these streams in my State, showing that there is more tonnage than has been reported by the people. I do not mean to excuse them. I am glad to utilize this opportunity, so to speak, to bring it to their attention in a public manner, and I can put in the RECORD statistics which will show in every case that there has been more tonnage than has been reported in the public documents I have referred to. And I frankly say it is the fault of my own people, and I hope that after the matter has been called to their attention in this public manner they will see to it that they rectify their mistake, because it is necessary for them to show what that tonnage is, in order for the Government to do what is fair and what is fair for them to do likewise.

I am going to yield back the balance of my time, Mr. Chairman, and ask that I may extend my remarks in the RECORD on this topic; and I would like my remarks on the alleged lack of cooperation to follow the remarks of the gentleman from Wisconsin [Mr. FREAR].

The CHAIRMAN. The gentleman from Delaware asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Inland waterway between Rehoboth Bay and Delaware Bay, Del.: Continuing improvement and for maintenance, $50,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I have looked around to see if the gentleman from Delaware [Mr. MILLER] was here, because I did not want to raise this question otherwise. We are appropriating by this bill $50,000 for this waterway. I do not believe that this report states very clearly what the total amount is to be, although it is suggested that $356,000 is to be expended.

I call attention to the document containing the comments on this item by Maj. Flagler, who also made the recommendation which I discussed a few moments ago. Back on May 17, 1907, he stated, in Document 323, on page 9, that $4,500,000 in commerce will follow the canal, and the amount will be doubled within 10 years. That was in 1907. It may be possible that that will come about, but I suggest that the commerce of 1914, after the expenditure that we have made, reaches 4,928 tons, less than 5,000 tons, of the value of $67,000.

There is another question which was raised by the gentleman from Iowa yesterday, which is interesting in this connection, and that relates to the dredging contracts. On this same proposition the rate in one dredging contract is 8 cents and in another it is 13.9 cents. I do not know whether there is any light

that can be thrown on it by the gentleman from Delaware. I only moved to strike out the last word in order to enable him to offer whatever explanation he may have.

Mr. MILLER of Delaware. Mr. Chairman, I move to strike out the last two words. I am not going to take the time of the committee this afternoon to go into detail about this matter, except to say that the gentleman from Wisconsin [Mr. FREAR] evidently does not know that this project has not been completed. In other words, the dredge is still working, and the commerce that Maj. Flagler predicted has not yet started to use that cut-off, because it has not been completed. The gentleman evidently does not understand that this project has not been finished, and therefore there is no commerce to estimate.

I will ask permission, Mr. Chairman, to extend my remarks in the RECORD in connection with my other remarks on this bill. I do not want to detain the committee any longer. Its membership has been very good to me. I will say in closing that this Lewes and Rehoboth Bay project is one of the most important in my State, and will be of lasting benefit to the people of Sussex County, in Delaware. As the gentleman's objection is withdrawn, I will extend my remarks on this subject at a later date, so that the RECORD will show the true facts in connection with this project.

The CHAIRMAN. The pro forma amendments are withdrawn. The Clerk will read.

The Clerk read as follows:

Elk and Little Elk Rivers, Md.: For maintenance, $8,500.

Mr. FREAR. Mr. Chairman, I rise to make an inquiry and to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. FREAR. In the bill $8,500 has been presented. The engineers' report on this project, I understand, is only for $2,500. I will ask the chairman of the committee what the purpose is in increasing this item?

Mr. SPARKMAN. Two thousand five hundred dollars was the original estimate; but when we came to consider the item Col. Taylor, from the office of the Chief of Engineers, came before us and stated that after the estimate was submitted he had discovered considerable deterioration in the work, and that it needed this larger amount. On this statement we increased the amount to the figures in the bill.

Mr. FREAR. I would suggest in that connection, Mr. Chairman, that Document 770, Sixty-second Congress, shows that the cost of maintenance is large, and the river must be classed as unworthy of improvement. That is the engineers' report. On March 4, 1912, it was recommended to various Members of Congress that the Government should expend $4,040 and the local interests $2,020. That is all, as I understand, shown by the engineer's report, and the House or the committee was asked to support these measures when the statement of the engineers was that it was not worth the improvement, but they eventually put on $4,040 for the Government and $2,020 for local interests. Now, we finally find that it has jumped up to $8,500 in this bill.

Mr. MOORE of Pennsylvania. I can say to the gentleman that a new town has been started along the line of Elk River. It is called Chesapeake Beach, and a steamboat line has started business. That, to a large extent, accounts for the increased appropriation to carry the depth of water up to the town.

Mr. FREAR. And only 75 tons of merchandise was carried last year.

Mr. MOORE of Pennsylvania. Yes; but this is a new line. Mr. Chairman, I move to strike out the last two words. If the gentleman from Florida will indulge me for a moment.

Mr. COOPER of Wisconsin. Before the gentleman proceeds I want to ask a question. The gentleman from Wisconsin said that 25,000 tons of freight was carried.

Mr. FREAR. Twenty-five tons of merchandise.

Mr. COOPER of Wisconsin. On page 96 of the report it says 44,000 tons.

Mr. FREAR. The gentleman from Wisconsin is always watchful of my words. I stated that it was 25 tons of merchandise, and that was all that was carried.

Mr. COOPER of Wisconsin. I misunderstood the gentleman. I am not keeping such especial track of the words of the gentleman, but as a legislator here called upon to vote I want to know whether a man is accurate in his statements. I shall have occasion to comment on that a little later.

Mr. MOORE of Pennsylvania. Mr. Chairman, I think the whole point is that business is anticipated and the way must be cleared to accommodate that business, a perfectly natural proposition.

Now, I would like to ask the gentleman from Florida if he will consider an amendment such as was introduced in the bill of 1914, with respect to taking over the Chesapeake & Delaware Canal?

Mr. SPARKMAN. I did not quite understand the gentleman's request.

Mr. MOORE of Pennsylvania. In 1914 the bill contained an item to take over the Chesapeake & Delaware Canal and improve it for commercial purposes. A few days ago I spoke upon the advisability of opening up this and other waterways as a matter of preparedness. I ask the gentleman whether, at this time, he will agree to the introduction of an amendment looking to the condemnation of that property?

Mr. SPARKMAN. I will say to the gentleman that the committee can not accept an amendment of that kind. It is what we call a new project, and although we adopted it, as far as the action of the House was concerned, in the bill of 1914, it was stricken out in the Senate and stands now before the Congress as a new project. Unless we were going to take on new projects we could not take on that proposition. I want to say further that the committee as organized at that time thought it a good project and worthy to be adopted, and I for one have not changed my mind on the merits of that proposition.

Mr. MOORE of Pennsylvania. I wish to say to the gentleman and to the House that this is one of the new projects that was kept out of the present bill. A little while ago I started to say that I sympathized with the gentleman from Florida because of the predicament he found himself in with respect to the New York Navy Yard channel proposition. I voted for it because I believed it was absolutely necessary. I think it is; but I also recognize that there are other worthy projects that were kept out of the bill. The Chesapeake & Delaware Canal project, the Charleston Navy Yard project, the Norfolk Navy Yard project, and the project that the gentleman from Washington [Mr. HUMPHREY] has between Lakes Union and Washington—all of these were kept out of the bill under the rule the committee adopted, and of which we had public notice. The New York project having gone in at the instance of the President, and the Chesapeake & Delaware Canal project having been kept out, I hoped the gentleman from Florida would accede to the proposition that I might offer it as an amendment.

Mr. SPARKMAN. No; we could not open that without opening it to others.

Mr. MOORE of Pennsylvania. But the River and Harbor Committee approved of it and put it in the 1914 bill. That is correct?

Mr. SPARKMAN. Yes.

Mr. MOORE of Pennsylvania. As far as the committee is concerned, then, it appreciates the importance of the project, but does not take it on because of the rule that new projects are not taken on in this bill?

Mr. SPARKMAN. As far as the chairman of the committee is concerned, that is true, and I know of no objection to it coming from any member of the committee.

Mr. MOORE of Pennsylvania. I supported the one new project that went into the bill, but, under the circumstances, will not now undertake to break the committee's action by introducing this amendment. I thank the gentleman from Florida for the statement he has made as to the merits of the project.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MILLER of Delaware. Mr. Chairman, I move to strike out the last word, for the purpose of obtaining the floor. I was with the gentleman from Pennsylvania [Mr. MOORE] when we discussed this matter of the Chesapeake & Delaware Canal at various times with the members of the Rivers and Harbors Committee. I want to say to the House that the reason I have supported the Committee on Rivers and Harbors when amendments have been offered—both to strike out and to add to projects in this bill—was because I thought they would oppose all amendments covering so-called new projects. No one would like to see the Chesapeake & Delaware Canal project included in the bill more than I would, because it is practically wholly within my State, except a few miles that are in Maryland. I was willing to accede to the so-called gentlemen's agreement existing between the committee and the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from New York [Mr. BENNET] and myself, but I thought we should ask for this amendment on the floor. I supported the committee in opposing the striking out of the New York amendment to-day,

and opposed striking out that item in this bill for the reason that I really think it to be a real preparedness measure, although I did not like the political aspect that was brought in. Therefore I will follow my colleague from Pennsylvania [Mr. MOORE] and not offer any amendment to this bill touching this Chesapeake & Delaware Canal project, in view of what the chairman of the committee has said.

The Clerk read as follows:

Waterway on the coast of Virginia: For maintenance, $1,000.

Mr. FREAR. Mr. Chairman, the item of $1,000 in lines 9 and 10, for the waterway on the coast of Virginia, is very small. I did not speak of the item on lines 7 and 8, referring to the James River, which I called attention to when the former bill was considered, because I realized that there is no object in presenting these matters constantly to the House. That may be a meritorious project in some respects, but I will not discuss it.

I wish to call attention to this waterway on the coast of Virginia for only one purpose. In Document No. 957, Sixtieth Congress, first session, Maj. Flagler, who recommended improvements on Toms River, estimated the commerce on Cat Creek at that time to be $1,015,000. The engineer's report for last year shows 1,955 tons, valued at $37,000. That is the character of so many estimates on which we base our waterway improvements. Here is less than 5 per cent of the commerce realized after the expenditure of money on this project, and the same is true of many others that I could refer to. Yet on these rainbow dreams of engineers we proceed to adopt projects and make expenditures. Then when the question comes as to their abandonment the people of the locality protest against it, and we have that experience time after time. Cases will again be referred to, I presume, in this bill. I call attention to that just for the purpose of showing the entire lack of realization of estimates made by engineers.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C.: Continuing improvement, $1,000,000.

Mr. GOOD. Mr. Chairman, I move to strike out the figures "$1,000,000" and to substitute "$200,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 9, in line 12, by striking out "$1,000,000" and inserting "$200,000."

Mr. GOOD. Mr. Chairman, I offer this amendment in order that we may appropriate enough money to do all the work which the Government plant located on this canal is capable of doing. I understand the testimony of Col. Taylor to be to the effect that the Government can perform only about $200,000 worth of work a year with its plant at that place. The Government with its plant is making excavations for 4.3 cents per cubic foot, place measurement. It is contracting to do this work for over 7½ cents per cubic foot, place measurement.

I think it would have been better if the gentleman from North Carolina [Mr. SMALL] had not challenged the figures of the gentleman from Wisconsin [Mr. FREAR] with regard to the commerce on this canal. I have been verifying these figures. The gentleman from Wisconsin stated that the commerce for 1913 was 67,000 tons of merchandise, and his statement is entirely correct. It is true there were, during 1913, 229,000 tons, but all except 67,000 tons was lumber, shingles, and things of that kind, that can float in 6 feet of water.

But the gentleman from North Carolina complained of the gentleman from Wisconsin because he had taken the figures for 1913. I have before me the Engineer Report for 1914. And, mind you, last year, according to the figures in this report, we did $647,000 worth of work in improving this waterway. Yet there is a decrease in the tonnage of 1914 as compared with 1913 of over 29,000 tons. Now, if it requires an appropriation of $647,000 of the Government's money to decrease the tonnage on this canal 29,000 tons, how long will it be until there is no commerce on this inland canal at all?

Mr. MADDEN. And how much will it cost us to continue the decrease?

Mr. GOOD. We are now appropriating $1,000,000 for this project, $800,000 of it to be done by private contract, which means a profit to the private contractors of not less than $300,000.

Mr. Chairman, I hold in my hand a letter which contains the private report of the board of directors of the Atlantic & Gulf Coast Dredge Owners' Association. It is an interesting report, and when I read it I see the reason assigned why we appropriate money in these large sums for the profit of the private dredge owners. Why, let us see—

Mr. SPARKMAN. Does the gentleman wish to be understood as charging the Committee on Rivers and Harbors with making appropriations for the benefit of dredge owners?

Mr. GOOD. I would not charge the gentleman from Florida with doing anything that was in the least degree improper. I think the gentleman from Florida has been imposed upon by these dredge owners, in getting into this bill large appropriations in order that a few dredge owners can receive unreasonable profits.

Mr. SPARKMAN. I want to thank the gentleman for his certificate of character.

Mr. GOOD. Does the gentleman from Florida think this is a meritorious project, and that in view of the present state of the Treasury we ought to appropriate $1,000,000 this year for this project?

Mr. SPARKMAN. I think if we are going to complete that project, the sooner we complete it the better, and the larger the appropriation the sooner it will be completed.

Mr. GOOD. I think the sooner we drop it the better. But I want to read some of the things that these dredge owners have reported in their convention, secretly. The first thing is fixing prices. Why, there is no competition. Here is what they say, themselves:

During the past year your board have especially taken up for consideration the question of its department for fixing prices on work and the allotment of work through the commissioners of that department, and have carefully studied the problems which present themselves in connection with that line of work.

Then, again, the report says:

Starting, as it did, in the desire to combine against outsiders, it has ended in combining against itself; and instead of its members standing together to promote the business of dredging in all its general and important details, as above mentioned, we behold a spectacle of members quarreling one with another over the division of work, and each one complaining that the association is a failure because it does not give to each one all the work that he feels is his due, each member forgetting that the association simply undertook this duty because it was forced upon it, and because other agencies to do that work had failed, and because the operators on the Atlantic coast refused to enter into proper arrangements for dividing work amongst them and preferred to load this work upon the association, a work for which the latter was unfitted, for which it was never intended or formed, and the only excuse for foisting this measure upon it was apparently the dredging operators failed to appreciate that this kind of work was done in other lines of business by special pools organized for no other purpose and specially organized for that purpose alone.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 15 minutes.

Mr. FREAR. Mr. Chairman, reserving the right to object, I suggest to the chairman of the committee that this is a million-dollar proposition, and it does not seem right to hold the committee down to 15 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

Mr. FREAR. Mr. Chairman, I object.

Mr. GOOD. Mr. Chairman, I quote further from this report:

The association should, on the other hand, favor the creation of pools in each district formed upon the lines of other successful business arrangements of like character.

The association as a whole will then confine itself to legitimate business of acquiring work and promoting the resources of members for doing work, leaving to the separate pools the business of dividing up that work at good prices.

Why, the gentleman seems to think that the Government has something to say with regard to fixing the price, but this pool and this waterways association not only fixes the price, but they divide the work. Further on they complained because they had not had any banquets of the association in the later years and go on to say how important it is to invite members of the State legislatures, governors of the States, and, last but not least, to invite Congressmen to banquets to get their favorable consideration. I quote from the report:

These entertainments do not entail any serious expense upon the association, but they do create the greatest possible prestige for our business in the estimation of those whose favor it is to our advantage to gain. Influential public men and men of business affairs having to do with transportation companies and steamship lines are entertained by us on these occasions with the greatest possible benefit to our business—municipal officers, heads of departments, Members of Congress, and of legislatures—and their favor and interest is legitimately gained and has been found to be of the greatest value when circumstances required it. The expense of our entertainment is wisely expended, and brings an adequate return for every dollar so spent.

Gentlemen, here is a proposition questionable in the extreme, a proposition that will never amount to anything as a waterway, on which there will move no commerce. It is a little canal, and, with the Treasury empty, we are appropriating $1,000,000 this year for that project. Then, too, in so doing we are appropriating about $300,000 of pure pork, I assume, for the members or some member of this dredgers' association. Why, this dredgers' association has a campaign fund, according to the report. They approach Members of Congress from every side, if their report is to be believed. They go to them before election and after election, and it seems to me that it is about time that Congress should purify itself by refusing to make appropriations of this kind. This item is for a million dollars, a great increase over any appropriation before. The commerce on this little canal is dwindling away, and by the time we have completed it the timber will have been removed from the banks of the canal and there will be no commerce to move.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. SPARKMAN. Does the gentleman know of any case where they have approached a Congressman either before or after election?

Mr. GOOD. I know nothing about it except what the Dredge Owners' Association say. They say it is necessary to have these banquets in order to influence Members of Congress, and they say it in that many words—Members of Congress. There has been much said throughout the country in regard to pork——

Mr. SPARKMAN. Does the gentleman know of any case where a Member of the House has attended any of their banquets?

Mr. GOOD. No; I do not. I have never attended any of their banquets. I do not know of any Member of Congress attending any of their banquets, and do not believe they would be influenced if they did. I only know that that sort of statement does Congress no good and that it does Members of Congress a great deal of harm. They can not be bought that way. I am doing, by offering this amendment, what I think will improve this bill and will give that canal all of the money that the Government can expend there, $200,000 a year, until that useless and worthless canal has been completed. I suppose we will have to do that. I am opposed to appropriating $1,000,000 for that purpose at this time.

The CHAIRMAN. The time of the gentleman from Iowa has expired. The question is on the amendment offered by the gentleman from Iowa.

Mr. FREAR. Mr. Chairman, I do not know that there is very much to add to what has just been said in regard to this project. It is a $5,400,000 project that received $400,000 last year. This year, in a time of need of the Government, it is given $1,000,000 for a traffic that reached 65,000 tons of actual commerce outside of the timber and wood in 1913, and about the same amount in 1914. That is the last report that we have from the Army engineers. I find that it is very unsafe to accept the estimate of anyone outside unless you have the actual figures from the engineers. That amount has been placed in this bill—$1,000,000—and we are asked to support a bill containing an item of this kind. When this project was first put through it was urged as a military necessity; and Col. Black, who today is the Chief of Engineers, says, on page 27 of House Document 391, Sixty-second Congress, that the depth from Norfolk to Beaufort is sufficient for navigation, and that for the movement of troops water transportation affords many advantages over rail. He also says that to move a division of troops it will take 12 ships of 20-foot draft or 22 ships of 16-foot draft, and that is what they propose for this canal. That was the object of it at the time the document was written, and we are digging a 12-foot canal. Again, on page 117, of the document, we find the following:

> The possible danger of interruption to traffic by the forces of the enemy has been suggested as a reason why this route should not be chosen. At its nearest point this route is distant 6½ miles from the seashore and some 8 miles from the sixth-fathom curve of the ocean.

Then he goes on to demonstrate that this will be protected from the enemy. Mr. Chairman, I know that, because I have ridden up and down that coast day after day on horseback.

There is no chance for anyone to get within gunshot with a cannon or otherwise of that canal more than there is of storming the city of Washington from the Chesapeake Bay—not a particle. It is an absurdity. But it is put there for the purpose of aiding this $5,400,000 project on which we are asked to appropriate $1,000,000. The gentleman from Iowa says, and well says, and he reads from the dredgers' report, that those dredgers in past years entered into a conspiracy, because it is purely that, to apportion the Government contracts among themselves. Now, if that be true at this time, and we see that they get twice as much on these contracts as the Government pays for its own work, an investigation should be had.

Mr. Chairman, I do not know that I care to say anything else, except that this one item of $1,000,000 ought not to stand.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SWITZER. The gentleman from Wisconsin [Mr. FREAR], on page 3 of the minority report, criticizes the Rivers and Harbors Committee for adopting projects and making dribbling appropriations for their completion, and thereby dragging the whole system into a mire of waste. And here is a project for which we appropriate $1,000,000 to finally complete in a year, after having expended $4,000,000 upon it, which is now standing idle so far as bringing in any revenue. And he takes the other horn of the dilemma and criticizes the committee for making an exorbitant appropriation. The gentleman from Iowa [Mr. GOOD] said he would not accuse the chairman of recommending the appropriation in the interest of the dredgers, but he did not say anything about the rest of the Committee on Rivers and Harbors.

Mr. GOOD. Will the gentleman yield?

Mr. SWITZER. There was no such proposition put up to me as a member of the Rivers and Harbors Committee, I will say, for a project to merely help some dredgers on the Atlantic coast.

Mr. GOOD. Of course, the gentleman knows I have not charged any member of the committee, and would not, or any Member of the House. I have only read what is in the report of the Dredgers' Association.

Mr. SWITZER. I do not want this taken out of my time.

Mr. Chairman, the fact of the matter is, there are two canals down there now in operation; or rather the canal on which this work is being done is in partial operation. The other canal, of course, is carrying all the tonnage, and therefore there is only a small tonnage being carried over the canal which is now in the process of being deepened. I think that the tonnage coming through both canals aggregates yearly something like 600,000 tons. I was informed the other day by the gentleman from Pennsylvania [Mr. COSTELLO] that one firm in his city—Philadelphia—has 90 or 100 barges to go through that canal when completed. It seems to me that a sensible thing to do in cases of this kind is to complete the project, in place of dribbling it along, so that we may get some return for the money expended. And I think the sensible thing to do would be to appropriate sufficient money to complete this project in one year. The gentleman from Iowa [Mr. GOOD] does not know what the contractors will make on the next contract any more than I do. In fact, they may lose money. Some contractors on the Ohio River this year have gone into the hands of receivers. Because a contractor makes some little money this year, there is no reason that he will make any excessive or exorbitant profits next year. You do not anticipate that the Government officials that have this work in charge are going to look around for the highest bidder. They certainly will undertake to have the work done as cheaply as possible, but if you leave this to be completed by the Government plant there, it will take six or eight years, and if you put in a larger Government plant at this time, with the price of iron going up and all equipment of this kind going up, day after day, the work can not be done any cheaper.

Mr. COOPER of Wisconsin. Do I understand that if a million dollars was appropriated that would result in the completion of this project?

Mr. SWITZER. Completion of the project.

Mr. COOPER of Wisconsin. Does the gentleman think that we would save money?

Mr. SMALL. It would complete this particular section from Norfolk, Va., to Albemarle Sound.

Mr. COOPER of Wisconsin. That is what I mean. Has the gentleman any idea of how much more it would cost the Government if it has to complete the project ultimately, if it should do it by dribblets of $200,000 a year?

Mr. SWITZER. It would depend on the price of labor in the future. Labor is going up every day now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. I ask that the gentleman may have two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SWITZER. It is not a question of costing the Government more, but what I want is to have a project completed so that the people can get some benefit and some use from it.

Mr. COOPER of Wisconsin. When I first came here, or a year or two after I came here, Gen. Casey, Chief of Engineers, wrote a letter, and I recall that Mr. Burton read it. I remember

well when he read it, because it was the first time that subject of making contracts and completing a great work had ever been brought to my attention. Gen. Casey in the letter said:

> At the Hay Lake Channel the work estimated to cost $2,659,150 will be completed upon the execution of the existing contracts, and fully $900,000 within the estimate, a saving of one-third, or 33 per cent.

And he also says the same thing about the Philadelphia Harbor:

> The price under the continuing contract is only 33 per cent of the average price which during the past 10 years has been paid on the Delaware for similar dredging under annual contracts.

Mr. SWITZER. I agree with the gentleman that one contract for the entire work usually results in a great saving of money on the work to be done.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. SMALL. Mr. Chairman, in view of the character of the criticisms that have been made against this project, I will be glad to have the attention of the committee briefly.

This project is for an inside route from Norfolk, Va., southwardly, entering the ocean at Beaufort Inlet, N. C., a distance of 186 miles. It is inside of Cape Hatteras and Cape Lookout, the most dangerous menaces to navigation along the Atlantic seaboard, to which Cape Cod comes next in point of danger.

The project is for a minimum depth of 12 feet. Here on this map is located Norfolk, and the inside route here runs out to the ocean again at Beaufort Inlet. The estimated cost is $5,400,000. The sum of $1,800,000 has already been appropriated. This additional million will complete the section from Norfolk to Albemarle Sound, leaving $2,600,000 to be appropriated to complete the remainder of it to Beaufort Inlet.

There have been since 1902 three or four examinations of that project, each time by a special board of engineers, reviewed by the Board of Engineers for Rivers and Harbors and by the Chief of Engineers. There has never been an unfavorable report. Each one of those reports in unqualified terms and unreservedly commends it for its advantages to commerce and as a strategic arm of defense. I will summarize as follows those several surveys and reports.

There have been an unusually large number of examinations and surveys of this inland waterway from Norfolk to Beaufort, N. C. In 1875 Congress ordered a survey from the southern end of the Dismal Swamp Canal to the Cape Fear River, and a most valuable report, by S. T. Abert, was made, which is to be found in the Annual Report of the Chief of Engineers for 1876, page 376.

There were several subsequent reports, but the most important was that authorized in the river and harbor act of June 13, 1902, submitted to Congress February 19, 1904, and is printed as House Document No. 563, Fifty-eighth Congress, second session. This report covers the route from Norfolk, Va., to Beaufort, N. C., Inlet. The authorization was to determine the most advantageous route, with a channel depth of not less than 16 feet, and the law further directed the engineers to include the probable cost of any existing privately owned waterway which might form a part of the proposed route and which it might be to the interest of the United States to acquire. The special board detailed thereon made an elaborate favorable report. The Board of Engineers for Rivers and Harbors, in reviewing this report, while conceding the importance of this waterway, stated as their conclusion that the cost of a waterway 16 feet in depth was greater than the resulting benefits would justify, and recommended that another survey be had between Norfolk and Beaufort with a view to securing a depth of 10 or 12 feet, as might be most desirable, and they further expressed the opinion that a waterway of this lesser depth would greatly benefit commerce and possess military advantages.

Congress authorized another examination and survey from Norfolk to Beaufort in the river and harbor act of March 3, 1905, with a depth of 10 to 12 feet, and this work was assigned to a special board of engineer officers, and their report, with the concurring approval of the Board of Engineers for Rivers and Harbors and the Chief of Engineers, was submitted to Congress on December 3, 1906, and is printed as House Document No. 84, Fifty-ninth Congress, second session. This report contains estimate of cost for a depth of 10 and 12 feet, respectively, but recommended the latter depth. It also recommends the purchase of the Albemarle & Chesapeake Canal as a part of the route, provided the said canal could be purchased by the United States for a sum not exceeding $500,000. This report is altogether favorable to the project.

By the act of March 2, 1907, Congress provided for the construction of one section of this waterway by making an appropriation for the construction of the Adams Creek Canal, connecting Neuse River with Beaufort Inlet, with a channel depth of 10 feet. This canal was so constructed as to admit of dredging it to a greater depth.

In the river and harbor act of March 3, 1909, Congress authorized the survey for a continuous waterway from Boston to Beaufort with a maximum depth of 25 feet and such lesser depths along any portion as may be found sufficient for commercial, naval, and military purposes. This report was submitted to Congress on January 4, 1912, and is printed as House Document No. 391, Sixty-second Congress, second session. This is an elaborate report, and discusses in detail all the intervening links between Boston and Beaufort, including the link from Norfolk to Beaufort. This report recommended the construction of a waterway 12 feet deep between Norfolk and Beaufort, at a total cost of $5,400,000, which included $500,000 for the purchase of the existing Albemarle & Chesapeake Canal.

Congress adopted the project from Norfolk to Beaufort in accordance with the report last named in the river and harbor act of 1912 and appropriated $600,000, of which $500,000 was to be used in the purchase of the Albemarle & Chesapeake Canal property. This canal has been purchased and is now the property of the United States.

In the river and harbor act of 1913 an additional appropriation of $800,000 was made for this project. The work on this project so far undertaken is on that section between Norfolk and Albemarle Sound.

Out of the lump appropriation contained in the river and harbor act of 1914 no allotment was made for this project, for the reason that it was assumed that the existing appropriations would continue the work up to March, 1915.

From the lump appropriation contained in the river and harbor act approved March 4, 1915, the sum of $400,000 was allotted to this waterway.

There have been numerous criticisms of this project mostly in this body. I have been a Member of this House since the Fifty-sixth Congress, and during that time have pressed this project continuously. This is not the first time that unfair, unjust criticism has been made against it, and probably it will not be the last time. I may say in that connection that I have never resented that kind of criticism and opposition to this project. Not only has it always received uniformly the approval of the Army engineers, but it has never been presented to a citizen at all acquainted with the conditions of water-borne commerce in the Atlantic seaboard States who has not given it his entire approval. I have discussed it personally with many Members of this House during these last 16 years and I have never yet found a Member who was open minded and fair who did not give it his approval.

To be brief, the chief benefit and advantage and necessity of this route lies in the fact that it avoids Cape Hatteras here [indicating on the map] and Cape Lookout there. The coastwise commerce carried on the ocean between ports north of Hatteras and ports south of Hatteras is comparatively small in volume. The only coastwise commerce substantially is carried in a few very large coastwise steamships. Barge transportation is practically prohibited by reason of the danger of Hatteras.

To place the matter before you briefly, the great importance of this inside route is that it is inside of Cape Hatteras and Cape Lookout.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. SMALL. Mr. Chairman, may I ask unanimous consent for five minutes more?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Certainly.

Mr. MOORE of Pennsylvania. Is it not a fact that commerce has been going between Hampton Roads and the sounds of North Carolina through two existing, but now antiquated, canals for 50 years or more?

Mr. SMALL. It is true.

Mr. HICKS. Mr. Chairman, will the gentleman yield there for a question?

Mr. SMALL. Yes.

Mr. HICKS. What is the distance between Beaufort Inlet and the next point south where the canal will be taken up again?

Mr. SMALL. The gentleman means its continuation?

Mr. HICKS. Yes.

Mr. SMALL. There has been submitted a report for its continuation from Beaufort Inlet to Cape Fear River, and from

Cape Fear River to Winyah Bay, S. C., and from Winyah Bay to the St. Johns River, Jacksonville.

Mr. HICKS. Nothing has been done with that?

Mr. SMALL. No; nothing has been done with that.

Mr. MOORE of Pennsylvania. Pardon me, but much has been done below Georgetown, S. C., moving north.

Mr. SMALL. Yes; I beg pardon. I had in mind the section between Beaufort Inlet and Winyah Bay. There is a natural inner channel extending from Winyah Bay to St. Johns River, Fla., having a minimum depth of 6 feet, on which there is very considerable commerce.

However, south of Beaufort Inlet on the ocean there is substantially no menace to navigation except Cape Fear and the Frying Pan Shoals off Cape Fear, which are not comparable to the dangers of Capes Lookout and Hatteras. So that with this route barge transportation is entirely practicable between ports north and ports south of Hatteras by using this Norfolk-Beaufort Inlet waterway lying inside of Hatteras.

Something has been said about the commerce through this Norfolk-Beaufort Inlet waterway. The gentleman from Wisconsin [Mr. FREAR] says there are 65,000 tons, not including floatable products, as he calls them, whatever that means.

Mr. FREAR. No; not that, if I may interrupt the gentleman.

Mr. SMALL. What did the gentleman call it?

Mr. FREAR. Floatable timber.

Mr. SMALL. If the gentleman means rafts of logs, these constitute a very small proportion of the commerce through this waterway. Before Congress adopted this project there were two privately owned canals between Norfolk and Albemarle Sound, N. C., one known as the Dismal Swamp Canal, which is a lock canal with a lift of 11 feet, and the other the Albemarle & Chesapeake Canal, which is practically a tide-level canal.

The engineers recommended the purchase of the Albemarle & Chesapeake Canal, by reason of the fact that it was a tide-level canal. It so happened that at the time the United States purchased the Albemarle & Chesapeake Canal the Dismal Swamp Canal had a greater depth and was in better condition, so that up to this time, both by reason of that fact and because the Albemarle & Chesapeake Canal route is under construction, loaded barges and steamers have not been able to use the free waterway, but are still compelled to pay tolls through the old Dismal Swamp Canal, and up to this time more tonnage goes through the Dismal Swamp Canal than through the Government-owned Albemarle & Chesapeake Canal.

Mr. MOORE of Pennsylvania. May I ask the gentleman why?

Mr. SMALL. Because it is in better condition and has a greater depth. In other words, there is a depth of only 8 feet on a part of the Albemarle & Chesapeake Canal and its bottom is obstructed by logs. It has not yet been completed, and there is a depth of 9 feet in the old Dismal Swamp Canal. Now, of course, with that statement it is apparent that when you ask what is the commerce involved in this improvement, it is entitled to the commerce carried through both canals, because when this Albemarle & Chesapeake Canal route is completed, being free as it is, it will get all the commerce, and, of course, no traffic will go through the other canal and pay tolls. I had Mr. Joseph H. McGann, a clerk in the River and Harbor Committee, who has been there for many years and was clerk of that committee when Mr. Burton was chairman, summarize the commerce going through these two canals in 1914, according to the engineers' report, and it amounts to 603,307 tons, of a total valuation of $7,815,773. That statement is made by this clerk of the committee, without any suggestion having been made to him as to the manner of making it, and he vouches for its correctness. I will now read a summary of this commerce as prepared by Mr. McGann:

"B."

Inland waterway from Norfolk to Beaufort Inlet, N. C.

COMMERCIAL STATISTICS.

[Season of navigation, year 1914.]

	Tons.	Value.
Beverages	73	$29,900
Brick	1,453	90,428
Canned goods	549	109,933
Cement	1,044	10,446
Coal	34,378	147,697
Corn	2,441	97,720
Cotton	705	84,660
Cotton products	30	6,115
Fertilizer	44,792	1,343,760
Fertilizer material	1,238	24,760
Fish	553	8,295
Flour	2,323	139,392
Gasoline	1,403	56,149
Groceries	1,060	84,800
Grain	311	$12,466
Gravel and sand	1,510	3,020
Hay	605	12,100
Hides	5	2,000
Ice	208	2,080
Junk	163	978
Laths	1,720	7,602
Logs	51,211	395,894
Lumber	249,014	1,466,189
Lime, building	83	834
Lime, agriculture	746	5,122
Merchandise, general	2,015	201,500
Oats	645	1,935
Oils	1,255	43,055
Oysters	2,433	24,435
Packing-house products	353	143,200
Poultry	73	1,399
Peanuts	10	1,018
Potatoes	7,497	251,793
Piling	4,403	244,962
Salt	7,088	70,800
Shells, oyster	7,413	22,093
Shingles	1,927	20,373
Staves	5,070	121,802
Stock, live	160	126,000
Sugar	799	95,940
Ties, railroad	2,253	17,239
Wheat	95	1,891
Wood, fuel	35,242	61,477
Wood, pulp	2,045	3,188
Miscellaneous	69,883	2,257,740
Props, mine	11,830	59,195
Total	603,307	7,815,773

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that he may proceed for five minutes. Is there objection?

There was no objection.

Mr. MADDEN. Will the gentleman allow me to ask him a question?

Mr. SMALL. Yes. I hope the gentleman will be brief.

Mr. MADDEN. I wish to ask the gentleman from North Carolina whether it is possible to expend in the coming year all of the $1,000,000 proposed to be appropriated?

Mr. SMALL. I am glad the gentleman has asked that question. The engineers state that with this $1,000,000 they can complete this section from Norfolk to Albemarle Sound, which is a very important section to complete, because they can use this route through Croatan Sound, which has a depth of 9 feet, thence through Pamlico Sound, then up Neuse River, and thence through the Adams Creek Canal to Beaufort Inlet, which latter canal has a depth of 10 feet and is already completed and is the southern end of this project. The $1,000,000 will complete this section from Norfolk to Albemarle Sound, and will give us the uninterrupted use of this free waterway between those points.

Mr. MADDEN. But what I wished to know was whether the whole million dollars could be expended in the coming year.

Mr. SMALL. Yes; the whole of it.

Mr. GOOD. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. GOOD. The gentleman stated that the commerce was 603,000 tons. The report of the Chief of Engineers states that in 1914 it was 219,000 tons. The gentleman has included the commerce on the Dismal Swamp Canal, has he not?

Mr. SMALL. Yes, I so stated.

Mr. GOOD. And that is 30 miles from there.

Mr. SMALL. Oh, no; they both go from Norfolk to the Albemarle Sound. They start from Elizabeth River and they end in Albemarle Sound. They are practically parallel.

Mr. GOOD. But it is not a part of this canal.

Mr. SMALL. I stated a moment ago that when the Albemarle & Chesapeake Canal is completed it will of necessity take all of the commerce that is now going through the Dismal Swamp Canal.

Mr. FREAR. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. FREAR. In the hearings before the committee did not Mr. Taylor say that a large amount of the traffic of the Dismal Swamp Canal originated between Elizabeth and Norfolk, and is it not true that that large traffic must of necessity go through the Dismal Swamp Canal?

Mr. SMALL. I do not know where the gentleman from Wisconsin obtains his information, but it is not correct.

Mr. REAVIS. Will the gentleman yield?

Mr. SMALL. If the gentleman will be brief.

Mr. REAVIS. The gentleman made a statement that the immediate appropriation of a million dollars would permit the utilization of the canal from Norfolk to Albemarle Sound, and from the sound into the river, and from the river into Beaufort Inlet. Why could not the sound be used permanently and the rest of the canal be obviated?

Mr. SMALL. Because the engineers say that the erosion in Croaton Sound is so constant and great that to keep up a 12-foot depth would be more expensive than the route up Alligator River and the excavation of a canal across Hyde County, as recommended.

Mr. REAVIS. There would have to be continuous dredging?

Mr. SMALL. Yes; in order to keep the channel open.

Mr. REAVIS. The gentleman stated that the construction of the canal would be a benefit to national defense. What character of naval vessels could be accommodated in that canal with a depth of only 12 feet?

Mr. SMALL. Well, some of the smaller submarines, destroyers, and smaller type of naval vessels. I do not hesitate to say that in my opinion, when this project is completed, it will develop such a volume of commerce, much more traffic than it has now, and the strategic value will become so apparent that ultimately we will deepen it, and now it is being constructed of such a width that it may be deepened in the future without further being widened.

Mr. REAVIS. If it was of an adequate depth, a wounded or crippled vessel could go in to Beaufort Inlet and reach the Norfolk Navy Yard without going into the sea at all?

Mr. SMALL. It could.

Mr. MOORE of Pennsylvania. Will not the gentleman indicate the extent of the barge traffic that has been created in the last two or three years which goes through the canal?

Mr. SMALL. I was just coming to that. I have stated the facts as to commerce, that there are 603,000 tons of a valuation of over $7,000,000. That does not represent the commerce to-day. The engineer's report is for the calendar year of 1914. During the last year there was a barge traffic from Philadelphia, Wilmington, Del., Baltimore, and Norfolk to Wilmington, N. C., Savannah, Charleston, Georgetown, and Jacksonville, but the most of the barge traffic was between Philadelphia and Baltimore of the northern ports and Savannah and Charleston of the southern ports. When we get the amount of traffic through the waterway for the year 1915, I believe it will show a largely increased commerce. Now, there is not included in this statement which I read a moment ago the traffic at the southern end between Pamlico Sound and Beaufort Inlet. As a matter of fact, it is less than 100,000 tons. I did not include it because some of it would be a duplication, but not all of it. The next report will show a very largely increased through traffic from the ports south of Hatteras with those ports north of Hatteras. I have here a voluntary letter from Eugene W. Fry, treasurer of the Southern Transportation Co. of Philadelphia, which company is largely engaged in barge traffic, and which is operating the largest number of barges through this waterway from ports north to ports south, and I would like to read this letter in conclusion to the committee. Mr. Fry is one of the most intelligent and progressive transportation men in the country. It is dated March 27, 1916, and is as follows:

PHILADELPHIA, *March 27, 1916.*

Hon. JOHN H. SMALL,
House of Representatives, Washington, D. C.

DEAR SIR: We understand that the river and harbor appropriation bill will be taken up in the House of Representatives for consideration some time this week. We are taking the liberty of writing to you to impress upon you the importance, from the standpoint of commerce, of the item of appropriation of $1,000,000 toward the further construction of the Norfolk-Beaufort inlet waterway. We, as well as other large owners, are hoping for an early completion of this waterway, as we are now trying to develop a very large business of carrying commerce by barges between the South Atlantic States and the northern ports.

We are now very much handicapped in carrying commerce between the North and the South, as we are obliged to pay canal tolls to the Lake Drummond Canal & Water Co. on all of the cargoes passing through the canal and all of our barges are limited to a 9-foot draft in passing through the canal. We have persistently tried to develop this barge traffic under the adverse conditions which we must at present encounter in using the inland waterways Norfolk to Beaufort Inlet, eliminating Hatteras, only because we have been anticipating the early completion of the Norfolk-Beaufort Inlet waterway.

We do not receive a fair profit operating our barges under such conditions with short cargoes (on account of the limited draft of 9 feet), and, as there is a great demand for barges in the northern ports, it would be much more profitable for us to withdraw all of our barges from the South Atlantic trade. However, when we opened up this barge traffic with the South Atlantic ports about 18 months ago we stated to our various shippers that we would be disposed to keep the barges in the business continuously, provided our Government completed the Norfolk-Beaufort Inlet waterway within reasonable time. In other words, we are disposed to worry through the present hindrances or disadvantages in operating our boats through the North Carolina waters to get below Hatteras, if the Government free and deeper waterway is completed within reasonable time.

We are now operating a fleet of 95 barges and 15 steam tugs, and more than one-half of the barges are equipped for sea service. We wish to state emphatically that unless we can see early relief in the way of the completion of the Norfolk-Beaufort Inlet waterway, enabling our barges to use the free waterway with a draft of from 11 to 12 feet, we must withdraw our boats from the South Atlantic trade.

While a large number of our boats are licensed to trade around Hatteras, we have refrained from sending any of our boats to sea around Hatteras, as we have not felt it safe or practicable to operate barges or schooners around Hatteras. The continuous losses from year to year of vessels trading around Hatteras convinces us that our views in this respect are correct. Aside from the dangers of navigating vessels around Hatteras, it will never be possible to get low rates of freight on commerce moving between the South Atlantic and the northern ports until the Government free and deeper waterway is completed back of Hatteras.

We would further state that we are receiving entreaties almost every day from buyers in the North and shippers and manufacturers of lumber in the South requesting us to build more barges and increase the number of boats we are operating between the South Atlantic and the northern ports via the inland waterways Norfolk to Beaufort Inlet, and apparently the situation is very serious. There is a great demand for lumber in the North, the mills in the South are running to full capacity, but on account of the great shortage of bottom the lumber and other commodities can not be moved. In our opinion this situation will become much worse during the next two or three years at least, and it seems very important that our Government hurry the completion of the waterway, so as to afford relief to the shippers and consumers of the North and South and give the vessel owners an opportunity to operate on a practical basis at lower rates of freight and eliminate the dangers of Hatteras.

From the standpoint of commerce, we think it important that not only the appropriation be made, but that the work of deepening the waterway be pushed more rapidly. It has been very discouraging, indeed, to all parties interested to be obliged to wait such a long time for the necessary relief for the development of commerce between the North and South, when it was anticipated that the work would be completed within about two or three years at the most after the purpose of the Albemarle & Chesapeake Canal by our Government.

Trusting you will pardon this lengthy letter, we are,

Yours, very truly,

SOUTHERN TRANSPORTATION CO.,
EUGENE W. FRY, *Treasurer.*

Mr. Chairman, in conclusion I wish to say that I have endeavored to state briefly the chief reasons constituting the commercial and strategic value of this great waterway. I have stated to you the facts as to the commerce from the reports of the engineers. I have endeavored to be conservative in any anticipation of commerce to be promoted. I submit that it is a complete answer to any criticisms which may have been made. I submit that any suggestion of dredging companies influencing Members of Congress as an argument against this project is absurd. Upon the contrary, I suggest that it is an impeachment upon the integrity of Members of this House that ought not to have been made. [Applause.]

Mr. HICKS. Mr. Chairman, I ask uanimous consent to extend my remarks in the RECORD upon the subject of Diamond Shoals.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONRY. Mr. Chairman, I make the same request.

Mr. BENNET. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the requests of the gentlemen from New York [Mr. CONRY and Mr. BENNET] to extend their remarks in the RECORD upon the same subject?

There was no objection.

Mr. CANNON rose.

The CHAIRMAN. The Chair desires to state that under a previous order of the House the committee must rise at 5 o'clock.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that debate close immediately upon the conclusion of the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. I would like to have the remaining 12 minutes.

Mr. FREAR. Mr. Chairman, I desire to offer an amendment and speak to it briefly at the conclusion of the remarks of the gentleman from Illinois.

Mr. SPARKMAN. I understood that the gentleman from Illinois wanted only a few minutes, but might want to extend his remarks a little further, and that was the reason I made my request so broad.

Mr. CANNON. The matter can go over until morning.

Mr. MANN. I ask unanimous consent that my colleague may proceed for 11 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANNON. Mr. Chairman, I desire to say that I am not very familiar with this project. It is within some 6 to 12 miles of the Atlantic Ocean, and when completed is to be either 12 or 6 feet deep. I believe it is not sufficient for the coastwise trade, the barges that ply upon the Atlantic Ocean in our coastwise trade, and that trade is a wonderful trade. I live a thousand miles inland. Oh, I wish that we had the Atlantic Ocean out there within 6 miles of us—without destroying any of our agricultural lands or any of our coal lands,

our manufacturing industries of production. The journey passing Hatteras and Beaufort, and so on, to the contrary notwithstanding, we would be very glad to incur the danger if we had the ocean.

Mr. Chairman, I have a very clear recollection of the desire of Indiana and Illinois for canals many years ago. The canal from Toledo to Evansville was constructed in my recollection. I was a good healthy boy at that time, and I recollect it very well. The canal passed through the neighborhood where I lived. Indiana piled up a debt, as I recollect it. In round numbers for canals Indiana expended about $15,000,000. It took a long time to pay it. Illinois accumulated a debt not so large, but I think from eight to ten million dollars, for the Illinois & Michigan Canal, and my dear friend and colleague, whose memory I love, Gen. Henderson, for a long time chairman of this Committee on Rivers and Harbors, had a great desire to connect the Mississippi River with the Illinois River by a route known as the Hennepin Canal. That finally was completed at a cost of——

Mr. MADDEN. Seven million dollars.

Mr. CANNON. Oh, yes; more than that. It cost nearly $12,000 to the best of my recollection. Mr. Chairman, if any canal boat has ever carried a ton of freight over that canal from that time to this I am not informed of it. It has been a little valuable here and there for water power, where we do not need water power particularly as nature gave us an abundance of water power. We have the Rock River and the Illinois River and various rivers nearby. It was money thrown away, and yet I loved Thomas J. Henderson. He believed it was going to revolutionize all the business of the northern Mississippi River, and honestly believed it would carry the products of Iowa and the Northwest on its way to eastern markets. And of the canal constructed in my time from Toledo to Evansville—I want to say that practically but little business was ever done upon it and has not been for 40 years. Oh, yes; the towpath has been useful, because a railroad has been built upon the towpath. I do not believe in these canals. Of course I do not refer to such canals as the Sault Ste. Marie Canal, connecting Lake Superior with the great chain of lakes, which carries more tonnage through it than it is said comes into the port of New York from all the foreign trade from all the oceans of the world—80,000,000 tons a year. Now, let us take the railroads.

I pick up the Interstate Commerce Commission report and see the various classes of freight carried by the railroads in the United States. I find that about 3 mills a ton per mile hauls the coal, and I find that 7½ mills per ton per mile hauls all the products back and forth that are produced everywhere in the United States or imported into the United States and distributed for consumption. We already have one-half of all the railroads of all the world and transport our products at a cost of one-half the freight cost paid for similar transportation in the world.

Now, there is one good thing about it. When this canal is completed to Beaufort it will please one of the most pleasant gentlemen in the Old North State that I ever met, and one whom I esteem highly and who believes that this is, no doubt, a very great project and one which will make everybody smile and prosper. Well, the Government will own it, and perhaps it will be maintained. If private parties opened it, and I should live as long as I hope to live—another score of years—I should expect to see, if this canal has a towpath—I do not know whether it has or not—a railroad constructed on the towpath.

Mr. SMALL. Twenty years from now we will show you 20,000,000 tons on it.

Mr. CANNON. Although my friend is not a prophet or the son of a prophet, I will not dispute him. I know he believes what he says. I will throw no stones at him or at other people who advocate it. It is a magnificent project, one starting in from the neighborhood of Boston, extending down the Atlantic coast, along on the Gulf coast, across the Mississippi River, on the Gulf coast in Texas. I do not know whether that is contemplated about this or not, but I heard a wonderfully eloquent speech about it once. I cheered with everybody else, because it was so well made.

Now, gentlemen this appropriation is going through. I did not intend to say anything about it. It will not do any good. I wish that the millions of dollars that it will cost had been expended. I wish it could stop there at Beaufort, but I would be perfectly willing, as I say, if this whole canal project could be closed up for $2,000,000 or $3,000,000 or $5,000,000. That is the way I feel about it, and when completed and it has failed to justify the expenditure, then we will be able to stop further expenditure or further extension of this project.

Preparedness? That is brought in to aid this measure. [Laughter.] Talk about a 6-foot or a 12-foot canal 6 to 12 miles from the ocean for preparedness. Why, with our railroads running everywhere there is carried an immense tonnage. I do not know how many railroads you have in North Carolina, but you have several north and south and some east and west. If you need them, I wish you had more. But let me tell you about tonnage. Oh, 600,000 tons a year, you say. There originates in three townships every year in Vermilion County—the county in which I reside—Illinois, a tonnage of 4,000,000 tons of products that passses over the railroads for consumption in other markets. There originates, as I say, without counting the incoming freight, a tonnage of 4,000,000 tons annually. I have not looked up the statistics, but I will leave it to my friend and colleague, Dr. FOSTER, that if there is not in southern Illinois, north and east and west, a wonderful tonnage?

Mr. FOSTER. Very large.

Mr. CANNON. Very large, indeed; and then there is the Mississippi River. Great heavens, we are spending money on the Mississippi River world without end. Well, I am for it. It is not a matter of navigation, because there is less navigation now—not one-fifth, not one-sixth of the navigation there was on it when I was a boy, the railroads having taken its place with the railway transportation. The navigation is negligible. I am for it honestly, and I have been for it, because there is a stretch of country from Cairo to New Orleans, averaging, I suppose, in the aggregate 70 to 100 miles, adjacent to the Mississippi River, of the best land on earth, and when brought under subjection and protected by levees it will produce enough cotton to furnish all the spindles of all the earth with a full supply. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. And therefore I am for the levees. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman.

Mr. MANN. You will have to quit at 5 o'clock.

Mr. FREAR. I suppose we are going to take to-morrow morning. Mr. Chairman, I move an amendment to the amendment to increase the amount to $250,000 in order to discuss this question.

Mr. SMALL. I make the point of order that the gentleman is against his own amendment.

Mr. FREAR. I move to reduce it to $100,000.

Mr. SPARKMAN. Mr. Chairman, I move that all debate on this amendment and all amendments to this section now close.

Mr. FREAR. Mr. Chairman, I desire to speak on that.

Mr. MANN. Mr. Chairman, I make the point of order that under the order of the House the committee is now required to rise in order that the House may recess.

The CHAIRMAN. The Chair is under that impression. Although he did not hear the order, he finds a memorandum to the effect that an order was entered that at 5 o'clock the House should recess, and that means that the Chair puts the motion that the committee do now rise. Without objection, the committee will now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SHERLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12193, the river and harbor appropriation bill, and had come to no resolution thereon.

RETURN OF BILL.

Mr. ADAMSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ADAMSON. I want to correct a mistake made yesterday. We passed a bill yesterday, when there was an identical bill of the same purport on the Speaker's table, and I ask unanimous consent to request its return from the Senate. It is H. R. 13006.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the Senate be requested to return the bill H. R. 13006. Is there objection?

There was no objection.

Mr. MURRAY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MURRAY. I want to ask unanimous consent to extend my remarks in the RECORD.

Mr. MANN. It is too late.

The SPEAKER. The gentleman will have to attend to that in the morning.

Under the special order of the House, the House will stand in recess until 8 o'clock this evening.

Accordingly (at 5 o'clock p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House was called to order by Mr. IGOE as Speaker pro tempore.

The SPEAKER pro tempore. Under the agreement made on last Friday, the Private Calendar will be called for the consideration of bills to which there is no objection. The Clerk will call the first one.

F. W. SCHULTZ.

The first business on the Private Calendar was the bill (H. R. 3895) for the relief of F. W. Schultz.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to cause the account of F. W. Schultz, postmaster at Junius, State of South Dakota, to be credited with the sum of $244.78, and that he cause said credit to be certified to the Auditor of the Treasury for the Post Office Department, being on account of loss by robbery of said post office on the 17th of October, 1909, it appearing that said loss was without fault or negligence on the part of said F. W. Schultz, postmaster.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DILLON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CIVILIAN EMPLOYEES, ENGINEER DEPARTMENT, UNITED STATES ARMY.

The next business on the Private Calendar was the bill (H. R. 5079) for the relief of certain civilian employees of the Engineer Department at Large, United States Army.

The title of the bill was read.

Mr. STEPHENS of Mississippi. Mr. Speaker, I have received word from the gentleman from Delaware [Mr. MILLER] asking that this bill be passed over until he can arrive. He will be here presently.

The SPEAKER pro tempore. The gentleman from Mississippi asks unanimous consent that the bill be passed over without prejudice to be called up later. Is there objection?

There was no objection.

OSCAR FROMMEL & BRO.

The next business on the Private Calendar was the bill (H. R. 2241) for the relief of Oscar Frommel & Bro.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. Objection is had. The Clerk will report the next one.

CLAIMS OF SETTLERS IN SHERMAN COUNTY, OREG.

The next business on the Private Calendar was the bill (H. R. 2534) to adjust the claims of certain settlers in Sherman County, Oreg.:

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the following several sums of money to the respective claimants, their heirs, assigns, or legal representatives; the amount to be paid to each settler, his heirs, assigns, or legal representatives:

To Harry Hill, $1,255.
To Hiram E. Powell, deceased, $2,000.
To Otis B. Messinger, $2,000.
To David W. Huff, deceased, $1,440.
To Eliza J. Powell, $1,265.
To Luther B. Hill, $800.
To Alva B. Craft, $1,290.
To Benjamin E. Dougherty, $1,600.
To Theron S. Hill, deceased, $2,000.
To James H. Clements, $1,360.
To Absalom B. Allison, $1,375.
To Edgar Lewis, $1,180.
To Elizabeth A. Bates, $1,385.
To Lena Wegener, $1,280.
To Rufus H. King, $2,000.
To Charles K. Huff, $1,600.
To Grace T. Hill, $1,625.
To John B. Coon, $1,426.41.
To Merit F. S. Henton, $1,500.
To Robert L. Allison, $1,618.
To Clark E. Brown, $1,515.
To Reuben D. Allison, $1,450.
To Adolph Perrault, $2,000.
To Lester A. Heath, $1,830.
To Warren D. Marshall, $1,970.
To Anastasse Perrault, $1,460.
To John Willet, $1,190.
To John W. Willis, $800.
To Diedrich Patjens, deceased, $850.
To Ellen E. McLeod, now Ellen E. Somer, $800.
To George M. Simpson, $800.
To Henry Nachand, $800.
To Cascious W. Fairchild, $855.
To Frank Watkins, deceased, $560.
To William Daugherty, deceased, $1,030.
To Alice M. Coats, deceased, $570.
To Thomas J. Farra, deceased, $1,760.
To Edgar G. Messinger, $1,760.
To Louisa M. Clements, $1,600.
To George D. Clements, $1,605.
To William Krusow, $1,899.72.
To Thomas F. Cochran, $300.
To George Meader, $2,000.
To William H. Andrews, $2,000.
To Charlie W. Barzee, $1,900.
To Joel H. Reed, deceased, $1,370.
To John O. Powell, $1,400.
To Abraham C. Huff, $1,400.
To John D. Wilcox, $1,200.
To Eugene W. Garlick, $1,400.
To Goodrich D. Boardman, $700.
To Elisha T. Vallandingham, $1,080.
To Frank A. Sayrs, $1,900.
To William S. Powell, as transferee of George W. Mark, $1,400.
To Thomas Macken, $1,120.
To James Macken, $1,200.
To Joeb M. Powell, deceased, $2,000.
To Leon V. Moore, $1,400.
To Fred Krusow, $1,255.
To Uriah Serviss, $2,000.
To Alexander Scott, $1,350.
To Thomas Walsh, deceased, $480.
To Johan Janssen, $1,550
To Elmer F. Heath, $1,600.
To John Fulton, $1,200.
To Carl Peetz, $2,000.
To John W. Messinger, $2,000.

In all, $94,318.13, which amount is hereby appropriated; and the Secretary of the Interior is authorized and directed to make the payments to the claimants herein named and provided for by his warrant upon the Treasury of the United States: *Provided*, That no agent, attorney, firm of attorneys, or any persons engaged heretofore or hereafter in preparing, presenting, or prosecuting this claim shall, directly or indirectly, receive or retain for such service in preparing, presenting, or prosecuting such claim, or for any act whatsoever in connection therewith, an amount greater than 5 per cent of the amount allowed under this bill to the person for whom he has acted as agent or attorney: *Provided further*, That no purchaser or assignee of the claims of any of the said claimants shall receive therefor a greater amount than was paid to the claimant for his assignment.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I would like to inquire whether I am correct in my understanding with respect to this bill, that the amounts stated in this bill as due the respective claimants are based upon the full value of the property at the time of ouster? As I understand this bill, it seeks to reimburse these respective entrymen on Government land who located there under a misapprehension of the facts, and later it developed that the United States Government had previously passed title to this land to some road company. The query that I wish to propound to the gentleman from Oregon [Mr. SINNOTT] is whether these amounts are based on the full value of the land at the time of ouster?

Mr. SINNOTT. I would state to the gentleman that the amounts do not represent the full value of the land. These various settlers and patentees were ousted in 1900. In 1904 an investigation was made by a special agent. On page 36 of his report he shows that when he made the investigation the lands then were worth double the value that they were at the time of the ouster, and the claimants are only allowed the small value of the land at the time of the ouster. The acreage runs in value from $2 up to $12 an acre, and in one case $15. I think that is the highest valuation placed upon any particular tract of land.

The land at the present time will average in value from $35 to $60 an acre. The special agent inquired of this road company at the time he made this investigation what the road company would sell the land for, and the road company wanted $60 an acre for the land.

Mr. STAFFORD. If the gentleman will permit me there—because I do not wish to delay the proceedings to-night unnecessarily—was not this report of Special Agent Neuhausen in pursuance of the act of Congress passed some years ago, in which he was directed to ascertain the reasonable value of such lands at the time of ouster?

Mr. SINNOTT. At the time of ouster.

Mr. STAFFORD. I find on page 36 of last year's report in this case where he says it appeared to be the consensus of opinion of the three estimators—and they were local people, one a judge and the others residents of the District—that to arrive at the present value of the overlapped land the amounts given in the classified list should be doubled.

Mr. SINNOTT. Yes; and they are not doubled in the classified list. They are getting less than half of what Special Agent Neuhausen found to be the value of the land at the time of his investigation.

Mr. STAFFORD. In Neuhausen's report, page 38, there is given not only the full value but in some instances more than was estimated in that report.

Mr. MANN. The Neuhausen estimates are not carried in this bill.

Mr. STAFFORD. I beg the gentleman's pardon; I think they are. I call the gentleman's attention to the first one in the report—Harry Hill, $1,255. According to the statement found on page 38 the acreage was 120; value of improvements, $175; value at ouster, $9 per acre—$1,080—which, with the value of improvements, equals the amount allowed.

Mr. SINNOTT. Yes. That is the value of the land, together with improvements he had there when Mr. Neuhausen went there.

Mr. STAFFORD. As I scan these claims the value of the improvements generally did not exceed $200. In many of them it is less than $100. Yet you are paying to these men who entered on the public land of the Government, through the mistake of the Government, it is true, a price more than they paid to the Government for the land, just because there happened to be a flaw in the title whereby the land officers had been misled into the belief that the lands were subject to entry.

I fear from my investigation of this case that I shall be compelled to object to such a basis of reimbursement in the payment of these claims, not what they paid to the Government for the land but the value of the land.

Mr. MANN. If the gentleman will permit—and the gentleman is very careful—the Senate in the last Congress passed a bill for this purpose, covering $250,000 and making an appropriation of $250,000. It came up in the House, and I objected to it. I had done so in a previous Congress. I have not been over the matter carefully recently, but my understanding is that all of the objectionable claims were eliminated, and this bill covers a little over $90,000 in place of the $250,000 originally proposed, which was based on that report.

Mr. STAFFORD. Does the gentleman believe it is a fair policy for this Government to pursue when it is ascertained that the Government has not title to land that we should pay the settler not merely the amount of money that he paid for the land but the value of the land at the time of ouster?

Mr. MANN. Ordinarily, I certainly do not.

Mr. SINNOTT. Will the gentleman bear this in mind? This man Hill and many others lived on that land and cultivated it for a period of from 5 to 10 years, and they put the value into that land with the expectation that their time and labor would be rewarded by a good title to the land.

Mr. STAFFORD. Take, for instance, that man Hill. He must have done a great deal of cultivation, when he only placed a value of $175 on the improvements of the land in 10 years.

Mr. SINNOTT. Let me explain. That is the amount of the improvements that Mr. Neuhausen found on the land after Mr. Hill was ousted. If you will read the report, on page 54 you will see that there is an affidavit of Mr. Hill showing that he placed considerably more improvement on the land than $175 worth, and where the improvements were removed when Mr. Neuhausen got there nothing is allowed for them. Mr. Hill's affidavit shows improvements, a house $200, a cellar $25, a well $10, 2 miles of fencing $140. It also shows residence and cultivation for six years; that practically all of the 120 acres were put in cultivation by Mr. Hill.

Mr. STAFFORD. From my present knowledge of this case—and I have given it some attention—I shall have to object. Perhaps on fuller investigation if I find that these estimates are based upon only half the value, I will be able to recede from my objection. But from my reading of the report I am led to believe that these people are being paid the full value, and I do not think that is the proper rule to follow. For that reason I shall have to object.

Mr. SINNOTT. Will the gentleman withhold his objection?

Mr. STAFFORD. I will withhold it if the gentleman wishes to make any statement.

Mr. SINNOTT. As to the precedents in this matter, in 1814, when the Government was poor, weak, and small, Congress appropriated $5,000,000 for the relief of settlers in Mississippi. In 1820 Congress made another appropriation. In 1824 Congress made an appropriation of $80,000 for a matter similar to this, and in 1894 Congress appropriated $240,000 for the relief of settlers who were known as the Des Moines settlers in Iowa, who had lost their lands in the same manner as the Sherman County settlers lost theirs.

Mr. STAFFORD. What was the basis of compensation?

Mr. SINNOTT. The basis of compensation in 1894 was just the same as in this bill—the value of the land at the date of the ouster.

Mr. STAFFORD. I do not believe that is a proper policy, that when the Government allowed settlers to enter upon land under a misapprehension as to the lands being subject to entry and they merely had possession of it for a short time and paid the Government a nominal amount for the land, that then the Government should reimburse them for the full value. I object for the time being.

The CHAIRMAN. The gentleman from Wisconsin objects.

TUTTLE TOWN SITE.

The next business in order on the Private Calendar was the bill (H. R. 10791) for the relief of the occupants of the Tuttle town site.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FOSTER. Reserving the right to object, I observe that this bill provides for the payment of interest at the rate of 6 per cent. I do not know why any interest should be paid.

Mr. MANN. This is interest at the rate of 6 per cent from the date of the settlement. If this was the only way to get this bill before the House, I should object to passing it by unanimous consent without consideration. It is, however, an amendment to the Indian bill, already inserted, and I have no doubt that it will be in the bill when it is finally enacted. The interest at 6 per cent is only from some date this year. I have looked this matter up, and I think they have an agreement with the man Dowden. Of course, that is dependent upon Congress making the appropriation; but the agreement provides that he shall be paid so much money, as I understand it, with interest from that date.

Mr. FOSTER. From February 24, 1916?

Mr. MANN. It is not interest from any back date.

Mr. FOSTER. No; I understand that it is only from February 24; but I do not think interest ought to be paid at all.

Mr. MANN. Well, I quite agree with my colleague. Yet these gentlemen who are interested think they have made a very good settlement with Mr. Dowden. Whether they have or not I do not undertake to say. If the thing is to go through at all, and we are to appropriate a large amount of money because of somebody's mistake, the interest does not amount to enough to stand out for.

Mr. FOSTER. No; it is the precedent that I care about.

Mr. MANN. The interest is very little compared with the $57,000 carried by the bill.

Mr. FOSTER. It is a precedent that we have never been in the habit of following that I know of.

Mr. MANN. It is not a proposition to pay interest on a claim.

Mr. FOSTER. It is to pay interest on a settlement. I think that part ought to be stricken out.

Mr. STAFFORD. Referring to what the gentleman from Illinois [Mr. MANN] stated, there is a compromise agreement entered into with this man, who has obtained a judgment in the United States circuit court of appeals, and by that compromise agreement he agreed to accept $57,500, if accepted prior to February 24, 1916; and the agreement further provides that if it is not accepted by that date it shall bear interest thereafter at 6 per cent. So there is the tentative agreement entered into between the Government and the plaintiff in this suit. Of course if the Government wishes to avail itself of the agreement, it will have to meet the terms of the agreement. Otherwise perhaps this bill will be of no avail.

Mr. FOSTER. I think it is a bad policy for the Government to agree to pay interest.

Mr. STAFFORD. It has the full approval of the Secretary of the Interior.

Mr. FOSTER. That is true, but he ought not to agree to pay interest.

Mr. STAFFORD. It is merely carrying out the compromise settlement of this case, which has been appealed to the Supreme Court of the United States.

Mr. FOSTER. I shall permit it to go under the circumstances, but I shall object to any more bills coming up like this, where interest is to be paid.

The CHAIRMAN. Is there objection to the present consideration of the bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to effectuate a compromise settlement of the suit of the United States against E. Dowden and others decided adversely to the Government on January 4, 1915, by the United States circuit court of appeals for the eighth circuit and now pending on appeal in the Supreme Court of the United States, and for said purpose to purchase whatever right, title, and interest that said E. Dowden may have in or to the land involved in said suit, said land being situated within the area segregated for town-site purposes at Tuttle, Okla., and to take such other action as may be necessary to quiet the title in the Choctaw and Chickasaw Nations to said land and in the purchasers from said nations at the Government sale of the town lots, and for the above

purpose the sum of $57,500, together with interest thereon at the rate of 6 per cent per annum from February 24, 1916, to date of settlement is hereby appropriated.

With the following committee amendment:

Page 2, line 6, after the word "appropriated," strike out the period, insert a comma, and add the following: "out of any money in the Treasury of the United States not otherwise appropriated: *Provided*, That the United States is to be reimbursed to the extent of the proceeds heretofore derived, or which may hereafter be derived, from the sale of the town lots within the area affected by such."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

FARMERS & MERCHANTS BANK, HEADLAND, ALA.

The next business on the Private Calendar was the bill (H. R. 10823) for the relief of the Farmers & Merchants Bank, of Headland, Ala.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, the amount here is very small—$34.50. I question the propriety of our Government launching on the policy of reimbursing private individuals who do not take the precaution when they ask the Treasury officials to forward stamps by mail to have them registered. I believe that the bill has the objection of the Secretary for that reason.

Mr. STEPHENS of Mississippi. It is true that the Secretary refused to approve of the bill for that reason.

Mr. STAFFORD. Then, Mr. Speaker, I object temporarily.

RELIEF OF CIVILIAN EMPLOYEES, ENGINEER DEPARTMENT, UNITED STATES ARMY.

Mr. MILLER of Delaware. Mr. Speaker, I ask unanimous consent to return to the bill H. R. 5079.

The SPEAKER pro tempore. The gentleman from Delaware asks unanimous consent to return to No. 23 of the Private Calendar. Is there objection?

Mr. MANN. I reserve the right to object.

Mr. MILLER of Delaware. Mr. Speaker, this bill was reported by the committee on the 1st of February, and it has been passed over once before when the Claims Committee had a day. It was taken up before the full committee. I call the attention of the House to the fact that it is not only reported favorably by the authorities of the War Department but an estimate to reimburse these men was sent in to the Committee on Appropriations by the Secretary of the Treasury. I am interested in the bill because I reported it from the Claims Committee, and I told the gentleman from Texas [Mr. GREGG] that I would be here to answer any objection that was made. If the gentleman from Illinois [Mr. MANN] wants to persist in his objection I have nothing further to say, as the gentleman from Texas is here.

Mr. MANN. Mr. Speaker, a good many of the Government employees desire, and a good many of them believe, that the Government is an insurer of personal property wherever the owners are. I do not think that the Government is an insurer of clothing or the personal effects of employees who lose them whether they lose them on a vessel or some other place. They have their methods of obtaining insurance. This is simply to reimburse a number of Government employees who lost their personal effects on a vessel. You might as well, when a house burns down, pay for the personal effects of Government employees. They can insure their property as other people do.

Mr. MILLER of Delaware. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. MILLER of Delaware. The gentleman will admit that the report on this bill shows that the authorities in the War Department approved of it, and it has the approval of the Judge Advocate General.

Mr. MANN. I did not say that they did not approve of the bill.

Mr. MILLER of Delaware. That answers all objections that the department has not approved of it. In other words, when a bill is brought up here one of the first things that is asked is whether the department has approved of it, whether there has been a favorable report.

Mr. MANN. Not whether there is a favorable report, but whether any report has been made. We have a right to the information which the department has and the department very naturally, or the Chief of Engineers, or the Secretary of War, is influenced, and properly so, by the men under them. They would like to take care of them whenever they lose anything. If they had their way they would double their salaries and see that they never had any sickness, never lost their jobs, but had a good place, and all that. They do not have the responsibility of determining the cost as we do.

Mr. MILLER of Delaware. This has the added merit that the Secretary of the Treasury has approved of it; asked for it in his estimates sent to Congress.

Mr. MANN. That does not add anything to it. There are bills here before Congress that have been here for 10 years where the department approved of them and have sent estimates for them to Congress.

Mr. MILLER of Delaware. Mr. Speaker, I have nothing more to say. All I wanted to do was to bring to the House everything that was brought out in the hearings before the committee. If the gentleman wants to object I do not care to take up any further time of the House as we have a great number of bills before us on the calendar.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

SAMUEL H. WALKER.

The next business on the Private Calendar was the bill H. R. 9994, for the relief of Samuel H. Walker.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, this is a personal injury case where the man's salary was not much; $480 a year. We have been holding it down to what it would be if a man was allowed compensation under the general law. I am perfectly willing to give him what he would have had if he was covered by the general law. The mere fact that a Government employee has not been lucky enough to be covered by the general law is not a sufficient reason in my opinion for paying him more than he would have got if he had been covered by the general law.

Mr. STEPHENS of Mississippi. Mr. Speaker, this bill has passed the Senate twice, and one time for $2,000 and another time for $1,000. It was shown that this man was very badly injured. He suffered from the injury about 12 or 14 years. It developed that he expended about $870 for medical attendance.

The committee thought that because of the fact that he was so badly injured and that he received only $480 a year for his work, it would be nothing but right to increase the amount so that it would reimburse him for the expenses that he was out, in addition to the year's salary. Several cases of this kind have passed both branches of Congress. There was the case of the young lady who had her scalp torn from her head, who was paid about $7,500, I believe. This gentleman was before me and I made an examination of him, though of course I am not a physician, but I could tell that he was still in a very bad condition and suffered all of the time. The fact is that his lower limbs are one solid scar. It is not possible for any perspiration to come through the skin on his lower limbs. The skin is very thin and he has to keep it anointed with oil at least three times a week in order to prevent it breaking. He has to be very careful that he does not strike something, because if he does it is liable to cause a bad sore and perhaps rupture a blood vessel, the doctors say. In view of all these things we thought that $1,350 was not too much.

Mr. MANN. Mr. Speaker, if this were one single individual case I would be willing to give $10,000, but the very fact that the gentleman referred to the case of the young lady down here where we paid a larger amount is sufficient reason for not letting this bill pass at a larger amount. Every time one of them passes it is used as a precedent for a great many others. The committee at one time started in to report very large sums without much regard for the facts. They have done exceedingly well, I think, in this Congress, and I propose to help them maintain their record. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. STEPHENS of Mississippi. Mr. Speaker, I understood the gentleman to say that he might be willing to let the bill pass if we could agree upon a less sum. Is he still of that mind?

Mr. MANN. I said that I would have no objection to paying the man a year's salary.

Mr. STEPHENS of Mississippi. If the gentleman will withdraw his objection and let the bill come up for consideration I will move that the bill be so amended.

The SPEAKER pro tempore. Does the gentleman from Illinois withdraw his objection?

Mr. MANN. I withdraw the objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Samuel H. Walker, out of any money in the Treasury not otherwise appropriated, the sum of

$10,000, in full compensation for injuries received by the said Samuel H. Walker while performing his duties as a laborer in the fireroom of the General Land Office, Department of the Interior.

With the following committee amendment:

Line 6, strike out the figures "$10,000" and insert the figures "$1,350."

Mr. STEPHENS of Mississippi. Mr. Speaker, I move to amend the committee amendment by striking out "$1,350" and inserting "$480."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend the committee amendment by striking out the figures "$1,350" and inserting in lieu thereof the figures "$480."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment to the amendment was agreed to.

The SPEAKER pro tempore. The question now is on agreeing to the committee amendment as amended.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

DOMMICK TAHENY AND JOHN W. MORTIMER.

The next business on the Private Calendar was the bill (H. R. 6167) for the relief of Dommick Taheny and John W. Mortimer.

The SPEAKER pro tempore. Is there objection?

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection, and it was so ordered.

THEODORE BAGGE.

The next business on the Private Calendar was the bill (H. R. 10643) for the relief of Theodore Bagge.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Theodore Bagge the sum of $1,000, out of any money in the Treasury not otherwise appropriated, for injury sustained on the 24th day of April, in the year 1907, while employed by the United States Government on the U. S. dredge *Ajax*.

With the following committee amendment:

Line 5, strike out the figures "$1,000" and insert the figures "$221.91."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGE T. LARKIN.

The next business on the Private Calendar was the bill (H. R. 947) for the relief of George T. Larkin.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, I object.

Mr. SLEMP. Mr. Speaker, will the gentleman reserve his objection for a moment?

Mr. MANN. Certainly.

Mr. SLEMP. Is there any amount that the gentleman from Illinois [Mr. MANN] would agree to less than the sum of $1,284? This provides for $2 a day for 642 days. The original amount put in the bill included expenses of six hundred and odd dollars. Will the gentleman from Illinois consider a lower amount?

Mr. MANN. We have had this case up once before and allowed the man $1,976.

Mr. SLEMP. But that bill did not pass. It did not get through the Senate.

Mr. BLACKMON. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

MRS. JOSEPH CAMERON.

The next business on the Private Calendar was the bill (H. R. 2554) for the relief of Mrs. Joseph Cameron.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay to Mrs. Joseph Cameron, widow of Joseph Cameron, the sum of $2,500 for physical and personal injuries sustained by said Joseph Cameron while in the employ of the United States Government near Minnehaha Falls, Mississippi River, in the State of Minnesota, and while he was working on Government Dam No. 1 on August 9, 1907.

With the following committee amendment:

Line 5, strike out the figures "$2,500" and insert in lieu thereof the figures "$242."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

J. T. NANCE.

The next business on the Private Calendar was the bill (H. R. 10052) to reimburse J. T. Nance.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman who reported the bill, or of the author, whether, in his judgment, the postmaster was not guilty of lack of ordinary care in leaving the front door of his building open and responding to a fire alarm up the street, thus allowing some person to get in and pilfer the post-office money-order drawer.

Mr. EDMONDS. Answering the gentleman, I would like to say there was a catch on the door, one of these snap locks, and he thought he locked the door when he went up the street to see whether it was his own residence that was on fire when it was reported to him. We passed this bill last year.

Mr. STAFFORD. Where is it shown in the report that it was a night lock?

Mr. EDMONDS. He pulled the door shut, and he thought the catch had caught, but it had not.

Mr. STAFFORD. Is there any evidence to that effect in the possession of the committee? It is not in the report.

Mr. CULLOP. I will say to the gentleman that it was filed with the committee. It is shown by the sworn testimony.

Mr. STAFFORD. There is nothing in the report or in the letter of the Assistant Postmaster General that explains the facts.

Mr. CULLOP. I desire to say to the gentleman from Wisconsin that this is a meritorious measure.

Mr. STAFFORD. The evidence shows that he hurriedly left the store, thinking that his own property was burning. If there is evidence that he snapped the door shut, thinking that the lock was on, I withdraw the reservation of the objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, the sum of $81.78 to J. T. Nance, postmaster at Harrodsburg, Ind., to reimburse him for losses sustained by reason of robbery of that post office.

Also the following committee amendment was read:

Line 4, after the word "authorized," insert the words "and directed."

The amendment was agreed to.

Also the following committee amendment was read:

Line 4, strike out the word "the" and insert the word "any."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JAMES HOUYDE.

The next business on the Private Calendar was the bill (H. R. 3255) for the relief of James Houyde.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

Mr. MANN. Reserving the right to object, this is a personal-injury case, where it is proposed to pay to the father. He is certainly not entitled to more than one year's pay. And that is pretty doubtful. There is nothing in the report to show what salary the man was receiving.

Mr. JOHNSON of Washington. Mr. Speaker, I can give a little information in regard to this matter to the House. This man is a widower with small children, and is sick and helpless. His son, 18 years old, was killed while making a fire trail in a forest reserve. In that country when the rangers call on the men to work on the fire trail, the citizens for a considerable distance around go to work. Until recently they were never paid.

Mr. MANN. That is not this case. This man was employed by the Forest Service.

Mr. JOHNSON of Washington. This man's boy was killed.

Mr. MANN. He was employed in the Forest Service. It has nothing to do with the neighbors around going to work.

Mr. JOHNSON of Washington. This boy, Houyde, who was killed was employed. He was sent to tamp a rock. He was sent by a superior officer, and while there a rock that had been loosened by a previous blast fell, and the young man was killed. If $1,000 is too much to pay the father, a figure might be set which he should be paid.

Mr. MANN. I think if he had anybody dependent upon him he should receive one year's pay, and I am perfectly willing, so far as I am concerned, to give it to the father, although I do not think the father was really dependent upon him. What was his pay?

Mr. STEPHENS of Mississippi. Mr. Speaker, it does not appear from the report as to what the amount of his salary was in specific terms, but in a letter from the Acting Secretary I find this, on the second page of the report:

This claim appears to be a meritorious one, but if it had been approved by the department under the compensation act the beneficiary thereunder would not have received a sum in excess of $1,000.

Mr. MANN. I think that is true, but that does not indicate very much to me. I read that.

Mr. STEPHENS of Mississippi. It does not indicate the amount.

Mr. MANN. I think the bill had better be passed over until you find out what the amount was.

The SPEAKER pro tempore. Is there objection?

Mr. JOHNSON of Washington. I ask, Mr. Speaker, that the bill be passed over without prejudice.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent that the bill be passed over without prejudice. Is there objection? [After a pause.] The Chair hears none.

ALLOTMENT OF DAVIE SKOOTAH.

The next business on the Private Calendar was the bill (H. R. 8203) to cancel the allotment of Davie Skootah, on the Lummi Reservation, Wash., and reallot the land included therein.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

Mr. HUMPHREY of Washington. Reserving the right to object, I would like to know something about the character of the bill.

Mr. STEPHENS of Mississippi. Mr. Speaker, I will say that this bill does not come from the Committee on Claims. It is from the Committee on Indian Affairs, and I can not give the gentleman any information.

Mr. HUMPHREY of Washington. It so happens that this particular Indian reservation is situated in what was for many years my district, and I am more or less familiar with it. I would like to know something about the claim. I probably would have no objection to the bill.

Mr. STEPHENS of Mississippi. Mr. Speaker, I ask unanimous consent that the bill be passed without prejudice.

The SPEAKER pro tempore. The gentleman from Mississippi asks unanimous consent that the bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

OLAF NELSON.

The next business on the Private Calendar was the bill (H. R. 5411) for the relief of Olaf Nelson.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, this is rather an unusual bill, and I would like to have some member of the committee explain the theory of it, or I would like to have the author of the bill explain the principle which the committee follows in recommending a favorable report on it. I say it in all seriousness, because it does not appear from the report that this now insane person received the injuries while in the employ of the Government on the Canal Zone. There are certain facts that squint in that direction, but there is no definite statement that this man really suffered the injuries in the employ of the Government that resulted in his present condition.

Mr. EDMONDS. Mr. Speaker, answering the gentleman, I will state that there are no absolute proofs that this man received any injuries on the Isthmus occasioning his loss of eyesight, but undoubtedly he went down to the Isthmus, worked there, and had some trouble with his eyes while there. Afterwards it seemed to have developed into a trouble by which he lost his eyesight, and from the loss of eyesight he went insane. Considering the pitiful condition of the case, the committee thought it was at least proper to give him some compensation on account of the probability that if he had not gone to the Isthmus he would not have suffered the loss of his eyesight.

Mr. STAFFORD. This claimant is now insane?

Mr. EDMONDS. Yes.

Mr. STAFFORD. To whom will this money be paid in view of the fact that the bill provides not for payment to his guardian but to the individual himself? It is a bill that appeals to my sympathy, as it would to the sympathy of every person. This person has lost his mind, and very likely the loss of mind or the melancholy habit of mind had been superinduced by the loss of his eyesight. I have known of instances where that has followed. But to whom is this money to be paid, and what is the purpose of it?

Mr. EDMONDS. I presume it is to be paid to a relative. He has a sister, I believe.

Mr. MANN. He would have to have a conservator to get it.

Mr. EDMONDS. It is understood that he has a sister in this country who tried to take care of him and could not, and who afterwards turned him over to the city authorities in Chicago.

Mr. DAVIS of Minnesota. Is it necessary to have a guardian before the money is appropriated? If the money is allowed, subsequent proceedings can be had to determine to whom the money should be paid.

Mr. STAFFORD. If it is certain that he will never recover his mind again, I would be willing to provide for the payment of this money to his guardian.

Mr. MANN. He has not a dollar's worth of property, and they will never appoint a conservator for him.

Mr. STAFFORD. I have been waiting a long time for the author of the bill to make an explanation of it.

Mr. MANN. I will make an explanation so far as I am posted, but I am not very well posted.

Mr. CULLOP. If this man was not mentally in a condition to do business, it would require the appointment of some one who would be authorized to receive the payment in his behalf.

Mr. STAFFORD. It is not certain that he acquired these disabilities on the Canal Zone, but it is a case that evokes sympathy.

Mr. MANN. He acquired his disabilities while working on the canal.

Mr. STAFFORD. It was during his employment, but not on account of his employment.

Mr. MANN. He was a carpenter working in a dark shop. He first had trouble in one eye and went to the hospital. He came out and went to work again, and lost one eye and then the other. He lost both eyes. Before he went down he had been examined by the Civil Service Commission physically, and his eyesight was in perfect shape. Of course I do not know and nobody knows, but he attributed the loss of his eyes to working in this dark place in a car shop. He was treated at once by the hospital authorities.

Mr. STAFFORD. Mr. Speaker, the author of the bill has advanced some facts which are not disclosed in the report. There is nothing in the report that shows that this man suffered from the defective vision and ultimately lost his vision completely by working in a dark room in a car shop. Of course, if that is the fact, I will not press the reservation of an objection.

Mr. FOSTER. The clerk of this committee informs me that he received a letter dictated by this claimant's daughter, which came from a street number of a street in Chicago—a pitiful letter.

Mr. MANN. He is living with friends, living with a man by the name of Eric Young, a friend of his, without paying compensation.

Mr. STAFFORD. He is in the United States?

Mr. MANN. Yes; he is in the United States.

Mr. STAFFORD. Mr. Speaker, I will withdraw the reservation of objection.

The SPEAKER pro tempore. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Olaf Nelson, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, in compensation for injuries sustained on the Panama Canal while in the discharge of his duties.

With a committee amendment, as follows:

Amend, line 6, by striking out the figures "$10,000" and inserting in lieu thereof the figures "$1,200."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next one.

CLAIMS OF SISSETON AND WAHPETON BANDS OF SIOUX INDIANS AGAINST THE UNITED STATES.

The next business on the Private Calendar was the bill (H. R. 6022) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I remember that last year this proposition was before the House. What was the result of the bill before the House last year embodying this same provision?

Mr. YOUNG of North Dakota. It was recommended last year by the Committee on Indian Affairs. The bill had been referred to that committee just the same as many bills of similar character had been referred for many years, but some one raised the objection that the Committee on Indian Affairs did not properly have jurisdiction of it, and the Speaker ruled that it should not have been referred to that committee, and therefore the House was not in a position to act on it.

Mr. MANN. If the gentleman will pardon me, this bill, in its present shape, is now, according to my comparison, exactly in the same form in which we had agreed to let it pass in the last Congress.

Mr. STAFFORD. I was under the impression that it was in the same form. Notwithstanding the department says the claim is without any merit whatsoever, I was wondering whether this bill was instigated at the behest of some Indian-claim attorneys, or whether it is really at the instance of the Indians themselves.

Mr. YOUNG of North Dakota. I will say to the gentleman that a member of this tribe came down to Washington and went down to see the Indian Commissioner, and the Indian Commissioner prepared this bill for him. There has never been any attorney in the matter.

Mr. MANN. The department drew the Senate bill in the last Congress, which was not nearly as favorable to justice and the Government as is this bill now.

Mr. STAFFORD. I withdraw the reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection?

Mr. YOUNG of North Dakota. I ask, Mr. Speaker, that Senate bill 585, which is identical with this bill, and which is on the Speaker's desk, be substituted.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

There was no objection.

Mr. YOUNG of North Dakota. Mr. Speaker, I ask unanimous consent that S. 585, which has passed the Senate and is on the Speaker's table, be taken from the table and considered in place of this bill.

Mr. STEPHENS of Mississippi. That bill is No. 191 on the Private Calendar.

The SPEAKER pro tempore. The gentleman asks unanimous consent that S. 585 be considered in place of the House bill. Is there objection?

There was no objection.

The bill (S. 585) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States was read as follows:

Be it enacted, etc., That all claims of whatsoever nature which the Sisseton and Wahpeton Bands of Sioux Indians may have or claim to have against the United States shall be submitted to the Court of Claims, with the right to appeal to the Supreme Court of the United States by either party, for the amount due or claimed to be due said bands from the United States under any treaties or laws of Congress; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine all claims of said bands against the United States and also any legal or equitable defense, set-off, or counterclaim which the United States may have against said Sisseton and Wahpeton Bands of Sioux Indians, and to enter judgment, and in determining the amount to be entered herein the court shall deduct from any sums found due said Sisseton and Wahpeton Bands of Sioux Indians any and all gratuities paid said bands or individual members thereof subsequent to March 3, 1863: *Provided*, That in determining the amount to be entered herein, the value of the land involved shall not exceed the value of such land on March 3, 1863. If any such question is submitted to said court, it shall settle the rights, both legal and equitable, of said bands of Indians and the United States, notwithstanding lapse of time or statute of limitations. Such action in the Court of Claims shall be presented by a single petition, to be filed within one year after the passage of this act, making the United States a party defendant, which shall set forth all the facts on which the said bands of Indians base their claims for recovery; and the said petition may be verified by the agent or authorized attorney or attorneys of said bands, to be selected by said bands and employed under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, in accordance with the provisions of existing law, upon information or belief as to the existence of such facts, and no other statements or verifications shall be necessary. Official letters, papers, reports, and public records, or certified copies thereof, may be used as evidence. Whatever moneys may be found due the Sisseton and Wahpeton Bands of Indians under the provisions of this act, less attorney's fees, shall be placed to their credit in the Treasury of the United States: *Provided*, That the compensation to be paid the attorney or attorneys for the claimant Indians shall be determined by the Secretary of the Interior, but in any event shall not be greater than the amount named in the approved contract: *Provided further*, That such compensation shall in no event exceed $15,000.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. YOUNG of North Dakota, a motion to reconsider the last vote was laid on the table.

By unanimous consent the corresponding House bill (H. R. 6022) was laid on the table.

GEORGE W. GAMBLE.

The next business in order on the Private Calendar was the bill (H. R. 2814) for the relief of George W. Gamble.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. I object.

Mr. MILLER of Delaware. Will the gentleman reserve his objection a moment?

Mr. STAFFORD. I am very glad to do so.

Mr. MILLER of Delaware. Does the gentleman note that this bill has been favorably recommended by the Acting Secretary of the Department of Labor, and that it is to pay the clerk of the circuit court of Rock Island County, Ill., for moneys stolen from him, being naturalization fees which he had in his possession?

Mr. STAFFORD. Yes; I have read the report and considered the bill carefully. I can not see why we should pass this bill because of the mere fact that he happened to be performing some duty of a governmental character, for which he received fees, of which he was obliged to turn over one-half to the Government, they being his funds.

Mr. MILLER of Delaware. But he is not a Government official. The naturalization laws force this on him because he is a county official.

Mr. STAFFORD. The duty is not forced upon him. State officials are not obligated to perform this work. They are only too willing to perform it, because they make large sums of money out of it.

Mr. MILLER of Delaware. A burglar broke into his office and took this money. The department has looked into it, and reports that the bill should pass.

Mr. MANN. I think these county officials are obligated to perform this work.

Mr. STAFFORD. I do not believe the United States Government can call upon any State official to perform duties of a national character.

Mr. MANN. I think it can as to naturalization, because we have control over the subject of naturalization.

Mr. STAFFORD. I remember a debate participated in by Senator Hoar some 15 years ago, when that question was up, and he doubted the constitutional authority of the National Government to compel a State official to perform a function of the National Government.

Mr. MANN. That may be; but we do compel them, and they do it.

Mr. STAFFORD. They do it at a good profit.

Mr. MANN. There is no profit in it generally.

Mr. STAFFORD. The clerks of the circuit court in large cities find it very profitable.

Mr. MANN. Oh, they do not find it profitable.

Mr. STAFFORD. They do up my way.

Mr. MANN. Very likely they do up in Milwaukee, although I remember a few years ago they were howling that they were not getting money enough to pay the men whom they had to employ.

Mr. STAFFORD. Who were howling?

Mr. MANN. In Milwaukee.

Mr. STAFFORD. I beg the gentleman's pardon. They have not been howling up there. They are only too glad to receive these perquisites.

Mr. MANN. I think that was while the gentleman was taking his vacation.

Mr. STAFFORD. While I was taking my vacation I was better acquainted with conditions at home, because I was practicing law and more conversant with conditions there while I was taking my sabbatical than I would have been if I had been down here.

Mr. MANN. This clerk of the circuit court lost $45 by the burglary of the vault. They caught the burglar and sent him to the penitentiary. I do not think the Government ought to require the clerk, under such circumstances, to pay over the money. He has no volition about it. If it had happened in a

post office, it would have been paid without coming to Congress at all.

Mr. STAFFORD. Yes; because a post-office official is a direct employee of the Government, and the Government has authority and control over the fund; but here the Government has no authority or control over the fund. It is entirely optional with the clerk as to the custody of the fund.

Mr. MANN. That is true; but he put it in the vault, and that is what the Government would require him to do.

Mr. STAFFORD. Whose money is it? Is it the Government's money or the individual's money?

Mr. MANN. It is the Government's money, under the law.

Mr. STAFFORD. That is the very point of my objection. If I thought it was the Government's money I would not object, but I claim it is not the Government's money until he actually pays it over. He is responsible for the payment of these fees.

Mr. MANN. It is like any fees that are collected. It is the Government's money. They can walk into his office at any time and require him to make an accounting as to the money.

Mr. STAFFORD. I do not think there is anything in the law that requires him to allot the money into separate funds.

Mr. MANN. Oh, no; that is true.

Mr. STAFFORD. There is nothing that requires him to segregate the funds, half to the Government and half to himself. It is his money as long as it is merged.

Mr. DENISON. I understand that these were naturalization fees?

Mr. STAFFORD. Yes.

Mr. DENISON. A court has held that the half which the clerk retains does not belong to him individually, but belongs to the county in which he has the office. He does not get one cent of it individually.

Mr. STAFFORD. Then it does not belong to the National Government.

Mr. DENISON. One-half of it belongs to the National Government and the other half to the county.

Mr. STAFFORD. The gentleman was speaking of the other half. Is there any decision that the half that he is obliged to turn over to the National Government belongs to the Government at the time it was paid over?

Mr. DENISON. There is a decision holding that the half retained by the clerk does not belong to him individually, but belongs to the county.

Mr. MANN. In this case the report indicates that the money was kept separate from the start—put in an envelope by itself. The man was taking every possible precaution to keep the Government money separate.

Mr. STAFFORD. Mr. Speaker, I will withdraw the reservation of the point of order.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of $45.50 to George W. Gamble, clerk of the circuit court in and for the county of Rock Island, in the State of Illinois, which sum was lost through the burglarizing of his office, vault having been opened by parties as yet unknown on February 24, A. D. 1913; said money being amount due the United States Government for fees collected in matters of naturalization of aliens.

Mr. MANN. Mr. Speaker, I move to amend by striking out, on lines 8, 9, and 10, the following language:

Vault having been opened by parties as yet unknown on February 24, A. D. 1913.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

In lines 8, 9, and 10 strike out the following language: "vault having been opened by parties as yet unknown on February 24, A. D. 1913."

Mr. MANN. Doubtless at one time or another the burglar was unknown, but the gentleman who introduced the bill forgot to take it out. The report shows that they not only know who the burglar was, but that they sent him to the penitentiary.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I will make a pro forma amendment to strike out the last word for the purpose of inquiring of the gentleman who reported the bill whether the last clause of the bill should not be eliminated, "said money being the amount due the United States Government for fees collected in matters of naturalization of aliens," in view of the fact that he has already paid the money to the Government. I would direct the gentleman's attention to a letter from the claimant which says that "The above sum of $45 was included in a remittance of $139.50 sent to the Secretary of Labor on April 1, A. D. 1913."

Mr. MILLER of Delaware. I have no objection to accepting the amendment. Possibly it might have been better to have said "having been," and so forth.

Mr. STAFFORD. Then, Mr. Speaker, I move to strike out the words beginning with "said" on line 10, and ending with "aliens" on line 12.

The Clerk read as follows:

In lines 10, 11, and 12 strike out the following language: "said money being amount due the United States Government for fees collected in matters of naturalization of aliens."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

MARTIN HUHN.

The next business on the Private Calendar was the bill (H. R. 15281) for the relief of Martin Huhn.

Mr. MILLER of Delaware. Mr. Speaker, the gentleman who introduced this bill, the gentleman from New Jersey [Mr. HAMILL], has asked that it go over without prejudice, because he does not approve of the amount which the committee allowed.

The SPEAKER pro tempore. The gentleman from Delaware asks unanimous consent that the bill be passed without prejudice. Is there objection?

There was no objection.

PHILIP H. HEBERER.

The next business on the Private Calendar was the bill (H. R. 7239) for the relief of Philip H. Heberer.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I have no objection to a smaller sum being allowed, but it is difficult for me to see how the committee arrived at such a large amount as is stated in the bill.

Mr. MANN. It should be only $634, however they arrived at it.

Mr. MILLER of Delaware. If the gentleman will look at page 2 of the report he will see a letter from the Assistant Secretary of the Department of Labor, where he says that this case appears to be a very meritorious one, but the department is unable to afford any relief for the reasons stated.

Mr. STAFFORD. This man was only out of employment some 78 days. At the rate of $5 a day for 78 days, including Sundays and holidays, makes a total of $390.

Mr. MILLER of Delaware. The gentleman loses sight of the fact that the injury disabled him from ever being a lineman again, and he is now only a camp cook.

Mr. STAFFORD. He did camp cooking after he came out of the hospital.

Mr. MANN. The difference in pay was 85 cents a day and he had that for 287 days, which would make $243.95, which might be added to the $390 at $5 a day, making $633.95. I was willing to give him the benefit of the 5 cents and called it $435.

Mr. STAFFORD. I call attention to the report on the bill. The surgeon that examined the claimant as late as November 30, 1914, in reply to one of the questions, "In your opinion are any permanent disabilities from the injury probable," answered "No."

And yet you intend to not only reward him for the time he has lost, but intend to add to it several hundred dollars more.

Mr. MILLER of Delaware. Mr. Speaker, it is shown that the man could not carry on the duties of a lineman any longer, and when he went back the next summer he went back as a camp cook.

Mr. STAFFORD. Is the gentleman going to accept the statement——

Mr. MILLER of Delaware. It is not up to me; it is up to the House.

Mr. STAFFORD. The statement of the contract surgeon of the United States Army who makes his report says that his disability will not be permanent?

Mr. MILLER of Delaware. The gentleman can offer his amendment if he desires. I have no objection to it, if the House desires to put it in.

Mr. STAFFORD. I am not inclined to let it go unless the committee——

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

HARBOR COMMISSIONERS, CALIFORNIA.

The next business on the Private Calendar was the bill (H. R. 5453) for the relief of the State board of harbor commissioners of the State of California.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of $199.62 to the State board of harbor commissioners of the State of California, for the purpose of reimbursing the said State board of harbor commissioners for repairing damages to Piers Nos. 15 and 27, in the city of San Francisco, Cal., caused by the steamship *Angel Island*, of the United States Immigration Service, on August 8, 1911, and on August 17, 1911, respectively.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

W. W. WALL.

The next business on the Private Calendar was the bill (H. R. 1373) for the relief of W. W. Wall.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, let the bill be read.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to W. W. Wall, of Henry County, Mo., out of any money in the Treasury not otherwise appropriated, the sum of $226.31, being the amount stolen from said Wall while postmaster at Prairie Home, Mo., and thus lost by him without fault on his part, and thereafter by him paid to the Government out of his own funds.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, it appears that this is a case where the postmaster lost the money and the Government brought suit against him and got a judgment. He now claims that Union soldiers stole the money. He did not set up that defense.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. MANN. I yield to the gentleman.

Mr. DICKINSON. Mr. Speaker, this case of W. W. Wall has been before this House since I have been in Congress two or three times, and has passed the House at least twice during the last six years and has gone to the Senate, but on account of the crowded condition of business there it has failed to receive consideration. It is true that no defense was set up in this case. I know this old man, W. W. Wall. He now lives in the county in which I live. He was a storekeeper in the county north of the county in which I live at the time that his store was robbed and the stamps and money taken and appropriated. It is a matter of common history. The same bill, I believe, was introduced by my predecessor, Judge De Armond, who for a number of years was in Congress from my district. It is a matter of common notoriety about the old man being robbed, and the testimony of a number of reputable citizens, almost all of whom I know personally——

Mr. MANN. But why did he not defend himself in court when the Government sued him?

Mr. DICKINSON. It was immediately after the war, during the unsettled condition of things, and he did not appear. Judgment by default was taken. The fact that he did not appear does not change the facts as testified to here. There can be no question about the facts. The case is somewhat similar to the case already approved, No. 81 on the calendar, except that it is much stronger. He paid not only the amount, $226.31, but paid the costs, $308 in all. He asks now only the original amount. It is a long time ago, and I hope that this will not be objected to at this time.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

PHILIP H. HEBERER.

Mr. MILLER of Delaware. Mr. Speaker, I ask unanimous consent to return to the consideration of the bill (H. R. 7239) for the relief of Philip H. Heberer, No. 83 on the calendar.

The SPEAKER pro tempore. The gentleman from Delaware asks unanimous consent to return to the consideration of the bill H. R. 7239. Is there objection?

Mr. MANN. Let the bill be read.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of moneys in the Treasury not otherwise appropriated, to Philip H. Heberer the sum of $2,500, for injuries sustained while employed as a lineman in the United States telegraph corps near Valdez, Alaska, in June, 1914.

With the following committee amendment:

Line 6, strike out the figures "$2,500" and insert the figures "$1,825."

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

Mr. MILLER of Delaware. Mr. Speaker, I move to amend the committee amendment by striking out the figures "$1,825" and inserting in lieu thereof the figures "$634."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend the committee amendment by striking out the figures "$1,825" and inserting in lieu thereof the figures "$634."

The SPEAKER pro tempore. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The SPEAKER pro tempore. The question now is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JOHN E. JONES.

The next business on the Private Calendar was the bill (H. R. 9898) for the relief of John E. Jones.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to John E. Jones, consul general of the United States of America, the sum of $386, which sum was stolen from his office in Genoa, and all the facts are fully set forth in House Document No. 598, Sixty-fourth Congress, first session.

Mr. STAFFORD. Mr. Speaker, I move to strike out all of lines 8, 9, and 10.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment which the Clerk will report.

The Clerk read as follows:

Strike out lines 8, 9, and 10, being the words: "And all the facts are fully set forth in House Document No. 598, Sixty-fourth Congress, first session."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

MINNESOTA AND ONTARIO POWER CO.

The next business on the Private Calendar was the bill (H. R. 2555) for the relief of the Minnesota and Ontario Power Co.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. STAFFORD. Reserving the right to object, I wish to inquire of some member of the committee whether there is any like instances where we have returned impost duties on goods that have been imported into the country and then later shipped again out of the country?

Mr. SMITH of Minnesota. We do that every day by what are called "drawbacks"?

Mr. STAFFORD. But that is authorized by law. I can appreciate, if we were going to pursue this policy as carried in this bill, that it would be warrant for many instances where goods are shipped in from Canada to this country and then finding they are no longer of need here, would be returned and claim made against the Government that the duty should be repaid.

Mr. SMITH of Minnesota. Yes; but in this instance, may it please my colleague, these goods were ordered for a specific purpose, and the parties who ordered them supposed that they could use them for that purpose. When they came to ascertain whether they could get their boat registered or not, they found they could not, and they immediately returned the goods. They were made for a specific purpose, could not be used in the general trade, and could not be used for anything else except as a towing apparatus.

Mr. STAFFORD. The gentleman will agree that in many instances the goods ordered by a United States merchant from abroad are intended for a specific purpose, and yet after they arrive here he may find he can not utilize them. Of course, in this case the contract was for the building of a boat in which the laws absolutely forbade the use of a foreign engine in case the boat received American registry.

Mr. MANN. Of course, it was a case of misapprehension of the law.

Mr. STAFFORD. And that is a distinguishing feature. I would not be willing to establish a precedent that whenever a merchant in this country happens to order goods from abroad which he found he could not utilize, that therefore the Government would be called upon to reimburse him for the duties upon the return of the goods.

Mr. MANN. Of course, no one would, but the distinction is that often in such cases they could not be identified clearly. Of course, they could introduce them in bond and return them now without paying the duty. Here is a case where certain machinery was brought, about the identification of which there was no question. The law forbade the use of the machinery, and at once it was returned out of the country. I do not think there is any precedent set.

Mr. STAFFORD. I withdraw the objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay to the Minnesota & Ontario Power Co., a corporation organized under the laws of the State of Minnesota, from any moneys in the Treasury not otherwise appropriated, the sum of $714.66, the same being duties paid by the said Minnesota & Ontario Power Co to the collector of customs for the district of Minnesota on May 31, 1912, on certain boiler and machinery especially imported from Canada for the equipment of a steam barge operating in the Rainy River between Minnesota and Ontario, said boilers and machinery having been refused for such use in the United States by the Secretary of Commerce and Labor, and at once having been returned to Canada without being used for any purpose in the United States.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

HEIRS OR LEGAL REPRESENTATIVES OF CHARLES AND KATE JOHNSON.

The next business on the Private Calendar was the bill (H. R. 9466) for the relief of the heirs or legal representatives of Charles Johnson and Kate Johnson.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. I object, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the Clerk will report the next bill.

JOHN B. HOOVER.

The next business on the Private Calendar was the bill (H. R. 5262) for the relief of John B. Hoover.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John B. Hoover the sum of $145.83, out of any money in the Treasury not otherwise appropriated, amount expended by him out of his personal funds for medical services of agency physician during his incumbency as superintendent at Fort McDermitt Indian School from July 1, 1909, to October 15, 1909.

Also, the following committee amendment was read:

Line 5, strike out the figures "$145.83" and insert "$145.30."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

PRIVATE MAIL CONTRACTS.

Mr. STEPHENS of Mississippi. Mr. Speaker, the next bill is one providing for the payment of money due to a carrier of mails prior to May 31, 1861. There are quite a number of bills of a similar character on the calendar. I would like to ask unanimous consent to pass these bills over and call up Calendar No. 186, H. R. 11150, which is a general bill that covers all matters provided for in these individual bills.

Mr. MANN. That has just been reported.

Mr. STEPHENS of Mississippi. It will cut out at least 50 or 60 per cent of the work to-night if we could do that, and it will serve the same purpose.

Mr. MANN. I have not even seen the bill yet. It was reported yesterday, I believe, or the day before.

Mr. STEPHENS of Mississippi. I had understood, Mr. Speaker——

Mr. MANN. Is it a private bill?

Mr. STEPHENS of Mississippi. No; it is a general bill.

Mr. MANN. The House would not pass a general bill to-night in the regular order.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. STEPHENS] asks unanimous consent to pass over the next bill on the calendar and take up Calendar No. 186, H. R. 11150. Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object.

Mr. STEPHENS of Mississippi. When I said it was a general bill, of course, I meant it included bills for the same character of service. I understood the gentleman from Illinois [Mr. MANN] was in favor of a bill of this character.

Mr. MANN. I am in favor of this class of a bill, but I am not in favor of passing many of these personal bills. I see that this bill the gentleman refers to is on the Private Calendar, but it is there erroneously. It belongs on the Union Calendar. I do not think that under the order that was entered it would be proper to pass it to-night.

Mr. STEPHENS of Mississippi. The order was to consider bills on the Private Calendar.

Mr. MANN. I know; but where a public bill is on the Private Calendar, since that order was made, as this has been, nobody in the House ought to be taken advantage of. I think the gentleman had better let these bills be passed over and put this bill where it belongs to-morrow, on the Union Calendar, and then on the Unanimous Consent Calendar. I have no doubt it can be passed.

Mr. ASWELL. Mr. Speaker, I would like to say to the gentleman from Illinois that this bill includes all of the bills that precede—about 700 of them in all—on this calendar and that are pending.

It is a bill that has been indorsed by the Postmaster General and the Secretary of the Treasury and the Auditor of the Treasury for the Post Office Department. It is an effort to pass one bill and save these several hundred individual bills that are pending. It covers all of them, and a list of them is in the report. It is really an omnibus bill. It covers all of those that are on this calendar except about 20 per cent.

Mr. MANN. It may be proper that it is on the Private Calendar. I will not say that it is not properly on the Private Calendar, because I have not examined the bill. The bill was reported in the House yesterday, I believe?

Mr. ASWELL. That is true.

Mr. MANN. Well, I would have examined this bill to-night if there had not been a night session, but I am not going to let a bill of this sort pass by unanimous consent, reported only yesterday, that I have not the chance to examine.

Mr. STAFFORD. I think the gentleman, upon examination, will find that this is a public bill.

Mr. MANN. I am not certain about that, but——

Mr. STAFFORD. It is public in its phraseology.

Mr. MANN. Of course, if it identifies the claimant—and I do not undertake to say—but I do undertake to say that I am in favor of passing a general bill on the subject.

Mr. ASWELL. I understand the gentleman.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi [Mr. STEPHENS]?

Mr. MANN. I will object if the gentleman persists in making a request that is utterly unreasonable under the circumstances, after the explanation I have made. I do not like to object, but am constrained to do so.

Mr. STEPHENS of Mississippi. Will the gentleman withhold for a moment?

The SPEAKER pro tempore. Does the gentleman from Illinois withhold his objection and yield to the gentleman from Mississippi?

Mr. MANN. Yes.

Mr. STEPHENS of Mississippi. I would like to say this in response to the gentleman's statement that this is unreasonable: I had understood that the gentleman had been consulted and that he was in favor of this bill and that some changes were made to meet some objections that he had.

Mr. MANN. I will say to the gentleman that I never knew that the bill was introduced, and nobody has talked to me about it. But that is nothing against the bill.

Mr. STEPHENS of Mississippi. I understood in the committee that the gentleman made certain suggestions in regard to amendments. I do not know who it is who claimed that he talked with the gentleman from Illinois.

Mr. MANN. I have talked with the gentlemen mostly in this manner in the House on this subject. Whether I have had a private conversation on the subject with anybody I do not know. I am sure I have not, however, since February 9.

Mr. STEPHENS of Mississippi. Mr. Speaker, I withdraw the request.

Mr. MANN. If I had time to look over the bill I might take a different attitude.

HENRY MERSEBURGER.

The next business on the Private Calendar was the bill (H. R. 9558) for the relief of the estate of Henry Merseburger.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the Clerk will report the next one.

JOHN R. TALLY.

The next business on the Private Calendar was the bill (H. R. 9148) for the relief of the estate of John R. Tally.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. STEPHENS of Mississippi. Mr. Speaker, I want to inquire of the gentleman whether it is the purpose of the gentleman to object to all bills of this character?

Mr. MANN. Yes; so long as you are going to have a general bill. I stated my position some time ago as to these bills, where the report from the Post Office Department showed, apparently, that over $100,000 of the claims set out in the auditor's report had been paid by the Confederate Government, and that after that time I was not willing to see pass any more of these bills by unanimous consent unless some one made an affidavit or gave some other proof that the claimants had not been paid by the Confederate Government. The committee stated at that time that they would follow that course hereafter, but they have not paid any attention to it.

Mr. STEPHENS of Mississippi. I will say to the gentleman that that matter is taken care of in the general bill that we attempted to call up to-night, and we are not going to attempt to pass these private bills that would not meet the objection which the gentleman has named.

Mr. MILLER of Delaware. These bills were reported before the gentleman made that objection.

Mr. MANN. I understand.

Mr. MILLER of Delaware. The gentleman is going to object to these?

Mr. MANN. I said I was going to object to most of them.

Mr. MILLER of Delaware. These four bills are similar, and the amendments are exactly as in the case of all the other bills that we passed this session.

Mr. MANN. If we are going to pass the other bill, what is the use of passing these?

Mr. MILLER of Delaware. The Members who had the little bills said they would prefer to stand their chances with them, and if the big bill got through, of course, they would be taken care of in the other body. As the Member who prepared the reports on these bills, I would like to see them either tabled or taken off the calendar.

Mr. MANN. Well, my friend from Delaware, who has done exceedingly good work on the committee, will have to learn, after all, that he can not sometimes either get a bill off the calendar or pass it.

Mr. MILLER of Delaware. They are in the interest of other people.

Mr. MANN. Yes. I do not think they are in the interest of anybody in the House.

Mr. STEPHENS of Mississippi. I withdraw my request, Mr. Speaker, that all these bills in favor of the payment of claims for the carriage of mail before August, 1861, be passed over without prejudice.

The SPEAKER pro tempore. The gentleman withdraws his request, and the Clerk will report the next one.

JOHN R. BRANTLEY.

The next business on the Private Calendar was the bill (H. R. 10851) for the relief of the estate of John R. Brantley.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, that is one to go over.

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next one.

HEIRS OF H. HEARD.

The next business on the Private Calendar was the bill (H. R. 11092) for the relief of the heirs of H. Heard.

The title of the bill was read.

Mr. STEPHENS of Mississippi. Mr. Speaker, that is a bill of the same character. I ask that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

The SPEAKER pro tempore. The Clerk will call up the next bill.

HEIRS OF WILLIAM T. EDMONDS.

The next business on the Private Calendar was the bill (H. R. 9113) for the relief of the estate of William T. Edmonds, deceased.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next one.

JULIA R. GOODLOE.

The next business on the Private Calendar was the bill (H. R. 4866) for the relief of Julia R. Goodloe.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. Mr. Speaker, I would like to have the bill reported, reserving the right to object.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the title of Julia R. Goodloe in and to fractional section 31, township 2, range 13, Colbert County, Ala., be, and the same is hereby, quieted and confirmed, and patent therefor shall issue to the said Julia R. Goodloe.

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, I would like to inquire why it is that there has not been an issue to this before.

Mr. ALMON. Mr. Speaker, this is a little tract of land owned by Mrs. Julia R. Goodloe, a most estimable widow, a lady of limited means, and the proof before the committee—and I know it of my personal knowledge—is that she and those under whom she claims have been in possession of this land for 25 years, paying taxes on it, thinking it was their own, until it was shown about a year ago that the Government tax books indicated that it was vacant. There was a unanimous report from the committee, and I trust that nobody will object to it.

Mr. CULLOP. In view of the explanation of the gentleman I shall not object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

IRA G. KILPATRICK AND GUY D. DILL.

The next business in order on the Private Calendar was the bill (H. R. 9353) for the relief of Ira G. Kilpatrick and Guy D. Dill.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the title of Ira G. Kilpatrick and Guy D. Dill, as tenants in common in and to the west half of the southeast quarter of section 3, township 32 north, range 8 east, in the district of lands, subject to sale at Fort Wayne, Ind., in Whitley County, Ind., as assignee from Jonathan Pearson, by conveyance be and the same is hereby quieted and confirmed, and patent therefor shall issue to the said Ira G. Kilpatrick and Guy D. Dill as tenants in common.

Mr. MANN. Mr. Speaker, does the gentleman from Indiana [Mr. CLINE], the author of this bill, think he can get it passed through the Senate?

Mr. CLINE. I can if merit will win anything in the Senate.

Mr. MANN. The gentleman could not get a favorable report from the Secretary of the Interior.

Mr. CLINE. I got a favorable report from the committee.

Mr. MANN. I know; but the gentleman is a member of the House. He got a favorable report from the Committee on the Public Lands, and I am inclined to think that the report is right; yet the Secretary of the Interior did not recommend this bill.

Mr. CLINE. He recommended this bill, provided we amended it.

Mr. MANN. Oh, yes; he recommended that we sell the land at $1.25 an acre. The gentleman can take his chances. I think the bill probably is a good one.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

WILLIAM GUY.

The next business in order on the Private Calendar was the bill (H. R. 11939) for the relief of William Guy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask the gentleman from Oklahoma [Mr. THOMPSON] whether there is any evidence that Gov. Johnson, as Indian chief, asked that this donation of Indian funds be made?

Mr. THOMPSON. Yes. I introduced the bill at the suggestion of Gov. Johnson and the tribal representatives of the Chickasaw Nation. Ex-Gov. Guy is a very old man, nearly 80 years old.

Mr. MANN. I understand, but this is money to be paid out of an Indian fund.

Mr. THOMPSON. Out of the Chickasaw funds; yes.

Mr. MANN. The intimation is made, and perhaps the direct statement is made, that Gov. Johnson has requested that these tribal funds be used in this way. It seems to me that there ought to be some statement, either in writing or at least on the record, to that effect.

Mr. THOMPSON. That statement is in writing and filed with the Committee on Indian Affairs.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was read as follows:

Be it enacted, etc., That the sum of $2,000 is hereby appropriated, out of any money in the possession of the United States belonging to the Chickasaw Tribe of Indians, not otherwise appropriated, to reimburse William Guy, ex-governor of the Chickasaw Nation, for the loss which he sustained by fire in the destruction of the building and furnishings of the Indian boarding school owned and conducted by him at Sulphur, Murray County, Okla.

With the following committee amendment:

Line 9, after the word "school" insert the words "owned and."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

HEIRS OF ISHAM BUTTERWORTH.

The next business in order on the Private Calendar was the bill (H. R. 11400) for the relief of the heirs of Isham Butterworth.

The Clerk read the title of the bill.

Mr. MANN. Let that bill go over.

Mr. STEPHENS of Mississippi. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER pro tempore. Without objection this bill will be passed without prejudice.

There was no objection.

ELLEN B. MONAHAN.

The next business in order on the Private Calendar was the bill (H. R. 6770) for the relief of Ellen B. Monahan.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. Mr. Speaker——

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next bill.

E. C. HORNOR.

The next business in order on the Private Calendar was the bill (H. R. 8068) for the relief of E. C. Hornor.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was read.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Treasury be, and is hereby, authorized and directed to pay to E. C. Hornor, of Helena, Ark., the sum of $1,000, out of any money in the Treasury of the United States not otherwise appropriated, this being the amount of cash bond forfeited by the said E. C. Hornor as surety for Mrs. F. M. Alden."

Mr. MANN. Mr. Speaker, I move to amend the committee amendment by striking out lines 2 and 3, on page 2, and inserting the words which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out lines 2 and 3 on page 2 and insert the following:

"On account of forfeiture of bond in case of Anna B. Taylor."

Mr. MANN. Mr. Speaker, the language of the committee amendment which I have proposed to strike out reads:

This being the amount of cash bond forfeited by the said E. C. Hornor as surety for Mrs. F. M. Alden.

That statement is correct, except in all of its particulars. The bond was not a cash bond, E. C. Hornor was not the surety, and Mrs. F. M. Alden was not the name of the accused; otherwise, I suppose, the statement is correct. [Laughter.]

Mr. STEPHENS of Mississippi. I do not think there is much of it left.

Mr. MANN. No; I think not. How anybody could be so careless as to prepare that amendment, reciting that there was a cash bond when there was not a cash bond; that E. C. Hornor was the surety when he was not the surety, and that he was surety for Mrs. F. M. Alden, when that is not the name of the accused, is beyond my understanding. However, I have offered an amendment which corrects it.

Mr. STEPHENS of Mississippi. I will say that this woman was known as Mrs. Alden.

Mr. MANN. She was not tried as Mrs. Alden.

Mr. STEPHENS of Mississippi. She was not tried as Mrs. Alden, but that was her real name.

Mr. MANN. There was no surety for Mrs. Alden. There was surety for Anna B. Taylor, but a surety company gave bond, and it was not a cash bond.

Mr. STEPHENS of Mississippi. I have no objection to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was accordingly read a third time, and passed.

THOMAS S. JOHNSON.

The next business on the Private Calendar was the bill (H. R. 3794) for the relief of Thomas S. Johnson.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, this man was never mustered into the service. There seems to be no report from the War Department as to whether he served in any capacity.

Mr. BURKE. I did not quite understand the gentleman's remarks.

Mr. MANN. I say that this man was not mustered into the service, and there is no statement in the report from the War Department as to what he ever did.

Mr. BURKE. I understood that such evidence was before the committee. I desire to say that the report shows that he was appointed and commissioned on the 4th of November, 1864, but he was not mustered in on account of the absence of the mustering officer until the 14th of the following December. But he accepted the appointment, and in the meantime performed all of the duties of chaplain as shown in the report. This bill passed the House in the second session of the last Congress and was referred to the proper committee in the Senate, and to a subcommittee of one. A report was made to the full committee, but the report was misplaced and later on there was a stipulation signed by all of the members of the committee that it might be taken up and passed in the Senate, but the Senate failed to reach it before adjournment.

This man performed all the necessary services, the same as if he had been mustered in, and the reason that he was not mustered in was, as I say, because of the absence of the mustering officer.

Mr. MANN. I suppose there were thousands of cases during the Civil War where a man received an appointment as an officer but did not receive pay until he was mustered in. If we start in to pay these men before they were mustered in, some nice, sharp claims attorney in Washington will start out a letter to all of these people telling them that they have claims against the Government. I do not know how many times it will rise up before us.

Mr. BURKE. What objection can there be where the actual services were rendered between the date of the commission and the date of mustering in, as is shown in this report?

Mr. MANN. He may have served before he was commissioned. We do not agree to pay them before they are mustered in.

Mr. BURKE. But the Government accepted his services, and his services were as good before he was mustered in as afterwards.

Mr. MANN. Such services as were rendered were purely voluntary.

Mr. BURKE. They were of just as much benefit between the date of the commission and his mustering in as they were afterwards.

Mr. MANN. I think that is very likely.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas S. Johnson, of Beaver Dam, Wis., late chaplain One hundred and twenty-seventh Regiment United States Colored Volunteer Infantry, the pay and allowances of a chaplain of Infantry from November 4 to December 14, 1864, not to exceed $200.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ESTATE OF MARY H. S. ROBERTSON.

The next business on the Private Calendar was the bill (H. R. 12248) for the relief of the estate of Mary H. S. Robertson, deceased.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

Mr. CULLOP. Mr. Speaker, reserving the right to object, I would like to ask to have the bill reported.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to S. Stephens Stone, administratrix of the estate of Mary H. S. Robertson, deceased, late of McCracken County, Ky., the sum of $2,936, in full compensation for use and occupation of real estate situated at Paducah, Ky., by United States authorities from September 10, 1861, to October 8, 1865, as found due by the Third Auditor of the Treasury on February 27, 1889: *Provided*, That said S. Stephens Stone shall file in the Treasury Department a certificate showing her appointment as administratrix of said estate and a certified copy of her bond, which bond must be at least equal in amount to the sum hereby appropriated.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. Mr. Speaker, I understand that the chairman of the committee has a report on the subject, and I would like to hear what the facts are.

Mr. GREGG. I will read the report:

The Committee on War Claims, to whom was referred the bill (H. R. 12248) for the relief of the estate of Mary H. S. Robertson, deceased, submit the following report:

This is a claim for rent of certain real estate situated in Paducah, Ky., occupied by United States authorities from September 10, 1861, to October 8, 1865. All questions of fact have been settled by the Treasury Department and bills providing for the payment of the claim have been favorably reported to the House of Representatives several times, but the claim has never received consideration in the House. (See H. Rept. 312, 51st Cong., 1st sess.; H. Rept. 51, 52d Cong., 1st sess.; H. Rept. 303, 53d Cong., 2d sess.; H. Rept. 1145, 54th Cong., 1st sess.; and H. Rept. 1187, 55th Cong., 2d sess.)

The last-mentioned report (H. Rept. 1187, 55th Cong., 2d sess.) is attached hereto and made a part of this report. Your committee adopt the said report as the report of this committee and recommend the passage of the bill.

[House Report No. 1187, Fifty-fifth Congress, second session.]

The Committee on War Claims, to whom was referred the bill (H. R. 651) for the relief of the estate of Mary H. S. Robertson, submit the following report:

This is a claim for rent of a dwelling situated in Paducah, Ky., from September 10, 1861, to October 8, 1865, by the United States forces under the command of and used by Brig. Gen. Lew Wallace as his headquarters from September 10, 1861, till about the time of the Fort Donelson fight, in February, 1862. As soon as he vacated it it was taken by the military authorities in command of the post at Paducah and occupied and used by them as a convalescent hospital continuously up to the 8th day of October, 1865.

The case was originally filed with the Quartermaster General, United States Army, and transferred to the Third Auditor of the Treasury, by which officer, after a thorough examination of all the proofs, it was recommended for payment and sent to the second comptroller for approval, but which officer, although admitting "the evidence is voluminous as to the ownership and loyalty of the claimant, the fact of the occupation, the value of the property, and the duration of the occupancy," yet disapproved the finding of the auditor on the ground that it did not appear there was any stipulated agreement to pay rent for the occupation of the premises.

Your committee after an investigation find, with the third auditor, there is sufficient evidence upon which to imply a contract to pay rent in this case.

The claim is proved beyond a shadow of a doubt, and as it is a just demand your committee recommend the payment of the claim and the passage of the bill, with the following amendment.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. I have no objection.

Mr. MANN. Reserving the right to object, why did not the committee send it to the Court of Claims? The reason that the committee reported this bill to the House instead of sending it to the Court of Claims is because of what?

Mr. GREGG. Because the Government had the record of the occupancy and it had been passed upon by The Adjutant General and different boards, and we did not think it necessary.

Mr. MANN. It had been rejected by the Government—the comptroller rejected it.

Mr. GREGG. It was not rejected on any ground except that there was no proof of the value of the occupancy.

Mr. MANN. There is no proof here of the value of the occupancy. I asked why they did not send it to the Court of Claims?

Mr. GREGG. We thought it was a matter of record, and that it was not necessary to go there.

Mr. MANN. Well, I will help the gentleman out. I think that the reason was because of the Crawford amendment.

Mr. GREGG. I know the Crawford amendment was in the way, but I was not present when the bill was up for consideration.

Mr. MANN. I know the gentleman was necessarily absent.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

HEIRS OF ELIZABETH BRUCE, DECEASED.

The next business on the Private Calendar was the bill (H. R. 8108) for the relief of the legal representatives and heirs of Elizabeth Bruce, deceased, widow of the late John H. Bruce.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to the legal representatives and heirs of Elizabeth Bruce, deceased, widow of the late John H. Bruce, of Rowan County, Ky., the sum of $155, pay and bounty due said John H. Bruce for services rendered as a private in Company G, Twenty-second Regiment Kentucky Volunteer Infantry.

Mr. SISSON. Mr. Speaker, reserving the right to object, there was a bill passed specifically prohibiting payment of claims of this kind, as I recollect.

Mr. MANN. Mr. Speaker, I move to strike out the last word. Is the bill beyond the point of objection?

The SPEAKER pro tempore. It is beyond the point of objection.

Mr. MANN. I thought that question was put before the bill was read.

Mr. CULLOP. I so understood it.

Mr. SISSON. Mr. Speaker, I do not have all of the bills before me, and I did not know what the bill was.

Mr. MANN. Mr. Speaker, I think the gentleman is correct in his position, otherwise we would have to have the bills read in full, as he has a right to. I think I can give the gentleman the information that he is asking for, or perhaps the gentleman from Kentucky [Mr. FIELDS] can, whom I see has risen. We have had a statute of limitations on these things a number of times, and in the urgent deficiency appropriation act of December 22, 1911—and I have no doubt that that is what is in the mind of the gentleman from Mississippi [Mr. SISSON]—occurred this item:

No claim for arrears of pay, bounty, or other allowances growing out of the service of volunteers who served in the Army of the United States during the Civil War shall be received or considered by the accounting officers of the Treasury unless filed in the office of the Auditor for the War Department on or before December 31, 1912.

Of course that does not prevent Congress acting, and it only illustrates the uselessness as a rule of passing a statute of limitations against the Government. Here, 50 years after the war, we pass a statute of limitations, and then when that expires we go ahead and pay the bills just the same.

Mr. SISSON. Does the gentleman have any information—and I ask him because I presume he has gone through this calendar—as to how many bills of this character are on the calendar?

Mr. MANN. This is the only bill of that character on the calendar.

Mr. SISSON. So far as the present bill is concerned, I do not know a thing about the claim, except as it appears from the face of the bill as read a moment ago, but I fear that if this bill should go through it would simply open up the floodgates to others.

Mr. MANN. I think there are not many more of the cases left, and if there are many more we will probably pass a general law upon the subject, giving them time again.

Mr. SISSON. I hope not.

Mr. MANN. So do I.

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. FIELDS. I want to say for the information of the gentleman that the legal representative of Elizabeth is her only son, G. W. Bruce, who was formerly a resident of Vanceburg, Ky. After this statute was passed, just before the limitation ran on the claim, he was notitfied by the department or by the proper authorities from Washington——

Mr. SISSON. Or by some attorney.

Mr. FIELDS. That the limitations would run by a certain time, and a letter was sent to Vanceburg, Ky. During the holiday vacation, prior to the 31st day of December, on which the limitation would run, I happened to be in the town of Vanceburg. Another gentleman of the same name had received this letter. He did not know the other man's address, and he said to me, "I have a letter here that is of some importance to G. W. Bruce, who used to live here, but I do not know where to send it," and he turned the letter over to me. I then wired Mr. Bruce to immediately file his claim. He sent his claim to my office, and it reached the department two days late.

Mr. SISSON. Mr. Bruce did not seem to know he had a claim against the Government.

Mr. FIELDS. Oh, yes; he had the claim up before, but he did not know about this statute.

Mr. SISSON. Has the claim ever been rejected by the department or by Congress?

Mr. FIELDS. Oh, no; it has never been rejected, and would have been paid without question had he gotten it in in time. I took the matter up with the department, and that was the only trouble with the claim, that it got in two days too late.

Mr. SISSON. I withdraw the objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ERSKINE R. HAYES.

The next business on the Private Calendar was the bill (H. R. 7062) for the relief of Erskine R. Hayes.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this is another one of these personal injury cases, where the committee has allowed very much over the year's pay.

Mr. MILLER of Delaware. Mr. Speaker, will the gentleman yield?

Mr. MANN. Certainly.

Mr. MILLER of Delaware. This bill was passed in the Senate calling for $3,000, and when the House took it up the gentleman from Ohio [Mr. FESS] made a very earnest plea before the committee. I desire to call the attention of the gentleman from Illinois [Mr. MANN] as well as the House to these few words that appear in the report from the department:

> The helpless and pitiable condition of the plaintiff appeals strongly to our sympathies, but we must find the facts as the evidence proves them and state the law applicable to the same as we believe it to be, leaving to Congress to determine whether anything, and if so, what amount, should be paid to the claimant by way of bounty or gratuity.

We put that in, knowing that on the face of it it might look as though this bill came from the department with an unfavorable report, but it plainly shows that it is up to Congress to decide in this special case whether one of the most pathetic as well as one of the most meritorious cases that has ever come before the committee should be, I will state frankly, given a better chance than perhaps it might have if it were considered absolutely upon its merits, as compared to other personal-injury cases. The gentleman from Ohio [Mr. FESS] can deal with this far better than I, but as I gave considerable study to it I did not want to let the bill come up without saying something.

Mr. FESS. Mr. Speaker——

The SPEAKER pro tempore. Does the gentleman from Illinois [Mr. MANN] yield to the gentleman from Ohio?

Mr. MANN. Certainly.

Mr. FESS. Mr. Speaker, I made a trip last summer to the home of this boy in order that I might know something about the situation, as it appealed to me as a very pitiable case. I had had a good deal of correspondence. I made sure that there was no attorney back of this matter, because I have prejudice against the working up of cases. I found that this young man, 22 years of age at the time he entered the service here in the Bureau of Engraving and Printing, had not been at work very long until this injury had taken place, and I also found that the Court of Claims stated that the hallway in which he was injured was not the only way that the boy could have gone. For that reason there was contributory negligence on his part, but if anyone cares to take the time to read the report, and I know the gentleman from Illinois has read the report——

Mr. MANN. I have read the report, and I think it shows the boy was negligent. However, I do not think that cuts much ice as long as we are not proceeding upon that theory of negligence any more in any of these bills.

Mr. FESS. The situation of the boy at this time is this: He probably will never walk again unsupported. He walks on crutches. His body is all contorted and bent over, and at the eleventh dorsal there is a running sore that is constant and very putrid, and his vertebræ seems to be, I think, decayed from the seventh to the eleventh.

I talked with him personally and with his family, and I told them that the finding of the Court of Claims would not give an undisputed case, because the Government probably was not under any obligation, but that I would present it, and I would like the privilege, as you have granted me, to make a plain statement of the condition of the boy's health. He thought that he might be able to go to some institute and under proper treatment might recover. I do not think that will ever be possible. I think that Dr. Austin stated the case when he said that he is incurable and will be a hopeless cripple for the balance of his life. If I could feel sure that by going to some institute he could receive treatment that would enable him to recover, I would think that there would be greater reason for passing the bill. However, I do not think that that is possible, and yet I wish that this relief could be granted to this man. I have not any interest in this matter in the world other than a humanitarian interest. It is a case that wonderfully appeals to me.

Mr. MANN. Mr. Speaker, there can be no question about the pathetic side of the case. It is one that excites the sympathy of anybody, even if he has a heart of ice—and I try to have one on these cases. If anyone throws it up to me hereafter—and I suppose somebody will the first time I object to his case—that I let this go through by unanimous consent, I can assure them now that it will not have the slightest effect on me. I suppose we may properly once in a while step outside the lines, though several years from now some one will say that we passed a case in this Congress that covered a good deal more than the amount that would have been allowed under the compensation law. I really think we ought to have a compensation law more generous than we have now. I am not going to object to this bill, although I have a good deal of hesitation in not doing it. [Applause.]

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Erskine R. Hayes, the sum of $5,000, in full compensation for injuries received on the 16th day of December, 1902, while in the performance of his duty as an employee of the Bureau of Engraving and Printing, Treasury Department, in the city of Washington, D. C.; $3,000 of said sum shall be payable upon the passage and approval of this bill and the balance shall be payable in monthly installments of $100 until the full sum of $5,000 shall be paid.

Also the following committee amendment was read:

Line 6, strike out the figures "$5,000" and insert the figures "$3,000."

The amendment was agreed to.

Also the following committee amendment was read:

Line 11, on page 1, after the word "Columbia," strike out the remander of the paragraph.

The committee amendment was agreed to.

Mr. CULLOP. Mr. Speaker, can we have the bill reported as amended?

The Speaker. The Clerk will report the bill as amended.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Erskine R. Hayes, the sum of $3,000, in full compensation for injuries received on the 16th day of December, 1902, while in the performance of his duty as an employee of the Bureau of Engraving and Printing, Treasury Department, in the city of Washington, D. C.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

BORDEN H. MILLS.

The next business on the Private Calendar was the bill (H. R. 8325) for the relief of Borden H. Mills.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Borden H. Mills, United States commissioner at Albany, in the northern district of New York, the sum of $84.50, in payment of the amount of fees earned by him as such United States commissioner while performing the duties of such office in connection with the cases of the United States against Lee Ning, Yee Quong, Charles Wong, James Bennett, Arthur Smith, and Lee Ning, alias Charles Lee, the said sum being the amount disallowed by the Auditor for the State and Other Departments on the settlement of the quarterly accounts of said commissioner for the quarter ending June 30, 1915, which amount is hereby appropriated.

Mr. CULLOP. Mr. Speaker, I would like the author of the bill, or some one having the bill in charge, to explain this measure.

Mr. MILLER of Delaware. Mr. Speaker, I shall be glad to explain it as briefly as possible to the gentleman.

The so-called "dope squad" in the customs service was after some Chinamen who were violating the customs laws in reference to the importation of opium. They had to get after the Chinamen very quickly, because they were fleeing toward the Canadian border.

One of the inspectors, a member of the dope squad, went to the claimant, who is United States commissioner for the northern district of New York, and asked for their arrest. It seemed that the only officers who are authorized to issue these warrants are United States attorneys or United States district attorneys. But the evidence adduced before the committee showed that had not the United States commissioner issued this warrant at the request of the customs inspector the Chinamen would have gotten away. All of them were apprehended, some turned State's evidence, and one paid a fine of $2,000, which was turned into the Treasury.

This gentleman is only asking for the fee he would have received on this case as United States commissioner had the United States attorney or assistant attorney signed the warrants.

Mr. CULLOP. Did the party collect any fees for his services?

Mr. MILLER of Delaware. No. I will say to the gentleman that the fees were not allowed. They were refused by a decision of the Acting Comptroller of the Currency, and in his decision he says this one line:

It can be understood that such a condition is possible, but when it is the fault of the law it can only be remedied by Congress.

Mr. CULLOP. There has been no compensation provided by law in the way of fees?

Mr. MILLER of Delaware. I will say to the gentleman that this man has absolutely had no compensation for his two weeks' work, which he would have gotten if the district attorney had issued the warrant. These are the fees that the United States commissioner would have received had the warrant been issued by a district attorney rather than by a United States commissioner to an inspector.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next one.

MARTHA A. MOFFITT.

The next business on the Private Calendar was the bill (H. R. 11304) for the relief of Martha A. Moffitt.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. Reserving the right to object, Mr. Speaker, may we have the bill reported?

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Martha A. Moffitt, of Randolph County, N. C., widow of E. A. Moffitt, who, while in the discharge of his duties as deputy collector, was murdered by Lee Turner, a violator of the United States internal-revenue laws, on the 4th day of December, 1896, the sum of $10,000, on account of the murder of her said husband while in the service of the Government of the United States.

With a committee amendment, as follows:

Strike out, in line 10, "$10,000," and insert in lieu thereof "$1,500."

Mr. CULLOP. Mr. Speaker, I see the author of the bill is present, and I would like to have an explanation of the circumstances under which this occurred.

Mr. PAGE of North Carolina. Mr. Speaker, this is a claim to pay a deputy collector who, under orders from his superior officer, served a warrant for the arrest of an illicit distiller, and was shot and killed 20 years ago. The amount recommended by the committee was one year's salary. He was receiving $1,500 a year, and the committee has recommended that his widow be paid his salary for one year.

Mr. CULLOP. Has the widow remarried?

Mr. PAGE of North Carolina. No; she is still a widow, with 10 children.

Mr. CULLOP. Has this claim ever been presented before in Congress?

Mr. PAGE of North Carolina. I think I introduced the bill first in 1904 or 1905, but it was not reported out of the committee at that time and it has not been presented to the House. There was no general law at that time that would permit a payment of this sort.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

B. F. HAVENS.

The next business on the Private Calendar was the bill (H. R. 8622) for the relief of the estate of B. F. Havens.

The Clerk read the title of the bill.

Mr. STEPHENS of Mississippi. Mr. Speaker, this is one of those mail contract bills, and I ask unanimous consent that it be passed without prejudice.

The SPEAKER pro tempore. Without objection, it will be passed without prejudice.

There was no objection.

ESTATE OF GILBERT WINNE.

The next business in order on the Private Calendar was the bill (H. R. 12553) for the relief of the estate of Gilbert Winne.

Mr. STEPHENS of Mississippi. Mr. Speaker, the same state of facts applies to this bill.

The SPEAKER pro tempore. Without objection, it will be passed without prejudice.

There was no objection.

LAWRENCE J. KESSINGER.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 7417) for the relief of Lawrence J. Kessinger.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, I can not quite understand on what basis they recommend that this money be paid.

Mr. FOSTER. The reason this was recommended was because this man was employed by the postmaster to continue the service of carrying this mail, as I understand it. The contract had expired, and he was notified by the Government. Under the law which gives the postmaster the right to employ for a certain period, this man was employed to do this service, and the committee thought for that reason he was entitled to be paid.

Mr. MANN. After he had been notified by the Government that his term of service had expired, and the postmaster had been notified to engage a new man, if he could get him, which, of course, he could not at the salary allowed, this man continued to carry the mail.

Mr. FOSTER. As I understand the law, they notified him that his contract expired on a certain date. Now, that contract was not renewed, but under the law which gave the postmaster at the local office the right to employ some one for a certain time to carry the mail this man was employed under those conditions.

Mr. MANN. Then he is not entitled to this sum of money. My recollection is that the postmaster had the right to employ a man for about $7. I am not sure about the amount. I am only speaking from recollection. He has a claim in here for $200.

Mr. SMITH of Idaho. That amount represents the service rendered, covering a period of about two months and a half, up to the time that the new contract was let. The correspondence on file shows—but, unfortunately, the report does not show it—that when the contract expired on the 30th of June, so the claimant alleges, the postmaster told him to continue to carry the mail until the department readvertised. He performed the service in good faith, and he simply claims compensation at the same rate that he received under his contract.

Mr. MANN. But he was notified by the Post Office Department that his contract was over with.

Mr. SMITH of Idaho. That is very true.

Mr. MANN. The postmaster was notified that he should make a new contract based on the compensation of that post office, which at that time, I believe, was $5 per annum, and in utter disregard of the law and the regulations and the notice he put in a claim to have done the work, and hence to be entitled to be paid. A man might just as well go out here on the street in front of the Capitol and dig up a tree that perhaps ought to be dug up, after he was told that he must not do it, and that he would not be paid for it if he did it, and then say it was necessary to dig up this tree, and ask to be paid for it.

Mr. SMITH of Idaho. The communication that the gentleman refers to is rather ambiguous, and the carrier claims that he did not understand it; that he went to the postmaster, who is supposed to know, and that he told him to continue carrying the mail until the department readvertised. The service was rendered, and he simply asks compensation at the same rate that he was receiving under his contract.

Mr. FOSTER. There were three post offices to which the mail was carried. One of them was discontinued because there was no pay, or about $5 a year. The other one paid $96, and at the third one I think the salary of the postmaster was something like $1,900, as the record shows.

Mr. MANN. He did not carry the mail to that office.

Mr. FOSTER. That was one of the offices connected with the carrying of this mail.

Mr. MANN. That was the one that they carried the mail from.

Mr. SMITH of Idaho. He carried the mail from the larger office to the smaller ones, and back to the larger one.

Mr. FOSTER. Yes. The committee thought that as the man did the work, he was entitled to pay for his services. The report of the Post Office Department is not very favorable, I will say to the gentleman from Illinois.

Mr. MANN. I should say not.

Mr. FOSTER. No; it is not; but the committee took the fact that this man had done the work in good faith. He had been employed in good faith by the postmaster, and so under these circumstances they thought he was entitled to pay for his services. Now, that is the case.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lawrence J. Kessinger, Rupert, Idaho, the sum of $207.75, full compensation for carrying the mails from Cotterel by Jackson to Rupert, Idaho, three times a week from July 1, 1914, to September 30, 1914; this amount to be accepted by said Lawrence J. Kessinger as full compensation for service rendered.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

GEORGE W. TRAHEY.

The next business on the Private Calendar was the bill (H. R. 1592) for the relief of George W. Trahey.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. Reserving the right to object, I ask that the bill be reported.

The Clerk read the bill, as follows:

Be it enacted, etc., That there be paid to George W. Trahey, of Bremerton, Wash., out of any money in the Treasury not otherwise appropriated, the sum of $10,000 for damages suffered by him on account of an injury received by him while performing his duties as master shipwright at the navy yard, Puget Sound, on May 8, 1912, said injury resulting from gunshot wounds inflicted upon him by one John N. Haley, an employee of said yard, who at the time of such shooting was insane.

With the following committee amendment:

On line 5, page 1, strike out the figures "$10,000" and insert the figures "$762."

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. Mr. Speaker, I would like an explanation by the author of the bill.

Mr. HUMPHREY of Washington. This was a case where George W. Trahey, who was employed in the Puget Sound Navy Yard, was shot by another employee who had suddenly gone insane. He was shot three times and was in the hospital for six weeks and incapacitated for a period of five months. If you will look at the back of the report you will see a statement by the Secretary of the Navy which gives all the information that the gentleman will want.

Mr. CULLOP. I would like to ask whether or not this party was compensated by any accident-insurance company or in the recovery in a suit at law from the party who inflicted the injury?

Mr. HUMPHREY of Washington. No; he has never received a cent for this injury and will suffer from it for the rest of his life.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

BERNARD H. SCHAAF.

Mr. CALDWELL. Mr. Speaker, I ask unanimous consent that we take up No. 133 on this calendar, to put Bernard H. Schaaf on the retired list out of its regular order. This is a case unanimously reported by the Committee on Military Affairs, after carefuly investigation, and after a recommendation by the department, and I ask for it at this time because of the extreme suffering of the family.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to take up the No. 133 on the calendar, H. R. 8267, out of the regular order.

Mr. MANN. I have no objection to its being reported, but I am going to object to its consideration.

Mr. COX. Then I object to its being reported.

LOUIS JONES.

The next business on the Private Calendar was the bill (H. R. 10642) for the relief of Louis Jones.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Louis Jones the sum of $1,000, out of any money in the Treasury not otherwise appropriated, for injury sustained on the 28th day of August, in the year 1906, while employed by the United States Government in the Government arsenal at Rock Island, Ill.

The following committee amendment was read:

Page 1, line 5, strike out the figures "1,000" and insert the figures "61.50."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

S. L. BURGARD.

The next business on the Private Calendar was the bill (H. R. 1609) for the relief of S. L. Burgard.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, this bill goes back to an injury in 1898. I suppose there were people injured in 1798.

Mr. STEPHENS of Mississippi. I will say that the committee has not fixed any time limit in regard to that matter.

Mr. MANN. The only way to do is to fix a definite limit, because there were personal injuries a hundred years ago and many of them. It is a question whether there is any reason why we should go back so many years. It is only recently that this policy has been adopted of Congress paying any of these claims. If we start in to pay for all the injuries that have occurred since the Government was instituted, we will have quite a job on our hands.

Mr. STEPHENS of Mississippi. I think there are a few cases where we have gone back as far as this, but only a few.

Mr. MANN. I think there are a few cases where the committee has gone back as far, but not any that were passed by unanimous consent. There were some reported, and I objected to them.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to S. L. Burgard the sum of $559.36 as compensation for injuries received by the said S. L. Burgard while in the employment of the United States Government at the Rock Island Arsenal, in the State of Illinois, on June 13, 1898.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

WILLIAM D. ALLEN.

The next business on the Private Calendar was the bill (H. R. 2052) for the relief of the estate of William D. Allen.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. Mr. Speaker, reserving the right to object, I ask to have the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the legal heirs of William D. Allen, deceased, of Oswego, N. Y., out of any money in the Treasury not otherwise appropriated, the sum of $320, for work performed in the release and rescue of the lighthouse tender *Hare*.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. Mr. Speaker, I would like to have some one in charge of the bill make some explanation.

Mr. EDMONDS. Mr. Speaker, the tugboat of William D. Allen took care of a lighthouse tender that was in danger of being wrecked in Lake Erie. At the time of the rendering of the services by the tugboat the Government offered Mr. Allen $320. He thought that that was not sufficient for the services, and he refused it. The heirs of Mr. Allen now state that they are willing to take the $320, and the department recommends that we pay it to them.

Mr. CULLOP. They are now willing to take what the Government in the first instance offered them?

Mr. EDMONDS. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

RENÉ W. PINTÓ Y WENTWORTH.

Mr. GREENE of Vermont. Mr. Speaker, I ask unanimous consent to return to S. J. Res. 80, authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point René W. Pintó y Wentworth, a citizen of Cuba, being No. 132 on the Private Calendar, for the reason that I think there will be no objection to it now.

The SPEAKER pro tempore. The gentleman from Vermont asks unanimous consent to return at this time to S. J. Res. 80, No. 132 on the Private Calendar. Is there objection?

Mr. MANN. Let the Senate joint resolution be read.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the Secretary of War be, and he hereby is, authorized to permit René W. Pintó y Wentworth, a citizen of Cuba, to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that the said René W. Pintó y Wentworth shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give his utmost efforts to accomplish the course in the various departments of instruction, and that the said René W. Pintó y Wentworth shall not be admitted to the academy until he shall have passed the mental and physical examinations prescribed for candidates from the United States and that he shall be immediately withdrawn if deficient in studies or conduct and so recommended by the academic board: *And provided further*, That in the case of the said René W. Pintó y Wentworth the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. Mr. Speaker, reserving the right to object, is this resolution necessary?

Mr. GREENE of Vermont. Mr. Speaker, this is following a precedent that has been observed for a number of years, in pursuance of a practice that has extended this courtesy to the Republic of Cuba during that time.

Mr. CULLOP. A great many young men in this country desire admission to that institution.

Mr. GREENE of Vermont. We usually allow one from Cuba and one or two others from South American countries.

Mr. CULLOP. Has that been the practice?

Mr. MANN. It has.

Mr. GREENE of Vermont. It is altogether according to the wishes of the President, is requested by him, and comes to us through the Secretary of State.

Mr. CULLOP. For what length of time has this custom been followed?

Mr. MANN. Ever since I have been here; and as to Cuba, ever since Cuba has been an independent country.

Mr. CULLOP. That is, since 1899.

Mr. MANN. Shortly after that time. We do it for several of the South American countries.

Mr. GREENE of Vermont. In this instance it is manifestly in our interest to stimulate military education in Cuba, our next friend and good ally.

Mr. CULLOP. I wanted to know whether this was establishing a new precedent?

Mr. MANN. It is not establishing a precedent, it is following a long-established one.

Mr. GREENE of Vermont. It is an old custom, and the President makes the request.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

BEVERLY E. WHITEHEAD.

The next business on the Private Calendar was the bill (S. 707) for the relief of Beverly E. Whitehead.

The SPEAKER pro tempore. Is there objection?

Mr. EDMONDS. Mr. Speaker, that is one of those mail bills.

Mr. STEPHENS of Mississippi. Mr. Speaker, I would like to direct the attention of the gentleman to the fact that this bill has passed the Senate, and as this man has waited some 50 or 60 years for his money, I think it ought to go through.

Mr. MANN. I have no objection to the bill being considered at this time. I will not object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $102.60 to Beverly E. Whitehead for the balance due him for the transportation of the United States mails under contract prior to May 31, 1861, on route No. 6199, Georgia, said balance having been found due by the Auditor for the Post Office Department and reported to the Senate by the Auditor for the Post Office Department on January 17, 1903: *Provided*, That not exceeding 25 per cent attorney's fee is allowed.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time and passed.

PETER M'KAY.

The next business on the Private Calendar was the bill S. 1376, an act for the relief of Peter McKay.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. I object.

MARY S. CORBIN.

The next business on the Private Calendar was the bill (H. R. 11261) for the relief of Mary S. Corbin.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. Reserving the right to object, I would like to have the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary S. Corbin, of Oconee County, S. C., widow of W. B. F. Corbin, who, while in the discharge of his duty as a deputy United States marshal, was murdered by Robert Belcher, Lou Belcher, J. B. Palmer, and Charles Palmer, violators of the United States postal laws and regulations, on the 8th day of March, 1909, the sum of $1,000, on account of the murder of her said husband while in the service of the Government of the United States.

Mr. CULLOP. Reserving the right to object, I would like to ask the gentleman from Mississippi in reference to this and the following bill on the calendar. It seems as if there are two Corbins there who are asking for relief. Is it relief for the injury or killing of the same person?

Mr. STEPHENS of Mississippi. No, sir. It seems that these two men were brothers, and they were both out arresting men who had shot up rural free-delivery boxes. They had warrants for the arrest of these parties, and both were killed.

Mr. CULLOP. Were they civil or Federal officers?

Mr. STEPHENS of Mississippi. My recollection is that they were Federal officers.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

MRS. C. D. CORBIN.

The next business on the Private Calendar was the bill (H. R. 11262) for the relief of Mrs. C. D. Corbin.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. C. D. Corbin, of Oconee County, S. C., widow of C. D. Corbin, who, while in the discharge of his duty as a deputy United States marshal, was murdered by Robert Belcher, Lou Belcher, J. B. Palmer, and Charles Palmer, violators of the United States postal laws and regulations, on the 8th day of March, 1909, the sum of $1,000, on account of the murder of her said husband while in the service of the Government of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

MARY E. NICOLSON.

The next business of the Private Calendar was the bill (S. 922), an act for the relief of Mary E. Nicolson.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mary E. Nicolson, of Idaho Falls, Idaho, out of any money in the Treasury not otherwise appropriated, the sum of $900, to compensate her for the death of her son, C. Val Nicolson, killed while fighting fires on the Coeur d'Alene National Forest on August 20, 1910.

The bill was ordered to be read a third time, was read the third time, and passed.

WARREN E. DAY.

The next business on the Private Calendar was the bill (S. 1048), an act for the relief of Warren E. Day.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Warren E. Day, out of any moneys in the Treasury not otherwise appropriated, the sum of $1,200, being for professional services rendered and medicine furnished the Hualapai Indians in Arizona Territory, under the orders and approval of the Commissioner of Indian Affairs, during the years 1883 and 1884: *Provided*, That the acceptance of said sum shall be considered as final settlement of all claims of every kind whatsoever against the United States.

The bill was ordered to be read a third time, was read a third time, and passed.

KAREN S. SORENSON AND JAMES LYLE.

The next business on the Private Calendar was the bill (H. R. 1636) for the relief of Karen S. Sorenson and James Lyle.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Karen S. Sonerson and James Lyle, doing business as copartners at Honolulu, Territory of Hawaii, under the firm name and style of Sorenson & Lyle, for use of marine railway, work done, and materials furnished in making necessary repairs to the schooner *Charles Levi Woodbury*, which said schooner was damaged as the result of a collision with the United States ship *Iroquois* in the Pacific Ocean, off the coast of Kauai, Territory of Hawaii, on May 4, 1905, $1,019.69.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

Mr. STEPHENS of Mississippi. Mr. Speaker, the next three bills on the calendar are mail-carrying contract bills.

The SPEAKER pro tempore. Without objection, the next three bills will be passed.

There was no objection.

FRED HENDERSON.

The next business on the Private Calendar was the bill (H. R. 10641) for the relief of Fred Henderson.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Fred Henderson the sum of $43.75, out of any money in the Treasury not otherwise appropriated, for injury sustained on the 16th day of September, in the year 1906, while employed by the United States Government in the Government Arsenal at Rock Island, Ill.

Also the following committee amendment was read:

Line 5, strike out "$1,000" and insert "$43.75."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

DR. E. V. HAILMAN.

The next business on the Private Calendar was the bill (H. R. 3145) for the relief of Dr. E. V. Hailman.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. CONNELLY. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. MANN. I will reserve my objection.

Mr. CONNELLY. I will say to the gentleman, Mr. Speaker, that this claim appears to be confirmed and approved by the department, and I wondered what the gentleman's objection was.

Mr. MANN. I can not see any possible excuse for paying this claim. Here is a doctor who did not perform his duties properly. He was in charge of an Indian agency, and an Indian lost his child through the neglect of the doctor, and subsequently shot the doctor and set fire to his house; and the bill says that this payment is for damages incurred in the act of "saving property that had been set on fire by said Indian."

That is all buncombe, that part of it. The Indian was not crazy, but was crazed, and thought the doctor had not properly attended to his child, and I think so. He shot the doctor and set fire to the doctor's house. Now the doctor wants us to compensate him for those injuries or damages. If he had attended to his duties properly, he would not have been shot. But whether he had or not, it is not a case where we are under any obligation to pay.

Mr. EDMONDS. I will say to the gentleman that this bill only undertakes to pay the medical expenses of the doctor in getting well.

Mr. MANN. I know; but we do not undertake to pay medical expenses. We never undertake to pay medical expenses.

Mr. CONNELLY. Will the gentleman object to letting this go over?

Mr. MANN. It will go over. There is no prejudice about it. It retains its place on the calendar. It may come up again.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next one.

M. A. SWEENEY SHIPYARDS & FOUNDRY CO.

The next business on the Private Calendar was the bill (H. R. 13064) for the relief of the M. A. Sweeney Shipyards & Foundry Co.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the M. A. Sweeney Shipyards & Foundry Co., out of any money in the Treasury not otherwise appropriated, the sum of $4,047, and which sum of money is hereby appropriated for this purpose, the same being the amount of money withheld by the Government from said firm for building and constructing a steamboat named *John Ewens*.

With a committee amendment, as follows:

Amend, line 6, by striking out "$4,047" and inserting in lieu thereof "$2,635."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

Mr. MANN. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. Mr. Speaker, I am not sure that this claim ought to be paid. Here is a case where the Government made a contract for the building of a ship. The Government fulfilled its part of the contract, in a way at least, and now why should we pay the contractors more?

Mr. COX. The constructors complied with their part of the contract, too, as far as they possibly could, and finally built the boat, which was accepted by the Government, and the Government has recouped all the damage that it possibly could have been put to, because it withheld from them about $1,500.

Mr. MANN. The gentleman thinks that the Government is not out anything?

Mr. COX. No; it can not be.

Mr. MANN. It was out the use of the boat for a while.

Mr. COX. The Government made no complaint about that. The contract price for this boat was $23,450. The facts, I think, are rather fully set out in the report. We are not making any complaint or criticism on the part of the Government, because between the date of the opening of the contract and the final letting of the contract a period of something like six weeks elapsed, and a considerable period elapsed between the time of the awarding of the contract and the time it was executed between the Government and the contractors.

Mr. MANN. Has the gentleman from Indiana himself given careful consideration to this case?

Mr. COX. I have.

Mr. MANN. Is the gentleman satisfied that under the circumstances the Government ought equitably to pay this money now to the contractors?

Mr. COX. I am. I have paid attention to it down at the War Department, and with the board of engineers, and with the people back home, in the city of Jeffersonville, whom I know personally.

Mr. MANN. I have great confidence in the gentleman from Indiana, and I withdraw my pro forma amendment.

The SPEAKER pro tempore. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next one.

CAPT. HARVEY H. YOUNG.

The next business on the Private Calendar was the bill (H. R. 10049) for the relief of Capt. Harvey H. Young.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. Reserving the right to object, Mr. Speaker, I would like to have the bill read.

The SPEAKER pro tempore. Without objection, the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers Harvey H. Young, late captain Company C, Ringgold's battalion, Pennsylvania

Volunteer Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States: *Provided*, That other than as set forth above no bounty, pay, pension, or other emolument shall accrue prior to or by reason of the passage of this act.

Mr. CULLOP. I should like to ask the gentleman in charge of this bill for an explanation of it.

Mr. CALDWELL. I will say to the gentleman from Indiana that the gentleman from Pennsylvania [Mr. CRAGO] is in charge of this bill, but he is not here. I am a member of the Committee on Military Affairs, and I will state that during this period of the Civil War a great deal of politics was played in the Army. It so happened that Capt. Young was of the wrong political faith, and he was tried for substituting his own horse for some other horse. He not only put in one horse for the one he got, but three others at his own expense. He was dishonorably discharged from the Army, and all this time he has labored under this disgrace. He is a very old man, very highly respected in the community in which he lives. Mr. CRAGO's father and this man were old friends. He knew all about it, and we thought it was a case in which justice ought to be done before this old man dies.

Mr. CULLOP. I think it a very good idea myself.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

A. H. REBENTISH.

The next business in order on the Private Calendar was the bill (H. R. 2535) for the relief of A. H. Rebentish.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of the Treasury, from any money not otherwise appropriated, to A. H. Rebentish, of San Antonio, Tex., the sum of $175.98, the amount due him by reason of the purchase from the United States Government of 14 head of cattle at a customs sale in Marfa, Tex., February 28, 1914, which cattle were afterwards taken from said Rebentish by due process of law.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

ALLEN M. HILLER.

The next business in order on the Private Calendar was the bill (H. R. 1024) for the relief of Allen M. Hiller.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers Allen M. Hiller, who was a first lieutenant in Company G, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as an officer of said company and regiment on the 28th day of June, 1865.

With the following committee amendment:

In line 11, after the word "sixty-five," add the following:

"*Provided*, That no back pay or pension be allowed prior to the passage of this act."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

BERNARD H. SCHAAF.

The next business in order on the Private Calendar was the bill [H. R. 8267] to place Bernard H. Schaaf on the retired list.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. CULLOP. I object.

Mr. CHURCH. Mr. Speaker, will the gentleman withhold his objection?

Mr. CULLOP. I will reserve it.

Mr. CHURCH. I want to say to the House that Bernard H. Schaaf, first seeking this relief, has been in the service of his country for the past 13 years. He enlisted in the year 1903, and was in the Regular Army for six years, and then was commissioned to the Philippine Islands, where he served as a first lieutenant of the Philippine Scouts. In his service in the Philippine Islands he became hopelessly insane. He was at his post of duty when this occurred, and he was sent back here, and is now in St. Elizabeth's Hospital. His commission as a first lieutenant expired on the 1st of January of this year. He has a wife, and has no means of support whatever. Of course he could not be recommissioned as a lieutenant, and so it is asked that he be retired as a master signal electrician, and receive the pay to which he would thus be entitled.

Mr. CULLOP. I should like to ask the gentleman from California what compensation would he receive if retired as provided by the bill?

Mr. CHURCH. Some member of the Committee on Military Affairs can answer that question better than I can. I will ask the gentleman from Vermont [Mr. GREENE] to answer that question.

Mr. GREENE of Vermont. I have an imperfect recollection that the base pay of a master signal electrician is about $75 a month. On the retired list he would receive three-quarters of whatever the pay is.

Mr. CULLOP. Was his insanity the result of his service?

Mr. CHURCH. Oh, yes; so stated, and so recognized by those who are aware of the situation.

Mr. CALDWELL. I will say also that in the last session of Congress a bill was introduced for the relief of Sergt. Drake, who was in exactly the same position. That bill was acted upon by the committee and passed by both House and Senate and signed by the President. So the precedent has been established in a case of this kind, where the disability and everything else was the same, and we thought this action ought to be taken.

Mr. CULLOP. I shall not object, Mr. Speaker.

Mr. MANN. Reserving the right to object, this man is in the Government Hospital for the Insane?

Mr. CHURCH. Yes.

Mr. MANN. Of what good is the salary to him?

Mr. CHURCH. He has a wife dependent upon him; it is for the benefit of his family.

Mr. MANN. How long has he been in the Philippine Scouts?

Mr. CHURCH. He acted in that capacity for six years, but he has been in the service of his country since 1903.

Mr. MANN. Is he entitled to any pension?

Mr. CHURCH. I suppose he is entitled to some pension.

Mr. MANN. He better apply for it then. I do not know whether he is entitled to any pension or not, but we have seven or eight thousand Philippine Scouts. Does the gentleman think that if anything happens to any of them we should put them on the retired list at increased pay?

Mr. CHURCH. This seems to be an extraordinary case to begin with.

Mr. MANN. I do not see anything extraordinary about it.

Mr. CHURCH. Let me explain what I mean. The War Department seems to so consider it and prepared the bill asking for relief simply because they knew all the facts and circumstances and the splendid services that this man had been rendering to the Government.

Mr. MANN. The splendid service is on all fours with all of the Philippine Scouts. They all render splendid services.

Mr. CHURCH. This man is absolutely insane.

Mr. MANN. He is not the only one; the insane hospital out here is filled with people who are insane.

Mr. CHURCH. And he has a family.

Mr. MANN. And those people out here have families.

Mr. CHURCH. Does not the gentleman think that he is entitled to relief?

Mr. MANN. We put him in the hospital and take care of him.

Mr. CHURCH. What about his family and his wife?

Mr. MANN. What about anybody's family?

Mr. CALDWELL. Mr. Speaker, as I understand, in order to get a pension they have to show that the infirmities came directly from the line of duty. Now, there is some question about that.

Mr. MANN. If there is, there is no occasion at all for our taking care of him.

Mr. CULLOP. Pensions allowed for soldiers of the Philippine and Cuban Wars are always very small, and they are very hard to obtain.

Mr. MANN. This has nothing to do with the Spanish War or the Philippine War or with the Volunteers making application for pension.

Mr. CULLOP. But he was in the service.

Mr. MANN. I do not say that he is entitled to a pension.

Mr. CALDWELL. He was in the service since 1903.

Mr. MANN. I do not know whether we have a retired list for Philippine Scouts or not; but if we have not, I am not willing to start one now one by one.

Mr. CALDWELL. This is not the first case of this kind.

Mr. MANN. This is the first time such a proposition has been presented here.

Mr. CALDWELL. Sergt. Drake had a bill passed in the House last session very much like this. I know; for I looked at that case to draw this report by.

Mr. MANN. Very likely; but that is where a man served 50 years or something like that. If you have any more like that case, I am willing to have it go through, but that is not this case.

Mr. CHURCH. I have a letter here from a major who was in the Philippine Islands and observed the splendid services rendered by this man.

Mr. MANN. I do not doubt his splendid services, and I presume they all render splendid service, from what I hear of them.

Mr. CHURCH. Some render more efficient services than others.

Mr. MANN. My observation is that where a man is applying for relief of this kind he has always rendered splendid services. When a woman runs away, she is always high up in society and beautiful, although she may not have been before or afterwards. [Laughter.]

Mr. CHURCH. It does seem to me that where a man has given 13 years of his life to his country, beginning service at the age of 23 years, serving until he is 29, and on account of the services he has rendered and the condition of the country he was serving in he has become insane, it looks to me rather small if the Government is not willing to pay him or his family something for the rest of his life. Mr. Speaker, I will ask that the bill be considered at the present time.

Mr. MANN. I make the point that the House is to adjourn at 11 o'clock.

Mr. STEPHENS of Mississippi. Mr. Speaker, I ask unanimous consent that a motion be entered in all these bills to reconsider the votes by which the bills were passed, and that the motion lie on the table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

ADJOURNMENT.

The SPEAKER pro tempore. The hour of 11 o'clock having arrived, the House stands adjourned.

Accordingly (at 11 o'clock p. m.) the House adjourned until to-morrow, Wednesday, April 5, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reexamination of Sandusky Harbor, Ohio (H. Doc. No. 982); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on reexamination of Conneaut Harbor, Ohio (H. Doc. No. 983); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

3. A letter from the Acting Secretary of the Treasury, transmitting draft of a bill to authorize the Secretary of the Treasury to sell the present site of the United States assay office and the buildings thereon in the city of New York and acquire a new site and erect a building for said office (H. Doc. No. 984); to the Committee on Public Buildings and Grounds and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HAMLIN, from the Committee on the Territories, to which was referred the bill (H. R. 14071) to amend certain public-utility company franchises in the Territory of Hawaii, reported the same without amendment, accompanied by a report (No. 489), which said bill and report were referred to the House Calendar.

Mr. PADGETT, from the Committee on Naval Affairs, to which was referred the bill (H. R. 13670) amending an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes," relating to the authorization of fleet submarines, reported the same with amendment, accompanied by a report (No. 492), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CONNELLY, from the Committee on Naval Affairs, to which was referred the bill (H. R. 9946) waiving the age limit for admission to the Medical Corps of the United States Navy in the case of John B. Bostick, reported the same without amendment, accompanied by a report (No. 490), which said bill and report were referred to the Private Calendar.

Mr. BUTLER, from the Committee on Naval Affairs, to which was referred the bill (H. R. 9971) for the relief of Harold Holst, reported the same without amendment, accompanied by a report (No. 491), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 3788) for the relief of George A. Miller, and the same was referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and a resolution were introduced and severally referred as follows:

By Mr. BARKLEY: A bill (H. R. 14186) for the erection of a public building at Murray, Ky.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14187) for the purchase of a site and the erection of a public building at Hickman, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. GOULD (by request): A bill (H. R. 14188) to fix the standards for Climax baskets for grapes and other fruits, vegetables, and other dry commodities, and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. McARTHUR: A bill (H. R. 14189) to authorize the Secretary of Commerce, through the United States Coast and Geodetic Survey, to cooperate with the Secretary of War and the Corps of Engineers of the United States Army in making a survey of the Columbia and Willamette Rivers; to the Committee on Appropriations.

By Mr. LEHLBACH: A bill (H. R. 14190) to amend the act of Congress, approved March 4, 1913 (37 Stats., p. 875), to provide for addition to the site and the cost therefor for the erection and completion of the United States post office and other governmental offices in the town of Montclair, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Kentucky (by request): A bill (H. R. 14191) to provide an additional method for enforcing and foreclosing tax sales and tax deeds in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. TEMPLE: A bill (H. R. 14192) providing for the purchase of a site and the erection thereon of a public building at Midland, in the State of Pennsylvania; to the Committee on Public Buildings and Grounds.

By Mr. McKINLEY: A bill (H. R. 14193) for the enlargement of the Federal Building at Decatur, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. BARNHART: Concurrent resolution (H. Con. Res. 24) authorizing the printing of the journal of the national encampment of the Grand Army of the Republic; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 14194) for the relief of Providence S. Ludlam; to the Committee on Pensions.

By Mr. BARKLEY: A bill (H. R. 14195) granting an increase of pension to John Martin; to the Committee on Pensions.

By Mr. CHURCH: A bill (H. R. 14196) granting a pension to Henry H. Boren; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 14197) granting an increase of pension to Lorana A. Weaver; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 14198) granting an increase of pension to Harris Cole, alias Henry Little; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 14199) granting a pension to Ellen Desmond; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 14200) granting an increase of pension to Emma L. Counsell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14201) granting an increase of pension to John W. Van Gorder; to the Committee on Invalid Pensions.

By Mr. GRIFFIN: A bill (H. R. 14202) granting an increase of pension to Mrs. Annie Stolliker, widow of James E. Stolliker; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 14203) to amend and correct the military record of Thomas Decker; to the Committee on Military Affairs.

By Mr. HUSTED: A bill (H. R. 14204) granting a pension to Mary Jane Kelly; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 14205) granting a pension to John C. Gaskins; to the Committee on Pensions.

By Mr. KONOP: A bill (H. R. 14206) granting an increase of pension to Jeremiah Perrigone; to the Committee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 14207) granting a pension to Minnie A. Sager; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 14208) granting an increase of pension to Samuel A. Kelce; to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 14209) for the relief of Charles W. Clark; to the Committee on Military Affairs.

By Mr. NELSON: A bill (H. R. 14210) granting a pension to Mary Hall; to the Committee on Invalid Pensions.

By Mr. OAKEY: A bill (H. R. 14211) granting an increase of pension to Caroline A. Jones; to the Committee on Invalid Pensions.

By Mr. OGLESBY: A bill (H. R. 14212) for the relief of Alfred W. Dingleman; to the Committee on Claims.

By Mr. SHACKLEFORD: A bill (H. R. 14213) granting an increase of pension to Thomas A. Shepherd; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 14214) granting an increase of pension to Joseph A. Gibant; to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 14215) granting a pension to Louisa Smith, widow of Richard Smith; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14216) granting an increase of pension to George A. Van Waters; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 14217) granting a pension to Martha Spain; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 14218) granting a pension to James Edwards; to the Committee on Pensions.

By Mr. VARE: A bill (H. R. 14219) granting a pension to Thomas J. Harris, jr.; to the Committee on Pensions.

By Mr. WILSON of Florida: A bill (H. R. 14220) for the relief of the Southern States Lumber Co., Pensacola, Fla.; to the Committee on the Public Lands.

By Mr. LAFEAN: A bill (H. R. 14221) granting an increase of pension to Pius W. Wonner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14222) granting an increase of pension to Emanuel Pflieger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14223) granting an increase of pension to William H. Swartz; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BACHARACH: Memorial of India House, New York City, relative to preparedness; to the Committee on Military Affairs.

Also, memorial of members of the First Presbyterian Church of Jersey City, N. J., against exporting intoxicating liquors to Africa; to the Committee on the Judiciary.

Also, petitions of sundry citizens and organizations of the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Atlantic City, N. J., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. BAILEY: Protests of George W. Trefts, J. Ed Ashcom, John C. Miller, W. A. Wagner, John T. Rippin, H. Tomlinson, Robert D. Clare, A. A. Trefts, William H. Cook, sr., John Wood, R. L. Walter, E. L. Cook, D. H. Krise, Charles Loewenstein, Samuel Adams, J. M. Zinkand, K. W. Hanson, Henry Leber, C. E. Berry, William Cadugan, L. J. Weir, W. L. Giffen, F. B. Harmoney, J. H. Decker, H. K. Schrock, W. J. Peterson, William L. Lebzelter, Harry W. Barclay, L. H. Felix, I. W. Shearer, R. Earl McKee, Darlington Kimmel, H. Liman Swank, Emmanuel Bone, William Schneider, Hall Mock, H. M. Sprengel, George Kern, Samuel E. Manges, W. Forest Hill, T. H. Reeder, Clifford Donald, Luther D. Gastin, B. F. White, C. W. Dennison, R. H. Henderson, R. S. Blair, J. F. Elliott, Clyde D. Blyler, William H. Colbaugh, R. S. Heffley, Thomas J. Bartley, W. M. Lorenz, M. R. Mackell, and Arthur McKeever, all of Johnstown, Pa., against the passage of House bills 491 and 6468, denying the use of the mails to certain publications; to the Committee on the Post Office and Post Roads.

Also, protest of James Hardy, Charles Clark, Frank Crissey, Herbert Wider, Joseph Demoise, John Hoyer, William Bassett, Charles P. Joll, C. Plows, Morrell Ream, H. S. Dimond, John Wider, Frank Joll, John Roberts, and William Mason, all of South Fork, Pa., against the passage of House bills 491 and 6468, denying the use of the mails to certain publications; to the Committee on the Post Office and Post Roads.

By Mr. COOPER of Wisconsin: Petition of 200 professional and business men of Beloit, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CURRY (by request): Petition of Albert Babel and 100 members of First Congregational Church of Ripon, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of R. E. Cook and 19 other citizens, of Sacramento, Cal., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Memorial of F. N. Greene Chapter Daughters of the American Revolution, of Brooklyn, N. Y., favoring preparedness; to the Committee on Military Affairs.

Also, memorial of committee on provision for the feeble-minded, favoring House bill 13666, relative to feeble-minded in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of J. Havens Richards, favoring censorship of motion pictures; to the Committee on Education.

By Mr. DAVIS of Texas: Petition of sundry citizens of Texas, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DILLON: Petition of mass meeting of 500 people of Canton, S. Dak., favoring national prohibition; to the Committee on the Judiciary.

By Mr. EAGAN: Petition of Fredins Band Lodge, International Order of Good Templars, Jersey City, N. J., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of New Seattle, Wash., Chamber of Commerce, relative to appropriation to provide a halibut boat in North Pacific waters; to the Committee on the Merchant Marine and Fisheries.

By Mr. ESCH: Petition of sundry citizens of La Crosse, Wis., relative to amending sections 2, 3, 4, and 5 of House bill 9216; to the Committee on Interstate and Foreign Commerce.

Also, petition of O. A. Larson and 29 others, of Fairchild, Wis., protesting against bills to amend postal laws; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of India House, New York City, favoring preparedness; to the Committee on Military Affairs.

By Mr. GRAY of Indiana: Petition of Lafayette Slifer and 36 other soldiers of the Civil War, of Hancock County, Ind., favoring increase of pensions for soldiers' widows; to the Committee on Invalid Pensions.

Also, petition of D. Wray Deprez, Shelbyville, Ind., favoring certain amendments to House bill 12766; to the Committee on Military Affairs.

Also, petition of A. B. Whitney and M. I. Berger, of Baptist Ministers' Union of Indianapolis, Ind., against passage of bills to amend postal laws; to the Committee on the Post Office and Post Roads.

By Mr. GUERNSEY: Petition of 327 members of Dexter Grange, Me., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KELLEY: Petition of James Kincaid and 61 others, of Flint, Mich., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petition of 26 voters of Providence, R. I., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KETTNER: Petition of Stonewall Jackson Chapter, No. 476, United Daughters of the Confederacy, signed by 25 members, Mrs. Bertha L. Gwynne, corresponding secretary, favoring House bill 478, to use certain cotton-tax money in pensioning Confederate soldiers and their widows; to the Committee on Claims.

Also, petition of Geoffrey Williams, Loma Linda, Cal., and 31 others, protesting against House bills 6468 and 491, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of International Longshoreman's Association, San Diego Local No. 38-9, San Diego, Cal., David Brown, secretary, favoring passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. LOBECK: Petition of 75 citizens of Omaha, Nebr., and vicinity, against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. McARTHUR: Petition of sundry citizens against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. McFADDEN: Petitions from Bible class, East Lynn; Sunday school of Methodist Episcopal Church, East Lynn; Woman's Christian Temperance Union, East Lynn; First Baptist Church, Factoryville; Presbyterian Church, Ulster; 32 residents of Springville; Woman's Christian Temperance Union, Overton; Woman's Christian Temperance Union, Springville; Woman's Foreign Missionary Society, Springville; First Baptist Church, Canton; Woman's Christian Temperance Union, Meshoppen; union meeting of Fall, Lake Winole, and Mill City unions, Mill City; 25 residents of South Canaan Township; Methodist Protestant Church, South Canaan; Methodist Episcopal Church, Franklindale; 45 residents of Nicholson; 95 residents of Ulster; Congregational Church Sunday school, Harford; 15 residents of Ulster and Towanda; Methodist Episcopal Church, Gouldsboro; Methodist Episcopal Church, Susquehanna; and 48 residents of Gouldsboro, all in the State of Pennsylvania, urging the passage of the Webb-Smith national prohibition resolution; to the Committee on the Judiciary.

By Mr. NELSON: Petition of sundry citizens of Lake Mills, Wis., in opposition to House bills 6488 and 491; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of Hazel Green and 104 male guests of Antisaloon League Business Men's Lunch, of Milwaukee, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. OAKEY (by request): Petition of 86 citizens of Withersfield and Center Methodist Episcopal Church of Hartford, Conn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. PETERS: Petition of citizens of Madison, Me., favoring national prohibition; to the Committee on the Judiciary.

By Mr. PRATT: Petition of sundry citizens of Montour Falls, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the town of Caton, N. Y., opposing the passage of the Fitzgerald and Siegel postal bills; to the Committee on the Post Office and Post Roads.

By Mr. RANDALL: Petition of Methodist Episcopal Church of Lordsburg, Cal., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RIVERA: Memorial of executive council requesting the Congress of the United States not to include in legislating for Porto Rico any prohibition whatever on the sale, importation, or manufacture of alcoholic beverages in Porto Rico; to the Committee on the Territories.

By Mr. ROWE: Petition of F. Lochowircz, of Brooklyn, N. Y., relative to resolution for relief of babies in war zone; to the Committee on Foreign Affairs.

Also, petition of J. P. Edward, of New York, favoring House bill 10845, for military training in civil education; to the Committee on Education.

Also, petition of National Association of Dyers and Cleaners, relative to tariff on dyestuffs; to the Committee on Ways and Means.

Also, petition of United Brotherhood of Carpenters and Joiners of America, relative Smith-Hughes vocational-education bill, House bill 11250; to the Committee on Education.

By Mr. SHOUSE: Petition of 12 citizens of Rush County, Kans., favoring a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SLOAN: Petition of Oscar Johnson and 13 others, of Shickley, Nebr., in support of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petition of D. A. Holbrook and 55 others, J. Moraine and 32 others, Joseph A. Nelson and 68 others, postal railway clerks, in support of House bills 10120 and 647; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Minnesota: Petition of Dr. H. E. Chase, R. E. Seymour, and others, of Minneapolis, Minn., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of Fedralemim Lodge, No. 61, International Order of Good Templars, at Minneapolis, Minn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: Papers to accompany House bill 12764, granting a pension to Polly Spalding; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 13607, granting an increase of pension to George Pool; to the Committee on Invalid Pensions.

Also, petition of 23 citizens of Rathdrum, Idaho, against passage of Moss rural-credit bill; to the Committee on Banking and Currency.

Also, memorial of First Presbyterian Church and Methodist Episcopal Church of Petworth, D. C., favoring bill to prohibit exportation of intoxicants to Africa; to the Committee on the Judiciary.

Also, petitions of citizens of Green Creek, Idaho, against closing of barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

By Mr. STEAGALL: Petition of sundry citizens of Geneva, Seman, Opelika, Union Springs, Hale, Abbeville, Enterprise, Elba, Clio, Hartsboro, Eufaula, Clayton, Headland, and Ozark, praying for the enactment of legislation to provide a tax upon persons, firms, or corporations doing an interstate mail-order business; to the Committee on Ways and Means.

By Mr. STINESS: Petition of citizens of Providence, R. I., and vicinity, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of citizens of Rhode Island and eastern Connecticut, favoring prohibition for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Supreme Lodge, New England Order of Protection, favoring the bill authorizing insurance companies and fraternal societies to file bills of interpleader; to the Committee on the Judiciary.

Also, petition of Brown & Sharpe Manufacturing Co., of Providence, R. I., protesting against bills prohibiting the employment of the Taylor or other systems of rewarding labor or paying bonuses; to the Committee on Labor.

Also, petition of Charles I. Sersion and other citizens of Providence, R. I., protesting against the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, memorial of New England Society of Oregon, favoring the provision of the Chamberlain military bill granting to the common-school system of Oregon 40 per cent of proceeds of sales of forfeited Southern Pacific grant lands and timber thereon; to the Committee on Military Affairs.

Also, petition of Smithfield Savings Bank, of Greenville, and board of directors of the National Exchange Bank, of Greenville, R. I., favoring the bill permitting interlocking directorates in noncompeting banks; to the Committee on the Judiciary.

Also, memorial of Chamber of Commerce of Boston, Mass., favoring the Rubey bill for the grading of grain; to the Committee on Agriculture.

Also, memorial of Eastern States Interstate and Agricultural Association, praying for Federal aid in the National Dairy Show; to the Committee on Agriculture.

Also, petition of Branch No. 5, Amalgamated Lace Operatives of America, of Alton, R. I., favoring an investigation of conditions surrounding the marketing of dairy products; to the Committee on Agriculture.

By Mr. SULLOWAY: Petition of sundry citizens and organizations of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

By Mr. TALBOTT: Petitions of 150 people of Pleasant Grove; Finksburg Woman's Christian Temperance Union of 42 people, of Finksburg; 550 people of Finksburg; 25 people of Union Bridge; 36 people of Union Bridge; 125 people of Carrollton; 200 people of Baltimore, all in the State of Maryland, favoring national prohibition; to the Committee on the Judiciary.

By Mr. VARE: Petition of Keystone Yacht Club, of Philadelphia, against several bills pertaining to power-boat regulation; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Typothetæ of Philadelphia, urging Congress to place embargo on the export of manufactured paper and materials entering into its manufacture; to the Committee on Interstate and Foreign Commerce.

By Mr. WASON: Petition of Eva J. Burt and 15 other residents of Westmoreland, N. H., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Forrest W. Hall and 13 other residents of Westmoreland, N. H., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, *April 5, 1916.*

(Legislative day of Thursday, March 30, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

Mr. CHAMBERLAIN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	du Pont	Martin, Va.	Simmons
Bankhead	Gallinger	Martine, N. J.	Smith, Ga.
Beckham	Hardwick	Myers	Smoot
Borah	Hitchcock	Nelson	Sterling
Brady	Hollis	Norris	Sutherland
Brandegee	Husting	O'Gorman	Swanson
Broussard	James	Oliver	Taggart
Burleigh	Johnson, Me.	Overman	Thomas
Catron	Johnson, S. Dak.	Page	Underwood
Chamberlain	Jones	Pittman	Vardaman
Chilton	Kenyon	Poindexter	Wadsworth
Clapp	Kern	Pomerene	Walsh
Clark, Wyo.	Lane	Ransdell	Warren
Clarke, Ark.	Lewis	Robinson	Weeks
Culberson	Lippitt	Saulsbury	Works
Cummins	Lodge	Shafroth	
Curtis	McCumber	Sheppard	
Dillingham	McLean	Sherman	

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER]. He is absent on official business. This announcement may stand for the day.

I wish also to announce the unavoidable absence, on account of illness, of the Senator from Arizona [Mr. SMITH]. This announcement may stand for the day.

Mr. LEWIS. I wish to announce the absence of the senior Senator from South Carolina [Mr. TILLMAN]. He has been suddenly called to his home.

Mr. CHILTON. I wish to announce for the day that my colleague [Mr. GOFF] is absent on account of illness.

The VICE PRESIDENT. Sixty-nine Senators have answered to the roll call. There is a quorum present.

SUSQUEHANNA RIVER BRIDGES.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3978) to authorize the Catawissa Railroad Co., its lessees, successors, and assigns, to construct a railroad bridge across the west branch of the Susquehanna River from the borough of Milton, Northumberland County, Pa., to the borough of West Milton, Union County, Pa., which were, on page 1, line 5, to strike out "railroad" and to amend the title so as to read: "An act to authorize the Catawissa Railroad Co., its lessees, successors, and assigns, to construct a bridge across the west branch of the Susquehanna River from the borough of Milton, Northumberland County, Pa., to the borough of West Milton, Union County, Pa."

Mr. OLIVER. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3977) to authorize the Shamokin, Sunbury & Lewisburg Railroad Co., its lessees, successors, and assigns, to construct a railroad bridge across the Susquehanna River from the borough of Sunbury, Northumberland County, Pa., to Monroe Township, Snyder County, Pa., which were, on page 1, lines 5 and 6, to strike out "railroad" and to amend the title so as to read: "An act to authorize the Shamokin, Sunbury & Lewisburg Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Susquehanna River from the borough of Sunbury, Northumberland County, Pa., to Monroe Township, Snyder County, Pa."

Mr. OLIVER. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

REPORTS FROM COMMITTEE ON PUBLIC LANDS.

Mr. MYERS. I ask leave out of order to submit three reports from the Committee on Public Lands.

Mr. CHAMBERLAIN. Mr. President, I shall object to the reception of any further morning business than this.

The VICE PRESIDENT. Is there objection to the reception of these reports?

Mr. CHAMBERLAIN. I do not object to these reports being received, but hereafter I shall object to the transaction of any morning business.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 384) to amend the act of June 23, 1910, entitled "An act providing that entrymen for homesteads within the reclamation projects may assign their entries upon satisfactory proof of residence, improvement, and cultivation for five years, the same as though said entry had been made under the original homestead act, reported it without amendment and submitted a report (No. 328) thereon.

He also, from the same committee, to which was referred the bill (S. 4025) to grant patent to certain lands to Christian Fredrickson, reported it with an amendment and submitted a report (No. 327) thereon.

He also, from the same committee, to which was referred the bill (S. 3929) validating certain applications for and entries of public lands, reported it with amendments and submitted a report (No. 326) thereon.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. CHAMBERLAIN. The pending question before the Senate is the motion to strike out section 56 of the bill.

The VICE PRESIDENT. That is the pending question, on the motion of the Senator from Maryland [Mr. LEE].

Mr. CHAMBERLAIN. I understand that there are one or two Senators who desire to address themselves to this subject, but before yielding the floor for that purpose I wish to state that I have received 40 or 50 telegrams addressed to me protesting against the striking of section 56 from the bill. I ask the Secretary to read the first two of them.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

NEW YORK, *April 4, 1916.*

Senator GEORGE E. CHAMBERLAIN,
The Capitol, Washington, D. C.:

The executive committee of Military Training Camps Association has watched with concern the effort to kill Federal volunteer provision. We have no axes to grind, no pay or favors to ask. All we want is a chance to serve the country in effective manner. Our policy has always been to avoid legislative activity, but in view of effort to deprive our men of chance to get training we now propose to do what we can by open and straightforward methods to prevent killing of Federal volunteer section. We have sent telegraphic protests to all Senators and asked some of our members to wire you their views in order to assist you. Wish to be guided by your views; if you have suggestion as to what we can do to help your legislation, please notify immediately.

GRENVILLE CLARK,
Secretary, 31 Nassau Street.

—

NEW YORK, N. Y., *April 4, 1916.*

Hon. G. E. CHAMBERLAIN,
United States Senate, Washington, D. C.:

On behalf of Military Training Camps Association of the United States, of 4,200 men from all sections who have attended Federal training camps and representing also not less than 30,000 citizens who will attend this year's camps, at a cost of $2,000,000 to themselves, we earnestly protest against attempt to defeat section 56, Senate military bill. This section, without impairing National Guard, will make available for service of Nation tens of thousands who under no circumstances can be made available under a National Guard system.

MILITARY TRAINING CAMPS ASSOCIATION EXECUTIVE COMMITTEE.

Mr. CHAMBERLAIN. I simply present the balance of the telegrams and ask that they be printed in the RECORD without having them read.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The telegrams are as follows:

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

As a member of last year's Plattsburg camp and as a member of this State's National Guard I urge you to use every effort to protect our country by extending the Plattsburg idea.

J. I. B. VAIL,
350 West Fifty-eighth Street.

—

MOUNT VERNON, N. Y., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Chairman Senate Committee on Military Affairs,
Washington, D. C.:

Please see that section 56 of Federal reserve bill is not defeated.

A. C. EMMEL.

—

NEW YORK, *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Strongly urge passage of section 56, preparedness bill.

ERNEST E. WHEELER.

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

In my opinion every possible effort should be made to prevent section 56 of the Senate bill being in any way amended. I earnestly hope that your efforts to pass this section will be successful.

JOHN T. PRATT.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Permit me in the strongest manner to urge upon you the passage of the Federal reserve plan in section 56 of the Army bill.

FREDERICK DREW BOND,
15 Broad Street, New York City.

—

NEW YORK, *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Strenuously protest against attempt to defeat Federal reserve plan embodied in section 56 of the Senate, and emphatically urge the passage of this section.

G. E. GRAFMULLER.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Have just learned that there is danger that the Federal reserve plan embodied in section 56 of the Senate bill may be defeated. The idea embodied in this section was put in practice in a small but very successful way at Plattsburg last year. It would be a great pity to discourage this first and only tangible effort to awaken the country to the need for preparedness. A great many other people will join me in thanking you for any effort you can make to prevent the defeat of this measure.

W. A. CHADBOURNE,
14 Wall Street, New York City.

—

PHILADELPHIA, PA., *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Strongly protest against attempt to defeat Federal reserve plan embodied in section 56, Senate bill, and urge passage of this section.

L. F. PARSLY.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Emphatically protest against attempt to defeat section 56 of Senate military bill.

P. E. ADAMS.

—

NEW YORK, *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Protest most indignantly against defeat of Federal reserve plan, section 56. Will do more than almost anything else to democracize the United States and protect it from enemies within as well as without.

FREDERICK TREVOR HILL.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I earnestly urge your support of the Federal reserve plan as set forth in section 56 of the Senate bill. I urge this as a citizen of military age anxious to train for and be enrolled in a Federal reserve.

DAVID DOWS,
120 Broadway.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Respectfully urge you to make every effort to defeat the attempt to kill section 56, Senate bill for national defense.

DE WITT MILHAUSER.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C..

I greatly oppose the attempt to defeat the Federal reserve plan embodied in section 56 of the Senate bill, and emphatically urge the passage of this bill.

LORIS R. POTTER,
1 Liberty Street, New York City.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Strongly urge passage of section 56, Senate bill.

H. E. MONTGOMERY, 2D.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Respectfully urge you to make every effort to defeat the attempt to kill section 56, Senate bill for national defense.

GORDON MACDONALD,
Morristown, N. J.

—

NEW YORK, *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

We vigorously protest against any attempt to defeat Federal reserve plan embodied section 56, Senate bill, and emphatically urge passage of this section.

JAS. M. GIFFORD.
ALFRED P. W. SEAMAN.
CHARLES B. HOBBS.
JOHN D. FEARHAKE.

NEW YORK, *April 5, 1916.*

Hon. GEORGE CHAMBERLAIN,
Washington, D. C.:

Believe section 56 of proposed bill of vital importance to military policy of country.

TRUMAN SMITH.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Emphatically urge passage of section 56 of your Senate bill.

W. W. METCALF.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Please note that as a citizen of New York I protest against any attempt to defeat the Federal reserve plan embodied in section 56 of Senate bill, and I emphatically urge the passage of this section.

W. E. DOWD, Jr.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Best interests of country demand passage section 56, Senate bill—Federal reserve plan.

SAMUEL O. KUHN.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEORGE CHAMBERLAIN,
Washington, D. C.:

On behalf of many friends I wire you protesting against attempt to defeat Federal reserve plan—section 56. We can not urge its passage too strongly.

GEO. W. HUBBELL, Jr.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Committee on Military Affairs, Washington, D. C.:

Urge protest against defeat section 56, Senate bill—Federal reserve plan—and emphatically urge passage of that section.

EDWIN DE T. BECHELL.

—

LAKEWOOD, N. J., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

As member Military Training Camps Association emphatically protest against attempt to defeat Federal reserve plan in section 56, Senate bill. Urge passage of bill.

Sergt. W. G. SCHAUFFLER, Jr.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I am informed that section 56 of Senate bill authorizing Federal volunteers is seriously threatened. It is the one redeeming feature of the bill. The country will not forget its friends in the black days that are surely coming.

ABEL C. THOMAS.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Undersigned militiaman protests against attempt to defeat Federal reserve plan, section 56, Senate bill. Most valuable provision of Army legislation.

JOHN FINE.

—

NEW YORK, *April 5, 1916.*

Senator CHAMBERLAIN,
Washington, D. C.:

I protest emphatically against attempt to defeat section 56 of Federal reserve plan and urge passage of section.

LAMONT DOMINICK,
49 Wall Street.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE CHAMBERLAIN,
Washington, D. C.:

I strongly protest against attempt to defeat the Federal reserve plan embodied in section 56 of Senate bill and emphatically urge passage of this section.

GEO. DE K. GILER,
New York City.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Use every influence to pass Senate bill, especially section 56, dealing with the Federal reserve plan.

B. M. VANCE.

—

NEW YORK, *April 5, 1916.*

GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I protest against attempt to defeat Federal reserve plan, section 56, Senate bill. Urge passage.

SCHUYLER M. MEYER.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I wish to protest against the attempt to defeat the Federal reserve plan embodied in section 56 of the Senate bill and strongly urge its passage.

EDW. SHIPPEN.

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I strongly protest against the attempt to defeat the Federal reserve plan embodied in section 56 of Senate bill and emphatically urge passage of this section.

P. E. WOOD,
New York City.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Emphatically urge passage of Federal reserve plan, section 56, Senate bill.

DAVID FOX.

—

RIDGEWOOD, N. J., *April 5, 1916.*

GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Protest against attempt to defeat Federal reserve plan, section 56.

R. N. WILCOX.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Protest vigorously against attempt to defeat Federal reserve plan in section 56. Emphatically urge passage of this section especially.

N. A. MIDDLETON.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Strongly protest against attempt to defeat Federal reserve plan, section 56.

R. CHOLMELEY JONES.

—

MONTCLAIR, N. J., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I protest against any attempt to defeat the Federal reserve plans embodied in section 56 of the Senate bill and also urge passage of this section.

DAVID M. WESSON.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Am heartily in favor with Federal reserve plan embodied in section 56 of Senate bill, and emphatically urge its passage.

RICHARD DERBY,
116 East Seventy-ninth.

—

EAST ORANGE, N. J., *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I emphatically protest against proposed defeat of Federal reserve plan embodied in section 56, Senate bill.

C. S. FINCH.

—

PHILADELPHIA, PA., *April 5, 1916.*

Hon. G. E. CHAMBERLAIN,
Washington, D. C.:

Surely you have received sufficient protests against the attempt to defeat the Federal reserve plan as embodied in section 56 of the Senate bill to insure your urging the passage of this section with present urgent demand for preparedness. Surely you gentlemen will pass this vital piece of legislation.

C. E. BERTIE.

—

PHILADELPHIA, PA., *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

A Federal reserve and training camps enabled under Senate bill, section 56, are measures of first consequence. As a student of this subject who attended the business men's camp at Plattsburg, I vigorously protest against their threatened elimination from the bill.

WALTER L. SHEPPARD.

—

NEW YORK, *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

People of this section strongly approve Federal reserve plan (Senate bill, section 56), and condemn attempt to defeat it.

WM. MONTAGUE GEE, Jr.

—

NEW YORK, *April 5, 1916.*

Senator G. E. CHAMBERLAIN,
Washington, D. C.:

Please support section 56 of Chamberlain Army bill, giving President power to organize Federal volunteer camps in time of peace. Have attended Plattsburg camp personally, and believe it the greatest system ever devised for military instruction in a short period of time.

PERCY H. STEWART.

—

NEW YORK, *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Urge passage of Federal reserve plan in section 56 of Senate military bill. A national system of training camps is essential.

WM. D. STIGEN.

—

NEW YORK, *April 5, 1916.*

Senator G. E. CHAMBERLAIN,
Washington, D. C.:

Earnestly urge passage of section 56 of Senate bill embodying Federal reserve plan.

V. WORTHINGTON.

NEW YORK, *April 5, 1916.*

Senator G. E. CHAMBERLAIN,
Washington, D. C.:

Would respectfully urge you to make every effort to defeat the attempt to kill section 56, Senate bill for national defense.

EDWIN A. SEASONGOOD,
GEO. C. HAAS,
ALEX AMEND.

—

NEW YORK, *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I protest against elimination or alteration of section 56 of Senate bill.

C. H. WILMERDING, Jr.

—

NEW YORK, *April 5, 1916.*

Senator G. E. CHAMBERLAIN,
Washington, D. C.:

I most strongly urge passage of section 56, Senate bill, embodying Federal reserve of volunteers and emphatically protest against attempt to defeat this plan.

H. B. CLARK,
New Canaan, Conn.

—

NEW YORK, *April 5, 1916.*

Senator G. E. CHAMBERLAIN,
Washington, D. C.:

Earnestly urge passage of section 56 of Senate bill, providing for Federal reserve plan.

L. R. KING.

—

NEW YORK, N. Y., *April 5, 1916.*

Hon. G. E. CHAMBERLAIN,
Washington, D. C.:

Last year over 3,000 men at their own expense took a course of training at Plattsburg camps. At present rate of enrollment there will be 30,000 this year, assuring in advance successful results from passage of section 56 of Senate bill under consideration. It is of vital importance that section 56 be retained in bill and passed.

SNOWDEN A. FAHNESTOCK,
1½ East Seventy-sixth Street, New York.

—

PHILADELPHIA, PA., *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Washington, D. C.:

As a member of the first training regiment and strong believer in Federal reserve plan, section 56, Senate bill, I protest against effort being made to defeat this plan, and beg to urge most earnestly your efforts to forward passage of this section.

Respectfully,

C. F. HUSTON MILLER.

—

PHILADELPHIA, PA., *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Washington, D. C.:

I protest against attempt to defeat Federal reserve plan, section 56, Senate bill. Emphatically urge its passage.

WARNER E. DORAN.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Washington, D. C.:

Urge passage of Federal reserve plan in section 56 of Senate military bill. A national system of training camps is essential.

ALFRED ROELKER, Jr.

—

NEW HAVEN, CONN., *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Washington, D. C.:

As a citizen intensely in favor of military preparedness and as a member of the Plattsburg contingent, I hereby protest against any attempt to defeat the Federal reserve plan embodied in section 56 of Senate bill and emphatically urge its passage.

D. C. SMYTH.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Washington, D. C.:

Section 56, regarding organization of Federal volunteers, most important. Expect you will vote for it.

B. MEREDITH LANGSTAFF.

—

NEW YORK, N. Y., *April 5, 1916.*

Hon. GEO. E. CHAMBERLAIN,
Washington, D. C.:

Urge passage of section 56 in Senate preparedness bill.

ARTHUR WOODS.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator G. E. CHAMBERLAIN,
Washington, D. C.:

I protest against the attempt to defeat the Federal reserve plan embodied in section 56 of the Senate bill. I urge the passage of this section.

OLIVER ISELIN.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Section 56, Federal reserve plan, gives patriotism outlet. Enact it.

CLARENCE A. PERRY.

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I most strongly urge passage section 56, Senate bill, embodying Federal reserve of volunteers, and emphatically protest against attempt to defeat this plan.

FRANCIS M. WELD,
Huntington, Long Island.

—

PHILADELPHIA, PA., *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I emphatically urge passage of section 56 of Senate Army reserve bill.

HAZLETON MIRKIL, Jr.

—

PHILADELPHIA, PA., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Please protest emphatically against attempt to defeat Federal reserve plan embodied in section 56, Senate bill, and insist passage this session.

LAWRENCE J. MORRIS.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Emphatically urge passage of section 56 of Senate military bill, calling for a Federal reserve.

JAMES JACKSON HIGGINSON.

—

NEW YORK, *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

As a Spanish War veteran and ex-member of the National Guard and a Plattsburg Camp man, as well as a citizen with the welfare of the Commonwealth very much at heart, may I respectfully protest against the attempt to defeat the Federal reserve plan embodied in section 56 of the Senate bill, and emphatically urge the passage of this section?

HENRY W. BULL.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Chairman Senate Military Affairs Committee,
The Capitol, Washington, D. C.:

Thousands of live Americans are expecting the chance of entering the Federal volunteers, who will be embittered if denied and who will not join a federalized militia, for obvious reasons. Won't you give these Americans a run for their white alley? If this administration won't, the next will.

ALBERT F. NATHAN,
55 Liberty Street, New York.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
The Capitol, Washington, D. C.:

I wish through you to protest against the attempt to defeat section 56 of the Senate bill for national defense.

PHILIP J. ROOSEVELT,
Corporal, Company B, First Training Regiment.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Chairman Senate Military Affairs Committee,
Washington, D. C.:

I protest against the attempt to defeat the Federal reserve plan embodied in section 56 of the Senate bill and urge the passage of this section.

KENNETH P. BUDD.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Chairman Senate Military Affairs Committee,
Washington, D. C.:

Wish to protest against attempt to defeat Federal reserve plan embodied in section 56 of Senate bill. Strongly urge passage of this section.

PAYNE WILLIAMSON,
601 West Thirty-third Street.

—

NEW YORK, *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Washington, D. C.:

We believe defeat of Federal reserve plan embodied in section 56 of Senate bill will be disastrous to the country, and strongly urge its passage.

J. M. TOWNSEND, Jr.
J. C. THORNTON.

—

NEWARK, N. J., *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Senate Military Committee, Washington, D. C.:

Am anxious to have section 56 enacted. Hope you try hard for it.

DR. A. L. BOYEE,
Fifty-second Avenue.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Chairman Senate Military Affairs Committee,
Washington, D. C.:

I most strongly urge passage of section 56 of Senate bill embodying Federal reserve of volunteers, and emphatically protest against attempt to defeat this plan.

W. J. K. VANSTON,
1¼ Glenside Road, South Orange, N. J.

NEW YORK, *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Washington, D. C.:

I respectfully urge upon you the necessity of approving section 56 in the Senate bill on military organization now under consideration. I feel very strongly about this.

J. A. RIPLEY.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Chairman Senate Military Affairs Committee,
Washington, D. C.:

The defeat of section 56 of the Senate bill, dealing with the Federal reserve plan, will undoubtedly do much to destroy public confidence in the policies of your committee as well as in the administration. I urge you to use your influence to have this section approved.

J. W. TAUSSIG.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Chairman Senate Military Affairs Committee,
Washington, D. C.:

I hereby protest against the attempt to defeat the Federal reserve plan embodied in section 56 of the Senate bill, and urge you to use every effort to have this section passed by the present Congress.

EDWARD H. LITTLE.

—

PHILADELPHIA, PA., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Capitol, Washington, D. C.:

Believe Federal reserve plan embodied in section 56 of Senate bill most important, and vigorously protest against any attempt to defeat it.

WILLIAM J. CLOTHIER.

—

NEW YORK, *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
The Capitol, Washington, D. C.:

I most strongly urge passage of section 56, Senate bill, embodying Federal reserve of volunteers, and emphatically protest against attempt to defeat this plan.

E. F. GRANT TAFF,
40 East Park Street, East Orange, N. J.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Chairman of Senate Military Affairs Committee,
The Capitol, Washington, D. C.:

Urge enactment of legislation to continue training camps on Plattsburg plan.

GUSTAVE R. THOMPSON.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
The Capitol, Washington, D. C.:

I most strongly urge passage of section 56, Senate bill, embodying Federal reserve of volunteers, and emphatically protest against attempt to defeat this plan.

ROBERT H. BRADLEY,
New Canaan, Conn.

—

NEW YORK, *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Chairman of Senate Military Affairs Committee,
The Capitol, Washington, D. C.:

I most strongly urge passage of section 56, Senate bill, embodying Federal reserve of volunteers, and emphatically protest against attempt to defeat this plan.

HAROLD T. WHITE,
President Bedford Rifle Club, Bedford, N. Y.

—

PHILADELPHIA, PA., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Chairman of Senate Military Affairs Committee,
Washington, D. C.:

The defeat of Federal reserve plan, as embodied in section 56 of the Senate bill, will be a sad blow to true Americanism. We ask your assistance in the passage of the Federal reserve plan.

S. L. KENT.

—

NEW YORK, *April 5, 1916.*

Senator G. E. CHAMBERLAIN,
The Capitol, Washington, D. C.:

I protest against attempt to defeat Federal reserve plan embodied in section 56 of Senate bill, and strongly urge the passage of this section. The dominant party will be held strictly accountable for failure to provide for adequate defense.

CHARLES D. ROBISON,
Member American Society of Electrical Engineers.

—

NEW YORK, *April 5, 1916.*

Hon. GEO. E. CHAMBERLAIN,
Chairman Senate Military Affairs Committee,
Capitol, Washington, D. C.:

Gravest alarm over attack on section 56 of Senate bill providing Federal reserve. Strongly urge enactment of this provision.

ELIHU ROOT, Jr.

—

PHILADELPHIA, PA., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
The Capitol, Washington, D. C.:

I emphatically urge the passage of the Federal reserve plan embodied in section 56 of the Senate bill and protest against the attempt to defeat it.

EDWIN N. BENSON, Jr.

PRINCETON, N. J., *April 5, 1916.*

GEORGE E. CHAMBERLAIN,
Chairman of Senate Military Affairs Committee,
Capitol, Washington, D. C.:

Understand that an attempt is being made to defeat section 56 of the Army bill, and, believing firmly that this section is necessary for the proper protection of the country, I urge you to use all your power for its passage.

WM. C. VANDEWATER.

—

NEW YORK, *April 5, 1916.*

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I strongly urge you to use your influence to secure approval of section 56, in regard to Plattsburg camps. Personal experience convinces me that they are a sound factor making for national defense.

FRANCIS W. AYMAR.

—

NEW YORK, *April 5, 1916.*

Senator G. E. CHAMBERLAIN,
Washington, D. C.:

Am greatly interested in seeing section 56 of Senate military affairs bill preserved unchanged. Hope you will save it.

E. S. BENEDICT.

—

PHILADELPHIA, PA., *April 5, 1916.*

Hon. G. E. CHAMBERLAIN,
Washington, D. C.:

Having taken one voluntary course of military training at Plattsburg and contemplating other courses, I respectfully protest against the defeat of the Federal reserve plan embodied in section 56 of the Senate bill, and urge its passage.

WM. H. HOLLAR, Jr.

—

NEW YORK, *April 5, 1916.*

Senator CHAMBERLAIN,
Washington, D. C.:

Personally and as representative numerous friends, emphatically protest against any attempt to defeat Federal reserve plan in your bill. Funds will be spent by myself and associates at the next election to defeat those voting against the Federal reserve plan.

CLARENCE FAHNESTOCK.

—

NEW YORK, *April 5, 1916.*

Senator G. E. CHAMBERLAIN,
Washington, D. C.:

Assured of your interest in the matter, I protest against the attempt to defeat the Federal reserve plan in section 56 of the Senate bill, and strongly urge its passage.

H. R. SHURTLEFF.

—

NEW YORK, *April 5, 1916.*

Senator CHAMBERLAIN,
Washington, D. C.:

Can not too emphatically urge the passage of the Federal reserve plan in your bill. We can promise concerted action at the polls against its opponents, and promise you our determined assistance.

McCOSKRY BUTT,
Brigadier General, New York.

—

BRISTOL, PA., *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Washington, D. C.:

Section 56 of Senate bill vitally important. Please urge passage.

HUGH B. EASBURN.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Hope your committee succeeds in securing passage of section 56 of Senate bill. Consider that elimination of this section would be a national calamity.

ARTHUR P. MCKINSTRY.

—

PHILADELPHIA, PA., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I protest against the attempt to defeat the Federal reserve plan embodied in section 56 of Senate bill, and urge the passage of this section.

WELSH STRAWBRIDGE PENNA.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Urge the retention of section 56 for organizing volunteers in peace times.

HOWARD M. INGHAM.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I emphatically protest against attempt to defeat Federal reserve plan in section 56 of Senate bill, and urge passage of section 56.

ENOS THROOP GEERE.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

We strongly protest attempt to defeat Federal reserve plan, section 56, Senate bill.

FRED R. SEARS.
JOSEPH W. BURDEN.
GERALDYN L. REDMOND.
HENRY K. HARDON.

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

We protest against legislation inimical to Plattsburg camps.

DONALD C. STRACHAN.
ION C. HOLM.

—

PHILADELPHIA, PA., *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

Protest against attempt to defeat Federal reserve plan, section 56, Senate bill, and emphatically urge passage thereof.

R. W. BARRATT.

—

NEW YORK, *April 5, 1916.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

I wish to enter my protest against the attempt to defeat the Federal reserve plan embodied in section 56 of the Senate bill, and emphatically urge the passage of this section.

W. L. RIGHTER,
52 William Street, New York City.

—

NEW YORK, *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Washington, D. C.:

I wish to enter my protest against the attempt to defeat the Federal reserve plan embodied in section 56 of the Senate bill, and emphatically urge the passage of this section.

D. THOMAS MOORE,
52 William Street, New York City.

—

NEW YORK, *April 5, 1916.*

Senator G. E. CHAMBERLAIN,
Washington, D. C.:

Urge passage of section 56 of Senate bill, Federal reserve plan.

DAVID WILSON,
New York City.

—

NEW YORK, *April 5, 1916.*

Senator GEO. E. CHAMBERLAIN,
Washington, D. C.:

I earnestly urge you to give fullest support to Federal reserve plan embodied in section 56 of the Senate bill, and to secure its passage.

W. R. MAY,
124 West Thirty-eighth Street, New York.

—

NEW YORK, *April 5, 1916.*

Senator CHAMBERLAIN,
Washington, D. C.:

Hope that you will use your best efforts to pass section 56 of the Senate Army bill.

CHARLES D. MILLER.

Mr. CHAMBERLAIN. Mr. President, I have received about 150 additional telegrams in favor of retaining section 56 in the bill besides those which I have already had inserted in the RECORD. I shall not ask that these additional telegrams be printed in the RECORD, but I desire to call the attention of the Senate to the fact.

Mr. HITCHCOCK. Mr. President, before we vote on the pending motion to strike out this important section of the military bill I want to call the attention of the Senate to some thoughts which have occurred to me.

There is no part of the bill which was more carefully considered by the Committee on Military Affairs than this particular section. It was before the committee for a number of days and received the most careful consideration of the members, and then, without a dissenting vote, your committee recommended this section to the Senate.

I mention this fact, and I bring it before the Senate, because it seems to me we are in danger here of overriding if not ignoring the very carefully considered decisions which our committees reach. If this had been a divided decision, or if it had been a matter which had not been carefully considered, I would not feel like appealing to Members of the Senate now to view this provision with favor——

Mr. HARDWICK. Will the Senator yield to me for a moment?

Mr. HITCHCOCK. But it stands here to-day as a strong recommendation of the committee without a dissenting vote, after the most careful and painstaking investigation. I yield to the Senator from Georgia.

Mr. HARDWICK. I want to ask the Senator if he does not draw a distinction about matters of this sort along this line? If the committee's recommendation dealt with matters of detail, information on which could rest solely with members of the committee, or more with members of the committee because of their investigation of the subject, the matter might occupy the plane the Senator suggests; but when the proposition is merely the suggestion of a plan that one Senator can understand about as well as another, whether he is on the committee or not, what difference does it make whether the Senators who happen to be on the committee favor a plan involving that principle or not, except that they

are just so many Members of the Senate? In other words, does it involve any particular investigation of detail or any knowledge of detail or any information that one Senator can not obtain and does not possess as well as another Senator?

Mr. HITCHCOCK. Mr. President, I am generally able to agree with my friend from Georgia, but it seems to me that in this particular case he makes a serious error.

This is not a trifle, it is true. It is a very important matter. It involves a great principle. It involves a great controversy. Now, upon that great principle, in the face of that great controversy, after careful consideration your committee has reported without a dissenting voice. I say this not because I think the Senate ought always to accept the recommendation of committees. Far from it. I occasionally myself have filed dissenting opinions; but I am speaking of the fact that this unanimous recommendation at least comes to the Senate with a presumption which entitles it to favorable consideration.

Mr. HARDWICK. The Senator did file a minority report on this very bill, did he not, generally opposed to the bill?

Mr. HITCHCOCK. I filed minority views as to one or two provisions of the bill. As a whole I commended it. On the provisions to which I excepted the committee was divided; but I am now talking about a matter in which there was no dissenting opinion in the committee, and of which there was careful consideration.

But, Mr. President, this much is only by way of introduction to what I desire to say. I mention it so as to give the presumption of excellence and favor to this recommendation before I speak of its merits.

Mr. CLAPP. If the Senator will pardon me, I should like to ask him one or two questions, not in any captious spirit but to ascertain, if I can, what section 56 means as construed by the Senator?

In the first place, I ask the Senator if he is satisfied that under the language of section 56 and existing laws in case there was a call to arms in excess of the Regular Army, that call would have to be first made upon the National Guard or whether it could be first made upon the men who would avail themselves of whatever there is in section 56?

Mr. HITCHCOCK. Mr. President, I do not want to go into a discussion of the details of section 56 at this time, because we have first to decide whether it is to remain in the bill in any form; but I assume that the emergency to which the Senator refers would probably result under the existing law in first calling for the National Guard except in a condition such as we are now confronted with in the case of Mexico, where the National Guard would be impossible.

Mr. President, the point I wish to make is this——

Mr. CLAPP. If the Senator will pardon me, it does seem to me the first thing for us to determine, in voting for or against this section, is, What does it provide for?

Mr. HITCHCOCK. Mr. President, I must decline to yield on that point, because I want to confine myself to the question whether or not this section should be stricken from the bill.

Mr. CLAPP. Regardless of what it is?

Mr. HITCHCOCK. If it is retained in the bill, then any amendment the Senator may propose will be considered at the proper time in the discussion of the details of the section; but now the great question before the Senate is, Shall Congress provide a Federal reserve back of the Regular Army, or shall it leave the country without any Federal reserve, dependent entirely upon a State militia, concerning the availability of which and concerning the possibility of the federalizing of which there is the gravest doubt?

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to ask him a question?

Mr. HITCHCOCK. Yes.

Mr. SMITH of Georgia. Does not the Senator's bill provide for a large Federal reserve from the men who have served two years in the Regular Army?

Mr. HITCHCOCK. It does, Mr. President; and I am glad of it; but it is yet an experiment whether there will be any Federal reserve from that source and of that character. We do not yet know whether we can enlist the number of men necessary to enlarge the Army. We have now been calling for 20,000 men to enter the service on account of the Mexican difficulty, and in 16 days throughout the country, in all the recruiting offices combined, we have only been able to recruit 3,200 men. We do not know, even if we pass this bill, whether we shall be able to enlist in the Army anything like the number of men for which the bill calls; and even if they do enlist, it will be a number of years before enough men will pass from active service to the reserve to make it a body of any particular size. After it is in successful operation and a considerable reserve is created it will even then not be large enough to satisfy this country. This country, which I believe is opposed to a large standing army, is in favor of the largest possible reserve of men in civil life, drawn from all possible sources—from the militia, from the standing army, and from the source provided for in this section.

Mr. LEE of Maryland. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. HITCHCOCK. I yield to the Senator from Maryland.

Mr. LEE of Maryland. I should like to ask the Senator whether there is not really an uncertainty not only as to the reserve, but as to the existence of a first line, and whether, there being uncertainty as to the existence of a first line, it is not a great deal better to apply the powers and the money of Congress to the organizing, arming, and disciplining the great military force that is in sight, consisting of 134,000 militia, than to speculate in these other directions?

Mr. HITCHCOCK. Mr. President, I will say in answer to that, that the committee has done that thing. There is almost nothing that has been asked on behalf of the militia of the United States that has not been granted in this bill, which has been recommended by the committee. The committee has gone further toward recognizing the militia, toward paying the militia, toward equipping the militia, toward honoring the militia than has ever been done or even thought of in the past. Nevertheless, Mr. President, we know that there are in the militia certain inherent characteristics which raise difficulties and doubts. We know that the militia is in part a State body and only in part a national body; we know that it is subjected to a duality of control, and we know that some of the greatest lawyers in the country have questioned whether or not Congress has the constitutional power to Federalize the State militia. That declaration was made by the former Secretary of War, Mr. Garrison, who ranks as one of the leading lawyers of the United States, and he made that statement after most careful consideration. We have heard upon the floor here leading lawyers of the country point out the difficulties and the inherent weaknesses of Federalizing the State militia, and yet the committee has attempted it; it has presented a bill for the purpose, and I believe, although there are some elements of experimentation in the bill, that it ought to be passed; that we ought to Federalize or attempt to Federalize the State militia.

But, Mr. President, there are characteristics in the State militia that can not be lost sight of. There are many able-bodied men in the United States who will never enlist in the State militia. Go through all the industrial regions of the United States, where the labor unions are strong, and you will never get those men to enlist in the State militia. Because of the fear that the State militia can be used in strikes, because of the realization that it must be used in strikes, those men will never enlist in the State militia.

There are other reasons why men of certain classes will not enlist in the State militia. They will not do so because the regulations and the acts of Congress and the State regulations require weekly meetings of the State militia, and many men are not willing or able to give the time to drill each week. So I say that the State militia, while it affords an admirable reserve in some particulars behind the standing army, is defective in others, and we need this other Federal reserve, the volunteer army, made up of men who will not perhaps be tempted to go into the State militia, but who will be willing to enlist and drill for a month each year.

Mr. President, reference has been made to the fact that I filed minority views at the time the Military Committee made this report. I did so. I believe that the proposed increase in the standing army is excessive. I think there were some other members of the committee who agreed with me, and I believe there are Senators on the floor who agreed with me. When the time comes I shall make an effort to reduce the size of the standing army which is proposed in this bill. I think, also, the General Staff is too large and the increase in officers excessive. But, Mr. President, while I am opposed to a large standing army, while I believe we should have an army no larger than is proposed in the House bill, I am in favor of the largest possible reserve, composed of men who can remain in civil life, subject to the call of their country in case of need. You can not get that reserve too large to suit me. It is economical and it is effective, and its organization will place this country in a position of confidence which it can not feel when dependent alone for safety on the Regular Army.

Mr. HARDWICK. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Georgia?

Mr. HITCHCOCK. I yield to the Senator from Georgia.

Mr. HARDWICK. I want to ask the Senator from Nebraska this question: If those are the opinions the Senator holds in regard to this matter, why not support a proposition—which is not carried in this bill—to create the reserves in the schools from boys 18 years old and over?

Mr. HITCHCOCK. Well, Mr. President, this bill goes further in that direction than we have ever gone before. This bill provides over 300 officers for the purpose of affording young men in the schools, colleges, and universities of the country military training. Those same young men, as they are graduated from the schools and go to their homes, will naturally enter the volunteer army or the State militia. They will be the ones, in my opinion, who will enlist in the volunteer army and take the annual drill and discipline, or go into the militia and take its brief weekly drill. At least, many of them will do this; but in any event they will be available in case of need.

This bill has seized upon every possible means to provide a reserve. It proposes to develop it in the schools under the training of military officers; it proposes to develop it in the National Guard by developing the National Guard and making the appropriation for the National Guard seven times as large as it has ever been in the past. It also proposes to provide a reserve by establishing, or attempting to establish, this Federal reserve, which we call the Volunteer Army.

So, Mr. President, I desire to repeat that while I do not believe in militarism, while I am strongly opposed to a large standing army, I am in favor of making the civilian reserves behind the army as large as possible; and I sincerely hope the Senate will not repudiate the careful work of the committee by rejecting section 56.

Mr. McCUMBER. Mr. President, I understand that the pending motion before the Senate is to strike out section 56. That being the case, I wish, first, to ask a parliamentary question; and that is, whether at this time I can move a substitute for section 56?

The VICE PRESIDENT. There is not any doubt about that.

Mr. McCUMBER. Then, Mr. President, I offer the substitute for section 56 which I send to the desk, and which I ask the Secretary to read.

The VICE PRESIDENT. The Secretary will read, as requested.

The SECRETARY. In lieu of section 56 as amended, it is proposed to insert the following:

SEC. 56. That the Secretary of War be, and he is hereby, authorized and directed to prepare such abandoned or unoccupied military posts of the country and other places as may, in his judgment, be best fitted for use as military training camps during the months of July and August of each year, where the male high school, academy, and college students of the United States may be given military training and instruction in the same general manner as is now provided for the training of the cadets at the Military Academy at West Point during the summer months; that any male student of any high school, academy, or college in the United States shall be allowed to enter such camp by complying with such rules and regulations as the Secretary of War may promulgate, including regular company drills at stated intervals during the school year, such rules and regulations being framed to include physical, mental, and moral qualifications; and that the Secretary of War is authorized to provide transportation to and from such camps, uniforms, tents, and equipment, and all necessary facilities for the care and training in such camps of such high-school students in military tactics; and he shall detail for duty in such camps such officers of the Regular Army, including medical officers, as may be needed to provide suitable superintendence, instruction, and control of such camps; and that the Secretary of War may employ such physicians and surgeons, not connected with the military forces of the United States, as, in his judgment, may be necessary to preserve and protect the health of such students while in camp.

The said Secretary of War shall prepare all needful rules and regulations for enlistment of such high school, academy, and college students for traming and for carrying out the provisions of this act: *Provided*, That all enlistments shall be voluntary and no boy under the age of 21 years shall be received without the consent of his parents or guardian.

Mr. McCUMBER. Mr. President, this provision is along the line just suggested by the Senator from Nebraska [Mr. HITCHCOCK]. Under our present system of high schools, colleges, academies, and universities we could have military training and organization in every one of them; and if there was the slightest incentive, the least encouragement given, the number of students who would join military organizations would be much greater than it is to-day. My idea has been that we could organize, beginning in our high schools and our academies and colleges, young men who would have weekly training under the instruction of competent officers, and during the vacation of their school year they would have an opportunity to have training at different convenient points in the State that would fit them for such military service as would be required for a private soldier.

Mr. NORRIS. Mr. President, I should like to ask the Senator three or four questions in regard to his amendment.

Mr. McCUMBER. I yield for a question, Mr. President.

Mr. NORRIS. From the reading of the amendment, I judge that it applies to high-school students and to university students. Is there any provision in it that provides for the payment of the expenses of the university students to the places of encampment?

Mr. McCUMBER. Yes; there is a provision that the expenses of all the classes of students mentioned shall be paid.

Mr. NORRIS. As I caught the reading, I thought the payment of expenses applied only to high-school students.

Mr. McCUMBER. No; it is not so intended.

Mr. NORRIS. Now, I should like to ask the Senator another question. I ask, is there any power given to the Secretary of War to provide any rendezvous except at abandoned military reservations?

Mr. McCUMBER. Yes; the amendment includes "and other places," convenient places in the State.

Mr. President, I am in harmony with the views of the senior Senator from Georgia [Mr. SMITH] with reference to educational facilities being afforded to the soldiers in the Regular Army, and, as I can not discuss this amendment without discussing to a certain extent the whole question and some side issues which have been raised in connection with it, especially with reference to the attitude of the Central States, I will make my discussion rather broad, though not long.

Mr. OVERMAN. Mr. President, before the Senator begins, will he allow me to ask him one question? The amendment reads:

That the Secretary of War be, and he is hereby, authorized and directed to prepare such abandoned or unoccupied military posts of the country——

Mr. McCUMBER. Yes; but before submitting the amendment I added the words "and other places."

Mr. OVERMAN. Oh.

Mr. McCUMBER. The words "other places" are included in the amendment which I offered and which has just been read. They were omitted in the original print.

Mr. OVERMAN. I was going to observe that in the South we have no abandoned or unoccupied military posts; so that the provision could hardly apply to that section of the country.

Mr. McCUMBER. I am aware of that, and the amendment has been changed to meet that exigency.

Mr. President, the science of war has progressed to such a degree that all matters of detail in army organization must be left to experts—to those whose life study and special training authorize them to speak with authority on such matters. Acknowledging my deficiency in such expert knowledge, I have refrained from expressing my views on that particular branch of the subject. But the general policy of adding materially to our standing and auxiliary army, and the sources from which the auxiliary force is to be drawn, is for Congress, and not for army experts. This calls for the exercise of legislative judgment and discretion.

Mr. President, it has been intimated, not only on this floor, but also in the eastern press of the country, that the central sections of these United States, being less liable to suffer from invasion in case of war, look with complacency on what is called our defenseless condition, and with a degree of displeasure on any increase in our Military Establishment. Mr. President, this is not true in any respect. We are one country, with one undivided interest. If there is any difference between us it is in the state of mind with which we view the subject—whether calmly or excitedly. The fear of an imminent danger naturally first affects those of the immediate vicinity of the real or supposed danger—in this case the coast sections. Their excitement surpasses that of the interior; they are more liable to exaggerate the danger, more vociferous in their demands for protection, and to that extent less liable to exercise a conservative judgment.

We all remember at the outset of the Spanish-American War the panic that seemed to seize the people of New York and other Atlantic coast cities. If the press were any indication of their mental condition, these cities were in the throes of a wild panic of fear lest Cervera's fleet should suddenly appear and destroy them. Reason was thrown to the winds, and the Government was fiercely assailed because it did not congregate all its warships at New York Harbor. And all this time Cervera's fleet was seeking every available means to get away from our well-known vastly superior naval armament. It may be that our people would have become equally excited and unreasonable if placed in the same situation. As it was, the scare tremor did affect some of them, but not many.

Now, that is our present situation. The only charge you can make against us is that we are not sufficiently scared, not sufficiently panicky, and our judgment will be deliberative.

I shall try to express what I believe to be the sentiment of the people of the interior, who give the subject serious consideration. First, let it be distinctly understood that we believe in full and ample preparedness for any eventuality; second, we are willing that this preparedness shall go beyond

what we regard as adequate. If we err, we prefer to err on the side of safety.

I shall support the Senate bill. I believe the vast majority of the people of the country would rather be long on expense than long on apprehension. They want to feel absolutely safe, and are willing to pay the cost of such tranquillity. While the bill reported is not such an increase as extremists demand, neither does it provide for such a great increase as many pacifists would have the country believe.

Our present standing army numbers 103,660. The proposed bill increases that army to 194,586. Both include Quartermaster Corps and Hospital Corps, and so forth. The actual fighting force under this bill would be about 174,500. All told, that means 1 soldier for about every 500 of population.

I certainly am as much opposed to militarism as anyone, but this proportion of military to civil population is so meager that it can not arouse the fear of militarism in any reasonable mind. With such a vast preponderance of the civil population, military sentiment and influence will be readily absorbed in the great civil activities of the country.

Mr. President, I believe the world has outlived one feature of militarism that has been responsible for most of its faults and nearly all the criticisms directed against it; that is, the nonproducing standing army, that unit of society whose sole function is destruction in war and consumption in peace. There ought to be no such army in the world. Military exigencies require no such army. In my opinion, every male citizen ought to be physically and mentally capable of serving his country in time of war in some capacity.

But all the citizen needs in order to fit him for military service in the ranks is sufficient training to acquaint him with the manual of arms in the particular service to which he is assigned, marksmanship, camp fare, and camp life. He does not need years of training to meet this requirement. The portion of time expended in daily routine to meet this demand would be but little, if any, more than any student ought to take in daily exercise. The remainder of the time, outside of some routine work, ought to be given to such instruction as should fit this soldier of the standing army for his civil duties, such as should make him a self-supporting citizen whose energy should be a practical asset in time of war and add to the enrichment of his country and the happiness of his community during the longer years of peace. Whether the enlistment be for two years or three years—and in my opinion it should be no longer than necessary to fit him for military service—in consideration for the benefit bestowed upon him in giving him a civil education in connection with his military training, he should then be subject to the first call of his country in case of war so long as he is within the age limit.

Mr. President, as the real, the highest, duty of mankind is to prolong and embellish life rather than to shorten and mutilate it, so men's thoughts, efforts, and occupations should primarily be along the divers pathways of civil life, and they should devote only such portion of their energies to war instruction and training as should be necessary to preserve their civil rights, and all should share alike in both military and civil duties. There should be no private soldiers enlisted except those who are of the student age, and as rapidly as both civil and military education is completed they should be sent back into civil life with the knowledge that their few years of military service have been well expended and they are better prepared to fulfill their civil duties. That is the way that our Regular Army, 200,000 strong, in round numbers, should be recruited and kept up. With such a system of recruiting our Regular Army and changing its units we need never have any fear of the military idea, the war sentiment of the country, submerging the peace sentiment and leading us into an unnecessary conflict. The danger of militarism lies in a war organ whose units do not change and are not reabsorbed into the avenues of civil life. I agree entirely with the senior Senator from Georgia [Mr. SMITH] that in our standing army civil instruction should go hand in hand with military training. This much for the Regular Army.

How then should we provide for the Volunteer Army, that vast auxiliary upon which we must draw in case we should be engaged in a great war? We should do just what I have provided in an amendment which I have offered to this bill, and the principle of which is contained in sections 42 to 50, inclusive. The principle of my amendment is injected into the bill in that it provides, in the sections mentioned, for training camps and training of students in educational institutions, without mentioning the character of such institutions. The method of carrying these provisions into effect is left with the President.

Mr. President, I have gone further than that in my amendment, and have indicated how all of this vast student army, without any loss of the energy that should be directed to their studies, could be made a great army, constituting from 750,000 to 1,000,000, capable of performing military duties whenever the exigencies of their country demanded their services.

I believe that the bill should have gone further and provided for several camps in each State, where high-school and college students, with their organizations, could be gathered together by the Government and their expenses paid and given from two to two and a half months' camp life and training each year. Rules and regulations could be adopted which should provide for the continuation of such training at intervals, say weekly, during the school year. And this is what I hope will be the final result and outcome of these provisions of the bill.

We should, up to a proper number, to be apportioned among the several States according to their high schools, academies, and colleges, give military instruction for two or two and a half months at one or more convenient training camps in every State to such portion of high-school cadets or college students as would care to take advantage of it each year during the vacation period of such schools or colleges. This would, of course, not be compulsory. It would not need to be. I feel that 90 per cent of the parents would be gratified to have their sons secure the benefits of this kind of a vacation. The training would be of incalculable benefit to the students. One of the insidious dangers of our present-day environments, when invention has made it possible to relieve our children from labor during their school lives, is the danger of idleness during the vacation. The tireless energy of youth demands employment. More bad company and bad habits flow from this source than we are wont to consider. Such training camps would teach the boy obedience, attention to duty, regularity, and good habits. It would not only fit him for military duty, should his country ever demand his services, but it would give to the country a clean, moral, healthy, and useful citizenship, and this with no cost to the parent and with but slight cost to the Government.

But it has been asked, Why limit this to schools? Why not take anyone who might desire to take the summer drill? My first answer is that the student drill should cover at least three years; that the student of a high school, academy, or college will, in all probability, remain as a component part of his school or college in one vicinity. Second, that there is scarcely such a school in the country that does not have its military organization, its company, and its drills. These students would go in as companies, with their own organizations, inspired with the class spirit to excel in their drill work. And, third, under the system which I have suggested, an enlistment in the Regular Army would be open to those whose education had not advanced to a high-school plane, to secure vocational education at the same time they are serving their country.

Like those who had passed through the service of enlistment in the Regular Army, I would have the boys of this auxiliary army during the enlistment age subject to call in the country's need. This would give us a civil army of between 750,000 and 1,000,000 men, trained and ready at a moment's call to join the colors, but whose thoughts and inclinations would be along the lines of peaceful pursuits.

By this method of training our young citizens to meet the emergencies of war we should never violate the historical policy and sentiment of this country in the creation of a mighty military organ whose only function would be war. By thus utilizing the otherwise waste time of these students we should have in a few years an army of sufficiently trained men to meet the demands of war at a minimum of expenditure and with practically no interference with the business pursuits and no diminution of the business ambitions of our people.

Mr. President, while a certain degree of military training on the part of the private soldier is absolutely necessary, the vast changes in methods of warfare during the past few years have rendered of little practical value much of the old-style drill and manual of arms. The present war in Europe is a chemistry war. It is fought with pick and shovel, in digging trenches, burrowing under the enemies' trenches, exploding mines. It is fought with chemical fire jets, curtains of fire, asphyxiating gases, blinding gases, and long-range and powerful guns. The training I have suggested would meet the requirements of the private soldier.

On the other hand, Mr. President, if the private soldier does not require as much training as under the older systems of warfare, the officers of the Army require far greater training and military learning than ever before. All the successes scored

in this great European war on either side can be expressed in two phrases—efficient officers, long-range guns. All the failures recorded in this war can be expressed in two phrases—inefficient officers, short-range guns. This is the grand lesson of this war. To provide the greatest possible efficiency in officers and guns is the goal toward which the main efforts of this country should now be directed.

Mr. President, in a previous discussion of this preparedness question I sought to show how ill-founded was the growing fear of the danger of invasion of this country in case of war. I tried to show by what I considered conclusive evidence the remote possibility of any country attempting to invade the United States. I sought to allay unfounded fears and to direct public thought to two most important facts that seemed to have been overlooked: First, that none of this preparedness created by this legislation could be utilized if circumstances should make it necessary that we enter into conflict with any belligerent during the present European war, because it would require about five years to produce this additional war power, and this European war can not last more than two years more at the longest. Second, that if we have a war it will be a war which we will make on the other power, and such power would act on the defensive only. We would have to cross the ocean to find our enemy. At some length I sought to point out the grave difficulties and obstacles which any country across the ocean, and especially a maritime nation, would encounter in a war with us. I sought to show their far greater vulnerability and our vast advantages, and how foolhardy it would be for any nation to attempt an invasion. I had not at that time read the testimony of Gen. Miles given before the Committee on Military Affairs. Gen. Miles is one of those American citizens who won his position through his own force and competency. Those of the American people who know him have, and may well have, faith and confidence in his views on Army and Navy questions. Speaking on the question of fortifications and danger of invasion, Gen. Miles testified:

Senator FLETCHER. Speaking about fortifications, as I remember the views of some experts who testified, they held that the concrete walls and emplacements are rather a back number; that the way to place a gun now is to place it behind a sand embankment.

Gen. MILES. Ours are both, about 16 feet of solid concrete and about 30 feet of embankment in front of that. You can examine any of these fortifications and you will find that is the condition they are in. Certainly the most powerful ships of the British Navy and the French Navy have not been able to make any impression on the fortifications of the Dardanelles, although they have lost 125,000 men and expended a billion six hundred million of treasure.

Senator FLETCHER. What do you think of the plans for moving heavy guns on railroads and by motor transportation?

Gen. MILES. I do not know that we need to consider that at present. The fortifications have been selected with great care by the best engineers in the country, and constructed by the best engineers, and are in good condition for the defense of the harbors. If we were contending against a country that was fortified with permanent fortifications, then it might be necessary to construct those heavy 16-inch mortars, that have to be transported by rail and put on a concrete base, to be used to batter down fortifications. But an enemy that would undertake to invade the United States would not bring that kind of fortifications along with them, so that it has not been thought necessary to construct that kind of guns. The guns that will be placed near the Panama Canal will be very heavy, high-power guns, as good as any in the world.

Senator FLETCHER. General, perhaps you would not want to express any opinion about it; but, frankly, it seemed to me rather far-fetched and absurd that it was a feasible thing for an army to be transported across the ocean and landed on Rockaway Beach or Block Island in such a way that it could take that portion of the country and then come on down and string a 400-mile line from Chesapeake Bay to Lake Ontario. That is one of the important dangers, apparently, in the minds of some people. I would like to get your views about that, if you care to express them.

Gen. MILES. I dislike to give my views on that, as I consider it is an unreasonable and impossible proposition. That is assuming, I presume, that some enemy had transportation enough to embark 400,000 men, with 80,000 horses, with all the ammunition transportation and munitions of war required, and supplies enough to feed the men and the animals for at least 90 days, because it would be easy to burn anything within their reach, then supposing our own Navy at the bottom of the sea, it might be possible to reach our shore. The placing of an army on American soil is the last thing any European Government would attempt; it could never be reembarked. It would dissolve like the snow beneath the midday sun. Whenever it has been attempted it has resulted in disaster. Many of the French soldiers deserted in Mexico and are now citizens of the great Republic.

Senator FLETCHER. It would be impossible for those ships to carry coal enough to bring them over here and take them back, would it not?

Gen. MILES. If they could not be destroyed by the patriotism and the valor of the American people before they could send their ships back and get another load, then I would want to live in some other country.

Senator FLETCHER. That is rather my view of that situation.

Gen. MILES. But as a safeguard, as I suggested a little while ago, I think you could very wisely make a liberal appropriation for the new engines of war—that is, the aeroplanes and the submarines. If you can imagine a great fleet of transports moving slowly across the Atlantic or across the Pacific, you would not want a better target for a fleet of submarines, which could go out among them.

The testimony of Admiral Grant and many others agrees with that of Gen. Miles. Gen. Weaver declares our coast defenses equal to the best in the world. All they need is more men to man the guns and in some instances newer and more powerful guns. President Wilson himself declares that no sensible man for a moment will believe that any foreign nation will attempt to invade us, and yet that continues to be the stock argument of the alarmists.

I am aware that this invasion scare is a potent element in overcoming the natural hostility of the country to a large standing army, and it has been developed for that purpose. This proposed legislation, Mr. President, should have rested on its true foundation. No one in this Senate anticipates that this Army is for defense of the realm. No one who has a judgment and will use it is afraid of an invasion, and by that I mean an invasion of continental United States. However, we shall need these soldiers if we ever get into a war. To-day we own the Philippine Islands. In a war with any great power we should need every one of these 200,000 men to defend those islands. How we would get them over there with no merchant marine is a question yet to be solved. We would need them if the Hawaiian Islands should be attacked. We would need them to guard Porto Rico and the Canal Zone and entrances. And, Mr. President, if we are to be sponsor for the good behavior of every Latin-American country in the Western Hemisphere, and also to guard these countries of everlasting revolutionary tendencies, assume responsibility for their misdeeds, and cover them under the protecting wing of the Monroe doctrine, we shall need this standing army of approximately 200,000 men.

We know where our vulnerable points are in case of a war, and we are providing for an army to meet the situation. With the additional coast defenses which are included in our preparedness program, long-range and powerful guns, harbor mines, submarines, scout ships, and aeros, we are invasion proof. But if we war with any other great naval country we have outlying possessions which must be guarded, and there is where we shall need these soldiers.

Mr. President, the bill reported by the Committee on Military Affairs will give us a Regular Army sufficient to cope with any condition that can arise within continental United States, and a Volunteer Army many times greater than we could possibly transport to any foreign country with all the transports we can possibly have or could purchase in event of a land war carried on far from our shores.

Mr. President, this amendment, which I introduced originally in the form of a bill, has had consideration by others than by myself. Shortly after it was introduced I received from the Secretary of the Interior a letter—which I am certain he would have no objection to having read—in which he spoke favorably of this proposition, and inclosed me a formula which is called the Wyoming system. I ask that the Secretary may read the letter and that I may insert this formula at the end of my address.

The VICE PRESIDENT. Without objection, it is so ordered.

The Secretary read as follows:

THE SECRETARY OF THE INTERIOR,
Washington, January 25, 1916.

MY DEAR SENATOR: The Commissioner of Education has called my attention to Senate bill 3062 and has talked over with me the general principle of providing opportunity for military drill for boys in our high schools. The commissioner is of the opinion that the opportunity which this bill seeks to provide would prove attractive to many thousands of boys in the public and private high schools of the United States; that the military instruction and drill which could be given in the two vacation months would have considerable value, especially to those boys who went into camp for a second and third summer; and that the general educational results of the outdoor life and the discipline of the camp would be good. In this opinion of the commissioner I concur.

In this connection I desire to draw your attention to the accompanying plan for training high-school students which has been drafted by Lieut. E. Z. Steever, of the United States Army, which is presented in rough outline. He calls this the Wyoming plan, because it has been put into effect in the high schools of Wyoming. He is at present engaged in introducing it in the high schools in the city of Washington. He tells me that, while the system is voluntary, from 90 to 98 per cent of the students adopt it. Its foundation is to give physical and military training as a game rather than as a forced task by making the game attractive, and to work the boys in gangs, thereby calling upon the gang spirit, each gang or group being competitive with the other and disciplining itself. I have no doubt but that the States would in large part adopt some such plan if it were presented to them and that teachers could be found in each of the high schools who could make it effective.

Cordially, yours, FRANKLIN K. LANE.

Hon. P. J. MCCUMBER,
United States Senate.

Mr. McCUMBER. Mr. President, having prepared for a more than adequate Army to defend our outlying possessions and our Monroe doctrine and to defend ourselves against invasion were that a possibility, we must give our attention to our naval power. And here again, because of so much erroneous litera-

ture on the subject, we are compelled to remove certain errors so that the public will freely comprehend the purpose of our naval preparedness.

Warships are primarily for offensive war—not for defensive war. The only sense in which they can be said to partake of defensive character is that they are supposed to go out on the sea in search of the enemy's navy and destroy it, and thereby prevent it from destroying our commerce.

In case of a war with any country having foreign ocean commerce our warships would not be hovering about our coasts. Their first purpose would be to destroy the enemy's commerce, and if the enemy had a navy too powerful for us to hazard battle with, we should try to avoid the encounter with them and seek out and destroy their unprotected merchant vessels. As no maritime nation can convoy any considerable portion of its merchant fleet, we could create havoc among its merchant vessels. If the enemy's sea power was less than ours, we would do as we did in the Spanish War, first destroy their navy and render their commerce subject to our mercy.

Our coast guns, our submarines, aeroplanes, and mines will take care of our coasts. So, outside of the submarines and aeros, the purpose of our Navy is, first, to protect our commerce on the sea and destroy the commerce of the enemy; second, to convoy ships to defend our outlying possessions. And, Mr. President, to do that we should have a Navy at least the equal of that of any country we are liable to have a war with, unless that enemy has such vulnerable points of attack as would more than offset any advantage it may have in naval strength. I have shown in a previous address on the subject of general preparedness the disadvantages of Great Britain in a war with us, due to the fact that her very life depends on of her principal possession, subjecting it to our easy invasion. Though she had a navy of four times our naval power she keeping open channels of trade all over the world that her people may be clothed and fed, while we can produce everything we need in peace and war, though we were cut off entirely from the outer world. I have pointed out the proximity could not strike us a vital blow. No person who has studied the situation has ever claimed that we needed a Navy as large as that of Great Britain in order to prevent a war with her or to meet her advantageously in case such war was a possibility. Our other advantages and her other weaknesses more than offset her superiority in naval equipment.

But neither Germany, France, nor Japan has great possessions on this continent subject to our seizure, and neither is so dependent as Great Britain on ocean commerce to feed and clothe its people. We should, in my judgment, in order to be absolutely safe, have a Navy equal to any of them. While my belief is that our far greater population and far vaster resources, our capabilities of recovery, even though at the outset of a war we might be weaker in some particulars, would of themselves deter any nation from warring with us except in self-defense, nevertheless I believe the people of this country wish this Congress to provide for a Navy able to cope with any of these three powers. And, Mr. President, that has been our policy right along. But the increase in naval power of these countries of late has been more rapid than ours, and the increase here provided enables us to overtake them and, in my judgment, surpass them, gives us a commanding position, and places us on an absolutely safe basis.

Mr. President, the committee of neither House has as yet perfected a proposed naval bill. We can, therefore, only premise what kind of a bill will be presented. In all probability it will not materially differ from the administration's naval program as recommended by the Secretary of the Navy. In order to more clearly show what this proposal is, I have prepared a table showing our present naval power and what it would be at the expiration of five years if the Secretary's program should be carried out. In the preparation of this table allowance has been made for those war vessels which must be eliminated because of age or inefficiency.

	Present number.	Number built or building in 1921.
Battleships, first line	17	27
Battle cruisers		6
Battleships, second line	25	25
Armored cruisers	10	10
Scout cruisers		13
Cruisers, first class	5	5
Cruisers, second class	4	3
Cruisers, third class	15	10
Destroyers	74	108
Fleet submarines	76	18
Coast submarines		157
Monitors	9	6
Gunboats	20	20
Supply ships	5	4
Fuel ships	25	15
Transports	6	4
Tenders to torpedo vessels	9	3
Special types	8	8
Ammunition ships		2

I also ask to have printed here the table prepared by the Secretary of the Navy, showing the numbers of ships of each kind to be constructed each year and their annual cost for each year from 1917 to 1921, inclusive.

	1917	1918	1919	1920	1921
Dreadnaughts	(2) $15,560,000	(2) $26,580,000	(2) $37,600,000	(2) $37,600,000	(2) $37,600,000
Battle cruisers	(2) 11,158,000	11,921,000	(1) 17,500,000	(2) 17,118,500	(1) 23,460,500
Scout cruisers	(3) 6,900,000	(1) 6,350,000	(2) 10,000,000	(2) 8,650,000	(2) 10,000,000
Destroyers	(15) 10,500,000	(10) 16,900,000	(5) 10,000,000	(10) 10,300,000	(10) 13,600,000
Fleet submarines	(5) 4,425,000	(4) 5,577,500	(2) 5,437,500	(2) 4,215,000	(2) 3,400,000
Coast submarines	(25) 5,750,000	(15) 13,950,000	(15) 9,750,000	(15) 9,750,000	(15) 9,750,000
Gunboats	(2) 760,000	(1) 1,140,000	380,000		(1) 380,000
Hospital ships	(1) 1,250,000	1,200,000			
Ammunition ships				(1) 799,587	(1) 1,766,000
Fuel-oil ships	700,000	(1) 655,250		(1) 700,000	655,250
Repair ship					(1) 1,175,000
Total	57,003,000	84,273,750	90,767,500	89,133,087	101,786,750
For completion of ships previously authorized	28,369,127	20,149,000			
Total	85,372,127	104,422,750			
Aviation	2,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Reserve of munitions	8,000,000	5,000,000	5,000,000	5,000,000	2,000,000
Grand total	95,372,127	110,422,750	96,767,500	95,133,087	104,786,750

Grand total for 5 years, $502,482,214.

This grand total of $502,482,214 is for construction only. The maintenance and cost of operation will add enormously to this sum.

Notwithstanding the testimony of some of our naval experts that the dreadnaught must still remain the commanding power of the sea, I am glad to note that the Secretary advises the continuation of our old policy of two dreadnaughts yearly. The testimony of one of our experts is to the effect that Great Britain has been able to maintain the supremacy on the sea because of her dreadnaughts. How on earth this claim can be made surpasses my comprehension. There has not been a single dreadnaught engaged in a naval battle. The only engagement of large vessels of the dreadnaught or predreadnaught type was at the Dardanelles, and vessels of that type to the number of six, I believe, with their entombed victims of this colossal blunder, are at the bottom of the sea.

The only battle craft that have won renown in this war are the fleet cruisers, carrying long-range guns, and the submarines, whose toll of death and destruction is appalling. In one respect, and only in one respect, can you say that the British dreadnaught has assisted in holding this sea supremacy. Their number has possibly made it too dangerous for the German dreadnaughts to come out of their protected harbors to engage them.

But, Mr. President, because of the mines and submarines neither of these dreadnaught fleets dares come out. Within the limits of the mine-strewn, submarine-infested war zone, these dreadnaughts are practically bottled up. While I would not entirely discontinue them, I would not greatly increase them at the expense of a sufficient number of swift cruisers. The dreadnaught has not proved a success. The cruiser has demonstrated its value. We should give special attention to perfecting and increasing the efficiency of the under-sea craft—not that I do

not hate them as I do a rattlesnake, but every day demonstrates their awful destructiveness to the enemy's commerce and war vessels. So long as "war is hell"—and hell is adopted as the means of settling international differences or of satisfying national greed—these diabolical instrumentalities will be used. I may, however, harbor a hope, Mr. President, that the very hideousness of these many new instrumentalities of death will be a potent influence in bringing nations to a proper sense of their responsibility to humanity.

And right here, Mr. President, I shall have the temerity to suggest to our naval experts another thing to which I think they have not given sufficient attention; and here again we must draw our lesson from this war. I can not but believe that if the same attention had been given to means of defense against an enemy's war craft that is given to offense against it, we would not behold a great nation almost helpless against mine, submarine, and areo. Against the submarine the genius of invention seems almost hopelessly paralyzed and only weakly responsive to the other dangers. Here is a field for American genius and originality. Why it is that no simple device which could be attacked to a vessel to find a mine and explode it before the vessel proper has reached it, has not been invented? This is a question to which we have had no satisfactory answer. But the most important of all, and one which demands most speedy solution, is some proper method of coping with this undersea destroyer, either by such contrivance as shall shield the vessel from its torpedo or one that shall make the life of the undersea craft more hazardous than that of its present helpless victims.

If this is not done, Mr. President, the commerce of no nation in the world can long survive these rapidly increasing serpents of the sea, whose unseen stroke is death, and against which no vigilance can guard. The number of vessels already destroyed by submarines is greater than the number of merchant vessels in the marine of most of the maritime nations of the world.

While the bomb-dropping aeros have so far proven of no great value, because of inaccuracy of aim at heights of safety to themselves, there is a field of wonderful possibilities for these new war machines. With telescopic apparatus and instruments which will measure and make accurate allowance for reflection of different strata of atmosphere, with divers densities, I have no doubt that in a short time these machines will be so perfected that they will be able to drop bombs with accurate aim from distances beyond the range of any gun that could be developed.

There should be a bureau in the War Department whose sole purpose should be to originate and develop new devices of both defensive and offensive utility; and this should be open to the competitive efforts of all our people.

Mr. President, the false philosophy that preparedness for war is the best assurance of peace is responsible for most of the wars of the world. It is a philosophy which is never wholly true and is nearly always absolutely untrue. If each of two great nations were equal in military and naval strength, equal in wealth and resources to carry on a war, the fact of such equal preparedness and capacity might cause each to pause before proclaiming a war against the other that must result in the annihilation of one or both. But as those conditions of equality can never obtain in the world, as no two nations are ever just equal in preparedness or resources, such ever-increasing preparation is not only a menace to every weaker nation on the globe, but is also an assurance of a final outbreak between the greater and better-prepared nations. The present European war is due to the preparedness of nations for war, not their unpreparedness. What is really meant by this philosophy is that a country whose position in the world is such as to invite the attack of another prepared nation coveting its territory or desiring to supplant it in the commercial world, the preparedness of the former might operate to prevent the latter from attempting to carry into effect its hostile designs. Within this rather narrow limitation, preparedness for war is an assurance of peace. On the other hand, it might just as logically be stated that unpreparedness for war is an absolute assurance of peace; for if neither nation is prepared, then surely there could be no serious war; and in this enlightened age of the world, before either could get ready for modern warfare, before they could change unpreparedness into preparedness, in nine hundred and ninety-nine cases out of a thousand, the incident which would cause war would be amicably settled. The human mind working normally recognizes justice, and given time for anger and resentment to subside, an offending nation or people will make amends for every international wrong.

But here, Mr. President, we are confronted by a condition, not a theory. Other great nations are armed. One of them at least believes we have slighted it in our immigration laws; others may be jealous of our prominence and dominating influence on this side of the ocean. These known facts, considered in connection with our outlying possessions, some of them on the far side of the Pacific, our necessity to protect such possessions, including the Panama Canal, our assertion of the Monroe doctrine may well, it seems to me, require the construction and maintenance of the program proposed by the administration. While I do not believe there is a single nation in the world that would be likely to declare war upon us, though we should follow a less rapid program of development for our Navy, with the present trend of world conditions, I am not so certain that this country, in order to maintain what it believes to be its rights, might not be the one to declare the war. And no matter by whom the war was declared, the war measures would be both offensive and defensive in character, and would require the same naval power to protect our possessions as though the other nation made the declaration.

Mr. President, I am one of those optimists who believe that there will come a time when great wars will cease, and this notwithstanding the fact that one of the most horrible wars of all the ages is now drenching the world with blood. It may be that the world needed such an experience, such an impressive object lesson as this to make it realize its duty to provide against war rather than to provide for war.

We have no more reason, Mr. President, for asserting to-day that war will continue to devastate the earth than there was reason to assert 5,000 years ago that the right of the individual to settle his own disputes with his neighbor in his own way, to rob him if he saw fit, to murder him if he resisted, would continue forever.

The same process of evolution, carrying with it the same sense of public justice, which caused the organization of communities, then tribes, and then nations, to compel the individual who could wield the biggest club to lay down that ancient weapon of warfare and submit his dispute to the judgment of his fellow beings—the same evolution that evolved from this meager beginning the great courts of to-day, which settle every human grievance and punish every crime, is an unending immortal force ever working toward nobler ideals and higher standards of rights and duties. And, Mr. President, this process of evolution will not be completed until the same sense of justice which culminated in the protection of the weaker individual against the stronger shall be enlarged and broadened until finally it shall bring every nation of the world within its scope and settle every international difference.

The people of the world to-day, even those engaged in the conflict, are asking questions which will not down, which will not be settled until the answer satisfies the world conscience. They are asking why nations, which are but collections of individuals, should not abide by the same code of morals in their international relations that they by law enforce upon their citizens in their individual relations. Why should any nation be exempt from that moral code which governs its people? Why should not each and every nation submit itself to the rule that it rob no other nation of its liberty or its territory; that it murder not its people; that it deprive it not of its natural rights; that it take no advantage of its weakness; and why should not all the great nations of the world unite to check international wrong and compel international right, just as the people unite to check individual wrong and enforce individual right?

The present obstacle to an international agreement is the everlasting fear on the part of every great nation that it might in some slight degree surrender its sovereignty. Every individual, in order to secure protection, is compelled to surrender a moiety of his sovereignty; but in that security he is able to achieve a thousandfold more than would be possible without the surrender and the corresponding security. What is true of the individual is equally true of the nation.

Let us pause for a moment to consider what could be done for humanity, what blessings could be purchased with the more than a hundred billion of expense and damage that this war has cost to the present time; let us stop to contemplate what even the expenditure for war in time of peace means to the world. The most beautiful structure ever conceived by the mind, or wrought by the hands of man, one of those which have filled the world with pride and wonder as the achievements of the human intellect, costs less than one battleship. A mighty structure that will continue for a thousand years, a glory to the world, would cost less than one hour's expense of this brutal conflict which is to-day bringing the blush of shame to the cheek of every thinking man and woman in the world.

Think of the energy, now a slave of the god of war, which could be released and brought into service for the happiness

and comfort of humanity if the nations of the world would unite to form an international compact, signed by every great nation of the world, prescribing the rights, duties, and obligations of nations, endowing a court for the settlement of every international question and the enforcement of the decrees of the court by the combined power of all the nations against the offending one.

Mr. President, we have reached a stage where nations, great and small alike, should unite to compel international arbitration. And this bloody conflict, covering more than three-fourths of the world, reddening every stream with slaughter and filling the earth with misery and want and death, brings this truth home to us with ever-increasing force.

For the benefits which we and the remainder of the world might secure we could well afford to surrender that little moiety of our sovereignty which would be required to bring us into the family of law-abiding, law-enforcing, right-living nations of the world.

Mr. President, as this Nation was the first which gave to the world the fullest realization of human liberty, that first united and gave under a great written constitution the idea of liberty governed by law, that first demonstrated the success of popular government, that first made itself the haven for all the oppressed peoples of the world, it may well be its crowning glory and achievement to inaugurate and bring all countries of the earth into one family, ruled by one great code of international law, such as the enlightened justice and judgment of the world shall approve—a code that shall pledge the physical power of the whole to uphold its standard of ethics and enforce its provisions against any whose ambitions may override the rules enacted for the common good.

If one one-hundredth part of the energies of the nations of the world which are directed toward the destruction of each other could be utilized in providing means for the protection of each other, war would be no more.

APPENDIX.

There are instances where "militarism" accompanies "preparedness." There are also instances where "militarism" does not accompany "preparedness." Switzerland is surrounded by warring nations, yet Switzerland, nonmilitaristic, is "prepared," and at "peace." The Swiss train all boys of high-school age, and with that idea we should find no fault, at lease those of us who believe in "a nation with arms," not "a nation in arms."

It may surprise you to know that in the schools of a Western State there has been developed in the past four or five years, quite apart from any idea of "militarism," a State-wide "citizenship training," that embraces some of the elements of "preparedness."

CITIZENSHIP TRAINING IN THE PUBLIC SCHOOLS.

THE WYOMING PLAN.

Good citizenship is the fundamental principle underlying the Wyoming State-wide high-school cadet system.

The Wyoming school authorities hold:

1. That good citizenship involves a willingness on the part of each able-bodied youth to make such effort and sacrifice as will prepare him for the obligations and duties of citizenship.

2. That this preparation embraces the following:

(a) National defense preparation.
(b) Moral preparation.
(c) Civic preparation.
(d) Educational preparation.

(a) National defense preparation.

It is unsound to assume that any system of training its adolescent youth will remove from the Nation the responsibility of training its manhood.

Trained youth can not take the place of trained manhood.

A thorough preliminary national defense training of its adolescent youth has been recognized in primitive as well as modern civilizations as the first step in the greater training of the tribe or nation.

With the civilized as with the primitive youth, the "game" is the medium of all successful training. "Competition" is to youth what "security" is to old age.

According to the Wyoming plan, all cadets are organized into competition units.

Leaders take "turnabouts" choosing the members of their units, so that each unit (squad, platoon, or company) is made up of an equal number of strong, medium, and weak lads.

After final choosing up, these units are fixed and can not be added to nor substracted from.

All the work is done by competition units.

There are: Wall-scaling units, troop-leadership units, scholarship units, field-firing units, camp-and-field units.

Sponsors are elected from the girls in the mixed schools and assigned to the competition units. The sponsors are in every sense members of the cadet organization. They attend all drills, are the leaders in all social functions, and while they do not actually drill, the young ladies are entitled to and receive such individual rewards as may be won by their units.

Medals, ribbons, and distinctive marks on the uniform are given each member of a winning unit, the sponsor, of course, included. The sponsor idea obtains in some schools only. It is rather an addition and is not a fundamental part of the plan.

Each cadet organization is based on the voluntary-enlistment plan. Form for joining the cadet class is inclosed herewith. The cadet classes are held generally during, and not after, school hours, and credit toward graduation is awarded therefor.

Cadet tournaments are held during the school year between the different high schools, to which the public is invited, and at which are held the wall-scaling, field-firing, and camp and field troop leadership competition "games."

From the Wyoming experience is deduced the following theoretical system of training, adapted to the adolescent American youth. Local conditions will necessarily modify the application of this so-called theoretical system of training, but the general principles on which it is based will obtain in any part of the United States:

1. Cut the school year into separate, short, intensive training periods, working up through preliminary to final competition dates, with the fixed competition units.

2. September 1 to December 31, wall-scaling calisthenic events; minimum of drill, maximum of body building.

3. January 1 to February 28, troop leadership competitions, 12-inch Gettysburg map.

4. January 1 to February 28, minimum of drill, maximum of gallery practice, group competitions.

5. March 1 to May 15, minimum of drill, maximum of range practice and field-firing competitions.

6. May 16 to June 15, minimum of drill, maximum of camp and field problems, competitive between high schools.

7. All through school year, commencing in the spring and running through the following fall and winter, take boys into camp each week end and harden them to the rigors of camp life. Teach them sanitation, cooking, woodcraft, plains craft, simple field engineering, castrametation, sketching, scouting, patrolling, the service of security and information, and qualify them as guides in their own immediate surrounding territory.

8. Summer camp, immediately after closing of school, 14 days.

The modified Washington High School cadet season, January to June, 1916, follows: (Please note that this does not represent a normal-school year, but shows a transition from an old antiquated, close-order drill system to the new Wyoming system.)

RIFLE PRACTICE.

January and February: Drill period—close-order drill, 20 minutes; gallery practice, 70 minutes.

March 1 to April 15: Outdoor shooting period, target ranges, Congress Heights and Winthrop.

April 17 to 24: Field-firing competition between platoons of each company to determine marksmanship platoons. Decorations awarded to winning marksmanship platoons.

April 27 to May 1: Interhigh-school competitions between marksmanship platoons to determine winners of semifinal decorations.

May 6: Competition between four semifinalist platoons, competitive field firing for championship of the District of Columbia.

TROOP LEADERSHIP COMPETITIONS (12-INCH GETTYSBURG MAP).

Friday and Saturday evenings, from January 7 to 29, inclusive, lectures on patrolling and battalion combat exercises.

February 4 to 12: Preliminary troop leadership game competitions between Eastern, Western, Central, McKinley, and Business High Schools. Winners to receive first preliminary ribbon.

February 18 to 19: Semifinal competition. Winners awarded semifinal ribbons.

February 25: Final troop leadership competition. Winners to be awarded District of Columbia championship.

Review on White Lot about May 25.

Competitive drill about June 15, preceded by try-outs in different high schools the week immediately preceding competition.

WEEK-END CAMPS.

Officers and faculty advisors, April 7 to 15.
Selected cadets, April 21 to 29.
All cadets, May 12 to June 3.

SUMMER CAMP.

June 23 to July 6, inclusive.

DISCUSSION OF COURSE IN MILITARY PREPARATION.

The organization that puts into effect the "game" idea differs fundamentally from the modern American athletic system. The cadet leaders choose up each in turn, so that each fixed competition unit represents a certain proportion of strong, of medium, and of weak lads.

In football and basket ball and track only the few physically fit take part. In this system each squad represents an average. Every boy takes part. There is as much "in it" for the weak as for the strong, and the survival of the fittest units—whether they be squads, platoons, or companies—insures the competition spirit.

(b) Moral preparation.

A nation stands or falls, succeeds or fails, just in proportion to the high-mindedness, cleanliness, and manliness of each succeeding generation of men. There can be no question but that the single standard of morality is the only one worthy of a great people, and history shows countless examples of nations that have fallen when they departed therefrom.

In the Wyoming system the fundamental factor is the competition between equally balanced units. The individuals are forced by public opinion amongst their fellows to go into training, and this training means clean thinking and nonsmoking. It is shown conclusively in the various competitions that those clean morally are the surest kind of winners. Smoking and immoral practices must go. Under the fiercest kind of competition the adolescent youth is better enabled to negotiate that difficult period of life.

It is only necessary to point to the Casper, Wyo., third squad, all of them boys, no one of whom had ever smoked, and a squad that successively lowered the world's wall-scaling record from 10 seconds to 8 seconds, 7⅞ seconds, to 6⅞ seconds, to 6⅜ seconds. This squad was not a picked squad—just an average squad.

The single standard of morality is taught frankly and fearlessly and efficiently to each and every individual in the Wyoming cadet organization.

(c) Civic preparation.

It is almost a fundamental principle of a military organization that the leader should not be voted for. The Wyoming system is not intended to make soldiers. The Wyoming schoolmasters are of the opinion that soldiers can only be made from mature manhood, and that the preparation of the adolescent youth should be such that when he reaches manhood he may then be made into the highest type of citizen. Hence the objection to voting for leaders, perfectly valid in a military organization, does not obtain in the cadet organization.

The cadet leaders are chosen at the beginning of each year by vote of the older cadets. The leaders are selected on merit, very much as

the captain of the football team is selected for his merit. It has been noticeable that on the first organization boy politics elect a certain percentage of popular and inefficient leaders, whose very inefficiency is a terrible punishment to the members of their own units. The stress of competition soon brings out the real leaders. The cadets never repeat their mistake. After the first election they insure a very wise and careful selection of leaders.

This civic lesson can not be wholly lost to them in years to come, when they are called upon, as citizens, to elect leaders of their city, county, State, and National Governments.

(d) Educational preparation.

This subject is a matter wholly within the province of school boards and schoolmasters, and embraces the entire school curriculum, which obviously can not be discussed here.

However, the cadet organizations have their competition scholarship squads made up of equal numbers of good, medium, and poor scholars. These compete for group scholarship honors.

Mr. BRANDEGEE. Mr. President, the Senator from North Dakota [Mr. MCCUMBER] alluded, in the early part of his speech, to the value of an expert's opinions on this highly technical question of the military art. As is well known, one of the most celebrated American military experts was Maj. Gen. Emory Upton. I have here a short pamphlet entitled "Epitome of Upton's Military Policy of the United States," which was an unpublished manuscript by Gen. Upton, found after his death and rescued by ex-Secretary Root. It has been printed by the War Department for the War College, I believe. I think it is a very important document, and I ask unanimous consent that it may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

EPITOME OF UPTON'S MILITARY POLICY OF THE UNITED STATES.

PREFACE.

"Bvt. Maj. Gen. Emory Upton, United States Army, who graduated from West Point in 1860, and who became while almost a boy one of the most distinguished officers of the Civil War, rising to the command of a division of cavalry, left upon his death, in 1881, an unpublished manuscript bearing upon our military history and military policy. In 1904 the Secretary of War, Hon. Elihu Root, rescued this work from oblivion and directed its publication at the Government Printing Office, Washington, under the title "The Military Policy of the United States," for the reason that—

"The work exhibits the results of such thorough and discriminating research, such a valuable marshaling of the facts of our military history, and such sound and ably reasoned conclusions drawn from those facts as to the defects and needs of our military system, that it clearly ought to be made available for the study of our officers and for the information of all who may be charged with shaping our military policy in the future.

"A preface was written by Secretary Root, who, after showing that many of the mistaken practices pointed out by Gen. Upton in 1880 had been abandoned by 1904, went on to say:

"One other field of great importance remains to be covered by legislation; that is, the establishment of an adequate system for raising, training, and officering the volunteer forces of the future. It is of first importance that the distinction between volunteers and militia shall be observed, and that, while the selection of officers of militia shall continue, as it must under the Constitution, to rest with the States, following such mode of selection as they prefer, the officers of the volunteer forces of the United States shall hold their commissions from the President, who is to command them during the war for which they are called out, and shall look to their Commander in Chief for the promotion which should reward their good conduct, as well as for such discipline as they may merit; and that an adequate system shall be provided for the selection of such officers and the direct recruitment of the enlisted volunteer force under the authority of the National Government. In this work will be found collected the facts, which it is sometimes unpleasant to consider, but which ought not to be ignored, supporting this view.

"In order to bring to the attention of our citizens the facts of our military history as bearing upon the present problem of national preparedness for defense, the following extracts from Gen. Upton's work are republished.

"H. L. SCOTT,
"*Secretary of War ad interim.*

"FEBRUARY 18, 1916."

THE MILITARY POLICY OF THE UNITED STATES.

INTRODUCTION.

"Shortly after the disastrous battle of Camden Washington wrote to the President of Congress 'What we need is a good army, not a large one.' Unfortunately for the country, the object sought by this assertion, so thoroughly in harmony with our cherished institutions, has only been partially attained in time of peace.

"Our military policy, or, as many would affirm, our want of it, has now been tested during more than a century. It has been tried in foreign, domestic, and Indian wars, and while military men, from painful experience, are united as to its defects and dangers, our final success in each conflict has so blinded the popular mind as to induce the belief that as a nation we are invincible.

"History records our triumph in the Revolution, in the War of 1812, in the Florida War, in the Mexican War, and in the great rebellion, and as nearly all of these wars were largely begun by militia and volunteers, the conviction has been produced that with us a Regular Army is not a necessity.

"In relating the events of these wars the historian has generally limited himself to describing the battles that have been fought, without seeking to investigate the delays and disasters by which they have been prolonged till, in nearly every instance, the national resources have been exhausted.

"All of our wars have been prolonged for want of judicious and economical preparation.

"To such volunteers as enlisted for the period of the Mexican War, and particularly for two and three years during the War of the Rebellion, with whom it is my pride to have served and to whom I owe all of my advancement in the service, I but express the opinion of all military men in testifying that their excellence was due not to the fact that they were volunteers, but to the more important fact that their long term of service enabled them to become in the highest sense regulars in drill, discipline, and courage.

"Up to the Mexican War there was little that was glorious in our military history.

"In the Revolution the Continentals or Regulars often displayed a valor deserving of victory, but which was snatched away by the misconduct of undisciplined troops.

"In the War of 1812 the discipline and victories of the Navy alone saved the country from dishonor. On the land the historian of the Army was glad to slur over needless disasters, to dwell on the heroism in the open field displayed by the Regulars at Chippewa and Lundys Lane. The Mexican War was a succession of victories. The Volunteers as well as the Regulars were disciplined troops.

"The Rebellion began with the defeat at Bull Run, but a multitude of subsequent battles again proved that the valor of disciplined American troops, be they Regulars or Volunteers, can not be excelled by the best armies of Europe.

"In order that this work may not be misjudged, we will first indicate to the reader the chief causes of weakness of our present system, and next will outline the system which ought to replace it.

"The causes of the weakness are as follows:

"First. The employment of militia and undisciplined troops commanded by generals and officers utterly ignorant of the military art.

"Second. Short enlistments, from three months to three years, instead of for or during the war.

"Third. Reliance upon voluntary enlistments instead of voluntary enlistments coupled with conscription.

"Fourth. The intrusion of the States in military affairs and the consequent waging of all our wars on the theory that we are a confederacy instead of a nation.

"Fifth. Confusing Volunteers with militia and surrendering to the States the right to commission officers of Volunteers the same as officers of militia.

"Sixth. The bounty—a national consequence of voluntary enlistments.

"Seventh. The failure to appreciate military education and to distribute trained officers as battalion, regimental, and higher commanders in our volunteer armies.

"Eighth. The want of territorial recruitment and regimental depots.

"Ninth. The want of postgraduate schools to educate our officers in strategy and the higher principles of the art of war.

"Tenth. The assumption of command by the Secretary of War.

"The main features of the proposed system are as follows:

"In time of peace and war the military forces of the country to consist of—

"The Regular Army;

"The National Volunteers; and

"The Militia.

"The Regular Army in time of peace to be organized on the expansive principle and in proportion to the population, not to exceed 1,000 in 1,000,000.

"The National Volunteers to be officered and supported by the Government, to be organized on the expansive principle, and to consist in time of peace of 1 battalion of 200 men to each congressional district.

"The militia to be supported exclusively by the States, and as a last resort to be used only as intended by the Constitution, namely, to execute the laws, suppress insurrections, and repel invasions.

"Military resources are one thing and military strength another. For military resistance the strength of a government is the power it can wield on the field of battle. In the War of 1812 the strength of the Government at the Battle of Bladensburg was measured by 6,000 militia, at Bull Run it was measured by 35,000 of the same kind of troops. In one case the Capital fell into the hands of the enemy, while in the other our existence as a nation possibly depended upon the irresolution and supineness of a band of insurgents. At Gettysburg the wave of rebellion was resisted by 80,000 veteran troops; had we trusted to the same number of militia the Capital would have been captured and the Government hopelessly destroyed. Unable to suppress in two years an insurrection which culminated in a great rebellion, the representatives of the people were forced to adopt conscription and to concentrate in the hands of the President all the war powers granted by the Constitution, whereupon weakness gave place to strength, but at the expense of a needless sacrifice of life and property.

"If in time of rebellion our own Government grew more despotic as it grew stronger, it is not to be inferred that there is any necessary connection between despotism and military strength.

"Twenty thousand Regular troops at Bull Run would have routed the insurgents, settled the question of military resistance, and relieved us from the pain and suspense of four years of war.

"E. U.

"FORT MONROE, VA., 1880.

THE REVOLUTIONARY WAR.

BATTLE OF BUNKER HILL.

"As early as the year 1774 several of the colonies began to make preparations for an armed conflict with Great Britain. In Massachusetts, although the royal governor had countermanded the summons convening the colonial assembly, the members came together and resolved themselves into a provincial congress, with John Hancock as president.

"The Massachusetts troops were organized by giving a captain's commission to anyone who could enroll a company of 59 men, and the commission of a colonel to anyone who could get together 10 such companies.

"This system, under which ability to raise men is made the sole qualification for command, deserves particular attention, since it has come down to our own times and has been employed, without exception, at the beginning of all our wars.

"Immediately after the engagement of Lexington, militia and minute men from all the New England colonies—individually, by company, and by regiment—began to assemble near Boston, and these half-organized troops, which only by courtesy recognized a common commander, fought, on the 17th of June, the Battle of Bunker Hill.

"In the three assaults upon the redoubt and breastworks held by the Americans the British lost 1,054 men, including 85 officers, an aggregate in killed and wounded almost one-half greater than that sustained in any subsequent battle of the war; the casualties on the American side, 490 in all, mostly took place while the troops were retreating across Charlestown Neck, after the capture of the works.

"The lesson to be learned from this remarkable conflict is the value of trained officers in command of raw troops, a lesson which neither our statesmen nor our historians have ever been able to appreciate.

"In the battle, conspicuous above all for bravery, were Prescott, Putnam, Stark, Knowlton, and many other officers who had received a military training in the French and Indian Wars.

"The troops in the redoubt and behind the rail breastworks were rendered calm and determined by the coolness, judgment, and resolution of their commanders.

"Without pausing to discover the secret of the defense of Bunker Hill, the mistaken conviction seized the public mind that the militia were invincible and that patrotism was the sole qualification for a soldier's calling—a fallacy which paralyzed the military legislation of the Revolution and constantly jeopardized our liberties by inducing the political leaders of the time to rely too confidently upon raw and undisciplined levies.

CONTINENTAL ARMY MILITIA.

"Soon after the troops began to arrive in the neighborhood of Boston it became evident that the contest would extend beyond New England, and that to prevent the dissolution of the force already gathered together it must be adopted as a Continental Army.

"Recognizing the importance of having a body of men to reenforce the Regular Army in times of emergency, Congress recommended 'to the inhabitants of the United English Colonies that all able-bodied, effective men, between 16 and 50 years of age, be formed into companies of militia. That the officers of each company be chosen by the respective companies.'

"The militia could only be called out with the consent of the State legislatures. They were specially intended for home defense and to make head against forays of the enemy in the absence of the Regular or Continental Army.

"The slow increase of the Continental Army shows that Congress was committed to a dual Military Establishment, one class of troops being Continental or Regular, the other militia. In the former the gradual extension of enlistments to two and three years enabled the men to acquire the discipline which ultimately proved the salvation of our cause. The natural disposition of men to seek the easiest and shortest service prompted them to enlist in the militia in preference to the Continental regiments, and thus the only force which could be depended upon to cope with the British, both offensively and defensively, was always from one-third to one-half below its prescribed strength.

JEALOUSY OF A STANDING ARMY.

"During the Revolution the intense feeling of opposition to a standing army almost wrought the ruin of our cause. Since then this feeling has been diligently kept up and has formulated itself into the maxim that 'A standing army is dangerous to liberty.' Without considering the distinction between the hirelings of a despot and an army of citizens created by the representatives of a free people, it has been and still is the policy of our Government to maintain an inexpensive Military Establishment and upon the smallest possible basis. To such an extent has this been carried that our Regular Army has not been able to meet even the ordinary exigencies of times of peace.

"The annals of the Revolution show conclusively that for the lack of a well-disciplined Regular Army, enlisted for the war, we were continually forced to call out double and treble the number of raw troops. So far as the Army is concerned, it is believed that a careful study of the history of this period will convince the candid inquirer that our liberties can be imperiled only by a policy which eschews well-grounded principles of military organization and compels us in time of danger to call forth vast bodies of men, when smaller numbers should suffice.

"Washington writes:

"The jealousy of a standing army and the evils to be apprehended from one are remote and, in my judgment, situated and circumstanced as we are, not at all to be dreaded; but the consequence of wanting one, according to my ideas formed from the present view of things, is certain and inevitable ruin. For if I was called upon to declare upon oath whether the militia had been most serviceable or hurtful, upon the whole I should subscribe to the latter.

BOUNTY.

"The bounty system was a child of the Revolution, called into being when the colonies denied Congress the power of compelling enlistments. It grew steadily during the long struggle for independence, only to reach its full maturity in our late Civil War.

"Any system of voluntary enlistments necessarily places a Government in the position of a suppliant, and when patriotism and popular enthusiasm no longer suffice to fill the ranks resort must be had to the vicious practice of giving bounties to recruits. Even at that early day the letters of Washington refer to the bad effects of this practice.

"While Congress was thus bidding for men the States began to bid in opposition, both for recruits for the Continental Army and for the militia. October 30 Congress asked Maryland to reconsider its resolution giving a $10 colonial bounty in lieu of 100 acres of land, assigning as a reason that other soldiers would demand the same bounty and require Congress to grant it.

"While the patriotism of a people, taken collectively, is quite equal to keeping up a prolonged struggle for liberty, cost what it may, we find that the patriotism of the individual utterly fails to induce him to undergo, voluntarily, the hardships and dangers of war.

"As the war went on the increasing difficulty of procuring recruits necessitated the payment of larger bounties. In addition to the bounty of clothing, of land, and of money already voted, Congress, on the 23d of January, 1779, authorized Washington to grant a bounty not exceeding $200 to each able-bodied veteran or new recruit who would reenlist or enlist for the war.

STRENGTH OF THE ARMY, 1777.

"At the very beginning of the year our lack of military wisdom had reduced Washington's regular soldiers to less than a thousand, while the enemy had more than 20,000 veterans in and about New York. It is needless to point out how much the fortunes of our cause at that junction were furthered by the inaction of the English commander.

"The number of men raised for the Continental Army was less than one-half of the quota, while the total number of troops fell short of the number furnished in 1776 by 20,931.

"This decline in military strength must be attributed to the system of enlistments rather than to any want of determination to carry on the war.

WASHINGTON'S CRITICISM OF THE MILITIA.

"Further confirmed in his convictions by the defeat of Gen. Gates, Washington wrote to the President of Congress on the 15th of September, 1780:

"I am happy to find that the last disaster in Carolina has not been so great as its first features indicated. This event, however, adds itself to many others to exemplify the necessity of an army and the fatal consequencies of depending on militia. Regular troops alone are equal to the exigencies of modern war, as well for defense as offense, and whenever a substitute is attempted it must prove illusory and ruinous. No militia will ever acquire the habits necessary to resist a regular force. Even those nearest to the seat of war are only valuable as light troops to be scattered in the woods and harass rather than do serious injury to the enemy. The firmness requisite for the real business of fighting is only to be attained by a constant course of discipline and service. I have never yet been witness to a single instance that can justify a different opinion, and it is most earnestly to be wished that the liberties of America may no longer be trusted, in any material degree, to so precarious a dependence. I can not but remark that it gives me pain to find the measures pursuing at the southward still turn upon accumulating large bodies of militia, instead of once for all making a decided effort to have a permanent force. In my ideas of the true system of war at the southward, the object ought to be to have a good army rather than a large one.

STRENGTH OF THE ARMY.

"The number of soldiers furnished by the several States to the Continental Army during the war was as follows:

Massachusetts	67,907
Connecticut	31,939
Virginia	26,678
Pennsylvania	25,678
New York	17,781
Maryland	13,912
New Hampshire	12,497
New Jersey	10,726
North Carolina	7,263
South Carolina	6,417
Rhode Island	5,908
Georgia	2,679
Delaware	2,386
Total	231,771

"The number of militia furnished by the several States during the war, according to the returns and conjectural estimates of the Secretary of War, was 164,087.

"Total Continentals and militia furnished during the war, 395,858.

"If we examine these figures, it will appear that in 1776, when the aggregate number of our troops reached 89,600, the British had but 20,121, and that from that time our number steadily dwindled down to 29,340 in 1781, while the British strength constantly increased till it reached 42,075.

"Looking back at the whole Revolutionary struggle, notwithstanding our employment from first to last of almost 400,000 men, we find that but two military events had a direct bearing upon the expulsion of the British. One of these was the capture of Burgoyne; the other that of Cornwallis—an event which was only made possible by the cooperation of a French army and a French fleet.

PENSIONS.

"The statistics of the Revolution, already quoted, show that our extravagance called out from first to last more than 395,000 men, all of whom, under our pension system, had a claim upon the gratitude of the Nation. The greatest number of troops that Congress was able to raise during any one year of the war (1776) was 89,600 men, of whom 42,700 were militia.

"The largest force, Continental and militia, that Washington could lead to battle at any one time was less than 17,000, while at the Battles of Trenton and Princeton, during the time of our greatest peril, his effective strength was less than 4,000.

"If we now turn from the reports of the small armies in the field to the report of the Commissioner of Pensions, it will be found that a feeble military policy gave us an army of pensioners numbering 95,753, of whom 39,287 were widows.

"Unlike the dissolving armies in the field, the pension rolls for 1875 show that 92 years after the close of the war the army of the Revolutionary pensioners was still represented by 379 widows. The last Revolutionary soldier expired in 1869, 86 years after the close of the struggle.

"The total amount paid to Revolutionary pensioners up to June 30, 1876, for periods of service of six months and over was $46,177,845.44.

"To widows of soldiers who served six months the total amount paid to June 30, 1876, was $19,668,795.70.

"If to these figures be added $15,000,000, the approximate amount paid to invalids disabled in the Revolution, the total of pensions, in round numbers, amounts to $80,000,000.

EXPENSE OF THE WAR.

"Exclusive of bounties paid by individuals, towns, and counties, and of provisions seized by impressment for the use of the Army, the debt of Congress and of the States at the close of the war amounted to $170,000,000. If to this sum be added the two hundred millions of currency, for the redemption of which the faith of the Continental Congress and the Confederation was twice solemnly pledged, the debt actually incurred by the war amounted to $370,000,000.

"Small as this sum may appear when compared with the Rebellion war debt of three thousand millions, investigation will show that the indebtedness of the Revolution was greater in proportion to population.

"Assuming three millions as the total number of our people at the beginning of the Revolution, the whole cost of this war to each man, woman, and child was $123, while, upon the basis of a population of 31,000,000 in 1861, the total cost per capita of the War of the Rebellion was but $96.

"Both of these wars were waged upon the same extravagant system, and so long as we blindly adhere to it similar pecuniary sacrifices are sure to follow in the train of every great military contest of the future.

LESSONS FROM THE REVOLUTION.

"The lessons to be drawn from the Revolution are:

"That in proportion as the General Government gives the States authority to arm and equip troops it lessens the military strength of the whole people and correspondingly increases the national expenditures.

"That when a nation attempts to combat disciplined troops with raw levies it must maintain an army of at least twice the size of that of the enemy, and even then have no guaranty of success.

"That neither voluntary enlistments based on patriotism nor the bounty can be relied upon to supply men for the army during a prolonged war.

"That the draft, connected or not connected with voluntary enlistments and bounties, is the only sure reliance of a Government in time of war.

"That short enlistments are destructive to discipline, constantly expose an army to disaster, and inevitably prolong war, with all its attendant dangers and expenses.

"That short enlistments at the beginning of a war tend to disgust men with the service and force the Government to resort either to bounties or the draft.

"That regular troops, engaged for the war, are the only safe reliance of a Government, and are in every point of view the best and most economical.

"That when a nation at war relies upon a system of regulars and volunteers, or regulars and militia, the men, in the absence of compulsion or very strong inducements, will invariably enlist in the organizations most lax in discipline.

"That troops become reliable only in proportion as they are disciplined; that discipline is the fruit of long training and can not be attained without the existence of a good corps of officers.

"That the insufficiency of numbers to counterbalance a lack of discipline should convince us that our true policy, both in peace and war, as Washington puts it, 'ought to be to have a good army rather than a large one.'

—

BETWEEN THE REVOLUTION AND THE WAR OF 1812.

MILITIA ACT, 1792.

"The constant Indian troubles and the possibility of a conflict with foreign powers brought about a widespread conviction that the national defense could not be neglected. The statesmen then turned to the militia and tried to satisfy public opinion by establishing a uniform militia throughout the United States.

"The first section of the act laid down the truly democratic doctrine that every able-bodied male citizen owed military service to his country and likewise provided for a system of enrollment and territorial recruiting. These two features of the law were so praiseworthy and of such vital importance that all its other defects may be overlooked. Again and again the Continental Army was on the verge of dissolution because both of these principles were ignored, and to their subsequent neglect we shall be able to trace most of the weakness and waste which still characterize our wars.

"Aside, however, from the military defects of the system, it is only when we examine it from the standpoint of the taxpayer that its fundamental errors became fully apparent. For 1 National Army were substituted 13 or more State armies. In place of having a small but efficient force of regulars, supported by indirect taxation, the citizens of each State were called upon to pay over their hard-earned dollars to maintain undisciplined bodies of militia, totally ignorant of the first principles of the military art. Even had all the States, with patriotic regard for the welfare of the whole country, maintained their quotas of militia during the long intervals of peace they would have been

at the expense of a large military force for the benefit of the General Government, and that, too, without compensation, except in time of war. If, on the contrary, as has since happened, certain States should fail to keep up a militia, the burden of their shortcomings would be unjustly borne by the remainder.

"View it in whatever light we may, the conversion of the militia into an army of the first line, as designed by the law, was a wild and impracticable scheme. This class of our citizen soldiers will never take the place wisely reserved for them by the framers of the Constitution until it becomes our settled policy to call them out as a last resort only, in case of actual invasion.

"Although this army, of which Washington was appointed commander in chief, with the rank of lieutenant general, was never called into service, the provisions of the law show that the country proposed to rely upon Regulars and Volunteers, instead of upon Regulars and militia, and that so far as the Regulars were concerned, the mistake of short enlistments was not to be repeated.

PROVISIONAL ARMY, 1798-99.

"Had this force been raised, the Regular Army would have numbered about 40,000 men.

"Thus, in addition to the Regular Army, the military legislation of that period, profiting by our Revolutionary experience, had provided a body of National Volunteers, officered by the President, to take the place of the State militia troops. Had this organization come down to the beginning of the late war, it is more than probable that in one-half the time 300,000 men would have done the work finally accomplished by little less than 3,000,000.

—

THE WAR OF 1812.

CAUSE OF THE FAILURE OF THE CAMPAIGN.

"The failures and disasters of the campaign can be plainly traced to the pernicious military organization established by the act of 1792. It will be remembered that, instead of relying upon a small but well-disciplined Regular Establishment, this law intrusted the safety and honor of the Nation to armies of militia supported by the several States during the long intervals of peace. These armies, though elaborately organized on paper into battalions, brigades, and divisions, were only to receive such drill and instruction as the various States might think proper.

"Though an alarming defect became apparent at the very outset of the war, when the unlooked-for opposition of two State governors deprived the President of the control of a portion of the militia, and was thus able to paralyze for the time being the military power of their respective States and defeat the plans of the General Government, it remained for the fruitless campaigns at the West and the cruel and disheartening experiences at Queenstown to fully reveal the utter worthlessness of the new system.

"Led to a certain extent by those who had gained actual military experience during the Revolution or on the Indian frontier, endowed with perhaps more average intelligence and education than the Regulars; supplied with the same food, clothing, and equipments as they were, the marked inferiority of the militia troops was largely due to the brief period of their service, to the conviction that their time would soon be 'out,' and that others must take their places and bear the burdens and dangers of the contest.

"While their pay was no greater than that of other troops, when we deduct the time lost in coming and going, as well as that consumed in partial and unavailing instruction, their real cost to the country was infinitely greater.

THE CAPTURE OF WASHINGTON.

"No better example can be given of the mismanagement of this war than the measures adopted by the President and his Cabinet for the defense of the Capital in 1814.

"Although a British fleet with about 3,000 troops on board had been hovering along the shores of the Chesapeake for nearly a year, it was not until June that the attention of the administration was first turned to the danger that confronted the Capital. It was then found by the Secretary of War that the Regular troops in the fifth military district, embracing the States of Maryland and Virginia, numbered but 2,208 men. These troops, composed to a large extent of recruits, were dispersed at various points along the Chesapeake from Baltimore to Norfolk, and were therefore incapable of speedy concentration.

"The downfall of Napoleon having made it possible for Great Britain to reenforce her troops in America, July 2 the tenth military district was created, consisting of the State of Maryland, the District of Columbia, and that part of Virginia lying between the Rappahannock and the Potomac.

"The command of the new district was devolved upon Gen. Winder.

"July 12 and 17 Gen. Winder was authorized 'in case of actual or menaced invasion of the district under his command' to call out the entire Maryland quota of 6,000, as also 2,000 from Virginia, 2,000 from the District of Columbia, and 5,000 from Pennsylvania—in all, 15,000 men.

"On the 24th of August the army, described by its commander as 'suddenly assembled, without organization,' or discipline, or officers of the least knowledge of service, numbered 5,401, of whom 400 were Regulars, 600 marines, and 200 sailors, the remainder being Volunteers and militia.

"The same day the army thus hastily assembled was as hastily formed in order of battle at Bladensburg, where, in the presence of the President and the Cabinet, it was attacked and routed, with the loss of but 8 killed and 11 wounded.

"The British force numbered 3,500, of which only a part of the advanced division of 1,500 were engaged.

NUMBER OF TROOPS.

"The number of troops employed at different times from the beginning to the end of the war was:

Regulars (including about 5,000 sailors and marines)	56,632
Volunteers	10,110
Rangers	3,049
Militia	458,463
Total	527,654

"The terms of service of the troops were as follows, for—

12 months or more, including sailors and marines	63,179
6 months or more	66,325
3 months or more	125,643
1 month or more	125,307
Less than 1 month	147,200
Total	527,654

"The officers of this army of more than half a million of men numbered:

Regulars	2,271
Volunteers, rangers, and militia	31,210
Total	33,481

"The number of officers who had received a professional education at the Military Academy up to June, 1814, was 120.

"In default of an efficient Regular Army, the number 458,463 shows to what extent the administration was compelled to rely upon the States in pursuance of the military system of 1792; the number 398,150, which represents the number of men who served for periods less than six months, shows but partially to what extent we adopted, as in the Revolution, the policy of raw troops and short enlistments.

"The failure of Congress at the beginning of the war to declare in favor of territorial recruitment and obligatory service affords another result equally striking. The Army voted in January, 1812, was 35,000 men; the number of inexperienced officers ultimately called out and whose average pay was at least four times that of the private soldier was 33,481.

"Instead of falling upon the 5,000 British regulars who held Canada, at the beginning, and crushing them in a single battle, we allowed them to baffle every attempt at invasion, and to prolong the war till our loss in killed and wounded numbered 5,614.

"In contrast with our reckless extravagance in employing more than a half million of men the largest force of British regulars opposed to us was 16,500.

COST OF THE WAR.

"These figures, $198,000,000, which do not embrace the millions paid for pensions since 1823, may be accepted with slight variation as the immediate cost of the war.

"Had Congress from 1808 to 1811 applied one-fourth of this sum to the maintenance of an army of 15,000 men, so organized as to have been capable of expansion by the aid of voluntary enlistments and obligatory service to double or triple its numbers, there is little reason to doubt that Canada would have been ours, and the war brought to a close on a single campaign.

"In the Revolutionary War, notwithstanding the steady decline of our military strength, two British armies of more than 6,000 men each were made captive; in the War of 1812 less than 5,000 men for the period of two years brought war and devastation into our territory, and successfully withstood the misapplied power of 7,000,000 of people.

—

FLORIDA (INDIAN) WAR.

1836-1841.

"The lessons taught by this war are:

"First. That its expense was tripled, if not quadrupled, by that feature of the law of 1821 which gave the President in

times of emergency no discretion to increase the enlisted men of the Army.

"Second. That, as in every previous war, after successfully employing for short periods of service militia and volunteers, and exhausting their enthusiasm, Congress found it more humane and economical to continue hostilities with Regular troops, enlisted for the period of five years.

"Third. That for want of a well-defined peace organization a Nation of 17,000,000 of people contended for seven years with 1,200 warriors, and finaly closed the struggle without accomplishing the forcible emigration of the Indians, which was the original and sole cause of the war.

—

MEXICAN WAR.

CAMPAIGNS OF GEN. TAYLOR.

"The army of occupation on arriving opposite Matamoras, May, 1846, was composed of 3,554 officers and men, all of the old establishment. The weakness of its numbers in no way daunted its commander. He knew that four-fifths of his officers had received the benefits of professional training at the Military Academy or in the Florida War. Beyond this he was conscious that the discipline and esprit de corps of his troops had been brought to the highest point by six months of training in the camp of instruction at Corpus Christi. With this preparation and with practically no authority to increase his force till an invasion should actually take place, the commander was soon destined to confront a large and well-organized Mexican army.

"In concluding his official report on the battles of Palo Alto and Resaca de la Palma, Gen. Taylor stated:

"Our victory has been decisive. A small force has overcome immense odds of the best troops that Mexico can furnish—veteran regiments perfectly equipped and appointed. Eight pieces of artillery, several colors and standards, a great number of prisoners, including 14 officers, and a large amount of baggage and public property have fallen into our hands. The causes of victory are doubtless to be found in the superior quality of our officers and men.

"The effect of this brilliant initiative was felt to the end of the war. It gave our troops courage to fight against overwhelming numbers, demoralized the enemy, and afforded a striking proof of the truth of the maxim, "That in war, moral force is to physical as three is to one." In all of the subsequent battles our troops were outnumbered two or three to one, yet they marched steadily forward to victory, and for the first time in our history temporarily convinced our statesmen, if not the people, of the value of professional education and military discipline.

BATTLE OF BUENA VISTA.

"In January, 1847, nearly all the Regular troops, as also a large number of Volunteers, were withdrawn from Gen. Taylor at Monterey to take part, under Gen. Scott, in the campaign against the City of Mexico.

"This detachment reduced the force to about 6,000 men. Availing himself of this division of our forces, Gen. Santa Ana advanced to Buena Vista, where, on the 22d and 23d of February, he sought to overwhelm and capture our Army. In this battle, the most desperate of the war, our forces, numbering 4,759 men, of whom but 517 were Regulars, defeated the entire Mexican Army, estimated at 20,000. Our losses were 746 killed, wounded, and missing. The Mexican loss was estimated at 1,500. In his official report Gen. Taylor gave the Regular Artillery, composed of the celebrated batteries of Washington, Sherman, and Bragg, the credit of saving the day. But the Battle of Buena Vista, like all great battles, was fought chiefly by Infantry, and the gallant Volunteers, who, against overwhelming numbers, successfully maintained the honor of our arms, had been undergoing field training for nearly eight months, a period twice as long as the time considered necessary to transform a recruit into a Regular soldier.

CAMPAIGN OF THE CITY OF MEXICO.

"After advancing from Vera Cruz to Puebla, fearing exposure to the yellow fever, and beginning to look forward to their discharge six weeks before the expiration of their term of enlistment, Gen. Scott, on the 4th of May, 1847, parted with 7 of his 11 regiments of Volunteers, numbering in the aggregate 4,000 men. Thus reduced by discharge, by expiration of service, and by disease to 5,820 effective men, our Army, which had advanced to Puebla, within three days' march of the enemy's capital, was compelled for more than two months to remain on the defensive, while the enemy, profiting by the delay, reorganized an army of five times its number.

"Had the small force of Gen. Scott, embracing nine-tenths of the Regular Army, been captured, experience teaches us that with the system of short enlistments and inexperienced officers, 100,000 raw troops could not have retrieved the disaster.

"Reinforced in the aggregate to nearly 14,000 men, of whom 3,000 were sick or in hospital, while other detachments were made to guard the line of communications, Gen. Scott, on the 7th of August, resumed the offensive against an army estimated by the Mexicans themselves at 36,000 men and 100 pieces of cannon.

"The four Volunteer regiments with Gen. Scott had been organized in December of 1846, had had the benefit of eight months' training, had already participated in the siege of Vera Cruz and the Battle of Cerro Gordo, and were worthy of being called reliable troops. Advancing with an army of less than 10,000 effectives, the brilliant victories of Contreras, Cherubusco, El Molino del Rey, and Chapultepec opened the gates of the capital, which Gen. Scott entered on the 14th of September. In the series of battles, beginning on the 20th of August, our largest force engaged was 8,479; our loss in killed and wounded was 2,703, which reduced the Army when it reached the city to less than 6,000 men.

"The aggregate strength of the three regiments of Volunteers which participated in these battles—the fourth being left to garrison Puebla—was, on the morning of the Battle of Contreras, 1,580. The aggregate strength of the Army, Regulars and Volunteers, on the same date was 11,052.

NUMBER OF TROOPS.

"With the salient facts before us, that Gen. Taylor fought the first battles of the war with 2,100 Regulars, when, but for the defect of the law, he might have had, by a simple increase of the rank and file, a force of 8,000; that the 13 regiments of the Regular Army with which Gen. Scott landed at Vera Cruz could have been raised to 15,000 men; that with such an Army he could have entered the City of Mexico on the heels of Cerro Gordo; that at no time before the event his maximum force exceeded 13,500, and that after a brilliant series of battles he finally entered the Mexican capital with less than 6,000 men, let us next consider the number of troops the Government employed:

Regulars	31,024
Volunteers	73,332
Total	104,356

"From these figures it will be perceived that the Regular troops, 31,024, exceeded more than six times the number of Regulars and Volunteers with whom Taylor at Buena Vista defeated the entire Mexican Army; while, omitting the three and six months' men and adding 31,024 to the 60,659 Volunteers for 12 months and the war, the aggregate, 91,683 Regulars and Volunteers, was nine times as great as the effective strength of the Army with which Scott fought the decisive battles around the City of Mexico. The greatest strength of the Mexican Army was never estimated to exceed 36,000 men.

LESSONS OF THE WAR.

"Notwithstanding its unnecessary prolongation, the Mexican War marked a great change, if not a revolution, in our military policy. This result was due to the decay and gradual abandonment of the militia system, which up to that time had been regarded as the "great bulwark of national defense." Bearing in mind that the laws under which military operations were prosecuted were almost identical with the laws of 1812, let us examine the composition of the forces employed in the two wars:

	War of 1812.	War with Mexico.
Regulars	50,000	31,024
Militia	458,163	12,601
Volunteers and Rangers	13,159	60,659
Total	521,622	104,284

"A comparison of these figures shows that while in the War of 1812 the combined force of Regulars and Volunteers of 12 or more months' service was but 12 per cent of the total number of troops employed, the same force in the Mexican War was no less than 88 per cent. The contrast does not stop here. In the first war, relying upon the States instead of appealing directly to the people, as intended by the Constitution, Congress became a witness of disasters like those which occurred in the Revolution; in the second, the national troops, organized and supported by Congress, achieved a series of victories unmarred by a single defeat.

"In one war an army of more than 6,000 raw troops, posted in the defense of our own Capital, fled with a loss of but 19 killed and wounded; in the other a force of less than 5,000

trained Volunteers, supported by a few Regular troops, overthrew a Mexican army of four times its number.

"In one war an enemy numbering less than 5,000 men baffled all of our efforts at invasion; in the other our Army, with less than 6,000 combatants, entered in triumph the enemy's capital.

"But the difference between the results of the two wars is not wholly to be ascribed to the substitution of national volunteers for the militia. In the War of 1812 the Regular Army, which had itself to be created, was unable to furnish a standard of skill and discipline. In the Mexican War, aside from sustaining the principal losses in killed and wounded, it furnished able commanders, and in every field set an example of skill, fortitude, and courage.

"As to the influence of military education in producing such diversity of results, Gen. Scott, who in 1814 was compelled to teach the Regular officers of his brigade the elements of squad drill, left his views to the Senate in the memorable words:

"I give it as my fixed opinion that but for our graduated cadets the war between the United States and Mexico might, and probably would, have last some four or five years, with, in its first half, more defeats than victories falling to our share; whereas in less than two campaigns we conquered a great country and a peace without the loss of a single battle or skirmish.

—

THE WAR OF THE REBELLION.

CONDITIONS AT THE OUTBREAK.

"At the close of the year 1860 we presented to the world the spectacle of a great Nation nearly destitute of military force. Our territory from ocean to ocean exceeded 3,000,000 square miles; our population numbered 31,000,000 people.

"The Regular Army as organized consisted of 18,093 officers and men, but according to the returns it numbered only 16,367.

"The line of the Army was composed of 198 companies, of which 183 were stationed on the frontier or were en route to distant posts west of the Mississippi. The remaining 15 companies were stationed along the Canadian frontier and on the Atlantic coast from Maine to the Gulf of Mexico.

"The militia for a sudden emergency were scarcely more available than the Army. Nominally they numbered more than 3,000,000, but mostly unorganized. So destitute were they of instruction and training that—a few regiments in the large cities excepted—they did not merit the name of a military force.

"Such was the condition of the national defense when, on the 20th of December, 1860, South Carolina in convention passed the ordinance of secession.

"Alarmed at the impending danger, the President, as had been done so often before, turned to the militia. On the 9th of April, 1861, a call was made upon the District of Columbia for 10 companies, but when paraded for muster many, through disloyalty, refused to be sworn, while others imposed the condition that they should not be required to serve beyond the limits of the District.

"In the meantime, so prompt was the response to the Confederate call for 100,000 volunteers that by the middle of April 35,000 men were equipped for the field. Conscious of their strength, they at once seized our arsenals and began the siege of our forts.

"For the want of an expansive Regular Army or a system of national volunteers, the President was again compelled to look to the States, and therefore, on the 15th of April, issued his proclamation calling for 75,000 militia for the period of three months.

"The advantage, so far as related to the forces in the field, was at the time decidedly on the side of the Confederates. The Government had called for 75,000 militia for the period of three months; the Confederates had called for 100,000 volunteers for the period of one year. Both had repeated the blunder of short enlistment.

"Nevertheless, in default of further measures on the part of the President, the Government at the end of three months would see the forces dissolved, while the Confederate Army, constantly improving in discipline, would still be available for nine months of field service.

USE OF THE REGULAR ARMY.

"To anyone familiar with our military history the difficulties of recruiting Regulars in competition with Volunteers would have suggested the reduction of the line of the Army to a cadre and the dispersion of its officers as commanders and instructors among the new troops. Had this course been adopted every regiment of Volunteer Infantry, Cavalry, and Artillery might have had a Regular officer for a leader, and, with these to guide the instruction, three months would have sufficed to give us an Army in fair drill and discipline.

"The Volunteers themselves felt the need of this policy, and when first called to arms eagerly sought trained commanders.

"At the time Congress indicated the desire that trained officers should be employed in positions of the greatest usefulness it had at its disposal more than 600 captains and lieutenants who would have made able and efficient colonels. Yet by giving to governors the authority to appoint officers, without reserving to the President the right to designate at least one field officer in each regiment, Congress not only thwarted its own intentions but needlessly jeopardized the national success.

"While our military legislation relating to the line deprived the Government of all right to appoint trained leaders to the regiments of the Volunteer Army, the great departments of supply, on the contrary, were placed wholly under the supervision and control of Regular officers.

BATTLE OF BULL RUN.

"The acceptance before the 1st of July of more than 200,000 volunteers for the term of three years did not deliver the Government from the temptation of again testing the folly of short enlistments.

"Mistaking numbers for strength and forgetting, too, that the fame of the militia at Bunker Hill and New Orleans was acquired behind formidable entrenchments, Congress and the Cabinet, the press and the people united in demanding that before their discharge the 75,000 three-months' men should be led into battle.

"The disaster that ensued demands that the causes leading to it be carefully considered. First among them was the popular but mistaken belief that because our citizens individually possess courage, fortitude, and self-reliance they must necessarily possess the same qualities when aggregated as soldiers. And next to this error was the fatal delusion that an army animated by patriotism needed neither instruction nor discipline to prepare it for battle.

"The effect of this disastrous battle (Bull Run), which gave the enemy all the advantages of the initiative had he chosen to use it, was to paralyze military operations for more than six months.

MILITARY LEGISLATION IN 1861.

"The military system under which, in two campaigns of seven weeks each, Prussia humiliated Austria in 1866 and subverted the French Empire in 1870 was the joint product of soldiers and statesmen, who began their labors (1806) immediately after the disastrous battle of Jena. The military system under which we subdued the rebellion was established by Congress in less than four weeks.

"In 1792 Congress organized the militia and declared in favor of obligatory military service, on the theory that the militia were the bulwark of the Nation. Subsequently, Indian difficulties and armed conflicts with two foreign nations compelled it to raise and support a Regular Army. Both of these organizations in 1861 it summarily rejected. Instead of expanding the Regular Army and making it the chief instrument in executing the national will, it violated the practice of every civilized nation by calling into existence an army of a million untrained officers and men.

"It should not surprise us that under a system so improvident voluntary enlistments finally proved a failure. The enormous demands for men are easily accounted for. The laws, like those at the beginning of each previous war, encouraged short enlistments by giving the President the power to call out volunteers for any term of service from six months to three years. The number of men furnished was to be equalized among the States according to population. The men having been organized into regiments no provision was made for their recruitment; there were no regimental depots, no assignments of regiments to congressional districts, no requirement that any regiment raised in any State or district should be kept full by voluntary enlistment or draft. There was but one method to prevent depletion, and that the one which, since the siege of Boston, had always proved ineffective—detaching recruiting parties from the field.

"The fourth section of the first law was prolific of causes for protracting the war; it was based on the theory of confederation; the troops were to be State and not National, and, as a consequence, the officers were to be commissioned by the governors and not by the President.

CAMPAIGN OF THE ARMY OF THE POTOMAC, 1862.

"On the 31st of March, 1862, the Government had in service an Army of 637,126 men, nearly all of whom were enlisted for the term of three years.

"The Confederate Army, composed largely of one-year volunteers, whose enlistments were on the eve of expiring, scarcely exceeded 200,000 men.

"The failure to subdue the rebellion in 1861 had already been explained by our total want of military organization and prep-

aration. The failure to subdue it in 1862, with the amazing advantages possessed by the Union, proceeded from a cause entirely different—the mismanagement of our armies.

"Humiliated and made wiser by the defeat at Bull Run, the President, the Cabinet, and the people were at first disposed to give the new commander all the time necessary to organize and discipline his troops; but when several months had passed with no indication of an advance, the Army in the meantime having increased to above 200,000 men, impatience for action returned with accumulated force.

"When Gen. McClellan assumed command he found his Army 'cowering on the banks of the Potomac,' the troops and the people alike demoralized by the defeat and panic at Bull Run. He knew that but two things—men and the time to make them soldiers—were necessary to restore the ascendancy of the Government. The men were given liberally, but time to drill them could not be accorded. When the armies throughout the country, with scarcely a shadow of discipline, had swelled to the aggregate of 600,000, the expense of supporting them was so great that the President was forced to declare if something was not soon done 'the bottom would be out of the whole affair.'

"At the time of the appointment of Gen. McClellan the fate of the Nation seemed to depend upon this single individual. In the organization of his army he stood alone. None of his brigade, division, or corps commanders had ever seen service as such. None of them, as in Europe, had exercised command at maneuvers or had been practiced in handling large bodies of troops. The colonels, from whom the future brigadiers were mostly to come, were nearly all from civil life, with but little knowledge of tactics or standard of discipline by which to gauge the proficiency of their troops. A difficulty of nearly equal magnitude confronted him in the staff. The Adjutant General's Department, for want of interchangeability with the line, could not, as in European services, furnish competent chiefs of staff to himself or to any of his corps and division commanders.

"It was during the month lost by the delay at Yorktown that the Confederate Congress abandoned voluntary enlistments, adopted conscription, and took away from the governors the power to commission Confederate officers; it was during this month, when the Army of the Potomac should have been at the doors of Richmond, that almost every regiment of the Confederate Army was reorganized; it was during this month that Confederate conscripts began to pour into the old regiments instead of being formed into new organizations; it was during this and the two succeeding months, while McDowell was held back, that these conscripts, associated with veteran comrades, acquired courage and discipline; and it was by concentration during the last month that the Confederate Army was made to equal its opponent. The loss of battles was but a trifle compared with the other consequences of this one month's delay. It arrayed against us a military system which enabled the Confederate Government to call out the last man and the last dollar, as against a system based on voluntary enlistment and the consent of the States. It was no longer a question of dealing a dissolving army its deathblow. We had permitted a rival government to reorganize its forces which we now were compelled to destroy by the slow process of attrition."

THE SUGAR INDUSTRY.

Mr. RANSDELL. Mr. President, I rise to a question of personal privilege.

On the 26th ultimo my colleague, Senator BROUSSARD, made an address in this Chamber in which he severely criticized Hon. Robert Ewing, Democratic national committeeman from Louisiana, and myself, because of certain statements about Col. Ewing, alleged to have been made by me in recent political speeches in Louisiana, in behalf of the Democratic candidates for governor and other State offices, and which were characterized by Senator BROUSSARD as untrue. This address was sent in advance of its delivery to some large newspapers in Louisiana, which published it in full under flaring headlines, especially the allegations denying the truth of my statements.

At the close of Senator BROUSSARD's speech I expressed regret that he had brought into the Senate a question of purely local politics, which did not interest or concern Senators, and after declining to enter into a controversy on the subject, I secured permission to print in the RECORD a copy of one of the Louisiana speeches which had given offense, although none was intended. His address and mine appear in the RECORD for the 27th ultimo, pages 4907 to 4920.

Self-respect compelled me to reply to Senator BROUSSARD's attack in order to establish the truth of my remarks, which he had denied, and I did so in an open letter to him, which was published in the Louisiana papers. Ex-Senator Murphy J. Foster, who for 12 years was a member of this body, and Col. Ewing issued statements confirming my allegations, which were also published. Postmaster General Burleson and Secretary of the Navy Daniels, at my request, wrote me confirmatory letters. In order to complete the record in this controversy, which no one regrets as much as myself, I ask that the statements of Senator Foster, Col. Ewing, and myself, also the letters of the Postmaster General and the Secretary of the Navy, be printed in the RECORD in order that the truth of what I said may be established beyond peradventure.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

WASHINGTON, D. C., *April 1, 1916.*

Hon. ROBERT F. BROUSSARD,
United States Senate.

DEAR SIR: In view of the sensational attack made by you upon Col. Robert Ewing and myself on the 21st ultimo in the Senate of the United States, I have determined to address you this open letter as an answer to your diatribe. I select this mode of response because, as stated by me immediately after the delivery of your speech, I do not think the Senate, the highest and most dignified legislative body on earth, the proper forum in which to wash soiled political linen in the discussion of purely personal and local controversies.

Your address greatly magnifies your own importance. I had no idea of antagonizing you when touring your old congressional district in the interest of Democracy. I was asked to go there by the Democratic campaign managers, because they knew it was the hotbed of Republican progressiveism, and it was thought I could have some effect because of my loyalty to sugar, the principal interest of that section. You take yourself too seriously and imagine that when I gave Col. Ewing more credit in the sugar fight than to anyone in Louisiana, including Senator Thornton and myself, I intended an attack on you. My efforts were solely to aid Democracy by making the real truth known to the sugar people, who were being prejudiced because of the alleged shortcomings of Robert Ewing. I disavow absolutely any intention of humiliating or belittling you in any of the speeches made by me during that tour.

The remarks to which you took exception were published in the daily papers of Louisiana, and I doubt if they were known to a single United States Senator except ourselves. The press of the State is the medium through which you should have circulated your reply. Its columns were open to you, and while your discourse was pertinent to Louisianians it did not interest or concern Senators from other States.

For your information, let me say that while you were reading your carefully prepared treatise Members of the Senate expressed to me their regret that your sense of propriety permitted you to transgress so grossly the traditions of that body.

Your remarks purport to be a denial of certain statements made by me in recent campaign speeches in Louisiana in regard to the activities of Mr. Ewing three years ago during the fight to prevent placing sugar on the free list, but in reality, as I shall show later, they are Progressive-Republican utterances which should never have fallen from the lips of a Democratic Senator. As to charges which you bring against Col. Ewing, of which I have no personal knowledge, I shall let him make answer, confident that he will do so completely and to the satisfaction of the Democracy of Louisiana. I shall concern myself merely to prove there was no substantial misstatement of fact made by me to repel the attacks which you made upon me personally, either openly or by innuendo, and then shall expose the motive which prompted you to speak.

A newspaper account of my Lafayette speech quoted me as saying that Robert Ewing had done "more for the sugar industry than all the Louisiana delegation combined." This is not correct, and you knew it. What I said was that "to Robert Ewing, a great deal more than to any other one man, is due the extension for three years of the duty on sugar."

I told you of this misquotation on March 21, six days before your speech in the Senate, and in its delivery you admitted, under my questioning, I had so informed you; but in your address sent to the New Orleans papers you failed to take into account that significant fact.

I desire now to call your attention to other inexcusable misstatements of facts that were available from the record before you when preparing your speech.

You would lead one to believe that you did not know it was ex-Senator Foster and not yourself who accompanied me to the White House for the 15-minute interview, though when questioned by me in the Senate you admitted that I had likewise so informed you. Why, in writing your speech which was published in the press, did you fail to make frank admission of this fact instead of trying to mislead by bringing in the name of Senator Thornton? And why did you attempt to attach any importance to these matters which you admitted under my questioning were relatively unimportant?

Why, with the record before you, did you fail to say that the Underwood tariff bill was introduced in the House on April 7, the second day after Col. Ewing, yourself, and I talked to President Wilson? And that the bill when so introduced by Mr. UNDERWOOD contained the three-year sugar extension clause, practically substantiating the truth of the statement made by me, although it was not reported by the Ways and Means Committee until April 21? Why did you thus quibble?

Another point on which you lay much stress is that you, and not Col. Ewing, remained behind with the President? Col. Ewing's recollection sustains by statement that it was he, and not you, who remained, and I am positive of it.

When I gave Mr. Ewing this high credit, I did so with full knowledge of the splendid fight made by Louisiana Representatives and Senators for the retention of sugar duty. The record of Senator THORNTON and myself in regard to sugar needs no apology. We did all that mortal men could do. In Democratic caucuses and on the Senate floor we fought as desperately as we knew how, and the pages of the CONGRESSIONAL RECORD for the special session of the Sixty-third Congress show how earnestly we appealed to our colleagues not to put sugar on the free list. We voted against the Democratic tariff bill, the greater portion of which we approved, because of the free-sugar provision, thereby straining our relations with the Democratic administration almost to the breaking point, and did so because of our pledges to the people of Louisiana. And, as you know full well, six members of the Louisiana delegation in the House did their utmost

against the enactment of the free-sugar clause, although two of the six voted for the tariff bill on final passage.

My office was the rendezvous of the sugar representatives, and I was a party to every council and cognizant of every fact in the campaign, hence I am as well qualified as yourself to say to whom credit belongs.

You attempt to make it appear that I am subservient to Mr. Ewing in giving him praise for his efforts. This is the first time in my life I have been charged with subserviency to any man, and I spurn it with all the force of my being. I glory, however, in being fair enough to give honor to whom honor is due, regardless of whom the truth may offend.

You attempt to deride and belittle Col. Ewing, and to destroy his standing at the Nation's Capital, at a time when another crisis is confronting the sugar industry, merely to serve your personal feelings, recklessly disregarding the possible consequence of your act. You make it appear that Robert Ewing was false to sugar, and have the temerity to style him as the most "persistent and consistent enemy of the Louisiana sugar industry," well knowing that the highest place in the struggle waged was freely accorded to him then by all who were posted. That your memory may be refreshed on this point, I will quote the resolution adopted by the American Cane Growers' Association under date of March 22, 1913:

"Whereas the leading industry of Louisiana is confronted with the gravest crisis in its history, the last Democratic House having passed a bill placing sugar on the free list, which action promises to exercise marked influence in the pending revision of the tariff; and

"Whereas such a course would not only be a departure from the time-honored policy of the party and a violation of its platform pledges, but would mark the industrial ruin of this State: Therefore be it

"*Resolved*, That the American Cane Growers' Association of Louisiana calls upon Hon. Robert Ewing, national Democratic committeeman, to visit Washington at once and lay before the President and the party leaders the gravity confronting our people.

"The American Cane Growers' Association is mindful of the valuable services already rendered the people of Louisiana in this struggle by Col. Ewing, and of the inconveniences and sacrifices that a second trip to Washington would entail, but considering the seriousness of the situation and the fact that he, of all Louisianians, is especially qualified to make the representations, it feels warranted in calling upon him to make this sacrifice, confident that he will be willing now, as in the past, to sink personal consideration when the interests of so many of his fellow citizens are at stake.

"CHAS. A. FARWELL."

That the praise here bestowed was well merited is amply borne out by the statement of Senator Foster, whose fidelity to the cause of sugar can not be doubted, and also by the letter of Postmaster General Burleson to me, dated the 30th ultimo, which has been given to the press, and in which appear these pertinent words:

"He [Ewing] worked night and day, and I believe without disparaging in the least what may have been done by others, that it can be truthfully said that Bob Ewing did more than any one person toward those things which finally resulted in the retention of the 1 cent per pound duty on sugar, with free sugar after three years."

The purpose of this letter was not to eulogize Ewing but to repudiate the baseless attack you directed against its author, Gen. Burleson, whose friendship for the people and the industries of his neighboring State has never been questioned. Other statements equally as strong from sources as well qualified to speak may easily be secured.

And now a word or two in regard to Federal appointments in Louisiana. The importance you ascribe to Col. Ewing in regard to these offices is grossly exaggerated, and I am sure no such power is claimed by him. But one minor appointment was made individually on his recommendation, and even that could not have been confirmed had it not been agreeable to Senator Thornton and myself. We were glad in several others to have his assistance, though there were a number in which he had no part whatever. Senator Foster, at whom you slur, was appointed upon the recommendation of the entire Louisiana delegation, including yourself. In defeat at the last election he received more votes than you in victory. Gov. Sanders, at whom you also sneer, was appointed upon the recommendation of Senator Thornton and myself, though it was clearly recognized that it was Senator Thornton's patronage. In regard to the other Federal officeholders in the State, I shall not attempt to particularize, except to say that I take direct issue with you in imputing that they are not in every way worthy of the honors that have been conferred upon them, and it is my belief that they are acceptable to the great majority of the Democrats of Louisiana. A number of enthusiastic recruits to the Progressive-Republican Party, who are close friends of yours, come from the ranks of disappointed seekers for office at the hands of President Wilson.

Now, Senator BROUSSARD, I wish to expose the motive which prompted you to describe "Robert Ewing and his kind" as "hangnails on the hands of the Louisiana Democracy," and then, in another flight of imagination, as the giant "boss" of the "bosses" in whose grasp the people of Louisiana are held powerless. This has a familiar sound. It is the rallying cry of the Progressive-Republican candidate for governor of our State. "Ewingism" is the issue on which he would deceive the people and ride into office, and you now openly strike hands with him. No such muddying of the waters will be permitted. Democracy's candidate, Ruffin G. Pleasant, could never be the creature of any ring or boss. He is one of the bravest, truest, and most independent spirits ever produced in Louisiana, and, if elected governor, will represent all the people honestly, wisely, and impartially. His candidacy is due to the support of the people of the country parishes. Their loyalty to him was secured in the fight he made against the constitutional convention, which was supported by both the State and city administrations at Baton Rouge, and was looked upon in its incipiency as invulnerable. The combination was so strong that everyone said it could not be defeated. But do you not recall what took place? Have you forgotten that it was Ruffin Pleasant who, at Baton Rouge, against these assembled powers, with the mighty force of the people of the country parishes behind him, changed the convention bill materially in the legislature, and later crushed it in one of the most remarkable political battles in the history of the State? Ewing and all the leaders of New Orleans whom you deride, backed by the almost unanimous support of their people, gave the convention measure an overwhelming majority; but the people of the country parishes heard the voice of Ruffin Pleasant, enlisted under his banner, and decreed that the convention should not be held in the midst of a political campaign.

Pleasant under the control of the bosses! Why, the mere thought of such a thing is absurd. The fight against the convention is the reason for his candidacy for governor. He did not go to the New Orleans organization, but those in charge of the administration of that great city, seeing his remarkable popularity and desiring to bring together in harmonious concert the people of both country and city and to set at rest the idea that it had designs on the control of the State administration, accepted Pleasant as its candidate for governor, to confront and conquer John M. Parker, who had announced on the Republican-Progressive ticket.

Then followed the Democratic primary election, in which Pleasant received considerably more than one-half of the total possible vote of the State, inclusive of Progressive, Socialist, and Republican.

He ran as strong in north Louisiana as in south Louisiana. Organs of the Progressive-Republican candidate stood aghast. Their candidate and his campaign committee and supporters had been prophesying a total vote of only eighty to ninety thousand. They had inserted, during the primary campaign, advertisements appealing to the people to remain out of the Democratic primary. They freely admitted that one who voted for either Democratic candidate for governor was morally bound to support the nominee, but when they saw that the Democrats had polled 114,000 votes out of a total of 145,000, and that there were only left 30,000 votes for their candidate, they set about to revise their moral code and to create an issue with which to deceive the people of the State. And what is their issue? "Bossism" and "Ewingism!"

Senator BROUSSARD, permit me to say that while your address purports to be an attack on Robert Ewing and a correction of my alleged misstatements, it is, in fact, a Progressive campaign document. It is meat and bread to Louisiana Democracy's bitterest enemies; it is a sharp criticism of an address made by a Democratic Senator in behalf of the Democratic nominees for governor and the other State offices; it is an assault upon a staunch Democrat, Bob Ewing, who is drawing the heaviest fire of the Progressives and Republicans; it was played up in glaring headlines by several big dailies in Louisiana; it is heralded by Peterman, campaign manager for the Progressive-Republican candidate, John Parker, as insuring his triumph in the election now only 17 days off; it is a Progressive-Republican speech, out of the mouth of a United State Senator, chosen in a Democratic primary.

Regardless of your purpose in making this address, the fact is that it can and will be franked by the Progressives and Republicans all over Louisiana, and I venture the assertion that no true Democrat will mail a single copy of it to influence votes for Democracy. I understand that many thousand copies of this speech, so warmly welcomed by Progressives and Republicans, have been ordered, and I anticipate that they will be circulated in Louisiana either under your frank or that of some Republican or Progressive Member of Congress. Your duty to your Democratic constituency should have caused you to hesitate long before placing ammunition in the hands of the enemies of Democracy, though it may prove a blank cartridge, and I believe it will.

Does not your party perfidy stand revealed by this speech, and will not the Democracy see through your cunning? You, a Senator holding commission from the Democracy of the State, would covertly sacrifice it as a victim to John Parker, who for years has been false to Democracy's teachings and by every means at his command has attempted its destruction. He it was who brought to Louisiana Theodore Roosevelt, who may be the candidate of the national Republican Party for the Presidency of the United States against Woodrow Wilson, in whom the plain people of this Nation believe, and who they are determined shall continue in control of our country in crises such as it has never faced before. Has this been your game? Was this your reason when, two years ago, in the campaign in the third congressional district, you failed to respond to the call of the party to support the candidacy of its nominee, Gueydan, against Martin, the Progressive, who had obtained the nomination over Peterman, campaign manager for Parker, and Edwin Broussard, your brother, and the present candidate for lieutenant governor with Parker?

Was it on this account that when the Times-Picayune, in its editorial of August 13, 1914, entitled "A Democratic Campaign," called upon you to declare where you stood, John Parker came to your defense in an open letter published the following day in the same paper?

It is time in the history of the affairs of Louisiana for men to step forward and be counted. Come out, Mr. BROUSSARD, and fight in the open.

In the name of Democracy I ask, Do you intend to support and vote for Pleasant and his Democratic associates?

Do you intend to visit Louisiana before the election and make at least one speech in support of the Democratic ticket? If you should reply that you can not leave your duties here, will you issue a statement in favor of the Democratic candidate and urge your friends to support the ticket?

If you are not in favor of the Democratic ticket, does not common fairness in a great fight like the present require you to make your position perfectly clear? Where do you stand? There is no middle ground. You must be for Democracy or against it. The people of Louisiana have a right to an answer to these questions, and, as their representative, I demand it.

If you do not promptly avow your support of the regular Democratic candidates, I shall assume, and every honest man will be justified in assuming, that you are opposed to them and in favor of their Republican-Progressive foe, Parker. Fight, if you so desire, with all the power of your being for the destruction of the Democratic Party in Louisiana, if you will not fight in favor of it, but stand forth like a man and be counted. Even should you decide to espouse the cause of Parker, the cause of the Republican Party in both State and Nation, against the party which has so highly honored you I have no fear of the result. The 114,000 loyal Democrats who voted in the primary insure victory. The united voice of the unconquered party of the State of Louisiana, the party of the South, which for the first time in 16 years is in control of the affairs of this Nation thunders "Victory." Under the matchless leadership of Pleasant it will sweep on to a glorious triumph on the 18th, forever crushing the hopes of Parker and Roosevelt to break the solid South.

How can any Democratic Senator halt or hesitate in such a battle? Whatever others may do, I shall stand by my party and its flag. I shall stand by that flag because it is the flag of the Democratic Party and represents what is best in the hopes and aspirations of the surging mass of America. If that party should fail through the conduct and utterance of those it has trusted and raised to power, at least no man can say accusingly to me, "Through this rent was thrust the dagger of an envious Casca."

Respectfully, yours,

JOS. E. RANSDELL,
United States Senator.

[From the New Orleans States of April 2, 1916.]

MR. EWING'S STATEMENT.

Although I am a candidate for no office, Senator R. F. BROUSSARD has seen fit, in a speech in the United States Senate, to make me the object of a bitter and uncalled-for personal attack in connection with the present campaign in Louisiana.

The character of the speech, the time of its delivery, the fidelity with which it follows the line of attack here in Louisiana, the promptness with which the manager of Mr. Parker's campaign, who, as does the Senator, holds the commission of the Democratic Party, has announced Mr. BROUSSARD as a recruit to the movement to defeat Col. Pleasant, the Democratic nominee, leave no room to doubt its political purpose.

I regret the necessity which compels me to ask the public's indulgence of a reply to this attack which is a tissue of misstatement and suppression of fact. I am not an issue in the campaign, and I have no interest in its outcome except as a citizen of Louisiana who believes that the efficiency of our Government and the supremacy of our race alike require the triumph of the Democratic Party over the mongrel elements which Mr. Parker has organized in opposition to it. But justice to truth and a duty I owe to myself leave me no alternative.

THE CHARGES MADE BY MR. BROUSSARD.

Mr. BROUSSARD'S charges fall mainly into four parts:

(a) That by voting for the unit rule at the Democratic convention in Baton Rouge, June 4, 1912, I was insincere in my support of Woodrow Wilson.

(b) That I have been a "persistent and consistent enemy of sugar," and that Senator RANSDELL and ex-Senator Foster did not bear truthful witness in telling the people of the third district that it was due to my efforts more than any other man's that sugar was saved from immediate destruction in 1913.

(c) That I permitted an agent of the Sugar Trust to embody an attack on sugar in the Democratic textbook in violation of the doctrine of the Baltimore platform.

(d) That I am the dispenser of Federal patronage in Louisiana and have filled the Federal service with men repudiated by the white people of Louisiana.

I shall take these charges up in turn and show them to be without foundation.

I.

The attitude of the States, from its foundation by the late Maj. H. J. Hearsey until now, has been that the only real and permanent security for the sugar industry lay in the Democratic policy, maintained until three years ago, of treating sugar as an ideal article of revenue taxation. Such treatment was consistently advocated by Cleveland, Carlisle, Morrison, Mills, Wilson, and other conspicuous advocates of Democratic tariff policy.

At the inception of the last national campaign I felt that the most serious blow which could be dealt the industry would come from the nomination of either Mr. CLARK or Mr. UNDERWOOD, because of the extreme position each had assumed in favor of immediate free sugar. I opposed both unrelentingly, personally and through the columns of the States and the Shreveport Times.

M'COMBS'S ASSURANCES IN CONFERENCES HERE.

On the other hand, my inclination was to Gov. Wilson, who then loomed large on the political horizon, provided Gov. Wilson was found to be in sympathy with the tariff policy as respects sugar which the party had always maintained. In the spring of 1912 Mr. William F. McCombs, now the chairman of the Democratic national committee and then Gov. Wilson's manager and personal representative, came to Louisiana seeking support for Gov. Wilson. He invited me to a long interview in the Grunewald Hotel. Mr. J. Walker Ross and myself called on him. In reply to my inquiry regarding Gov. Wilson's probable position on sugar, Mr. McCombs pointed to his recent speeches, and particularly one delivered at Brooklyn, as a guaranty that Gov. Wilson's election would involve no injury to any legitimate industry. During the tariff fight Mr. McCombs, at my request, went to Washington to confirm to President Wilson that he had given this assurance.

It was clear, well before the meeting of the Democratic convention at Baton Rouge, on June 4, that the whole drift in Louisiana was to Wilson, with south Louisiana bitterly antagonistic to CLARK and UNDERWOOD because of their stand on sugar. Theodore Wilkinson; Thomas H. Lewis; J. Zach Spearing, chairman of the State executive committee of the Good Government League; Donelson Caffery; ex-Gov. Newton C. Blanchard; J. P. Parker, of Monroe, all conspicuous Democrats and supporters of Gov. Hall, and the Times-Democrat, were for Wilson.

THE GOVERNOR'S ENTRANCE UNEXPECTED.

It is characteristic of the "littleness" of the Item that its policy invariably is gauged by the States. It is against what I am for and for what I am against, without reference to the merits of any given proposition.

The fact that the States was for Wilson therefore led the Item to espouse the cause of Mr. CLARK. But up to May 26, when Gov. Hall suddenly and unexpectedly declared for Mr. CLARK, following the visit of CLARK agents here with rainbow promises in the event of his election, no one in Louisiana accepted seriously the Item's agitated attacks on Wilson or dreamed of the possibility of a CLARK man on the Louisiana delegation.

Nevertheless it then became clear that, with his prestige and influence as the newly elected Democratic governor and his power as the party leader over the State convention, the governor would be able at least partially to change the complexion of the delegation.

Since, however, the Times-Democrat was pronounced for Wilson, my expectation was that an evenly divided delegation was possible, and my hope that the exigencies of the political situation in the Nation would make Mr. CLARK'S nomination out of the question and give a chance for the eventual nomination of Wilson or some other candidate not an avowed enemy of sugar.

MR. MOORE'S INTEREST IN THE MATTER.

When I reached Baton Rouge June 3 it was my understanding that, as a result of the protest of Mr. Moore, who, feeling keenly the rebuke to the Times-Democrat in the governor's espousal of the Item's candidate, had sent Mr. Norman Walker to the governor on Sunday, the governor would be satisfied with a divided delegation without instructions, it being the expressed judgment of the Times-Democrat, Picayune, and States, and of many of the leading men of the State, that an uninstructed delegation of big men should be sent to Baltimore with ample freedom of action to enable them to protect the interests of the sugar industry and the Democratic Party.

I did at that time visit the governor and did in casual conversation say, in answer to his inquiry, that I saw no objection to a unit rule; but the details were not discussed, and it is absurd for Mr. BROUSSARD to say, in the light of my strong feeling on the subject, that I did assent or could have assented to any plan of gag based on a bare majority of the delegation.

The governor's own position at that time is explained in a dispatch which Mr. Stanley Ray, his closest newspaper friend, sent to the Times-Democrat and which was printed the morning of June 4. It said:

"The governor is willing to accept an uninstructed delegation and have some Wilson men named on it, but he desires the majority of the delegation friendly to CLARK. The delegation then would be free to use its discretion, but would be prone to favor the Speaker if his chances looked good."

I did not disagree with the principle of the unit rule, but it was a matter of the conditions of its application. Such was, I think, the position of a large majority of the delegates.

MR. BROUSSARD'S ATTACK ON HALL ADMINISTRATION.

Mr. BROUSSARD, with characteristic lack of modesty, claims credit for having defeated the unit rule. I concede the vigor of the fight he made against Mr. CLARK, resenting as he did the fact that it was Mr. CLARK and Mr. UNDERWOOD who had dismissed him from the Ways and Means Committee for his apostasy in the CANNON fight. But I do not believe any attempt would have been made by Mr. Claiborne, always a disturbing element, to inject the unit rule into the proceedings, but for the feeling engendered by Mr. BROUSSARD'S attack on the State administration for its support of Mr. CLARK.

Mr. BROUSSARD says I voted for the unit rule, and that if it had been carried Louisiana would have gone to Baltimore solidly against Wilson.

That is false, as are so many of Mr. BROUSSARD'S statements.

I did not vote for the unit rule. The unit rule was never voted on by anybody at Baton Rouge June 4, 1913.

The record shows the convention had met; seated its delegates; listened to the fiery speeches of Mr. BROUSSARD and Mr. Wickliffe; grown excited when as Mr. BROUSSARD mounted the rostrum the second time some one in the chamber shouted to him, "Go back to Ireland, where you belong, you Republican scoundrel"; elected its delegates at large; ratified the selections of the congressional districts; named the presidential electors; chose the national committeeman unanimously; and was about to adjourn in a perfect bubble of harmony when Mr. Claiborne appeared and sprang his motion for the unit rule.

Mr. Webber, of Ascension, promptly moved to adjourn, and the convention did so. It did not, as Mr. BROUSSARD says, vote on a motion to table Mr. Claiborne's resolution.

WHY HE VOTED AGAINST AN ADJOURNMENT.

I voted not to adjourn. I never run away from a fight. I was perfectly willing to have Mr. Claiborne's motion discussed, in full confidence that the sentiment of the convention was against it; and, so far as my vote on the proposition was concerned, I should have felt that any implied obligation in my casual statement to the governor would have been fulfilled by my support of a resolution leaving it to the discretion of the delegation at Baltimore, by a two-thirds vote, to apply the rule whenever in its judgment such a step was to the interest of the State and the Democratic Party.

Any insinuation that I was ever for a hard-and-fast unit rule by a bare majority of the delegation is without foundation.

The record of the Baltimore convention shows that Mr. CLARK received 11 votes on the first ballot and Mr. Wilson 9. On the fourth each received 10. Thereafter until the end of the struggle Mr. Wilson never received less than half the delegation, even when Mr. CLARK'S vote reached its high-water mark of 556 on the tenth ballot, and it increased to more than two-thirds of the delegation before the decisive ballot.

The only unit rule which I would have supported could therefore never have operated to the advantage of Mr. CLARK. But it would have given Mr. Wilson the solid vote of Louisiana on the forty-third ballot.

II.

Mr. CLARK'S nomination, assuming he was thereafter elected, would have meant immediate free sugar. A sense of modesty restrains me from referring to my own share in achieving the defeat of Mr. CLARK and the nomination of Mr. Wilson.

But the fact that I was invited by Gov. Wilson to be one of the 14 Democrats to manage his campaign, the second time Louisiana and both times in my person was so honored since the late Senator F. B. Jonas similarly served in the first campaign of Mr. Cleveland, sufficiently attests the President's appreciation of those services and explains why the financial and commercial interests of New Orleans and the sugar planters themselves felt that perhaps I could do more than anyone else at Washington to persuade the President to include sugar in the Democratic tariff bill.

THE BRYAN FREE-SUGAR RESOLUTION.

I have no wish to detract from the earnestness with which Mr. BROUSSARD labored at Baltimore. But at least I may mention, as part of my own service there, that when Senator-elect RANSDELL came to me with a message from Mr. BROUSSARD that Mr. Bryan had a free-sugar resolution to be introduced in the resolutions committee, which he feared, if offered, would become a plank in the platform, and invoked my intimate personal relations with Mr. Bryan to prevent its introduction. I pressed my views with so much earnestness upon Mr. Bryan that free sugar was not mentioned by the resolutions committee and Mr. Bryan's indorsement of the work of the Democratic House of 1912, as the resolutions will show, became general in its terms. This was in the face of the fact that Senator JAMES, of Kentucky, the permanent chairman, in his speech on taking the chair, declared emphatically for free sugar.

If the secret history of the Ways and Means Committee which in 1912 reported the first free-sugar bill is ever written, it probably will be found that Mr. BROUSSARD'S own betrayal of the Democratic Party in his support of Speaker CANNON and Republican robber tariff bills was not the least of the influences which led the Democratic House to reverse a traditional policy of the party. However that may be, the passage of the bill gave the excuse for the sugar passages in the campaign text book, and gave Democratic Congressmen in nonsugar States, who were candidates for reelection, an opportunity to go before their constituencies and preach the doctrine of a cheaper breakfast table through free sugar, with the result that when Mr. Wilson and the new administration came into power there was a widespread sentiment in Washington, supported by the country, in favor of free-listing sugar;

and it was this sentiment which I believe inclined the President to let it be known that he was favorable to free sugar in the new tariff bill.

SHARED DISAPPOINTMENT OF LOUISIANIANS.

I shared the disappointment of the people of Louisiana over his attitude. I thought it a departure from the spirit of the plank adopted by the Baltimore platform and the policy of the party in the past to treat sugar, an article of universal consumption, as an ideal article on which to lay a revenue duty. Moreover, I felt that to free list sugar was to discriminate against a Louisiana industry which, while properly subject to tariff reductions along with the industries of the North and East, should not be ruthlessly destroyed; and more particularly did I feel that, if the industry was to be destroyed, it should not be suddenly, leaving ruin and bankruptcy in its wake, but that ample opportunity should be given to the people of south Louisiana to readjust themselves to new agricultural and economical conditions.

At Washington, following the inauguration, I urged these views with all the vigor of which I was capable on the President and those who were influential in the party councils, and then came back to Louisiana to pick up the threads of my business, which necessarily had suffered from eight months' absence in the interest of the Democratic national campaign.

I had no wish to return to Washington. I did not feel that I was called upon to make further sacrifices of my time. Mr. BROUSSARD had not been modest in saying to the people of Louisiana that at Seagirt, before the Democratic convention, he had had understandings with Gov. Wilson which assured the protection of sugar and that as a member of the resolutions committee at Baltimore he had incorporated into the platform a resolution which he had drafted at Seagirt with the President to safeguard the industry. I had no desire to usurp any of the functions of the Louisiana delegation, in whose patriotic devotion to the interests of the State I had the fullest confidence, and I was justified in feeling that if Mr. BROUSSARD reminded the President of the understandings which he represented they had had at Seagirt the threatened blow at sugar eventually would be averted.

SUGAR PLANTERS INSISTED UPON HIS RETURN.

But notwithstanding that my attitude was well known the financial interests in general and the sugar planters in particular insisted upon my return to Washington as the man who, in their judgment, could do more than any other to bring the President and the administration to stay the paralyzing attack on the industry which was then impending.

The planters were not my friends nor friends of the States. Merely because I conscientiously believed in and continued to preach the doctrine of Maj. Hearsey and the Democratic Party that sugar ought to have a revenue rather than a protective tariff for many years they ranked the States and myself as enemies of the industry rather than its friends. But in this instance they believed that my relations to the Democratic President and his campaign and the consistency with which I had preached the Democratic tariff doctrine put me in a peculiarly favorable position to serve them and their industry in the crisis then upon it.

Neither the States nor its publisher has ever cried from the housetops his services to the industry and the local financial interests so deeply involved in its welfare. I have remained silent under the aspersions of Mr. John M. Parker and his ranting menagerie. I have ignored the consistent misrepresentations of envious competitors who, if they had rendered similar service and been the recipient of similar testimonials to those I refer to for the first time, they would long since have capitalized and commercialized these testimonials and paraded them in flaming advertisements in all the trade papers of the country. I even refrained from comment when after the 1915 extra session of the legislature the Sugar Planters' Association met and thanked the Item and the press for aid rendered in the passage of the so-called antitrust sugar legislation and concluded with a gratuitous paragraph thanking the Porto Rican delegation for valuable assistance rendered two years prior in the 1913 struggle at Washington to prevent the adoption of free sugar, although these gentlemen never by word or letter had indicated any appreciation of my work undertaken at their own earnest request. I attributed their course to ignorance of the facts and not ingratitude and said nothing.

Neither the States nor myself is given to horn blowing. It is only because of Mr. BROUSSARD'S wanton assault that I am moved to make use of these testimonials.

After I had said repeatedly to gentlemen who had come to me that I did not feel it was fair to ask me to make further business sacrifices, the American Cane Growers' Association, the official body of the sugar planters, summoned a meeting and embodied their appeal to me to return to Washington in a resolution never heretofore made public.

As an evidence of their earnestness, a large delegation, headed by President Charles A. Farwell and including Charles Godchaux, James Davidson Hill, and Mr. Burgieres, came to my office and presented the resolution with verbal assurances of their profound desire that I should act favorably on them. The resolution follows:

THE RESOLUTION OF THE PLANTERS.

"Whereas the leading industry of Louisiana is confronted with the gravest crisis in its history, the last Democratic House having passed a bill placing sugar on the free list, which action promises to exercise marked influence in the pending revision of the tariff; and

"Whereas such a course would not only be a departure from the time-honored policy of the party and a violation of its platform pledges, but would mark the industrial ruin of this State: Therefore be it

"*Resolved*, That the American Cane Growers' Association of Louisiana call upon Hon. Robert Ewing, Democratic national committeeman, to visit Washington at once and lay before the President and the party leaders the gravity of conditions confronting our pepole.

"The American Cane Growers' Association is mindful of the valuable services already rendered the people of Louisiana in this struggle by Col. Ewing and of the inconvenience and sacrifices that a second trip to Washington would entail, but considering the seriousness of the situation and the fact that he, of all Louisianians, is specially qualified to make these representations, it feels warranted in calling upon him to make this sacrifice, confident that he will be willing now, as in the past, to sink personal considerations when the interests of many of his fellow citizens are at stake.

"I hereby certify the above and foregoing is a true and correct copy of the resolution passed by the American Cane Growers' Association at its meeting of March 22, 1913.

"CHARLES A. FARWELL, *President*."

SAID BROUSSARD URGED THAT HE BE SENT.

Notwithstanding the appeal which the resolution made to me, I still was unwilling to make the trip to Washington unless my doing so carried with it the approval of the Louisiana Senators, the congressional delegation, and especially of Mr. BROUSSARD, whose political antipathy to me was a matter of wide knowledge. I was assured that Mr. BROUSSARD had been consulted and had urged my going.

These telegrams, which were published in the Times-Democrat of March 23, 1913, show how scrupulous were the planters to remove any ground for friction:

NEW ORLEANS, *March 20, 1913*.

Senator JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.:

Noticing that the Senate committee and the House committee are trying to frame tariff legislation without any interference from outside, we are very much worried and are trying to get Messrs. Foster and Ewing to go to Washington to give you assistance and cooperate with you. What do you think of the plan, and have you any suggestions?

AMERICAN CANE GROWERS' ASSOCIATION,
CHARLES A. FARWELL, *President*.

To which Mr. RANSDELL answered:

WASHINGTON, *March 20, 1913*.

CHARLES A. FARWELL,
President American Cane Growers' Association,
New Orleans:

Responding to your telegram, think it quite important for your association to have several able representatives come here as soon as possible and remain until understanding is reached in regard to duty on sugar. Senator Foster and Col. Ewing can both be of great assistance. I am doing my utmost but need help.

J. E. RANSDELL.

Under the circumstances, I did not believe that I could refuse to go to Washington. I so told the delegation, but said I would only consent to do so at my own expense.

The intense interest of the financial institutions of the city in the mission was evidenced in the letters which came to me from their heads and which not only portrayed the calamitous conditions which free sugar would bring but attached what I considered an undue value to the results which my trip would bring.

BANKERS PRAISE HIM FOR AGREEING TO GO.

These letters were from Sol Wexler, vice president of the Whitney-Central National Bank; W. R. Irby, president of the German-American; J. J. Gannon, president of the Hibernia Bank & Trust Co.; and Charles Janvier, president of the Canal-Louisiana Bank & Trust Co., and I give herewith that of Mr. Wexler as typical of these letters, showing how grave the bankers, as well as the planters, considered the situation from a financial, commercial, and industrial standpoint and how anxious they were that I should go:

NEW ORLEANS, *March 24, 1913*.

Col. ROBERT EWING,
Daily States, New Orleans.

MY DEAR COLONEL: I learn with great pleasure from Mr. Godchaux that you are going to Washington to-night to see whether you can not be of some assistance in the framing up of the present tariff bill, especially that portion referring to sugar.

I am sure that your cooperation will help matters materially. Your views are well known, and, being more or less disinterested, you can give facts concerning sugar which many others could not.

The report that sugar is liable to be placed on the free list must surely be a mistake. The Government can not ruin an industry without giving due notice. It is the opinion of many that the facts which have been placed before Congress are not correct, in so far as the sugar industry of Louisiana is concerned. That sugar can be grown without a tariff is believed by many, but I know it to be a fact that this is absolutely impossible; in fact, it is questionable whether it can be grown with any reduction in the tariff whatsoever. Therefore it is urgent that only a small reduction be made, and we sincerely trust that the view you have expressed of a 25 per cent reduction will be the maximum.

Should the sugar industry in Louisiana be destroyed or crippled, the injury to New Orleans will be very great; in fact, with the disaster of 1911, due to the freeze of the sugar crop, and the disaster of 1912, due to the floods and weather conditions, New Orleans has been crippled materially. The bank deposits, owing to the failure of the two successive sugar crops, have been reduced almost $10,000,000. This shows in a few words how much Louisiana, and especially New Orleans, is dependent upon the sugar industry.

The statements made by the sugar planters as to the cost of production, etc., are correct, and, as I have had occasion recently to investigate same, although not directly interested, I desire to state that you can place the utmost confidence in the figures which have been submitted.

As above stated, any reduction in the tariff on sugar in excess of 25 per cent will be most disastrous not only to New Orleans but to the entire State of Louisiana; and I trust you will endeavor to convince the powers in Washington of our critical condition.

If I can be of any service, please do not hesitate to call upon me, as the time has now come when every patriot and citizen of Louisiana, and especially New Orleans, must put their shoulder to the wheel to save an industry which means so much to the State at large.

Thanking you sincerely in advance for anything you may do on behalf of the sugar planters, I am, with kindest regards,

Yours, very truly,

SOL WEXLER, *Vice President*.

THE SITUATION HE FOUND AT WASHINGTON.

When I reached Washington on March 26, I found the situation most serious, with the President, who had not then publicly committed himself but was believed to be strongly inclined to free sugar, holding the situation in the hollow of his hand.

There was a powerful element in the Senate favoring free sugar. From Mr. UNDERWOOD, then chairman of the Ways and Means, I learned that the passage of a free-sugar bill by the House was inevitable, owing to the feeling of Democratic Members who had declared for it on the stump, that they were under an obligation to make good.

The only ray of hope I found was Mr. UNDERWOOD'S statement to me that if the Senate should amend the act and provide a reasonable duty, it was his judgment that the House would agree in conference to a reasonable but reduced duty.

Mr. UNDERWOOD having given me authority to do so, in one of my early interviews with the President I urged Mr. UNDERWOOD's suggestion as opening the door to a just compromise. I was greatly disappointed to find the President apparently immovable in the position that he could not consent to an administration measure in the Senate carrying a different provision from a similar measure in the House.

In view of the attitude of the President and Mr. UNDERWOOD, I could see no hope of escaping free sugar. There was left only a campaign to stave off the evil day; and I then began to press upon the President with all my earnestness the justice of allowing a space of seven years before the final extinguishment of the duty.

MR. BROUSSARD INVISIBLE FOR SEVERAL DAYS.

Mr. BROUSSARD reached Washington March 27, the day after I did. He neither saw the President nor put himself in touch with Senator RANSDELL, ex-Senator Foster, or myself on Thursday, Friday, or Saturday; and I violate no confidence when I say that it was the opinion in many quarters that his violent criticism of the President in public, soon begun by him, made him so lacking in influence with the administration as to hold out little hope from him of useful service.

Sunday he visited Gov. Hall at the Willard, and on Monday, the 31st, for the first time he went to the White House to present Gov. Hall. The visit was brief and fruitless, as the Washington dispatch to the Times-Democrat the following day showed. On Thursday of the same week he saw the President with Mr. Wexler to suggest the Canadian plan of taxing sugar, but while the President was interested he said the suggestion ought to have been made 10 days before and was then too late. Why it was too late I shall show.

Between the day of my arrival, March 26, and Wednesday, April 2, one of the two vital days in the struggle, I saw the President on several occasions, alone and in company with others. Senator RANSDELL will not want for witnesses to bear out the implication in his statement that, in these critical days, it was my good fortune to get audiences when others failed.

THE ACCESS HE HAD TO THE PRESIDENT.

Dispatches to the New Orleans papers of the time showed that I was with the President an hour on Tuesday, April 1. Tuesday is Cabinet day, and callers are rarely received and their time is limited.

When Mr. Wexler returned from Washington he gave the press an interview. In it he said:

"The presence of Democratic Committeeman Ewing and of Senator Foster has been of inestimable benefit. Mr. Ewing has had the ear of the President because of his association with him before and after the campaign, and because of his services during the campaign he enjoys a prestige which enabled our representatives and others to at least obtain audiences and an opportunity to protest against the proposed measure."

It will be denied by no one at this time that if the sugar industry, by the act of the present session of Congress, is preserved for four years or indefinitely, it will be because, after the President first declared for immediate free sugar, he yielded to argument and importunity and authorized Mr. UNDERWOOD to write into the tariff bill the three years' provision under which the administration may now continue the duty on sugar without reopening the tariff law.

If Mr. BROUSSARD, who has constituted himself for many years the special champion of the sugar industry, was responsible, directly or indirectly, for this change in the President's attitude, a natural assumption is that he would have been the medium through which the concession, with its conditions, was offered. That he was not and I was will be accepted as circumstantial proof, I take it, that Mr. BROUSSARD has a doubtful claim to the credit he is trying to appropriate and as warranting the statements of Senator RANSDELL and ex-Senator Foster which have so upset the junior Senator.

SENT FOR EWING TO OFFER THREE YEARS' GRACE.

Early on the morning of April 2, while still in my room at the Powhatan Hotel, I was called to the telephone by the White House and told that the President desired to see me at 9 o'clock. I was in good condition and I responded to the summons on time.

It was to communicate to me the fact, to be in turn communicated to the planters and the Senators, that, while he was definitely committed to free sugar, he had been moved to see the justice of the plea that time ought to be given to those directly and indirectly dependent on the industry to adjust themselves to the new conditions. The condition was that the planters should accept the concession and the Senators agree to support the bill.

I laid the matter promptly before the congressional delegation and the Louisianians then in Washington in the interest of sugar, and wired it to New Orleans.

"You have saved the State $30,000,000," was Sol Wexler's statement to me in Senator RANSDELL's room, in the Senator's presence, when I told him of the President's proposition.

I submit these telegrams as suggestive of the medium through which the planters were seeking relief:

NEW ORLEANS, *April 3, 1913.*

Col. ROBERT EWING,
Powhattan Hotel, Washington:

Proposition as wired, while unsatisfactory and can not be accepted, shows that President has receded from his previous position and is now open to argument, no doubt thanks to your good work, which we all highly appreciate. Now that you have gotten him in this position, hope you will keep at it and get better deal, as we can not accept one he has proposed

CHARLES GODCHAUX.

NEW ORLEANS, *April 3, 1913.*

Messrs. EWING, FOSTER, and MILLING,
Powhatan Hotel, Washington:

At your suggestion have called together such planters as could be assembled. They are of the opinion that the proposition made by the President should not be agreed to. Ultimate free sugar would be ruinous. They believe that our Senators, Congressmen, and Representatives in Washington, by continuing the good fight they are now making and which the justice of our cause warrants, will obtain better consideration at the hands of the President and Congress.

CHARLES A. FARWELL, *President.*

These telegrams were not conclusive, pending a formal meeting of the American Cane Growers' Association. But the President grew impatient for an answer. On Friday afternoon, April 4, he sent Senator HUGHES, of New Jersey, and Secretary Tumulty to see Senator RANSDELL and myself, finding us in Senator RANSDELL's office. They wanted an immediate answer, saying the bill was ready and must include either free sugar or the President's concession, subject to the condition already referred to. We advised them the planters had called a meeting in New Orleans for Saturday, and that we would inform the President at an appointment Saturday night, April 5, at 8 o'clock, of their action.

On Saturday the planters acted, declining the proposition. It was evident then that we had reached a critical phase of the negotiations, and that our only hope was to persuade the President to withdraw the condition accompanying his concession. Meeting Mr. BROUSSARD at Saturday evening's conference, we invited him to go with us to the White House.

The President received us at the hour appointed. We consumed the full 50 minutes of our time, during which Senator RANSDELL made a powerful appeal for the continuation of the three years' clause despite his inability to vote for the bill. In the conference neither side yielded.

MR. EWING REMAINED WITH PRESIDENT.

Mr. BROUSSARD now contests Senator RANSDELL'S statement that when they left I remained, and Mr. RANSDELL'S inference that what occurred after their departure influenced the President's eventual decision to yield the three years without condition.

Mr. BROUSSARD is mistaken. Mr. RANSDELL'S recollection is perfect with respect to who remained. I did. I told Mr. RANSDELL as we rose it was my desire to do so.

I cite Mr. BROUSSARD himself as a witness against himself. In his statement he says:

"As we walked out of the front door of the White House we met and stopped and shook hands with Congressman UNDERWOOD on his way to keep his appointment."

Our conference was held in the President's library on the second floor of the White House. The front door is downstairs. I myself met and stopped and shook hands with Mr. UNDERWOOD as he entered the library. Mr. RANSDELL and Mr. BROUSSARD had gone 10 minutes before.

WHAT WILSON SAID TO UNDERWOOD.

What occurred between the President and Mr. UNDERWOOD was narrated in a dispatch printed on the first page of the States, April 8, 1913. Here it is:

"Mr. UNDERWOOD was informed that the Louisiana interests had refused to agree to the alternative proposal, and that he might go ahead with the bill. This would have meant free-sugar immediately.

"'What is your desire that we should do?' asked the Ways and Means chairman during the hesitation that followed the President's announcement.

"'Notwithstanding their declination, I would like to see those fellows get the benefit of the three years anyway,' said the President.

"'Then the bill shall be changed,' replied Mr. UNDERWOOD."

On the next day, Sunday, April 6, it was announced that the President had agreed to the three-year clause. On April 7 the bill was reported to the House—not 16 days later, as Mr. BROUSSARD, erring again, alleges.

This extract from the second paragraph of the press report printed in the newspapers on Monday, April 7, 1913, convicts Mr. BROUSSARD of this misstatement, all the more remarkable from the fact that at Washington he had full access to the facts and ample time to verify them:

"WASHINGTON, *April 7.*

"* * * Just as Speaker CLARK was dropping his gavel in the House, Majority Leader UNDERWOOD dropped the tariff-revision bill into the hopper, and thereby officially started a business that promises to keep Congress at work through the Washington 'dog days' and well into August."

This practically completes the record of my activities at Washington. A later service, however, I was called upon to render the planters.

ANOTHER SERVICE TO THE INDUSTRY.

When the Ways and Means Committee presented the bill it set March 1 as the date of the first cut in the duty. Evidently Mr. BROUSSARD, pretending always to be alert to the interests of sugar, did not realize the injustice to the third district growers of a reduction before the season was entirely over.

Be that as it may, Congressman ESTOPINAL, on the representation of the planting and financial interests, subsequently introduced a bill to extend this date to June 30.

Is it not significantly indicative of Mr. BROUSSARD'S poor standing with the Democracy that it was Mr. ESTOPINAL, and not Mr. BROUSSARD, who was asked by these gentlemen to introduce their bill?

On October 24 I was handed this telegram from Col. James D. Hill and Mr. Paul Christian:

WASHINGTON, *October 24, 1913.*

Hon. CHARLES A. FARWELL,
New Orleans, La.:

It is very important that Col. Ewing see UNDERWOOD, when he goes to Mobile, and impress on him the necessity for passing the Estopinal joint resolution. UNDERWOOD left for Alabama last night. ESTOPINAL wrote Ewing strong letter to-day, and this office also wrote him.

HILL and CHRISTIAN.

It was also desired that I should see the President, and I make this excerpt from the letter of Mr. Christian, now closely identified with Mr. BROUSSARD, to show how little foundation there is for Mr. BROUSSARD'S present statement that I have been a consistent and persistent enemy of sugar.

WANTED HIM AGAIN TO SEE PRESIDENT.

"I believe, Colonel, that if you were to lay this matter before the President he would see the justice of our contention and at least agree not to interpose his objection to any relief that Congress may see fit to extend to the people of Louisiana.

"Postmaster General Burleson spoke in the most sympathetic tone for our people, stated how he had always been for a duty of 1 cent, and dwelt on the hard fight you had made for the Louisiana sugar industry. To use his own words, he said that the people of Louisiana would never know how hard you had worked to save their industry, and that the concession that had been secured from the administration was entirely due to your efforts, as the President had been intent on making sugar free at once. He said that you had secured the three-year clause."

I went to Mobile and spent several hours with Mr. UNDERWOOD. I found him most sympathetic toward the State and the industry. I failed only in my mission because he said he and the President feared the amendment might open the door to a general attack on the tariff

law. But he took occasion to add that the committee had amended the bill to protect the planters on the crop of 1913-14; that they had extended the date exactly as requested by the Louisiana people, and that they would as readily have made the extension to June 30 if at the time they had been requested to do so.

Why did Mr. BROUSSARD, setting up title to a monopoly of knowledge of the sugar question and the self-constituted and anointed apostle of the industry, let this golden opportunity slip to save a considerable fortune to the district he then represented?

MR. BURLESON GIVES HIM THE CREDIT.

It is appropriate to include in this record an extract from a letter written by Postmaster General A. S. Burleson to Senator RANSDELL, dated March 30, 1916, in answer to Mr. BROUSSARD'S attack. Mr. Burleson is the political adviser of the President and, among the Cabinet, one of his most intimate friends. He said:

"I know Col. Ewing labored without ceasing in his efforts to keep sugar from going on the free list, and he left nothing undone at that time to accomplish his purpose. He worked night and day, and I believe, without disparaging in the least what may have been done by others, that it can be truthfully said that Bob Ewing did more than any one person toward those things which finally resulted in the retention of the 1-cent duty on sugar, with free sugar after three years."

Thus completing a record, unimpeachable by Mr. BROUSSARD or anyone else, I am willing the public shall judge whether I have been a "persistent and consistent enemy of sugar"; whether, as Parker headquarters has said, I merely "went along with the others to Washington" or responded to a call of distress of the planting and financial interests, and whether Senator RANSDELL and ex-Senator Foster spoke within the record when they told the people of the third district that, in the matter of the three years' concession, their real debt of gratitude was to me.

III.

Mr. BROUSSARD charges that, through the indifference or forgetfulness of the national committeeman, F. G. Lowry, the hired agent of the Federal Sugar Co., was permitted to write into the Democratic Campaign Textbook "a vicious attack on the leading industry of his State."

The charge is gratuitous. He might as reasonably have laid the war in Europe at my doors.

Mr. BROUSSARD quotes at length from the official proceedings of the Senate lobby investigating committee to prove that Mr. Lowry furnished the material for the book. Mr. Lowry's own evidence offers sufficient proof that the charge is without foundation.

The campaign committee was divided in halves, one with headquarters in New York, the other with headquarters in Chicago. I was placed at the head of one of the bureaus in Chicago. The textbook was prepared and issued from New York.

My first knowledge of the gross attack on sugar came through a newspaper. I was outraged. I considered the attack a clear breach of faith after what I had done to persuade Mr. Bryan not to introduce a free-sugar resolution at Baltimore. I considered it a violation of the tariff plank we had written into the platform.

As soon as my attention was directed to the matter I left Chicago for New York in the hope that there was still time to have the obnoxious matter expunged. Unfortunately, it was too late. The book was printed and already had been widely distributed. The damage could not be repaired; but I did not hesitate to express to the New York headquarters my disapprobation of the lack of foresight which had permitted the inclusion in the book of matter affecting an industry in my State unwarranted by anything in the party platform.

Since Mr. BROUSSARD has seen fit to charge the injury done to sugar to my "indifference or forgetfulness," I am justified in retorting that Mr. BROUSSARD'S "indifference or forgetfulness" has cost it more.

The levying of an income tax was long advocated by the Democratic Party. Was it "indifference or forgetfulness" which led Mr. BROUSSARD, always proclaiming his readiness to sacrifice everything—even "party regularity"—for sugar, to join in its advocacy and vote for it in Congress? For everyone with common sense knew that the tax would yield so great a revenue that the reason for keeping sugar on the dutiable list would disappear; and, as a matter of fact, it was the income tax which was largely responsible for and made possible the free-sugar legislation of 1913.

John Marks gave that very reason in the Louisiana Senate in 1910 for his vote against ratification of the amendment. Did Mr. BROUSSARD really care nothing for sugar when he urged and voted for the amendment or was he merely too stupid to recognize the consequence of his course?

IV.

Mr. BROUSSARD'S charge that I am seeking to become the political boss of the State and that I have claimed "the credit for every Federal appointment made in Louisiana" are the vaporings of a man with a grouch. They but echo the mouthings of Mr. John M. Parker and his spellbinders and organs, and they prove nothing except that Mr. BROUSSARD has joined the pack now barking at my heels.

Since the pack is made up of men no longer in sympathy with the Democratic Party or its principles, Mr. BROUSSARD, who is a Democrat in name and a Republican in faith, must find himself in congenial company. But if he were honest he would not continue to hold goods obtained by false pretenses. He would resign his senatorial commission, as did Dr. Labbé, of St. Martin Parish, and become an open rather than a covert enemy of the party which for many years has provided him with his bread and butter.

I am neither a boss nor do I desire to become one, and Mr. BROUSSARD can not galvanize Mr. John M. Parker's dead issue.

It is known to all in Louisiana that I have no political ambitions or desire to fill any salary office, nor do I derive, directly or indirectly, any pecuniary interest or gain from my political activities; while, on the other hand, Mr. BROUSSARD has held public office continuously since early manhood.

ONLY INFLUENCED THREE APPOINTMENTS.

I have made no claim to the credit of having controlled every Federal appointment made in Louisiana. I have not sought to control them. The only appointments which I personally requested are those of Mr. B. P. Sullivan, whom the Times-Democrat praised as an exceptional official and criticized the governor for failing to reappoint; of Dr. M. M. Bradburn, a leading druggist of this city, to the minor position, emoluments considered, of inspector of drugs; and Mr. Whitfield Jack, district attorney at Shreveport, than whom there is no cleaner man at the bar of Louisiana nor higher-toned citizen in the State.

All three of these appointments had the cordial concurrence of the incumbent Senators; and at least it can be said of them, as it can not be said of many of Mr. BROUSSARD'S appointments in the third district, that they are true blue in their Democracy and that they are not conniving with Mr. Parker and the Republican enemy.

Mr. BROUSSARD refers to the Federal appointments here, which he charges me with dictating, as of men who, "when appointed," scarcely had recovered from the political defeats which they had met at the hands of the white people of the State."

HIS SNEERS COME WITH POOR GRACE.

Such an utterance comes with poor grace from a man who, but for a political accident and the possession of an unusual faculty for dissimulation, would not now be wearing so uncomfortably the mantle which once graced a Benjamin, a White, a Eustis, and a Gibson.

He can not, of course, refer to ex-Gov. Sanders as an appointee of mine, for he knows I had no connection, near or remote, with that appointment.

If he refers to ex-Senator Foster, who polled more votes in the last campaign than he did himself, and who deservedly enjoys the respect and affection of his people for service worthily performed, his own indorsement of Senator Foster must have been a mere pretense of friendship.

If he refers to Gen. Guion, the present United States attorney, or to former Gov. Heard, the present subtreasurer, I have only to say that I have no excuses to offer for having joined with Senators RANSDELL and Thornton in recommending men who served Louisiana with so much credit in every station to which the people called them.

The fact that Mr. Fauntleroy, the collector of internal revenue, was Mr. RANSDELL'S secretary and Mr. Burch Lee, the surveyor, Mr. BROUSSARD'S, acquits me, I think, of having controlled the selection of either.

AT LEAST THESE MEN ARE NOT LIKE HIM.

But whether I exerted myself actively or passively or not at all in the cases of these gentlemen, against none of them can the charge be brought, as it has been brought against the junior Senator, that in a campaign sharply drawn between the Democracy and its enemies he turned to bite the party hand that fed him and treacherously raised his voice in aid of a cause inimical to the interests of his people.

Mr. BROUSSARD'S slurs are beneath my notice. They can not affect my standing among the people, among whom I have lived for 35 years.

If Mr. BROUSSARD desires it understood that he wants no comparisons with me, nor desires to follow the banners of me or my class, the feeling is reciprocal. The comparisons would be to his disadvantage, and my class is not made up of political mongrels and deserters.

Finally, whatever faults I possess, there is some consolation in the knowledge that I have never aspired to rank with the double-dealer or the ingrate, and Mr. BROUSSARD was the one in the campaign of four years ago, as he was the other in the Gueydan congressional campaign of 1914 and is in the campaign of to-day.

ROBERT EWING.

RANSDELL RIGHT, SAYS M. J. FOSTER.

Former United States Senator Murphy J. Foster, now collector of the port, confirms the statements of Senator RANSDELL in his Franklin speech as to Mr. Ewing's part in postponing the free-sugar schedule. Mr. BROUSSARD had said in his tirade on Messrs. RANSDELL and Ewing that he would not believe Mr. Foster had "concurred."

He not only "concurs," but goes into the matter at length in support of Mr. RANSDELL'S declarations in a statement as follows:

"Senator BROUSSARD, in his late speech in the Senate, stated:

"'I can not conclude this explanation, Mr. President, without notice of the fact that former Senator Foster, of Louisiana, is reported in the account of the Franklin meeting to have concurred in the statement made at that place by my colleague.

"'I will not believe, I can not believe, upon the mere statement of a publication of the character of the Daily States, under the controlling management of Robert Ewing, that former Senator Foster concurred in what my colleague stated. Nay, Mr. President, I would not believe it on the statement of any man short of the former Senator himself.

"'In the many talks which I had with the former Senator regarding the details of these matters I am quite clear in the statement that the facts which I recited to him are at utter variance with the statement of my colleague, in which the former Senator is reported to have concurred.'"

"In reply to these remarks of the Senator, I wish to state that at the meeting in Franklin I did concur in what Mr. RANSDELL stated in reference to the services which Mr. Ewing rendered in the sugar fight. I stated that I knew he had been requested by the Louisiana Sugar Planters' Association to go to Washington in behalf of the sugar interests.

"I was upon the ground during practically the whole of that fight.

"I further stated at the Franklin meeting that I knew Mr. Ewing, in and out of season, by day and night, had labored assiduously for the cause of the sugar interests of Louisiana, and that in my judgment he had rendered valuable assistance in the defeat of the passage of a free-sugar tariff measure; I further declared that, in my opinion, it was largely, if not entirely, due to his efforts that the rate of duty provided in the bill had been extended three years. That was my opinion when I was in Washington; I have repeatedly stated this opinion in private conversation, and it is now my opinion.

"In making this statement I had no intention or purpose to reflect upon the efforts of the Louisiana delegation of Congress or upon the efforts of any other friends representing the sugar interests at Washington or in Louisiana. There was nothing in my remarks that could possibly bear any such construction.

"This sugar fight has many sides to it, and I do not feel that just at the present time it would be wise on my part to go into any detailed history of that struggle.

"Mr. BROUSSARD further says, speaking of Mr. Ewing:

"'He has claimed the credit for every Federal appointment made in that State. And what sort of appointments have been made there? With few exceptions, those who have been appointed to Federal office had scarcely, when appointed, recovered from the political defeats with which they met at the hands of the white people of the State.

"'With scarcely an exception all of them had gone down to overwhelming defeat and had to be picked up from their place of retirement to take charge of the Federal affairs in the State of Louisiana. This has been done over the protest of the right-thinking independent Democracy of that State. With scarcely an exception, no one else was given recognition.'

"Of course this fling at the appointments of President Wilson includes, and was intended to include, myself among the other defeated candidates.

"It is true that I was defeated by Mr. RANSDELL in the last senatorial contest. The voice of the Democratic Party, as expressed in a Democratic primary, is a law unto me. I did not sulk in my tent after my defeat, nor did I for a moment falter or waver in my support

and allegiance to the great party which had so often honored me. Neither did I know or suspect that my defeat in a Democratic primary would be considered by my Democratic friends as a bar to my recognition for appointment to any office to which I might subsequently aspire.

"When some of my friends were kind and thoughtful enough to suggest my name as collector of this port, I stated to one and all that, while I would be pleased to accept the appointment, I would not consider or even apply for the position if my appointment was not acceptable to the Democratic Members of the House and Senate from this State. At a meeting of the Members of the House and Senate held in Washington I was unanimously indorsed and recommended to the President for this appointment by the entire Louisiana delegation. This recommendation was indorsed by National Committeeman Ewing. I felt then, and feel now, deeply grateful for the cordial and unanimous support which my friends at that meeting accorded me. It is true that Mr. Ewing supported me, but his support was voluntary, and the only comment or reference that he ever made to me on the subject of his indorsement was that he believed I was entitled to this recognition by the party.

"I wish further to state that I did not know that my appointment was made over the protest of the right-thinking independent Democracy of my State. I thought, and still think, that the indorsement of the Democratic Members of the lower House and of both Senators is a pretty fair reflex of the Democratic sentiment in Louisiana.

"I can at present recall only two appointees to Federal offices besides myself who had been lately defeated for positions which they had sought at the hands of the Democratic electorate of this State. These appointees are ex-Gov. Sanders and Judge Guion. Gov. Sanders has stated publicly that Mr. Ewing had nothing, either directly or indirectly, to do with his appointment; and if the national committeeman joined the two Senators in their recommendation of Judge Guion, it is to his credit that he did so, for there is no citizen of Louisiana who bears a more enviable reputation for professional ability, for personal integrity, and for all those qualities which go to make a splendid citizen than does Judge Guion."

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., March 30, 1916.

Hon. JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.

MY DEAR SENATOR RANSDELL: Your letter of this date has just been placed before me. I recall quite well the activity of yourself, ex-Senator Foster, and Col. Robert Ewing, in the spring of 1913, to retain a tariff duty on sugar. Personally, I was in sympathy with the effort being made to retain 1 cent duty on sugar, believing that it was an excellent means of raising revenue. I had voted for the Underwood tariff bill in July, 1912, which placed sugar on the free list, but Mr. UNDERWOOD and those who had the responsibility of framing that measure knew quite well at that time that I did not favor free sugar, and that I had earnestly urged that a tariff tax be continued on sugar strictly for revenue purposes.

In the conduct of the national campaign I was closely associated with Col. Robert Ewing at the Chicago headquarters, and during its progress more than once he made known to me his deep concern about the effect the coming revision of the tariff would have on the sugar interests of his State. I told him what my own attitude had been with reference to the retention of a tariff duty on sugar. In 1913, while the Underwood bill was in course of preparation, Col. Ewing was in Washington and stopped at the hotel where I was living. He again made known to me his anxiety about the action to be taken by the Ways and Means Committee with reference to sugar. Because of his knowledge that I had favored the retention of a duty on sugar he talked freely with me about his efforts in that direction. After our first talk he had a number of interviews on the same subject with me, and on two occasions I recall that you and ex-Senator Foster were present. I know Col. Ewing labored without ceasing in his efforts to keep sugar from going on the free list, and he left nothing undone at that time to accomplish his purpose. He worked night and day, and I believe, without disparaging in the least what may have been done by others, that it can be truthfully said that Bob Ewing did more than any one person toward those things which finally resulted in the retention of the 1 cent per pound duty on sugar, with free sugar after three years.

Col. Ewing at that time was indefatigable in his efforts in behalf of the retention of a duty on sugar, and it is thoroughly unjust for anyone now to attempt to make on any mind an impression to the contrary.

My attention has been called to a statement made by Senator BROUSSARD in his speech on the 27th instant that "the effort in the House to put a production or consumption tax on sugar met with the approval of the Postmaster General." I am at a loss to know why such a statement should have been made. It is of small consequence, but the truth is I was not aware that such an effort had been made until the Senator alluded to it in his speech. I not only did not favor such effort, but did favor the action taken by the House, and am opposed to fixing any limitation of time on the continuance of the 1 cent per pound duty on sugar, and I sincerely hope the Senate will pass the bill in the same terms as it passed the House.

In conclusion, permit me to express the hope that you may succeed in the splendid fight you are making for the Democratic ticket headed by Attorney General Pleasant, and that the hypocritical thrust being made at our party by the so-called Progressives, who are but thinly disguised Republicans, will fail as such efforts have always failed in the past.

Very sincerely, yours, A. S. BURLESON.

THE SECRETARY OF THE NAVY,
Washington, April 5, 1916.

DEAR SENATOR RANSDELL: Replying to your inquiry with reference to the attitude of Hon. Robert Ewing, member of the Democratic national committee from Louisiana, as to tariff tax on sugar, I have the honor to make the following statement:

The duty of issuing the Democratic Handbook for the campaign of 1912 was intrusted to me, and one of the chapters in the book was headed "The family sugar bowl," which favored putting sugar on the free list. When the handbook was printed and was being circulated Hon. Robert Ewing, member of the national Democratic committee, as soon as he had seen the book—he never had the opportunity of seeing it while it was in the making—protested with vigor against the free-sugar chapter, and insisted that I call in the edition and omit all reference to free sugar. This I firmly declined to do. Mr. Ewing complained bitterly of the position taken in the textbook and contended in favor of continuing a tariff tax on sugar. When Congress met and the tariff act was in the making Mr. Ewing spent much time in Washington and was most earnest and insistent in advocacy of a tax on sugar. When it became clear that free sugar would prevail in spite of his opposition, which he exerted with all the influence he could command, he was zealous in advocacy of the postponing of the date when the schedule for free sugar would go into effect. In view of the serious efforts Mr. Ewing made and his attempt to secure a recall of the handbook when he learned of its advocacy of free sugar, and his insistence upon a tax upon sugar, I am astounded that anyone should think that Mr. Ewing failed at any time to espouse the cause for which the sugar producers were making an earnest fight. Upon this question my view and the views of Mr. Ewing were wide apart, for I favored the free-sugar legislation, and the most persistent opponent of such legislation with whom I talked was Robert Ewing. He tried to convince me that he was right, and failed. I would as soon have tried to make the Mississippi River run upstream as to induce Mr. Ewing to abate one jot or tittle of his unceasing and untiring advocacy of a tax on sugar.

Sincerely, yours, JOSEPHUS DANIELS.

Hon. JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. THOMPSON. Mr. President, I am favorable to the general plan of military preparedness proposed by this bill, except as to some of the nonessential details. I am opposed to a large standing army, but a reasonable increase, such as provided for in this bill to meet new conditions, is absolutely necessary. I am against militarism and against enforced military service in time of peace, and if this bill contemplated either proposition I would vote against it. Militarism is obnoxious to the thought and spirit of the American people. It is contrary to their high ideals. If the spirit of militarism had not prevailed in Europe, the terrible European war would never have occurred. But an army of less than two men per thousand of our population, as provided by this bill, can not be said to be a large standing army or any indication that this country is advancing toward militarism.

There can be no objection to reasonable preparedness to preserve peace, but there is serious objection to such extensive preparations as would tend to promote war. It is necessary to be prepared to defend ourselves as a Nation so long as there is militarism anywhere in the world, just the same as it is necessary to be prepared to defend ourselves as individuals against unlawful attack so long as there are law violators abroad; but this is the only extent to which any nation or any person is justified in going.

Under existing conditions we would be derelict in our duty if we did not profit by what we have learned from observing the awful conflict in Europe.

The experience of the nations engaged in this deplorable war has demonstrated that we need plenty of guns and ammunition, manufactured by the Government itself, and a sufficient number of experienced men and officers to make proper use of them, and strong coast defenses, an adequate number of submarines and aeroplanes, to prevent the landing of any foreign foe.

This bill simply provides an adequate armed force for defensive purposes only. There is a great difference between preparation for defense to maintain peace and preparation for war. One may involve an additional expenditure of perhaps $100,000,000 annually, while the other would involve an expenditure of more than $100,000,000 per week. There are two extreme views on this question: One, that there should be no additional preparation whatever; and the other, that we should go the limit and build up a large Army and Navy second to none in the world. The President in his program proposed a sensible middle ground. He simply recommended a reasonable increase in armaments for defensive purposes, which he believes necessary to maintain the honor and integrity of the Nation.

Mr. President, the report of the Committee on Military Affairs sets out the proposed increase in the Army and the changes in the military forces of the United States so clearly and completely that I wish to insert that portion of the report as a part of my remarks.

The PRESIDING OFFICER (Mr. SIMMONS in the chair). Without objection, it will be so ordered.

The matter referred to is as follows:

The bill increases the Regular Army by the addition of the following units:

34½ regiments of Infantry.
10 regiments of Cavalry.
15 regiments of Field Artillery.
5 regiments of Engineers.
93 companies of Coast Artillery.
2 battalions of Mounted Engineers.
7 aero squadrons.

And the necessary increases of other auxiliary troops and staff departments.

These new organizations will increase the authorized Regular Army in time of peace about 74,789 enlisted men. The authorized strength of the Regular Army under ordinary circumstances will be about 174,789 men, or less than two men per thousand for our population, and can in emergency be raised to about 236,000 by the addition of men trained in its own ranks and then passed to the Regular Army Reserve.

These numbers need some explanation as do all statements regarding the strength of the Army, for otherwise no accurate comparison can be made. The present authorized strength as limited by law is 100,000 enlisted men of the line, including Philippine Scouts, but to this must be added 6,000 Quartermaster Corps enlisted men, 4,012 enlisted men of the Hospital Corps, and 4,000 unassigned recruits, which, under existing laws, are not to be counted as part of the strength of the Army, making a total force authorized of 114,012 enlisted men. The present actual strength is 89,324 so-called "line including the Philippine Scouts," plus 4,900 enlisted men of the Quartermaster Corps, 4,436 enlisted men of the Hospital Corps, and 4,000 authorized unassigned recruits, a total actual strength of 103,660. This number is limited by appropriations for the support of the Army and is fixed by the President.

The proposed force will include 174,789 enlisted men "line of the Army and Philippine Scouts," plus 6,409 enlisted men of the Quartermaster Corps, plus 7,290 enlisted men of the Hospital Corps, plus 6,098 unassigned recruits, an actual total of 194,586, or an actual increase in the authorized strength of 74,789 enlisted men of the "line and Philippine Scouts," 409 Quartermaster Corps men, 3,278 Hospital Corps men, and 2,098 unassigned recruits, a total actual increase of 80,574 enlisted men.

The total commissioned strength at present is 5,045. The proposed bill increases this number to 10,726. This number seems out of proportion to the proposed increase in the enlisted force, but in this number are 124 veterinarians not heretofore counted as officers, 822 officers for detached service with the National Guard and at educational institutions, etc., and a largely increased number of officers (88) for aviation service. The proportional increase in reality is not as large as the increase in enlisted men because of the increased size of the company units.

The proposed Regular Army will consist of seven Infantry divisions and two Cavalry divisions, in addition to the Porto Rico Regiment of Infantry, the Philippine Scouts, and one regiment for Alaska, and the various small detachments for special purposes throughout the Army.

The principal changes in the Infantry, Cavalry, and Field Artillery consist in the addition of a headquarters and a supply company to each such regiment, the addition of a machine-gun company to each Infantry and Cavalry regiment, and an increase of the minimum strength of the Infantry companies.

No detailed argument is required to show the necessity for a separate organization to operate and care for the machine guns of a regiment. The instruction of the personnel charged with this weapon is so essentially different from that of the other companies of the regiment that such companies should be permanent and self-contained, as are the other companies of the regiment. The proposed company will be armed with six machine guns, with one extra gun in case of breakage.

The minimum strength of the Infantry companies is increased from 65 to 100 men. This is an exceedingly important provision. A company of only 65 men, out of which the sick, the furloughed men, and other inevitable absentees must come, leaves only about 40 or 50 men for duty, a number totally inadequate for purposes of instruction either of officers or enlisted men. The proposed strength of 100 men will provide a company double the size of the old one and will far more than double the efficiency of the company units. A company of 50 men can not be raised to 150 men in case of war without seriously impairing the company's efficiency, but a company of 100 men can be increased by 50 men, some of whom will be from the reserve, and the company will still be an efficient organization.

The commissioned personnel of the Medical Corps will furnish approximately 1 surgeon to each 200 men in the field forces. This is an adequate provision for both the medical and sanitary duties in the Army and compares very favorably with the numbers of that corps in foreign armies.

The Signal Corps is increased sufficiently to provide the necessary telephone, telegraph, and wireless companies and the aero squadrons and staff officers necessary for the proposed increase in the rest of the Army, and the aviation section has been more than doubled to provide for that important branch of the service.

The Ordnance Department is increased by a sufficient number of officers to provide for the increased staff duties of that department and for the designing and experimental work involved in the production of new arms and armament shown to be necessary by the present European war.

The Corps of Engineers is increased by the necessary officers for the proposed increase in engineer troops and by additional 51 officers necessary for duty with the National Guard, at educational institutions, and for other similar detached duties not heretofore provided for.

The Quartermaster Corps, the Inspector General's Department, the Adjutant General's Department, and the Judge Advocate General's Department have each been increased sufficiently to provide for the increased staff duties required of each department incident to the increase in the Army.

The General Staff Corps has been increased sufficiently to perform its proper functions. Heretofore it has been very inadequate in numbers and has never been able to undertake the solutions of many of the problems devolving upon the general staff in foreign armies. Germany has a general staff of 309 general staff officers, with 228 other officers attached for general staff work France has a general staff of 612 general staff officers, with 263 other officers attached for duty. Austria-Hungary has a general staff of 508 general staff officers, with 421 other officers attached for duty. Great Britain has a general staff of 171 general staff officers. In view of these numbers the increase in our general staff to 88 must be considered as very moderate indeed.

The so-called detached officers list is increased from 200 to 1,022. This will provide officers for duty with the National Guard, at educational institutions, as military attachés, and other detached duty authorized by existing law without depleting the commissioned personnel of the companies, troops, batteries, and higher units and thereby crippling the efficiency of the Army to a deplorable extent.

The status of dental surgeons and veterinarians is materially improved in this bill. The dental surgeons and veterinarians are commissioned as dental surgeons and veterinarians, respectively, but inasmuch as they are never called upon to command troops they are not given rank, but only the pay and allowances of the grade in which commissioned. The number of chaplains has been increased to meet the increased strength of the Army.

Provision is made for citizens of the United States who have served as officers of Philippine Scouts who, after having served faithfully therein, are permitted to retire with the highest pay and allowances of a retired enlisted man of the Regular Army.

The enlisted period has been retained as heretofore, but provision has been made to encourage men to enlist by making it possible for a bright, intelligent man to qualify in his duties and pass to the reserve in a shorter time than possible heretofore. Young men are also to be encouraged to enlist by giving men who have served honorably and faithfully further preference in regard to appointments under the civil service of the Government.

A new class of reservists is created, to consist of men who, by the nature of their civil occupation or profession, are peculiarly fitted for the special technical work of the Quartermaster, Engineer, or Signal Corps, or the Ordnance or Medical Departments of the Army. The number of this class of men that would be needed in time of war is far in excess of the numbers that will ever be maintained in the Regular Army. This class of men do not require drilling and training in field exercises as do infantrymen or cavalrymen, but they must be technically skilled in their own particular occupation, whether it be that of chauffeur, automobile engineer, railroad man, bridge builder, surveyor, gas-engine man, telegrapher or telephone engineer, wireless operator, machine-shop expert, powder expert, doctor, nurse, or pharmacist. The daily occupation of these men in civil life is the best training they could have for the functions that they would perform in time of war, and therefore all that is required of them is that they should enlist in some reserve so that the Government may be sure of their services when it needs them. It is not expected that these men will be called out in time of peace for any drill or training, but it is expected that they will be arranged in organizations and that officers of the officers' reserve corps will be assigned to such organizations, thereby creating units which will be immediately available for active service upon the very shortest notice.

The members of the Regular Army reserve will be paid a small sum of $2 a month to keep them in touch with the War Department, but the large bonus contemplated in existing law will be done away with and more assurance of service in time of need and more economy will result under the proposed law.

One of the greatest causes of delay in training a force of citizen soldiers is usually the lack of training that exists in its commissioned personnel. The officers must learn their functions at the same time that they are endeavoring to teach the enlisted men the part that they have to play. It is proposed to create an Officers' Reserve Corps, consisting of men who have been partially educated and trained along military lines for use in such an emergency. They will have few or no functions to perform in time of peace, but the idea is to have them examined mentally, morally, and physically in time of peace to determine their fitness for command in time of war. This will allow the examinations to be carefully conducted when there is no emergency and will insure a far better personnel than could possibly be raised in the confusion incident to a state of war. It is proposed to commission these men in time of peace as reserve officers in the various arms, corps, or departments, and their commission renders them liable for service when called upon by the President, but his authority so to call them is limited to the time of actual or threatened war, except for short periods of training and for other purposes when authorized by Congress and with the consent of the reserve officers concerned, as, for instance, the use of certain of them as Medical Reserve officers are now authorized to be used. This reserve of officers is intended to supply wastage amongst the forces in active operation, to officer the depot battalions and companies which train the recruits, and to officer new organizations of volunteers raised in time of war. Of all the proposed provisions for preparedness there are few of more importance than this one, and none from which the Government will receive so great a return for the small expenditure involved.

To furnish the personnel for the Officers' Reserve Corps it is proposed to utilize the educational institutions of the country which have adopted or will adopt approved courses of study, including a certain amount of military instruction. The students who enter into this plan will form the Reserve Officers' Training Corps, and the provisions for this corps have the approval of the representatives of the educational institutions concerned and of the War Department. These provisions for an Officers' Reserve Corps and the Reserve Officers' Training Corps do what no previous legislation has ever done—i. e., they give the members of those organizations certain rights and responsibilities and make them a real and valuable asset to our military strength and in a true sense will mobilize, in time of peace, our national assets in trained military and professional men for time of danger.

Section 56 proposes to create a volunteer force in which citizens can be enrolled who for any reason can not join the National Guard or the Regular Army. This is to be purely a Federal force, not to be used except in case of actual or threatened hostilities. The plan to maintain such a force in time of peace being an entirely new idea, it was deemed best to give the greatest possible latitude to the President regarding the rules and regulations under which these volunteers should be raised, limited, however, by certain fundamental restrictions which, in addition to those imposed by a voluntary enlistment and public sentiment, will prevent any abuse of such a force.

The volunteer force so created will have a maximum strength of about 261,000 officers and enlisted men.

The patriotism and enthusiasm that has animated the members of the Organized Militia during the many years of our national indifference on the subject of preparedness has received its just recognition in the bill as submitted and the National Guard, as it is now called, will be found to be amply provided for. The bill increases the scope of usefulness of the National Guard and binds the 48 small disconnected detachments, that now exist, into one great national force as far as constitutional limitations will permit. Pay is provided for the members of the National Guard who give a great deal of time to that work and largely increased appropriations for the National Guard are anticipated in the provisions of the bill. Under the new plans the future of the National Guard looks brighter and better than ever before in our history. Existing defects regarding the appointment of officers and the system of training have, to a large degree, been remedied. No constitutional right of the States is invaded, but certain rules are laid down, upon compliance with which is based participation in the Federal appropriations for the support of the National Guard, and in addition thereto certain heretofore unused powers of the Federal Government under the Constitution have been assumed.

An increased number of Regular Army officers for instructing the National Guard is provided for. A uniform law governing enlistments

in the guard and uniform methods of administering discipline through National Guard courts-martial are laid down in the bill.

The National Guard authorized under the proposed act will be about 280,000 officers and enlisted men in the active guard.

A National Guard Reserve is created to which men who have served can be furloughed so that their services will not be lost when they leave the active organizations of the guard. The annual period of training is somewhat increased, but is still well within the limits of time that any man can give to his country without injuring his personal interests, especially in consideration of the pay involved. The period is still too short to produce trained soldiers, but it will enable them to acquire the rudiments of military training and will be a great improvement upon existing conditions.

Mr. THOMPSON. Mr. President, the most objectionable feature of the original Army plan was the continental army proposition, which has been practically eliminated by this bill and superseded by the increase and betterment of the National Guard, which change I heartily approve. The only remaining vestige of this scheme is embraced in section 56, which I shall vote to strike out because of the enormous expense, amounting to $25,000,000 annually, with so little benefits to be received, and also because of the injury it would cause to the National Guard. If we are going to adopt the National Guard plan, which I understand to be the sentiment of the country and the Congress, we should do so in a manner to get the best results from that plan, and should at least do nothing that would in any way cripple it. The National Guard has always given a good account of itself in the past when called upon in any emergency, and will do so again should occasion ever arise to require it. There is a great difference in the National Guard of to-day and its feeling toward and relations with the Regular Army than in times past. In the past there was an estrangement and jealousy between the two institutions which have practically disappeared to-day.

The National Guard organization to-day is anxious to cooperate with the Regular Army, and the Regular Army organization is anxious to have it do so. This bill gives the National Guard the chance it has wanted for these many years. Give these brave men, who have freely and voluntarily, without compensation or consideration in the past, left their places of business and their usual avocations of life to devote time to aid their country in preparation for defense, a fair opportunity, which this bill contemplates, and no one will be ashamed of the showing the National Guard will make.

In our plan for preparation we have already doubled the number of cadets at West Point and the number of midshipmen at Annapolis, for which I am especially glad, because it embraces ideas presented in bills introduced by myself on the same subjects. We have also passed the Government armor-plate bill, which will result in great good. When any private industry becomes so arrogant and greedy as to take advantage of its own Government, it is high time that the Government should step in and take a hand in the business itself, and I am glad it did so in this important matter, so essential for preparation for defense at this time. We should also provide additional plants for the manufacture of arms and ammunition by the Government. This should not be left to the greed and avarice of private corporations, who sometimes think more of the almighty dollar than the safety and life of the Nation.

This bill also provides for military instruction in our high schools and colleges, which I regard as one of the best features of the bill, for I believe that this after all is the greatest and best source from which to secure a reserve for our Army. I am especially favorable to this feature of the bill, and to any other plan that will secure military training for our boys who may desire it during school age, and of making it attractive and advantageous to them to take such a course. There is a time in the life of nearly every young man when he craves military training; and the time to give it to him is when he wants it, and once mastered, it will always remain with him. He will not only be personally bettered by it physically and intellectually, but he will be more valuable as a citizen of the Nation should his Government ever need his services in this direction. If called from the reserve, he will be in a much better position to not only take care of himself but to defend his country. I believe from this source alone the very best military preparation for a citizenry army could be had for the least expense, the least sacrifice to the citizen, and with the least danger of the Nation developing an aggressive military spirit, which no good American wants.

While we all regret that in this day and age it has become necessary to make any additional preparation along military lines, yet with war raging on all sides, in most every other great country on earth, it is only the part of wisdom to make proper preparation for any aggressive action toward us. We can all rest assured, however, that whatever this administration does toward preparation will be for the purpose of maintaining the rights of our citizens and the honor of the Nation, and is in the interest of preserving peace. The time has about arrived in the history of this country when nothing short of invasion, or a direct attack on our citizens on land or sea, will justify war. Certainly nothing that can be recompensed in dollars and cents will ever again justify it. The dawn of a new day is near at hand, and the position of America in the pending crisis is doing more than anything else to bring it about.

President Wilson at the Fiftieth Gettysburg Anniversary used language equaling the famous classic delivered by President Lincoln years before at the same place, which is extremely appropriate for to-day:

"Do not put uniforms by. Put the harness of the present on. Lift your eyes to the great task of life yet to be conquered in the interests of righteous peace, of that prosperity which lies in the people's hearts and outlasts all wars and errors of men. Come, let us be comrades and soldiers yet to serve our fellowmen with quiet counsel, where the blare of trumpets is neither heard nor heeded, and where the things are done which make blessed the nations of the world in peace and righteousness and love."

May the day soon come when it will be demonstrated the world over, and the accepted policy of all the nations of the earth, that "The pen is mightier than the sword"; when "Spears shall be beaten into pruning hooks and swords into plowshares," and war shall be no more.

Mr. KENYON. Mr. President, I only desire to take a very few moments to place in the RECORD my reasons for my vote as to this section, which it seems to me is really the vital part of the whole bill at this time.

As I understand, there are only two ways of raising troops under the Constitution. In Article I, section 8, paragraph 12, the power is given to Congress "to raise and support armies." Second, in Article I, section 8, paragraph 15, Congress is empowered "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions."

The constitutional question is plainer of discernment than its solution.

Section 4 of the act of 1908 provided, among other things, that the militia "shall secure to serve either within or without the territory of the United States." The Attorney General held, February 17, 1912, with reference to this law—and part of his opinion I quote:

> I think that the constitutional provision here considered not only affords no warrant for the use of the militia by the General Government, except to suppress insurrection, repel invasions, or execute the laws of the Union, but by its careful enumeration of the three occasions or purposes for which the militia may be used, it forbids such use for any other purpose.

I realize, of course, that the opinion of such an eminent lawyer is entitled to great weight. Eminent constitutional lawyers of this body have disagreed on the floor as to whether or not the National Guard, under the Constitution, can be federalized. Strong arguments can be made on both sides of that proposition, and I confess to very grave doubt on the proposition. I am unable to see, as yet, just how Congress could train the State militia, and what Congress could do if the States declined to train them. However, I am going to resolve that doubt in favor of the proposition of the federalization of the National Guard, because when trouble comes these questions melt away, and I do not believe these constitutional questions will ever arise. To assume that they will is to assume that the States and their governors will not do their duty. The patriotism of the men of the National Guard is sufficient guaranty that they will not seek to avoid service to their country because of fine-haired constitutional distinctions.

The country is asking now for some reasonable and adequate preparedness. Just what that preparedness is or just what preparedness is adequate no one is prophetic enough to know. It must embrace a strong Navy as the first line of defense; a Regular Army of such size, in cooperation with the National Guard, as may hold any invading force, if the first line of defense, the Navy, should be broken down, and hold that force until volunteers in sufficient quantity would be raised and trained to repel the invader. The invader, of course, is a somewhat mythical institution just now, but for the purpose of any argument for preparedness we must assume a possible invader.

It has always seemed to me that the stronger our Navy the less the need of a large standing Army, though I have heard argument here to the contrary. How to secure an Army that shall be efficient is the question. It is unfortunate, I think, that any conflict should exist between the Regular Army and the National Guard. The membership of both are equally patriotic. There is no particular monopoly of patriotism in this country with anyone.

I do not agree, as was expressed in debate the other day, that there is no unity of American citizenship. Our people naturally differ in their opinions, as all thinking people will, in a democracy, but any flame of war would quickly melt all elements of our population into one great citizenship, with an abundance of patriotism and a unity of devotion to our country.

In any scheme of national defense, as is shown by the provisions of this bill, the National Guard must be a great asset. I confess, as did the Senator from Illinois [Mr. LEWIS] on Saturday, something of a prejudice in favor of the National Guard. The guard consists of the best boys of our States, representing its highest development, of young men who have made sacrifices in order to keep up a military spirit. They are anxious to serve their country. They have given their time, foregone pleasures that they might have otherwise indulged in. They are, of course, compelled to make their living, and so can not give all their time to the work of drilling and training. In my judgment they are our very best asset for defense.

The militia of to-day can not be compared with the militia of olden times, which, it must be confessed, was not satisfactory in its operations.

I have heard various objections raised to the National Guard, such as, "If certain governors do not sympathize with the work it would make the guard inefficient." The incident has been cited by some of the governor of South Carolina some years ago mustering out the militia. Others suggest that if one section of our country was attacked political pressure would be brought to bear to prevent the guard from going to the relief of that section if their own section might perchance be fearful of attack; that the guard do not receive so much instruction as the Regulars and can not be so efficient.

I am familiar with the fact that the last report of the Chief of Staff states that "over 30 per cent failed to attend 24 drills," and that "it is believed to be a safe conclusion that not a single unit at its maximum strength marched a distance of 10 miles fully equipped and armed," and, of course, other objections can be cited.

The Volunteer Army plan as proposed by this section, it seems to me, does conflict with the National Guard proposition.

The Volunteer Army plan as it appears in the bill now is practically good for nothing. It creates no unit of an army.

The Senator from New York [Mr. WADSWORTH] a few days ago in his brief address seemed to puncture the proposition full of holes. It appears merely as a sort of a 30-day outing for some distinguished gentlemen who think thereby they are giving a very patriotic exhibition for the people of the country.

One may have serious doubts as to what most of them would do if they were requested to walk up and sign the muster roll.

It seems to me, considering especially the question of expense, that we are called upon to decide between the continental army and the National Guard. We can not well have both.

Aside from the Regular Army, the only organized military force of the United States is the National Guard. Many of its officers have been enthusiastic students of military affairs. The members themselves evidence a desire for military knowledge and a patriotic devotion to country highly commendable.

They have not had, it seems to me, a fair chance. The antipathy of the Regular Army toward them has been rather marked—and I say it in no spirit of criticism, because I have the greatest respect for the Regulars and for our Army officers. They have shown their splendid ability to render service to their country, as they are doing now in the deserts and the mountains of Mexico. The Regulars are made of the right stuff, and just the same stuff as the guard, but I fear some of the Army officers are determined to force the Nation into a process of conscription, which is not desired by the great body of our people. Everyone wants an effective Army. That is the main consideration.

Some of the newspapers in the last few days have said that politics are creeping into this matter, because it was claimed the members of the National Guard had great political influence. I had hoped that this question of preparedness might be discussed and settled without any thought of politics. I believe every Member of Congress absolutely eschews any thought of politics in this matter. It is to be hoped that all local interest and all political interest may be set aside, and that this leigslation at least may be for the good of the entire Nation and on a broad national basis. I shall vote as at present advised on the various amendments to this bill in favor of what seems to me giving the National Guard a fair trial. If that trial does not prove successful, then I am willing to favor different legislation. But for the years of devotion and sacrifice that the members of the National Guard have passed through they ought to have a fair chance to show what they can do along military lines.

Agreeing that our need is an effective Army, the question suggests itself, Is the Regular any more effective than the guardsman?

There are three great things in training a soldier:

First. He must be trained to discipline.

Second. He must be trained to take care of himself and his health.

Third. He must be trained to be an expert in the use of his arms.

As a comparison in this debate is being made between the efficiency of the Regular Army and the National Guard, the results of the achievements of the National Guard in rifle practice, which is the third great requirement of the trained soldier, would be interesting.

In order to develop the highest and the best systems of training in rifle practice the national board for the promotion of rifle practice provides for a national rifle match each year. In this match each State has a team of 12 shooting members from the National Guard and like teams from the United States Infantry, United States Cavalry, the Navy, and Marine Corps, and sometimes from the Naval Academy and Military Academy.

In 1910 the Iowa rifle team of the National Guard not only defeated all the National Guard teams but defeated two of the regular service teams.

In 1911 Sergt. Charles M. King, National Guardsman and blacksmith at the city of Waukon, Iowa, won the military championship of the United States, defeating many hundred competitors from the Army, the Navy, Marine Corps, the National Guard, and the experts of the powder companies, and his score was 11 points higher than his closest competitor.

The same year Lieut. Don A. Pruessner, a bank cashier at Manchester, Iowa, won the special medal for rapid fire in the national individual match.

In 1912 Col. Brookhart selected three Iowa National Guardsmen—Capt. Fred S. Hurd, of Des Moines, who has charge of the State arsenal; Capt. Don A. Pruessner, the same banker from Manchester; and Sergt. John E. Jackson, a farmer from Washington—and after giving them one week's training sent them to Winthrop, Md., to the Marine Corps rifle range, to compete for places on the American Olympic team. These Olympic matches were a part of the great international Olympic games held in Sweden that year. These men had to compete with the best riflemen of the regular service and the best experts of the powder companies. At the end of the competition Sergt. Jackson was in second place, Capt. Hurd in seventh place, and Capt. Pruessner in ninth place. Ten men were selected to make up the team, and the National Rifle Association reserved the right to select the two lowest arbitrarily and without reference to their standing in the try out. As two Iowa men had won places on the team, Capt. Pruessner being in ninth place, was ruled out, and another rifleman chosen who had not done so well. Sergt. Jackson and Capt. Hurd both went as members of the Olympic team, Sergt. Jackson shooting as a principal and Capt. Hurd being an alternate.

The American team won first place and the Olympic gold medals for the championship of the world.

In the individual matches Sergt. Jackson won third place at the longest range of 600 meters and Capt. Hurd won first place in the short range of 50 meters and the Olympic gold medal.

In 1912 Canada challenged the United States in the famous Palma match. This was for the long-range military championship of the world.

Col. Brookhart was selected as team captain of the American team, and held the tryout at Seagirt, N. J., almost in the dooryard of Woodrow Wilson's home, who was then governor of that State. All branches of the regular service, except the Navy, competed for places on this team, but the places were won by National Guardsmen. The only member from the Regular Army was Capt. Mumma, whom Col. Brookhart selected as adjutant. This team went to Ottawa, Canada, defeated the Canadian team for the world's championship and made the world's record score, which is to-day the world's record score in that match.

In 1913 the Iowa rifle team defeated the United States Infantry in the national match, and the Oregon rifle team defeated two of the regular service teams.

In 1915 Sergt. Jackson, of Iowa, won the long-range championship of the United States in the famous Wimbleton cup match.

At the conclusion of the national matches each year there is held a final rifle match called "The United service match." This match is made up of a team of 16 from the National Guard of the United States, 16 from the Regular Army, and 16 from the Marine Corps and the same from the Navy, if present.

In 1915 Col. Brookhart was coach of the National Guard team and Sergt. Durchdenwald, of Waterloo, Iowa, and Capt. Hurd were shooting members of the team. The National Guard team defeated the Army and the Marine Corps, which were the only other competing teams, and to-day hold the medals as the winner of the united service match. This match consisted of 10 shots rapid fire at 200 yards, 10 shots slow fire at 600 yards, and 10 shots slow fire at 1,000 yards for each member of the team.

Col. Brookhart has the official record of all the above achievements, in so far as they relate to the State of Iowa, and there is not another record in the world which contains so many high triumphs in national and international events in military rifle practice.

In addition to winning in these high places the Iowa National Guard has developed two dozen officers who are the equal of any officers in the world for efficiency in rifle practice.

Many of the other States also have a like record, and all of the States are showing very great development.

I cite this because in the course of the debate there has been a great deal said about the lack of efficiency on the part of the National Guard. I cite it as showing that at least as to one of the great requisitions of the soldier the National Guard have held their own and even surpassed their own in contests with the Regular Army.

The amendment adopted a few days ago proposed by my colleague [Mr. CUMMINS] was not dependent upon any of the constitutional propositions discussed, and the general argument has gone on more along the general line of the federalization of the Guard. Under that amendment the General Staff will have 92 officers and the National Guard 5. Certainly those who are advocates of the Regular Army and opposed to the Guard ought to have no fear of the advice of these officers of the National Guard being persuasive on the General Staff unless their views from a military standpoint are absolutely sound.

Section 56 will mean heavy expense. It is nothing but an experiment. I believe it will be useless if the Guard is recruited to its full strength, and its adoption in itself may make more difficult the recruiting of the Guard to its full capacity. It seems to me that we are compelled to choose between the Guard and section 56, and being compelled to do that, as I view it, I shall vote in favor of the Guard by voting to strike out section 56.

Mr. SIMMONS. Mr. President, I do not propose to detain the Senate more than 5 or 10 minutes at the outside. Aware, as I am, of the anxiety of the Senate to reach a vote on this section and the amendments, I would not trespass upon the time of the Senate to any extent at this late hour in the discussion but for the fact that when in favor of a general scheme of legislation proposed by a committee of this body, as I am in favor of the idea of enlarged military preparedness provided in this bill, it is with reluctance that I antagonize the details and methods by which it is sought to work out that general purpose. For these reasons, Mr. President, I feel constrained to take a few minutes to state the reasons which impel me to vote against the Volunteer Army provided in the Senate committee bill as a part of the general scheme of preparedness provided in that measure.

The Volunteer Army provided in the fifty-sixth section of the bill—by whatever name it may be called, whether a volunteer army or a continental army—is in essence and in substance nothing more than a national militia. The National Guard, as it exists under the present law, by whatever name it may be called, is in essence and in substance nothing except the old State militia a little more closely connected with the Federal Treasury. The amendment of the committee federalizes the present National Guard by enlarging the powers of the Federal Government over it and makes it in essence a national militia, notwithstanding its State connections.

So, Mr. President, we have an amendment here which will in effect establish two national militia systems, one absolutely controlled by the Federal Government in all its details, in all its functions, and in all its operations, and the other under certain conditions and circumstances equally subject to the control of the Federal Government.

So far as the method of training, so far as the course of discipline under which the training is to take place, so far as the hours of training during the year, and so far as the general control of the Government are concerned, if this federalizing process is constitutional, there will be substantially little difference between the national militia called a volunteer army and this national militia called the National Guard.

I repeat, so far as the methods of discipline, of training, and of governmental control is concerned, exercised in the one instance directly by the Federal Government and in the other instance indirectly by the Federal Government, I do not see very much difference between the two systems. I do not believe that the proposed volunteer army, compared with the federalized National Guard, as a result of discipline and training and control, directly in one case and indirectly in the other case, will in all probability result in giving us any better trained and better prepared soldiers than we will get under the method and system provided for the same purpose in the bill with regard to the National Guard.

Both the old militia system and the present National Guard system have been severely criticized and the charge of inefficiency has been emphasized. I do not deny that these charges with respect to the past are more or less justified, but I do not think this altogether the fault of the system. It was due as much, and probably more, to the indifference and inadequate assistance both from the State and National Governments. Certain it is when the old State militia, which had been but little encouraged, if not neglected, by the States, was merged into the National Guard the assistance given by the Federal Government in connection with training, equipping, arming, and so forth, this force was immediately felt and seen in the greater interest and improved conditions in many, if not all, the States of the Union. I know that in my State there has been a distinct revival of interest in the National Guard since this change, and I firmly believe that with the additional encouragement which will come from the assistance provided in this measure we will see that the National Guard will take on new life; that it will become immensely more attractive than it is now; and that the results in a short time will be the establishment in every State of the Union of a National Guard that will turn out trained and efficient soldiers.

Mr. President, I doubt, when you analyze like conditions with reference to the proposed Volunteer Army, whether you will find them any more conducive, if they are as conducive, to better training, equipment, and preparation for active and effective service than those provided in the bill with reference to the National Guard.

Mr. President, with this help from the Federal Government, with this supervision of the Federal Government, with the aid in various ways that will be given the Guard by this bill in developing and to strengthen their efficiency for war purposes, I have no doubt that the highest expectations of those who have seen fit to present this as a proper method for supplementing our Regular Army will be realized.

The House ignored the scheme for a continental army so much pressed by the War College and the Regular Army. Instead, they federalized, I think in an effective and a constitutional way, the present National Guard and substituted it for the proposed continental army.

That, Mr. President, made a logical and a consistent measure. It provided for a Regular Army, and it provided for an effective method of increasing its strength in times of stress and of need. It did not inject into our military system two different systems operating in practically the same field, trained and developed along practically parallel lines and subject to the same general control of the Federal Government.

The Senate committee, departing from the precedent set by the House, provided not only for the federalization of the National Guard but for a national militia, thus setting up two distinct and independent forces, one wholly controlled by the Government and the other practically controlled by the Government, working upon lines of rivalry, almost certain to produce demoralization of the one force or the other, resulting in the end, in all probability, in one swallowing up the other or in the hopeless disorganization of both.

Mr. President, because I believe the National Guard can be made an effective system, because I do not desire two systems maintained and developed on practically the same lines, I am constrained, although I regret to disagree with the committee, to vote for the elimination from the bill of section 56.

Mr. President, if the National Guard is to be federalized, I do not think we need the volunteer army; and if we are to have the volunteer army, I do not see any great reason for federalizing the National Guard. These are both volunteer forces. They can be maintained only at a large public expenditure, and I think it is better for us to work out the problem of a reserve force exclusively through the one or the other rather than through both combined.

Mr. SHERMAN. Mr. President, very reluctantly I take the time at this stage of the discussion to submit some views which I have on the motion proposing to strike out section 56 of the bill. I shall not address myself to the part of the measure which requires military knowledge, for the very evident reason that I myself have none. So far as the State militia, the Volunteer

Army, or the Regular Army connect themselves with congressional action, I desire to submit some observations which I consider pertinent.

It is a matter of regret always when it becomes necessary in a legislative body to read or even to quote from musty law books. A large part of this discussion, however, Mr. President, has been devoted to the power which Congress has over the State militia. That necessarily connects itself with adjudicated cases on this branch of congressional power. One of the decisions has been referred to a great many times in Fifth Wheaton, as I remember it, of Houston against Moore. I do not desire to quote from this opinion more than to say that the decision is now nearly 100 years old. The opinion was filed in 1820. There is a separate opinion, scarcely to be dignified with the designation of a dissenting view of Justice Story. The majority opinion, in which five of seven justices seemed to concur, prepared by Mr. Justice Johnson, presents the view of the court. Justice Story takes the precaution to observe in his separate opinion that at least one other of his brethren concurred with him in his expressed views.

This decision—calling it a majority decision—is more remarkable for what it does not decide than for what it does. The point in issue does not require the part of the opinion alluded to with considerable satisfaction by those who question congressional power over the State militia. The part of the opinion often quoted in this discussion in the last two weeks says:

> Indeed, extensive as their power over the militia is, the United States are obviously intended to be made in some measure dependent upon the States for the aid of this species of force. For, if the States will not officer or train their men, there is no power given to Congress to supply the deficiency.

This part of the decision, Mr. President, is a dictum. It is not required in the decision of the case presented to the court. That part of the reasoning or that portion of the opinion could be left out and still every valid argument drawn from the majority opinion would be as powerful as if it were there. The point to be decided in this case, Mr. President, was whether an act of the State of Pennsylvania passed in 1814 authorized the conviction of a member of the Pennsylvania State militia who refused to respond to the call of the President for volunteers in the War of 1812. Having failed to respond he was prosecuted under a State statute. The question was, How far had Congress in the act of 1795 covered the question of the failure of a private in the ranks of the State militia to answer a call for the public defense?

In deciding this question Justice Johnson expressly refers to the fact that Congress has not covered fully the domain it might have covered. He refers especially to the fact that the State of Pennsylvania was intending to supplement defective action of Congress in the act of 1795. This portion of the opinion I desire to embody in the CONGRESSIONAL RECORD. It says:

> With regard to militiamen ordered into service there exists a peculiar propriety in leaving them subject to the coercive regulations of both Governments. The safety of each is so worked up with that of all the States, and the honor and peculiar safety of a particular State may so often be dependent upon the alacrity with which her citizens repair to the field that the most serious mortifications and evils might result from refusing the right of lending the strength of the State authority to quicken their obedience to the calls of the United States.
>
> * * * * * * *
>
> The Legislature of Pennsylvania—

Continuing reading from the opinion and omitting part of another branch of the discussion of the opinion—

> The Legislature of Pennsylvania, influenced, no doubt, by views similar to those in which I have presented the subject, saw the defects in the means of coercing her citizens into the service; and unwilling to bear the imputation of lukewarmness in the common cause, legislated on the occasion, just so far as the laws of the United States were defective or not brought into operation.

So the point to be decided in this case, Mr. President, was not the validity or the extent of the power of Congress over the State militia, but a question of whether an act of Pennsylvania was valid in going into territory already covered or not covered by the act of Congress. It is to that particular territory to which this portion of the opinion refers. The act of 1795 not having provided for the punishment, it seems, in a like case, the court very properly alludes to the fact that a State legislature may supplement a defective act of Congress where it leaves the matter unoccupied by the exercise of power constitutionally vested in Congress. The State may act concurrently with Congress until the latter does act. The power of Congress becomes exclusive only when exercised in such instances. So upon this ground the decision rested.

The part referring to the helplessness of the General Government in the event that the States refused to support militia, refused to appoint officers, refused to make appropriations, refused to furnish headquarters, refused to train, is not drawn necessarily into the issues decided in this case. This part of the opinion is more powerful in deciding what this opinion does decide and the weight it has in this discussion than anything else. In the concluding paragraph of Justice Johnson's opinion he says:

> In this case it will be observed that there is no point whatever decided, except that the fine was constitutionally imposed upon the plaintiff in error. The course of reasoning by which the judges have reached this conclusion is various, coinciding in but one thing, viz, that there is no error in the judgment of the State court of Pennsylvania.

That was the point decided—not whether a State might be so negligent of the public defense as to refuse to provide a State militia or to appoint officers or to provide for the training of the troops at proper intervals.

There has been a good deal said here with reference to the fathers of the Republic. I have no special guardianship over the fathers of the Republic, Mr. President, nor have I any special means of information about what they intended, save the records that they preserved. Happily, those records, as records went in those days before the art of shorthanding had been perfected, are, for a long-hand transcript, fairly complete.

Who was in the convention which framed the organic instrument from which the Senate derives its powers in connection with the other House? During the greater part of the time, Mr. President, there were representatives or delegates from 11 States in the Union, among which the State of New Jersey, which the present occupant of the chair [Mr. MARTINE] has the honor to represent in part, was continuously present by its delegates. The States of North Carolina and South Carolina were present, through names that are historically high in the annals of legislation and statesmanship. New York was represented. Virginia at that time was the great mother among the States—greater in her population and in her resources, but infinitely greater, Mr. President, in the personality and the power of her men. Edmund Randolph was present in that convention at Philadelphia. He sat on the committee that framed vital portions of this charter. At the time he was in the convention he was also the governor of the Commonwealth of Virginia. James Madison was another. George Washington was the chairman. From Pennsylvania came the philosophic Franklin, who was 82 years of age at the time he shed upon that convention the beneficence of his knowledge. Why, if the bill that proposes to retire the Federal judges had been applied to Franklin, he would have been out of the public service 12 years before that time. There sat with him, as his colleague, James Wilson, one of the early lawyers whose reputation has survived more than a hundred years, and who was a most eminent chief justice of the Supreme Court of Pennsylvania. These, with the other States, including Massachusetts, Maryland, Delaware, Connecticut, New Hampshire—altogether, 12 out of the 13 States—were present when this document was framed.

I do not care to quote extensively from what they said or what they did. I shall at the proper time ask to have printed in the CONGRESSIONAL RECORD such parts as I think material, in order to save time and preserve what I consider to be material in the investigation of this question. It is sufficient to say that we are no better and no worse than those men who sat in the convention to frame our Constitution. They differed from each other; they had radically divergent views on this identical question. They had only recently emerged from the Revolution. There was no General Government save that—and it is only by mere courtesy that we call it "national"—which the Articles of Confederation gave to them. So the States met, and their purpose was, if possible, to obtain a more stable form of organization. I think they succeeded.

When it came to the provision in question, clause 16, section 8, of Article I, and other provisions of Article I of the Constitution affecting the incidental powers of the General Government over the militia, the same controversy arose. Mr. President, some of the delegates from the States refused to surrender any power over the State militia. They said it was a matter of purely domestic concern; that if they surrendered the power sought to be taken by others, those of the Alexander Hamilton school, it would result in a military dictatorship; that it would destroy the State militia and would give such power to the General Government as ultimately would be tyrannical in character.

There was the other school, the Hamilton school, from whose articles a great deal has been quoted and placed in the CONGRESSIONAL RECORD. I do not care to say very much except to allude to this difference. Out of it came the sixteenth clause of section 8, which is in controversy, and which has very often been quoted in the course of this discussion. I want to read, Mr. President, very briefly from certain of the arguments

offered by these gentlemen. I read first from the observation of Charles Pinckney, of South Carolina. He says:

The exclusive right of establishing regulations for the government of the militia of the United States ought certainly to be vested in the Federal councils.

That was one of the early names by which Congress was known in the discussions—

As standing armies are contrary to the constitutions of most of the States, and the nature of our Government, the only immediate aid and support that we can look up to in case of necessity is the militia. As the several States form one government, united for their common benefit and security, they are to be considered as a nation, their militia therefore should be as far as possible national, and uniformity in discipline and regulation should pervade the whole, otherwise, when the militia of several States are required to act together, it will be difficult to combine their operations from the confusion a difference of discipline and military habits will produce.

From the opinion of Luther Martin, who was a delegate from the State of Maryland, I read the following. He was opposed to it, both in the convention and in his own State when the question of ratification was considered, and before the State Legislature of Maryland he presented a lengthy argument against ratification. When he referred to the power contained in clause 16 of section 8, Article I, he uses the following language:

By organizing the militia Congress have taken the whole power from the State governments; and by neglecting to do it and increasing the standing army, their power will increase by those very means that will be adapted and urged as an ease to the people.

Alexander Hamilton later presented his views, in which he criticized the grant of power as not being sufficient. He thought Congress ought to have more power over the State militia than they were given finally in the perfected draft of the Constitution. In some things I suppose those of the party with which I am affiliated regard Alexander Hamilton as a patron saint. As to some of them I uniformly possess about the same opinion, but as to a good many of them, Mr. President, I totally dissent. Hamilton wished to build too strong a central Government. I doubt very much, even in his most extravagant moments, in his greatest flights of imagination as to the power he sought for the Federal Government, he ever conceived it in its present form, in its development brought down by a process of liberal construction, until we have it to-day with all of its expressed powers, carrying with them a mass of incidental or implied powers greater than the original conception of the granted power, which sometimes go to the extreme verge, not only of legislative, but judiciary construction.

So these gentlemen debated it pro and con, and after many proposals were submitted, they committed all of the propositions to a committee of 11, being one delegate from each of the 11 States constantly represented in this convention. I wish to insert in the CONGRESSIONAL RECORD, Mr. President, the membership of this committee, made up of John Langdon, of New Hampshire; Rufus King, of Massachusetts; Roger Sherman, of Connecticut; William Livingston, of New Jersey; James McHenry, of Maryland; George Clymer, of Pennsylvania; John Dickinson, of Delaware; George Mason, of Virginia; Hugh Williamson, of North Carolina; Abraham Baldwin, of Georgia; and Charles Cotesworth Pinckney, of South Carolina.

Going through all of the records, comprising many hundreds of pages, Mr. President, all of the propositions submitted as to the power proposed to be lodged in Congress over the State militia were at last referred to this committee whose names I have just given. They considered all of the questions, and finally, in August, 1787, they reported the present form, found in clause 16, with the change of simply the word "Congress" substituted for the words "United States." So practically this committee presented exactly the same form that vests in Congress the power we are now discussing.

These 11 men, after hearing all the reasons that could be submitted, presented it in this form as a unanimous report. They gave it the strength of their influence on the floor of the convention. Arguments were made, some of which I have cited, for or against the power proposed to be vested in Congress. What was the purpose? Was it to leave it as it was under the Articles of Confederation? Hardly. It was to strengthen and not to weaken; it was to build up and not to destroy; it was for the purpose of creating a power in Congress that would be adequate to the remedy desired for the evils that were admitted, and which grew out of the old Articles of Confederation.

What is clause 16, section 8, of Article I of the Constitution? Is it an incidental power? Is it something to be found by construction? Hardly. It is a grant of power; it is an affirmative act; it is the creation of a power where before there was no power. It gave to Congress, which was created under the same charter, a power it would not have had and that did not before exist under the Continental Congress. It is no construed power; it is an express power; it is an enumerated power; and it was put there for the purpose of curing an admitted evil which existed under the Articles of Confederation.

There is an old rule of construction that is just as powerful to-day as it was when our ancestors evolved it. As exception strengthens in things not excepted, so enumeration would weaken in things not enumerated. The power excepted out of the general power is to the States, reserving to them the appointment of officers and the training of the militia. Those powers being excepted, it strengthens in Congress every other part of the granted power not so reserved. We have enumerated powers here; all of them specific. Constitutional sections—in fact, the entire document—are always to be considered, even as statutes are, so as to advance the remedy and not to delay it or destroy it. This was a remedial section, as so many of the powers lodged in Congress are found to be upon a close examination. They were made to remedy existing evils. Many thought that all that had been gained in the Revolution would be lost in the anarchy and quarrels and jealousies among the States. There was no power to maintain an army in time of peace, save as the 13 States maintained their National Guard or State militia. So this power was taken from the States by their voluntary action and vested, under clause 16, section 8, Article I, in the National Government. It is an affirmative grant of power; it is to be construed for the purposes of advancing the remedy and curing the evil complained of.

There have been no authoritative decisions for 100 years on the direct question, and the last decision rendered only contains consolation for the critics of this power when they refer to a dictum in the opinion, not required to be decided by the judge in connection with the question presented.

Since that time, Mr. President, you and I may think that courts have gone a long way in extending the construed powers or incidental ones to granted powers. Consider for a moment what has been builded up under the interstate-commerce clause. Consider what has been builded up around the power of Congress over post offices and post roads. Consider the whole drift of judicial construction of the powers of Congress when it was designed to cover a national problem and required plenary powers in Congress to remove the evils which existed under the old Articles of Confederation.

To my mind, these lights drawn from the history of an earlier day are illuminating. Courts have constant recourse to these records. Lawyers constantly cite them in their briefs. The historian makes note of them, and it is eminently fit that occasionally we statesmen have something to do with them ourselves. For that reason I am burdening the RECORD with these citations.

Now, it being a granted power, we can use the language, we can use the application of the power to the case in point, to the remedy designed to be advanced, in deciding what it means as applied to section 56.

I recognize, in my limited knowledge of affairs military, but one Federal Army. There never will be but one Federal Army that is capable of rendering service in the public defense, and that is the Regular Army of the United States. The volunteer army contemplated in the original section 56, without regard to any of the amendments or substitutes that have been offered, is necessarily but an organization that is here to-day and gone to-morrow. It possesses neither form nor substance. It has no headquarters. It has nothing to recommend it in permanence. It possesses nothing except a name; and Shakespeare, many years ago, spoke of the advisability of things having both a local habitation and a name.

The Federal volunteer army provided for in section 56 has a name, but it never will have a local habitation on the earth, except in war, and it can not reach the point of danger then in advance of the militia of the several States.

It is said, and truthfully said, that the regular organization of the National Guard has never as a unit volunteered in times past. Some of them went in the Spanish-American War. They volunteered; the whole Guard went. It was not a lack of patriotism—and of this I speak from memory. I think we had nine regiments in Illinois at that time in the National Guard. They all volunteered. This is as near as I ever got to the front. We made up a number of provisional regiments. In the Rock Island district, where I lived at that time, across from the Iowa shore, we had a provisional regiment, properly officered. I think there were 11 law students of mine in it—young men who had read law in my office. We took the drill under a Regular Army officer. I was a private, thank the Lord. I remained so during all the chances of service that occurred. It was at one time proposed to elect me as an officer, and that is the only time I ever refused. I said: "No; you will never make a military hero out of me. I have not the knowledge and have not had the preliminary drill, so I will go as a private."

Mr. President, whatever they may have done in the War of 1812 I do not know. I read about it. Possibly some of them would not go across the river; they did not go over on the Canadian side, because they stood on their constitutional right to remain inside of the United States. That may be true; but look at the evidence of the adjutant general of one State, his record during the Spanish-American War, the record of the whole regiment in the congressional district where he lived—an infantry regiment that wanted to volunteer. They were drawn up—and you will find it in the hearings of the committee in the evidence of Adjt. Gen. Dickson, of Illinois. He asked all who wished to volunteer for the service to step three paces forward, and every solitary one of them advanced the necessary three paces except three of them, two of whom had valid excuses; and one of them, Gen. Dickson says, was a coward pure and simple, who never even went back home.

They might have done that way in the War of 1812, but that was more than 100 years ago. The allegiance to the General Government was not strong then. A man's loyalty was to the State. Let us settle this problem now in the Senate by conditions that exist now, and not the conditions that existed 100 years ago.

One hundred years ago there was no loyalty to the General Government like the spirit that now prevails. It proceeded to the point where the War between the States occurred. In 1861 it had to be decided by the sword who was right; and all the way from the disastrous field of Balls Bluff, only a few miles from this Capitol, when Baker fell, until the closing of the drama on the clay fields of Appomattox, we fought out the question by the sword, not by the argument of lawyers or by the opinion of statesmen, of whether the Union was strong enough to command the allegiance of a sufficient number of soldiers to write by force what the fathers had peaceably written in the convention at Philadelphia, and the Union was sustained.

But before that, reflect what preparation had occurred, what development of public sentiment, the many appeals that had fallen upon the ears of Senators and Representatives in the old Chamber where Webster and Calhoun debated the respective merits of the powers of the States. There was the day when threats were made; when the Virginia and Kentucky resolutions were passed; when even Massachusetts laid herself under suspicion in the Hartford convention; when Ohio, my native State, opposed an act of Congress and an opinion of the courts, and forcibly resisted the writ of injunction served upon a State officer who was trying to collect taxes on a branch bank of the United States. It grew, Mr. President—and I refer to these gradual developments only to show that it was not entirely a matter of section—until a higher loyalty to the Union came in the fullness of time. All of the questioning of the powers of the Federal Government did not come from the Southern States that seceded in 1861. They succeeded in bringing it to a head; but there were other States, just as loyal in later years as the Southern States are now, that gravely questioned the powers of the General Government to coerce a State.

So by argument, by legislation, by judicial decision, by campaign after campaign, by the power of the sword, Mr. President, we have arrived in 1916 at a point where there is a stronger, higher allegiance, a greater loyalty to the laws of the country and to the Union than there ever has been before. So when we talk of the dictum in the Fifth Wheaton case, upon which an argument has been builded, let us apply it to the existing facts.

Why, let me suppose a case. There is no reason why this Government should continue to exist if we indulge in speculative fears. It is in the power of the people, without a single revolutionary act, to cause the Government to cease its operations. Suppose—it is rather a violent assumption—but suppose everybody should cease to become a candidate. Suppose people should cease to go to the polls. A voluntary, unanswerable, unpreventable destruction of the Federal Government could occur by the negligence or the lack of public spirit of the people of the States. Suppose everybody should cease to vote. Out of the fifteen or sixteen million people that vote, out of many hundreds or thousands of candidates, suppose all of them refused to permit their names to be voted upon. There is no way under existing laws by which you can compel the people to vote or compel anybody to run for office, outside of a New England township.

I suppose up in Vermont and New Hampshire the old rule is in force yet to fine a town officer who will not accept an office. We adopted that rule in my State, and it is the only one I know of where you have to pay a $3 fine if you will not accept the office of town clerk or town supervisor, for instance—the old New England township provides the only compulsory public service. But on that slender foundation, Mr. President, this Republic could never endure if the people lost their desire for public service. If they ceased to vote, that would be the end. This Chamber would be empty. The dust would gather upon the desks and the voices of distinguished Senators would no longer echo for the enlightenment of the galleries.

But, happily, there is some such thing as public spirit. It is the only spirit upon which a republican form of government can be successfully builded. So I shall have no fears in regard to the dictum of this opinion cited by the Senator from Idaho [Mr. BORAH], that if the State authorities will not appoint officers in the militia and the militia will not train, we are at an end and the Government helpless. I would rather be in the State militia than run for office in my part of the country any time. It is a much easier task. A good many would rather be shot at than be subjected to indiscriminate attack by everybody and criticized by newspapers the way they criticize us out in the western country, with a pleasing abandon you do not know anything about. It is an argument ad hominem all the time—no general characterizations prevail.

Let us see, Mr. President, how these unpatriotic people act—those of no public spirit, those who will haggle and delay or stop, and if I may be permitted in this august presence to use a colloquial phrase, suppose somebody or some States should throw a monkey wrench in the governmental works, what would happen? Suppose all the States should neglect or refuse to provide a militia and so no officers and no training could call into operation the power of the States; nothing for Congress to regulate. There would not be anything then for us to act on. It is the same figment of a strong imagination which, if true, would destroy by inaction the actual operation of every department of the Government. We could not even draw our salaries, which is too horrible to contemplate. It is worse than hostilities by a foreign foe.

But I looked over the list that was presented by the Senator from Maryland [Mr. LEE] of the States having militia, and it is a goodly list. It is a very material table to be in the CONGRESSIONAL RECORD. Even little Arizona—small in her population but strong in her representation in this body—has between four and five hundred militia. Delaware, not large territorily, has 430 members in its State militia. Call the roll of the 48 States of the Union, Mr. President, and not a solitary State has abdicated its function. Not one of them has refused to support a State militia. How many are there in the aggregate? Why, New York has—how many is it, Senator—16,000 or 17,000, is it not?

Mr. WADSWORTH. Just under 18,000.

Mr. SHERMAN. Yes, sir; and in 1915 I note the appropriations made by the Legislature at Albany. The State of New York appropriated, in 1915, $1,768,000 to be paid in a direct tax by the property owners of the State of New York to maintain a State militia. Many of the States like Pennsylvania, Ohio, and others of the larger States appropriate from $400,000 to $700,000 annually.

While I am on that branch of the controversy, about these States that it is feared might be void of patriotism, that would no longer elect militia officers, that would let their National Guard fall into decay, I want to show, by figures given me by the department, the State appropriations for two years preceding 1915.

The total appropriations for the Organized Militia made by the legislatures of the several States up to December 31, 1913, including such appropriations as are provided here in the District of Columbia and in Hawaii, aggregate $5,834,000, and for the year ending December 31, 1914, they aggregate $7,729,000.

Here are the appropriations from the United States Treasury under the late act on that subject. In 1915 there was paid out by the United States to the 48 States and the District of Columbia and Hawaii a total of $3,858,000. Now, we are under no immediate apprehensions of bankruptcy, not even under a Democratic administration, by reason of this payment, Mr. President—$3,800,000 in 1915, as against the figures read of the aggregate appropriations made by State legislatures in 1913 and 1914. Again, in 1914 there was paid out of the Treasury $4,288,000. The marked effect of this support by the Government promises what the future will be. We have only begun. The organizing, arming, and training under general Army regulations have shown now what can be done.

I have remarked a bit ago, and I now reach it in regular order, that the Volunteer Army contemplated in section 56 must stay somewhere. We can not mobilize it on an instant's notice. We must have armories; we must have the usual equipment that goes along with a mobile force. Where will we get it in the Volunteer Army? If we get it anywhere, it must come from the Regular Army of the United States. How much time is contemplated to be used? Thirty days, say. How much money is it estimated will be necessary? Nearly $25,000,000

under section 56—$24,944,000—for a volunteer army. Less than $4,000,000 was paid in one year—1915—to all the State militias from the Treasury under congressional appropriations, and a little over $4,000,000 the preceding year of 1914. How much, under this bill, is estimated to be paid to the National Guard organization the first year? Forty-six million dollars; to the Regular Army $126,000,000, and the Volunteer Army under section 56. So it has occurred to me, Mr. President, that Congress takes no risk in depending upon the loyalty and the public spirit of the States to maintain their National Guard; this is more so when the support proposed is extended. It is now an organized body, with headquarters, equipment, and training.

I have listened patiently for two weeks to the discussion of the question of the extent of the power of Congress in organizing, arming, and disciplining the National Guard with the reserved power to the States of the appointment of officers and training of such forces. This reservation is in the nature of an exception to a granted power. The exception is that the States reserve to themselves the power of appointment of the officers and the training of the militia. This, of itself, if it were not an exception or a reservation out of a general power, might be enlarged into a serious disability. However, here are the general powers that go along with the grant:

First, to organize. What does "organize" mean? I have heard several explanations of it, but I do not think any of them have gone far enough. To organize is to furnish with organs, to give such coherent units, agents, or officers as may act with each other as an organic whole for the production of given results. The company, the battalion, the regiment, the brigade, the division, are all included in the term "organize."

Suppose, Mr. President, some act of the general assembly of a State should create different units and provide a different method of organization with different officers? They can do so with the State militia within their own domestic affairs; but no one for a moment thinks that an act of the General Assembly of New Hampshire, for instance, would change the organizing power vested in an act of Congress made for that purpose. No State would attempt it. In other words, the organization provided by Congress is authoritative.

The next is to "arm." What is that? It is to furnish with the necessary weapons of offense or defense. Congress, in other words, acting through the proper officers in detail or department, can require the militia, when Federalized, to use all of the arms provided for the Regular Army in every branch of the service. All of it is included in the term "arming."

The next thing is "disciplining." Mr. President, you and I went to school at a time when they did not spare the rod and spoil the child. What did "disciplining" mean to us? When the rules of a board of education, or in the old-fashioned district school out on the farm the board of directors, said that the power to discipline would be vested in the teacher, I know what kind of discipline I got. It embraced something equal to a court-martial; it embraced the usual methods of discipline by which the necessary results were produced.

It is said here that all these provisions for court-martial written in this bill are invalid. A letter written from Col. Young is in the CONGRESSIONAL RECORD. Col. Young saw long service in the Illinois National Guard. He has a good record as a soldier. I would have some question—just as he would have if I undertook to instruct him on military tactics—about his constitutional views embraced in his letter. If the Senator from Connecticut [Mr. BRANDEGEE] had not placed in the CONGRESSIONAL RECORD his letter, I should have done so at the proper time. I had a copy, and notwithstanding I do not agree with some of his conclusions on matters of constitutional law, I should have been glad to have given the matter publicity in the CONGRESSIONAL RECORD for whatever it might add to clear up this situation. But the disciplining is included in the grant of all three powers—organizing, arming, and disciplining.

"Disciplining" has a fixed meaning. I have spoken my mother tongue for a long time, but it happens that every once in a while I refer to a dictionary, either to refresh my memory or to furnish me with the necessary information. I think I looked at all the dictionaries that are extant on the subject, and here is a collection of them:

> Systematic training or subjection to authority, or its result; to train to obedience, subjection, or effectiveness; to drill; to educate; to punish; to chastise.

I believe the powers of organizing, arming, and disciplining the militia are so plenary that this bill lawfully federalizes most effectively the National Guard of the States. The appointment of officers will not disable those powers. The training is under the discipline prescribed by Congress. This bill defines the discipline in detail under which the State-appointed officers must train the militia. It provides for that uniformity of which the fathers spoke in Philadelphia when they wrote, debated, and labored for us and our descendants.

The spirit of the officers and men of the National Guard has been too much ignored. If the country needed it, such is their spirit that entire organizations would, with hardly a break in the ranks, volunteer.

Federal appropriations are granted on conditions. I do not doubt the validity of any terms imposed. I believe every State would respond, and the doubts and misgivings and fears of unseemly jealousies between the States and the Government would melt in thin air on actual application.

I think courts-martial under an act of Congress, under this section provided, are valid. I have no question but that if they imposed a penalty upon anyone derelict in the service it would be sustained by proper authority.

Some criticism has been made, and in some instances properly made, of acts of State militia in holding courts-martial in places where the civil law had not been suspended, where martial law had been improperly declared, where the courts still exercised their civil and criminal jurisdiction, and where the ordinary processes of those courts were still capable of being served upon offenders.

The act in individual cases in States of the National Guard ought not to condemn, and I do not believe will condemn upon a fair consideration, the National Guard of the several States. What will you do, Mr. President, in time of disorder? As I have heretofore suggested, I have been through several riots in my time. I have marks on my person from missiles as a living memorial, and while I was not in military life, I have had all the substantial results that the most ambitious officer could have desired. What will you do? It is easy enough to criticize public officials. It is easy enough to criticize government and the acts of military officers, but when you see public disorder, when you see life taken, property by the millions being burned, when you see a riotous mob in possession, civil authority suspended and neither person nor property longer safe in the community, what will you do? Not for an instant will any live governor in public authority, although unhappily, as has been done in some cases, call upon the General Government for assistance and confess the governmental imbecility of the State government. He exercises his lawful power to restore order. I know of no Southern State or New England State that has ever conferred its inability to suppress its domestic trouble. It is reserved for certain Western States to have achieved that unenviable distinction.

So, in order to avoid these difficulties, governors and military officers, acting under their authority, have undertaken to preserve order and safeguard life. They have in most instances suppressed the disorder. Sometimes they may have gone beyond the limits of military procedure and interfered with civil jurisdiction. That of itself is no cause to condemn the military of the States. They are acting under great stress, without opportunity to weigh nicely what shall be done, with the primary purpose in view of carrying into execution the laws of the State and of maintaining order within the troubled area. Remember the doubts that destroy action are:

> Some craven scruple
> Of thinking too precisely on the event.

I shall omit much of what might be said. This grant of power, it is said in some of the arguments I have listened to in the last few weeks, is limited by the second and tenth amendments to the Constitution. It is well known that the second and tenth amendments wer added almost simultaneously with the adoption of the Constitution itself. It was known they would be adopted. They are universally regarded a bill of rights. They take away no express grant of power. The utmost that can be said is that they restrain the extension of power by too liberal a construction. They are merely precautionary.

In the controversy between the States of Colorado and Kansas the Federal Supreme Court referred expressly to these amendments, and referred to them for the purpose of limiting the powers of the General Government to the grant of powers found in the Constitution itself, using them as an argument against the importation into that document of powers not theretofore found, saying that only such implied powers can be had as necessarily grow out of a granted power. That is all these two amendments do. They are merely precautionary signals, added by way of amendment to guide the court and to enlighten those charged with the duty of legislation.

I take up another matter which has been alluded to many times, sometimes on the floor of the Senate, about the extreme cost of our military and naval forces. Privates are paid the first year $15 a month, and thereafter, as successive years of

service are added, their pay may reach $25 a month, if my memory serves me correctly. What are some of the wages paid in other countries? Herein you will find that all things—equipment, commissary, arms, and the like—go in proportion, and this is a large part of the reason for our large cost of the maintenance of our Army and Navy. I turn to those without reading, and as I shall conclude shortly, I will ask later on that the whole table of the rates paid privates and officers in the various principal powers of the world be incorporated in the RECORD.

If section 56 is retained, the volunteer army will sap the strength of the State militia. The two can not exist side by side in the same State and both answer the purpose hoped. Let the Government keep the Regular Army as its department.

The training in educational institutions both for the ranks and for officers will answer the purposes desired and add to the reserves. I feel a regret in the necessity that leads me to support the amendment offered by the Senator from Maryland. The chairman of the committee [Mr. CHAMBERLAIN] has met his great duties with equally great patience and ability that commend him to all, and striking out the section will to some degree set aside that much of his and the committee's labors. But I believe it ought to be done.

One thing I would like greatly, Mr. President, to allude to before I conclude what I have to say on section 56 and the motion of the Senator from Maryland to strike it out: Every one is in favor of preparation. I have the result of a poll taken by the Illinois Bankers' Association, which I will at the proper time incorporate, which shows among the poll taken an almost unanimous sentiment among that portion of the 6,000,000 people that inhabit Illinois for adequate preparation. The press has agitated it; the military experts have favored it, not only now, since it has become popular, but during the time it was somewhat unpopular. So all of us in the ardor of preparation are likely not so carefully to watch the details of preparation.

If I had my way about it—and I am aware that this is exceedingly unpopular, and especially in the western country—I would provide for universal military training. I do not believe, if war continues in the world as it has in the last two years, the United States will ever be able to protect herself or survive against any first-class military power unless every able-bodied citizen between certain designated ages in this country takes it upon himself—or has it imposed upon him, rather, by law—to receive the necessary military training. In the absence of such an act of Congress I believe it our duty to direct the public mind to the imperious necessity of universal military training.

I wish to read, and with great satisfaction, these words from a military authority—not one who prepares military treatises, but one who by deeds is greater than he is even by words:

> To raise such an army as is proposed, we shall without doubt be compelled to adopt some system of universal military training. It would be wise to place such a law on the statute books, even though it should not be considered necessary to put it into force at this time. The law could then be invoked in time of war without further legislation, and much valuable time could be saved.

These extracts are from an address of Gen. John J. Pershing made February 17, 1916, before the Woman's Club of El Paso, Tex., on the subject of national preparedness. That, however, is not undertaken by this bill. Unless future Hague conventions shall be able to combine enough of the principal powers of the world, and by an armament in the nature of an international police be able to preserve peace among civilized nations and enforce penalties upon an outlaw nation attacking any that may be within the league; unless that shall be done ultimately I am willing to say that the American people must inevitably come to a system of universal military training, and the sooner the better. Let us not deceive ourselves on this momentous issue.

We may talk all we please about volunteers; at last there is but one great directing head in time of war. It is the Regular Army of the United States. Everything must at last be subordinate to it when we face an enemy. Everything in the way of either offense or defense must finally be in the hands of the Regular Army, and for my part I care nothing for the volunteer forces provided in section 56. The reserve corps for officers provided in other sections and the training sought to be provided by the amendment offered by the Senator from North Dakota [Mr. MCCUMBER] will, in my judgment, be of more actual value than the entire volunteer army contemplated in section 56, though it were multiplied many fold.

If we are to have an Army on a peace footing, Mr. President, I do not want it as in section 56. Section 56 authorizes the President to call out nearly 300,000 men in time of peace. I myself would much rather vote this afternoon for a bill for universal military training than to vote to put in the hands of any President in time of peace these vast powers of conscription.

Not only these matters but other things are coming along apace, Mr. President. I voted against the bill to establish an armor plant. The junior Senator from Pennsylvania [Mr. OLIVER] was unjustly criticized, I think. If anybody can find I own any steel stock I will gladly acknowledge it, only I want it delivered to me so I can use it as a collateral in the event my credit is exhausted.

I voted against the establishment of such a plant because I could see in it no element of preparation. I saw in it rather a hindrance in the way of adequate preparation. If the Government does not move quicker and more economically than a host of other governmental undertakings, Washington would be in ashes and the Great Lakes would be bearing the forces of a hostile power long before we got a ton of armor plate out of a Government plant. Yet that is not the only thing.

It is proposed that the Government shall establish a nitrate plant. It is no use to fight unless you have explosives, and nitrates are important as an element in the manufactures for that purpose. To make nitrates requires cheap power; and eighteen or nineteen million dollars are to come along in due course of time for the development of water power.

It is proposed to take nitrogen out of the atmosphere; and it is the only time I have ever known the agitation of the atmosphere to get any definite results. We do that a great deal ourselves in this Chamber, but it results only in appropriations most of the time. So it is a kindred measure after all, because it requires money.

The shipping bill will again thrust itself with its unwelcome presence upon this Chamber, and I do not know whether we will be physically able to withstand it this time or not. If it is started before the respective national conventions, it imposes upon the gentlemen who are endeavoring to beat it in that way a task beyond which all others pale into insignificance. But it will appear in due time. What is it based on? More preparation. Our merchant ships are tied up by the war, and we must have a Government ship line going into the freight business with forty or fifty million dollars as an initial expenditure.

I would rather vote a decent sort of a subsidy. I am aware again that that is another unpopular measure in the West and Northwest, but I would rather vote directly for fair subsidies than to vote for a single shipping bill that embarks the Government in the freight and passenger business. That is a part, though, of preparation. The Secretary of the Treasury last summer or fall made a somewhat extended address at various points in the United States, in which he showed that we needed a vastly increased tonnage in order that we might utilize it in time of war for transport and freight service, for colliers, and the like, and everything that would be needed as an auxiliary part of the Navy.

Then we come to the development of water power as an incident to the nitrate development. When they get through with that we will be told the soldiers wear khaki suits, that they wear divers kind of footgear, that they eat a variety of hardtack and Army rations. Why not, then, start a bakeshop? Why not start a cotton mill and a tailoring establishment? Why not start a chemical factory to get sulphate of quinine and all the medicine? What is the use of paying 300 per cent profit to wholesale druggists when the Government can start some kind of a plant of its own for everything from pills—I am quoting that. I heard a socialist say that on the curbstone one time on Jackson Boulevard. He said, "Everything from pills to battleships ought to be made by the people as a grand cooperative commonwealth." The Cavalry use saddles and harness, so start a tanyard and a cattle ranch to prepare and produce hides and a factory for manufacturing leather.

Well, we are getting to it here on preparedness, and that leads me to remark it is reaching a point now where there is more "pork" in preparedness than there is effectiveness or economy. There is more "pork" now in sight here than there is public defense; it makes a river and harbor bill look like a poor relation already; and we will be extremely lucky if we get out of the furnace without the smell of fire on our garments.

Is there a lobby prowling about? I do not know. No lobby has ever bothered me in the last 25 years. I talk to everybody. I may have talked to a million of them and I did not know it. I am a guileless, unsophisticated gentleman, when anybody comes to me in broad daylight, and I may have been in communion with them daily here and did not know it. But I hear a good many reports, and so in conclusion I intend to read the following resolution into my remarks and then ask for its unanimous consideration in order that we may find whether or not, like Cæsar's wife, we are above suspicion. I think we are, but

I should like to have a certificate of that kind, in view of the numerous rumors floating about the corridors, in order that I may carry it back to my beloved constituents. This is a Senate resolution. I shall ask unanimous consent to consider. If any Senator objects, I am aware it is out of order, but I shall place the matter before the Senate, as well as the responsibility, for the objection to its consideration. It can not delay final action on this bill and will result in clearing some of its provisions from aspersions which it is beyond the power of the individual Senator to answer or repel.

Whereas charges and countercharges have been made on the floor of the Senate, in correspondence and statements incorporated in the CONGRESSIONAL RECORD concerning legislation pending on water-power development and the manufacture of fixed nitrogen from atmospheric sources, and it is alleged that a lobby has been and is at present engaged in promoting or opposing pending measures in Congress affecting such matters; and

Whereas it is alleged, among other things, that a lobby is now actively engaged in endeavoring to secure an appropriation by Congress for the development of a site or sites owned by private interests, and it further appearing that under House Committee Document No. 20, of the Sixty-third Congress, the Army engineers have recommended an expenditure of public funds for the purpose of loaning $18,700,000 to a private corporation now the owner of a water-power site which it is desired to develop, it is claimed; and

Whereas certain private interests engaged in the manufacture of explosives have made proposals to the Government of the United States on matters affecting the public defense which have been the subject of criticism; and

Whereas the various interests concerned, both public and private, as well as certain departments of the Government, have been charged with seeking to affect pending legislation, and such matters have reached that stage that it is material to such pending legislation as well as to the Senate to know if any improper influences have been brought to bear or efforts made to unduly promote or defeat any pending bills: Therefore be it

Resolved, That the Committee on Manufactures be, and is hereby, authorized and directed to investigate the entire question of the activity of any alleged lobby or private interests of any kind, as well as of any department which has concerned itself with such legislation, if it has, concerning the development of water power and the manufacture of fixed nitrogen from any source; and that said committee is hereby given power to procure any witness or witnesses and documentary evidence it deems proper, and may issue proper process therefor under the hand of the chairman of said committee, and the expenses of the investigation shall be audited and allowed by the Senate Committee on Contingent Expenses.

If there is anything, Mr. President, in much that has been said, and some of it in the CONGRESSIONAL RECORD, the Senate owes to itself, to the departments of the Government, and to the public an investigation of those charges. I believe it to be the easiest and most expeditious way to promote the final steps of preparedness for the public defense. These matters cast their sinister shadow over the Senate. There may be merit in these water-power propositions; I do not know; but I know when such charges are made that many sound and safe and economic questions have been beaten because Members preferred so to vote as to take no chances.

If this investigation is made it will be by the Committee on Manufactures. The chairman of the committee has had experience in such investigations. I have confidence in his integrity and ability and in the individual members of that committee that it would be done adequately and promptly and fully.

To that end, Mr. President, without taking further time, I will offer the resolution before I take my seat and ask unanimous consent for its consideration in the interest of preparedness, first asking that there be incorporated in the RECORD the rate paid to privates and officers in the various countries, which I will designate as Exhibit A, and to insert in the CONGRESSIONAL RECORD the whole of the very illuminating article on the public defense, by Gen. John J. Pershing, heretofore referred to, which I will mark Exhibit B.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Without objection, that course will be pursued.

Mr. SHERMAN. I also ask that the pages which I will designate, and which I will not take the time to read, be printed in the CONGRESSIONAL RECORD from the record of the Constitutional Convention of 1787, with the argument of the delegates in that convention, with Exhibit C, showing the poll made by the Illinois State Bankers' Association.

The PRESIDING OFFICER. If there be no objection, that course will be pursued.

The matter referred to is as follows:

[From Charles Pinckney, of South Carolina.]

The exclusive right of establishing regulations for the Government of the militia of the United States ought certainly to be vested in the Federal councils. As standing armies are contrary to the constitutions of most of the States and the nature of our Government, the only immediate aid and support that we can look up to in case of necessity is the militia. As the several States form one Government, united for their common benefit and security, they are to be considered as a Nation. Their militia therefore should be as far as possible national. A uniformity in discipline and regulations should pervade the whole, otherwise, when the militia of several States are required to act together, it will be difficult to combine their operations from the confusion a difference of discipline and military habits will produce. Independent of our being obliged to rely on the militia as a security against foreign invasions or domestic convulsions, they are in fact the only adequate force the Union possesses, if any should be requisite, to coerce a refractory or negligent member and to carry the ordinances and decrees of Congress into execution. This, as well as the cases I have alluded to, will sometimes make it proper to order the militia of one State into another. At present the United States possesses no power of directing the militia, and must depend upon the States to carry their recommendations upon this subject into execution. While this dependence exists, like all their other reliances upon the States for measures they are not obliged to adopt, the Federal views and designs must ever be delayed and disappointed. To place, therefore, a necessary and constitutional power of defense and coercion in the hands of the Federal authority and to render our militia uniform and national, I am decidedly in opinion they should have the exclusive right of establishing regulations for their government and discipline which the States should be bound to comply with, as well as with their requisitions for any number of militia whose march into another State the public safety or benefit should require.

In every confederacy of States, formed for their general benefit and security, there ought to be a power to oblige the parties to furnish their respective quotas without the possibility of neglect or evasion. There is no such clause in the present confederation, and it is therefore without this indispensable security. Experience justifies me in asserting that we may detail as minutely as we can the duties of the States, but unless they are assured that these duties will be required and enforced the details will be regarded as nugatory. No Government has more severely felt the want of a coercive power than the United States; for want of it the principles of the confederation have been neglected with impunity in the hour of the most pressing necessity and at the imminent hazard of its existence, nor are we to expect they will be more attentive in future. Unless there is a compelling principle in the confederacy, there must be an injustice in its tendency; it will expose an unequal proportion of the strength and resources of some of the States to the hazard of war in defense of the rest. The first principles of justice direct that this danger should be provided against. Many of the States have certainly shown a disposition to evade a performance of their Federal duties and throw the burden of government upon their neighbors. It is against this shameful evasion in the delinquent, this forced assumption in the more attentive, I wish to provide, and they ought to be guarded against by every means in our power. Unless this power of coercion is infused and exercised when necessary, the States will most assuredly neglect their duties. The consequence is either a dissolution of the Union or an unreasonable sacrifice by those who are disposed to support and maintain it.

[From Luther Martin, of Maryland.]

Other and more certain engines of power are supplied by the standing army, unlimited as to number or its duration. In addition to this, Government has the entire command of the militia, and may call the whole militia of any State into action, a power which it was vainly urged ought never to exceed a certain proportion. By organizing the militia Congress have taken the whole power from the State governments; and by neglecting to do it and increasing the standing army their power will increase by those very means that will be adopted and urged as an ease to the people.

For this extraordinary provision, by which the militia, the only defense and protection which the State can have for the security of their rights against arbitrary encroachments of the General Government is taken entirely out of the power of their respective States and placed under the power of Congress, it was speciously assigned as a reason that the General Government would cause the militia to be better regulated and better disciplined than the State governments, and that it would be proper for the whole militia of the Union to have a uniformity in their arms and exercise. To this it was answered that the reason, however specious, was not just; that it would be absurd; the militia of the western settlements, who were exposed to an Indian enemy, should either be confined to the same arms or exercise as the militia of the Eastern or Middle States; that the same penalties which would be sufficient to enforce an obedience to militia laws in some States would be totally disregarded in others; that, leaving the power to the several States, they would respectively best know the situation and circumstances of their citizens and the regulations that would be necessary and sufficient to effect a well-regulated militia in each; that we were satisfied the militia had heretofore been as well disciplined as if they had been under the regulations of Congress, and that the States would now have an additional motive to keep their militia in proper order and fit for service, as it would be the only chance to preserve their existence against a General Government armed with powers sufficient to destroy them.

Madison's note of June 18, 1787, gives Hamilton's address on the proposition of Federal Government reported by Mr. Patterson and Mr. Randolph of New Jersey and Virginia, respectively. Hamilton said:

That no amendment of the confederation, leaving the States in possession of their sovereignty could possibly answer the purpose. * * * The States sent us here to provide for the exigencies of the Union. To rely on and propose any plan not adequate to these exigencies merely because it was not clearly within our powers, would be to sacrifice the means to the end. * * * A certain portion of military force is absolutely necessary in large communities. Massachusetts is now feeling this necessity and making provision for it. * * * A doubt has been raised whether Congress at present has a right to keep ships or troops in time of peace.

Madison says Hamilton leans to the negative on the power of Congress to keep ships or troops in time of peace. Mr. Hamilton then presented his plan of government, the eleventh paragraph of which is—

No State shall have any forces, land or naval, and the militia of all the States to be under the sole and exclusive direction of the United States, the officers of which to be appointed and commissioned by them. (Farrand, Vol. I, Records of the Federal Convention, pp. 283, 285, 287, 291, 293.)

The Wilson plan, found among his papers and in his handwriting, was referred to the committee of detail and contained the following:

The Legislature of the United States shall possess the exclusive right of establishing the government and discipline of the militia and of ordering the militia of any State to any place within the United States. (Farrand, Vol. II, p. 159.)

Another draft of the Wilson papers in his handwriting, with changes in Rutledge's handwriting, was also preserved. It contained the following proposal:

To regulate the discipline of the militia of the several States, to subdue a rebellion in any State on the application of its legislature, to make war, to raise armies, to build and equip fleets, to make laws for calling forth the aid of the militia in order to execute the laws of the Union, to enforce treaties, to suppress insurrections and repel invasions.

The foregoing were among the powers proposed to vest in "the Legislature of the United States." (Farrand, Vol. II, pp. 167–8.)

On August 18, 1787, certain additional powers, proposed to be invested in the Legislature of the United States, were submitted to the convention and referred to the committee of eleven. On this day it was proposed and carried in the affirmative to vest in Congress the power—

To make rules for the government and the regulation of the land and naval forces.

It was proposed at the same time to annex to the foregoing power the following proviso:

Provided, That in time of peace the Army shall not consist of more than ——— thousand men.

Which was lost. It was further proposed to—

Establish an uniformity of exercise and arms for the militia and rules for their government when called into service under the authority of the United States; and to establish and regulate a militia in any State where its legislature shall neglect to do so.

Just preceding this it was proposed—

to make laws for regulating and disciplining the militia of the several States, reserving to the several States the appointment of their militia officers.

On motion the above were referred to the Committee of Eleven. (Journal of the Convention, Vol. II, Farrand, p. 323.)

Madison's notes of same date (Aug. 18, 1787) show that Mr. Gerry in the discussion of the clause "to raise and support armies" said that—

there was no check here against standing armies in time of peace. The existing Congress is so constructed (under the Articles of Confederation) that it can not of itself maintain an army. This would not be the case under the new system. The people were jealous on this head, and great opposition to the plan would spring from such an omission. He suspected that preparations of force were now making against it. (He seemed to allude to the activity of the governor of New York at this crisis in disciplining the militia of that State.) He thought an army dangerous in time of peace and could never consent to a power to keep up an indefinite number. He proposed that there should not be kept up in time of peace more than ——— thousand troops. His idea was that the blank should be filled with two or three thousand.

He further noted the proposal to—

make rules for the government and regulation of land and naval forces—

added from the existing Articles of Confederation.

Luther Martin and Elbridge Gerry now moved:

Provided, That in time of peace the Army shall not consist of more than ——— thousand men.

Gen. Pinckney asked whether no troops were ever to be raised until an attack should be made on us.

Mr. Gerry said:

If there be no restriction, a few States may establish a military government.

Mr. Williamson reminded him of Mr. Mason's motion for limiting the appropriation of revenue as the best guard in this case.

Mr. Langdon saw no room for Mr. Gerry's distrust of the representatives of the people.

Mr. Dayton remarked that—

preparations for war are generally made in peace and a standing force of some sort may for aught we know become unavoidable. He should object to no restrictions consistent with these ideas.

Mr. Mason moved as an additional power—

to make laws for the regulation and discipline of the militia of the several States, reserving to the States the appointment of the officers.

He considered uniformity as necessary in the regulation of the militia throughout the Union.

Gen. Pinckney mentioned a case during the war in which a dissimilarity in the militia of the several States had produced the most serious mischief. Uniformity was essential. The States would never keep up a proper discipline of their militia.

Mr. Ellsworth was for going as far in submitting the militia to the General Government as might be necessary, but thought the motion of Mr. Mason went too far. He moved—

that the militia should have the same arms and exercise and be under rules established by the General Government when in actual service of the United States, and when States neglect to provide regulations for militia it should be regulated and established by the Legislature of the United States. The whole authority over the militia ought by no means to be taken away from the States whose consequence would pine away to nothing after such a sacrifice to power. He thought the general authority could not sufficiently pervade the Union for such a purpose, nor could it accommodate itself to the local genius of the people. It must be vain to ask the States to give the militia out of their hands.

Mr. Dickinson said:

We are come now to a most important matter, that of the sword. His opinion was that the States never would nor ought to give up all authority over the militia. He proposed to restrain the general power to one-fourth part at a time, which by rotation would discipline the whole militia.

Mr. Butler urged—

the necessity of submitting the whole militia to the general authority which had the care of the general defense.

Mr. Mason said—

had suggested the idea of a select militia. He was led to think that would be, in fact, as much as the General Government could advantageously be charged with. He was afraid of creating insuperable objections to the plan. He withdrew his original motion, and moved a power "to make laws for regulating and disciplining the militia, not exceeding one-tenth part in any year, and reserving the appointment of officers of the States."

Gen. Pinckney renewed Mr. Mason's original motion. For a part to be under the General Government and a part under the State governments would be an incurable evil. He saw no room for such distrust of the General Government.

Mr. Langdon seconds Gen. Pinckney's renewal. He saw no more reason to be afraid of the General Government than of the State governments. He was more apprehensive of the confusion of the different authorities on this subject than of either.

Mr. Madison thought the regulation of the militia naturally appertaining to the authority charged with the public defense. It did not seem in its nature to be divisible between two distinct authorities. If the State would trust the General Government with a power over the public treasure, they would from the same consideration of necessity grant it the direction of the public force. Those who had a full view of the public situation would from a sense of danger guard against it; the States would not be separately impressed with the general situation nor have the due confidence in the concurrent exertions of each other.

Mr. Ellsworth considered the idea of a select militia as impracticable; and if it were not it would be followed by a ruinous declension of the great body of the militia. The States will never submit to the same militia laws. Three or four shillings as a penalty will enforce obedience better in New England than 40 lashes in some other places.

Gen. Pinckney thought the power such a one as could not be abused, and that the States would see the necessity of surrendering it. He had, however, but a scanty faith in militia. There must be also a real military force. This alone can effectually answer the purpose. The United States had been making an experiment without it, and we see the consequence in their rapid approaches toward anarchy.

Mr. Sherman took notice that the States might want their militia for defense against invasions and insurrections and for enforcing obedience to their laws. They will not give up this point. In giving up that of taxation, they retain a concurrent power of raising money for their own use.

Mr. Gerry thought this the last point remaining to be surrendered. If it be agreed to by the convention, the plan will have as black a mark as was set on Cain. He had no such confidence in the General Government as some gentlemen possessed, and believed it would be found that the States have not.

Col. Mason thought there was great weight in the remarks of Mr. Sherman, and moved an exception to his motion "of such part of the militia as might be required by the States for their own use."

Mr. Read doubted the propriety of leaving the appointment of the militia officers in the States. In some States they are elected by the legislatures; in others, by the people themselves. He thought at least an appointment by the State executives ought to be insisted on.

All of which propositions were referred to the committee.

On August 21, 1787, Mr. Livingston, from the committee of eleven, to whom was referred, among other things, a proposi-

tion respecting the militia entered on the Journal of the Convention August 21, 1787, reported the following:

The Legislature of the United States shall have power * * * to make laws for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by the United States.

The foregoing is the exact language of clause 16, section 8, Article I of the Constitution of the United States, except the words "United States" are changed to "Congress." The Journal of the Convention, Mr. Madison's notes, contains the same record. (Farrand, Vol. II, pp. 325-326.)

On August 23, 1787, the second clause of the report of the committee of eleven which concerned the militia was considered. It was moved to recommit the second clause, which lost; and the first part of the second clause referring to the organizing, arming, and disciplining of the Army and governing such part of them as may be employed in the service of the United States passed in the affirmative—9 ayes; 2 noes.

The part reserving to the States, respectively, the appointment of the officers under rank of general officers was voted down—ayes 2, noes 9.

On the question of the part of the report "reserving to the States, respectively, the appointment of the officers" it passed in the affirmative, and authority of the training of the militia according to the discipline described by the United States passed in the affirmative—ayes 7, noes 4. (Vol. II, Farrand, pp. 380-381.)

Madison's notes, covering the same period (Aug. 23, 1787), contained the debate by the Members on the second clause of the committee report. Mr. Sherman moved to strike out the last sentence, "and authority of training," and so forth. He thought it unnecessary. The States will have this authority, of course, if not given up. (Vol. II, Farrand, pp. 385-388.)

Above motion was lost by a vote of 3 ayes and 8 noes (p. 388).

Mason in Madison notes is reported as saying that—

Being sensible that an absolute prohibition of standing armies in time of peace might be unsafe, and wishing at the same time to insert something pointing out and guarding against the danger of them, moved to preface Article I, section 8, to provide for organizing, arming, and disciplining the militia, etc., with the words, "and that the liberties of the people may be better secured against the danger of standing armies in time of peace."

Mr. Morris opposed the motion "as setting a dishonorable mark of distinction on the military class of citizens."

Mr. Madison favored it. "Armies in time of peace," he said, "are allowed on all hands to be an evil." It was rejected by 2 ayes and 9 noes. (See Debates Virginia Convention, Robertson, 2d ed., 1805, p. 236.)

EXHIBIT A.

LIBRARY OF CONGRESS,
Washington, March 16, 1916.

SIR: Referring to your telephone request of this morning, I am inclosing herewith a copy of a memorandum, which has been furnished our Legislative Reference Division by the Army War College. This seems to give the information which you desire concerning the rate of pay in the various armies of the world.

Very respectfully,

J. L. FARNUM, *Secretary.*
(For the Librarian.)

Hon. L. Y. SHERMAN,
Room 339, Senate Office Building.

The following tables are furnished through the courtesy of the Army War College:

Pay of the various foreign armies.

Grade and yearly pay in the Austrian Army.

Field marshal	$4,800.00
General	3,360.00
Lieutenant general	2,803.00
Major general	2,280.00
Colonel	1,440.00
Lieutenant colonel	1,200.00 to 1,080.00
Major	802.00
Captain	600.00 to 480.00
First lieutenant	408.00
Lieutenant	336.00

DAILY PAY.

Sergeant	.14
Corporal	.06
Private (1-year volunteers)	.024

Grade and yearly pay in the Belgian Army.

Lieutenant general	$3,700.00
Major general	2,540.00
Colonel	1,900.00
Lieutenant colonel	1,420.00
Major	1,260.00
Captain (first class)	920.00
Captain (second class)	740.00
Lieutenant (first class)	580.00
Lieutenant (second class)	500.00

DAILY PAY.

Adjutant	$0.54
Sergeant major	$0.32 to .43
Sergeant	.28
Corporal	.06 to .20
Privates (first class)	.02 to .07
Privates (second class)	.02 to .06

Grade and annual pay in the Brazilian Army.

(Currency: Inconvertible paper; exchange rate figured at $0.333.)

Marshal	$11,200
Major general	9,400
Brigadier general	7,600
Colonel	5,800
Lieutenant colonel	4,800
Major	3,800
Captain	3,000
First lieutenant	2,300
Second lieutenant	1,800
Sergeant major	480
First sergeant	360
Second sergeant	288
Third sergeant	216
Corporal	144
Private	72

Grade and yearly pay in the Chilean Army.

General of division	$4,000
General of brigade	3,400
Colonels	2,800
Lieutenant colonels	2,400
Majors	2,000
Captains (after 6 years)	1,800
Captains (less than 4 years)	1,400
First lieutenants (after 5 years)	1,200
First lieutenants (less than 5 years)	1,000
Second lieutenants (after 2 years)	720
Second lieutenants (under 2 years)	600
First sergeants	480
5 first sergeants	360
Second sergeants	256
Corporals, first class	216
Corporals, second class	180
Soldiers	145
Conscripts	72

Rate of exchange figured at $0.20.

Danish Army.

Grade.	Yearly pay. From—	Yearly pay. To—	Daily increase when traveling or on temporary duty not exceeding 30 days.
Generals		$3,650.00	$2.65
Lieutenant generals		3,650.00	2.65
Major generals		2,120.00	2.65
Colonels		1,802.00	2.65
Lieutenant colonels	$1,431.00	1,606.50	2.65
Captains	795.00	1,113.00	2.65
First lieutenants	397.50	556.50	2.13
Second lieutenants		270.30	2.12
Staff sergeants	524.70	588.30	1.59
Oversergeants	439.30	492.90	1.06
Sergeants	270.30	413.40	1.06
Cornets		190.80	1.06
Corporals		159.00	7.95

DAILY PAY.

Grade.	During peace.	During war.
Life guard undercorporals	$0.278	$0.318
Other undercorporals	.265	$0.318 to .397
Life guard privates	.251	.281
Other privates	$0.225 to .238	.281

RESERVE, DURING PEACE.

Grade.	Yearly pay.	Daily increase under orders.
Colonels	$397.50	$2.12
Lieutenant colonels	397.50	2.13
Captains	270.30	1.59
First lieutenants	53.00	1.06
Lieutenants	53.00	1.06
Staff sergeants	53.00	1.06
Oversergeants	53.00	.795
Sergeants	53.00	.795

Lieutenants, during war (one-half increase of minimum pay), $477.

When at a fortress, officers are allowed one-fourth increase of their pay.

During war, line officers are allowed one-half increase of their pay, with the exception of the commanding general and the division generals, who are allowed, respectively, $106 and $53 per month.

Transportation furnished officers and men traveling under orders.

French Army.

Grade.	Active pay.	Retired pay.
Marshal of France	$5,760	
Major general	3,780	$1,562
Brigadier general	2,520	1,044
Colonel	1,637	677
Lieutenant colonel	1,317	547
Major	1,101	461
Captain, after 12 years as such and 30 years' service	1,073	446
Captain, after 8 years as such and 30 years' service	1,073	446
Captain, after 8 years as such and 25 years' service	930	389
Captain, after 4 years as such and 25 years' service	930	389
Captain, after 4 years as such and 20 years' service	830	345
Captain, after 4 years as such and less than 20 years' service	727	302
First lieutenant, after 8 years as such and 20 years' service	727	302
First lieutenant, after 8 years as such and 15 years' service	684	281
First lieutenant, after 4 years as such and 15 years' service	684	281
First lieutenant, after 4 years as such and 10 years' service	641	266
First lieutenant, less than 4 years as such	597	252
Second lieutenant, after 6 years' service	576	236
Second lieutenant, less than 6 years' service	482	201

The above figures vary for the following reasons: First, the grade; second, the employment; third, the station.

Grade.	Daily pay base.	Enlisted men after 5 years' service.	Algerian tirailleur.	Algerian spahis.
Adjutant	$0.49	$1.02	$0.56	$0.31
Sergeant major	.20	.74	.28	
Sergeant saddler	.15	.68		
Sergeant	.14	.68	.16	.14
Quartermaster corporal	.10⅓			
Corporal	.04⅔		.11	.09
Gunners and artificers	.01⅔			
Privates	.01⅓		.04⅔	.05

Grade and yearly pay in the German Army.

General and field marshal	$3,495.00
Major general	3,888.50
Brigadier general	2,565.00
Colonel	2,193.00
Lieutenant colonel and major	1,638.00
Captain (first 4 years)	850.00
Captain (5 to 8 years)	920.00
Captain (after 9 years)	1,275.00
Lieutenant (first 3 years)	375.00
Lieutenant (3 to 6 years)	420.00
Lieutenant (7 to 9 years)	475.00
Lieutenant (10 to 12 years)	525.00
Lieutenant (after 13 years)	600.00
Sergeant	76.10
Sergeant (after 5½ years)	118.80
Sergeant (after 9 years)	141.30
Corporal (obergefreite)	37.80
Soldier	19.80

Great Britain's Army.

Grade.	Yearly pay.	
	When in quarters.	When not in quarters.
General	$15,000.00	$16,750.00
Lieutenant general	11,250.00	12,500.00
Major general	6,500.00	7,500.00
Brigadier general	4,400.00	5,000.00
Colonel or lieutenant colonel (commanding regiment of infantry)	2,098.75	
Major	1,241.00	
Major (after 3 years' service)	1,401.60	
Captain	1,058.50	
Captain (having higher rank by brevet)	1,241.00	
First lieutenant	591.30	
First lieutenant (after 7 years' service as such)	682.55	
Second lieutenant	474.50	
Sergeant major (infantry of the line)	456.25	
Sergeant (infantry)	311.70	
Corporal (infantry)	149.65	
Private (infantry)	91.25	

A pound figured as $5.

Grade and annual pay in the Guatemalan Army.

Major general	$3,600.00
Brigadier general	3,000.00
Colonel (infantry)	1,920.00
Colonel (cavalry, artillery, engineers, and staff)	2,040.00
Lieutenant colonel (infantry)	1,680.00
Lieutenant colonel (cavalry, artillery, engineers, and staff)	1,800.00
Major (infantry)	1,440.00
Major (cavalry, artillery, engineers, and staff)	1,560.00
Captain (infantry)	1,200.00
Captain (cavalry, artillery, engineers, and staff)	1,330.00
First lieutenant (infantry)	960.00
First lieutenant (cavalry, artillery, engineers, and staff)	1,080.00
Second lieutenant (infantry)	720.00
Second lieutenant (cavalry, artillery, engineers, and staff)	840.00
First sergeant	$547.50
Second sergeant	456.25
Corporal	365.00
Private	273.75

Grade and yearly pay in the Italian Army.

General	$3,000
Lieutenant general	2,400
Major general	1,800
Colonel	1,400
Colonel (after 6 years)	1,540
Lieutenant colonel (after 6 years)	1,145
Lieutenant colonel	1,040
Major (after 6 years)	968
Major	880
Captain (after 10 years)	800
Captain (after 5 years)	740
Captain	680
Lieutenant (after 10 years)	600
Lieutenant (after 5 years)	540
Lieutenant	480
Second lieutenant (after 10 years)	480
Second lieutenant (after 5 years)	460
Second lieutenant	420

DAILY PAY, INCLUDING ALLOWANCE IN KIND, ETC.

Sergeant major	$0.50
Sergeant	.42
Corporal	.23
Private	.20

For noncommissioned officers pay increases every 3 years $0.06 per day until 18 years of service (maximum, $0.36), when it remains fixed.

Grade and yearly pay in the Japanese Army.

General	$3,750
Lieutenant general	2,500
Major general	1,950
Colonel	1,470
Lieutenant colonel	1,090
Major	774
Captain (first class)	630
Captain (second class)	540
Captain (third class)	450
First lieutenant (first class)	342
First lieutenant (second class)	276
Second lieutenant	240

MONTHLY PAY.

Sergeant major	$7.50 to $9.90
Sergeant	3.90 to 6.45
Corporal	2.32 to 2.85

Grade and annual pay in the Norwegian Army.[1]

Major general	$2,120.00
General (garrisoned)	1,908.00
Colonel	1,590.00
Lieutenant colonel	1,431.00
Major	1,272.00
Captain	$922.20 to 975.20
First lieutenant	503.50 to 577.70
Second lieutenant [2]	328.60 to 381.50
Sergeant major	168.54 to 387.96
Sergeants	117.66 to 337.08
Corporals	19.08

Roumanian Army.

Grade.	Annual pay.	Extra allowances.
Minister of war	$2,880.00	$1,920.00
Major general	3,120.00	600.00
Brigadier general	2,640.00	480.00
Colonel	1,920.00	360.00
Lieutenant colonel	1,560.00	240.00
Major	1,200.00	156.00
Captain	960.00	144.00
First lieutenant	720.00	120.00
Second lieutenant	624.00	
Sergeant major	324.00	
Sergeant	168.00	
Corporal	96.00	
Private	28.80	

Grade and annual pay in the Serbian Army.

General	$2,020.00
Colonel	1,440.00
Lieutenant colonel	1,100.00
Major	990.00
Captain (first class)	630.00
Captain (second class)	520.00
First lieutenant	440.00
Second lieutenant	360.00
Sergeant major	120.00
Sergeant	72.00
Corporal	12.00
Private	3.60

Grade and annual pay in the Spanish Army.

General	$5,454.48
Lieutenant general	4,545.36
Major general	2,727.24
Brigadier general	1,813.12
Colonel	1,454.52
Lieutenant colonel	1,187.76
Major	999.96
Captain	636.36

[1] This does not include commutation and service allowances.
[2] Only during service.

First lieutenant		$454.56
Second lieutenant		384.60
Cadet		272.64
Sergeant major	$272.76 to	490.80
Sergeant	130.80 to	272.76
Corporal	71.52 to	94.80
Soldier	53.04 to	55.20

Swedish Army.

Grade.	Annual pay.	Annual pay with commutation and service allowances.
Generals	$2,120.00	$3,194.58
Colonels	1,590.00	3,488.35
Lieutenant colonels	1,192.50	1,941.13
Majors	1,060.00	1,808.63
Captains (first class)	901.00	1,420.40
Captains (second class)	636.00	1,155.40
Lieutenants (first class)	397.50	793.68
Lieutenants (second class)	270.30	668.48
Second lieutenants	190.80	[1]586.98
Corporal (cash)	$95.00 to 147.00	$204.00 to 256.00
Volunteers	60.00	178.00
Private	19.70 to 49.25	129.00 to 158.55

[1] Total cost.

Swiss Army.

Grade.	Annual pay, active service.	Instruction service.
Commander in chief	$3,650.00	.....
Chief of general staff	2,920.00	.....
Paymaster general	1,825.00	.....
Colonel (commanding division)	2,190.00	.....
Colonel (commanding brigade)	1,825.00	.....
Colonel	1,460.00	$1,241.00
Lieutenant colonel	1,095.00	949.00
Major	876.00	803.00
Captain (mounted)	730.00	657.00
Captain (not mounted)	730.00	584.00
First lieutenant (mounted)	584.00	511.00
First lieutenant (not mounted)	584.00	438.00
Second lieutenant (mounted)	511.00	438.00
Second lieutenant (not mounted)	511.00	365.00
Sergeant major	219.00	219.00
First sergeant	182.50	182.50
Sergeant (not mounted)	109.50	109.50
Corporal (mounted)	109.50	109.50
Corporal (not mounted)	73.00	73.00
Private	58.40	58.40
Recruit	.....	36.50

Grade and annual pay in the Turkish Army.

Lieutenant general	$5,280.00
Major general	3,960.00
Brigadier general	2,640.00
Colonel	1,584.00
Lieutenant colonel	1,320.00
Major	1,056.00
Adjutant major	792.00
Captain	528.00
First lieutenant	422.40
Second lieutenant	369.60
Sergeant major (first sergeant.)[1]	211.20
Assistant sergeant major[1]	179.52
Sergeant[1]	158.40
Sergeant major (when from ranks)	26.40
Sergeant (when from ranks)	21.12
Corporal	15.84
Private	10.56

Grade and annual pay in the United States Army.

Lieutenant general	$11,000.00
Major general	8,000.00
Brigadier general	6,000.00
Colonel	4,000.00
Lieutenant colonel	3,500.00
Major	3,000.00
Captain	2,400.00
First lieutenant	2,000.00
Second lieutenant	1,700.00
Sergeant major	480.00
Sergeant	360.00
Corporal	252.00
Private	180.00

[1] When from noncommissioned officers' school.

EXHIBIT B.

CHINA HAS GREATER PROPORTION OF TRAINED MEN THAN THE UNITED STATES—GEN. PERSHING, IN ADDRESS ON PREPAREDNESS BEFORE WOMAN'S CLUB, SOUNDS WARNING—LARGER FLEET OF WARSHIPS NEEDED TO GUARD COAST CITIES OF THIS COUNTRY—TO PREVENT LANDING OF HOSTILE EXPEDITIONS BY ONE OF GREAT POWERS MOBILE FORCE OF 500,000 WELL-EQUIPPED MEN ARE NEEDED; RISKS OF WAR ARE TEN TIMES AS HAZARDOUS AS FIRE; SHOULD PREPARE NOW.

[By Brig. Gen. John J. Pershing.]

"To be prepared for war is the most effectual means of preserving peace. A free people ought not only to be armed, but disciplined; to which end a uniform and well-digested plan is requisite." This was the advice George Washington gave his countrymen in discussing the welfare of the Nation in his first annual address to Congress.

No man in our country has ever been in a better position to appreciate the consequences of unpreparedness than George Washington. During those critical years of war the lack of previous military preparedness had been borne in upon him with impressive force. He had learned that high-sounding phrases and rhetorical declarations of patriotism, no matter how sincerely uttered, could not take the place of well-drilled efficiency, and that the untrained enthusiasm of youth was a poor substitute for military knowledge and military discipline.

SHOULD BE PREPARED.

The Revolution began in real earnest after Colonies had made clear their purpose through the Declaration of Independence. The time for decisive action had an effective military force, but unfortunately the people did not realize that an aggregation of civilians with arms could not hold their own against disciplined soldiers under efficient officers. At the very beginning Washington was forced by the British on Long Island to retire to New York, and the accounts of the movement as given in our histories lead to the conclusion that it was a masterly retreat, but in a letter to the President of Congress Washington describes the results in the following words:

"Our situation is truly distressing. The check our detachment sustained on the 27th ultimo has dispirited too great a proportion of our troops and filled their minds with apprehension and despair. The militia, instead of calling forth their utmost efforts to a brave and manly opposition in order to repair our losses are dismayed, intractable, and impatient to return. Great numbers of them have gone off—in some instances almost by whole regiments, by half ones, and by companies at a time."

FLED IN CONFUSION.

A few days later when the British, in pursuit, crossed over to New York, the Continental Army took fright and, scarcely firing a shot, fled in the utmost confusion. There is little doubt that Washington fully appreciated the difficulties that confronted him, for he at once most earnestly presented to the Congress the weakness of hastily organized militia as follows:

"To place any dependence upon militia is assuredly resting upon a broken staff. Men just dragged from the tender scenes of domestic life, unaccustomed to the din of arms, totally unacquainted with every kind of military skill (which is followed by a want of confidence in themselves when opposed by troops regularly trained, disciplined and appointed, superior in knowledge, and superior in arms), are timid and ready to fly from their own shadows.

"Besides, the sudden change in their manner of living, particularly in their lodging, brings on sickness in many, impatience in all, and such an unconquerable desire of returning to their respective homes that it not only produces shameful and scandalous desertions among themselves but infuses the like spirit in others."

Washington was called upon to combat all the evils of this temporizing system. The uninstructed men sent by the colonies were often worse than none. The terms of enlistment were so short that they barely learned their duties before they left the service, to be replaced by other green recruits. These generally came unequipped, demanding food, clothing, arms, and shelter. Most of the officers obtained their appointments through family or political connections and incompetency was the rule. The Colonies organized new regiments of raw troops and sent them to the front, instead of filling up the seasoned and experienced regiments already in the field.

Both the Continental Congress and the several Colonies finally resorted to the vicious system of offering bounties. This only added to the difficulties, as many men became professional bounty jumpers, and desertion largely increased. Everything was a makeshift and, notwithstanding Washington's continuous appeals for a regular army organization, the Colonies drifted along from bad to worse during the entire period of the Revolution. It was only upon the most urgent appeals by the leaders of the Revolution that the Colonies could be induced to furnish anything like their respective quotas of men. So difficult was it to retain them with the colors that from first to last 400,000 colonials were borne on the rolls. In the year 1776 we had the maximum of 89,000, but this dwindled to the minimum of 29,000 in 1791. Yet at no period of the war did Washington have at his disposal an army of over 16,500 men.

The belief is general that it was the patriotic devotion of the minute men and the untrained farmers of Lexington and Concord who won the war for independence, but the fact is that if it had not been for divided public sentiment in England itself and the sluggishness with which the British conducted the war, together with the timely assistance of the French under La Fayette, the United States might still be a British colony. I can but quote here what Gen. Light Horse Harry Lee said years after the war in writing of the action of one of our regiments at Camden:

"While I record with delight facts which maintain our native and national courage, I feel a horror lest demagogues who flourish in a representative system of government shall avail themselves of the occasional testimony to produce a great result. Convinced as I am that a government is the murderer of its citizens which sends them to the field uninformed and untaught where they meet men of the same age and strength mechanized by education and discipline for battle, I can not withhold my denunciation of its wickedness and folly."

FALSE TEACHING OF HISTORY.

The false teachings of American history are largely responsible for our state of unpreparedness to-day. Should we be forced into war now your boys would go out into the field against very great odds. An Englishman recently wrote to one of our general officers and, speaking of the loss of his son on the western frontier of Europe, said:

"We have lost our only son, but neither he nor his fellows had a sporting chance—they had never had military training."

In spite of the lessons of the Revolution, the War of 1812, 20 years later, found the country still unprepared for defense. The same inexcusable and criminal neglect to anticipate the future made it necessary again to enlist unprepared citizens, mostly boys as usual, and send them into the field under ignorant officers and without proper organization—a method which produced the same needless waste of human life. Under this foolish system we were compelled to put into the field during this war the relatively exorbitant number of 34,000 officers and 493,000 men, while the greatest number of British regulars on the American Continent at any time was less than 17,000.

DISASTERS OF WAR.

Among the disasters of this war was Hull's surrender at Detroit of 1,800 men to a British force of 1,320 without firing a shot. Then Hampton, with a body of 5,000 men moving on Montreal, was put to flight by a force of 400 Canadians and Indians. Gen. Wilkinson, com-

manding 8,000 men, also moving on Montreal, was whipped by 800 British regulars at Crystiers Fields. Another force of 4,000 Kentucky Militia under Gen. Hopkins, marching toward Indian villages on the Wabash and Illinois Rivers, got scared at a prairie fire and, deserting their officers, ignominously retraced their steps and fled to their homes.

I shall not further recall the humiliating tales of defeat incident to this war. Except a small victory on the Thames, the action at Lundys Lane, where the regular troops covered themselves with eternal glory, and Jackson's victory at New Orleans, won after peace had been declared, the military operations of this war, including the surrender of the Capital City to the British, after the headlong flight of our troops from Bladensburg, were absolutely disgraceful. Nearly all the blunders committed were repetitions in an aggravated form of the blunders of the Revolution, and like them had their origin either in mistakes or omissions of military legislation.

You would think that a sensible people after all our experience would realize the necessity for adequate preparation, but at the beginning of the Civil War we were still adhering to the fatuous policy of previous wars. We pursued the same course; first calling out the militia, then volunteers, then granting bounties with all their demoralizing effect of wholesale desertion and bounty jumping; and we must record the same result—total failure of the volunteer system and tremendous loss of life and property. Fortunately each side in this war was about equally unprepared and neither had the advantage. To a much greater degree than in former wars, reliance in the North upon the voluntary enlistment prevented rational organization, made operations uncertain, ignored the universal obligations of the individual for military service, and encouraged the shirk and the skulker.

These costly experiences have proved that it is impossible, without tremendous losses, to build up a national army by depending upon State governments for cooperation. In the State militia of to-day each of the 48 States has its own policy, which changes almost with every new governor. The officers are usually elected by the votes of the members of the organization, and it is unreasonable to suppose that these troops will be fit for war until they have had several months of hard training in the field under the direction of competent officers. There can not be any reliance upon any plan for immediate preparedness which does not place the details of organization and training of the forces under the control of the Central Government.

MANY CHANGES IN ART OF WAR.

There have been marked changes in the art of war during the last 10 years, perhaps greater than during any century since the invention of gunpowder. While the same method of transporting and supplying armies were used in both Napoleon's and Caesar's time, the adoption of explosive weapons wrought important changes in handling troops on the battle field. Most of the modern improvements in the arts and sciences have been utilized in the art of war, but of all these the perfection of the interior-combustion engine has probably had a greater influence upon military art than any other modern invention. The full effect of these inventions on the methods of conducting warfare have not yet been fully realized by the world at large.

Marvelously quick transportation of troops, the ability to provide food and supplies for inconceivable numbers of fighting men, rapid communication of intelligence, power to fly through the air and scout the enemy, traveling under water 5,000 miles from base to sink his ships, throwing projectiles of unprecedented weight to smash his forts, transporting and treating thousands of wounded who would otherwise perish but for the use of the automobile—these are some of the more striking improvements in modern methods of conducting warfare, improvements which make military preparation before the beginning of war absolutely essential.

As to the size of armies in the field, the actual numbers of armed fighting men in the present war surpass by far the fabled hordes of history and are indeed almost inconceivable. Of the entire population of Europe 78 per cent are now engaged in this conflict; and considering the population of the whole world, 56 per cent are now at war. The almost unbelievable number of 13,000,000 men are actually under arms in Europe to-day; over 2,000,000 have been killed; nearly 4,000,000 have been wounded, not counting the slightly wounded who have returned to the front; and about 2,225,000 are prisoners of war.

We can not grasp these figures, but in comparison with our own Civil War, which was one of the great wars of modern times, this war may be said to be more than ten times as great. The number of men we had under arms at any one time did not exceed 1,300,000, including both North and South, and about 200,000 were killed on both sides during the war.

SUPPLYING FIGHTING FORCE.

The question of supplying these gigantic armies has been a difficult one, and the success with which it has been accomplished has been most astonishing. These results alone speak volumes of the necessity for thorough preliminary organization of the Nation's resources. The work of supply has been made possible by the combined use of railroads and large numbers of motor trucks moving over military highways. The motor truck under these conditions has proved itself to be about forty times as efficient as the four-mule team.

Another surprising thing in this war is the very extended theater of operations. Along the western war frontier in Europe the present stage consists of two lines of infantry, 300 miles long from the ocean on the west to the mountains on the east, occupying deep trenches, in many instances only a few hundred yards apart. These trenches are often made of concrete, and are supplemented by many supporting trenches and lines of approach and ample underground habitations. This line is held by approximately 2,500,000 men on either side, or nearly 5 men to every yard, and would reach from New York City to Lake Ontario. The other 8,000,000 men are battling in other sections; but if they too manned trenches similar to those in the west, the whole line would reach from Washington to Mobile.

UNITED STATES UNPREPARED.

Let us compare the number of trained soldiers permanently maintained by the different great nations. Germany has over 5,000,000; France, 5,000,000; Russia, 5,000,000; Austria-Hungary, 4,320,000; Italy, 2,600,000; Japan, 2,212,000; England, 695,000; United States, about 100,000, including Coast Artillery, but there is to-day a mobile force of only 30,000 men of the Regular Army within the limits of the United States. Adding to these about 60,000 fairly trained National Guard troops and we have about 90,000 men scattered from the Atlantic to the Pacific. The trained soldiers in the United States are less than 1 in every 1,000 of population, while the average among our possible enemies is 65 per 1,000.

Even China has a greater proportion of trained soldiers than the United States has. At this time when trained military men and modern organization are more important to the life of any nation than they have been at any other period in history, this Nation can not afford to drop behind in its solicitude regarding the future, but with firm resolve should profit by its own bitter experience and prepare against the evil day that is sure to come.

SEACOAST DEFENSE.

With reference to seacoast defense it may be said that they are primarily for the protection of important cities and harbors, and for that purpose should possess an armament equal to that of the most powerful warships. Naval armament has lately been greatly developed as to caliber, range, and rapidity of fire. The 15-inch guns on foreign warships of the *Queen Elizabeth* class are so powerful that they exceed the range of our coast defense guns by 2,000 to 3,000 yards, or nearly 2 miles. Our artillerists have a plan to overcome this advantage. The main point is to prevent an enemy from landing an expedition at some other place and capturing the defense from the rear.

Last August the allies secretly moved by sea from Australia, in one convoy of 98 vessels, an army of 125,000 men, completely equipped with transportation, guns, and supplies, and landed it on Gallipoli Peninsula, where the beaches were difficult and where there were barbed wire entanglements under water and the seas were strewn with mines. Sea transportation nowadays is the best, quickest, and safest method of moving troops. The larger trans-Atlantic passenger steamers can be fitted up to carry 7,500 to 10,000 soldiers each, together with all the arms, ammunition, and supplies necessary for a campaign. More than one of the leading powers of Europe could land an expedition of 350,000 men on the Atlantic coast within 15 days and an additional 400,000 by the end of 15 days more. It would be the Army's duty to prevent such landing, if possible.

The Navy's work is securing and maintaining control of the sea, and it must be free to seek out and defeat the enemy's fleet. Any use of the battle fleet for local coast defense is an extravagant use of naval power. If the fleet is defeated and beyond the protection of an adequate Army, it is powerless to prevent either invasion or its own destruction, and so the Army and Navy must cooperate. Any plan of defense that does not consider this fact is defective.

STRENGTH OF NAVIES.

The relative strength of navies is in general measured by dreadnaughts. There have been built, or are building, in the world 162 dreadnaughts, so far as public records show. Leaving out of the count our battleships *South Carolina* and *Michigan*, which are not now considered dreadnaughts, we find that England has 50, Germany 30, France 17 (including 4 already begun), United States 17 (including 5 not yet begun), Japan 10, Italy 10, Austria 8.

Our Navy stands fourth among the navies of the world, but with all of our seacoast to defend that is no place for our Navy to remain. It ought to move up to the top, but if that is not practicable at present, then it ought to be an unquestioned second. A poor Navy for a Nation like ours is worse than none, and is an extravagance that ought not to be indulged. Let us be at least a good second or quit building ships altogether.

MODERN SHIPS NEEDED.

If we are to have a Navy we must scrap all obsolete craft and build more light cruisers for blockade and patrol work, innumerable submarines and destroyers, more hydroplanes for scouting, plenty of trawlers for sweeping the sea of mines, and a large increase in big-gun ships of high speed. All these we need in their proper proportion as recommended by our naval experts, with plenty of seamen for active service and reserves to fill up war losses. To sum up, as has been wittily said, "What this country needs is a battle fleet strong enough to make the landing of an expedition impossible, also an Army strong enough to drive it back if it did land."

The attractiveness that this unprepared Nation offers to any well-armed, well-equipped, aggressive, first-class military power seeking revenge or gain will appear evident when it is realized that we have greater accumulated wealth than any other two nations; twice as many motor cars and motor trucks as all Europe; that we produce more iron and steel than any other three nations; more copper than all the rest of the world, and have a greater mileage of railroads than the nations of Europe combined. These are important elements of military strength, but they are as certainly elements of weakness if they fall into the possession of an enemy to be used against us.

Within from an hour to a six-hour's run by automobile from New York City there lie Boston and Philadelphia and many other important cities, also the Pennsylvania coal fields, and practically all cartridge works, smokeless-powder works, small-arms works, torpedo-boat works, and heavy gun and armor-plate works in the whole country. With the landing of a hostile expedition near New York City and the capture from the rear of its seacoast defenses, the enemy's guns could bombard the coast cities and his army could overrun this area and collect billions of dollars in ransom before we could possibly mobilize even the small number of Regulars and National Guard we have, much less enlist and train an adequate army of volunteers. Along the Atlantic coast will be found accumulated wealth to the value of over $50,000,000,000, or about one-third the total in the United States, quite undefended as far as the Army is concerned, and hence subject to the command of the guns of an enemy's warships, or within easy reach of his expeditionary forces. An enemy once on our shores and in possession of this area would deprive us of all the means of supplying our armies with munitions for the conduct of war, without which he could not be dislodged for years, if at all. Such an enemy certainly could not be driven out by a million of unarmed and untrained men, who, as one of our public men recently boasted, would rise up in defense of the flag between sunrise and sunset.

NEED OF TRAINED TALENT.

To prevent a landing of a hostile expedition by one of the great powers the very ablest and best military talent in the country is agreed that we should have under arms and available for immediate dispatch to the threatened point a well-balanced and well-equipped mobile force of at least 250,000 men, with an additional force of 500,000 trained reserves that could be mobilized within 10 days. Back of these to conduct a war there must be at least 2,000,000 men trained, officered, organized, equipped, and ready for call within 20 days. These are the very least numbers that should be considered. If there is any necessity of being prepared, then it should be done thoroughly. A nation prepared for war can usually protect its rights without having to fight, but to be halfway prepared is only to invite disaster and ruin. This Nation has too much at stake to take chances.

During the past two years new conditions affecting the fundamental rights of nations have been created by this cataclysm of war. "The world to-day is in the most anomalous condition mankind has ever seen.

The greatest human struggle of all the ages is going on between the most powerful combinations of nations. Wise men ought to take warning and peer into the future and prepare to-day for what may come to-morrow." Whatever may have been our national policies in the past, whatever may be our political beliefs, we can no longer view the future with unconcern, nor fail to be physically prepared squarely to meet emergencies.

A desire for universal harmony and perpetual peace bespeaks a noble aim, but in the face of dangers that have already befallen nations unprepared it is first of all our duty to marshal our forces and organize our resources. The time is here for the people of this country to arouse themselves, show their wonted courage and revive their devotion to the principles of the fathers. Americans have been dazed, uncertain, and perplexed. They have taken counsel of timidity, and in consequence they appear unable to do any positive thing. It is high time for plain talk and practical performance.

RISKS OF WAR.

The risks of war are ten times as hazardous as fire risks, and although the average man insures against fire he gives little thought to national insurance against war. During the life of this Republic we have had 25 years of war, including the Florida War, not counting Indian wars and other internal disturbances, where the Army has been used. That is to say, we have had one year of war to every five years of peace during the time of our national existence.

It has been declared that the nations engaged in the present deplorable struggle will be so exhausted in the end that they will be in no condition to wage another war. The history of nations, including our own, does not bear out any such theory. When this country emerged from the Civil War it was for the only time in its history prepared for war, and was without doubt the strongest military nation in the world. As such it did not hesitate to demand the immediate withdrawal of France from Mexico, which had been occupied in violation of the Monroe doctrine, a demand that was promptly complied with. At the end of the present war the nations involved will, no doubt, be stronger from a military standpoint than ever before. The population will be no less, as enough male children have been born during this war period to compensate for the losses incurred.

A few peace-at-any-price advocates argue that to prepare for war invites war, and that a nation prepared is likely to go about looking for trouble. If that is so, then the leading nations of the world are seeking war; and if they are all spoiling for war, then the most profitable field that presents itself in the world to-day is unprepared America.

UNIVERSAL MILITARY TRAINING.

To raise such an army as is proposed we shall without doubt be compelled to adopt some system of universal military training. It would be wise to place such a law on the statute books, even though it should not be considered necessary to put it into force at this time. The law could then be invoked in time of war without further legislation, and much valuable time could be saved. While primarily for purposes of military defense and not for aggression, the system determined upon should also have for its object the making of brave and courageous citizens, ready to uphold law and order in their own communities and able to defend their homes with sturdy vigor and a distinct sense of efficiency and preparedness. It would be difficult to imagine any discipline that would be of greater value, not only to the individual, but to the industrial, political, and military future of this country, than to provide for the 1,000,000 young men reaching 18 years of age each year five or six months' consecutive military training, under some such intensive system as that followed in the conduct of our summer encampments for citizens.

But when we speak of universal military training a few "little Americans" immediately rise up and begin to parade the familiar specter of militarism. Nobody should be frightened at this apparition. There is no militarism in Switzerland, Australia, or New Zealand, and yet universal military training is compulsory in those countries. Everybody, except those who will not see, should know that the very surest way to avoid militarism, if such a thing were at all possible under our democratic institutions, is to give every man military training. That is the safeguard of individual rights. Militarism for conquest is the dream of monarchs, and is contrary to all our traditions. It means rule by an aristocratic military hierarchy. It can not obtain a foothold in a nation free from class distinction. If all citizens are trained in military tactics, they are at once on an equal footing, and there is no such thing possible as a militafy caste.

WILSON ON CONSCRIPTION.

In the President's "History of the American People" we find this reference to conscription in the South during the Civil War:

"Almost every white man of fighting age, and many who were too young or too old for the field, came first or last into the Confederate ranks, and the war seemed to be using the whole capacity of a proud and capable race.

"Hundreds of thousands volunteered; the rest were drawn in by conscription. Where it was necessary to use the entire fighting population it was impossible to rely upon voluntary service, and the South with its scant numbers for the field resorted to conscription sooner than the North."

Thus, if it were necessary to add further testimony in favor of the principle of compulsory service, we have it from our own war, and, similarly, we have it in the very recent experience of one of the leading nations now at war in Europe.

It is far better to adopt in time of peace universal training with service by lot than to have general conscription forced upon you, perhaps too late, by the fear of national failure in war. The folly of neglecting military training is without doubt the regret of more than one nation in Europe to-day, and more than one will never again rely upon the vagaries of peace propagandists or on the diplomatic promises of friendly, though warlike, neighbors.

DUTY OF EVERY YOUNG MAN.

With military training every young man would learn that he owes his country the duty of preparing himself to defend her rights if called upon to do so. The instruction would strongly impress upon him his military obligation to the Government. Service for one's country can not be measured by the mercenary standard of wages, but it ought to be given and accepted as the antecedent price of suffrage and for the mutual benefit of both the Government and the citizen. The principle of compulsory service is to require every man to do his part, but there are always those who will hang back when war comes, while the flower of our patriotic young manhood go to the front. We want to get hold of this would-be shirk and teach him to defend the flag that protects him. We want to anticipate and prevent in this country the development of the poltroon or the mollycoddle.

Show me a man, whether native or foreign born, who is not willing to do his share, and prepare himself to be a soldier by giving his services, gratis, to his Government for at least six months' military training, when present world conditions appear ominous and the future is fraught with danger to the Nation, and when, without reference to political party, the leading statesmen are appealing to the country for adequate preparedness, and I will show you a man who places self-interest above patriotism; I will show you a man who would skulk while others defended his home and his family, and I will also show you a man who does not deserve the protection of this great Republic.

EXHIBIT C.

ILLINOIS BANKERS ASSOCIATION,
Chicago, March 31, 1916.

Hon. LAWRENCE Y. SHERMAN,
The Senate, Washington, D. C.

DEAR SIR: As indicative of the intelligent, sober judgment of the Central West, we call your attention to what we believe to be the first poll with respect to the subject of national preparedness, which has been fairly taken by a representative organization covering a wide area.

The poll is particularly significant, as the majority of the members of the association are small institutions owned and controlled by local farmers and business men, intimately in touch with the sentiment of the public they serve, and for the further reason that the poll was taken without making any reference to the present international situation, the urgent need for better defense or an appeal to patriotism.

The referendum was ordered by President Woodruff in the current number of the Association Bulletin as a guide for the action of this committee.

The results are so overwhelmingly in favor of a larger Army and Navy, and the adoption by Congress of the recommendations of the Army and Navy officers that this committee feels obligated to bring the matter to the attention of the Members of Congress from Illinois.

The nonpartisan character of the inquiry and the intimate relationship between the men in the small banks and the public justifies the assertion that the expression is that of public opinion in the agricultural, industrial, and other communities in which the banks are located.

The details of the poll are shown in the following tabulation:

Question No. 1. Do you believe our Navy should be enlarged and strengthened?

	Votes.
Yes	572
No	23

Question No. 2. Do you believe our Army should be enlarged and strengthened?

	Votes.
Yes	569
No	28

Question No. 3. In adopting any plan for Army and Navy enlargement, do you believe that Congress should be guided by the recommendations of our Army and Navy officers, who are experts on the subject of Army and Navy matters?

	Votes.
Yes	558
No	24

(Sixteen qualify their answers by saying "To a certain extent.")

It will be seen that to question No. 1, 96 per cent voted in the affirmative; to question No. 2, 95 per cent voted in the affirmative; and to question No. 3, 96 per cent voted in the affirmative; 3 per cent qualifying their vote.

To further justify your confidence in the cosmopolitan character of the replies, attention is called to the fact that over 90 per cent of the votes were cast from the smaller communities in the State, where the relation sustained between the bank men and depositors is that of confidential advisor, thus making the returns a reflection of public opinion. It should also be borne in mind that the vote was given by a conservative element and in a secret ballot.

Without urging upon you the very positive convictions of this committee and that the rank and file of the people in the Central West are emphatically in favor of adequate measures of defense commensurate with the wealth and exposed position of the Nation, we leave you to draw your own conclusions from the very significant poll, which we have pleasure in reporting.

Emphatic comment as to the urgent need for action appears on numerous ballots, while opposed to this are several explanations of the votes against an increase. In only one case is reference made to international disarmament. The "peace at any price" propaganda seems to have few, if any, adherents.

Yours, very truly,

COMMITTEE ON PREPAREDNESS,
OMAR H. WRIGHT, *Chairman.*
N. M. HARRIS.
JOHN W. THOMAS.

Mr. SHERMAN. This completes all the exhibits which I will submit.

I now ask unanimous consent for the consideration of the resolution I have read.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). There is a question pending before the Senate. If unanimous consent is given for the consideration of the Senator's resolution, of course it will take precedence.

Mr. CHAMBERLAIN. Whenever the resolution is reached in its proper order I shall be very glad to have the subject investigated, but I do not care to have anything taken up at this time. I object.

The PRESIDING OFFICER. Objection is made.

Mr. SHERMAN. Let me suggest, with the permission of the Senator from Oregon, that the resolution lie on the table with the understanding that it goes over under the rule.

Mr. SMITH of Georgia. What is the resolution?

The PRESIDING OFFICER. It is a resolution presented by the Senator from Illinois [Mr. SHERMAN]. Objection has been made to its consideration at the present time, and the Senator from Illinois requests that it may lie on the table.

Mr. SMITH of Georgia. It can not be presented except by unanimous consent.

Mr. SHERMAN. Let it go over under the rule to be considered when the pending bill is out of the way.

Mr. HARDWICK. The Senator has not had a right at all to present it. He merely read it for information.

The PRESIDING OFFICER. That was all.

Mr. SMITH of Georgia. Can it be read at the desk for information?

The PRESIDING OFFICER. The Chair is informed that objection being made the resolution will go back to the Senator from Illinois; that it can not be introduced. It may be reintroduced at another time.

Mr. CHAMBERLAIN. I have no objection to its being presented and lie on the table. I did object to its being taken up for disposition at this time.

The PRESIDING OFFICER. Is it agreeable to the Senate that the resolution shall be received and lie on the table?

Mr. SMITH of Georgia. I think the resolution ought to come in regularly in the regular way.

The PRESIDING OFFICER. Objection is made, so that the resolution will be returned to the Senator from Illinois.

Mr. CHAMBERLAIN. Mr. President, I am very reluctant to say anything more than I have said in reference to section 56 of the proposed Army organization bill, but I feel that I ought to say something in regard to the matter, in view of the broad range the discussion has taken.

I want to say, Mr. President, that the committee that has reported out this bill does not arrogate to itself any superior knowledge upon this or upon any other subject connected with the reorganization of the Army. All that it claims for itself is that it has gone into this subject at very great length, and I question very much if the individual Members of the Senate have given it the same careful consideration that the Committee on Military Affairs has given the whole subject. That is the most that the committee claims. There are distinguished Senators here who possess the same means of information, and of superior ability, no doubt; but I question if any Member of the Senate has taken up these various subjects embodied in the bill and considered them as a whole in connection with each other. We have listened to experts in the Army, as well as to prominent civilians, in undertaking to reach a proper conclusion.

I think, Mr. President, it would be a very great mistake to eliminate section 56 from this bill. I want to go further and to say that I believe I can safely say that no member of the committee felt that the National Guard was an entirely dependable force. The history of this country from its earliest times to the present has vindicated the suggestion of many of the Senators here that the National Guard and the militia of this country have never proved a dependable force in time of emergency. I say that without intending to discredit either the patriotism or the efforts of the National Guard to make of themselves a dependable force both in times of peace and in times of war. Appropriations that have been made for the National Guard from time to time, Mr. President, have been made for the sole and only purpose of undertaking to make it an efficient and effective force whenever it might happen to be called upon.

Aside from the standing army, there is no other force in this country that could be utilized immediately for the service of the Government in case anything happened to us; and it was the purpose of the committee to try, so far as it was possible under the limits of the Constitution, and even further, we feared, than the Constitution warranted us in going, to make the National Guard a more efficient force than it has been in the past.

I differ from some of my colleagues here as to the power of Congress over this subject. I realize, however, that there are great differences of opinion amongst the strongest men in this Republic as to the power of Congress over the National Guard or the National Militia. It was in view of this difference of opinion that the Military Committee, so far as it was concerned, did not propose to depend absolutely upon the National Guard, but intended to try to make it more dependable than it was, and at the same time to endeavor to bring within the control of the National Government another force that can and will be made an effective force under complete Federal jurisdiction.

I know what will happen, Senators, in case differences occur between this country and some other country. History tells us what has happened in the past, and we can only judge of what may happen in the future by what has happened in the past. That will be that when the emergency is upon us Congress will get together within a very short time and pass—what? Pass a bill that will enable the President to call a volunteer army for the purpose of a defense of this country against any attack that might be made upon it. We have always done it, and we shall do it again. In an emergency which confronted up a few days ago we did the same thing, and without a dissenting voice this Congress authorized the President of the United States to enlist 20,000 troops.

The friends of the National Guard will say, "Why did the President not call on the National Guard?" The same question suggested itself in the past, Why did not the President of the United States call upon the National Guard, the National Militia? Simply because, Mr. President, the absolute mainstay and defense of this country in time of emergency is the Regular Army; and the second dependable force is that part of our citizenship that can be mustered into the Regular Army when the time arrives, and be mustered in promptly.

Why, Mr. President, some of our friends here have talked about conditions that may exist when the millennium arrives. Until you can eradicate from the individual human heart greed and selfishness and the desire to get something that belongs to his neighbor, you can not eradicate from the hearts of the nations the same desire that animates the animal man when he comes to deal with his neighbor. The time was when the predatory nations of the earth went unassisted in search of prey; they did not need assistance. While I do not mean to say that the French were a predatory nation, we do know that in the days of Napoleon he went without allies and conquered Europe. Frederick the Great did not need any assistance to accomplish his ends. But predatory nations, Mr. President and Senators, nowadays, like the predatory animals, travel in packs.

One of the peculiar and amazing things in the war that is now devastating Europe is the fact that while one great power that is now involved in it was spending 40 years in training its soldiery and accumulating munitions of war and things that went to destroy human life, another of the great powers was burying the hatchet with its hereditary foes of an hundred years, and fighting battles in diplomacy by which it hoped to overcome its enemies who proposed to fight battles with arms, munitions, and with trained soldiery. We find to-day arrayed upon the one side are nations imbued with the militaristic spirit, and on the other side are nations that have been fighting battles in diplomacy. We find these latter fighting side by side with peoples who for a hundred years have been at each other's throats, either from a spirit of revenge or a desire for commercial supremacy.

While this condition is prevailing we snugly sit here, Senators, with a feeling of security that this country will have nothing to do when this war is over, challenging the powers of the earth to reach us. It may be true that they will not attempt to reach us; God grant they may never be able to reach us; but no man in business in this Republic is going to wait until fire assails his home to get out an insurance policy. Every man of sense and every man of business integrity and ability takes out such a policy before the risk comes.

To profit by the lessons of the last 18 months we ought not to measure the value of our liberty and of this splendid Republic and Government of ours by the standard of the dollars necessary to be expended for preparation to meet any emergency that may come, and we ought to be willing to spend whatever is necessary to do that, even if in 12 months from now we disband every soldier and undo all that we have sought to do. The people of the country demand it and expect it, and no man who loves his country will raise his voice in protest against the action of a patriotic Congress in doing its duty toward our country in the time of emergency.

Somebody speaks of the Monroe doctrine. Mr. President and Senators, if the same spirit animated us to-day that animated Monroe and Congress in 1823, when this doctrine was first announced, there would not be very much reason to fear that our commerce may soon be swept from the sea. Let us take conditions as they are. The time has come when we ought to be candid with each other and be candid with the American people. We do not need any military preparation, Senators, unless we intend to assert the Monroe doctrine and to make it a live force in this Republic. We do not need any preparedness if we intend to allow one of the belligerents to take the lives of our people who have the right to travel in other lands than our own. We do not need any preparedness if we intend to let another of the belligerents take our ships into its ports—and not only our ships, but the ships of other powers that are neutral and carrying our commerce to neutral nations—and search them and take passengers off in violation of all rules of international law. We do not need any preparation if we intend to submit to these indigni-

ties; but, for one, I insist that the same spirit that induced our forefathers to throw cargoes of tea into Boston Harbor; the same spirit that animated our forefathers in the War of 1812; the same spirit that animated them in the Mexican War and in the later wars of the Republic, ought to animate us in this emergency, and we ought to be prepared, if for nothing else that when this war is over we may demand some recompense, if recompense be possible, for the lives that have been destroyed.

If we intend to demand any recompense for the property that has been destroyed, if we intend to demand any recompense for the rights that have been asserted and exercised to go upon American bottoms and remove citizens as well as property, if we are going to demand any satisfaction for the unjust treatment which our people and our interests have received at the hands of those who are engaged in the present war, then we ought to be prepared to back all just demands, all legal demands, all righteous demands, by the force of arms if necessary.

In what shape are we? Like Glendower, we might "call spirits from the vasty deep," but, as Hotspur retorted, "Will they come?" We have not the power to insist upon the performance of a single demand that we have made upon any of the Governments that are now engaged in the European war.

Mr. LEWIS. Mr. President, I am sure the Senator from Oregon does not mean to have that go to the world. The Senator does not mean to say here in the Senate of his country that America has not the power to enforce any just demands against the world. The Senator, I assume, means that is the condition as the Army is now organized, but not that we have not that power within the people of our country.

Mr. CHAMBERLAIN. Oh, yes, Mr. President; but at what sacrifice! Even Gen. Miles, who has been cited by the lovers of peace—and we all love peace and will fight for it, if necessary—even Gen. Miles says that to send an army of untrained men against a regular force of any of the great powers would be death and destruction to them. My friends, if I want to be advised about conditions as to my health I am not going to a blacksmith or a carpenter, I am going to a physician or a surgeon; and if we want to know about the proper way to organize an army, Senators, we want to consult men who have made military studies their life work.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from California?

Mr. CHAMBERLAIN. I yield.

Mr. WORKS. I should like to ask the Senator from Oregon whether he thinks the force that is provided for in the bill now before the Senate would be adequate to do the things about which he is talking?

Mr. CHAMBERLAIN. I do not, to be perfectly frank with the Senator. Everything that we do in life, Mr. President, is a compromise. You heard one of the members of the committee say this morning that he thought the army which we propose is too large; I think it is too small. The bill is a compromise. We have undertaken to meet these very conditions and to enable us to place ourselves in a position to put an adequate army in the field, if we have to do so, which God grant we may never have to do.

It is not easy to adjust these differences, I will say to the Senator. A distinguished gentleman, who recently held a place in the Cabinet, claimed that in 24 hours we could raise a million men if an emergency ever arose when our country needed them. I have not any doubt about that; I have not any doubt, Mr. President, of the patriotism of the National Guard or of the citizens of this country. I have every confidence in the world in them; but every man who stops for a moment to think knows that to send 1,000,000 untrained soldiers against a division of trained men would simply mean to send 1,000,000 to their absolute and certain death. There is no question about that.

They say we are not going to have any such condition in this country; they say we can not be invaded. We have been invaded in the past. Within the last few weeks 100 or more bandits from the south of us invaded the United States, and we have not caught them yet. It seems to me, Mr. President, that we were invaded in 1812. Lying off the mouth of Chesapeake Bay was a small British fleet, with how many troops? A few thousand; and against a militia, organized as they were in the State of Maryland and in the District of Columbia, they marched into Washington and set fire to the Capitol. Oh, no; we are not going to have any invasion! It would not take a very large force transported to the United States to wipe us off the map. With a part of our soldiery in the Philippines, a part in Hawaii, a part in Porto Rico, a part at the Panama Canal, and about 25,000 of them in the United States, how large a body of men from any other country would it take to put us out of commission, Mr. President?

The very distinguished Senator from California [Mr. WORKS] not long ago in a speech made by him stated—and truly stated—that on the Pacific coast alone there were trained veterans of the Russo-Japanese War in excess of our own continental Army. There is not any question about that. I do not apprehend any trouble from these people. They are, however, the constructors and builders of railroads from the Pacific coast into the interior of this Republic. They are the dynamite and powder carriers, and as reasonable men, representing a constituency of 100,000,000 people, it behooves us, Mr. President, to act with judgment and discretion and determination to place our country in a position where it not only can defend itself, but can also assert its rights and see that its just demands are complied with by the balance of the world.

We sent back more than 40,000 reservists to the Greek Army, men who were here making a living in our country at the bootblack stands, the soda fountains, and places of that kind, and yet when their country called them into requisition they went cheerfully. Why shut our eyes to the conditions? I have no apprehension of war or trouble with Greece; I am merely calling attention to the facts.

Germany, one of the belligerent countries to-day, if I am correctly informed, has over 90,000 reservists in this country, and the name of every one of them is listed in the German consular offices in the United States. I have no fear of war with Germany—not at all; I am not an alarmist—but let us have the facts. Two years ago, because I insisted on an increase in our Military Establishment, I was looked upon as a jingoist, and I presume I am so looked upon yet; but I have no fear of any of these charges. I have greater fear, Mr. President, that the time may come when this country ought to assert herself but that she will not be in a position to assert herself.

It seems to me I remember, since I have been in the Senate of the United States, that a distinguished Senator introduced a resolution protesting against the acquirement of property at Magdalena Bay by one of the powers now engaged in the European war, on the ground that it was an unfriendly act toward the United States. It may have been. The charge has been made since then that efforts have been made by the same military power to acquire a holding in Mexico; and we know that any alliance that might be suggested by almost any power with the people to the south of us would be gladly received, because we have not a friend there. So why blind ourselves to conditions? Because one favors preparedness for the defense of our country it is no indication that he fears war.

Why, if the morning papers have correctly reported the facts, one of the great belligerents in the conflict which is raging in Europe is asserting the right that a vessel shall not leave the United States unless its manifest is viséed by them. How long, Mr. President and Senators, is the United States going to submit to such indignities as these? There is no better preparation against the assertion of such rights than to be prepared to resent them when the insults are offered.

Mr. VARDAMAN. Mr. President, would it interrupt the Senator if I were to ask him if he really thinks the failure of the United States to demand of England that she respect our rights under international law is because of a lack of preparation on the part of the United States?

Mr. CHAMBERLAIN. I do.

Mr. VARDAMAN. Does the Senator really think that?

Mr. CHAMBERLAIN. I do; yes, sir. Did not the President go out on a western tour and say that preparation was necessary? What did he mean by it?

Mr. VARDAMAN. And yet he said that we were absolutely at peace with the world——

Mr. CHAMBERLAIN. We are.

Mr. VARDAMAN. And that he thought that war was not imminent at all.

Mr. CHAMBERLAIN. We are suffering the peace of China right now; and every nation that comes along and wants a slice of poor China takes it; that is all there is about it. Have we reached the period of humiliation and degradation in our national life when we are going to submit to any such treatment as is now being accorded to China and to other nonmilitant powers of the earth?

Mr. President, there has not been an obligation entered into at The Hague conference or a single obligation in the declaration of London that has not been violated and set aside whenever it has suited the nations to violate it.

And now Holland, if the newspapers speak the truth, is about to be invaded from either side or from both sides. Why? For anything that Holland has done? Not at all. But to suit the whim and emergencies of those who are engaged in the war. On the one side they say, "We will cross you to get to the ocean and reach our enemies"; on the other side they say, "We will

cross the ocean and cross you to get to our enemy on the other side of you." It is not because of anything that Holland has done, any more than Belgium was embroiled in the conflict because of anything she had done; and yet, Senators, it may be that the fate of Belgium may be meted out to Holland, than whom there is no more splendid race of people in the world. It is greed in the heart of nations, Mr. President, as it is in the heart of man that brings on these fearful calamities. Who knows when a similar calamity may come to us?

Referring to the Monroe doctrine again—and the Senator from Illinois referred to it—we have set ourselves up as a sort of protector of the South American Republics; not so much for their protection as for the maintenance of our integrity and our existence. You know, as well as I, that colonization has already set in on the east coast of South America by some of the powers that are now engaged in this war; and, if you do not know it, you can very soon ascertain that colonization has set in on the west coast of South America by another warlike power. Is the Monroe doctrine simply the assertion of a barren right or is it the assertion of a doctrine that the United States intends to insist upon and to enforce if occasion ever arises when she ought to assert it? She may have to assert it, and I believe will have to assert it, to maintain her own integrity, if not in the near future, in the not distant future, anyway. The only time it ever was asserted practically against the combined powers of Europe was when, taking advantage of conditions which existed here during the Civil War, certain European Governments undertook to set up a monarchy to the south of us, and the United States practically served notice on the world that that could not go on, and it did stop.

But we may have to assert that doctrine again, Mr. President. We are trying all the time to make our relations more intimate with the Republics to the south, and I think we ought to do that, but in order to assert the Monroe doctrine we ought to be prepared to maintain it; and, in order to maintain it, we must be prepared with an adequate Army to do it, and a Navy, too.

I sometimes am compelled to compare our present condition with the condition that confronted our small population in 1812. There is not a single rule of national or international life, there is not a rule of international law, that was violated then, and which led to war, which has not been violated over and over again in the past two years. And yet, with the martial spirit that had come to our forefathers from the Revolutionary period, our people resented the course that was being pursued by these foreign powers. Why not be in a position to resent it now?

You can take Madison's message to the Congress in 1812, Mr. President, and compare it with conditions as they exist now, and there was not a single condition in that day and age that does not exist to-day; and yet our friends talk about the power of the militia to defend and maintain our country! Mr. President, we negotiated a disgraceful treaty before the War of 1812 was concluded, and there was not a single thing that was in issue between the two Governments that was determined by the treaty of Ghent—not one; and we did not win the War of 1812 until Jackson, with his Squirrel Shooters, reached New Orleans and fought the battle after the treaty had been negotiated, and he did not know it; and we won the war after we had submitted to a disgraceful treaty.

Somebody speaks about the bravery of the national militia at that time, Mr. President. I think a careful examination of the history of that time will disclose that the national militia on the other side of the river had gone into absolute retreat when the British regulars landed and came in contact with Jackson.

I have no disposition to discredit the National Guard. I want to help it. But the National Guard, if it come here with the determination to defeat every other attempt to place ourselves in a condition for national defense, ought to be wiped out of all legislation that comes before Congress. Mr. President, if the National Guard intends to come here as a political force, as it has done—there is not any question about that—and undertake to control legislation that has for its purpose the raising of an army to protect our country against the world, I for one shall favor from now on the elimination of the National Guard as a factor in this country—and I have been their friend, and hope I may continue to be—not because I love Cæsar less but because I love Rome more; and my purpose in this legislation has been to try to assist in making the National Guard an effective military force in this country.

Now, if it is their purpose, as it has been evinced—and I want the Senate to understand that I am not referring to the course of Members of this body or Members of the House, but at it has been evinced by methods that have been adopted on the outside of these bodies—if they intend to make a political as well as a military force of themselves, I for one am in favor of putting them out of business, because in the last analysis this country must depend for its defense first upon our Regular Army and then upon a force that can be controlled by the Central Government.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from North Dakota?

Mr. CHAMBERLAIN. I yield.

Mr. McCUMBER. All of us have received a vast number of telegrams from the several National Guards, and I wish the Senator would explain to us what their real objection and purpose is in desiring to strike out this particular section. Wherein does it conflict with anything that they may desire with reference to their own recognition?

Mr. CHAMBERLAIN. There is an old saying, Mr. President, that if you scratch a Russ you will catch a Tartar. If you scratch the back of a guardsman, and get the actual motive behind his desire to strike out section 56, you will find that it is because he is afraid it will impair the National Guard itself.

Mr. McCUMBER. Wherein?

Mr. CHAMBERLAIN. They say that it raises a competing force.

Mr. NELSON. Mr. President, if the Senator will yield to me I think I can furnish the reason officially for which the Senator from North Dakota asks.

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Minnesota?

Mr. CHAMBERLAIN. I yield, Mr. President.

Mr. NELSON. Night before last I received nine telegrams from officers and members of the National Guard of Minnesota urging me explicitly to vote against section 56. I called the attention of the newspaper correspondents of our evening papers at St. Paul and Minneapolis to these telegrams, and told them I thought the National Guard were trying to hamstring this Army bill. This morning I received from the adjutant general of the National Guard of Minnesota this telegram, which gives the real reason; and I want to read it for the benefit of the Senator from North Dakota:

> According to columns of to-night's dispatch from Washington, the men of the National Guard and the undersigned were criticized rather severely by you for our opposition to section 56, Chamberlain bill. We believe in the Volunteer Army as provided by the act of April 25, 1914, but we do believe that the National Guard could not exist as an effective unit if section 56 became a law. One would most seriously affect the other.

Their opposition is because they are jealous of the Volunteer Army, and they are fighting it because they think it will interfere with their existence. That is the reason. I have another similar telegram from the adjutant general of North Dakota, which I will hand to the Senator from that State, if he has not received one like it.

If the Senator will yield to me further, I want to say that in all my experience here I have never seen an instance of such bald lobbying as there has been by these outside influences to defeat this section of the bill.

Mr. CHAMBERLAIN. Mr. President, those telegrams express just what I said awhile ago. That is the purpose of it. I do not agree with these telegrams. I think the National Guard is mistaken about the purpose of this section, or the effect of it. It is simply undertaking to reach a way of organizing another force to be utilized in time of trouble. That is all there is about it.

It has been stated here, and it is a fact, that there are many young men in this country who would like to perform some military service for their country, but they do not go into the National Guard for reasons which have been explained. The young men of the labor organizations do not want to go into it, because it may be that when it acts as a police force it may be called out against the men with whom they are under some obligations measurably to act. These same young men who would like to assist in performing some military service for the country can not go into the Plattsburg camps, for instance, as they have been conducted, because it costs a good deal of money. These young men who assembled in these camps last summer paid their own expenses. They are young men who are able to do it. In order to make a democratic organization into which the rich man and the poor man, the employer and the employee, the banker and the clerk, can go, we have fixed this bill so that they can all go into it.

In that connection, I can better indicate what I have in mind if I read a letter from Mr. Gompers to Hon. RICHARD OLNEY, 2d, a Member of the House of Representatives, written on the 13th of March last. I am going to ask to have it inserted

in the RECORD, but I am only going to read the last portion of it:

In order to provide for all citizens equal opportunity for participation in training camps, there must be some compensation for loss of wages, otherwise those with small incomes will be unable to benefit by them.

Now, mind you, this bill provides for their transportation to and from the place of the maneuvers, and it gives them the same rate and pay that the soldier gets in the Army. That is small, it is true; but there are thousands and tens of thousands of young men in this country who are willing to sacrifice something in order to get the benefit of a training.

Mr. Gompers says:

There are many indications that there has been a decrease in the virility of our Nation during the past decade. Whatever the cause of this decrease in physical power and resistance it is a matter of grave concern to all.

Agencies that will build up our citizens physically must be a part of our social organization. Nor is this of concern from the military standpoint only or purely as a problem of national defense. The effect of increased vigor and of better health among our citizens will be plainly shown in increased efficiency in all activities of life. If these agencies are in accord with democratic ideals, they will leave an indelible impression upon the mental outlook and the habits of all those who come under their influence.

In addition to what I have written, you may perhaps be interested in my address, at the annual meeting of the National Civic Federation, on the subject of National Preparedness. That address, together with a letter I wrote to the National Security League, was made a public document. I am sending you a copy—

And so forth. I ask to have the whole of the letter inserted in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

The letter referred to is as follows:

WASHINGTON, D. C., *March 13, 1916.*

Hon. RICHARD OLNEY, 2d,
House of Representatives, Washington, D. C.

SIR: There are many features of the Plattsburg camp idea which I heartily approve, but there are some features that I can not wholly indorse. In reply to an invitation to visit the Plattsburg camp last summer, I wrote Gen. Leonard Wood, calling his attention to some of these. The features and the tendencies that I could not approve were the limitations put upon the democracy of the movement.

Under the provisions for the Plattsburg and similar training camps, it was impossible for men working for wages to avail themselves of the opportunity for military training, physical development, and outdoor life.

To be sure, I fully appreciate the fact that the Plattsburg camp was democratic in spirit, and with this spirit must have had a lasting effect upon those of different walks of life who for a few weeks at least lived together without artificial distinctions, under conditions which brought out the inherent value and good qualities of the men.

But, as I have said before, because of inability to pay their expenses in such a training camp, the wage earners were practically debarred from this opportunity.

In order to provide for all citizens equal opportunity for participation in training camps, there must be some compensation for loss of wages; otherwise those with small incomes will be unable to benefit by them.

There are many indications that there has been a decrease in the virility of our Nation during the past decade. Whatever the cause of this decrease in physical power and resistance, it is a matter of grave concern to all.

Agencies that will build up our citizens physically must be a part of our social organization. Nor is this of concern from the military standpoint only, or purely as a problem of national defense. The effects of increased vigor and of better health among our citizens will be plainly shown in increased efficiency in all activities of life. If these agencies are in accord with democratic ideals, they will leave an indelible impression upon the mental outlook and the habits of all those who come under their influence.

In addition to what I have written, you may perhaps be interested in my address at the annual meeting of the National Civic Federation, on the subject of National Preparedness. That address, together with a letter I wrote to the National Security League, was made a public document. I am sending you a copy, and call your attention specially to the first four paragraphs on page 10.

Very truly, yours,

SAML. GOMPERS,
President American Federation of Labor.

Mr. CHAMBERLAIN. Mr. Gompers in that letter, which I have had printed as a public document, goes further than many of our friends here go, and takes the same position that the distinguished Senator from Illinois [Mr. SHERMAN] does, and says that in the last analysis the only defense for our country and the maintenance of the integrity of this Republic is universal military training. It is going to come, Mr. President—possibly not now, but it is bound to come—in view of the disposition of a great many of the splendid people of this country to object to the expenditure of a dollar for the maintenance of an army.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Iowa?

Mr. CHAMBERLAIN. I yield.

Mr. CUMMINS. Something has been said about telegrams received from the members of the National Guard against section 56. I ask the Senator from Oregon if it is not true that he has received a great number of telegrams in favor of section 56 and if he did not this morning make them a part of the RECORD?

Mr. CHAMBERLAIN. Yes, sir; that is correct.

Mr. CUMMINS. Is it any greater offense to receive a telegram for the section than to receive a telegram against it?

Mr. CHAMBERLAIN. Let me say to the Senator that there is no evidence in the case of any telegram I got that they were from any others than individuals. I will qualify that statement, however. I believe some of them did come from the Military Training Association, but many of them are from individuals.

Mr. HITCHCOCK. Mr. President——

Mr. CHAMBERLAIN. Let me say to the Senator that I do not object particularly to members of the National Guard expressing their views. The Senator will remember that while he was a member of an investigating committee once I asserted the right of any citizen to come before Congress and assert his views.

Mr. CUMMINS. Mr. President, another question, or rather a suggestion. I did not call the fact to the attention of the Senator from Oregon on account of anything he had said; but there has been a suggestion from another source that it was an offense for a member of the National Guard to express his opinion with respect to this section.

Mr. CHAMBERLAIN. I do not think so. I am in entire accord with the Senator in that respect. My view is that a man has a right to assert his views. But when it comes in the form of a propaganda by any particular organized body in this country, when it begins to assume the complexion of a general movement along the whole line, the danger of it is in making of this body a great political institution. That is the great danger. I think if there is any danger from militarism in this country it is in the danger of the control that is being attempted to be exercised over Congress right now.

I have gone far afield of what I wanted to say, but I really think this is a time when men ought to talk plainly about these things, and if you have any faith in what you are talking about you ought to be willing to say it. Now, I may be all wrong. I believe in peace, but I do not believe the millennium is right here now. I believe that the best way to maintain peace is to be prepared to fight if you have to. I knew an old Presbyterian minister out in my part of the country when I first went out there, 40 years ago, who said he had lived in mining camps, and that everywhere he had preached, in barrooms or on the streets where gambling games were going on, no man had ever insulted him at any time, no matter where he happened to be. I asked him why, and he said: "My size was my protection, and every man was afraid to attack me."

So, Mr. President, the size of the Military Establishment of a country is its protection in time of peace as well as in time of war. I say that without believing in a large military organization. On this subject I would rather have the views of men like Washington and the other celebrated fighters of this country than to have the views of statesmen. We have tried to follow some of the views of Washington. Inasmuch as Washington has been quoted here a little bit, I am going to read what he says about this very subject. I am not sure but that it was read here the other day, but it will bear repetition, because he said it after he had been through the Revolutionary War, and knew what difficulties he had to encounter, and what trouble he had in maintaining an effective and efficient organization:

The jealousy of a standing army—

Says Washington—

and the evils to be apprehended from one are remote, and, in my judgment, situated and circumstanced as we are, not at all to be dreaded; but the consequence of wanting one, according to my ideas formed from the present view of things, is certain and inevitable ruin. For, if I was called upon to declare upon oath whether the militia had been most serviceable or hurtful, upon the whole I should subscribe to the latter.

Now, he had had a little bit of experience—quite a little.

Mr. LEE of Maryland. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Maryland?

Mr. CHAMBERLAIN. Yes, sir.

Mr. LEE of Maryland. Of course Gen. Washington referred to untrained militia.

Mr. CHAMBERLAIN. Oh, yes; yes, he did. There is not any question about that. I am conceding for the National Guard that they are many, many times more valuable now, as a military force, than they were then.

Mr. VARDAMAN. Mr. President, may I ask the Senator a question?

Mr. CHAMBERLAIN. Yes.

Mr. VARDAMAN. When did Washington say that?

Mr. CHAMBERLAIN. Right after the Revolution.

Mr. VARDAMAN. At what time?

Mr. CHAMBERLAIN. I do not recall the date. I have not it.

Mr. VARDAMAN. Does the Senator remember that in 1783 he said:

The militia of this country must be considered as the palladium of our security and for the first effectual resort in case of hostilities.

Mr. CHAMBERLAIN. Yes; but he believed in a trained one. If the Senator will read a little more about what he said, he will find that he believed in a trained one.

Mr. VARDAMAN. Oh, yes; they all believed in that.

Mr. CHAMBERLAIN. No; some of our friends do not believe in anything, because they are sleeping in the peaceful belief that we never will have any trouble and never will need to be prepared.

Mr. VARDAMAN. I do not think the Senator has any right to impute that to anybody else.

Mr. CHAMBERLAIN. Oh, I am not imputing it to the Senator from Mississippi.

Mr. VARDAMAN. Well, I know; but to anybody. Why does the Senator say that?

Mr. CHAMBERLAIN. Because I have heard such expressions from hundreds of them. What more proof does a man want than that? I venture to say that the Senator has heard the same expressions.

Mr. VARDAMAN. No.

Mr. CHAMBERLAIN. I have heard them. I have received letters, Mr. President, protesting against the expenditure of a dollar for national defense or any other military training in this country. There is not any question about that; and if the Senator will read the hearings before the committee he will find that they contain just such statements as that.

Why, so eminent and distinguished a man as Gen. Miles came before that committee and said he did not think we needed to do anything. He practically said that.

I do not mean to misrepresent anybody; but it has been said that a good many of Washington's writings were collaborated in the field between him and Hamilton. Whether that be true or not, I have often wondered how in the world he found time to organize his troops and fight, because he was writing letters to the Congress all the time asking them for God's sake to do something; and really and truly, until the Congress of the United States got thoroughly scared and handed over to Washington the absolute control of the Continental Army to do with as he pleased the Revolution was not brought to a close.

Mr. President, I believe in the patriotism of our ancestors as thoroughly as anybody. I have a right to, and ought to, because my people on both sides were here during the Revolutionary period. On both sides of the House they participated in the events of those days. But it is not true that our ancestors were always as patriotic as they ought to have been. You do not have to take my word for it. Read what Washington says, or any of those gentlemen who participated in that war, and you will find, Mr. President, that finally it got to be so bad that not only did the States pay bounties to our ancestors to get them to stay in line, but the Colonies paid them bounties, the Government paid them bounties, and toward the end they promised them land, and to the officers of the Revolution they promised to give them salaries for the balance of their days equal to one-half the salaries they were getting as officers in the Revolutionary War. Now, I am not criticising that; but Washington said, and others have said, that you could not depend upon the patriotism of a people to defend their country in case of an emergency. You have got to have some other means of bringing to the standards the men who are necessary and essential to the defense of our country.

Washington's convictions, embodied in his criticism of the militia, were confirmed by the defeat of Gen. Gates, when he wrote to the President of Congress on the 15th of September, 1780, as follows:

I am happy to find that the last disaster in Carolina has not been so great as its first features indicated. This event, however, adds itself to many others to exemplify the necessity of an army and the fatal consequences of depending on militia. Regular troops alone are equal to the exigencies of modern war, as well for defense as offense, and whenever a substitute is attempted it must prove illusory and ruinous. No militia will ever acquire the habits necessary to resist a regular force. Even those nearest to the seat of war are only valuable as light troops to be scattered in the woods and harass rather than do serious injury to the enemy. The firmness requisite for the real business of fighting is only to be attained by a constant course of discipline and service. I have never yet been witness to a single instance that can justify a different opinion, and it is most earnestly to be wished that the liberties of America may no longer be trusted, in any material degree, to so precarious a dependence. I can not but remark that it gives me pain to find the measures pursuing at the southward still turn upon accumulating large bodies of militia, instead of once for all making a decided effort to have a permanent force. In my ideas of the true system of war at the southward the object ought to be to have a good army rather than a large one.

There is not any question about that. A strong, efficient, well-drilled, trained army is worth millions of untrained or partially trained organizations, no matter whether State or otherwise.

Particularly is that true in the present emergency, Mr. President. Why, there has not been a single thing that could be conjured up from the workshop of the devil himself that has not been resorted to in the war that is now pending in Europe. Mr. President, in the face of what is before us every day, it seems to me that this Congress would be absolutely disregardful of its duty to itself and to the people if it did not avail itself of every instrumentality it has to secure not a large trained army but trained men that could go into the Army in case of call.

Section 56 as proposed in the Senate substitute is not perfect by any manner of means, Mr. President. It is simply one of the instrumentalities to undertake to get the young men to train, and partially put themselves in a condition to be utilized in case of trouble.

I have really talked longer than I felt I ought to talk, Mr. President, but I have felt justified in doing so in view of the strictures that have been indulged in, not only with reference to the efforts of the committee but upon the men who are here asking that they may be permitted to render some service to their country. A number of these young men came here and expressed a perfect willingness to become enlisted men of the United States Army and to drill 60 or even 90 days. I think possibly there ought to have been a maximum fixed, not exceeding a certain number of days; but whenever they are discharged from camp, they are still the reserve to be called upon for service in the Regular Army.

How many of them would go, I do not know. I am frank to say that I sometimes fear that we will not have all we want, but it will at least be a beginning. I want to call the attention of the Senate to the result of the enlistment that was ordered to be made by a joint resolution of the House and Senate a short time ago. How many men do you think we have enlisted under the joint resolution calling for 20,000 passed here about the 17th of March? Here it is:

From March 17 to March 20 there were about 372 applicants for enlistment accepted. Total for the five days ending March 25, acceptances, 840. Total for the six days ending March 31, acceptances, 851. Total acceptances, 2,063; and two-thirds of a month has elapsed!

Now, I do not know that we are going to have any trouble in Mexico. I do not think we will. I hope we will not. But no man can tell, Mr. President, where this chase of bandits is going to lead us. It is a physical impossibility for any man to predict what is likely to happen. No man could have told 48 hours beforehand what was going to happen in Europe until a match was struck to a powder magazine that exploded and set the civilized world in conflagration. No man can tell what this will lead to; and yet we are sitting here supinely wasting time. Mr. President—and I am guilty of a part of it myself; we are all guilty of the same thing—wasting time, when we ought to be getting ourselves in a position to meet any emergency that comes up. If section 56 is made a part of the bill, we will at least have 10,000, or 20,000, or 30,000, or 50,000, or 100,000, or possibly at the end of the fourth year 261,000 men who have had some training, and all that is necessary to get them into the service is for the President to issue a proclamation calling them into service. We are not situated that way now. The committee has gone further and has undertaken to bring those into the Federal reserve who have served an enlistment in the Regular Army by paying them a small sum.

The Senate may strike that out, I do not know, but when it does, it will have stricken from the bill provisions which the committee has faithfully endeavored to insert for the purpose of placing this dependable force under the control of the President.

Mr. WORKS. The Senator from Oregon has called attention to the evident reluctance of the American citizen to enlist in the Regular Army. Suppose we should have trouble with Mexico, which we all hope we will not, does the Senator think we would have any trouble in securing volunteers in a case of that kind?

Mr. CHAMBERLAIN. Let me say to the Senator, as I said awhile ago, I have no question about the patriotism of the American people when they feel that their services are necessary, but what I am getting at is that to send out a body of untrained troops into Mexico or anywhere where an emergency

calls for them is simply sending our young men to slaughter. Let me call the Senator's attention to one fact.

Mr. WORKS. I was only calling the Senator's attention to that particular phase of the situation.

Mr. CHAMBERLAIN. They will enlist, I have not any doubt about that. I have too much confidence in our people to feel that they would not, particularly if they could realize that we were in danger, but the great trouble in this country has always been that when an emergency is almost upon us there are those who go about and tell the people there is nothing to fear, that it is all nonsense to talk of danger, and that we do not need to get ready for trouble. There are distinguished gentlemen doing this very thing now.

Mr. BRANDEGEE. Does not the Senator know that the condition in Great Britain was such that when the emergency came and they did get the volunteers they had a million or two million men in training camps for the last year instead of having them meet the emergency?

Mr. CHAMBERLAIN. There is no doubt about that.

Mr. SMITH of Georgia. Thirty days training amounts to practically nothing. They would not be ready for service.

Mr. CHAMBERLAIN. I tried to show the other day that they have in these training camps only 14 hours less training in 30 days than the National Guard has in a year.

Mr. SMITH of Georgia. These are not National Guards. At least 200,000 are to be a part of the Regular Army, and I would like to see them enlisted and trained at once.

Mr. BRANDEGEE. That is the very reason why something like section 56 ought to be passed, so that before the emergency arises you can put these men in training camps for three or four months, and then they will be used when the emergency comes.

Mr. CHAMBERLAIN. I have no doubt about that.

The question of the Senator from California [Mr. WORKS] suggests this to my mind. If ever we have a war, it will be a war of boys, not a war of mature men. That is a broad statement to make, and I will undertake to call the attention of the Senate to the fact. If there is any trouble now, we will find that it will be our boys, and the mothers in this country who did not raise their boys to be soldiers will, nevertheless, be sending their boys patriotically to the front. There are just as many good mothers in this country now as there were in the Revolutionary days. There are just as many patriotic mothers in this country now as there were in the days of the Civil War, when a mother who had five sons sacrificed on the altar of their country received a letter from Lincoln, calling her attention to the sacrifice she had made in sending these sons to die in defense of the Union. But it will be a boy's war, that is what it will be, and the object of this section is to train these boys not only in the manner of conducting themselves when the emergency arises but how to protect and maintain sanitary conditions when they are called into the service.

In the Spanish-American War more young men died in training camps than died as a result of participation in the war, and it has always been so. If these proposed training camps only taught the young men how to care for themselves in camp, it would save thousands and hundreds of thousands of lives, if an emergency ever does come. To show that the Civil War was fought by boys, I call attention to the fact that the ages of the men in the Union Army were as follows:

Those 10 years and under	25
Those 11 years and under	38
Those 12 years and under	225
Those 13 years and under	390
Those 14 years and under	1,523
Those 15 years and under	104,987
Those 16 years and under	231,051
Those 17 years and under	844,891
Those 18 years and under	1,151,438
Those 21 years and under	2,159,798
Those 22 years and over	618,511
Those 25 years and over	46,462
Those 44 years and over	16,071

Of the total men enlisted—2,778,304—less than one-fourth were over 21 years of age.

Mr. WORKS. Does the Senator think that he can get the cream of the American youth to enlist in the Regular Army?

Mr. CHAMBERLAIN. I am assured that they will under this section 56.

Mr. WORKS. That is not in the Regular Army, properly speaking. I am speaking now about the Regular Army.

Mr. CHAMBERLAIN. They are enlisted soldiers and become a part of the Federal forces under this section.

Mr. WORKS. I can understand very well how a mother might consent to her son volunteering in case of an emergency, but I can not very well appreciate the feeling of a mother who is willing to surrender her boy to go into the Regular Army under conditions as they exist to-day.

Mr. SMITH of Georgia. We are going to change those conditions before we get through with the bill.

Mr. WORKS. I hope we will.

Mr. CHAMBERLAIN. That would lead to a discussion that I do not care to enter into now. That feeling is abroad in the land. There are individual instances where the condition of the enlisted man is bad, but it has been exaggerated, with the result that many people in the country think that an enlisted soldier is a mere slave. I think the Senator from California gave a few instances of bad treatment, and I think there are cases of bad treatment, but there are bad cases in every human institution. We will not only find it in the Army, but the pulpit itself is not free from conditions sometimes which are discreditable to it. But that does not affect the pulpit; neither is the fact that an occasional abuse of power and privilege in the Army exists discreditable to the Army. We find a drunken officer once in a while who is cruel to his men; but to that one cruel man there are dozens of patriotic, loyal American citizens who safeguard the rights and the well-being of the enlisted man.

Now, Mr. President——

Mr. SUTHERLAND. Mr. President, will the Senator permit me to ask him a question? There have been a good many suggestions here from time to time that the training which would be given to these citizen soldiers would be practically negligible. I understand some amendment that was adopted here limited it to 30 days. Can the Senator from Oregon tell us how many days or how many weeks annually the citizen soldiers of Switzerland are trained?

Mr. CHAMBERLAIN. I can not now, I will say to the Senator, but I introduced a bill modeled measurably after the Swiss and Australian systems, to fix the time of training. They commence to train when very young.

Mr. LEE of Maryland. I can give the Senator that information.

Mr. CHAMBERLAIN. Very well, if you have the data.

Mr. LEE of Maryland. I have looked into the Swiss system lately, and I think it would be well to study the system of some other republican form of government for military discipline in connection with this bill. This is found in Senate Document No. 360, page 77.

The school of recruits is for 67 days. The first repeated course is 13 days. The school of noncommissioned officers is 22 days. The school of recruits of noncommissioned officers is 67 days. The ordinary soldier in the first year has 80 days; the noncommissioned officer has 169 days. The noncommissioned officer is selected from the apt men among the recruits. Then the commissioned officer has 82 days in the school of officers, with the 67 days that went before, or 318 days are taken under that system of intensive training to make a lieutenant.

Mr. SUTHERLAND. During what length of time is the training for 318 days given?

Mr. LEE of Maryland. It is pretty continuous in connection with the officers, but in connection with the men it is 67 days in one year, 13 days in the next year, and then 13 days every year, with 10 days for mobilizing the Swiss forces. Their forces are brought out completely every summer.

Mr. SUTHERLAND. It is 67 days for the first year.

Mr. LEE of Maryland. Yes, sir.

Mr. SUTHERLAND. And after that only 13 days.

Mr. LEE of Maryland. Of course, it varies a little. I will say to the Senator, in the encampments for the artillery, the infantry, and the cavalry.

Mr. CHAMBERLAIN. Now, Mr. President——

The VICE PRESIDENT. Is there any objection to the Senator from Oregon proceeding? The Chair hears none.

Mr. CHAMBERLAIN. I am perfectly willing to submit to the rule, but I have violated it just once, and there have been many violations of the rule here. I will not do it again.

In view of the statement made by the Senator from Kansas [Mr. CURTIS] a day or two ago, I want to call attention to the question of the cost of volunteers. If the House provision prevails with reference to the National Guard, they are required within a certain time to raise about 450,000 men. If the Senate committee provision with reference to the National Guard prevails, they will be required to have about 265,000 men and the Volunteer Army about 261,000 men; so that the combined force under the Senate committee provision is about equal to the National Guard force required to be raised under the House provision. In other words, the House attempted to make the whole reserve force out of the National Guard and we have undertaken to make it up out of the National Guard and the Volunteer Army.

The Senator from Kansas spoke of the cost of volunteers as being $24,934,938 for the first year. That is true, but the Sen-

ate must not forget that the only cost of the 30 days' training is $3,481,000, while most of the balance of the expense is due to new equipment, ordnance, heavy artillery, and so forth. In other words, the cost of the personnel is not high, but they are continuing to add to the stock that the Government ought to have in case we have any trouble at all. So it is with the second year, and so it is with the third year, and so it is with the fourth year. This is made on the basis of raising increments of one-fourth of the whole number each year. So when you come to the last year the expense is proportionately diminished, because they have the equipment, and all the expense that is made is laying in supplies, which the Government ought to have.

I am going to ask to have inserted in the RECORD a statement which will give these items in detail, so that the Senate may refer to it later. It is a statement of per diem costs and cost of permanent equipment, and so forth, to be furnished from appropriations disbursed by the Quartermaster Corps for equipment and maintenance of volunteer force provided in Senate bill 4840, Sixty-fourth Congress, first session.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

Statement of per diem costs and cost of permanent equipment, etc., to be furnished from appropriations disbursed by the Quartermaster Corps for equipment and maintenance of volunteer force provided in Senate bill 4840, Sixty-fourth Congress, first session.

Appropriations.	First year: 4 Infantry divisions—3,036 officers; 53,793 men; 22,220 animals.		Second year: 8 Infantry divisions—6,072 officers; 107,586 men; 44,440 animals.		Third year: 12 Infantry divisions; 1 Cavalry division—9,542 officers; 169,130 men; 76,233 animals.		Fourth year: 16 Infantry divisions; 2 Cavalry divisions—13,012 officers; 230,674 men; 108,026 animals.	
	Cost of permanent equipment, not including mounts or means of transportation, and other costs not practicable to state at per diem rate.	Per diem cost of equipment and supplies other than permanent.	Cost of permanent equipment, not including mounts or means of transportation, and other costs not practicable to state at per diem rate.	Per diem cost of equipment and supplies other than permanent.	Cost of permanent equipment, not including mounts or means of transportation, and other costs not practicable to state at per diem rate.	Per diem cost of equipment and supplies other than permanent.	Cost of permanent equipment, not including mounts or means of transportation, and other costs not practicable to state at per diem rate.	Per diem cost of equipment and supplies other than permanent.
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Pay of the Army		$52,294.05		$104,588.10		$164,413.97		$225,251.03
Subsistence of the Army		16,137.90		32,137.90		50,739.00		69,202.20
Regular supplies	23,849.21	6,307.00	23,849.21	12,663.60	29,943.21	21,746.82	29,943.60	30,859.09
Incidental expenses		1,344.48		2,016.90		3,023.35		4,538.02
Horses, Cavalry, Artillery, and Engineers (hire of)		14,008.00		28,016.00		49,723.00		71,430.09
Transportation of the Army	400,241.00	18,568.00	824,459.00	37,136.00	1,303,598.00	68,764.00	1,768,575.00	100,392.00
Water and sewers		7,387.77		14,775.54		23,227.36		34,679.18
Clothing, camp and garrison equipage	1,775,169.00		1,952,685.90		2,226,220.59		2,509,357.05	
Total	2,199,259.21	116,047.20	2,800,994.11	231,334.04	3,559,761.80	381,639.50	4,308,175.65	533,351.49

NOTE.—The amounts shown in columns 1, 3, 5, and 7 cover costs under appropriation "Regular supplies" for equipment such as paulins, buckets, etc., which would be required by the troops concerned whether in camp for one day or longer; these supplies are not of the class immediately consumable and will last three or more years, depending on the length of time in use each year. The amounts in the same columns for appropriation "Transportation of the Army" are to cover transportation of personnel and supplies and would be required for the commands involved whether in camp for a day or for a month. The amounts in the same columns for "Clothing and equipage" cover the outer clothing, equipage, and blankets necessary to uniform the commands involved, and are based on uniforms lasting three years. Ten per cent has been added each year to cover losses and shortages of uniforms and other equipage.

The amounts shown in columns 2, 4, 6, and 8 cover costs as follows:

Pay of the Army: The per diem cost of the number of officers and men shown in the respective columns.
Subsistence of the Army: Per diem cost for the number of enlisted men shown at 30 cents per day each.
Regular supplies: Per diem cost of fuel, forage, light, stationery, and ice, etc.
Incidental expenses: Per diem cost of clerks, laborers, telegrams, telephones, etc.
Horses, Cavalry, etc.: Per diem cost of hire of minimum mounts for troops concerned.
Transportation of the Army: Per diem cost of hire of draft and pack animals, harness, and wagons.
Water and sewers: Per diem cost of purchase of water, toilet paper, etc.

There is no amount included in the estimate for hire of camp sites, it being assumed that the troops (Volunteers) would be assembled on military reservations.

No amount is included for tent floors or tent frames or for mess or kitchen shelter or temporary shelter of any kind.

Mr. CHAMBERLAIN. I am not going to trespass further. I should also like to put in the cost of the ordnance.

The matter referred to is as follows:

Estimate of the annual appropriations for the Ordnance Department during each of the next four years to supply the annual contingents of the Volunteers with the full equipment and other material now issued to the Organized Militia; considering this force as coming to full authorized strength in the fourth year and not counting upon using any reserve equipment or material that may be now accumulated.

Fiscal year—	Ordnance stores and supplies.	Manufacture of arms.	Automatic machine rifles.	Armament of fortifications B.	Small-arms target practice.	Total.
1917	$3,651,000	$1,318,000	$744,000	$9,226,000	$120,000	$15,059,000
1918	3,651,000	1,318,000	744,000	9,226,000	120,000	15,059,000
1919	4,677,000	1,557,000	834,000	10,283,000	138,000	17,489,000
1920	4,677,000	1,557,000	834,000	10,283,000	138,000	17,489,000
Total	16,656,000	5,750,000	3,156,000	39,018,000	516,000	65,096,000

Estimate of the annual appropriations for the Ordnance Department during each of the next 4 years to supply the equipment required for field army troops for 6 field armies.

Fiscal year—	Ordnance stores and supplies.	Manufacture of arms.	Armament of fortifications B.	Total.
1917	$144,000	$27,000	$1,190,000	$1,361,000
1918	288,000	54,000	2,380,000	2,722,000
1919	144,000	27,000	1,190,000	1,361,000
1920	288,000	54,000	2,380,000	2,722,000
Total	864,000	162,000	7,140,000	8,166,000

Estimate of the annual current appropriations under the Ordnance Department for the support of the Army for each of the next five years and annually thereafter.

Fiscal year—	Ordnance stores and supplies.	Manufacture of arms.	Ordnance service.	Small arms target practice.	Armament of fortifications, L.	Armament of fortifications, N.	Total.
1917	$444,000	$50,000	$40,000	$81,000	$37,500	$467,000	$1,128,500
1918	883,000	100,000	98,000	162,000	72,000	934,000	2,249,000
1919	1,406,000	210,000	147,000	274,000	111,000	1,401,000	3,549,000
1920 and annually thereafter	1,923,000	420,000	196,000	386,000	147,000	1,868,000	4,940,000

Estimate of the annual appropriations for the Ordnance Department during each of the next four years to maintain the equipment required for field-army troops for six field armies.

Fiscal year—	Ordnance stores and supplies.	Armament of fortifications L.	Total.
1917	$3,000	$3,000	$6,000
1918	9,000	9,000	18,000
1919	12,000	12,000	24,000
1920	18,000	18,000	36,000

Mr. CHAMBERLAIN. Now, there is one other question. somebody was undertaking to make a little fun of the National Guard by asking the question what would be done with all this. Our Army has been over 100,000 sometimes, and then it diminishes. When the appropriations are cut down the Army diminishes. What becomes of the equipment? It is placed in storage. So this equipment that is being accumulated is placed in storage exactly the same as if the Government was buying it and keeping it in storage for future use. There is not any question about that. It is put in storage depots somewhere convenient, under the custody and control of the Government all the time, and is well cared for.

Mr. President, I am not going to trespass longer on the Senate, but I do hope the Senate will not consent to strike section 56 out of the bill, because I believe that it affords the basis for a splendid reserve force.

Mr. OLIVER. Before the Senator takes his seat I should like to ask him a question. I should like to ask the Senator why the committee in framing section 56 took the congressional district as the unit instead of the State?

Mr. CHAMBERLAIN. It was thought it would make it more democratic to do that. It is not confined to the district.

Mr. OLIVER. I see that.

Mr. CHAMBERLAIN. They can go into another district, but it was thought there are a great many young men in some of the States where they could form in a congressional district locally where they could not go to a central place.

Mr. OLIVER. It seems to me that is objectionable. The congressional district is a shifting quantity; it changes every 10 years; and in some States there are more Congressmen than districts. In my own State there are 36 Representatives and only 32 districts.

Mr. CHAMBERLAIN. Let me call the Senator's attention to the fact that it is based on the number of congressional districts and is not confined in its operation to the district. For instance, a State has two congressional districts and it would be entitled to an apportionment of so many Volunteers. It is based upon the proportion of Volunteers, not based on the number of congressional districts, and is not confined to the district.

Mr. OLIVER. In that case the apportionment of Pennsylvania would be only 32, whereas their proper proportion would evidently be 36, and the same way with the State of Texas, which has two Representatives at large; the State of Alabama I believe has one or two at large, and so on. The States that have Representatives at large would have no apportionment based upon those Representatives at large. I expect to vote against the elimination of this section, but I think that is something we ought to take into consideration. I think it would be much better to make the State the basis instead of the congressional district.

Mr. O'GORMAN. Mr. President, I do not intend to discuss at length the questions involved in the pending bill. I shall probably content myself with stating the reasons why I shall vote for the retention of section 56 in the bill reported by the Military Committee. I am not enthusiastic about the bill as it comes to the Senate. I should prefer to see a larger Military Establishment than the bill contemplates. I believe the military forces provided for by the bill are inadequate, considering the vast interests and the great wealth of this country.

The two provisions, however, which seem to have engaged the attention of some of the Senators to-day, that relating to the so-called Volunteer Army and that relating to the National Guard, are at best experimental features. No one can predict with any confidence as to how successful either of these experiments will work out. I am not confident that either of them will work out successfully, because I am persuaded, from such attention as I have given to this question of military preparedness, that the time will come when this country, profiting by the example furnished by the belligerents in the present war, will find it necessary to have a conscriptive or compulsory service; and once that plan is adopted, service in the Army of the United States will become more attractive than it is to-day. Enlistment will then become the manifestation of a patriotic impulse, shared by every citizen, to bear the burdens which are necessarily incident in a democracy such as ours with the rights which are conferred upon every citizen.

I am quite well aware that at this time there is no general sentiment in this country favorable to a compulsory military service. I do not press the suggestion at this time; but I am unable to find any reasonable or adequate justification for the attitude of opposition to section 56, providing for a Volunteer Army, emanating, as it does, largely from those whose interests seem to be centered in the National Guard.

We have had a National Guard in the various States for a long time. That they have disappointed public expectation in most of the States will not be successfully disputed. I take pride in the accomplishments of the National Guard in my own State; I believe that they are efficient, that they are capable, that they are devoted, that they are patriotic, but no Senator could have listened a few moments ago to the recital of the Senator from Oregon [Mr. CHAMBERLAIN], when he referred to the declarations made by Gen. Washington, without being impressed by the fact that the liberties of this country will hang upon a slender reed whenever they are dependent upon the services of the militia of the various States.

The militia of the several States are State organizations; they are designed for State purposes; and it is my opinion that the provision of this bill with regard to the militia of the several States does not add to the value of the recommendations made by the committee. Yet, I would not venture to pronounce judgment on that proposition. I rather content myself with the assertion made a few minutes since that this attempt to broaden the influence of the National Guard is but an experiment; and no Senator will derive more satisfaction from the success of the experiment than I shall. When it is realized that both of these proposition are experimental—the one as to the Volunteer Army and the other as to the National Guard—I can not see the wisdom of those who have confidence in the National Guard insisting upon the absolute suppression of the volunteer system, without giving it at least the opportunity of showing whether or not it can meet the expectations of those who believe that the volunteer system, rather than the National Guard, offers the better protection and safeguard to American institutions. Both plans should have a fair trial.

Mr. President, I am not one of those who believe that danger from abroad is imminent. I am not alarmed at the outlook. I do not believe that any of the belligerents, when this war is over, will have any disposition to invade our rights. It is true they are all doing it now. There is not a single belligerent that feels any restraint in disregarding the rights of neutral nations. Russia has invaded Persia in absolute disregard of the neutral rights of that nation. Germany has invaded Belgium and has invaded Luxemburg in disregard of neutral rights. France and England, in absolute defiance of neutral rights, have taken possession of the islands and the ports of Greece, with the King of that country protesting, and protesting in vain, against the disregard of Grecian rights. The mails of our citizens are taken off neutral ships in absolute disregard of neutral rights. Our commerce is interfered with and disturbed, threatening many of the citizens of this country with absolute ruin—all in disregard of neutral rights. There is not a belligerent—not one—engaged in this contest showing any respect for neutral rights.

Nations when in war, fighting for their very existence, believe, as men do, that self-preservation is the first law of nature; that is the international code that prevails. The protest of a

neutral will receive attention, if at all, only when the protest is backed by a power sufficiently strong to enforce the protest.

While I do not believe that there is the slightest danger of our country becoming involved in a war, I nevertheless realize that war is possible at any time. Of the 11 or 12 nations now involved in this dreadful cataclysm that is oppressing the earth, few of them had any apprehension of becoming involved until within a few days before the conflict was on. In my judgment, the best guarantee of peace, the best assurance of national security, is to be prepared adequately to defend ourselves against any nation whose predatory inclinations might threaten our peace or security.

I believe there ought to be a much larger increase in our Army than is contemplated by this bill, but I believe this bill goes a long way in furnishing the desired security. I am well aware that there are diverse views on this subject, and that perhaps the Military Committee has done all that might reasonably be expected of it in attempting to reconcile them, with the result that this measure—largely a compromise—is now submitted to us; but it is my belief, Mr. President, that the most indispensable feature of this bill is the provision known as section 56, and I shall vote for its retention. I have more confidence in the proposed volunteer army provision than in any other part of this bill, and it is for that reason that I should regard its rejection as most unfortunate.

Mr. WILLIAMS. Mr. President, I always listen with delight to the Senator from New York [Mr. O'GORMAN], even when I differ from him in opinion. I, of course, share the common human weakness of listening with still more delight when I agree with him in opinion. I am glad he said what he has said. He has made it unnecessary for many of us to say a great deal that we otherwise might have said.

The Senator from New York is right upon the main, salient point, which is the cause and occasion of this legislation. The legislation itself is a mere result; it is a mere response. The world condition brought about the response, and the cause, the European war, the legislative American result. The cause is this, that when nations are engaged, as the Senator from New York says, in a world war, each one really or fancifully in defense of its very existence, its liberties, and its peculiar institutions, they do pay no attention to neutrals *unless neutrals have something whereby they can make them pay attention.* That need not be dwelt upon. Everybody knows it. Nobody but a fool ignores it. It might be uttered a priori and left there.

But just to take one phase of this war in Europe. We were disputing here three or four or five or six weeks ago about whether a belligerent warship had a right without warning to sink an unarmed belligerent merchant ship upon the high seas, which belong to no nation, but belong to all the civilized world. It looked as if we were about to bring that argument to a peaceful conclusion. Within the last week, however, things have gone so far beyond that that it has ceased to be the main issue. Within that time not alone unarmed belligerent ships but unarmed neutral ships have been ruthlessly, unwarnedly destroyed upon the high seas with the human freight which they carried and with the material freight which they carried. We are negotiating. Negotiating! What an empty phrase! Why, nothing more? Simply because we have nothing with which to back up our talk and our note writing.

I differ from the Senator from New York about one thing. He says he "expects no trouble; he looks for none, but it may possibly occur." I tell you that as surely as the sun comes up to-morrow morning, unless this country puts itself in a condition where it can resist and withstand bullying, we are going to have trouble with the successful party in this European war unless we surrender the positions which we have diplomatically taken and tamely submit to the rule which the victor may lay down to our demands for compensation or indemnity. We have in one case, where our women and children were murdered on the high seas, demanded a disclaimer, a disavowal, and an apology. Have you any idea that you are going to get either in your present condition of naval and military strength? What are you going to do if you do not get it? If the administration withdraws from its position, from all the enemies of the administration, from all of its political opponents, from many of its friends—and the administration is at this time the Government of the United States—there will come up the cry "the administration knows how to write notes, but it does not know how to do anything to follow up its notes." The stupidity of Congress on the one side or its cowardice on the other will be laid on the President. That is a matter of importance to the entire country, but it is a matter of especial importance to those of you upon this side of the Chamber and to the constituents who, as Democrats, sent you here.

There is no use, Mr. President, upon this or upon any other occasion of burying your head in the sand like an ostrich, and then, because you temporarily *will* not see anything, declaring that nothing exists. This European war is going from bad to worse. It is starving peoples, killing peoples, maiming peoples, bankrupting peoples.

The desperation of motive on each side to win is increasing from day to day. You have got one of two pathways to take. Either simply say, "We will let it all go as a part of the illness of the time," pay no attention to it, excuse it because of the cardinal facts of human nature which have provoked it; or else, upon the other hand, you must stand out as the predominant neutral nation of the world and insist upon neutral rights, and especially upon neutral rights as against those acts of barbarism which destroy American life—even lives of women and little children. You can take the one path or you can take the other; but you can not, with self-respect, take any path between the two. You may quote the Scriptural injunction that when a man slaps one of your cheeks you should turn the other or you may accept the ordinary human idea, which is that when a man slaps one of your cheeks you will slap one of his; or, at any rate, if you do not, you will make him apologize for slapping yours, and give him time to do it; which is a gentlemanly method of procedure, but for the fact that in individual cases you are temporarily too angry to resort to the gentlemanly method. Individually you can not for lack of patience; but, thank God, a nation can. Yes; it can; but if, after patience is exhausted, what then? A nation can always demand an apology, a disavowal, a disclaimer; but after that what? Supine submission or a fight? You may pursue one or the other course.

So I differ with the Senator from New York [Mr. O'GORMAN] when he says that "there is not the slightest danger" of our being provoked into war. That there is not the slightest danger of the English people upon the one side and ours upon the other, or of the German people upon the one side and ours upon the other, wanting war with one another is almost a platitude, is a truism; but that little by little, as the passions of men are aroused and as provocation succeeds provocation, you will reach the point when we must, in response to European contempt and bullying, do something or supinely lie down I have no doubt. Nor have I any doubt that you can avoid all of that by letting the world see that you foresee it and that you are getting ready. You do not have to *be* completely ready to avoid it. You just have to show your teeth; but your teeth you must show.

I agree with the Senator from New York; I want the Regular Army increased to the point that it is increased in this bill. I want the militia strengthened to the point that it is increased in this bill, although I have my doubts, if the question could even be brought up before a judicial tribunal, as to whether or not we could legally exercise some of the powers that we insinuate in this bill. Still, I am willing to chance it; and I am willing, if possible, to make out of the militia of the several States an efficient, or comparatively efficient, instrument for the national defense. I am especially in favor of section 56 of this bill.

What are these men under section 56? In the first place, remember they are "volunteers." You gentlemen from my own section of the country, please remember that. They are not conscripts. They can not be "called into the service" originally by the President of the United States. They are volunteers. *They call themselves* into the service, and after they call themselves they become, and then only become, subject to the President's orders. They are volunteers.

Why, Mr. President, I find that it has been said during this debate, in substance, that "if a man should be elected President who had no sense of the race issue," and of its vital importance in the preservation of white civilization in a part of this country, and who was "politically antagonistic to the white man," and wanted to make the "nigger" and the nigger's civilization—if there be any—supreme, he could use section 56 of this bill to organize "nigger" regiments, and mobilize them for military training "in every congressional district of every State of the South."

Now, just think a moment! A man must volunteer to go to these drills, which under the committee amendment are to last "not more than 30 days," in a whole year. I hope, by the way, before the consideration of the bill is concluded, to amend the amendment by making it 90 days. But say he shall go at not more than 30 days. Now, he is to "volunteer." Can those of you who have a sense of humor, from Texas and Georgia and Alabama and Louisiana and Mississippi, imagine a lot of plantation darkies volunteering to go to Plattsburg and drill 30 days or 90 days, and lose their crops of cotton and corn, and hire somebody while they are gone to take care of their one mule

or their two mules or their three mules, their cow and their calf, or their three cows and two calves, or whatever it may be?

The excited imagination of Macbeth, harassed by the memory of crime, evoked the picture of Banquo, and he carried on conversations with him; but that was not any more remarkable than expecting the negroes to overcome white supremacy in the South by "a Plattsburg drill."

Whether or not the negro is going to carry his mule with him, to be certain he is fed while he is gone, I do not know, but if he left him behind and trusted to another darky to feed him he would probably find his poor old mule either sold or mortgaged when he came back.

And suppose that there was a drill ground, akin in its nature to that of Plattsburg, started in my own State, let us say, and that a lot of darkies did volunteer to go to it; what would happen? Why, the white men who had gone as volunteers would go home before enlistment—disgusted; and they would leave the 15 or 20 darkies in Mississippi that might be able to go and willing to go in sole possession of the camp. The darky would have to be able to go, first, financially, and then he would have to be willing. Now, what would that willingness and that going involve in a State like Mississippi?

Suppose a lot of darkies went into Hinds County, to a so-called Plattsburg drill, as a voluntary force of some sort, and, with arms in their hands, began to be disciplined, so that in the opinion of the white people of the State they became a source of menace to white civilization, what would happen to those volunteer darkies? Echo answers, "What?" And do you suppose the darky does not know that? He knows it better than any other human being on the surface of this globe.

Mr. President, I believe that the future, the civilization, the intelligence, the industrialism, the agriculture, the education, the morality of the South depends absolutely upon white political and social supremacy; and whenever I see anything that really threatens that supremacy I shall resist it. I would resist it not only by my voice here, but by my vote at home, and I would not only resist it by my voice and by my vote, but I would resist it, if absolutely necessary, at the sacrifice of my life, which does not amount to very much anyhow. But you can not scare me *every day in the week* with "a nigger in the woodpile" unless the nigger is in the woodpile. [Laughter.] You can not frighten me to death *every day* with merely alleging that a nigger is in the woodpile, especially if I know the woodpile, and I know that there are not enough sticks of wood in the woodpile for the darky to hide under, as in this case. You might do that once a year—on April 1—not oftener.

I have heard but one real, solid objection made to section 56, and that was made, or rather intimated, in a private conversation between the Senator from Minnesota [Mr. CLAPP] and me, by him, and that was that it looked as if this soldier under section 56 were a sort of "aristocratic citizen" soldier. There is some color of that about it, because the men who go to these drills expect to support themselves, and will pay out twice as much while they are there as the Government will pay them, or probably five times as much. That objection I can understand; but the other objection—to wit, that a poor darky could go there and take possession of the Plattsburg camp or other camps like it and from that vantage ground threaten white civilization—I confess I do not understand. That any President of the United States could draft the darky into Plattsburg camps for political purposes is, of course, mere moonshine. Nobody will contend that a man could be gotten into these volunteer camps by any volition in the world except his own. He must first *want* to go, and then he must go; and then, in order to go, he must not only be willing to go but *financially able* to go. How far from home? Five hundred to a thousand miles. Watch Amos and Sambo going that trip! Watch their welcome by the so-called aristocrats when they get in camp! The welcome of greasers at Columbus, N. Mex., would not be a patching to it.

Mr. President, one additional word upon a subject not exactly cognate to this:

I do not quite agree with the Senator from New York [Mr. O'GORMAN] that the provision in this bill for the increase of the Regular Army is not sufficient. I think it is. I think our difference of opinion grows out of the fact that he regards, as the Senator from Massachusetts [Mr. LODGE] seems, from what he said the other day, to regard, the Army as our "first defense." I not only do not regard it as our first defense, but I do not regard it as our main defense, nor our chief defense. It may be right now our immediate defense. That is a different proposition. Just in our present state of naval unpreparedness I am willing to vote for a greater increase to the Regular Army than I would vote for if we were in a state of naval preparation. By the way, I apologize to the Senate for using the words "preparedness or unpreparedness." I meant lack of naval preparation. I just fell into it by contagion. If we had sufficient naval preparation, I would not vote as much addition to the Army as I shall vote for in this bill. But now, when it comes to your naval bill—and it is going to come to it pretty soon—I am going to vote for every proposition that increases the Navy over and above what any proposition before the House or the Senate fixes it at.

This Government, great and rich and abundant in wealth, in ingenuity, in industrialism, in enterprise, can, if it wishes to do so, build 12 dreadnaughts and 20 battle cruisers and 100 submarines and the adequate number of transports and auxiliaries in a single year. You need not tell me you can not do it. When this country had a third of its present population, at the outbreak of the Civil War, and did not have one-twentieth of its present wealth and great industrial establishments, when the Federal Government was put to it, it did in the way of naval preparation in one year what everybody had prophesied could not be done in 10 years; and we can do it again.

Every shipyard in this country, private and public, ought to be put to work building ships of the several desired types, so that at the end of this war in Europe, which will last from one to two years longer—it can not last much longer than two years more without universal bankruptcy—we shall be ready not to whip on land any force which may be sent against us but to sink at sea any force that may be started against us. Aye, more than that, not even to sink at sea any force that will be started against us, because if we have the ships, and the world knows we have them, none will be started. Aye, even still more, we will be ready to still the bullying voice of menace before it dares even to take a diplomatic stand, before it dares to threaten an ultimatum, much less to issue one. You will save more money in what you do not have to spend for war at sea and war on land if you let war come by overweakness at home, encouraging overconfidence and aggression abroad—five times over—than the amount of money that you would spend now to go into this thing in the right, wholesale way and be done with it. What would you lose?

Say you make up a program for 10 years wherein to build up an irresistible fleet—or not an irresistible fleet, either. I do not mean that; I mean a fleet which can resist anything else, which can defend the country. Suppose that is your 10-year program. Suppose, on the contrary, you do it all in one or two years. What have you lost? Merely the interest on your money; that is all. You have lost the interest upon one-tenth of your money for 1 year, upon nine-tenths of your money for 9 years, and upon ten-tenths of it for 10 years—merely the interest upon your money; that is all—and the United States can borrow money at from 3 to 3½ to 4 per cent. Now why, merely for the sake of the interest charge, postpone to 1920 or 1921 that which you can have completed in 1918? And why, in the meanwhile, my friends, piddle around in a quarrel between the National Guard and the Plattsburg Camp? Tweedledum and tweedledee! What does it all amount to? If there is any virtue in either one, let us have both. If there is virtue in neither, let us have neither. But you get up here and debate with one another, spend precious time, one gentleman holding the affirmative and another the negative upon the proposition:

Resolved, That the National Guard is greater than the Plattsburg drill.

That is what you are doing. You have been at it two weeks, and you must remember meanwhile that this is the august, deliberative assembly which is celebrated in its own opinion for its wisdom. You are talking about the National Guard and Plattsburg, when the main thing in the whole bill is the national defense, and the piece de resistance is the increase in the Regular Army.

It reminds me of something I cut out of this evening's issue of the Washington Star, which I will read in a minute, and it reminds me of it not only on that account but upon this account—that when you want advice, when you want to cure an evil about anything, you ought to go to the man who knows something about it—first the evil, then the remedy—and ought not to take a monkey wrench and try to attend to the job yourself, unless you understand both the mechanism and use of the monkey wrench. That means that the thing that is needed first should be discovered and then afterwards, if we have got to consult with somebody, we should consult with "somebody who knows." In this case the people who know are our men in the Regular Army and our men in the Navy, and if they do not know

we do not stand any chance internationally anyhow. If the men we have educated and equipped for war purposes are to be set aside by men who have been educated and equipped for peace purposes when war questions are involved, then this Nation is gone anyhow and there is no use talking about it. This is what Walt Mason wrote:

My watch wouldn't work worth a dime; it was always a fortnight too slow; instead of recording the time, it monkeyed around, to and fro.

[Laughter.]

I do not mean any disrespect to the Senate by reading that—

The mainspring seemed out of repair; it traveled by spasms and jerks; so I sat me right down in a chair and studied the watch and its works.

I might sit me down in a chair and study naval and military propositions for a week and I would not know very much about them, although I attended a military school for two years and did learn some little things under a set of tactics that have been succeeded since by another set.

But to continue the reading:

I took it apart with a wrench and studied the levers and gears, all piled in a heap on a bench; I studied and wiggled my ears. I put the wheels back in the case and shook them to give them a shock, but the hands didn't go round the face, and the works didn't tick nor yet tock. I asked of the plumber advice, and counsel I asked of the judge, consulted the dealer in ice—and still the blamed works wouldn't budge. "Methinks," I remarked, "and I wist, I must go to the jeweler's shop." He gave it three twists of the wrist, and the watch went along like a top. That plan's kept me down in the past—

It has kept this Nation down—

a plan that is doubtless the worst; I always reserve till the last the thing I should tackle at first.

Mr. President, I see nothing in this bill to threaten public liberty or life in peace, or the pursuit of happiness, which I love better than either. I see nothing in it to threaten the Constitution, for even if we are insinuating certain powers over the militia or National Guard which we do not clearly and indubitably possess the United States Supreme Court can correct it. I think that is a doubtful point. I do not think the unconstitutionality is clear. If so, on my oath I must and would oppose it. I see nothing in it to threaten the sovereignty of the State of Mississippi. I see nothing in it to threaten "the supremacy of the white man's civilization." I shall therefore vote for it. I shall later on offer an amendment to section 56, which will be in order before the amendment itself is voted upon, to change the period of annual drill from "30 days" to "90 days," so that there may be a period of 90 days at most, mind you, because the bill now says "not more than 30," and it will then read "not more than 90."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, requested the Senate to return to the House the bill (H. R. 13006) to authorize the reconstruction of an existing bridge across the Wabash River at Silverwood, in the State of Indiana, and the maintenance and operation of the bridge so reconstructed.

The message also announced that the House had passed the following bills and joint resolution:

S. 585. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States;

S. 707. An act for the relief of Beverly E. Whitehead;

S. 922. An act for the relief of Mary E. Nicolson;

S. 1048. An act for the relief of Warren E. Day; and

S. J. Res. 80. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy, at West Point, René W. Pintó y Wentworth, a citizen of Cuba.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1024. An act for the relief of Allen M. Hiller;

H. R. 1373. An act for the relief of W. W. Wall;

H. R. 1592. An act for the relief of George W. Trahey;

H. R. 1609. An act for the relief of S. L. Burgard;

H. R. 1636. An act for the relief of Karen S. Sorenson and James Lyle;

H. R. 2052. An act for the relief of the estate of William D. Allen;

H. R. 2535. An act for the relief of A. H. Rebentish;

H. R. 2554. An act for the relief of Mrs. Joseph Cameron;

H. R. 2555. An act for the relief of the Minnesota & Ontario Power Co.;

H. R. 2814. An act for the relief of George W. Gamble;

H. R. 3794. An act for the relief of Thomas S. Johnson;

H. R. 3895. An act for the relief of F. W. Schultz;

H. R. 4866. An act for the relief of Julia R. Goodloe;

H. R. 5262. An act for the relief of John B. Hoover;

H. R. 5411. An act for the relief of Olaf Nelson;

H. R. 5453. An act for the relief of the State Board of Harbor Commissioners of the State of California;

H. R. 7062. An act for the relief of Erskine R. Hayes;

H. R. 7239. An act for the relief of Philip H. Heberer;

H. R. 7417. An act for the relief of Lawrence J. Kessinger;

H. R. 8068. An act for the relief of E. C. Hornor;

H. R. 8108. An act for the relief of the legal representatives and heirs of Elizabeth Bruce, deceased, widow of the late John H. Bruce;

H. R. 8325. An act for the relief of Borden H. Mills;

H. R. 9353. An act for the relief of Ira G. Kilpatrick and Guy D. Dill;

H. R. 9898. An act for the relief of John E. Jones;

H. R. 9994. An act for the relief of Samuel H. Walker;

H. R. 10049. An act for the relief of Capt. Harvey H. Young;

H. R. 10052. An act to reimburse J. T. Nance;

H. R. 10641. An act for the relief of Fred Henderson;

H. R. 10642. An act for the relief of Louis Jones;

H. R. 10643. An act for the relief of Theodore Bagge;

H. R. 10791. An act for the relief of the occupants of the Tuttle town site;

H. R. 11261. An act for the relief of Mary S. Corbin;

H. R. 11262. An act for the relief of Mrs. C. D. Corbin;

H. R. 11304. An act for the relief of Martha A. Moffitt;

H. R. 11939. An act for the relief of William Guy;

H. R. 12248. An act for the relief of the estate of Mary H. S. Robertson, deceased; and

H. R. 13064. An act for the relief of the M. A. Sweeney Shipyards & Foundry Co.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the bill (S. 4671) to exempt from cancellation certain desert-land entries in Riverside County, Cal., and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. CHAMBERLAIN presented a memorial of sundry citizens of Marshfield, Oreg., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Pendleton, Oreg., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Portland, Oreg., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented memorials of sundry citizens of Oregon, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. DILLINGHAM presented petitions of sundry citizens of Vermont, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. McLEAN presented petitions of sundry citizens of Connecticut, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of Hartford, Conn., praying for Federal aid to vocational education, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Hartford and Stafford Springs, in the State of Connecticut, praying for Federal censorship of motion pictures, which were referred to the Committee on Education and Labor.

Mr. THOMAS presented petitions of sundry citizens of Colorado, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the East Side Woman's Christian Temperance Union, of Colorado Springs, Colo., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Colorado, praying for the creation of a system of rural credits, which were ordered to lie on the table.

Mr. MARTINE of New Jersey presented memorials of sundry citizens of Trenton, Burlington, Lambertville, and Rancocas, all in the State of New Jersey, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Atlantic City, Pleasantville, Northfield, and Egg Harbor City, all in the

State of New Jersey, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Atlantic City, Hackensack, and Manasquan, all in the State of New Jersey, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WARREN presented a memorial of Dutch Flat Grange, No. 11, Patrons of Husbandry, of Lander, Wyo., remonstrating against an increase in armaments, which was ordered to lie on the table.

He also presented a petition of Dutch Flat Grange, No. 11, Patrons of Husbandry, of Lander, Wyo., praying for Government ownership of telegraph and telephone systems, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Thermopolis, Wyo., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. OLIVER presented petitions of sundry citizens of Pittsburgh, Pa., praying for the extension of military training in civil educational institutions, which were referred to the Committee on Military Affairs.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry granges of Pennsylvania, remonstrating against an increase in armaments, which were ordered to lie on the table.

He also presented petitions of sundry granges of Pennsylvania, praying for Government ownership of telephone and telegraph systems, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Pennsylvania, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of the Coke Producers' Association, of Uniontown, Pa., remonstrating against the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. WILLIAMS presented a memorial of sundry citizens of Jackson, Miss., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

Mr. HUGHES presented petitions of sundry citizens of New Jersey, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WADSWORTH presented petitions of sundry citizens of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of New York remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. CLARK of Wyoming presented petitions of sundry citizens of Wheatland and Thermopolis, in the State of Wyoming, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. PHELAN presented a petition of the Twentieth Century Club, of Berkeley, Cal., praying that an appropriation of $300,000 be made for the improvement of the Yosemite National Park and for the creation of a national-park service, which was referred to the Committee on Appropriations.

He also presented a petition of the Christian Endeavor Union of Los Angeles, Cal., praying for prohibition in the District of Columbia, which was ordered to lie on the table.

He also presented a petition of Local Lodge No. 148, International Boilermakers, Iron Ship Builders, and Helpers Union of America, of Vallejo, Cal., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented petitions of sundry citizens of California, praying for national prohibition, which were referred to the Committee on the Judiciary.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. OLIVER (for Mr. PENROSE):

A bill (S. 5389) granting a pension to Elise Seabel; to the Committee on Pensions.

By Mr. REED:

A bill (S. 5390) granting a pension to Maria Gille (with accompanying papers);

A bill (S. 5391) granting a pension to James Enloe (with accompanying papers);

A bill (S. 5392) granting a pension to Hugh Kesterson (with accompanying papers);

A bill (S. 5393) granting a pension to Eliza E. Miller (with accompanying papers); and

A bill (S. 5394) granting a pension to Julia M. Anderson (with accompanying papers); to the Committee on Pensions.

By Mr. LANE:

A bill (S. 5395) to repeal sections 2588, 2589, and 2590 of the Revised Statutes of the United States; to the Committee on Commerce.

A bill (S. 5396) granting an increase of pension to Alice L. Rix (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 5397) granting a pension to Arthur M. Clark; to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 5398) to increase the limit of cost of post-office site and building at Millville, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. O'GORMAN:

A bill (S. 5399) granting an increase of pension to Oliver P. Gillson; to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 5400) for the relief of the heirs of Mrs. Susan A. Nicholas; to the Committee on Claims.

WABASH RIVER BRIDGE.

The VICE PRESIDENT. The Chair lays before the Senate the request of the House of Representatives to return to the House the bill (H. R. 13006) to authorize the reconstruction of an existing bridge across the Wabash River at Silverwood, in the State of Indiana, and the maintenance and operation of the bridge so reconstructed, and the Committee on Commerce will be discharged from the further consideration of the bill and the request of the House of Representatives will be complied with.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 1024. An act for the relief of Allen M. Hiller; and

H. R. 10049. An act for the relief of Capt. Harvey H. Young.

The following bills were severally read twice by their titles and referred to the Committee on Post Offices and Post Roads:

H. R. 3895. An act for the relief of F. W. Schultz; and

H. R. 10052. An act to reimburse J. T. Nance.

The following bills were severally read twice by their titles and referred to the Committee on Indian Affairs:

H. R. 5262. An act for the relief of John B. Hoover; and

H. R. 11939. An act for the relief of William Guy.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 4866. An act for the relief of Julia R. Goodloe;

H. R. 9353. An act for the relief of Ira G. Kilpatrick and Guy D. Dill; and

H. R. 10791. An act for the relief of the occupants of the Tuttle town site.

The following bills were severally read twice by their titles and referred to the Committee on Claims:

H. R. 1373. An act for the relief of W. W. Wall;

H. R. 1592. An act for the relief of George W. Trahey;

H. R. 1609. An act for the relief of S. L. Burgard;

H. R. 1636. An act for the relief of Karen S. Sorenson and James Lyle;

H. R. 2052. An act for the relief of the estate of William D. Allen;

H. R. 2535. An act for the relief of A. H. Rebentish;

H. R. 2554. An act for the relief of Mrs. Joseph Cameron;

H. R. 2555. An act for the relief of the Minnesota and Ontario Power Co.;

H. R. 2814. An act for the relief of George W. Gamble;

H. R. 3794. An act for the relief of Thomas S. Johnson;

H. R. 5411. An act for the relief of Olaf Nelson;

H. R. 5453. An act for the relief of the State Board of Harbor Commissioners of the State of California;

H. R. 7062. An act for the relief of Erskine R. Hayes;

H. R. 7239. An act for the relief of Philip H. Heberer;

H. R. 7417. An act for the relief of Lawrence J. Kessinger;

H. R. 8068. An act for the relief of E. C. Hornor;

H. R. 8108. An act for the relief of the legal representatives and heirs of Elizabeth Bruce, deceased, widow of the late John H. Bruce;

H. R. 8325. An act for the relief of Borden H. Mills;
H. R. 9898. An act for the relief of John E. Jones;
H. R. 9994. An act for the relief of Samuel H. Walker;
H. R. 10641. An act for the relief of Fred Henderson;
H. R. 10642. An act for the relief of Louis Jones;
H. R. 10643. An act for the relief of Theodore Bagge;
H. R. 11261. An act for the relief of Mary S. Corbin;
H. R. 11262. An act for the relief of Mrs. C. D. Corbin;
H. R. 11304. An act for the relief of Martha A. Moffitt;
H. R. 12248. An act for the relief of the estate of Mary H. S. Robertson, deceased; and
H. R. 13064. An act for the relief of the M. A. Sweeney Shipyards & Foundry Co.

RECESS.

Mr. CHAMBERLAIN. Mr. President, I understand that one or two Senators desire to address the Senate on the pending bill, and in view of that fact I move that the Senate take a recess until to-morrow at noon.

The motion was agreed to; and (at 6 o'clock and 5 minutes p. m., Wednesday, April 5, 1916) the Senate took a recess until to-morrow, Thursday, April 6, 1916, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 5, 1916.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts unto Thee, O God our Father, from whom cometh our strength to resist the wrong and pursue the right as it is given us to see the right. Increase, we beseech Thee, our strength, that we may be heroes in the daily battles of life. Renew our enthusiasm, our zeal, our courage, that we may climb the heights of intellectual, moral, and spiritual attainments as individuals and as a Nation and be prepared for every emergency in the onward march of civilization. And Thine be the praise through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, at the request of Mr. STEELE of Pennsylvania, indefinite leave of absence was granted to Mr. DEWALT, on account of serious illness.

H. SNOWDEN MARSHALL.

Mr. WEBB rose.

The SPEAKER. For what purpose does the gentleman from North Carolina rise?

Mr. WEBB. Mr. Speaker, I rise for the purpose of presenting a matter of privilege to the House in the nature of a report and statement from the Committee on the Judiciary, which I send to the desk and ask to have read. (H. Rept. 494.)

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Mr. WEBB, from the Committee on the Judiciary, submitted the following report in the nature of a statement:

By direction of the Committee on the Judiciary, I beg leave to make the following report, in the nature of a statement, to the House of Representatives. On the 12th day of January, 1916, Hon. FRANK BUCHANAN, a Representative in Congress from the State of Illinois, arose, in his responsible position, on the floor of the House and impeached H. Snowden Marshall, district attorney for the southern district of the State of New York, charging the said H. Snowden Marshall with numerous malfeasances and misfeasances and with corrupt and improper behavior and conduct in office, all of which charges were read by the Clerk of the House. Immediately after the reading of said charges Representative BUCHANAN offered for the immediate consideration of the House House resolution 90, which provided, among other things, "that the Committee on the Judiciary be directed to inquire and report whether the action of this House is necessary concerning the alleged official misconduct of H. Snowden Marshall," etc. After debate on the resolution, the House, upon motion of Mr. FITZGERALD of New York, referred the resolution to the Committee on the Judiciary for its consideration and action.

The Committee on the Judiciary immediately began the consideration of said resolution and called Representative BUCHANAN before it to make such statement and furnish such information concerning the truth of his impeachment charges, as set out in House resolution 90, as he was able to make and furnish. Thereafter, on the 27th day of January, 1916, by direction of the Judiciary Committee, the chairman thereof offered in the House of Representatives the following resolution:

"House resolution 110.

"*Resolved*, That the Committee on the Judiciary, in continuing their consideration of House resolution 90, be authorized and empowered to send for persons and papers, to subpœna witnesses, to administer oaths to such witnesses, and take their testimony.

"The said committee is also authorized to appoint a subcommittee to act for and on behalf of the whole committee wherever it may be deemed advisable to take testimony for said committee. In case such subcommittee is appointed, it shall have the same powers in respect to obtaining testimony as are herein given to the Committee on the Judiciary, with a sergeant at arms, by himself or deputy, who shall attend the sittings of such subcommittee and serve the process of same.

"In case the Committee on the Judiciary or a subcommittee thereof deems it necessary, it may employ such clerks and stenographers as are required to carry out the authority given in this resolution, and the expenses so incurred shall be paid out of the contingent fund of the House.

"The Speaker of the House of Representatives shall have authority to sign, and the clerk thereof to attest, subpœnas for witnesses, and the Sergeant at Arms or a deputy shall serve them."

The said resolution was on said date unanimously agreed to.

While further considering the House resolution 90 and the said House resolution 110, on the 31st day of January, 1916, the Committee on the Judiciary authorized the chairman to appoint a subcommittee of three to execute the purposes of House resolution 110 to act for and on behalf of the full committee wherever it may be deemed advisable to take testimony for said committee, and on February 1, 1916, the chairman appointed Messrs. CHARLES C. CARLIN, WARREN GARD, and JOHN M. NELSON as members of such subcommittee.

Thereafter the said subcommittee organized and heard the testimony of certain witnesses in the Judiciary Committee rooms in the city of Washington. The subcommittee determined, for its further information and in carrying out the duties assigned it under the resolution of the House of Representatives, that it should hear the testimony of certain other witnesses in the city of New York, and on the 28th day of February, 1916, the said subcommittee, under subpœnas duly signed and attested by the clerk thereof, caused certain witnesses to be brought before it, in the Federal post-office building in the city of New York, and continued the examination of witnesses upon said charges, up to and including the 4th day of March, 1916.

On the 3d day of March, 1916, there appeared in a New York newspaper an article containing, among other things, the following language:

"It is the belief in the district attorney's office that the real aim of the Congress investigation is to put a stop to the criminal investigation of the pro-German partisans."

On the 3d of March, 1916, the subcommittee called before it one, Leonard R. Holme, who testified to the subcommittee that he wrote the article containing the foregoing language, but when asked whether or not he conferred with anybody in the district attorney's office before the article was written replied that he had to decline to give the source of his information. The chairman of the subcommittee then propounded this question to the witness: "Did you confer with Mr. Marshall before you wrote this article," to which the witness replied, "I respectfully decline to answer the question, sir." The chairman of the subcommittee then propounded the following question to him: "Did you confer with anybody in Mr. Marshall's office," to which the witness replied, "I respectfully decline to answer that question, sir."

Whereupon the Sergeant at Arms was directed by the chairman of the subcommittee to take charge of the witness and keep him in custody until the further order of the committee. At 4.10 o'clock p. m. of the same day, the chairman of the subcommittee again propounded the foregoing questions to Witness Holme, and the following proceedings were had:

"Mr. CARLIN. Mr. Holme, the committee has directed me to order you to answer the question which was asked you. Mr. Stenographer, read the testimony of Mr. Holme.

(The entire previous testimony of Mr. Holme was read to the committee by the stenographer in the hearing of the committee only.)

"Mr. CARLIN. Mr. Holme, I hand you this article in the sixth column of page 4 of the New York Times, dated Friday, March 3, 1916. The article is headed "Marshall refuses Buchanan evidence." I now call your attention to this paragraph of the article:

"'It is the belief in the district attorney's office that the real aim of the Congress investigation is to put a stop to the criminal investigation of the pro-German partisans.'

"I ask you from whom you got that information?

"Mr. HOLME. That information, sir, is a deduction. I have known at the time these proceedings were begun in Washington—it was before the indictment of Congressman BUCHANAN—that there had been a considerable amount of talk around this building as to their nature. I am down here practically every day of my life, and I meet with a great many men who are connected with the district attorney's office, and who are in this building in various other regular capacities, and I based that paragraph entirely upon my knowledge of the general gossip around the building and the general feeling in the building.

"Mr. CARLIN. Why did you not state that, instead of saying it is the belief in the district attorney's office?

"Mr. HOLME. Well, sir, it comes to much the same thing, does it not? The district attorney's office is a large organization.

"Mr. CARLIN. Is that your answer?

"Mr. HOLME. Yes, sir.

"Mr. CARLIN. Did you base that part of the article upon a conference held with H. Snowden Marshall or any subordinate of his in the district attorney's office?

"Mr. HOLME. I based that article on my general knowledge of the conditions surrounding this proceeding and the general opinion floating around the building.

"Mr. CARLIN. You state that it is the general belief in the district attorney's office. Now, who in the district attorney's office expressed that belief?

"Mr. HOLME. I don't think I could give you any definite names, because I have discussed this matter with a large number of different people at various times.

"Mr. CARLIN. As a matter of fact, did anybody in the district attorney's office express that belief?

"Mr. HOLME. Yes, sir.

"Mr. CARLIN. Who?

"Mr. HOLME. I can only remember a very few, and I respectfully decline, as a newspaper man, to express their opinions, which are often given to me in general conversation.

"Mr. CARLIN. Was the belief expressed by Mr. Marshall or either of his assistants?

"Mr. HOLME. I respectfully decline to answer, sir.

"Mr. CARLIN. Mr. Stenographer, insert in the record this article which I hand you, and the date line of the paper.

"Mr. GARD. I understand you to say, Mr. Holme, that this extract which has been read to you was written by you?

"Mr. HOLME. Yes, sir.

"Mr. GARD. And the extract is this:

"'It is the belief of the district attorney's office that the real aim of the congressional investigation is to put a stop to the criminal investigation of the pro-German partisans.'

"You wrote that?

"Mr. HOLME. Yes, sir.

"Mr. GARD. And I understand, also, that you decline and refuse to answer questions as to whether you obtained that information from anyone in the district attorney's office of the southern district of New York?

"Mr. HOLME. Yes, sir.

"Mr. GARD. You decline to answer that?

"Mr. HOLME. Yes, sir.

"Mr. CARLIN. Now, then, Mr. Holme, I am directed by the committee to order you to answer that. Do you still decline?

"Mr. HOLME. I do, respectfully, sir.

"Mr. CARLIN. Then, I am directed to say to you, for the record, that this committee determines you to be in contempt of the order of the committee and of the House of Representatives of the Congress of the United States, and that for the present you will be released from the custody of the marshal until the committee, if it sees proper, shall proceed in the matter prescribed by statute in such cases. We want to be kind to you. We have no desire to be harsh with you. We realize to some extent your embarrassment. We have a duty to discharge, and we think under the circumstances we will discharge it in this way and release you from the custody of the Sergeant at Arms of the House."

On Saturday, the 4th day of March, 1916, the said H. Snowden Marshall, as district attorney for the southern district of New York, caused to be transmitted to C. C. CARLIN, chairman of said subcommittee, then in the performance of its duties, as required by the House of Representatives, the following letter:

DEPARTMENT OF JUSTICE,
UNITED STATES ATTORNEY'S OFFICE,
New York, March 4, 1916.

SIR: Yesterday afternoon, as I am informed, your honorable committee ordered the arrest of Mr. L. R. Holme, a representative of a newspaper which had published an article at which you took offense. The unfortunate gentleman of the press was placed in custody under your orders. He was taken to the United States marshal to be placed in confinement (I do not understand whether his sentence was to be one day or a dozen years). The marshal very properly declined to receive the prisoner. This left you at a loss, and I am advised that you tried to work your way out of the awkward situation by having Mr. Holme brought back and telling him that you were disposed to be "kind" to him and then discharged him for the purpose of avoiding unpleasant consequences to yourselves.

You are exploiting charges against me of oppressive conduct toward a Member of your honorable body who is charged with a violation of law and of oppressive conduct on my part toward shysters in the blackmailing and bankruptcy business.

I may be able to lighten your labors by offering to resign if you can indicate anything I ever did that remotely approximates the lawless tyranny of your order of arrest of Mr. Holme.

The supposed justification of your order that Mr. Holme be placed in custody was his refusal to answer the question you asked as to where he got the information on which was based the article which displeased you.

It is not necessary for you to place anyone under arrest in order to get the answers to the question which you asked Mr. Holme, because I can and will answer it. I gave Mr. Holme information, part of which he published, and from which he made deductions, so that if your honorable committee has a grievance it is against me and not against him.

What I told him was about as follows:

I said that your expedition to this town was not an investigation conducted in good faith, but was a deliberate effort to intimidate any district attorney who had the temerity to present charges against one of your honorable body.

I said that your whole proceeding here was irregular and extraordinary; that I had never heard of such conduct of an impeachment proceeding; that charges of this sort were not usually heard in public until the House of Representatives had considered them and were willing to stand back of them.

I pointed out to him that you, contrary to usual practice, had come here and had held public hearings; that among your witnesses you had invited every rogue that you could lay your hands on to come before you and blackguard and slander me and my assistants under the full privilege of testifying before a congressional committee.

I told him that you had called one of my junior assistants before you and had attempted to make it publicly appear that his refusal to answer your questions as to what occurred in the grand-jury room in the Buchanan case was due solely to my orders. I said that at the time you attempted to convey this public impression you knew that it was misleading, because I had been asked by you to produce the minutes of the grand jury and had been instructed by the Attorney General not to comply with your request, as you well knew. I showed him the telegram of the Attorney General to me and showed him a copy of my letter to you, dated February 29, 1916, in which I sent you a copy of the telegram of the Attorney General instructing me not to give you the grand-jury minutes.

I told him that you were traveling around in your alleged investigation of me with BUCHANAN'S counsel, Walsh and David Slade, in constant conference with you. I said that I believed that every word of the evidence, whether in so-called secret sessions or not, had been placed at the disposal of these worthies, and that I would be just as willing to give the grand-jury minutes to a defendant as to give them to your honorable subcommittee.

I told him that I did not share the views which seemed to prevail in your subcommittee on this subject. I said that I regarded a Member of Congress who would take money for an unlawful purpose from any foreign agent as a traitor, and that it was a great pity that such a person could only be indicted under the Sherman law, which carries only one year in jail as punishment.

I said that it was incomprehensible to me how your honorable subcommittee should rush to the assistance of an indicted defendant; how you had apparently resolved to prevent prosecution by causing the district attorney in charge to be publicly slandered.

I told him that I would not permit the prosecution of the persons whose cause you had apparently espoused to be impeded by you; I said that if you wanted the minutes of the grand jury in any case, you would not get them as long as I remained in office.

You will observe from the foregoing statement that what Mr. Holme published may have been based on what I said. If you have any quarrel, it is with me, and not with him.

It is amazing to me to think that you supposed that I did not understand what you have been attempting to do during your visit here. I realized that your effort was to ruin me and my office by publishing with your full approval the complaints of various persons who have run afoul of the criminal law under my administration. Your subcommittee has endeavored by insulting questions to my assistants and others, by giving publicity and countenance to the charges of rascals and by refusing to listen to the truth and refusing to examine public records to which your attention was directed, to publicly disgrace me and my office.

I propose to make this letter public.

Respectfully,
H. SNOWDEN MARSHALL,
United States Attorney.

Hon. C. C. CARLIN,
Chairman Subcommittee of the Judiciary
Committee of the House of Representatives,
323 Federal Building, New York, N. Y.

At the same time or before this letter was sent to the subcommittee, it was given to the newspapers and published by them.

On the 9th day of March, 1916, the subcommittee aforesaid, through its chairman, Hon. C. C. CARLIN, submitted to the Committee on the Judiciary the foregoing letter of H. Snowden Marshall.

On or about the 11th day of March, 1916, the following letter was received by the chairman of the Judiciary Committee and immediately laid before the full committee.

DEPARTMENT OF JUSTICE,
UNITED STATES ATTORNEY'S OFFICE,
New York, March 10, 1916.

DEAR SIR: Referring to my letter of March 4 addressed to the chairman of the subcommittee, which has recently taken testimony in New York concerning my administration of my office, I notice from the press that some persons appear to have construed my statements as directed toward your honorable committee as a whole—I beg to advise you that the criticisms in that letter were addressed to the methods pursued by the subcommittee. I do not retract nor modify any of those criticisms. But I did not intend, nor do I think my letter should be so construed, to reflect in any way upon the Judiciary Committee, nor did I question the power of the House of Representatives to order such an investigation.

If you and the other members of your committee for whom I have high respect have gained the impression that my letter carried any personal reflection upon your honorable committee, it gives me pleasure to assure you that I had no such purpose.

Respectfully,
H. SNOWDEN MARSHALL.

Hon. EDWIN Y. WEBB,
Chairman of the Judiciary Committee,
House of Representatives, Washington, D. C.

The Judiciary Committee has carefully considered said letters in the light of congressional and judicial precedents as touching the prerogatives of the House of Representatives and its Members, and the committee has come to the determination that said letters, their publication, and attendant circumstances are of such nature that they should be called to the attention of the House. For obvious reasons, the committee deems it advisable to take this step rather than to report directly upon the facts and the law in the case. I am, therefore, directed by the committee to report the whole matter to the House of Representatives, with the recommendation that a select committee of five be appointed by the Speaker to report upon the facts in this case; the violations, if any, of the privileges of the House or the Committee on the Judiciary, or the subcommittee thereof; the power of the House to punish for contempt; and the procedure in contempt proceedings, to the end that the privileges of the House shall be maintained and the rights of the Members protected in the performance of their official duties.

Mr. KITCHIN. Mr. Speaker, I move the adoption of the following resolution, which I send to the Clerk's desk.

The Clerk read as follows:

House resolution 193.

Resolved, That a select committee of five Members be appointed forthwith by the Speaker to consider the report in the nature of a statement from the Judiciary Committee, with reference to certain conduct of H. Snowden Marshall, and to report to the House of Representatives the facts in the case; the violations, if any, of the privileges of the House of Representatives, or of the Committee on the Judiciary, or of the subcommittee thereof; the power of the House to punish for contempt; and the procedure in contempt proceedings in case they find a contempt has been committed, to the end that the privileges of the House shall be maintained and the rights of Members protected in the performance of their official duties.

The select committee shall have the power to send for persons and papers, and shall submit its report to the House not later than April 14, 1916.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER appointed the following committee: Messrs. MOON, GARNER, CRISP, STERLING, and LENROOT.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 3391) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California, approved March 4, 1913."

The message also announced that the Senate had passed without amendment the bill (H. R. 13769) to authorize the Secretary of War to supply tents for temporary use of the sufferers from the recent conflagration in Paris, Tex., and for other purposes.

The message also announced that the Senate had passed without amendment the bill (H. R. 8466) to relieve J. Lawrence Latham, postmaster at Eupora, Webster County, Miss., of the payment of cash and funds stolen from the post office.

The message also announced that the Senate had passed the following resolution, in which the concurrence of the House of Representative was requested:

S. J. Res. 118. Joint resolution authorizing the Postmaster General to provide the postmaster of Newark, N. J., with a special canceling die for the Newark two hundred and fiftieth anniversary celebration.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 3978. An act to authorize the Catawissa Railroad Co., its lessees, successors, and assigns, to construct a bridge across the west branch of the Susquehanna River from the borough of Milton, Northumberland County, Pa., to the borough of West Milton, Union County, Pa.; and

S. 3977. An act to authorize the Shamokin, Sunbury & Lewisburg Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Susquehanna River from the borough of Sunbury, Northumberland County, Pa., to Monroe Township, Snyder County, Pa.

EXTENSION OF REMARKS.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of peace, patriotism, and preparedness.

The SPEAKER. Is there objection?

There was no objection.

ADDITIONAL COTTON STATISTICS.

The SPEAKER. This is Calendar Wednesday, and the unfinished business is House joint resolution 103, authorizing and directing the Director of the Census to collect and publish additional statistics. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union, and the gentleman from Indiana, Mr. CLINE, will take the chair in the absence of the gentleman from Michigan, Mr. DOREMUS.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House joint resolution 103, with Mr. CLINE in the chair.

Mr. HELM. Mr. Chairman, this resolution was introduced by the gentleman from Alabama [Mr. HEFLIN], who is familiar with its objects and purposes, and I now yield such time to him as he may desire to explain the resolution to the House.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Has the resolution been read at all, or the reading of it dispensed with?

Mr. HELM. I think the resolution was read last Wednesday. That is my recollection.

Mr. HEFLIN. Mr. Chairman, the Government by an act of Congress now collects statistics of cotton consumed by spinners, and since the European war began vast quantities of cotton have been consumed in the making of smokeless powder and explosive shells. It is estimated that 3,000,000 bales or more are consumed in 12 months in that way. It is important that we gather these statistics, that the producer and the consuming public here may know just how much cotton is being consumed in that way. In 1912 we passed an act, and I was the author of some of its provisions. It required the gathering of statistics of baled cotton on hand at factories, cotton exported, and that consumed by cotton spinners. Prior to that time the Government authorized the Department of Agriculture to gather statistics of cotton acreage. It gave to the public here and abroad information of just how many acres the farmers of the South had planted in cotton. Then the Government authorized the Agricultural Department to report upon the condition of the growing crops all during the growing season. The farmer did not ask for these statistics, but the public wanted to know, and the Government gave the public the information desired. Then the Government went further, and it provided for gathering statistics of cotton ginned twice a month from August until March. The spinner wanted that information; the farmer did not ask for it. The spinner wanted to know how much cotton was coming in, how much the supply would be from time to time, and the Government gave him that information.

Now, then, if the spinner and the public are entitled to this information why not let the farmer know what becomes of his cotton, how much is on hand from time to time, how much is consumed in the United States annually. We have gathered the statistics of cotton stored by the spinners, and how much is consumed by the spinners, but we have no statistics of the amount of cotton consumed by powder mills and by explosives manufacturers, and I submit, in all fairness, that the producer is entitled to this information. [Applause.] Suppose, for instance, we produce a 14,000,000-bale crop, and the spindles here should consume 12,000,000 bales, and we should not export a bale. You would assume that we had 2,000,000 bales of old cotton left. Suppose, then, the buyer and the seller met, and the buyer said to the producer—the seller—"Why, we have 2,000,000 bales of old cotton," and the producer said, "No; you have not, there is no old cotton." The buyer would reply that the statistics showed that the spindles consumed only 12,000,000 bales and that 14,000,000 bales were produced, but the seller would reply, "You must remember that we are consuming cotton now, vast quantities of it, in the making of smokeless powder and explosive shells, and they have consumed for this purpose the other 2,000,000 bales." Are not the buyer and seller both entitled to know just what the truth is regarding the matter? The Government tells both of them the truth as to how much cotton is consumed by spinners. Then, why not tell the whole truth and show how much is consumed by powder mills?

I believe, gentlemen, that you will agree with me that the cotton producer is entitled to know how much cotton is used in this way. Now, then, if he gets that information the statistics will show that the spindles consume 12,000,000 bales and that the powder factories consume 2,000,000 bales. I use this to illustrate the point that I have in mind. Under the present law the Director of the Census has no authority to gather information as to the amount of cotton consumed at powder mills. Cotton manufactured into powder goes through a treatment before it is made into powder. They put nitric acid upon it and then put it through a washing process before it is ground and made into smokeless powder and explosive shells.

Now, the Director of the Census through his chief statistician states here in the report of the Committee on the Census that he has no authority to call for that character of information. I talked to a retired naval officer of the United States and he told me that he was satisfied that the European armies were consuming 3,000,000 bales a year in smokeless powder and explosive shells. I talked with the Director of the Census and he said he had no way of getting this information, but, from what he could gather, the powder mills in the United States have consumed between one million and a half and two million bales in making smokeless powder and explosive shells.

The time was, in Napoleon's day, when they used charcoal, saltpeter, and sulphur for making powder; but that material is not comparable in force and explosive power with powder made of cotton, and cotton, gentlemen, is a great product of the United States. [Applause.]

We in this country produce two-thirds of the world's supply of cotton, and this Government ought to lend every encouragement possible to those who produce that important product. Germany has the fullest agricultural statistics of any country on the globe.

The farmer there knows to the slightest detail all about the quantity produced and how it is consumed, and as a result of that Germany is the most efficient agricultural country in the world. She produces 85 per cent of her bread supply for home consumption and for the army. She produces 95 per cent of her meat supply. And, gentlemen, I attribute all this to the encouragement that she has given to the agricultural classes of that country. [Applause.]

Mr. KONOP. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. KONOP. I can not quite understand in what way these statistics will help the farmer of the South?

Mr. HEFLIN. Well, suppose the grain grower should want to know how much corn was being consumed in the United States, and the corn speculator should tell him so many hundred million bushels, and then the grower would say, "I understand we are consuming 100,000,000 bushels or more in a new industry," and the Director of the Census would say, "Yes; a great deal is being used in this new industry, but we have no authority to collect the statistics, but it is important that the producer know the truth." That is the situation. It gives him the facts, by the Government, and does not leave him to the mercy of the grain speculator.

The same applies to cotton. Now, I will illustrate further to my friend: For instance, we produced last year 11,000,000 bales of cotton. The cotton spindles of the United States at the present rate of consumption will consume nearly 8,000,000 bales of that crop. So you see there will only be 3,000,000 bales out of the whole crop to be exported and to supply the powder mills of the United States. The producer is entitled to know

what becomes of the 3,000,000 bales; how much is exported and how much is consumed by the powder mills.

Mr. WALSH. Will the gentleman yield?

Mr. HEFLIN. Yes; I yield to the gentleman.

Mr. WALSH. I would like to ask the gentleman whether or not there would be any need for this information if the war should cease within the next month or two?

Mr. HEFLIN. Yes. Cotton has been found to be the greatest explosive power in the world, and it will be used in vast quantities in all the future for the manufacturing of munitions of war.

Mr. WALSH. And is it the purpose to send agents abroad into foreign manufacturing plants?

Mr. HEFLIN. No. We have no authority to do that. We can only collect statistics in this country, and that is what is provided for in my resolution.

Mr. WALSH. And that is what this proposes to do?

Mr. HEFLIN. That is what it proposes to do.

Mr. COX. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. COX. What does the gentleman think as to whether or not, if this bill becomes a law, it will stop gambling in cotton? Will it have the tendency to stop it?

Mr. HEFLIN. Well, it will give more accurate information as to the supply of cotton on hand. It will give the purchaser information he very much needs and which the public needs. The spinner needs this information, because if the powder mills are eating rapidly into the supply of cotton, he would like to know how much they consume every three months, and if they are using a great deal, he will get in the market before it is too late and buy his supply, in order to see that our cotton mills are not confronted with a cotton famine, as I believe they will be by August of this year.

Now, I want to say further to the House, and then I am through for the present, that the Chief of the Bureau of Statistics in the Census Department appeared before the committee and stated that this whole work would not cost more than $10,000. Now, mark you, gentlemen, this $10,000 would gather all the statistics back through 1915 and up to and including this quarter. And then he said after the first year it would cost less than $5,000 annually. These statistics will be gathered quarterly and not monthly, as the bill that passed here the other day with regard to cottonseed product provided.

I have no more to say at present. But I will say before I conclude that the committee reported this bill unanimously, and that the Director of the Census has declared before that committee that requests for this information came from business men, spinners, producers, and the public generally.

Mr. CANNON. Will the gentleman permit a question? It is merely for information.

Mr. HEFLIN. I will.

Mr. CANNON. Does the Agricultural Department gather now the amount of cotton that is cultivated from year to year, the acreage, and so forth?

Mr. HEFLIN. Yes, sir.

Mr. CANNON. Does it gather also statistics of the production—the number of bales, and so forth? And the gentleman spoke of 8,000,000 bales being consumed by the spindles in this country. Is that information gathered?

Mr. HEFLIN. They gather that. A report is made by the Census Bureau as to how much is consumed by cotton spindles in the United States.

Mr. CANNON. Precisely. That would leave, if there were 11,000,000 bales produced in the past season and 8,000,000 consumed by the spindles, 3,000,000 bales yet unaccounted for. Now, are there statistics available as to the amount exported?

Mr. HEFLIN. Yes, sir.

Mr. CANNON. Well, if you have the statistics of the amount consumed by the spindles and statistics for that which is exported, then you would add the two together and take the total from the amount of production, and would we not then know how much cotton was yet in the country?

Mr. HEFLIN. Precisely. But here is the situation that arises: Suppose we export 2,000,000 bales and consume 8,000,000 bales; that is 10,000,000 bales, and that would leave 1,000,000 bales not accounted for. The buyer would say that that 1,000,000 bales are in existence. Now, the producer wants to know whether that cotton is in existence or not.

Mr. CANNON. That is a million bales not accounted for, and while the buyer on the one hand claims one thing and the producer claims another thing, the gentleman now wants to find out whether that million bales is stored in the cotton warehouses or not. They do store cotton and keep it on hand from year to year—I mean either the warehousemen or the producers in their sheds or barns? The cotton will carry from one season to another like corn, will it not?

Mr. HEFLIN. Oh, yes. You can preserve a bale of cotton for a hundred years.

Mr. CANNON. The amount of corn produced in the country is ascertained by statistics, is it not?

Mr. HEFLIN. Yes, sir.

Mr. CANNON. And the amount exported is ascertained, is it not?

Mr. HEFLIN. Yes, sir.

Mr. CANNON. If you had the amount exported and the amount raised, and deducted the amount exported from the amount raised, you would know that the balance of the corn in the United States was not used, was here yet, or had been consumed upon the farm, or had been mixed with wheat for flour, and so on. Is it not just as important that we should know as to the many hundreds of thousands of elevators throughout the country, especially in the corn belt—not so much, perhaps, in the South as in the North—how much is stored there, and how much is stored in the cribs before it has gone to the elevators awaiting consumption, awaiting a purchaser, because we are all speculators to a greater or less extent?

Mr. HEFLIN. I can say to the gentleman that he can doubtless find now the number of elevators in the West and the number of bushels stored in them during the last season by going to the Department of Agriculture, and if you have not these statistics as full and complete as the farmers of the West are entitled to have them, I promise you that I will vote for a measure of that sort, and I believe that this side of the House will. [Applause.]

Mr. CANNON. Then pretty full statistics are gathered as to corn and wheat? I am asking in good faith.

Mr. HEFLIN. Yes; but the situation is different. We consume millions of bushels of grain here at home in food for human beings and feed for stock upon the farms, but we do not consume cotton in that way. It is not consumed on the farm in that fashion. It goes to these manufacturing establishments. That is the difference between grain and cotton. It is absolutely necessary to get these statistics if we are going to have full and complete cotton statistics.

Mr. CANNON. That would involve the examination of the cotton warehouses and those who are holding it over in their own storehouses?

Mr. HEFLIN. The department says it can use the agents it now has, and it would probably not add more than two or three men—a small number—to the present organization to carry on this work; and the Chief of the Bureau of Statistics states that he needs this information; that there is a demand for it everywhere; that he has not the authority now to gather it; and I repeat that he recommends the passage of my resolution. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. WALSH. Will the gentleman state what is the necessity for, or what would be the benefit of, procuring statistics for the year 1915? Why do not you go back for 10 years?

Mr. HEFLIN. Well, there is no necessity for going back 10 years or 3 years as to that.

Mr. WALSH. What is the necessity for going back one year?

Mr. HEFLIN. I will say to the gentleman that there is no old cotton left from the 1913 crop. The statistics here sought will give us the amount of cotton that has been manufactured into gunpowder and explosive shells since the war in Europe began, and then quarterly thereafter.

Mr. HELM. Mr. Chairman, how much time has the gentleman from Alabama used?

The CHAIRMAN. Twenty-one minutes.

Mr. EMERSON. What is going to be the additional expense of obtaining these statistics?

Mr. HEFLIN. Less than $5,000 a year after the first year. The Director of the Census does not think it will be as much as $10,000 for all the work for the first year.

Mr. HELM. Mr. Chairman, I desire to reserve the remainder of my time.

Mr. MANN. Mr. Chairman, under the existing law we authorized the Census Office to gather all the information that is possible to obtain concerning the quantity of raw cotton produced, manufactured, on hand, imported, or exported, and if this bill passes the information obtained would not be of the slightest benefit to the raiser of cotton.

The Census Office now has the authority to gather the statistics concerning the production of cotton and to follow that production to the processes of manufacture, and it may at all times obtain all the information that can be obtained in order to know the quantity of cotton which has been consumed and the quantity of cotton which is on hand.

The act of July 22, 1912, provides that "the Director of the Census be, and he is hereby, authorized and directed to collect and publish statistics concerning the amount of cotton ginned; the quantity of raw cotton consumed in manufacturing establishments of every character; the quantity of baled cotton on hand; the number of active consuming cotton spindles; and the quantity of cotton imported and exported, with the country of origin and destination." There are various other provisions, endeavoring to enlarge upon those, so that the contention that this bill is desirable in order that the producer of cotton may know where the cotton has gone that is not used by the spindles is an idle contention.

It is said that the cotton used for the manufacture of explosives is prepared cotton; hence the Director of the Census, under law, does not collect statistics concerning the use of the prepared cotton. That is true, but he does collect statistics concerning the use of cotton in making the prepared cotton. There is no cotton lost if he collects all the statistics authorized by the existing law.

If there are 11,000,000 bales of cotton produced, and 8,000,000 bales of cotton consumed by the spindles of this country and 2,000,000 bales of cotton exported, the contention that they do not know what has become of the other 1,000,000 bales of cotton is hardly correct, because if that cotton has been used for the manufacture of explosives it has gone through a manufacturing establishment, first as raw cotton, and the Director of the Census collects statistics as to that. There is not a pound of raw cotton raised concerning which the Director of the Census is not required to ascertain the facts, to collect and publish the statistics, under the existing law. I do not know what the special reason is for ascertaining the quantity of cotton used in the manufacture of explosives. It would be interesting information if we knew the quantity of cotton now made into explosives or the quantity of explosives produced and exported. I myself would like to know that. But this bill is not confined to obtaining information concerning the quantity of explosives manufactured last year or this year or during the European war. It becomes a perennial law. It requires the publication of statistics quarterly hereafter, and it seems to me highly objectionable for this Government to publish the quantity of high explosives that it may be manufacturing for its own use. Why should we publish to all of the world the amount of explosives we are manufacturing for our own governmental use? It has nothing to do with the question of raw cotton, because you have already traced that under the law to the point of preparation for use for explosives. It might become very pertinent in the future, if we should ever be engaged in war or if there was danger of war, for the foreign Governments to know how much cotton we were using or how much of high explosives we were manufacturing with the aid of cotton. I imagine that Great Britain would give a good deal to know how much explosives Germany is now manufacturing. I think that Germany would give a good deal to know how much in the way of high explosives the allies are now producing, because there is no subject more interesting to the warring nation than the knowledge of how much ammunition the other side has. I would have no objection to the collection of statistics in reference to the existing war for the sake of curiosity. I am very much opposed to having this Government publish quarterly the quantity of high explosives that may be manufactured, possibly for our own use in the future. We are endeavoring to lay up a supply of ammunition. I do not think we ought to go around advertising to the world just how much we have on hand or how much we are making all the time.

Mr. SIMS. Mr. Chairman, will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. SIMS. I do not think it makes any difference to the farmer or to the manufacturer to know into what line of manufacture the cotton has gone. The question to be ascertained, if it is of any benefit to anybody, is how much unmanufactured cotton remains on hand now, at the time of the making of these reports; so it seems to me that the same object could be attained, so far as this resolution is concerned, without reporting how much has gone into the manufacture of high explosives.

Mr. MANN. The present law provides that the Director of the Census shall collect information concerning all of the cotton which is used in manufacturing establishments of any kind; and this cotton which is originally raw cotton is manufactured before it is used as high explosives, or that is the contention, and I suppose it is true. I suppose they collect the statistics from the manufacturers of high explosives. If not, they collect the statistics in advance of the amount of raw cotton which has been so treated.

Mr. SIMS. I understand the law to be as the gentleman from Illinois has stated, but I understand that the Director of the Census has said that he has no authority to report the amount of cotton used in the manufacture of explosives.

Mr. MANN. No; the Director of the Census reports that he has no authority to collect statistics of the quantity of cotton used in the manufacture of high explosives. That is correct; but he has the authority to collect statistics concerning the quantity of raw cotton which is prepared for use in the manufacture of high explosives. So we cover the whole subject of raw cotton.

Mr. SIMS. I readily appreciate the weight of the objection of the gentleman from Illinois to publishing to the world a statement of how much powder we are making for ourselves. It does not seem to me that it is necessary to do that in order to find out the amount of cotton in existence at the time of the making of these reports. Now, after the farmer gets rid of his cotton he is no longer interested in it. His interest lies chiefly in the question of how much he may plant another year. The fact is that by this time of the year nearly all the cotton has been sold by the producer and is in the hands of manufacturers, speculators, or persons who are holding it for other purposes.

Mr. MANN. That is true. Undoubtedly it is also true that if you have the quantity of cotton on hand, say 1,000,000 bales—I suppose there are always more than a million bales stored—if you have several million bales of cotton stored, so that the manufacturers can draw on the stored cotton, that has a tendency to depress the price of the cotton in the hands of the original producer, or the primary market. But that is all provided for in the existing law. Now, doubtless, there are some people in the country who would like to know how much cotton is being manufactured into high explosives and sent to the allies. I have no doubt the German Government would like to know that. I would not object to knowing myself, as a mere matter of curiosity.

Mr. SIMS. But the gentleman does not think the farmers of the United States who produce the cotton have any special interest in that information?

Mr. MANN. All they want to know is the quantity of cotton consumed, the quantity of cotton produced, and the quantity of cotton left over, and that is all covered by the existing law. Every point of it is covered by the existing law. I do not know whether they get every pound of it or not, but they trace it from the ginners to the point where it is exported or manufactured, and under a bill that we passed the other day they continue to trace it into the hands of those who store it.

Now, I can imagine no reason myself for ascertaining how much is made into medicated cotton, so far as the producer of cotton is concerned, but that would be no great injury. I think it would be a distinct injury to this country to publish the quantity of high explosives that are made, and that is what this bill would require.

Mr. WHEELER. Will the gentleman yield?

Mr. MANN. I will.

Mr. WHEELER. I inferred from what the gentleman from Alabama said that it was a question between the farmers and the commission men whether any cotton was left on hand.

Mr. MANN. I think this bill has nothing to do with that because under existing law they gather all those statistics.

Mr. HELM. Will the gentleman yield?

Mr. MANN. Yes.

Mr. HELM. How many pounds of high explosives will a bale of cotton make?

Mr. MANN. I have not the slightest idea. Does the gentleman know?

Mr. HELM. I do not, and for that reason I think the gentleman's entire argument falls down.

Mr. MANN. I hope not because I do not happen to know a technical fact of that kind.

Mr. HELM. The gentleman's entire argument has been based on the fact that the country would know how many bales of cotton went into high explosives, and that the world would know how many pounds or tons of high explosive the United States had made.

Mr. MANN. I suppose the world will know, for I suppose somebody knows.

Mr. HELM. But the gentleman is putting his argument into such a form as if there was a well-known ratio between bales of cotton and pounds of powder.

Mr. MANN. Of course there is a well-known ratio. I do not know what it is. The gentleman from Kentucky, who for many years was chairman of the Committee on Expenditures in the War Department, ought to know. I never held the office and I do not think I am under any obligation to know. I reserve the balance of my time.

Mr. HELM. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. DAVIS].

Mr. DAVIS of Texas. Mr. Chairman, the question of cotton is an interesting question to me and to the people of the South generally, because it is a well-known fact throughout our country that while God Almighty gave to a little fringe of the United States on the Atlantic seaboard and around the Gulf of Mexico a monopoly over one of the most important crops the world produces, the people who make it year after year are becoming more helpless; and while the world gets the greatest known clothing commodity on earth, the people who make it have to pay freight for every bale of cotton for 5,000 miles to find a factory, and a foreign market controls prices and have for 26 years.

One of the greatest commodities of our Southland is hawked and jayhawked on the markets of the world, and the country that produces it has not been able to keep in touch with it. We found when the war broke out that our cotton market was said to have been killed because there was a war involving the market centers of Europe. The war had not gone very far, however, until the magazines and the trades journals that leaked through the censorship brought to us the fact that there were something like 3,000 guns shooting at each other every week, that took nearly a bale of cotton to load them. Now, get the idea. In other words, there were 3,000 guns in action that took an average of about 200 pounds to load them, and some reached as high as 430 pounds. It is known, I think, as mercerized or prepared cotton. We do not know the process, but it goes through the hands of the speculator, and he has the South in his grip. Of the 1914 crop we find that England got about a million bales, more than she ever got in the history of the world. Austria got less. Germany got less. Italy and France got nearly half a million more than they ever got. Why? Because J. P. Morgan, the agent of the allies, killed the cotton market by turning the lock and key on the gold in New York. He killed the cotton market in the South and turned it over to England and France to load their war guns at a price far less than they ever bought before in the world. All business in the South impoverished, paralyzed. Now, we are asking you to give the department the privilege of investigating these matters.

Mr. CARAWAY. Will the gentleman yield?

Mr. DAVIS of Texas. Yes.

Mr. CARAWAY. The cotton used in the manufacture of explosives is the linters.

Mr. DAVIS of Texas. There is not enough of that, but they use it if they can get it.

Mr. CARAWAY. It was used until the present war.

Mr. DAVIS of Texas. They use it whenever they can get it. If they use the long staple, I understand they have to grind it, and linters has already been ground naturally very short.

Now, I feel that this measure ought to pass, and I do not know why any man should object to it. The question of exposing the production of high explosives is a very tender question. I would seriously object to the world's knowing what we are doing in that way. I feel sad when I think of the recent investigation of some of our powder and manufacturing institutions that when they made contracts with our country they sent copies to their partners in the different countries of the earth so that they could keep track of our manufacture of munitions. Men that would thus betray our secret munition contracts, I think, every one of them ought to be court-martialed and shot.

I would be ready to do anything to keep our own secrets; but we do not ask you to expose those secrets; we simply ask you to keep in touch with how much goes into that great industry, commercially and otherwise, that is all.

Mr. HELM. Does the gentleman from Illinois expect to consume any more time?

Mr. MANN. I do not just at the present time.

Mr. HELM. Then, Mr. Chairman, I ask that the Clerk read the resolution for amendment.

The CHAIRMAN. If there is no further general debate, the Clerk will read the resolution for amendment.

The Clerk read as follows:

Resolved, etc., That the Director of the Census be, and he is hereby, authorized and directed to collect and publish statistics of raw and prepared cotton and linters, cotton waste, and hull fiber consumed in the manufacture of guncotton and explosives of all kinds, and of absorbent and medicated cotton during the calendar year 1915, and quarterly thereafter, and the quantity held in such establishments at the end of each quarter. The statistics herein provided for are in addition to those now collected in compliance with the act of Congress approved July 22, 1912, the provisions of that act being made applicable to and governing the collection and publication of the data.

Mr. HEFLIN. Mr. Chairman, I move to strike out the last word for the purpose of replying to some of the statements made by the gentleman from Illinois [Mr. MANN]. The Chief of the Bureau of Statistics, as I stated in the outset, appeared before the committee when this resolution was up for consideration. He stated that this information was important, he stated that they had no authority now to collect this information. The gentleman from Illinois [Mr. MANN] is correct in the statement that we gather statistics of cotton bales at the factory, and so on, but of unpacked cotton, raw, prepared or partially prepared there is no authority in the law to collect statistics. The Bureau of the Census makes that statement, and it is unchallenged. The committee reported this bill unanimously. The gentleman suggests that it will give away our secrets as to how much cotton is being consumed in manufacturing ammunition. Why, every week, every day, every month, since the war commenced the daily papers have published that an order here and there was left with some concern in Pennsylvania, New York, or elsewhere for millions of pounds of munitions of war by some European power. It has been common knowledge as to munitions being purchased by the allied forces and sent abroad. In that case we know that it is powder and shell, and so on, but in this case the statistics do not show how many pounds of munitions are turned out by the factories. It shows how much cotton has been consumed by those factories as one of the ingredients entering into the manufacture of ammunition, but it does not disclose to the world how many tons of ammunition are turned out in the finished product—only the amount of cotton consumed by these munition plants. It does give to the producer the knowledge that he is entitled to, if we are going to have any statistics at all regarding cotton as to how much is being consumed by these establishments in our country.

It will disclose no secrets to people abroad. If in the time to come we should be embroiled in war with some foreign power, then will be the time to put the seal of secrecy upon this work; but until that time comes and we see the importance of it, I submit that that argument is far-fetched, and I trust that it will not make any impression on gentlemen in the House, because the farmer is entitled to this knowledge. It seems to me that, somehow or other, every time a movement is set on foot to benefit the man who toils, the farmer in this country, there is always some bugaboo discovered, something veiled in the closet, by which some gentleman here undertakes to defeat the measure.

Mr. BARNHART. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. BARNHART. In what respect does the importance of statistics for cotton differ from that which is taken everywhere of live stock and grain and produce of the farms of various kinds? I know that each year we take that through the assessors. Is it not true of cotton that it is taken in the same way?

Mr. HEFLIN. As I stated in the outset, I fear the gentleman did not hear my statement.

Mr. BARNHART. I did; but I did not get the distinction.

Mr. HEFLIN. We now gather statistics with regard to everything pertaining to cotton that is of any consequence except those provided for here, and the chief of the bureau says that this information is important, that inquiries are made for it, and that they have not got it. It is a new industry, consuming large quantities of cotton, that makes this information necessary. They did not know until about 50 years ago in this country that you could make gunpowder and explosive out of cotton.

Mr. BARNHART. Just a word further; and I am asking for information. Why is it that the Census Bureau can get statistics on these other items of the products of the farm but can not get statistics of cotton in the same way?

Mr. HEFLIN. Mr. Chairman, the present law provides that they can collect the number of cotton bales that are ginned and consumed at the factories; but here is cotton that is partially prepared and fully prepared that goes into the making of powder, and they have no authority to get that, because it is prepared and partially prepared, and it amounts to probably 2,000,000 bales or more.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. MONTAGUE. I move to strike out the paragraph. Mr. Chairman, with all respect to my friend from Alabama [Mr. HEFLIN], I think that this is a very unwise measure. I can not appreciate at all its necessity, and a brief consideration

of it must make us realize that it is full of troubles for us at home and abroad. With the distemper now raging throughout the world, what is the necessity, what is the wisdom of putting upon record the quantity of cotton that goes into the manufacture of explosives? The gentleman says that the information respecting the manufacture of guncotton is carried in the newspapers every day. There is a very wide difference as to the evidence found in the newspapers and the evidence found in the records of our Government as respects the effect upon the foreign Governments of the world. This measure will embarrass us at home and, in my judgment, it will embarrass us even more in our diplomatic negotiations abroad under existing circumstances.

I will not discuss the economic aspects, the business expediency, or merits of the measure, save to say that it seems to me the only possible results will be either to lessen the demand for cotton and therefore to decrease its price, or that it will benefit the cotton speculators. But this consideration is beside my present purpose, and that my supreme conviction is that the particular information sought to be obtained will embarrass our Government in dealing with its present delicate foreign complications. For this paramount reason I believe the measure dangerously inopportune, and therefore I can not give it my support.

Mr. HEFLIN. Mr. Chairman, I am utterly surprised at the remarks of the gentleman from Virginia [Mr. MONTAGUE]. I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HEFLIN. Mr. Chairman, the gentleman from Virginia must not understand this resolution. I am aware of the fact that the gentleman has no cotton producers in his district, or if he has any they produce less cotton than they do in my precinct, but this is a matter that vitally affects 30,000,000 of American people who live in the South. This will give our people complete statistics with regard to cotton consumption, and I am surprised that the gentleman from Virginia would lift his voice against such a meritorious measure as this. It benefits the people who are more injuriously affected by the European war than the people of any other section of our country. They are to-day in the predicament of having millions of bales of their cotton consumed in making powder and explosive shells, and many of the plants are in the gentleman's own district, and the farmer is denied the opportunity of seeing how much cotton is consumed for that purpose.

Mr. MONTAGUE. Will the gentleman permit an interruption?

Mr. HEFLIN. I will.

Mr. MONTAGUE. Will the gentleman permit me to say that there is not a single plant in my district?

Mr. HEFLIN. I beg the gentleman's pardon. Possibly I confined it to too small a territory, but I will say these plants are in the State of Virginia. And I believe the gentleman, if he votes against my bill, will be the only Virginian who does so. I do not believe there will be a dozen votes on the other side against it. I do not believe that this House will hamstring the farmers of the South by denying them this information because of some weak and puny argument that it discloses information to the people abroad that they ought not to have.

No, Mr. Chairman, we owe it to the producing classes of this country, whether they live in the South, the East, the North, or the West, to give them full and complete information about the stuff that they produce and the consumption of it after they produce it. There is nothing hidden in this measure. It is open and aboveboard. It is in the interest of truth, in the interest of honesty and of justice to the cotton farmers, and 30,000,000 of American people living in the South ask that this legislation be had. [Applause.]

Mr. QUIN. Mr. Chairman, I was struck with surprise at the remarks of my distinguished friend from Virginia [Mr. MONTAGUE]. I do not believe that that patriotic and elegant gentleman really understands the purport of this resolution. I want to say to my friend from Virginia that we have no way of telling anything about what becomes of a bale of cotton after the ties are taken from it. The cotton is baled up, and has from four to six ties on each bale, and then other bales are pressed with it through a compress, and in this compressed form is shipped off to the spindles of the world.

This resolution is a direct aid to the farmer, the producer of the cotton.

Mr. PARKER of New York. Will the gentleman yield?

Mr. QUIN. I yield.

Mr. PARKER of New York. I would like the gentleman to explain what business it is of the producer after he sells it what becomes of it, any more than it is the business of the farmer that produces a bushel of wheat, after he has sold it.

Mr. QUIN. In reply I will say that is exactly what "is the matter with Hannah." Too many people in this country think just like you do, my friend, that the farmer, the man who produces the great farm products of this country, has no business to know anything about them. We propose that the farmers who produce this cotton shall know something about it, in order to know what the value of it is. You take the linters now, they are very valuable, while they used to be worth nothing. Here has sprung up a new use for linters and other cotton in the manufacture of high explosives for war purposes in Europe, and many people in this country think that preparedness is the only thing we ought to have—to manufacture everything made by the sweat and blood of this country into munitions of war. I do not think that way. Whatever the farmer produces that does go into that business should bring its value, and the farmer should not be chiseled out of it simply because he has no way of knowing what it is worth. Now, we propose by this resolution simply that the man who produces the cotton of this country shall know what becomes of these 2,500,000 bales.

Mr. ANDERSON. Will the gentleman yield?

Mr. QUIN. I will.

Mr. ANDERSON. I want to inquire of the gentleman what the farmer is going to do with this information after he gets it? What good is it going to do him?

Mr. QUIN. It will be worth this much, that he will know what becomes of that portion of his cotton called linters. He will know into what business it goes. He will know its value, and, in knowing the value of it, he will know how to plan, what it costs him to make his cotton, and what he ought to get for it. If you are putting into the manufacture of explosives a certain amount of this cotton, he knows he is not getting the value of these linters. He has been kept out of that all of these years by the men who own the oil mills. You understand not only that portion that comes off of the seed as put into this part called explosives, but another element of this cotton, and the man who produces that cotton certainly has a right to know what percentage of his crop is going into the agents that destroy human life. He certainly has a right to know what percentage of his cotton goes into that nefarious business in order that he may know the real value of his labor. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CANNON. Mr. Chairman, I oppose the motion of the gentleman to strike out the last word.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. CANNON. Mr. Chairman, the gentleman from Alabama, in answer to some questions which I asked him, stated, if I remember, that there were a million of bales of cotton of the crop of 1915 out of the 11,000,000 bales that were unaccounted for when you came to what the spinners used in this country, which is ascertained, and as to what was exported.

Mr. HEFLIN. I was using that merely as an illustration, because we export out of the crop of 14,000,000 bales about 9,000,000 bales, 2,000,000 bales less than this whole crop.

Mr. CANNON. Very well; still, by illustration, the gentleman said that information was already with us. Now, the million of bales that I will speak of for illustration, not accounted for, is evidently stored in the United States or held by the farmers. And the farmers are pretty good speculators, let me say, and hold their crops over sometimes half a year, sometimes one year, and some of them two years.

Now, then, my colleague [Mr. MANN] read the law already in existence and made what was to me a valid statement of fact that seems to me important touching the gathering of these statistics. The report states, and so does the bill—especially the bill—that the amount of cotton used in the manufacture of high explosives shall be ascertained by law. It ought not to be ascertained by law, in my judgment.

Now, I will state very frankly that with my high respect for the gentleman from Alabama [Mr. HEFLIN], if I were to vote according to his speech I would vote for this bill; but if I am to vote according to the bill and what is proposed to be gathered, why, from a patriotic standpoint, I do not see how I can vote for the bill. [Laughter.]

Now, it is easy to declaim about the farmer. We are all friends of the farmer. I recollect back in the Populist days—and some people may say the earlier and better days of the Republic—how the passions were torn to tatters about the farmer. I heard a man, whose name I will not mention, out in my own district, who got after me, say I was not a friend of the farmer. Nay, nay! And then he said, "Gentlemen, I was born between two corn rows," and an old farmer yelled out, "A pumpkin, by gee!" [Laughter.]

Now, I suppose the agricultural district that I represent is perhaps as good a one as there is in the United States. I do not know how much corn my farmers have stored. They have a very considerable amount. You have not gathered any statistics showing how many millions of bushels are held in those lumber-constructed cribs, awaiting, as the farmers hope, a higher price.

Mr. ANDERSON. Mr. Chairman, will the gentleman from Illinois yield?

Mr. CANNON. Certainly.

Mr. ANDERSON. I wanted to inquire of the gentleman if he knew what it was that they raised between two rows of cotton? [Laughter.]

Mr. CANNON. Well, I am not as familiar with the production of cotton as I am with the production of corn. I am quite sure we can get along without those statistics, and I am quite sure that my eloquent friend from Alabama [Mr. HEFLIN] will be renominated and reelected. I do not know, but I hope he has no opposition for his renomination; and if he is renominated, that is as sure as election down there. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I do not like to repeat what I said before, but may be it would be proper to say that all the statistics concerning raw cotton which can be of any interest to any producer are now collected or directed to be collected under the existing law. I am going to read again what I read from the law before, and an additional provision of the law. I read:

Be it enacted, etc., That the Director of the Census be, and he is hereby, authorized and directed to collect and publish statistics concerning the amount of cotton ginned, the quanity of raw cotton consumed in manufacturing establishments of every character, the quantity of baled cotton on hand, the number of active consuming cotton spindles, and the quantity of cotton imported and exported, with the country of origin and destination.

SEC. 2. That the statistics of the quantity of cotton ginned shall show the quantity ginned from each crop prior to September 1, September 25, October 18, November 1, November 14, December 1, December 13, January 1, January 16, and March 1, and shall be published as soon as possible after these respective dates. The quantity of cotton consumed in manufacturing establishments, the quantity of baled cotton on hand, the number of active consuming cotton spindles, and the statistics of cotton imported and exported shall relate to each calendar month, and shall be published as soon as possible after the close of the month. Each report published by the Bureau of the Census of the quantity of cotton ginned shall carry with it the latest available statistics concerning the quantity of cotton consumed, stocks of baled cotton on hand, the number of cotton-consuming spindles, and the quantity of cotton imported and exported. All of these publications containing statistics of cotton shall be mailed by the Director of the Census to all cotton ginners, cotton manufacturers, and cotton warehousemen, and to all daily newspapers throughout the United States. The Director of the Census shall furnish to the Bureau of Statistics of the Department of Agriculture, immediately prior to the publication of each report of that bureau regarding the cotton crop, the latest available statistics hereinbefore mentioned, and the said Bureau of Statistics shall publish the same in connection with each of its reports concerning cotton.

This covers the handling of all cotton from the gin to its use as manufactured articles. That covers all the cotton.

Mr. MONTAGUE. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. MANN. Yes; I yield to the gentleman.

Mr. MONTAGUE. Does the gentleman from Illinois think this is an opportune time to gather statistics as to how much cotton goes into explosives in America and into explosives that go abroad? I did not hear the gentleman's speech, and perhaps I have asked a question that he has heretofore answered.

Mr. MANN. Well, I have heretofore answered, but I will answer again. The purpose of the bill theoretically—and I have no doubt that was the intention of the author of the bill—was to gather the statistics concerning the handling of cotton, so that they would know what cotton was consumed and what was not consumed. All of that is covered by the existing law that I read.

But what the bill does is to direct the collection of statistics to show the quantity of explosives which are manufactured in the United States. I regard it as very dangerous for this country to publish to the world the quantity of explosives which it has made for its own use, or which it does make for its own use, not only now, but hereafter.

I said before I would not care what information was obtained concerning the use of cotton last year in connection with the manufacture of explosives since the war, but I do not think we ought to publish to the world the quantity of explosives that we are preparing and laying up against a day of need, so that the world will know how much we have on hand.

Mr. CULLOP. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. CULLOP. I would like to ask the gentleman from Illinois if it is not the policy of both the War and the Navy Departments not to make public the supplies that the Government has on hand as to munitions of war?

Mr. MANN. I am not informed as to that; but I am quite sure that they do not desire to give any too wide publicity to it.

Mr. CULLOP. I will say to the gentleman that I understand that is the policy of both the War and Navy Departments.

Mr. MANN. I should think it would be.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. HOWARD. Under the statute that the gentleman has just read, does he think the authority is already vested in the Census Bureau to take into account in the aggregate amount of cotton bales consumed that which is consumed in the making of explosives?

Mr. MANN. Certainly they have to take into account all that is manufactured into explosives, but they do it in the quantity of raw cotton, and not in the quantity of prepared cotton. But they say how much has been used for treatment.

Mr. HOWARD. Under the statute, it is obligatory for the Census Bureau to take into account all cotton now consumed by munition factories?

Mr. MANN. By anybody, for any purpose. That is, the raw cotton.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BARNHART. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Indiana moves to strike out the last word.

Mr. BARNHART. I do so in order that I may ask the gentleman from Alabama [Mr. HEFLIN] a question, and I do that because I am seeking information. I have heard the question asked twice as to how this proposition could possibly benefit the grower of cotton, that he should know to what special class of manufacture his products are devoted.

Mr. HEFLIN. I will take pleasure in answering that. A gentleman on that side asked that question of the gentleman from Mississippi [Mr. QUIN].

Mr. BARNHART. Yes.

Mr. HEFLIN. It will benefit him in this way: To illustrate, suppose 10,000,000 bales of cotton are produced in 1916 and 8,000,000 bales are consumed at home and 1,000,000 bales are exported. There are 1,000,000 bales unaccounted for, because the Census Department now says in its evidence before the committee reporting my resolution that it does not collect statistics of cotton made into gunpowder and explosive shells.

The department now gathers statistics as to the amount consumed by the spindles, which we will say was 8,000,000 bales. It accounts for the 1,000,000 bales that went abroad. Now, the other million bales are unaccounted for. The speculator on the exchange bears the market. He scatters his circulars broadcast, saying that there are a million bales of old cotton left over from the crop of 1915. The farmer says, "I do not believe that." The speculator says, "Here are the statistics—8,000,000 bales consumed by the spindles, 1,000,000 bales went abroad. There are a million bales remaining." Now, what is being done with it? The producer claims that it has been consumed by the manufacturers of explosives.

Mr. BARNHART. Suppose it were being consumed by the manufacturers of explosives, what difference would it make to the producer?

Mr. HEFLIN. A great deal of difference. The producer says, "I do not believe you have got that much cotton on hand, and I am entitled to a better price for that reason," whereas the speculator says, "We have got that million bales of old cotton on top of the new crop," and the producer is entitled to know whether that is true or not.

The purpose of it is to give the producer information as to the entire amount of cotton consumed. For instance, he gets ready to plant a crop this year. He says, "How much old cotton is there on hand?" Suppose he were told that there were 2,000,000 bales of old cotton on hand. Then he would say, "I will reduce my cotton acreage, because I do not want to come up next fall with a big crop—with an overproduction. If I do, the price will go down to 5 or 6 cents, while it costs 10 cents to make it." So he will govern himself by that information. He knows how to plant, and he knows how to sell, and it is this information that he needs.

Now, I said to the grain growers of the West, "I do not understand grain like you do. You want a bill passed through this House to regulate your grain exchanges better. I will help you on that and will vote for it. I believe we know more about the cotton situation than you do, and we will ask you to help us, so that the cotton grower may have the information that he needs." We will vote to give you the information that

the grain grower needs. And I will say to my friend from Indiana this completes the statistical information about cotton. The chief of the bureau says—

This information is necessary, and we have not now the power under the present law to collect it.

He is the man who operates under it. The gentleman from Illinois [Mr. MANN] talks about what the law is. Here is what the department says. It says it has not the authority to get the statistics as to this prepared or partially prepared cotton. Why, when you unbale it the present law does not cover it. It says distinctly baled cotton. It does not mention cotton treated or partially prepared at all. It takes nitric acid and washing processes to make gunpowder and other ingredients. What we want to know is how much cotton the powder mills consume.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HEFLIN. I am sorry to have taken all my friend's time.

Mr. BARNHART. I would have liked to say a word.

Mr. HELM. Mr. Chairman, I do not care to consume any time. In fact, I think there is just a little disposition to consume time unnecessarily on this matter; but it does occur to me that there is a weakness and a fallacy in the argument of those gentlemen who are urging that this bill will disclose a State secret that ought not to be disclosed. Under the very law read by the gentleman from Illinois [Mr. MANN] the bureau is required, and they have their agents to ascertain the output of every factory in the United States. The entire quantity of all explosives manufactured in the United States is now known and published under that very law. I do not doubt that if you were to telephone to the Census Bureau and ask them for the quantity of explosives manufactured in the United States last year they could give you an answer in 10 minutes.

Mr. HEFLIN. That is undoubtedly true.

Mr. HELM. Now I will put it this way: Assuming that you are attempting to get at the quantity of explosives manufactured by the United States Government itself, unless there is somewere a disclosure of the amount of cotton bought by the Government for use in the manufacture of explosives, then you have disclosed nothing of a definite or accurate nature. Why? Are you going to assume that all the explosives made in the United States go for the use of the Government itself? Certainly not. There are unlimited quantities of these products that come from the manufacturers of explosives, with cotton as their basis, that go into commercial activities, and are used for countless other purposes. So if you say that there are a thousand bales of cotton consumed in the manufacture of explosives in the United States, it proves nothing. It does not disclose anything so far as the Government's quantity of explosives on hand is concerned. If, as maintained by the gentleman from Illinois [Mr. MANN] there is a fixed and established ratio—that is, that a bale of cotton will produce so many pounds of explosives—it simply means that that much has been manufactured, but it does not necessarily follow at all, by any kind of sequence, that it is in the possession, control, or owned by the Government of the United States. So far as that feature of the argument is concerned, it seems to me that it must fall.

Now, as I have repeatedly stated, I am not from a cotton-producing State. These gentlemen who come from the cotton-growing section seem to be very eager, very keen, for the passage of this bill. They know more about the value of this information than I do. The gentlemen from the tier of States bordering upon Canada—the wheat-growing and cereal-growing States—know far more about wheat, barley, oats, and products of that kind than the gentlemen from the Gulf or cotton-producing States. For myself, I know nothing about the business of the cotton grower, but I do see a fallacy in the argument here that the passage of this bill will disclose any state secrets.

Mr. HOPWOOD. Mr. Chairman, I have listened to this argument very carefully, and I have not found anybody yet who has answered the question propounded by my friend from Indiana [Mr. BARNHART] as to how this is going to help the cotton grower. In a small way I am a cotton grower. I went out into the new State of Oklahoma a few years ago and bought a few acres of land. I have two boys out there who are growing some cotton. If this was going to help them sell their cotton for a better price, I would support the bill, unless——

Mr. HEFLIN. Will the gentleman yield?

Mr. HOPWOOD. Yes.

Mr. HEFLIN. Did the gentleman hear me say it would benefit the producer to know how much old cotton there is on hand?

Mr. BARNHART. He has that information, anyhow.

Mr. HOPWOOD. Yes; I heard the gentleman say that. But the people who try to bear the market will always get out false reports. Do you think the farmers of this country are not smart enough to understand that? The farmer does not sell cotton, wheat, or anything else without knowing the market. He tries to sell it on the best market and holds it as long as he pleases and sells it when he pleases. The farmer is the most independent man in the country to-day, and is getting better prices for his products than almost anyone else, unless it is the people selling war munitions.

Mr. HEFLIN. That is not true of the people who produce cotton.

Mr. HOPWOOD. I know cotton products went down when you knocked the tariff off of it, but if we put a good tariff on it it will sell all right again and there will be a good cotton market. [Laughter on the Republican side.]

Mr. HEFLIN. Would you put a tariff on cotton when we are producing two-thirds of the world's crop?

Mr. HOPWOOD. Yes; I would like to produce it all; we can produce it all. Why in the world does the farmer want to know any more than anybody else where his product goes after he sells it? Now, we sell coal down in my country. I do not care whether you burn it in a stove or in a furnace or in a grate after you buy it, if you pay us the price for it. I do not care whether coal goes into munitions of war; I do not care if you put it into a furnace for the manufacture of munitions of war. That is all right. I am glad if you have found a way to make money out of our coal. If we sell the coal, it is up to you to do the best you can with it, and if you have any way that you can use it in which you can make money out of it, or have found some new way to use it, why, God bless you, use it that way. How is it going to help the man who mines and sells the coal to know where it goes or in what way it is used by the purchaser. There is just as much sense in knowing where the coal goes, whether it goes into munitions of war, as it is to know whether cotton goes into munitions of war. There is no way that I can see that this information will help the farmer, and therefore I am going to vote against this bill. [Applause.]

Mr. STEAGALL. Mr. Chairman, as I understand the argument of the gentlemen who are opposed to this measure, they make two points: One is that there is no necessity for this legislation, and the other is that it would be unwise to give out the information, because it involves the publication of facts regarding the status of the country's military establishment.

Upon the first proposition it occurs to me that if it is fair—and I understand such to be the provision of the existing law—to collect statistics showing all the cotton produced by the farmer, it is nothing but justice to him that he be permitted to know of any great newly created demand for cotton running up into millions of bales. [Applause.] If it is fair for the world to know what the farmer has produced, it is fair for the farmer to know of any demand for his product that may spring up anywhere in the world. [Applause.]

Now, Mr. Chairman, if we are not going to perfect this law, and the Director of the Census says that it is not perfect, that these statistics under the present law can not be forthcoming, we ought to perfect it by the passage of this bill. If not, the law as it now stands ought to be repealed. We ought not to have a system that is imperfect and incomplete in the publication of the demands for the farmer's product.

Now, upon the other proposition. I listened with a great deal of interest to the contention, which to me was new, made by the distinguished gentleman from Illinois, whose learning and service and ability, as a new Member of this body I have learned already to appreciate very deeply—even though he is on the other side of the House—I listened to his argument as to the effect of these statistics on the Nation's Military Establishment, and it seems to me, with all deference to the gentleman, that the very opposite of his suggestion is true, and for this reason: The United States will be the only power on this earth that can gather these statistics showing what amount of cotton goes into the manufacture of high explosives, and, as we have almost a monopoly of the world's supply of cotton, we will be enabled to know all the time how much is going into the manufacture of high explosives by other nations. Further, I dare say that if the President, as Commander in Chief of the Army has not the power, we will find some power, if it becomes necessary temporarily, by which the United States may suppress or withhold the information for the time being as to the amount of cotton that goes into high explosives manufactured by our Government. It seems to me that because our Government will have sole knowledge and control of these statistics before their publication the operation of this law would be in favor of the United States as against other nations in the matter of disclosing the amount of cotton going into preparations for war. [Applause.]

Mr. SIMS. Mr. Chairman, I never thought that we could have too much information about anything, and therefore I do

not think that any of this information about cotton could possibly hurt the grower. I think it would be a benefit to him, and therefore I am going to vote for the bill. [Applause.]

But there is one thing I want to call to the attention of my friends in the South about this matter, for I do not know what the effect will be. If I understood the gentleman from Alabama [Mr. HEFLIN] right, he said that some of these large guns took enough powder for one shot to require 200 pounds of cotton to produce it.

Mr. HEFLIN. Yes; some estimate that it would require as much as 400 pounds of cotton.

Mr. SIMS. That one shot takes powder enough to consume 400 pounds of cotton to manufacture it, and that probably one or two million bales are used in making high explosives each year.

Mr. HEFLIN. A retired naval officer of the United States told me that in his judgment the European armies had used in 12 months—and this was last October—fully 3,000,000 bales of cotton.

Mr. SIMS. Full 3,000,000 bales of cotton up to that time, which was not over a year. There has been a demand by many good people that we should place an embargo upon the exportation of munitions of war from this country to Europe. If we stop the demand for 2,000,000 bales of cotton for that purpose, we will reduce the demand on the cotton supply to that extent, which would have a very great effect in reducing the price of cotton. Personally I am in favor of selling the allies and also the central powers all the cotton they will buy and pay for. If they want to shoot their heads off and want American cotton to aid in that undertaking, let them have it. If they do not do it with American cotton, they will do it with cotton from somewhere else; but I have heard some of my good friends and I think some Members of this House advocate an embargo on all munitions of war. If we do that, then we may just as well put an embargo on the exportation of wheat and meat, because soldiers can not use ammunition unless the physical vigor of the soldier is also sustained by food supply. If we run this thing down to its last analysis, we will practically cut off the demand for everything our people produce—wheat, corn, cotton, pork, beef—for all the surplus farm products, and if we will have to sell it all in the United States, what would then happen with the home market? Protection would not amount to anything in the way of holding up the prices of the home market if everything we produce had to be sold at home. I am for the bill: I want the information; and the greater the amount of cotton sold for this purpose the more it is necessary that we should know it. There is one thing about it, however, and that is I am afraid that some of our cotton producers who are selling 3,000,000 bales to make powder out of will not be so anxious to end the European war as they claim they are now, although they ought to be. The bill is a good one, and I think its purpose is good. Like the gentleman from Kentucky [Mr. HELM], I believe we are not going to make enough smokeless powder in this country while there is such a big demand for it abroad that it will make any difference if the people of Europe know what amount we make or do not make. The larger the demand for ammunition and the more we make and sell the higher the price of cotton will be. But, of course, we do not want the war to continue just in order to sell cotton.

Mr. MANN. Mr. Chairman, I move to strike out the enacting clause.

The CHAIRMAN. The question, first, is on the motion of the gentleman from Virginia [Mr. MONTAGUE] to strike out the section.

Mr. MONTAGUE. Mr. Chairman, I ask unanimous consent to withdraw that motion. I simply made the motion to have an opportunity to present my views.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to withdraw his motion. Is there objection?

There was no objection.

Mr. HELM. I move that the committee do now rise.

Mr. MANN. Mr. Chairman, I move to strike out the enacting clause. That takes precedence of all other motions.

The CHAIRMAN. The question is on the motion of the gentleman from Illinois to strike out the enacting clause.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 56, noes 57.

Mr. HEFLIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the gentleman from Illinois [Mr. MANN] and the gentleman from Kentucky [Mr. HELM] were appointed to act as tellers.

The committee again divided; and the tellers reported—ayes 71, noes 53.

So the motion was agreed to.

Mr. HELM. Mr. Chairman, I move that the committee do now rise and report the bill with the recommendation that the enacting clause be stricken out.

The motion was agreed to.

Accordingly the committe rose; and the Speaker having resumed the chair, Mr. CLINE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House joint resolution 103 and had directed him to report the same back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is on the recommendation of the committee to strike out the enacting clause.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 68, noes 51.

Mr. HEFLIN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Alabama makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 128, nays 167, answered "present" 11, not voting 127, as follows:

YEAS—128.

Anderson	Fess	King	Ramseyer
Bacharach	Focht	Kinkaid	Reavis
Britt	Foss	Kreider	Ricketts
Britten	Frear	Lafean	Roberts, Nev.
Browne	Fuller	Lehlbach	Rogers
Browning	Gardner	Lenroot	Rowe
Butler	Garland	Lindbergh	Russell, Ohio
Campbell	Gillett	Longworth	Sanford
Cannon	Good	McCracken	Schall
Capstick	Gould	McFadden	Scott, Mich.
Carter, Mass.	Gray, N. J.	McKinley	Siegel
Cary	Green, Iowa	McLaughlin	Sloan
Chiperfield	Greene, Mass.	Madden	Smith, Idaho
Coleman	Greene, Vt.	Magee	Smith, Mich.
Cooper, W. Va.	Hadley	Mann	Stafford
Cooper, Wis.	Hamilton, Mich.	Mapes	Stephens, Cal.
Copley	Heaton	Matthews	Sterling
Costello	Helgesen	Miller, Minn.	Sulloway
Cox	Hernandez	Miller, Pa.	Sweet
Curry	Hicks	Mondell	Switzer
Dallinger	Hollingsworth	Montague	Temple
Danforth	Hopwood	Mudd	Timberlake
Darrow	Howell	Nelson	Towner
Denison	Hull, Iowa	Nolan	Vare
Dillon	Husted	Norton	Volstead
Dowell	Hutchinson	Oakey	Walsh
Dunn	James	O'Shaunessy	Wason
Ellsworth	Johnson, S. Dak.	Paige, Mass.	Williams, T. S.
Elston	Johnson, Wash.	Parker, N. J.	Williams, Ohio
Emerson	Kahn	Parker, N. Y.	Wilson, Ill.
Esch	Kearns	Phelan	Woods, Iowa
Farr	Kelley	Powers	Young, N. Dak.

NAYS—167.

Adair	Dixon	Keating	Reilly
Adamson	Doolittle	Kent	Riordan
Alexander	Doughton	Kettner	Rouse
Allen	Driscoll	Key, Ohio	Rubey
Almon	Dupré	Kincheloe	Russell, Mo.
Ashbrook	Eagan	Kitchin	Saunders
Austin	Eagle	Konop	Sears
Ayres	Estopinal	La Follette	Shallenberger
Bailey	Evans	Lee	Sherwood
Barkley	Farley	Lesher	Shouse
Beakes	Ferris	Lever	Sims
Bell	Flood	Lieb	Sinnott
Black	Gandy	Linthicum	Sisson
Blackmon	Gard	Littlepage	Small
Booher	Garner	Lloyd	Smith, N. Y.
Buchanan, Ill.	Garrett	London	Smith, Tex.
Buchanan, Tex.	Glass	McDermott	Snell
Burgess	Godwin, N. C.	McKellar	Sparkman
Burke	Gordon	McLemore	Steagall
Burnett	Gray, Ala.	Martin	Steele, Iowa
Byrns, Tenn.	Gray, Ind.	Mays	Steele, Pa.
Caldwell	Gregg	Miller, Del.	Stone
Callaway	Hardy	Moon	Sumners
Candler, Miss.	Harrison	Morgan, La.	Taggart
Cantrill	Hart	Morgan, Okla.	Talbott
Caraway	Hastings	Murray	Tavenner
Carew	Hawley	Neely	Taylor, Ark.
Carlin	Hay	Nicholls, S. C.	Taylor, Colo.
Carter, Okla.	Heflin	Oglesby	Thomas
Casey	Helm	Oldfield	Thompson
Church	Helvering	Oliver	Tillman
Clark, Fla.	Hensley	Overmyer	Tribble
Coady	Holland	Padgett	Van Dyke
Collier	Hood	Page, N. C.	Vinson
Conry	Huddleston	Park	Walker
Crisp	Hughes	Price	Watson, Va.
Cullop	Hulbert	Quin	Webb
Davenport	Hull, Tenn.	Ragsdale	Wheeler
Davis, Tex.	Humphreys, Miss.	Rainey	Wilson, La.
Dickinson	Igoe	Raker	Wingo
Dies	Jacoway	Randall	Wise
Dill	Johnson, Ky.	Rayburn	

ANSWERED "PRESENT"—11.

Aiken	Cline	Humphrey, Wash.	Smith, Minn.
Barnhart	Cramton	Moss, Ind.	Swift
Borland	Foster	Rauch	

NOT VOTING—127.

Abercrombie	Flynn	Liebel	Sabath
Anthony	Fordney	Lobeck	Scott, Pa.
Aswell	Freeman	Loft	Scully
Barchfeld	Gallagher	Loud	Sells
Beales	Gallivan	McAndrews	Shackleford
Bennet	Glynn	McArthur	Sherley
Bruckner	Goodwin, Ark.	McClintic	Slayden
Brumbaugh	Graham	McCulloch	Slemp
Byrnes, S. C.	Griest	McGillicuddy	Snyder
Chandler, N. Y.	Griffin	McKenzie	Stedman
Charles	Guernsey	Maher	Steenerson
Connelly	Hamill	Meeker	Stephens, Miss.
Cooper, Ohio	Hamilton, N. Y.	Mooney	Stephens, Nebr.
Crago	Hamlin	Moore, Pa.	Stephens, Tex.
Crosser	Haskell	Moores, Ind.	Stiness
Dale, N. Y.	Haugen	Morin	Stout
Dale, Vt.	Hayden	Morrison	Sutherland
Davis, Minn.	Hayes	Moss, W. Va.	Tague
Decker	Henry	Mott	Tilson
Dempsey	Hill	Nichols, Mich.	Tinkham
Dent	Hilliard	North	Treadway
Dewalt	Hinds	Olney	Venable
Dooling	Houston	Patten	Ward
Doremus	Howard	Peters	Watkins
Drukker	Jones	Platt	Watson, Pa.
Dyer	Keister	Porter	Whaley
Edmonds	Kennedy, Iowa	Pou	Williams, W. E.
Edwards	Kennedy, R. I.	Pratt	Wilson, Fla.
Fairchild	Kless, Pa.	Roberts, Mass.	Winslow
Fields	Langley	Rodenberg	Wood, Ind.
Finley	Lazaro	Rowland	Young, Tex.
Fitzgerald	Lewis	Rucker	

So the recommendation of the committee that the enacting clause be stricken out was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. ABERCROMBIE (against motion) with Mr. CRAMTON (for).

Mr. GOODWIN of Arkansas (against motion) with Mr. STINESS (for).

For two weeks beginning March 30:

Mr. SABATH with Mr. NORTH.

For the session:

Mr. LIEBEL with Mr. ROWLAND.

Until further notice:

Mr. STEPHENS of Mississippi with Mr. SWIFT.

Mr. BYRNES of South Carolina with Mr. HASKELL.

Mr. SCULLY with Mr. MOONEY.

Mr. WM. ELZA WILLIAMS with Mr. GRIEST.

Mr. HOUSTON with Mr. GUERNSEY.

Mr. FLYNN with Mr. MCCULLOCH.

Mr. DECKER with Mr. KENNEDY of Rhode Island.

Mr. CASEY with Mr. CRAGO.

Mr. ASWELL with Mr. DEMPSEY.

Mr. DOOLING with Mr. TILSON.

Mr. FINLEY with Mr. WATSON of Pennsylvania.

Mr. HAMLIN with Mr. SLEMP.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. FOSTER with Mr. CHANDLER of New York.

Mr. GALLIVAN with Mr. RODENBERG.

Mr. YOUNG of Texas with Mr. PLATT.

Mr. LOFT with Mr. PETERS.

Mr. STEDMAN with Mr. MOTT.

Mr. STEPHENS of Texas with Mr. DRUKKER.

Mr. LEWIS with Mr. MEEKER.

Mr. SLAYDEN with Mr. MORIN.

Mr. DOREMUS with Mr. OAKEY.

Mr. FIELDS with Mr. LANGLEY.

Mr. DALE of New York with Mr. HUTCHINSON.

Mr. MCANDREWS with Mr. HILL.

Mr. PATTEN with Mr. FAIRCHILD.

Mr. GALLAGHER with Mr. SNYDER.

Mr. AIKEN with Mr. ANTHONY.

Mr. BRUCKNER with Mr. BARCHFELD.

Mr. BRUMBAUGH with Mr. BEALES.

Mr. CONNELLY with Mr. BENNET.

Mr. CROSSER with Mr. COOPER of Ohio.

Mr. DENT with Mr. EDMONDS.

Mr. DEWALT with Mr. FORDNEY.

Mr. EDWARDS with Mr. FREEMAN.

Mr. FITZGERALD with Mr. GLYNN.

Mr. GRIFFIN with Mr. GRAHAM.

Mr. HAMILL with Mr. HAMILTON of New York.

Mr. HAYDEN with Mr. KENNEDY of Iowa.

Mr. HILLIARD with Mr. KIESS of Pennsylvania.

Mr. HOWARD with Mr. LOUD.

Mr. JONES with Mr. MCARTHUR.

Mr. LOBECK with Mr. MOORE of Pennsylvania.

Mr. MAHER with Mr. MOORES of Indiana.

Mr. OLNEY with Mr. MOSS of West Virginia.

Mr. POU with Mr. PORTER.

Mr. RUCKER with Mr. ROBERTS of Massachusetts.

Mr. SHACKLEFORD with Mr. SCOTT of Pennsylvania.

Mr. SHERLEY with Mr. SELLS.

Mr. STEPHENS of Nebraska with Mr. CHARLES.

Mr. STOUT with Mr. SUTHERLAND.

Mr. TAGUE with Mr. TINKHAM.

Mr. VENABLE with Mr. TREADWAY.

Mr. WATKINS with Mr. WARD.

Mr. WHALEY with Mr. WINSLOW.

Mr. MCCLINTIC with Mr. WOOD of Indiana.

Mr. HENRY with Mr. HAYES.

Mr. WILSON of Florida with Mr. DAVIS of Minnesota.

Mr. HUMPHREY of Washington. Mr. Speaker, I am paired with the gentleman from Indiana [Mr. MORRISON], and I voted "yea." I want to change my vote.

The name of Mr. HUMPHREY of Washington was called, and he voted "Present."

Mr. CRAMTON. Mr. Speaker, I voted "yea." I have a pair with the gentleman from Alabama [Mr. ABERCROMBIE], who is in favor of this resolution. I desire to withdraw my vote and vote "present."

The name of Mr. CRAMTON was called, and he voted "Present."

The SPEAKER. On this vote the yeas are 127, nays 167, present 11—a quorum. The Doorkeeper will open the doors.

Under the rule the resolution is automatically recommitted to the Committee of the Whole House on the state of the Union.

Mr. HELM. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Kentucky rise?

Mr. HELM. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the House joint resolution 103.

Mr. MANN. Mr. Speaker, I demand the regular order, and I make the point of order that the motion is not in order. We never have a motion to go into the Committee of the Whole House on the state of the Union on Calendar Wednesday. Now, I make the point of order, however, that it is not in order to take up the resolution. The Speaker has frequently held that in order to call up a bill on call of committees the bill must actually be on the printed calendar. We have a daily printed calendar. The Speaker has ruled a number of times, this Speaker and former ones, that as a matter of protection to the House, in order to proceed with the calling up of a bill, it must be upon the actual calendar in the House.

I see that the parliamentary clerk is furnishing to the Speaker Hinds' Precedents. I presume he has reference to section 5345. If he has not, he should have. There is a case where a bill was reported adversely some way on Private Calendar day, and the Speaker held that it went back as unfinished business when that calendar was called on a subsequent day. But there is no decision in Hinds' Precedents or anywhere else, I think, which holds that you can call a bill up again on the same day. It automatically goes back to the calendar, it is true, but it can not be taken up in the House unless it is on the actual printed calendar. It is not there. It was there this morning, but it was taken off, and it is now off.

The SPEAKER. Now, is the gentleman certain about that?

Mr. MANN. Certainly, I am sure about it. We took it up in the House. That has been disposed of. That time being on the calendar has been disposed of. This is a new time, going back on the calendar.

Mr. GARRETT. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GARRETT. I have no particular interest in the bill, but this is a parliamentary question. How did the resolution get off the calendar?

Mr. MANN. We took it up in the committee.

Mr. GARRETT. That did not take it off the calendar.

Mr. MANN. It brought it into the House, and under the rule it is sent back to the calendar.

Mr. GARRETT. I beg the gentleman's pardon; I do not see how taking it up in Committee of the Whole took it off the calendar. It could not have been taken up had it not been on the calendar. I do not see how bringing it up and considering it takes it off the calendar.

Mr. LENROOT. Mr. Speaker, will the gentleman yield there?

Mr. GARRETT. I am speaking in the time of the gentleman from Illinois [Mr. MANN]. With his consent, I yield.

Mr. LENROOT. If it was not taken off the calendar, how could it be taken back to the calendar when the House refuses to strike out the enacting clause, under the rule?

Mr. GARRETT. That is the statement of the Chair; but I do not think it has ever left the calendar. It is certainly on the calendar until some final disposition is made of it. The statement of the Speaker that it was referred back to the calendar

was perhaps not a necessary statement. Its parliamentary status, it seems to me, is that it has never left the calendar. There has been no final disposition of it if it is under consideration. I do not see how it can be taken off the calendar until there has been a disposition of it some way or other. To go into Committee of the Whole for its consideration, Mr. Speaker, certainly does not take it from the calendar. If that should take it from the calendar, it would not have any status at all.

Mr. CRISP rose.

The SPEAKER. The gentleman from Georgia [Mr. CRISP] is recognized. But before the gentleman from Georgia begins, the Chair wants to suggest to the gentleman from Wisconsin [Mr. LENROOT] that there is not a word in the rule about its being on the calendar or being taken off the calendar.

Mr. LENROOT. Yes, Mr. Speaker. May I have a moment to explain what I refer to?

The SPEAKER. Certainly.

Mr. LENROOT. I had in mind paragraph 5345 of Hinds' Precedents, where the Speaker held, "This bill goes to the Committee of the Whole House and takes its position on the calendar as if it had never been sent back to the House. It becomes the first business on the calendar, as the unfinished business," and so forth. That is what I had in mind.

The SPEAKER. The gentleman from Georgia is recognized.

Mr. CRISP. Mr. Speaker, this is an unusual proceeding, and I am frank to say that it is the first time it has occurred since I have been a Member of this body, or since your honor has been the presiding officer of this House.

What are the facts? The Committee of the Whole House on the state of the Union considered this resolution. The Committee of the Whole House on the state of the Union is a creature of the House. That committee, in its deliberations and in its judgment, recommended to the House that the resolution be defeated by striking out the enacting clause. The Chairman of the Committee of the Whole reported to the House the action of the committee recommending that the enacting clause of the resolution be stricken out. The House, which is superior to the Committee of the Whole, declined to approve the action of the committee and refused to strike out the enacting clause.

Now, Mr. Speaker, to the ordinary man it would look as though, in this state of affairs, the resolution would not again be referred to the Committee of the Whole House on the state of the Union, because that committee had had its day in court, had reported to the House, and the House had refused to approve its action; and it would look as though this action would be tantamount to saying the House wanted to agree to the bill. And under the ordinary, common-sense view of the proposition it would look as though the House would proceed at once to vote on the passage of the bill. But clause 7 of Rule XXIII of the Rules of the House provides that where a motion is made in Committee of the Whole to strike out the enacting clause of a bill and the House refuses to approve of that action of the committee "the bill shall stand recommitted to the said committee"—the Committee of the Whole House on the state of the Union.

That occurred in this case. Therefore, under the rules of the House, this bill stands recommitted to the Committee of the Whole House on the state of the Union.

But surely, Mr. Speaker, the House of Representatives is not impotent. It is certainly competent to proceed with and finish the consideration of a measure that is up before it. This bill was under consideration, and the action of the House indicated that the House desired to pass this bill; but under the technical rule of the House the bill goes back to the Committee of the Whole. In my judgment, Mr. Speaker, the motion to go back into Committee of the Whole to further consider this bill is clearly in order on other days than Calendar Wednesday.

Now, I recognize the force of the proposition of the gentleman from Illinois [Mr. MANN] that on Calendar Wednesday a motion for the House to resolve itself into Committee of the Whole House on the state of the Union to consider a bill on the Union Calendar is not in order, because under the rules the House automatically goes into the committee to consider the bill; and, in my opinion, this bill being technically, under a technical rule, recommitted to the Committee of the Whole House on the state of the Union, that does not debar or preclude the House, which, by a majority vote says it desires to pass this bill, from the further consideration of it. But, in my judgment, under the rules of the House, the House should automatically resolve itself into Committee of the Whole House on the state of the Union for the further consideration of this bill, and when the committee assembles then it is in order to make the motion that the action of the House in refusing to strike out the enacting clause be put into effect by a motion being made in the Committee of the Whole House on the state of the Union to rise and report the bill with a favorable recommendation. [Applause.]

The SPEAKER. This is a peculiar situation, and the Chair is not certain that it has arisen since the present occupant of the Chair has been in the House, and that is a good while. If it did it never attracted the attention of the present occupant of the chair.

To begin with, the part of the rule that was quoted by the gentleman from Georgia [Mr. CRISP], subdivision 7 of Rule XXIII, is rather peculiar in itself. I read from that rule:

> A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection. Whenever a bill is reported from a Committee of the Whole with an adverse recommendation and such recommendation is disagreed to by the House, the bill shall stand recommitted to the said committee without further action by the House, but before the question of concurrence is submitted it is in order to entertain a motion to refer the bill to any committee with or without instructions.

Nobody made any such motion, as is provided for in the rule.

> When the same is again reported to the House, it shall be referred to the Committee of the Whole without debate.

It turns out, as a matter of fact, that originally the practice conformed to the view taken by the gentleman from Georgia [Mr. CRISP], which seems to be a reasonable view, that the very minute the House refuses to concur in the recommendation of the Committee of the Whole House on the state of the Union to strike out the enacting clause, the sensible and proper thing to do would be to vote immediately on the bill. That is what used to be done. When the Kansas-Nebraska——

Mr. MANN. Mr. Speaker, I think if the Speaker will read the history of that rule he will not say that the proper and sensible thing would be to vote on the bill immediately, because there never was a rule more grossly abused than the old rule under which they took a bill away from the Committee of the Whole by a motion to strike out the enacting clause, in order to prevent consideration and amendment in committee, bringing it into the House, rejecting the motion to strike out the enacting clause, and passing the bill without a chance to consider it for amendment.

The SPEAKER. The Chair was just coming to that, and was going to make a little statement about the history of it, which is very interesting. When the House was considering the Kansas-Nebraska bill, which was a very celebrated bill, and wrecked more lives than did the siege of Troy, this very same question came up.

In 1854, during the contest on the bill (H. R. 236) to organize the Territories of Kansas and Nebraska, Mr. Alexander H. Stephens, of Georgia, a famous historic personage, moved to strike out the enacting clause, in order to avert a course of proposed amendments apparently interminable. Mr. Israel Washburn, jr., of Maine, urged that this motion, under the rule, applied in the House but not in the Committee of the Whole; but his contention was overruled, and after five minutes of debate for the motion and five against it, the question was taken. The votes of the friends of the measure carried the motion to strike out the enacting clause, and the bill, without amendment, was reported to the House, where the previous question could be used to cut off all obstructive amendments which threatened the bill in Committee of the Whole.

The House disagreed to the recommendation that the enacting clause be stricken out, and then the bill was put upon its passage.

Mr. HINDS, of Maine, who probably knows more about parliamentary law than anybody else living, or that ever did live, as far as that is concerned [applause], goes on to give reasons why this rule was changed, and states what the gentleman from Illinois [Mr. MANN] suggested. Mr. HINDS reasons it out at great length, and shows that this old rule to vote on the bill immediately, without consideration, was used for purposes that were not good, to make the statement short. Then the House after a while adopted this new rule. There have been three decisions rendered on this subject. The first one involves the history of the transaction, and it is not necessary to repeat it.

Section 5345 of Hinds' Precedents, volume 5, says:

> When the House disagrees to the recommendation of the Committee of the Whole that the enacting words of a bill be stricken out, the bill goes back to the calendar of the Committee of the Whole as unfinished business.

And before I forget it, I wish to state that in the opinion of the Chair this bill has never been off the calendar. It was on the calendar on a previous Wednesday, and it was considered somewhat that day. That does not seem to have taken it off the calendar, because it came up to-day. Now, if the consideration of it on the first Wednesday that it came up did not take it off the calendar, it is clear that the transactions here to-day do not take it off.

The note to section 5345 of Hinds' Precedents says—

On Friday, March 14, 1890, the Speaker—

Mr. Reed—

announced as the regular order the bill (H. R. 3538) for the relief of Albert H. Emery, which had been reported from the Committee of the Whole House on the preceding Friday, with the recommendation that the enacting clause be stricken out.

This was a bill on the Private Calendar.

The Speaker then put the question, "Will the House concur in that recommendation?"

The question being taken, there were—yeas 66, nays 143; so the House refused to concur.

Mr. William M. Springer, of Illinois, then asked, as a parliamentary inquiry, as to the status of the bill on the Calendar of the Committee of the Whole House, to which it was recommitted under the rule.

The Speaker said:

This bill goes to the Committee of the Whole House and takes its position on the calendar as if it had never been sent back to the House. It becomes the first bill on the calendar, as the unfinished business, to be considered when the House again resumes consideration of the Private Calendar.

That was under the old rule.

Section 5346 of Hinds' Precedents states that—

On May 30, 1900, the House was about to vote on the bill (S. 1939) authorizing the President of the United States to appoint a commission to study and make full report upon the commercial and industrial conditions of China and Japan, etc., the bill having been reported from the Committee of the Whole House on the state of the Union with recommendation that the enacting clause be stricken out and the previous question having been ordered on a motion to concur in the recommendation of the Committee of the Whole.

Mr. William P. Hepburn, of Iowa, having made a parliamentary inquiry as to the situation of the bill, the Speaker—

Mr. Henderson—

said:

"The Chair is of the opinion that if the action of the Committee of the Whole is sustained, that ends it. If the action of the Committee of the Whole is reversed, the bill will fall back to its old place in the committee. * * * It will be on the Calendar of the Committee of the Whole House on the state of the Union. * * * In other words, it would leave this bill practically where it was when the motion was made in the morning hour. On this matter the previous question has been ordered. So the question is on concurring in the recommendation of the Committee of the Whole to strike out the enacting clause."

Those decisions of actions clearly indicate the course of procedure, except that since Speaker Henderson rendered his opinion the House has adopted this Calendar Wednesday rule, by which bills are referred automatically to the Committee of the Whole House on the state of the Union. The Chair holds that the House automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of this resolution. [Applause.] The gentleman from Mississippi [Mr. HARRISON] will take the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of House joint resolution 103, authorizing and directing the Director of the Census to collect and publish additional statistics.

Mr. HELM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HELM. Should this bill be read a second time?

The CHAIRMAN. The Chair does not think that the bill must be read in full.

Mr. HELM. Mr. Chairman, I move that the committee do now rise and report the resolution with a favorable recommendation.

Mr. MANN. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Does this bill come back to be considered now by the Committee of the Whole, or does it come back without any rights at all?

The CHAIRMAN. The Chair will hear the gentleman on the proposition whether or not it should be considered anew in the Committee of the Whole.

Mr. MANN. The Chair is so candid with me that I will be candid with the Chair, as I always am. I think under the rules it comes back as unfinished business in Committee of the Whole, but it is subject to amendment. I move to strike out the last word.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes; I am willing to yield the floor.

The CHAIRMAN. The Chair will first answer the gentleman's parliamentary inquiry. The Chair thinks that the bill is now before the Committee of the Whole as unfinished business and open to amendments.

Mr. HELM. Very well, Mr. Chairman, if that is the ruling.

The CHAIRMAN. The gentleman from Illinois is recognized, and moves to strike out the last word.

Mr. MANN. Mr. Chairman, a majority of the Committee of the Whole which heard the debate on this bill, including a number of gentlemen on the other side of the aisle, voted to strike out the enacting clause. That motion was disagreed to in the House by the votes of those who never heard of this bill, did not know anything about it, and were negligent in their duty in not being in the Hall, or, possibly, attending to business elsewhere that was official. This bill proposes to gather certain statistics in reference to cotton on the plea that they want to follow the raw cotton to know how much there is produced and in the market at any time.

I read the law to the committee before, clearly directing the Director of the Census to gather all that information now. That information is now being collected, and the only thing that this bill does in addition to what is now provided by law, in the way of collecting statistics, is to inquire into the cotton used in the production of explosives. I objected to the proposition, because I do not think it wise for this country to advertise to the world the quantity of explosives which it may be laying up for future use in case war comes. I think it highly inadvisable for this country to deliberately inform all the nations of the world of the reserve which we may have in the way of ammunition if we have occasion to use it. The bill itself suggests that they have no right to collect statistics relating to the quantity of prepared cotton used in the production of gun cotton and other high explosives, but under the existing law we have the right to collect all statistics in relation to the use of raw cotton which may be treated, manufactured for use in the manufacture of gun cotton or other high explosives, and the only effect of this bill is to expose to the world the quantity of cotton which may be used in the manufacture of explosives. I do not think we ought to give that information to the world. [Applause.]

Mr. HEFLIN. Mr. Chairman, some gentlemen here now did not hear the discussion in the Committee of the Whole. I stated in the Committee of the Whole House, and I repeat here, that the Director of the Census and the Chief of the Bureau of Statistics stated before the Committee on the Census that this information was valuable; that it was desired; that the public generally was demanding it, and that the producers wanted it, and the spinners had asked for it, and everybody who had anything to do with cotton wanted it; but that they did not, under the present law, have the authority to gather these statistics.

I have made that statement time and again here to-day, and we have made that as plain as we could, and I appeal to gentlemen on the other side of the aisle, and I appeal to those who come from the grain-growing West, not to be led against this bill under any pretense that it is not wise to give this information to the public. Gentlemen, if you will dig deep into this proposition in your effort to find who is back of this opposition, you will find that the Du Pont Powder Co. is the real nigger in the woodpile. [Applause.] They buy cotton, and they do not want the information to go to the producer that would enable him to stand up in the light of truth and demand a fair and reasonable price. They want to consume millions of bales of cotton and then tell the producer that that cotton is still in existence, and use that as a club to beat down the price. In all justice and fairness to the cotton-producing section, where 30,000,000 people are interested in this matter, I ask you from the grain-growing West to vote with us. I challenge any man to show where I have ever voted against a measure or lifted my voice against any provision that would help the farmers of the West. Some few gentlemen on that side voted with us before, and I believe you will vote with us again. We deem this information necessary. We need these statistics of cotton so that unscrupulous speculators can not tell the producer that there are 3,000,000 bales of cotton in existence when they know it has been consumed by powder mills. The Government gets the number of acres that the producer plants, as I said before, and the information as to growing condition of the cotton crop. Now, the producer and the public want the amount consumed by the powder mills, and they are entitled to it.

Mr. Chairman, I do not want to consume any more time, but I appeal to the spirit of fairness on that side of the House to vote for the bill and give us this information, which will make the cotton statistics full and complete. [Applause.]

Mr. MANN. Mr. Chairman, I move to strike out the enacting clause.

Mr. HELM. Mr. Chairman, I make the point of order that that motion has been made once before, and the House has refused to support it, and the motion is dilatory.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. MANN. Mr. Chairman, this comes back to the committee with the power to make any amendment.

Mr. HELM. Mr. Chairman, this is the identical proposition that the House has voted on twice before. The House does not ordinarily vote twice on the same character and kind of an amendment.

Mr. MANN. Let me make an observation to the Chair. The motion to strike out the enacting clause takes precedence of a motion to amend in any other way. If there could only be one motion in Committee of the Whole, and that motion prevailed, and it went to the House, and the House disagreed to it, there might be a question whether that one motion could be repeated in Committee of the Whole. But the House might easily disagree to the recommendation to strike out the enacting clause for the very reason that the House wanted the committee to proceed and see whether it could perfect the bill in the Senate to satisfy the committee. This bill might be entirely changed by amendment. To say that you could not then move to strike out the enacting clause would be ridiculous. A motion to strike out the enacting clause is the only method by which the committee can report a bill unfavorably, practically, and this bill goes back to the committee not with any direction from the committee, but for consideration as though it were a new matter in the committee, and the committee has the same power now that it had in the first place.

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard upon the point of order?

Mr. HELM. Mr. Chairman, the only observation I have to make is this: This is the identcal proposition that the committee and the House voted on on two previous occasions and disposed of this afternoon. It is like an amendment which had been previously offered and voted down. The House does not take unnecessary time in voting upon the same propositions twice. It will be like operating in a circle, and would be simply voting down an amendment, and then reoffering the same amendment and voting it down again. When would we end? All the rules of the House are framed with the idea of the expedition of business, and this seems to be a motion rather tending to the obstruction of business.

Mr. LENROOT. Mr. Chairman, if the Chair should sustain this point of order, then I desire to call the attention of the Chair to the fact that in so doing he must thereby incorporate an entirely new principle into the parliamentary situation. Unless the point of order be overruled, when the House refuses to agree to the recommendation of the committee that the enacting clause be stricken out, then, when the resolution is again considered in the Committee of the Whole, the Chair must hold that it goes back to the committee with instructions. Certainly it has never been held or intimated anywhere that when it goes back to the committee, the committee is in anywise bound or instructed, but on the contrary it is left entirely open for the committee to take such action as the general rules of parliamentary law and of the House permit to be taken in the first place.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Certainly.

Mr. HELM. Is not this the situation: That the Chair has made a ruling and the ruling has been passed back to the House as to whether the opinion of the Chair shall stand as the opinion of the House? Here is the opinion of the House that this enacting clause shall not be stricken out, and it comes back to the committee as the decision of the House, as the decision of the Chair.

Mr. LENROOT. Not at all, because the only effect of refusing to strike out the enacting clause is to leave the resolution exactly where it was when the first motion was made. It leaves it open to a motion to strike out the enacting clause exactly as it did before.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. LONGWORTH. If the gentleman's contention is not correct, what possible use could there be in going back into the Committee of the Whole? Unless the committee can do as it wishes, including the consideration of the motion to strike out the enacting clause, why go back into the committee?

The CHAIRMAN. The Chair is ready to rule. The Chair thinks that if the Committee of the Whole had reported this bill to the House with a favorable recommendation, and on that report of the committee the House failed to concur and had recommitted the bill to the Committee of the Whole, that a motion again made in the Committee of the Whole to report the bill favorably to the House would be in order. The Chair does not think that because the Committee of the Whole had once passed upon the question and the House had failed to concur, but on the contrary had recommitted the bill to the Committee of the Whole, that a similar motion to favorably report the bill to the House would then have been out of order.

This bill is now returned by the action of the House to this Committee of the Whole as unfinished business and subject to amendments; and what amendments were offered or what action the other Committee of the Whole took can not influence the action of this committee. This is a new Committee of the Whole, which, under the rules of the House, must consider this bill as unfinished business; and for that reason the Chair thinks that the point of order made by the gentleman from Kentucky [Mr. HELM] is not well taken, and therefore overrules the point of order.

The question, therefore, is on the motion of the gentleman from Illinois to strike out the enacting words.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 96, noes 98.

Mr. MANN. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. MANN and Mr. HELM were appointed tellers.

The committee again divided; and the tellers reported—ayes 101, noes 112.

So the motion was rejected.

Mr. HELM. Mr. Chairman, I move that the committee do now rise and report the bill to the House with a favorable recommendation.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HARRISON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House joint resolution 103, and had directed him to report the same back to the House with the recommendation that it do pass.

Mr. HELM. Mr. Speaker, I move the previous question on the resolution to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is, Shall the joint resolution pass?

The question was taken.

Mr. HEFLIN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 169, nays 128, answered "present" 7, not voting 129, as follows:

YEAS—169.

Adair	Dill	Key, Ohio	Rubey
Adamson	Dixon	Kincheloe	Rucker
Aiken	Doolittle	Kitchin	Russell, Mo.
Alexander	Doughton	Konop	Saunders
Allen	Driscoll	La Follette	Sears
Almon	Dupré	Lee	Shallenberger
Ashbrook	Eagan	Lesher	Sherwood
Austin	Eagle	Lever	Sims
Ayres	Estopinal	Lieb	Sinnott
Bailey	Evans	Linthicum	Sisson
Barkley	Farley	Littlepage	Small
Beakes	Ferris	Lloyd	Smith, N. Y.
Bell	Fields	London	Smith, Tex.
Black	Flood	McClintic	Snell
Blackmon	Gandy	McDermott	Sparkman
Booher	Gard	McKellar	Steagall
Britt	Garner	McLemore	Steele, Iowa
Brumbaugh	Garrett	Martin	Steele, Pa.
Buchanan, Tex.	Glass	Mays	Stephens, Nebr.
Burgess	Godwin, N. C.	Miller, Del.	Stone
Burke	Gray, Ala.	Moon	Sumners
Burnett	Gray, Ind.	Morgan, Okla.	Taggart
Bryns, Tenn.	Gregg	Murray	Talbott
Caldwell	Hardy	Neely	Tavenner
Callaway	Harrison	Nicholls, S. C.	Taylor, Ark.
Candler, Miss.	Hastings	Oldfield	Taylor, Colo.
Cantrill	Hawley	Oliver	Thomas
Carew	Hayden	Olney	Thompson
Carlin	Heflin	Overmyer	Tillman
Carter, Okla.	Helm	Padgett	Tribble
Church	Helvering	Page, N. C.	Van Dyke
Clark, Fla.	Hensley	Park	Vinson
Coady	Holland	Price	Walker
Collier	Hood	Quin	Watson, Va.
Connelly	Howard	Ragsdale	Webb
Conry	Huddleston	Rainey	Wheeler
Cooper, Wis.	Hughes	Raker	Wilson, Fla.
Crisp	Hulbert	Randall	Wilson, La.
Cullop	Igoe	Rauch	Wingo
Davenport	Jacoway	Rayburn	Wise
Davis, Tex.	Johnson, Ky.	Reilly	
Dickinson	Keating	Riordan	
Dies	Kettner	Rouse	

NAYS—128.

Anderson	Campbell	Cooper, W. Va.	Darrow
Anthony	Cannon	Copley	Denison
Bacharach	Capstick	Costello	Dillon
Britten	Carter, Mass.	Cox	Dowell
Browne	Cary	Dale, Vt.	Dunn
Browning	Chiperfield	Dallinger	Ellsworth
Butler	Coleman	Danforth	Elston

Emerson	Hollingsworth	Madden	Rogers
Esch	Hopwood	Magee	Rowe
Fairchild	Howell	Mann	Sanford
Farr	Hull, Iowa	Mapes	Schall
Fess	Husted	Matthews	Scott, Mich.
Focht	Hutchinson	Miller, Minn.	Siegel
Foss	James	Miller, Pa.	Sloan
Fuller	Johnson, S. Dak.	Mondell	Smith, Mich.
Gardner	Johnson, Wash.	Montague	Stafford
Garland	Kahn	Moore, Pa.	Stephens, Cal.
Gillett	Kearns	Mudd	Sterling
Glynn	Kelley	Nelson	Sullowway
Good	King	Nolan	Sweet
Gordon	Kinkaid	Norton	Switzer
Gould	Kreider	Oakey	Temple
Green, Iowa	Lafean	O'Shaunessy	Timberlake
Greene, Mass.	Langley	Paige, Mass.	Towner
Greene, Vt.	Lehlbach	Parker, N. J.	Vare
Hadley	Lenroot	Parker, N. Y.	Walsh
Hamilton, Mich.	Lindbergh	Phelan	Wason
Haugen	Longworth	Powers	Williams, T. S.
Heaton	McArthur	Ramseyer	Williams, Ohio
Helgesen	McFadden	Reavis	Wilson, Ill.
Hernandez	McKinley	Ricketts	Woods, Iowa
Hicks	McLaughlin	Roberts, Nev.	Young, N. Dak.

ANSWERED "PRESENT"—7.

Barnhart	Foster	Moss, Ind.	Swift
Cline	Humphrey, Wash.	Smith, Minn.	

NOT VOTING—129.

Abercrombie	Fordney	Liebel	Scully
Aswell	Frear	Lobeck	Sells
Barchfeld	Freeman	Loft	Shackleford
Beales	Gallagher	Loud	Sherley
Bennet	Gallivan	McAndrews	Shouse
Borland	Goodwin, Ark.	McCracken	Slayden
Bruckner	Graham	McCulloch	Slemp
Buchanan, Ill.	Gray, N. J.	McGillicuddy	Smith, Idaho
Byrnes, S. C.	Griest	McKenzie	Snyder
Caraway	Griffin	Maher	Stedman
Casey	Guernsey	Meeker	Steenerson
Chandler, N. Y.	Hamill	Mooney	Stephens, Miss.
Charles	Hamilton, N. Y.	Moores, Ind.	Stephens, Tex.
Cooper, Ohio	Hamlin	Morgan, La.	Stiness
Crago	Hart	Morin	Stout
Cramton	Haskell	Morrison	Sutherland
Crosser	Hay	Moss, W. Va.	Tague
Curry	Hayes	Mott	Tilson
Dale, N. Y.	Henry	Nichols, Mich.	Tinkham
Davis, Minn.	Hill	North	Treadway
Decker	Hilliard	Oglesby	Venable
Dempsey	Hinds	Patten	Volstead
Dent	Houston	Peters	Ward
Dewalt	Hull, Tenn.	Platt	Watkins
Dooling	Humphreys, Miss.	Porter	Watson, Pa.
Doremus	Jones	Pou	Whaley
Drukker	Keister	Pratt	Williams, W. E.
Dyer	Kennedy, Iowa	Roberts, Mass.	Winslow
Edmonds	Kennedy, R. I.	Rodenberg	Wood, Ind.
Edwards	Kent	Rowland	Young, Tex.
Finley	Kiess, Pa.	Russell, Ohio	
Fitzgerald	Lazaro	Sabath	
Flynn	Lewis	Scott, Pa.	

So the joint resolution was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. GOODWIN of Arkansas (for bill) with Mr. STINESS (against).

Mr. ABERCROMBIE (for bill) with Mr. CRAMTON (against).

Until further notice:

Mr. BORLAND with Mr. BEALES.

Mr. BUCHANAN of Illinois with Mr. BENNET.

Mr. CARAWAY with Mr. CHARLES.

Mr. CASEY with Mr. CRAGO.

Mr. CLINE with Mr. DAVIS of Minnesota.

Mr. DOREMUS with Mr. GRAY of New Jersey.

Mr. PATTEN with Mr. MCCRACKEN.

Mr. HAY with Mr. ROBERTS of Massachusetts.

Mr. HULL of Tennessee with Mr. RUSSELL of Ohio.

Mr. HUMPHREYS of Mississippi with Mr. SMITH of Idaho.

Mr. LOBECK with Mr. STEENERSON.

Mr. MORGAN of Louisiana with Mr. VOLSTEAD.

Mr. SHOUSE with Mr. WOOD of Indiana.

The result of the vote was announced as above recorded.

On motion of Mr. HELM, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

DEED TO HOMESTEAD OF ABRAHAM LINCOLN.

The SPEAKER. Has the Committee on the Census any more business?

Mr. HELM. It has not.

The SPEAKER. The Clerk will call the committees.

Mr. CLARK of Florida (when the Committee on the Library was called). Mr. Speaker——

The SPEAKER. Is the gentleman making a report from the Committee on the Library?

Mr. CLARK of Florida. Yes, sir; I desire to call up the bill H. R. 8351.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 8351) to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further, to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto.

The SPEAKER. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8351, a bill to accept a deed of gift to homestead of Abraham Lincoln, with Mr. BARNHART in the chair.

Mr. CLARK of Florida. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. CANNON. I think, Mr. Chairman, that the bill had better be read.

The CHAIRMAN. Does the gentleman object?

Mr. CANNON. I do. I think it should be read.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the United States of America hereby accepts title to the lands mentioned in the deed of gift or conveyance now in possession of the President of the United States of America, together with all the buildings and appurtenances thereon, especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, which deed or conveyance was executed on the —— day of ——, 1913, by the Lincoln Farm Association, a corporation, to the United States of America, describing certain lands situated near the town of Hodgenville, county of Larue, State of Kentucky, which lands are more particularly identified and described in said deed or conveyance. The title to such lands, buildings, and appurtenances is accepted upon the terms and conditions stated in said deed or conveyance, namely: That the land therein described, together with the buildings and appurtenances thereon, shall be forever dedicated to the purposes of a national park or reservation, the United States of America agreeing to protect and preserve the said lands, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation, destruction, and further disintegration, to the end that they may be preserved for all time, so far as may be; and further agreeing that there shall never be any charge or fee made to or asked from the public for admission to the said park or reservation.

SEC. 2. That the United States of America hereby also accepts title to the endowment fund of $50,000 mentioned in the assignment and transfer, now in the possession of the President of the United States of America, which assignment and transfer were executed on the —— day of ——, 1913, by the Lincoln Farm Association, a corporation, to the United States of America, transferring and turning over all its right, title, and interest in and to said endowment fund, heretofore invested in certain stocks, bonds, and securities held and owned by the Lincoln Farm Association, and more particularly identified and described in said assignment and transfer. The title to said endowment fund is accepted upon the terms and conditions stated in said assignment and transfer, namely, that the United States of America shall forever keep the said tract of land described in said deed, together with the buildings and appurtenances thereunto belonging, dedicated to the purpose of a national park or reservation, and that there shall never be any charge or fee made to or asked from the public for admission to the said park or reservation; and further, shall forever protect, preserve, and maintain said land, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation, destruction, and further disintegration, to the end that they may be preserved for all time, as far as may be, as a national park or reservation.

SEC. 3. That the President of the United States of America and the Secretary of State are hereby authorized to execute, in the name of the United States of America, such instrument or instruments as may be or may become necessary to comply with or carry out the terms and conditions of such gift or gifts and to secure the full benefit therefrom.

Mr. CLARK of Florida. Mr. Chairman, I desire to yield to the gentleman from Illinois [Mr. MCKINLEY] such time as he may desire.

The CHAIRMAN. The gentleman from Illinois [Mr. MCKINLEY] is recognized.

Mr. MCKINLEY. Mr. Chairman, some 8 or 10 years ago a number of citizens of Kentucky and others scattered over the United States formed an association for the purchase of the farm and log cabin in which Abraham Lincoln was born, located 2¾ miles from Hodgenville, Ky.

Mr. Chairman, the report of the committee covers the matter very fully, and I will ask that the Clerk read the report.

The CHAIRMAN. The Clerk will read the report.

The Clerk read as follows:

[House of Representatives. Report No. 221. Sixty-fourth Congress, first session.]

TO ACCEPT DEED OF GIFT TO HOMESTEAD OF ABRAHAM LINCOLN.

Mr. MCKINLEY, from the Committee on the Library, submitted the following report, to accompany House bill 8351:

The Committee on the Library, to whom was referred House bill 8351, having considered the same, now reports it back to the House with the recommendation that it do pass.

The purpose of the bill is to authorize the United States to accept as a gift not only the cabin in which Abraham Lincoln was born, but, in addition thereto, the farm upon which he was born; and, also, an endowment fund made up as follows: $44,000 (par value) city of Louisville, Ky., 4½ per cent bonds, due in 1951; $2,000 (par value) city of Louisville, Ky., 3 per cent bonds.

The present market value of these bonds is nearly $50,000.

A magnificent marble memorial hall has been erected and incloses the cabin which stands near the spring, where it stood when Lincoln was born.

On the farm is a substantial residence and other buildings, occupied by the superintendent of the farm. The farm comprises about 137 acres.

Those who have saved the homestead of Lincoln from the ownership of those who might have exploited it for commercial purposes have also saved the log cabin in which he was born, and have inclosed it in the Memorial Hall, which will forever preserve it from decay. They have also cleared the farm of brush and undergrowth, have rebuilt boundary fences, have made a beautiful park immediately around Memorial Hall, and have endowed the farm with a fund sufficient to maintain it. Having done all this they feel that they have fulfilled their undertaking, and now suggest that the Nation take it over as a gift, and see to it that Lincoln's birthplace is preserved for all future generations.

Already thousands of people, from all over the country, visit the place every year. It is anticipated that future years will see this number become multiplied over and over.

The property has an income of more than $2,000 a year from the endowment fund alone and is self-sustaining.

The present holders of the fee simple title have executed a deed of conveyance, in fee, to the United States, which is held by the President pending the passage of this bill.

The committee most earnestly recommends the passage of this bill. In fact, it is hoped that it may be unanimously adopted.

Mr. CLARK of Florida. Mr. Chairman, I understand the gentleman from Ohio [Mr. FESS] wanted some time. About how much time does the gentleman desire?

Mr. FESS. Five minutes.

Mr. CLARK of Florida. I yield to the gentleman from Ohio, Mr. Chairman, 10 minutes.

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is recognized for 10 minutes.

Mr. FESS. Mr. Chairman, there is no sentiment that could stir the hearts of America more than a sentiment in honor of the memory of Abraham Lincoln, and I know of no occasion when that sentiment expressed would be more appropriate than upon the occasion of the offer of this property as a gift to the National Government, to care for it.

Some men place themselves in history by what they say, others by what they do, and still a few others by what they both say and do. I have thought that the author of "Sartor Resartus" never need to have done anything to have placed himself in history. The same might be said of the author of the "Pickwick Papers," or of the author of "Julius Cæsar," and the "Merchant of Venice." Then, on the other hand, a man who has accomplished what such men as Edison have done would never need to add to his accomplishments by anything that he might say, for he would be remembered, not by what he said, but by what he did.

But in the case of Abraham Lincoln, he fixes his place in history by what he has said and also by what he has done. The man who said, "A house divided against itself can not stand," probably said what would fix for him a permanent place in history; or "Broken by it I, too, may be, but bow to it I never will," that would also have given him a place in history; or when he said, "Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away," or when he said, "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us go on with this work," he uttered statements that would permanently fix his place in history. These are but few of many that might be recalled, any one of which is significant in historical meaning. But when we add to those beautiful deliverances some things that he did, we have additional grounds for assigning him a great place in history.

Our Capital City of Washington will always be remembered as the place of his greatest utterances and his greatest deeds. The sixties will be the time to which the historian will hark back for Lincoln's achievements. History will deal most widely with him as the great President, the war President. Emancipation will be recorded as his greatest victory for human rights. The preservation of the Union must be written down as his crowning glory. But we to-day will turn back in our mind, away from the Capitol at Washington, away from the sixties in time, away from civilization as we knew it in the city and in the older countries, to the realm of the pioneer, to the State of Kentucky, that had only recently been settled. We turn away from the time and place of his notable utterances and famous achievements to the then unknown western country. We will think not so much to-day of the distinguished citizen as of the babe in the State of Kentucky; not so much of the head of the grandest Republic on earth as of the child of the wilderness; not so much of the famous emancipator as of the boy stricken with poverty; not so much of the preserver of the Union as of the one with universal inspiration to every boy and girl of America. We are looking from here, the seat of power and the arena of influence, back to those days of sorrow and impotence; and if to-day we could transplant ourselves back in Kentucky to the year of 1809 and had the vision to peer into the future so as to see the road that he traveled, what a vision of opportunity would open to us.

Mr. Chairman and fellow Members of the House, I think it is a beautiful occasion that while we are concerned about his achievements for humanity we here and now choose for a moment to dwell upon those early days, that we fix his beginning as well as emphasize his ending, and instead of thinking too frequently of the White House which he occupied, think more often of the log cabin in which he was born. It is the boyhood time rather than the manhood that appeals to us to-day.

Here is a proposition that gives us the opportunity to dwell upon the childhood, upon the poverty-stricken family; it has to do with his birthplace, where he lived the first seven years of his life, the farm over which his parents trod and on which they labored; and I know of no picture so touching as when the little family of four left this home and started for the Ohio River, which they crossed and went beyond 17 miles, there, together—the father, the mother, the little brother, and the sister, two years his elder—built the little cabin in the woods with their own hands, a cabin of but three sides, in which they dwelt that first year. This picture of privation loses its sting in the wonderful years of opportunity soon to open to the boy of that small group.

It is to those early days that our hearts naturally hark back at this time when there is here presented by our colleague, a distinguished son of Kentucky, the Representative of the district in which is located his birthplace, this opportunity to receive this gift. As a Member of this Congress, I desire to offer my vote of congratulation and gratitude to the State that gave the Nation its Lincoln and which now proposes to donate to it his birthplace as a perpetual memorial to his memory. This contribution, not so much from the State as the people in the State, is by this proposed resolution the most recent effort to make it possible that the Nation itself might preserve the beginnings of the life of America's greatest citizen.

I look upon him as the first, the last, the best, the greatest in comprehension, the broadest in statesmanship, the sweetest in disposition, and the deepest in humanity of all this western world. And while history will care for his memory, and while, in the words of Stanton, his great Secretary, "he now belongs to the ages," it is a beautiful thing for this Congress to do what will prevent our forgetting his beginnings. His ending in being a great statesman will always be commemorated. His career is secure. His achievements are common knowledge. Their brilliancy must not blind us to the unpromising beginnings. This proposition will connect his greatness as he left us with the simple beginning of his life and will help to refresh the future generations with the inspiration of American opportunity. For that reason I want to speak my favor of the reception of this gift by those whose hearts are filled with gratitude toward the memory of this great man. [Prolonged applause.]

Mr. CLARK of Florida. Mr. Chairman, it was with a great deal of pleasure that I voted in the Committee on the Library to report this bill favorably to the House, and I want to state that it was an absolutely unanimous report.

We are now constructing within the city of Washington a great memorial to the memory of Mr. Lincoln. Out in Illinois—at Springfield, the capital of the State—stands a great monument to his memory. It is proposed by this bill to preserve for future generations the place of his birth. The honor to be done this great man would not be complete, it seems to me, without some such action as this. I am glad that this bill is here, and trust that there will be an absolutely unanimous vote for it. I want to say that it augurs well for this great Republic that the man who introduced this bill, who has been furthering its progress before the committee and upon this floor [Mr. JOHNSON of Kentucky], is the son of the man who raised the first Confederate flag that fluttered in the breezes of Kentucky. [Applause.] This action bespeaks more emphatically and more strongly than any language could the fact that we are an absolutely united people, under one flag, with one country, and all of us loving to do honor to the memory of Abraham Lincoln. [Applause.]

Mr. Chairman, I now yield 10 minutes to the gentleman from Texas [Mr. EAGLE]. [Applause.]

Mr. EAGLE. Mr. Chairman, it will afford me sincere pleasure to vote for this measure, by which the United States will accept a deed of gift for the land upon which and the humble log cabin in Kentucky in which Abraham Lincoln was born.

All of my life I have lived in the far South. All of my life I have heard and shared those sentiments of tenderness, of devotion, and of reverence which all of my people feel for the heroes of the "Lost Cause." That sentiment which has more profoundly

touched my spirituality, in pathos and in tenderness, than any other sentiment has been the beautiful devotion of the thinning ranks of the Confederate armies and of their families and descendants, for the memory of the time when they risked life, fortune, and everything that life holds dear, excepting honor and their sense of duty, for a cause that went down honorably in gloom and defeat upon the field of war. And yet throughout my blessed Southland everywhere, among the noble men and glorious women who make up that chivalric and beautiful civilization, never in my life have I heard any sentiment except one of admiration and sympathy for the martyred Abraham Lincoln. [Applause.]

It is a happy occasion of rejoicing that no longer, as in the days of our fathers, is there any estrangement or any bitterness. I rejoice with men in this Chamber from every section of this glorious Union that now there is peace not only in fact but mutual sympathy and fellowship as well, and that in the future there will be no patriotism limited alone to North or South or East or West, and that everywhere we feel the same common devotion to the same flag and the same aspiration for the glory of a common country. [Applause.]

Many years after the Civil War, when Jefferson Davis had been denied citizenship because as President of the fallen Confederacy he had been but the spokesman and chosen leader for many millions of people, when he had never once opened his mouth to speak in public and had during the 20 years after the war never once written or said publicly or privately one word of bitterness concerning that tragic time, a meeting was held in his honor in Jackson, Miss., where a veteran of the lost cause, upon either side of the tottering, venerable, and beloved old man, helped him up the steps of the capitol in the midst of a throng of tens of thousands of men, women, and children who held his name in veneration. They said, "Mr. Davis, at least once before you pass away let your people hear your voice again." For once he broke his silence, and he said in substance simply this: "My friends, I am legally an alien in the land of my birth, but I thank God that I yet live in the affectionate hearts of my devoted countrymen."

It was a scene the like of which rarely has been witnessed upon this earth, where men and women and little children by the thousands wept as if their hearts would break. Throughout the years of his life after the war, Jefferson Davis was everywhere in the South treated with veneration. When, in death, his body was conveyed to its final resting place in Richmond, the people gathered along the route at the farms, villages, and cities, and, without flags or cannon for salute, still paid him reverence with silent forms, bared heads, and eyes dimmed with tears. And when you men of the North come to realize that a people as tremendous in their emotional nature, as intensely convinced in their judgment as the southern people in their mass were convinced that they were right, can yet with a loyalty undivided remain happy and contented and patriotic citizens of a reunited country, contributing the best there is in them to a common cause, and can without division pay affection and devotion and admiration and reverance to the martyred President Abraham Lincoln, who led the other side of that controversy, you and your people should always have respect and affection for our glorious southern people and civilization. [Applause.]

I believe that in all history the two lives which, written upon paper or recited as tradition, excite the most interest are Napoleon Bonaparte and Abraham Lincoln. Since I was a little boy, born and reared over in the backwoods of Kentucky, and since as a young man of 17 moved out to Texas, there has never been a time when the life and the story, and the tragedy, the pathos, and the humor of Abraham Lincoln have not fascinated me. [Applause.] As the years come and go and more and more clearly men are able properly to estimate his mind and character, the name and fame of Abraham Lincoln will be more and more secure in that sacred hall of world fame where only the towering figures of history dwell. [Applause.] And in the Nation he helped so largely to preserve, now the blessed heritage of ourselves and our children and our children's children, his great spirit will always live as an inspiration to guide its life toward that noble destiny of freedom and happiness which was the dream of our fathers when they sent it upon its noble career. [Long continued applause.]

The CHAIRMAN. The gentleman's time has expired.

Mr. CLARK of Florida. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. RAINEY].

Mr. RAINEY. Mr. Chairman, I am glad to have the opportunity to vote for this bill. It is appropriate that the birthplace of Abraham Lincoln in a Southern State shall be preserved by the National Government for all time to come. The long journey the boy Lincoln undertook when he left this Kentucky farm ended finally at the village of New Salem, Ill., in the congressional district I have the honor now to represent. To the boy Lincoln and to those who surrounded him and influenced his early career there came in the beginning of the last century the call which came to the South and to the East alike, the call of the West.

> To the West, to the West, to the land of the free,
> Where the great Mississippi rolls down to the sea,
> Where a man is a man if he is willing to toil,
> And the humblest may share in the fruits of the soil.

Following this call of the West, Lincoln finally, after years of travel, in the early part of the year 1830 reached the frontier village of New Salem, on the Sangamon River, and he spent there the formative years of his life. The village disappeared long ago, but some time I hope to see established on the beautiful bluff along the river, where New Salem stood, another national park; and I hope to see a real Lincoln highway following the route he took, connecting the place of his birth, in the State of Kentucky, with the spot where he spent the formative years of his life, in the State of Illinois, and where his great career commenced.

At the time the call of the West came to the boy Lincoln the call of the West reached another boy living under the shadow of the spire of the village church in the village of Brandon, Vt., and a little while later Douglas started for the Illinois country. He came down the rivers and canals in flat boats, through the long forest avenues in ox carts, pursuing the same method of travel that Lincoln pursued. And three years after the arrival of Lincoln at New Salem, Douglas reached the frontier village of Winchester, 20 miles away in Illinois, also in the congressional district that I have the honor to represent. And there, separated by 20 miles of woodland, these two young men spent the formative years of their lives. One of them, frail of stature, acted as auctioneer's clerk, taught school, and studied law in the village of Winchester; the other, robust of body, clerked in a country store, conducted the village post office, fought the Clarys Grove boys, and studied law at the same time in the village of New Salem.

The strangely parallel careers of these two young men commenced at that time. They were in the Legislature of Illinois at the same time. They were admitted to practice law at the same time. Lincoln's law partner was a candidate against Douglas for Congress. Lincoln would have been the candidate were it not for this fact. Both served in Congress at the same time, Lincoln following Douglas to this body. Douglas was promoted to the Senate and acquired an international reputation. Lincoln served only one term, and, discouraged, returned again to private life and to the practice of the law. He remained in the practice of the law until 1858, when the strangely parallel careers of these two great leaders of men commenced again.

They were both opposing candidates for the United States Senate in the State of Illinois, representing different parties, and together canvassed the entire State. Their debates will remain in the history of debates of this character, famous as long as the English language is spoken. But the result of that campaign was again discouraging to Lincoln. The great Douglas was triumphantly elected.

Two years later they were opposing candidates for the Presidency. The result of that campaign left the towering form of Lincoln standing alone on the horizon. One, a cavalier of the Southland, became the leader of the party which was opposed to the South. The other, a Puritan of Puritans, became the leader of the party which found its greatest strength in the South. They were both loyal to the Union until the very last. One of them died just as the guns rang out along the longest battle line the world had ever known. The other died just at the close of that long war between the States.

In the city of Springfield, Ill., a granite column, the granite coming from the State where Douglas was born, marks the spot where Lincoln lies. In the city of Chicago, where the waters of Lake Michigan ripple on the shore, a white marble column marks the spot where Douglas lies. Some day we can honor Douglas in this country without detracting anything from the position Lincoln occupies and must always occupy. They will rank throughout time as two of our greatest citizens and statesmen. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. I yield to the gentleman from Georgia [Mr. CRISP].

Mr. CRISP. Mr. Chairman, as a southern man and the son of a southern soldier I simply desire to avail myself of this opportunity to express my pleasure in having an opportunity to vote for this bill. The district I have the honor to represent lies away down South in Dixie, and I know my people entertain

and cherish for President Lincoln the greatest admiration and kindest feeling. My father was himself a Confederate soldier, and he has said to me on many occasions that the worst thing that ever happened for the South was when President Lincoln was assassinated.

Before the war Gen. Cobb, of Georgia, was at one time Speaker of this House, and he was also Secretary of the Treasury. He was a general in the Confederate Army. He has a son, a probate judge, in my county, who was on his father's staff in the Confederate Army. I have in my office a short communication sent me by Judge Cobb eulogizing President Lincoln, the article also giving his father's views and opinion on the assassination of President Lincoln. I ask unanimous consent to extend my remarks in the RECORD by inserting the article.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

There was no objection.

The article is as follows:

EDITOR TIMES-RECORDER:

The coming of the governor, his staff, members of the Grand Army of the Republic, and other distinguished citizens of Illinois to unveil the monument to their soldier dead at Andersonville brings up memories of the past connected with a man from their State whom they loved and honored and are proud to claim as having come from Illinois; and it seems proper that these memories should be given some public expression at this time.

I refer to Abraham Lincoln. Although he wore no handsome uniform with epaulets and gold braid, was he not a soldier? He was Commander in Chief of the Army and Navy of the United States. Forty-seven years ago, in April, 1865, my father, Maj. Gen. Howell Cobb, commanded the Confederate forces of the department of Georgia. I was a member of his military staff, and was standing near him one day when he received an official telegram. When he read it his face turned as white as a sheet, and throwing up both hands he exclaimed, "My God! Lincoln has been assassinated; this is the greatest calamity that could have befallen our people." How true were his words and prediction time has too fully proven.

It is not surprising that the assassination of Lincoln inflamed the northern heart and created bitterness against the southern people at that critical period, and gave the opportunity to the extreme fanatical element of the North to shape the policy of the Government in dealing with the Southern States after the surrender of Lee's and Johnston's armies. And this brings us to consider what might have been.

Abraham Lincoln was a great, good, and wise man, with a big, loving heart. He always held that the Southern States were never out of the Union. He had the love, confidence, and respect of his people, and if he had lived his policies would have been carried out—a request from him to the Southern States to elect their Senators and Representatives, send them to Washington, and again become a part of a reunited Union of sovereign and independent States. We would not have gone through the farce of reconstructing what he claimed had never been divided.

We would not have had the manacling of Jefferson Davis, thereby wringing the heart of a great and brave people by putting this humiliation on their chieftain, whom they all loved, honored, and admired, when they were helpless to protect or defend him. The Southern people would not have had to go through the trying, expensive, and humiliating times of so-called "reconstruction." The Freedman's Bureau and its antitwin, the Ku Klux Clan, would never have been heard of, and the dove of peace with the olive branch of brotherly love nearly 50 years after would not still be hovering in midair, wanting to proclaim—what all good and true men in this entire Nation earnestly wish and pray for—a united and loyal people, knowing no North, no South, no East, no West.

JOHN ADDISON COBB.

Mr. CLARK of Florida. Mr. Speaker, there are a number of gentlemen who desire to be heard upon this bill, and whom the House and the country desire to hear. As the hour is getting late and we can not hope to finish the matter to-day, I therefore move that the committee do now rise.

Mr. GARRETT. Mr. Chairman, before the gentleman does that will he yield to me?

Mr. CLARK of Florida. Certainly.

Mr. GARRETT. I desire to know the situation in respect to the time when we meet again?

The CHAIRMAN. The gentleman from Florida has 18 minutes remaining.

Mr. MANN. I shall ask to be recognized next Wednesday with the idea of yielding time.

Mr. GARRETT. Under the new rule we have only two hours.

Mr. MANN. That is true. I think the gentleman from Tennessee will be able to secure ample time.

The CHAIRMAN. The gentleman from Illinois [Mr. MCKINLEY] has used only three minutes of his hour.

Mr. CLARK of Florida. Mr. Chairman, I yielded those three minutes to the gentleman from Illinois [Mr. MCKINLEY]. The gentleman from Illinois [Mr. MANN] has not used any time, and he will demand recognition for an hour.

Mr. MANN. There will be ample time to yield to the gentleman from Tennessee.

Mr. CLARK of Florida. Mr. Chairman, I renew my motion that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BARNHART, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8351 and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MOONEY, indefinitely, on account of the death of his father.

Mr. HULBERT. Mr. Speaker, I ask unanimous consent for leave of absence until Saturday, because of illness in my family.

The SPEAKER. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

The Speaker announced his signature to enrolled bills of the following titles:

S. 1809. An act to create an additional judge in the district of New Jersey;

S. 3391. An act to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913;

S. 3977. An act to authorize the Shamokin, Sunbury & Lewisburg Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Susquehanna River from the borough of Sunbury, Northumberland County, Pa., to Monroe Township, Snyder County, Pa.;

S. 4671. An act to exempt from cancellation certain desert-land entries in Riverside County, Cal.;

S. 4190. An act authorizing the Yankton County Bridge Co., a corporation, to construct and maintain a bridge or bridges and approaches thereto across the Missouri River at a point between Yankton County, S. Dak., and Cedar County, Nebr.; and

S. 3978. An act to authorize the Catawissa Railroad Co., its lessees, successors, and assigns, to construct a bridge across the west branch of the Susquehanna River from the borough of Milton, Northumberland County, Pa., to the borough of West Milton, Union County, Pa.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same.

H. R. 13769. An act to authorize the Secretary of War to supply tents for the temporary use of the sufferers from the recent conflagration in Paris, Tex., and for other purposes.

H. R. 8466. An act to relieve J. Lawrence Latham, postmaster at Eupora, Webster County, Miss., of the payment of cash and funds stolen from the post office.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 118. Joint resolution authorizing the Postmaster General to provide the postmaster of Newark, N. J., with a special canceling die for the Newark Two hundred and fiftieth Anniversary Celebration; to the Committee on the Post Office and Post Roads.

EXTENSIONS OF REMARKS.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of the high price of gasoline.

The SPEAKER. Is there objection?

There was no objection.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of the south side waterway improvement.

The SPEAKER. Is there objection?

There was no objection.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, when we meet at 11 o'clock, is it the expectation that we will quit about half past 5?

Mr. KITCHIN. Yes.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 56 minutes p. m.) the House adjourned until to-morrow, Thursday, April 6, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on reexamination of Lorain Harbor, Ohio (H. Doc. No. 985); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Flint River, Ga., from its mouth to Albany (H. Doc. No. 986); to the Committee on River and Harbors and ordered to be printed with illustration.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting urgent estimates of deficiencies in appropriations required for the services of the Engineer's Department, for the current fiscal year (H. Doc. No. 987); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting an urgent estimate of deficiency in the appropriation for public printing and binding, War Department, required to complete the service of the fiscal year ending June 30, 1916 (H. Doc. No. 988); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of State, submitting an estimate of appropriation to pay the expense of printing, in compliance with the requirements of the act of February 3, 1887, the certified copies of the final ascertainment of the electors for President and Vice President of the United States, as transmitted by the executive of each State to the Secretary of State (H. Doc. No. 989); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HOUSTON, from the Committee on the Territories, to which was referred the bill (H. R. 3085) to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii amending the franchise held by the Honolulu Gas Co. (Ltd.) by extending it to include all of the island of Oahu, Territory of Hawaii, reported the same with amendment, accompanied by a report (No. 493), which said bill and report were referred to the House Calendar.

Mr. SAUNDERS, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 13223) to provide for appeals from decisions of boards of local inspectors of vessels, and for other purposes, reported the same without amendment, accompanied by a report (No. 495), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (H. R. 11162) to amend an act entitled "An act to authorize entry of the public lands by incorporated cities and towns for cemetery and park purposes," approved September 30, 1890, and for other purposes, reported the same with amendment, accompanied by a report (No. 496), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 8548) granting a pension to Robert Leigh Morris, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAMILTON of Michigan: A bill (H. R. 14224) providing for the erection of a public building at the city of South Haven, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. BUTLER: A bill (H. R. 14225) authorizing abutting owners upon Crum River, a navigable stream, where the same empties into the Delaware River, to straighten, widen, and deepen the same, and substituting such straightened course and channel for the present channel thereof, and abandoning and vacating a portion of the present chanel; to the Committee on Rivers and Harbors.

By Mr. STEPHENS of California (by request): A bill (H. R. 14226) to amend section 1, subdivision (b), of the act entitled, "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909; to the Committee on Patents.

By Mr. McFADDEN: A bill (H. R. 14227) to amend the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. HELGESEN: A bill (H. R. 14228) authorizing the city of Grand Forks, N. Dak., to construct and maintain a dam across the Red River of the North, at or near the city of Grand Forks; to the Committee on Interstate and Foreign Commerce.

By Mr. STONE: Joint resolution (H. J. Res. 196) to receive evidence in support of the claims of Dr. Frederick A. Cook to attainment of the North Pole; to the Committee on Education.

By Mr. LAFEAN: Joint resolution (H. J. Res. 197) authorizing the sale of revenue stamps in post offices and subpost-office stations throughout the United States; to the Committee on Ways and Means.

By Mr. LOBECK: Concurrent resolution (H. Con. Res. 25) authorizing the printing of a revised edition of the bankruptcy laws as prepared by the Committee on Revision of the Laws of the House of Representatives; to the Committee on Printing.

By Mr. FLYNN: Memorial from the Legislature of the State of New York, favoring building naval armament by the United States; to the Committee on Naval Affairs.

By Mr. HULBERT: Memorial of the Legislature of the State of New York, favoring increases in United States military and naval forces for purposes of more adequate defense; to the Committee on Military Affairs.

By Mr. DANFORTH: Memorial of the Legislature of the State of New York, favoring increases in United States military and naval forces for purposes of more adequate defense; to the Committee on Military Affairs.

By Mr. GOULD: Memorial of the Legislature of the State of New York, favoring increases in United States military and naval forces for purposes of more adequate defense; to the Committee on Military Affairs.

By Mr. SIEGEL: Memorial of Legislature of the State of New York, favoring increases in United States military and naval forces for purposes of more adequate defense; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 14229) granting an increase of pension to Frank W. Tuttle; to the Committee on Pensions.

Also, a bill (H. R. 14230) granting an increase of pension to Timothy Kelly; to the Committee on Pensions.

By Mr. COLLIER: A bill (H. R. 14231) for the relief of Dr. G. Y. Hicks, of Vicksburg, Miss.; to the Committee on Claims.

By Mr. DAVIS of Minnesota: A bill (H. R. 14232) granting an increase of pension to George W. Kinsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14233) granting an increase of pension to James Auge; to the Committee on Invalid Pensions.

By Mr. DEWALT: A bill (H. R. 14234) granting a pension to George W. Rathman; to the Committee on Pensions.

By Mr. HASKELL: A bill (H. R. 14235) granting an increase of pension to Annie Morrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14236) granting an increase of pension to Adolph H. Schumann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14237) granting an increase of pension to Valentine Hinton; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 14238) granting an increase of pension to John I. Bovee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14239) granting an increase of pension to James M. Jobe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14240) granting an increase of pension to George Kint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14241) granting a pension to Frank Schmidt; to the Committee on Pensions.

Also, a bill (H. R. 14242) granting a pension to Lois Ann Nicholas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14243) granting a pension to Christina Whitcome; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14244) for the relief of James Curran; to the Committee on Military Affairs.

Also, a bill (H. R. 14245) for the relief of Edward Looby; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 14246) granting an increase of pension to Emily A. De Forest; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14247) for the relief of William A. Frater; to the Committee on Claims.

Also, a bill (H. R. 14248) for the relief of Willis Alden; to the Committee on Claims.

By Mr. HELGESEN (by request): A bill (H. R. 14249) granting an increase of pension to Alexander Adams; to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 14250) granting an increase of pension to Samuel I. McPherron; to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 14251) granting an increase of pension to Annie E. Rhoades; to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 14252) granting an increase of pension to Zachary Miller; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 14253) granting an increase of pension to Lewis J. Cundiff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14254) granting an increase of pension to James M. Bridwell; to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 14255) granting an increase of pension to Jennie E. King, widow of Augustus D. King; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 14256) granting a pension to Jessie E. Stover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14257) granting a pension to Fannie T. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14258) granting an increase of pension to Otis H. Taylor; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 14259) granting an increase of pension to William Skelton; to the Committee on Invalid Pensions.

By Mr. MEEKER: A bill (H. R. 14260) granting a pension to Andrew Woodlock; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 14261) for the relief of the estate of R. O. Haskins; to the Committee on Claims.

By Mr. MORGAN of Louisiana: A bill (H. R. 14262) for the relief of the estate of John O. Denham; to the Committee on Claims.

Also, a bill (H. R. 14263) for the relief of the estate of Joseph C. Seale; to the Committee on Claims.

Also, a bill (H. R. 14264) for the relief of the heirs of Reuben H. Carruth; to the Committee on Claims.

Also, a bill (H. R. 14265) for the relief of the heirs of Don Louis Bondro, alias Boudreaux; to the Committee on Claims.

By Mr. MORGAN of Oklahoma: A bill (H. R. 14266) granting a pension to Florence V. Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14267) granting a pension to James Tucker; to the Committee on Pensions.

Also, a bill (H. R. 14268) granting a pension to Lettie B. May; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14269) granting an increase of pension to John W. Gee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14270) granting an increase of pension to Caroline Kersey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14271) granting an increase of pension to John Herrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14272) granting an increase of pension to George G. Sherlock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14273) granting an increase of pension to Sherman Jacobs; to the Committee on Pensions.

Also, a bill (H. R. 14274) to correct the military record of Frank Rector and grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. MOSS of Indiana: A bill (H. R. 14275) granting an increase of pension to Ambrose S. Uselman; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 14276) for the relief of the Western Grain & Sugar Products Co. of California; to the Committee on Claims.

By Mr. RAINEY: A bill (H. R. 14277) granting a pension to Zachariah McClain; to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 14278) granting a pension to Mrs. Sarah M. Roberts; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 14279) granting an increase of pension to Sarah B. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14280) granting an increase of pension to James A. Wise; to the Committee on Invalid Pensions.

By Mr. SANFORD: A bill (H. R. 14281) granting a pension to Louis E. Lavariere; to the Committee on Pensions.

By Mr. SEARS: A bill (H. R. 14282) granting an increase of pension to Philip H. Sipe; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 14283) granting an increase of pension to Robert W. Griffin; to the Committee on Pensions.

Also, a bill (H. R. 14284) granting a pension to Joseph P. Riley; to the Committee on Pensions.

Also, a bill (H. R. 14285) granting a pension to William J. Riley; to the Committee on Pensions.

By Mr. SIMS: A bill (H. R. 14286) granting an increase of pension to Joseph I. Mahar; to the Committee on Invalid Pensions.

By Mr. STINESS: A bill (H. R. 14287) granting an increase of pension to Fanny Reid; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14288) granting an increase of pension to Patience B. Nicholas; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 14289) granting an increase of pension to John W. Hank; to the Committee on Invalid Pensions.

By Mr. TILLMAN: A bill (H. R. 14290) granting a pension to William Burke; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14291) granting a pension to Charles W. Reeves; to the Committee on Pensions.

Also, a bill (H. R. 14292) to appropriate the sum of $2,000 to be paid to Mrs. A. C. Hall, of Scotland, Ark., for personal property taken and used by the Army of the United States; to the Committee on War Claims.

Also, a bill (H. R. 14293) to appropriate the sum of $1,000 to be paid to James G. Walker; to the Committee on War Claims.

Also, a bill (H. R. 14294) to pay to G. B. Parker the sum of $40; to the Committee on Claims.

By Mr. WALKER: A bill (H. R. 14295) granting a pension to Mary Johnson; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAILEY: Protest of Ambrose Berkebile, B. F. Critchfield, James Leyshen, N. L. Berkebile, Lester Constable, Ira Clark, M. M. Young, A. Hockensmith, M. S. Critchfield, Austin Berkebile, James Adair, Jerome Crissey, J. E. Lambert, Frank Crissey, William N. Constable, Dallas B. Covert, George J. Hammer, Miles Edmiston, R. I. Richardson, R. W. Lambert, H. C. Evans, John J. Kenney, Lowman Ling, S. R. Morris, A. A. Slagle, James Cruikshank, Sherman Cone, Harry Lambert, Sherman D. Miller, A. Kring, I. J. Lambert, W. G. Hershberger, Charles Shaffer, H. D. Allison, John H. Miller, R. S. Mowry, Ralph Kinzey, Lloyd N. Hershberger, S. I. Hershberger, S. S. Hummel, J. J. Wible, Sherman Allison, I. E. Paul, William H. Paul, M. V. Kelly, Walter Gaston, Alvin Wertz, Louis G. Schrock, Grant U. Hammer, Charles Leventry, C. A. Trent, J. M. Griffith, J. L. Miller, E. H. Cook, C. E. Thomas, William B. Martin, George Ganoe, H. D. Miller, George J. Rose, Curt C. Stanton, Morrell Swank, William Martin, jr., Charles P. James, E. F. Glock, R. R. Thiele, Joseph Leventry, William Gindelsperger, George W. Smith, J. F. Lohr, William H. Ott, Vernon J. Deitz, G. W. Ellenberger, O. W. Boyer, George S. Phenicie, Lemuel Kaufman, N. B. Woy, C. W. Woy, A. F. Shank, Albert Ott, W. F. Brant, H. E. Buechley, C. H. Brant, B. A. Beabes, Benoni Kaufman, H. B. Brant, H. H. McClain, G. B. Roudabush, Jacob Shaffer, Charles I. Kline, Warren T. Mock, Albert W. Miller, J. D. Stull, J. J. Stull, Frank S. Smith, G. A. Shank, Phillip Jones, John A. Graft, Herman M. Sprengel, George W. Smith, Guy B. Wissinger, Sam C. Stewart, E. P. Horton, G. A. Boring, Ivan F. Potts, G. W. Page, S. L. Varner, W. B. Souser, O. W. Manges, C. W. Thomas, Richard Mitchell, S. S. Blight, J. Milton Ashton, Gilbert Brown, M. L. Reiman, D. D. Blauch, L. T. Gardner, Thomas Rudge, and J. Q. A. Curry, all of Johnstown, Pa., against the passage of House bill 491, denying the use of the mails to certain publications; to the Committee on the Post Office and Post Roads.

By Mr. BEAKES: Petition of D. J. Campbell and 11 citizens of Muskegon; Sanford M. Booth and Jenny R. Booth, Battle Creek, both in the State of Michigan, protesting against the passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petition of Presbyterian Church and Society of Brooklyn, Mich., and Presbyterian Sunday School of Ypsilanti, Mich.,

favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Rev. F. A. Wright and 68 citizens of Charlotte, Mich., protesting against the passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petition of J. M. Schultz and 27 members of Samaria Grange, Samaria, Mich., protesting against any interference with the development of the parcel post; to the Committee on the Post Office and Post Roads.

By Mr. BRUMBAUGH: Papers to accompany House bill 13997, for the relief of Charles H. Benjamin; to the Committee on Pensions.

Also, papers to accompany House bill 13998, for the relief of George W. Stevenson; to the Committee on Invalid Pensions.

By Mr. BURKE: Memorial of Cigar Makers' Union, No. 823, of Sheboygan, Wis., favoring passage of House bill 6871, relative to convict-made goods; to the Committee on Labor.

By Mr. CASEY: Petitions of sundry citizens and organizations of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. COLEMAN: Petition of Adult Bible Class, Tabernacle Presbyterian Church, of Pittsburgh, Pa.; to the Committee on Education.

By Mr. CONNELLY: Petitions of sundry citizens of the State of Kansas, favoring tax on mail-order houses; to the Committee on Ways and Means.

By Mr. DALE of New York: Memorial of Union League Club of Chicago and Society of Colonial Wars in the District of Columbia, favoring preparedness; to the Committee on Military Affairs.

By Mr. FLYNN: Petition of Society of Colonial Wars in the District of Columbia, favoring preparedness; to the Committee on Military Affairs.

Also, petition of United States penitentiary guards at Leavenworth, Kans., for increase of pay; to the Committee on the Judiciary.

Also, memorial of Union League Club of Chicago, favoring preparedness; to the Committee on Military Affairs.

By Mr. FOSS: Petition of sundry citizens of Chicago, Ill., favoring preparedness; to the Committee on Military Affairs.

By Mr. FULLER: Petition of post-office employees of Sycamore, Ill., favoring the Griffin bill (H. R. 6915) to grant indefinite leave of absence to aged employees of Postal Service; to the Committee on the Post Office and Post Roads.

Also, petition of R. W. Boom and 25 other members of Westfield Grange, No. 1764, of Winnebago County, Ill., against limiting parcel-post packages to 50 pounds; to the Committee on the Post Office and Post Roads.

Also, petition of the Ottawa (Ill.) Trades and Labor Council, favoring the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. GUERNSEY: Memorial of Miss Alice Wing Fales, secretary Parent Teachers' Association, and other societies of the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HADLEY: Petition of sundry citizens of the State of Washington, against Sunday-observance bill for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of sundry citizens of the State of Washington, against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. HINDS: Petitions of sundry citizens and church organizations of the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HUMPHREY of Washington: Petitions of Woodland Park Presbyterian Church and Woman's Educational Club of Seattle, Wash., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of College Place and Walla Walla, Wash., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. KAHN: Memorial of National Defense League of California, favoring preparedness; to the Committee on Military Affairs.

By Mr. LAFEAN: Petition of Society of Colonial Wars of the District of Columbia and Union League Club of Chicago, favoring preparedness; to the Committee on Military Affairs.

Also, petition of penitentiary guards at Leavenworth, Kans., for increase of pay; to the Committee on the Judiciary.

Also, memorial of Cigar Makers' Union, No. 316, of McSherrystown, Pa., against preparedness; to the Committee on Military Affairs.

Also, memorial of Indian House, New York, favoring preparedness; to the Committee on Military Affairs.

By Mr. LEWIS: Memorial of Cigar Makers' International Union of America, Local Union No. 333, San Lorenzo, P. R., favoring congressional investigation of industrial conditions of the island; to the Committee on Insular Affairs.

Also, memorial of Coopers' International Union, Local No. 32, of Baltimore, Md., favoring House bill 137, for inspection of dairy products; to the Committee on Agriculture.

Also, memorial of Society of the Ark and the Dove, Baltimore, Md., favoring preparedness; to the Committee on Military Affairs.

By Mr. LOUD: Petition of Chippewa Grange, No. 1594, Osceola County, and Bert Baker and 11 other members of Hope Grange, No. 1016, Hope, Mich., against Madden rider to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. MATTHEWS: Evidence supporting House bill 14171, a bill to increase the pension of Hiram Shurtleff; to the Committee on Invalid Pensions.

By Mr. MEEKER: Petition of Union League Club, of Chicago, Ill., favoring preparedness; to the Committee on Military Affairs.

By Mr. MORGAN of Oklahoma: Memorial of Stella Quarterly Meeting of Friends Church, Cherokee, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MORIN: Petition of Chancellor S. B. McCormick, of University of Pittsburgh, Pittsburgh, Pa., in favor of Senate joint resolution 92; to the Committee on Public Buildings and Grounds.

Also, petitions of C. E. Augustine, Elmer K. Hiles, W. H. Connell, jr., C. D. McArthur, A. R. Hunt, J. W. Bennel, George E. Reno, Thomas Woods, C. F. O'Hagan, W. W. Ourslor, W. A. Rowe, W. C. Rott, J. W. H. Swan, F. Crabtree, John M. Rayburn, Richard R. Hiel, O. E. Gressly, N. O. Renkin, Aug. J. Schmitt, Charles Fitzgerald, W. P. Chandler, jr., Lloyd A. Cross, Frank I. Ellis, S. A. Meyer, J. S. McBride, John Jackson, E. J. Mason, A. H. McGill, S. B. Heppenstall, H. L. Dixon, G. A. Davis, Edward U. Smith, Byron K. Ellion, B. T. Schuchman, C. N. Kimmel, Dale T. Wadsworth, John T. Brown, jr., G. C. Mquhart, George O. Loeffler, and K. F. Treschow, favoring extension of military training in civil educational institutions; to the Committee on Military Affairs.

Also, petition of S. K. Kamaiopili, of Honolulu, Hawaii, opposing liquor traffic in Hawaii; to the Committee on the Judiciary.

By Mr. NEELY: Memorial of members of the Baraca Bible Class of the Baptist denomination, of Grafton, W. Va., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. PAIGE of Massachusetts: Memorial of Woman's Christian Temperance Union of Fitchburg, Mass., favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Marshall B. Waterman and 73 others of Athol, Mass., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of Marshall B. Waterman and 62 others of Athol, Mass., against Sunday observance bill in the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of Woman's Christian Temperance Union of Fitchburg, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. PRICE: Petition of sundry citizens of Blythedale, Md., against Sunday observance bill in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Baltimore, Md., favoring Nolan minimum-wage bill, relative to Government salaries; to the Committee on Reform in the Civil Service.

Also, petition of Maryland League for National Defense, favoring preparedness; to the Committee on Military Affairs.

Also, memorial of Coopers' International Local Union, No. 32, of Baltimore city, favoring inspection of dairy products; to the Committee on Agriculture.

Also, petition of employees of the post office at Chestertown, Md., favoring the passage of the Griffin bill, House bill 6916; to the Committee on the Post Office and Post Roads.

By Mr. ROWE: Petition of Jonathan Randel, of Brooklyn, N. Y., favoring passage of House bill 11876; to the Committee on Labor.

Also, petition of Iron Steamboat Co., Fred. H. Bishop, president, protesting against passage of House bill 8036; to the Committee on the Merchant Marine and Fisheries.

Also, petition of G. F. Kaekler, for the Kalkhoff Co., New York City, favoring the passage of House bill 11621; to the Committee on the Post Office and Post Roads.

Also, petition of Beal Byron Co., of New York, protesting against any restrictions being placed on motor boats; to the Committee on Rivers and Harbors.

Also, petition of Nelson O. Tiffany, jr., of Buffalo, N. Y., favoring adequate preparedness; to the Committee on Military Affairs.

By Mr. SHOUSE: Petition of citizens of Ford County, Kans., against passage of bills for Sunday closing of barber shops in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of citizens of Larned, Kans., against passage of House bill 8348; to the Committee on the District of Columbia.

Also, petition of citizens of Morton County, Kans., favoring amending the pending joint committee bill on rural credits; to the Committee on Banking and Currency.

Also, petition of citizens of Fort Dodge, Kans., against passage of bills to amend postal laws; to the Committee on the Post Office and Post Roads.

By Mr. STEPHENS of California: Petition of Samuel M. Newmark and 54 other citizens of Los Angeles, Cal., protesting against Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Woman's Civic Club of Fortuna, Cal., favoring appropriation of $300,000 for Yosemite National Park; to the Committee on Appropriations.

Also, petitions of S. M. Hughes and three other citizens of Los Angeles; J. Vaughan, San Pedro; and Charles C. Townsend, Lancaster, all in the State of California, favoring the Warren bill; to the Committee on Military Affairs.

Also, petitions of Home Investment Building & Loan Association and Metropolitan Loan Association, of Los Angeles, Cal., favoring relief from Federal emergency excise-tax act; to the committee on Ways and Means.

Also, petitions of Schiller Lodge, No. 34, Sons of Herman, and Louis Karl and 23 other citizens of Los Angeles, Cal., favoring embargo on munitions of war, and protesting against loans to belligerent countries; to the Committee on Ways and Means.

Also, petition of Woman's Christian Temperance Union of Beaumont, Cal., favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

Also, letters from Chamber of Commerce of Los Angeles, Cal., protesting against the formation of a new land district to include Imperial County and the eastern portion of Riverside County; to the Committee on the Public Lands.

Also, petition of Pedic Society of San Francisco, Cal., favoring bill to regulate the practice of pediatry or chiropody in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Bakers' Union No. 25, of Pasadena, Cal., favoring House bill 137, investigation into sanitary conditions surrounding the marketing of dairy products; to the Committee on Agriculture.

By Mr. THOMAS: Petition of Prof. William C. Farrar, Bethel College, Kentucky, against erecting power plant near Washington Monument; to the Committee on the District of Columbia.

By Mr. TIMBERLAKE: Petition of citizens of Fort Morgan, Colo., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Northeastern Weld County (Colo.) Educational Association, Esther L. Shanebo, Coleman, Colo., president, against national defense; to the Committee on Military Affairs.

By Mr. TINKHAM: Petition of Union League Club of Chicago, Ill., favoring preparedness; to the Committee on Military Affairs.

SENATE.

THURSDAY, *April 6, 1916.*

(Legislative day of Thursday, March 30, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. CHAMBERLAIN. Mr. President, I am not going to ask to have read the mass of telegrams I have received and which I have before me begging the Senate to retain section 56 in the bill. I am simply going to call attention to the fact that they come from sources not interested in these encampments, but men who are anxious to see a proper measure enacted that will assist in raising a volunteer force.

I have before me 356 telegrams coming from New York, Philadelphia, Boston, Baltimore, Portland, Oreg., New Jersey, Pennsylvania, Massachusetts, and other points than the cities I have named in New Jersey, Pennsylvania, New York, Connecticut, New Hampshire, Ohio, Montana, Virginia, Delaware, and Vermont. Some of the telegrams are from officers of the National Guard of these States. I have one particularly from a gentleman in Oregon who has been adjutant general of the State for a great many years, who served with the Second Oregon Volunteers in the Philippines as a major and was afterwards judge advocate general in the Philippines, and he favors section 56 very strongly.

Mr. McCUMBER. Mr. President——

Mr. CHAMBERLAIN. I will yield in just a moment.

Mr. McCUMBER. I merely wish to ask the Senator a question.

Mr. DU PONT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	McCumber	Sherman
Bankhead	Harding	Martin, Va.	Simmons
Beckham	Hitchcock	Martine, N. J.	Smith, Ga.
Brady	Hollis	Myers	Smith, Md.
Brandegee	Hughes	Nelson	Smoot
Broussard	Husting	Norris	Sterling
Burleigh	Johnson, Me.	O'Gorman	Stone
Catron	Johnson, S. Dak.	Oliver	Swanson
Chamberlain	Jones	Overman	Taggart
Chilton	Kenyon	Page	Thomas
Clapp	Kern	Pittman	Townsend
Clarke, Ark.	Lane	Pomerene	Underwood
Culberson	Lee, Md.	Robinson	Warren
Cummins	Lewis	Saulsbury	Weeks
Dillingham	Lippitt	Shafroth	Williams
du Pont	Lodge	Sheppard	Works

Mr. CHILTON. My colleague [Mr. GOFF] is absent on account of illness. I will let this announcement stand for the day.

I wish also to announce the necessary absence of the Senator from Florida [Mr. FLETCHER].

Mr. LEWIS. I beg to announce the absence of the Senator from South Carolina [Mr. TILLMAN]. He has been called to his State on pressing business.

Mr. KERN. I wish to announce the unavoidable absence of the Senator from Arizona [Mr. SMITH] on account of illness. This announcement may stand for the day.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present.

Mr. CHAMBERLAIN. Mr. President, I started to make a brief statement awhile ago and was interrupted by the suggestion of the absence of a quorum, and I will make it now.

Since the Senate adjourned yesterday afternoon I have received about 360 telegrams, including some that have just come to me since I started my former statement. The telegrams are from citizens of New York, Philadelphia, Boston, Baltimore, Portland, Oreg., and also from different cities in New Jersey, Pennsylvania, Massachusetts, New York, Connecticut, New Hampshire, Ohio, Montana, Virginia, Delaware, and Vermont, protesting against the elimination of section 56 from the bill. I desire to say that these telegrams come from persons who attended the Plattsburg and similar training camps, and many officers of the State militia—of the National Guard, I should probably say—veterans of the Spanish-American War, and others.

One of the strongest protests against the elimination of this section is from Judge Gantenbein, of Portland, Oreg., which reached me this morning, calling attention to the fact that he had seen the statement in the early morning papers, the midnight edition of the papers, about what was done here. Judge Gantenbein is one of the circuit judges of my city. For a number of years he was adjutant general of the State. He was an officer in the Second Oregon Volunteer Regiment in the Philippines, and served during the occupation as judge advocate, and has had very broad experience. He protests most strenuously against the elimination of section 56.

I have also a characteristic telegram, which I will read, from a guardsman, dated at Baltimore, this morning. He says:

> As a member of the first training regiment, Plattsburg, 1915, and also as first lieutenant, Maryland National Guard, emphatically urge the passage of section 56 of Senate military bill.
>
> J. CRAIG MCLANAHAN.

Another is from New Jersey, which says:

> As a militiaman of 25 years' enlisted and commissioned service I emphatically protest against attempt to defeat Federal reserve plan embodied section 56 Senate bill and urge passage of this section; also against amendment attaching militia officers to General Staff to control militia affairs, this being opposed to sound development and future effectiveness of militia.
>
> ARTHUR H. MACKIE,
> *Major, First New Jersey Infantry.*

I call attention to these telegrams. I will not ask to have them read into the RECORD, but I desire to have a record made of the fact that I have received these telegrams, all protesting against the elimination of section 56.

The VICE PRESIDENT. The telegrams will be received and lie on the table.

Mr. O'GORMAN. Mr. President, I ask to have printed in the RECORD a letter and a number of telegrams received from citizens of the State of New York and elsewhere protesting against the elimination of section 56 in the pending bill.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The letter and telegrams referred to are as follows:

NEW YORK CITY, *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
Capitol, Washington, D. C.:

DEAR SIR: The present Congress is engaged upon consideration of two questions which vitally affect the future of this country.

1. The increase in the Standing Army, including reorganization of the State militia.

2. The increase in our naval program, including increase in the personnel of the Navy.

History unquestionably teaches us that the country which is not prepared to meet other countries upon at least an equal war footing is doomed to recede from the position which it otherwise would hold in the community of nations, and by reason of its consequent inability to enforce respect for its rights and the privileges of its citizens by so much forfeits the respect of the other nations of the world.

Our present Standing Army, from the standpoint of personnel and equipment, is so ridiculously inadequate as to make us a laughing stock among the other nations of the world. By this I do not mean to imply that man for man our Army, the personnel of our Regular Army, will not equal in efficiency that of any other nation of the world. But that will not win battles against superior forces. As my Senator I write to emphasize upon you that as one of your constituents I am most emphatically in favor of an increase in our Standing Army to at least 250,000 men, providing at the same time for an adequate reserve.

I am also in favor of more thorough training of the State militia and a coordination of the various units thereof, so as to subject it to centralized control. In this connection I consider the Hay bill worse than no provision whatever for the necessities of our present case, and I trust that you will do everything in your power to defeat that bill and to bring about the passage of a bill establishing our military policy upon the broadest lines.

As to the Navy, our Navy is not only our first weapon of offense, but, as the situation now stands, our first and only effective weapon of defense. The coast line which the United States would have to protect in the event of hostilities is many times greater than that of any other country with which we might come into conflict and our Navy considerably smaller than that of any such country. We have a considerably more effective machine in our Navy to-day than we have in our Army, but owing to the unfortunate policy of the present administration this effectiveness is potential rather than actual.

I am emphatically in favor of bringing our Navy to 100 per cent effectiveness and for increasing the size of the Navy proportionately to the extent of our coast line and its requirements in the event of hostilities. This means an energetic prosecution of a naval program substantially as recommended by the General Board of the Navy.

Many good citizens are fearful lest the present Congress will attempt to foist upon the Nation a bill with regard to the Navy similar in its effect to the Hay bill.

I trust that you will do everything in your power to oppose such destructive legislation and to effect adequate constructive legislation in this respect.

Very truly, yours, ALFRED ELY.

NEW YORK, *April 6, 1916.*

Senator JAMES A. O'GORMAN,
Washington, D. C.:

Earnestly urge you to make every effort to prevent defeat of section 56, Senate military bill; we need training camps.

GUSTAV SCWAW.

NEW YORK, *April 5, 1916.*

Senator JAMES A. O'GORMAN,
Washington, D. C.:

The Volunteer Army movement must not be jeopardized by politics. I went to Plattsburg, finished the march in the ambulance, and have gotten many men to go this year. They most decidedly would not join the Guard.

CONRAD G. GODDARD,
Roslyn, Long Island, N. Y.

NEW YORK, *April 5, 1916.*

Senator JAMES A. O'GORMAN,
The Capitol, Washington, D. C.:

I respectfully urge upon you the necessity of approving section 56 in the Senate bill on military organization now under consideration. I feel very strongly about this.

J. A. RIPLEY.

NEW YORK, *April 5, 1916.*

Hon. JAMES O'GORMAN,
Washington, D. C.:

We, the undersigned citizens of the United States, protest against attempt to defeat Federal reserve plan in section 56 of Senate bill, and emphatically urge passage of this section.

F. B. Marshall, Halsey French, William Meadowcroft, Alexander S. Farmer, Alfred W. Arenader, Alfred A. Scheuer, Geo. A. Griffin, Wm. Lamson, Wm. J. Coakley, Geo. J. Bourke, Thomas C. Norton, Arthur S. Tuttle, Vornon S. Moon, Arthur H. Pratt, Aswald W. Hill, Kenneth Allen, John E. Hill, Wm. I. Foster, F. X. A. Purcell, A. G. Thomas, H. M. Foster.

NEW YORK, *April 5, 1916.*

Senator O'GORMAN,
Washington, D. C.:

Vote against Lee amendment; section 56 must be retained.

ALEXANDER GORDON,
61 Broadway, New York.

NEW YORK, *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
United States Senate, Washington, D. C.:

Request you vote against Lee amendment striking out section 56.

THEODORE T. LANE.

NEW YORK, *April 5, 1916.*

Senator JAMES A. O'GORMAN,
Washington, D. C.:

As a member of the first Plattsburg training regiment, I emphatically protest against the attempt to defeat the Federal reserve plan embodied in section 56 of the Senate bill, and urge upon you the passage of this section which practically contemplates a national system of Plattsburg camps.

JOSEPH J. FRANK,
New York City.

NEW YORK, *April 5, 1916.*

Senator O'GORMAN,
The Capitol, Washington, D. C.:

Emphatically indorse section 56 of Senate military bill. The opportunity to serve Nation in a Federal force would make available not less than hundred thousand men annually who can not or will not join any State militia.

DELANCEY K. JAY.

NEW YORK, *April 5, 1916.*

Senator JAMES A. O'GORMAN,
Washington, D. C.:

I urge emphatically adoption section 56, Senate Army bill, and protest utmost indignation attempt defeat it.

HERBERT K. STOCKTON,
27 William Street.

NEW YORK, N. Y., *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
Washington, D. C.:

The Plattsburg Chamber of Commerce protests against the dropping from the Army bill of section 56, providing for a Federal reserve. We regard this section as based upon the fundamental duty of citizenship, the duty of national defense, and as a step toward a broader recognition of this duty.

W. J. JAQUES,
President Plattsburg Chamber of Commerce.

NEW YORK, N. Y., *April 5, 1916.*

Senator O'GORMAN,
Washington, D. C.:

Emphatically urge passage section 56, Federal reserve bill.

FRANK DAWSON.

NEW YORK, *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
Washington, D. C.:

I earnestly believe that section 56 of Senate bill 4840 should be retained, because I think that a Federal reserve is the most effective means of defense and that voluntary training camps, such as were held at Plattsburg last summer, should be permanently established by law.

W. R. BEGG,
2½ Broad Street, New York City.

NEW YORK, *April 5, 1916.*

Hon. JAMES O'GORMAN,
Washington, D. C.:

I have followed closely the newspaper accounts of the course of the proposed military legislation in Congress. I understand that there is opposition to section 56 of Senate bill No. 4840. I earnestly hope that you will use your efforts to overcome this opposition.

A. L. HUMES,
Plaza Hotel, New York City.

NEW YORK, N. Y., *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
Washington, D. C.:

Referring to the national defense bill now pending before the Senate, we heartily indorse the Regular Army increase and the Federal reserve plans as now embodied in the bill. In view of the inadequacy for national defense of any Regular Army which the American people will support, in view of the collapse of the State militia as a national defensive system in every crisis of our history, and in view of the uselessness of untrained volunteers in modern war, we most emphatically protest against any weakening of the Federal reserve provisions unless there is provided the only adequate substitute, universal military training under exclusive Federal control.

F. G. Sheridan, Albert Buttendorf, Fred F. Moore, Wm. W. Kerr, Geo. Fuchs, Chas. R. Cockey, Chester W. Allen, W. J. Buhrendorf, J. L. Murphy, David Kurtzweg, L. P. Wood, F. H. Robbins, Frederick F. Dibelins, Jos. S. Stull, jr., Allen E. Shannon, Clifford Zaver, Adam H. Brenzinger, Geo. R. Farwill, John W. Langguth, Torris Eide, H. O. Tafel, J. Howard Williams, Alexander H. Fox, W. J. Cormack.

NEW YORK, *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
Senate Chamber, Washington, D. C.:

I hope you will use your influence to secure approval of section 56 in Senate bill regarding training camps. I am satisfied from my personal experience at Plattsburg that these camps are a necessary aid in national defense.

FRANCIS W. AYMAR.

NEW YORK, *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
United States Senate, Washington, D. C.:

I protest against the attempt to defeat the Federal reserve plan embodied in section 56 of Senate bill 4840, because my experience at Plattsburg last summer convinces me that the plan is of the greatest value as a measure of defense. The plan in no way conflicts with the interests of the National Guard, of which I am a member, and it gives an opportunity for military training to men who can not belong to the National Guard. It also offers to members of the National Guard a chance for a supplementary training under conditions approximating those of actual service. I have seen something of both methods of training, and I wish to say very earnestly that if there were any necessity of choosing between the two the Federal reserve would be more efficient and reliable.

HOWARD H. BROWN,
116 West Sixty-ninth Street, New York City.

—

NEW YORK, *April 4, 1916.*

Hon. JAMES A. O'GORMAN,
United States Senate, Washington, D. C.:

On behalf of Military Training Camps Association of the United State of 4,200 men from all sections who have attended Federal training camps, and representing also not less than 30,000 citizens who will attend this year's camps, at a cost of $2,000,000 to themselves, we earnestly protest against attempt to defeat section 56, Senate military bill. This section, without impairing National Guard, will make available for service of Nation tens of thousands who under no circumstances can be made available under a National Guard system.

MILITARY TRAINING CAMPS ASSOCIATION
EXECUTIVE COMMITTEE.

—

NEW YORK, *April 5, 1916.*

Senator O'GORMAN,
The Capitol, Washington, D. C.:

As a member of first training regiment, I wish to protest against the attempt to defeat the Federal reserve plan embodied in section 56 of the Senate bill, and emphatically urge the passage of this section.

WILLIAM S. SEAMAN, Jr.

—

NEW YORK, *April 5, 1916.*

JAMES A. O'GORMAN, Esq.,
Capitol, Washington, D. C.:

I protest against attempt to kill training-camps movement. Pass section 56 of Senate bill and give us a chance to defend our lives and honor in case of war.

EDMOND PATTEN GLOVER.

—

NEW YORK, *April 5, 1916.*

Senator JAMES A. O'GORMAN,
United States Senate, Washington, D. C.:

As a thorough believer in Federal training-camps movement, I sincerely hope that the Federal reserve plan embodied in section 56 of Senate bill will become law, and I desire to enter a vigorous protest against alleged attempt to defeat this provision. Any modification of Chamberlain bill in direction of weak, deceptive, and wasteful Hay bill would be national misfortune. If Congress appreciated the widespread national determination for adequate military and naval preparedness and favoring complete federalization of all military forces and acceptance of the recommendations of General Staff, the Chamberlain bill would be passed by overwhelming majority.

ARCHIBALD G. THACHER,
59 Wall Street.

—

NEW YORK, *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
Washington, D. C.:

I attended the Plattsburg business men's camp last summer and am a member of the New York National Guard. In my opinion, the plan embodied in section 56 of Senate bill 4840 offers every opportunity to create a reserve of far greater efficiency and reliability than a federalized militia National Guard. Opposition to this section is utterly unjustifiable, even on the assumption that a federalized militia will be as reliable and as efficient as a reserve created under section 56. To constitute a federalized National Guard the only reserve is to discriminate against men who are willing and anxious to serve in a reserve, but who for business or other reasons are unable or unwilling to join the National Guard. Furthermore, section 56 should be retained because it put the military training camps upon a permanent basis, and thereby offers an opportunity for military training to men who are unable or unwilling to join a reserve in time of peace, but who would be the first to volunteer in case of war.

HARRISON TWEED.
103 East Eighty-sixth Street, New York City.

—

NEW YORK, *April 5, 1916.*

JAMES A. O'GORMAN, *Washington:*

I wish to urge that section 56 of Senate bill 4840 should be retained, for the reason that a Federal reserve is the most effective and desirable means of national defense, and for the further reason that voluntary training camps such as were held at Plattsburg should be established upon a permanent basis.

B. H. INNESS BROWN.

—

NEW YORK, *April 5, 1916.*

Senator JAMES A. O'GORMAN,
Washington, D. C.:

I desire to protest most strongly against effort to defeat Federal reserve plan, section 56, military preparedness bill.

H. S. DUELL.

—

NEW YORK, *April 5, 1916.*

Hon. JAMES A. O'GORMAN, *Washington:*

Please use your influence to secure adoption section 56 of Senate military bill. This provision can not hurt National Guard and will create an adequate reserve at a minimum cost. Camps this year throughout United States will be paid for by citizens attending.

JOHN R. VAN HOME.

—

NEW YORK, *April 5, 1916.*

Hon. JAMES O'GORMAN,
United States Senate, Washington, D. C.:

Having had opportunity of observing at first hand as present member National Guard, State of New York, hopelessness of attempting to obtain really efficient and dependable soldiery through drills held in armories one night a week during winter, supplemented only by short encampments in the field in summer, and believing that attempt to federalize militia will result in large expenditures public money without adequate return, and will, in fact, result only in creating false feeling of security, I urge upon you vital necessity of retaining in Senate bill 4840 provisions of section 56, which leave way open for creation of reserve of Federal volunteers and retention of Federal training camps.

WINTHROP W. ALDRICH,
45 East Sixty-second Street, New York, N. Y.

—

NEW YORK, *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
The Capitol, Washington, D. C.:

As citizens who have had little, if any, military training, who believe that the national safety demands that all citizens receive thorough military training who are planning to attend the Plattsburg camps this summer at considerable inconvenience and expense, we emphatically protest against any weakening of the Federal reserve provisions of the pending defense bill unless there is provided the only adequate substitute—universal military training under exclusive Federal control.

Clarence F. Bell, Elda L. Kimmey, P. W. O'Grady, Allen E. Shannon, Edgar F. Smith, Joseph S. Stull, jr., Arthur R. Holbrook, Thomas H. Wiggin, Frederick F. Griswold, Clinton L. Bogert, Jacob M. Gray, Charles R. Cockey, Edward W. Thode, C. Raymond Hulsart.

—

NEW YORK, N. Y., *April 5, 1916.*

Hon. JAMES O'GORMAN,
Senate Chamber, Washington, D. C.:

I beg you to fight for retention section 56, Senate Army bill.

HENRY H. CURRAN,
Republican Leader, Board of Aldermen.

—

NEW YORK, N. Y., *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
Washington, D. C.:

I learn that the Senate contemplates elimination from Army bill provision for Federal reserve. This is the most important provision of the bill, being in some measure a recognition of the obligation of universal military service and the beginning of a real policy of preparedness. I emphatically urge the retention of this section.

ARTHUR WM. BARBER.

—

NEW YORK, N. Y., *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
United States Senate, Washington, D. C.:

We understand efforts being made to defeat policy looking toward Federal training camps as outlined in section 56 in Senate bill now under consideration. We earnestly protest against the attempt to defeat the Federal reserve plan embodied in this section and strongly urge the passage of same.

HORACE BOWKER.
C. M. SHULTZ.

—

SCHENECTADY, N. Y., *April 5, 1916.*

Senator JAMES A. O'GORMAN,
The Capitol, Washington, D. C.:

Save section 56, Army bill, and authorize Federal reserve plan.

L. E. WIMAN.

—

NEW YORK, *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
Washington:

In my opinion section 56 of Senate bill 4840 should be retained, because a Federal reserve is the best means of national defense and because voluntary camps such as were held at Plattsburg should be officially recognized and permanently established.

CARL TAYLOR,
24 Broad Street, New York City.

—

NEW YORK, N. Y., *April 5, 1916.*

Senator JAMES O'GORMAN,
Washington, D. C.:

I earnestly protest against attempt to defeat Federal reserve plan in section 56 of Senate bill and emphatically urge passage of this section.

PIRIE MACDONALD.

—

NEW YORK, *April 5, 1916.*

Senator O'GORMAN,
Washington, D. C.:

I earnestly urge you to give your fullest support to Federal reserve plan as embodied in section 56, Senate bill now under consideration, and to work for its passage.

Respectfully,
W. R. MAY,
121 East Thirty-eighth Street, New York.

—

NEW YORK, *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
United States Senate, Washington, D. C.:

Trust you will use every effort to retain section 56, providing for Federal training camps. Regard this as essential to sound national system of defense.

JAMES D. WILLIAMS.

NEW YORK, N. Y., *April 5, 1916.*

Senator JAS. A. O'GORMAN,
U. S. Senate, Washington, D. C.:

We the undersigned citizens of the United States protest against the attempt to defeat the Federal reserve plan in section 56 of the Senate bill, and emphatically urge the passage of this section.

J. P. Hogan, J. S. Langthorn, F. H. Pond, M. J. Ungrich, C. W. Coffin, Wm. B. Hunter, Roger W. Armstrong, Jas. F. Sanbern, Chas. Goodman, Robt. J. Vanepps, James G. Grimes, Harry R. Bouton.

—

SCHENECTADY, N. Y., *April 5, 1916.*

Senator JAMES A. O'GORMAN,
Washington, D. C.:

Hope you will give your support to bills pending providing for continuance of Plattsburg and similar training camps; sentiment of this community strongly favors such legislation. Only five attended Plattsburg from here last year, as a result of their experiences more than 100 will go this year.

E. P. EDWARDS,
President, Schenectady Rifle Club.

—

ITHACA, N. Y., *April 5, 1916.*

Senator O'GORMAN,
Washington, D. C.:

Request your support of measures for providing a Federal volunteer force.

R. C. CANDEE.
G. R. PHIPPS.

—

BROOKLYN, N. Y., *April 5, 1916.*

Senator JAMES O'GORMAN,
The Senate, Washington, D. C.:

Respectfully and most earnestly ask your support for Federal reserve measure in section 56 of the Senate bill.

JNO. AUER.

—

NEW YORK, *April 5, 1916.*

Senator JAS. A. O'GORMAN,
The Capitol, Washington, D. C.:

Urge most emphatically the passage of section 56 of the Senate military bill providing for Federal reserve; protest earnestly against defeat of this section.

L. QUIGLEY,
108 West Sixty-ninth Street, New York City.

—

NEW YORK, *April 5, 1916.*

Senator JAMES O'GORMAN,
The Capitol, Washington, D. C.:

I understand that section 56, regarding training camps, of the Senate Army bill is in danger of being defeated, the removal of this section would devitalize the bill and the State will not sanction feeble attempts at preparedness.

H. L. MEIERHOF.

—

ROCHESTER, N. Y., *April 5, 1916.*

Senator JAS. A. O'GORMAN,
The Capitol, Washington, D. C.:

The Rochester national-defense contingent, more than 700 strong and growing, vigorously protests attempt to kill section 56 of the Senate bill, permitting Secretary of War to conduct the Federal training camps. We urge your best efforts in support of the passage of this section.

N. R. POTTER,
Member of the Executive Committee.

—

NEW YORK, *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
Washington, D. C.:

As one who went to Plattsburg last summer and who expects to go again this year, and as a member of the Veteran Corps of Artillery, I urge you to do your utmost to secure the passage of Federal reserve plan embodied in section 56 of the Senate bill.

H. F. STONE.

—

NEW YORK, *April 5, 1916.*

Hon. JAMES A. O'GORMAN,
Washington, D. C.:

Plattsburg behind Chamberlain bill. Please oppose Hay bill.

J. H. MALLORRY.

—

NEW YORK, *April 5, 1916.*

Senator JAMES A. O'GORMAN,
Washington, D. C.:

Favor strongly bill authorizing the President or Secretary of War organizing Federal volunteers in peace times and conducting training camps under Federal control. Understand article 56 of Federal reserve plan bill now before Senate contemplates this. Emphatically urge passage of this section and protest strongly any attempt to defeat same.

H. S. LEVERICH.
ROBERT PETTIGREW.
M. M. MURPHY.
L. E. HUTTON.

—

STAPLETON, N. Y., *April 5.*

Senator JAMES A. O'GORMAN,
Senate Chamber, the Capitol, Washington, D. C.:

As a member of the business men's training camp, held at Plattsburg last summer, I wish to emphatically urge the passage of section 56 of the Senate bill now under consideration, regarding the Federal reserve plan, which I consider a most important measure in the plan for national defense.

R. C. WIGAND.

Mr. O'GORMAN. Mr. President, something was said yesterday by certain of the Senators regarding an extremely offensive propaganda organized by certain citizens who are especially interested in the National Guard. I hold a letter in my hand addressed to me and signed by H. S. Sternberger, colonel, on the letterhead of the Headquarters Division, National Guard, New York Municipal Building, New York City. I shall ask to have this letter read.

It will be noted that it lacks the phraseology of the ordinary communication from a citizen to a Senator or to any other public official. It is more in the nature of a command to eliminate the volunteer army provision from the pending bill. It is based upon a positively selfish proposition, namely, that in the opinion of the writer the adoption of that provision will be prejudicial to the National Guard. He loses sight entirely of the larger and the more patriotic aspect of the question as to what is the best thing for the country in this grave crisis.

I ask that the letter may be read by the Secretary, including the heading.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Secretary read as follows:

HEADQUARTERS DIVISION, NATIONAL GUARD, NEW YORK,
New York City, April 4, 1916.

From: Chief of the Quartermaster Corps.
To: Senator JAMES A. O'GORMAN, Washington, D. C.
Subject: National Guard legislation.

1. I desire to inform you that the Hay bill as passed is satisfactory to the National Guard, and I urge particularly that sections 76 and 77 of the House bill as passed be incorporated in the Senate bill. I am opposed to section 58 of the old Chamberlain bill, which authorizes the President to organize volunteers in time of peace; this, to my mind, is detrimental to all the National Guard.

2. I wish to call to your attention the fact that I shall use my influence, not only with National Guardsmen but with all citizens whom I come in contact, toward pointing out to them that the so-called continental army scheme is impracticable and would have a bad result if passed. I urge upon you as Senator from New York State, having about 18,000 National Guardsmen in active service at present, and about three times that number who have served in the National Guard, to oppose any contemplated measure that is detrimental to the interests of the National Guard at large.

H. S. STERNBERGER, *Colonel.*

Mr. O'GORMAN. I have not the honor of any personal acquaintance with the writer of that letter, and I suspect he does not know me. If he did, he might know that the tone of his communication was not calculated to be persuasive with me. I am not accustomed to accept dictation from any source, and in a matter of this grave character I resent any attempt at coercion from any person.

Now, Mr. President, with regard to one objection the writer of that letter makes against the provision for the volunteer army, let me make this observation. The head of the National Guard in the State of New York is Maj. Gen. O'Ryan, a man of fine character and unusual military ability. He is probably the only officer connected with the National Guard in any State in this country who has been invited to take the course in the War College in this city, and he has completed it. In the opinion of Regular Army officers he is a born soldier. I am sure that the subordinate officer who wrote the offensive note to me was not voicing the sentiment of the patriotic citizens of the State of New York who are identified with the National Guard in that State, and that this volunteer army provision will not impair the efficiency of the National Guard is shown by a letter written by Gen. O'Ryan, which I shall read. Under date of January 17, 1916, Gen. O'Ryan stated:

The question is sometimes asked whether there is any conflict of interest or of effort between the organizations of the National Guard and the training camps for college and business men. This question may not only be answered emphatically in the negative, but it may be affirmatively stated with equal emphasis that the training regiments have been of benefit to the National Guard of this State at least. A very considerable number of men of the Plattsburg training regiment have joined organizations of the New York division, some as commissioned officers and some as enlisted men.

Wholly aside from the foregoing, there is another aspect of the training camps which should not be lost sight of. There are in some localities men who desire military training, but who are so circumstanced that they can not make available for the purpose the amount of time demanded by service in the National Guard. Some of the men in this class find it possible to devote 30 days for training during the summer months. The training camps furnish the needed opportunity for men in this class. These camps are, therefore, performing a service to the Nation in respect to such men which it is not possible for the National Guard to perform.

I have no hesitation in urging upon officers of the National Guard throughout the State their fullest cooperation in support of the excellent movement represented by the training camps. In New York State facilities have been provided in some of the armories for detachments of men of the training camps who desire to continue the work begun at Plattsburg.

Mr. President, the proposed volunteer army is a development of the training system referred to in this letter of Gen. O'Ryan, and I prefer to accept the opinion of this gentleman on this question rather than the criticisms here and elsewhere of men not so well qualified to speak on the subject.

Mr. OLIVER. Mr. President, I would regard it as being extremely unfortunate if, as a result of this debate, a prejudice

should be aroused throughout the country against the officers of the National Guard in the different States. For the men who have given their time and their services substantially without compensation to the National Guard in my own State I could not say anything but a good word. Many of those gentlemen have expressed to me their opinion that section 56 would not only be to the detriment of the National Guard, but, in their opinion, would work ill instead of good to the country. In expressing that opinion I believe that they are acting, as they always have acted in military affairs, from motives of extreme patriotism. After a careful study of the subject, however, I am constrained to disagree with them; but, notwithstanding that, Mr. President, I know that they are honest in what they say and that they believe every word that they tell me, I can not now refrain from expressing my dissent from some of the expressions that have been given out in the course of this debate reflecting upon their motives in working for the elimination of this particular section.

I do not think they are right. I think, on the whole, that section 56 errs in not being strong enough; and if any amendment should be offered tending to strengthen it, I would vote for it.

I have received many telegrams favoring this section, and some in opposition to it. I hope the section will be retained, and I hope, but hardly expect, that it will be amended so as to make it stronger than it is as reported by the committee.

Mr. TOWNSEND. Mr. President, if by occupying even a brief time I would materially delay action upon the pending bill and its amendments I would refrain from speaking, for I realize that, so far as influencing the vote of Senators is concerned, much of the discussion here is of no avail. My only excuse for saying anything at this time is to give an opportunity to the many people who have written me on the subject of preparedness, both for and against, to understand the reasons which will compel me to vote for reasonably adequate military protection to the United States. I am not a military expert and have felt it the part of patriotic duty to defer largely in matters of detail and efficiency to those practical military men whose high character, unquestioned ability, and expert study and experience have made them authorities on this subject. Unfortunately, these experts are not entirely agreed upon all matters affecting the question, and in such cases of disagreement I have tried consistently to weigh the arguments pro and con in order to reach the best conclusion possible.

It can not be reasonably denied by even the most optimistic pacifist that the most unusual and disturbing conditions obtain in the world and in the United States that have ever been known in our history. From the alluring dreams of commercialism, in which the specter of war never entered, the world awoke to the horrid reality of "grim-visaged war" astride the world. The change to our people was startling. The days passed and 10,000,000 men were equipped with appliances of war, the most appallingly destructive that the genius and invention of man could devise—engines the most deadly ever known to the world; poisonous gases which make fatal the very breath of life, flying machines dropping death from the clouds, submarine dragoons which fill the seas with terror. As these shocking facts became known the world gasped and civilization stood still. But gradually the news of millions slain and millions maimed for life became so common that local news and markets again held the attention, at least of the American people. Europe, drunk with human blood, became the reeling, ready market for war supplies made in the United States. During all this time, revolutions, one succeeding another without intermission, were devastating Mexico, in which were rightfully thousands of Americans and other foreigners, whose lives and properties were sacrificed under direction of bandit leaders. The relations of the United States with the European belligerents and with Mexico have been strained almost to the breaking point, and at no time has the situation been more critical than it is at present.

Great Britain has rewritten the international laws governing the rights of neutrals whenever her desire prompted, and American commerce of practically all kinds has been treated as contraband and American rights have been ignored. She has made the United States one of her most effective allies, and is offended at the even mild protests of our Government. Germany has violated the laws of warfare by sinking defenseless ships carrying American citizens, who, under the law of nations, had a legal, if not a moral, right to be upon them. She is offended at us because we have but weakly protested against Great Britain's policy of making us a party to the latter's wicked efforts to starve the women, children, and noncombatants of Germany. Russia has no existing treaty with the United States and still cherishes resentment at our attempt a few years ago to meddle with her domestic affairs. Japan's memory still rankles with our Nation's attitude in the immigration matter and listens with ill-concealed displeasure to insults from Americans. She has not forgotten the school and land episodes in California nor her frustrated attempts to acquire Magdalena Bay, and it is possible that she feels the United States lessened the fruits of her victory in the late war with Russia. European nations hold us responsible for losses sustained by their nationals in Mexico and Mexico hates the United States with an undying hatred.

The Congress has not been permitted to know the exact situation of our foreign relations. The President and his Secretary of State probably do know. Some of the President's special envoys may know what Congress does not. But I shall not at this time nor on this bill enter into any extended criticism of the administration in its conduct of our foreign affairs. The present duty is nonpartisan, and, while I hold radical views as to the cause for much of our unpleasant national predicament, I recognize that it is a condition and not a theory that confronts us.

That our foreign affairs are critical, no thoughtful man can doubt. The things which I have mentioned and others are known. The President has issued a call for help. He has said that imminent danger threatened and that our country was insufficiently prepared to meet even the Mexican situation. He has warned the people that sparks were flying all around and that our country was in danger of a destructive conflagration. He is the head of the Army and Navy, and as such he has called upon Congress to give him an adequate Army to meet the present and prospective emergencies. It will respond now, as it always has responded, to every emergency call of the Commander in Chief. Congress and the country desire that our Republic shall be preserved against any reasonable possibility of dishonor or destruction. It has a mission for humanity which will require centuries to complete and a Congress which, through mistaken notions of economy or fear of personal political death, would fail to provide in an adequate degree insurance against national loss or destruction, would betray its trust, and become an enemy of democracy.

I feel that it is a higher duty to protect the country against the possibilities of foreign invasion than is the duty of a banker to protect his deposits against burglars or his home against fire. The banker is reasonably certain his bank will never be entered by thieves, yet he makes assurance double sure by installing a safe as nearly burglar proof as possible. Not one house in a thousand burns up, and yet he insures his home against fire. With the air full of sparks, as stated by the President, and our Nation's premises very inflammable, shall we not take out insurance?

Personally I have not worked myself into the hysteria of a great war fright, and yet I believe that the possibilities of international trouble were never so great as at present. Our government's conduct of foreign affairs has contributed to this condition. Our wealth and resources invite it. The world never saw so large a number of war-trained and seasoned soldiers at one time as are now under arms. War is now to them a profession. Its terrors have steeled their nerves and deadened their sensibilities. The greatest nations of Europe are war mad.

Russia and Japan were supposed to have been bankrupted by the recent war between them, and yet to-day, before the old wounds are healed, we find them stronger and more militant than ever. England had hardly recovered from the Boer War before she entered the present conflict. Our Revolutionary War prepared the United States to enter the struggle of 1812. Does anyone doubt that at the close of the Civil War those four-year veterans would have enlisted in a war against a foreign foe even more eagerly than they went to the front in sixty-one, and that the North and South would have united?

But I believe that preparation is especially necessary now that the President and the naval and military experts have admitted and advertised to the world our unpreparedness to cope with even weak and disrupted Mexico. We must defend the priceless heritage of democracy against reasonably possible invasion. But for the sake of peace we should show the world that we are prepared to protect our own. Such preparation will be a good investment. If we are reasonably prepared for a defensive war, we will never have one. If we are not so prepared, we may have one. It is because I love peace and hate war that I want to render my country immune to the latter by preparation. Does anyone doubt that the United States would not have been subjected to many of the insults and wrongs from Mexico and the European belligerents if we had not said "We are too proud to fight"; "We have not a sufficient Army and Navy"; "We will debate questions which

throughout our history were by our Government thought undebatable"?

The peace-loving, insult-resenting, just, and trained athletic giant is never insulted, is never attacked.

Furthermore, Mr. President, I want the United States to be in a position to lead in the world effort to make impossible another such war as that now waging. If through preparation we are practically immune to war we will have more influence at the council table of the nations than we will have if it is thought that fear and self-interest prompts our action. Better to spend a billion dollars in a program of defense, even if when it is completed our guns and armor are scrapped and our war craft are left to rot and rust at their moorings, than to lead our untrained youth to slaughter in an invited war and at a cost of many billions of dollars.

And so, Mr. President, being satisfied that it is the duty of this Congress to reorganize our Army and Navy with a view to greatly increasing their efficiency, the question with me is how and when to do it. As to how it shall be done, I have already stated that I am inclined to be governed largely in my vote by men whose training and experience fit them to advise. The time to begin is now. Indeed, we are already late in beginning. The very first business of this Congress should have been this work. Just as soon as the President saw the sparks flying, just as soon as he discovered that he was wrong when he condemned those men who said our country was without adequate defense, he should have used his great demonstrated power over Congress and urged its undivided attention to preparation. He should have speeded up the Government navy yards and private contractors who were working on ships authorized two and three years ago. This work has not been hastened, and to-day we have sixty-odd war craft that have been authorized and under construction for from one to three years. If an emergency need for a larger and more efficient Army and Navy exists, every energy of the Government and its agents should be employed to its limit of greatest efficiency. The administration has been so deliberate about this matter that I have sometimes wondered if the President really did see the dangers he so graphically described on his trip through the Middle West; and yet I feel that he is right now in urging speedy and adequate preparation. Dangers do confront us, and time may be of the very essence of our safety.

As to this particular bill, I think the able chairman of the Committee on Military Affairs and his capable and experienced assistants on the committee have given it much study in preparation, and it seems about the least that can in good reason be done. I think that a greater increase in the Standing Army should be provided for the first two years. At the end of that period we may find that we do not need so large a further increase as we now anticipate, and the faster we fill up the reserve force with men who have had service with the colors the more efficient will be our defense. It does not seem to me that the addition of 16,000 men to our already concededly inadequate Army provided in this measure is a sufficient increase for the first year. It is probable, however, that the recruiting officers will have trouble in securing 16,000 enlistments in a year. Young men are not going to break madly away from jobs paying from $15 to $30 a week to join the Army at $24 per month. It also seems to me it would have been wise to have provided for a little larger pay and more attractive inducements.

I favor the committee provision for regular reserves. I have some doubts about its being of much immediate avail, for the reason that young men may not enlist, but it is worth trying. There are thousands of patriotic men in this country who are willing to enlist in such a cause as this and under these provisions, and I think it would be better to have men who are closely connected with the colors ready at hand than to rely entirely upon the National Guard.

I am especially pleased with the provisions relating to the National Guard. That is a force already in existence. It is composed of the best young men in the States. This bill will give them an inspiration and a status which will increase their usefulness. The constitutional objections which have been urged against federalizing the State militia do not have as much weight with me as perhaps they ought to have. I realize, of course, that it is possible to conceive of a State that would not follow the discipline and training prescribed and followed by the Regular Army organization, but it is highly improbable that it would do so. Under existing statutes Regular Army officers are now drilling the State militia. If this bill becomes a law, the National Guard will have greater responsibilities, and it will, in my judgment, patriotically meet them. I have no doubt about the patriotism of the American people should our country be actually threatened with invasion by a foreign nation, but they must be convinced of the real danger. You can not expect young men to give up their ambitions, their profitable and attractive avocations of peace, and enlist in a Regular Army when they are told on high authority that the talk of a foreign war is jingoism, that we are sufficiently prepared for any probable emergency, and that no reasonable possible danger threatens, even though a little later that same authority becomes panic-stricken and without specifications states that war is possible, that our country is unprepared, and danger is imminent. Personally I hold the opinion that we should have an effective standing army of 200,000 men with short term of service, but longer term of enlistment. We should have an efficient reserve of as many more men thoroughly trained and ready at all times to be called to the colors. My own notion is that if enlistments were made for four years with regular service in time of peace of not more than two years on full pay and then two years of service in the reserves with payment for period occupied in drill, both Regular Army and reserves could be recruited so as to remain at approximately full strength. This, with the provisions of the bill for the National Guard, would, in my judgment, prepare the country adequately for any reasonably possible emergency, and would not offend the popular objections to a large standing army and would not unduly increase the burden of taxes upon the people.

I am in hearty accord with the idea of military training in our schools and colleges. Such training should be compulsory upon every physically and mentally fit boy over 15 years of age, whether he be the son of a millionaire or of a laboring man. I favor this, not alone or largely for the possible needs of war, but for the good of the boys, and therefore for the welfare of the country. Military discipline and subjection to authority are necessary to the highest good of the citizens of a republic. Such discipline is conducive to straighter, stronger, healthier men, and subjection to properly constituted authority is one of the first lessons which the citizen should learn. Neither wealth nor station should exempt any fit man from service to his country if occasion requires it. With such training our present standing army would be abundantly sufficient. If we were so prepared, Mr. President, every nation—aye, all the nations combined—would hesitate long before engaging in a war of conquest against the United States. It would answer the charge of militarism, the complaint of political influence by the Army, and relieve the people of the great burden of cost. The people do not yet understand this plan, however, and popular sentiment seems to be against it, but in time it will be adopted. In the meanwhile it becomes my duty to vote for the best thing that is possible at this time, which is the pending amended bill.

I wish I knew how much the greed of gain has had to do with our present need of preparation. I wish I knew the real status of our foreign relations. But I do not, nor can I know. Our trouble with poverty-stricken, revolution-torn Mexico has disclosed our military weakness, and 20,000 volunteers have been asked to enlist for the purpose of entering, if need be, the sunstruck, famine-infested deserts and barrens of the alleged Republic to the south of us. The President as Commander in Chief of our Army and Navy is crying danger and appealing for help. I must under these circumstances, from what real knowledge I have of the situation, believe that he has not so completely reversed himself on the question of our Nation's defenses without sufficient cause, and I prefer to vote the people's money to prevent future possible trouble, even though a knowledge of the real facts might make it unnecessary, than by inaction to make possible a greater loss from disastrous invasion and the possible destruction of thousands of my countrymen.

Mr. CLAPP. Mr. President, there is some good in section 56; and the good that is in section 56 is the basis found in the plan or system of training camps, originating, I believe, at Plattsburg, N. Y., last year.

I do not think anyone fails to appreciate the value of these training camps, and if we could have had a plain provision in this bill—and I believe I can point out a way in which we could have one—for the development and encouragement of these camps, placing the participants in the encampments under an oath of enlistment for a term of years so that they would be subject at any time to call, it would have been a very meritorious measure.

I was much interested in the letter read by the Senator from New York [Mr. O'GORMAN] this morning, which I think illuminates the background from whence the telegrams come that have come here this morning. That letter, signed by Gen. John F. O'Ryan, relates not to a nebulous proposition, which some members of the committee themselves admit they do not yet understand, embodied in section 56, but it relates to the encouragement of training camps; and I believe the sentiment that is reflected here this morning in the telegrams comes from those who believe in the training camps and can not come from

a full understanding of the complexities of section 56, when the members of the committee, when asked as to the purpose to be effected by that section, are unable to state what that section means.

Mr. President, I do not believe there can be any conflict between the training camps, carried to the extent of enlistment for a term of years of the men who participate in those training camps, and the National Guard. It is a little singular that the other day we were treated here to the suggestion that the National Guard was seeking to influence legislation, when this morning we are treated to the spectacle of a deluge of telegrams designed to affect legislation in the counteraspect and along the counterlines.

If it were possible to take section 56 and convert it into a plain section, plainly stating what was meant, so that there could be no difference of opinion among the members of the committee themselves as to what it meant, it would be a wise step to take. Section 56 refers to and brings into it and makes a part of it another law. You go to that law, and you find that that law incorporates another law; and we have here the spectacle of a provision proposed to be enacted which will require the consultation of three separate, independent statutes to understand what the provision means.

Under this view of the case I am impelled, I think, to vote against the provision. If the provision prevails, we will have it for what it is worth. If it is defeated, I am satisfied that there will be a measure offered in its place that will plainly point out just what is intended, and effectuate, develop, and enlarge the training-camp plan.

Mr. O'GORMAN. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Does the Senator from Minnesota yield to the Senator from New York?

Mr. CLAPP. With pleasure.

Mr. O'GORMAN. The Senator seems to be favorable to the idea that section 56 should be eliminated from the bill. I desire to ask the Senator what provision would be made for a reserve force if the National Guard provision should be held to offend the Constitution of the United States? In that contingency there will be, of course, no provision for a reserve.

Mr. CLAPP. Mr. President, the National Guard provision can not be held to offend the Constitution practically in this, that when there is a call to arms the National Guard, consisting, as it will, of units, will, in the main, as in the Spanish War, be ready to enlist; and once enlisted into the Federal force, it becomes subject to the Federal law.

Mr. O'GORMAN. The Senator admits, then, that, notwithstanding this proposed legislation, so far as it affects the National Guard, in the event of war it will be entirely optional with the members of the National Guard as to whether they will leave their own States?

Mr. CLAPP. The Senator from Minnesota does not admit that, by any means.

Mr. SMITH of Georgia. Mr. President, is there any doubt that the National Guard can be called into service by the President for the purpose of suppressing insurrection or repelling invasion in any part of the United States?

Mr. CLAPP. None whatever. More than that, the Supreme Court has held that repelling invasion may consist of counterinvasion, the President being the one to determine as to the expediency of that; but, as putting it beyond any pale of controversy, these men can be enlisted. The Senator from New York does not understand me. I would have the camps. I would have these men take an oath that for a given number of years, whatever term might be fixed upon, they should be subject to call to arms.

As illustrating the ambiguity, the uncertainty of section 56, if war should come with section 56 in operation, we would have an indefinite number, from our present standpoint, of men who had received the training of these camps, and who would be dispersed throughout the country. On the other hand, we would have our concrete National Guard units, companies, regiments, brigades, and, I think in two States, divisions. Now, the question is, Which would be first called upon?

The Senator from South Dakota [Mr. STERLING] offered an amendment plainly stating that under those circumstances the National Guard should be first called. That that is the theory of the chairman of the committee is evident from the fact that the chairman of the committee insists that with section 56 enacted as it now reads, and in connection with these other three laws that you would have to read to find out what section 56 means, the National Guard would be first called upon. Whatever doubt there may be as to the correctness of that interpretation, it is an admission that the National Guard should first be called upon, because there is no suggestion from the chairman that the law which he claims makes that provision should be repealed.

With that admission, why should there be any doubt about it? Why not accept an amendment that will put it beyond any question? And yet, when another member of the committee was asked that question yesterday morning, he was unable to answer the question. I think he might well make that admission, for I do not believe that the provision found in the Dick bill, enacted at a time when this provision of section 56 was unthought of, would cover the men enlisted under section 56.

I have always contended, since I have been in the Senate, that a law should be plain. It is sometimes excusable that we err in judgment; it is sometimes excusable that we are unable to state plainly matters difficult of statement; but there is no excuse for not stating plainly a matter which is susceptible of plain statement, and I do not believe legislation should be enacted in this form.

I can justify voting against this section, because I am satisfied that if section 56 is stricken out there will be substituted for it a plain, practical provision for carrying on and developing training camps, and providing that those who participate in those training camps shall be sworn into the service.

Mr. WARREN. Mr. President, will the Senator permit an interruption?

Mr. CLAPP. With pleasure.

Mr. WARREN. I have listened with interest to what the Senator says. He seems to doubt whether this section meets the views of those who have been in, or wish to go into, camps for training. If the Senator will permit me, here is a telegram from the executive committee of the Association of Training Camps that I should like to have read; but of course the Senator——

Mr. CLAPP. I have no objection to its being read. I should then want to ask the Senator a question.

Mr. SMITH of Georgia. I suppose every Senator has received it, perhaps.

Mr. CLAPP. Yes.

Mr. WARREN. If so, they can say so; but it refers directly to the question that the Senator now has under discussion.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

Mr. WARREN. I will say that it is not a late telegram. The date will be given by the Secretary. It is not one of those that came to-day.

The Secretary read as follows:

NEW YORK, N. Y., *April 4, 1916.*

Hon. FRANCIS E. WARREN,
United States Senate, Washington, D. C.:

On behalf of Military Training Camps Association of the United States, consisting of 4,200 men from all sections who have attended Federal training camps and representing also not less than 30,000 citizens who will attend this year's camps at a cost of $2,000,000 to themselves, we earnestly protest against attempt to defeat section 56, Senate military bill. This section, without impairing National Guard, will make available for service of Nation tens of thousands who, under no circumstances can be made available under a National Guard system.

MILITARY TRAINING CAMPS ASSOCIATION
EXECUTIVE COMMITTEE.

Mr. CLAPP. Now, I should like to ask the Senator from Wyoming whether he regards that telegram as decisive of an inquiry which was made here the other day and remains unanswered, and that is as to whether there will be headquarters established with all the paraphernalia necessary for the prompt mobilization of troops corresponding to the units which might be made up of the men who participate in these training encampments.

Mr. WARREN. I will answer the Senator. The fifty-sixth is a short section and does not go into detail, but it refers specifically to the law now on the statute books passed within the last two years providing for volunteer forces. Under that act, of course, the units are the same, or relatively the same, as in the Regular Army. The Senator will keep it in mind in reading section 56 that it leaves it with the President as to calling them out. It leaves it also with the President as to how those units shall be formed, as to some particulars, just exactly as the Hay bill has done and more or less the Chamberlain bill, so that there may be additional transportation trains and other matters that are only useful when the troops are expected to go immediately into active service. In the meantime, it would only be carried as far as to train the men in these camps up to the point where, when trains for transportation, and so forth, were made up, they would have passed over all the elementary parts and be ready to take hold of the larger matters, and would be that much ahead of the volunteers who were not enlisted until war was actually upon us and our men utterly without military knowledge.

Mr. CLAPP. In other words, the Senator has not thrown any light on the question which I asked him, if he thought the sender of that telegram had in mind——

Mr. WARREN. The sender of that telegram——

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield, and to whom?

Mr. CLAPP. I am yielding now to the Senator from Wyoming, as he is replying to my question.

Mr. WARREN. The telegram follows the——

Mr. CLAPP. I suggest that the Senator confine his interruption to an inquiry.

Mr. WARREN. I wish to say that the executive committee were here in person and discussed that matter with the committee, and they stated that section 56 would meet the views of that association, and that under it they would enlist.

Mr. REED. I wish to ask the Senator from Wyoming a question about the telegram.

Mr. CLAPP. I shall have to decline, under the rules of the Senate.

Mr. REED. I am not going to make a speech. I want to ask a question. I should like to ask the Senator from Minnesota to ask the Senator from Wyoming if he does not have some reason to believe that the telegram which he read is one of a lot of canned telegrams emanating from a common source and in substantially the same phraseology?

Mr. CLAPP. Mr. President, I would dislike to ask that question, because I have taken the stand that we ought not to deal with any of these telegrams from that attitude. I believe in the right, and more than that, I believe it is the duty of our citizens to freely communicate their views to the Members of this body.

Mr. REED. So do I, Mr. President, and if the Senator will pardon me——

Mr. CLAPP. I can not yield except for a question.

Mr. DU PONT. I wish to answer the Senator as to where the headquarters of the corps are to be established. I understand that it will be in the War Department.

Mr. CLAPP. Now, I have an answer. The headquarters of this force will be in the War Department. It has been insisted on this floor that there would be units organized and each one would have its officers and they would have somewhere a central place that they might call headquarters. On the other hand, I have gone through the various laws that this proposed law refers to, and I can find no authority for that suggestion, and the question remains practically unanswered yet as to what will be the locus of these various organizations which may be trained into units, composed of the men who attend these camps.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Massachusetts?

Mr. CLAPP. For an inquiry.

Mr. LODGE. All those details are embodied in the act of the Sixty-third Congress which provides for a volunteer force. This revives it. The whole thing is there, and we do not want to repeat it.

Mr. CLAPP. Then, if that is true, this requires a little illumination.

Mr. LODGE. I do not know who can illuminate it better than the Senator from Minnesota.

Mr. CLAPP. That act provides for details of men who are called to arms and kept under arms in units all the time until their term of service expires. I submit there is not a Senator on this floor who would admit or suggest that this bill contemplates the calling of these men to a locality as men called to arms and keeping them at that locality in the interim between these terms of camp-training experience and activity.

Again, the other question remains unanswered, and now, as throwing light on the telegram offered by the Senator from Wyoming, the training-camp organization committee that has this matter in charge contemplates that there can be 100,000 men secured at an expense of something like $3,000,000. They never dreamed of the expense contemplated by this provision. The estimates of the Senate committee contemplate twenty-four millions the first year. The training-camp committee, on the other hand, had in mind the training-camp proposition, which is a valuable thing, giving to the citizens of this country the opportunity of military training and supplementing that with an enlistment that requires them to respond to a call to arms if made within the time of the enlistment.

Mr. President, it does seem to me that on an important matter like this, instead of being told, as we were told yesterday, to first vote the provision in and then ascertain what it means, we ought first ascertain what is proposed by the section, and if we can agree as to the purpose thus disclosed then adopt the section, and if we can not agree then reject it. Feeling certain as I do that the Senate, in case section 56 is rejected, will make a prompt and complete provision for training camps contemplated by the letter read by the Senator from New York [Mr. O'GORMAN] and contemplated by the telegrams that we have received here this morning, I believe it is my duty to insist, as far as I can through the activities of my vote, in requiring that section 56 be made plain and explicit. I believe under the existing condition in the Senate the only way that can be accomplished is to strike out section 56 and then put in a substitute over which there can be no discussion as to what it means.

Mr. MARTINE of New Jersey. Mr. President, I regret that the Senator from Oregon [Mr. CHAMBERLAIN], the chairman of the committee, is not here at this moment. I feel that he was most unfortunate in a portion of his remarks yesterday where he said—I read from the RECORD:

> Mr. President, if the National Guard intends to come here as a political force, as it has done—there is not any question about that.

I insist that that is a most ungenerous and unfair statement. I do not believe the National Guard have come down here as a political force or have made an effort to dominate the Senate through any political means. I do know that some members of the National Guard have been here, but I believe the National Guardsmen are prompted by a spirit and a purpose as lofty and as patriotic as that of any Senator in this body. I know many of those men and I feel that the accusation is unjust and ungenerous. Those men came here because they believed the enactment of this particular bill, and particularly with section 56 in it, would tend to disintegrate and destroy their National Guard.

I will say, as I said the other day, the National Guard is an arm of great service in this country. They are not tin soldiers nor toy soldiers. It will not do to charge that on them. They are a patriotic body of men, as brave and as patriotic as any band of men who ever carried a gun. I recall very well in my own State, and I can look back far enough and recall in the State of New York and in the State of Pennsylvania when the National Guard gave infinite service to our country, infinite service to the State, and now it illy becomes Senators to talk about National Guardsmen coming down here and pressing themselves as a body, a political force, to carry out a particular measure.

I am impressed with the fact that this bill will disintegrate and destroy the National Guard. I am as much for the welfare of the country and so are these men as can be the authors of this measure. Those men have no mean or ulterior purpose to serve. They are as patriotic as we. We all realize the necessity, and you can not find a Senator in this body who is not in favor of a bill that shall better prepare our country in the hour of need. I am with the Senator from New York [Mr. O'GORMAN]. I do not believe there is a reasonable probability of our country being attacked notwithstanding the suggestions that have been advanced by the chairman of the committee. I believe we are reasonably safe, but to make assurance doubly sure I am in favor of an Army bill which shall put us beyond question in the right line as to defenses.

I urge my friends to cease this nonsense, and to my mind this injustice and unfairness, of the intimation that because one may disagree on this bill he is conspiring at the overthrow of the country for the disintegration of our armed forces. I want all to recognize that men have the right to disagree, and that those who oppose are just as patriotic, just as honest as those who advocate the measure.

Mr. SUTHERLAND. Mr. President——

Mr. MARTINE of New Jersey. I shall vote against this section. Should the section fail to be stricken out, I am frank to say that I shall vote for the bill then in its entirety, though I think it would be infinitely better if the section were out.

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Utah?

Mr. MARTINE of New Jersey. I yield for a question.

Mr. SUTHERLAND. The Senator from New Jersey has flowed on past the point where I desired to make an inquiry. He said a moment ago that section 56, if enacted into law, as I understood him, would destroy the National Guard.

Mr. MARTINE of New Jersey. I said it was the belief of the National Guard. I claim no expert knowledge in military lines.

Mr. SUTHERLAND. Is it the Senator's belief that it will destroy the National Guard?

Mr. MARTINE of New Jersey. It is my fear that it would tend to disintegrate and to destroy the National Guard.

Mr. SUTHERLAND. May I ask the Senator a question? I am just as anxious to preserve the National Guard as is the

Senator from New Jersey, and I would do nothing consciously that would destroy it. Will the Senator from New Jersey tell us in what way the organization of this volunteer force would destroy the National Guard?

Mr. MARTINE of New Jersey. Well, prefacing it with what I said, that I am not an expert military man and claim to have little knowledge of matters military, it is the belief of the gentlemen who have talked with me that it would tend to disintegrate and destroy the National Guard. I think that opinion has been quite generally acquiesced in and pretty generally understood.

I have received telegrams on one side insisting that it would destroy them, and I have received some others saying that even though it did the section had better be left in. I have received them on both sides of the question.

Mr. BRANDEGEE. Mr. President, I have heard some statements to the effect that the law adviser of the Army, the Judge Advocate General, had given a written opinion, and possibly several written opinions, in relation to the proposition in both the Hay and Chamberlain bills to federalize the National Guard, to state it briefly. I received this morning a letter from a very distinguished lawyer and an ex-member of the Cabinet stating that the Judge Advocate General wrote an opinion some months ago which covered the ground in relation to that subject, and that he has recently prepared another opinion regarding the provision at present under discussion. I should like to ask the chairman of the committee if he is in possession of those opinions or if he has seen them?

Mr. CHAMBERLAIN. I will say to the Senator that during President Taft's administration the Adjutant General rendered an opinion holding, in substance, that the National Guard could not be so federalized as to warrant the Government in undertaking to call their services into requisition to go out of the United States. That opinion was later submitted to Attorney General Wickersham, and he concurred in that opinion. I think the Senator will find that both the opinion of Judge Advocate Gen. Crowder and Mr. Wickersham were printed either in the House hearings or in one of the documents that has been referred to during this discussion.

Mr. BRANDEGEE. Is there not a later opinion than that, about the plan proposed in the Senator's own bill?

Mr. CHAMBERLAIN. I do not recall one now.

Mr. BRANDEGEE. I think it would be exceedingly interesting for us to know what the legal adviser of the Army may say about it, and as the Senator seems to be uncertain as to whether he has the opinion or not I will ask unanimous consent that the resolution I send to the desk may be agreed to, in case we have not the opinion.

Mr. CHAMBERLAIN. I think I can find it.

Mr. BRANDEGEE. I would like to have all the opinions that have been given.

The PRESIDING OFFICER. Without objection, the resolution will be read.

The Secretary read the resolution (S. Res. 158), as follows:

Resolved, That the Secretary of War is hereby directed to furnish to the Senate any written opinions which the Judge Advocate General of the Army may have given concerning the project contained in the so-called Hay and Chamberlain bills, to federalize the National Guard.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. LEE of Maryland. I object to the resolution.

The PRESIDING OFFICER. There is objection, and it will go over one day.

Mr. REED obtained the floor.

Mr. LEE of Maryland. I will state my objection if necessary. Will the Chair let me explain the objection?

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. LEE of Maryland. The opinions are already in the RECORD of both committees.

Mr. CLAPP. Mr. President, just a moment, if the Senator from Missouri will allow me. While I was on my feet I referred to the fact that the Training Camps' Association estimated the cost for 100,000 men at $5,000,000. I had intended, as showing how closely the committee and the association understood one another, to insert at that point that the estimate of the committee for the first year would be something like $24,000,000. I shall take the liberty of inserting that at the appropriate place in my remarks.

Mr. BORAH. Mr. President, may I ask the Senator from Minnesota a question before he sits down?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Idaho?

Mr. CLAPP. I do.

Mr. BORAH. The Senator has stated that it is estimated that the training camp, as I understand, would cost $2,000,000 a year for 100,000 men?

Mr. CLAPP. That was their estimate.

Mr. CHAMBERLAIN. May I interrupt the Senator there?

Mr. CLAPP. Certainly.

Mr. CHAMBERLAIN. Is not the Senator from Minnesota mistaken about that estimate having been made? If that was stated, it was because it cost them of their own money about $2,000,000 to attend the training camp. That was the way I understood it.

Mr. CLAPP. Surely; they say that 100,000 men were there—I think there were not 100,000 men there, but a hundred thousand men might be there—my recollection is that the estimate was $3,000,000 for a hundred thousand men.

Mr. BORAH. The estimate of this committee under section 56 is about $24,000,000.

Mr. CLAPP. The estimate of the committee for the first year is $24,000,000; for the second year, $31,000,000; for the third year, $39,000,000; for the fourth year, $47,000,000; and annually thereafter, $27,000,000.

Mr. BORAH. How was this difference of cost made up? What constitutes the difference? What is it that costs $32,000,000 instead of $2,000,000?

Mr. CLAPP. If the Senator from Idaho will examine section 56, he will find that that section refers again to another act, the act of April 25, 1914, which, in turn, refers to still another act, and between the three acts there is the general experience which we have in legislation—too much sail for the amount of ballast—in other words, a great top-heavy organization.

Mr. CHAMBERLAIN. I desire, in answer to the Senator from Idaho [Mr. BORAH], to speak of what enters into that cost of $24,000,000. That is not the actual cost of the men. We are accumulating all the time clothing, ordnance, and other matériel. The estimate for these things was printed in the RECORD yesterday, showing for the Quartermaster and Ordnance Departments just exactly what went into that estimate of $24,000,000 per annum. The Government is laying aside and storing ordnance and other things that are necessary for the organization.

Mr. CLAPP. Yes; and for that reason I have not stated it; but it was called out by some inquiry referring to the larger figures embracing those items. I simply referred to the figures estimated for the first year. There is not any great amount of accumulation carried on the first year, but that does account for the increased cost year after year, undoubtedly, but the first year it is $24,000,000.

Mr. CHAMBERLAIN. Mr. President, let me make myself understood about that. The first year included in that estimate of $24,000,000 they have $3,651,000 for ordnance stores and supplies; $1,318,000, manufacture of arms; $744,000, automatic machine rifles; armament of fortifications B, $9,226,000; small-arms target practice, $120,000; making $15,059,000 of the estimate that the Senator refers to. Practically all of that goes into the reserve.

Mr. SUTHERLAND. I desire to ask the chairman of the committee a question. I am somewhat confused about this matter of cost, in view of the various statements that have been made. What, in the opinion of the chairman of the committee, will it cost the Government of the United States to organize and train, under section 56, a volunteer force of, say, 100,000 men per annum?

Mr. CHAMBERLAIN. I do not know that I could give the cost for a hundred thousand men; but if the Senator will take the estimates of cost that have been referred to, it is proposed by this voluntary system to eventually raise about 261,000 men.

Mr. SUTHERLAND. What will it cost?

Mr. CHAMBERLAIN. And those men are raised in increments of one-fourth for four years, so that the final annual cost, as contained in these estimates, is the cost of the full force at the end of the fourth year.

Mr. SUTHERLAND. And what is that?

Mr. CHAMBERLAIN. It is $27,609,067.

Mr. SUTHERLAND. Per annum?

Mr. CHAMBERLAIN. Yes; assuming that the enlistments would number 261,000 and were trained for 30 days.

Mr. SUTHERLAND. At any rate that sum would take care of a volunteer reserve force of 261,000 men?

Mr. CHAMBERLAIN. Yes, sir; decreasing from the fourth year, because during the first, second, and third years much of this money is expended—and that is the reason the cost is large—in the accumulation of equipment.

Mr. SUTHERLAND. Let me now ask the Senator what would be the amount of contribution upon the part of the

Government toward the training and equipping of a corresponding number of the National Guard?

Mr. CHAMBERLAIN. Under table 11, of cost—and I will say that that has been criticized by the Senator from Maryland [Mr. LEE]—under the estimates we have here it is $40,873,200 annually after the fourth year.

Mr. SUTHERLAND. For the same number of men?

Mr. CHAMBERLAIN. For practically the same number.

Mr. SUTHERLAND. Then, it would cost the Federal Government, in addition to what may be spent by the States, if I understand the matter, in the neighborhood of $12,000,000 more per annum for the same number of troops of the National Guard than it would for this contemplated volunteer reserve force. Is that correct?

Mr. CHAMBERLAIN. The difference in the annual cost amounts to a little over $13,000,000 after the fourth year.

Mr. CUMMINS. I desire to ask a question of the Senator from Oregon. What is done for the National Guard that makes it cost the Government more to maintain 260,000 of the National Guard than to maintain 260,000 of the volunteers?

Mr. CHAMBERLAIN. Their training covers a longer period; of course that is one element of cost; but it is perfectly fair to say here, Mr. President, that, in making the estimate of the cost of the National Guard, we have estimated in that, as a part of the expense, the accumulation of the same material and supplies. The difference in pay alone is about thirteen or fourteen million dollars.

Mr. CUMMINS. I understood the Senator from Oregon to say yesterday, possibly, that the training of the volunteers was substantially the same in point of time as would be the training given the National Guard.

Mr. CHAMBERLAIN. But it is condensed into a 30-day period, whilst the members of the National Guard are trained in the armories each week and spend 24 days in camp.

Mr. CUMMINS. But the volunteers must be trained 30 days every year?

Mr. CHAMBERLAIN. Yes.

Mr. CUMMINS. To me it is utterly inconceivable—and I know there must be a very serious mistake somewhere; not made, of course, by the Senator from Oregon—that it should be asserted that you can maintain 260,000 volunteers, with their officers, at a cost of $24,000,000, while it costs $45,000,000 or $40,000,000 to aid the National Guard to maintain the same number of troops. I repeat there must be a mistake somewhere in that estimate.

Mr. CHAMBERLAIN. Mr. President, I can not, of course, undertake to correct the figures that have been furnished us from the different branches of the War Department. I only take the figures which they gave us; that is all the committee could do. The Senator will find them very carefully compiled throughout.

Mr. SMITH of Georgia. Mr. President, if the Senator will allow me, if he will turn to the figures giving the cost of the National Guard and the cost of the volunteers, he will find that the expense of the Quartermaster Corps of the National Guard is placed at $17,000,000, $20,000,000, $21,000,000, $23,000,000, and $24,000,000. There does not seem to be any charge on a similar scale in connection with the volunteer service, unless new equipment and the 30 days' training is considered under it. I find that items for new equipment and training are also embraced in the estimates for the National Guard. That quartermaster's charge, which seems to be very large, amounting to half of the total estimate as to the National Guard, does not seem to be found to an equal extent in the estimate given as to the cost of the volunteers.

Mr. CHAMBERLAIN. I can furnish the Senator the estimates from the quartermaster's department showing the exact figures. The difference principally lies in the estimate for the pay of the two forces.

Mr. VARDAMAN. Mr. President, I should like to ask the chairman of the committee a question. The expense of maintaining the volunteer force is paid in the same way, for the same amount of service, as in the case of the Regulars, is it not? In other words, when a man joins the volunteer force his traveling expenses are paid going to and returning from the camp to his home. Is not that correct?

Mr. CHAMBERLAIN. Yes; it covers both.

Mr. VARDAMAN. And he is equipped, clothed, shod, given a hat, and all that, as the Regulars are, is he not?

Mr. CHAMBERLAIN. Yes.

Mr. REED. Mr. President, I shall take only a moment. I want very briefly to discuss this avalanche of telegrams. They were presented this morning in such bulk as to appear not only to be formidable but ominous. They were presented by the chairman of the committee in one bundle and by the Senator from New York [Mr. O'GORMAN] in another. I presume they were handed to us as evidence of a spontaneous uprising on behalf of the people in favor of section 56. At the same time we have heard criticized on the floor of the Senate the National Guard because members of that organization have seen fit to write letters and send telegrams urging legislation which would preserve the National Guard from destruction.

Before I discuss these telegrams I want to say a word lest I should be misunderstood. I hold that all citizens of the United States not only have the right, but it may in some instances become their duty, to send their views to their Representatives or Senators in Congress. When one receives the views of a great number of men scattered throughout his State or the country, each really expressive of the opinion of the sender, the fact at once appeals to every man who is a fit representative of the people; but in these latter days it has become the custom for some central organization to get up a propaganda and to send out to the members of an organization or association a request to deluge Congress with letters or telegrams. Generally the sender is told what he is to say, and ordinarily I think the suggestion is accompanied with the caution, "Please do not copy this exact language." So we generally find an attempt is made to vary the language.

Mr. President, I have gone through this great bundle of telegrams which were filed here by the chairman of the committee and I undertake to say that I can impanel a jury, and let him pick the 12 men, and I can prove that 90 per cent of these telegrams emanated from one common source. I can prove it by the language of the telegrams themselves. So that, instead of representing a general opinion that is entertained throughout the country, the telegrams in fact represent the opinion of some propagandist who has a special interest in section 56, either patriotic or otherwise.

Let me give you a few illustrations. Here is a telegram from Baltimore:

As a member of the first training regiment, United States military camp—

Now, note the language which follows—

I protest against attempt to defeat Federal reserve plan embodied in section 56, Senate bill, and urge immediate passage of this section.

Here is one from Boston:

As a member of Plattsburg training regiment, I protest against attempt to defeat Federal reserve plan in section 56 of Senate bill and emphatically urge passage of this section.

Of course, Boston being an intellectual center, this may have been a case of thought transmission. But here is another telegram from Boston in exactly the same language as the one I just read, and here is another one from Baltimore in exactly the same language as the first telegram I read, and here is another one from Boston in exactly the same language, and still another from Boston in the same language, and still another. Then here is a telegram from Boston that changes the language by inserting the word "vigorously," so that this gentleman "vigorously protests." And here is one from Brooklyn. Now, nobody would expect Brooklyn to be so keenly attuned to mysterious intellectual processes that it would catch this vibration that is going through the air, but the gentleman from Brooklyn caught it nearly right. He substituted the word "emphatically" for "vigorously," but otherwise he caught the Boston-Baltimore language. So I can go through the lot. This is one class and one kind of language. Then there is another class, which is typified by this telegram from Pittsfield, Mass.:

Please work to put through the Federal reserve plan embodied in section 56 of the Senate bill.

And there are seven telegrams from that same town in exactly the same phraseology.

Mr. President, here are about 30 telegrams which display a somewhat bungling attempt to vary the language. They come from Philadelphia, from Cambridge, Mass., from New York City, from Auburn, N. Y., and four or five other places. They are what we might call the "strongly urge" telegrams. One of them reads:

Strongly urge passage of section 56 in Senate bill relating to Army. Do not permit its defeat.

That comes from Philadelphia; but here comes one from Cambridge:

I strongly urge passage.

Just the pronoun "I" put in, which is quite a natural thing to expect in a message from Cambridge.

But here is a gentleman from New York who uses all of the language, except he puts in the word "I *emphatically* urge."

And so, running through some 30 telegrams, they are as plainly from one source as though they had been written in one handwriting or upon one typewriter and one kind of paper.

Here are about 50 telegrams. They come from Boston, and they come from Princeton, and they come from Brooklyn, but principally from Boston. There are, however, some from other towns. While they vary slightly in their language, all of them have substantially this sentence:

Strongly protest against defeat of section 56 of the Senate bill, embodying Federal reserve plan.

That sentence, substantially, appears in every one of them.

And so I might go through with all the telegrams comprising the great pile filed this morning. I should by so doing weary the Senate; I content myself by remarking that it is perfectly manifest, from an examination of these telegrams, that over 90 per cent of them, if not 99 per cent of them, emanated from one common source.

I simply say what I have so that nobody will think there is any great uprising indicated by these numerous messages. The charge has been made that the National Guard, because a few letters have been written in, is engaged in a lobby. Here is the positive, absolute, physical evidence in the Senate that the organization which went into camp at Plattsburg is engaged in a most vigorous and concerted attempt to influence legislation. I do not complain of it, but I do not want to hear the cry of "wolf" any more from gentlemen who represent that particular idea.

Mr. VARDAMAN. Mr. President, I think the telegrams and letters that are sent to Members of Congress are either from motives of patriotism or pelf. I have no objection whatever to a member of the National Guard of my State or any other States giving me his honest opinion as to the value of the National Guard to the general plan of our Army. I do not object to anybody giving me an idea or a fact, but I do not care to hear from any one who has a pecuniary interest in the matter of legislation. I have received a telegram such as the Senator from Missouri [Mr. REED] has just read.

Now, if this great Army is to be organized I have no objection to a volunteer force at all. I have no objection to these camps in the summer time for the purpose of training men in the use of arms, and teaching them the lessons of war. I think, however, the toilers of the country can ill-afford to bear the burden of taxation incident thereto at this time. Personally, I had hoped that all of this great plan, the organization of the Army and the building of a Navy, might be postponed until after the war in Europe is over, so as to permit the American people to survey the situation and organize an Army and build a Navy to meet all the exigencies and the necessities of the future. And I think that probably would have been done but for the energetic efforts on the part of those who are largely interested in the profits derived from the manufacture of munitions of war. Manifestly this Congress is not going to take the course which I would dictate or prescribe had I the power, but on the contrary, I am afraid it is going to undertake to lay the foundation of a great system—to build a house, as it were, when the flames are leaping heavenward and the storm is raging furiously about us.

That such a structure, whose foundation is laid under such circumstances, will meet the demands of the future, if we shall do our duty as a Christian Nation and the civilized peoples of the earth shall show themselves capable of self-government, I have my serious doubts.

My especial objection to section 56 is rather local in its nature. I am opposed to the whole scheme at this time, but the peculiar bearing it has upon the affairs of Mississippi means the local question of paramount importance. I pointed out certain provisions in the section a day or two ago which vitally affect the people of the State from which I come. My purpose in calling attention to the objectionable provisions of section 56 was purely patriotic. My only desire in the matter was to serve the people of Mississippi and America. But, notwithstanding my motive, I notice in the RECORD that my warnings and suggestions have been made the subject of ridicule by a distinguished Member of this body.

I want to say, Mr. President, that there is no argument in epithets, no reason in ridicule; and satire in the discussion of a serious question is the refuge of the intellectual bandit.

In the consideration of this great question the calmest, most serious consideration should be given to every provision of this bill. When I said that under the terms of section 56 there might be organized in the State of Mississippi a camp to which the negroes of that State would be invited, I did not say that that would be done. God forbid that there should ever come to the White House a man so utterly regardless of the interests of the people of America as to do such a thing. But this is an age of change. Marvelous changes have taken place in recent years. Things are happening to-day that we did not dream two years ago could possibly happen. I do not know what is going to happen in the coming years. But I do know that the race question is in the South, and that it is of overshadowing, paramount importance there.

When it is suggested that such a thing is impossible, that the laboring negroes of Mississippi could not leave their farms to go to one of these camps, I want to say in reply that in the little city of Jackson, where I live, if such a camp were organized, either in Mississippi, Alabama, Tennessee, or anywhere else in the South, more than a regiment would, in my judgment, go from that one little city of Jackson alone, robust, vigorous negro men, who do nothing, who toil not, neither do they spin, but rather live by the hand-outs from their women employed in the homes of the white families—and if such a proposition were made to them they would flock to it like carrion crows around a carcass. There could be a camp organized in the State of Mississippi, by advertising it for 60 days, of 25,000; and the Senators from the other sections of this Republic do not know what that means to the people of Mississippi. Oh, I am not saying this in order to generate race prejudice or to advertise our own unfortunate conditions; not at all. I would to God that conditions were different, that the peril might be removed from our midst.

It was stated upon the floor of the Senate yesterday:

Suppose a lot of darkies went into Hinds County, to a so-called Plattsburg drill, as a voluntary force of some sort, and, with arms in their hands, began to be disciplined, so that in the opinion of the white people of the State they became a source of menace to white civilization, what would happen to those volunteer darkies? Echo answers, "What?"

Of course, I know what would happen, and what I know would happen, is the very thing that I do not want to happen. No man knows the difficulties in handling the affairs of a Southern State when the two races conflict, who has not served in the capacity in which I served for four years as governor. You Senators from States where you have not that problem at all read in your newspapers nearly every morning accounts of some unfortunate crime that has been committed in South Carolina, Georgia, Mississippi, Alabama, Texas; and what is the result? Mobbing. What is the effect of mobbing upon those who mob? I care not what the provocation may be; I do not care what crime may lead to the mobbing; the white man who participates in it, though he does it to protect his home, to preserve the peace and purity of his wife and daughters—that man who violates the law when he takes it in his own hands suffers a moral deterioration from which he will never recover; and if that thing is persisted in very long, it will destroy the very civilization which we of the South are trying to conserve. There is no doubt about that.

Now, if, for political reasons or any other reasons, with an utter disregard of the real interests not only of the southern people but all the American people—because whatever injures the South, hurts the entire Republic—any President should order a mobilization of negro troops in Mississippi or any other Southern State, keep them there for 30 days, clothe and equip them, and then send them back with all the airs they have acquired in 30 days of drill, only one who understands the nature of the Negro and his peculiarities generally would know what would follow.

But the distinguished Senator intimated that the negroes have no money to attend the camp. Under the terms of this bill, the United States Government furnishes the money to pay for transportation and general equipment. Every negro would take it as a very delightful summer outing, and if an effort should be made to bring them to the service of the United States as a part of the Army, I apprehend it would not be the least trouble to organize as large an army as the Government would be willing to pay for.

Mr. President, I would much rather take my chances without any preparation whatever to meet a foreign foe, relying upon the individual white citizen and the patriotic spirit of the men of America to defend the flag and repel any foreign invasion, than to submit to the enactment of a law of this character, which exposes the people of the South to a peril as far-reaching as the adoption of section 56. I shall therefore vote to strike that section from the bill.

Mr. GALLINGER. Mr. President, I have taken no part in this discussion, beyond asking a question occasionally, having been much more anxious to vote than to talk, feeling, as I do, that there is great urgency for the speedy passage of this bill; and I am only going to take a few minutes to-day to present my views on one or two phases of the controversy that has been raging in the Senate Chamber for a week.

I am in favor of retaining section 56 in the bill as it stands, and shall so vote. I have not heard from a single member of the National Guard of my State—and we have a very efficient National Guard in New Hampshire—either for or against the

section that is under discussion, so that I am not at all influenced by anything that comes from the National Guard in reference to this matter, an organization that I am very friendly to.

I want to say, Mr. President—and I say it in all kindness, because I am not in favor of legislation that will do harm to any section of the country—that I deprecate very much the raising of the race issue in the consideration of this bill. The junior Senator from Mississippi [Mr. VARDAMAN] a few days ago raised that issue in very plain terms, declaring that, so far as the colored man was concerned, if he had his way he would not allow him to be a soldier of the United States but would keep him in a menial position, and the Senator from Mississippi has just repeated substantially the same thing. Of course, the Senator is entitled to that view, and every other Senator is entitled to a different view if he himself holds it. Speaking for myself, I want to express in a very few words my dissent from the position that the junior Senator from Mississippi has taken. And in this connection, so that the RECORD may be right, I want to say that the Senator whom the junior Senator from Mississippi criticized a few moments ago is not a member of the Republican Party and does not sit on this side of the Chamber.

Mr. President, I believe I speak for the entire Republican membership of this body when I say that we have no disposition to raise the race issue. We recognize it as a very serious problem with which another section of the country has to deal, and we are content to have it worked out as best it can be; notwithstanding we dissent from some of the methods that have been used in some of the Southern States. I say, Mr. President, I deprecate the raising of the race issue in this debate, and I have called attention to the circumstances under which it has been raised.

If I have read history aright, Mr. President, the colored man made a good soldier in the Civil War. He fought for the Union, for the Constitution, and for the flag, and he fought valiantly. If I read history aright, the colored man was a good soldier in the Spanish-American War, and he never has been given the credit that belongs to him for the work he did during that struggle. I also notice, Mr. President, that only a few days ago it was colored troopers who attacked and defeated a portion of the army of the bandit Villa; and they fought then as they have frequently fought before, bravely and valiantly. Whenever put to the test the colored soldier has acquitted himself honorably.

The truth is, Mr. President, that the time may come when the loyal colored men may be needed to protect our country from invasion and defend the liberties of our people, and I should hesitate to put myself on record as saying that those men should in an emergency of that kind be denied the privilege of fighting for their country.

The political rights of the colored man have been seriously abridged and he tamely submits to what he feels is a great injustice; but notwithstanding that, he is willing to fight for his country, and to me it is inconceivable that any man should attempt to deny him that right if he wishes to exercise it.

Mr. President, I beg of Senators not to allow their minds to be beclouded in any way by the race issue, which, in my judgment, has no proper place in this discussion. The provisions of section 56 should be considered and decided from a purely military point of view, and from no other point. Believing, as I do, that section 56 is one of the most important provisions of the bill, I shall vote against striking it out, and I trust that the motion of the Senator from Maryland may not be agreed to.

I desire simply to add a single word. It seems to me this section has been sufficiently discussed. It seems to me that we ought to be content with the time that has been spent in its discussion, and that we ought to come to a speedy vote. I appeal to Senators, whatever their views may be as to this section or as to any other provision of this important bill, that they may bring their minds to the conclusion which I have reached, and that we may not spend much more time in the discussion of a matter that is perfectly well understood by every Senator on both sides of the Chamber.

The VICE PRESIDENT. The question is on the substitute offered by the Senator from North Dakota [Mr. MCCUMBER] to section 56 as reported by the committee.

Mr. LEE of Maryland. Mr. President, the Senator from New Hampshire [Mr. GALLINGER] has just stated that this question should be approached from the standpoint of military reasons. The Senator from New York [Mr. O'GORMAN] has said that we should consider this question from the standpoint of the interests of the country as a whole. With both these general statements I agree.

Mr. President, preparedness must be practical, preparedness must be sane; it should be efficient, and should be economical. This particular section, section 56, in my judgment should be eliminated from the bill by the Senate and more than the equivalent provided for in other ways. I do not believe preparedness is going to gain any time by leaving section 56 in the bill. It has already been voted on in the House. It was proposed by Mr. GARDNER, of Massachusetts, as an amendment to the House bill, and received so little support that he did not even ask for a division. The Senate, however—this vote may turn out by one or two majority when it is actually taken—is quite equally divided on the question. The House of Representatives, therefore, being against it overwhelmingly and the Senate of the United States being divided, under ordinary conditions is there any prospect that section 56 can be agreed to in conference?

Mr. GALLINGER. Mr. President, I rise to a question of order. I think the Senator has not a right under our rules to attempt to influence the judgment of the Senate by alluding to what has happened in the House of Representatives.

The VICE PRESIDENT. The Chair is of opinion that the Senate must settle this question from its own view and not from the view of the House of Representatives, and that it is not a legitimate argument to attempt to influence the Senate by the action of the House of Representatives.

Mr. LEE of Maryland. I have said on that subject all I wished to say, at any rate, and I spoke of it simply as a practical man dealing with a practical question. I look at it from the standpoint of the military considerations which the Senator from New Hampshire just now referred to. I want preparedness, effective preparedness, and at the earliest possible time, and I do not wish to see any unnecessary delays thrown in the path of the preparation of a genuine citizen soldiery for the defense of the country.

Mr. President, is there no presumption in favor of the Constitution of the United States? If a man stands on this floor and argues in favor of the citizen soldiery mentioned in the Constitution, of the citizen soldiery approved of by Gen. Washington time and again, is he not entitled to the benefit of being in accord with the fundamental law and the greatest military leader of our country? Gen. Washington described the citizen soldiery as "the palladium of our security, the first effectual resort in case of hostility." Speaking of the militia, those were his words. No man had more trouble with unorganized and undisciplined militia than he had.

We all here are or have been members of the militia when between the age of 18 and the age of 45, as are all citizens; and yet relatively few of the citizens of this country know they are in the militia as a matter of law. Such as these unorganized, undisciplined militia are what Gen. Washington alluded to whenever he did speak in terms of condemnation of militia. Such a force is of necessity unreliable from a military standpoint, and should not be intrusted with the defense of our country and our institutions.

But an organized army, a disciplined militia, provided for under section 8, Article I, of the Constitution, is an altogether different story. I can not help thinking as we read over and talk over that section that it is one of the most remarkable expressions of wisdom in that great instrument, showing the practical ability, the theoretical knowledge of the men who made our Constitution, balancing the locality against the central government; and the balance of the Constitution is one of its greatest characteristics. It lies in the fundamental division of a government, legislative, judicial, and executive, all of those great features being features of balance for the preservation of liberty without in the least degree affecting the efficiency of the Government operating under the system. I want to discuss in a few moments the provisions of section 8, Article I, of the Constitution, but pass on now to a preliminary fact that for 100 years or more of the history of this country there has been a persistent and successful organized effort to defeat the full and effective exercise of the powers of Congress over the citizen soldiery prescribed in the Constitution. Congress has largely failed to exercise its right to organize, arm, and discipline the militia during all this period. The opponents of the action recommended by President after President, from Washington almost to the present day, used the present constitutional doubts and the present military insinuations against citizen soldiers.

Practically there was a lack of money, and also, as it is alleged, the ambitions of the Regular Army personnel interferred very largely with the possibility of developing a disciplined and permanently officered citizen soldiery.

That is one of the things that I want to bring to the attention of the Senate. Take this volunteer system. It necessarily is a confused condition whenever inaugurated to protect the country in an emergency. Volunteers hastily gather. Where would the officers come from? Certainly all the leading officers would come from the established personnel of the Regular Army. When appropriations were small and when opportunities of advancing the legitimate ambitions of military men were rare, there was perhaps more excuse in such an opposition, but now when the Congress is on the verge of increasing the Regular Army to 200,000 or to 250,000, when a large part of the captains will be majors and when many of the majors will be colonels by this very increase, the time has passed when anything like military jealousy on the part of the Regular personnel should be considered for a moment or respected for a moment in dealing with this great question of militia preparedness.

Congress has been largely under the influence for a long time of some kind of prejudice with reference to the militia of this country. I have been surprised sitting here in the last few days to hear the criticism coming from the old Members of this body of the alleged inefficiency and lack of discipline of the National Guard of the country.

Mr. President, if the finest young officers leaving West Point, furnished by the Government with their education, furnished with the pay that would support them, furnished with their clothing and their outfit, were told to go out and raise an army and discipline an army and at the same time Congress told those highly educated young officers, who would not have to take the time to make a living, that it would not pay any wages to that army, what sort of an army could those young men raise and maintain?

And yet, Mr. President, though Congress has for the last 10 years or more been paying something to the militia in the way of clothing and equipment, it has provided no wages to the National Guard soldiers except the wages of 50 cents a day, I believe, for some maneuvers. All this time what has been going on? A patriotic body of men, the officers and men of the National Guard of this country, have been giving of their time and of their substance to create and maintain and keep together a body of fairly disciplined soldiers that now amounts in numbers to 134,000 men, without pay for the rank and file, all losing their time, and the officers having to make up to the National Government for the clothing or other equipment individual soldiers might lose. The captain of an ordinary infantry company in the National Guard is responsible for between $4,000 and $5,000 worth of property to the United States, and necessarily some of that property is lost in various ways, but he, though commanding men who receive practically no pay from the country they protect, is compelled to make good out of his own pocket all the losses that occur.

The small amount that is provided for by this bill will revolutionize that situation. The $52.50 a year that the bill carries for the national guardsman will be a recognition, at least, and by preventing a total loss of the time devoted to the country will stimulate men to attend the periods of drill and will give a money sum against which the losses may be set-off. This pay, small as it is, will go a long way toward increasing the efficiency and discipline of the National Guard in this country.

Yet Senator after Senator who has sat in this body through years and years and who has never raised his hand to give the present proposed pay of $52.50 a year to the National Guardsman has risen in his place in the Senate and commented on what he alleged to be their lack of discipline.

Mr. President, it would seem to me that a man who had been in this body for any length of time and concurred in failure to exercise the powers of Congress to discipline the militia would be ashamed to rise in his place and point to the unpreparedness of this country in respect to the very matter that he himself has so long neglected.

Yet, Mr. President, almost every gentleman here who has criticized what he alleges to be the lack of discipline in the National Guard attempts at the same time to excuse himself on general constitutional grounds.

But how about the Constitution in respect to paying the guard? Is there any constitutional difficulty or objection to paying the National Guard? Is there any constitutional objection to this $52.50 a year? There is no such objection, and every man in this body knows that such a provision will operate as it is claimed it will operate. Here is an obvious improvement for possible discipline, free from constitutional doubt, and yet the critics of the National Guard have held it back throughout these years.

The Senator from New York suggested doubt as to what might happen if the courts found that any of these improving provisions were unconstitutional. It will be time enough when that decision is arrived at. But why has not the National Guard been paid before? How can any man who has been here and has had the opportunity of years and who has not made a record in the struggle for the payment of the National Guard even for the small wage of $52.50 a year, rise in his seat here and point the finger of criticism at what he alleges to be a lack of discipline? Congress has failed to organize and to arm and to discipline, and the words of the Constitution say that Congress shall provide for those things.

Mr. President, I do not know where we would look if we were looking for the men who failed to do this thing. I do not want to be invidious, but the Senator from Oregon [Mr. CHAMBERLAIN] yesterday, when we were discussing a question of military policy as for or against section 56, criticized us all who are opposed to section 56, as though we were opposed to the preparation of this country for a legitimate and proper defense against an invading foe.

He suggested that we were practically against preparedness. I resent that suggestion, because I believe that we who stand for the use of the National Guard, for organizing, arming, and disciplining the militia of this country, as recommended by Gen. Washington, as provided in the Constitution, are the fundamental and sane friends of preparedness.

There is a great advantage, certainly at the beginning, a great money advantage, in favor of the guardsman over the volunteer. The first year's financial advantage, referring to table 12 in the report of the committee, can be found by correcting table 12, first year's estimate, by deducting $19,000,000 from that first year's cost, a sum which has been already spent and represents accumulated material now in the hands of the National Guard of this country, and then dividing the remaining sum by 153,000 guardsmen, the number for whom the estimates are now annually made, the minimum enlisted number as provided by law. This gives us $176 per man as the annual cost of the United States of the individual guardsman, whereas the first year's cost as given by the committee for the 56,829 men and officers of the volunteers, in its first-year column, is $439 per man. The difference in favor of the guardsman, then, for the first year's cost is the difference between $439 and $176, that difference being in favor of the National Guardsman.

In addition to all that, the National Guardsman has a provision of between one and two hundred million dollars—I think I am safe in saying it is nearer two than one—of armories, military homes, where their clothing, equipment, and arms can be kept; where they can drill in bad weather, in addition to the outside drills which are provided for under this proposed law. The guardsman also has the advantage of the annual appropriations of the State; my State, for instance, appropriating $90,000 annually for the upkeep of the Guard in addition to having provided considerable investments in armories throughout the State. In this connection it is proper to add that out of the total of some 2,200 only 40 men were absent at the last inspection of the National Guard in Maryland.

But this volunteer army, so called, this so-called continental army, is a homeless body even if it can be brought to exist. Places for it to gather and keep its equipment, to issue forth from for the various purposes of military activity, are not yet provided or even estimated for by the committee.

It is remarkable, Mr. President, with these financial advantages in favor of the National Guardsman, that the committee should have gone out of its way to bring into this law a competing and, as I think, an unnecessary force. When I use the word "competing," I do not mean a force that by proper competition will improve the other, but I mean a force that gives an opportunity for all of the ancient enemies of the citizen soldiery of this country to discriminate in favor of the highly centralized force as against the citizen soldiery so carefully provided by the Constitution.

Mr. President, the committee can not be even moderately friendly to the National Guard, because if they wanted more men they could simply have increased the numbers and added that 50,000 to the National Guard, and added it as I have just shown with great economy to the Treasury of the United States, and greater promptness and certainty for the common defense.

In this connection I want to read you a little colloquy that took place in the Committee on Military Affairs between several Senators. I will just read the colloquy without the names. A Senator——

Mr. CHAMBERLAIN. Read the names. It is a public record.

Mr. LEE of Maryland (reading):

A SENATOR. It has always seemed to me, although I have never been able to figure it out, that limitations can be placed upon these

appropriations by the Federal Government that would compel the National Guard to yield to Federal control.

ANOTHER SENATOR. That could be done as a condition to the appropriation and the method of its use.

The FIRST SENATOR. That is what I am getting at.

The SECOND SENATOR. But would such a statute be in harmony with the provisions of the Constitution upon that subject?

The FIRST SENATOR. Suppose in making an appropriation for the National Guard, for instance, it is optional with Congress to make that or not. Suppose you make an appropriation conditioned upon the National Guard of all the States obeying the regulations adopted by the Secretary of War.

The SECOND SENATOR. The regulation would not be effective unless the States agreed to it.

A THIRD SENATOR. Would not that do away with the National Guard?

The SECOND SENATOR. It would have that effect, ultimately, and I am inclined to think that if it should have that effect it would be a good thing.

A good thing, Mr. President, to do away ultimately with the citizen soldiery of the Constitution of the United States! But the fact is that the National Guard will increase and improve, however recognized, by reason of the innate ability and patriotism of its members.

The Assistant Secretary of War, testifying before the Military Committee of the Senate, said, among other things, that 90 per cent of the men in the National Guard were there with reference to national defense, and, according to his estimate, a large per cent of the Guard might go into the Garrison volunteer system which was then being pushed.

Mr. President, I would not fear such disintegration very much did I not feel that there has been throughout the history of the long struggle for preparedness in this country a persistent prejudice in military circles against completely organizing the militia of this country; but I can not help thinking that Congress may lay the foundation for a possible failure to discipline the Organized Militia when it gives the two bodies places side by side and puts the management and possibly the destiny of the two in the hands of a personnel that may lean to the centralized force and may be adverse not only to the citizen soldiery specified in the Constitution but to all citizen soldiery.

Mr. President, I was a little surprised here this morning. The Senator from Oregon [Mr. CHAMBERLAIN] yesterday was full of indignation, and his voice showed unusual feeling for a man of such remarkable self-command, when he denounced the national guardsmen of this country for undertaking to communicate with their representatives in the Senate on this occasion. I think the Senator from Oregon went so far as to say that, if the communicating on the part of the National Guard with this body did not stop, he was for cutting it up root and branch, financially, I presume. To-day the Senator has been reading telegrams from a few National Guardsmen who favor his view, and I want to congratulate him on the increased liberality which he has to-day shown to that estimable military force. I hope that he will always maintain that attitude and will modify his attitude of yesterday, for I believe—and I think he will so believe when he thinks it over—that all of the citizens of this country can communicate properly to us here their opinions upon public questions pending in the Senate.

The long telegram which the Senator from Wyoming [Mr. WARREN] sent to the desk and had read is an appropriate telegram for us to consider. It shows that the Military Training Camps Association is operating in this matter and that mistaken opinions may have been disseminated about section 56 and the effect of striking it out, all of which could very easily have been started by misinformation sent by somebody to this camp association, which is in close touch, as it says in its telegram, with 30,000 citizens, and presumably has gotten as many of those citizens to telegraph the Senate as were willing to undergo the expense.

Those 30,000 citizens, according to this telegram, are going to pay $2,000,000 for a military educational course this summer. I want to say that I have great respect for their patriotism; I am glad that they are going to do it; but the very fact that they are able to contribute $66 each out of their private means for this purpose, as well as the length of time that is involved, shows very clearly that they belong to a class of the wealthier citizens of the country. But why not have these summer camps and military drill as members of the National Guard? This can easily be done without section 56 and a much greater military movement secured.

Mr. President, that is the very thing in this whole section 56 to which I am opposed. I do not believe we should create a separate military citizen-soldiery system. I think that these young men who are showing so much segregated patriotism ought to be encouraged to follow the flag alongside of their brethren in a really large movement. I think it would be better for them in the long run; it would be better for the country and better for their associates if they join the National Guard as guardsmen and follow the flag of their country as the soldiers of Switzerland do, let us say, each man on an equal footing with his neighbor. Let them live together in patriotism. They may have to die together.

This segregation into a special military force is undemocratic and undesirable, especially, Mr. President, in view of the fact that all this military training can be equally well and better done through the instrumentalities of National Guard maneuvers and encampments. There is not a particle of this training that can not be given in that way if these gentlemen want to get it, and they need not spend $66 apiece to segregate themselves from their fellow citizens. They can get it all, and they ought to get it all, at the hands of our Military Committee and be freely and sufficiently furnished with proper instruction under United States inspector instructors. It ought to be one great movement; it ought not to be a volunteer system and a militia system, conflicting one with the other; but it ought to be one great organized militia system, all mobilized at the same time and all mobilized under similar conditions.

Mobilization, Mr. President, implies uniformity. This division of military preparedness into small subdivisions is bad military policy, creating special types here and special bodies there with different relationships to national defense. Gen. Washington struggled for uniformity, and the words that I have quoted from him are connected with a plea for uniformity.

It is essential, therefore—

Said Gen. Washington on June 8, 1783, in addressing the governors of the Colonies—

that the same system should pervade the whole; that the formation and discipline of the militia of the continent should be absolutely uniform.

Here was the great Father of his Country pleading for uniformity, pleading for equality, pleading for similar efficiency, pleading against a segregation of the military and patriotic youth of the country into smaller subdivisions and under specially formed methods of discipline. He continues:

And that the same species of arms, accouterments, and military apparatus should be introduced in every part of the United States.

Why, Mr. President, we have got that. Thank Heaven, Congress has gone that far. It has clothed the soldier with a uniform in the National Guard; it has given him a musket, and given necessary other equipment to the National Guard—artillery, and so forth—similar apparatus to that used by the Regular Army.

As calling attention to the state of mind of some of the older Senators in this body, I would particularly refer to some of the remarks of the Senator from Massachusetts [Mr. LODGE]; and I regret that he is not now in the Chamber. Speaking of the present regulations, I presume, on April 4—page 5415 of the RECORD—he said that, in order for the National Guard to get the Federal pay under existing law, it was required that "there should be 24 drills of 1½ hours each and 5 days in camp." Was that any basis of criticism of the National Guard? Who is responsible for that small number of hours of drill? Who is any more responsible for there being only five days in camp than is the Senator from Massachusetts?

The Senator from Massachusetts may have made an effort to improve this condition—I hope he did; it would be to his credit if he had done so—but why should he ignore what this bill proposes to do much more? Why should he make a comparison under the old law with reference to the militia, for which he himself may be largely responsible, and not with what it is proposed to do under this bill or a better? If the provisions of the House bill are followed, 48 drills of an hour and a half each are provided for, which is 72 hours; 15 days in camp, at 10 hours a day, make 150 hours, or 222 hours as the minimum annual drill time for the National Guard, under the provisions of the House bill. The House gives only 15 days in maneuver camps; but the bill which the Senate committee reports would give a very much longer time for drilling in summer to the National Guard, as it provides 24 days in camp for the National Guard.

I do not believe that 24 days is practicable; I do not believe that at the rates of pay offered by this bill it will be possible for the citizen soldiery of this country, the men who have homes and families, to leave those homes and to abandon temporarily the support of their families, as in many cases they would have to do, on a soldier's pay of 50 cents a day. I believe that the provision of the House bill in that respect is more practicable than is the Senate bill, and that, if anything, the pay for the citizen soldier who is responsible in his community and responsible for the support of his family should be made somewhere nearly equal to his average earnings when at home.

Mr. President, the Senator from Wyoming presented that telegram from the Military Training Camps Association, and it was

entitled to consideration; but I want to say right here that the officers of the National Guard and the men of the National Guard, year after year, decade after decade, have been contributing their time and their money, without compensation and in amounts compared to which this small amount of money to be expended by these gentlemen going to the camps is utterly trivial. I do not think, therefore, that it lies in the mouth of any Member of this body to criticize any member of the National Guard of this country for coming here, for being interested in preparation, for presenting his views in connection with advancing the preparation for defense, about which he has not been a mere talker, but in favor of which he has acted so honestly and so earnestly and with so much expense to himself.

Mr. President, I really believe that our Regular Army needs a little shaking up somewhere; I believe it needs a little extension of military public opinion, of the military knowledge of this country, such as would be created from increasing the numbers and improving the discipline of the National Guard, for instance. Our Regular Army is extremely slow to act in some respects. I think the Military Committee of the Senate, which has been charged with the burden of preparedness through many years, and which is as much responsible for our present condition as any other body of men in the country, ought to have the advantage of more alacrity, broader recommendations, and more genuine suggestion of preparedness from the higher officers of the Army.

In this connection it is proper to give two instances which I think throw a little light on this situation—personal experiences of my own. In May, 1914, I introduced a resolution. I had been thinking over the military situation and the situation in Mexico. It occurred to me that if we went into Mexico—a possibility which did come about very recently—that water and transportation would be the things the troops would especially need. I introduced a resolution on that subject, and it was sent to the Committee on Military Affairs:

Resolved, That the Committee on Military Affairs be, and it is hereby, requested to prepare and bring in a bill for defining the duty and conferring the power and means upon some part of the Supply Corps of the United States Army to enlist the necessary men of proper mechanical skill and to acquire the necessary pipe, tools, pumping engines, well-boring machinery, auto trucks, and other transportation for promptly securing and distributing water supplies for drinking and washing purposes to United States troops in time of war or when war may be considered possible; and that the object of said bill should be to authorize all necessary details of officers from the Engineer Corps and Medical Corps and to use all available mechanical means in the hands of a disciplined and efficient service to create and keep a good water supply as near to the front as conditions render possible, and for which purpose the present contract system for Army water supply is obviously inadequate; and that the said general purpose of said bill may be connected, if feasible, with increased facilities for the distribution of ammunition and food and water to advanced forces.

What became of that resolution? I presume it slumbers to-day on the files of the Military Committee; but, it has been stated in the papers—and with apparent truth—that when this movement into Mexico took place the other day the Army was without water tanks to send along with the men, and that the Standard Oil Co., out of its abundant means, had permitted our little Army to have six automobile water tanks which the Standard Oil Co. was just then providing for its purposes. This special subject had been called to the attention of the Military Committee, and possibly by them to the supply corps of the United States Army, in May, 1914, and yet the United States Army, moving a few thousand men into Mexico, has to accept automobile water tanks from the Standard Oil Co.!

Mr. President, there is another little incident to which I desire to refer. I happened to be in the Military Committee one day when an officer was testifying. I never saw him before, but he would make an impression upon any observer as being a man of force and an officer of unusual attainments. After the members of the committee were through questioning him the chairman, with great courtesy, permitted me to ask him a couple of questions, and I asked him about the contest that is now going on along the whole European front between guns of fixed position and guns of concealed position. The great military struggle in Europe to-day is being determined in large part by this contest between the concealed great guns of position, for the fixed positions are abandoned. Col. Glenn, in answer to that question, filed a brochure dealing with the question of guns of concealed position, which is a part of the testimony taken by the Military Committee of the Senate. In that brochure he showed the very great utility of great movable and hidden guns; for the struggle now is between the eyesight of the flying forces and the skill of the men who handle the big guns. The big guns are concealed in every sort of position. They are placed under houses, placed behind hills, placed in little pieces of timber, placed wherever they can be concealed from the spying eye of the flying forces of the adversary. On either hand there is a tunnel leading from the gun to a dugout, and the artillerists handling a gun, whenever the enemy find where that gun is and commence to shell it, disappear like prairie dogs in these two side tunnels, and after the bombardment is over they come out and take what is left of their gun at night and put it in a new place.

That is the process going on in this war with reference to great guns. Col. Glenn testified that the great guns of fixed position in the fortress of Verdun had been removed by the French and hidden behind the fortress in concealed positions. I state this to prepare you for the letter I am about to read; and I hope the chairman of the Military Committee will not leave the Chamber, because I think this is a significant little circumstance that surely ought not to miss his attention. Here we are, 16 months after Liege and Namur, where great concrete and steel fortresses were destroyed by shell fire of the guns of concealed position, and here is a letter written by Gen. H. L. Scott, Chief of Staff, United States Army, in which he describes the position of our Army in that respect to-day:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, D. C., February 1, 1916.

MY DEAR MR. DICK: I am very sorry not to have seen you when you were here. To-day is the first time I have been out since then. "I took up the subject of the mobile guns of large caliber a year ago and have been agitating it ever since, with the result that we have got the Secretary of War and the Assistant Secretary on our side, and we have estimates in for six, to begin with. After we once get the carriage design approved we can get more. I believe they are very necessary on both coasts and intend to do all I can to get mobile guns of large caliber with carriage on trucks and railway carriages."

Regretting I have not had the opportunity of seeing you, I am,

Ever sincerely, yours,

H. L. SCOTT.

MR. EVANS R. DICK,
39 Broad Street, New York, N. Y.

Mr. Dick had been discussing with me the question of movable guns of position, and this letter was so descriptive of the general condition of our defenselessness that he sent it to me in connection with our previous conversation.

Mr. President, I have a great deal of respect for Gen. Scott; he is a brave old soldier, and I am glad that he is making this fight for these six guns; but what a pitiful picture this letter presents! We have no coast defenses, Mr. President. We have some harbor defenses—and great movable guns are needed for the defense of our country generally. There ought to be 600 such guns; and yet we have not a carriage designed and in condition to be approved, and after we get a carriage approved the General thinks he can get some more. Why, Mr. President, with this nakedness of ours from a military standpoint clearly apparent, what is this strange hypnotic control that some influences are exercising over the preparedness of this country? They are the very same influences, I believe, that when we come here striving for uniformity in the citizen soldiery of the United States oppose provision for the National Guardsmen, who can be furnished so much more cheaply than the volunteers and in so much greater numbers for the protection of the country. The whole thing has elements of mystery. The average Regular soldier costs $1,150 a year; the average citizen soldier in the National Guard, as I have shown, costs $170 a year. With all the pay and equipment that this bill proposes to give them, with all the increased power of discipline it proposes to give over them, five or six national guardsmen can be provided for the same cost of one soldier in the Regular Army, and in the first year two guardsmen can be furnished for the cost of one volunteer.

Mr. President, it has been testified by all the military experts that the defense of this country is no small thing; that anything less than a possible force of one or two million men is comparative defenselessness. Where are you going to get one or two million men for genuine defense? The only possible way is by the more economical method of disciplining the citizen soldier, the man who supports himself at home, the man who is not segregated from the productive activities of the Nation.

I desire now to discuss for a little while the constitutional objections which have been submitted here, especially by the able Senator from Idaho [Mr. BORAH]. It is obvious that that Senator has strong feelings against the National Guard. I do not believe, however, that his feelings would affect his conclusions as a lawyer. They certainly do affect his figures when he speaks about the National Guard. I was struck the other day while he was talking that every time he mentioned the expenditure for the National Guard under this proposed legislation he added $10,000,000 or $15,000,000 to the round numbers, with a certain soaring of arithmetical enthusiasm that showed a feeling of condemnation on the inside.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Idaho?

Mr. LEE of Maryland. With great pleasure.

Mr. BORAH. May I ask the Senator if it is not true, notwithstanding I soared occasionally on the question of figures, that I always kept below the estimates which are given by the House committee for the expense of the National Guard under its plan, and below the estimates given by the Senate committee for the expense of the National Guard under its plan?

Mr. LEE of Maryland. Mr. President, I was so far away from the distinguished Senator that I could only see that he was soaring. I really do not recall the exact figures he used. I could see that he had not made any deduction whatever for the corrections that I had worked out and applied to the estimates of the committee. I could see that he had not taken in that mere little bagatelle of an error which the committee brought in here of $19,000,000 for the first year's cost of the National Guard.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Wyoming?

Mr. LEE of Maryland. With great pleasure.

Mr. WARREN. Does the Senator believe the committee made an error of $19,000,000?

Mr. LEE of Maryland. That is my impression. I am not yielding the floor, Mr. President.

Mr. WARREN. I desire to answer that, but I do not care to occupy the floor against the Senator's wishes.

Mr. LEE of Maryland. I am perfectly willing to have the Senator deal with it while I am on my feet; but the Vice President has taken the position that I would lose the floor——

The PRESIDENT pro tempore. The Chair understood the Senator from Wyoming to ask if it were not true that a certain report showed certain figures different from what the Senator had been asserting.

Mr. WARREN. The Senator puts a different construction upon the figures, and I was going to correct it, if he would allow me to do so.

The PRESIDENT pro tempore. The Senator is at liberty to yield at his pleasure the first time. He does not forfeit the floor until he has yielded the second time. The Senator is at liberty to yield to the Senator from Wyoming or anybody else the first time, for any sort of discussion he sees proper to engage in.

Mr. LEE of Maryland. I should be glad to have the Senator suggest the correction while I am on my feet.

Mr. WARREN. The $19,000,000 that the Senator speaks of to be deducted, was the cost of the equipment that is with the National Guard. Under section 56, providing for the enlistment of volunteers, there is an amount charged up there for the same kind of equipment, or a similar equipment, that amounts to nearly the whole sum.

Mr. LEE of Maryland. That has got to be spent for the first year.

Mr. WARREN. Yes; of course it is money spent; but to go further, and say that the average per man is more, is not correct.

Mr. LEE of Maryland. I simply take the position, Mr. President, that when the committee comes in with an estimate for the National Guard of the first-year cost, and includes in it the expenditures that have been made through 10 years past, it is not a proper first-year estimate.

Mr. BORAH. Mr. President, may I ask the Senator a question, in order that I may be right?—because I do not desire to misrepresent.

Mr. LEE of Maryland. Certainly.

Mr. BORAH. What does the Senator estimate to be the cost of the National Guard per annum after the third year?

Mr. LEE of Maryland. I have made no examination after the first year. I simply dealt with the first year, and I was kept pretty busy keeping up with the apparent errors of the committee for the first year. I have not had time to go into the estimates of the committee for the second and third and fourth years; but when, by correspondence with and visits to the department, I found a variation of $19,000,000, it became necessary to attend to some other business, and I really did not have the time to inquire how much of this old material has been charged over and over again in these columns, if any. I presume, however, that the cost was carried along; because if you can put into a first-year estimate for the year 1917 expenditures made for material for 5 or 10 years back, then there is no reason why you should not put in with equal equity for the year 1918 the expenditures for 1917 and sundry years behind that.

The Senator from Idaho [Mr. BORAH] attacked the militia on the theory that they had usurped the powers of courts. I could not help thinking, as he spoke, how much easier it would be for local courts and local sentiment in a State to correct any military usurpation by local soldiery than it would be to correct a national soldiery guilty of the same form of usurpation; and undoubtedly military power always will be guilty of usurpation in dealing with the affairs of citizens under martial or semi-martial conditions.

On one day the Senator from Idaho argued that the power of appointment by the States of local officers would give large local influence over the militia; and he quoted from Mr Hamilton, the Federalist, No. 29, to the effect that the power of appointing officers would always secure a local influence in connection with the militia forces of the State.

Mr. President, I think that is a most excellent effect. I think that in a republic there should be some local sympathy, some local knowledge, some local connection in the mind and the political conscience of the officer. I think that is perhaps the fundamental reason why Gen. Washington and the framers of the Constitution provided, in this remarkable part of section 8, for that excellent balance in dealing with the militia between the States and the Nation as represented by Congress.

There are in that section only two powers reserved to the States—the appointment of the officers and the authority of training. Those two powers are reserved to the States, but that reservation is subject to an absolute control, because the appointment of the officers and the authority of training the militia has to be "according to the discipline prescribed by Congress."

Mr. HARDWICK. Not the appointment of the officers.

Mr. LEE of Maryland. Certainly, both; and why separate them? How could the constitutional mind of Washington, the practical mind of Washington, consider the training of troops separately from the selection of the officers? They go together.

Mr. HARDWICK. Mr. President, I should like to ask the Senator if he will put in the RECORD, in connection with his remarks, the language of the Constitution on which he bases that remarkable contention.

Mr. LEE of Maryland. I will with great pleasure. I have just quoted it—

> Reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

There is not an intimation that the discipline does not apply to the selection of the officer, as well as to the training that the officer is to give. Remarkable? Why, it is the inevitable meaning of plain language.

Let us turn to the dictionary.

Mr. HARDWICK. If the Senator will pardon me just a moment, there is a comma after the words "appointment of the officers," is there not? Is it not a complete sentence?

Mr. LEE of Maryland. No; there is no comma after the word "officers" in the copy I have.

Mr. HARDWICK. There is in the Constitution.

Mr. LEE of Maryland. I do not think, Mr. President, that the comma would deprive Congress of its jurisdiction, even if it should be found to be there. I am inclined to think that this serious question of providing a discipline for the militia, and for the qualifications of the officers who apply that discipline, is something that the Constitution intended Congress to have the power to control.

The word "prescribe," Mr. President, is no mild word. It means "to set or lay down authoritatively for direction or control; to give as a law or direction; to lay down laws or rules; to give directions"; and one of the synonyms is "dictate."

The word "discipline" is a strong word, Mr. President. It means "systematic training or subjection to authority; especially, the training of the mental, moral, and physical powers by instruction and exercise, and by authoritative control and direction; a course of exercise and practice in order to bring and keep under control, and to qualify for harmonious and effective action; the state of being subject to rule, or under control or command; systematic obedience; subjection; as, 'his men are under perfect discipline'; a system of rules or method of practice."

With these extensive powers reserved to the Congress of the United States, it is a singular thing that throughout more than 100 years of our history these powers have practically lain dormant; and only in the last 10 or 12 years, stung, perhaps, by the pitiable and miserable losses of the Spanish War, the horrible sicknesses that came from a lack of preparation, has there been some slight effort by Congress to exercise its extensive powers over the citizen soldiery of this country.

This is, indeed, a remarkable provision. It carries with it a perfect balance between the State and the Nation. It parallels the balance in all the rest of the Constitution; and it is

by reason of this provision, which, I believe, expresses the best thought of the best period of our Nation's life that I would prefer to see a harmonious militia, well disciplined, well armed, well organized, provided for and carried on by the Federal power granted to Congress under this section, and why I would prefer that that remnant of local sympathy which section 8 of article 1 would leave in the local soldiery should be left there for the protection of this great country from internal revolution.

Mr. President, in arming a great Nation we must arm it to repel attacks from within as well as attacks from without. We are arming to-day because we are convinced, as the chairman of the committee has wisely said, that man is a predatory animal, and that characteristic applies to men within national boundaries just as well as it does to men outside of national boundaries; and it especially applies to us, who are composed of all the nations that make up the peoples of the world.

In conclusion, Mr. President, I want to call the attention of the Senate and the attention of the gentlemen who stick in the bark on the power of Congress to organize, arm, and discipline the militia, to how natural and consistent it is to organizing and disciplining the militia that the words "according to the discipline prescribed by Congress," the last words in this particular clause of section 8, article 1, apply back to both the appointment of officers and the authority of training, because the appointment of the officer and the training that the officer gives are essentially the same function. The selection of the agent and the action of the agent are naturally contemplated in one mental process. To say that Congress can control, by prescribing a discipline, the action of the agents—the training—but is cut off, by a comma, from applying a discipline to appointing the agents—the officers—is to argue for an unreasonable incongruity. I mean, of course, the providing, as to officers, for certain general characteristics which a discipline, a rule of conduct, a law laid down, could provide—that these officers, from whom the authority of the State could make the appointment, must have qualified in some general way showing their ability to be officers.

Now, Mr. President, very briefly, I want to call the attention of the Senate to the corresponding language of the Swiss constitution in Article 21. It will be found in full on page 9 of Senate Document 360:

> The composition of these bodies of troops, the maintenance of their effective strength, the appointment and promotion of their officers, shall belong to the Cantons, subject to general regulations which shall be issued to them by the Confederation.

In Switzerland, under the general military law of 1907, which I have included in Senate Document No. 360, that works out in this way: The great body of the troops of Switzerland are Cantonal troops. There are 22 Cantons in Switzerland. The country is divided as to races also. Two-thirds of the Swiss are German and the remaining third are French and Italian. All of their public documents are printed in the three languages. They have had to combine the 22 separate States or Cantons and three separate races into one effective Confederation for military purposes, and they have accomplished that combination and have presented to the world the spectacle of a perfect army composed of a citizen soldiery.

Why, Mr. President, for some years I used to be troubled by this continual slurring of the militia of this country, and I had gotten into my nature a little of the distrust of the ultimate possibilities that could be brought about by a citizen soldiery as a line of defense for our country. I had heard so much of this that I have made a study of Switzerland's military law and of her constitution as bearing on this question, and of the result of that law as expressed by the army that defends that country to-day. I have had considerable difficulty in getting some of this testimony. From about page 45 to page 70 of that document, the testimony bearing upon the efficiency of the Swiss Army is entirely new. It embraces the report of our present military attaché for Switzerland, Capt. Exton, of the United States Army.

The authorities of the War College refused to let me have that report, basing the refusal upon the order of the Secretary of War, Mr. Garrison. I did not argue the question with the general who refused to permit the copying of this document because I have respect for him. I believed him to be a good officer and that he properly construed his orders from Secretary of War Garrison as he understood them. But in view of the fact that Switzerland was a neutral country, in view of the fact that all the spies of all the world are there or could be there, it seemed to me perfectly obvious that there was no impropriety in publishing Capt. Exton's report.

But, as I say, I did not argue the question with our military authorities, but applied, through the State Department, to the Swiss military authorities for their permission to publish this report, and in that connection received from them a brief statement showing the number of men mobilized in Switzerland and the time of that mobilization, and afterward secured an order from the present Secretary of War, Mr. Baker, for this evidence.

I wish to read into the RECORD what Capt. Exton, of the Artillery—now stationed in Switzerland, at Berne—says about the Swiss soldier:

> The soldier: The appearance and work of the soldier during the few days of mobilization showed him to have so benefited by his previous training in service as to make the Swiss Army probably the best-trained army, for its size, in the world to-day.
>
> Every man seemed thoroughly familiar with his duty, which he performed more or less as a matter of business.
>
> The discipline appeared excellent and of the character that is cheerfully accepted rather than maintained by force. The relation between officers and men was quite intimate at times, yet there was at the same time such an observance of details as might be found only in the German Army.
>
> As a matter of fact, everything about the Swiss Army, especially their thoroughness as to details, seems modeled after the German Army.
>
> The officers: An officer of the line should never be judged, except after some considerable service either in campaign or at maneuvers—yet from the work observed during mobilization and from conversations with Swiss officers during the past three months it is believed that the Swiss officers will, especially since their service during the past year, compare favorably with the officers of any army in the world.
>
> It must be remembered that the Swiss officers are selected from the educated men of Switzerland, and among them are found the leading men of every profession and business; and when one considers that in order to have reached the grade of second lieutenant he must have spent at least 336 days at intensive military training, 144 days of which is principally school work, one realizes the seriousness with which the service is accepted and the standard of thoroughness which may be attained in such a militia system.

Mr. PRESIDENT, I want to emphasize the fact that this is a militia system—this best-disciplined army of its size to-day in Europe.

If any Member of the Senate has any doubt as to what could be accomplished by the National Guard of the United States by Congress prescribing a discipline and by organizing an army and disciplining the militia, let him read this pamphlet and see what the Swiss have done for their army.

It is said, in extenuation of the failure of Congress to act, that Switzerland is a small country and that the mobilization which has been so effective, and which is made there every summer is relatively easy. Why, Mr. President, we can mobilize 200,000 men in sections every summer and mobilize our entire Guard and Federal Army every summer in as small a section as Switzerland covers if necessary. Compared with the resources of Switzerland, our resources are unlimited.

In this connection, and in conclusion, I want to read into the RECORD the language of Mr. Chief Justice Marshall, from McCulloch against Maryland, page 420, in which that great Chief Justice lays down the limitations of the implied powers of Congress. Why, Mr. President, if there were nothing in this section 8 except the words "organizing, arming, and disciplining," the implied powers would give Congress the necessary control of the details of that organization, arming, and disciplining; and the exceptions to the States from that large authority given Congress over the militia—the appointment of the officers and the authority to train—expressly limited and, as just now shown, are subject to the discipline prescribed by Congress. I maintain that under the powers of Congress this body has the right to see to it that the officer has the character and capacity, and that the officer with the capacity is the one appointed by the local authorities, and that the officer when appointed shall train the militia according to the discipline. The whole express power would be useless without the implied power to cause a discharge of an officer and to see to it by inspection that the officer acts according to the discipline.

With that suggestion I include the following language from McCulloch *v.* Maryland (4 Wheat. U. S. Sup. Ct., 420):

> We admit, as all must admit, that the powers of the Government are limited, and that its limits are not to be transcended. But we think the sound construction of the Constitution must allow to the National Legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited but consistent with the letter and spirit of the Constitution, are constitutional.

Mr. HARDWICK. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Georgia suggests the absence of a quorum. Let the Secretary call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Catron	Clapp	Culberson
Brandegee	Chamberlain	Clark, Wyo.	Cummins
Burleigh	Chilton	Clarke, Ark.	Curtis

du Pont	Lane	Overman	Smith, S. C.
Gallinger	Lee, Md.	Page	Smoot
Harding	Lewis	Phelan	Swanson
Hardwick	Lippitt	Pittman	Thomas
Hitchcock	Lodge	Poindexter	Vardaman
Hughes	McCumber	Pomerene	Warren
Husting	Martin, Va.	Robinson	Weeks
Johnson, Me.	Nelson	Saulsbury	Williams
Johnson, S. D.	Norris	Shafroth	
Jones	O'Gorman	Sheppard	
Kenyon	Oliver	Smith, Md.	

The PRESIDENT pro tempore. Fifty-three Senators having answered to their names, a quorum of the Senate is present. The question is on the adoption of the substitute offered by the Senator from North Dakota [Mr. MCCUMBER] for section 56.

Mr. MCCUMBER. Mr. President, just a word in explanation of the difference between section 56 and the substitute offered.

Section 56 is weak in that it does not start with any organized unit and there is no incentive to induce men to go somewhere to meet some one else from somewhere whom they have never met for the sole purpose of being drilled for four weeks.

The substitute lays hold of an organization of a military character already created, and everywhere throughout the country, whose very existence springs from the military instinct—an organization which would earnestly welcome this opportunity for greater perfection of drill and greater knowledge of military tactics.

Section 56 depends for its success upon the individual impulse of the citizen without support and without that animation which organized numbers alone can evoke.

The substitute utilizes the enthusiasm of youth which has already found expression in organization and directs it into the realm of accomplishment and national usefulness.

Section 56, in my judgment, will not bear the fruitage expected by its authors. A 30-day enlistment and drill each year at your own expense, which binds you to give your services at a time you may believe they are not needed, or they can with less hardship be performed by others whose situation is more favorable, is not a very great inducement to enroll under this section. The difficulty in securing an enlistment of 20,000 men, recently authorized, might well open our eyes to the reality of this condition.

The substitute, because it is giving just the opportunity which these students wish, will, in my judgment, result in more offers than the Government could accept.

Section 56, if it could be made a success at all, would give an army of about 260,000 at the utmost.

The substitute would give an army of at least 750,000 to begin with, and as each student would be subject to call in case of war up to the age of 45 years, would in a very few years give us an auxiliary army of millions.

Section 56 provides for a training of 30 days annually, certainly a very meager training for a soldier.

The substitute would require training one day each week for 9 or 10 months, as is the present rule, and this in addition to the camp life and camp training of at least two months on the larger scale.

Section 56 contemplates the training of those who are outside or beyond the student age. It would draw men from their business and occupations.

The substitute operates during the student life in association with it, supplementing the mental with physical exercises, assisting in developing both the mental and physical, and without any loss or waste of time.

Section 56, as already suggested in this debate, would give us at least a quasi aristocratic organization of gentlemen—a sort of exclusive military club.

This substitute draws the youth from every rank of life, develops and intensifies the sentiment of brotherhood and equality, and sends them back into the avenues of civil life, thereby preventing the military spirit from becoming the dominant or controlling sentiment of those who are thus prepared for war.

Mr. President, I noticed in introducing the amendment I inadvertently omitted three words, and I will ask to correct the amendment before it is voted on. On page 2, line 7, after the words "high school," I wish to insert "academy and college."

Mr. HARDWICK. Mr. President, I raise a question of order as to whether the motion of the Senator from North Dakota, which is a motion to strike out and insert, takes precedence over the motion of the Senator from Maryland, which is a motion simply to strike out.

The PRESIDENT pro tempore. The rule provides that one shall not prejudice the other. It is not a motion in the third degree. The Chair looks at the motion of the Senator from North Dakota to insert the matter proposed by him in lieu of section 56 as the pending question.

Mr. HARDWICK. Does that take precedence of simply a motion to strike out?

The PRESIDENT pro tempore. It is in the nature of a perfecting motion. The question is on the amendment of the Senator from North Dakota to the amendment.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question recurs on the motion of the Senator from Maryland to strike out section 56.

Mr. CUMMINS. Mr. President, I desire to record my protest against the tone of much of the argument that has been made in favor of section 56. There is running through substantially all that has been said in behalf of this section the thought, if not the expression, that those of us who believe that it ought to be expunged from the bill are not patriotic; that we are opposed to adequate military preparedness. I do not suggest that those who are for the section are less patriotic than I am; I do not suggest that they are less sincere or earnest in their desire to prepare this country against any danger that may beset her than I am; and I appeal, as a matter of fairness, against the intolerance which betrays itself in the suggestion that those of us who believe that the National Guard as an organized reserve in the country is better than the combination of the volunteer reserve and the guard reserve are wanting in our duty at the present moment.

I am just as sincerely in favor of preparedness—adequate, reasonable, efficient preparedness—as is the Senator from Oregon or any other Senator in this body. I am opposed to the section and to the force it proposes because I feel—it seems to me that I know—that in the operation of the section or the organization of the volunteer reserve army and the National Guard both will become inefficient; that the one will not be created and the other will be disintegrated.

As I said once before in discussing this section, it is impossible to believe that when peace comes—and I assume we do not intend to be constantly in war—the Congress of the United States will not appropriate $100,000,000 each year for the purpose of maintaining an organized reserve. The whole history of the country leads to no other conclusion than the one I have just stated, and we are face to face with these alternatives, in my opinion. We must either take the Guard, strengthen it as we can or as we see fit, or we must take the volunteer army and create it, with such equipment and such organization as it ought to have. It is unwise and impolitic to do both, for in the struggle that will constantly be maintained between them we will treat both meagerly, inadequately, and neither will ever constitute the reserve toward which we are looking.

I have no prejudice against the volunteer army. If Congress desires to depend upon it rather than upon the National Guard, I will not protest, and I will be willing to give it all the aid that it needs in order to become a strong, dependable force. I believe that the guard is the better force. It is already organized. It already has the confidence of the young men upon whom we must depend in the various States. We can maintain it, we can perpetuate it, with vastly less expenditure of money than will be required if we endeavor to raise a volunteer army to a similar strength and a similar state of efficiency. We are here about to authorize a regular army of 180,000 men, with the authority on the part of the President in time of war to raise it to 250,000 men. I do not assert——

Mr. LEE of Maryland. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Maryland?

Mr. CUMMINS. In just a moment. I do not assert that the army proposed is too large. I do not believe it is too large, although I will have a comment to make in a moment with regard to the system we are employing with respect to the Regular Army. I yield now to the Senator from Maryland for a question.

Mr. LEE of Maryland. I would like to ask the Senator just one question. Is there any reason why discipline and maneuvering, such as that furnished at Plattsburg, could not be furnished to the National Guard somewhere?

Mr. CUMMINS. Mr. President, it is furnished in the National Guard. There was no facility for training presented at Plattsburg that is not presented in every field meeting of a well-organized guard, and I know——

Mr. HARDWICK. Mr. President——

Mr. WILLIAMS. Mr. President——

Mr. CUMMINS. I know, because I have seen the guard in operation, and I know something of its fidelity to the instructions that are imposed upon it by officers of the Regular Army.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield first to the Senator from Georgia.

Mr. HARDWICK. I merely want to suggest to the Senator that the question of summer camps is not directly nor necessarily associated with this volunteer army at all, and section 82 of the House bill provides adequately for summer camps, although the volunteer or continental army was discarded by the House of Representatives.

Mr. CUMMINS. I quite agree with the Senator from Georgia. I will now yield to the Senator from Mississippi for a question.

Mr. WILLIAMS. I simply wanted to ask the Senator why he thought there would be any deadly competition between this volunteer force and the National Guard. It seems to me that it would be emulation rather than competition, and that providing for the one furnishes no reason in the world for not providing for the other. If the National Guard needs anything at all it needs a healthy emulation. The Senator has just said that the National Guard might have maneuvers, but they meet only five days in the year, and the Senator must assuredly be apprised of the fact that they can hardly master skirmish drill during those five days, even if they served three years, which would make 15 days. Assuredly the Senator must know that there is nothing that could take place in connection with the force provided for under section 56 which would either cripple or kill or vigorously compete against the National Guard. He must know that the men who will attend the so-called Plattsburg drills under section 56 are men who, under no circumstances, would enlist in the National Guard. Now, why not leave us both instead of merely one?

Mr. CUMMINS. Simply because I——

The PRESIDENT pro tempore. The Chair will state to the Senator from Iowa that the interruption of the Senator from Mississippi was not a question; it was a speech. If the Senator yields again he loses his right to the floor under the rule.

Mr. WILLIAMS. I beg pardon. I did not hear what the Chair said.

The PRESIDENT pro tempore. The Chair said the interruption of the Senator from Mississippi was not a question; it was debate in the most positive terms.

Mr. WILLIAMS. With all due deference to the Chair, it was a question.

The PRESIDENT pro tempore. The Chair differs with the Senator from Mississippi.

Mr. WILLIAMS. There was nothing in it except a question.

Mr. CUMMINS. I will be guided by the judgment of the Chair in that respect, and I will endeavor to conclude what I have to say without incurring the hazard of losing the floor.

My reply to the Senator from Mississippi, because, however elaborate the statement, it was really a question, is this. Congress will not maintain both. I do not mean to say that Congress would not authorize such a camp as we had at Plattsburg or at Fort Sheridan. The mere provision for such a camp is not the scope of this section. It is true that these exhibitions of military enthusiasm furnish illustrations to those speaking for section 56 of its need or necessity, but section 56 has no relation at all to temporary camps of the character to which the Senator from Mississippi has referred. In section 56 we are giving the President the power, without any real restriction, to raise an Army of 261,000 men, to arm them, to equip them, to command them. They are brought into the service for the purpose of training. They are required to enlist in the Army of the United States, and if that enlistment be in the same terms as now required of enlisted men in the Regular Army they will be required to obligate themselves to serve for seven years in the Army for such length of time as the President may think best in training only, but with the power on the part of the President to order them at any moment, when war or threatened war seems before us, into the actual service for the purpose of fighting the battles of the United States.

Mr. WILLIAMS. Mr. President——

Mr. CUMMINS. I yield now, Mr. President, for a question, and a question only.

The PRESIDENT pro tempore. For a question only.

Mr. CUMMINS. And I rely upon the Chair to protect me in that regard.

Mr. WILLIAMS. Mr. President——

The PRESIDENT pro tempore. The Senator must be the judge of his own rights.

Mr. CUMMINS. I yield for a question.

The PRESIDENT pro tempore. A question that will elicit information and not convey argument or antagonize or support the argument.

Mr. CUMMINS. The Senator from Mississippi will see that I must yield only for a question.

Mr. WILLIAMS. I am very sorry that question should have been raised. I asked the Senator to yield to me for a question. I did not ask anything more.

Mr. CUMMINS. I yield for a question.

The PRESIDENT pro tempore. It does not make any difference for what purpose the Senator yields; if he is going to permit the Senator from Mississippi to make a speech, his time is exhausted. The Senator from Mississippi can make a speech if he wants.

Mr. WILLIAMS. Considering the fact that the Chair and the Senator from Iowa both seem to be suspicious of my motive, I will not even ask the question.

The PRESIDENT pro tempore. The Senator from Iowa will proceed.

Mr. CUMMINS. Mr. President, I beg to assure the Senator from Mississippi that I am not suspicious of his motive. I was compelled under the circumstances in order to retain the floor to say that I yielded for a question, and I shall regret it very much if——

Mr. WILLIAMS. Then, I will ask the question.

Mr. CUMMINS. Mr. President, I will yield for a question.

Mr. WILLIAMS. The question is this. Will the Senator tell me why there should be a question of competition rather than merely a question of emulation between the National Guard and this volunteer force?

Mr. CUMMINS. I will endeavor to make——

The PRESIDENT pro tempore. The Chair is of opinion that that is nothing but an argument, and the Senator must take the chance of the Senator who interrogates him as to whether or not he will confine himself to the rule. In the judgment of the Chair the Senator from Iowa has forfeited the floor.

Mr. LEWIS. I ask unanimous consent——

Mr. CUMMINS. I ask unanimous consent that I may be allowed to continue.

The PRESIDENT pro tempore. For what length of time does the Senator desire to proceed?

Mr. WILLIAMS. Mr. President, against the ruling of the Chair just pronounced I respectfully take an appeal.

The PRESIDENT pro tempore. The Chair is very glad to have the Senator do that.

Mr. WILLIAMS. Because even under the ruling of the Chair I have done nothing except to ask a question.

The PRESIDENT pro tempore. The question is on the appeal.

Mr. GALLINGER. Mr. President, before the vote is taken on the appeal I ask that the Reporter read precisely what the Senator from Mississippi said.

The PRESIDENT pro tempore. The Chair thinks that is proper, and the Reporter will read.

Mr. WILLIAMS. I ask that my language be read to the Senate.

The PRESIDENT pro tempore. That will be done.

Mr. WILLIAMS. I ask that it be done in order to prove that it was nothing but a question.

The PRESIDENT pro tempore. That will be done. The ruling is that the question must be such as to elicit information about a question of fact, not in the nature of an argument, it makes no difference whether it is long or short.

The Reporter read as follows:

Mr. WILLIAMS. Then I will ask the question.
Mr. CUMMINS. Mr. President, I will yield for a question.
Mr. WILLIAMS. The question is this: Will the Senator tell me why there should be a question of competition rather than merely a question of emulation between the National Guard and this volunteer force?

Mr. WILLIAMS. Upon the ruling of the Chair I take an appeal to the Senate upon the ground that even upon the Chair's ruling a Senator has a right to ask another Senator a question.

The PRESIDENT pro tempore. If it is a question to elicit information, the Chair agrees with the Senator.

Mr. GALLINGER. I ask for the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays are called for.

The yeas and nays were ordered.

The PRESIDENT pro tempore. If the rule is to be of any value at all, it must be uniformly enforced and uniformly respected. The Chair has not any power to enlarge it.

Mr. HITCHCOCK. Before the question is taken I should like to know, for information, what we are to vote on.

The PRESIDENT pro tempore. The question is whether or not a question which conveys or calls for argument is a question for information.

Mr. GALLINGER. I submit it is not that; that it is whether the question submitted by the Senator from Mississippi is a question which is allowable under the rule that has been established by somebody, I do not know by whom.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary proceeded to call the roll, and called the name of Mr. ASHURST, who voted in the affirmative, and the names of Mr. BANKHEAD and Mr. BECKHAM.

Mr. POINDEXTER. I rise to a parliamentary inquiry, Mr. President. I should like to have the form of the proposition we are to vote upon stated by the Secretary.

The PRESIDENT pro tempore. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. BANKHEAD. Mr. President——

The PRESIDENT pro tempore. The Senator from Alabama.

Mr. BANKHEAD. I should like to know exactly what the question is. There is so much confusion in the Chamber that I have been unable to understand it.

The PRESIDENT pro tempore. The Chair made a ruling that the Senator from Mississippi [Mr. WILLIAMS] had asked a question which conveyed an argument. The Senator from Mississippi appeals from the ruling of the Chair; and the question is, Shall the opinion of the Chair stand as the judgment of the Senate?

Mr. WILLIAMS. Mr. President——

The PRESIDENT pro tempore. The roll call has started.

Mr. WILLIAMS. I desire to make a parliamentary inquiry.

The PRESIDENT pro tempore. A parliamentary inquiry is not in order while the roll is being called. The roll call will proceed.

The Secretary resumed the calling of the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator I withhold my vote.

Mr. HOLLIS (when his name was called). I announce my pair with the junior Senator from New York [Mr. WADSWORTH] and withhold my vote.

Mr. JOHNSON of Maine (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. GRONNA]. In his absence I withhold my vote.

Mr. MYERS (when his name was called). I have a general pair with the Senator from Connecticut [Mr. MCLEAN]. He being absent, and I not knowing how he would vote on this question if he were present, I withhold my vote.

Mr. SAULSBURY (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. COLT], and therefore withhold my vote.

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague [Mr. SMITH of Arizona] is unavoidably absent from the Chamber.

Mr. TOWNSEND (when his name was called). I have a general pair with the junior Senator from Florida [Mr. BRYAN]. My colleague [Mr. SMITH of Michigan] has a general pair with the junior Senator from Missouri [Mr. REED]. As I understand it, the Senator from Missouri and I are going to exchange those pairs, so that I may transfer my pair to my colleague and the Senator from Missouri may transfer his pair to the Senator from Florida. I therefore vote. I vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES], who is unavoidably absent, and I withhold my vote.

The roll call was concluded.

Mr. DILLINGHAM (after having voted in the negative). I should like to inquire if the senior Senator from Maryland [Mr. SMITH] has voted?

The PRESIDENT pro tempore. He has not voted.

Mr. DILLINGHAM. I have a pair with that Senator, but I transfer that pair to the Senator from Pennsylvania [Mr. PENROSE] and will let my vote stand.

Mr. CHILTON (after having voted in the negative). I have voted notwithstanding my pair, but I am very much in doubt whether or not I should do so. I therefore withdraw my vote.

Mr. DU PONT (after having voted in the negative). I inquire whether the Senator from Kentucky [Mr. BECKHAM] has voted?

The PRESIDENT pro tempore. He has not.

Mr. DU PONT. I have a general pair with that Senator, and not knowing how he would vote if present I withdraw my vote.

Mr. CURTIS. Mr. President, I desire to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN]; and

The Senator from Idaho [Mr. BRADY] with the Senator from Florida [Mr. FLETCHER].

Mr. BURLEIGH. I have a pair with the junior Senator from Tennessee [Mr. SHIELDS]. In his absence I withhold my vote, and will let this announcement stand for the day.

The result was announced—yeas 24, nays 33, as follows:

YEAS—24.

Ashurst	Hardwick	Shafroth	Taggart
Bankhead	Lewis	Sheppard	Thomas
Chamberlain	Martin, Va.	Sherman	Thompson
Clarke, Ark.	Phelan	Smith, Ga.	Underwood
Culberson	Ransdell	Smith, S. C.	Vardaman
Gore	Robinson	Swanson	Walsh

NAYS—33.

Brandegee	Husting	Norris	Sterling
Broussard	Jones	Oliver	Sutherland
Catron	Kenyon	Overman	Townsend
Clapp	Lane	Page	Warren
Cummins	Lee, Md.	Pittman	Williams
Curtis	Lippitt	Poindexter	Works
Dillingham	Lodge	Pomerene	
Gallinger	McCumber	Reed	
Harding	Nelson	Smoot	

NOT VOTING—39.

Beckham	Fletcher	La Follette	Shields
Borah	Goff	Lea, Tenn.	Simmons
Brady	Gronna	McLean	Smith, Ariz.
Bryan	Hitchcock	Martine, N. J.	Smith, Md.
Burleigh	Hollis	Myers	Smith, Mich.
Chilton	Hughes	Newlands	Stone
Clark, Wyo.	James	O'Gorman	Tillman
Colt	Johnson, Me.	Owen	Wadsworth
du Pont	Johnson, S. Dak.	Penrose	Weeks
Fall	Kern	Saulsbury	

The PRESIDENT pro tempore. On the appeal of the Senator from Mississippi, the yeas are 24 and the nays are 33. So the decision of the Chair does not stand as the judgment of the Senate. The Chair construes the action of the Senate without any possible personal feeling in the matter. The only desire of the Chair was to enforce what he understood to be the rule. Now that the Senate has deliberately established another rule, the Chair will just as loyally enforce that one, if he can. So we go back to the old practice of allowing the Senator on the floor to be the judge as to whether or not he shall be interrupted, by whom, and for what purpose.

Mr. WILLIAMS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield for a question only.

The PRESIDENT pro tempore. That is not any longer necessary.

Mr. CUMMINS. I have, however, the privilege of limiting the purpose for which I shall yield, Mr. President.

Mr. WILLIAMS. I recognize that the Senator from Iowa can not yield for anything except a question under the rules. I do not ask him to yield at all; but, after the Senator is through, I intend to make a few comments upon the ruling of the Chair.

The PRESIDENT pro tempore. The Senator may do as he is advised.

Mr. CUMMINS. Mr. President, I make no comment upon the ruling of the Chair, for there has been so much uncertainty with reference to this particular matter that it is not strange that there is difference of opinion about it; but I will proceed at once to answer the question propounded to me by the Senator from Mississippi [Mr. WILLIAMS].

The Senator from Mississippi asks why it is that there need be any conflict between the National Guard and the Volunteer Army to be organized under section 56? There is no conflict in the sense in which the Senator from Mississippi uses the word; there is no feeling between them, or I hope there would be no feeling between the men who would volunteer under section 56 and the men who volunteer in the National Guard. It is not because I think there would be any rancor or any contest between these two bodies of men that I oppose section 56. I oppose it because, as I have said many times, it simply strikes down our entire efficient organized force; and I marvel that anybody who favors preparedness in any degree can see his way clear to the creation of the volunteer force.

Why, Mr. President, we have authorized here a Regular Army of 180,000 men. The Regular Army is our principal defense; and now we propose not to have reserves, as they are ordinarily understood, but to create organized reserves in companies, regiments, brigades, divisions, corps, to the extent of more than 500,000 men, assuming that the National Guard is enlisted to its full strength and that the Volunteer Army is enlisted to its full strength.

Mr. President, do you believe that the people of the United States in times of peace will sustain, at an annual expense of $100,000,000 or more, two organized bodies of reserves, with their companies, regiments, and divisions, all ready to move into the field actively, together with a Regular Army of 180,000 men? No. The disproportion is absurd; it is sustained by no experience in the world.

Mark you, I am not now speaking of the vast number of unorganized trained young men who will be called upon to volunteer in the event of war; I am speaking of three great armies: One constantly in the service, called the Regular Army; one intermittently in the service, called the Volunteer Army; and the third, intermittently in the service, called the National Guard. We ought not to delude ourselves with any such pretense as necessarily grows out of the situation I have just described.

Mr. HITCHCOCK. Mr. President, will the Senator yield to me for a question?

Mr. CUMMINS. I yield for a question, not under the rule, but because I do not want to be interrupted for anything but a question.

The PRESIDENT pro tempore. The Chair does not understand that there is any rule on the subject; but the Senator may limit his concession to his colleague to suit himself.

Mr. HITCHCOCK. Is it not a fact that every nation in the world which has a reserve has a reserve which is three or four times as large as its standing army?

Mr. CUMMINS. Mr. President, that brings me to a very interesting point in this discussion. I had intended to deal with it at a later time, but, in answer to the inquiry of the Senator from Nebraska, I might just as well express my opinion upon it now.

The whole plan of preparation represented in the bill now before us is utterly inadequate. No nation in all time was ever prepared for war under the volunteer system. I want that to sink into the consciousness of the Senator from Nebraska. A nation can not prepare itself for war under a volunteer system. Volunteers will fight a war—and our main reliance, if we are ever so unfortunate as to be engaged in war with a great nation, will be upon volunteers—but we can not prepare so that we are instantly ready to carry on a conflict of that kind through the volunteer system.

The Senator from Nebraska and the Senator from Oregon have challenged those of us who favor the elimination of section 56 to a "show-down." I am here to accept that challenge; I am here to say that if we ever are prepared for war, if we change the policy which has been maintained throughout the whole life of the Republic and reach the conclusion that we ought to be really prepared at an instant's notice for a great conflict, then we must abandon this theory, this traditional volunteer regular army.

Why should the Senator from Nebraska or why should the Senator from Iowa expect one of his fellow men to fight for him at $15 a month and board? It is absurd. If we ask the citizens of the United States to organize themselves in sufficient numbers to constitute a regular army which will be adequate against any attack that may be precipitated against us, then we must have compulsory service. Why should the Regular Army not be made up of all our citizens? I do not mean at the same time, and I am not now speaking of the number which should constitute the Regular Army; but assuming, as this bill has assumed, that we need a Regular Army of 250,000 men, and in time of peace of 180,000, why do you ask men to enroll themselves in it at $15 a month and board? Why should not the Senator from Nebraska and the Senator from Iowa, if we are not both over age, take our chances and bear the burdens of citizenship in a country like this? Why should we not constitute a part of the Regular Army, if in the chances of conscription the lot should fall upon us?

I venture to say that the Regular Army provided for in this bill—and I was really glad to hear the Senator from Oregon yesterday grant its inadequacies in this respect—I venture to say that the Regular Army provided for in the bill will never be enlisted to the extent of 180,000 men, unless we engage in war. When war comes, when the peril is upon us, then there is a patriotism that springs to the country's need, and supplies the lack of attractiveness that we now see in the enlisted ranks. Who will work for $15 a month under command of officers who feel, and necessarily feel, all the authority vested in them?

The Senator from Nebraska [Mr. HITCHCOCK] himself rend only a day or two ago—and he was supplemented by the Senator from Oregon [Mr. CHAMBERLAIN] a little later—that, notwithstanding all the efforts that the Government was able to put forth to enlist men under the authority recently granted to the President, we had not yet, according to the Senator from Oregon, enlisted 2,500 men, and that, too, notwithstanding the fact that we are in some peril on account of the situation in Mexico, a peril that might well stimulate and energize the patriotism of all the people of this country.

Mr. HITCHCOCK. Mr. President, will not the Senator now answer my question?

Mr. CUMMINS. I have in substance answered the Senator's question.

Mr. HITCHCOCK. I asked the Senator from Iowa to name a single country in the world that maintains a regular army that does not maintain a reserve several times as large as the army, and the Senator has not answered the question.

Mr. CUMMINS. There is no other country in the world that has any such system as is here proposed unless some parallel could be drawn between this plan and that followed by Great Britain.

Mr. HITCHCOCK. Let me ask the Senator another question.

Mr. CUMMINS. I will not enter into an argument with the Senator from Nebraska, for I am answering his question. The suggestion I have just made answers the question of the Senator from Nebraska. Every country that declares as its policy complete preparedness for war has every citizen of military age in its reserve. It is not a question of willingness or unwillingness to serve as a supplementary body; it is a part of the policy of the military nations to lay these burdens upon all their boys and all their men until they pass the military age, and they are all parts of one great army which we in this country would call the Regular Army. I want, therefore, the Senators who are so enthusiastic for preparedness to come, if they desire, and meet that real issue. If it is to be insisted that this Nation shall always be ready to engage any other nation in the world upon a moment's notice in war, then the volunteer system proposed by this bill is a shadow hardly a beginning in the process of reforming or changing or transforming the policy which has for more than 100 years been observed among the American people.

I want to put an end now, for all time, if I can, to this constant reproach in all the big newspapers of the land that anyone who has the temerity to question the wisdom of anything that is proposed in this bill is an enemy of his country and opposed to proper preparedness. I resent that charge. I understand perfectly that no Senator who has discussed the bill has directly questioned the motives of any Senator who intends to vote for the elimination of section 56; but I repeat that in every utterance there is against those who favor its elimination an offensive tone. We who believe that the National Guard should constitute the organized reserve of the country, and believe that any attempt to divide the contribution or the support given by the General Government to the organized reserves will but weaken them both and render both incapable of performing the services expected of them, are just as devoted to the Union, just as attached to its honor, and just as determined to defend its integrity as those who believe—honestly believe, I have no doubt—that we ought to create these two bodies of organized reserves.

I do not represent the National Guard any more than I represent the Regular Army or the volunteer army that might be organized under this bill. I have just as much devotion to the one as to the other. No man can exceed me in his admiration for the courage and the efficiency of the officers of the Regular Army of the United States, and no man surpass me in his appreciation of the devotion and the steadiness of the enlisted men.

Mr. HITCHCOCK. Mr. President, may I interrupt the Senator again?

Mr. CUMMINS. I yield for a question.

Mr. HITCHCOCK. Does the Senator contend that there is no country which maintains a reserve several times larger than its standing army, except in the case of involuntary service?

Mr. CUMMINS. I do not know of any.

Mr. HITCHCOCK. Well, I will tell the Senator.

Mr. CUMMINS. I hope the Senator will speak in his own time.

Mr. HITCHCOCK. I ask the Senator about Great Britain, then?

Mr. CUMMINS. I made an exception of Great Britain. The Senator heard me make the exception.

Mr. HITCHCOCK. I ask the Senator about Spain and Sweden, then?

Mr. CUMMINS. I have not examined the military laws of Spain and Sweden, but I can not allow the Senator to inject the legislation of those countries in my remarks. I would not care if Sweden and Spain do maintain such a reserve; it would not affect my judgment of American human nature or my opinion with respect to the best course that the Congress of the United States ought to pursue. When I come to examine those laws, I have no doubt that I will find that they agree in substance with the statement I have made.

Mr. President, it is not for me to defend the National Guard against some of the insinuations and aspersions which have been cast upon the members of that military body—I mean the aspersions growing out of their interest in the legislation and out of the telegrams which they have sent to certain Members of this body. I would be the last man to excuse the tone of the letter read this morning at the suggestion of the Senator from New York [Mr. O'GORMAN]. I agree that it was offensive;

but are we to condemn 120,000 of the best boys in the country—not better, of course, than their brothers in the same community, but boys with whom I, at least, am proud to associate; boys who understand their duty to their country, and are proud to perform it—are we to impeach them and overthrow their reputation because an ill-considered letter was written by one officer of the Guard to a Member of this body?

The injustice of holding, or trying to hold, or suggesting that we hold, all the members of the Guard responsible for an intemperate, injudicious act committed by one of them must be so apparent that I need not further enlarge upon it.

I know that the members of the National Guard—while I do not speak for them; I have no authority to speak for them—are simply attempting to do what they believe best for their country. They have no other motive save the motive which actuates all of us to do the thing which will promote the strength and the dignity and the safety of the United States. If they are mistaken with regard to the effect which this section will have upon their organization, it is a mistake in which, without any influence whatsoever from them, I share, because I believe that these two bodies of organized reserves will not be maintained by the United States. It is uneconomical; it is unmilitary; it is indefensible from my point of view, and we ought not to enter upon that experiment. I repeat that if the Senate honestly believes that the Volunteer Army will constitute a better source, a more reliable and dependable source of strength if we fall into the misfortune of war, then we ought to bend all our energies to the creation of a body of reserves in that way. My contention is that we are defeating the very object we are trying to attain when we endeavor to create and maintain these two distinct bodies in our military force.

Mr. President, if I believed that the National Guard had any sinister design upon the liberties of our country; if I could see, in the efforts that have been made to promote their organization, any desire to infringe upon the rights of citizens; if I could see, in all that they do, anything but a deep, profound desire to render service to their country, and service of the exact kind this bill contemplates, I would not feel so earnestly about it. But being sure of their patriotism, and being sure of their persistent energy, and being sure, if we give to them whatever aid we can and federalize them so far as we can, that when the moment comes when we need military strength we can get in that way more of it and of a better quality than we could possibly get in the way proposed by the committee. I am doing what I can to maintain them as a permanent body, simply because I believe that if they are made to understand that their future depends upon the maintenance of these two independent bodies all spirit will be driven out of them, and we will have delivered a fatal blow to their growth and their efficiency.

Allow me to say to the Senator from Mississippi that if this section provided only for such experiments as were conducted over the country last year in the way of camps to which men who had no opportunity to ally themselves with the Guard could resort, I would have no objection whatever to it; but these camps are not the things provided for in this section. If we want to give the men who spend their vacations in this way an opportunity to do it under more favorable circumstances, I will join in any legislation which has that for its object. But that is not the object of the section. The purpose of the section is to enlist an army of 260,000 reserves—organized reserves. The object of the militia portions of the bill, or the Guard portions of the bill, is to enlist a body of reserves of the same number; and I am impelled to the conclusion that the effort to maintain them both will prove a disastrous failure.

Mr. HARDWICK and Mr. WILLIAMS addressed the Chair.

The PRESIDENT pro tempore. The Senator from Mississippi indicated that he desired to address the Chair. If the Senator from Georgia will excuse the Chair, he will recognize the Senator from Mississippi.

Mr. HARDWICK. Certainly, Mr. President.

Mr. WILLIAMS. Mr. President, I rise merely for the purpose of explaining the recent appeal from the decision of the Chair, the grounds upon which it was based, and the result which alone can legitimately follow from it; and in that connection it becomes absolutely necessary to say something about the obiter dictum involved in the decision of the Chair.

After the Senate had ruled on my appeal the Chair announced that the Chair would go back to the old practice. Now, that was not the object of the appeal; that was not the result of the appeal; and that ought not to be the effect of the appeal. I am talking now in order to straighten out future rulings of the Chair.

I am just as much opposed as anybody is to a Senator upon the floor farming out the floor to other Senators under the guise of asking questions in order that other Senators may make speeches; nor was that principle to the slightest degree involved in the appeal, except by the obiter dictum of the Chair, and it was purely obiter dictum at that. I am opposed to that because it is dilatory, because it is objectionable in every possible way, and because the past rulings of the Presidents and Presidents pro tempore of the Senate have pronounced it objectionable and dilatory.

Mr. President, the question between you and the Senate, or between you and me which was decided by the Senate, was this: Was my interjection into the remarks of the Senator from Iowa [Mr. CUMMINS] a question or was it an argument? That is all. All that the Chair was called upon to decide was whether it was a question or an argument. The Chair decided that it was an argument. Now it becomes necessary to state just what occurred.

I rose and asked the Senator from Iowa if he would yield to a question. He yielded to a question. Even if after that I had put something to him that was not a question, the Senator from Iowa would not have been responsible for it and could not in justice have been held responsible for it. He could have interrupted me the moment I transcended the limits, and could have said to me, "That is not a question; it is an argument." Or the Chair could have interrupted me and could have said, "The Senator from Iowa has yielded for a question, and the Senator from Mississippi is making a speech or an argument," and then the Chair would have been exactly right. But I asked the Senator from Iowa to yield to me for a question, and the Senator from Iowa yielded to me for a question, and yielded for no other purpose; and in taking the appeal from the decision of the Chair I was not taking it to protect myself, I was taking it to protect the Senator from Iowa.

When the Senator yielded for a question, I propounded this question: "Why does the Senator from Iowa contend that these two clauses relating to the volunteer force and the National Guard constitute a competition rather than an emulation?"

Now, I may be stupid; I may be almost idiotic, and at times I think most of us are; but if I could frame a question at all, that would be an interrogation. I framed it in that way because, just a moment before that, the Chair had given me an intimation, upon a previous so-called question, that I must not argue; and if the Chair had made the ruling upon the previous question the Chair would have been right. But the Chair did not make it there. The Chair made it upon the last question, which was nothing in the world but a question.

Now, the Chair knows me and I know the Chair, and we both know that there could not be any question of personal antagonism that anybody in the world could raise between us two. I do think, however, that when the Chair went out of his way, after the Senate had decided the question against the Chair and in favor of my appeal, to say that hereafter we will go back to the old practice—and the old practice admitted of infinite farming out of the floor by one Senator to another—the Chair was pronouncing purely an obiter dictum which the Chair had no right to pronounce. The Chair had no right to say that the effect of the vote of the Senate upon that appeal was to say that hereafter any Senator may farm out the floor for any sort of an interruption, because what the Senate really did decide was this, and this only—that my interruption was an interrogative interruption, and not an argumentative interruption.

The Senate decided that I was right in that contention and that the Chair was wrong in that contention, and that is all that the Senate decided; and I decline to let the Chair make out of that appeal, and out of its successful maintenance by the Senate, the contention that hereafter any occupant of the Chair—he or anybody else—will be justified in ruling that one Senator has a right to interrupt another for the purpose of making a speech or an argument, rather than merely for the purpose of asking a question.

Mr. President, it may be said that a man may ask a question for information or he may ask a question in order to puncture an argument; but provided it be a question and a mere interrogation, the ultimate motive of the question does not apply. I may ask some Senator, who is talking about the negro question, where he lives. That may involve an argument, because if he lives where there are no negroes he may give me one answer, and if he lives where there is a majority of them he may give me another. It might be said that the question involved an argument, but not in the question. It would involve, perhaps, an argument in the answer, but not in the question itself.

I rose, Mr. President, merely to say that the decision of the Senate meant only what the Senate decided, not what the Chair, by obiter dictum, put into it by remarks which were totally uncalled for.

The PRESIDENT pro tempore. The last remark of the Senator from Mississippi would justify more being said than I intend to say.

Under the rule there is no more right to ask a question than to interrupt a Senator in any other form; but it has been worked into the rule as an implied exception growing out of the necessity for it. It occasionally happens that it is necessary to know more definitely a certain state of facts in order to apply intelligently the argument that is being made. Custom, therefore, has introduced a limitation on the rule that permits a Senator to yield for a question, and all the rulings that have been heretofore made on that subject have recognized that implied exception.

The Chair believed, in view of the growing business of the country and the length of the sessions of Congress, that the Senate was prepared to enforce, with more strict respect to its spirit and meaning, the rule which allowed a Senator to address the Senate but twice on the same day on the same question; and that these continued interruptions, notwithstanding they are not only had by the consent of the Senator having the floor but are frequently actually invited by the Senator speaking—it gives him a new topic to discuss, which is not at all times offensive—were to be discouraged in every proper way. If there were none to be considered except the Senator addressing the Senate and the Senator who desired to interrupt, there would be little complaint about the old practice; but it is evident to some of us now that it has the effect of extending the sessions, diverting the discussions, and almost invariably depleting the Senate Chamber. It therefore occurred to me that the rule might be enforced according to its real spirit and intent in really limiting each Senator to the right to address the Senate twice only on the same question and on the same day.

Under this condition, unless the Chair is somewhat largely the judge of the character of the question that implies an argument, or invites an argument, or punctures an argument, the rule has no value at all. Of course, he could arbitrarily apply it if disposed to do it; but I do not think I have made that reputation here. At least I have not done so wittingly. No self-respecting officer will make a ruling that is subject on every occasion to be censored according to the color and bias of the personal and political surroundings at the time.

I had no objection to the Senator from Mississippi appealing from the decision of the Chair. On the contrary, I invited it, because I wanted the judgment of the Senate to settle the limits of the rule, once and for all. This is the Senate. It makes its own rules. It supervises those who enforce them; and the way in which it wants them enforced is the way in which they should be enforced.

The matter has been disposed of. I shall not hereafter undertake to guess what is a question and what is not a question within the sense of the rule. I have tried to define it as an inquiry that would elicit information about a matter of fact. If it involves an answer to an argument, or if it suggests an argument, or if it punctures an argument, as the Senator from Mississippi says, I thought it was argumentative in character, and I therefore took that view of it. The Senate has decided in the particular case that the rule as the Chair understood was not to be enforced; and as there is no standard by which the Chair can determine in the future what a question is, he therefore shall decline to guess about it. The Senate must, on objection from the floor, hereafter be the judge of that matter itself.

The Chair invited the appeal. The Chair is entirely satisfied to have it settled. The Chair is not mad with anybody about the action taken. The Chair did not say anything that he supposed was uncalled for, otherwise he would not have said it; and he is sure the Senator from Mississippi will not care to adhere to that observation when he thinks about the matter a little further.

Mr. HARDWICK. Mr. President, there have been so many arguments made with reference to this question that are not justified by the facts, and there are so many misapprehensions both here and in the country about the real meaning of this section, that I feel that before we vote, those of us who favor the elimination of this section ought to call attention to certain inconsistencies in the arguments and positions of the proponents of this proposition.

In the first place, you would think from the telegrams individual Senators are receiving about this matter that the real thing involved in section 56 was these summer training camps like the one at Plattsburg, and people throughout this Republic are appealing to Senators not to do away with the summer training camps. Why, Mr. President, the proposition involved in section 56 is neither directly nor necessarily associated with these training camps in the remotest degree whatever.

In the Hay bill, for instance, where the continental-army plan was rejected—a proposition, by the way, which the House of Representatives defeated by an overwhelming majority—provision was made in section 82 for these summer training camps, and there is no reason on earth why we can not have camps like those at Plattsburg and Fort Oglethorpe throughout the country without necessarily having to have either a volunteer or a continental army. So much for that phase of the question.

One argument made was that the Senate ought to provide for this volunteer force, because business men who did not have time to attend the militia drills could go into this system, and would do so, and yet the argument was made by these same gentlemen, the proponents of this bill, that the militia were so inefficient, drilled so little, and were so poorly trained that we ought to have this more efficient volunteer force instead of the militia. They blow hot one minute and cold the other, and we can not confine them to either side of anything connected with this question. They insist on having both sides of the whole business.

If the volunteer force proposed by section 56 is going to provide a well-disciplined, thoroughly trained, efficient military reserve force for the United States, it is going to take time, and lots of time, from these business men; and the very business men to whom the proponents of this measure said this system appeals, who have not time to go into an "inefficient" militia, will never have time to embrace any of its benefits. On the other hand, Mr. President, if the fact is that this system is to establish a nice, gilded, summer-resort proposition for weary business men of affairs who like to hie themselves away to the mountains or to the seacoast when the heated periods come—if it is going to do that, and if it is going to give to those men, I say, a nice summer vacation, and they are going to divert themselves by a little patriotic training in these summer camps, and it is to be no more than that—then I ask these distinguished gentlemen how much more efficient will this volunteer force be than our militia?

It seems to me that they impale themselves on one or the other horn of this dilemma.

Mr. President, in the course of his very eloquent and very forceful remarks on yesterday, the Senator from Oregon [Mr. CHAMBERLAIN], invoking as he did the patriotic spirit of this country to come to the assistance of his beleaguered bill and to save his threatened section, said one thing that was true absolutely beyond all question, and that is, I think, the keynote of this entire situation. He spoke not only with eloquence but with historical accuracy when he said, "The boys of this country have fought every war that it has ever had." That is the truth; and yet when I propose to establish these reserves, not in a summer man's frolicking camp, not even in the militia, as far as the real backbone of the reserves goes, but in the schools and colleges of this country, where 2,000,000 boys are who can and will gladly furnish all the reserve forces that this country need, I can get no support from this honorable committee. I say they are wedded to ideas, that they want to do something that pride of opinion has committed them to, or they would not neglect this school question.

Just one other observation, and I shall have concluded what I want to say on this section, because I do think we ought to come to as speedy a vote as is possible.

The distinguished Senator from Nebraska [Mr. HITCHCOCK] yesterday appealed—almost on his knees, metaphorically—to Members of this body, and especially to Members on this side, to stand by the committee and follow the committee. Senators, I have had somewhat of a long service, for a man of my years, here in Congress, in one House or the other; and I fully agree with the Senator from Nebraska that ordinarily you ought to follow the recommendations of your committees, especially in the other House of Congress, where, I am willing to say, measuring my words, that committee work is much more efficient and painstaking than it is in this House of Congress. But it seems to me that that rule is subject to several qualifications that no fair-minded or experienced legislator can well dispute.

If it is a question of information—something that the committee has had the opportunity to study out, something that the committee has had the time and the opportunity and the means to know about better than other Members of the body who are not on the committee—then, of course, we ought to follow the committee, because they have superior information on the question at issue, and have had the opportunity and the time, and have taken both, to familiarize themselves with the question. But, on the other hand, Senators, if the question at issue is one of principle, if it is merely whether we are going to apply to a proposition one governmental principle or another,

then I think any Senator in this body is just as capable of forming his own opinion, expressing and voicing and voting his own conviction, as any member of any committee that this body ever appointed or constituted.

So much, Mr. President, for the issues involved in the motion to strike out section 56. We will never get a real reserve for this country unless we do one of two things. The Senator from New York [Mr. O'GORMAN] mentioned one of them yesterday—compulsory military service—and I want to say to him and to a Senator on the other side of the Chamber who voiced the same sentiment to-day it is utterly repugnant to my democratic instincts, aye, to my American instincts, to hear such a sentiment expressed here and such a course suggested. I do not believe in compulsory military training. It is un-American, and I hope and pray the time may never come when we shall have to resort to it in this country.

The happy geographical isolation of the American Republic has long saved our people so far from the burdens of this character that European nations have had to bear. I do not believe the situation has so changed or that the time has yet come when we must depart from one of the best of American principles and say to our people they must bear the burden of general and compulsory military service. Even in England, Mr. President, the other great Anglo-Saxon country of this world, although that country is engaged in a colossal struggle in which her very life is at stake, the idea of general compulsory service among all her people is not generally popular. The instincts of our people are peaceable. They are democrats—and I use the word broadly, not in a partisan sense—in their tastes, peaceful in their instincts, and we do not want to set up any military establishment in this country like that which the taxpayers of Europe have groaned under for years. It is not necessary. There is nothing in the situation here or elsewhere that suggests any such necessity. If we are not going to do that, and I hope the time will never come when stern national necessity will require it, and I do not believe it is at hand now, or anywhere in sight—if we are not going to do that, the only way we can get an adequate reserve for the Army is in connection with the schools, where the boys will be glad to have training and where they can have it at the smallest possible expense under any plan, without the slightest disturbance to business or industry in any form. That is what we ought to do, and if we want to have a real reserve it is what we will do before we get through with the debate and pass this bill.

Therefore I am utterly unwilling to take any such hollow plan as section 56, which is urged on the one hand because the business men want to go off on a frolic and can not spare time enough to drill in the National Guard, and is urged on the other hand because it will provide a more efficient force than the militia. The utter inconsistency of the two positions shows how hard put are the proponents of this section for argument to support it with, and strengthens my conviction that it will accomplish nothing of practical importance, and had best be eliminated from the bill.

Mr. CHAMBERLAIN. Mr. President, I am not going to attempt to speak. I rose merely to suggest that I hope the Senate will vote on this question now, and to say that because of the slow progress which has been made on the bill, after to-day I am going to request the Senate to hold evening sessions so that the bill may be disposed of.

Mr. SMOOT. Mr. President, respecting the request made by the Senator from Oregon [Mr. CHAMBERLAIN] just now, I shall occupy but a few moments. I have not yet said a word upon this bill, although I am deeply interested in it. I believe in national preparedness, and I have so believed for many years. I believe that we are totally unprepared to-day to defend ourselves against any invasion of any first-class power. I have been receiving telegrams both for and against section 56. I received one this morning which I desire to read from a man whom I honor and respect. I have confidence in his judgment and wisdom as a citizen and as a soldier. He served his country in the Philippines during the Spanish-American War. He gave a splendid account of himself and won laurels for the State from which he enlisted. This telegram is dated April 5, Salt Lake City, Utah, and reads as follows:

[Telegram.]

SALT LAKE CITY, UTAH, *April 5, 1916.*

Hon. REED SMOOT,
United States Senate, Washington, D. C.:

It is my opinion that section 56, Senate bill, if enacted into law will force complete disorganization National Guard. If this force is destroyed don't believe a force of its present efficiency and numbers can be created by any scheme of citizen soldiery within 10 years.

E. A. WEDGWOOD,
Adjutant General.

Mr. President, if I believed what that telegram states, and I want to be frank in saying that I know the man who sent it believes it with all his heart, I would vote to strike out section 56. But I feel that he is too apprehensive of the result of such action. I believe, Mr. President, that if section 56 is retained in the bill it will in no way affect the future usefulness and effectiveness of our National Guard.

I know that our National Guard is composed of a splendid set of men. I know if this country was in trouble they would be among the foremost and best defenders of it. I know they are loyal and true Americans. I want the National Guard recognized to as great an extent as this bill provides for, and if I had my way it would be greater. I also believe that there should be a volunteer army, and while the one provided for in section 56 is not as I would wish, I shall vote for it. The expense of such an army has been referred to by many Senators, and it should be considered; but I believe with a first-class volunteer army peace will be easier maintained, and to secure this we should not hesitate at expending the amount that is provided for in the bill, and even a greater amount if necessary.

I believe that unpreparedness is the road to war. I am also fearful, Mr. President, that the National Guard can not be federalized, but will not discuss that question, as it has been so well covered by others. I have such faith in our National Guard I believe, that even if such was the case, all would respond and do their full duty if trouble came.

I shall content myself by saying that I shall vote to retain section 56.

Mr. HUGHES. Mr. President, I find myself in a position that I frequently occupy in this body. The debate has continued to such an extent that I fear to trespass upon the time of the Senate. It has continued for days and weeks, and we have heard arguments made over and over again. I have been ready to vote on this question at any time in the past week or 10 days. But so much turmoil has been created in various States, and in my State, that when I am called on to vote at this stage of the proceedings I think it is due to myself to state the reasons for the position which I propose to take.

I do not find anything in the pending proposition particularly pleasing to me. An attempt is being made to do something for the National Guard. A little sop, which will cost the people of the United States something like $24,000,000, has been thrown to them, with no possible chance, in my belief, of enhancing in the slightest degree the efficiency of the National Guard. Something like $24,000,000 is being thrown to the Volunteer Reserve Corps. It may do them a considerable amount of good, but in my humble judgment it is not going to result in the slightest degree to the advantage of the American people, unless there is something in the argument that a people like ourselves can be satisfied by a great expenditure of money, and that, being in a hysterical condition, the spectacle of Congress spending one hundred and odd million dollars will serve as a sort of sedative to their nerves and they will go through this period of public excitement with more comfort than they would otherwise have.

There may be something in what we are doing from that point of view, but it does seem to me it is a great pity in an emergency of this kind, when the people of the United States are actually aroused, that we can not keep ourselves free of the red tape, the cobwebs, the manacles, the ankle irons that traditions have forced upon us in the past when we were simply playing at having an army.

Now, the people are convinced that the recent events which have occurred in the world are of such a character that nations are likely to go to war against each other on slight pretense and for any or no reason. A great many people believe we have lived for years in a fool's paradise, when we believed that nations could not be gotten to go to war. No man would have been rash enough to predict that the situation which now exists in Europe could possibly take place, but here it is. It has a reflex effect upon the people of the United States, and they are crying out in their blind way for an army with which to defend them, and here we are talking about a volunteer reserve force, we are talking about a National Guard which we have ourselves made inefficient, and no one talks about the only thing that can be of any possible service to us in a time of emergency, to wit, the Regular Establishment of this country. It is admitted in these debates that we can not even enlist the Regular force up to the present authorized strength, and no one wants to do anything about that. There has been no suggestion made along those lines.

I want to state what I think this situation calls for. I realize the impossibility of coming in here on the floor of the Senate and attempting to recast a great military bill, but how pathetic it is to see it being dealt with in the old way—a little more

money, a few more men, this expenditure here, and that expenditure there, and after all it seems to me nothing absolutely is accomplished to bring about the result the American people want and for which the American people will be compelled to pay.

If I had my way the least I would do would be to raise the standing Army to 250,000 men. We can not get 100,000 now. Then, if we want 250,000 men what will common sense dictate that we should do? That we should make the regular service more attractive than it is. In a day when laboring men in the State of New Jersey are being paid as much as $3 a day working in factories—not skilled mechanics but unskilled mechanics—we are asking men to go into the regular service, to put off their civilian caste and standing, to accept a subordinate position for the first time in their lives inferior in rank to some other man, for $15 a month.

It was only in 1914 that the Executive order which provided what should be the rations of enlisted men carried food of a character that the ordinary mechanic's son in the United States was getting every day before he went into the Army. I congratulate the chairman of the Committee on Military Affairs that so far as he has been able to do it he has reformed one of the most crying abuses in the military service. I approve absolutely and wholly of the ration list as now constituted. As it was constituted when I was connected with the United States service it was a disgrace to this or any other country, and particularly to a country like this, whose people are generous and willing to pay and feed the men who constitute their fighting force.

With an army of 250,000 or 300,000 regulars serving two years with the colors and serving four years in the reserves, you would have each year going into civil life 125,000 men. If, as suggested by the Senator from Georgia [Mr. SMITH], those 250,000 men were given vocational and educational training during those two years, that time would not be lost either to the men or to the Nation; they would return into the civil walks of life trained soldiers and better citizens than they were when they entered the Army.

The 125,000 men leaving the Army each year and going back to the civil walks of life to earn their own livelihood would be better citizens than they were before, and without the expenditure of the money that we now propose to expend, and for which, in my judgment, we will get nothing, we could have such a system brought about.

Every one of the nations now engaged in this great war relied first upon their regular establishment. We shall have to rely first upon our Regular Establishment, if we have a Regular Establishment worthy of the name. In 10 years, under the operation of a law such as I suggest, we would have 1,250,000 trained soldiers in civil life, every one of whom would or could be in the reserves, connected with the Federal Government, and control over him retained by the Federal Government; and behind that body of reserves and behind that body of regular trained soldiers we could sit back more or less at peace and then see what we could do with the National Guard, and then see what we could do with the volunteer reserve force and the other fads and fancies that arise to the minds of the people in the various sections of the country.

Now, I want to say a word with reference to the National Guard. A good deal of the criticism that has been leveled against the National Guard can be justified. I speak from experience. But I do not believe that the state the National Guard finds itself in to-day is chargeable to the Guard. The National Guard is essentially a State organization, and we are attempting to make a Federal organization out of it. It is good enough for the purposes for which it is intended, but there are constitutional and legal difficulties in the way of making it a good enough force for what we intend it to be.

I believe a man can secure good military training by service in the National Guard. I know the men who went into the volunteer service who had had the benefit of the training of the National Guard were better soldiers than the men who went into the volunteer service without the preliminary training of the National Guard. So I believe it is an easy matter to train men to the point of the efficiency required of the enlisted men; but I do not believe that it is possible for the man who is engaged in the activities of civil life, as a lawyer or as a doctor or as a banker, to devote enough time to the service to become sufficiently proficient in military affairs to be capable of commanding troops.

The enlisted man of the National Guard loves his officers; he has confidence in his officers; and he wants to serve under those officers. It seems to me it would be easy enough to evolve a system whereby, if called into active service by the Government, he could be permitted to have over him a certain percentage of his National Guard officers. There could be a framework, a skeleton, of an organization throughout the National Guard; I would say, for instance, each company might be permitted to select its own captain. A certain standard of efficiency might be demanded of him before he accepted his commission; but after he has passed his examinations for captain and is the officer the company desires, and is properly commissioned by the governor and then by the President, that man could be paid sufficient money so that he could devote all his time and attention to the affairs of the National Guard. We could do that, and we could increase the pay of the Regular Army soldiers. Everything which I have suggested could be done. We should then have an efficient force and a powerful and numerous reserve body in this country; and yet we would not begin to expend the amount of money that we are proposing to expend on the experiments on which we are about to enter under this bill.

In other words, if we want an army, if we want to defend this Nation, if we want to feel safe and be at peace, let us get an army of professional soldiers; and behind that front rank of trained, professional fighting men let us organize, equip, and train a volunteer army.

I am sorry that the committee has not gone into this matter in a broader and more fundamental way than they have done. I have about come to the conclusion, after listening to the debates, that it is my duty to vote against section 56. I think I shall devote my energies as much as I can in the direction of providing adequately for the arming, equipping, and paying of the men of the Regular organization, for I believe firmly in my heart that they are the chief reliance of this Nation.

Mr. REED. Mr. President——

Mr. CHAMBERLAIN. I do not intend to interfere with the Senator, but I do hope that we may be able to get a vote this afternoon on the motion to strike out this section.

Mr. REED. The time that I take will not interfere with that.

The PRESIDENT pro tempore. The Senator from Missouri.

Mr. REED. Mr. President, there has been a good deal said about the National Guard not being available in time of war. One example is worth all the theorizing in the world. I want to read merely a few sentences from a letter written by Gen. Clark, who is the commander of the Missouri National Guard, a lawyer of distinction and ability, and as good a citizen as there is in my State. He writes:

> It was stated before the House committee the other day by Mr. Breckinridge, the Assistant Secretary of War, I believe, that at the outbreak of the Spanish-American War only 30 per cent of the National Guard volunteered. I have heard this statement made before, and I wish to say that so far as it applies to the National Guard of this State, it is absolutely without the semblance of truth. The records will show that in 1898, 100 per cent of the National Guard of this State volunteered for service in that war. I am reliably advised that this same condition existed in all of the States. My information is that only one organization in the United States declined to volunteer, and this grew out of some difficulty with the governor over the appointment of its officers. Statements of this kind are not believed by those who make them, and are made with a view solely to discrediting the National Guard.

Mr. President, this question presents itself to me in this form: It is proposed to have a Regular Army of 180,000 men. It is admitted that there will be difficulty in securing that many men for the Regular Army unless the pay is raised or other advantages additional to those now existing are afforded. It is proposed, then, to create a reserve force or a supplementary force to fall back upon in the event of war.

The National Guard exists; it is now reasonably well equipped. It has headquarters, armories, and officers. It is a body of men that certainly is 100 per cent in advance of the condition in which it was at the time the Spanish-American War broke out. It is constantly improving, but during all these years it has clamored for certain assistance, for certain opportunities which have been steadily denied it. This organization can be made a first-class organization.

The fear I have is that our committee—and I do not say it to unjustly charge anything against the committee—have in some way been led to a discrimination against the National Guard.

In illustration of what I am going to say I call attention to the fact that, if I understand this bill, and if others who have written me understand it, correctly, it is proposed that, in case of war and in case of the utilization of the National Guard, the officers above the rank of captain are to be then practically mustered out of the service, because there is no provision for pay for them. I should like to ask the chairman of the committee if that is not the exact condition of the bill?

Mr. CHAMBERLAIN. No, Mr. President; they are not mustered out of the service. The bill as it was originally pro-

posed by the National Guard Association paid the higher officers, those above the rank of captain, salaries—quite large salaries—and the committee felt, from the evidence that they had before them, that the practical officer, the training man, the man who had most to do with the Guard, was the captain, because in many States they did not have regimental units, and we provided only for pay up to the grade of captain, except when the Guard were called into service, and then they were to get the pay of their rank.

Mr. REED. I do not think that makes it entirely clear. I have a letter from the colonel of the First Infantry, National Guard of Missouri, who makes this comment:

> The House bill now before the Senate provides that no officers but the captains and lieutenants of companies shall be paid. This eliminates the colonel, lieutenant colonel, the three majors, and several staff captains and lieutenants.
>
> These men are absolutely necessary to the success of any organization, and, in fact, they are the ones that are compelled to bear a great part of the expense, and it is absolutely unjust that they should not be included in any provision for compensation. Their work, as a matter of fact, is work that there is the least reward to, as they have very little part in the show end of the Guard, and they are continually called on for funds of various kinds to cover expenses. I trust that you will insist on these officers being included as they were under the provisions of the Hay bill.
>
> Section 112 of this same bill provides that officers and men who have signed the agreement and received compensation for their service may be called into the service in time of war. You can readily see that this is a joker by which all field and staff officers would be eliminated in case of trouble, and no one go into the field except the companies. In other words, the entire regiment as an organization would be destroyed.

Mr. President, here is this organization existing. As has been demonstrated in these debates, it has repeatedly proven its efficiency. As was stated the other day in the debate, in about five or six hours' time they were able in the State of Ohio to mobilize at one point 2,000 of these men. Instead of cutting down this organization, which exists, we ought to build it up.

Now what is proposed? To create a grand army of enthusiasm that is going to meet once a year for about 30 days, which I frankly admit can be gotten together to some extent during a time of war excitement, but which I utterly deny we have a single line of experience in this or any other country to warrant us in believing will come together on ordinary occasions. We are told that these gentlemen can come out for 30 days once a year, but that they can not join the National Guard. I want to know why? I want to know why a man who can give 30 days' time every year in the middle of the summer can not also give one night a week to attend drill at an armory? I say that you will encounter the greatest disappointment you have ever met with if you undertake to make an army by calling together an unorganized body of men—for that is what it will be—for 30 days each year, then allowing them to disintegrate and go to their homes. An army without headquarters, without equipment, and without cohesion. If these men come voluntarily and in great numbers at first, you will find that they will speedily disappear and disintegrate, like gentlemen do who go to a camp meeting and get enthusiastic, and then, after the camp meeting is over, nearly all forget there ever was a camp meeting. You will not get an army in that way; and if you spend $25,000,000 in that way, you will have burned up that much money without result.

There is a way you can employ that money and get a result. Twenty-five million dollars would pay $100 a year to 250,000 students in the schools and colleges in this country; it would pay the tuition of many of them: it would enable many a boy to go to school who can not now attend; you would reach the boy at a period of life when he has the time to devote and the energy to give to a military training. Why not use that money in advancing military science amongst those boys or young men who are already mobilized in your schools; who are already, figuratively speaking, in the camps; who are there where they can be reached? Why can you get them? First, because they are already mobilized; second, because young and ambitious men will enlist in companies and be willing to serve because they are associated with men like themselves—with their fellow students. There is no humiliation in such service; on the contrary, there is an inspiration in it. There would be a thronging into the ranks of schoolboys who would be willing to serve for a small compensation, and, as has been suggested here, the physical exercise and all that goes with military training would well repay our country for the money so expended.

I do not want to see an attempt made here to create three different kinds of armies. I do not want an army made up of shreds and patches. A Regular Army is absolutely all right, and I am willing to vote for a Regular Army of generous size; but back of that there ought to be one army, one organization, one system; and to its creation we should devote our energies. Then if, in addition, you go into your public schools and give a general training to the youth of this country, you will in the end so disseminate military knowledge and discipline as to give abundant strength to the country.

Mr. CHAMBERLAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Oregon suggests the absence of a quorum. Let the Secretary call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Myers	Smith, Ga.
Bankhead	Harding	Nelson	Smith, Md.
Beckham	Hardwick	Newlands	Smith, S. C.
Borah	Hitchcock	Norris	Smoot
Brandegee	Hollis	O'Gorman	Sterling
Broussard	Hughes	Oliver	Stone
Catron	Husting	Overman	Sutherland
Chamberlain	Johnson, Me.	Page	Swanson
Chilton	Johnson, S. Dak.	Pittman	Taggart
Clapp	Jones	Pomerene	Thomas
Clark, Wyo.	Kenyon	Ransdell	Townsend
Clarke, Ark.	Kern	Reed	Vardaman
Culberson	Lane	Robinson	Walsh
Cummins	Lewis	Saulsbury	Warren
Curtis	Lippitt	Shafroth	Weeks
Dillingham	Lodge	Sheppard	Williams
du Pont	McCumber	Sherman	Works
Gallinger	Martin, Va.	Simmons	

The PRESIDENT pro tempore. Seventy-one Senators having answered to their names, a quorum is present.

Mr. CHAMBERLAIN. I ask for a vote.

The PRESIDENT pro tempore. The question is on the adoption of the motion of the Senator from Maryland [Mr. LEE] to strike out section 56. On that the yeas and nays have been demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I announce my pair with the senior Senator from New Mexico [Mr. FALL]. Unless I can obtain a transfer, I shall not be able to vote.

Mr. KERN (when Mr. FLETCHER'S name was called). I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER] on official business. He is paired with the junior Senator from Idaho [Mr. BRADY].

Mr. HARDING (when his name was called). I have a general pair with the junior Senator from Alabama [Mr. UNDERWOOD]. In his absence I withhold by vote.

Mr. HOLLIS (when his name was called). I have a general pair with the junior Senator from New York [Mr. WADSWORTH]. I transfer that pair to the junior Senator from California [Mr. PHELAN] and will vote. I vote "nay."

Mr. JOHNSON of Maine (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. GRONNA], which I transfer to the senior Senator from Tennessee [Mr. LEA], and will vote. I vote "nay."

Mr. OLIVER (when Mr. PENROSE'S name was called). My colleague [Mr. PENROSE] is necessarily absent. He is paired with the senior Senator from Mississippi [Mr. WILLIAMS]. If my colleague were present and at liberty to vote, he would vote "yea."

Mr. REED (when his name was called). I transfer my pair with the senior Senator from Michigan [Mr. SMITH] to the senior Senator from New Jersey [Mr. MARTINE] and will vote. I vote "yea."

Mr. SAULSBURY (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. COLT]. I am informed, however, that if present he would vote as I shall vote. I therefore vote "nay."

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). I desire to announce the unavoidable absence of my colleague [Mr. SMITH of Arizona].

Mr. LEWIS (when Mr. TILLMAN'S name was called). I simply wish to announce the absence of the senior Senator from South Carolina [Mr. TILLMAN] and to say, by his permission, that if he were present and were permitted by his pair to vote he would vote "yea."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. I transfer that pair to the junior Senator from Rhode Island [Mr. COLT] and will vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the senior Senator from Arizona [Mr. SMITH] and will vote. I vote "nay."

The roll call was concluded.

Mr. GALLINGER. I beg to announce a pair between the Senator from Maine [Mr. BURLEIGH], who is unavoidably detained, and the Senator from Tennessee [Mr. SHIELDS].

Mr. MYERS. I have a pair with the junior Senator from Connecticut [Mr. McLEAN]. In his absence I withhold my vote. If the Senator from Connecticut were present, he would vote "nay," and if I were at liberty to vote I would vote "yea."

Mr. HUGHES. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. JAMES], who is detained from the Senate on important business.

Mr. TOWNSEND (after having voted in the negative). I have a general pair with the junior Senator from Florida [Mr. BRYAN]. Not being able to obtain a transfer of that pair, I withdraw my vote.

Mr. CURTIS. I have been requested to announce that the junior Senator from West Virginia [Mr. GOFF] is paired with the senior Senator from South Carolina [Mr. TILLMAN].

The result was announced—yeas 34, nays 36, as follows:

YEAS—34.

Ashurst	Hughes	Overman	Smith, S. C.
Bankhead	Jones	Page	Stone
Clapp	Kenyon	Ransdell	Swanson
Clarke, Ark.	Kern	Reed	Taggart
Culberson	Lee, Md.	Robinson	Thompson
Cummins	Lewis	Shafroth	Vardaman
Curtis	McCumber	Sherman	Works
Gore	Martin, Va.	Simmons	
Hardwick	Norris	Smith, Ga.	

NAYS—36.

Beckham	Gallinger	Nelson	Smith, Md.
Borah	Hitchcock	Newlands	Smoot
Brandegee	Hollis	O'Gorman	Sterling
Broussard	Husting	Oliver	Sutherland
Catron	Johnson, Me.	Pittman	Thomas
Chamberlain	Johnson, S. Dak.	Poindexter	Walsh
Clark, Wyo.	Lane	Pomerene	Warren
Dillingham	Lippitt	Saulsbury	Weeks
du Pont	Lodge	Sheppard	Williams

NOT VOTING—26.

Brady	Goff	Martine, N. J.	Smith, Mich.
Bryan	Gronna	Myers	Tillman
Burleigh	Harding	Owen	Townsend
Chilton	James	Penrose	Underwood
Colt	La Follette	Phelan	Wadsworth
Fall	Lea, Tenn.	Shields	
Fletcher	McLean	Smith, Ariz.	

So the motion of Mr. LEE of Maryland was rejected.

APPLICATIONS FOR PAROLE (S. DOC. NO. 389).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, in response to a resolution of the 28th ultimo, certain information relative to the operation of the act of June 25, 1910, as amended by the act of June 23, 1913, relative to the number of applications for parole under the law, etc.; which was ordered to lie on the table and to be printed, and to be printed in the RECORD, as follows:

DEPARTMENT OF JUSTICE,
Washington, D. C., April 3, 1916.

Hon. JAMES M. BAKER,
Secretary United States Senate.

SIR: In accordance with the Senate resolution of the 28th ultimo asking for information relative to the operation of the act of June 25, 1910, and as amended by the act of June 23, 1913 (parole act), I have to inform you that there have been made 5,735 applications for parole under this law up to this date. Of this number, 1,756 have been recommended for parole by the board of which the warden is a member, 1,446 paroles have been granted, and there are 91 cases still pending.

In a very few cases the warden, acting as a member of the parole board, may have voted for parole and been overruled by the other two members of the board. It would be a very difficult matter to ascertain the number of such cases, and I am assuming that the words "recommended by the warden" appearing in the resolution were intended to read "recommended by the parole board."

Respectfully,

T. W. GREGORY, *Attorney General.*

DISTRICT GASLIGHT COMPANIES (S. DOC. NO. 390).

The VICE PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 14th ultimo, certain information as to the action taken by the Commissioners of the District of Columbia to enforce section 11 of the act of Congress of March 4, 1913, relative to the Washington Gas Light Co. and the Georgetown Gas Light Co., both of the District of Columbia, which was referred to the Committee on the District of Columbia and ordered to be printed, and to be printed in the RECORD, as follows:

EXECUTIVE OFFICE,
COMMISSIONERS OF DISTRICT OF COLUMBIA,
Washington, April 4, 1916.

Hon. THOMAS R. MARSHALL,
President of the Senate, Washington, D. C.

SIR: The Commissioners of the District of Columbia have the honor to submit the following on the resolution passed by the Senate March 14, 1916, which provides—

"That the Commissioners of the District of Columbia be, and they are hereby, directed to report to the Senate as soon as practicable what steps, if any, have been taken by them since September 10, 1913, to enforce section 11 of the act of Congress entitled 'An act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes,' approved March 4, 1913, so far as the same may affect the Washington Gas Light Co. and the Georgetown Gas Light Co., both of the District of Columbia."

Pursuant to the instructions of the commissioners, the corporation counsel, on September 15, 1913, filed in the Supreme Court of the District of Columbia a bill in equity against the Washington Gas Light Co., asking for the dissolution of the company because it was holding certain stock of the Georgetown Gas Light Co. in violation of the antimerger act of March 4, 1913. The bill prayed not only for a dissolution of the company but also for a sale of the stock so owned and held by the company. The Georgetown Gas Light Co. was made a party to this cause.

The gas companies answered the bill, issue was joined, and the case went to a hearing on the 5th of February, 1914.

Prior to the filing of this bill Thomas L. Hume had filed a bill, as one of the stockholders of the Washington Gas Light Co., against this company to have the stock of the Georgetown Gas Light Co. held by it sold and the proceeds distributed among the stockholders of the Washington Gas Light Co.

The Georgetown Gas Light Co. has also filed a bill against the Washington Gas Light Co. to have the same stock canceled and declared null and void because purchased and held in violation of law.

These three cases were consolidated and came on to be heard before Justices Gould and Stafford, of the Supreme Court of the District of Columbia; evidence was taken therein and they were argued and submitted to the court for its decision on the 5th day of February, 1914. No decision has as yet been handed down by the court.

Very respectfully,

BOARD OF COMMISSIONERS OF THE
DISTRICT OF COLUMBIA,
By O. P. NEWMAN, *President.*

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 5016) to authorize the reconstruction of an existing bridge across the Wabash River at Silverwood, in the State of Indiana.

The message also announced that the House had passed a joint resolution (H. J. Res. 103) authorizing and directing the Director of the Census to collect and publish additional statistics, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1809. An act to create an additional judge in the district of New Jersey;

S. 3391. An act to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913;

S. 3977. An act to authorize the Shamokin, Sunbury & Lewisburg Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Susquehanna River from the borough of Sunbury, Northumberland County, Pa., to Monroe township, Snyder County, Pa.;

S. 3978. An act to authorize the Catawissa Railroad Co., its lessees, successors, and assigns, to construct a bridge across the west branch of the Susquehanna River from the borough of Milton, Northumberland County, Pa., to the borough of West Milton, Union County, Pa.;

S. 4190. An act authorizing the Yankton County Bridge Co., a corporation, to construct and maintain a bridge or bridges and approaches thereto across the Missouri River at a point between Yankton County, S. Dak., and Cedar County, Nebr.;

H. R. 8466. An act to relieve J. Lawrence Latham, postmaster at Eupora, Webster County, Miss., of the payment of cash and funds stolen from the post office; and

H. R. 13769. An act to authorize the Secretary of War to supply tents for temporary use of the sufferers from the recent conflagration in Paris, Tex., and for other purposes.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the Baltimore Conference of the Methodist Episcopal Church, praying for prohibition of liquor traffic in the Territory of Hawaii, which was referred to the Committee on Pacific Island and Porto Rico and ordered to be printed in the RECORD, as follows:

The Baltimore Conference of the Methodist Episcopal Church, representing approximately a membership of 300 ministers and an equal number of lay representatives, in its annual session in Foundry Church, Washington, D. C., Bishop Earl Cranston, D. D., LL. D., presiding, having learned from reliable sources of the sad havoc made by the liquor traffic among the natives of the Hawaiian Islands, whose death rate has been greatly accelerated by the use of alcoholic drink, for which they have a peculiar weakness, and having also learned that the saloons of Honolulu are a constant and alarming menace to the physical and moral welfare of the many thousands of our American soldiers garrisoned on the island of Oahu, far from home, surrounded by many temptations, with few restraints: Be it therefore

Resolved, That we most respectfully and earnestly petition both Houses of Congress now in session in favor of the passage of the bill pending in the Senate and House for the prohibition of the liquor traffic in the Territory of Hawaii.

Our interest in this matter is all the more vital and paramount because of the missionary and educational work now being prosecuted

on the islands by our representative mission boards for the uplift of the many weaker races domiciled there beneath the flag.

In conformity with the foregoing and by order of the conference, we the undersigned, affix hereto our official signatures.

EARL CRANSTON, *President.*
FRANK G. PORTER, *Secretary.*

WASHINGTON, D. C., *April 4, 1916.*

Mr. HUGHES presented petitions of sundry citizens of New Jersey, praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of New Jersey, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented a petition of the Labor Council of San Francisco, Cal., praying for an investigation into conditions surrounding the marketing of dairy products, which was referred to the Committee on Agriculture and Forestry.

He also presented memorials of sundry citizens of California, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. WARREN presented a petition of sundry citizens of Lingle, Wyo., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. BURLEIGH presented a petition of the Chamber of Commerce of Bangor, Me., praying for military and naval defense of Penobscot Bay, Me., which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. CLARK of Wyoming presented a petition of sundry citizens of Carpenter, Wyo., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. POINDEXTER presented petitions of sundry citizens of the State of Washington, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented the memorials of J. D. Bishop and sundry other citizens of Garfield, Wash., remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of Local Grange No. 201, Patrons of Husbandry, of Bellingham, and of William Valley Grange, No. 452, Patrons of Husbandry, of Deer Park, in the State of Washington, praying for Government ownership of telephone and telegraph systems, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of Local Grange No. 201, Patrons of Husbandry, of Bellingham, and of Stranger Creek Grange, No. 374, Patrons of Husbandry, of Daisy, in the State of Washington, remonstrating against an increase in armaments, which were ordered to lie on the table.

He also presented the memorials of E. C. Kellogg and sundry other citizens, of College Place, and of C. D. Threlkeld and sundry other citizens, of Auburn, all in the State of Washington, remonstrating against the enactment of legisaltion for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a memorial of Burnt Valley Grange, No. 509, Patrons of Husbandry, of Chewelah, Wash., remonstrating against the passage of the bill (S. 2986) to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United State bonds, to create Government depositaries and financial agents for the United States, and for other purposes, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of Maryland:

A bill (S. 5401) to aid the State of Maryland to construct a military and post road, to be known as the National Defense Highway, connecting the United States Naval Academy grounds at Annapolis, the capital of Maryland, and the seat of the Federal Government, the District of Columbia; to the Committee on Post Offices and Post Roads.

A bill (S. 5402) granting a pension to Charles Railey; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 5403) authorizing the President to appoint John Gibbon a major and quartermaster in the Quartermaster's Department of the Army; to the Committee on Military Affairs.

By Mr. OWEN:

A bill (S. 5404) granting a pension to Victor Tucker (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 5405) granting an increase of pension to Francis Roy (with accompanying papers); to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 5406) for the enlargement, etc., of the assay office in the city of New York (with accompanying papers); to the Committee on Public Buildings and Grounds.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 103. Joint resolution authorizing and directing the Director of the Census to collect and publish additional statistics was read twice by its title and referred to the Committee on the Census.

RECESS.

Mr. CHAMBERLAIN. Mr. President, I desire to state again, while Senators are all here, that beginning to-morrow, in order to speed this measure as much as possible, I shall ask that the Senate remain in session in the evening.

I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m., Thursday, April 6, 1916), the Senate took a recess until to-morrow, Friday, April 7, 1916, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 6, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Teach us, O Lord, Thy ways and incline our hearts to walk therein in spite of the temptations, trials, and barriers in the way. It is not ease, inertia, that makes the manly man, but the earnest, sincere efforts to do things worth while. "In the world ye shall have tribulations, but be of good cheer—I have overcome the world." The earnest for every truth-loving, noble-minded, self-sacrificing man, who lives to a purpose. So may we live and aspire, to be and to do, that the peace which passeth understanding may be ours, now and evermore. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the bill (H. R. 13006) to authorize the reconstruction of an existing bridge across the Wabash River at Silverwood, in the State of Indiana, and the maintenance and operation of the bridge so reconstructed.

BRIDGE ACROSS THE WABASH RIVER.

Mr. ADAMSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. ADAMSON. I wish to correct a mistake made on Monday in an emergency bill for a bridge. Overlooking the fact that an identical Senate bill was on the Speaker's table, a House bill was passed and sent to the Senate, but it was recalled. It is H. R. 13006. I ask unanimous consent that it be reconsidered and all proceedings vacated.

The SPEAKER. The gentleman from Georgia asks unanimous consent that all proceedings by which the bill H. R. 13006 was passed be vacated. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAMSON. Now, Mr. Speaker, I ask unanimous consent that the Senate bill be considered. It is on the Speaker's table.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

An act (S. 5016) to authorize the reconstruction of an existing bridge across the Wabash River at Silverwood, in the State of Indiana.

Be it enacted, etc., That the Toledo, St. Louis & Western Railroad Co., and Walter L. Ross, its receiver, their successors or assigns, be, and they are hereby, authorized to reconstruct the bridge of said company and operate the same across the Wabash River at or near Silverwood, Ind., at a point suitable to the interests of navigation, on the line of the existing bridge of said company, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table; and the bill H. R. 13006 was laid on the table.

RIVERS AND HARBORS.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House of the state of the Union for the further consideration of the bill H. R. 12193, the river and harbor bill.

Mr. MOORE of Pennsylvania. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MOORE of Pennsylvania. To suggest the absence of a quorum.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] makes the point of order that there is no quorum present, and evidently there is not.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Abercrombie	Estopinal	Hulbert	Pou
Alexander	Fairchild	Jones	Price
Anthony	Farr	Keister	Ramseyer
Aswell	Finley	Kennedy, Iowa	Roberts, Mass.
Barchfeld	Flynn	Kennedy, R. I.	Rodenberg
Beales	Focht	Lazaro	Sabath
Bennet	Freeman	Lehlbach	Sanford
Black	Gallagher	Lewis	Scott, Pa.
Bruckner	Gardner	Liebel	Scully
Brumbaugh	Garland	Linthicum	Selis
Buchanan, Ill.	Garrett	Lobeck	Sherley
Byrnes, S. C.	Glass	Loft	Slayden
Callaway	Goodwin	Loud	Snyder
Cantrill	Gould	McAndrews	Stephens, Miss.
Charles	Graham	McCulloch	Stephens, Tex.
Cooper, Ohio	Gray, Ala.	McKenzie	Stiness
Copley	Gray, Ind.	McKinley	Sutherland
Crago	Griest	Maher	Tilson
Decker	Guernsey	Meeker	Tinkham
Dent	Hamill	Mooney	Vare
Denson	Hamilton, N. Y.	Moores, Ind.	Venable
Dent	Hart	Morin	Ward
Dewalt	Haskell	Morrison	Watkins
Doremus	Haugen	Mott	Watson, Pa.
Drukker	Hay	Nichols, Mich.	Williams, W. E.
Dyer	Hayes	North	Winslow
Eagan	Henry	Oglesby	Wood, Ind
Eagle	Hill	Patten	Young, N. Dak.
Edmons	Hilliard	Peters	Young, Tex.
Edwards	Houston	Porter	

The SPEAKER. On this roll call 312 Members—a quorum—have responded to their names.

Mr. KITCHIN. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

LEAVE OF ABSENCE.

Mr. BUCHANAN of Illinois, by unanimous consent, was granted leave of absence for a week, on account of important business.

RIVERS AND HARBORS.

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193, the river and harbor appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Missouri [Mr. RUBEY] will take the chair in the absence of the gentleman from Kentucky [Mr. SHERLEY], who is detained in committee.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193, the river and harbor bill, with Mr. RUBEY in the chair.

The CHAIRMAN. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The CHAIRMAN. An amendment is pending, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GOOD: On page 9, line 12, after the word "improvement," strike out "$1,000,000" and insert "$200,000."

Mr. SPARKMAN. Mr. Chairman, how much time does the gentleman from Wisconsin [Mr. FREAR] desire?

Mr. FREAR. Five minutes.

Mr. SPARKMAN. I ask unanimous consent that all debate on this paragraph close in 10 minutes—5 to be used by the gentleman from Wisconsin [Mr. FREAR] and 5 by myself.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on the pending amendment be closed in 10 minutes.

Mr. MANN. I think the request was on the paragraph and all amendments thereto.

Mr. SPARKMAN. Yes; that all debate on this paragraph and amendments thereto be closed in 10 minutes—5 to be controlled by the gentleman from Wisconsin and 5 by myself.

Mr. MANN. The gentleman from Iowa [Mr. GOOD] would like 5 minutes on his amendment, and he has another amendment on which he would like 5 minutes.

Mr. GOOD. I have another amendment to offer in the event this amendment is not adopted.

Mr. SPARKMAN. I will confine myself at present to this one amendment, and ask that debate on it close in 15 minutes.

Mr. MANN. That is satisfactory.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the debate on this amendment close in 15 minutes, 5 minutes to be controlled by the gentleman from Wisconsin [Mr. FREAR], 5 by the gentleman from Iowa [Mr. GOOD], and 5 by the gentleman from Florida. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, when the committee rose on Tuesday the amendment before the House was upon lines 11 and 12 of the bill, appropriating $1,000,000 for the Norfolk and Beaufort waterway, so called. The amendment of the gentleman from Iowa [Mr. GOOD] reduces the million-dollar appropriation contained in the bill to $200,000, which is intended, as he stated, to cover the amount that would be required to keep the Government dredges employed, and is intended also to strike out the $800,000, which would be let to private contract at a rate 80 per cent in excess of what it would be if the work were performed by the Government.

I wish to speak more particularly in response to what was suggested by the gentleman from North Carolina [Mr. SMALL] at that time. He had quite an extended discussion of the subject of the commerce conveyed by this canal and also about the amount of money that had been appropriated and will be appropriated for this waterway. He stated that 603,000 tons would be carried by the Dismal Swamp Canal and this canal if they were thrown together. But, Mr. Chairman, that is an impossibility under existing conditions. There are two canals reaching down from Norfolk to the South. One goes to Elizabeth City, 30 miles inland—and I know this because I have been over it. It is about 60 miles from Norfolk to Elizabeth City. By this other canal route it would be 120 miles between these points. Col. Taylor conceded that some of the commerce, or much of the commerce, which goes over the Dismal Swamp Canal originates along that canal. There are two towns on that canal—Norfolk, a large city, and another city of considerable importance, Elizabeth City, on the Dismal Swamp Canal. The purpose of this Beaufort Canal is to drive that Dismal Swamp Canal out of business; as the engineers say, into bankruptcy. But you can not take away the little traffic they have over there, because the conditions are different. This canal will never carry it. This canal carries only about 65,000 tons outside of the wood and ties and logs that could be carried on a 9-foot waterway, the existing depth.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield there?

Mr. FREAR. For just a moment.

Mr. MOORE of Pennsylvania. The gentleman indicated that the commerce here was largely local.

Mr. FREAR. No; I did not intend to indicate that. Some of it comes from the South by a barge line. The total amount is 209,000 tons this year and 258,000 tons the year before and includes both local and other freight.

Mr. MOORE of Pennsylvania. The gentleman is mistaken in that. One company has carried at least 600,000 tons in the last year.

Mr. FREAR. Well, if that be true, Mr. Chairman, the company referred to did not carry it through the canal.

Mr. MOORE of Pennsylvania. I will inform the gentleman that 100 new barges are operating in that canal.

Mr. FREAR. I can not yield further, Mr. Chairman. I am sustaining my statement by the official records. The Engineer's reports have not been questioned heretofore. We have appropriated a little over a million dollars on the canal thus far. It is through an unsettled country. There are not a hundred thou-

sand people living in that neighborhood. I think not 50,000; I think, in fact, Senator Burton showed there were not 25,000 people living there. It is a $5,400,000 item, and there is no telling what the end of this will be, and there is practically no important commerce on it. On the Erie Canal the commerce has practically been driven off, and as the distinguished gentleman from Illinois [Mr. CANNON] said the other day, there is no waterway traffic in the United States that amounts to anything outside of the deep waterway canals. This is only a shallow canal. It was bought over from a private company by the United States at a cost of $500,000 and is a poor investment.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. GOOD. Mr. Chairman, I desire to use but two minutes on this amendment, and I reserve the other three minutes for the other amendment.

Mr. FREAR. The gentleman can not do that.

Mr. GOOD. Mr. Chairman, this amendment provides that $200,000 shall be appropriated for this work for this year. The testimony before the committee was to the effect that not more than $200,000 could be used in the operation of the Government plant. The Army engineers state that it cost the Government 4.3 cents per cubic yard, place measurement, to do the work with its own plant, while the contractors are paid more than 7.5 cents per cubic yard for the work done by them. My amendment will give the Army engineers all the money they can expend next year by keeping the Government plant in operation. If done in that way, the work will be done at a cost of approximately 4.3 cents. If this amendment prevails, it will take longer to do the work; but it will not cost much more than half the amount of money to do it that it will cost if this work is done by private contract.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPARKMAN. Mr. Chairman, of course, I sympathize with any effort that gentlemen may make here to reduce the cost of this class of work to a minimum; but the amendment of the gentleman, in my opinion, would not have that effect. My judgment is that it would make the work cost a great deal more than it will cost if we proceed in the way we have proceeded heretofore. No one can tell at this time what kind of a bid may be submitted by a would-be contractor. Whatever bid is submitted, the House may rest assured that the Government engineers and the War Department are not going to allow any more than is absolutely necessary to get the work done, as they always reserve the right to reject any or all bids. I want to say, further, that the Government dredging plants, of which the Government has a large number, costing about $15,000,000, with a present value of about $12,000,000, have had the effect of reducing very materially the amount charged by contractors. I remember when I first entered this body, 21 years ago, that in my section of the country it was costing five or six or seven times as much to do a given amount of dredging as the contractors charge now for the same kind of work, and that reduction is very largely because of the fact that we have quite a number of plants in that section of the country. Now if it is necessary to apply any remedy, the true remedy is to build more dredges. But I doubt very materially if it is necessary, because we are getting this work done almost as cheaply, perhaps quite as cheaply, as it can possibly be done. There may be now and then an isolated case where a contractor may make more than he ought to make; but in the main they do not, and I wish to say, further, that neither the gentleman from Iowa nor anyone else can tell what the bids for this particular work are going to be.

Mr. GOOD. Will the gentleman yield for a question?

Mr. SPARKMAN. Yes.

Mr. GOOD. The report of the Army engineers was that for the last year the Government had constructed by private contract over 14 miles, at 7½ cents plus per cubic yard, and had constructed a little over 2 miles by Government plant, at a cost of 4.3 cents.

Mr. SPARKMAN. That probably is caused by the fact that in some places the Government work can be done a little more cheaply than in other places. At some places where they have a plant already constructed and not much wear and tear, the cost to the Government is very small, whereas in other places it is much larger. It is the average cost which ought to be considered.

Mr. GOOD. Where the cost to the Government is larger the report of the Army engineers shows that there is usually a greater difference between the cost by Government plant and the cost by private contract.

Mr. SPARKMAN. You can not fix the price in advance if you are going to have any work at all done by private contract.

Mr. TAVENNER. Mr. Chairman, I should like to ask the gentleman from Florida [Mr. SPARKMAN] how he can say that the Government engineers and the War Department will not pay private contractors more than it will cost the Government to do this work, when they have already paid more in previous years? Have these officers reformed?

Mr. SPARKMAN. I did not say that. The gentleman misunderstood me. It may and does in some instances cost more, but I remember at least one case where it cost the Government more to do the work than it would have cost to have it done by private contract.

Mr. TAVENNER. I should like to ask the gentleman from Florida, since the Government is going to continue to improve rivers year after year, and it is a permanent business, whether he does not think that as a general rule the Government itself ought to do it when it can save millions of dollars by so doing?

Mr. SPARKMAN. If the gentleman from Illinois wants to turn all that class of work over to the Government, of course it may be done, but I do not think it ought to be done.

Mr. TAVENNER. Is the gentleman opposed to the Government doing it?

Mr. SPARKMAN. I am willing for it to do whatever is necessary, but if it undertakes to do it all the gentleman will find that instead of a plant costing $15,000,000 it is going to take twice or three times that to equip the Government to do this kind of work. If you want to embark on that plan, all right, but you want to first count the cost.

Mr. MOORE of Pennsylvania. Mr. Chairman, is there any time remaining?

The CHAIRMAN. The gentleman from Iowa [Mr. GOOD] has three minutes remaining, which he reserved for use on another amendment.

Mr. SPARKMAN. Have I any time remaining?

The CHAIRMAN. All time on this amendment has expired. The question is on the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

Mr. MOORE of Pennsylvania. I ask unanimous consent that I may proceed for two minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that he may proceed for two minutes. Is there objection?

Mr. SPARKMAN. I think there will be another amendment, and the gentleman can get his opportunity on that.

Mr. MOORE of Pennsylvania. Very well, I will wait.

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin [Mr. FREAR].

The question was taken; and on a division (demanded by Mr. FREAR) there were—ayes 57, noes 74.

Accordingly the amendment was rejected.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GOOD: On page 9, at the end of line 12, change the period to a colon and insert:

"*Provided*, That no part thereof shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by a Government plant."

The CHAIRMAN. The gentleman from Iowa is recognized for three minutes.

Mr. GOOD. Mr. Chairman, I am sure the House never wants to do a foolish thing. It never wants to do a thing that it is obliged to apologize for or go back upon. The fortification bill reported this morning contains this provision practically as I have offered it, as applied to this bill; that is, that private contractors shall not have more than 25 per cent on their contracts in excess of the estimated cost of doing the work by Government contract. You are going to be called upon to a man on that side of the aisle to support that proposition when the fortification bill is up for consideration, and when you do I commend your vote, for you will support it then, because I believe it is sound, I believe it is right, I believe that when you write that into the law on a bill covering $20,000,000 you are doing a courageous and patriotic thing, and I think you will be doing just as courageous a thing, just as patriotic a thing if you write it into a law appropriating $40,000,000 for river and harbor improvements.

And yet you voted down this proposition limiting contractors to reasonable profits the other day, and I take it that you are going to vote it down to-day, but how are you going to explain your action to the constituents that you represent, on a bill appropriating $40,000,000, on this item appropriating a million dollars, more than $300,000 of which is purely pork, according to the statement of the Army engineers.

As to the quarrel between the gentleman from Florida, the chairman of the committee, and the gentleman from South Carolina [Mr. SMALL], as to the amount of tonnage on this canal, I

have but little to say. I have confined my statement to the report made by the chairman of the committee that the total tonnage of the canal last year was 229,047 tons. The gentleman from Pennsylvania and the gentleman from North Carolina say that it is over 600,000 tons, but nowhere in the Army Engineer's report, nowhere in the report of the chairman of the committee, can you find more than 229,047 tons.

Now, Mr. Chairman, in this item, as I stated before, the Army engineers report that we are paying private contractors more than 7½ cents for doing the work, while the Government is doing the work for 4.3 cents, and my amendment simply limits the private contractor to a profit of 25 per cent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GOOD].

The question was taken; and on a division (demanded by Mr. SPARKMAN) there were 83 ayes and 50 noes.

Mr. SPARKMAN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers the gentleman from Florida [Mr. SPARKMAN] and the gentleman from Iowa [Mr. GOOD].

Mr. TRIBBLE. Mr. Chairman, can we have the amendment again read.

The CHAIRMAN. Without objection, the amendment will be again reported.

The Clerk again reported the amendment.

The committee again divided; and the tellers reported that there were 80 ayes and 59 noes.

So the amendment was agreed to.

The Clerk read as follows:

Beaufort Inlet, N. C.: For maintenance, $10,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Mr. Chairman, an amendment which is in line with Government ownership has just been passed by the committee, and it invites attention, since it applies directly to one of the great projects along the Atlantic seaboard. I have no quarrel with those Representatives who in good faith oppose waterway improvement, but those who live along the coast line sometimes wonder at the lack of interest in the matter of commerce and preparedness of those who come from the interior. No longer ago than day before yesterday one of the most distinguished men of his time, a man whom I have followed in fair weather and in foul, the great ex-Speaker of the House of Representatives [Mr. CANNON], stood upon this floor and made a speech which, respect him as I do, I am obliged to observe would have been remarkable if made anywhere within 100 miles of the Atlantic seaboard. In that speech he undertook, in opposition to the construction of a connecting waterway along the coast, to say that if the people in his valley of the Wabash could move the Atlantic Ocean over they would be grateful, since they would like to have the sea to go upon.

I do not think the gentleman would stand for that as an argument even in his own country, because it is untenable, as was the suggestion made by our distinguished leader on this side of the House [Mr. MANN] in the discussion of the river and harbor bill two or three years ago, when, in opposition to some eastern project, he suggested, in happy vein, the construction through the Rocky Mountains of a canal to connect Chicago with the Pacific Ocean.

In considering the bill we have just passed along a strip of country which, if you gentlemen who voted for the amendment were familiar with it, would at once point out to you the error of that vote. Not so much as it pertains to Government ownership, which you seemingly have voted into this bill, but because the effect may be to stop a great work, if, perchance, private contractors, with all the odium that attaches to the name, in these times of increased prices of material and labor, can not compete to the extent of 25 per cent with the Government plants, which have the overhead charges paid at the outset. There can be but one meaning to that amendment, and that is to impede, if not to stop, the business that is being done on the inside waterways of the Atlantic seaboard. And yet the votes have come, in part, from Atlantic Coast States, in spite of the representations of your own people, in spite of the resolutions passed by chambers of commerce and boards of trade and by business men and others engaged in shipping. You have joined our great leader on this side to vote out of this bill an important and needed improvement, demanded by your own constituents.

What does this coastal project mean? My great and good friend from Illinois [Mr. CANNON] indicates that what is proposed to be done here is to build an inside waterway along the Atlantic coast "6 miles from the sea." Oh, with all respect to one whom I love and admire, the gentleman from Illinois would do well to take up the geography that he studied in his North Carolina days and he would then understand how unfair and how inaccurate that statement is.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I want this time in order that I may have an opportunity to tell my Republican friends along the Atlantic seaboard what the people will think of them when they come to realize that their Representatives have fallen in here under the banner of a Government-ownership proposition to defeat the great work that the people want done along the Atlantic seaboard—a work for commerce and preparedness, not for the people of the Atlantic coast but for all the people of the United States. My friend from Illinois [Mr. CANNON], with a splendid sweep of that strong left arm of his, indicated that preparedness upon a 6-foot channel or with a 10-foot or a 12-foot channel was ridiculous, and yet every one of you who has been following the story of the European war knows that the 6-foot channel in Germany has been the salvation of the German people in this great trial through which they are passing. [Applause.]

Every one of you who recalls the floods in Paris will remember that it was the barge on a six or seven foot canal that saved the people of that city and brought them food and munitions. What are we doing along our own coast? I want the men from Maine, the men from Vermont, the men from New Hampshire, the men from Massachusetts and New York, as well as those from Florida, North Carolina, and Virginia, to understand what they have done. I want to rouse them up to a sense of their duty. Apparently they have voted to stop business unless the Government goes into the contract business to construct this waterway. It will delay the work——

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Not now—delay the work on this waterway between Norfolk and Beaufort. On Saturday last I pointed out the great advantages of the waterway along the upper coast. This Beaufort reach is a connecting link running south, and what does it do? It carries our commerce inside the coast line from the sea as far as 50 miles from Cape Hatteras, the most dreaded point along the Atlantic seaboard, and which every mariner fears.

Oh, if some of you from the mountain tops, from the valleys of the interior, if some of you from along "the banks of the Wabash" would only go down there and look at the graveyard of the ships that have been piling up during the last 200 years you would not vote as you did a little while ago against proceeding with the work upon this inside course.

We are entitled to protection from Cape Hatteras. The people expect it. They want a safe passage for human life, a safe passage for thousands of tons of commerce which should not be driven to death in the open sea. I cite to you the case of three barges in distress on the Atlantic ocean yesterday. They were compelled to go outside because they were drawing too much water for the inside course. Their signals of distress were answered by a revenue cutter, and we are told that they were brought back safely to port. But what of the ships and the barges that are lost? Let gentlemen from Chicago answer this question. What have you done to help us?

During the 10 years from 1900 to 1909, according to statistics well confirmed, coming from the life-saving bureau of this Government, there were no less than 5,700 disasters to shipping along the Atlantic seaboard, many of them off Cape Hatteras, which you, my dear friend from Iowa [Mr. GOOD], would probably deny the advantage of an inside passage.

Mr. GOOD. Mr. Chairman, will the gentleman yield now?

Mr. MOORE of Pennsylvania. I will give the gentleman some figures that will convince him before I yield.

Mr. GOOD. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. GOOD. Does the gentleman mean to say that if we put a provision upon this bill which limits the profit of dredges to 25 per cent, will stop this improvement, when the farmers of Iowa, Illinois, and Indiana, according to Government reports, receive less than 3 per cent upon their investment?

Mr. MOORE of Pennsylvania. I hold no brief for the dredgers, but I will venture to tell the gentleman that the farmers of Iowa are more prosperous to-day and are making more money than are the dredgers along the Atlantic seaboard. I challenge the gentleman to deny that statement; your farmers are prosperous and they are prosperous because they are selling their

grain and their products to those of us along the Atlantic seaboard who are trying to safeguard your business.

Mr. GOOD. I simply quote from two Government reports, one from the Agricultural Department, and the other the report of the engineers.

Mr. MOORE of Pennsylvania. And the gentleman has done it in the name of the farmers who are most prosperous at the present time.

Mr. GOOD. I have done it in the name of an empty Treasury.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. There were 5,700 disasters on the Atlantic seaboard during the 10 years following 1900. How many lives were lost in those disasters? It may not make any difference to you out West, possibly, but the total number of lives lost was 2,200. There is a fine old story which runs that it does not make any difference how many boys are killed in battle or how many go down in the ships, provided they are not your boys. Some of these 2,200 perhaps were western boys. They were our sons, our brothers, our fathers, heads of families, and they went down in those 10 years because, forsooth, we did not give them a safe inside passage. The material side of it may not be so important, but with those 2,200 lives went down $40,000,000 worth of property. It was the property of people all over the United States.

Why, men of Congress, if you had given us those $40,000,000 we would have built this inside waterway that by brother FREAR, of Wisconsin, and my brother CALLAWAY, of Texas, are worrying about, all the way from New York down south below the terrors of Cape Hatteras. I want you to think over the vote that you cast to-day, and I trust that you will not cast any more of the same kind. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I move that all debate upon this paragraph close in five minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Florida to close debate upon this paragraph in five minutes.

Mr. COOPER of Wisconsin. Mr. Chairman, a parliamentary inquiry. What amendment is before the House?

The CHAIRMAN. A pro forma amendment.

Mr. COOPER of Wisconsin. The gentleman from Wisconsin [Mr. FREAR] can make his speech on another pro forma amendment.

Mr. FREAR. But I want to talk on this particular waterway.

Mr. MANN. Mr. Chairman, I move to amend the motion of the gentleman from Florida by making it 20 minutes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 55, noes 66.

So the amendment was rejected.

Mr. MANN. Mr. Chairman, I move to amend by striking out "5" and making it "15."

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. MANN. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 53, noes 63.

So the amendment was rejected.

Mr. MANN. Mr. Chairman, I move to amend by striking out "5" and inserting "10."

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. SPARKMAN. Division, Mr. Chairman.

The committee divided; and there were—ayes 54, noes 67.

Mr. MANN. Mr. Chairman, I ask for tellers.

Tellers were ordered.

Mr. MANN and Mr. SPARKMAN took their places as tellers.

The committee again divided; and the tellers reported—ayes 57, noes 82.

So the amendment was rejected.

The CHAIRMAN. The question is on the motion——

Mr. GREEN of Iowa. Mr. Chairman, I rise in opposition.

The CHAIRMAN. There is a motion before the House to close debate. The question is on the motion of the gentleman from Florida [Mr. SPARKMAN] to close debate in five minutes.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. MANN. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 83, noes 54.

Mr. MANN. Mr. Chairman, I ask for tellers.

Tellers were ordered.

Mr. MANN and Mr. SPARKMAN took their places as tellers.

The committee again divided; and the tellers reported—ayes 81, noes 48.

So the motion was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I rise in opposition to the pro forma amendment of the gentleman from Pennsylvania [Mr. MOORE] and also, incidentally, in opposition to the remarks which he just made. I was surprised a short time ago when the chairman of the Committee on Rivers and Harbors declined to accept the amendment which was last offered by the gentleman from Iowa, my colleague [Mr. GOOD]. I can not understand at this time how any Member could have voted against this amendment except on the theory that the committee ought to on all occasions and under all circumstances be sustained, regardless of the merits presented by the amendment which is offered.

Mr. Chairman, it has been repeated in the newspapers of the present day, iterated and reiterated, that the reason that this House is not voting more money for so-called preparedness is because a large majority of the Members of this House are too much interested in "pork-barrel" propositions. I do not care to consider that matter at this time, because I know, and every Member of this House knows, that, no matter what the vote on this bill for rivers and harbors may be, no matter what the amount that will be appropriated by it, it will not have the slightest effect on the amount that is awarded for preparation against invasion or for war.

Mr. RAGSDALE. Will the gentleman permit an interruption?

Mr. GREEN of Iowa. I can not at this time.

I do not know what defense could have been made to this amendment. There is nothing which would be more likely to bring this House into contempt and derision before the country than refusing to adopt the amendment which was offered by the gentleman from Iowa [Mr. GOOD]. The only objection that was made against it was the one which was made by the gentleman from Florida [Mr. SPARKMAN], that he thought instead of reducing the expense it would increase it, and that objection was made to the original amendment of my colleague. When it was introduced in such form that that objection could not be made, then comes my friend from Pennsylvania [Mr. MOORE] with a tearful plea for the sailors who are being wrecked along the coast.

Mr. Chairman, if I had a tenth part of the wealth that some of the gentleman's constituents possess and felt so sorry for the sailors that are obliged to go through the stormy regions of Cape Hatteras as he seems to feel, I would build a dredge myself and take the contract for less than 25 per cent above what it costs the Government to perform it. Why is it that these dredge owners will not enter into these contracts since this amendment was adopted? What do they want? Do they want 50 per cent or 100 per cent or 200 per cent higher than the Government price, or do they want more money to spend on banquets and to entertain people that they think can have some influence upon this House in the matter of these appropriations? That was all shown in statements made by my colleague by quotations from these very men who have been taking these contracts at an exorbitant price.

Mr. MOORE of Pennsylvania. The gentleman does not take the banquet proposition seriously, does he, as affecting Members of Congress?

Mr. GREEN of Iowa. I do not. I am happy to say that no one believes anything of that kind would affect Members of Congress; but these gentlemen who instituted these banquets seem to think that possibly they may have some effect, judging from the statements they have made.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. GREEN of Iowa. I decline to yield further.

Regardless of the banquet proposition, there was one matter that was plainly brought out, and that was that these contractors were in a pool and a trust to hold up the Government and extract from the Government exorbitant and unreasonable prices for doing this work, and the amendment merely provided against their continuing so to do.

The CHAIRMAN. All debate is exhausted, and the pro forma amendment is withdrawn. The Clerk will read.

Mr. McLAUGHLIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McLAUGHLIN. Was that motion to close debate on the section and all amendments thereto?

The CHAIRMAN. It was on the paragraph and all amendments thereto.

Mr. MANN. What became of the amendment, Mr. Chairman?

The CHAIRMAN. The pro forma amendment was withdrawn, or it will be considered as withdrawn, if there is no objection.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Harbor at Morehead City, N. C.: For maintenance, $2,600.

Mr. McLAUGHLIN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. McLAUGHLIN. The amendment offered by the gentleman from Iowa [Mr. GOOD] and adopted by the House was, I think, very proper, and it does not mean, in my judgment, that, as stated by the gentleman from Pennsylvania [Mr. MOORE], there is to be Government ownership and Government operation of all these works. I know something of the work done by the Government dredges and by private contract on the Great Lakes.

Mr. CALDWELL. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. Has the gentleman the right to discuss any other amendment than the one striking out the last word, following an amendment which has been passed? I object.

The CHAIRMAN. The gentleman from Michigan will observe the rules of the House.

Mr. McLAUGHLIN. If there is any question about being in order, I shall offer such an amendment as will make my remarks in order. I think the House should not be too particular, Mr. Chairman.

Mr. RAGSDALE. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RAGSDALE. I understood that the motion that was adopted was that all debate on this paragraph be closed.

The CHAIRMAN. The Chair knows.

Mr. MOORE of Pennsylvania. I ask unanimous consent that the gentleman be allowed to proceed for five minutes.

The CHAIRMAN. The gentleman is already recognized for five minutes.

Mr. MOORE of Pennsylvania. I thought a point of order was made against his proceeding.

Mr. CALDWELL. I object to his proceeding, Mr. Chairman.

The CHAIRMAN. The gentleman will proceed.

Mr. McLAUGHLIN. Mr. Chairman, I said I had some knowledge of the work done by the Government itself and by private contractors on the Great Lakes, and I know that the work done by the Government dredges has brought about a reduction of prices paid to the private contractors. It has not resulted in the Government doing all the work. It has not resulted in construction of Government plants sufficient to do a great part of the work. It has simply resulted in more reasonable contracts by private contractors.

Mr. SWITZER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Ohio?

Mr. McLAUGHLIN. Yes.

Mr. SWITZER. I will ask the gentleman if it is not a fact, as the gentleman from Iowa [Mr. GOOD] argued, that it has slightly increased the private contracts with respect to that canal?

Mr. McLAUGHLIN. My remarks are directed to this proposition, that it will not result in Government ownership and Government operation, as the gentleman from Pennsylvania [Mr. MOORE] so much fears.

Mr. FREAR. Mr. Chairman, will the gentleman yield at that point?

The CHAIRMAN. Does the gentleman yield?

Mr. McLAUGHLIN. I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. McLAUGHLIN. And the gentleman says also that in calculating the cost of work done by Government dredges, no account is taken of overhead expenses. I know that charge has been made concerning work on the Great Lakes, and it has been refuted. I wish to say that if the Government engineers operating under the direction contained in the amendment just adopted would make estimates of the cost of Government dredging without taking into account the overhead charges and all costs and charges that would have to be incurred by private contractors doing like work, they would not be worthy of the positions they occupy, and they ought to be court-martialed. I do not believe there will be any such style of figuring on the part of Government engineers.

Now, the gentleman from Pennsylvania [Mr. MOORE] is always forceful and sometimes interesting, but he is not always convincing or helpful to the House. The trouble with him is that he argues with the same force and vehemence respecting all propositions, good, bad, and indifferent, arguing with the same force this morning as yesterday when he defended those dinky little things which local enthusiasts call harbors on the coast of New Jersey. [Laughter.]

Mr. SMALL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. McLAUGHLIN. Pardon me; I have not the time. One of those projects is Cold Spring Inlet, N. J., for which this bill carries an appropriation of $40,000 for maintenance. Concerning this project, or this harbor, as the local interests are pleased to call it, Capt. Lockwood, of the Corps of Engineers, in his report to Congress says:

> The project of improvement if carried to completion will be of material benefit to the city of Cape May as a pleasure resort by filling the adjacent swamp lands, obliterating mosquito-breeding beds, and furnishing opportunity for expansion of building sites.

We find also in the report made by Capt. Flagler, of the Corps of Engineers, the following statement concerning this project. The report says that it—

> would also permit a resumption of the yacht races that were at one time sailed at Cape May and formed the most attractive event of the season. The Cape May cup, an international trophy, I am informed, is now sailed for at New York. Together with the projects in real estate improvement at Cape May, the establishment of a secure harbor would, I am sure, largely increase the present patronage of summer visitors at this locality.

So river and harbor bills in the past have carried appropriations, and this bill carries an appropriation of money, under the guise of improving a harbor and providing for navigation, for the purpose of reclaiming swamp lands, exterminating mosquitoes, adding to the area of land for building sites, and for the purpose of assisting Cape May to compete with New York in the matter of regattas and yacht races. The only reason urged by the chairman of the committee for making this appropriation is that large sums of money have heretofore been expended, and, in order to maintain a semblance of a harbor, it is necessary for the Government to go on year after year spending money. The reports of engineers show that this project was approved in the first instance with the idea and with the hope that a large amount of commerce of great value would be worked up, it being estimated that the value of the commerce would be more than two million and a quarter dollars annually, but the commerce in 1914 was only 6,193 tons, with a valuation of $103,000.

In my judgment there is but one proper course to be pursued respecting this project. The business of the harbor has not developed in accordance with the expectations of the engineers and others who urged the improvement; the entire project is a failure and further expenditure by the Government is not a good proposition; in fact, it is absolute waste of money. If the improvement results only in draining swamps, killing mosquitoes, adding to the attractiveness of a summer resort, and providing for safety of racing yachts, it ought not to be maintained at the expense of the Government. If it is of real value for those purposes, the local interests, after having been generously supplied with money by the Federal Government, ought to be willing, as they are surely abundantly able, to maintain the harbor, if it may be so called, at their own expense.

Appropriations of money for such projects as this tend to justify charges made against river and harbor appropriations; they support the charge that this is pork-barrel legislation; and every legitimate project in the country and water commerce in general throughout the country suffer.

I speak as I do because I represent a district which has a number of harbors, every one of them doing business of an amount and character to justify Federal aid, and because I believe items like the one I have referred to in New Jersey weaken the bill and delay and interfere with appropriations for worthy projects.

It is not possible for one who is not a member of the committee to be familiar with many of the projects for which appropriations are recommended, nor am I able to say, or willing to believe, that the bill favors many projects like the Cold Spring Inlet project, but the presence of this project justifies some suspicion of the entire bill. I hope some way will be found to eliminate it and others like it.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan [Mr. MCLAUGHLIN].

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] is recognized.

Mr. MOORE of Pennsylvania. Mr. Chairman, while "the gentleman from Pennsylvania" may not always be convincing, he appreciates the acknowledgment that he is sometimes forceful in this House, and if he has made an impression upon the gentleman from Michigan [Mr. MCLAUGHLIN] he is particularly pleased with that.

The gentleman from Michigan objects to "the gentleman from Pennsylvania" standing up for those things along the Atlantic seaboard that he thinks necessary to the preservation and promotion of life and property. The gentleman from Michigan never hesitates to ask for those things for the farm that he wants. When the Agricultural appropriation bill comes along the gentleman does not say anything about "pork barrel." When the Agricultural appropriation bill is under consideration we always find the gentleman from Michigan advocating the measures contained therein. But in keeping with the activity of the Chicago Tribune and other newspapers that do not know much about the subject, we hear him finding fault with the river and harbor bill. I would like the gentleman from Michigan and the gentleman from Illinois—the distinguished gentleman who has spoken frequently upon this floor upon this proposition—to know that up to 1907, according to the statistics of a White House conference, the amount of money taken out of the Treasury of the United States for the Mississippi Valley, to "clean out mosquitoes," and to build levees from the Great Lakes to the Gulf, was $208,000,000 out of a total of $552,000,000 from the beginning of time, and I would like the gentlemen from the Great Lakes territory and from the Mississippi Valley territory to know that while they were taking out this $208,000,000 of a total of $552,000,000, the Atlantic seaboard from the beginning of time, in the busy area of the original Thirteen States, received only $141,000,000. A pretty fair showing for the Middle West, considering its comparative youth!

The gentleman from Michigan talks here as if he knew something about the Atlantic coast; he says this great project, serving territory where we have the commerce, where we have the population, where we have the shipping, where we do more than 50 per cent of the manufacturing is for the purpose of wiping out the mosquitoes. Why, in his Agricultural bill the gentleman will not give a dollar to wipe out mosquitoes. He wants to take every dollar for the diseases of his cattle and horses, for seeds and soil, and for farm instruction. There is no "pork" in that. If there is, the gentleman can not see it. His farmer is the most prosperous man in the land to-day, but the gentleman comes along with his Agricultural bill, and the burden of the taxation is borne by the people along the Atlantic coast as well as his own. But the gentleman sees nothing in that to criticize. [Applause.]

Now, I am going to tell the gentleman something I think he should know. He harps, as a number of others from the Lakes country do, on the tremendous tonnage of the Soo Canal. I am glad it is large. I am as proud of it as he is, but when he says the facts as to the Atlantic coast, as I have stated them, are not convincing, he should be informed of his error. I have taken the trouble to look it up—the matter of tonnage—and I want the facts to be known. I will put them in the RECORD in full, because they are interesting. Out yonder upon the Soo Canal, which he claims is the center of the tonnage universe, they had for the year 1914 a total foreign tonnage of 26,000,000. On the Atlantic seaboard we had 51,000,000 tons.

Mr. MCLAUGHLIN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I am near the end of my time. I did not interrupt the gentleman.

Mr. MCLAUGHLIN. Does the gentleman mean to say that there were only 26,000,000 tons of freight passing through the Soo Canal in 1914?

Mr. MOORE of Pennsylvania. My figures are with reference to the foreign commerce on the Great Lakes.

Mr. MCLAUGHLIN. In 1913——

The CHAIRMAN. The gentleman's time has expired. All time has expired. The Clerk will read.

Mr. MOORE of Pennsylvania. I will put the figures in the RECORD. As to foreign tonnage the Atlantic ports are twice as strong as the Great Lakes, and as to values, sixteen times as much.

The Clerk read as follows:

Fishing Creek, N. C.: For maintenance, $1,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

Mr. SPARKMAN. I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I had no idea of referring to this, although it is among my notes, but it comes right after the paragraph which the gentleman from Pennsylvania [Mr. MOORE] was so eloquently discussing, about the commerce upon the Atlantic coast. I am interested in this, and so is the committee, because the commerce at Fishing Creek amounts to 1,096 tons, of which 848 tons is timber hauled by the owners, leaving 248 tons the amount of commerce at this point. The gentleman from Michigan [Mr. MCLAUGHLIN] is right in his statement in regard to the Soo Canal, and the gentleman from Pennsylvania will find that the gentleman from Michigan is correct. The commerce passing through the Soo Canal in 1913, as shown by the Engineer's report, was something like 79,000,000 tons, according to my best recollection.

Of course, there is a large tonnage in Philadelphia. Philadelphia receives in this bill something like $2,700,000, with the authorization, due to the urgent pressure brought by the gentleman from Pennsylvania [Mr. MOORE], who looks after his constituents and does it well. Philadelphia is a large port; but when he objects, as he has objected upon this floor, to a limitation in the amount to be paid for dredging, he is attacking one of the fundamental objections to this bill, and you can not afford to go to the country with that. You do not want to needlessly waste money. No man on this floor should do that, and in all these dredging contracts we desire, as far as possible, to keep the cost down within limits, and that has been the purpose of the amendment offered by the gentleman from Iowa [Mr. GOOD]. Talk about Government ownership! There are a dozen great dredging contracts made for the Delaware River. There ought to be some limitation, if there be any question about what the profits are to be, and I believe that is a wise rule.

Now, the gentleman from Illinois [Mr. CANNON], who made the statement in regard to the waterway canal, said there was no canal in this country, outside of the deep-water canals, bringing any profit upon any investment. He referred, among others, to the Hennepin Canal. The gentleman is correct, so far as I can ascertain. Out of the 4,400 miles of canals that were in existence in the United States, 2,400 miles, or over 50 per cent of the canal mileage in this country, has been abandoned, and there is to-day no independent canal that is making 2 per cent profit upon the actual investment. Take the Delaware Canal, which the gentleman speaks about so frequently. The stock was worth nothing and the bonds were worth only 50 cents on a dollar before the proposition came for the Government to buy it. Take the canal, the Beaufort and Norfolk project; it was bought for $500,000. It was not a profit-making concern, but unprofitable. The Government took it, and we have been endeavoring to conduct some business on it, and we have spent over $1,000,000 already in that effort. The expenditure of $5,400,000 is proposed in this project, and we have developed a little over 200,000 tons of traffic. The gentleman says $40,000,000 will be paid for all this waterway. Why, as I understand it, it runs from $100,000,000 to $300,000,000.

Mr. MOORE of Pennsylvania. The gentleman is entirely in error. There is no justification for any such statement as that.

Mr. FREAR. If I am wrong, I will be glad to be corrected. It will be over $20,000,000 for this little 13-mile Delaware Canal the gentleman desires. That is the Agnus report. It will be far more than that for the canal across the State of New Jersey.

Mr. MOORE of Pennsylvania. The Agnus report recommends the construction of a 35-foot canal, and estimates the cost at $21,000,000.

Mr. FREAR. That is right. I said $20,000,000; $21,000,000 is the right amount.

Mr. MOORE of Pennsylvania. The cost along the line would be gauged according to the depth.

Mr. FREAR. Let me say to the gentleman that if it is to be used for preparedness, you have got to put that amount of money into it.

Mr. IGOE. Mr. Chairman, I ask unanimous consent that I may proceed for not more than five minutes, not on the bill but to answer a statement made by the gentleman from Illinois [Mr. MANN] on last Monday.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for five minutes, not upon the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. IGOE. Mr. Chairman, on last Monday the Judiciary Committee reported a bill providing for the transfer of Chariton County, Mo., from the eastern district of Missouri to the western district of Missouri. The gentleman from Illinois [Mr. MANN] had some remarks to make about the form of the bill, and I stated as follows:

Mr. Chairman, when this bill was considered that question was raised, as to whether it might not be the better practice to set out the statute as it would read when amended, and some of us were informed that on another occasion when that had been done the Senate changed the practice and reported back the bill in some such form as this.

Mr. MANN. The gentleman's information was incorrect. There has been no such case. There has been no case where the House passed a bill amending an original section, where the Senate struck that out and inserted a mere change of the law.

Mr. Chairman, in the CONGRESSIONAL RECORD of February 15, 1915, on page 3820, it appears that the House considered a bill for the transfer of two counties in Arkansas, and that bill set out the section as it would appear when amended. The House passed the bill. The bill was called up in the Senate, and on page 5350 of the CONGRESSIONAL RECORD, on March 3, it appears that the bill was reported back to the Senate with the recommendation to strike out all after the enacting clause and insert a bill in the same form as that which we passed last Monday. That amendment was agreed to in the Senate and the bill was returned to the House, and the bill as amended by the Senate was agreed to by the House and passed, and it will be found on page 5490 of the RECORD. I make this statement because the gentleman from Illinois is usually correct and his statement might be taken as proof of the fact.

Mr. MANN. I will say, Mr. Chairman, that I am very much obliged to the gentleman from Missouri for the correction.

Mr. IGOE. I thought the gentleman would be, and I wanted to put it in the RECORD so that the Judiciary Committee might at least stand right before the House.

Mr. MANN. That was one case of bad practice which slipped by me.

The Clerk read as follows:

Cape Fear River above Wilmington, N. C.: Completing improvement and for maintenance, $83,000.

Mr. FREAR. Mr. Chairman, I offer the following amendment: Amend page 10 by striking out lines 16 and 17.

Mr. Chairman, I offer this amendment because the improvement and maintenance are both joined together, and it seems to me there is a great waste on that river, which has so far cost the Government over $7,000,000. I am referring to the upper part of the river, which gets $83,000. The project is an 8-foot project. The engineer says that he did not believe than an 8-foot navigation was necessary, but thought that 4 or 5 feet would be sufficient. The board and Mr. McKenzie, chief, approved of a modification of the channel from 8 feet to 4 feet and from $1,350,000 to $615,000. The river and harbor act of 1910 provided for 8-foot navigation, to cost $615,000, with $85,000 maintenance. The report of 1914 says that since the adoption of the present project closer investigation of conditions, and so forth, render it necessary to increase the estimate from $615,000 to $1,031,000; the project is about 60 per cent completed.

Now, I wish to call the attention of the House to the fact that Congress has been unfair in that it reduced the appropriation $600,000, but left the requirement for an 8-foot channel. The Army engineers say it is a mistake in estimates, because Congress insists on the original depth but cuts the appropriation one-half.

Mr. MANN. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. MANN. This is to complete an improvement?

Mr. FREAR. Yes; but it is an 8-foot channel where Army engineers said that 4 feet would be enough. The House took away half of the original appropriation and left the project requiring an 8-foot channel.

Mr. MANN. If we started in to finish an 8-foot channel to cost $600,000 or $1,300,000, whatever it is, is it not wise to complete it if it will only cost $50,000 or $60,000?

Mr. FREAR. That would be true if the commerce afforded any reason for it, but commerce is practically, the most of it, 4 miles above Wilmington. Practically three-quarters of the commerce comes from just above the city. The fault lies originally with Congress, for they took away from the Army engineer's estimate about one-half of the appropriation and then insisted on an 8-foot channel. It shows the effect of legislating in a haphazard fashion and the waste it occasions.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Charleston Harbor, S. C.: Completing improvement of the 28-foot channel to the sea, $70,000; for maintenance of improvement of Ashley River, $10,000; in all, $80,000.

Mr. WHALEY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, by inserting on page 11, between lines 4 and 5, the following: "Cooper River, S. C.: For improvement of channel from the harbor of Charleston to the naval reservation, so as to provide a channel 30 feet deep at all stages and 600 feet wide in straight stretches, increasing to a thousand feet at bends, in accordance with report published in House Document 947, Sixty-first Congress, second session, $175,000."

Mr. WHALEY. Mr. Chairman, as this is an important amendment, I ask unanimous consent that I be allowed to proceed for 15 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to proceed for 15 minutes. Is there objection?

There was no objection.

Mr. WHALEY. Mr. Chairman, this amendment is offered for the purpose of providing an adequate channel from the harbor of Charleston to the navy yard, located 6 miles above the city of Charleston. There is an anomalous situation down there, which has been knocking at the doors of Congress ever since the Charleston yard was located. In 1900 when the Roger Board recommended the removal of the yard from Beaufort, S. C., to Charleston, it made the following statement in its report:

To reach the site selected on the Cooper River it would be desirable to remove the shoal at the head of Drum Island and also a lump in the bend of the river above, neither of which involves any difficulty or much expense.

Ever since the yard was located at Charleston, there has been a crying need to remove two lumps from the river so that it will allow the battleships to proceed to the yard. To-day any battleship in the Navy can enter the splendid harbor of Charleston. The whole United States fleet can be mobilized in that deep and commodious harbor, but when it comes to going from the harbor to the navy yard, which is distant 6 miles, there are two lumps in the river which carry only 26 feet of water and a width of 150 feet. To-day it is almost impossible for any naval officer to take a battleship from the harbor to the yard. He has 26 feet under his ship at mean low tide and 5 feet rise, but he has only 150 feet in width and at the bends of the river it is impossible to turn a battleship which may be four or five hundred feet long so as to avoid grounding her. The navy yard at Charleston has a dock which can accommodate any battleship in the Navy which has a length of not more than 545 feet. It is the largest navy yard south of Hatteras. There are six navy yards north of Hatteras and only three south of Hatteras.

The water on the sill over the dock at Charleston is 31 feet, as much as there is over any sill with the exception of the New York yard. The bar at Charleston will allow any ship to come into the harbor, and any ship drawing not more than 31 feet can be docked in that dock. Yet we have the situation to-day where a ship can not get to the navy yard because of two little shoals up this river. In 1909 there was a provision in the river and harbor bill calling for a survey of this river. A survey was made and a report made to Congress, in which it is stated:

Cooper River in its present condition will accommodate present or reasonably prospective commerce and needs no improvement, therefore, but considering the needs of the Navy Department some improvement is desirable. From correspondence herewith it appears that the needs of the Navy Department would be met by dredging a channel 30 feet deep at all stages, and 600 feet wide in straight reaches, increasing to 1,000 feet at bends up to the naval station, passing to the east of Drum Island, which is estimated by the district officer to cost $175,000.

This project has been before Congress since 1910, and has been turned down by the Committee on Rivers and Harbors year after year, because it was a naval proposition and the committee only considered the commercial needs of river improvement. In 1914 there was a resurvey of this river made for the purpose of ascertaining the commerce on the river, and a report was made to Congress in which it was stated that the commerce of the river had increased from $400,000 to $5,000,000, and this year a statement was made to the committee at a hearing held on the deepening of the harbor entrance to 30 feet that the commerce had increased since 1914 from $5,000,000

to nearly $12,000,000. We have a situation down there to-day where all of the ships of the Navy can gather in the harbor and mobilize there and any ship in the Navy can dock at that yard which is not more than 545 feet in length and does not draw more than 31 feet of water, but she can not go up the river to the yard because of two small shoals, where the river is not wide enough. We have ample water in front of the yard. At every other place in this river there is from 30 to 50 feet of water, and yet we have been unable to get any relief from the Committee on Rivers and Harbors, because it is a naval proposition, and we can not get any relief from the Naval Committee because it does not deal with harbor propositions. We are going into the question of national defense——

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. WHALEY. Yes.

Mr. TREADWAY. The gentleman states that it is a naval proposition. Is not the reason that he can not get relief from the River and Harbor Committee the fact that it is a new project?

Mr. WHALEY. Oh, that was after 1914.

Mr. TREADWAY. I am talking of the present time.

Mr. WHALEY. At the present time the objection to it is that it is a new project and it was not put in the bill on that account this year. Last year the same objection was made, namely, that it was a new project.

Mr. O'SHAUNESSY. Mr. Chairman, will the gentleman yield?

Mr. WHALEY. Yes.

Mr. O'SHAUNESSY. Can the gentleman inform us how much money was expended there for the navy yard?

Mr. WHALEY. The Navy Department has spent $5,000,000 at the navy yard.

Mr. O'SHAUNESSY. And they have built a yard there although they did not have accommodations to go to the yard?

Mr. WHALEY. At that time the battleships were drawing 26 and 27 feet of water, which would have given enough water to go up to the yard at high tide only.

Mr. O'SHAUNESSY. Did they go up?

Mr. WHALEY. They have had several up there. The *Olympia* is up there to-day, but she is a short ship.

Mr. O'SHAUNESSY. Has the $5,000,000 investment at the Charleston Navy Yard been justified in any manner?

Mr. WHALEY. More than justified. They have got fourteen hundred employees working there to-day, and have been working continuously for two years, and the Secretary of the Navy has written letters commending the yard for its efficient and splendid work.

Mr. O'SHAUNESSY. What I am driving at is to find out in what way it has been useful as a navy yard for the accommodation of battleships?

Mr. WHALEY. The only battleship there is the *Olympia*.

Mr. O'SHAUNESSY. That is the only one?

Mr. WHALEY. Yes.

Mr. O'SHAUNESSY. And you have sufficient depth of water at the yard, but you can not get to the yard on account of this channel?

Mr. WHALEY. Yes.

Mr. O'SHAUNESSY. And you want to deepen it to 30 feet and widen it to 600 feet, and at certain points in the river to 1,000 feet?

Mr. WHALEY. Yes.

Mr. O'SHAUNESSY. And the objection is made that you can not have it because it is a new project?

Mr. WHALEY. Yes.

Mr. MADDEN. How much will it cost?

Mr. WHALEY. It will cost $175,000; but there is nothing for maintenance. The report of the engineers is that there will be nothing at all for maintenance. It is a flat-footed proposition of $175,000 to widen and deepen the river to the yard.

Now, I want the House to understand that this is no attempt on my part to inject any pork-barrel business into this legislation, but it is a worthy, fair, and just project that has been demanded by the Navy Department for years for the purpose of allowing the use of the yard for battleships.

Mr. Chairman, when I found that the New York item was going into this bill, and that there was to be an exception made so far as new projects were concerned, and that the committee was going to take into consideration the needs of the Navy, carrying out the lines of national defense as urged by the Executive, I also got busy. I saw the Executive and I called his attention to this matter. He stated to me that he would send for the chairman of the committee. The other day when the chairman was making his splendid statement in reference to this bill I asked him if he had seen him, and he admitted that he had been seen by the Chief Executive and he had referred him to the naval officers.

I want to read to this House a letter addressed by Admiral Benson to the chairman of the Committee on Rivers and Harbors, dated February 25, 1916:

FEBRUARY 25, 1916

MY DEAR MR. SPARKMAN: Since our conversation a few days ago in regard to the channel leading from the city of Charleston, S. C., to the navy yard, I find, on more careful investigation, that the dry dock at that yard will comfortably accommodate any of our vessels up to and including the *Utah* and *Florida* class.

As I told you at that time, I had taken the *Utah* into Charleston Harbor, and the least water found in the main channel was 33 feet. Following out the same line of argument that I used in regard to the channel in the East River leading from the southward to the New York Navy Yard, I feel that I should correct the error under which I was laboring the other day, and say that I believe the channel leading from the city of Charleston up to the navy yard should be so improved as to make it possible to accommodate any battleship in our Navy that could use that dry dock.

At the time the conversation took place the other day I was under the impression that this dock could not accommodate any except our very oldest battleships, and was really a little in doubt in regard to that. I am sorry that I should have been in ignorance of this point, but having discovered that I was ignorant, and consequently arguing on a wrong basis, I think it only proper that I should correct the mistake that I made at that time.

As you remember, when before the full Committee on Rivers and Harbors, the direct question was asked if I thought we should have a first-class navy yard south of Hatteras, and in answer to that question I stated "yes." I am still of that opinion, and as Charleston is the only one that fills that condition at present, I feel that this is also another argument why I should correct the wrong impression that I was laboring under during the conversation in question.

I feel particularly impelled to make this correction as in case of any international complication there should be any naval engagements south of Hatteras, it would be of vital importance to be able to use all the facilities that the Charleston yard offers, and to this extent I consider that this improvement should be considered in the nature of an urgent one.

Now, Mr. Chairman, I wish to read a letter from the Secretary of the Navy, addressed to the chairman of the Committee on Rivers and Harbors, dated March 3, 1916:

MARCH 3, 1916.

MY DEAR MR. SPARKMAN: While in Charleston, S. C., last December there were a number of our battleships in the harbor, and I was very much impressed with the necessity of deepening the channel leading from the harbor to the dry dock at the Charleston yard.

As you doubtless are aware, the dry dock at Charleston is sufficiently large to accommodate vessels of the *Utah-Florida* class and possibly the *Arkansas-Wyoming* class.

The cost, as I understand it, of deepening this channel is comparatively small, and as this dock is the only one of anywhere near its size south of Hatteras, it should be available for use in case of accident to any of our vessels off our southern coast. Due not only to the long distance but also to the stormy weather that might be encountered off Hatteras and to the northward, it might be of vital importance to take an injured vessel into a dock south of Hatteras.

In view of the efforts we are making along the line of preparedness, I consider the deepening of the channel leading from Charleston Harbor to the navy yard at that place of great importance and of an urgent character, and I recommend that action be taken toward its early accomplishment.

Sincerely, yours, JOSEPHUS DANIELS.

Hon. S. M. SPARKMAN, M. C.,
House of Representatives, Washington, D. C.

Mr. Chairman, there is not a single naval officer with whom I have ever talked or ever heard speak of the next naval fight, should this country get into war, who has not stated that it will take place in the Caribbean Sea. The Norfolk Navy Yard, which is north of Hatteras, is 1,500 miles from the Caribbean Sea. The Norfolk Navy Yard is 500 miles from the Charleston Navy Yard. If we have a fight in the Caribbean Sea, doubtless we will win that fight, but our battleships are not going unscathed. They are going to be injured, and will have to go 500 miles before they can get into a dry dock. If this project is adopted and these shoals are removed from this river, a ship can be taken into the Charleston Navy Yard and save 500 miles before it could get to the Norfolk yard, and avoid going around Cape Hatteras, which is considered "the graveyard of the Atlantic."

The CHAIRMAN (Mr. SHERLEY). The time of the gentleman has expired.

Mr. WHALEY. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. WHALEY. I will.

Mr. HUMPHREY of Washington. As I recall the depth of the water at the entrance of your harbor it is 28 feet.

Mr. WHALEY. It is 28½ feet, with a rise of 5½ feet at high tide, making the least depth at high water 33 feet.

Mr. HUMPHREY of Washington. I have always thought that that was one harbor that ought to be assisted. I am glad to hear what the gentleman says.

Mr. MADDEN. Will the gentleman yield?

Mr. WHALEY. I will.

Mr. MADDEN. How long is it estimated it will take to deepen this channel?

Mr. WHALEY. It can be done in six months. There are two Government dredges in Charleston Harbor now, and have been idle for two years.

Mr. MADDEN. What is the character of the work in the navy yard now?

Mr. WHALEY. They are repairing the *Olympia*, putting up building ways, which will build a boat 400 feet long. There is a torpedo squadron down there, and they are building tugs and ferryboats there to-day.

Mr. MADDEN. What facilities would a dry dock have for repairing ordinary-sized battleships if they were able to get into the yard?

Mr. WHALEY. There is every facility in the yard.

Mr. MADDEN. How about the docks?

Mr. WHALEY. It can accommodate any battleship 545 feet long.

Mr. SPARKMAN. I want to correct the gentleman in regard to the depth. The difference between him and myself is not very much. The engineers' report for the fiscal year is that the depth is 28 feet, with water at mean low tide over the bar and into Charleston Harbor.

Mr. WHALEY. It is 28½ feet, and every pilot in the harbor knows that it is 28½ feet, with a 5-foot rise at high tide. The report the gentleman is referring to is a report made in 1910.

Mr. SPARKMAN. It is the 1915 report.

Mr. TREADWAY. Mr. Chairman, may I not ask if we are not carrying in this bill here an appropriation for $70,000 in order to get 28-foot projects not yet completed?

Mr. WHALEY. Twenty-eight is there to-day.

Mr. TREADWAY. What is this item here for?

Mr. WHALEY. For widening the channel. It is a continuing project.

Mr. TREADWAY. The phraseology of the bill says "to complete."

Mr. WHALEY. To-day there is 500 feet width, and to carry out the project it is necessary to have 600 feet width of channel to the harbor.

Mr. HUMPHREY of Washington. I have forgotten, and I would like to ask what is the size of the dock there?

Mr. WHALEY. It is 566 feet 7½ inches, and it is 31 feet 1⅛ inches over the sill, according to the Navy Yearbook, 1915, page 544.

Mr. HUMPHREY of Washington. What is the width?

Mr. WHALEY. It is 134 feet wide, and will accommodate a vessel of 101 feet beam.

Mr. SPARKMAN. I will say to the gentleman that the report shows that it is 504 feet in length.

Mr. WHALEY. It will carry a ship 545 feet in length, but the width of the dock is 134 feet. It will only carry a vessel with 101 feet beam, because you have to have a space on each side, the same as you have to have a space at each end.

Mr. Chairman, when the chairman of the River and Harbor Committee was making a statement on this bill, I am glad to say, he was fair enough to set forth the Charleston proposition alongside of the New York proposition. I want to read to this House what the chairman of the committee said about these two propositions.

I read:

> The only other item that presents conditions at all similar is the navy yard at Charleston, S. C., the difference between it and the yard at New York being one of degree in the matter of importance.

Yes; "in degree," in that the New York navy yard is a larger yard and a construction yard. The Charleston yard is a repair yard, and is becoming a construction yard, and it will take $750,000 for New York and $175,000 for Charleston.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. WHALEY. May I have three minutes, Mr. Chairman?

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. WHALEY. Besides that, I read further:

> While the Charleston yard has a dry dock that can accommodate vessels drawing more than 30 feet, unlike the Brooklyn Navy Yard, it has no shipbuilding plant, its equipment being only for repairs. I believe, however, that a shipbuilding slip is soon to be located there, but when completed it will only accommodate, so I am advised, tugs, and possibly torpedo boats.

Now, Mr. Chairman, I want to state to this House that those shipbuilding piers will accommodate any collier or naval auxiliary about 470 feet long and about 4,000 tons. They will accommodate any torpedo boat 375 feet long. That is the largest type we have in the Navy to-day. The chairman went on to say:

> Like the New York Navy Yard, however, the channel leading to the Charleston yard is of less depth than are the slips or dry docks. While the latter can accommodate vessels of 30 feet draft, the former only has an available depth of 26 feet.

Mr. Chairman, we have this situation down there: A battleship can enter the harbor at Charleston and can anchor anywhere in the harbor, and yet if you want to take it to the dry dock, which has 31 feet of water on its sill, it is impossible to take it there now, because there are two little mud shoals that need to be dredged out to allow these ships to get into dry dock. If we increase our Navy, a repair yard like this yard will relieve these other yards up north of the repair work on these smaller ships.

There is no reason in the world why the Government should have a $5,000,000 plant up the river and be unable to get to it because Congress is bickering as to whether the Rivers and Harbors Committee should make the appropriation or the Naval Committee should make the appropriation. What I want this House to do is to allow the battleships that enter the harbor to go up to the yard and the ships that are constructed at the yard to go out to sea.

I hope the Government will adopt this project, because it is in line with the policy of national defense, and the appropriation necessary to do it is infinitesimal in comparison to the benefits to be gained.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. TREADWAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

Mr. TREADWAY. It is an amendment to the amendment pending, as offered by the gentleman from South Carolina.

The Clerk read as follows:

> Add, at the end of the amendment the following: "*Provided*, That no part of the amount herein appropriated shall be expended until the local authorities shall provide sufficient public terminal facilities in Charleston, to be approved by the Secretary of War."

Mr. TREADWAY. Mr. Chairman, I have a good deal of sympathy for the cause as presented to this House by the gentleman from South Carolina [Mr. WHALEY]. I feel that line of sympathy because the relation between the two propositions, that of Boston and that of Charleston, is so similar that I feel a brotherly regard toward the proposition which he presents.

But I want to suggest this to the House: You voted out a few days ago an amendment offered in behalf of Boston Harbor, very largely looking to the same end as that which the gentleman from South Carolina is looking for in this, namely, better facilities to reach a dry dock and a navy yard. Now, his amendment has run the whole course of an effort to secure consideration from the Committee on Rivers and Harbors as a commercial proposition, and when the Committee on Rivers and Harbors voted not to put in new projects, it naturally turned down the Charleston proposition along with the others. The gentleman is disguising the fact that he is working in behalf of the commercial proposition in Charleston under the guise of possible "preparedness." In substantiation of that statement I want to refer to the hearings held by the Committee on Rivers and Harbors on January 14 last.

Mr. WHALEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from South Carolina?

Mr. TREADWAY. Yes.

Mr. WHALEY. Was not that hearing based largely on adding to the depth of Charleston Harbor from 28 feet to 30 feet? This is a different proposition. This is improving the Cooper River above the city of Charleston. The hearings were had on the subject of deepening the harbor channel to 30 feet from 28 feet.

Mr. TREADWAY. It is in order to get to a new town that the gentleman's people are laying out there.

Mr. WHALEY. This does not reach the new town. It misses the new town by a mile and a half, as the gentleman will find if he reads the hearing carefully.

Mr. TREADWAY. I am glad to be corrected if I am in error in my statement, because the gentleman knows the geography of that region better than I do. But, so far as the Committee on Rivers and Harbors is concerned, there was nothing before that committee except the hearing of January 14. Is that correct? I would like the chairman of the Committee on Rivers and Harbors to pass upon that statement.

Mr. SPARKMAN. That is correct.

Mr. TREADWAY. There is nothing whatever before the Committee on Rivers and Harbors on this subject except that hearing on January 14. Now, we are considering the river and

harbor bill, and if the gentleman's project is what it purports to be, and if it has to do with preparedness, he should take it to the Committee on Naval Affairs. I have no doubt he will take it there ultimately. If he is turned down here, he will take it before the Committee on Naval Affairs. The gentleman ought to be fair to the House. He is demanding the incorporation in this bill of an amendment that has nothing to do with the river and harbor bill, when the Committee on Rivers and Harbors has in no sense considered it. He ought to be fair in that attitude toward the House.

Mr. WHALEY. Will the gentleman look at page 127 of the report of the River and Harbor Committee?

Mr. TREADWAY. I call the gentleman's attention to several items in this report. The first is the testimony of Mr. Rhett. Mr. Rhett was introduced to the committee as president of the chamber of commerce and mayor of the city of Charleston. His very first statement is—

> Inasmuch as this is a commercial proposition and there has gone abroad an impression that the commercial business of Charleston is not a particularly prosperous one, I am going to ask you to give me five minutes for a commercial review in order that you may understand the conditions actually existing there.

Then he goes on as to terminals, and states that a terminal company was organized which bought up a large portion of the water front and then failed. It was bought by the Atlantic Coast Line, which subsequently associated the Southern Railway in the ownership.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent for three minutes more. I was interrupted by a question.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. TREADWAY. Then, later on he proceeds, Mr. Chairman, as follows:

> Recently we have undertaken to build a new town above Charleston, which is on the point of a narrow peninsula, just like New York.

That is a land-development project, very plainly. Then he says:

> The Seaboard Air Line have put in terminals costing over $300,000. Two private enterprises have put up cotton compresses and terminal piers, and so on, as you will see on this map. Four steamship lines have come into Charleston recently. The American-Hawaiian Line, with its very large ships, makes Charleston the only point of distribution on the South Atlantic coast. The Morgan Line, from Galveston, also makes Charleston its southern distributing port.

Further on he says:

> We have no municipal terminals to speak of, but all privately owned by steamship companies, railroads, individuals, and corporations. The complaint was that the railroads would not build up their wharves, and there was not an adequate amount of berths for ships. That was the reason why we insisted that something had to be done. The city has an option on 850 feet of water front, but as yet nothing has been done toward its development.

Well and good. If they want to take Government money to improve a condition existing in Charleston Harbor, under the guise of a river and harbor bill, they certainly ought to comply with the very first requirement that the Rivers and Harbors Committee makes in every instance, namely, that there shall be public municipal terminals at the point where the appropriation is to be expended. Whether or not this particular improvement of the gentleman from South Carolina applies directly to the project we have before us I can not say, nevertheless my amendment is just as applicable to his amendment as it would be if we were considering the question of getting into Charleston, because it is just as much a commercial proposition as it is a naval proposition; and if it is not, it ought not to be here. If it is, as he says, solely a naval proposition, let it go into the naval bill when that comes along.

Mr. PADGETT. Mr. Chairman, the Secretary of the Navy appeared before the Naval Committee and called attention to the necessity of this improvement, as also did Admiral Benson, chief of operations. The situation is this: The navy yard is about six miles up the river from the harbor. These two shoals are outside of the limit of the navy yard proper, and between the navy yard and the regular harbor. For that reason it comes under the jurisdiction of the Rivers and Harbors Committee; but the Government has the yard above there, and in order that that yard may be as fully and completely useful and serviceable as it should be, in order that it may make the most out of the $5,000,000 now invested in this yard, these shoals should be removed. The cost of removing them would be about $175,000.

Mr. MADDEN. Will the gentleman yield to me for a question?

Mr. PADGETT. Yes.

Mr. MADDEN. It really does not make any difference whether it comes through one committee or the other. The people have to pay it, and what difference does it make which committee reports it?

Mr. PADGETT. That is true. I was going to say that in view of the necessity for it, I think the quibble between the two committees is uncalled for. It is clear that the Naval Committee strictly would not have jurisdiction, and we called the attention of the Secretary to that fact; because the Naval bill carries appropriations for dredging and improvements in the yard and the waters adjacent to the yard, comprised and embraced in the navy yard proper. If it were there, we could deal with it, but as it is outside of the limits of the yard, and intercepts the travel between the yard and the open sea down in the river, it comes under the jurisdiction of the Rivers and Harbors Committee. But the navy yard being there, and being a Government institution, and a very important and necessary one, that is a strong argument which addresses itself to the Rivers and Harbors Committee, and also to the Committee of the Whole, and to the House and to the Congress, why it should be taken hold of, and why this small appropriation should be made to take away these shoals that intercept the travel between the sea and the yard.

Mr. SWITZER. Will the gentleman please inform the House when the Committee on Naval Affairs first learned of this trouble down in Charleston, and first learned that our dreadnaughts and large vessels could not get into the dock there?

Mr. PADGETT. The first time it was brought before the committee officially, as I now remember, was during the present session of Congress. I have heard of it time and again, but I do not think it has been officially brought to the attention of the committee before this.

Mr. SWITZER. Will the gentleman please state why some representative of the Committee on Naval Affairs did not appear before the Committee on Rivers and Harbors while it was in session for two months or more.

Mr. PADGETT. Yes; I can give the gentleman the best kind of a reason. We were having business of our own, meeting every morning at 10.30 and holding until between 5 and 6 in the afternoon, and there were gentlemen representing the Navy who did appear. The Secretary of the Navy, and Admiral Benson, Chief of the Bureau of Operations, did appear.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. I will ask for three minutes more.

The CHAIRMAN. The gentleman from Tennessee [Mr. PADGETT] asks unanimous consent that he may proceed for three minutes. Is there objection?

There was no objection.

Mr. SWITZER. Will the gentleman please inform the House why Admiral Benson or the Secretary of the Navy were not requested by the Committee on Naval Affairs to make a recommendation that this improvement be included in the river and harbor bill by the River and Harbor Committee?

Mr. PADGETT. They did make it; they made it to us and made it to the other committee, too.

Mr. SPARKMAN. I do not know that there is any relevancy in it, but there was no application made to the River and Harbor Committee until we had finished and reported this bill to the House.

Mr. PADGETT. I do not know the date of it, but they did come before the River and Harbor Committee. Now, the question has been raised about the size of the dock. I have the official figures here.

Mr. SWITZER. Just one more question. Does the gentleman understand that this project was recommended for a depth of only 30 feet?

Mr. PADGETT. I do not remember whether it is 28½ or 30 feet.

Mr. SWITZER. Now, is it not a fact that the General Board of the Navy state that you should have at least 40 feet; that a crippled battleship will require 35, 36, 37, or 38 feet to bring it into one of these docks in order to make it effective again?

Mr. PADGETT. If the depth were 30 feet, with a 5-foot tide, that would make 35 feet at high tide. But let me state frankly to the gentleman that the largest dreadnaught could not be accommodated at Charleston. Let us not labor under any mistake. It takes ships of the *Utah* class and the *Florida* class, and from that size down; but for the classes above that it would not accommodate them.

Mr. O'SHAUNESSY. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. O'SHAUNESSY. I want to find out how long we are going to have ships of the *Utah* and *Florida* class. Will they be with us for some years to come?

Mr. PADGETT. Yes, indeed. They are very valuable ships. The *Utah*, if I remember, is about 22,000 tons displacement. I have the exact figures here, if it were necessary to look them up.

Mr. O'SHAUNESSY. I merely wanted to be advised about it.

Mr. PADGETT. It is one of our dreadnaughts, but not one of the largest ones. I think the draft is about 28 or 28½ feet. The depth of one of the largest dreadnaughts is not a great deal more, but it is the dock situation which is to be considered.

Mr. O'SHAUNESSY. There is no danger of their becoming antiquated for many years to come?

Mr. PADGETT. Oh, no.

Mr. O'SHAUNESSY. The gentleman looks upon this investment of $170,000 as making available the $5,000,000 investment?

Mr. PADGETT. Yes; our committee has not assumed to report it out, but advised the gentleman to go to the Rivers and Harbors Committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. One minute more.

The CHAIRMAN. The gentleman asks for one minute more. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. HUMPHREY of Washington. If this is in the interest of the Navy, why did not Admiral Benson say something about it before our committee—why did you not get some instructions from the White House about it?

Mr. PADGETT. We thought that the committee, on a plain proposition like this, could take care of it without direction from the White House.

Mr. HUMPHREY of Washington. Well, we could, but you could not on that side.

Mr. PADGETT. Then we will come and get you to help us out. Now, Mr. Chairman, referring to the dock, the length is 566 feet; the length of the forehead to the outer sill is 548 feet; width and coping, 134 feet; width from the top of the keel blocks, 96 feet and 2 inches; width at the coping, 113 feet and the fraction of an inch; governing width, 6 feet above the sill, 101 feet 11⅞ inches; depth at mean high water to sill, 34 feet 1⅛ inches.

So you see that it is a dock capable of dealing with, not the largest ships because they are too long for it, but it is for the type of ships of the *Utah* and the *Florida* and ships of that size and below it; and, as I say, the *Utah* has a displacement of 22,000 tons.

Mr. LEVER. Mr. Chairman, the amendment in this case presents a business proposition. The Government has invested $5,000,000 in a navy yard at Charleston, S. C., and the facts presented to the committee this morning show that at the entrance of the channel there is a certain depth of water, while at the other end of the channel where the navy yard is situated there is another depth of water, something like 30 feet, but in between the two places are certain shoals or bumps which reduce the depth to 26 feet. The amendment proposed undertakes to deepen the channel where the bumps are, so that you will have a uniform channel that will permit the entrance of larger ships to the navy yard. As I say, the Government investment is $5,000,000. As the situation stands now the investment is not bringing its fullest return, because it is impossible under the situation to utilize the navy yard to its fullest extent. We are called upon here this morning to invest another $170,000 to make available to the fullest extent the investment of $5,000,000 which we have made. That seems to be a good business proposition from the standpoint of a pure business principle. Now, more than that, it seems that all the testimony in this case agrees with that proposition.

Mr. TREADWAY. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. TREADWAY. Where was the testimony submitted; was any of it before the Rivers and Harbors Committee?

Mr. LEVER. I will yield to the gentleman from South Carolina, my colleague Mr. WHALEY, to answer that.

Mr. WHALEY. If the gentleman will look on page 29 of the hearings before the River and Harbor Committee, he will find the following:

> Mr. WHALEY. We are very much obliged to you, Mr. Chairman, for the hearing. I would not say anything to the committee at length, but I just wanted to call attention to this Cooper River project. That has only two spots in it that need dredging out to make the bar 28 feet, and that would give us a continuous passage up the river. Up the river to-day you have 26 feet, and it is not wide enough, but the naval officers go all over this country saying we have only 22 feet. We have 26 feet. It is not wide enough to allow a battleship to come up here. Therefore the river has been damned with 22 feet of water. I want the committee to take up particularly that Cooper River project and look into it.
>
> The CHAIRMAN. That is a new project?
>
> Mr. WHALEY. That is a new project.
>
> The CHAIRMAN. We have not yet determined to take up new projects. If we do, of course, we will look into this proposition.

But you never looked into it.

Mr. TREADWAY. I would like to ask the gentleman whether he considers that very strong testimony before the River and Harbor Committee in behalf of the project that he is advocating, and also whether he himself does not say that the project is a new one, and consequently the committee having voted not to adopt any new projects, he thinks he is rightfully before the Committee on Rivers and Harbors in that respect?

Mr. WHALEY. I will leave it to the chairman of the Rivers and Harbors Committee to answer the gentleman from Massachusetts whether I have not been before that committee time and again to urge this thing.

Mr. TREADWAY. I do not deny that.

Mr. LEVER. Mr. Chairman, in respect to the testimony that I intended to bring before the committee, it does not deal with that feature. I am going to call attention to what took place upon the floor of the House this morning in Committee of the Whole. We have had the testimony of Admiral Benson quoted that the deepening of the channel is an urgent necessity in case of war. We have the statement of Secretary Daniels that the deepening of the channel was an absolute necessity to the fullest development of the Charleston Navy Yard and the fullest utility of it in time of peace.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEVER. Now, we have had the testimony likewise of the gentleman from Tennessee, the chairman of the Committee on Naval Affairs, supporting this proposition, and saying that it is an absolute necessity both in time of war and in time of peace. The deepening of this channel is also referred to by the chairman of the Committee on Rivers and Harbors in his opening statement on this bill, in which he says that this proposition differs from the New York proposition only in point of degree; namely, that they are both urgent and both necessary, the difference being that one is a big proposition and the other an apparently small proposition.

It seems to me that we have been shuttlecocking this Charleston proposition between the Naval Committee and the Committee on Rivers and Harbors. We are asking to spend $170,000 to do an urgent piece of work. That $170,000 must come from the Treasury, and it makes absolutely no difference from the standpoint of the taxpayer whether the expenditure is authorized by my friend from Tennessee [Mr. PADGETT], the chairman of the Committee on Naval Affairs, or by my friend from Florida [Mr. SPARKMAN], the chairman of the Committee on Rivers and Harbors. The question for this committee is, Is it an urgent necessity, is it a good investment, is it a good proposition? If it is, you must answer that this Committee of the Whole, representing both the Naval Committee and the Committee on Rivers and Harbors, will take the bit in its own teeth and do what seems to be a businesslike and reasonable thing.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. TAGUE. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for one minute as I desire to ask him a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TAGUE. Mr. Chairman, agreeing with what the gentleman says as to the urgent necessity for making the proper provision for entering the navy yard at once available for the ships of the Navy, does the gentleman not think it should apply not only to his yard but to the yard at Charlestown, Mass.?

Mr. LEVER. I confess to the gentleman that I am not familiar with his proposition, and I would not care to discuss it.

Mr. TAGUE. They are both navy yards, and the gentleman is urging one, and why not the other?

Mr. LEVER. I am informed that the gentleman has 35 feet of water whereas Charleston has only 26 feet, under present conditions.

Mr. TREADWAY. But we have very much larger accommodations there.

Mr. LEVER. I am not familiar with the gentleman's proposition.

Mr. TAVENNER. Mr. Chairman, the argument of the gentleman from South Carolina [Mr. WHALEY] sounds good to me, and I intend to support the amendment. I would support an amendment to improve the channel to any useful navy yard in the United States. I believe that every year Congress is going

to build more and more of its naval craft in Government establishments and have fewer of them built in private establishments, and I am interested in seeing this amendment adopted for this reason. If it is not adopted, then when an amendment is offered to the naval appropriation bill when it comes up to build a certain vessel in a Government plant, the Charleston Navy Yard, say, some one will get up in opposing that amendment and say that one of these large ships can not get into that yard. For that reason I am in favor of having this channel dredged out so that that argument can not be made when the proposition comes up to have the Government build its own ships. I believe that appropriations for this kind of preparedness are the best kind that can be made, and that the public will get a larger amount of value out of appropriations of this kind than out of any kind, in keeping the Government establishments, particularly the arsenals and the navy yards, in shape, so that the Government can manufacture its own munitions and ships of every character. Therefore I shall support this amendment. [Applause.]

I shall also support the amendments of the gentleman from Iowa [Mr. GOOD], providing that no part of the large sums being appropriated for river and harbor improvement shall be spent by the awarding of contracts to private dredging firms whose bids are more than 25 per cent in excess of the estimates for the same work when done by the Government itself. The river and harbor bill is already much criticized as a "pork-barrel" proposition, but if the people ever find out that the Rivers and Harbors Committee is opposing amendments of this kind, river-improvement legislation will receive a blacker eye than it now has. I am in favor of legitimate waterway projects, but am not in favor of paying private firms more than 25 per cent in excess of the price at which the Government can itself do the work for. The improvement of rivers and harbors is to be a permanent policy of the Government, and therefore the Government is justified in doing a very large percentage of the work itself in the event private concerns ask extortionate prices.

Mr. SWITZER. Mr. Chairman, as a member of the Committee on Rivers and Harbors, I favored the taking on of new projects, and if the gentleman's project at Charleston has been suppressed or shut off, he has no one to blame but the majority of the Committee on Rivers and Harbors. I was in sympathy with his project, and I am in sympathy with all projects that are in the interest of commerce, and that is practically what this project is. This is just the same as the New York project, which was carried in the bill as an exception to the rule. That carries 45,000,000 tons of commerce a year, and that is the reason it was pressed before the Committee on Rivers and Harbors and the reason it was kept in the bill. But the River and Harbor Committee having adopted this rule not to take on new projects, and making but one exception, in the case of New York, that being the metropolis of the Nation, now, every time some one gets up and says that a proposition is in the interest of preparedness, although we know that the underlying reason is that it is in the interest of commerce, practically and solely, are we going to put it into the bill and load it down with that sort of propositions that have had no consideration, practically, before the Committee on Rivers and Harbors? The argument is that it is in the interest of preparedness. If this is in the interest of preparedness, and the Committee on Naval Affairs knew this improvement should be made, why did they not have before the Committee on Rivers and Harbors Admiral Benson or the Secretary of the Navy or some representative of the Navy, giving us some testimony on which we could rely and form some sort of judgment and conclusion, showing to us satisfactorily that this was vital to the Nation's defense?

Does any member of this committee believe to-day that if such testimony had been submitted to the Committee on Rivers and Harbors that committee would not have reported that project in the bill or in a separate bill; and if it had done the latter, does anyone believe that it would not have gone through this House without a dissenting vote? No, Mr. Chairman. This is all an afterthought and afterconsideration. The President, of course, is urged, just as he was urged in the New York proposition. If the gentleman has a letter from the President, he has not produced it. I believe he did say that the President had been seen. It seems also that the Committee on Naval Affairs has been seen and are appearing here to-day, although in our two months' consideration of this bill no such proposition came before us to deepen the channel at Charleston Harbor solely upon the ground of preparedness. The testimony will show that it was absolutely upon the ground and in the interest of commerce.

Mr. SPARKMAN. Mr. Chairman, I regret exceedingly that I can not recommend to the House the adoption of the project presented in the amendment offered by the gentleman from South Carolina [Mr. WHALEY]. Before I give my reasons for my objection to the amendment, however, I wish to do the gentleman the credit of saying that he has lost no opportunity at any time to present this matter to the chairman of the Committee on Rivers and Harbors. In addition to the statement made before the committee at the hearings, to which attention has been called, he has spoken to me many times and urged the importance, from his viewpoint, of inserting this project in the bill, and I am sorry I can not see my way clear to accept the amendment, but for reasons I am now going to set forth I can not do so whatever this committee may do.

In the first place, there is no project before us that, in my judgment, ought to be adopted. In the bill of 1909 a survey was ordered for Cooper Creek on which the Charleston Navy Yard is located. A report as early as 1910 was furnished by the engineers with a favorable recommendation in so far as the use of the navy was concerned, but with a statement that it was not needed for commercial purposes.

That is the project mentioned in the amendment proposed by the gentleman from South Carolina. The concluding paragraph of the chief's report is as follows:

> I concur with the district officer, the division engineer, and the Board of Engineers for Rivers and Harbors that Cooper River, S. C., is worthy of improvement for naval purposes up to the naval station as indicated. While no estimate is submitted for maintenance, the Board of Engineers for Rivers and Harbors is of the opinion that its cost will not be excessive, in which opinion I concur.

Now, when that was written there was no project for the improvement of the entrance to Charleston Harbor beyond 28 feet, nor is there any project for that purpose yet. Now it has been stated that the depth over the outer bar is 28½ feet, but the engineers in their latest report only report a depth of 28 feet.

Now, what would be the use, let me ask, of furnishing 30 feet inside to the navy yard with only 20 feet on the outer bar? The same suggestion would apply as was made awhile ago. A navy yard is put away up in a shallow stream and when it is once there they must have deep water to get to it. Now, if we deepened this creek to 30 feet the Navy officials will come and say, "You have given us 30 feet of water up to the navy yard, but we have only 28 feet on the outside. Now give us 30 feet from the outside into the harbor, and this though it may not be needed." That is the position in which we would be placed. Moreover, there is a tidal rise of 5 feet, so that a vessel carrying as much as 33 feet can come over the bar in the Charleston Harbor. Admiral Benson tells us that at least at one time he carried a vessel in there drawing 33 feet.

Now, they have, according to the report here, 26 feet of water up to the navy yard, through Cooper Creek. Add, then, 5 feet to that, and you have 31 feet of water, as much as is necessary to get to docks.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Florida asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. SPARKMAN. Now, I made a mistake in my opening statement which I want to correct. I said something to the effect that the Charleston dock could accommodate vessels drawing 30 feet, maybe more. I want to correct that by reading from the report of 1910, the one to which I have already referred. The local engineer says:

> The dry dock is capable of taking the largest ships now authorized, as the *Utah* and *Florida*. It is 570 feet long.

The report says that it can take ships 540 feet in length instead of 570, and I believe that is correct; that is, 570 feet long, 110 feet wide at the entrance, and 28.9 feet depth over the sill at mean low water.

Now, that is the extent of the draft of the vessel that can go over the sill, namely, 28.9 feet. So I believe that 28 feet would be as much as would be required until the plant is enlarged.

Now, Mr. Chairman, there is another project for the improvement of that channel. We referred the matter back to the board two or three years ago. We felt we could not adopt the old project as it was not in the interest of commerce. The Naval Committee would not do the work. It was within its jurisdiction; it was also within ours, but we did not think it of sufficient importance to commerce to undertake it. But later it was stated that perhaps a smaller project might be in the interest of commerce. It was said that up above there somewhere, above the navy yard, one or more industrial establishments had grown up, and we referred the matter back to the board for report as to these changed commercial conditions, and whether or not a modified project would be advisable in the

interests of commerce. They came back with a report for a 26-foot project to cost only $14,000.

Now, since that report was made we have had no river and harbor bill with new projects in it. If it is worth anything, when we do undertake to adopt new projects, I for one shall be in favor of adopting that project or some modification thereof. But I have another suggestion to make that will meet the situation exactly, I think. We can—and it will be my purpose if this is not adopted here, and I do not see why it should be in view of what I have said—it will be my purpose to refer the matter again to the Board of Engineers and ask them to report upon a project for 28 feet, with an estimate as to the cost. I do not know what the cost for a 28-foot channel would be, and nobody else knows now, but a 28-foot channel, Mr. Chairman, is all that is needed at this time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPARKMAN. Mr. Chairman, I would like three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. O'SHAUNESSY. I want to get this clear in my mind. You say that 28 feet is all that is necessary. Now, on the other hand, they say 30 feet. Do you say 28 feet for commercial purposes as distinguished from 30 feet for naval purposes?

Mr. SPARKMAN. They do not need 28 feet for commercial purposes, but for the purposes of the Navy they do, in my opinion.

Mr. O'SHAUNESSY. And this provides for 30 feet of water?

Mr. SPARKMAN. Yes; and they only have 28 feet over the outer bar.

Mr. O'SHAUNESSY. But this $175,000 proposition will take care of that?

Mr. SPARKMAN. Yes; and more too. What is the use of throwing away that much money?

Mr. O'SHAUNESSY. Yes; but what I have in mind is the $5,000,000 investment. What are you going to do with it?

Mr. SPARKMAN. That is the argument, then; there is a $5,000,000 investment there, and we must put in a lot of money because we have invested $5,000,000. The moment they get 30 feet inside they will come back and say, "Give us 30 feet also for the outer bar; otherwise the 2 extra feet will be thrown away."

Mr. PADGETT. It would not be thrown away, because there is a great deal of travel from the navy yard down the river, because they do not want to be held up there until high tide.

Mr. SPARKMAN. It has been said that "sufficient unto the day is the evil thereof," and similarly we may say sufficient unto the day is the good thereof. Whenever we get 28 feet of water over the bar I will not object to 30 feet through Cooper Creek, if the Navy requires it; but with the 28 feet and the tidal rise we would get 33 feet, which would be ample.

It will only be eight months from the time this bill will become a law, if it does become a law—and I hope it may—until another bill is due, and certainly eight months is not long, and it will not take long to do the work. It is in evidence here that this whole project can be completed in six months. So that it should be finished by September of next year, long before the project in New York Harbor is likely to be completed.

Mr. PADGETT. The gentleman is basing his whole statement on depth. This project of $175,000 is not only a matter of depth, but it is a matter of widening out at the turn, so that battleships can make the turn to go in there. If you do not give us that a ship can not go in at all, even if you have 30 feet. If you had the tide and get 30 feet or 33 feet, you have not got the width, and the ship can not turn. This is to get those angles at the turns and make the requisite width.

Mr. SPARKMAN. Oh, Mr. Chairman, my statement covers the turns and everything else, including the angles of the 28-foot project. What do you want to throw away money for?

I did state the other day—and I have nothing to retract—that the only difference between this and New York Harbor was one of degree of importance and urgency. I was referring then to the matter of preparedness, and not to these minor details. I do not want to be understood as intending to convey the idea that these two projects were similar in all respects, because the engineers have estimated exactly what the New York project will cost, but no one has told us yet what a 28-foot project for Cooper Creek will cost.

Mr. Chairman, I hope the amendment will not be adopted.

Mr. WHALEY. Mr. Chairman, the chairman of the Committee on Rivers and Harbors called attention to the fact that he believed we ought to have 28 feet up this river. I want to call the attention of the House to this fact, that there is 28½ feet of water over the bar, but the bar is 3 miles from the navy yard. A ship could go over the bar at high tide, but after going over the bar it would have to wait 12 hours to go up the river on the next tide. The local engineer, under date of April 2, 1910, reported on this very question. Here is what he says:

> The largest battleships can now cross the Charleston bar by entering at high water. * * * The entrance channels are straight and easily navigated. The requirement that the ship shall enter at high water is not seriously detrimental; but it is believed that, having entered the harbor, they should be enabled to proceed from the deep water of the harbor up to the navy yard at any stage of the tide. And as curvature in the trace of the Cooper River channel is inevitable, it is believed that improvement should contemplate greater widths and depths than are available on the bar. Where the channel is straight it should be made 600 feet wide; but in the bends it should be made 1,000 feet wide, and it should be made 30 feet deep throughout.

Mr. Chairman, the object of the chairman of the Committee on Rivers and Harbors is to make two projects out of what is one project. Instead of getting it down to 30 feet, so that the ships can go up to the yard without waiting for the next tide, his idea is to make it 28 feet now, and later on make it 30 feet, instead of doing it all at once. We all know it is cheaper if you make it 30 feet at once than if you were to make two contracts of it.

Now, Mr. Chairman, with reference to the amendment of the gentleman from Massachusetts [Mr. TREADWAY] to my amendment, his amendment should not be put in here. It is not put in here in good faith. It is offered under a misapprehension of the situation entirely. The committee was considering the deepening of Charleston Harbor to 30 feet, and the objection was made that there was no public wharf at the harbor of Charleston. This project is not for the harbor or the water front of Charleston, but for the removal of the shoals 3 miles up the river from Charleston.

There is ample water from Charleston Harbor up to the shoals, and after you pass those shoals there is again ample water around the navy yard. The whole object is to remove the shoals, so that battleships can get up to the yard, and so that the Government can use an institution which cost it $5,000,000.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY] to the amendment offered by the gentleman from South Carolina [Mr. WHALEY].

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from South Carolina [Mr. WHALEY].

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. WHALEY. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 44, noes 41.

Mr. SPARKMAN. Tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. SPARKMAN and Mr. WHALEY.

The committee again divided; and the tellers reported—ayes 34, noes 49.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> Waccamaw River, N. C. and S. C.: Completing improvement and for maintenance, $8,500.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word. I want to take this occasion to congratulate the gentleman from South Carolina [Mr. WHALEY] on the fight that he has made for his item. I am gratified to see that he at least had the courage to come in on the floor of the House and make a fight for what he believed was a meritorious project, and I had wondered what was the matter with the gentlemen who represent the Norfolk yard, that nobody was here to present that matter. That is one of the great yards on the coast. Conditions there are exactly what they were at New York. Yet no one on that side of the House made any effort to take care of that navy yard. If I had known it was going to be passed without anybody offering an amendment for it, I would have offered it myself. My good friend from South Carolina, Mr. WHALEY, made just one mistake——

Mr. SMALL. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. SMALL. I do not see the gentleman from Virginia [Mr. HOLLAND], who represents the Norfolk district, but I may state as a fact, which the gentleman from Washington knows, that there is already a depth of 35 feet to the Norfolk Navy Yard, and that the pending project there simply seeks to widen the

channel, but not to deepen it, and to provide anchorage ground at other places.

Mr. HUMPHREY of Washington. I hold in my hand the engineer's report as to Norfolk. It says:

NORFOLK CHANNEL.

The importance of this harbor is shown by the statistics given within, which indicate a total tonnage of about 22,000,000 tons, with a value of $1,600,000,000. The district officer states that an idea of the number of vessels navigating this channel may be had from the large amount of commerce carried, and that it is a very frequent sight to see four vessels going in one direction or the other practically abreast in the channel. There have been a number of collisions in recent years, due, it is stated, to inadequate width. To handle this great commerce safely, as well as to provide for the needs of the navy yard, he believes the width of this channel should be increased. He proposes a width of 600 feet in the entrance channel up to the mouth of the Southern Branch, at an estimated cost of about $560,000. In the Southern Branch, up to the lower part of the navy yard, it is impracticable to secure a width of 600 feet, and a width of 450 feet is recommended for this part of the channel. Along the lower part of the navy yard the width proposed is 600 feet, the same as below the mouth of the Southern Branch, while near the upper end of the navy yard it is practicable to secure a greater width, and as this is desired by the Navy Department for the proper handling of the large modern war vessels, it is proposed to increase the width here to 800 feet. This widening of the Southern Branch is estimated to cost about $280,000, which makes the total estimate for widening the Norfolk Channel $840,000. The district officer states that if the sum of $130,000 left in hand from the dredging of the 400-foot channel may be applied to the present recommended work, the additional funds required will amount to $710,000. The estimate for maintenance is $15,000 annually.

Now, that is a more important project than they had in New York. The only thing at New York was that they could not get in through one particular channel at all stages of the tide. My distinguished friend from South Carolina [Mr. WHALEY] simply made the mistake that down in South Carolina they are reliably Democratic. If they had a Tammany organization down there, and a son-in-law to handle the patronage, and somebody to placate——

Mr. SLOAN. A son-in-law of a present or a past régime?

Mr. HUMPHREY of Washington. Owing to the fact that I do not desire to say anything embarrassing to anyone present, I am not going to discuss the son-in-law proposition. [Laughter.]

Mr. MOORE of Pennsylvania. Does the gentleman object to having the RECORD show that the gentleman from Ohio [Mr. LONGWORTH] rose? [Laughter.]

Mr. SLOAN. I may say that what defense I propose to present will be in behalf of the gentleman from Ohio [Mr. LONGWORTH].

Mr. HUMPHREY of Washington. The gentleman from Ohio [Mr. LONGWORTH] needs no defense. He is always capable of taking care of himself.

Mr. MOORE of Pennsylvania. And so is his father-in-law, too. [Laughter.]

Mr. HUMPHREY of Washington. Mr. Chairman, if there had been a political situation down in South Carolina such as they had in New York, the distinguished gentleman who represents that district could not only have visited the White House and talked with the President, but he could have come back with a letter from the President's Secretary, and he would have got his project into the bill without any trouble whatever. That is the only difference there is between the two situations. As to the one at New York, there was an intimation from the Secretary of the President that the President wished the item included in the bill. That was sufficient for the Democratic side. If my distinguished friend from South Carolina, who presented the facts here very well indeed, instead of taking up so much of the time of the House had used a little more time up at the White House, if he had possessed a little more political influence, he might then have got his project into this bill.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Santee, Wateree, and Congaree Rivers, S. C.: For maintenance of improvement, including the Estherville-Minim Creek Canal and the Congaree River as far up as the Gervais Street Bridge, Columbia, $55,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out this paragraph, lines 9 to 12, inclusive.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 11, strike out lines 9 to 12, inclusive.

Mr. TREADWAY. Mr. Chairman, in the course of the general debate a few days ago the chairman of the Committee on Rivers and Harbors [Mr. SPARKMAN] criticized me somewhat because I did not particularize what projects I was opposed to. It is not necessary to go into the details of all these various projects that any Member of the House may be opposed to, but here is one illustration that I think may be properly called to the attention of the House, to show what we are asked to appropriate $55,000 for in this bill.

The biggest thing about these three rivers is the name—the Santee, Wateree, and Congaree. You have got to twist your tongue a little to pronounce them. All three are given in one lump project, so we do not know where the money is going to be used. But here is what the engineers say about the Santee:

Its bar entrance was narrow, crooked, and shifting, and so situated as to be very difficult and expensive to improve. It had less than 5 feet of depth at low water. The river was navigated by several small steamers drawing less than 4 feet.

This is another project covered by my general criticisms in my minority report against the rivers and harbors bill. This report was adopted in 1881. That is a good while ago to be keeping up something if the local conditions are entirely different from what they were when the project was adopted.

The operations and results prior to this fiscal year were a passage 30 feet wide and 3 feet deep at high water through Mosquito Creek. It does not say what it would be at low water. At high water it is 3 feet deep. The entire river has been snagged; total amount expended, $272,245.74.

Operations and results during the present fiscal year. The work during the year consisted in snagging the upper end of the river, miles 120 to 143, and there were removed 2,405 obstructions and 195 trees.

There must have been fine navigation in that river. This work was for maintenance. It has to be continued, of course. Then at the end of this fiscal year the portion of the approved project accomplished is about 84 per cent. The available depth at low water is about 4 feet for the canal and 3 feet in the river. Formerly they had 3 feet at high water. Now they have got 4 feet at low water. That is a great improvement for the amount of money expended, which so far is $276,729.28! That is the reference in the bill and a few of the items in the engineer's report. Now let us see about the Wateree River.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. TREADWAY. Yes.

Mr. COOPER of Wisconsin. In this report that I have in my hand—the one furnished to Members—on page 131, I find that it says of the Santee River that the available depth at low water is about 4 feet in the canal and 3 feet in the river, and it says the tidal rise is 3½ feet.

Mr. TREADWAY. That would bring it a foot below the level; it would be half a foot less than when there was any water in it.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TREADWAY. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. It is important to get these facts before the House. I do not know anything about them, but I ask the questions to find out what the facts are. The gentleman from Massachusetts in his statement, reading from a report, said that at high water there was 3 feet of water in the river. This report says that at low water there is 3 feet, and 3½ feet tidal rise would make it at high water 6½ feet.

Mr. TREADWAY. The gentleman is reading from the report where it says that there is 4 feet in the canal and 3 feet in the river—that is low water. Now, I would like to pass on to the consideration of the Wateree River.

Mr. COOPER of Wisconsin. If the gentleman will wait a moment, let us see what the facts are. The gentleman said that at high water there was only 3 feet in the river.

Mr. TREADWAY. That was at the time that the project was begun, perhaps.

Mr. COOPER of Wisconsin. I want to know what it is now. It was begun in 1881—and naturally the tide has not changed any—and here is what the report says: "Available depth at low water, 4 feet in the canal and 3 feet in the river"; and at high water, with a tidal rise of 3½ feet, there would be 6½ feet.

Mr. TREADWAY. Mr. Chairman, I quoted from page 566 of the Engineer's report, which says that the lowest available depth is about 3 feet at low water.

Now, in reference to the Wateree River, we find that the work on the river has been snagging only. No dredging has been done. The expenditures have not resulted in a permanent increase in depth. We have spent on that project up to June 30, 1914, $186,307, of which $60,000 was for new works and $126,000 for maintenance.

Now, as to conditions at the end of this year. The report says that it is not practicable to state the percentage of the completion of the project. The work is snagging, and will be continued indefinitely. No increased depths were obtained.

These remain about the same as before the improvement, namely, 3 to 4 feet at low water. The total expenditures under the existing project were $195,000, of which $60,000 was for new work and $135,000 for maintenance. As to the effect of the improvement, they say that the project has had no effect on freight rates. There was practically no business on the river during the year. Some cordwood and staves were cut along the river and rafted out to market, but no records can be obtained as to amount or value.

It would be a great deal better for the Government to buy the staves and logs and let them stand as timber rather than to get the snags out so that they can be got down to market.

Mr. RAGSDALE. Will the gentleman yield?

Mr. TREADWAY. No; I can not yield; the gentleman can get his own time.

Mr. RAGSDALE. I only wanted to know what river the gentleman is referring to.

Mr. TREADWAY. To the Wateree River in South Carolina, and I am reading from the Engineer's report, on page 568.

Now, the third combined project is the Congaree River. Similar conditions exist on the Congaree River, as I find from this statement. The engineer says since continual work will be required to obtain the channel desired the approved project will never be completed. The expenditures have not resulted in a permanent increase in depth. The length of the improved section is from the mouth to Columbia, with the head of navigation at the foot of Senate Street, 51 miles from the mouth. The total expenditures on the existing project, which is also the original project, were $599,029, of which $363,674 was for new work and $235,354 was for maintenance.

Now, as to the effect of the improvement, they say that no actual change in railroad freight rates has been made by the railroads themselves in order to meet competition. Complaints made by Columbia merchants of discrimination against Columbia in favor of Augusta have caused the Commerce Commission to order a reduction in certain rates, thus giving Columbia the same advantage because of water transportation that had been given to Augusta, Ga., for the same reason.

Mr. Chairman, I maintain that I have a right to oppose such projects as this, even if I do not call attention to each one individually, as the chairman suggested that I ought to do.

Mr. MANN. Mr. Chairman, I suppose there is water in the Wateree River, judging by its name. Here is a river where up to date we have expended $195,000, of which $135,000 was for maintenance, and it is contemplated to use $15,000 the next year for maintenance. Nothing for the further improvement of the river, just to maintain the existing condition. It is not expected that commerce on the river will grow any because the situation is not to be changed. It is only for the protection of existing commerce.

I know nothing about the river except what is in the name and the report. In making these appropriations it is quite proper that we should examine the commercial statistics. Of course if you are improving a river commerce may increase after the improvement, but all this proposition does is to expend $15,000 to maintain existing conditions, to take care of the existing commerce.

I read from the report of the committee:

> Commercial statistics. None reported for the year. A few logs were floated and some shingles and staves were hauled by a gasoline boat.

That is the commerce of the river. A gasoline boat, and owing to the high price of gasoline I am confidentially informed that that boat has gone out of business. [Laughter.] But to maintain existing conditions, to take care of existing commerce, it is proposed to expend $15,000 in order that these few logs may be floated down the river, and if there is any water in it they would float anyway, and to provide that a gasoline launch may take down a few more shingles and staves. The gentleman from Massachusetts [Mr. TREADWAY] said that the Government might easily buy these shingles and staves and let them stand as timber. Mr. Chairman, the Government could afford to buy the shingles and staves and put them into buildings and in barrels and save half the money. It is useless to send them down the river. We could build a house there, put the shingles on the house, make the staves into barrels and fill up the house and let them lie there and rot and be ahead $7,500 on the appropriation. [Applause on the Republican side.]

Mr. RAGSDALE. Mr. Chairman, there was one remark made by each gentleman that I could not help but agree with, and that is that they knew nothing about the project and nothing about the conditions surrounding it. This has been noticeable in other things that they have discussed, but certainly nothing to which it is more applicable than their remarks directed to this project. Fifty-five thousand dollars is included for these three rivers, and these three rivers connect not only the capital of our State but other towns of considerable size with the coast. If they do not succeed in transporting a single thing on that river during the year, the money that is saved to the capital of the State alone by the difference in transportation rates would more than justify the appropriation.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. RAGSDALE. Yes, I will yield, although the gentleman would not yield to me; because the rule on this side is always to be courteous.

Mr. TREADWAY. I might say to the gentleman that my reason for not yielding was that my time had already been extended, and the other day a gentleman on that side objected to my having a further extension—not the gentleman who now has the floor, however.

Mr. RAGSDALE. I am sure that the gentleman's modesty would prevent his asking for additional time, but I will permit him to proceed out of my time.

Mr. TREADWAY. I only want to call attention to the question of the freight rates in connection with the Congaree River; that it was necessary to apply to the Interstate Commerce Commission to have fair treatment for Columbia, and it had nothing to do with the question of navigation. The Interstate Commerce Commission provided the rates, as will be found on page 531.

Mr. COOPER of Wisconsin rose.

Mr. RAGSDALE. Oh, I can not yield to all gentlemen. That would be three to attack one.

Mr. COOPER of Wisconsin. But this is not an attack. [Laughter.]

Mr. RAGSDALE. Oh, I thank the gentleman. It is such a surprise to find that there is anything from my State that is not attacked on that side I was misled. I yield to the gentleman.

Mr. COOPER of Wiscopsin. The gentleman from Massachusetts [Mr. TREADWAY] has twice referred to the fact that the Interstate Commerce Commission reduced the rates, but the report goes on:

> Thus giving Columbia the same advantage because of water transportation that had been given to Augusta, Ga., for the same reason.

That is something of a qualification to the gentleman's statement, and I want to know what the facts are.

Mr. RAGSDALE. Mr. Chairman, as stated by my colleague, the statement made is absolutely correct. The truth of the matter is that when the gentleman states we got relief from the Interstate Commerce Commission, the gentleman did not state that one of the reasons we were entitled to it was because of water transportation and competition. What he said was partly true, but not entirely true, and the gentleman might have said that but for water transportation to the capital of the State we would not have gotten the relief to which we are entitled, which this water competition gives.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. MANN. Mr. Chairman——

Mr. SPARKMAN. I do not want to cut off any reasonable debate——

Mr. MANN. Oh, I never ask for any unreasonable debate.

Mr. SPARKMAN. How much time does the gentleman want?

Mr. MANN. All I want is a couple of minutes, maybe less. The gentleman from Washington [Mr. HUMPHREY] wants a couple of minutes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on the paragraph and all amendments thereto close in five minutes. Is there objection?

Mr. HEFLIN. Mr. Chairman, I object; I think we have had enough debate upon this.

Mr. MANN. Then, Mr. Chairman, I move to strike out the last two words of the paragraph. My friend from South Carolina [Mr. RAGSDALE] talked about the Congaree River. He is right. I know nothing about the Congaree River. I was talking about the Wateree River, and the Wateree River is not the one that helps to reduce the freight rates to Columbia, S. C.

Mr. RAGSDALE. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. RAGSDALE. But to Camden, S. C.

Mr. MANN. I read from the report of the distinguished chairman of the Committee on Rivers and Harbors made to this House upon this bill concerning the Wateree River and its improvement and maintenance:

> Effect of improvement: The project has had no effect on freight rates.

Now, if the distinguished gentleman from South Carolina [Mr. RAGSDALE] has information that the project has had an effect upon freight rates he ought to have communicated that information to the gentleman from Florida or some other member of the Committee on Rivers and Harbors. I have usually trusted to the statement of facts made by the gentleman from Florida, and I do now. It has no effect on freight rates, and there is no commerce to be taken care of.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Harbor at Savannah, Ga.: Completing improvement and for maintenance, $545,000.

Mr. GOOD. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 11, line 16, after the figures "$545,000." strike out the period, insert a colon, and add the following:

"*Provided*, That no part thereof shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plant."

Mr. GOOD. Mr. Chairman, the report shows that the Government has two seagoing dredges that cost $135,000, or proposes to purchase two such dredges. There is left also an item of $90,000 for dredging, which it is proposed to do by private contract, and in addition to that, either under contract or by Government plant, as may otherwise appear the most advantageous to the Government, $150,000 additional. There will be $240,000 worth of work on this project, which I think is a meritorious project from the statement made by the gentleman from Florida, that may be let by contract. The committee has already provided that in letting a contract by the Government the engineers will be limited in the price at which they are let, so that the contract price shall not equal more than 25 per cent in excess of the estimated cost of the work to the Government if done by a Government plant.

Mr. SPARKMAN. Where is that to be found?

Mr. GOOD. We adopted an amendment.

Mr. SPARKMAN. We adopted one amendment that applied to one project.

Mr. GOOD. I say the committee has already adopted an amendment to apply to inland waterways at Norfolk, and I was in hopes that the gentleman from Florida would accept this amendment. The committee has already adopted as a principle that 25 per cent in excess of the price it costs the Government to do the work is quite sufficient profit to the private contractor. Why, the gentleman from Pennsylvania [Mr. MOORE] almost smashed this mahogany desk with his fist in denouncing that as a principle, proclaiming that the adoption of that latter amendment was the end of all waterway improvement. If it means the end of waterway improvement for this House to say that in letting private contracts we shall not give the private contractor more than 25 per cent in excess of the cost to the Government to do the same work, then we might as well come to the end first as last. Why, think of it. You gentlemen who have investigated the cost to manufacture by the Government know that it always costs the Government more than it costs a private contractor or manufacturer.

This amendment, therefore, instead of limiting him to 25 per cent profit, does not limit him to below 35 per cent profit. If the work is being done cheaper by private contract than it could be done by the Government, the amendment does no harm, but if the work is being let at twice what it costs the Government to do the work it will save the Government many thousands of dollars, and we ought to save it. I contend that the committee should write into the law the principle that in letting the private contracts the engineers should not be permitted to go beyond 25 per cent in excess of the cost to do the work by Government plant. And that is all there is to my amendment. I was in hopes that the gentleman from Florida [Mr. SPARKMAN] would recognize the temper of this committee, where by a vote of more than 80 to 60 the committee determined to place that limitation on one appropriation, and there is as much reason for it here as there was in that case. It is true that the hearings do not disclose what it is costing the Government to do this work either by private contract or by Government plant. But if it costs no more to do the work by private contract than by Government plant, then this amendment does no harm. If it is costing it much more by private contract, it will save the Government a great many thousand dollars.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words, not for the purpose of disputing with the gentleman from Iowa, although I did not support his amendment on the Norfolk to Beaufort——

Mr. MADDEN. The gentleman did not oppose his amendment, but spoke after the amendment was adopted.

Mr. MOORE of Pennsylvania. I did not support the amendment, although I spoke after the amendment had been passed, and did it as effectively as I could to bring to the attention of the House this tendency toward Government ownership and control. I think it is highly probable, without knowing anything about the dredging business and not having any interest, of course, in the contracts of dredgers, that the amendment that was passed in respect to the inside waterway between Norfolk and Beaufort will lead to a great deal of trouble and confusion in the Engineer's Office. In the first place, as the gentleman from Iowa well knows, the law and the custom is to advertise for contracts for dredging or other work, and to award contracts to the lowest bidders. That is the rule of the Engineer's Office, and the work is supervised under the direction of the United States Army Engineers. The gentleman from Iowa has picked out two items in this bill of several hundred items, on which to attach his amendment. If he were dealing with the matter solely as to principle, he should bring this proposition before the House so that it might be general. There may be some reason for tacking this amendment onto the inland waterway between Norfolk and Beaufort; or there may be some reason for tacking it onto the Savannah Harbor proposition. I do not know, but I do not understand why, if the gentleman means to start on the road to Government control and ownership in matters of this kind and to put private operators out of business altogether, he picks out two items in the bill and leaves all the others to go scot free.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I have indicated that this does tend to stop Government work. Yes; I yield to the gentleman.

Mr. GOOD. I offered practically the same amendment at the end of line 9 on page 1, and that applied to all the provisions of the bill, not tending toward Government ownership, but only tending toward a little economy.

Mr. MOORE of Pennsylvania. Then it was beaten in the committee, was it not?

Mr. GOOD. Yes. There were only about 60 Members of the committee present.

Mr. MOORE of Pennsylvania. That refreshes the memory of all of us. When the committee was here attending to its business——

Mr. GOOD. Sixty Members out of a total of 435——

Mr. MOORE of Pennsylvania. When the committee was here attending to its business the gentleman's amendment was defeated, but when the gentleman saw his opportunity to offer his amendment when few Members were present he managed to get it through.

Mr. GOOD. I hope the gentleman will be fair.

Mr. MOORE of Pennsylvania. I hope the committee will think this thing over before it votes for this amendment. There is no reason why this principle should be set up in respect to the item for the harbor of Savannah any more than with respect to any other item in this bill. I maintain that this tends to stop operations on these waterways.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Illinois?

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. Will the gentleman tell us whether 140 is more than 160, or less? [Laughter.]

Mr. MOORE of Pennsylvania. The House reversed itself, although it has done so before for reasons which I hesitate to mention here. The House is as capable of changing its view overnight or in an hour as some very distinguished individuals are who in control of the affairs of this Nation; but as there is no politics in this bill it is regrettable that the House does not know where it stands with regard to an important proposition like this. When the gentleman from Iowa offered his amendment, the House was awake and alive to its importance, and it rejected his amendment. But when the House was asleep, some eloquent gentleman talked about economy; and then the deed was done. The Chicago Tribune and other newspapers will doubtless have their scarce headlines, and the gentleman who saved the Government money will account for it to their constituents.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I do.

Mr. GOOD. Does the gentleman consent to have the same thing done under the Philadelphia item?

Mr. MOORE of Pennsylvania. If such an amendment goes in the bill it ought to be general, not pertaining to one item alone.

Mr. LENROOT. Mr. Chairman, I would like to have five minutes.

Mr. MADDEN. I would like to have five minutes, Mr. Chairman.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto end in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and all amendments thereto end in five minutes. Is there objection?

Mr. MADDEN. I object.

Mr. HUMPHREY of Washington. I object, Mr. Chairman.

Mr. SPARKMAN. Then I ask unanimous consent, Mr. Chairman, that all debate on this paragraph and amendments thereto end in 10 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection?

Mr. HUMPHREY of Washington. I object.

Mr. MADDEN. And I object, Mr. Chairman.

The CHAIRMAN. Objection is made.

Mr. SPARKMAN. Then I move, Mr. Chairman, that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Florida moves that all debate on this paragraph and amendments thereto close in 10 minutes. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the "ayes" seemed to have it.

Mr. MOORE of Pennsylvania. A division, Mr. Chairman.

The CHAIRMAN. A division is requested.

The committee divided; and there were—ayes 54, noes, 25.

So the motion was agreed to.

Mr. LENROOT. Mr. Chairman, the gentleman from Pennsylvania [Mr. MOORE] said a moment ago that there was no politics in this bill, and there is not. But I want to say to the Democratic side of this aisle that if amendments of this character are going to be voted down, if the committee is going to continue to retain items in this bill such as the Wateree River, as you did a few moments ago, by the time this bill goes out of this House it will be as full of politics as any bill that was ever before this body.

I want to give you fair warning. A few days ago you voted to retain the tax on sugar. We upon this side voted for is at a protective proposition, and properly so. You upon that side voted upon it purely as an emergency, saying that you needed the revenue. If you are going to continue to keep indefensible items in this bill and say by voting down this amendment that you want the Dredging Trust to have a profit of more than 25 per cent, I say to you now we are going to meet you on the stump with reference to the items in this bill, and you will have some explaining to do, why you are voting and have voted to increase the cost of the workingman's breakfast table for the benefit of the Dredging Trust and authorizing the expenditure of money on rivers that have not a dollar's worth of commerce upon them, and never will have. [Applause on the Republican side.]

Now, I want to say a word with reference to the argument made by the gentleman from Pennsylvania [Mr. MOORE] that this amendment leads to Government ownership. The gentleman from Pennsylvania has declaimed many times upon this floor that Government ownership and Government operation is more expensive than private ownership and operation and has attempted to prove that assertion. Now, he says, or he implies, that Government ownership is less expensive and that a 25 per cent excess to private operators over Government cost is not a fair return to the dredging companies.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. LENROOT. Yes.

Mr. MOORE of Pennsylvania. I think the gentleman misstates the situation, so far as some of my alleged speeches are concerned. I have contended that the Government manufacture of munitions in the Frankford Arsenal at Philadelphia, which I have specified, has been cheaper than the manufacture of munitions in private plants. I know the gentleman wants to be accurate. I have confined my remarks to one institution.

Mr. LENROOT. I am not mistaken, for the gentleman, with reference to the building of battleships, has made that contention on this floor.

Mr. MOORE of Pennsylvania. I may have so stated as to the building of certain ships, overhead considered. That is true.

Mr. LENROOT. Now, the gentleman says that 25 per cent profit to the Dredging Trust of the United States is not a sufficient incentive to keep them in business. I say that if that is true, the Government had better go into complete operation. This bill carries over $40,000,000. If a 25 per cent saving could be made, $10,000,000 could be saved in a single year, and it would take only three or four years for the Government to own all the dredges that are necessary and then save money by it.

Mr. Chairman, I very much regret if Members take the position that the Members of this House must follow the recommendations of the Committee on Rivers and Harbors, irrespective of the merits of a proposition. It is no reflection upon that committee if we choose to vote down a proposition. The Committee on Rivers and Harbors is the only committee in this House where the members seem to take the position that the House must always and under all circumstances sustain it. We have no hesitation about disagreeing with the conclusions of other committees, and why should we as to the conclusions of this committee? I am sure the gentleman from Florida [Mr. SPARKMAN] and other members of that committee desire that the Members of this House should deal with this question on its merits, and they will not punish anybody for disagreeing with them upon any proposition.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. SMALL. Mr. Chairman, the gentleman from Iowa [Mr. GOOD], who offers this amendment, is of the opinion that it will effect economy, and the gentleman from Wisconsin [Mr. LENROOT] thinks it ought to be adopted for the same reason. Unquestionably they are perfectly sincere in their position, and if they were right the amendment ought to be adopted. Now, all this arose out of the fact that as to one project the engineers reported that the Government dredges had been able to do a certain piece of work more cheaply than similar work was done by contract. That was simply sporadic and exceptional. This amendment provides that where a bid is at a price exceeding by 25 per cent what the Government could do the work for, then the bid shall be rejected and the work shall not be done by private contractors.

Mr. Chairman, the difficulty with this amendment is its impracticability. While the Government owns a large number of dredges in the aggregate, yet in proportion to the total work the number is exceedingly small. This amendment seeks to set up a standard here which can not be complied with. In the first place, it has been said in this debate—and is a fact, as I understand it—that the engineers in reckoning the cost of Government dredging do not take into consideration the investment in the dredge or the overhead charges of supervision by the engineers, but substantially only the labor cost involved. That is a very large proportion, but it is not all.

Mr. MADDEN. Will the gentleman yield there?

Mr. SMALL. Certainly.

Mr. MADDEN. Upon what authority does the gentleman make that statement?

Mr. SMALL. I can not cite any authority; but unless I am greatly mistaken it has been so stated before our committee by some engineer. Does the gentleman know to the contrary?

Mr. MADDEN. All I know is that on various occasions in the House it has been stated, when provisions similar to this were under consideration, that the Government authorities took into account not only the investment but the overhead charges, the depreciation, and everything incidental to the work in which they were engaged.

Mr. SMALL. By to-morrow I will attempt to verify it. I can not give the authority now.

Now, Mr. Chairman, as I said, this is an impracticable standard to set up. But I want to say further, in conclusion, every safeguard is thrown around contracts made to-day for the improvement of rivers and harbors. There is an advertisement. There are open bids. The right is reserved to reject any and all bids if the amount is too high. The engineers, with all the information then at hand, endeavor to ascertain the reasonableness of the bid, and if it is unreasonable they reject it. So there is every precaution to obtain the lowest price at the present time, dependent upon the integrity, the skill, and the ability of the engineers who have the final word in the letting of the contracts. I do not think this amendment will tend in the slightest degree to effect any additional economy.

This is not the only public work done by the Government. There are public buildings, there is work for the Army and for the Navy and for the other departments of the Government, all regulated by a general law, and a very large proportion of the work is done by contract. There are no unusual complaints in

the other activities of the Government, and I take it there is no well-justified complaint here, and the amendment is unnecessary.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GOOD].

The question was taken; and on a division (demanded by Mr. GOOD) there were—ayes 41, noes 40.

Mr. SPARKMAN. Tellers, Mr. Chairman.

The committee again divided; and the tellers reported—ayes 50, noes 41.

Accordingly the amendment was agreed to.

The Clerk read as follows:

Altamaha, Oconee, and Ocmulgee Rivers, Ga.: Continuing improvement and for maintenance, $53,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the paragraph, lines 22 and 23.

The CHAIRMAN. The gentleman from Massachusetts [Mr. TREADWAY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 11, strike out lines 22 and 23.

Mr. TREADWAY. Mr. Chairman, a few minutes ago I made reference to some high-sounding names as being the principal part of the item covered. Here is a worse one as far as names are concerned: Alta-ma-ha, Oco-ne-e, and Oc-mul-ge-e Rivers. I am sorry for anyone who has to navigate vessels on those rivers. But I have made a mistake in speaking of vessels. There is no such thing there. I have in my hand a report of the hearing on these wonderful rivers, held on January 14, 1916.

Mr. HOWARD. Let me correct the gentleman on his pronunciation of those names. They are the Altamaha, Oconee, and Ocmulgee. I have fished in all of them, and know all about them.

Mr. TREADWAY. I congratulate the gentleman on his facility in pronouncing those names, which he has evidently acquired by long practice. I can not swing my tongue around them. But I want to refer to the report of the hearings before the committee. The chairman of the committee [Mr. SPARKMAN] the other day offered some criticisms or references to my speaking about shallow rivers. This is one of them. The witness appearing before the committee was Mr. Walter De Four. He stated:

The shallow water made it necessary for us to get together all the information that it was possible to get and then, in addition to all the information we could get from the outside, to apply a little ingenuity of our own and develop a boat about which Mr. Long will tell you later on—a boat with which we are able to navigate the river. We can now navigate this river, which is something we were never able to do before, notwithstanding the fact that the people of Macon had spent more than $100,000 in the building of boats.

The gentleman from Minnesota [Mr. SMITH], who sits by me, suggests that they could navigate the boat a great deal better if they put wheels under it, because then they would not need any water at all for the keel and the rudder.

Then Mr. De Four goes on to say:

That boat is now in actual operation.

Think of it, gentlemen, a wonderful advance. They are asking Congress to appropriate money for these high-sounding names, and there is actually a boat in operation on the river, by the testimony of a gentleman who appeared before the committee. Then he goes on to say:

When we appeared here in 1914 we promised to build a boat and put it in operation on the river if given the necessary appropriation. We did not give up, but we have built the boat.

[Applause.]

A wonderful event! Further description of the boat:

In building this boat and operating it since July 20 last, we have learned more about navigation than we knew when we undertook to build that boat.

[Laughter.]

They learned considerable about navigation.

As the result of that, we now have in process of construction a boat that is built on even higher scientific principles and more advanced theories than the former one. With the information about this boat which Mr. Long will be able to give you later on, you can go back home to your people and assist them greatly in the navigation of the waters throughout their territory. I would like to impress upon the members of the committee that what we have done is the best that we could do under the conditions. We were forced to do something, and usually a man can do something when he is forced to do it.

This is the kind of an item by which this bill secures the reputation of being "pork." [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. TREADWAY. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks that his time be extended five minutes. Is there objection?

Mr. RAGSDALE. I object.

Mr. WISE. Mr. Chairman, I really thought the gentleman who has just taken his seat, being a member of the River and Harbor Committee, would at least have submitted this proposition fairly.

Mr. ADAMSON. Will the gentleman yield?

Mr. WISE. I will.

Mr. ADAMSON. If the Altamaha River was transferred to the State represented by the gentleman from Massachusetts, how much of the State would be left uncovered by it? [Laughter.]

Mr. WISE. Mr. Chairman, my only purpose in these few minutes is to state the facts. I have no desire to deal in personalities or make insinuations against anybody. The truth about the proposition is this: The boat that the gentleman from Massachusetts refers to applies solely to that part of the river from Macon, Ga., down to Hawkinsville, where for years and years we have been trying to navigate the river, but were prevented from doing so because the Government did not supply the little money to dredge the river. The Oconee River on the other branch is practically in the same condition. They have been unable to use it because the Government, through a parsimonious method of appropriating funds, applied just enough money to use a little on the various places where they run together and form the Ocmulgee.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. WISE. Yes.

Mr. MOORE of Pennsylvania. I have an indistinct recollection that a company was formed to operate boats on the river.

Mr. WISE. That is correct; and they have built a boat and are carrying commerce all the year around except a month or two in the summer, when they can not do it because the Government has not cleaned the river. They not only have built one boat, but they have another under construction, and they propose to continue to build the boat and put them on the river from Macon to Brunswick, Ga., and to Savannah, Ga.

Mr. MOORE of Pennsylvania. I would like to know whether agriculture and commerce have been developed in consequence of putting the boat on.

Mr. WISE. Yes; the report shows that in 1913 there were 16,000 tons in this part of the river, and now there are 169,000 tons over this particular part of this system. We have built a boat and are still building them, and the commerce is growing, and all we need is a little money. Gen. Kingman recommended $120,000 a year for five years to put the river system in a condition where it could be used. Not only that, but by virtue of the improvement freight rates have been reduced from 25 to 40 per cent up to Macon, Ga.

Now a few words about the whole situation. There are 494 miles of navigable river. You propose to spend only $53,000 to maintain it and continue the improvements which have been recommended heretofore. Five hundred miles practically, and $53,000 for all that system.

Mr. MADDEN. Will the gentleman yield?

Mr. WISE. Yes.

Mr. MADDEN. How deep and how wide is the river?

Mr. WISE. The channel at Macon, the head of navigation, has now 3 feet of water. We are insisting that it shall be increased to 4 feet in depth.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

[By unanimous consent, the time of Mr. WISE was extended five minutes.]

Now, Mr. Chairman, I say there are 500 miles of this project running through 24 counties in the central part of the State of Georgia. Now, there are grown in those 24 counties, according to the last census, 500,000 bales of cotton and twice that weight in cotton seed, besides all the other products that will be affected by this improvement. There are at least a million people directly affected by the improvement on this system of rivers who will receive the benefit of any reduction in freight rates, which, as I say, has already been 25 to 40 per cent, as shown by the report of the engineers.

Not only that, but it is shown that this system will affect Macon, Ga., which has one to two millions of freight. We come here and ask for the paltry sum of $130,000, what the engineer recommended; but the committee, in accordance with their policy of not increasing anything, but cutting down everything, recommended only $53,000 for the entire system of 500 miles.

Mr. STAFFORD. Will the gentleman yield?

Mr. WISE. Yes.

Mr. STAFFORD. Does the State in any way contribute at all to the expense of keeping these channels clear?

Mr. WISE. It does not; because under our State law we can not do it. What right has the State to improve navigable rivers?

Mr. STAFFORD. Do the municipalities contribute anything?

Mr. WISE. Yes. Macon, Ga., went to the legislature and secured the passage of a special act to allow them to do that.

In the city of Macon they contributed $5,000, and propose to spend the same every year on the terminal. If there ever was a meritorious project, a meritorious system, it is this system of rivers. They would be justified in spending what the engineers said we ought to have—$125,000 a year for five years—and finish it. [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, I did not intend to take part in the discussion of this particular item but inasmuch as the gentleman from South Carolina objected to the continuation of the description of this boat by the gentleman from Massachusetts I think the committee ought to have the benefit of it. We are asked to appropriate $53,000 a year to keep this boat running.

I want to read a little further description of this boat, given by one gentleman who appeared before the committee. He said:

> There is not a piece of wood in this boat as big as your lead pencil except what went into the screens to keep the mosquitoes from biting the crew and what went into the construction of the ice box.

[Laughter.]

Here is another thing about this wonderful boat for which they want $53,000 a year to run:

> We were just as careful about the installation of the power in this boat as we were about the boat itself, because we realized that that is the heart of the boat. If we made a mistake in the installation of the parts the whole structure would be a failure. We investigated every engine made in this country, and I regret to say that we had to select a European article to put in that boat because of its superiority. We selected a Bollinger engine, manufactured at Stockholm, which requires 28 cents an hour to run.
>
> We put an electric plant on this boat. We can blow a horn or, rather, a whistle by electricity and do various other things.

[Laughter.]

> We have a number of conveniences and so on. Our boat carries 83 tons on a 30-inch draft; 160 tons on 48 inches. We can load that boat down as low as 54 inches. When those photographs get back to me I will go into detail, because there are some points that are very important. It requires a crew of 10 men on this boat to run it night and day. We do run it night and day. By the way, it is the first boat that was ever installed on that system of rivers that runs night and day. It is the first boat that ever made the trip between Hawkinsville and Macon in less than 40 hours' running time.
>
> * * * * * * *
>
> We have solved the problem of navigating water less than 4 feet in depth without a shadow of doubt.

[Applause and laughter.]

Mr. RAGSDALE. Mr. Chairman, I am very glad to hear the gentleman from Washington [Mr. HUMPHREY] reading this report. It is quite a relief to hear anything by way of pleasantry from him, instead of his whining about hard times. Usually we hear him talking about hard times and the calamities of the country, and we have grown so accustomed to hear his mournful voice, like that of a dog who has lost its owner, that this bit of pleasantry upon his part, I am sure, is highly appreciated by more than one gentleman here. As to the gentleman from Wisconsin who spoke just now, again reverting to the Wateree River, I do not know whether it was the thought of the workman's breakfast or the sight of water that caused this rabid frothing of the "watchdog of the Treasury," but certainly the gentleman is too late in getting into action, because if he wanted to say anything about the Wateree and wanted to test the strength of the House on that proposition, he ought not to have sat supinely in his seat, but should have demanded a vote by tellers. The truth of the matter is that he has been so engaged in filibustering that he has lost sight of everything else.

Mr. LITTLEPAGE rose.

Mr. SPARKMAN. How much time does the gentleman desire?

Mr. LITTLEPAGE. About five minutes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and all amendments thereto end in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LITTLEPAGE. Mr. Chairman, I have heretofore taken but little time of this House, but to my mind a very peculiar spectacle has been presented in relation to this amendment. Here we have the information before this House that a million people are interested in a stretch of river from four to five hundred miles long, and have secured in this appropriation bill the pitiful sum of $53,000, in the section of the country where because of previous condition the people are poor, a few on the minority side have slipped into the Democratic side of the House and have gotten the leaders of the Democratic Party to desert, as it were, this committee, and after having done that gentlemen on the other side of the House have seen cause to criticize and make fun of as good a people as God Almighty ever permitted to live, because they have not the grandeur of a steamboat that costs $1,000,000. They make fun of the best those people have. That criticism is unjust, unkind, and unfair to that southern country and its great people struggling, as it has been, during all these years. This is a mere pittance to hand out to a great people, and I am astounded that men of caliber, men in high position, should criticize and move to strike out this item which is recommended and reported by the committee. Every man is the architect of his own fortune in this House; every man has his own destiny to look after. I do not get one dollar for my district in this appropriation bill. We will get it later, if entitled to it. But when Members accuse others, either inferentially or directly, of being interested in a pork barrel, I feel like rising and resenting it on behalf of the entire membership of the House, because I do not believe there is a Member in the House on either side who cherishes such dishonorable sentiment. They say they serve notice that they are going to work politics. When has the time ever been when they did not work politics? Work it? Of course, they will. The majority—this side of the House—is responsible for the legislation that occurs here, and I, for one, even though I am not interested as much as some others, am willing to stand up and take my part of the responsibility. What has grieved my heart is to see my own people suffer themselves to be deceived on this side of the House. I came here to stand hitched. [Applause.] I came here to stand by the committees of this House. [Applause.] I came here believing that the great leaders of this House would not appoint upon the committees any but the best men, and it seems to me that the report of this committee should be sustained. [Applause.]

The CHAIRMAN. The time of the gentleman from West Virginia has expired. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

> Flint River, Ga.: Continuing improvement and for maintenance, $60,000.

Mr. FREAR. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Amend, on page 11, by striking out lines 24 and 25.

Mr. FREAR. Mr. Chairman, the remarks of the gentleman from South Carolina [Mr. RAGSDALE] may have been intended for me——

Mr. SPARKMAN. Mr. Chairman, how much time does the gentleman want?

Mr. FREAR. Five minutes.

Mr. SPARKMAN. As much as five minutes?

Mr. FREAR. Yes, I should like as much as five minutes on this matter that involves an expenditure of $60,000.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto end in seven minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I desire to state, if the remarks of the gentleman from South Carolina [Mr. RAGSDALE] were directed at me, as suggested a while ago, that I have not spoken on any proposition for over an hour. There has been no attempt, I am sure, at filibustering.

I desire to say that if I consulted by own choice I would not oppose this proposition. I believe the gentleman who appeared before this committee and who is an estimable Member of this House has quite an interest in it, but the facts should be known to the committee. I can not understand why it should be in the bill in its present form. We spent $421,000 on this river, which I believe is a large river. Last year $40,000 was transferred from the allotment to this river and this year $60,000. That makes $100,000 in two years. The total traffic during last year was 37,000 tons. That traffic occurred close to the mouth of the river. The average haul is about 40 miles, which is near the mouth of the river.

According to the engineer's report only one boat makes an occasional trip above. I believe it is above Bainbridge, or some other town near there. I believe, Mr. Chairman, that there ought to be some reasonable appropriation made for these rivers, but when a project has been under improvement since 1880, 35 years, and we have only 37,000 tons developed with a haul of 40 miles, and $40,000 appropriated last year and $60,000 this year, we certainly are not getting a proper return from the money that is being spent.

The suggestion has been made in regard to other rivers, by different speakers, as to waterways up in my own country. We have a river where I live that formerly carried a great commerce, larger than the Mississippi at that time or the Mississippi commerce now. It will carry large boats to-day, the largest on the Mississippi, and yet very little freight has gone

there in the last few years. Only a few hundred tons goes down the river annually. It seeks the railroads, as it seeks the railroads everywhere else when they are within reach.

Mr. MOORE of Pennsylvania. Will the gentleman indicate what that stream is?

Mr. FREAR. That is the St. Croix River.

Mr. MOORE of Pennsylvania. How much money has been spent on it?

Mr. FREAR. A little over $100,000 some years ago. It will carry the largest boat that is on the Mississippi River to-day. I was going to speak about the appropriations made for the gentleman's river, which are very large indeed, and I wish to say there was as much traffic on the St. Croix, and far more at that time, than there was at the same time at Philadelphia.

Mr. MOORE of Pennsylvania. I would like to ask if an appropriation is made for it in this bill?

Mr. FREAR. No; nor for many years past, because there is no commerce. The river is large, just like the Flint River that is mentioned here, but it is commerce that should determine the question of appropriation.

Mr. MOORE of Pennsylvania. Will the gentleman say that commerce ought always to go to the railroads?

Mr. FREAR. The gentleman has suggested that several times, and he has intimated that the railroads are interested in this bill; but they are no more interested than the dredgers, as the gentleman knows they are not, and he would not charge that personally.

Mr. MOORE of Pennsylvania. Of course I would not.

Mr. FREAR. But his publication charges it by implication.

Mr. MOORE of Pennsylvania. I was trying to learn whether the gentleman prefers, in the case he cites, to have the commerce go on the railroad or on the river?

Mr. FREAR. We can not determine that question. It is according to what the needs of commerce are. It is not governed by preference, but by convenience and comparative expense.

Mr. PARK. Mr. Chairman, I wish to call attention to the meager appropriations that have been given to this river through a long series of years that have amounted to the sums that the gentleman from Wisconsin refers to.

There was expended on that river in—

1892	$12,080.74
1893	10,121.60
1894	7,560.76
1895	4,232.97
1896	4,874.75
1897	5,019.45
1898	1,346.10
1899	1,328.68
1900	5,373.88
1901	299.58
1902	430.15
1903	4,111.89
1904	14,469.96
1905	5,269.65
1906	6,662.03
1907	10,207.40
1908	19,781.40
1909	10,349.59
1910	17,402.19
1911	20,075.51
Total	160,998.28

Appropriations of that character, Mr. Chairman, can not mean any more work than the removal of snags and driftwood, the removing overhanging trees, and the raising of bowlders that fall into the river, and that should not be taken into consideration when you speak of permanent improvement. This river carries now some 37,000 tons of freight. From 1912 to 1914 it has increased over 11,000 tons, and the commerce is over $2,300,000 on the river at present. There are five boats running on the river now regularly. And it seems to me, Mr. Chairman, that when we ask for these little appropriations it is considered wrong and called pork-barrel statesmanship, but when a four or five million dollar appropriation is asked for it is called broad, patriotic statesmanship; and I am against that kind of unfair discrimination. [Applause.] There has been more permanent improvement on the river during the past two years, in real aid of navigation, than has been accomplished in the previous 10 years.

This is a very meritorious project and should be carried through. The people are cooperating, and it will not be 10 years before we should have a commerce of not less than $10,000,000 on this magnificent river.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Wisconsin [Mr. FREAR] to strike out the paragraph.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Coosa River, Ga. and Ala.: Continuing improvement and for maintenance between Rome, Ga., and Dam No. 4, Ala., $68,000; completing construction of the lock in Dam No. 4 and completing construction of Dam No. 5, in the State of Alabama, $30,000; in all, $98,000.

Mr. FREAR. I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 12, by striking out the paragraph beginning with line 7 and ending with line 12.

Mr. SPARKMAN. I would like to ask the gentleman how much time he wants.

Mr. FREAR. Five minutes.

Mr. SPARKMAN. Mr. Chairman, I ask that all debate on this paragraph and amendments thereto end in 10 minutes, and that the gentleman from Alabama [Mr. BURNETT] have five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the debate on this paragraph and amendments thereto close in 10 minutes, and that 5 minutes of the time be granted to the gentleman from Wisconsin [Mr. FREAR] and 5 minutes to the gentleman from Alabama [Mr. BURNETT]. Is there objection. [After a pause.] The Chair hears none.

Mr. FREAR. Mr. Chairman, the last river and harbor bill carried 10 different projects on which the engineers were directed to make a reexamination. The Coosa River was one of these projects, and no report, to my knowledge, has come before the River and Harbor Committee to determine the merit of this particular river. The mouth of the river is three hundred and some odd miles from tide water, where it opens into the Alabama, I believe, and it is over 280 miles farther up the river to where this project is being carried on. In other words, the river as a whole is not navigable. It is much like a bottle in the fact that at the upper headwaters they have made some improvement for navigation, and down at the lower end of the river there are some improvements, but nothing has been done between the head and lower river. The Army engineers have urged that in a case of this kind the whole river be improved instead of building these locks and dams at different points. And on page 9 of the Coosa River report Maj. Brown says:

I consider the improvement of the entire river as more important than of that between Rome and Gadsden.

This improvement is going on with the understanding that until we have spent all the money, reaching many millions and now reaching over a million dollars, the river will not be in navigable shape.

Now, the Alabama Power Co. has a number of power plants upon this river. They so advertise in their literature. There are some dams being built—I have forgotten just how many—on this river, and have been for a number of years. The open-channel work is 30 per cent completed after all these years. Navigation is now practicable between Rome, Ga., and Dam No. 4 for the entire year, with 3½ feet, but down below that there is an obstruction again and no chance for any navigation.

The commerce last year, after deducting wood and timber from the 28,000 tons, amounts to 17,427 tons, the result of an expenditure of $1,384,000. On page 349 of the engineers' report it says that the decrease over last year is probably permanent. Only one boat is operating on this improvement, and that is not a paying investment. The cost of maintaining the locks last year was $15,000, interest at 4 per cent upon money invested so far means $69,000 additional every year, and we are now proposing to put in $98,000 more.

And I wish to suggest this in passing, Mr. Chairman, that this river is no different in character than many other rivers now being canalized in this country. We have canalized and spent $12,000,000 on the Warrior, for instance, and only nominal returns have come from that large investment.

There is not a single river in this country that has been canalized where any reasonable showing can be made in proportion to expenditures that the Government has made on it. The highest type of men among economists, who are considered authorities in this country, have shown that it is impossible in this country to drive the traffic to the rivers. In this connection, Mr. Chairman, I ask leave to insert a brief statement from a gentleman who is one of the best authorities in the country, Prof. Moulton. I ask for that privilege.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The gentleman asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

Following is the statement referred to:

River transportation is usually analogous to that by canal, for comparatively few of our streams are really natural highways of commerce. As a rule, they are navigable for the purposes of modern transportation, in name only, rather than in fact. So long as the cost of canalization of a river amounts to forty, sixty, or a hundred thousand dollars a mile, it belongs in the same category as a canal. A river like the Rhine,

whose banks are firm, whose gradient is gentle, whose water supply is constant, and the cost of regulation of which is almost negligible, may indeed be regarded as a natural avenue of commerce, but a river such as the Mississippi, with ever-caving sides and shifting bottoms, with periods of alternating floods and droughts, and the control of which is, in the opinion of engineers, a greater task than the building of the Panama Canal, is no more to be regarded as a natural highway of commerce than any artificial channel whatsoever. The test of the commercial success of such a river must lie in the cost of rendering it navigable for the purpose of modern transportation. Our investigations have indicated that it is only in rare instances that river transportation can be made as economical as transportation by rail.

Mr. FREAR. Let me explain Prof. Moulton's standing as an expert.

In June, 1911, there was offered a prize of $1,000, open to all the writers of the country, for the best work on economic and commercial subjects. The committee was appointed to pass upon the most meritorious of all contributions and included among its members leading authorities on economics, comprising J. Laurence Laughlin, of the University of Chicago; J. B. Clark, of Columbia University; Henry C. Adams, of the University of Michigan; Edwin F. Gay, of Harvard University; and Horace White, New York City.

Many contributions were offered by eminent men. The one receiving first prize of $1,000 was unanimously given to Harold G. Moulton, a political economist, whose subject is "Waterways versus Railways."

Mr. Moulton traveled extensively throughout Europe and this country, making a careful study of the waterway question. Briefly speaking, he reached the conclusion that inland rivers and canals in this country can never compete with railways, and that in Europe, with a few exceptions, the same rule applies.

Mr. BURNETT. Mr. Chairman, the gentleman is mistaken in the statement that the Alabama Power Co. is developing several powers on this river.

Mr. FREAR. I beg the gentleman's pardon; I did not say "developing"; just opening.

Mr. BURNETT. I understood the gentleman to say "developing."

Mr. Chairman, every dollar of this appropriation is recommended by the engineers. The Coosa River is formed by the junction of the Etowah with the Oostanaula. From Mobile to Rome, Ga., is 825 miles that may be made navigable by opening up obstructions in the center of the stream. The upper stretch of the river is navigable from Rome, Ga., by the city of Gadsden, where I live, and there is navigation for about 200 miles down to Dam No. 4.

Thirty thousand dollars of this appropriation is recommended for the completion of Dam No. 5. If that is not done, if these improvements are not made, the engineer says in his statement before the committee that it will cost $10,000 a year for the upkeep of the boats and machinery that the Government has in there and has kept in there for years.

Mr. Chairman, the engineer says another thing: The fact that the river is navigable and the fact that boats are running there has decreased freight rates 50 per cent on the railroads that run from Rome, Ga., to Gadsden, Ala.

This work has been going on for years. Sixty-eight thousand dollars of this appropriation is for dredging and for channel work and improvements on the upper stretch of the river. If these obstructions are removed, it will be the longest navigable stream in the South flowing into deep water except the Mississippi, and it is perennial navigation. It is not a stream that goes dry in the summer. The rainfall on the upper section of that river is greater than that on any other river in the United States except that on the Columbia River, in the country represented by my friend from Washington [Mr. HUMPHREY].

The Government has been dilatory, it seems to me, in not opening up all these streams, because it is a river that can be navigated all the year around. The engineer acknowledged that he was mistaken in stating before the committee that there is only one boat running on the river. There has been one boat running all the time, and in a letter that I filed with the committee it is shown that another boat has been completed, and it is carrying 16,000 tons of freight a year, and near where Dam No. 5 is being completed a company has been formed for the purpose of operating a third boat. Mr. Chairman, it is not simply small commerce, but the people all along this line get the benefit of the competitive rates. It holds down the freight rates on the railroads, and, as the engineer says, it gives them a 50 per cent reduction by reason of having the river there.

I hope the motion of the gentleman from Wisconsin [Mr. FREAR] to strike out the paragraph will not prevail.

I have here a letter from a gentleman of Rome, Ga., addressed to Mr. LEE, of Georgia, in which it is stated that the railroad carries 400,000 tons a year, and the people get a 50 per cent reduction by reason of the improvements on the river. It is a 10-cent flat rate.

Now, Mr. Chairman, I do not desire to take up the time of the committee longer.

The CHAIRMAN. The time of the gentleman from Alabama has expired. All time has expired on this paragraph. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. FREAR] to strike out the paragraph.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Harbor at Miami (Biscayne Bay), Fla.: Continuing improvement, $140,000: *Provided*, That the work proposed under the project adopted by the river and harbor act of July 25, 1912, may be done by contract if reasonable prices can be obtained.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. FREAR. In this connection, Mr. Chairman, I call the attention of the committee to the fact that, so far as my examination goes this is the only project in which that condition is attached. I ask the chairman of the committee what was the purpose of attaching that provision requiring a "reasonable price" on contracts entered with private parties in this case? I ask the chairman of the committee what was the purpose of attaching that provision to this particular project?

Mr. SPARKMAN. I do not think I can make it any plainer than the language itself is. It is for the purpose of having a reasonable contract.

Mr. FREAR. I thank the gentleman for that information. In view of that fact, Mr. Chairman, I call the attention of the gentlemen on the other side, who have voted against the proposition offered by my friend from Iowa [Mr. GOOD], to the fact that the Committee on Rivers and Harbors have placed in this item that very proposition he urges, though without limitation as to the 25 per cent profit. They have placed that very proposition in the bill. Why place a limitation in this one case at Miami? Why not also at Philadelphia and in connection with every other project that we have? Here is a requirement that we must in this case have a reasonable contract performed. But who is to determine the reasonableness of it?

Mr. SPARKMAN. One reason for placing that in there is that the Government has no suitable dredges down there, and it was feared that if it were left to the bidders to bid freely and untrammeled—as, of course, they would—the Government having no dredges down there to hold them down, the bids would be too high.

Mr. FREAR. I fear the gentleman is entirely mistaken there, although the reason given is right; but I fear the result.

Mr. SPARKMAN. I do not think it amounts to much, because the engineers are not going to make an unreasonable contract, anyway.

Mr. FREAR. It puts it up to the Army engineers, and we have had eulogies upon their judgment. Yet the engineers have made contracts reaching $800,000 for the waterway from Norfolk to Beaufort at double the Government's price, or at least they did last year; and they would this year were it not for the amendment offered by the gentleman from Iowa [Mr. GOOD].

Col. Taylor stated before our committee—I believe I quote him correctly—that the very fact that the Government was engaged in dredging on any particular project had the effect of holding down private contractors to lower contract rates, and that their bids were lower by reason of the fact that a Government dredge was established there. I think that is substantially true. Yet the private contractors upon that waterway upon which we expended $400,000 last year, named a price 80 per cent greater than the cost to the Government for doing the work with its own dredges. I do not know that I care to offer anything further, except that suggestion. It is well to place some legal restriction on contracts with dredgers, according to the facts developed by the gentleman from Iowa.

Mr. MANN. Mr. Chairman, what was the amendment?

The CHAIRMAN. A pro forma amendment.

Mr. MANN. I am opposed to striking out the last word. If that goes out, it all ought to go out. I would like to inquire what is the necessity of the appropriation at all at Miami? My recollection is that we imposed conditions of some sort down there. Is not this where the Flagler road runs?

Mr. FREAR. Yes.

Mr. SPARKMAN. Yes; it runs right through Miami.

Mr. MANN. Have those conditions been complied with?

Mr. SPARKMAN. Yes; those conditions have been complied with.

Mr. FREAR. By the city.

Mr. MANN. Have they been complied with by the railroad?

Mr. SPARKMAN. The conditions imposed upon the railroad were transferred to the city. The city has assumed the obligation, and complied with the requirements of the act.

Mr. MANN. What were those conditions?

Mr. SPARKMAN. I can not repeat them all, but if I had time to refer back I could do so. There was a lot of work to be done in the harbor and a lot of work to be done in the way of furnishing terminals, and so on.

Mr. MANN. I have not refreshed my recollection, as possibly I ought to have done. My recollection is that the Florida East Coast Railroad was to do some dredging down there, and the city was to furnish some docks. Has either one really been done?

Mr. SPARKMAN. As I said a minute ago, all requirements have been met.

Mr. MANN. The requirements of the committee may have been complied with, but have the requirements of the law been complied with?

Mr. SPARKMAN. The requirements of the law have been complied with. As I said, the conditions were finally assumed by the city. The railroad refused to carry out the conditions imposed by the original act. I think they carried out a part of those conditions, but finally failed to carry out the remainder. There was later some modification of those conditions by Congress. Subsequently the city assumed the obligations as modified, and has carried them out in good faith.

Mr. MANN. I read from the report, to which my attention has been called. I see it is stated—

It is anticipated that the city will be able to give the required assurance to the Secretary of War within a short time.

Whether that is a compliance——

Mr. SPARKMAN. That report was made last June.

Mr. MANN. Oh, no; this is the report of the Committee on Rivers and Harbors on this bill.

Mr. SPARKMAN. I will say to my friend that that was taken from the report submitted by the Chief of Engineers last June.

Mr. MANN. Do I understand from the gentleman that we can not place any reliance upon the report submitted by the gentleman from Florida upon this bill? This report was submitted on February 24, 1916.

Mr. SPARKMAN. I will try to make myself clear. What the gentleman is reading from now is, I fancy, an excerpt from the report of the Chief of Engineers submitted last June. Now, that was only published for the convenience of the House or anyone else who might want to investigate those projects. But I want to say that since that time the people there have complied with the conditions, have satisfied the Secretary of War that the conditions were complied with. Here is a statement that we have from Col. Taylor, January 24 last:

The city officials have entered into a contract for the completion of their work and it is understood that the contract calls for its completion in the latter part of 1916. In order that the United States' work may progress at such a rate as to be completed at approximately the same time that the city's work is completed an additional appropriation of $140,000 should now be made.

Mr. MANN. I see the gentleman who represents the Miami district [Mr. SEARS] is on the floor. While I have great deference for the gentleman from Florida [Mr. SPARKMAN], I have no doubt the gentleman from the district [Mr. SEARS] may have the information up to date, and I would like to ask him whether, in his opinion, these conditions have all been complied with?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. I ask that I may have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks that his time may be extended five minutes. Is there objection?

There was no objection.

Mr. SEARS. Mr. Chairman, I am satisfied I can convince my colleague, the able minority leader [Mr. MANN] that this is a worthy project. Ever since 1902 the good people of Miami have been working to get access to deep water. The Florida East Coast Railroad Co. first entered into a contract to get this deep water and were to receive assistance from the Government. There was a suit against this company by the Government, which, as I understand, was won in the lower court by the Government. An appeal was taken, and this time the decision was adverse to the Government. This left the matter practically where it was. In 1912 there was an appropriation of $100,000 for the purpose of deepening the harbor at Miami—that is, for the beginning of the work. It was estimated that $300,000 would be required to complete the work. The engineering department reported that only $140,000, instead of $300,000, would be necessary to complete the work; and on that report, not desiring to go beyond it, I only asked for $140,000.

It has been said repeatedly in this House that the cities should render some assistance. I am truly glad that for the first project in the bill for my district I can state the people of Miami have shown their interest and desire to get deeper water and have bonded themselves in the sum of $585,000 with this end in view—$185,000 for the purpose of securing terminals and building the municipal dock; $360,000 for the purpose of digging a channel across the bay to where the Government takes up the work. This distance is approximately 3 miles. Forty thousand dollars for constructing a municipal railroad on said dock. This shows the people of Miami are interested in the work, and it certainly shows their good faith when they are willing to spend $585,000 of their money—and it is actually being spent, for the work is now under construction. Dredges are at work digging out the basin and the channel across the bay, and by the first of next year they trust the work will be completed. There are, I understand, 32 boats that now pass Miami because they can not go in there.

My district is 535 miles long, from Jacksonville to Key West, and there is no place between Jacksonville and Key West at the present time that boats with a draft of more than 10 feet can get in. Miami is approximately 360 miles from Jacksonville and 165 miles from Key West. If Members could only realize this, they would see how important it is to have this appropriation.

Now, I called up the Census Bureau the other day and asked them to give me the census of Miami. In 1890 they reported there was no record, but in 1900 Miami had 1,681 inhabitants. In 1910 it had 5,471, and I state to my colleagues on the floor of the House that to-day, less than six years from the census of 1910, the population of Miami is approximately 20,000. The city is growing by leaps and bounds.

Mr. MANN. Is that 20,000 population in winter or summer?

Mr. SEARS. All the year round. During the winter we have a great many tourists, but they are not included in the 20,000.

Now, Mr. Chairman, this project means a great deal to the people of Miami. I would like to have the proviso so worded the Government would have to do the additional work of $100,000 by contract. But I am satisfied the War Department so thoroughly appreciates and recognizes the importance of the proposition to this beautiful growing city that everything possible will be done to complete the Government's part of the project by the time the city completes her part.

If this appropriation is made, Miami will have a channel 18 to 20 feet in depth and of sufficient width to take care of her rapidly increasing commerce, and I therefore sincerely trust all opposition will be withdrawn.

Mr. MANN. Mr. Chairman, the gentleman's statement is so lucid and convincing that I have nothing further to say.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. GOOD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 12, line 17, after the word "obtained," strike out the period and insert a colon, and insert:

"*Provided*, That no part thereof shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plant."

Mr. GOOD. Mr. Chairman, I hope the gentleman from Florida will accept the amendment. It is just like those that have been adopted, and I would like to have an agreement with the gentleman from Florida that it should apply to all the items in the bill.

Mr. SPARKMAN. I think it would be a good idea, in view of the action of the House to-day on two or three amendments, if we had one amendment before us, and that we let it go over until we have completed the bill and then take it up, discuss, and dispose of it.

Mr. GOOD. There are some items here to which it should apply, but I thought I would offer the amendment to the larger items, and then I would prepare an amendment, making the provision apply to all the items in the bill. If that can be agreed to, I will not take up any time on this amendment.

Mr. SPARKMAN. Suppose we let this amendment be pending until we have gone over the bill.

Mr. SEARS. Mr. Chairman, I hope that the gentleman will not insist on this amendment. They have cut the appropriation from $300,000 to $140,000, and it is shown by the report of the Government engineers that they have had some very reasonable bids, cheaper than the Government could construct it.

Mr. GOOD. Then it will do no harm. If the bids are not more than 25 per cent in excess of what it would cost the Government, it will have no effect at all.

Mr. MOORE of Pennsylvania. I would like to say to the gentleman that I would like to have an opportunity to look into this question. It seems to me a very important one, and if we can have a little time we may get more information.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. GOOD. I yield.

Mr. COOPER of Wisconsin. The gentleman said a few days ago, and in part read what amounted to an ironclad agreement from the dredgers and dredging associations, to use a common expression, to "hold up" the Government on the bids they might make for Government work. If that is true, and I suppose it is, it would look no more than proper that the Government should take the precaution to defend itself against a possible holdup by enacting into law some such provision as is proposed by the gentleman from Iowa. It is largely a question of fact whether the agreement was made between the dredgers and the association. What the gentleman from Iowa read was what purported to be a printed report of a meeting of these men in which they exulted over the fact that they had entered into an agreement for the explicit and only purpose of holding up the United States Government in any contract they might be called upon to bid on.

Mr. GOOD. I know nothing about that except what is contained in the report.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that this amendment go over and be considered as pending until we finish the reading of the bill, and then we can go back and dispose of it and any other similar amendments that the gentleman from Iowa may see proper to offer along the same line.

Mr. MADDEN. Mr. Chairman, reserving the right to object, there are a good many items in this bill to which such an amendment as the one presented by the gentleman from Iowa [Mr. GOOD] could not properly apply, and because of that fact it seems that it would be useless to make a single provision covering all the bill, because if such a provision is made in many cases, it might prevent the work for which this bill appropriates proceeding, but where on the face of the appropriation itself in any single item it appears to be advantageous to put such a provision as the amendment of the gentleman from Iowa into the bill, it seems to me that it ought to be put in where it is evident to the House it can be utilized to the advantage of the Government. If a general provision should be enacted, and that general provision might, and it undoubtedly would, embarrass many of these improvements——

Mr. SPARKMAN. Mr. Chairman, will the gentleman permit me to interrupt him right there?

Mr. MADDEN. Yes.

Mr. SPARKMAN. That is exactly what I called the attention of the House to more than once, and that is exactly what the gentleman, I think, voted to put in the bill. I agree with the gentleman fully that with the light now before us we can not tell whether a proposition like that should apply universally or not.

Mr. MADDEN. It can not.

Mr. SPARKMAN. But that is the kind of proposition before us. What I want to do is to have it go over until the end of the bill is reached, so that we may have time to investigate the matter and find out what the engineers may say about it, and if it is practicable I certainly would have no objection to it. I do not want to see the Government held up any more than the gentleman does. I do not know whether there is a dredging trust or not. There may or may not be one; but whether there is or not, I do not want the Government to pay one cent more than a fair price for the work.

Mr. MADDEN. I wish to say to the gentleman from Florida that I think it is not practicable to apply the amendment to such cases as the North Carolina case.

Mr. SPARKMAN. Let it be pending, then.

Mr. MADDEN. And to the Georgia case.

Mr. LONGWORTH. Mr. Chairman, will the gentleman from Illinois yield?

Mr. MADDEN. And perhaps in this case—yes; I yield to the gentleman from Ohio.

Mr. LONGWORTH. Mr. Chairman, I wanted to ask the gentleman from Iowa [Mr. GOOD] if it was his intention to have this apply in any other case than dredging—that is, this general proposition?

Mr. GOOD. Yes.

Mr. LONGWORTH. Does he want it to apply, for instance, to the building of dams, locks, and so forth, or is it to be confined to dredging?

Mr. GOOD. It is limited by its terms to those items where the Government has a plant to do its work, because the comparison is by Government plants, and therefore it might not apply to those items where the Government has no plant and where it could not make an estimate. However, it should apply to all work provided for.

Mr. LONGWORTH. But the gentleman generally has referred to the case of dredging, and to a possible combination among dredgers. I wanted to know whether he intended to cover anything except dredging where the Government had a plant?

Mr. GOOD. What I was going to ask the gentleman from Florida is whether or not he would object to my amendment being offered at this time as a new paragraph and modified so that it will read—

That no part of the funds herein appropriated shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plant.

It would then apply to the entire bill, and then we could let that amendment be pending until the completion of the bill.

Mr. SPARKMAN. I think the gentleman should have permission to offer his amendment—of course, he has that—but I think that all amendments like that should go over until we have finished reading the bill for amendment. I, for one, want to get some more information than I have at present before finally passing upon it.

Mr. GOOD. I do not care to take any unnecessary time. I only believe that the principle is right and should be written into the law. Therefore, Mr. Chairman, I ask unanimous consent to modify my amendment and offer it as a new paragraph, so that it will read:

That no part of the funds herein appropriated shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plant.

Mr. SPARKMAN. Let that be pending until we reach the end of the bill.

The CHAIRMAN. Without objection, the gentleman from Iowa will be permitted to modify his previous amendment, and will offer, in the nature of a new paragraph, the amendment which the Clerk will now report.

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, I would like to know whether the motion of the gentleman from Iowa [Mr. GOOD] pertains only to the amendment attaching to the present paragraph?

The CHAIRMAN. The Chair just directed the Clerk to report the amendment.

Mr. MOORE of Pennsylvania. I was asking as to the understanding between the gentlemen.

Mr. GOOD. It will apply to everything.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After line 17 insert as a new paragraph the following:

"That no part of the funds herein appropriated shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plants."

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Are we now to consider the request for unanimous consent?

The CHAIRMAN. The Chair thinks it should be submitted to the House. The gentleman from Florida asks unanimous consent that the amendment offered by the gentleman from Iowa, which has just been reported, be considered as pending, and that no action be taken upon it until the conclusion of the reading of the bill. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object; this is a very serious matter, and the amendment is so general in its terms that I do not feel that we ought to be involved to the extent of passing it by unanimous consent.

Mr. SPARKMAN. We are not passing it by unanimous consent. We are passing it over until the end of the bill, and then we will take it up and consider it.

Mr. MOORE of Pennsylvania. I would like to know if the gentleman from Iowa intends to offer any more amendments following the action on this request for unanimous consent?

Mr. GOOD. No. The intention was to offer it as a new paragraph at this time. I understand that it will be likely transferred to some other place in the bill where it will be appropriate.

Mr. MOORE of Pennsylvania. My objection to this request is this, the gentleman from Iowa has offered two amendments, which have passed, one pertaining to one item in the bill and another pertaining to another item in the bill, whereas he has not offered an amendment with respect to hundreds of other items in the bill.

Mr. GOOD. I will say to the gentleman I did not care to take the time of the House to offer an amendment to every

little item. I am satisfied that that would prejudice the proposition.

The CHAIRMAN. Is there objection?

Mr. MOORE of Pennsylvania. I object.

Mr. SMALL. Mr. Chairman, I ask that the gentleman from Pennsylvania withhold his objection for a moment.

Mr. MOORE of Pennsylvania. There is a disposition to rush this thing through, and the easiest way is to object.

Mr. SMALL. If I may have the attention of the gentleman from Pennsylvania, I would suggest that the gentleman from Iowa [Mr. GOOD] wishes to revise his amendment so that it would be applicable to the whole bill.

Mr. GOOD. I have already been granted that permission.

Mr. SMALL. And then have that pending, to be considered at the end of the bill. Now, does the gentleman from Pennsylvania [Mr. MOORE] object to that, a revision of the amendment so that it will be applicable to every appropriation in the bill, and to be passed over and considered as pending and taken up at the end of the bill?

Mr. MOORE of Pennsylvania. If the gentleman will yield, I should like to know when we come to consider this proposed general amendment offered by the gentleman from Iowa at the conclusion of the reading of the bill, in what position we will be with respect to two items in the bill to which this amendment has already been attached, irrespective of the fact that dozens of other items have already been passed to which it has not been attached?

Mr. SMALL. That will take care of itself at the time. All items have already been amended. That may be reconsidered or it may be put to the House when the committee reports to the House.

Mr. MOORE of Pennsylvania. The gentleman recalls this fact: That the committee originally refused to consider this amendment and voted it down as a general proposition. Then the committee reversed itself and passed this amendment attached to the inland waterway item as between Norfolk and Beaufort, and then on a subsequent vote as to the Savannah Harbor it again attached this amendment. The gentleman from Iowa did not offer his amendment with respect to any other paragraph except these two.

Mr. GOOD. There were no large items intervening.

Mr. MOORE of Pennsylvania. I am asking if he is willing to have withdrawn by unanimous consent the two amendments that have already been passed with respect to the items separated from all others in the bill, that we may bring the whole matter up for discussion?

Mr. GOOD. Is the gentleman from Pennsylvania willing that we should return and vote on the proposition on the Philadelphia item?

Mr. MOORE of Pennsylvania. It ought to be general.

Mr. GOOD. Of course; and that is the reason I have offered this amendment.

Mr. MADDEN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MADDEN. The gentleman from Pennsylvania a moment ago objected to the unanimous consent to have this amendment pending. Did not that make disposition of it?

The CHAIRMAN (Mr. SHERLEY). The gentleman from Iowa, at the suggestion of the gentleman from North Carolina [Mr. SMALL], renewed the suggestion. The Chair was simply endeavoring to give the committee an opportunity to come to an agreement, if possible, touching the matter. Is there objection to the request of the gentleman from Iowa [Mr. GOOD]?

Mr. MOORE of Pennsylvania. Reserving the right to object——

Mr. MADDEN. Regular order, Mr. Chairman.

The CHAIRMAN. The regular order is the objection to the request of the gentleman from Iowa [Mr. GOOD].

Mr. SMALL. Will the gentleman from Pennsylvania [Mr. MOORE] reserve his objection for a moment?

The CHAIRMAN. The regular order is the request of the gentleman from Iowa [Mr. GOOD] for unanimous consent.

Mr. MOORE of Pennsylvania. I object, Mr. Chairman.

Mr. McLAUGHLIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on matters about which I spoke.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. A parliamentary inquiry, Mr. Chairman?

The CHAIRMAN. The gentleman will state it.

Mr. GOOD. The question now recurs on the amendment?

The CHAIRMAN. On the amendment offered by the gentleman from Iowa.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that the amendment be considered as pending, to be returned to when we reach the end of the bill.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the amendment be considered as pending, to be returned to when the end of the bill is reached. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, I would like to know whether the gentleman from Iowa is willing to have the general question submitted irrespective of the two amendments that have already been adopted to special paragraphs in the bill?

Mr. GOOD. I will say to the gentleman that I think, especially as to one of the amendments, that it is very important. Personally, I would not consent, and I do not see how the committee could again take up that question anyway.

Mr. MOORE of Pennsylvania. Then the gentleman proposes to make fish of two items in the bill and fowl of all the others?

Mr. GOOD. No; I intend to make fowl of all of them.

Mr. FOSTER. We are going to put them all on.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. MANN. I object.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. MANN. Then I ask unanimous consent that the consideration of the amendment now pending may be postponed until the gentleman from Iowa [Mr. GOOD] can have an opportunity to offer another amendment.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the amendment of the gentleman from Iowa [Mr. GOOD] may be temporarily postponed until he shall have opportunity to perfect it. Is there objection?

Mr. MANN. Or to offer a further amendment.

There was no objection.

Mr. GOOD. Mr. Chairman, I move now an amendment as a new paragraph, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa [Mr. GOOD].

The Clerk read as follows:

After line 17, insert as a new paragraph, the following:

"No part of the funds herein appropriated shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plant."

Mr. SMALL. Mr. Chairman, I ask unanimous consent that the amendment may be considered as pending, to be recurred to at the end of the appropriations.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. MOORE of Pennsylvania. Reserving the right to object, Mr. Chairman, does this bring the general question up at the close of the reading of the bill?

Mr. SMALL. It will.

Mr. MADDEN. Mr. Chairman, I do not believe that the gentleman from North Carolina [Mr. SMALL] is correct about that. We have already adopted two amendments covering this same proposition, and I do not understand that they are to be set aside by the request of the gentleman from North Carolina.

Mr. SMALL. I am willing to take chances on that.

Mr. MOORE of Pennsylvania. Is that the attitude of the Committee on Rivers and Harbors, so far as the gentleman can speak for it?

Mr. SMALL. Yes; that means with the approval of the chairman.

The CHAIRMAN. Is there objection?

Mr. BARKLEY. Reserving the right to object, Mr. Chairman, I would like to ask the gentleman from Iowa [Mr. GOOD], if the amendment just offered passes, is it the gentleman's intention to offer the two amendments he has prepared?

Mr. GOOD. I will say to the gentleman from Kentucky that if this amendment I have offered is adopted, of course I would have no objection then to those amendments going out.

Mr. SMALL. And we will ask unanimous consent to take them out.

Mr. GOOD. The general proposition applies to them, and there would be no use in putting them in the bill twice.

Mr. CULLOP. We could take a separate vote on those amendments and strike them out.

The CHAIRMAN. Is there objection?

Mr. MANN. That both amendments go over?

Mr. SMALL. Yes.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Harbor at Pensacola, Fla.: For maintenance, $20,000.

Mr. WILSON of Florida. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Florida moves to strike out the last word.

Mr. WILSON of Florida. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing extracts from the report of the Board of Inspection for Shore Stations of the Navy Department on the Pensacola Navy Yard, dated August, 1913, in which they deal with the condition of Pensacola Harbor.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Following is the report referred to:

ADVANTAGES OF PENSACOLA AS A NAVY-YARD LOCATION.

Extracts from the report of the Board of Inspection for Shore Stations of the Navy Department on the Pensacola Navy Yard, dated August, 1913:

CLIMATIC AND SANITARY CONDITIONS.

"The climate of Pensacola and surrounding country is equable; extreme temperature of either heat or cold is infrequent. The land about Pensacola is of an undulating character, and is relatively high, rising in some places to about 100 feet above sea level. * * *

"The sanitary condition of the naval station is excellent. The absorbent nature of the soil, a sandy loam, in this vicinity renders the sanitation more efficient than would obtain in other localities having a different formation, other conditions remaining the same.

"The absence of extensive areas of swamp lands so prevalent along the Gulf coast relieves this locality of the presence of infection-carrying mosquitoes. Malarial and kindred fevers are almost unknown in and about Pensacola. * * *

"The water supply of Pensacola is taken from a gravel water-bearing strata 130 feet below the surface by means of 13 driven wells. This water is shown by chemical, microscopical, and bacteriological analyses to be of exceptional purity. The daily average pumpage for the year 1912 was 1,400,000 gallons. To increase this amount is only a question of more wells. * * *

COAL SUPPLY AND DISTRIBUTION.

"Under existing conditions, all the coal supplied to the port is brought over the tracks of the Louisville & Nashville Railroad. * * *

"The project of building a canal from Pensacola to Mobile is said to be now under consideration by the district engineer of the Army Board for Rivers and Harbors, and, with the completion of such a canal, the coaling facilities of Pensacola would be greatly improved.

"In the course of a few years it can reasonably be expected that Pensacola will have such extended terminal and modern coaling facilities that the shipment of coal from this port will probably be one of its greatest exports. Further attention is called to the fact that the various railroads now in process of construction from Pensacola look to the coal trade as their principal source of income, and therefore contemplate extensive coal-pier facilities, with modern handling appliances. Before any dry dock could be completed, it is reasonably certain that the port is likely to possess such extensive transportation and coal-handling facilities as would make it a large coal supply and distributing center. * * *

RAILROAD FACILITIES.

"The Louisville & Nashville Railroad makes New Orleans, Mobile, and Pensacola its three principal deep-water terminal shipping points. * * *

"The Gulf, Florida & Alabama Railway has in process of construction a road from Pensacola to Jasper, Ala. * * *

"There is also in process of construction the Pensacola, Mobile & New Orleans Railroad, a line about 60 miles long, connecting Pensacola with Mobile. * * *

BAY, ENTRANCE CHANNEL, AND ANCHORAGE CONDITIONS.

"Bay: Pensacola Bay is one of the most important harbors on the Gulf coast. The bay is about 19½ miles long in a general northeast by east and southwest by west direction, and has an average width of about 2½ miles. Its tributary bays considerably increase the area available for vessels of medium draft. * * *

"Channel: From the entrance to anchorage off the city of Pensacola, a distance of nearly 7 miles, not less than 32 feet of water can be safely carried. The entrance channel is well marked by accurate ranges and buoys, void of embarrassing turns, and is easily navigable under almost any condition of weather. * * *

"Anchorage facilities: There is a feasible anchorage for not less than 27 battleships in not less than 30 feet of water, in double column, interval and distance 500 yards, with excellent holding ground, and this without blocking the fairway leading to Pensacola. There is also available, without interference with shipping, a large area for the anchorage of torpedo-boat destroyers and the 'train' of a large fleet. * * *

"In general: Pensacola Bay offers excellent and unusual advantages for a variety of drills. It is particularly adapted for boat drills, torpedo and submarine exercises. * * *

POINT FOR EMBARKING TROOPS.

"The extent of harbor anchorage, depth of water at piers, salubrity of climate, extent of the water-front reserve possessed by the War and Navy Departments, accessibility of the port to the coal fields of Alabama, and the character of the pier facilities already in existence or under development, make Pensacola the most advantageous port in Florida as a point for embarking troops." * * *

ADVANTAGES AS A NAVAL STATION.

(a) The great extent of the bay, its easy access from the Gulf, and the security afforded by the fortifications at the entrance.

(b) Its central position on the Gulf coast and location relative to interior portions of the country.

(c) The small rise and fall of tide and the stable condition of the ground, rendering dry-dock construction feasible.

(d) The general character and extent of its water front, rendering pier development a fairly simple and satisfactory matter.

(e) The location of the yard, 7 miles from the city of Pensacola, on a Government reservation, insuring freedom from objectionable dives and resorts such as are found frequently in proximity to other navy yards.

(f) Ample space in the towns of Warrington and Woolsey, as well as in Pensacola (with which there is efficient trolley communication), for the accommodation of workmen and their families.

(g) Equable climate, permitting out-door work all the year round.

The board is unreservedly of the opinion that Pensacola is the best and only site practicable on the Gulf of Mexico for a navy yard of the first class.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask that I may be accorded the same privilege.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Oklawaha River, Fla.: Continuing improvement and for maintenance, $10,000: *Provided*, That there shall be conveyed to the United States, free of cost, title to the land occupied by what is known as the "Kyle & Young Canal" and the "Morrison Landing extension" of the same, on the Oklawaha River, in the State of Florida, together with title to a strip of land on the east side of said canal of such width as in the judgment of the Secretary of War may be required for the future widening of said canal and extension by the United States; and the Secretary of War is hereby authorized to accept said land and navigation improvements as the property of the United States upon the delivery to him by the owners of a clear and indefeasible title; and the said canal and extension shall thereupon become a free public waterway of the United States in place of the existing natural bed of the river: *Provided further*, That the Secretary of War is hereby authorized to permit J. D. Young, or his assigns, to construct an extension of the foregoing improvements from Morrison Landing to Starks Ferry or Lake Griffin in accordance with plans recommended by the Chief of Engineers: *And provided further*, That said J. D. Young, or assigns, convey to the United States, free of cost, title to the land to be occupied by said proposed extension, together with any lands immediately adjoining the same on the west side, which may be needed for further improvement by the United States.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN. I would like to ask the gentleman how much shorter will this make the transit by vacating part of the Oklawaha River and constructing a canal across part of the way?

Mr. SPARKMAN. I will say to the gentleman that I could not answer that offhand, but it will very materially shorten the distance to be traveled by the boats going up and down the canal, because the canal is practically straight and the Oklawaha River, as its Indian name implies, is a very crooked stream. I think the distance is about 3 to 1.

Mr. MANN. How long is the canal? I should think the gentleman would have some information concerning as curious an item as this one.

Mr. SPARKMAN. My recollection is—I can only state from memory——

Mr. MANN. The gentleman will have to have something more than recollection if he does not want a point of order made on this item.

Mr. SPARKMAN. I am doing the best I can.

Mr. MANN. The gentleman has facilities for information right at his hand.

Mr. SPARKMAN. I am under the impression that the extension already constructed and the second extension will amount to about 2 miles in all.

Mr. MANN. How much?

Mr. SPARKMAN. I think it will figure up about 2 miles in all—that is, the two canals. One canal has been constructed by a private individual, who proposes to construct an extension.

Mr. MANN. I understand. About 2 miles in all?

Mr. SPARKMAN. I think it is about 2 miles. That is my recollection.

Mr. MANN. The gentleman said he had no idea. I did not know but it was 50 miles.

Mr. SPARKMAN. It is about 2 miles, as I recall.

Mr. MANN. How long is the river that we give up to these other people?

Mr. SPARKMAN. I should think it would be at least twice that distance, maybe more. One of the purposes that we have in view in doing this——

Mr. MANN. I supposed that the purpose was to shorten the distance, and possibly to make it less expensive, although I do not know about that.

Mr. SPARKMAN. It will be much shorter, and, of course, less expensive to maintain. I will say further that this canal is a part of a land-reclamation plan inaugurated by J. D. Young, who has a large body of muck land which he is trying to reclaim, and in order to do this constructed this canal, and

as far at it is now built, whatever the length which he proposes to extend it. Now, of course, the Government does not want to stand in the way of the reclamation of this land. We want to help him if we can without injuring the Government, which it does not do; on the contrary, it benefits the Government very materially by shortening the stream which will have to be maintained hereafter.

Mr. MANN. How much work will have to be done on this canal by the Government after it takes it over?

Mr. SPARKMAN. Nothing more than the present channel would require, in fact, not as much, except the annual maintenance, whatever it may be; and it is said that will be very small. It is not much there now, and it can not be any greater.

Mr. MANN. I suppose there is some business on the Oklawaha River now?

Mr. SPARKMAN. Oh, yes.

Mr. MANN. When I was younger I can remember, I think, was considerable—was done by boats carrying passengers up and down the river, because it was said to be the most beautiful scenery in the United States.

Mr. SPARKMAN. That was correct in those days, and the scenery is equally beautiful now.

Mr. MANN. But now you are going to abandon part of it.

Mr. SPARKMAN. It is only a part of it, and it is not the scenic part that is being abandoned.

Mr. MANN. Well, I will withdraw the point of order.

The Clerk read as follows:

Anclote River, Fla.: For maintenance, $3,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. We have passed a number of items in the bill, some of which are deserving of criticism, from my viewpoint; but I just wish to suggest about this item that, taking out the lumber, which, of course, will go with a very small channel, the improvement is 3½ miles long, and there is only a balance of 2,470 tons upon this project, and only one launch.

Mr. SPARKMAN. Is this Anclote River?

Mr. FREAR. Yes; and according to the engineer's report that the only real business on the Oklawaha River—and that there is only one launch running upon this project.

Mr. SPARKMAN. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. SPARKMAN. I have not had time to look up the matter, but I think there is more than one launch running in those waters. But that is of little consequence, as there is a great deal of other kinds of shipping. I venture the assertion that every week in the year there are as many as 100 vessels going through that channel. It is the great sponge center of that portion of Florida. At Tarpon Springs, located on that channel, are brought nearly all the sponges that are gathered in American waters. They are taken in there and distributed thence to other parts of the country. Not only that, but it is a great fishing center, and it is mainly for those purposes that this appropriation is made. I want to say further that there is hardly a small project in this bill that has more merit than this particular project, and I doubt if there are any with more merit.

Mr. FREAR. The tonnage of only 2,400 tons impressed me.

Mr. SPARKMAN. Naturally so, but when you consider that it is made up largely of sponges, you will realize that while it is very valuable it is more bulky than weighty.

Mr. FREAR. I concluded it would keep one launch pretty busy. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Withlacoochee River, Fla.: For maintenance, $5,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. There are three launches on this stream and 4 miles to the project. We have spent $339,000 on it, and the commerce is largely for a phosphate establishment, as I understand.

Mr. SPARKMAN. That is correct.

Mr. FREAR. Outside of the phosphate there is practically nothing else.

Mr. SPARKMAN. Very little.

Mr. FREAR. I want to ask the gentleman if the channel was built up for their factory or is there anything else up there.

Mr. SPARKMAN. The channel was constructed at first by this phosphate company. The company, having in contemplation the improvement of the harbor down there, constructed a railroad, something like 20 miles in length, to the mouth of the river for the purpose of shipping their output of phosphate to that harbor there. Then the company went on to construct a channel to deep water in the Gulf at a very heavy cost to itself, I think more than $100,000, perhaps as much as $200,000. After that was done and while Senator Burton was chairman of the Committee on Rivers and Harbors, the Government stepped in and took up the work and carried it on. It is a great phosphate shipping port. There is a great deal of foreign commerce that goes out there. A great deal of this phosphate is taken to foreign countries. If there is any falling off of the commerce it is due to the war, which has temporarily stopped those shipments.

Mr. FREAR. The commerce fell off 50 per cent last year, due to the war, they say.

Mr. SPARKMAN. There is no question but that it was due to the war, for the phosphate goes mostly to foreign countries.

Mr. FREAR. Is that the only concern, the only one that is being served?

Mr. SPARKMAN. Not entirely, but that one concern furnishes the bulk of the commerce there.

The Clerk read as follows:

Apalachicola River, Fla.: Continuing improvement and for maintenance, including the cut-off, Lee Slough, lower Chipola River, and upper Chipola River from Marianna to its mouth, $6,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. The Clerk got by the item that I would like to ask the gentleman from Florida about. What success are they having in reference to water hyacinth, and what process do they use to overcome it?

Mr. SPARKMAN. In most instances they use a mechanical contrivance. Often the method used is to concentrate the hyacinth in the center of the stream and let the current take them down to places where they can be disposed of, or still on down to brackish water, which kills them. They adopt almost any method to get rid of them, except spraying, which they did at first, but that method has been abandoned on account of its danger to live stock, which now they are not allowed to do.

Mr. MANN. They have not got far enough along to introduce hippopotami, with a view of clearing it out, have they?

Mr. SPARKMAN. No. That, I believe, was suggested at one time.

Mr. MANN. I think I made the suggestion myself several years ago. I do not know but that it would be as effective as any process they have tried, and perhaps cheaper in the end.

The Clerk read as follows:

Alabama River, Ala.: Continuing improvement and for maintenance, including the Alabama and Coosa Rivers between Montgomery and Wetumpka, $100,000.

Mr. FREAR. Mr. Chairman, I move to strike out the item. I have passed over some questionable items without making the motion. I do so now in order to call attention to a condition which seems unusual for a large appropriation. In the past the appropriations for the Alabama have reached $1,289,000, and this bill calls for $100,000 more.

Excluding the logs and timber there are about 41,000 tons of commerce. On page 744 of the Engineer's Report, he says:

The effect of the river is to maintain effective water competition with the railways as far as Selma, and to some extent to Montgomery. The full effect of water transportation is not felt at Montgomery because of the failure of the boats to make good use of the means provided for navigation and of the merchants of Montgomery to patronize the boats. Water rates control most of the shipments to and from the country contiguous to the river below Montgomery. One steamer is above Selma.

It does not say how often the boat is run. From the showing made by the engineer's report that $100,000 appropriated in this bill is a very large item, following as it does the large sum of money that has been appropriated heretofore. I believe we are making extravagant appropriations in view of the return we are getting on many of these streams. We passed one a moment ago, but I did not care to raise the point, where only one boat is on the stream, and that only running occasionally. I do not know of any other way of calling the attention of Congress to the condition of affairs we have on these rivers and creeks except by moving to strike out the appropriation, no matter what the action of the committee may be. As I said before, I can quote the best authorities on the subject, not only in this country, but those who have had experience in Europe, that the inland-waterway traffic there, with the exception of one or two streams and canals, is not a good investment compared with the small returns in commerce. Until we get some means here of controlling the railroad transportation so that we can withhold rates and prevent them from running the traffic off the rivers, as they do in so many cases, it is useless for the Government to keep throwing in large amounts of money as in this case, $100,000, in addition to over a million dollars that has already gone into this river.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. BARKLEY. Is it the gentleman's theory that the Government ought to force the railroads to raise their rates in order to allow the boats to run upon the rivers?

Mr. FREAR. The theory of the European Governments by means of which they maintain waterway traffic is to have the railroad rate so large that it forces traffic onto the rivers. That is the policy pursued there.

Mr. BARKLEY. Is that the policy that the gentleman advocates here?

Mr. FREAR. That is the policy that is pursued there. The policy that I would advocate here is not to make appropriations for streams unless they are carrying actual commerce, because you have your commissions, interstate and State, by means of which you can have the rates regulated. If at a river point, and you lower the rates below what they are 50 miles inland, some one inland has to make good the deficiency. With the State commissions and the Interstate Commerce Commission we do not need to make these large appropriations, because you have a forum to which you can go.

Mr. BARKLEY. How can it be correctly estimated how much commerce a great river might carry in an unimproved condition as compared with what it would carry if the river was improved from the mouth to the head?

Mr. FREAR. If the gentleman's argument amounts to anything, it means simply this, that on all these rivers the traffic is steadily decreasing, from the Mississippi River down. I do not think there is a single exception that can be made. The traffic has decreased because of the railway competition throughout the country, and practically the same condition exists in Europe, except on the Rhine.

Mr. BARKLEY. Is it not true that the traffic on a great many rivers has decreased because of the fact that they could not be navigated more than six months in a year, and that men refuse to put money into an enterprise that they can not work all of the year around?

Mr. FREAR. Then decrease the appropriations to a reasonable amount.

Mr. CULLOP. Mr. Chairman, does not experience show in these improvements that as the improvements have increased the commerce has decreased?

Mr. FREAR. That has been the experience in practically every case, probably not due to that cause, but simply because of the competition of the railroads or because it is found more expedient to use other means of transportation.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. SWITZER rose.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SWITZER. Mr. Chairman, I desire to call the attention of the committee to the fact that the gentleman from Wisconsin [Mr. FREAR] in one place in his lengthy minority report advocates regulating monopoly and in another place advocates the old competitive theory. I suppose he will do the same thing on the floor of the House. In other words, he wants the committee to understand that every ton of traffic that the river takes from the rail will in proportion to the traffic increase the rates to be paid by the patrons on some other part of the railway system because of the decreased traffic. He does not take into consideration that the opening up of some of these rivers and the developing of the river trade allows the manufacturer to concentrate in many places where he can get a cheap rate, sand, ore, coke and coal, lumber and timber, and thus enable him to manufacture articles at a price attractive to the general public, increasing the consumption of these articles and thereby increasing the general tonnage traffic of the railways and the rivers throughout the country.

But when the gentleman comes to that part of his report entitled "Where the money goes," and referring to the Mississippi River, he says that if we had taken the $150,000,000 that has been expended on the Mississippi River and it had been invested in railways there would have been a decrease in railway rates in that section of the country. If it is right and proper to invest money in additional railways to decrease the railway rates, why not invest money in river development in order to decrease railway as well as water rates?

But if the gentleman will follow the expenditures upon the Mississippi River, he will not have to draw upon his imagination or indulge in the realm of speculation to find the development of the railways. In 1880 there were only about 500 miles of railway in the Delta of the Mississippi, and to-day there are 3,700 miles. Most of it is in the Delta of the Mississippi, because the levees along the river, protecting these lands, make the demand for these railways, and, in fact, the railways could not have been built in the Delta if the lands had not been protected by the system of levees that is being now constructed by the Mississippi River Commission. Here you have, without drawing on your imagination, actual development of railways. But I protest against gentlemen, when it becomes convenient, in discussing one part of the bill advocating regulated monopoly and in another part advocating the competitive theory.

Mr. FREAR. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. Debate has been exhausted on this paragraph. The Clerk will read.

The Clerk read as follows:

Tombigbee River, Ala. and Miss.: For maintenance of improvement from the mouth to Demopolis, $25,000, and from Demopolis, Ala., to Walkers Bridge, Miss., $10,000; in all, $35,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. Just briefly, in reply to what has been said, it seems to me that it requires no answer for anyone who is familiar with the facts and who is acquainted with waterway-transportation questions. I have followed in my suggestions in regard to the building of railway lines the very propositions that leading waterway authorities and economists have made, men who have made a thorough study of the question. That same method of comparison is used with the European waterways as well as those in this country. The question occurs if the $150,000,000 that has been put into the Mississippi River could not have been better invested by the Government. We could have built railroads with that money, many thousands of miles—built them and owned them—we would have had lower rates, whereas no material return comes from the waterways as they have been constructed.

Now I say that that is the method of determination established by waterway writers so far as I have examined. If the Government has charge—and I am not advocating Government ownership—but if the Government had used that money for building railways we would profit from the investment. That is done in Germany and in other countries. If the money had been wisely invested we would have something to show for it.

That is the reason for the comparison; not because of any personal interest in the subject. I have given a rule of computation used by those who attempt to ascertain the result of such investments by this Government and by other Governments on waterways. And this perhaps has held true, according to the best waterway experts of waterways in Europe, outside of the Rhine River. The same rule can be applied, and they say probably it would be cheaper in Europe to use the money in reducing railway rates rather than to go on and make many of the expensive improvements which have been made on European waterways, canals, and rivers.

Mr. MADDEN. Mr. Chairman, I move to strike out the paragraph beginning in line 24 on page 15 and ending in line 2, page 16.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the paragraph beginning on line 24, page 15, and ending on line 2, page 16.

Mr. MADDEN. Mr. Chairman, this seems to be an insignificant river, upon which there has been expended $367,858.22 without any cooperation.

Mr. SMALL. Mr. Chairman, a parliamentary inquiry. That has been passed.

Mr. MADDEN. No. The gentleman moved to strike out the last word, and that left that thing open. Upon this river $367,858.22 has been expended out of the Public Treasury, with no local cooperation, very little, if any, traffic on the stream, and then $35,000, to be expended if this appropriation is to be adopted.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. LONGWORTH. This river is a very beautiful river, is it not?

Mr. MADDEN. Well, I have heard the gentleman from Mississippi [Mr. CANDLER] frequently talk about its beauty, and how the birds sing in its trees along the shore, and how the sun shines, and how they can look through the darkness of the trees to the blue sky above, and can see the shimmering water below, and also tell about everything else that might be thought beautiful except the traffic upon the stream.

Mr. SLOAN. Will the gentleman yield?

Mr. MADDEN. I will, sir.

Mr. SLOAN. This is not the river that was in doubt some years ago, and called for exploration by a noted explorer, is it?

Mr. MADDEN. No.

Mr. SLOAN. The doubt has been removed?

Mr. MADDEN. No; it will not be until we have heard from the gentleman from Mississippi [Mr. CANDLER].

Mr. SLOAN. Is the doubt remover present?

Mr. MADDEN. He is.

Mr. CANDLER of Mississipi. Mr. Chairman, will the gentleman yield?

Mr MADDEN. Yes.

Mr. CANDLER of Mississippi. You do not want to strike the Tombigbee out of the bill. [Laughter.]

Mr. MADDEN. I thought perhaps it would be very beneficial to the bill if the Tombigbee were left out and this $35,000 that is to be appropriated should be saved to the public.

Mr. CANDLER of Mississippi. I want to serve notice on the gentleman and on the House that if you strike out the Tombigbee you can not pass the bill, because you could not pass the bill without the Tombigbee being in it. [Laughter and applause.]

Mr. MADDEN. Then, if the statement of the gentleman from Mississippi is a fact, I hope the item will go out of the bill, because it will be thirty-nine or forty million dollars to be saved to meet this great question of preparedness that we will have to meet in a short time, and it will be one burden taken off the shoulders of the Democratic leader of the House when he comes to prepare his revenue bill upon which we will all be called upon to vote. [Laughter.] I sincerely hope, Mr. Chairman, that this item will be stricken from the bill and that this $35,000 at least will be saved as the beginning of the end of a fund to be used later on for preparedness. [Laughter.]

Mr. MANN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out the last two words.

Mr. SPARKMAN. Mr. Chairman, how much time does the gentleman desire to use?

Mr. MANN. Only a minute or two.

Mr. Chairman, my colleague, Mr. MADDEN, has moved to strike this item out of the bill, and the gentleman from Mississippi [Mr. CANDLER] has stated that if the item relating to the Tombigbee went out of the bill, the bill could not pass, which seems to present a curious case of difference of opinion between the House and the distinguished body at the other end of the Capitol known as the Senate.

Now, I have listened to the gentleman from Mississippi a number of times in the House while he talked very eloquently and convincingly about the Tombigbee River, but I hold in my hand a bill passed by the Senate the other day, where this river is slurringly referred to as the Tom Beckby River—the name of an individual, Tom Beckby. I want to know whether the distinguished gentleman from Mississippi [Mr. CANDLER] calls this the "Tombigbee" River, one word, or the "Tom Beckby" River, two names?

Mr. GREEN of Iowa. A hyphenated name. [Laughter.]

Mr. MANN. I would like to know whether the gentleman is going to permit the Senate to call this the "Tom Beckby" River? We know the gentleman from Mississippi by the name of "TOMBIGBEE CANDLER," and we know the name of the river by the name of "Candler Tombigbee." Is that all gone to the winds now? [Laughter.]

Mr. CANDLER of Mississippi. Even the Senate of the United States would not undertake to change the name of the Tombigbee, because if they did that they would change the history of the United States of America [laughter], and it would be impossible to do anything of that kind, because the history made by the Tombigbee River is identical with the records made by this great Republic. It is the river that adds glory to this Republic. If you were to take it out, there would be no glory left. [Laughter.]

Mr. MANN. The gentleman says the Senate would not do such a thing. The fact is it has done such a thing. Here is a "bill for a bridge across the Tom Beckby, commonly called the Tombigbee."

Mr. CANDLER of Mississippi. The Senate of itself can not do anything, and I am glad it can not. It requires the concurrence of this House to do anything, and the change of the Tombigbee would be as impossible in this House as it would be to stop the sun as it shines in the firmament above. [Laughter.]

Mr. SLOAN. Mr. Chairman, will the gentleman yield to me?

Mr. MANN. I will yield first to the gentleman from Nebraska, although I hope later to yield to the gentleman from Mississippi [Mr. CANDLER].

Mr. SLOAN. Why should we invest any money on this river? It is Mr. Beckby's river.

Mr. MANN. No; it is the Tombigbee.

Mr. SLOAN. What right have we to interfere with private waterways and interfere thereby with preparedness?

Mr. MANN. The gentleman from Nebraska is mistaken. While the name of this river is "Tombigbee," or "Tom Beckby," it does not belong to that gentleman at all. It belongs to the gentleman from Mississippi, Mr. CANDLER. [Laughter.]

Mr. CANDLER of Mississippi. I am very proud of my possession, because I consider it the greatest possession in the world.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois to strike out the paragraph.

Mr. MANN. I withdraw the amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman from Mississippi [Mr. CANDLER] yield for a question?

Mr. SPARKMAN. I should like to inquire how much time the gentleman wants?

Mr. MOORE of Pennsylvania. I merely want to ask the gentleman a question.

Mr. SPARKMAN. Will two minutes be sufficient?

Mr. MOORE of Pennsylvania. Yes.

Mr. SPARKMAN. I ask unanimous consent that debate on this paragraph and amendments thereto close in two minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate on this paragraph and amendments thereto close in two minutes. Is there objection?

There was no objection.

Mr. MANN. We ought to hear the annual speech on the Tombigbee River. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, how much time have I?

The CHAIRMAN. Two minutes.

Mr. MOORE of Pennsylvania. I may yield a portion of that time to the gentleman from Mississippi [Mr. CANDLER]; but first I want to ask him this question: Whereas the question has been raised by the gentleman from Illinois [Mr. MANN] as to the two methods of spelling the name of this river, is it not a fact, highly creditable to the gentleman from Mississippi and also to the river of which he is the author, that where the name of a river is spelled in two separate and distinct ways it is entitled to two separate and distinct appropriations? [Laughter.]

Mr. CANDLER of Mississippi. The Tombigbee River is entitled to a double appropriation regardless of its spelling. The spelling of the name has nothing to do with it. It has glory enough to entitle it to a double appropriation, whether spelled in one way or the other; but I resent any suggestion loooking toward the changing of the name, because, as I have stated, I do not wish to change the history of the Republic. [Laughter.]

Mr. MOORE of Pennsylvania. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has half a minute.

Mr. MOORE of Pennsylvania. I yield that half minute to the gentleman from Mississippi to explain further about this glorious river of the South.

Mr. CANDLER of Mississippi. Everybody knows about it, and hence it is not necessary to explain it. [Applause.]

The Clerk read as follows:

Pearl River, Miss.: Continuing improvement and for maintenance below Rockport, $35,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. This is the stream of my friend from Mississippi [Mr. HARRISON], and I have here the statement that he made in regard to it. It is a very fair statement. I merely wish to suggest to the House a question of policy, which does not apply alone to this but to some of the other items that we have had before us. This statement of the gentleman from Mississippi [Mr. HARRISON] is so clear-cut that it is a good example of the policy we pursue.

All of the traffic upon that stream is timber, logs, and lumber from one or two mills. There is no merchandise. The Government is engaged constantly in taking out the snags put there by the mills. The question is whether or not the Government wants to be engaged in that purpose. The question is one of policy, I admit; but it seems to me that it is a policy the Government ought not to pursue.

Mr. HARRISON. The gentleman is very fair in his statement. I am glad he has my remarks before him; but the gentleman is mistaken as to the lumber that comes down from the mills being the only commerce. The commerce is made up in part of logs coming from the lands of the settlers.

Mr. FREAR. I assume that; but the Government is engaged constantly in snagging the stream, and there is no merchandise upon it.

I have offered a pro forma amendment in order to call attention to it. The Government is engaged in taking out snags and the mills keep putting them in.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Yazoo River and tributaries, Mississippi: For maintenance and improvement, including Yazoo, Tallahatchie, Coldwater, and Big Sunflower Rivers, Tchula Lake, Steele and Washington Bayous, Lake Washington, and Bear Creek, $45,000: *Provided*, That the sums herein and hereafter appropriated for maintenance of improvement of mouth of Yazoo River, together with any unexpended balance of appropriations heretofore made therefor, shall be expended under the direction of the Secretary of War.

Mr. MANN. I move to strike out the last word. What is the purpose of the proviso in this paragraph?

Mr. HUMPHREYS of Mississippi. I can answer the gentleman.

Mr. MANN. All right.

Mr. HUMPHREYS of Mississippi. Sixteen or eighteen years ago Congress adopted a project whereby the Yazoo River was turned through a canal into Lake Centennial in front of the city of Vicksburg. I will say that part of the project, the harbor at Vicksburg and the mouth of the Yazoo River, carried an appropriation of a certain sum. At the time that the original project for the diversion was adopted the harbor at Vicksburg was then under the Mississippi River Commission. That was transferred to the Chief of Engineers. A few years ago Congress undertook to transfer the harbor at Vicksburg back to the jurisdiction of the Mississippi River Commission, and in doing it—it was a Senate amendment and the House agreed to it—we transferred the entire item as it had appeared in the bill, the harbor at Vicksburg and the mouth of the Yazoo. The Mississippi River Commission is not at all equipped to get up through the lake to the mouth of the Yazoo Canal.

Mr. MANN. The purpose of it is to have it under the Chief of Engineers instead of under the Mississippi River Commission.

Mr. HUMPHREYS of Mississippi. Yes; this is to transfer it back to the Chief of Engineers, where it ought to be.

The Clerk read as follows:

Southwest Pass, Mississippi River: Continuing improvement and for maintenance, $600,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I wish some one who has the information would advise the committee as to the present depth of Southwest Pass.

Mr. SPARKMAN. My recollection is, about 32 feet; they are working to a depth of 35 feet.

Mr. MOORE of Pennsylvania. Is there any appropriation here for the Southeast Pass?

Mr. SPARKMAN. Not in this bill.

Mr. DUPRÉ. The South Pass? That is carried in the sundry civil bill.

Mr. MOORE of Pennsylvania. I have had occasion to look up the Coast and Geodetic Survey records and have found, just to illustrate how rivers will silt up and how necessary it is to make appropriations for their maintenance, that the Southeast Pass, which originally had 12 fathoms of water, which would be 72 feet, has filled up to a very few feet.

Mr. DUPRÉ. I do not know what the gentleman means by the Southeast Pass. There is no such condition in the South Pass, for that is the main channel for the entrance to the river.

Mr. MOORE of Pennsylvania. What pass is used by vessels in the foreign trade?

Mr. DUPRÉ. The South Pass and the Southwest Pass have been used, and will be more largely used after the improvement is completed. They are the two passes used for vessels in the foreign trade.

Mr. MOORE of Pennsylvania. One is closed up, is it not?

Mr. DUPRÉ. The South Pass is the one developed by the Eads jetties, and there is 32 feet of water there.

Mr. MOORE of Pennsylvania. I am not opposing this appropriation for the Southwest Pass. I think it ought to be made. I am referring to that region where there has been a considerable filling up of the channel.

Mr. DUPRÉ. In the Southwest Pass conditions have not been quite as favorable, and a board has gone down to investigate there.

Mr. MOORE of Pennsylvania. The present appropriation for the Southwest Pass is to continue the work for 35 feet, which has at present a depth of 28 feet?

Mr. DUPRÉ. Twenty-eight feet.

Mr. MOORE of Pennsylvania. That is the channel used by ships in the foreign trade, entering New Orleans.

Mr. DUPRÉ. Yes; because conditions in the Southwest Pass have not been as good and satisfactory on account of the silting.

Mr. MOORE of Pennsylvania. Is the channel being used to any great extent at present?

Mr. DUPRÉ. Yes.

Mr. MOORE of Pennsylvania. I wanted to bring out, if the gentleman please, that where there is a natural filling up of the channel appropriations for maintenance are in order.

Mr. HUMPHREYS of Mississippi. The silt at the mouth of the river is what closed the river before the Government took it up. The Mississippi River as it emptied into the Gulf originally filled up at the mouth, as all silt-bearing streams do when they empty into the ocean. So it was not possible for a ship drawing more than 12 or 14 feet of water to enter the river, although just above there the river is 100 or 150 feet deep. Along the city of New Orleans the river is 150 to 200 feet deep, but when it reached the Gulf the deposits took place and the river was closed. Many years ago, under what is known as the Eads jetty project, Congress appropriated money and undertook to build jetties and confine the water between the inner walls so that it would force it through and scour it out; and that took place and deepened the water considerably. That is true of the South Pass. There are three passes—the South Pass, the Southwest Pass, and Pass a Loutre.

Several years ago Congress adopted a project for a 35-foot channel and provided that it should be made through the Southwest Pass. That is the project that has been prosecuted for a number of years. As I understand, the depth of water is 28 feet, and there is no question, I assume, that when the project is completed it will develop a channel of 35 feet. So far no very great demand has developed for a 35-foot channel.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. MOORE of Pennsylvania. I have brought this question up to try to show how interdependent we are in matters of this kind. We do business at the port of Philadelphia with the port of New Orleans, and if our vessels run on the shoals there or if yours run on the shoals up around Philadelphia, it is a serious matter. I happen to have before me now, borrowing it from the gentleman from Wisconsin [Mr. FREAR], a chart of the North Carolina coast. It is one of those coasts that by reason of its sandy formation is constantly filling up with shoals. That is so all along the Atlantic coast, and I wanted to have it understood that the same sort of conditions prevail down at the Passes of the Mississippi, where the business is not Mississippi's business alone, but Philadelphia's business, or New York's business, or Chicago's business. It is natural that those shoals should form, and it is necessary that Congress should make appropriations to keep them clear.

Mr. STAFFORD. Has the Government, as on the Great Lakes, any dredges of its own for excavating the bars that form at the mouths of the rivers along the Gulf and in the delta of the Mississippi?

Mr. HUMPHREYS of Mississippi. Yes; all of those dredges are owned by the Government. There was a provision put in the law a few years ago, as I recall, that above a certain point here on the Atlantic coast north the Government should not construct any dredges, but that did not apply to the southern waters.

Mr. STAFFORD. All along the Gulf coast?

Mr. HUMPHREYS of Mississippi. And at the mouth of the rivers.

Mr. DUPRÉ. The report shows that there are two dredges owned by the Government that are constantly in operation at the mouth of the river.

Mr. HUMPHREY of Washington rose.

Mr. SPARKMAN. Mr. Chairman, how much time does the gentleman desire?

Mr. HUMPHREY of Washington. Five minutes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on the paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, I feel that I ought not to let this day close without expressing my very great pleasure at the return of my distinguished friend from Pennsylvania [Mr. MOORE] once more to the Republican fold. Yesterday when he for the time being followed the President I was bowed with grief, and it disturbed me not a little, but since he has come back to-day I want to greet him. It is not very often that the distinguished gentleman from Pennsylvania is wrong. He is usually right, and as I have been reading these items of appropriations to-day I have thought of the fight that was made by the distinguished gentleman from Pennsylvania and myself during the last Congress, and if the fight we

made had been won there would have been a different situation in this country to-day. I want to read a dispatch that I have received from Seattle that throws light upon what I have in mind. It is directed to the distinguished Secretary of Commerce. It is as follows:

SEATTLE, *March 27, 1916.*

Hon. WILLIAM C. REDFIELD,
Secretary of Commerce, Washington, D. C.:

Due entirely to section 13 of seamen's bill, 8 sailing vessels loaded with lumber for foreign trade have been delayed total of 53 days owing to inability to secure certified seamen. Some have been permitted to clear without full compliance with law. Two vessels are now waiting for crews not obtainable owing to seamen's bill. This is detrimental to our commerce and principal industry. There has been no delay clearing Japanese vessels or vessels from British Columbia, our competitors. We earnestly request suspension of the section until the Government can offer relief by better legislation.

MERCHANTS' EXCHANGE OF SEATTLE.

If we write a few more laws on the statute books like the seamen's law, it will not be necessary for us to improve our harbors, because no vessels will be able to sail out of them, anyway. I am proud to say that my friend, the gentleman from Pennsylvania [Mr. MOORE], joined me in fighting this law, the most vicious and destructive ever written on our statute books.

The Clerk read as follows:

Inland waterway on the coast of Louisiana: For maintenance from Franklin to Mermentau, $10,000, and from Mermentau River to Sabine River, La. and Tex., $10,000; in all, $20,000.

Mr. DUPRÉ. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read; and I desire to state that it meets the approval of the chairman of the committee.

The Clerk read as follows:

Page 17, line 22, after the figures "$13,000," insert:
"*Provided*, That, of the amount herein appropriated, the sum of $1,500, or so much thereof as may be necessary, may be expended in removing the wrecked lock and dam near the mouth of the Mermentau River."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Removing the water hyacinth, Alabama, Mississippi, Louisiana, and Texas: For the removal of the water hyacinth from the navigable waters in the States named, in so far as it is or may become an obstruction to navigation, $20,000.

Mr. MILLER of Pennsylvania. Mr. Chairman, I move to strike out the word "hyacinth" in line 24. A few days ago I had the pleasure, and it was a real pleasure, of voting with the chairman of the Committee on Ways and Means in favor of retaining the duty on sugar so as to save $41,000,000 to the Government. In a few weeks hence we will be called upon to vote for a bill to levy additional taxes to pay the expenses of the Government for the coming year, and we shall vote for that; we will have to; and here to-day, if the statements made by the gentleman from Wisconsin [Mr. FREAR] are true, we are absolutely throwing away $20,000,000 on improvement of rivers worthless to commerce, where there is no commerce, where there is not much water, and in this case where they have to take the weeds out in order that boats may navigate the streams.

We ought to remember, gentlemen on that side of the House, and there are not very many of them here, I think only about 25, and about an equal number of this side—50 gentlemen altogether, here to pass a bill appropriating $39,000,000—we ought to remember that a good gentleman that used to be over in the Senate from Ohio, Mr. Burton, and who stopped the waste of public funds, is not there now. In the last Congress he saved this country $42,000,000 by his opposition. There will be no person over in the Senate this year to do that, and when this bill goes from this House with its $39,000,000 or $40,000,000, it will come back with eight or ten million dollars more, and we will pass it, because there will be enough money going into the districts, not to benefit the rivers but benefit the people that want it, and a whole lot of other Members who want to favor them will vote for it also.

I think gentlemen on the other side of the aisle, in view of the fact that we need money to run this Government for the next year, in view of the fact that they put the duty on sugar for the express purpose of getting money, in view of the fact that we will be voting in a little while for more taxes on the people, would be wise if they would think the matter over and reduce the appropriation carried by this bill to what it ought to be, at least to $20,000,000.

Mr. HARRISON. Will the gentleman yield?

Mr. MILLER of Pennsylvania. Yes.

Mr. HARRISON. Does the gentleman propose by his amendment to strike out the word "hyacinth"?

Mr. MILLER of Pennsylvania. Yes.

Mr. HARRISON. If it should be stricken out, we would appropriate $20,000 to remove the water.

Mr. MILLER of Pennsylvania. If we remove the water the hyacinths will not grow. [Laughter.]

Mr. MANN. It would not take that much to remove the water from most of the river.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Bayou Queue de Tortue, La.: For maintenance, $3,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I think we had an understanding last night that if we met at 11 o'clock we would quit at this time to-night. It will be 5.30 before the House adjourns.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SHERLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill, H. R. 12193, the river and harbor appropriation bill, and had come to no resolution thereon.

FORTIFICATIONS.

Mr. SHERLEY, from the Committee on Appropriations, reported the bill (H. R. 14303) making appropriations for fortifications and other work for defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, which was read a first and second time and referred to the Committee of the Whole House on the state of the Union and ordered printed. (H. Rept. 498.)

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

MINORITY VIEWS ON PHILIPPINE BILL.

Mr. GARRETT. Mr. Speaker, on behalf of the gentleman from Virginia [Mr. JONES], chairman of the Committee on Insular Affairs, I have presented a report on the bill S. 381, and I ask unanimous consent——

Mr. MANN. What is the bill?

Mr. GARRETT. It is not necessary to report it in this way. I am asking unanimous consent that the minority may have five days in which to file minority views.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that the minority of the Committee on Insular Affairs have five days in which to file their views on the bill S. 381. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. McKELLAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein some observations which I made on the McLemore resolution, and have not been put in the RECORD.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD on the McLemore resolution. Is there objection? [After a pause.] The Chair hears none.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. MANN. Reserving the right to object, is to-morrow pension day?

Mr. STAFFORD. Yes.

Mr. MANN. Do you expect to go ahead right away with this bill, or has the Pension Committee something to call up? Or do they waive their rights?

Mr. KITCHIN. They do not object to it.

Mr. MANN. I am well aware that under the action of the Democratic caucus they can not object to it.

Mr. KITCHIN. They could, but I understand there is nothing from that committee.

Mr. MANN. We just wanted to know for information.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. J. Res. 80. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military

Academy at West Point René W. Pintó y Wentworth, a citizen of Cuba;

S. 585. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States;

S. 922. An act for the relief of Mary E. Nicolson; and

S. 707. An act for the relief of Beverly E. Whitehead.

EXTENSION OF REMARKS.

Mr. PLATT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a little address by the Hon. William H. Calder, a former Member of this House and a candidate for United States Senator in the State of New York, on the subject of preparedness.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Friday, April 7, 1916, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PADGETT, from the Committee on Naval Affairs, to which was referred the bill (S. 1417) to erect or purchase, or both, a factory for the manufacture of armor, reported the same without amendment, accompanied by a report (No. 497), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JONES, from the Committee on Insular Affairs, to which was referred the bill (S. 381) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands, reported the same without amendment, accompanied by a report (No. 499), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and a memorial were introduced and severally referred as follows:

By Mr. BAILEY: A bill (H. R. 14296) to authorize and empower the Secretary of the Interior immediately to develop oil-producing lands belonging to the public domain, to authorize an appropriation therefor, and for other purposes; to the Committee on the Public Lands.

By Mr. HINDS: A bill (H. R. 14297) to provide for the purchase of a site and the erection of a public building thereon at Sanford, in the State of Maine; to the Committee on Public Buildings and Grounds.

By Mr. HAY: A bill (H. R. 14298) to standardize the barrel of lime; to the Committee on Coinage, Weights, and Measures.

By Mr. GRAHAM: A bill (H. R. 14299) to amend section 33 of an act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911; to the Committee on the Judiciary.

By Mr. BARCHFELD: A bill (H. R. 14300) to provide for the purchase of a site and the erection of a public building thereon at Duquesne, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. ANTHONY: A bill (H. R. 14301) to increase the pay of United States penitentiary guards; to the Committee on Appropriations.

By Mr. TAVENNER: A bill (H. R. 14302) to provide for the retirement of employees in the classified civil service of the United States of America, the establishment of a civil-service superannuation and disability pension system, and for other purposes; to the Committee on Reform in the Civil Service.

By Mr. SHERLEY: A bill (H. R. 14303) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. MADDEN: Resolution (H. Res. 194) authorizing the Committee on the Judiciary to investigate the lobbying activities of the Du Pont Powder Co. and others; to the Committee on Rules.

By Mr. BARNHART: Concurrent resolution (H. Con. Res. 26) authorizing the printing of the journal of the national encampment of the Grand Army of the Republic; to the Committee on Printing.

By Mr. LOBECK: Concurrent resolution (H. Con. Res. 27) authorizing the printing of a revised edition of the bankruptcy laws, as prepared by the Committee on Revision of the Laws of the House of Representatives; to the Committee on Printing.

By Mr. DALE of New York: Memorial of the Legislature of the State of New York, favoring adequate preparedness for the Army and Navy of the United States; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 14304) granting a pension to Sidonia Lanitz; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 14305) granting an increase of pension to Henry A. Butts; to the Committee on Invalid Pensions.

By Mr. BARCHFELD: A bill (H. R. 14306) granting an increase of pension to James R. Davidson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14307) granting an increase of pension to Michael Sowers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14308) granting a pension to Lyda Brown; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 14309) granting an increase of pension to Tillie E. Reeves; to the Committee on Invalid Pensions.

By Mr. CASEY: A bill (H. R. 14310) granting a pension to Thompson S. Lozan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14311) granting a pension to Patrick McDonald; to the Committee on Pensions.

Also, a bill (H. R. 14312) granting an increase of pension to Charles Dippre; to the Committee on Pensions.

By Mr. COOPER of West Virginia: A bill (H. R. 14313) granting a pension to Sue E. Madden; to the Committee on Pensions.

By Mr. DARROW: A bill (H. R. 14314) granting a pension to Sarah C. Daisey; to the Committee on Invalid Pensions.

By Mr. FARR: A bill (H. R. 14315) granting a pension to Mary A. Butcher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14316) for the relief of the widow of Patrick F. McDermott; to the Committee on Military Affairs.

By Mr. FREAR: A bill (H. R. 14317) to reinstate Joseph Thaddeus Zak as a cadet at the United States Military Academy; to the Committee on Military Affairs.

By Mr. GARD: A bill (H. R. 14318) granting a pension to Frank L. Schaarman, alias Frank L. Sherman; to the Committee on Pensions.

Also, a bill (H. R. 14319) granting an increase of pension to Levi Essick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14320) granting an increase of pension to Edward E. Curran; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14321) granting an increase of pension to Andrew J. Smith; to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 14322) granting a pension to Emily Zapf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14323) granting an increase of pension to Daniel J. Masters; to the Committee on Invalid Pensions.

By Mr. MURRAY: A bill (H. R. 14324) removing the restrictions of Nancy Smith; to the Committee on Indian Affairs.

Also, a bill (H. R. 14325) to enroll Robert Underwood; to the Committee on Indian Affairs.

By Mr. REILLY: A bill (H. R. 14326) granting an increase of pension to Thomas Lynch; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 14327) granting a pension to Louisa C. Younker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14328) granting a pension to Benjamin Jadwin; to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 14329) granting an increase of pension to Clark K. Denny; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14330) for the relief of James W. Kingon; to the Committee on Claims.

By Mr. RUSSELL of Missouri: A bill (H. R. 14331) granting an increase of pension to Harriett A. Langston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14332) for the relief of the estate of Robert P. Paramore; to the Committee on Claims.

By Mr. SCHALL: A bill (H. R. 14333) granting a pension to Hulda E. Bryant, former widow of John W. Walker; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 14334) granting an increase of pension to Laura Liming; to the Committee on Invalid Pensions.

By Mr. STAFFORD: A bill (H. R. 14335) granting a pension to Elizabeth Muller; to the Committee on Invalid Pensions.

By Mr. WATKINS: A bill (H. R. 14336) for the relief of the heirs of Mrs. Susan A. Nicholas; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Manila Merchants' Association; to the Committee on the Territories.

Also (by request), memorial of Murray Post, No. 179, Grand Army of the Republic, indorsing Senate bill 392 and House bill 386; to the Committee on Military Affairs.

By Mr. ANTHONY: Memorial of Republican State convention at Topeka, Kans., favoring national woman suffrage; to the Committee on the Judiciary.

Also, petition of Bert H. Simpson and other citizens of Doniphan County, Kans., against passage of bills to amend postal laws; to the Committee on the Post Office and Post Roads.

By Mr. BEALES: Petition of residents of Gettysburg and Cumberland Township, Adams County, Pa., urging the passage of House bill 13342, to improve and maintain certain public roads and parts thereof included within the limits of the national park at Gettysburg, as defined by the act of Congress entitled "An act to establish a national military park at Gettysburg, Pa.," approved February 11, 1895, and making an appropriation therefor; to the Committee on Military Affairs.

Also, papers to accompany House bill 13353, for relief of Martin Frey; to the Committee on Invalid Pensions.

By Mr. CASEY: Petition of Woman's Christian Temperance Union and 200 people of Freeland, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CLINE: Petition of citizens of the twelfth Indiana district, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of citizens and organizations of the twelfth Indiana district, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Fort Wayne, Ind., favoring House bill 6915, relative to employees of the postal service; to the Committee on the Post Office and Post Roads.

By Mr. COLEMAN: Petition of 23 citizens of Pittsburgh, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CRAMTON: Memorial of Local Union No. 97 of National Brotherhood of Operative Potters, of Mount Clemens, Mich., in support of the Linthicum resolution for Federal inspection of dairies and dairy products; to the Committee on Rules.

Also, petitions of Alvin Baerwolf and 12 other citizens of the seventh congressional district of Michigan, for an embargo on shipment of munitions of war; to the Committee on Foreign Affairs.

Also, petitions of Speaker Baptist Church, of Melvin, Sanilac County; session of First Presbyterian Church of Lapeer; the Methodist Episcopal Church of North Branch; C. E. Crissman and 19 other citizens of Macomb County; and 11 citizens of Melvin, all in the State of Michigan, asking speedy passage of Webb-Smith national prohibition resolution; to the Committee on the Judiciary.

Also, petitions of F. J. Jenkins and 19 other farmers of Tuscola County and Mrs. Arthur E. Moore and 28 other members of Fremont Grange, No. 654, of Sanilac County, Mich., protesting against Madden amendment limiting size of parcel-post packages; to the Committee on the Post Office and Post Roads.

By Mr. CROSSER: Petitions of sundry citizens of Cleveland, Ohio, opposing House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. CONRY (by request): Petition of certain citizens of St. Helena, Cal., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Petition of United States penitentiary guards at Leavenworth, Kans., for increase of pay; to the Committee on the Judiciary.

By Mr. DARROW: Petitions of sundry citizens of Philadelphia, Pa., in behalf of woman suffrage; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Philadelphia, Pa., in opposition to House bills 6468 and 491, to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. ELSTON: Memorial of Hill and Valley Club of Hayward, Cal., favoring Senate joint resolution 132, relative to citizenship of North American Indian; to the Committee on Indian Affairs.

By Mr. FLYNN: Petitions of Henry Torrance and J. M. Etzel Co., of New York City, favoring preparedness; to the Committee on Military Affairs.

By Mr. FOSS: Petition of the Men's Club of the Fourth Presbyterian Church, of Chicago, favoring national prohibition; to the Committee on the Judiciary.

By Mr. FULLER: Petition of United States penitentiary guards at Leavenworth, Kans., for increase of pay; to the Committee on Appropriations.

By Mr. GALLIVAN: Memorial of officers of the Massachusetts squadron of cavalry, favoring organization of a permanent New England regiment of cavalry; to the Committee on Military Affairs.

By Mr. GORDON: Petition of Mrs. Marion E. Kemmer and 77 other members of the Federation of Women's Clubs, of Cleveland, Ohio, praying for favorable action by the House of Representatives on House bill 6915; to the Committee on the Post Office and Post Roads.

Also, petition of Charles L. McElroy and 198 other citizens of Cleveland, Ohio, praying for the enactment of House bill 6915; to the Committee on the Post Office and Post Roads.

By Mr. HAMLIN: Papers to accompany House bill 14099, for relief of James Mitchell; to the Committee on Invalid Pensions.

By Mr. HELGESEN: Petitions of citizens of Dunn Center, Killdeer, Werner, Taylor, Renville, Halliday, Emerson, Mandan, Bismarck, Manning, Kulm, Marie, Forbes, Wirch, McClusky, Niagara, Pilot, McCanna, Shawnee, Leonard, Doyon, Crary, Zenith, and Belfield, all in the State of North Dakota, protesting against the enactment of House bill 652; to the Committee on the District of Columbia.

By Mr. HOPWOOD: Petition of Church of the Brethren, of Paint Township; Burden Bearers S. S. C., of Windber; 40 people of Stoyestown, 250 people of Stoyestown, and 150 people of Stoyestown, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HUMPHREY of Washington: Petition of sundry citizens of the State of Washington, against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry citizens of the State of Washington against passage of bills for Sunday closing of barber shops in the District of Columbia; to the Committee on the District of Columbia.

By Mr. KELLEY: Petitions of F. H. Hitchcock and 11 other residents of Fenton; E. C. Van De Walker and 6 other residents of Mount Morris; and John A. Bradley and 7 other residents of Holly, all in the State of Michigan, favoring a tax on mail-order houses; to the Committee on Ways and Means.

By Mr. LOUD: Petition of Frank Dvzewiecki and 50 other members of Vine Grange, No. 744, of Tawas City, Mich., against the Madden rider in Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. MAGEE: Petitions of sundry citizens and societies in the State of New York favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petition of citizens of Syracuse, N. Y., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. MAPES: Memorial of Methodist Episcopal Sunday School of Lamont, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Petition of Seattle (Wash.) Chamber of Commerce urging appropriation for providing a halibut boat for north Pacific waters; to the Committee on the Merchant Marine and Fisheries.

Also, petition of guards of United States penitentiary, Leavenworth, Kans., for increase of pay; to the Committee on Reform in the Civil Service.

Also, petition of 62 citizens of the city of Red Bluff, and A. M. Todd and others, of Placerville, all in the State of California, against passage of bills to amend the postal law; to the Committee on the Post Office and Post Roads.

Also, petition of A. M. Todd and others, of Placerville, Cal., against the Sunday observance bill in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ROWE: Petition of W. S. Brown, of Brooklyn, indorsing House bill 11876; to the Committee on Labor.

Also, petition of George Y. Davison, of Brooklyn, N. Y., favoring censorship of picture films; to the Committee on Education.

Also, memorial of American Temperance Board of Indianapolis, Ind., indorsing the Sheppard-Barkley bill; to the Committee on the District of Columbia.

Also, petition of Merritt & Chapman Derrick & Wrecking Co., of New York, opposing House bill 8036; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Van Blerck Motor Co., of Monroe, Mich., opposing House bill 9411; to the Committee on the Merchant Marine and Fisheries.

Also memorial of Knights of Columbus Institute of Brooklyn, N. Y., in re preparedness; to the Committee on Military Affairs.

By Mr. SCHALL: Petition of Rev. J. H. Johnson, pastor of the Swedish Evangelical Lutheran Church, of Dalbo, Minn., favoring peace; to the Committee on Foreign Affairs.

Also, petitions of sundry citizens and organization of the State of Minnesota, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of C. E. Johnson and members of the Almelund Farmers' Club of Minnesota, favoring investigation of monopoly in twine industry; to the Committee on Rules.

By Mr. SCOTT of Michigan: Memorial of Epworth League of the Methodist Episcopal Church of Sault Ste. Marie, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SCULLY: Memorial of New Jersey Senate, indorsing House bill 11250 and Senate bill 703; to the Committee on Education.

Also, memorial of New Jersey Senate, favoring erection of an archives building in Washington; to the Committee on Public Buildings and Grounds.

Also, memorial of New Jersey Senate, favoring preparedness; to the Committee on Military Affairs.

Also, memorial of Chamber of Commerce of the United States of America, in re industrial efficiency; to the Committee on Labor.

Also, memorial of Farmers' Educational and Cooperative Union of America and of the National Grange, in re legislation; to the Committee on Agriculture.

By Mr. STEENERSON: Petition of 34 citizens of Esplee, favoring passage of Senate bill 2986, relative to Federal farm-loan system; to the Committee on Banking and Currency.

By Mr. TEMPLE: Petition of Rev. J. C. M. Johnston, New Wilmington, Pa., opposing the Shields water-power bill; to the Committee on the Public Lands.

Also, petition of T. H. Sawhill and Post No. 555, Grand Army of the Republic, of Claysville, Pa., favoring House bill 11707, a bill granting an increase of pension to soldiers' widows; to the Committee on Pensions.

Also, petition of the Washington Branch (Pa.) Socialist Party, favoring House joint resolution 137, prohibiting sectarian appropriations and opposing House bills 401 and 6468; to the Committee on the Post Office and Post Roads.

Also, resolution signed by Rev. H. Edward Cottrell, in behalf of the Hoover Heights Gospel Tabernacle, of New Castle, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, resolution signed by John Richardson and adopted by the Maitland Memorial Church, of New Castle, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, resolution signed by Mr. Thomas E. Dagg and 16 other citizens of Washington County, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition signed by Mr. J. H. McClure in behalf of the Wilmington Grange, No. 1477, New Wilmington, Pa., in support of the Government ownership of telephone and telegraph systems; to the Committee on the Post Offices and Post Roads.

Also, petition signed by Mr. J. H. McClure, in behalf of the Wilmington Grange, No. 1477, New Wilmington, Pa., protesting against preparedness and favoring the manufacture of munitions of war by the Federal Government; to the Committee on Military Affairs.

Also, petition of the Woman's Christian Temperance Union, of Harrisville, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial on preparedness presented by Mr. Scott Munnell, of New Castle, Pa., in behalf of Willard Grange, No. 1440, New Castle, Pa.; to the Committee on Military Affairs.

By Mr. WALSH: Petition of Major How Post, No. 47, Grand Army of the Republic, by G. W. Heath, post commander, and F. S. Bradley, adjutant, requesting passage of so-called Ashbrook widows' pension bill; to the Committee on Invalid Pensions.

SENATE.

FRIDAY, *April 7, 1916.*

(Legislative day of Thursday, March 30, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE,
Washington, D. C.

To the Senate:

The Vice President being absent from the Senate, and the undersigned being also necessarily absent therefrom, he, as President pro tempore of the Senate, hereby names the Senator from New York, Mr. JAMES A. O'GORMAN, to perform the duties of the Chair on the 7th day of April, 1916, this substitution not to extend beyond an adjournment.

JAMES P. CLARKE,
President pro tempore of the Senate.

Mr. O'GORMAN thereupon took the chair as Presiding Officer.

COAST DEFENSES IN CALIFORNIA.

The PRESIDING OFFICER (Mr. O'GORMAN) laid before the Senate the following communication from the Secretary of War, which was read, and, with the accompanying papers, referred to the Committee on Military Affairs and ordered to be printed:

WAR DEPARTMENT,
Washington, April 5, 1916.

To the PRESIDENT OF THE UNITED STATES SENATE.

SIR: I have the honor to transmit herewith a statement showing the coast defenses in the State of California, how they are manned, and the number and kind of guns in each fort, and to request that this statement be substituted for a statement on the same subjects transmitted under date of March 31, 1916, in response to Senate resolution of March 27, 1916, which original statement was published in the CONGRESSIONAL RECORD of April 4, 1916.

Subsequently to the transmission of the original statement to the Senate under date of March 31, it was found that the statement was arranged in such form as to be misleading, and as likely to convey an erroneous impression as to the seacoast armament in the State of California that can be manned by the available personnel, including both the personnel of the Regular Coast Artillery and that of the California Militia Coast Artillery. The statement now inclosed, which is for substitution for the original statement, shows the actual condition of affairs in this respect.

Respectfully,

NEWTON D. BAKER,
Secretary of War.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. SMITH of Georgia. Mr. President, I desire to offer an amendment at the close of section 29, to be known as section 29a.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. It is proposed to insert the following as a new section:

SEC. 29a. In addition to military training soldiers while in the active service shall hereafter be given the opportunity to study and receive instruction upon educational lines preparatory for their return to civil life, and, when practicable, an average of 94 hours monthly shall be devoted to such work. Civilian teachers may be employed to aid the Army officers in giving such instruction, and part of this preparation for civil life shall consist of vocational education either in agriculture or the mechanic arts. The Secretary of War, with the approval of the President, shall prescribe rules and regulations for conducting the instruction herein provided for.

Mr. SMITH of Georgia. Mr. President——

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The roll will be called.

The Secretary called the roll and the following Senators answered to their names:

Ashurst	Dillingham	Martine, N. J.	Smith, Ga.
Bankhead	du Pont	Myers	Smoot
Beckham	Gallinger	Norris	Sterling
Brady	Harding	O'Gorman	Sutherland
Brandegee	Hardwick	Oliver	Swanson
Broussard	Hitchcock	Overman	Taggart
Burleigh	Husting	Owen	Thomas
Catron	Johnson, Me.	Page	Thompson
Chamberlain	Johnson, S. Dak.	Pittman	Tillman
Chilton	Jones	Ransdell	Townsend
Clapp	Kenyon	Reed	Underwood
Clark, Wyo.	Kern	Robinson	Vardaman
Colt	Lane	Shafroth	Walsh
Culberson	Lodge	Sheppard	Warren
Cummins	McCumber	Sherman	Weeks
Curtis	Martin, Va.	Simmons	

Mr. CHILTON. I wish to announce the absence of my colleague [Mr. GOFF] on account of illness.

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER] on official business. He is paired with the Senator from Idaho [Mr. BRADY].

I also desire to announce the unavoidable absence on account of illness of the Senator from Arizona [Mr. SMITH].

These announcements may stand for the day.

The PRESIDING OFFICER. Sixty-three Senators have answered to their names. A quorum is present.

Mr. GALLINGER. In connection with the bill under consideration I submit three telegrams from citizens of New Hampshire which I ask to have printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The telegrams referred to are as follows:

NASHUA, N. H., *April 6, 1916.*

Senator GALLINGER,
Washington, D. C.:

As an ex-militiaman and member Plattsburg Training Regiment, who has the adequate defense of the country at heart, I urge you use your influence to obtain an Army bill that puts all forms of our national defense under direct Federal control. Section 56 of the present Senate bill should be preserved. The killing of this section is dangerous to the Plattsburg movement, which to-day is essential for the training of reserve officers. I also urge a consistent naval program, as advised by the General Board of the Navy.

ELIOT A. CARTER.

—

NASHUA, N. H., *April 6, 1916.*

Senator J. H. GALLINGER,
Washington, D. C.:

Section 56 of Senate Army bill is essential for sound military system in this country. Its defeat would be disastrous.

L. SOULE.

—

KEENE, N. H., *April 6, 1916.*

Senator JACOB H. GALLINGER,
The Capitol, Washington, D. C.:

Do all you can to put through Federal reserve plan, section 56 of Senate bill. A national system of Plattsburg camps is of vital importance to all loyal American citizens. It will enable business and professional men to get military training which will be invaluable.

JOHN ELLIOT,
Member First Training Regiment.

Mr. UNDERWOOD. Mr. President, several days ago I had read from the Secretary's desk a letter I had received from Mr. du Pont and my answer to that letter, in which I stated to Mr. du Pont that if Mr. Cooper and Mr. Landis would write me letters stating their attitude with reference to the amendment I offered proposing an investigation to determine whether the Government should establish a water-power plant and a nitric-acid plant I would be glad to have the letters read in my time, so as to present their statement to the Senate. I present a letter from Mr. Cooper and ask to have it read so that the Senate may be informed as to what Mr. Cooper has to say.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

NEW YORK, *April 5, 1916.*

Hon. OSCAR W. UNDERWOOD,
United States Senate, Washington, D. C.

MY DEAR SIR: On page 5347 of the CONGRESSIONAL RECORD you charge that I have been "endeavoring to defeat the legislation that was before the House looking to the Government of the United States establishing a water power and a nitrogen plant for the Government's own use."

In your discussion of this nitrogen question you have made it appear that I was an active representative of the Du Pont Co. seeking to defeat section 82 of the House military bill. Ordinarily when accusations are made, at least some little justification is found. In this case, however, not a vestige of fact justifies what you have said.

My reply to your charges is that you have been most grievously imposed upon. I have never, except as noted below, either directly or indirectly, by spoken word or written letter, discussed section 82 of the Hay bill, or the subject therein referred to, with even one Member of the House of Representatives, either while the section was in the committee or while it was before the House.

It is equally true that the Du Pont Powder Co. has never at any time even suggested to me that I should do the things you charge me with. This is as sweeping a denial as can be made.

I live in the State of Connecticut and when the Hay bill was in committee I called on Congressman TILSON (of the Hay committee), of Connecticut, in his office and asked him for a copy of the Hay bill, and told him I was interested in the section regarding the fixation of nitrogen and hoped it would be so drawn that everyone would have a fair chance to compete for the Government's nitrogen needs. My interview with Mr. TILSON was about 10 minutes long and is the total extent of my acquaintance with him, and I have never seen him since. Congressman TILSON'S office afterwards mailed me a copy of the Hay bill without any comments whatsoever.

Your offer to read this letter into the Senate record is in harmony with your well-deserved reputation for fairness of mind, and I hold myself always at your service and shall be very glad to come to Washington at any time and appear before you or any of your fellow Senators, and there face the people who have imposed upon you.

Yours, very truly,

HUGH L. COOPER.

Mr. UNDERWOOD. Mr. President, at the time I made my address to the Senate on the subject of the Government building its own nitric-acid plant I knew that Mr. Cooper was one of the consulting engineers of this company. I was informed that Mr. Cooper had brought the bill to Washington for the Du Pont Co., which was read from the desk, proposing that the Government give them an opportunity to establish a water power with which to make nitric acid.

In addition to that, I had been informed that Mr. Cooper had stated in the New Willard Hotel to a gentleman of high character and eminent ability, whose statements could not be controverted, that Mr. Cooper was fighting or proposed to fight a Government nitric-acid plant.

Since the receipt of Mr. Cooper's letter, as the communication did not come to me direct from the gentleman to whom Mr. Cooper made the statement, I called on the gentleman myself to get his statement at first hand, and the gentleman stated to me that he did have a conversation with Mr. Cooper on this subject, but said that I was mistaken in quoting Mr. Cooper as saying that he was fighting a Government nitric-acid plant or a Government water power for that purpose; but he stated to me this morning that Mr. Cooper did state that he was opposed to a Government plant. So what I said is confirmed, so far as my information was concerned, except that I was mistaken in quoting the gentleman as saying that Mr. Cooper would fight the bill. The information I get from this gentleman now is that Mr. Cooper said he was opposed to it.

Mr. President, I have a letter also from Mr. Landis with reference to this same matter, which I ask to have read at the Secretary's desk, so that the Senate may be informed as to what Mr. Landis has to say in reference to the charge I made.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

E. I. DU PONT DE NEMOURS & CO.,
Wilmington, Del., April 5, 1916.

Hon. OSCAR W. UNDERWOOD,
United States Senate, Washington, D. C.

MY DEAR SIR: On page 5347 of the CONGRESSIONAL RECORD you April 3, 1916, on the nitric-acid proposition you read and had printed in the RECORD a communication by you to Mr. P. S. du Pont, president of the Du Pont Co., in answer to a communication from him, in which you say:

"I have also been informed that Mr. Charles B. Landis, an employee of your company, has been in Washington, and exerted his influence against the proposals in the House bill looking to the Government securing a supply of nitrogen."

Supplementing this, you state that if Mr. Landis will write you that he was not in Washington opposing the House bill you would be glad to publish his letter in the RECORD.

I have had nothing to do with any provision in the House bill bearing on nitrates or anything else. Indeed, I do not recall that I have ever spoken to any Senator or Representative about nitrates or the fixation of atmospheric nitrogen.

Very truly, yours,

C. B. LANDIS.

Mr. UNDERWOOD. Mr. President, what I was contending for in my speech was the establishment of a Government plant to make nitrogen with which to make the powder supply that is required by our Army and Navy; that was the substance of my contention. I made these statements with reference to Mr. Cooper and Mr. Landis, and it is proper that I should now state on what basis I made this representation, as far as Mr. Landis is concerned. I had it from what I considered reliable sources. I confirmed the information that I had yesterday before having Mr. Landis's letter read. These are the facts:

In a letter I wrote to Mr. du Pont, the president of the Du Pont Powder Co., I stated that—

I have also been informed that Mr. Charles B. Landis, an employee of your company, has been in Washington exerting his influence against the proposals in the House bill looking to the Government securing a supply of nitrogen.

After receiving Mr. Landis's letter that has just been read, it is proper that I state on what information I made this statement.

Mr. R. F. Bower, of Albemarle County, Va., is one of the official representatives of the Farmers' Union in the United States. Mr. R. B. Carter, formerly of Albemarle County, Va., is now one of the engineers employed by the Du Pont Powder Co. Mr. Bower and Mr. Carter are friends. Mr. Bower is greatly interested in the development by the Government of a nitric-acid plant, in hopes that if the Government develops such a plant it may aid in securing cheaper fertilizer for the farmers of the United States. He discussed this question with his friend, Mr. Carter. Shortly afterwards Mr. Carter went to dinner with Mr. Charles B. Landis, and Mr. Carter stated to Mr. Bower that at the dinner he called to Mr. Landis's attention the argument that Mr. Bower was making in favor of a nitric-acid plant built by the Government, and told Mr. Bower that, in reply to his statement, Mr. Landis said to him that—

You should not advocate such a proposal. Our company is opposing a Government nitric-acid plant.

Mr. Bower repeated this statement to me before I wrote the letter to Mr. du Pont. After receiving the letter from Mr. Landis which I have just had read, I sent for Mr. Bower and told him that I must give his name as authority for my state-

ment. He stated he wanted to let Mr. Carter know that I intended to use the statement. Mr. Carter came to see me personally, explained his relations with his company, and said it would embarrass him greatly if I repeated the statement. I assured him that I regretted to embarrass him in any way, but it was on the basis of what he said that I had made the statement in reference to Mr. Landis, and that I felt that it was my duty to repeat the source of my information. Although Mr. Carter was anxious that I should not bring him into the matter, he confirmed to me what Mr. Bower had stated in reference to his conversation with Mr. Landis.

Mr. President, Mr. Carter is an employee of the Du Pont Powder Co. He was an unwilling witness; he did not desire me to make this statement, but I have made the statement on the basis of what he said as to his conversation with Mr. Landis—that the Du Pont Co. was opposing a Government nitric-acid plant. That is the gravamen of the whole charge that I have made against the Du Pont Co. In my remarks the other day I did not reflect upon the company, its officers, or its agents.

A short while ago we had a proposition before the Senate to build an armor-plate factory. The Bethlehem Steel Co. openly opposed the proposition. It wrote circular letters to me, and I have no doubt every Senator here received them. There was no reflection on the Bethlehem Steel Co. because it saw fit, for its own interest, to oppose a Government armor-plate plant. Nevertheless, the Senate, in its wisdom, determined to establish a Government plant. The only charge that I made was that the agents of this company were opposing the Government plant. They had a right to do so if they wanted to; but we have the right, if we think it to the better interests of the people of the United States, to establish a Government plant, and it is for us to determine what is the wise course to pursue.

There is just one more thing that I wish to say about this matter, and then I am through. I think I have done full justice to those gentlemen by giving them an opportunity, through me, to make their statement and to have it read at the Secretary's desk. I have given the Senate the source of my information.

Day before yesterday I came into the Senate and found the senior Senator from Illinois [Mr. SHERMAN] on the floor asking unanimous consent for the consideration of a resolution of investigation. I stood in the rear of the Hall and inquired what was going on, but took no part in the matter whatever. I notice that the Washington Post and a number of other newspapers carried to the country the statement that I had objected to the consideration of the resolution of investigation proposed by the senior Senator from Illinois. The RECORD discloses the fact that I did not object. I had no idea of objecting; it did not enter my head for one moment to object. I have no objection now, not only to the consideration of the resolution but to its passage, if the Senator from Illinois is prepared to say that he is willing to vouch for the statements contained in his resolution.

So far as this matter is concerned, what I have done has been absolutely in the open. I made my statement in the open; I have not made any anonymous statements against anybody. I called the men's names; I had their letters read from the Secretary's desk, and have given the Senate the basis on which I made the statements, so far as they were concerned.

Mr. President, I do not propose to now argue this case or to go into it. I think the question of the Government of the United States establishing for itself a nitric-acid plant, so that it may have a supply of powder in case we should engage in a foreign war, is one of the most important questions that confronts the country.

Not for one minute in these proceedings have I advocated the interest of any corporation or of any private individual. All that I have asked the Senate to do is to have the question investigated with a view of looking to the establishment of a Government water-power development and of a Government nitrogen plant. From these resolutions, and from these false statements as to my attitude that are being circulated, it is apparent to me that some one or some source is trying to becloud this situation and build up a false issue in order to carry the Senate and the country away from the real issue that confronts us, and that is the question as to whether the Government itself shall pursue an investigation at this time looking to the establishment of a Government plant.

Mr. SAULSBURY. Mr. President, I think that while the subject matter of the remarks of the junior Senator from Alabama [Mr. UNDERWOOD] is fresh in our minds I may be permitted to say only a few words, as incidentally I have been connected with this matter by reason of the introduction of a bill.

The Senator from Alabama has most frankly and fully stated his connection with the subject of the fixation of atmospheric nitrogen and his connection with the proposed amendment to this bill. I do not care anything at all about the activities of Mr. Cooper and Mr. Landis. Mr. Landis I have not seen for months, although I know him as an ex-Member of Congress, residing in Wilmington, and know him very pleasantly. Mr. Cooper, the day before I introduced the bill which was sent to me by the president of the Du Pont Co., came to my office; and not knowing him, and, as a younger Member of this body and new in legislative experience, naturally being somewhat careful of horrible lobbies that are operating, I inquired who he was. He told me, and stated also that he knew the junior Senator from Montana [Mr. WALSH] very well, who would tell me what his reputation was. I inquired of the Senator from Montana, and he said that Mr. Cooper was a very eminent hydroelectric engineer who, I believe, had built the dam across the Mississippi and had been engaged in the State of the Senator from Montana for a number of months on such propositions.

So that when Mr. Cooper came back in the afternoon to see me I was satisfied to have quite an extended talk with him and introduced him to the chairman of the Military Committee, with whom he desired to speak, believing that he was entitled to a proper hearing from any Member or any committee of this body. Later on he asked me to introduce the bill which he gave me, and which I afterwards introduced; but, not knowing by what authority he was acting in that particular respect, and as his previous conversation with the Senator from Oregon [Mr. CHAMBERLAIN] and myself, I think, did not indicate that he was authorized to present any bill with the approval of the company which he represented, I insisted that I should first have the request of the president of the Du Pont Co., whom I know very well, and if he requested me to introduce that bill I should be glad to do it and see that it got a fair hearing. I have a telegram from the president of the company, received either that evening or the next morning, which I shall ask to have the Secretary read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

WILMINGTON, DEL., *March 29, 1916.*

Senator WILLARD SAULSBURY:

Endeavored to call you by phone this evening, but your phone reported out of order. Would greatly appreciate your introducing bill as requested by our Mr. Cooper.

PIERRE S. DU PONT.

Mr. SAULSBURY. Mr. President, I introduced that bill and had this talk with the chairman of the Military Committee, who, if I may be permitted to quote the conversation, stated that before matters could be inquired of by his committee from the War Department there would have to be some matter before his committee, and, I have no doubt, that was the occasion for the introduction of the bill.

Since then I have seen Mr. Cooper but once. He came to my office the day following with Mr. Hamilton M. Barksdale, a vice president of the Du Pont Co., a gentleman of the highest reputation, a man who has been my warm personal friend for years, with whom in the same house I lived for a number of years when we were bachelors, a classmate of the Senator from Alabama at the University of Virginia; and, at his request, I asked the Senator from Alabama if he would see Mr. Barksdale and have him fully explain to him the position of the Du Pont Co., which Mr. Barksdale certainly represents in this matter by reason of his position. The Senator from Alabama is, I believe, going to see him.

Mr. UNDERWOOD. Mr. President, I will say to the Senator from Delaware that I will be very glad to see Mr. Barksdale and hear his statement about the matter. Mr. Barksdale has not yet called on me, but when he does I shall be glad to see him and hear all he has to say.

Mr. SAULSBURY. I had a letter from him acknowledging my telegram, saying that he intended calling on the Senator.

Now, Mr. President, I think I have stated all the communication I have had with the members of the Du Pont Co. When Mr. Barksdale called he asked me if I would be willing, or if I were in a position where I could see that their suggestions as to what they were willing to do had fair consideration. I told him I would do my best for that company, as for any other company in my State, and no more than I would for any other company, to see that any proposal they had to make to the Government was properly considered. He expressly stated to me—and I have absolutely no doubt that he stated it correctly, because I know that he would not state anything incorrectly—that the position of his company was this: They have decided to build for their own use a plant somewhere for the recovery of nitric acid from the atmosphere. He described the character of their process to me, and he said to me, as is shown by the correspondence

which has been inserted in the RECORD, that they had been considering the erection and installation of a plant of that character in this hemisphere, or in North America, I think, about the time the war broke out, and had determined to establish one. The breaking out of the war and its continuance had caused them to believe that their plans respecting the location of that plant should be modified, and that the plant should be established within the United States, where it might aways be available for the production of nitric acid, which is absolutely essential to the manufacture of explosives, because in case of international complications the plant otherwise might not be available.

Their proposition, as I understand the matter, and what they say they are willing to do—and what I have no doubt they will do if they are able to obtain a satisfactory water power for use in the production of nitric acid—is, without any expense whatever to the Government, to erect a plant which shall be erected under plans as desired by the War Department; that the War Department may take their product at a fair price, to be fixed by the Secretary of War—any portion or all of that product—and may take possession of the plant for the use of the Government at any time when necessary, and at the end of the lease, which is proposed to be for 50 years, or the license, or the permit, or whatever you desire to call it, the Government may take over the whole plant permanently.

It seems to me, more from what the Senator from Alabama has said than from anything I knew, that it is a most important matter that our country should be in a position within its borders to produce its own munitions of war. It seems to me, in addition, Mr. President, that the usual objection can not be made to the Government entering into the production of nitric acid from the air, the fixation of atmospheric nitrogen, which may be urged to almost any other manufacturing proposition, because there are no manufacturers in this country at present engaged in the business who would be in the slightest degree interfered with or competed with by the Government. Therefore I can not see the slightest objection to the Government entering into this business at this time. Neither can I see any objection, apart from the idea of the Government entering into manufacturing propositions—and there is less objection in this case than in any other I know of that has ever been presented—neither can I see any objection whatever to the utilization of the water power on the Tennessee River, if that is, as I understand it is, the location that is rather referred to by the proposition of the Senator from Alabama, although it covers generally——

Mr. UNDERWOOD. Mr. President, will the Senator allow me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from Alabama?

Mr. SAULSBURY. Certainly.

Mr. UNDERWOOD. I do not want that statement to go into the RECORD without contradiction.

Mr. SAULSBURY. I am perfectly willing to withdraw it if I misunderstood the Senator.

Mr. UNDERWOOD. I want to say this: The Government engineers have made a report in reference to the Muscle Shoals proposition on the Tennessee River, and have recommended its feasibility and practicability for utilization by the Government or private persons for the establishment of a great water power; but I have not for one moment contended for the Tennessee River proposition or any other. I notice that everybody connects me with it, and they try to make it appear—I am not referring to the Senator from Delaware—that I am advocating something here because it happens to be in my State.

I wish to say to the Senator that more than two years ago, in the House of Representatives, I called the attention of the House to our unpreparedness, that we had no nitrogen supply, and urged, in a speech that I delivered in the House, that the Government should do something. I am advocating this proposition because I think it is suicidal if the Government of the United States sleeps on its rights and does not do something.

Now, I have not advocated and am not advocating, so far as I am concerned, any point where the water power should be developed or any process by which nitrogen shall be made. I am advocating that we have an investigation, and that a board of engineers of the United States Army select the best place and the best process and put it to work. If they select Muscle Shoals and think that is the best place, I would be very glad to know it; but if they select Priest Rapids on the Columbia River, or some other place, I will be equally glad to know that the Government is preparing for its defense, and will most cheerfully support any practicable and feasible recommendations that they may make to accomplish this purpose.

The only thing that I wanted to say to the Senator in reference to this is that I think the people who are fighting a Government plant, who are trying to prevent the Government from doing this because I am advocating it or who are trying to connect me with some particular project, are trying to becloud the situation, and that is the only reason I deny it. Muscle Shoals is a good place to establish it, but the Government Board of Engineers should determine what is the best place, and not myself or the Senate of the United States or the Congress of the United States.

I thank the Senator for his courtesy.

Mr. SAULSBURY. I, of course, accept the statement of the Senator from Alabama implicitly, so far as his connection with the matter is concerned. My reference to it was doubtless caused by the general talk I have heard in connection with it. I can only say that in a measure the position in which the Senator seems to be placed now and then reminds me of the position in which I find myself. Simply because I am willing to say that gentlemen who are engaged in legitimate business, who are constituents of mine, desire me to present a bill for consideration to the Senate, I seem to be considered, in a measure, as having bills drawn by them for me and to be in a measure representing them, which I entirely and completely and utterly disavow.

I may say, Mr. President, rather humorously, that I would hardly be recognized in my own State as representing some of the people, certainly, who are or were connected with this company, whose interests I desire to have only just and proper treatment, and that is all.

I was simply saying that all three propositions—the one coming from the Agricultural Committee, which has been read into the RECORD; the one coming from the Senator from Alabama [Mr. UNDERWOOD]; and the one coming from the Du Pont Co. itself—it seems to me are not necessarily inharmonious. I suggest, however, that here you have a proposition from a company ready and willing to proceed with the manufacture of a necessary ingredient in all munitions of war now used in the world; that is, in all explosives. They ask the Government to do nothing except to give them an opportunity to manufacture an article of which they are the greatest users in the world, as shown by their correspondence.

A manufacturer, of course, when he is ready and willing to go ahead with a proposition, is very desirous of having the matter settled; and I would suggest to the gentlemen who have the idea that the Government should proceed that they determine to reserve for the Government, if they think proper—and I will vote with them for that purpose—the very best water power there is in the United States for the purpose of entering into the manufacture if the Government should so decide. But I think it would be only fair to this company, I think it would be only just to the people of this country, who are entitled to have manufactured within their borders all the necessaries of war, that the Government might say to these people: "We should be glad to have you proceed with this manufacture at other points than those which we reserve for our own possible use," or tell them that they prefer that there should be a Government monopoly of the production of nitric acid from the atmosphere.

These people are perfectly ready and willing to go ahead, and, as I understand the matter, are postponing it from the very proper desire, for which I think every Member of this body would honor them, to manufacture within this country the necessaries which enter into the manufacture of munitions of war, thereby giving this country control of its own supply of powder in case we should have a war with some foreign country.

Mr. SMITH of Georgia. Mr. President, I ask that the Secretary may read again the amendment that I offered to section 29.

The PRESIDING OFFICER. The Secretary will read the amendment to the amendment.

The SECRETARY. The Senator from Georgia offers the following amendment:

Add at the end of section 29, which would come in the bill on page 142, after line 2, the following:

SEC. 29a. In addition to military training, soldiers while in the active service shall hereafter be given the opportunity to study and receive instruction upon educational lines, preparatory for their return to civil life, and, when practicable, an average of 94 hours monthly shall be devoted to such work. Civilian teachers may be employed to aid the Army officers in giving such instruction. A part of this preparation for civil life shall consist of vocational education, either in agriculture or the mechanic arts. The Secretary of War, with the approval of the President, shall prescribe rules and regulations for conducting the instruction herein provided for.

Mr. SMITH of Georgia. Mr. President, I claim no originality in offering an amendment to the military bill which will make the preparation of the private soldier for civil life a part of his work while he is with the colors. As far back as 1866 Gen. Lew Wallace wrote to the chairman of the Military Committee

of the House urging that the private soldier's life should be for him, while with the colors, as nearly as practicable what West Point was for the officers. In this letter he stated that a considerable part of the time of the private soldier was without occupation, that this idleness was really a burden upon him; it was calculated not to improve but to injure him, and it deterred parents from giving their consent that their boys might enlist in the Army. In that letter he went on to show how easy it would be for the officers to devote, at least when in garrison and when not on the march, three to four hours a day to teaching the private soldier, to developing him mentally, to developing his character, and to instructing him in some special vocation.

The suggestions were not accepted at the time. The views of most of the older soldiers were antagonistic. But a process of evolution has been going on in the thought upon this subject, and now I believe it is true that a majority of the officers favor devoting a considerable part of the time of the private soldier to his preparation for a return to civil life.

This subject has attracted the thought of the country. On the Pacific coast a number of publications have been made upon it. Chambers of commerce, through their committees given to investigating the question, have passed resolutions commending it. Writers in the eastern press have considered and approved it. Gen. Wood has recently published a strong letter in one of the New York City papers expressing the opinion that ample time could be taken from the life of a private soldier under a short enlistment, under an enlistment for two years, which would not hinder his preparation as a soldier, and also send him back to private life much improved and developed in his general knowledge, and in some special vocation which he might select.

Speaking of vocational instruction in this connection, let me say that the thought of the world in the last 20 years has made great progress and has substantially changed. Continuation schools, as they are called, are now the rule in Germany for all those who begin work as breadwinners before they are 21. The merchants and the manufacturers of our country are moving strongly in that direction; and they favor for boys and girls under 21 years, and even 25, who enter their employment, the organization of part-time schools to develop them broadly, even though they have at an early age begun the struggle of life as breadwinners.

A few years ago, when a prize was offered for an article upon the subject of preparation for defense, it was won—and his article received first position—by Col. William A. Glassford. The feature of his article was the presentation of the thought that part of the time of the private soldier must be used to prepare him to return to civil life; that the character of men needed in the Army were men who would enlist for a short period and return to civil life; that our real preparedness must consist of two forces—one the men in the Regular Army, and the other those in the Regular Army reserve, who, as privates in the Regular Army, had been taught the work of a soldier, and who, remaining after retiring from the colors upon the national reserve, could be called in 30 days to active service.

I am prepared to vote for the immediate increase of the Army by 100,000 men. I believe in preparation for national defense, and I believe it is not preparation five years hence that we should especially consider, but preparation for next year. I am not so much interested about five years from now, but I am interested in this fall and next year. God grant we will not be called on to use them. If we are prepared, we will not be called on to use them; but if we are not prepared nobody knows how much we may need them.

It is a mistake to think that we can remain upon land feeling perfectly secure on account of our Navy. I believe, man for man, that there is no more splendid set of officers who go on board vessels than the boys and the mature men of the American Navy. But we have two coasts, not always accessible even through the Panama Canal. It would take a navy double the size of ours to protect both of our coasts. And yet, if in 30 days we could put 500,000 men upon our shore, ready to defend the shore, no country could land troops in the United States. They could not hope, no matter how large their navy, to bring over more than 250,000 or 300,000 troops at a time; and if we had a land force ready to meet what they could first bring and prevent their landing, or drive them off, there would be no landing of enemy troops.

Now, Mr. President, I like this section 29 of the bill. I like the provision about the seven years' enlistment. I like the provision that at the end of two years the private who desires has the privilege of going back to the reserve. I would be glad to go further and make it really his duty to go, unless he fell into a class that contemplated permanently being in the Army. I like the provision that if at the end of 12 months his officers in command find him proficient as a soldier they can permit him to retire at once to civil life.

I heartily approve the provision for enlistments through the aid of postmasters.

A few years ago the theory was that we could gather men into the Army who were to stay there. I believe the entire best thought of the Army and those who have studied the subject is now against that view. Secretary of War Dickinson reached the conclusion that short-time enlistments were the wise plan. Secretary Stimson in his last report took the position that it was the short-time enlistment and the reserve that were necessary to build the Army. Secretary Garrison finally reached that conclusion.

If we are to have an Army, if we are to prepare to meet an immediate demand, we ought to contemplate 500,000 men who can be called to the colors, who have been trained, and who can be called in 30 days. Instead of increasing the Army at 16,000 a year, I should like to have the entire increase enlisted at once. I would like to see a hundred thousand men brought to the colors by the 1st of December on short-time enlistments.

Then, I hope, under this bill, that we will send from the colors each year 75,000 men, sending them back to civil life members of the national reserve still for four years, or, I believe, under the terms of the bill, five years. If we would carry to the reserve each year 75,000 to 100,000 trained men who would remain with the reserves we would soon have with our reserves at least 300,000 men.

Mr. HUGHES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Jersey?

Mr. SMITH of Georgia. I yield.

Mr. HUGHES. I will say that I agree almost entirely with the Senator from Georgia; but I ask him if he does not think, in view of the fact that we have this difficulty in elisting the Army up to the legal authorized strength, it will be necessary in some way to make enlistment much more attractive than it is at present?

Mr. SMITH of Georgia. That is the very thing I am advocating.

Mr. HUGHES. I understand that, and I think the Senator's proposition goes a great way in the direction of making the service more attractive; but does he not think that some substantial increase must be made in the pay of the enlisted men?

Mr. SMITH of Georgia. I can not say that I do. I do not look to the pay to get them. I want something worth more than the pay to get them.

Mr. HUGHES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield further to the Senator from New Jersey?

Mr. SMITH of Georgia. For a question.

Mr. HUGHES. I want to assure the Senator that I have been an enlisted man myself, and that the amount of money which an enlisted man receives each month is extremely important to him, whether it is important to the Senator or whatever his views on the subject may be, and in an age like this, when an unskilled laborer can get $3 a day, you are not going to get a young American boy to put off his civil rights, privileges, and prerogatives for the right, if you may call it that, of serving the United States Government for $15 a month, which would not give him enough money to go to moving-picture shows.

Mr. SMITH of Georgia. Mr. President, if the right spirit is put into the execution of the amendment which I have introduced, it will not be the $15 that takes the young man into the Army, it will be something worth a great deal more than the $15 a month.

Mr. CHAMBERLAIN. Mr. President——

Mr. SMITH of Georgia. I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. I was not going to interrupt the Senator further than to express the hope that the Presiding Officer will enforce the rule that has been enforced here as to interruptions.

The PRESIDING OFFICER. The present occupant of the chair will regard it as his duty to enforce the rule that a Senator can yield only for a question. If he yields for discussion or argument, he loses his right to the floor.

Mr. REED. Mr. President——

Mr. SMITH of Georgia. Then, I desire to say I decline to yield except for a question.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Missouri.

Mr. SMITH of Georgia. I would prefer to go on just now without interruptions at all.

Mr. REED. Mr. President, a parliamentary inquiry. Is the decision the Senate made yesterday on that question in force

and effect? The Senate yesterday decided that there was no such rule.

Mr. SMITH of Georgia and others. Oh, no.

The PRESIDING OFFICER. The Chair thinks the Senator from Missouri misapprehends the result of the vote yesterday. However, the Chair is not at liberty, of course, to enter into a discussion of it. The present occupant of the Chair will feel it to be his duty to enforce the rule just referred to.

Mr. SMITH of Georgia. The present occupant of the floor will not yield to any question or any interruption except that which the rule permits, and if so interrupted by a Senator it will be because the Chair does not require the Senator who interrupts to obey the rule.

Now, Mr. President, I had just called attention to the fact that Gen. Wallace presented this subject. I have called attention to the fact that there has been an evolution of thought all over the United States upon it, and that in the Army there has been a change of thought. I had called attention to Gen. Wood's indorsement of short enlistments, of Secretary Stimson's indorsement, and to the features of the bill.

This subject has been before the General Staff and the War College a number of times. They have been divided on it. Some of the older men have insisted that a soldier should do nothing but think of war; that he should receive no training except for fighting; that anything else was objectionable; but there has been a steady opposition to that line of thought in the Army, and I think the brightest and the ablest, especially of our younger officers, have realized how much better soldier, especially with the modern devices of war, is the man who has some education, who understands something about mechanics, who has a broader knowledge and more culture.

Mr. President, in 1913 the subject was referred to the General Staff, and upon it the General Staff reported through Col. Biddle, approved by Gen. Ligett. I ask nothing better than that report to sustain the necessity for this provision. The report was made, but nothing substantial followed it. In the report it is pointed out that there is time that hangs idly upon the private's mind and body which can be used so that the private can be greatly benefited, and that it is practicable to devote this time to preparing the private for his return to civil life. This is the report of Col. Biddle. Then he stated that the brighter the man the more education he has, the quicker he learns to be a soldier, and that general instruction under a two years' enlistment instead of retarding fitness as a soldier will help.

Then he comes to two other reasons of great importance. The soldier is to go back speedily if the enlistment is short into private life. Shall his Army service be a help or shall his time with the colors be wasted so far as our civic life is concerned. If wasted, then he goes back, not up, to his associates, those whom he knew while he was in private life. If, however, he has been trained, if his education has been broadened, if he has received vocational training, he goes back practically with two years' training at a school superior to that which probably he would have been able to attend had he not enlisted. The conclusion drawn in this report is that a system of instruction can be given to the private soldier while with the colors which will put an end to an economic waste otherwise incident to men being in the Regular Army, which will relieve the public mind of prejudice on account of militarism, and will send back to private life men better prepared, the association with whom will cause other boys of 17 and 18, the best age to enter the Army, to gladly enlist if they have no facilities for educational advantages beyond the grammar school.

The report of Col. Biddle, who at the time was Chief of the War College Division of the General Staff, is printed in full in the RECORD of Monday, April 3, beginning on page 6100. I quote a few extracts from it:

The Nation: The security of a nation rests on its military strength, and where, as in our case, this strength, represented by its Regular Army, is so small as not to secure its safety, the Army should be used in time of peace in the creation of a war reserve. We recognize that we need a reserve large enough to raise our Army immediately to war strength and to fill the vacancies caused by the first six months of active operations.

* * * * * * *

A third suggestion is that of offering vocational training as an inducement for enlistment. The hope in offering this is that a new class of young men may be reached. There can be no doubt that the thoughtful young man will hesitate and think a long time before exchanging three or four years of the formative period of his life for a certain training that, at its end, will find him where he started plus certain qualifications that are not generally recognized in the commercial world as increasing his earning capacity. On the other hand, if this same service will discharge him with some training of a clerk or an artisan, the case will be very different, and he will doubtless be willing to be a member of the reserve for a period in exchange for the training.

* * * * * * *

There is nothing that the public can then see for the rest of the soldier's enlistment but idleness and its attendant evils, and self-respecting parents oppose the entrance of their sons in such a life. The prejudice of the better class of people must be overcome, and when they are convinced that the Army is spending what they now believe to be idle time in industrial training we may expect such magazine articles as "The Army—an idle man's job," to disappear.

Unless some better plan than vocational training can be offered to stimulate enlistment—and none has yet been found—such training will soon have an important bearing on the welfare of the Nation.

The Army: When those who have been engaged in the training of enlisted men for some years are brought in contact with the results accomplished at educational institutions where officers of the Army are on duty they can hardly, at first, believe it has been possible to accomplish in weeks what the enlisted man requires months to master. It is soon apparent that the superior intelligence of the student, combined with his purpose to do, places him in a class apart. It is believed that the inducement of vocational training will bring to the Army a class of intelligence that will not only permit of soldiers being made in less time, but will make a better, more contented, and more valuable Army. This, then, would indicate that a shorter term of enlistment is necessary before this class may pass to the reserve.

* * * * * * *

Certainly the introduction of this training will place a different aspect on Army service from the viewpoint of those who will accept the training. They will have an occupation for their leisure time, they will be made more content, and will be given a purpose in life.

Conclusion: If it be the purpose of the Army to spread military training through the Nation, to create an adequate reserve, to break down the popular prejudice against the Army, to fill our ranks with men who later will be a valuable class of citizens, vocational training is an advisable measure to adopt toward this end.

* * * * * * *

It must be conceded that we can give some time in summer and more in winter without encroaching on the time usually given to military training, and if vocational training does take some of the military time, we can in the six months of outdoor work do more intensive training.

* * * * * * *

Conclusion: The practicability of introducing this training is apparent, but such practicability should not be destroyed by the application of an impracticable system. The whole question will be solved successfully or otherwise by the methods employed.

Mr. President, the Senator from New Jersey [Mr. HUGHES] wanted to know how we would get enlistments. We are crowded with applications for West Point and Annapolis. If you will make the two years with the colors for a majority of the boys who enlist a training school in military affairs and for private life, running the two hand in hand, as soon as it is really done and known I have no question about the fact that you will have more applications for enlistment than you have places.

Gen. Wallace, in his article, discussed West Point. He pointed out how the work to be done by a private soldier should be prepared along the lines of West Point, modified to the status of the private soldiers.

There is no necessity for moving these new volunteers all over the country. Suppose 10,000 boys volunteer in New York State or in Pennsylvania, how much better to organize a post in the State and let their training, to a large extent, be there. If we add a hundred thousand men to the Army and have no immediate necessity for their use in active service, their work, their location should be as near to the State of their enlistment as practicable. They will make better soldiers classed together in companies composed of men from their own States.

The German Army to-day moves out from States and sections, neighbors standing beside neighbors in the ranks as they charge. There is no hindrance to the training of the men by locating together largely boys of the same State in the same camp. You can take entirely away from the life of the private soldier those things which deter the boy and the father when enlistment is considered. You can substitute a life of improvement with normal companions, free from loneliness and filled with improvement.

Mr. President, it is hard to estimate the contribution to law and order in our entire land which would result if we should send out from the Army 75,000 boys each year after two years of discipline with the colors, who have associated with officers, who know what it is to obey directions, who have been taught to recognize constituted authority, who have improved mentally, morally, and physically, who have been trained in vocational lines, while they recognize authority and obey directions, because those in authority give direction. We would have 75,000 boys of that kind scattered all over the United States each year, trained in mechanic arts, trained for scientific farming; and that by the way can be done inside of a room as well as on a farm. The greatest of all the German schools to-day for agriculture are their winter indoor schools, and the reports we get of their work is that they make the very best farmers. It will be a great contribution to our Nation to send back 75,000 boys—I wish it were 100,000—each year who have been for two years in the Regular Army receiving the character of instruction, the character of training, and the character of development which could be carried out under the amendment which I present.

Of course, Mr. President, it will depend somewhat upon the officers of the Army as to what they do with it, but if they will

take hold with the right spirit, with a great spirit of national service, with the spirit of recognition of their obligations to the civil life of the community, as well as the military life, not alone the boys who are privates will grow, but the officers themselves will grow. They will broaden, they will be bigger men, because they labor to perform all their responsibilities as citizens, because they have thought of the welfare of all their fellow citizens, because they have studied the civil problems as well as the military problems of their country.

Mr. President, I will not detain the Senate. I propose, however, as the result of suggestions from several Senators, to change the figures "94" and substitute "75," so that it will read:

And when practicable an average of 75 hours monthly shall be devoted to such work.

The PRESIDING OFFICER (Mr. HUGHES in the chair). Without objection, the amendment of the Senator from Georgia is modified in that respect.

Mr. BRANDEGEE and Mr. LODGE addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BRANDEGEE. If the Senator from Massachusetts wants to proceed at this moment, I will not interrupt him.

Mr. LODGE. I only wanted to ask for an amendment which affects one case.

Mr. BRANDEGEE. I will yield.

Mr. CHAMBERLAIN. Will the Senator allow me to interrupt him for a moment?

Mr. LODGE. Certainly.

Mr. CHAMBERLAIN. I will say that as far as I am concerned I am willing to accept the modified amendment of the Senator from Georgia. I have conferred with a number of members of the committee who are willing to accept that amendment, but I believe the Senator from Massachusetts opposes it. So far as I am concerned I am perfectly willing to accept the amendment.

Mr. LODGE. I did not rise for the purpose of opposing or discussing the amendment, but I have another amendment which I wished to present if I could get the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. LODGE. Mr. President, I suppose the pending amendment is that offered by the Senator from Georgia [Mr. SMITH]?

The PRESIDING OFFICER. That is the pending amendment.

Mr. LODGE. And I suppose that amendment must be disposed of before I can offer my amendment?

The PRESIDING OFFICER. The Senator may debate the amendment proposed by the Senator from Georgia, if he so desires.

Mr. LODGE. I did not rise to debate that.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Georgia to the amendment reported by the committee.

Mr. BRANDEGEE. Mr. President, on yesterday I offered a resolution asking the Secretary of War to send here an opinion which I understood had been given by the Judge Advocate General, but the Senator from Maryland [Mr. LEE] felt constrained to object because, he said, the opinion had already been printed in the testimony. I told him the opinion to which he referred was not the one which I desired, but that there was another opinion or other opinions. So I will now ask unanimous consent that we may have those other opinions printed.

The PRESIDING OFFICER. Does the Senator from Connecticut ask unanimous consent for the present consideration of the resolution to which he now refers?

Mr. BRANDEGEE. Yes; I ask for its present consideration.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read the resolution, S. Res. 158, which had been submitted by Mr. BRANDEGEE on yesterday, as follows:

Resolved, That the Secretary of War is hereby directed to furnish to the Senate any written opinions which the Judge Advocate General of the Army may have given concerning the project contained in the so-called Hay and Chamberlain bills to federalize the National Guard.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. SMITH of Georgia. If the resolution can be acted upon without discussion, I have no objection.

Mr. BRANDEGEE. I shall not ask that it be acted upon if it produces any discussion.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Georgia [Mr. SMITH] to the amendment reported by the committee.

Mr. WEEKS. Mr. President, I understand that the chairman of the Military Committee and several other members of that committee, who have been consulted, are sufficiently in sympathy with the amendment offered by the Senator from Georgia, so that they do not wish to offer objection to it; but I am not in sympathy with it, and I think I ought to briefly put into the RECORD my views.

There is no question in my mind as to what effect the amendment will have on the service. The Senator from Georgia seems to have the impression that it will hold out inducements to young men to go into the military service. My own judgment and the information I have from those connected with both the military and naval services lead me to the conclusion that it would prevent enlistments rather than increase them.

I am very much in sympathy with what the Senator from Georgia has said about section 37 of the bill. The method prepared by the committee for enlistments, for the retention of men in the service, and for their discharge under certain conditions is a distinct advance, in my judgment, over anything that we have had in our military service. A young man, by giving attention to his duties, can become sufficiently proficient so that he may be discharged at the end of a year, but he must devote himself to his military duties in order to bring about that result. The amendment offered by the Senator from Georgia is, to that extent, directly contrary to the spirit of this bill. The Senator proposes that two and one-half hours a day, excluding Sundays—substantially three hours a day—shall be devoted to some kind of vocational or other education. It is not a gracious position in which to be put to oppose any form of education or any development which may bring about a higher degree of education, but in this case, in my judgment, we are trying to prepare an efficient Army, and anything that will militate against that should be kept out of this bill.

We must not lose sight of the fact that there are ample opportunities for young men who desire education of any kind in the military or naval service to obtain it now. During the hours when they are on duty or off duty they can study anything they desire, and there is always an officer ready and willing to give them such assistance as they may need.

I want to call the attention of the Senate to some of the benefits of the vocational training which may be obtained in both the military and the naval service.

Mr. SMITH of Georgia. Mr. President, will the Senator from Massachusetts allow me to call his attention to this language in my amendment: "Shall be given the opportunity to study and receive instruction"?

The PRESIDING OFFICER. The Chair must hold that the Senator from Massachusetts was interrupted against his will. He did not give permission. Therefore the Chair will not attempt to apply the rule.

Mr. WEEKS. Mr. President, in my own time I want to ask the Senator from Georgia to explain what he means by "opportunity"? I will express my question a little more explicitly. Does he mean that a man when he is off duty may take the time which he might devote to other things to study, and that there will be no compulsion or that there will be no definite time which he shall devote to study? I would like to have the Senator answer that question in my time.

Mr. SMITH of Georgia. I mean by that language this: The War Department would organize a system which would give these young men the opportunity, if they desire to use it, to prepare themselves for civil life. I think also beyond question the privilege would be with the War Department to prescribe rules requiring attendance; but this amendment does not go that far. This amendment requires that the War Department shall organize a system which will give the opportunity to those who desire to embrace it.

Mr. WEEKS. Mr. President, I am proceeding on the theory that a similar practice is to be established in the Army to that which now obtains in the Navy, so I am going to read three or four opinions which I have here on the Navy policy.

It is not easy under present conditions to get from naval officers for publication their opinions about matters which are contrary to the policy of the administration, and therefore I do not wish to give the names of my informants; but I wish to say that I do not know a single naval officer—and I have talked with a great many of them, because I wanted to get the information at first hand—who is in favor of the naval educational policy which has been established by the present administration. There may be such, but if there are, I have not found them.

Now, let me read three or four opinions about the course and the results of the course, so far as the Navy is concerned, expressing opinions as to the views of the officers and of the men:

I can give you in confidence any information as to the results of the schools which have been held aboard ship during this administration. From my talks with Navy men and from the general idea which prevails in the service, the concensus of opinion—which is practically unanimous—is opposed to schools on board ship. Both officers and men are of the opinion that the schools materially interfere with and reduce the efficiency of the vessels, as the time spent at school in academic studies could and should be devoted to the routine work of the ship, which is now seriously interfered with and, in some respects, neglected.

I quote further:

If a man is desirous of improving himself in academic matters, he can do so of his own volition during the recreation hours which are prescribed, but that same man, if compelled to go to school, does so unwillingly, and therefore derives but little benefit from such compulsory education.

I read still another:

As you well know, a modern man-of-war offers many fields of study in a vocational way for the ambitious young man. He has a very large scope in engineering and electricity, which will be of vast benefit to him if he should leave the service, and certainly of much greater benefit than would rhetoric and the other subjects taught at the schools. It is therefore apparent that a man who desires to improve his mind has a large field before him on board ship.

Mr. VARDAMAN. Mr. President, will the Senator permit a question?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Mississippi?

Mr. WEEKS. Yes.

Mr. VARDAMAN. If a man would have the time from his duties on the ship to devote to a course of study which he himself might take up, why could not that time be improved by the assistance of the officers in giving instruction?

Mr. WEEKS. I have no objection to that kind of preparation; but I do not wish to sit in my place and see established as a part of the routine in the military service something which I believe will be harmful to the service, and, as I said——

Mr. VARDAMAN. Is it not the purpose——

Mr. WEEKS. If the Senator will pardon me a moment—as I said a few moments ago, I am proceeding on the theory that time is to be set apart when men shall perform this kind of service or duty, and it would amount to two hours and a half a day every day in the year.

Mr. VARDAMAN. Is it not the purpose of this proposed legislation to leave to the discretion of the officers the fixing of the time to be devoted to study, and will it not be time that is not needed for the service which men join the Navy or the Army for the purpose of performing?

Mr. WEEKS. I do not so understand, Mr. President, and that has not been the result on board ship. It has been obligatory, and regulations that have been made by the departments carry it out.

Mr. VARDAMAN. Does the Senator think that the disinclination of officers to bother with the men has had anything to do with their opinion about the matter?

Mr. WEEKS. We are in the habit of taking the opinions of our officers on matters that relate to the service. It may be possible that some officer may dislike to act as teacher under such circumstances; but we must take their judgment as to what the results of that service are, and I think the Senator will find that it is unanimously against the kind of instruction which has been established on board ship. Furthermore, the men do not like it, either.

Now, let me point out some of the things that a man may learn on board ship as a preparation for the life he may follow after he leaves the service. He may become an electrician, a water tender, which is connected with the engineering service—all of these things are in line of duty—he may become a commissary steward, which will be important in some walks of life, a cook, a baker, a boiler maker, a machinist, a coppersmith, a ship fitter, an electrician of several classes, a blacksmith, a plumber and fitter, a sailmaker's mate, a carpenter, or a painter. All those trades are open to a man on board ship, and he can devote his surplus energy to acquiring a trade which will be of material benefit to him when he leaves the service.

If any Senator thinks that that same statement will not apply to the Army, all he has to do is to examine the bill which is now before the Senate, and he will find that there are a large number of trades which are open to men in the service and which they may learn, if they so desire, which will be of use to them in their after life.

Let me go on with two or three more of these opinions about the effect that it has had in the naval service:

To make a man-of-war at the present time efficient, the enlisted men's time is fully occupied with the various duties tending to this end; and it is therefore but natural that when you divert them from these duties to educational matters that portion of their time so used is devoted to things which are prejudicial to efficiency.

That the order is not a smooth one—

That is, the order that is enforced in the Navy—

and does not meet with approval is clearly shown by the number of times it has been modified since its original promulgation in order to meet with the many objections which officers have urged against it and to make it work with as little detriment to the service as possible.

I have no hesitancy in telling you that I think, if a vote of the officers of the service were taken, you would find that they would be almost unanimous for the abolition of these schools.

That is the information I have had from my conversations and correspondence with officers in the service, and from inquiries which I have made I think the same result will happen if we establish such an activity in the military service. I believe that we should take young men into the military service, thoroughly train them, and then as soon as they are trained turn them back to civil life, to take up the industrial employments for which they are fitted. That is the correct principle; but when you take any of the time which a young man is to spend with the colors and devote it to the study of something which he can study better elsewhere, I think you are making a mistake from the standpoint of the man and a mistake from the standpoint of the military service. It is for that reason, Mr. President, that I have made a protest against the passage of this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia, as modified to the amendment of the committee.

The amendment as modified to the amendment was agreed to.

PERSONAL EXPLANATION—IMMIGRATION BILL.

Mr. LODGE obtained the floor.

Mr. SMITH of South Carolina. Mr. President, before the Senator from Massachusetts begins, I desire briefly to call the attention of the Senate to a matter in the nature of a question of personal privilege.

I wish to call attention to the misleading character of an article published in one of the Washington papers, which I have seen quoted elsewhere.

Mr. LODGE. A question of personal privilege, if the Senator will pardon me, sometimes takes hours here.

Mr. SMITH of South Carolina. This will only take a moment. I read in the Washington Star of yesterday evening—and in another paper I saw an article of similar import—a statement which reads:

Immigration bill delayed. Senate committee holds back measure on theory it is not needed.

Mr. President, I am chairman of the Immigration Committee. I have communicated with only a few of the members as to the time of meeting; but it is the purpose of the committee, so far as the chairman may speak for it, to proceed as vigorously as possible with this measure, take what action the committee sees fit to take as to reporting it out, and putting it through the Senate at the earliest possible time. I merely wish to correct the erroneous impression which has gone abroad because of the statement to which I have referred. From what source it emanated I do not know, but it is totally incorrect.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. LODGE. Mr. President, if I may have the attention of the chairman of the committee, in section 28, relating to the retirement of officers of the Philippine Scouts, at the bottom of page 139, line 21, occur these words:

And any former officer of Philippine Scouts who has been retired as an enlisted man by special act of Congress.

I believe there is only one case of that kind, and with that case I happen to be familiar. It is the case of Capt. Drake, who was retired on full pay, and it appealed very strongly to Congress. He had incurred a severe injury in line of duty and had been the victim of malpractice in hospital, and was ruined physically for life. If the provision is passed as it stands in the bill his pay will be reduced. Congress passed an act in his behalf in order that he might have full pay, because he is at present a perfectly helpless man. I have here the report on his case and a copy of the law which was passed two years ago for his benefit. I am sure the committee did not mean to reduce his pay. It would be really a very cruel thing to do.

The words "who has been retired as an enlisted man by special act of Congress" can be taken out—I think this is the only case—or it can be met by inserting after the words "authorized by this section, and no more," the words "unless otherwise provided by special act,"

Mr. CHAMBERLAIN. Let me ask the Senator if the difficulty would not be corrected—and I think that was the intention of the committee—by striking out the word "and," in line 21, and inserting the word "except." That, I think, would correct the difficulty that the Senator has in mind.

Mr. LODGE. Yes; that would correct it, of course.

Mr. CHAMBERLAIN. I think that that would perfect it.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 29, line 21, it is proposed to strike out the word "and" and insert in lieu thereof the word "except," so as to read: "except any former officer of Philippine Scouts"——

Mr. LODGE. That leaves the officer under the provisions of the special act.

Mr. CHAMBERLAIN. I have no objection to that.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Oregon to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. LODGE. On the same page, Mr. President, on line 8, I want to ask the Senator from Oregon if the word "twenty-five" could not be stricken out and the word "twenty" substituted, and I will explain why I suggest that reduction:

If we retire from the Philippine Islands, which now seems probable under the legislation adopted by Congress, it seems hardly possible for those men to get the full 25 years. The Philippine Scouts have done excellent work; they are good men; but the scouts have not been in existence even 20 years yet, and if we should retire from the islands of course their chance of getting 25 years would be at an end, and it would nullify the provision.

I wish to ask the chairman if he sees any objection to reducing the limitation to 20 years?

Mr. CHAMBERLAIN. The only objection the committee had in mind was that it retired a man after having given to the Government not nearly as much service as they give in continental United States or in other branches of the service, and the committee thought 25 years was a reasonable time.

Mr. LODGE. I only suggested that. Of course, they get double time for service there.

Mr. CHAMBERLAIN. They get double time.

Mr. LODGE. That is true; so that that would put some of them, I suppose, outside of the 25 years. It is only to enable more to come within it that I suggest the change.

Mr. CHAMBERLAIN. The committee had that matter under consideration, and we all thought that 25 years would be a just term.

Mr. LODGE. Well, Mr. President, I do not desire to press it unduly, but I wish the chairman would take under consideration the reduction of the term to 20 years. It is not a very serious matter, as it seems to me.

If I may call the chairman's attention to page 160, section 64, line 9, I would like to strike out the words "of appropriate grade"; and I will explain to the chairman the particular case that is brought to my attention. There may be many other similar cases.

We have in Massachusetts 4 troops of cavalry, there are 3 in Rhode Island, 2 in Connecticut, and 1 in New Hampshire, making in all 10 troops; and they have been described by the War Department, and so treated by the War Department, as the New England regiment of cavalry. This provision as it stands permits them, as they desire, to be consolidated as one regiment without reference to State lines. That can be done under this clause, and instead of being separate troops they can be consolidated in one regiment; but if you leave in the words "of appropriate grade," that expression seems to limit the commanding officer of the regiment to a colonel, and it may be that it would be impossible to get a colonel of the Regular Army for that duty. They would like it left open, so that the President, if necessary, could appoint, for instance, a captain-inspector who is now in charge of their drill and evolutions. In other words, they want to smooth the way to being treated as a regiment; and there are no doubt other similar cases.

Mr. CHAMBERLAIN. Mr. President, I have no objection to that. As a matter of fact, I think it is discretionary with the President, anyway, and with the Secretary of War, written as it is. I do not think they would be obliged to assign officers of the particular ranks, but I have no objection to striking it out. I think it could be done if the language were left in, however.

Mr. LODGE. I think it might be as the chairman says, but I think it is perfectly safe to leave it out. It is all in the discretion of the President. They are afraid, however, that it might be interpreted to limit them.

Mr. CHAMBERLAIN. The change would remove any question about it.

Mr. LODGE. Yes; it would remove any question about it. I move to strike out the words.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 165, line 9, it is proposed to strike out the words "of appropriate grade," so as to make the section read:

SEC. 64. Assignment of National Guard to brigades and divisions: For the purpose of maintaining appropriate organization and to assist in instruction and training, the President may assign the National Guard of the several States and Territories and the District of Columbia to divisions, brigades, and other tactical units, and may detail officers either from the National Guard or the Regular Army to command such units: *Provided*, That where complete units are organized within a State, Territory, or the District of Columbia the commanding officers thereof shall not be displaced.

The amendment to the amendment was agreed to.

Mr. SMOOT. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 153, line 8, after the word "institutions" and after the comma, it is proposed to insert "except that units of the senior division may be organized at those essentially military schools which do not confer an academic degree, but which, as a result of the annual inspection of such institutions by the War Department, are specially designated by the Secretary of War as qualified for units of the senior division."

Mr. SMOOT. Mr. President, under section 42, providing for the reserve officers' training corps, the President is "authorized to establish and maintain in civil educational institutions a reserve officers' training corps, which shall consist of a senior division organized at universities and colleges requiring four years of collegiate study for a degree, including those State institutions that are required to provide instruction in military tactics under the provisions of the act of Congress of July 2, 1862, donating lands for the establishment of colleges where the object shall be practical instruction in agriculture and the mechanic arts, including military tactics, and a junior division organized at all other public or private educational institutions."

My amendment, Mr. President, is to provide for another class of civil educational institutions. For instance, if schools like Culver Military Academy are able to give the military work prescribed by the War Department for senior units of the reserve officers' training corps, they certainly should be permitted to maintain such units. Culver Military Academy, for instance, provides all the diversified military training of West Point—Infantry, Cavalry, Artillery, practical military engineering—and is superbly equipped. In fact, Mr. President, there is no college in this country in which the military training equals that of Culver, either in scope or in thoroughness, a statement which will be verified by the officers of the Army who have inspected Culver. It seems absurd, therefore, because Culver or similar institutions do not require four years of collegiate study for a degree to deny them the privilege of forming senior units when a college giving a much less thorough military course is permitted to form such units.

I hope the Senator in charge of the bill will accept this amendment, for it will only take in a class of schools like Culver, and it is guarded in every way, and the President is the only one authorized to establish and maintain a reserve officers' training corps in these schools. I therefore ask the chairman of the committee if he will not accept the amendment.

Mr. CHAMBERLAIN. Mr. President, there was no intention upon the part of the committee to exclude Culver, because all of the members of the committee are familiar with the institution and know its worth as a military institution. The committee thought, and I think, too, that the bill as it is framed is broad enough to cover it; but in order that any doubt on the subject may be removed, I am perfectly willing to have it inserted.

Mr. SMOOT. Mr. President, I suppose the committee had an idea that section 51 would cover Culver Military Academy, but I doubt it very much. I certainly appreciate what the Senator has said, and I hope the Senate will accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment to the amendment was agreed to.

Mr. SMITH of South Carolina. Mr. President, I think the whole country, as well as the Senate, are thoroughly aroused as to the necessity for the work that we are now doing; but there are some features that it seems have been either overlooked or purposely neglected.

It is perhaps possible that the present appalling conflict in Europe may not be an unmixed evil. It has clearly demonstrated

that in the expression of the crude animal passions of men the discoveries of science are all powerful and predominant. The war in Europe is not as other wars have been, dependent upon the personal military skill of the commanders or the personal bravery of the army. It is dependent upon the discoveries of science and the practical and skillful use of these as destructive agents. The machine guns, the great siege guns, and the cannon, and their proper placing, together with the aeroplane, are the elements upon which the combatants rely; and it is simply a question of who has the most men to be destroyed by these modern implements of warfare to determine who is the victor, and not upon the skill of military tactics or the personal bravery of those who put those tactics into effect.

The present war, in its effect upon us, has been startling. In the first place, a very small per cent, if any, of the peoples of Europe or this country believed that a conflict between any of the first-class powers of the earth was possible, to say nothing of its being imminent. That the whole of Europe would be plunged into such a conflict none believed. That one nation sandwiched between the other powerful nations of Europe could successfully withstand the onslaught of these nations from all sides was inconceivable.

The war revealed to all the possibilities of modern science. It also revealed that we as a nation are totally unprepared to meet what we may be called upon to meet. It has revealed the fact that our Navy, the number and tonnage of our naval vessels, is totally inadequate to protect us against the powerful navies of Europe, when we consider the vastness of our shore line and the vulnerability of our fort defenses. It has also brought home to us our helplessness in respect to our Army and those prepared in military training to protect us. We have sought to remedy, and we are now seeking to remedy, these palpable deficiencies. We are providing for the construction of battleships to meet our needs. We have passed a bill in the Senate for the construction of a Government armor-plate factory in order to meet the necessities upon us. We are now in consideration of the bill before us attempting to devise ways and means by which our Army may be equipped to meet any possible emergency that may arise.

Our armor-plate factory was made necessary because the penetrating power of the modern projectiles, hurled by modern explosives, made the war vessel a helpless structure; and hence a new, powerful resistant, known as armor plate, was essential to resist these forces. Our Army is equipped with modern rifles, rapid firing, high power, in order to keep pace with the equipment of the armies of the other nations. Our forts have been dismantled of the old mortar and cannon and in their places have been mounted the enormous caliber and long range guns and mortars to meet the equipment developed by modern science. The submarine, with its deadly torpedo, has got to be considered by modern invention. All these we are engaged in preparing ourselves with, because we have come to realize our helplessness in case trouble should arise similar to that which has engulfed Europe in this unthinkable and appalling conflict.

It is startling to think that in the discussion of the measures presented by the Naval and Military Committees, representing the two arms of our defense, that not a bill, save the one presented by the Committee on Agriculture and Forestry, has taken cognizance of the fact that back of all this the invention upon which all modern armaments, all modern war vessels, all modern cannon depend is the modern explosive. Without this ingredient the vast sums expended in the construction of warships and in the great armaments that they carry are absolutely useless. No matter how well trained that army may be, no matter how adequate in number of officers and men, it matters not how modern the rifles, without this one essential they are inefficient, more inefficient than your old Revolutionary flint and steel. Our forts may be constructed after the most modern resisting designs and equipped with the last word in cannon and mortars, but without this material they would be as helpless and as inefficient as the old forts of logs and clay. Our submarines, mines, and aeroplanes would be as helpless as floating débris on the sea without this same ingredient, and yet we have made absolutely no provision, as far as the Nation is concerned, for our independence and for supplying ourselves out of our own resources with this all-important and necessary material.

It is a well-known fact that the basis of all modern explosives is nitric acid, and the source of America's supply is from a little strip of country along the western coast of Chile. We have prepared ourselves with an armor-plate factory for the making of armor plate used in the construction of our naval vessels; we have erected our own plant for the manufacture of our own powder, because we did not propose to be dependent upon the caprice and avarice of corporations furnishing us with the finished product. Our powder plant at Indianhead is absolutely dependent upon Chile for the ingredients out of which to make the powder upon which every form and device of our defense is dependent. And yet it is demonstrated beyond a doubt that we need not longer be dependent upon any nation for this all-important article for our national defense.

The whole world stands amazed at the power of Germany and Austria to resist the combined attack of practically the balance of Europe, and every modern expert testified, as every student knows, that Germany is perhaps better equipped for producing in large volume this ingredient than any other nation of the earth. She perhaps was the first that became thoroughly acquainted with the tremendous power possible in modern explosives, and she certainly is the leader of the nations of the earth in the manufacture of the ordnance which has the greatest possible capacity for range and destructiveness.

The artificial processes for obtaining nitrogen, from which these high explosives are made, are no longer in the experimental stage, as the sustained and enormous use of them in the European war attests. Dr. Norton in his testimony before the Committee on Agriculture and Forestry, as well as in articles contributed to the scientific journals of this country, says, in case we were at war—

> we would be in exactly the same position in which Germany would be in to-day if four years ago she had not developed methods of winning the nitrogen from the air which enabled her to supply the needs of her army when fighting for life and death and also to partly meet the legitimate demands of agriculture. If five years ago Germany had entered upon the present war she would probably have been forced ere this to sue for peace.

Dr. Baekeland, a member of the Naval Consulting Board, said on the same subject:

> As a member of the naval board—of the Naval Consulting Board—I have had plenty of opportunity of late of examining the subject of the supply of nitrates for this country. The consulting board is enabled to consider this from the standpoint of national preparedness. This country is in the peculiar condition that for the purposes of war we can furnish practically everything that is needed except one thing—nitrates. Now, it so happens that without nitrates, or nitric acid—for practically this means the same thing—there is no possibility of carrying on any war.

Hence the statement that I have made as to the uselessness of our vast expenditures in building navies, aeroplanes, submarines, and mines and forts equipped with modern cannon; organizing armies and equipping them with modern high-power rifles—it is absolutely useless if we should be cut off from our supply of nitrates.

Mr. KENYON. Mr. President, may I interrupt the Senator from South Carolina?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Iowa?

Mr. SMITH of South Carolina. I yield.

Mr. KENYON. I should like to know if the Senator has ascertained the process that Germany has been using to develop nitric acid?

Mr. SMITH of South Carolina. I am coming to that later on in my speech. I will refer to an article received by this morning's mail from Dr. Baekeland. It seems that the Secretary of the Navy, Mr. Daniels, had indited a letter of inquiry, and Dr. Baekeland, who is a member of the Naval Advisory Board, in his reply to the Secretary of the Navy, sent him a communication, a copy of which he transmitted to me.

Mr. KENYON. May I ask the Senator if he knows whether the War Department or the Navy Department have made any thorough investigation as to the various processes for the fixation of nitrogen?

Mr. SMITH of South Carolina. I have no other information than that given me by experts of the Navy Department, namely, Dr. Baekeland, Dr. Norton, who is connected with the Department of Foreign and Domestic Commerce, and Mr. Meritt, whose testimony appears in the hearings before the committee.

Mr. KENYON. I suppose the Senator is intending to discuss the different processes.

Mr. SMITH of South Carolina. I am.

This is sufficient, perhaps, to bring us to some realization of how in our zeal for preparedness we have overlooked the prime essential. Since the discovery of smokeless gunpowder about 1880, when it was put into practical use, to the present time we have gotten from Chile with comparative ease an adequate supply of this material, but scientists tell us that the demand for Chilean saltpeter for military purposes, for agricultural purposes, for the arts and sciences, is so great and the amount in Chile being necessarily limited, that its total exhaustion is only a matter of a few years. But even before this exhaustion, what would happen to this country if we were at war and an enemy were to succeed in blockading the Chilean nitrate mines? In this respect Dr. Norton says:

> We are at present entirely dependent upon a single foreign source, Chile, for our supply of the raw material used in making nitric acid.

An interruption in the receipt of adequate supplies from this quarter cripples our agricultural and manufacturing industries, paralyzes our means of defense against attack.

The transportation of this raw material, Chile saltpeter, can be effected only by maritime shipments, beginning on the Pacific coast of Chile, terminating usually in our Atlantic ports. A naval command of the Pacific on the part of an enemy would render them impossible. A naval command of the Atlantic would render them difficult, forcing the long railway haul across the Continent from some port on our Pacific littoral.

To emphasize this still further, the great necessity of our providing ourselves at once with the means of producing an abundant supply of this material, Dr. Baekeland says:

If we had to prepare ourselves to-day it would probably take from 8 to 12 months before we begin to feel that we were entirely independent for our supply of nitric acid. The Germans have been at it for 18 months. At the beginning of the war the plants for the producing of this nitric acid were totally insufficient. Of course, Germany had a large supply of Chile saltpeter. From the conversations I have had with the heads of our Navy Department, I understand that this country has taken the precaution of having a comfortable supply of Chile saltpeter at hand, but this supply, of course, can not last indefinitely and depends entirely on the extent and the duration of any war in which we might be involved.

The present European war is so different from any wars which have occurred heretofore, not only in magnitude of operations and the size of the armies, but the tremendously increased consumption of explosives. In two instances, the battles of Neuve Chapelle and Loos, in three days more explosives were used than in the whole campaign of 1870. That gives you an idea of how in modern war any stores of Chile saltpeter would soon be exhausted.

That gives us an idea that in modern war any source of Chilean saltpeter would soon be exhausted.

These illustrations are sufficient to impress upon this Senate the absolute necessity for immediately taking steps to render ourselves independent of Chile, to provide ourselves with the means of obtaining an inexhaustible supply of this all-important material.

Now, as to the means of obtaining it. Power either in the initial form of water or steam is necessary to take the stores of nitrogen from the air and fix it in the form of nitric acid. These processes are no longer experimental, but are commercial and military, facts startlingly substantiated by the European war. It is idle, silly, for us to stop in preparing ourselves adequately for defense to inquire into them, as far as the Senate is concerned, as to which is the most available of these processes. Those processes that are now used are relative in their productive power as to cost and quantity. The testimony of the experts before the commitee was to the effect that where there was an abundance of cheap water power the arc process was the best; where less water power was available the cyanamide was perhaps better.

The bill which I am offering as an amendment to this bill leaves the question of the processes entirely to the discretion of the War Department, where it should properly be left, as is also the location of the water sites. If in their wisdom a location is found where the water power is sufficient and cheap to render the arc process the most available, they will doubtless use that; if another be found where the cyanamide or any other process is more available, they will use that. The question is not to determine whether or not it is a practical fact. That question has been determined both in this country and in Europe. In testimony of this Mr. Frank B. Washburn, president of the American Cyanamid Co., who is an inventor of processes connected with the manufacture of this article, said before the committee:

So the point I wish to make is this: That the nitrogen industry is no longer in the experimental stage. It has taken the great scientists of the world, men understanding such things, 16 years to bring it to where it is a great, successful, reliable, extraordinarily cheap method of producing the most valuable single substance known to mankind.

In this connection Dr. Baekeland stated:

The whole situation is a shame to the human race. We know how to get nitrogen from the air; we know how to increase the yields of our acres. We do not do it, although those chemical processes are no longer secrets, and we know all about them. The key to the whole situation is better utilization of our natural resources of cheap power. If you make your nitrogen compounds or your nitric acid at too high prices, you may be able to use it in war time—in war time nothing is too expensive when it comes to murdering each other.

* * * * * * *

This nitric acid is made by a chemical process, which, I am glad to say, the chemists of the United States can duplicate at any time. There is no particular secret about it, and if the chemists of the United States were confronted with this problem I have no hesitation in saying that, if properly supported and given the necessary time, they would make as good a showing for themselves as did the German chemists.

* * * * * * *

The question of the fixation of nitrogen from the air from the chemical standpoint is clear and easy, and is a problem no more difficult than any other chemical problem.

Now, as these scientists and experts declare, the processes of manufacturing it are established and well known, a powerful and important fact, one that we can not ignore. Now, the question arises, What are the facilities, what resources have we for the manufacture of this article? It has been suggested that it takes great units of water power to successfully manufacture this article, and it has been testified that there are water powers in America sufficient for the operation of modern plants. Dr. Norton says:

You can start in with any amount. You can start with 5,000, 10,000, 15,000, 20,000, or 30,000 horsepower. Less than 10,000 horsepower is economically not very advantageous. The industry requires to be mounted upon a large scale in order to produce the highest economic results.

* * * * * *

I should, from my observation in Europe, especially in Scandinavia, say that we ought not to start any individual plant with less than 30,000 horsepower. I should put that as about the minimum figure.

In a letter to me, under date of April 4, he says that there is no question of the presence in various sections of the country of an ample supply of water power for the purposes in question, should methods 1 and 2 be adopted. Evidence brought out in the hearings before the Committee on Agriculture and Forestry shows the large amount of water power in the northwest and the southeast of our country not yet harnessed in the interest of the Nation's industrial evolution. The vast reserve power of Niagara can be drawn upon without seriously affecting its value as a scenic asset.

A careful enumeration of available water power would reveal many not yet well known but easily susceptible of development. Thus, within 50 miles of Pittsburgh there is a water power capable of producing 148,000 horsepower, as yet entirely undeveloped. A similar power in Tennessee, not very far from the famous Muscle Shoals, seems also to have escaped attention.

The estimates submitted show that ample power is available, ranging annually in cost from $3 per horsepower, should Niagara Falls be utilized on the intermittent plan, all the way up to $10 for less advantageously located sites.

Mr. BRADY. I should like to inquire from whom the Senator is quoting?

Mr. SMITH of South Carolina. I am quoting from Dr. Norton, of the Department of Foreign and Domestic Commerce.

Mr. BRADY. He appeared before the Committee on Agriculture and Forestry?

Mr. SMITH of South Carolina. Yes.

Dr. Baekeland, also speaking of our water power and its availability, says:

You need a good and substantial installation to make it worth while; you must be able to run economically in order to make some profit at the end of the year; and I should say that for the manufacture of nitric acid or cyanamide it would be rather awkward to try to make a profitable installation on a small scale. It would not take less than, say, twenty-five or fifty thousand horsepower, and it would be much better if there could be available 150,000 horsepower or more.

Therefore it is useless to inquire as to whether or not we have the horsepower. According to the testimony before our committee there is an abundance of water power in the various mountain ranges of the country and around the Great Lakes. The committee, therefore, having determined this, left the matter of the sites to be determined upon by those charged with the execution and administration of this important work.

From the military standpoint it is the first absolutely essential necessity that we have to meet. We have demonstrated that as to the processes they are available; as to the water power, that is adequate and available. Therefore the only question before the Senate is: Do you intend to prepare yourselves with the proper equipment for the production of this all-important article?

From the best sources it was ascertained as nearly as the committee could what would be the minimum amount necessary to put into practical operation a sufficient installation to supply this country with its nitrogen. The experts were of opinion that $15,000,000 was the minimum that could be economically used in the production of an adequate supply for the use of the Government. I inquired of Dr. Norton as to this, and in a letter to me he states what I might read in this connection, but as it is quite lengthy I can have it read for the benefit of the Senate at the close of my speech. Dr. Baekeland is also of the opinion that if we are going to employ the two well defined and developed systems, namely, the arc system and the cyanamide system, the appropriation in this amendment should be doubled, and he thinks it would be economy on the part of the Government to install both systems, for reasons that I shall give further on in my remarks.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. O'GORMAN). Does the Senator from South Carolina yield to the Senator from Iowa?

Mr. SMITH of South Carolina. I do.

Mr. KENYON. I should like to ask the Senator if that statement contemplates one plan or several plans for the making of nitric acid.

Mr. SMITH of South Carolina. The amendment which I have offered, which is the bill passed upon by the Committee on Agriculture and Forestry, contemplates that the Government, through its proper department, the War Department, shall ascertain the best site, according to the testimony given, as the Senator will remember, before our committee, for strategic as well as economic reasons. The experts thought there should be at least three, one in the southeastern part of the country, one in the northeastern, and one in the West, removed far enough from the coast, of course, not to render them liable to destruction by an invading foe.

Mr. KENYON. Is there any difference between the cost of the arc process and the cyanamide process?

Mr. SMITH of South Carolina. I called attention a moment ago to the fact that they are relatively equivalent, as Dr. Backeland, who is a chemist on the Naval Advisory Board, points out; that where you want immediate results in the form of the nitric acid the arc process, in time of war, when cost is not to be considered primarily, is the most available, and even where for the arts and sciences you want pure nitric acid you have to take the product of the cyanamide process and carry it through some subsequent processes in order to get the nitric acid. So, for the purpose of military uses, the testimony seems to be that there is no very great difference between the cost of the two processes.

Mr. KENYON. The amount appropriated in the Senator's amendment has nothing to do with the particular process that is to be employed?

Mr. SMITH of South Carolina. Nothing whatever, because at the time of the drafting of the bill we had not gone into it sufficiently to determine other than the average cost of the production of the amount necessary for the Government.

Mr. VARDAMAN. Mr. President, I do not want to interrupt the line of argument the Senator from South Carolina is making; I am very much interested in it, but I should like to ask the Senator if there is any difference between the cost of the process to be used in the manufacture of fertilizers and that used in the manufacture of powder?

Mr. SMITH of South Carolina. In reply to the Senator, I will say——

Mr. VARDAMAN. I ask that question for the reason that I know it is the Senator's view, when the plant is not working to provide the Government with powder to kill people, that it will be used to make fertilizers to produce food and clothing for the people.

Mr. SMITH of South Carolina. I should like to state, in answer to that, that I am now attempting to impress upon the Senate the absolute necessity, from a military standpoint, for this article. Some writer in a scientific journal—perhaps it was Dr. Backeland himself—in speaking of the necessity for this article on board our warships, in our Army equipment, in submarines, and in aeroplanes, said that without nitric acid you are as helpless as you are in an automobile without gasoline. We are spending a hundred million dollars to develop our Navy, millions of dollars to develop your submarines and aeroplanes, and you are absolutely dependent upon the little strip of Chilean coast as to whether they will be of any service or a dead expense. That is what I am attempting to show. The whole testimony is to the effect that we have absolutely ignored the fundamental, the prime necessity. Every witness before our committee testified that had Germany not perfected processes by which she could furnish herself with atmospheric nitrogen she would have been on her knees suing for peace long before this, because England with her great navy, mistress of the seas, could at least get her supplies for the creation of modern explosives from the Chilean coast. Here we are seriously spending millions in providing for armor-plate factories for our great warships and our modern armament and we have ignored entirely the fact that since 1880 the whole scheme of warfare has been projected upon this wonderful scientific discovery.

Mr. CLARKE of Arkansas. Where does the Government at the present time get its supply of explosives for practice purposes?

Mr. SMITH of South Carolina. From Chile. The testimony before the committee was that we, anticipating that there might be possible danger, laid in an extra store of Chilean nitrate. Germany had done the same thing, and, as the testimony shows, in three days' fighting under the modern equipment more explosives were used than were used in the entire campaign of 1870. Yet not a line, not a scrap, not a word save this bill has been introduced looking to equipping ourselves first and foremost with the fuel that will make the engines run, rather than build the engine and depend on Chile for the fuel.

Mr. MARTINE of New Jersey. Will the Senator yield for a moment? Is it not a fact established upon good authority that the Chilean nitrate beds are fast approaching a condition of utter depletion and exhaustion?

Mr. SMITH of South Carolina. The testimony before the committee was, as I have just stated, as to aniline dyes that we hear so much of here in the Senate. We want to develop our dyeing industry; and all the coal-tar dyes, the lack of which is to-day absolutely stagnating our manufacturing progress, are based upon nitric acid. This very process that I am pleading this Government shall engage in for its defense is the source out of which comes this essential ingredient in our manufacturing processes. Now, coming to the question of the amount of appropriation necessary, Dr. Norton says:

> The amount specified in the bill under consideration, viz, $15,000,000, is not sufficient to entirely liberate us from dependence upon Chile saltpeter. It should, however, enable us to provide fairly well for meeting the Nation's needs in regard to munitions of war and to cover normally a large share of the current consumption of combined nitrogen.

We have provided in the committee amendment for a bond issue. It was the unanimous opinion of the committee that this being a matter which is permanent in its nature, that a bond issue was the proper thing to do. Especially was this true in view of the fact that under the statutes now existing, providing for the issue of Panama Canal bonds, no new legislation was necessary. In fact the arguments used for the construction of the Panama Canal and the issuance of the bonds for its construction are the very arguments that may be used with more force and reason for the present purpose.

In reading the argument made for the digging of the Panama Canal connecting the two oceans we find that it was for the purpose of developing the commerce of America and adding to its defense, and yet back of all that is the question involved in this amendment, our power to provide ourselves with an adequate supply of that which makes your vessels available and your fields attractive.

When the vital importance of this legislation, its absolute necessity as a means of defense alone, is considered, the great project of the Panama Canal or the Alaskan railway that we so willingly voted $40,000,000 for sinks into insignificance. We built the Panama Canal, approximating in cost now something like $600,000,000, for the purpose of facilitating the movement of our commerce and promoting its development and strengthening our naval defense. This project, costing an infinitesimal part of what the canal project cost, is of far greater importance to the American people.

I have said this much to emphasize the necessity for immediate action from the standpoint of military necessity. It so happens that nitrogen is an indispensable chemical in practically every department of our economic life. It is the essential element in all plant food. As a fertilizer ingredient it is indispensable. Dr. Backeland made the startling statement before the committee that statisticians had declared that the available water power, not the potential, but the available water power of Niagara, converted into atmospheric nitrogen and applied to the wheat fields of America would increase the yield of wheat 3,000,000 bushels every 24 hours. This was arrived at by the accurate experiment of taking a certain amount of atmospheric nitrogen and applying it to an acre and comparing the increased yield of that acre with one not so treated.

Mr. VARDAMAN. Will the Senator kindly give me the estimate made as to the increased product to the fields? That is what I want.

Mr. SMITH of South Carolina. There is not a Member of the Senate who would not agree that as important as if not more important than any other question is the development of our agricultural resources. This development necessarily rests upon the fertility of the soil. Upon that, and that alone, depends the possibility of adequate supplies for the necessities of the human race. It is a well-known fact that the great wheat fields of the West, the Delta of the Mississippi, the silt deposits that through ages have made the soil contiguous to our great water courses, all are rich in nitrogen, secreted through countless ages by millions of certain microbes in the presence of decomposing matter. But surely and steadily this stored-up soil wealth is being exhausted. The yield of our own wheat fields is now but slightly exceeding the demands of our own people. The cost of living depends practically, as every other commercial problem depends on the law of supply and demand, and rests ultimately upon the productivity or the fertility of the soil. In the southeastern part of our country, or the cotton belt, one-half of the entire agricultural area is dependent upon artificial fertilization, and the principal ingredient, the most costly, and the most essential is nitrogen. The amount of

nitrogen imported last year for agricultural purposes approximated $23,000,000. The yield of corn per acre on the Atlantic seaboard, in the cotton belt, in the last 10 or 15 years, has been doubled principally by the increased use of nitrate of soda. Agricultural chemists are practically agreed that all foodstuffs are naturally rich is nitrogen and therefore require artificial applications to supply this ingredient to the growing plant in order that the fruit or the harvest may be satisfactory.

We to-day boast of the fact that we, by virtue of climate and geographical position and the proximity of the Gulf Stream, have a monopoly of the three world necessities of the human family. The world consumes now 16,000,000 bales of cotton, as compared with about 8,000,000 bales 25 years ago. This added excess is largely due, if not wholly due, to the discovery and use of nitrate of soda from Chile. I can state from my own experience as a farmer that in the State of South Carolina, according to a table which I am going to submit without reading, the yield of corn per acre in North Carolina, Georgia, and Florida in 15 years has doubled, and every corn producer in those States will testify that the happy solution of the question of grain production in the southeastern part of this country is entirely dependent upon the application of concentrated nitrates.

I want to state for the information of the Senate what will be borne out by any scientist, that you can go into any wheat field upon which no application of this ingredient has been made, and you may write your name by sprinkling this nitrate of soda, and until the crop is matured and the color becomes the same by virtue of the crop ripening you can read your name in the excess growth produced by that application.

I am calling your attention to this because even now we are proposing to investigate the high cost of living, and, as in the case of investigating the high cost of a battleship, you are not justified in putting a dollar into it if you do not put an explosive in the battleship, the Agricultural Department is not justified in spending these millions and millions of dollars in so-called farm instruction when the perfected seed that they have developed on their plats and the processes by which they develop them have got to be employed in an impoverished soil.

I state here and now that I do not know but that in my State, under present conditions, it is absolutely wrong to go down there to teach our farmers the modern processes of agriculture unless you can give them an adequate means of enriching their soil to meet that which you teach them. The law of increasing and diminishing returns is involved in the cost of artificial fertilizer; and no matter what the ultimate production of an acre of land may be, if the cost of extra fertilizer takes away the profit, there is no incentive to produce to its fullest capacity. The economic problem that confronts you and me is as of vital importance—aye, it is of more vital importance—than the question of whether or not we shall equip ourselves to defend our country from an invading foe. The one is an accident that we all pray may be averted; it is one that we hope may be temporary, while the vast army of agriculturists is that army that 365 days in the year are on the farm and are preparing themselves at all times, when not engaged in actual labor, to fight the battle that makes it possible for you and me to sit in the Senate Chamber of the United States. I say that it is of more importance to us to take care of the man who protects our lives in time of peace, who supports us, than it is to take care of the man who defends and protects us in time of war.

It is useless to state to this Senate what must be apparent to all—that the question of agriculture is to-day, as it has always been, the paramount issue with every country. Some one has said, and said truly, that civilization begins and ends with agriculture.

Now that there is given the opportunity to this Congress to provide this ingredient for purposes of defense, it surely will not hesitate to go as far as the Constitution will allow to provide the toiling agricultural masses with the essential ingredient needed so sorely to help them in their task of feeding and clothing the human race.

The cost of fertilizers is one of the greatest burdens placed upon agriculture. It is the duty of the Government, if it may not directly furnish at the lowest possible cost an adequate supply of that upon which we are all dependent, it should feel it to be its duty to use every legitimate means within its power to further this all-important end of maintaining the fertility of our soil and its productiveness to the highest possible degree.

I want to state to the Senate now that the question of the yield per acre has never been solved because the cost of the fertilizer which would produce the highest possible yield goes beyond the region of profit to the man so using it. In my State a 17-year-old boy made 234 bushels of corn on 1 acre. Of course, that would be impossible as a profitable process; but it certainly illustrates what may be done, given the means. If I were not assured that in the Department of Agriculture the record is there, I would not venture on this assertion. Another South Carolinian, previous to the exploit of Jerry Moore, made 254 bushels of corn on 1 acre.

Mr. MARTINE of New Jersey. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from New Jersey?

Mr. SMITH of South Carolina. I yield.

Mr. MARTINE of New Jersey. I desire to ask the Senator from South Carolina whether the acre referred to was a measured acre of 43,560 square feet or whether it was a section of an acre on which these experiments were exploited? I glory in anything that will increase the farmer's supply, for God knows the struggle is pretty hard and bitter for the average farmer; but to a practical farmer, who has spent the years of his life in farming, that is a pretty big story.

Mr. SMITH of South Carolina. I should like to hear what the Senator has to say; but on account of the ruling of the Chair I prefer to finish my speech rather than lose the floor.

Mr. MARTINE of New Jersey. I do not wish to interfere with the Senator, but I say God speed him, if in South Carolina they can produce 254 bushels of corn to the acre. [Laughter.]

Mr. SMITH of South Carolina. Well, Mr. President, in reply to that, I wish to say that I think God is doing His part, and I am trying to get the Senate to speed on just now.

Mr. MARTINE of New Jersey. That is all right.

Mr. SMITH of South Carolina. I think God has provided us with all the material that is necessary, and it only remains with us whether or not we shall utilize that material to realize approximately the yield which I have indicated.

A provision in this bill gives the Secretary of Agriculture the right to dispose of any surplus nitrogen that may be had above the needs of the Government for military purposes.

I do not believe that the agricultural interests of this country bear the same relation to the Government practically that others bear, for the reason that here the raw material is made upon which all life, both human and animal, is dependent, and the prosperity and development of every department of our life depends ultimately upon the productiveness of our fields, and from the very nature of the case they can not bear the same relation to the Government that the excrescences that have appeared above the economic body by virtue of invention, and which personal interests have foisted upon us. And when it is taken into consideration that the vast majority of those engaged in agriculture; in fact, practically all are comparatively poor, limited in means to supply themselves with the ingredients that would enrich the soil; poor because of the very vocation in which they labor; poor because the returns from the farm scarcely average more than a sufficiency to support life, and in view of the fact that so vast an army of these small farmers produce the food and clothing of this country, the very conditions of the work demand special attention. We have recognized this in the establishment of the Department of Agriculture. We have devoted millions of dollars to experimental farming, to discover the best methods of farming; we have devoted millions in experimenting in the development of seed to give him the best yield from a given plant; we are devoting millions in supporting agricultural institutions, in part at least, throughout the country; and yet it all is comparatively a failure if the fertility of the soil does not cause the plant to respond to the labor and seed.

The cost of fertilizers, by the law of diminishing returns, makes it unprofitable. Therefore, Mr. President, I believe it to be the duty of the Senate, for reasons which I have set forth, to adopt this amendment or a similar one, and to at once begin the manufacture of that article which, while essential to the military defense of this country, is equally essential to the progress and development of our resources.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Mississippi?

Mr. SMITH of South Carolina. I do.

Mr. VARDAMAN. Did I understand the Senator to say that he would insert in his remarks an estimate as to the probable cost of this plant?

Mr. SMITH of South Carolina. Yes.

Mr. VARDAMAN. But the Senator has not given that to the Senate?

Mr. SMITH of South Carolina. Yes; I have set it forth here. It is $15,000,000.

Mr. VARDAMAN. I merely wished to know if the Senator had done so.

Mr. SMITH of South Carolina. It is set forth in my amendment.

Mr. VARDAMAN. I shall be glad to read it in the Senator's speech.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Iowa?

Mr. SMITH of South Carolina. I do.

Mr. CUMMINS. Is the supply of nitrogen in the air inexhaustible?

Mr. SMITH of South Carolina. A member of the committee asked that question, and we were told that the blanket of atmosphere is about 50 miles deep, and that 1 acre square, by actual calculation, would produce enough nitrogen, if it could all be extracted, to last the human family for a generation.

Mr. CUMMINS. So that if war becomes, as it is apt to become, the normal condition of the world, and we withdraw from the air the nitrogen necessary to manufacture all the explosives, and also the world at large shall withdraw from the air the nitrogen necessary to fertilize the soil, there is no danger that the atmosphere will become so changed that it will not sustain human life?

Mr. SMITH of South Carolina. The amount extracted would be like a drop out of the ocean.

Mr. CUMMINS. I am very glad to hear the Senator from South Carolina say that. I had really begun to have some alarm about the outcome.

Mr. SMITH of South Carolina. There is not a particle of danger of exhausting the supply of nitrogen. The fact is, Mr. President, I should like to say to the Senator from Iowa, that this element also comes under the great law of the transformation of energy, and as rapidly as it is exhausted in the production of a crop or as rapidly as a cannon explodes the initial elements go back to replenish the supply very much like the exhalations of the ocean furnish the clouds which furnish the rain which supplies the ocean.

Mr. CUMMINS. Now, Mr. President, I really want to ask a question. The Senator from South Carolina said a few moments ago that this bill was the first suggestion along the line of his argument. I think the Senator from Alabama [Mr. UNDERWOOD] has introduced a bill looking to the manufacture of nitric acid by the Government. I should like to know, for my own information, the essential difference between the bill reported by the Committee on Agriculture and the one introduced by the Senator from Alabama.

Mr. SMITH of South Carolina. Mr. President, the essential difference is this: The amendment offered to this bill by the Senator from Alabama seeks to have a commission appointed to investigate the questions involved in a proposition of this kind, and at some future time, after they have ascertained the best process or processes by which to manufacture this commodity and determined the site or sites where plants should be located, to report to the Senate for such action as they may see fit to take. The Agricultural Committee have investigated. We availed ourselves of the very best authorities that this country could produce; we had before us Mr. Washburn, who practically controls the patents in the cyanimide process; we had before us Dr. Norton, who has spent several years under the auspices of the Government in studying the arc process. After exhaustive hearings, which are available to the Senator, the Agricultural Committee of the Senate was of the opinion that, in view of the pressing necessity, we should avail ourselves now of what is entirely practicable and proceed at once, without any further delay, toward the manufacture of this commodity.

There is not a Senator here who does not know that, if we postpone this undertaking and refer it to a commission, and the subject follows the usual routine of commissions, we will be exactly in the same fix that we were in at the time of the Spanish-American War. The idea of our going up against even weak, effete Spain, and being compelled to use black powder was humiliating. Even as late as that war we were not equipped with modern explosives, and, if it had not been for the very nature and character of the poor, disintegrating Government that we went up against at that time, the tale might have ended differently.

I believe the testimony before our committee will show the entire practicability of this undertaking; and the same thing is shown, I think, by the letter which I received this morning from Dr. Baekeland, the chemist of the Naval Advisory Board, who goes into it exhaustively. Let me read the last sentence of his letter. I am not going to take the time of the Senate to have it read, but I am going to ask to have it printed in connection with my remarks. In speaking of the appropriation, and right along the line of the inquiry of the Senator from Iowa, he says:

> In this way the appropriation provided for in the present bill—

Speaking of the bill which I am about to offer as an amendment—

> would insure the main factor of the problem—cheap power—and leave it to the merits of changing opportunities in what way this power shall be utilized to the best interests of the community.
>
> The present bill may be made an important instrument for national defense and for industrial and agricultural peace preparedness of the United States.

I should like to state to the Senator also that Dr. Baekeland is of the opinion, and so states, as the Senator may read in the morning in the RECORD, that it will take at least 12 months before we can begin to supply ourselves with this ingredient. He says that we are thoroughly equipped and have as good chemists as the world has; that what Germany is doing and what Norway and Sweden and France and England are doing, we can more abundantly do with our matchless resources; that the processes are known and familiar to American scientists; and that there is absolutely no necessity for a day's delay.

I now ask that the communication from Dr. Baekeland, to which I have referred, may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, permission is granted.

The communication referred to is as follows:

NITRIC ACID IN WAR.

It is generally accepted that in case of war the United States can be put in a condition to produce, within its boundaries from its own resources, all the needed materials or ammunition, except for the fact that until now it is entirely dependent on its importations of Chile saltpeter for the manufacture of nitric acid. Nitric acid is the essential chemical for the manufacture of our explosives. Any enemy who, through interference with navigation or by seizing the nitrate fields in Chile, would cut off our supply of Chile saltpeter would have this country at his mercy if we could not devise other means for producing nitric acid. These means exist, and Germany has been compelled to utilize them, because since the beginning of the war it has been practically shut off from the outside supply of Chile saltpeter. It is true that at the beginning of the war Germany was supplied with a large stock of ready-made explosives and a reserve of Chile saltpeter, but very probably Germany did not expect the war to last beyond a few months nor to use the incredible amount of ammunition and explosives which have been expended during this war. At any rate, it is a well-known fact that Germany is obtaining now all the nitric acid for its war operations by the utilization of chemical processes for the fixation of nitrogen, which have been developed not only in Germany but in several other countries. These processes are well known and could be duplicated in this country but for the fact that the mass production of any chemical requires a well-trained staff and a well-equipped plant.

TIME REQUIRED FOR GETTING READY.

The construction of a plant of adequate size, even under the most propitious conditions and using all diligence and skill of American engineers and chemists, will require a considerable time to erect, and certainly not less than a year. But even after a plant is erected the staff of engineers and chemists will not gain the necessary experience except after the usual delays and disappointments which are the unavoidable accompaniments of any new chemical manufacturing processes. In other words, even the best of chemists and of engineers have to go through a period of apprenticeship whenever they undertake a new manufacturing process. In frequent cases it has taken years before a competent staff was able to operate a new process efficiently. On account of this a beginning must be made in advance. After some units are in successful operation it becomes a relatively easy task to duplicate these units and to communicate the experience of the initial members of the staff to additional men who are put in charge of the increasing units.

In relation to this, it may be interesting to point out that as soon as war was declared the German Government, under threat of strong penalties, forbade German engineers and chemists to participate in foreign enterprises which might tend to help foreign enterprises to compete with its domestic industries.

IN WAR NITRIC ACID IS MADE REGARDLESS OF COST.

This problem of equipping the country so as to put it in a condition where it can manufacture its own requirements of nitric acid is difficult enough and requires the best of chemical engineering talent and the highest executive abilities. Nevertheless, it is a relatively easy problem, as compared to that which tries to furnish to this country an abundant supply of cheap nitrogen fertilizer obtained from the cheapest methods of production, namely, the fixation of the nitrogen of the air. Indeed, for war purposes nitric acid can be made regardless of cost. It becomes simply a paramount matter of getting nitric acid at all. Germany now is making nitric acid regardless of cost, but such a process does not suit peace conditions. If the problem of the manufacture of nitric acid for national defense is important enough by itself, it should not be overlooked that its utilization for war purposes is only a probable possibility, while the processes of cheap nitrogen fertilizer are absolutely sure of utilization in times of peace as well as in times of war. Moreover, it is perfectly possible in our plans for national defense to direct the same efforts so that they surely may contribute as a national asset in times of peace.

NITROGEN FERTILIZER A QUESTION OF PRICE.

On account of this the problem of the economical fixation of nitrogen of the air gains a considerably increased importance beyond its uses in military preparedness. The productivity of our farms and yields per acre are directly increased by the use of proper fertilizer, of which nitrogen fertilizer is one of the most important constituents. The comparatively high yields per acre in Belgium and Germany, as compared to the yields per acre in the United States, are almost proportionate to the increased use of nitrogen fertilizer in Belgium and in Germany. But this fact is of no importance whatsoever if nitrogen fertilizer can not be produced cheaply, as the increased cost for fertilizer may then be higher

than the increased value of the crops. So when we consider this question in its broadest aspects, we may say that for war purposes it is not so much a question of getting nitric acid cheaply and economically as to insure abundant, independent supplies of nitric acid, obtained not necessarily by the cheapest but by the most expedient process. For agricultural purposes the nitrogen fixation problem has little or no importance, unless the processes furnish the nitrogen at the very lowest possible cost.

On account of the diversity of the two points of view, I shall take the liberty of summing up my personal conclusions as to what this country ought to do in time of war in order to insure an uninterrupted supply of nitric acid.

OUR PROGRAM IF WAR BROKE OUT TO-MORROW.

If we were involved in a serious war to-morrow, this country would not possess a single equipment of any importance at this time for making nitric acid from the air. So the first source of supply would be from stock on hand of Chile saltpeter, which would only last us for a while. I have been assured by the military authorities that this country is now provided with a somewhat increased supply of Chile saltpeter, which may help us out for a short time after the beginning of the war. After war was declared one of the first measures the United States Government ought to take would be to commandeer all the supplies of ammonia available in this country from any source whatsoever.

NITRIC ACID FROM AMMONIA.

It is a known fact that in a suitable apparatus, ammonia can be oxidized by means of air, and can be finally transformed into nitric acid. This, in fact, is the process adopted almost exclusively by Germany in order to get its supply of nitric acid for war purposes. Ammonia, in this country, is mainly obtained as a by-product from coke-ovens, together with tar. Its annual supply in the United States would be equivalent to a production of about 120,000 tons of nitric acid. But Germany is consuming, for the manufacture of its explosives, at the rate of 250,000 to 300,000 tons of nitric acid per year. Furthermore, about 40 per cent of the ammonia produced in this country is used in refrigerating machines, and in times of war refrigeration of food supplies becomes even more important than in times of peace. So if anything, the amount of ammonia available for oxidation into nitric acid would, on this account, be considerably reduced, aside of the fact that ammonia is indispensable for other industrial purposes which would become paralyzed on account of any shortage. Furthermore, the equipment and operation of nitric-acid plants from the oxidation of ammonia, although relatively simple, require special experience and skill, which very few people in this country possess at present, because our engineers and chemists have never been called upon to carry out this process on a large factory scale.

I am assured, however, that the technical staff of the American Cyanamid Co., which operates in Niagara Falls and Canada, and which is composed of American engineers and American chemists, is now equipping a first small unit for this purpose, and it claims that the yields have been as high as those currently reported in Germany, namely, as high as 90 per cent to 95 per cent of the possible theoretical yield.

In a sudden war, one of the first steps would be to call immediately into action anybody who has acquired sufficient experience in this operation so that we may be able to transform our available supply of ammonia into nitric acid as fast as possible. It should be stated right here that for the operation of transforming ammonia into nitric acid practically no water power is required, as this operation is mainly dependent upon heat if once you possess the necessary amount of ammonia.

AMMONIA FROM COKE OVENS.

While this part of the problem is being attended to and while we are transforming the available supplies of ammonia into nitric acid, we should look forward to increase our supplies of ammonia beyond what can be produced from by-product coke ovens, because the erection of additional by-product coke ovens would, by itself, consume time and a considerable investment of capital, aside from the fact that the production of coke is mainly dependent on the demands of the iron and steel industry. On this account it would be much cheaper and simpler to install processes which provide us with ammonia without producing at the same time, a disproportionate amount of another product like coke.

AMMONIA FROM CYANAMIDE.

The cheapest known and most available process for producing ammonia in the most rapid way and with the simplest equipment is to make it by means of cyanamide. This is the way the Germans are at present producing almost all the ammonia they require for nitric acid manufacturing. There are several other processes, but the urgency of the situation made them decide to rely mainly on this source of supply. At the beginning of the war Germany had only three plants in which cyanamide was manufactured, with a total annual production of 50,000 tons. At present these plants have been rapidly increased in size and in number, until they now total an annual production of about 500,000 tons of cyanamide.

It fortunately happens that the cyanamide industry is a well-known industry here in the United States, and has been under operation for a number of years on the Canadian side of Niagara Falls, under the management and operation of Americans, so that it would be possible to invoke their immediate help for the equipment of cyanamide plants in the United States in one or more sites in the interior where they would be sufficiently far remote from interference from the enemy in case of invasion.

For the manufacture of cyanamide, abundant supplies of electric current are essential, and this electric current can be produced either by water power or by steam, gas, or oil engines. Of all sources of power there is none which can be obtained as cheaply as water power, although in some cases the selling price of water power has become so high as to be higher than that of power obtained from fuel by steam or gas engines. But in a war emergency the question of price plays no rôle, and Germany is now making most of its cyanamide by means of power raised from fuel, for the simple reason that water powers in Germany or Austria are very limited in size and in number. So the next step would be to commandeer any suitable existing power plants, where cyanamide could be manufactured promptly and erect additional power plants.

HOW CYANAMIDE IS PRODUCED FROM CARBIDE.

As to the manufacture of cyanamide, the first step of the process consists in making calcium carbide, an essentially American industry, invented by Americans, developed by Americans, and in which the United States, since the inception of the process, has remained the leader. The manufacture of carbide of calcium consists chiefly in submitting a mixture of coke and lime to very high temperatures produced by the electric current. Whenever this electric current is cheaply obtainable it becomes possible to make this carbide of calcium cheaply.

The next operation consists in changing this carbide of calcium into cyanamide. This is done by uniting nitrogen, under suitable conditions, with the calcium carbide. This gives cyanamide. The nitrogen for this purpose is extracted from the air. Air contains about one-fifth of nitrogen and four-fifths of oxygen. By liquefying the air, or by other suitable processes, it becomes possible to separate the nitrogen from the oxygen, and this separated nitrogen is then available for transforming carbide of calcium into cyanamide. Cyanamide under the action of steam at increased temperatures, gives ammonia, and thus supplies the necessary material which can ultimately be converted into nitric acid.

There are several other processes for making ammonia, but none was found as easily and abundantly adaptable for the purposes of the nitric-acid supply of Germany.

OTHER NITRIC-ACID PROCESSES AND THEIR RELATIVE MERITS.

There are also some methods for making nitric acid directly from the air, without going through the intermediate formation of ammonia. One of the best examples is the process now used in Norway, in which an electric arc is passed directly through circulating air, whereby the nitrogen unites to the oxygen and by the subsequent addition of water, furnishes nitric acid. This process is also frequently called the "arc process." It has been developed by chemists and engineers of several nationalities. The first efforts in that line were carried out in Niagara Falls by two American electrochemists, Bradley and Lovejoy. The process was abandoned here on account of the exorbitant cost of water power, which made it unprofitable; it was taken up again, and further improved and developed in Norway, where, on account of abundant and cheap water power, electrical current is available at about one-fourth of the price at Niagara Falls. A large plant utilizing this process has been in operation in Norway for several years, and the allies, besides what is being produced by other means, are using most of the nitrates produced by the Norway concern. Germany has been cut off from this supply since the beginning of the war for several reasons, one of them being that the controlling financial interests of this enterprise are in the hands of French bankers.

Until the outbreak of the war it was generally considered that the Norway process was the cheapest and quickest way of making nitric acid. Since then increasing data are at hand which indicate that the oxidation of cheap ammonia furnishes more expedient and less expensive means for the manufacture of nitric acid, especially in all cases where power is relatively more expensive and limited in quantity.

It is generally accepted that with the arc process it takes from 2½ to 3 horsepower in order to produce 1 ton of nitric acid per year, while by means of the cyanamide process it only takes 0.55 horsepower to produce the same amount of nitric acid. So that with the same amount of horsepower five to six times more nitric acid can be produced with the cyanamide process than with the arc process.

These facts were not so well known at the beginning of the war, before it was clearly understood that the rate of production of ammonia with the cyanamide process and the rate of oxidation of the ammonia in the subsequent production of nitric acid, gave as high yields as those which are now reported and guaranteed by the chemical engineers who make a specialty of this class of operations. There are other processes for making ammonia which could be converted into nitric acid, for instance, the so-called Haber process, of which much capital has been made in the chemical literature, because it was thought that it would make Germany independent from the necessity of cheap power in the permanent production of nitric acid. On this account every encouragement has been given by the German Government in the development of this process to the private enterprises which took it up.

Notwithstanding this, only a relatively small amount of ammonia has been produced by means of the Haber process, and the German experts had to place their main reliance on the cyanamide process, which is furnishing incomparably the largest amount of nitric acid.

THE NITROGEN PROBLEM IN TIMES OF PEACE.

Expediency and speed of equipment and operation are the most essential factors when it comes to provide any nation with nitric acid in time of war. Germany spent about $100,000,000 during the last 18 months in erecting, with feverish haste, additional equipment for insuring its needed supplies of nitric acid. The problem becomes quite different in times of peace, if real economy of production has to be taken into consideration. This is the guiding point of view whenever we speak about nitrogen for fertilizer purposes. It is no longer the question, "Can we get the nitric acid which we need for making explosives?" but "How can we make nitrogen fertilizer at such a low price that our farmers can afford to use it on their fields so that, with the same amount of labor, they may be able to increase the yields of their acres?"

CHEAP NITROGEN FERTILIZER.

It is generally accepted as a result of direct experiments that it does not matter much whether the nitrogen is applied to the fields under the form of ammonia, of cyanamide, or of nitrates, although there seems to be some slight advantage in favor of the latter. This advantage disappears entirely in view of the fact that nitrogen, under the form of nitrates, is decidedly more expensive to produce or to purchase than what nitrogen can be manufactured for under the form of cyanamide.

The amount of nitrogen is what counts in a nitrogen fertilizer; it does not matter much whether this nitrogen exists as nitrate, ammonia, or cyanamide.

If it is cheaper to manufacture nitric acid by the way of cyanamide than by the direct arc process, it stands to reason that the nitrogen contained in cyanamide will even be less expensive than the nitrogen contained in nitric acid or nitrates manufactured by the arc process. In the last analysis we come to the conclusion that the cyanamide process, for the present, is the cheapest way of obtaining nitrogen for agricultural fertilizing purposes in illimited quantities. This conclusion seems to be supported by the fact that of all the nitrogen processes known, none has taken such an enormous extension as the cyanamide process. This does not mean to say that if coke manufacturers are willing to sell their ammonia at sacrifice prices, they could not sell lower than present cyanamide prices, but the quantity of ammonia from by-product coke ovens is limited by the market for coke, and the latter is mainly dependent upon the iron or steel industry. Furthermore, in times of peace there is a relatively close margin of profit in the coke industry, and in order to make up this profit every item of the selling price of the by-products has to be taken into consideration. So what is

usually called a by-product is a misnomer in so far as it is only one of the many products which are produced in the same operation, the selling of which contributes to make the enterprise remunerative or not.

This statement is best substantiated by the fact that not so long ago, within the last few years, the Deutsche Bank, one of the most powerful and best organized banking institutions of the world, notwithstanding the experience and advice of its best German engineers and chemists, incurred a loss of about $6,000,000 after installing by-product coke oven processes in this country after systems which had run successfully in Germany. So that after all the statement that the ammonia can be supplied in unlimited quantities from by-product coke ovens or gas tar, is only a relative statement of the truth.

If nitrogen can be provided at a lower cost by means of cheap cyanamide, this would enable an enormously extended use of nitrogen fertilizer. But in order to produce this cyanamide cheaply, the predominant factor is that of cheap water power.

COST OF WATER POWER.

The cost of water power, or the production of cheap electric current produced thereby, is a subject which in itself has so many different and complicated factors that it can only be discussed thoroughly by specialists. It is a branch of engineering decidedly different from the chemical problems connected with the economic fixation of nitrogen from the air. Without going into many details, it can be stated that the cost per horsepower is first of all determined by local conditions and then by the law of supply and demand. Some water powers situated in remote corners of the United States, far removed from centers of consumption, are not even worth while developing for the present, whenever the advantage of the cheaper cost of water power would hopelessly disappear before the increased freights. On this account owners of water powers situated inland toward the Pacific coast, in Oregon and Washington, are offering in vain every inducement to attract enterprises, while in Niagara Falls, N. Y., manufacturers are willing to pay decidedly more for power there than the same power can be produced in less accessible localities of the United States by means of steam where cheap coal is available. Niagara Falls is preferred because it lies in the center of the best market and on the main freight roads. Then again we note that the water power developed by Niagara Falls is sold at a lower price on the Canadian side of the Falls than on the New York side. This is due to a certain extent to the fact that Canada offers a smaller market and is industrially less developed than the United States.

The initial cost of construction of a power plant also varies from one locality to another. In Norway it happened that the natural conditions were such that the power site was unusually well adapted for inexpensive construction, and furthermore there was an open deep-sea harbor almost immediately below the falls. The cost of the dam and the water rights has another considerable bearing on the ultimate cost of installation.

Among the many other factors which come into play I should mention that our methods of financing power developments are proverbially wasteful. In Europe money is available at considerably lower rates of interest for honestly conducted enterprises whenever relatively small but regular dividends seem insured. In this country new industrial projects, especially at their beginning, can not be floated except at a high premium for bankers and promoters, so that a new water-power development, from its inception, is already loaded with an exorbitant, permanent charge aside of the cost of operation, amortization, maintenance, and repair. It has been stated justly that even in the most conservative cases the initial water-power development is already saddled with $9 per horsepower of bonded charges, aside of any cost of operation. In some cases it is higher.

It is claimed that in some special localities of the the United States—for instance, on the Deschuttes River, in Oregon—a power plant could be installed at a price of $62 per electric horsepower delivered at the switchboard. Although I do not indorse the accuracy of those figures, it is generally accepted in the United States that a water power which can be developed at $100 per electric horsepower, including cost of construction, water rights, and so forth, is considered inexpensive, while in most cases the cost will run up to $130, $140, and $150 per horsepower. This, of course, means an increased fixed charge for bonded debt, aside of the cost of operation, amortization, and repairs, and it all depends, furthermore, on the greed of the promoters or the wastefulness of the banking methods how much the final bonded debt shall be.

The United States Government, with its limitless credit, can afford to borrow money at rates of interest incomparably cheaper than private parties, especially if bonds have to be issued on new industrial enterprises. Here is where the United States Government, without injury to itself and for the benefit of the citizens of the Nation at large, might fund some large power plants. This could be accomplished so much the better because the Government, exercising its prerogatives of eminent domain and its power to regulate the navigability of streams, possesses, in this instance, an enormous advantage over private enterprises.

To generate power for purposes of public utility or to rent this power at a proper rental and under equitable terms to private enterprises would be one of the simplest ways of disposing efficiently of some of the natural resources of this country. In this particular instance it would interlock very suitably with the program for national preparedness for war and for peace by insuring the sufficient production of nitric acid in time of war and abundant cheap fertilizer in times of peace.

It should be noted that certain electrochemical industries can not be run economically in small units: this is the case of the manufacture of nitrogen fertilizer. As a matter of urgency for the production of nitric acid in war times this is not so important except for the fact that it immediately requires the necessary scattering over too many points of a limited technically trained staff.

SULPHURIC ACID JUST AS NECESSARY AS NITRIC ACID.

There is another consideration of great importance, namely, that in the manufacture of explosives nitric acid is practically always used in conjunction with sulphuric acid. So we need a corresponding production of sulphuric acid. This matter is relatively easy in view of the fact that the United States is the largest sulphuric-acid producing country of the world. But it is very necessary that the sulphuric acid should be produced right on the spot where the nitric acid is manufactured for the reason that transportation of sulphuric acid, by itself, or nitric acid, by itself, to the points where both products have to be used for making explosives, constitutes an enormous complication, in as far as these products have to be transported in glass containers. If so happens, on the other hand, that if you mix sulphuric acid and nitric acid the problem of transportation becomes incomparably simpler by the fact that these mixed acids can be transported in iron containers to the plants where the explosives are made.

Even in times of peace this sulphuric-acid problem has its importance, because sulphuric acid is used to make superphosphates—another fertilizer which should be used in conjunction with nitrogen fertilizer—so that it may contribute to give to the soil all of the fertilizing elements which are wanted.

These are only a few of the ramifying practical considerations which have a direct bearing on the present problem.

COST OF POWER.

When it comes to analyze the cost of electric horsepower it may be stated that while in Norway such power has been available at $4 to $7 per horsepower year, in Niagara Falls, N. Y., it is sold currently between $18 and $20 per horsepower year, and in Niagara Falls, Ontario, it has been sold as low as $10.50 per horsepower year, although it is probable that to-day it is no longer obtainable at these lower rates since the demand has enormously increased. Furthermore, the supply of power in Niagara Falls is practically below the demand. In other large power plants of the United States the cost of power is considerably higher than that of Niagara Falls.

REQUIRED APPROPRIATIONS.

It has been claimed that under unusually favorable conditions, and by borrowing money at 3 per cent, electric horsepower could be produced in the United States at a cost as low as $5 per year, but I have not been in a condition to verify these statements. Other specialists in power production claim that electric current can be generated from steam at $18 per horsepower year if good bituminous coal is available at $1.25 per long ton. In view of the above data, even if a hydroelectric plant could be installed at the relatively low rate of $100 per electric horsepower, delivered at the switch, an appropriation of $15,000,000 would only furnish 150,000 horsepower, without providing any funds whatsoever for the chemical equipment in which the nitric acid or the fertilizer has to be made. This in itself would require an appropriation at least as high. With an equipment of 150,000 horsepower, using the arc, or Norway, process, it would only be possible to produce about 50,000 tons of nitric acid per year, which would be a relatively small amount if we take into consideration that Germany is consuming now more than five times as much.

The same amount of 150,000 horsepower, with the cyanamide process, might produce over 250,000 tons of nitric acid per year which would seem sufficient for war purposes, unless the war is waged on a still larger scale than what is going on now in Europe.

In this relation it should be mentioned that up till now the fleets of the warring nations have used practically no explosives as compared to what may happen the day when they begin to participate actively in the war.

SHOULD THIS BE A GOVERNMENT ENTERPRISE?

But such an immense production of nitric acid as may be required for war is entirely disproportionate to the relatively small amount which is sufficient for times of peace. On this account it appears more logical to install an equipment which in times of peace will furnish fertilizers so cheaply that the whole production can be disposed of, and to provide at the same time an additional equipment at a relatively small outlay, so that the manufacturing process can be rapidly converted into the manufacture of nitric acid as soon as war conditions demand it. Cheap fertilizers not only requires efficient methods of production but also economic methods of distribution. The latter not only involves the question of freight rates but also, to a large extent, the great increase of cost through middlemen. Anybody who only takes these factors into consideration would think that the simplest solution consists in a huge Government enterprise, utilizing natural resources at lowest cost and selling the products at a modest profit to the farmers of the country, while maintaining the plant in such a condition as to have it always ready for national defense purposes in times of war.

Some instances might be pointed out where the Government has done excellent work in similar directions in entering into engineering enterprises, as in the case of the Panama Canal, which can be cited as a monument of national efficiency.

In another case the manufacture of smokeless powder in a Government factory is claimed to have produced cheaper and better powder. Unfortunately, none of these cases is comparable to the present problem. Indeed, it should be apparent from what has been cited that none of the processes for the fixation of nitrogen of the air or the manufacture of nitric acid have received their full development nor have by any means attained the degree of perfection which they are likely to reach in time. Scarcely a year and a half ago our conception as to what were the most efficient processes for manufacturing nitric acid were rather misleading. Even to-day quite some discussion is going on on this subject, mainly by the fact that those who are expert in one process are hardly as competent to know what their competitors have been able to accomplish with other processes. Were it not for the self-evident fact that Germany has mainly staked her safety on the production of nitric acid from the cyanamide process, many electrochemists and engineers would still be induced to believe that the process used in Norway was more adapted for the purpose. But there are still other processes pending which I have not even mentioned, because, for the moment, they are too imperfect to be worthy of consideration in this present condensed statement.

Nor is this condition of affairs any different from the history of practically every chemical process. Chemical processes are essentially imperfect when they are at the beginning of their history of utilization. It requires time, money, and experience on a large scale before improvements suggest themselves, and by the time a chemical process has reached perfection it finds itself frequently displaced by a newer and better process which settles the problem along newer and more efficient lines. These improvements on chemical processes go on so fast that it is hardly possible for anybody outside of each specialized art to follow the most recent steps. Just on this account all the flexibility and the rapid action of private enterprises, stimulated by the hope of increased dividends, have accomplished wonders in the chemical industry. And right there is where a Government enterprise is at an enormous disadvantage. Appropriations for experiments or for new equipment or for extensions and improvements can not be attended to with efficiency or expediency whenever they have to travel through all the red tape of the machinery of government and legislation, where matters of a purely technical character have to be debated in endless fashion, while most of the time they are so misunderstood as to paralyze rapid constructive effort.

However, if these arguments apply in full force to the chemical part of the present proposition, they can not be invoked except to a minor extent when it comes to the funding, equipment, administration, and operation of a Government hydroelectric power plant. The art of engineering and equipping and operating these power plants is now

well established; the efficiency which can be obtained by the present engineering methods is such that there is relatively small room for further improvements.

An investment in a power plant of this kind may properly be considered as safe and permanent an investment as the Panama Canal. There is quite some similarity in this proposition and the Panama Canal, which the Government operates as a help to private shipping enterprises, aside from holding it in reserve for operations of war.

With a Government-owned hydroelectric plant there would be every possibility to make arrangements with private parties and to select the most generous bidder for making arrangements under what conditions nitric acid and nitrogen fertilizer shall be manufactured and sold.

In this way the appropriation provided for in the present bill would insure the main factor of the problem—cheap power—and leave it to the merits of changing opportunities in what way this power shall be utilized to the best interests of the community.

The present bill may be made an important instrument for national defense and for the industrial and agricultural peace preparedness of the United States.

If the Government intends to run both the hydroelectric plant and the chemical plant, then the appropriation of $15,000,000 is insufficient and should at least be $35,000,000.

Mr. SMITH of South Carolina. At the proper time, Mr. President, I am going to offer this proposal as an amendment to this bill, believing, as I do, that the facts as set forth in the speech which I have made before the Senate and the authorities quoted justify action by the Senate; and that if we can make provision for this article, we will then have met the two prime necessities of preparedness—we will have provided adequately for sustaining life and for preserving it.

The PRESIDING OFFICER. The Chair will state that the amendment of the Senator is now in order, if he desires to offer it.

Mr. SMITH of South Carolina. I thought, perhaps, that there was an amendment pending. Inasmuch as there is not, I offer the amendment I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment of the committee will be stated.

Mr. SMOOT. Mr. President, this is a very important amendment, and there are but few Senators present. I think it would hasten matters if a call for a quorum were made at this time, so that Senators may be advised as to the nature of the amendment they are to vote upon. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brady	Husting	Overman	Sutherland
Brandegee	Johnson, Me.	Page	Swanson
Burleigh	Jones	Pittman	Taggart
Catron	Kern	Poindexter	Thomas
Chamberlain	Lane	Reed	Tillman
Clarke, Ark.	Lee, Md.	Robinson	Underwood
Cummins	Lewis	Saulsbury	Vardaman
Curtis	Lodge	Shafroth	Walsh
Dillingham	Martine, N. J.	Sheppard	Warren
Gallinger	Myers	Simmons	Weeks
Gore	Nelson	Smith, S. C.	Williams
Hardwick	Norris	Smoot	
Hitchcock	O'Gorman	Sterling	

Mr. HUSTING. Mr. President, I desire to announce that the Senator from South Dakota [Mr. JOHNSON] is absent on account of official business. I ask that this announcement may stand for the day.

The PRESIDING OFFICER. Fifty Senators have answered to their names. A quorum is present. The Secretary will read the amendment of the Senator from South Carolina to the amendment of the committee.

The SECRETARY. It is proposed to add at the end of the committee amendment a new section as follows:

SEC. 120. That the President at any time, in his discretion, may, by Executive order, designate for the exclusive use of the United States any site upon a navigable river, the improvement of which for purposes of navigation will make available at such site surplus water power over and above the needs for navigation. After being so designated, and until the designation is modified or revoked, every such site shall be developed and improved only in the manner and for the purposes authorized by this act.

That the President may also at any time, in his discretion, withdraw from settlement, location, sale, or entry and reserve for the exclusive use of the United States any public lands of the United States, including the Territory of Alaska, whether within national forests or other reservations or withdrawals, which are valuable as water-power sites for the purposes of this act: *Provided*, That not more than five sites shall be withdrawn in pursuance of the authority given by this act.

That the Secretary of War is authorized and directed to investigate and to recommend for designation or withdrawal such dam sites and water-power sites as in his opinion will be necessary for carrying out the purposes of this act, and is further authorized to construct, maintain, and operate at or on any site so designated or withdrawn dams, locks, other improvements to navigation, power houses, and other plants and equipment necessary or convenient for the generation of electrical or other power and for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers: *Provided*, That all plans and specifications for dams in navigable rivers shall be submitted to and approved by the Secretary of War.

That the Secretary of War is authorized to lease, purchase, or acquire, by condemnation, gift, or devise, such lands and rights of way as may be necessary for the construction and operation of such plants and to take from any lands of the United States, or to purchase or acquire by condemnation, materials and minerals necessary for the construction or operation of such plants and for the manufacture of such products.

That the products of such plants shall be used by the Secretary of War or the Secretary of the Navy for military or naval purposes, and any surplus not so required may be sold and disposed of by the Secretary of Agriculture under such regulations as he may prescribe.

That the sum of $15,000,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, available until expended, to enable the Secretary of War to carry out the purposes of this act.

That the plant or plants provided for under this act shall be constructed and operated solely by the Government and not in conjunction with any other industry or enterprise carried on by private capital.

That in order to raise the money appropriated by this act and necessary to carry its provisions into effect, the Secretary of the Treasury, upon the request of the Secretary of War and the approval of the President, may issue and sell or use for such purchase or construction hereinabove authorized any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed $15,000,000: *Provided*, That any Panama Canal bonds issued and sold or used under the provisions of this section may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable and fix, instead of 50 years after date of issue, as in said act of August 5, 1909, not exceeding 50 years.

Mr. THOMAS. Mr. President, I recognize the importance of this proposed amendment and also the presence of the exigency which was so well outlined by its sponsor, the Senator from South Carolina [Mr. SMITH]. It carries, however, an appropriation of $15,000,000, which is in itself a very large sum of money. I have no doubt that the establishment of works sufficiently extensive and of sufficient capacity to furnish the country with its needs for military purposes would cost not less than the amount thus provided for. On the other hand, if this amendment carries it is probable that as the work proceeds, when sites have been selected and the structures are begun, the amount provided for in this bill will be very much less than the total amount necessary for the purpose. If therefore we act upon this matter hastily and without due examination we may find ourselves embarrassed by our lack of proper calculation of the cost of the venture; and I want, therefore, to inquire of the Senator from South Carolina what estimates have been made and upon what basis the proposed amount of $15,000,000 rests?

I have some information—not very extensive, but of a reliable character—that the amount ultimately necessary for this purpose will very largely exceed the sum of $15,000,000. I am friendly to the proposition. I think something should be done either by way of construction or by way of investigation; and, so far as I am concerned, my vote upon this particular amendment will be very largely influenced by the character of the information with regard to the sufficiency of the proposed appropriation of $15,000,000.

Of course $15,000,000 is, relatively speaking, a small sum for a purpose of such tremendous importance, not only from the standpoint of our necessary defenses, but also from the equally serious viewpoint of the needs of our great agricultural interests. At the same time I am sure that we would subject ourselves to just but serious criticism if in adopting this amendment and appropriating $15,000,000 for it we should find ourselves hereafter face to face with the necessity of making another large appropriation, possibly as much as if not more than the amount carried by this amendment, in order to complete the structure and equip it with the needed apparatus.

Mr. SMITH of South Carolina. Mr. President, I should like to state, in reply to the very pertinent inquiry of the Senator from Colorado, that this appropriation of $15,000,000 was based upon the average cost of horsepower and the productibility or the producing power expressed in units of this product by horsepower. It was estimated that in times of war we might need as much as 180,000 tons of this ingredient; during times of peace not so much. I am frank to say to the Senator that if we desire to produce the ultimate amount that we might need in times of war—that is, establish a plant sufficient to meet the requirements that might be imposed upon us during times of war—the cost would be in excess of the $15,000,000 provided for; but for normal times, using the producing power of 150,000 horsepower, the experts were of opinion that this appropriation was sufficient.

Of course the bill is open to amendments along that line; and I think that if we wish to produce as much as 150,000 or 180,000 tons, so as to make ourselves absolutely independent of any foreign source, perhaps there should be an increase in the appropriation.

Mr. THOMAS. Mr. President——

Mr. VARDAMAN. Mr. President, I should like to ask the Senator from South Carolina a question, with his permission and that of the Senator from Colorado, namely, whether the

$15,000,000 which this bill carries includes the cost of building the dam on the river that is to furnish the water power?

Mr. SMITH of South Carolina. The estimate was that this sum would equip a plant sufficient to supply the needs of the Government.

Mr. VARDAMAN. I want to say just in this connection, Mr. President, that I am personally willing to begin with the $15,000,000, because I think it is a very necessary provision to be made, more for industrial development than for preparation for war; and if we start with $15,000,000, and place it in the hands of prudent officials to invest, I do not see any harm that could come, even if we had to supplement the amount.

Mr. THOMAS. I agree with the statement of the Senator from Mississippi; but while I think it is a fair assumption, from what has been said so far, that $15,000,000 will be accepted in public estimation as sufficient for the purpose, if we pass the amendment, I do not think we can afford to make it upon that or any other assumption which might, and probably would, be followed by the necessity of further and large appropriations not now contemplated.

I repeat that the subject is one of such importance that some step should be taken, looking either to the investigation or the execution of the project, or possibly both, by way of amendment to this bill or by other legislation before this session of Congress shall have adjourned. But although my knowledge upon the general subject is somewhat superficial, I am well satisfied that the construction of a power plant or plants with a generating capacity of 100,000 horsepower will in all probability cost much more than double $15,000,000, and we may be sure that a capacity less than this will be insufficient for the national needs.

Mr. HARDWICK. Mr. President, of course I hate to oppose a proposition submitted by my good friend from South Carolina and intended to benefit so large a portion of my own constituents as well as his; and yet this amendment contains in it elements of public ownership, of governmental participation in private business, that render it absolutely impossible for me to lend it my support, unless it is materially modified from its present shape.

I desire to invite the attention of the Senate to some of the provisions of this amendment, in order that we may see exactly what we are asked to do and exactly what we are asked to favor.

The amendment provides—

> That the Secretary of War is authorized and directed to investigate and to recommend for designation or withdrawal such dam sites and water-power sites as in his opinion will be necessary for carrying out the purposes of this act, and is further authorized to construct, maintain, and operate at or on any site so designated or withdrawn dams, locks, other improvements to navigation, power houses, and other plants and equipment necessary or convenient for the generation of electrical or other power and for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers.

So that we are not confined by this amendment to the legitimate and proper governmental function of merely providing the nitrates that we need for powder in the manner suggested in the speech of the Senator from South Carolina; but it is made one of the direct and specified purposes of the amendment that we shall also provide, by Government manufacture, and in another provision by Government sale, fertilizer for the use of the farmers of the country.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. HARDWICK. I do.

Mr. SMOOT. I should like to ask the Senator if it is not true that the principal and main object of the bill is for the purpose indicated just now by the Senator?

Mr. HARDWICK. I am afraid so. I can not tell. If the Senator were to ask me, I should say, without undertaking to judge any Senator's motive, that I suspect that the principal purpose of my friend from South Carolina was to put the Government in the business of manufacturing and selling fertilizers.

Mr. SMOOT. That it was not for the purpose of manufacturing this product for fertilizer?

Mr. HARDWICK. No; I think it is the other way. I think this is a proposition to manufacture and sell fertilizers.

Mr. SMOOT. Yes; so do I.

Mr. HARDWICK. That is the truth about it, if the Senator wants me to express my opinion. But, anyhow, no matter what Senator can accept the proposition that we can manufacture nitrates for powder for the Government, and, if there is a by-product that is absolutely unavoidable in the manufacture of the necessary governmental powder, that it may be disposed of, there are few Senators on either side of the Chamber who, after maturely reflecting about the matter, will stand on the proposition that we are going to erect a plant for the double purpose, so expressed in the law, of furnishing nitrates both for powder purposes and for fertilizer purposes. I do not believe that if the Senate understood it there would be six Senators in this body who would vote for such a proposition—not six.

As far as I am concerned myself, I am willing to support a proposition, just as I did in the case of the armor-plate plant, for the Government to supply the nitrate that is needed for powder. I regard that as just as correctly and properly a governmental function as to own the Capitol, or the courthouses of the country, or the post-office buildings, or the departmental buildings. For the Government to supply its own necessities, whether in the shape of armor plate or powder or shot or shell or what not, that it needs for its own uses in any one of the public services, is one proposition; but to undertake to go into the business of manufacturing fertilizer or hats or shoes or clothing or anything else for sale to its citizens is quite another and different proposition, and rests on quite another and different principle.

Mr. SUTHERLAND. Mr. President, may I ask the Senator from Georgia whether or not this is the bill that was considered and reported from the Agricultural Committee?

Mr. HARDWICK. I do not know. I have been so informed, in a general way.

Mr. SMITH of South Carolina. Mr. President, if the Senator from Georgia will allow me——

Mr. HARDWICK. I yield; yes.

Mr. SMITH of South Carolina. This is the identical bill.

Mr. SUTHERLAND. Has it ever been considered by the Committee on Military Affairs?

Mr. SMITH of South Carolina. The Committee on Military Affairs had before them this proposition and the proposition of the Senator from Alabama [Mr. UNDERWOOD]; and, as I understand, they took no action but just referred them both back to the Senate.

Mr. HARDWICK. Yes. So that we are confronted with this situation——

Mr. SUTHERLAND. I should like——

Mr. HARDWICK. Just a moment, if the Senator pleases. We are confronted therefore with this situation: Although language is used which seems to rest this proposition on the governmental necessity for powder, yet it appears that it is being urged here in this body before the committee that deals with the agricultural interests of the country. So that the real purpose, if we may judge by that circumstance, or the principal purpose, is not to supply the Government with powder, but to supply the farmers with fertilizers.

Mr. SUTHERLAND. I was going to ask the Senator from Georgia whether he did not think that if this was primarily for a military purpose it would have been referred to the Committee on Military Affairs?

Mr. HARDWICK. The Senator's observation is eminently correct, and I thank him for it. Of course it ought to have been. If this proposition is advocated here as a military matter, why did it not come from the Military Affairs Committee? Why did they not report it? Why did not they investigate it? Why did not they inform the Senate and the country how much of a plant was necessary to supply the need of the Government for powder or for public purposes of any sort, and why does it come from the Committee on Agriculture, which, of course, considers the subject from an entirely different standpoint, and which has adopted an entirely different method of dealing with it?

Of course if the Senate wants to adopt it, it is in the power of the Senate to embark on any course it wants to about these questions of public policy; but the Senate ought not to adopt it without fully understanding what it means, the principle that it has indorsed, and exactly how far it has gone when it does it. I call the attention of the Senate again to the fact that the express language of the bill is that we shall acquire these electrical or other powers—

> for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers.

Mr. President, it is not an easy thing for a Senator who comes from a great agricultural State like mine, the vast majority of whose people depend for their livelihood upon the cultivation of the soil, to stand here under circumstances like these and stand true to the governmental principles in which he believes. It may be that there would be some benefit to the farmers of my State from this sort of a proposition; but I am not willing, Senators, to see this Government embarked in all sorts of private business, in the business of manufacturing fertilizer, even for farmers of Georgia, without at least recording my protest against it and without letting the Senate understand exactly what the proposition of the Senator from South Carolina means, and without being certain that neither the Senate nor the coun-

try shall fail to understand exactly what it means and where it leads.

There are certain other sections on page 3 that indicate that purpose, too:

That the products of such plants shall be used by the Secretary of War or the Secretary of the Navy for military or naval purposes, and any surplus not so required may be sold and disposed of by the Secretary of Agriculture under such regulations as he may prescribe.

In other words, we are going to put the Secretary of Agriculture now into the business of running a fertilizer plant and selling its products.

Again:

That the plant or plants provided for under this act shall be constructed and operated solely by the Government and not in conjunction with any other industry or enterprise carried on by private capital.

In other words, we are going to run this business enterprise ourselves, without any partners of any sort, and we are going to run it exactly to suit the Government of the United States in whatever way this highly beneficent and highly socialistic scheme can be best carried out according to the view of the Secretary of Agriculture.

I know not what course other Senators may adopt about this thing. If the Senate wants to put it on, all right, but never, so long as I represent Georgia in the Senate, will my vote be cast for any such proposition as this.

Mr. SMITH of South Carolina. Mr. President, I do not know that I am very greatly surprised to find that the Senator from Georgia or other Senators take the view that the Senator from Georgia has just expressed, but the object I had in view was the object set forth in the speech I made to-day, namely, that we were absolutely dependent, from the standpoint of preparedness, for this ingredient, nitrogen——

Mr. HARDWICK. Mr. President, will the Senator yield just a moment for a question?

Mr. SMITH of South Carolina. When I get through; yes.

Mr. HARDWICK. Oh! I will not disturb the Senator at all, then.

Mr. SMITH of South Carolina. No; I do not mean that. I just wanted to get through on this point.

There has been considerable discussion on the floor of the Senate in reference to the Government going into the manufacture of armor plate. There was rumor of scandal. There was such force given to that rumor that the bill passed taking out of the hands of private individuals the manufacture of armor plate and turning it over to a Government factory. There is not a Senator on the floor who does not recognize the fact that our armor plate and our naval vessels are worse than junk without a modern explosive; and it so happens that there is not a factory producing this article on the continent of America in commercial quantities. It so happens that we are dependent upon Chile for this article, and need it now.

In view of the fact that we do need it, and need it now, and in view of the further fact that the ingredient without which we could not prosecute a war happens to be the very identical ingredient that the agricultural interests of this country stand so sorely in need of——

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Utah?

Mr. SMITH of South Carolina. Just one minute—it seemed to me, as a member of the Agricultural Committee, believing, as I do believe now, that there is not a Member of the Senate who is influenced by the name of the committee in his patriotism and in his desire to help on the work in which Congress is engaged, namely, the work of preparedness, that therefore a bill looking toward producing a chemical that is notoriously needed and for which we are shamefully dependent upon a foreign country, and which is also needed for the enrichment of our soil, upon which we are all dependent, would not properly come under the jurisdiction of a committee that would not wish to commit the Government primarily to this enterprise for the purpose of manufacturing fertilizer.

I want to state right here and now that the main object I had was this: In view of the fact that experts are declaring that this ingredient, nitrogen, can be produced from the air for one-half the cost to the farmer of this country that he has to pay to the Government of Chile—two-thirds of the income of that country results from the royalties exacted upon Chilean saltpeter, approximately $25,000,000 worth of it, in the concentrated form, being used in this country to help eke out the rapidly depleting soil—so far as I am concerned, if the constitutional prohibition is such as to make it unwise to use that exact phraseology, then I would not be averse to the Government, if it saw fit, after having established its plant, placing such restrictions around it that the plant might be used for the benefit of those who support this country, and thus relieve their burdens to a degree. I am making no apologies whatever for standing here and advocating this amendment.

Mr. HARDWICK. Mr. President, is the Senator now ready to yield?

Mr. SMITH of South Carolina. I yield; yes.

Mr. HARDWICK. Would the Senator mind striking out the words "and useful in the manufacture of fertilizers," in line 17, page 2, of his amendment? If he will just word it so as to give the Government the powder that it needs, there will be no trouble about it.

Mr. SMITH of South Carolina. Well, Mr. President, when I say "useful," there are a lot of power sites that it is clearly within the right of the Government to set aside.

Mr. HARDWICK. I know; but the trouble is, if the Senator will let me pursue this subject just a little with him, that he has directed the Secretary to construct and operate these power plants at places suitable "for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers."

Mr. SMITH of South Carolina. Yes.

Mr. HARDWICK. In other words, the whole system rests on both propositions, as the Senator has drawn his amendment. One of them is clearly within the purview of proper, legitimate Government work; the other is merely manufacturing fertilizers. Now, is the Senator willing to strike out the one and stand on the other?

Mr. SMITH of South Carolina. In reply to the Senator from Georgia, I want to make myself perfectly clear. It so happens that in order to equip ourselves for the manufacture of sufficient nitrogen for use in times of war we will have to provide a capacity greater than would be necessary in times of peace. Now, have we gotten so sensitive about the Constitution of the United States——

Mr. HARDWICK. Nobody has invoked the Constitution of the United States. It is just a question of socialism, pure and simple; that is all.

Mr. SMITH of South Carolina. Very well. Are we so sensitive about the injection of a socialistic principle that although everyone knows that the farmer of this country is notoriously outside of the pale of any help, we are going to pass a law in order not to help him? We are going to make this article; but in order that the farmer shall not get it, are we going to throw such restrictions around a Government plant, in a democratic Government of the people and for the people and by the people, as to keep poor old Rube from having any part or parcel in the benefits that might accrue from it?

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Utah for a question?

Mr. SMITH of South Carolina. I do.

Mr. SUTHERLAND. I should like to ask the Senator from South Carolina two or three questions about the bill.

Mr. SMITH of South Carolina. I shall be glad to answer them, if I can.

Mr. SUTHERLAND. In the first place, I understood the Senator to say a moment ago that there was no factory on the American Continent that was furnishing this article of nitrate.

Mr. SMITH of South Carolina. I meant in continental United States.

Mr. SUTHERLAND. Is it not true that it is being very successfully produced by a private company in Canada?

Mr. SMITH of South Carolina. Yes; my terminology was unfortunate. What I meant to say was within the limits of the United States.

Mr. SUTHERLAND. Is there any reason why it can not be as successfully produced by private capital in the United States as it is produced in Canada?

Mr. SMITH of South Carolina. The answer to that is that it is not. The answer to the Senator's question is that those who are producing it on the Canadian side are American capitalists.

Mr. SUTHERLAND. I will ask the Senator whether or not the people who went to Canada with their capital, and invested it in this enterprise, were not first anxious to establish their plant on this side in the United States?

Mr. SMITH of South Carolina. I understand that they could get certain concessions, perhaps, and certain rights over there, which I have understood they could not get here. But this remains true, that the manufacture in Canada is successfully carried on, so far as we have been informed, because of the difference in the cheapness of water power in Canada and in this country.

Mr. SUTHERLAND. Mr. President, is it not true that they were driven over there because we proposed to impose upon

them such onerous conditions and terms that they found themselves unable to spend their money here, but took it to Canada, where they could get better terms?

Mr. SMITH of South Carolina. In answer to that I will state that the fact was developed before the committee that a certain individual organization was preparing to engage in this manufacture on a huge scale in the southeastern part of this country, now that it has practically preempted all the water power in most of the Southern States. In reply to the question of the Senator from Utah, I will say that so far as the Government is concerned I am not advised as to what impositions or restrictions they laid upon this very patriotic body of men, nor am I advised as to what was the available water power not owned by the Government. I understand that we tried to pass a certain law making certain very advantageous conditions, and that Mr. Taft vetoed the bill. Therefore they went to another country.

Now, no matter what else may be said, we know at this juncture that this thing is a prime necessity, and every scientific expert who came before our committee said that it was of such vast importance and was so costly that they doubted whether private individuals would engage in it for the purpose of furnishing the Government.

Mr. SUTHERLAND. Let me ask the Senator another question, with his permission. Is there a plant of this character in South Carolina?

Mr. SMITH of South Carolina. I understand that there is a very small one, perhaps experimental. I can not answer the Senator as to the capacity of the plant. It is a little place that has taken its name from the works—Nitrolee, I believe—up near the North Carolina line.

Mr. SUTHERLAND. The Senator does not know whether it is in operation?

Mr. SMITH of South Carolina. I think it is in operation along experimental lines. I do not think it is being operated in a commercial form.

Mr. SUTHERLAND. I wish to ask the Senator another question. I will ask him first, whether or not the primary purpose of this amendment is to produce nitrates for agricultural purposes in time of peace?

Mr. SMITH of South Carolina. I did not catch the last part of the Senator's question.

Mr. SUTHERLAND. I asked whether or not the primary purpose of the amendment is to produce nitrates for agricultural uses in time of peace?

Mr. SMITH of South Carolina. I will state to the Senator very frankly what my object was. In view of the testimony that it could be produced at about one-half the cost, it is for the purpose of getting a supply of nitrogen for agricultural purposes, understand, during times of peace, of course; and I hope sufficient to carry on agriculture during times of war. I wish to state it frankly to the Senator, so that he will understand it, and that there need be no invidious questions, and I shall make no such answer. In view of the fact that we are paying right now $85 to $90 a ton for this all-important ingredient imported from Chile, upon which we are dependent for the food crops now necessary in our section of the country, and rapidly becoming so in every section of the country, and in view of the fact that the present war, by the demand it has made on the Chilean nitrate beds, put the agricultural interests of this country absolutely where they are hopeless as to anything like crops, I am perfectly willing to have the amendment so amended as to have the Government engage in the production of this all-essential ingredient.

Mr. SUTHERLAND. For agricultural purposes?

Mr. SMITH of South Carolina. And for munitions. Why does the Senator say for agricultural purposes?

Mr. SUTHERLAND. Primarily for agricultural purposes?

Mr. SMITH of South Carolina. I stay right on the proposition for agricultural purposes, because I would infinitely rather promote agriculture than promote war.

Mr. SUTHERLAND. So would I. But does the Senator think that is a constitutional purpose—to produce nitrates for agricultural purposes?

Mr. SMITH of South Carolina. I think the Government bought some buildings down here, or rather bought some lots for the erection of certain buildings, and it did not put buildings on them. Are you going to refuse the Government the right to sell the lots?

Mr. SUTHERLAND. The Senator answers a different question. No doubt the Senator's illustration is to be answered in the negative; but does the Senator think that there is any warrant in the Constitution for the United States Government to engage in the production of nitrates for agricultural purposes?

Mr. SMITH of South Carolina. Yes, it is; if in serving a governmental function it produces a surplus, and the disposition of that surplus is for the benefit of those upon whom you are dependent.

Mr. SUTHERLAND. Then, does the Senator think there is a warrant in the Constitution for engaging in the business which produces a given article, half of which is intended for governmental uses and half of which is intended for agricultural uses?

Mr. SMITH of South Carolina. I have not used any arithmetic to see just how much. In the case of the man who makes the bread that you eat and the clothes that you wear I can not figure it down and be very sensitive of the Constitution when there is some benefit that may accrue to him. I am glad I have not such a trait. I feel under obligation to him to such an extent that I do not think I could look him in the face——

Mr. SUTHERLAND. I am not more sensitive about the Constitution than the Senator from South Carolina ought to be, but I was undertaking to get his view.

Mr. SMITH of South Carolina. The Senator from Arkansas [Mr. CLARKE] hands me this—a copy of the Constitution—and I think I will read the preamble to the Constitution:

> We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Mr. SUTHERLAND. If the Senator from South Carolina thinks that is a substantive grant of power, then the Senator and I have no common foundation upon which we can conduct an argument.

Mr. SMITH of South Carolina. I do not think the Senator from Utah and the Senator from South Carolina, when it comes to a question of differing about anything for the farmers of this country, can stand on the same platform, anyhow.

Mr. SUTHERLAND. No; I think not. I wanted to ask——

The PRESIDING OFFICER. Does the Senator from South Carolina yield further to the Senator from Utah?

Mr. SMITH of South Carolina. No; I do not believe I will, because I do not like to be cross-examined by a lawyer in a fight that I am making for those who are not lawyers and who have suffered from time immemorial from lawyers.

The PRESIDING OFFICER. The Senator from South Carolina declines to yield to the Senator from Utah.

Mr. SUTHERLAND. I should like to ask the Senator a practical question.

The PRESIDING OFFICER. The Senator from South Carolina refuses to yield.

Mr. LODGE. Mr. President, I had intended to say something on this question of nitrogen when the amendment proposed by the Senator from Alabama [Mr. UNDERWOOD] came before the Senate, but it has been precipitated by this somewhat different amendment of the Senator from South Carolina [Mr. SMITH], and therefore I think I might as well discuss the whole question now as later. Therefore in what I say it will be remembered I am covering both amendments, what may be called the Muscle Shoals scheme and the different processes, and whether it is wise for the Government to enter upon the production of nitrogen and nitric acid, which the experience of Germany apparently shows can be produced by chemical processes much cheaper and in larger quantities.

I have not much faith, Mr. President, in arguments which proceed on the fact that some corporation has opposed a proposition or supported it; but so much has been said as an argument in favor of the Government entering upon the production of nitrogen because a great corporation, the Du Pont Co., have offered, if they could get a water power, to make it from the air, that I think we may as well look into some of the other propositions.

I suppose a corporation is wicked in Pennsylvania or Delaware and that a corporation is good in Alabama; but, setting aside this distinction, I think it is just as well that we should know just who is behind some of these propositions.

I hold in my hand a pamphlet sent me by the kindness of the junior Senator from Alabama [Mr. UNDERWOOD] called "The facts in the nitrogen case now before Congress," by Frank H. Washburn, a patriot no doubt, but as we have been examining so much into the Du Pont Co. it occurred to me it would be just as well to know what Mr. Washburn's business interests are. I am not reflecting on his patriotism by so doing, for I do not regard with horror a successful business man.

It appears from Moody's Manual that Mr. Washburn is president of the American Cyanamid Co., which company has for some years been engaged in manufacturing fertilizer from the air by the process which Mr. Washburn presented to the com-

mittee; that he is also a director of the Alabama Traction, Light & Power Co., chairman of the board of directors of the Alabama Power Co., vice president of the Muscle Shoals Hydroelectric Power Co., vice president of Anniston Electric & Gas Co., and a director of the Alabama Interstate Power Co., the Birmingham, Montgomery & Gulf Power Co., and Little River Power Co., which companies practically control all the water powers in the State of Alabama, as appears from the speech of Congressman FREAR, of January 10, 1916 (CONGRESSIONAL RECORD, Jan. 13, 1916, p. 1137), and from the letter of the Secretary of Agriculture, on the subject of Electric Power Development in the United States. (S. Doc. No. 316, p. 55, 64th Cong., 1st sess.)

Mr. Washburn is associated in the cyanamide manufacture with James B. Duke, who has made millions in the tobacco manufacture; and through Mr. Duke the cyanamide company also controls the Ammo-Phos Co., of New York, Amalgamated Phosphate Co., and Virginia Chemical Co., which companies practically control the fertilizer and cottonseed-oil business of the territory east of the Mississippi River, and large water-power interests in North and South Carolina.

Mr. J. W. Worthington is also a director of the American Cyanamid Co., vice president and director of Alabama Power Co., president of Muscle Shoals Hydroelectric Power Co. and a director of Alabama Interstate Power Co. and Little River Power Co., and of the Sheffield Co., which owns the lighting systems in the towns on the Tennessee River which will be largely benefited by this development.

The development of the water power of the Tennessee River by the Muscle Shoals Hydroelectric Power Co. has been proposed several times. The first proposal appears from Rivers and Harbors Committee Document No. 14, Sixtieth Congress, second session, being a report of the Engineers for Rivers and Harbors of January 11, 1909, on the survey of the Muscle Shoals in the Tennessee River. The plan thus proposed was made through Mr. Frank S. Washburn, as president of that company. The subject was also examined by a board of engineers with reference to a proposal of the Muscle Shoals Hydroelectric Power Co., and as appears from the report printed as House Document No. 781, Sixtieth Congress, first session, the proposal from the company was submitted through Mr. Frank S. Washburn as the president. The next reference to the subject is in House Document No. 360, Sixty-second Congress, second session, being a letter from the Acting Secretary of War, transmitting a report on the survey of this river, in which report reference was made to the water power to be developed, but no specific plan was outlined.

The next document dealing with this subject is House Document No. 20, Sixty-third Congress, second session, being a letter from the Chief of Engineers transmitting a report of the Board of Engineers for Rivers and Harbors on the Tennessee River. This report has particular reference to a proposal made by the Muscle Shoals Hydroelectric Power Co. for developing the water power of the Tennessee River under a plan of cooperation with the United States; and in the course of this report, page 5, reference is made to the fact that the Muscle Shoals Hydroelectric Power Co. has interests in other power developments on the Tallapoosa, the Coosa, and Little Rivers, and that connecting these developments with the proposed Muscle Shoals development will make up deficiency in power at the latter place which will result in creating 680,000 horsepower, and that the results from such a combination of plants are hardly exceeded at any place in the country; that the project contemplates the conservation of this natural resource and its development on the largest possible scale, resulting in cheap power for all the needs of that and many communities and for industrial and other purposes, and also the lease of the water-power privileges for a period of 100 years to the Muscle Shoals Co., and it is also pointed out that without this combination a limited amount of power, probably 100,000, will be available at Muscle Shoals.

The proposal of the Muscle Shoals Co. begins on page 74, and is submitted through J. W. Worthington, president, and shows the relation of the Muscle Shoals project with other proposed Alabama projects owned by the power companies before mentioned, in which both Mr. Washburn and Mr. Worthington are directors.

This general information shows that the power companies have for years had under consideration the development of the Muscle Shoals power, and that it has been urged repeatedly by the Muscle Shoals Co., through its presidents, Frank S. Washburn and J. W. Worthington, and that the project is now owned by interests which combined have practically the entire water-power situation in Alabama under one control.

Taking up the subject in more detail, it appears that Mr. Washburn is president of the American Cyanamid Co., as I have said, a corporation organized in Maine in 1907 to manufacture cyanamide, a nitrogenous fertilizer material, the nitrogen in which is derived from the atmosphere—its manufacture, sale, and use being controlled by patents; that it has an authorized capital stock of $8,000,000, of which $5,758,600 is outstanding; that its directors include Messrs. Washburn, James Mitchell, of New York; J. W. Worthington, of Sheffield, Ala.; and Lawrence Macfarlane, of Montreal, Canada; and Dr. Nicodem Caro, of Berlin, Germany.

Mr. Washburn is also a director of the Alabama Traction, Light & Power Co. (Ltd.), a corporation under the laws of Canada to acquire and operate hydroelectric-power plants in Alabama, which company owns or controls the stock of Alabama Power Co., Alabama Interstate Power Co., Birmingham, Montgomery & Gulf Power Co., Muscle Shoals Hydroelectric Power Co., and Little River Power Co., and owns, through its subsidiaries, water powers on the Tallapoosa, Coosa, and Tennessee Rivers in Alabama; that it has an authorized capital stock of $30,000,000 with $18,000,000 outstanding, and that its officers include James Mitchell, president, Lawrence Macfarlane, vice president, both of whom, together with Frank S. Washburn, are directors of that company.

The Alabama Power Co., an Alabama company engaged in the manufacture of electric power, owns various lighting properties in Alabama, having an authorized capital stock of $50,000,000, with outstanding bonds of some $12,000,000, all of the stock being owned by the Alabama Traction, Light & Power Co. (Ltd.), and its officers include Frank S. Washburn, chairman of the board; James Mitchell, president; J. W. Worthington, vice president, all of which officers are also directors.

The Alabama Interstate Power Co. is a Maine corporation with an authorized capital stock of $3,000,000, with James Mitchell, president; Frank S. Washburn, vice president; and that its directors include James Mitchell, Lawrence Macfarlane, J. W. Worthington, and Frank S. Washburn.

The Birmingham, Montgomery & Gulf Power Co. is also an Alabama corporation with an authorized capital stock of $100,000, its officers being James Mitchell, president, and F. S. Washburn, vice president, both of whom are also directors.

The Muscle Shoals Hydroelectric Power Co. is an Alabama corporation, organized in 1906 to build hydroelectric plants on the Tennessee River near Florence, Ala.; that the company plans to transmit power to various cities, including Nashville and Birmingham; that it has a capital stock of $1,000,000, its officers being J. W. Worthington, president, and F. S. Washburn, vice president, and that its directors include James Mitchell, J. W. Worthington, and F. S. Washburn, and passed under the control of the Alabama Traction, Light & Power Co. after its organization in 1912.

The Little River Power Co. is also an Alabama corporation with a capital stock of $100,000, its directors including F. S. Washburn, J. W. Worthington, and James Mitchell.

The Anniston (Ala.) Electric & Gas Co. is a New Jersey corporation, of which Frank S. Washburn is a director and vice president.

The United Gas & Electric Corporation is a Connecticut company with a capital stock of $57,500,000, and that it owns, through the American Cities Co., the lighting and street railway companies at various places, including Birmingham, Ala.; Houston, Tex.; Knoxville, Tenn.; Little Rock, Ark.; Memphis, Tenn.; and New Orleans, La.; and that its directors include F. S. Washburn.

The American Cities Co., which is controlled by the United Gas & Electric Corporation, is a corporation of New Jersey with a capital stock of $60,000,000, and that its directors include James Mitchell.

It appears from the New York Times of October 23, 1915, that the Ammo-Phos Corporation was organized under the laws of New York with a capital stock of $6,000,000 to manufacture cyanamide and to acquire shares of the Amalgamated Phosphate Co., incorporated under the laws of West Virginia, its incorporators being A. H. Sands, jr., private secretary of James B. Duke; Walter C. Parker, secretary and treasurer of Southern Power Co., of which James B. Duke is president; and William L. Baldwin, all of No. 200 Fifth Avenue, New York.

It appears from Moody's Manual, 1915, page 2027, that the Amalgamated Phosphate Co. is a corporation under the laws of West Virginia, with capital of some $8,000,000; that it owns various phosphate beds—those are necessary for the fertilizers—and that the Virginia-Carolina Chemical Co. is largely interested in the company. The directors include several directors of the

Virginia-Carolina Chemical Co., including S. T. Morgan, president of the latter company.

The Virginia-Carolina Chemical Co. is a corporation under the laws of New Jersey, with a capital stock of $68,000,000, with a bonded indebtedness of $18,000,000, its president being S. T. Morgan, who is also a director of that company. This company appears to own Charleston Mining & Manufacturing Co. This company owns over 68,000 acres of phosphate lands in South Carolina, Tennessee, and Florida. Of course, the phosphates are to be treated with the nitrates. It also owns all the stock of the Consumers' Chemical Co., a corporation manufacturing fertilizer here in New York; it controls Southern Cotton Oil Co., which company refines and manufactures cottonseed oil and other by-products, with mills and factories at various cities of the South, and it controls various sulphur, chemical, and fertilizer companies in this country and in Germany, and has a practical monopoly throughout the South of the fertilizer and cottonseed-oil business.

The Southern Power Co. is a corporation under the laws of New Jersey, with a capital stock of $11,000,000 and a bonded indebtedness of $7,000,000, owning various electric properties in North Carolina and South Carolina, its president being J. B. Duke.

Now, I have given at somewhat tedious length these corporations, because they all seem to be connected with Mr. Washburn, whose pamphlet has been sent to us to give us the facts in the nitrogen case.

The foregoing statements which I have just made suggest some inquiries which, I think, were not brought out in the hearings before the House Committee on Military Affairs, and I do not know whether they have been brought out in the hearings here, for I have not had a chance to examine them.

For example, there is the economical side of the question of the manufacture of nitrogen by the cyanamide process, its value as compared with other processes, and the relation of the company proposing to engage in this business with different power companies and others who may be expected to profit therefrom. The interest and rights of the power companies in Alabama which are now engaged in the manufacture of electric power, or which own properties which may be used for that purpose, is also important to consider, for whatever may be done by the Government will doubtless include the taking over at some value the properties and rights of some of the existing properties in that State.

Mr. UNDERWOOD. Will the Senator from Massachusetts yield to me?

Mr. LODGE. I yield.

Mr. UNDERWOOD. The Senator has just made a statement in reference to the control of power in Alabama by one company. I am sure the statement the Senator has made has been furnished him by those who thought they were informed on the subject.

Mr. LODGE. No; they are furnished from Moody's Manual, showing the connection among the companies——

Mr. UNDERWOOD. Will the Senator allow me to state the extent in which the company that he refers to——

Mr. LODGE. I do not want to lose the floor, Mr. President.

The PRESIDING OFFICER. Under the rule the Senator from Alabama may ask a question, and not more.

Mr. UNDERWOOD. I merely wish to state, Mr. President, the effect of the Senator's statement in reference to these companies I am sure will not be carried out by the fact as to the real ownership.

Mr. LODGE. Mr. President, I do not want to be unreasonable, but I do not wish to lose the floor.

Mr. UNDERWOOD. I would be glad to make a statement to correct it.

Mr. LODGE. That seems to be a statement—more than a question.

The PRESIDING OFFICER. It is.

Mr. LODGE. All I am giving——

Mr. KENYON. I wish to ask the Senator a question. Has he read the report of the Secretary of Agriculture as to the electric power developed in the United States, and discovered by reading that report that one company, the Alabama Traction, Light & Power Co., has 87.9 per cent of the developed water power of Alabama and 57.1 per cent of the total power of the State?

Mr. LODGE. Yes; I quoted from that report. I gave nothing of my own knowledge. I know nothing of my own knowledge. I am only taking these official reports.

Mr. UNDERWOOD. There is but one water power developed in all that power. That is one power in the navigable stream.

Mr. LODGE. Mr. President, again I do not want to lose the floor.

The PRESIDING OFFICER. The Senator from Massachusetts refuses to yield except for the purpose of a question.

Mr. SMITH of Georgia. Mr. President, does the Senator know what connection this power company has with Muscle Shoals? Is it not true that Muscle Shoals is not developed and is not now a water power, and they own no control in it?

Mr. LODGE. If the Senator will take the trouble to read what I have given here he will find that I have shown that all these companies are interlaced and that the same people are in all the directorates.

Mr. SMITH of Georgia. That is not what I asked about this company. What I asked is whether Muscle Shoals is developed or not.

Mr. LODGE. I understand it is not.

Mr. SMITH of Georgia. If it is not developed they do not control Muscle Shoals at all.

Mr. LODGE. They want the Government to develop it. That is just it.

Mr. KENYON. I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. LODGE. Certainly.

Mr. KENYON. Does the Senator know that the Government has expended something like $4,000,000 in the development of Muscle Shoals, and does he further know that Mr. Washburn testified before the Committee on Agriculture and Forestry that the development in the navigation amounted to nothing?

Mr. LODGE. I did not know of Mr. Washburn's testimony, because I have not seen his testimony before the Agricultural Committee. I have only got these facts in the nitrogen case, which the junior Senator from Alabama very kindly sent to me. The companies which I have described certainly have what are commonly known as interlocking directorates, and they control a great deal of power on the rivers which I have mentioned, and I think they have property which would probably be necessary to the Government in any development for Government use that takes place there. The original scheme, as I understand it, proposed a species of partnership between the cyanamide company and the Government. That, I believe, has been abandoned for the present at least.

I confess that in looking over the list of directors I have wondered that a board of directors, which included a citizen of Germany, should have been so deeply interested in preparing us for national defense. Mr. Washburn points out—no doubt with justice—that the importance of the nitrogen industry is great, both for the reason that upon its development depends our national defense in case of war, but in a large measure the economical welfare of the people in times of peace, with reference, of course, to the question of fertilizers.

Now, the claim is that the cyanamide method of manufacturing nitrates would be very much cheaper than the Chilean saltpeter, which is at present the only source of supply; but if it is, it seems to me that we tumble from the Chilean monopoly into another one, because I understand they are patented processes. If I am mistaken, I can be corrected.

I now come to the question of the cost of cyanamide. I am not enough a man of science to know just how nitric acid is produced by the cyanamide process, but very likely there are methods by which it can be done.

Gen. Crozier, in his testimony before the Committee on Military Affairs, in January last, states that there are two ways of getting nitric acid from atmospheric sources; one is by use of ammonia gotten from the coke ovens of which there is a constantly increasing supply in this country, and at the present time, when the steel industry is extended to its utmost, there is a tendency to an enormous increase in the number of by-product coke ovens which produce sulphate of ammonia.

Gen. Crozier goes on to say, however, that he regards the fixation of atmospheric nitrogen as the better source from which to obtain nitric acid. So one must assume that he also knows of some method of carrying out the conversion of atmospheric nitrogen into nitric acid, though it seems somewhat strange if such a process is feasible that the great explosives companies have so far made no application of this method, so far as the public knows.

I will not go into the question of Chilean nitrates, because they are well known and the costs are easily got; but this is to be considered: The cost of nitric acid in time of peace will presumably be regulated by the cost of the Chilean natural saltpeter. For the short time that any nation may be at war the question of the cost of nitric acid will never be a material factor in the national debt resulting from such a war, and it is always within the power of the Federal Government to requisition the supply of electricity for the manufacture of nitric acid or any other artificially prepared nitrogen. There have been a number

of descriptions furnished in the technical press concerning these, and further information is available in the United States Patent Department. Reference to these sources of information indicate that by far the greater part of the electricity required in the cyanamide process is required, not for fixing nitrogen but for the making of carbide of calcium, which is used for the production of acetylene gas and for other purposes in the other arts and industries. It is well known that carbide of calcium is produced in a number of places in the United States and that there is nothing secret or intricate in its manufacture. We are told that the electric furnaces used in the production of carbide are of a simple nature and can be readily and quickly erected near any suitable source of power. Probably four or five months would be sufficient to erect the necessary furnaces to supply carbide of calcium sufficient for the entire requirements of the United States Government in the way of nitric acid, even in times of war, and a large number of sources already exist where the power could be obtained without any necessity for the Federal Government to construct its own power plant. The great hydraulic plant at Keokuk, Iowa, the steam plants at St. Louis, Chicago, and many plants throughout the State of Ohio and in North and South Carolina and elsewhere, any one of them would be sufficient to supply the entire electrical energy required. Apparently the subsequent preparation of cyanamide consists merely in extracting the nitrogen from the air by the liquid air or other process which require a trifling amount of power, and the preparation of the carbide of calcium to absorb this nitrogen could be done in any cement mill in the United States, as it appears to require merely a grinding of the carbide to a powder.

I have here some notes about the chemical processes, which I shall not weary the Senate with reading, but I want to ask that there may be printed with my remarks a list of the companies to which I have referred, taken from Moody's Manual.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list referred to is as follows:

[Moody's Manual of Railroads and Corporation Securities, 1915, pp. 2044-2045.]

American Cyanamid Co.: Incorporated July 22, 1907, in Maine. Manufactures cyanamide, a nitrogenous fertilizer material, the nitrogen of which is derived from the atmosphere; its manufacture, sale, and use are controlled by patents. Plant located at Niagara Falls, Ontario; capacity has been recently increased from 12,000 to 60,000 tons per annum. Offices at Nashville, Buffalo, Atlanta, and San Francisco. Sales for year ended June 30, 1914, were 37,586 tons, compared with 22,943 tons preceding year. As of June 30, 1914, there were on hand unfilled contracts amounting to 14,755 tons.

Capital stock: Authorized, $4,000,000 common and $4,000,000 6 per cent cumulative preferred; outstanding, $2,500,000 common and $3,258,600 preferred; par, $100. No bonded debt. Preferred stock has preference as to assets and is subject to call at any time at $120 and accrued dividends. Transfer agent: First Trust & Savings Bank, Chicago. Registrar: Fort Dearborn Trust & Savings Bank, Chicago. In addition to the $3,258,600 preferred stock outstanding, company had $36,700 subscribed stock in its treasury as of June 30, 1914. Dividends on preferred stock have been regularly paid semiannually, J. & J., at Nashville, Tenn. No dividends on common. Listed on Louisville and Toronto Stock Exchanges.

Income account, year ended June 30, 1914: Net profits, $324,589; preferred dividends, $189,695; surplus for year, $134,894.

Officers: F. S. Washburn, president; A. H. Robinson, vice president and treasurer; C. M. Grant, secretary, Nashville, Tenn.; K. F. Cooper, general manager, Buffalo, N. Y.

Directors: F. S. Washburn, A. H. Robinson, W. R. Cole, W. H. Lindsey, C. M. Grant, Nashville, Tenn.; James Mitchell, New York; J. W. Worthington, Sheffield, Ala.; Lawrence Macfarlane, Montreal; Dr. Nicodem Caro, Berlin, Germany.

[Moody's Manual of Railroads and Corporation Securities, 1915, p. 4.]

Alabama Traction, Light & Power Co., Ltd.: Incorporated January 5, 1912, under laws of the Dominion of Canada, to acquire and operate hydroelectric power plants and to supply electric energy for light, power, and heat to Birmingham, Montgomery, Mobile, and other important cities and towns in Alabama, and to build, acquire, and operate lighting and tramway systems as occasion may offer.

Company owns or controls the stock of the following companies: Alabama Power Co.: Alabama Interstate Power Co.: Birmingham, Montgomery & Gulf Power Co.; Muscle Shoals Hydro-Electric Power Co., and Little River Power Co.

The company, through its subsidiaries, owns water powers on the Tallapoosa, Coosa, and Tennessee Rivers, and several smaller streams.

Capital stock: Authorized, $25,000,000 common and $5,000,000 preferred; outstanding $17,000,000 common and $1,000,000 preferred; par of both issues, $100. Preferred stock is entitled to 6 per cent cumulative dividends from July 1, 1915, and is preferred, both as to assets and dividends. Transfer agent, Montreal (Quebec) Trust Co.; registrar, Montreal Safe Deposit Co.

Officers: James Mitchell, president, 120 Broadway, N. Y.; Lawrence Macfarlane, vice president; James G. Cartwright, secretary; W. J. Henderson, assistant secretary, Montreal, Quebec.

Directors: James Mitchell, New York; Frank S. Washburn, Nashville, Tenn.; Lawrence Macfarlane, W. J. Henderson, Montreal, Quebec; E. Mackay Edgar, London, England.

General office, 20 Guardian Building, Montreal, Quebec. New York office, 120 Broadway.

[Moody's Manual of Railroads and Corporation Securities, 1915, pp. 5 and 6.]

Alabama Power Co.: Incorporated December 4, 1906, in Alabama, to manufacture electric power. Owns by merger or purchase (in March, 1915) property of Alabama Electric Co.; Wetumpka Power Co.; Alabama Power & Electric Co.; Alabama Power Development Co.; Anniston Electric & Gas Co., Huntsville Railway, Light & Power Co.; the Decatur Light, Power & Fuel Co.; Etowah Light & Power Co., and Pell City Light & Power Co. (See Manual for 1914, p. 2872.)

Capital stock: Authorized, $40,000,000 common and $10,000,000 preferred; outstanding, $18,751,000 (all common); par, $100. All owned by Alabama Traction, Light & Power Co. (Ltd.), except directors' qualifying shares.

Officers: Frank S. Washburn, chairman of the board, Nashville, Tenn.; James Mitchell, president, New York; J. W. Worthington, vice president, Sheffield, Ala.; Thomas W. Martin, vice president; F. H. Chamberlain, general manager; Wiley Alford, secretary and treasurer, Birmingham, Ala.

Directors: James Mitchell, H. S. Swan, Frank S. Washburn, J. W. Worthington, W. P. Lay, Thomas W. Martin.

[Moody's Manual of Railroads and Corporation Securities, 1915, p. 6.]

Muscle Shoals Hydroelectric Power Co.: Incorporated October 10, 1906, in Alabama, to build a hydroelectric power plant of 100,000 horsepower capacity on the Tennessee River near Florence, Ala. The company plans to transmit power to cities within 100-mile radius, including Nashville, Huntsville, Decatur, and Birmingham.

Capital stock: Authorized, $1,000,000; outstanding, $252,000; par, $100. All or a majority owned by Alabama Traction, Light & Power Co. (Ltd.) No bonded debt.

Officers: J. W. Worthington, president, Sheffield, Ala.; Frank S. Washburn, vice president, Nashville, Tenn.; Wiley Alford, secretary and treasurer, Birmingham, Ala. Directors: James Mitchell, New York; J. W. Worthington, Sheffield, Ala.; Frank S. Washburn, Nashville, Tenn.; Thomas W. Martin, Birmingham, Ala.; E. Mackay Edgar, London, England.

Annual meeting, first Monday in March.

Office, Sheffield, Ala.

[Moody's Manual of Railroads and Corporation Securities, 1915, p. 4.]

Alabama Interstate Power Co.: Incorporated November 14, 1906, in Maine.

Capital stock: Authorized, $1,000,000 common and $2,000,000 preferred; outstanding, $1,000,000 common; par, $100. All or a majority owned by Alabama Traction, Light & Power Co. (Ltd.). No bonded debt.

Officers: James Mitchell, president, New York; Frank S. Washburn, vice president, Nashville, Tenn.; Wiley Alford, secretary and treasurer, Birmingham, Ala.; James E. Manter, clerk, Portland, Me. Directors: E. M. Edgar, London, England; James Mitchell, New York; Lawrence Macfarlane, Montreal, Canada; J. W. Worthington, Sheffield, Ala.; James S. Pinckard, Montgomery, Ala.; Thomas W. Martin, Birmingham, Ala.; Frank S. Washburn, Nashville, Tenn.

Annual meeting, second Monday in February.

Corporate office, 281 St. John Street, Portland, Me.

[Moody's Manual of Railroads and Corporation Securities, 1915, p. 6.]

Birmingham, Montgomery & Gulf Power Co.: Incorporated December 8, 1900, in Alabama, as Cherokee Development & Manufacturing Co.; name changed to present one by amendment filed April 1, 1908.

Capital stock: Authorized and outstanding, $100,000; par, $100. All or a majority owned by Alabama Traction, Light & Power Co. (Ltd.). No bonded debt.

Officers: James Mitchell, president, New York; Frank S. Washburn, vice president, Nashville, Tenn.; Wiley Alford, secretary and treasurer, Birmingham, Ala. Directors: James Mitchell, New York; Frank S. Washburn, Nashville, Tenn.; Thomas W. Martin, Birmingham, Ala.

Annual meeting, first Monday in March.

Office, Birmingham, Ala.

[Moody's Manual of Railroads and Corporation Securities, 1915, p. 6.]

Little River Power Co.: Incorporated November 5, 1906, in Alabama.

Capital stock: Authorized and outstanding, $100,000; par, $100. All or a majority owned by Alabama Traction, Light & Power Co. (Ltd.). No bonded debt.

Officers: R. A. Mitchell, president, Gadsden, Ala.; Thomas W. Martin, vice president; Wiley Alford, secretary and treasurer, Birmingham, Ala. Directors: R. A. Mitchell, Gadsden, Ala.; Frank S. Washburn, Nashville, Tenn.; J. W. Worthington, Sheffield, Ala.; Thomas W. Martin, Birmingham, Ala.; James Mitchell, New York.

Annual meeting, first Monday in March.

Office, Gadsden, Ala.

[Moody's Manual of Railroads and Corporation Securities, 1915, pp. 4064, 4066, and 4068.]

AMERICAN CITIES CO.

(Controlled by United Gas & Electric Corporation.)

Incorporated June 21, 1911, in New Jersey, as a holding company. As of January 1, 1914, had acquired in the aggregate 85.83 per cent of the preferred and 95.79 per cent of the common stocks of the following companies:

New Orleans Railway & Light Co.; Birmingham Railway, Light & Power Co.; Houston Lighting & Power Co. (1905); Knoxville Railway & Light Co.; Little Rock Railway & Electric Co.; the Memphis Street Railway Co.

Capital stock and dividends: The authorized capital stock is $60,000,000, consisting of $25,000,000 common and $35,000,000 6 per cent cumulative preferred; outstanding January 1, 1915, $16,264,700 common and $20,553,500 preferred; par of both issues, $100.

Bonded debt: Ten million dollars eight-year 5-6 per cent collateral trust gold bonds; dated July 1, 1911; due July 1, 1919.

Officers: John J. Gannon, chairman board of directors; Hugh McCloskey, president and chairman executive committee, New Orleans, La.; George Bullock, vice president, New York; J. S. Pevear, vice president, New York; Lee Benoist, vice president and treasurer, New Orleans; Ira Lockwood, assistant treasurer and assistant secretary, New York; H. J. Jumonville, assistant secretary, assistant treasurer, and auditor, New Orleans, La.

Directors: C. E. Allgeyer, Lee Benoist, E. H. Bright, C. P. Ellis, John J. Gannon (chairman), Charles Godchaux, F. B. Hayne, Charles Janvier, Hugh McCloskey, J. K. Newman, R. M. Walmsley, George G. Westfeldt, F. B. Williams, H. H. Flaspoller, D. D. Curran, S. J. Dill, New Orleans, La.; S. R. Berton, George Bullock, M. J. Dodge, O. L. Gubelman, J. S. Pevear, Emil Loeb, James Mitchell, A. H. Wiggin, New York; L. K. Thompson, Memphis, Tenn.; Robert Jemison, Birmingham, Ala.; C. H. Harvey, Knoxville, Tenn.; Edwin B. Parker, Walter G. Weiss, Houston, Tex.

Annual meeting, first Tuesday in March, at Jersey City.

General office, New Orleans, La.; corporate office, Jersey City, N. J.

[From the New York Times, Oct. 23, 1915.]

Ammo-Phos Corporation, cyanamid, oxygen, nitrogenous compounds, potassium compounds, ammonia, sulphuric acid, phosphorous compounds, fertilizers; generate water, electric, steam, or other power; and to acquire the total issued shares of capital of the Amalgamated Phosphate Co., a West Virginia corporation, $6,000,000; A. H. Sands, jr., Walter C. Parker, William L. Baldwin, 200 Fifth Avenue.

[Moody's Manual of Railroads and Corporation Securities, 1915, p. 2027.]

AMALGAMATED PHOSPHATE CO.

Incorporated July 28, 1911, in West Virginia, to mine phosphate rock. Mines located near Fort Meade and Bartow, Polk County, Fla. Plant located at Brewster, Fla.; capacity, 300,000 to 500,000 tons per annum. Mining operations commenced June 16, 1913. The Virginia-Carolina Chemical Co. is largely interested in this company.

Capital stock: Authorized, $3,200,000; outstanding, $3,100,000; par, $100. No dividends paid to date.

Officers: B. H. Brewster, jr., president, Baltimore; S. D. Crenshaw, vice president; S. T. Morgan, jr., treasurer, Richmond, Va.; F. M. Smith, secretary and assistant treasurer, New York; F. I. Wheeler, consulting engineer, Jacksonville, Fla.; A. Schneider, superintendent, Brewster, Fla.

Directors: S. T. Morgan, J. F. McGrath, S. D. Crenshaw, Selden Walke, S. T. Morgan, jr., S. L. Carter, B. H. Brewster, jr., Baltimore; F. M. Smith, W. H. Gelshenen, New York; F. I. Wheeler, L. A. Wilson, Jacksonville, Fla.; F. R. Savidge, Philadelphia.

Annual meeting, last Thursday in October.

General office, Baltimore, Md.

[Moody's Manual of Railroads and Corporation Securities, 1915, pp. 1605 and 1606.]

SOUTHERN POWER CO.

Incorporated, 1905, in New Jersey; is engaged in the distribution of hydroelectric power from water-power developments in North and South Carolina, serving a territory for some 335 miles through North and South Carolina.

Capital stock: Authorized, $5,000,000 common and $6,000,000 7 per cent cumulative preferred; outstanding, $4,000,000 common and $6,000,000 preferred; par, $100. Transfer agent, Equitable Trust Co., New York; registrar, Farmers' Loan & Trust Co., New York.

Bonded debt: Seven million dollars first gold 5s.

Officers: J. B. Duke, president; B. N. Duke, W. Gill Wylie, vice presidents, New York; W. S. Lee, vice president and chief engineer, Charlotte, N. C.; W. C. Parker, secretary and treasurer, New York; C. I. Burkholder, general manager; E. C. Marshall, assistant secretary; W. H. Martin, jr., assistant treasurer, Charlotte, N. C.

Directors: J. B. Duke, B. N. Duke, W. Gill Wylie, R. H. Wylie, A. H. Burroughs, W. C. Parker, New York; W. S. Lee, E. C. Marshall, C. I. Burkholder, Charlotte, N. C.

General office, 200 Fifth Avenue, New York.

[Moody's Manual of Railroads and Corporation Securities, 1915, pp. 3563, 3564, and 3565.]

VIRGINIA-CAROLINA CHEMICAL CO.

Incorporated September 12, 1895, in New Jersey, to consolidate a number of manufacturers of fertilizers, acids, chemicals, and various kindred products. Company owns many manufacturing plants from New York, Cincinnati, and Baltimore, Md., to the Gulf, in the States of Maryland, Virginia, North and South Carolina, Georgia, Florida, Alabama, Louisiana, and Tennessee, in which States it does a large percentage of the business in its line.

The company also owns and operates large pyrites mines, producing a large portion of the pyrites used by it in manufacturing sulphuric acid, and in addition has various foreign potash, sulphur, and other properties.

Owns entire capital stock of the Charleston Mining & Manufacturing Co., owning in fee over 68,000 acres of phosphate lands in South Carolina, Tennessee, and Florida, and mineral rights on more than 6,000 acres additional, together with eight plants for mining, preparing, and shipping phosphate rock, about 64 miles of railroad, 26 locomotives, 890 cars, 18 steam shovels, 13 steam hoisters, etc.

In June, 1901, control of the Southern Cotton Oil Co. (see statement in Manual for 1912, p. 3736) was acquired, its entire outstanding $10,000,000 stock now being owned. The Southern Co. is engaged in the refining and manufacture of cottonseed oil, "lard," soap, and other by-products. The company owns mills and refineries at Charleston and Columbia, S. C.; Atlanta, Augusta, and Savannah, Ga.; Charlotte, N. C.; Little Rock and Newport, Ark.; Montgomery, Ala.; Memphis, Tenn.; and Gretna, near New Orleans, La.; also owns cottonseed-oil mills at some 50 other points in the cotton States, together with warehouses, seed houses, oil-tank cars, etc., and also owns the stock of the Wesson Co., covering the David Wesson process for deodorizing and clarifying cottonseed oil.

The Virginia-Carolina Chemical Co. also controls, among others, the Sulphur Mining & Railroad Co., Georgia Chemical Works, American Fertilizing Co., Bryant Fertilizer Co., Prinz Adalbert Potash Mines (was merged into the Einigkeit Co. early in 1912), and the Chemical Works, Schonebeck (Ltd.), the two last named being German concerns.

Capital stock: Authorized, $38,000,000 common and $30,000,000 (increased from $20,000,000 May 12, 1914) 8 per cent cumulative preferred; outstanding, $27,984,400 common and $20,000,000 preferred; par, $100. The $10,000,000 unissued preferred stock is reserved to provide for conversion of the 10-year 6 per cent debentures described below. Preferred stock has preference as to assets as well as dividends. Transfer agent: New York Trust Co., New York; registrar: Guaranty Trust Co., New York. Listed on New York and Richmond Stock Exchanges; common also traded in on the Coulisse of the Paris Bourse. Preferred stock has preference for assets.

Dividends on preferred stock were paid regularly, quarterly, January 15, 1896, to November 15, 1914 (the October, 1914, dividend being paid in November), inclusive; the quarterly dividends due in January and April, 1915, were deferred, but were afterwards paid in one-year 6 per cent scrip to stockholders of record May 31, 1915. Scrip matures May 31, 1916, but is redeemable on January 1, 1916, at par and interest on 30 days' notice. On July 15, 1915, regular quarterly cash dividend of 2 per cent was paid. On common 1 per cent quarterly from December 1, 1896, to March, 1902, inclusive; 1¼ per cent quarterly, June, 1902, to June, 1903; 1904 to 1908, inclusive, none; August 20, 1909, 3 per cent; August 15 and November 15, 1910, and February 15 and May 15, 1911, 1¼ per cent each; August 15, 1911, February 15, and August 15, 1912, and February 15, 1913, 1¼ per cent each; none since.

Officers: S. T. Morgan, president; E. B. Addison, first vice president; S. D. Crenshaw, vice president and secretary; S. W. Travers, treasurer; E. T. Orgain, auditor, Richmond, Va. Directors: S. T. Morgan, E. B. Addison, C. G. Wilson, Richmond, Va.; N. S. Meldrum, Henry Walters, Harry Bronner, L. Oudin, A. J. Hemphill, Alvin W. Krech, C. I. Stralen, New York; George W. Watts, Durham, N. C.; K. K. McLaren, Jersey City, N. J.

Annual meeting, first Wednesday in September.

Corporate office, Jersey City, N. J. General office, Richmond, Va.

Mr. LODGE. As I have said, of course, Mr. Washburn may have resigned from some of these boards. I could only take the list. A reference is made to the pages in every case. Moody's Manual is usually considered good authority.

They had a somewhat extended debate in the other House on the question of the production of high explosives, including nitrogen or nitric acid, of course in their manufacture. So far as the various acids go, toluol, picric acid, and others can be produced, in my judgment, and I think it is generally admitted—can be produced, and are produced, as we all know, as the by-products, if they may be so called, or the partial products of the dyestuff industry. Picric acid and toluol, two of them, are products of the dyestuff industry, drawn from the same source as the dyestuffs. Therefore I believe that it is immensely important that we should encourage the development of the dyestuff industry in order to get these high explosives which are now so important in modern warfare. They can be obtained without costing the Government a dollar by the imposition of duties sufficiently high to protect the dyestuff manufacturers in starting their industry. You will get revenue rather than lose it; you will build up a great industry; and you will get some of your high explosives or materials therefor—picric acid and toluol. I do not care to go off on the question of those explosives. It is a simple way, without cost to the Government, of getting what we need in those particular directions. They are enumerated in the amendment that I have offered here to the sugar bill.

I want, however, to call attention to a brief history of what has been done in Germany. It was embodied in a statement by Mr. LONGWORTH, of Ohio, a Member of the House of Representatives, and I certainly can not improve upon it. He had examined the whole question with great care, and his statement interested me, because it seemed to me to show that it would be extremely unwise and improvident for us to commit ourselves to a vast expenditure of Government money for the purpose of developing a process which is by no means shown to be the best, and certainly not yet shown to be the cheapest. This gives the history of what Germany has done, and I think we can all admit that Germany has been reasonably efficient in the production of explosives:

A good many years ago Germany discovered that the chemical industry—and particularly the dyestuff industry—

I am now quoting from Mr. LONGWORTH'S speech in the other House—

lent itself most readily to the manufacture of high explosives. The German Government therefore started out to encourage and foster this industry in every way possible, and it soon became one of the most profitable industries in the land—

That is a matter of common knowledge; everybody knows of the enormous development of the dyestuff industry in Germany under Government encouragement. In fact, we have been largely dependent on Germany in all our textile industries for dyestuffs. Mr. LONGWORTH continues:

But the German Government was not satisfied merely that this industry should yield enormous profits. It deliberately aimed to extend it to such proportions that it might be, in time of need, converted into an explosive industry to take care under any circumstances of any demand that a great war might create. The demand for dyes at home was not sufficient for this purpose, and it was necessary, therefore, to build up an immense foreign trade. For this purpose every possible concession was granted, as, for instance, in freight rates for export; and the Government even went to the extent of remitting taxes in order that the industry might reach the highest possible stage of development. Cooperation was had between the great German universities and the dyestuff industry so that the best education and talent could be made available. Scientific research was encouraged, and the Government went to the extent even of granting special pensions to those who had devoted a certain number of years to research work in chemistry.

The inevitable consequence of this governmental activity was that almost from the beginning and for many years the German dye industry has dominated the world. Was human foresight ever more brilliantly justified than that of the German nation when war broke out? Note what happened: A general order was issued that the production of dyes should cease and that the factories should at once turn all their energies to the manufacture of high explosives. Following the plan preconceived years before, every tank and every kettle was arranged so that explosives could at once be turned out, and it was known almost to a pound what the production of each factory would be. In every one of these factories was an abundance of crude material, such as every large business concern must keep on hand, and almost every ounce of it was capable of being made into some kind of explosive.

At this point—

And this is what I desire particularly to call the attention of the Senate to—

At this point was made manifest another instance of Germany's wonderful efficiency and foresight. She had within her own borders every material necessary for the production of high explosives save one, namely, nitrogen. Now nitrogen compounds are the basis of all modern high explosives, and in time of war they must be had in unlimited quantities. Up to a few years ago Chile saltpeter was used as the basis of all nitrogen compounds, and this can be obtained only from Chile. German statesmen had realized that if any nation with which she might ever be at war should obtain control of the sea Germany would be cut off from the Chilean supply of nitrogen, and hence, under then existing conditions, practically helpless. And so science set out to evolve some other method of producing nitrogen, and a process was evolved of obtaining it out of the air. It was discovered that to make nitrogen out of the air a cheap electrical energy is essential. On looking over the field German scientists had found that the cheapest source of electrical energy came from waterfalls in Norway, and accordingly large industries were established there to make nitrogen products, and these products were sent to Germany. But even then all future difficulties were not provided for. Germany still faced the question of losing the use of this water power in Norway if some other nation obtained control of the sea, and that was just what happened when England bottled up the German Navy. But in the meantime—

And to this I wish to call the attention of the Senate—

another method of obtaining the cheap electrical energy necessary for producing nitrogen out of the air had been evolved. Six large plants were established on the Rhine in districts where coal was coked. Now, in the process of coking coal a certain gas is developed which ordinarily went to waste, but under this new process this gas was used in internal explosion engines, and these engines were attached to enormous generators for the production of the necessary electrical energy. Thus in one operation Germany obtained not only her benzol and toluol but her nitric acid as well, which in combination make the modern high explosives.

Mr. LONGWORTH, continuing, says:

Now, speaking to the question of the gentleman from South Carolina, I desire to say that while water power is a very good way to produce electrical energy necessary for the obtaining of nitrogen from the air, it is not the only way. Germany herself has proved that nitrogen can be extracted from the air equally well by the use of gas produced in the coking of coal, and therefore it is unnecessary that this Government would have to have an enormous water power in order to produce nitrogen. It may be produced that way, but as a matter of fact nitrogen can be extracted from the air in any large chemical establishment where the coking of coal goes on.

Mr. LONGWORTH then was asked whether he had any estimate of the waste in our present method of coking coal, and he replied:

I believe it has been something like 75 per cent. I think the gentleman from Connecticut [Mr. HILL] showed that in the ordinary beehive oven at least 75 per cent went into waste.

Then there was some further colloquy, which I will ask to have printed, because it all throws light on this question. It came out in the course of the debate that in one district of Pennsylvania, represented by Mr. HOPWOOD, there were 38,000 coking ovens of the beehive type, where all of this gas was going to waste, although it could be utilized for the purpose of making nitrogen.

I now ask that the colloquy to which I have referred may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Mr. FESS. Will the gentleman yield there?
Mr. LONGWORTH. Yes; with pleasure.
Mr. FESS. Has the gentleman any estimate of the waste in our present method of coking coal?
Mr. LONGWORTH. I believe it has been something like 75 per cent. I think the gentleman from Connecticut [Mr. HILL] showed that in the ordinary beehive oven at least 75 per cent went into waste.
Mr. FESS. Could that waste be utilized?
Mr. LONGWORTH. That could be utilized in explosion engines, which are attached to generators, in the same way water power produces and stores electrical energy in generators. The whole question is such a new one that it has not yet been determined what is the best and cheapest method, I assume. In this country though we surely have an advantage over Germany, because we have a great deal of water power distributed all over the country and also a large number of coal mines and coke ovens.
Mr. LEVER. I was about to ask the gentleman if he was describing what is known as the "arc process" of extracting nitrogen from the air by this coking of coal?
Mr. LONGWORTH. I can not answer the gentleman's question specifically.
Mr. LEVER. I am inclined to think it is not. I think the process he is describing now is a recent discovery in Germany.
Mr. LONGWORTH. A recent discovery in Germany, since the war began, or at least put in operation since the war began.
Mr. LEVER. It is the newest process of the Government?
Mr. LONGWORTH. It is the newest process of the Government, and the fact is that Germany is to-day producing absolutely unlimited quantities of explosives and producing at the same time unlimited quantities of nitrogen out of the air.
Mr. LEVER. I believe, personally, that it would be unwise for this Government to commit itself to any definite process of extracting nitrogen from the air until we know what the best processes are.
Mr. LONGWORTH. I agree absolutely with the gentleman, and I think the experience of Germany conclusively proves that it would be folly on our part now to go into a great Government enterprise for extracting nitrogen out of the air because there happens to be at any particular place a very large development or possible future development of water power.
Mr. SWITZER. Mr. Chairman——
The CHAIRMAN. Does the gentleman yield?
Mr. LONGWORTH. I will yield.
Mr. SWITZER. Could the gentleman say which is the cheaper method?
Mr. LONGWORTH. I can not say, because this development is of so recent origin that I presume it has never been estimated.
Mr. HULBERT. Has it been brought out in the hearings before the Ways and Means Committee as to how many such plants there are that are capable of developing nitrogen and what the approximate quantity would be?
Mr. LONGWORTH. I think there are unlimited facilities in this country, both by water power and through the process of coking coal.
Mr. HULBERT. I am speaking of those cases where at present the facilities exist.
Mr. LONGWORTH. I think facilities exist practically in every State of the Union where there is any coal or water power.
Mr. MADDEN. I understood the gentleman to say there were only two plants in existence in the United States.
Mr. LONGWORTH. Only two plants of any size that are making dyes. There is a substantial difference.
Mr. HULBERT. There are a large number of plants in existence at this time making coke, where it would be possible with very few additional facilities, to produce nitrogen?
Mr. LONGWORTH. That is my belief, because that is what Germany is doing.
Mr. HOPWOOD. I would like to state that in my district, in southwestern Pennsylvania, there are 38,000 coke ovens of the beehive type, where all of this is going to waste, and where all of it could be utilized for the purpose the gentleman is speaking of.
Mr. LONGWORTH. I believe it could be made an almost universal industry throughout the country.

Mr. LODGE. Now, Mr. President, here we are met with these propositions. I believe the proposition of the Senator from Alabama—and if I am wrong he will correct me—was simply to have an investigation made.

Mr. UNDERWOOD. The only proposal that I made at all, Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Alabama?

Mr. LODGE. I do.

Mr. UNDERWOOD. I understood the Senator from Massachusetts directed a question to me?

Mr. LODGE. I asked the Senator to correct me if I was wrong in the statement that this amendment merely provides for an investigation.

Mr. UNDERWOOD. The only proposal I have made at all in reference to the matter was one that was presented and referred to the Committee on Military Affairs, proposing an investigation by a board of Army Engineers, subject to the approval of the Secretary of War, of the question of power sites and of the best processes by which nitrogen could be made out of the air.

Mr. LODGE. That was just what I wanted to ask. I thought I understood it rightly—that it was not merely an investigation of power sites but an investigation of processes as well.

Mr. UNDERWOOD. Undoubtedly.

Mr. LODGE. That, Mr. President, is the first step and the proper step. Whatever we may believe about the ultimate action to be taken—and I myself have very strong views about that—it certainly is of great importance to this Government to know what the best processes are for getting nitrogen, and we ought to have that officially stated. It appears on the face of it, from the experience of Germany, that now, when they are cut off, first, from the Chilean saltpeter supply, and, second, from the horsepower in Norway, which they had so providently secured, they are still able to supply themselves, from chemical processes and from the coking ovens of the Rhine district, with the enormous, the immeasurable amount of explosives which they are using.

Here we have an unlimited field from this system of using coke ovens. It has been tested and tried and has worked successfully. We have not yet been able to obtain the cost of the German process. Naturally, they are probably unwilling to divulge their processes, and this perhaps is not a good time to go over there to investigate German chemical processes; but we have not as yet any exact figures as to the cost. It is believed to be cheaper than the nitrogen which is produced by horsepower, because they take this waste in coke ovens, run their electrical engines with it, get their temperatures and their pressures, and produce their nitrogen from the air in that way.

I think that, with these new methods before us, to plunge this Government suddenly into an expenditure of $15,000,000 or $20,000,000 or $25,000,000 without knowing which is the cheapest and the best way, is a most terrible waste of the public money. There is no reason in the world why the nitric acid or the nitrogen we need can not be produced from the coke ovens which are so plentiful in this country, using their waste gas to run electrical engines. I have not myself the slightest doubt that in that way, or through water power, you can secure all you want if you will let private enterprise alone and allow it

to engage in the undertaking, and you will get it cheaper than in any other way.

I agree with the junior Senator from Georgia [Mr. HARDWICK], I do not believe in putting the Government into the manufacture of a purely commercial article like fertilizers. I do not believe in making the Government of the United States socialistic. I believe nitric acid can be made by private enterprise and made better and cheaper than it can be made by the Government. There are articles of manufacture upon which the Government has entered. One of the favorite Government enterprises cited is the powder plant. The reduction in the price of powder is being pointed to as an example of Government manufacture. Yes; we are paying a lower price, but we are getting a cheap powder; if I am not greatly misinformed, we are getting a powder that not one of the belligerents in Europe would use to-day. Under private enterprise, where all the best experts are employed at high salaries, they have developed powders there that are five times less destructive than the powder we are making down at Indianhead.

Mr. GORE. Does the Senator mean less destructive?

Mr. LODGE. Less destructive to the guns. I do not mean less destructive to the object struck by the shell, but I mean less destructive to the gun in which it is fired. With those powders they can use a gun, either a field gun or a rifle, five times longer than a gun can be used with the powders we are making. I have been informed of that lately; and I am trying to get the details about it, but I am very sure that we are making an inferior powder. We are getting it cheap, but the result is an inferior product. Establish a Government shop of any kind and it is bound to be rigid. No inventor is going in there. The Government shows no mercy to an inventor. I think that I am right in saying the Lewis gun—I am using that as an illustration—or the principle of that gun has been adopted in the famous French 75, which is recognized to-day as the best field artillery in the world. Even the Germans recognize that. It was offered to our Government and turned down. So was the Maxim gun.

We are told—I do not know how truly—in the newspapers that in the night surprise at Columbus our machine guns jammed and could not be used for three or four minutes. There are hundreds of American machine guns on the front in France and Flanders to-day, and they do not jam.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Missouri for a question?

Mr. LODGE. I yield.

Mr. REED. Will the Senator permit me to say that that matter was up for discussion a few days ago, and the Secretary of War reported that there was no trouble with the gun at all?

Mr. LODGE. I am delighted to hear that.

Mr. REED. But the men, in the excitement of the time, did not load it just right; but they have since been practicing and perfecting themselves.

Mr. LODGE. That is removing the blame from the gun to the men.

Mr. REED. We ought to put the blame where it belongs.

Mr. LODGE. Well, I am not sure it belongs there.

Mr. REED. That is what the Secretary of War said.

Mr. LODGE. I am not at all sure that it belongs there. I believe that we rejected a gun which is now being used all over Europe. Of course the Government will not get the best experts; it will not attract the inventors; it will not pay them. If you are going to get the best results, you must have the energy behind it of private competition.

There are thousands of coke ovens all over this country. The process of making nitrogen by means of the waste gas of coke ovens as a source of power is a success, and by utilizing them you can secure nitrogen, according to all indications, cheaper than even by the utilization of great water powers.

There are great water powers all over this country; but we do not know the best sites and we do not know the best processes, and I think to plunge into the manufacture of fertilizers on a bill intended for the defense of the United States is a waste of the people's money and ought not to be done at this time. To the extent to which the amendment of the Senator from Alabama goes I have, of course, no objection. I think it is eminently proper to make that inquiry in order to enable Congress to act intelligently; but, putting aside for the moment the question of the constitutionality of what is proposed, I think to embark now upon this vast expenditure until we know more upon the subject would be the height of unwisdom.

Mr. UNDERWOOD. Mr. President, I did not intend in this debate to enter at all upon the discussion of Muscle Shoals or the Alabama Power Co. or the local situation, because, so far as my amendment is concerned, it has nothing whatever to do with them, and, so far as the amendment of the Senator from South Carolina [Mr. SMITH] is concerned, it contemplates nothing directly connected with any power company or any officer of any power company or any location or situation connected with hydroelectric power companies. As a matter of fact, the senior Senator from Georgia [Mr. SMITH] calls my attention to this provision in the amendment of the Senator from South Carolina:

> That the plant or plants provided for under this act shall be constructed and operated solely by the Government and not in conjunction with any other industry or enterprise carried on by private capital.

Therefore, so far as the amendment offered by the Senator from South Carolina is concerned, it entirely excludes any cooperation with private capital, and, so far as my amendment is concerned, it merely calls for an investigation.

An effort has been made to show that this amendment should not be passed because possibly the plant might be located at Muscle Shoals, on the Tennessee River, in northern Alabama. I think the greatest compliment that could be paid to the great water power at Muscle Shoals is the fact that the entire opposition to this proposition points to the fact that it must go to Muscle Shoals if it is developed along this line. I do not say it must go to Muscle Shoals. All that I want is a development in the United States. Naturally, if the board of engineers or those investigating the question should determine that that power is the best and greatest in the United States and the proper place for it to go, I should be very much pleased to see it go there, but I am not advocating that the location be at Muscle Shoals if the board of engineers should find a better location on another river. But first I want to call the attention of the Senator from Massachusetts [Mr. LODGE] to the statements he has put in the RECORD in reference to the Alabama Power Co. owning all the power in Alabama.

In the first place, I desire to state to the Senate that the Alabama Power Co. does not want a Government power development to go through. The Mr. Worthington to whom he has referred in the statement as connected with the Alabama Power Co. was at one time one of its directors, and he was at one time its vice president. He now has no official connection with the Alabama Power Co. and has not had since September of last year. Mr. James Mitchell of New York and Birmingham is the president of the Alabama Power Co. I have talked with Mr. Mitchell since this matter has been up, and Mr. Mitchell has stated to me in my office that he thought the development at Muscle Shoals was not advisable at this time.

There are many good reasons why the Alabama Power Co. should not want this development to be made by the Government, because that company will lose its opportunity to develop any power at Muscle Shoals where the Government may develop power. It is true that the statement the senior Senator from Massachusetts [Mr. LODGE] has presented to the Senate, says that the Alabama Power Co. owns this power at Muscle Shoals; but as a matter of fact it does not own or operate a horsepower there and never can until Congress gives its permission for that company to do so. The only thing it owns at Muscle Shoals is that some years ago it bought the banks, and it owns the banks along that river where a dam probably would be built, just like the farmer who owns the lands from whom the company bought them. Neither the Alabama Power Co., the Muscle Shoals Hydro-Electric Power Co., nor any other power company have any rights at Muscle Shoals that will in any sort of way deter or prohibit the United States Government from building a dam for an air nitrate development. If there is any monopoly or control of dam sites on the Muscle Shoals stretch of the Tennessee River, that monopoly and control is in the United States Government.

Nothing that any power company, or any officer of any power company, represents in the prospectus of any power company can possibly establish the ownership of any water power on any navigable stream in the United States against the paramount right of Congress to regulate commerce on the navigable streams of the country, and there is no riparian owner of any proposed dam site whose lands can not be condemned at the pleasure of the United States. There is no water-power development at Muscle Shoals and none has been authorized by Congress, and if a bill is passed under which the United States may develop a water power at Muscle Shoals by the improvement of navigation, whatever rights any power company has at Muscle Shoals will be taken away from that power company and the same consideration and the same price for any lands owned by a power company would be paid as if a farmer owned the land along the banks of the river.

Again, it has been stated here that the Alabama Power Co. and its allied companies control all the water power in

Alabama rivers. The Alabama Power Co. does control the only developed water power in Alabama on navigable streams. There are a few water powers on nonnavigable streams that have been developed, but these are not important sources of power, but the Alabama Power Co. controls the only power that has been developed on navigable streams in Alabama, and for the very good reason there has been only one power developed on a navigable stream, and that development has been made by the Alabama Power Co. under the permit of Congress at Lock 12 on the Coosa River.

The primary power that is developed there amounts to only 10,000 horsepower. I understand that in the flood season that power sometimes runs up to 40,000 horsepower, but this has the value of secondary power only. The strictly primary power at Lock 12 on the Coosa River which the Alabama Power Co. has developed amounts to only 10,000 horsepower.

This immense "trust" that is being paraded here, this immense aggregation of capital that is being paraded here, has done nothing in the world except the development of one water-power plant in the State of Alabama, the primary power of which is only 10,000 horsepower. It is true that the Alabama Power Co. owns some steam auxiliary stations that it operates with coal, but these auxiliary steam stations operated in connection with the Alabama Power Co.'s water-power development at Lock 12 on the Coosa River constitute no monopoly unless the riparian ownership of lands along the rivers in Alabama bought by the Alabama Power Co. constitutes a monopoly, and this no more makes a monopoly than the ownership of lands on the banks of a river by a farmer makes a monopoly.

The ownership of riparian lands by a power company as possible sites for power development on the banks of a navigable stream establishes no rights against the United States entering upon these sites by condemnation or purchase, and the United States can condemn a power company's riparian ownership just in the way the United States can condemn a farmer's riparian ownership.

I admit that in its prospectus the Alabama Power Co. has set out statements of the great amount of horsepower that it owns; but I can state to you, and I know it to be true, and I challenge any man in the Senate to produce proof that what I state is not so, that it has simply one plant and one power developed in Alabama; and all that it has in addition to this development and all this great "monopoly" that is being paraded here, is the fact that it has bought from the farmers along the river the banks that can be taken away from it by the Government, either by condemnation or purchase, the same as from any other riparian landowner, and, therefore, it is not a surprise, it is not wrong from the Alabama Power Co.'s viewpoint and interest that that company is opposed to Government development at Muscle Shoals independent of that company's interests in connection with its hydroelectric power development plans in the State of Alabama.

As to Mr. Washburn's connections with other corporations, I do not know anything about them except what has been stated here. Mr. Washburn is a great hydroelectric engineer, a man of great ability. In his name stand a great many of the patents with reference to the development of air nitrogen. He is a man of learning and ability, and Mr. Washburn is not here, so far as I know, proposing anything for his proposition or for his company. If an investigation is ordered, Mr. Washburn is ready to go before the Government investigators and say what he is willing to do so far as his company is concerned, and the Government can take it or reject it.

But as somebody else has brought Muscle Shoals in here I wish to call the attention of the Senate to some of the facts in reference to the case.

To begin with, the Tennessee River is one of the very large rivers of the United States. There is probably no other river that has so large a flow of water in it, up to the point where it meets the Ohio, except the Mississippi River and probably the Columbia River in Washington. At the point where the Tennessee River and the Ohio River join there is more water coming out of the Tennessee River than there is out of the Ohio River and the Cumberland combined. The Tennessee River is practically navigable, or will be when some small improvements that are now going on are completed, from Knoxville, Tenn., down to where it runs into the Ohio River, except at Muscle Shoals. At Muscle Shoals the river is a mile wide, with very high rock banks, 100 feet high, on each side.

The navigation improvement at Muscle Shoals was begun by an appropriation by Congress in 1828, and because the importance of this improvement and the importance of the Tennessee River was recognized. From time to time various appropriations were made for the improvement of this stretch of the Tennessee River, and finally in 1889 the present Muscle Shoals lateral canal was completed at a cost of $3,191,726.50. The care and operation of this narrow, tortuous, inadequate canal has amounted to $1,368,247.79 since 1889, and each year since that date there has been wasted from $50,000 to $75,000 annually in the up-keep of this canal, for it has been impossible to use the canal as an important freight carrier. In both directions from the ends of this canal there are rapids along which there is no navigation improvement, and the result is that the canal is an isolated improvement of no practical value and contributing in no substantial way to the transportation of commerce over the entire Muscle Shoals stretch of the Tennessee River. Why have not these unnavigable portions of this stretch of the Tennessee River on both sides of the Muscle Shoals Canal been completed? Because after investigations made by the United States engineers under a resolution passed by Congress directing these investigations to be carried out, the engineers reported their conclusions to be that it would require for 9-foot navigation perhaps over $12,000,000, and for 6-foot navigation as much as $8,000,000 to complete the improvement of navigation along the entire stretch of the Muscle Shoals section of the Tennessee River, and the engineers recommended that it is to the interest of the Government to develop water power in connection with the final navigation improvement of the Tennessee River and to build two dams and locks that will create nearly 150 miles of slack-water navigation improvement, and that by the combined plan of navigation improvement and power development which the engineers recommended, the United States Government would accomplish this great improvement of navigation and development of power, and in the end the power developed would practically reimburse the United States for all of the money expended on this improvement.

It has been contended that there is no commerce on the Tennessee River and, therefore, no further appropriations should be made for the Muscle Shoals improvement, and that the commerce passing through the Muscle Shoals canal has averaged only 11,800 tons annually for 22 years, and that statement is perhaps correct. But why? Because the navigation improvement by the canal plan of the Muscle Shoals stretch of the Tennessee River has never been completed and commerce could not get into the canal nor out of this canal except during high-water stages of the river. Muscle Shoals is a cork that bottles up the commerce of the Tennessee River, the commerce desiring to move in both directions along the Tennessee River. The commerce on the river from Florence, Ala., to Paducah, Ky., has amounted to 617,000 tons annually for 22 years. Admittedly, this is considerable commerce, but since the improvement of the navigation of the Tennessee River from Florence, Ala., to the Ohio River is now about completed, large movements of pig iron by barge are now going down the river to Ohio and Mississippi River points with a freight rate of $1 per ton under present rail rates. Is it any wonder, and is it not reasonable that those who are interested in the reduction of rates on river shipments on the Tennessee River from points north of Muscle Shoals should plead with Congress for the removal of the obstruction to this commerce at Muscle Shoals?

On the Tennessee River between Muscle Shoals and Chattanooga the commerce has averaged 206,000 tons a year for 22 years, and from Chattanooga to the head of navigation above Knoxville it has amounted to 384,000 tons a year and the commerce on the tributaries on the upper Tennessee amounts to 36,400 tons a year, but none of this commerce can go to the Mississippi and Ohio River valleys on account of the obstruction at Muscle Shoals.

The combined plan for the improvement of navigation and development of power as recommended by the United States Engineers to Congress will all be found in Document No. 20, Sixty-third Congress, second session. In this report, in response to a resolution passed by Congress more than eight years ago directing the engineers to investigate and report upon a plan for the joint improvement of navigation and development of water power at Muscle Shoals, will be found full information and complete facts upon the subject, and lately Maj. H. Burgess, of the United States Engineer Corps, and at present District Engineer of the Tennessee River, appeared before the Military Committee of the House and said that there is a 135-foot fall along the Muscle Shoals stretch of the Tennessee River, and that the flow of the river at this point varies from 7,000 to 500,000 second-feet; that the very lowest flow recorded during the lowest stages of the river is not less than 7,000 second-feet; but he stated that 10,000 second-feet can be counted upon as the practical low flow of the Tennessee River at Muscle Shoals. He stated that a continuous primary horsepower based on the lowest flow of the river can be developed to the extent of 120,000 horsepower, and that secondary power in very much larger volume will result from the development of 120,000 primary horsepower.

He says that this power can be developed and completed to furnish electricity over the switchboard, and put in the necessary

dams and improvements, and finish the navigation improvement, at a cost of $14,500,000; and he says the cost of that power on the switchboard, when this is completed, will average from $7 to $9 per horsepower, or about 2 mills per kilowatt hour for 310 days of the year, operating 12 hours a day.

I do not advocate Muscle Shoals in my amendment, and I did not intend to bring it in here; but I think it is proper that a statement should be made here in reference to Muscle Shoals and the Alabama Power Co., and its officers, in order to correct the glaring misinformation and misunderstanding given to the Congress of the United States on the subject.

I listened with much interest to the statement of the senior Senator from Massachusetts [Mr. LODGE] in reference to the development of nitrogen in the United States, and I am glad the Senator gave as his authority somebody else and did not make the statement on his own authority, because I am sure he is mistaken in what he says. In the first place, nitrogen can not be made out of dyestuffs.

Mr. LODGE. I never said it could. I mentioned picric acid and toluol, and I afterwards read also what Mr. LONGWORTH said in his speech, that it was the one product that could not be made from dyestuffs, and I thought everybody knew it. I am very certain that I did not make the statement.

Mr. UNDERWOOD. I do not think toluol may be made of dyestuffs, for, in fact, both dyestuffs and picric acid, which is a powerful explosive, get their raw materials from coal-tar by-products; and, if we could, we would not go through the very expensive process of reconverting dyestuffs back into toluol and picric acid. It would be reusing——

Mr. LODGE. Will the Senator tell me how picric acid is manufactured?

Mr. UNDERWOOD. I can to some extent, as I happen to be interested in a company that is operating by-product coke ovens, though I am only interested in a small way, but I have gone through these plants and I know what they are doing, as I am one of the stockholders of the company, and this company that I am interested in is engaged in making pig iron, and it makes all of its coke by the by-product coking process, and, as far as practicable to do so, the company utilizes the by-products from its coke ovens. Picric acid is made by treating phenol or carbolic acid, a coal-tar by-product, with sulphuric and nitric acids. Benzol is one of the by-products recovered from the coke-oven plant in which I am interested, but the coal-tar by-products from by-product coke manufacture that enter into the very great variety of dyestuff colors are not largely recovered from by-product coke operations in this country, and hence our limited supply of dyestuffs from coal-tar products as compared with Germany's supply and production of coal-tar products and her great dyestuff industry by using these products.

Mr. LODGE. May I ask the Senator a question? Do I understand, then, that picric acid and toluol are not made by the dyestuff makers in Germany at all as part of their product?

Mr. UNDERWOOD. Well, yes; perhaps they can and do use sulphate of ammonia, a by-product, from their coke ovens, as a source of nitrogen, but they perhaps do not employ dyestuffs as a source of nitrogen or try to convert their coal-tar by-products into nitrogen, for coal-tar by-products are the result of coke manufacture just the same as ammonium sulphate, from which nitrogen can be produced, is a by-product of coke manufacture.

Mr. LODGE. Is it not made in the process of making dyestuff?

Mr. UNDERWOOD. Not at all that I know of, or ever heard of. The process of making dyestuffs is based, so far as I am informed, upon the use of coal-tar by-products from the manufacture of coke.

Mr. LODGE. I have no doubt of that. I am sure of that. That is why I am asking the Senator the question. I am not a manufacturer and I do not know.

Mr. UNDERWOOD. The process of making dyestuff has no connection whatever with making explosives or making picric acid. They both may come from the same original source.

Mr. LODGE. That is what I mean.

Mr. UNDERWOOD. I do not know that it can be done. I do not deny that you might turn the dyestuff back into a product from which it could be made. I do not know.

Mr. LODGE. I must have expressed myself very badly. I did not mean that they were made out of dyestuff. I never meant to say that, and never thought it. I thought they were made from the same general source, and that in making dyestuff they made these explosives, and I am very sure the Germans do.

Mr. UNDERWOOD. I will state to the Senator the process. The dyestuff maker gets his raw material from the by-product of the coke oven.

Mr. LODGE. Certainly; that I knew.

Mr. UNDERWOOD. And the man who makes picric acid gets his raw material from the by-product of the coke oven. Now, that is as close as they come together.

Mr. LODGE. Certainly; but in making the dyestuff they use another by-product to make the picric acid and the toluol.

Mr. UNDERWOOD. They may use coal-tar by-products that result from the manufacture of coke, just as certain coal-tar by-products are used in making picric acid as an explosive. Now, that is all there is to it. There is no other connection between them. They are not related at all, except from the source of by-products from coke manufacture.

The Senator states that you can get all the nitric acid that is necessary to take care of the explosives in this country from the by-products of the coke ovens. Well, I wish we could. I am very much interested——

Mr. LODGE. Mr. President, I do not want to interrupt the Senator, but I do not think he ought to misquote me.

Mr. UNDERWOOD. I did not intend to do so. If I have, I shall be glad to have the Senator correct me.

Mr. LODGE. I did not say it was a by-product of the coke ovens. I simply said they took the waste gas and used it to run the electric engine with which they make the nitrogen.

Mr. UNDERWOOD. I knew the Senator said that; but I also understood him to say that from the by-product of the coke ovens they could get nitric acid. They can get nitric acid in that way.

Mr. LODGE. I dare say.

Mr. UNDERWOOD. I was coming to that, and that was the reason why I assumed that the Senator meant that.

Ammonium sulphate is a product from which you can get nitric acid. Ammonium sulphate is one of the by-products from coke manufacture and is used as a fertilizer ingredient and for many other purposes, and from the ammonia in ammonium sulphate nitric acid can be produced for the manufacture of explosives. Now, I will tell the Senator why you can not rely on ammonium sulphate for a supply of nitric acid for explosives in times of war. I wish you could, for when I am speaking in favor of the Government making air nitrogen to defend this country in time of war I am, in a sense, speaking against my own interests, because I am interested in a company that makes ammonium sulphate as a by-product from coke manufacture, yet I do not think I would be so selfish to wish for the price of ammonium sulphate to go sky high in time of war because the supply of nitric acid from ammonium sulphate would not meet the Government's demands in time of war.

The Government can not supply its war requirements of nitric acid in that way, and it is not a practical proposition to get an adequate supply of nitric acid from the ammonium sulphate source to meet the Government's needs to defend our people in time of war, and we can not do so for several reasons and examples, and the greatest example is that Germany, though it is the nation that has led all other countries in the development of its by-product coking industry and in the wonderful uses of all the by-products from coke manufacture, still she found herself unable to supply her war requirements of nitrogen by the use of any or all of the by-products of coke manufacture, and the proof of this is that before the war Germany was producing nearly 60,000 net tons of air nitrogen and she has increased her air nitrogen production from 60,000 tons to 600,000 net tons and she has found it a necessity to meet her great requirements by fixing the nitrogen of the atmosphere instead of using ammonium sulphate needed for refrigeration, fertilizers, and for other purposes. She has not met her needs of national defense by subtracting from her economic and military preparedness before the war, but she has increased her efficiency for national defense by adding to her national preparedness for defense by the fixation of the nitrogen of the atmosphere both as a fertilizer and for manufacturing explosives. We can not build coke ovens in this country merely for the purpose of making sulphate of ammonia for securing nitric acid to manufacture explosives needed in times of war, and we can not draw upon our present by-product capacity in this country in time of war because we will cripple, if we do, the very industries that we need to run at maximum capacity in times of war, and Germany has demonstrated this.

There is no telling how much money it would cost to build the necessary by-product ovens in this country to supply the Nation with its nitric acid needs in times of war. It has been estimated that the cost of ammonia per pound from ammonium sulphate is about double what the direct cost of producing ammonia would be by air fixation processes using very cheap water powers. Using the cost of our by-product coke ovens in this country as a guide, it is estimated that to secure the ammonia from by-product coke required to manufacture 180,000 tons of nitric acid per an-

num it would be necessary to invest $100,000,000 and it would require the coking of 27,000,000 tons of coal per annum, or about 75,000 tons per working day. Economically this source of nitric acid supply for explosives is impossible, else Germany would not have developed since the war over 300,000 horsepower at a cost of more than $100,000,000 in the fixation of atmospheric nitrogen for military and agricultural purposes. I am sure the Senator will recognize that it would be impossible to rely upon the by-products of coke manufacture for our needed explosives in times of war.

Mr. LODGE. Oh, I recognize that the Senator has completely demolished a proposition that I did not make.

Mr. UNDERWOOD. I thought he was making it.

Mr. LODGE. I spoke of the gas wasted now from the coke ovens.

Mr. UNDERWOOD. I will come to the gas in a minute. So far as ammonium sulphate is concerned, if you took the ammonium sulphate that is being made to-day for the purpose of making nitric acid, you would take it away from your refrigerator plants. You would spoil all the refrigerated food in the country. I know of no time in the world when we would be more in need of protecting our food supply than we would be in time of war. It would be the last time in the world we would want to take the sulphate of ammonia away from the refrigerating plants to use it to make nitric acid. More than that, there would be the great cost of assembling it. You would have to put it in tank cars and ship it to a central station and assemble it for this purpose. So I will say to the Senator that I think that proposition is an absolutely impracticable one.

Mr. LODGE. Utterly; and I did not make it.

Mr. UNDERWOOD. Now the Senator comes to the other proposition. You can make cheap electricity by the escaped gas from the coke ovens. That is true. I know it is true, because the same company that I have been talking about, in which I am interested, is doing it. It is taking its by-product gases carrying them down under a boiler, and making very cheap electricity in that way, but it is only done in a limited way.

Now, the Senator wants us to abandon the question of making nitrogen out of the air and depend upon the by-product gases from the coke ovens of America, which are limited in operation.

But more than that, the distinguished Senator from Massachusetts has made a double argument here. He has pleaded for the dye industry. Where does the dye industry come from except from the by-products in coke manufacture, and the Senator proposes to take the gases needed in the dye industry, for it requires power in this industry, and intends to use these by-product gases under boiler plants for the purpose of making steam to furnish electricity to make air nitrates.

In the first place, there are few places in the United States where there is a very large extent of coke-oven gas; and then the power you would produce would be very much more costly than you can get from the water powers of this country if they are developed by Government money.

Mr. LODGE. On that we have no figures whatever. We only know the Germans have done it with immense success, and they are almost as practical as manufacturers as the Senator from Alabama.

Mr. UNDERWOOD. My information is that they have developed their power for making air nitrogen to a very slight extent by by-product gas, because they use the by-product gases for other things. My information is that the Germans are shoveling under their boilers, to make power with, lignite coal from their almost inexhaustible deposits of this coal, and with this coal I want to say that the information I have is that Germany since the war has increased her horsepower capacity used in the fixation of the nitrogen of the atmosphere by the cyanamid process over 300,000 continuous horsepower.

I have investigated this question to some extent because I have had the temerity to say that the Government of the United States should prepare for an emergency and furnish air nitrogen, and I have done so without advocating any local proposition and without advocating anybody's patent rights, or anybody's water power; and I have had to meet from those who are opposed to a Government plant all the condemnation that could be thrown in my direction.

I know, as far as my own mind is concerned, there is but one practical way in which you can develop the manufacture of nitrogen in the United States at a reasonable cost and on a practical basis, and that is to take a great water power and let the Government with cheap money develop it, and when that development is made, use the power itself or lease the power to somebody else to make nitrogen. I am not concerned about that now; we can consider that question later on.

Mr. HARDWICK. The Senator, however, does not want the Government to go into the manufacture of fertilizers?

Mr. UNDERWOOD. That is aside from what I am discussing. I will say that I do not think the Government has the power to go into the business of manufacturing fertilizers for the purpose of selling fertilizers; but if the Government develops a power for the purpose of making nitric acid for war purposes and in times of peace does not have to use that power, I say the Government would have a right to lease the power for making cheap fertilizers.

Mr. HARDWICK. That is a very different proposition.

Mr. UNDERWOOD. But that is a second step. We are not facing that step now at all. The question we are facing now, and there is not a Senator in this Chamber who does not know it, it that we are in a deplorable condition. If war were declared against us to-day and our supply of Chilean nitrate were cut off, a second-rate power could make us surrender in six months if we had no further supply of nitrogen and they had plenty. Now, that is the proposition that faces the United States, and why with that condition confronting us you are not either willing to take affirmative action, as is asked for by the Senator from South Carolina, or to take the action that I propose, to have a thorough investigation of this whole subject, I can not understand. It seems to me it is a self-evident fact which ought to be recognized by everyone. I think I understand the proposition, but I am not one of those who assume that I know it all. I may be mistaken. Therefore I do not ask the Senate to take my unsupported opinion on the subject. In the amendment, I have pending at the desk, I have provided for the appointment of a board to go out and investigate and report the facts. That is the proposition I have asked the Senate to agree to.

Mr. STONE. When to report?

Mr. UNDERWOOD. At as early a date as practicable. But if my amendment does not suit, let some other gentleman offer a better one.

Mr. JONES. Mr. President——

Mr. UNDERWOOD. I yield to the Senator from Washington.

Mr. JONES. I just want to ask the Senator whether he would be willing to accept an amendment to his amendment, as follows:

After the word "war" in line 4 strike out "fertilizers in times of peace" and insert "and best adapted to conserve and utilize the water resources of the region in the interests of navigation, the needs of the Government, and the public welfare."

In other words, it looks to the development of all the resources tributary to the point selected wherever they may be. It follows the language of the water-power bill which passed the Senate some time ago.

Mr. UNDERWOOD. The Senator is probably right about that; but I would not like to accept it without giving it careful consideration. I am not adverse to it. What I am trying to get is an adequate supply of powder in time of war.

Mr. JONES. I am in hearty sympathy with the Senator on that proposition.

Mr. WALSH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Montana?

Mr. UNDERWOOD. I yield.

Mr. WALSH. I have before me the amendment offered by the Senator from Alabama. It contemplates that the Board of Engineers shall hold hearings for the purpose of determining upon a suitable process and also authorizes them to select a suitable site on a navigable stream. Why does the Senator desire to restrict the selection of the site to navigable streams?

Mr. UNDERWOOD. I will tell the Senator why I had that in mind. If it aids the amendment to cut out the word "navigable" I would be perfectly willing to do it, but had very good reason for saying "a navigable stream." In the first place, the Government has jurisdiction and the right to use its money on navigable streams. It adds to the constitutionality of the proposition, although I think under the war power we have the consitutional right anyhow.

In the next place, we have had a great many statements about great horsepowers in this country, but in a development of this kind it has got to be primary horsepower. It can not be secondary horsepower. You must have a development of primary horsepower, because if the enemy is coming in at your front door and it is the dry season of the year and your river has run down you can not wait until rains come for it to fill up to get your horsepower. The development must be a primary power.

Now, I may be mistaken, but so far as I know the great water powers that are not on navigable streams may have immense powers at some times of the year but most of them are in dry

regions, and so your water power is secondary horsepower and not the primary horsepower needed all the year.

But I will state to the Senator from Montana I have no desire to make a contest about that. If the Engineer Corps determine that there is a place off of a navigable stream that is the best place to locate a plant of this kind it is agreeable to me.

Mr. WALSH. I simply desired to inquire why if there is such a place it should be excluded.

Mr. UNDERWOOD. There is not a reason why it should be excluded if there is such a place. The only reason why the amendment was written as I have written it is because I did not contemplate that there was such a place.

Mr. WALSH. I merely desire to inform the Senator that we have had considerable experience in the development of water power in the State of Montana, and no one undertakes there, or anywhere else, to develop a water power except upon the possibilities of the low stage of water because, as a matter of course, the supply must be continuous.

Mr. UNDERWOOD. I will say to the Senator that, as I understand, the War Department has estimated that we ought to have for war purposes capacity for 180,000 tons of nitrogen a year; that is, the power to produce that much nitrogen during the year for war purposes, not to be used in time of peace. It is also stated that to produce that much nitrogen by the cyanamide process, which takes less horsepower than the other process, it will require a horsepower production of 100,000 horsepower. Does the Senator know of a place off of a navigable stream in the United States where a hundred thousand primary horsepower can be produced?

Mr. WALSH. I can point you to three in the State of Montana.

Mr. UNDERWOOD. The Senator is giving me information of which I was not advised.

Mr. WALSH. It is substantially the testimony given before the Public Lands Committee that for the economic production of an air nitrogen 100,000-horsepower plant not only are these available, but they are available upon public lands which belong to the United States, so that we can get the power site——

Mr. UNDERWOOD. I will ask the Senator not to deprive me of the floor, though I am glad to hear his statement.

The PRESIDENT pro tempore. The Senator need not concern himself about the character of the interruption. He is the judge of the character and the extent of it.

Mr. UNDERWOOD. I am occupying the time of the Senate at this late hour, but there is one other proposition to which I wish to call the attention of the Senate and then I shall close. It is as to why the investigation should be made.

Mr. GALLINGER. Will the Senator permit a question?

Mr. UNDERWOOD. Certainly.

Mr. GALLINGER. The Senator's amendment, as I read it, says that this board shall "select a suitable site."

Mr. UNDERWOOD. Subject to the approval of Congress.

Mr. GALLINGER. Would the Senator object to changing the phraseology so that it would suggest a suitable site or sites?

Mr. UNDERWOOD. That is all the amendment intends. I am willing to say that they shall recommend a site because the amendment does say recommend. It says that they shall choose a suitable site and recommend it to Congress for affirmative action, which is exactly the same thing. It does not give the power to affirmatively fix the site; it merely gives the right to select a site and recommend it to Congress for approval; that is all.

Mr. GALLINGER. If the Senator will permit me, the thought in my mind was that the board selecting a site carried much more affirmative strength than if it recommended a site; that is all.

Mr. UNDERWOOD. There is no difference between the Senator and myself in reference to that matter. I am not inclined to foreclose this proposition in any way. I want the light. That is all I am asking.

There is one reason why I say it is necessary to have an investigation. I am convinced in my own mind that you can only get nitric acid by getting it out of the air, except from Chile, which we are trying to avoid. The processes for getting it out of the air are patented. I have my own opinion as to just the best one, but I do not know it. I do not know of any way by which we can determine the question as to which is the best process except to have a competent board in the War Department consider and pass on it and report upon it. I think it is of vital importance that that should be done immediately, and give Congress the information.

Therefore I have limited my contention to asking the department to recommend to us a site and recommend to us a process, and I regret exceedingly that I have been compelled to go far afield and make statements in regard to my own State in reference to this matter that I did not intend at this time to bring into the consideration of the case at all.

Mr. CHAMBERLAIN. May I interrupt the Senator from Alabama?

Mr. UNDERWOOD. Certainly.

Mr. CHAMBERLAIN. Speaking of our total lack of nitrates, could we not be placed in the dangerous position it is said Germany and Great Britain were in, in reference to Chilean nitrates? The only naval battle that occurred between the two powers was along the coast of Chile, and it is generally believed that it was the purpose of those two fleets to obtain Chilean nitrates.

Mr. UNDERWOOD. I think that is undoubtedly true. If we do not provide for a nitrogen supply in our own country and continue to depend on Chilean saltpeter, and get into a war with a first-class naval power, we would have to divert a large portion of our fleet along the lines of commerce from here to Chile to protect our transports instead of protecting our ports and our people at home.

Mr. HUSTING. Mr. President, I have listened with a great deal of interest to the arguments upon the amendment now before the Senate. A great deal of it has turned on the point as to which powder company might have the greatest interest in the passage or defeat of the amendment. We have heard it charged here upon the floor that the Du Pont Powder Co. is opposed to the construction of any dam or power by the United States Government or is opposed to any establishment or institution that would take nitrogen from the atmosphere for the purpose of manufacturing explosives.

To-day we listened to a long list of stockholders and men who have available water-power sites which might be taken up by the Government and who have some interest in the adoption of this amendment. I do not know how that may be, except to say that, as far as I am concerned, I am going to support this amendment without regard to the effect it is going to have upon one powder company or another. I do say that the amendment of the Senator from South Carolina will insure us a supply of the substances necessary to manufacture powder.

We know that there is a great powder concern in this country of which the United States is the best customer, and we know that the Government has gone into the business of manufacturing powder. It has been stated here that the powder we manufacture is not as good as the powder manufactured by private manufacturers, but I understand, and I have not heard the statement denied, that the price of powder manufactured by the private concerns has dropped from about a dollar a pound down to about 50 cents a pound, so that even if the powder we make is not as good as the powder made by the private concerns, if that statement is true, we are saving 50 cents on every pound of powder we buy. The charge, however, that the United States is making an inferior quality of powder is denied by those who should know what they are talking about.

Now, it is claimed that one powder manufacturer has a monopoly on powder manufacture; and it is also claimed that there are two concerns that have a monopoly or a patent on the methods of the fixation of nitrates from the atmosphere—one owned by one powder company and the other owned by a prospective powder concern. They practically have a monopoly, then, on modern powder production, because it is acknowledged that nitric acid is a necessary ingredient in the manufacture of explosives. There is, then, only one more thing necessary for us to do in order to give them perfect enjoyment of the land, the water, and the atmosphere, and that is to give them control of our water powers. If we are ready to let them condemn all land necessary for power sites and flowage rights and are ready to give them a monopoly of water-power development, and thus give them a monopoly of the right to create hydroelectric energy by water power, and then protect them by patent to the sole use of the atmosphere to take their nitrates from, why, then we turn over to them the land, the water, and the air for their sole use and benefit.

When the water-power bill, which was known as the Shields water-power bill, was under consideration, in order to have some control of this matter that is of such vital importance to the United States, I offered an amendment to that bill, as follows:

That whenever in the opinion of the President of the United States, evidenced by a written order addressed to the holder of any franchise, permit, or lease hereunder, the safety of the country demands, the United States hereby reserves the right to enter upon and take possession of any power plant developed under a permit, lease, or franchise held under the provisions of this act, for the purpose of the manufacture of nitrates, explosives, or for any other purpose concerning the safety of the country, and retain possession, management, and control thereof for such length of time as may appear to the President to be necessary to accomplish the said purposes, and then to restore possession and control to the party or parties entitled thereto: *Provided*, That the United States shall pay to the party or parties entitled thereto such fair and just compensation for the use of said property,

calculated upon the basis of a normal, fair, and moderate profit in time of peace, as may be agreed upon between the licensee and the commission: *Provided further*, That such fair and just compensation shall not be in excess of a sum which will hold the party entitled to such compensation harmless of any loss or damage or damages by reason of such taking over, holding, using, and the restoring of the said properties in substantially the same condition as at the time of the taking thereof to the party or parties entitled thereto.

Mr. President, that amendment was defeated. I tried to tell some of the Senators—I did not tell it in detail in the way that it has been told here, for I did not have at my command the statistics which have been so ably presented by other Senators—but I did say that this was a matter of vital importance to the Government and to the people of the United States, and that if we wanted to secure to ourselves a powder supply we should write into every lease, into every permit issued by the United States, a clause, which should provide in effect that we could take over at any time in time of war plants for the manufacture of nitrogen and of nitrates, and use them during the continuation of the war, and at the end of the war to turn them back and pay just compensation, but to cut out any war profits.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. HUSTING. Certainly.

Mr. OWEN. I desire to call the attention of the Senator from Wisconsin to the fact, if he has not already observed it, that in France the first thing they did was to take over the munition plants and put them under the control of the Government.

Mr. HUSTING. I did not know that, and I thank the Senator from Oklahoma for the information. Here, however, was a plain proposition; here was a plan by which we should write into every lease or permit a clause providing that every water-power plant developed under a license of the United States should be subject to call, to commandeering in time of war, so that we could be able to make our powder at a reasonable price. It was not merely the question of the price, but it was a question also of controlling the licensees in the manner that would insure their assistance and aid and that of the water power proposed in time of war. That amendment was voted down, and it was voted down with the aid of some of the Senators who are now here very solicitous about insuring our powder supply. I am glad that they have awakened to the necessity of a powder supply, and that they have awakened to the necessity of safeguarding our water powers in such a way that they will be used for the best interests of the United States in case of necessity.

We are furthermore told that these processes of fixation of nitrates are under a monopoly. If my amendment had been adopted, it would not now make any difference what monopoly they had, because, as a condition, before the issuance of a permit to them for the purpose of manufacturing nitrates, they would have agreed that they would put their processes at our disposal, so that we could continue to manufacture our explosives under their system at a reasonable price.

Another thing—and I think this is the proper time to call attention to it, because that water-power bill may be back here—in that water-power bill, if the so-called Shields bill finally passes, it being Senate bill No. 3331, there will not be any safeguard around the manufacture of nitrates or of powder because in the bill as it passed the Senate the Muscle Shoals Co., the Du Pont Powder Co., or any other powder company could have seized every water-power site in the United States and easily have monopolized the manufacture of nitrates. There is not a single clause in the bill to control the price of powder or the manufacture of powder.

The manufacture of nitrates and of powder under our laws is not a matter of public utility, it is recognized as a private enterprise; and I repeat, the Muscle Shoals Co. or the Du Pont Powder Co., under the terms of that bill, could take over every water-power site in the United States, and then secure a monopoly not only of the land but of the energy of the water, and not only the energy of the water but of the very air itself from which nitrate is to be taken.

I think that Senators, to be consistent, should agree to the proposition that it is necessary for the Government to control the manufacture of powder; and, in order to control the manufacture of powder, they have got to control the water powers and they have to write into their licenses and into their permits clauses that will protect us from a monopolization of the land, the water, and the air by the manufacture of powder or explosives.

I believe that this is a good amendment for the reason that under it we are not to go into partnership with anybody in the manufacture of powder, or in times of peace to go into partnership with anybody in the manufacture of fertilizers. Some of the Senators who advocated the passage of the Shields bill wrote into that bill an amendment by which Government-owned dams, Government-constructed dams, connected with public-utility transmission lines, can not recapture its own dam, its own property—at least that is the way I construe that amendment—without taking with such dams the whole transmission line. According to some of the Senators the manufacture of fertilizers is socialistic; and they would turn a Government-owned dam over to a private company for the manufacture of fertilizers or other purposes in time of peace. I am opposed to this idea because the provisions of the Shields bill, if it passes, would in effect place our property in private hands for private use. It would mean that we would invest our money to provide a private business for the profit of private individuals.

To illustrate, if we construct a dam for the purpose of manufacturing nitrates in times of war and if, as has already been suggested, in times of peace it would be socialistic to manufacture fertilizers, then, after we spend over $15,000,000 in the construction of a dam we turn it over into the private hands of some fertilizer manufacturer, perhaps the Du Pont Co., perhaps the Muscle Shoals Co., perhaps some other company; thus we put it within the provisions of the Shields water-power bill, which passed the Senate, and then the provisions relating to Government-owned dams apply, and under the clause which was incorporated in the Shields bill, if the manufacturer of nitrates who we put in possession of our dam goes into any other business we can never get our dam back to manufacture powder in time of war until we buy out his whole concern, the whole transmission line or trolley line, if he has one; that would be the effect of the bill which passed the Senate, if it becomes a law.

So I am opposed to this partnership business, and I am for the amendment with the understanding that it is to be run as a Government institution and be conducted as a public enterprise. I trust that if we are going to build a dam for the purpose of manufacturing powder and nitrates, we will hang on to that dam and use it in time of peace in the best manner and for the best purpose to which we can put it.

It has been said here by Senators that for the Government to manufacture fertilizer in time of peace is socialistic. I do not know whether that is any more socialistic than the manufacture of powder. The one is to protect and defend our existence, while fertilizer is to promote our means of subsistence by encouraging the raising of crops to sustain life. If we want to go a step further than that, we can urge that we manufacture fertilizer to put upon our land to raise crops to feed our troops in time of war. I think we have taken all the socialism out of it, if that be our object, unless our contention is socialistic. But what is the difference, whether you call a thing socialistic or not? That does not change it in any way. It is easy to call names or apply epithets or to characterize a Government as socialistic or something else; but that adds nothing to the elucidation of the question under discussion. I think the time has gone by when anyone is driven from a sound position in legislation which promises good results to the people merely because somebody shouts "socialism." It is rather strange to find that whenever legislation is proposed which promises to make for the public advantage—that is, equalize taxes, for instance—or which promises to lighten the burden of the already overburdened people, legislation that seeks to benefit the masses of the people, the opponents of the bill invariably denounce the proposed bill as "socialistic," as though that alone answered all arguments in its favor and destroyed whatever great progress was intended.

So of everything calculated to give the Government the use of its own resources to perform some public work or service at a price to ourselves far below that of those to whom they would have us turn over our resources and our sovereignty and be subjected to their own price, "Socialism!" is the cry.

Is everything to be called "socialistic" that is calculated to reduce the price 50 per cent below the price that we will have to pay if we do not do it ourselves?

It has been stated here that, after the erection of a Government powder plant, powder which used to cost us $1 a pound, by virtue of putting up our own powder plant, was reduced in price to 50 cents a pound. Does it make the manufacture of powder a socialistic enterprise merely because the price has been reduced 50 cents a pound? Since the armor-plate bill was passed I understand the armor-plate manufacturers have made a proposition, in writing, I think, whereby they agree to reduce the price of armor plate something over $50 or $75 a ton. I have heard Senators say that it would be socialistic to go into the manufacture of armor plate; and yet, if the effect of such action on the part of the Government is to reduce the price of armor plate $50 or $75 or $100 a ton, I do not think that the cry of "socialism" is a reflection on the bill. I think that reflects great credit on us, and is a great compliment to socialism,

which I do not know whether it deserves or not. I should like to have you call that a Democratic proposition, so that we might have the credit for it as a party. It is a Democratic measure, and nothing less.

Now, as to the manufacture of fertilizers, is it not entirely proper, if we go into the enterprise of producing some commodity that has got to enter into the manufacture of powder, and we have enough of that commodity stored up to last us in case of war, that we turn the surplus power to the work of fertilizing our lands? Are we not the greatest landed proprietor in the world? Is it not our proper business, or at least one of our functions, to see that our land is put in such shape that it will do the greatest amount of good for the people of the United States? Are we not spending millions in irrigation for the purpose of making our lands fertile; and so, if we can manufacture fertilizer from the air by the aid of running water and then put it upon the land, are we not using public resources in a proper manner, which properly comes within the function of a sovereign?

It just happens in a very peculiar way that the great natural resources, the land, the water, and the air, are three great elements upon which we have to depend for our defense and for our very existence. If we use our public waters on our public lands to take nitrogen and fertilizer from the public air—I hope the air is still public and that nobody has monopolized it as yet—and if we put that fertilizer on the public or other lands, what is there socialistic about that? Are we not maintaining an Agricultural Department and maintaining experimental farms and doing a thousand other things with public funds to widen the fertility and production of our soil? I say that it is perfectly in accord with not only the practice already obtaining, but in accord with sound public policy that we should do that, and the question, it seems to me, ought not to be, What are you going to call it? It seems to me the real question is, Is it a good thing for the people of the United States? I do not think in this time and age the people are afraid any more of what you are going to "call" something. Anybody can apply an epithet or make a characterization of anything. That is mere air; that is mere talk. The true test, in my judgment, of whether or not a piece of legislation is good is whether it is a good thing for the people of the United States.

Now we come to the question of what is proposed under this amendment. What is proposed here? It is proposed, in the first place, that we authorize the President to select sites upon navigable streams—which term "navigable streams," I understand, may be broadened to include other streams, and I hope it will be; and not only that, but a very significant clause provides that we may withdraw from public entry any Government-owned lands fit for this enterprise; and it provides further that we find those sites and put upon those sites plants for the fixation of nitrogen from the atmosphere, and that we manufacture nitric acid, or whatever else may be necessary in the process of manufacturing powder, or fertilizer when it is not needed for powder manufacture.

If I understand the amendment correctly, and if I understand the patriotism and intelligence of the present administration or those at the head of our Government, whether now or at some future time, I take it for granted that they will segregate from the public domain all available power sites, remove them from public entry, and designate them as power sites for this very purpose; and then, when they do that and manufacture enough nitric acid to supply our need for explosives in time of war, that they then will manufacture fertilizer by means of the power which would otherwise run to waste and put it upon the market at cost, if anybody wants to buy it, or give it away, if need be, to the farmers of the country so that they may develop their farms and raise crops to further enrich the people of the country. Here is a rare opportunity to do something for the preparedness for which we stand most in need, and here is a rare opportunity to do something for the farmer and for farming at little or no cost to the Government; here is an opportunity to do something for the development of the West without going too deeply into the Treasury of the country. Here is the opportunity and the time to do all these things with harm to nobody and with good for everybody. Now, I can not see anything wrong about this proposition. I like it particularly well, as I said before, because it is the Government itself that is going to do this, and it is not going to go into partnership with anybody else. That will insure us from the danger of putting our money into a power plant and after having it built throw it into somebody else's lap, for the purpose of enriching, not the people of the United States who built it, but the people who are fortunate enough to get a permit from the Government to use Government property built with Government money.

I think this is a good plan. I think this amendment ought to be adopted, but I do not think it goes far enough, although perhaps what I should like to see done can not be properly put into this amendment. What I think properly should be done is to enact in the water-power bill which is going to pass this Congress a clause by which the Government reserves to itself in every water-power permit the right to enter and take over the plant developed under the laws, so that in times of national stress and danger we are assured of a powder supply sufficient for our purposes, at a price that is just and reasonable.

It is not necessary, as some seem to think, to make defense measures only that have to be paid for at excessive prices. It is claimed now that we get less for our money than any other nation; that while we spend more money for our Navy and our Army each year than any other country, yet we have not much to show for it. Why not avail ourselves of the things we have more plentifully than the other nations and put them to our use for defending ourselves? Why do we not take full advantage of the things that belong to us now, that we are now controlling, instead of coming around afterwards, when the stress and danger is present, and then being put in a position where terms will be dictated to us by those to whom we have turned over our great resources and who now use this instrument to hold us up. It seems to me that a little wisdom and a little foresight will lay the foundation for a greater defense program, a better defense program, a more economical defense program than we can by paying out money after we have parted with everything that is necessary to do these things for ourselves.

And so, in this kind of a bill, this defense measure, it is proper not only that we should have armor plate, not only that we should manufacture powder, but that we should have control of the ingredients that enter into the manufacture of powder.

If we have to pay somebody to whom we have given a monopoly in many ways, first, by giving him a patent, and then by giving him a license to run a water power, and then by turning over to him the water-power sites, and thus, in effect, the sole right to use the air and the water for the purpose of manufacturing nitric acid—I say, if we have given him a monopoly of that, then he does not care how we manufacture powder, because we have to come to him and pay him his price for that which makes powder, and we might just as well scrap our powder mills and get out of the business and get our powder directly from him, who controls the price of the product anyway. We can not expect to make powder at a reasonable figure or to save anything to the people unless we can get the stuff that makes the powder at a price that is reasonable and that we can afford to pay.

So it seems to me that there ought to be no valid objection to this amendment going into the pending bill, and going into it now, because, while they are building the dams and preparing the water powers that are going to take this nitrogen from the atmosphere they can be making investigations as to which of the two processes, or any other process, is the proper one.

I am not afraid of this proposition if our chemists, as was said by the Senator from Alabama, set to work to solve these problems on their own account as to how to fixate nitrates from the atmosphere. They have done it in Norway; they have done it in Germany; they have done it everywhere else. I believe this country is able, when it sets its head to do anything, to do it just about as well as, and I think much better than, any other nation on the face of the globe. All we have to do is to go about it, and if this measure is put onto a defense measure we will bestir ourselves; and I, for one, am confident that we will soon be able to get our war thunderbolts from the sky as well, if not better and easier, than any country in the world.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Presiding Officer:

S. 585. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States;

S. 707. An act for the relief of Beverly E. Whitehead;

S. 922. An act for the relief of Mary E. Nicolson;

S. 1048. An act for the relief of Warren E. Day; and

S. J. Res. 80. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy, at West Point, René W. Pintó y Wentworth, a citizen of Cuba.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a petition of the Republican County Central Committee of Pima County, Ariz., praying for

the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

Mr. POINDEXTER presented petitions of sundry citizens of the State of Washington, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of North Star Grange, Patrons of Husbandry, of Brewster, and of Lake Grange, No. 362, Patrons of Husbandry, of Seattle, in the State of Washington, remonstrating against the increase in armaments, which were ordered to lie on the table.

He also presented the memorial of A. H. Lott and sundry other citizens of Seattle, Wash., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of North Star Grange, Patrons of Husbandry, of Brewster, Wash., remonstrating against any change in the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Lake Grange, No. 362, Patrons of Husbandry, of Seattle, Wash., praying for Government ownership of telephone and telegraph systems, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of North Star Grange, Patrons of Husbandry, of Brewster, Wash., praying for the enactment of legislation to provide for an increase in the merchant marine, which was referred to the Committee on Commerce.

He also presented a petition of the St. Urban Booster Club, of Winlock, Wash., praying for the creation of a system of rural credits, which was ordered to lie on the table.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying that military and naval protection be given Penobscot Bay, Me., which were referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Calais, Me., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for National prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Michigan, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

Mr. WARREN presented petitions of sundry citizens of Wyoming, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Literary Club of Sunrise, Wyo., praying for an increase in armaments, which was ordered to lie on the table.

Mr. CURTIS. I present a resolution adopted by the Republican State convention of Kansas, favoring a constitutional amendment providing for woman suffrage. I ask that the resolution may be printed in the RECORD.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Resolution adopted by the Republican State convention of Kansas, at Topeka, March 21, 1916.

Kansas having conferred the elective franchise upon woman, with results that have proven universally satisfactory to the people of our State, we earnestly recommend that Congress submit to the consideration of the people of all the States a constitutional amendment providing for national woman suffrage.

Mr. LODGE presented memorials of sundry citizens of Boston, Wellesley, and Natick, all in the State of Massachusetts, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. PHELAN presented a petition of the Society for the Prevention of Tuberculosis, of San Diego, Cal., praying for Federal aid for indigent consumptives, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of Richmond Lodge, No. 824, International Association of Machinists, of Richmond, Cal., praying for an investigation into conditions surrounding the marketing of dairy products, which was referred to the Committee on Agriculture and Forestry.

He also presented memorials of sundry citizens of Colfax, Weimar, Sacramento, and Chico, all in the State of California, remonstrating against the passage of the so-called Ferris water-power bill, which were ordered to lie on the table.

Mr. SIMMONS presented petitions of sundry citizens of North Carolina, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WILLIAMS presented petitions of sundry citizens of Mississippi, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. MYERS. I present a resolution of the women voters of Broadwater County, Mont., favoring the passage at this session of Congress of the Susan B. Anthony constitutional-amendment provision, which I ask may be printed in the RECORD, together with the signatures.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Resolution passed by women voters of Broadwater County, Mont.

Resolved, That we, the women voters of Broadwater County, assembled in a county conference at Townsend April 1, 1916, demand that the national administration give facilities for the passage of the Susan B. Anthony amendment during the present session of Congress; and further be it

Resolved, That a copy of this resolution be sent to the administration leader in our National Capital and the members of the Montana congressional delegation.

Unanimously adopted.

Mrs. MABEL M. MOORE, *Chairman, Townsend, Mont.*,
Mrs. B. B. BRISCO, *Vice Chairman, Toston, Mont.*,
Mrs. MARY M. SHREINER, *Townsend, Mont.*,
Mrs. W. H. MCKNIGHT, *Secretary, Townsend, Mont.*,
Mrs. EVA GOODMAN, *Treasurer, Townsend, Mont.*,
Officers of the Broadwater County Branch of the Congressional Union.

Mr. ASHURST. I present a resolution of the Republican County central committee of Pima County, Ariz., favoring the adoption of the Susan B. Anthony woman-suffrage amendment, which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Resolved, That we, the Republican County Central Committee of Pima County, Ariz., meeting this 29th day of March, 1916, for the purpose of calling a convention to elect delegates to the State Republican convention to be held in Tucson May 6, 1916, do hereby heartily indorse the Susan B. Anthony amendment, known in this Congress as the Sutherland-Mondell resolution, and earnestly urge our colleagues in Congress to do all in their power to pass forthwith on to the States for ratification this amendment enfranchising all the women of the country, in order that the unjust discrimination now existing may be changed and all women enjoy the same privileges and protection under the National Constitution.

Resolved, That copies of this resolution be sent to Minority Leader JACOB GALLINGER of the Senate; Minority Leader JAMES R. MANN of the House; Senator THOMAS, chairman of the Woman Suffrage Committee of the Senate; E. Y. WEBB, chairman of the Judiciary Committee of the House; and to the Senators and Representative from Arizona, with instructions that the resolution be read into the CONGRESSIONAL RECORD.

I hereby certify that the above is a true copy of the resolution passed unanimously by the Pima County (Ariz.) Republican Central Committee.

L. E. SMITH, *Secretary*.

TUCSON, ARIZ., *March 30, 1916*.

REPORTS OF COMMITTEES.

Mr. MARTIN of Virginia, from the Committee on Appropriations, to which was referred the bill (H. R. 12207) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes, reported it with amendments and submitted a report (No. 329) thereon.

Mr. SMITH of Maryland, from the Committee on the District of Columbia, to which was referred the bill (S. 5172) to exempt from taxation certain property of the Daughters of the American Revolution in Washington, D. C., reported it without amendment and submitted a report (No. 330) thereon.

Mr. ASHURST, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 5086) amending section 4 of the public-building act approved March 4, 1913, providing for the purchase of a site for a building for post office and customhouse at Nogales, Ariz., reported it without amendment and submitted a report (No. 331) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARDWICK:

A bill (S. 5407) authorizing and directing the Secretary of the Treasury to extend the time of payment of the amount due the Government by the city of Augusta, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. JONES:

A bill (S. 5408) to establish in the Department of Labor a division to be known as a woman's division; to the Committee on Education and Labor.

By Mr. BORAH:

A bill (S. 5409) granting an increase of pension to Charles Reed (with accompanying papers); and

A bill (S. 5410) granting a pension to John Miller (with accompanying papers); to the Committee on Pensions.

A bill (S. 5411) for the relief of George Ashley (with accompanying papers); to the Committee on Public Lands.

By Mr. LODGE:

A bill (S. 5412) for the relief of William H. Rounceville (with accompanying papers); to the Committee on Military Affairs.

By Mr. SHAFROTH:

A bill (S. 5413) for the relief of Richard A. Schwab; to the Committee on Claims.

By Mr. OWEN:

A bill (S. 5414) granting a pension to Joel Drake (with accompanying paper); to the Committee on Pensions.

AGRICULTURAL EXPERIMENT STATIONS.

Mr. SMOOT. Mr. President, on March 25, 1916, I introduced a bill to provide for an increased annual appropriation for agricultural experiment stations, to be used in researches and experiments in home economics, and regulating the expenditure thereof. There has been reported from the Committee on Agriculture and Forestry Senate bill 703, which is on the calendar, being Order of Business No. 88. I desire that the Committee on Agriculture and Forestry shall consider Senate bill 5273 in connection with the bill that is on the calendar, and I desire to give notice that at the first opportunity to-morrow I shall make a brief statement as to the object of the bill introduced by me.

AMENDMENTS TO POST OFFICE APPROPRIATION BILL.

Mr. JONES submitted an amendment proposing that the bulletins issued by municipal boards of health, boards of public charities and corrections, and the public libraries of the country shall be admitted to the mails as second-class matter, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 10484), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. MARTINE of New Jersey submitted an amendment providing that the Post Office appropriation act approved August 24, 1912, be amended to include post-office laborers in the list of those to receive compensation for overtime, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 10484), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

He also submitted an amendment providing that section 5 of the Post Office appropriation act approved August 24, 1912, be amended to include employees of first and second class post offices designated as special clerks, intended to be proposed by him to the Post Office appropriation bill (H. R. 10484), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

NATIONAL DEFENSE.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

ADMINISTRATION OF INDIAN AFFAIRS.

Mr. ASHURST. Mr. President, I have received a letter from Hon. Joseph H. Choate, with regard to Indian affairs, which I should like to have printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

5 EAST SIXTY-THIRD STREET,
New York, N. Y., April 3, 1916.

Hon. HENRY F. ASHURST,
Chairman Committee on Indian Affairs,
United States Senate, Washington, D. C.

MY DEAR MR. ASHURST: Just now, when questions of great national moment are demanding universal attention, there is danger that matters seriously affecting our domestic affairs may be neglected or entirely overlooked.

The welfare of our Indians is a solemn national obligation. We have no more sacred trust than the protection of the weak from being overreached by the strong. From the earliest times the intent of our people has been to give the Indian that protection.

In the majority of cases this obligation is imposed on the Federal Government by treaty. In the absence of treaty obligation, however, the duty of the Nation to its wards is just as great. In the case of Heckman *v.* United States (224 U. S., 413–417), in speaking of the Indians of the Five Civilized Tribes, the Supreme Court says:

"From their very weakness and helplessness, so largely due to the course of dealing of the Federal Government with them and the treaties in which it has been accomplished, there arises the duty of protection and with it the power."

Specific reservations have properly been set apart for Indian tribes, but for almost half a century there has been a tendency to recognize and give responsibility to the individual. The Dawes Severalty Act, adopted in 1887, was the culmination of this theory. It provides for an allotment of lands to individual Indians, breaking up of tribal relations, and disintegration of communal ownership. The principal thought in this and subsequent legislation has been to place responsibility upon the individual, and at the same time protect him in his personal and property rights until the untutored child of nature is equipped to assume full responsibilities of citizenship.

The difficulty is that too much has been expected of the Indian. To some people it is hard to understand why you can't take an untutored, ignorant, full-blood Indian and make an educated citizen out of him in a fortnight. They expect the unreasonable and impossible. It is contrary to all human experience. Extremists have insisted that the process is too slow; that these wards should be released from Government supervision and suffer the results of their own improvidence, regardless of their qualifications for self-protection and regardless of the consequences to their property rights.

Great caution is necessary in adopting new methods. The Indian problem has been the subject of too many theories which have proven disastrous in practice. In the early days the theory of extermination existed on the ground that "the only good Indian is a dead Indian." This idea did not appeal to our liberty-loving people, and later the theory of "segregation" was conceived, under which the Indians were virtually herded on reservations and policed that they might not escape and injure some white man. The latest theory—that of individualization—developed under the Dawes Severalty Act, really seems most plausible. It may prove a solution of the Indian problem, if properly administered and not interfered with by new and inconsistent legislation.

Of the Indians heretofore allotted about 10 per cent only—the full-bloods, at least—have been prepared for the additional responsibilities thus cast upon them.

Congress in 1908 clothed the county courts of Oklahoma with jurisdiction over the person and property of minor allottees of the Five Civilized Tribes, and further provided that upon the death of an allottee all restrictions against alienation of his land would thereby be removed. The raid upon the Indian's property as a result of this legislation is notorious, and the effect on the Indian was disastrous and irreparable.

Legislation is now pending in Congress which, if adopted, may overturn the present Indian policy and subject the Indian to the worst possible forms of spoliation, not only from outsiders but from unscrupulous persons within the tribal membership. The bill (H. R. 108) introduced by Congressman HASTINGS in the House of Representatives would confer on the Superintendent of the Five Civilized Tribes the authority now vested in the Commissioner of Indian Affairs and the Secretary of the Interior respecting the lands and individual moneys of the enrolled members of the Five Civilized Tribes in Oklahoma. About one-third of the Indian population in the United States belongs to these tribes, with more than 30,000 restricted Indians; their property including over 3,000,000 acres of valuable individually owned land. Perhaps the greatest oil field in the world has been developed in the country of the Five Tribes, from which enormous wealth has accrued to these people.

Under existing law the superintendent of these tribes is nominated by the President and confirmed by the Senate, the appointment being political. The pending bill (H. R. 108) proposes to turn over to this appointee full power and authority over this vast estate, and naturally every pressure, local and otherwise, would be brought to bear on anyone clothed with this great responsibility.

As evidence of the inability of these Indians properly to safeguard their own interests, the following is taken from the opinion of the Supreme Court in 1910 in the case of Tiger *v.* Western Investment Co. (221 U. S., 286–297):

"That full-blood Indians of the Five Tribes are, as a class, incompetent must be assumed not only from the legislation of Congress with respect to them but from the finding of the Court of Claims, where, in the case of Brown & Gritts *v.* United States (44 C. Cls., 283), it was expressly found that full-blood Cherokees, whose right to alienate their lands was forbidden by the legislation contemporaneous with that involved in the case at bar, were, as a class, unable to speak the English language and incompetent to guard their interest from designing persons who were constantly attempting to induce them to part with their property at grossly inadequate compensation."

With respect to the Hastings bill, Arthur C. Parker, a highly intelligent Indian, engaged in important educational work for the State of New York at Albany, who is also the secretary and treasurer of the Society of American Indians, says:

"ALBANY, *March 22, 1916.*

"I desire to register my protest against the favorable consideration of H. R. 108, introduced by Congressman HASTINGS, of Oklahoma, designing to confer the authority now invested in the Secretary of the Interior and the Commissioner of Indian Affairs upon the office of the Superintendent of the Five Civilized Tribes. The condition of Indian property and the complex situation that has arisen from inheritance cases and the presence of a large number of incompetent Indians makes it of utmost importance that the administration of their affairs be retained in the hands of the Federal Government. There is precedent enough to show the danger of State control in Indian matters, where these matters are not properly adjusted and where the mass of Indians are by reason of ignorance or disability unable to protect themselves. The Oklahoma situation has been bad enough without now further providing the means for a wholesale plundering of the estates of minors and incompetents. This bill would bring injustice and be a reproach upon the Federal Government."

Another bill recently introduced by Senator JOHNSON, of South Dakota, S. 3904, by its terms proposes to confer upon tribes of Indians the right to select their superintendents and other employees. This would divest the Interior Department of the appointing power, and the Indian Service would be deprived of the wholesome restrictions provided by the civil service. Anyone familiar with Indians can readily imagine how the more dependent full bloods would thus become the easy prey of conniving mixed bloods and unscrupulous whites. As so aptly stated by Rev. Sherman Coolidge, president of the Society of American Indians, "By such law the very worst elements will seek to control Indian tribes."

Senator LANE's bill, S. 4452, proposes legislation to abolish the position of Commissioner of Indian Affairs and his assistants, creating in lieu thereof an independent bureau with three commissioners subject only to the control of Congress. This bill provides that these commissioners shall be selected from candidates to be named by all the Indian tribes of the United States "congregated in general delegate council." It is further provided that these commissioners shall exercise all the authority now vested in the Secretary of the Interior and the Commissioner of Indian Affairs.

This bill would also deprive the Indian Service of that protection now afforded by the classified civil service and would subject the Indians to the same pernicious influences as the Johnson bill, the chief difference being that one is retail and the other wholesale destruction. One may suppose that the elements most hostile to the Indians will advocate this and similar vicious legislation.

While the Secretary of the Interior and the Commissioner of Indian Affairs might gladly welcome this relief from the very onerous duties imposed upon them in connection with the administration of Indian affairs, yet these officials, moved by the high sense of public duty the Federal Government owes to its dependent Indian wards, have felt impelled to suggest the great danger to the Indians involved in the legislation contemplated by either of the three bills referred to and have pointed out that existing law is sufficient to enable the Interior Department to place on their own responsibility individual Indians who are qualified to handle their own property. "Competency commissions" are now in the field visiting various reservations where allotments in severalty have been made with a view of removing restrictions against alienation from the land belonging to those Indians found capable of withstanding the machinations of designing persons seeking to prey on members of an unsuspecting race the moment the protecting hand of the Government is lifted.

That wholesale removal of restrictions invites disaster has been amply evidenced by past experience. Should even 50 per cent of the Indians of a given tribe prove competent, is that any reason why the incompetent should be turned over to the mercy of unscrupulous land sharks?

Developments within the past few years show remarkable improvement in the administration of Indian affairs, and just as the latest theory of "individualization" begins to bear good fruit can we afford to destroy the entire structure by removing from the protecting care of the Government even those whose feet are just beginning to tread along the pathway that leads to success?

As an earnest friend of the Indian race I trust that neither of these bills nor any similar legislation will be enacted.

Sincerely, yours,

JOSEPH H. CHOATE.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President, on April 5, 1916, had approved and signed the following act:

S. 4657. An act to authorize the Cincinnati, New Orleans & Texas Pacific Railway Co. to rebuild and reconstruct, maintain, and operate a bridge across the Tennessee River near Chattanooga, in Hamilton County, in the State of Tennessee.

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. Mr. President, I understand that an executive session is desired, and I therefore move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session the doors were reopened.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m., Friday, April 7, 1916) the Senate took a recess until to-morrow, Saturday, April 8, 1916, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate April 7 (legislative day of March 30), 1916.

RECEIVERS OF PUBLIC MONEYS.

John P. Robertson, of Broken Bow, Nebr., to be receiver of public moneys at Broken Bow, Nebr., vice Darius M. Amsberry, term expired.

Arnold F. Beeler, of Hershey, Nebr., to be receiver of public moneys at North Platte, Nebr., vice Ira L. Bare, term expired.

Frank Campbell, of O'Neill, Nebr., to be receiver of public moneys at O'Neill, Nebr., vice Sanford Parker, term expired.

REGISTERS OF THE LAND OFFICE.

Eugene J. Eames, of Maxwell, Nebr., to be register of the land office at North Platte, Nebr., vice John E. Evans, term expired.

Ross G. Moore, of Broken Bow, Nebr., to be register of the land office at Broken Bow, Nebr., vice John Reese, term expired.

PROMOTIONS IN THE ARMY.

CHAPLAINS.

To be chaplains with the rank of captain after seven years' service.

Chaplain William R. Scott, Second Infantry, with rank from February 23, 1916.

Chaplain Franz J. Feinler, unassigned, with rank from February 23, 1916.

FIELD ARTILLERY ARM.

Second Lieut. Jacob L. Devers, Third Field Artillery, to be first lieutenant from April 1, 1916, vice First Lieut. Edwin St. J. Greble, jr., unassigned, resigned March 31, 1916.

CAVALRY ARM.

Second Lieut. Elkin L. Franklin, Thirteenth Cavalry, to be first lieutenant from April 1, 1916, vice First Lieut. Frank P. Lahm, Sixth Cavalry, detailed in the Aviation Section, Signal Corps.

PROMOTIONS IN THE NAVY.

Ensign Howard A. Flanigan to be a lieutenant (junior grade) in the Navy from the 7th day of March, 1915.

Ensign Otto M. Forster to be a lieutenant (junior grade) in the Navy from the 8th day of June, 1915.

Chauncey R. Murray, a citizen of Pennsylvania, to be an assistant paymaster in the Navy from the 6th day of April, 1916.

Boatswain Benjamin F. Singles to be a chief boatswain in the Navy from the 21st day of December, 1915.

Boatswain Frank G. Mehling to be a chief boatswain in the Navy from the 21st day of December, 1915.

Gunner Joseph Chamberlain to be a chief gunner in the Navy from the 21st day of December, 1915.

Machinist Stephen H. Badgett to be a chief machinist in the Navy from the 30th day of December, 1915.

Machinist Jonathan H. Warman to be a chief machinist in the Navy from the 30th day of December, 1915.

POSTMASTERS.

CALIFORNIA.

E. R. Rhymes to be postmaster at Sanitarium, Cal., in place of Leon V. Roberson, declines.

J. C. White to be postmaster at Arbuckle, Cal. Office became presidential January 1, 1916.

GEORGIA.

C. W. McAfee to be postmaster at Blue Ridge, Ga., in place of William M. Wilson. Incumbent's commission expires April 11, 1916.

ILLINOIS.

G. E. Combs to be postmaster at Villa Grove, Ill., in place of Samuel S. Yolton. Incumbent's commission expired March 8, 1916.

James W. Donaldson to be postmaster at Livingston, Ill., in place of Robert A. McFarland, removed.

James L. Mishler to be postmaster at Pearl City, Ill. Office became presidential April 1, 1916.

William G. Wack to be postmaster at Mansfield, Ill., in place of William Clemans, resigned.

INDIANA.

John M. Wickizer to be postmaster at Argos, Ind., in place of Frank M. Pickerl. Incumbent's commission expires May 10, 1916.

KANSAS.

Irma J. Collopy to be postmaster at Turon, Kans., in place of Florence Lowe. Incumbent's commission expires April 24, 1916.

R. W. Moorhead to be postmaster at Sabetha, Kans., in place of David D. Wickins. Incumbent's commission expires May 10, 1916.

LOUISIANA.

Merrill D. Harris to be postmaster at Crichton, La. Office became presidential April 1, 1916.

MASSACHUSETTS.

William P. Lovejoy to be postmaster at Barnstable, Mass. Office became presidential April 1, 1916.

MINNESOTA.

John P. Anderson to be postmaster at Butterfield, Minn. Office became presidential January 1, 1916.

M. H. Baskfield to be postmaster at Zumbrota, Minn., in place of Samuel B. Scott. Incumbent's commission expires April 15, 1916.

J. M. Benson to be postmaster at Lindstrom, Minn., in place of Ludwig J. Andrews. Incumbent's commission expired March 13, 1916.

N. J. Enquist to be postmaster at Isanti, Minn., in place of Wilfred D. Oleson. Incumbent's commission expired March 20, 1916.

H. J. Essler to be postmaster at St. Peter, Minn., in place of Henry C. Miller. Incumbent's commission expired December 21, 1915.

Thomas L. Fay to be postmaster at St. Charles, Minn., in place of John Frisch. Incumbent's commission expired December 20, 1915.

Peter W. Gorrie to be postmaster at Morristown, Minn., in place of William L. Eddy. Incumbent's commission expired January 18, 1916.

Altie Hill to be postmaster at Dawson, Minn., in place of Charles W. Page. Incumbent's commission expired March 13, 1916.

W. E. Lawson to be postmaster at Benson, Minn., in place of Mons Hauge. Incumbent's commission expired March 13, 1916.

Robert M. Mills to be postmaster at Maple Plain, Minn., in place of Robert M. Mills. Incumbent's commission expires April 15, 1916.

O. J. Rea to be postmaster at Tracy, Minn., in place of Arthur H. Rowland. Incumbent's commission expired March 20, 1916.

C. J. Reagan to be postmaster at Appleton, Minn., in place of Bernard W. Johnson. Incumbent's commission expired March 13, 1916.

A. L. Reichert to be postmaster at Red Lake Falls, Minn., in place of Emma F. Marshall. Incumbent's commission expired February 1, 1915.

W. J. Struble to be postmaster at Mora, Minn., in place of C. E. Williams. Incumbent's commission expired January 15, 1916.

MISSISSIPPI.

John A. Smallwood to be postmaster at Ripley, Miss., in place of Charles L. Hovis. Incumbent's commission expires April 17, 1916.

A. B. Smith to be postmaster at Indianola, Miss., in place of George K. Smith, jr., removed.

MISSOURI.

Clyde G. Eubank to be postmaster at Madison, Mo., in place of Samuel B. Craver. Incumbent's commission expired April 5, 1916.

Thomas J. Juden to be postmaster at Cape Girardeau, Mo., in place of Edward W. Flentge. Incumbent's commission expires May 8, 1916.

A. S. J. Martin to be postmaster at East Prairie, Mo., in place of Andrew J. Ryker. Incumbent's commission expired April 5, 1916.

MONTANA.

K. O. Slette to be postmaster at Culbertson, Mont., in place of Albert W. Huxsol. Incumbent's commission expired December 12, 1915.

NEBRASKA.

J. R. Durril to be postmaster at Laurel, Nebr., in place of A. E. Maun, resigned.

NEW JERSEY.

Harrison Hollinger to be postmaster at Port Norris, N. J., in place of Willis D. Robbins. Incumbent's commission expires April 15, 1916.

William L. Scheuerman to be postmaster at Basking Ridge, N. J. Office became presidential April 1, 1916.

NORTH CAROLINA.

J. H. Ball to be postmaster at Elkin, N. C., in place of R. J. Lewellyn, resigned.

NORTH DAKOTA.

John C. Nippolt to be postmaster at Wishek, N. Dak. Office became presidential January 1, 1916.

OHIO.

Franklin Harper to be postmaster at Mount Vernon, Ohio, in place of Sheridan G. Dowds. Incumbent's commission expires April 15, 1916.

C. T. Shively to be postmaster at Rogers, Ohio, in place of George H. Huston. Incumbent's commission expires April 24, 1916.

OKLAHOMA.

Earl E. Le Crone to be postmaster at Forgan, Okla. Office because presidential October 1, 1915.

J. W. Westbrook to be postmaster at Ada, Okla., in place of M. W. Ligon, removed.

OREGON.

W. A. Heylman to be postmaster at Estacada, Oreg., in place of Albert N. Johnson. Incumbent's commission expired December 20, 1915.

Fitzhugh G. Lee to be postmaster at Junction City, Oreg., in place of Albert R. Martin. Incumbent's commission expired January 15, 1916.

Jared W. Moore to be postmaster at Redmond, Oreg., in place of Jared W. Moore. Incumbent's commission expired March 1, 1916.

Katie B. Veatch to be postmaster at Cottage Grove, Oreg., in place of C. H. Van Denburg. Incumbent's commission expired April 5, 1916.

James A. Watkins to be postmaster at Philomath, Oreg., in place of Sarah L. Keezel. Incumbent's commission expired February 8, 1916.

PENNSYLVANIA.

Frederic J. Dahlen to be postmaster at Belleville, Pa., in place of Gilbert B. Brindle. Incumbent's commission expired March 13, 1916.

John H. Driscoll to be postmaster at Clarendon, Pa., in place of Nathaniel B. Miller. Incumbent's commission expired April 5, 1916.

Caroline E. W. Curry to be postmaster at Glen Olden, Pa., in place of William F. Elgin, resigned.

John H. Custer to be postmaster at Stoyestown, Pa. Office became presidential January 1, 1916.

Elias B. Leiby to be postmaster at Marysville, Pa., in place of John W. Beers. Incumbent's commission expired March 4, 1916.

K. A. McLain to be postmaster at Fredericktown, Pa., in place of Joseph A. McLain, resigned.

RHODE ISLAND.

Samuel W. Smith, jr., to be postmaster at Jamestown, R. I., in place of William F. Caswell. Incumbent's commission expires April 24, 1916.

TEXAS.

George W. Locke to be postmaster at Groveton, Tex., in place of Hugh B. Woolridge. Incumbent's commission expired December 12, 1915.

VIRGINIA.

A. Sidney Frances to be postmaster at Boykins, Va., in place of Edgar B. Beaton. Incumbent's commission expires May 1, 1916.

Bayard Mackey to be postmaster at Rosslyn, Va., in place of Crandal Mackey, jr., resigned.

WEST VIRGINIA.

C. L. Perkins to be postmaster at Gassaway, W. Va., in place of R. G. Yoak. Incumbent's commission expired February 6, 1916.

WASHINGTON.

Herbert J. Nunan to be postmaster at Oak Harbor, Wash. Office became presidential January 1, 1916.

WISCONSIN.

Carl J. Cunningham to be postmaster at Chippewa Falls, Wis., in place of Henry J. Goddard. Incumbent's commission expires April 17, 1916.

William Hughes to be postmaster at Pardeeville, Wis., in place of Frank H. Smith. Incumbent's commission expired January 16, 1916.

Joseph L. O'Neil to be postmaster at Gays Mills, Wis. Office became presidential January 1, 1916.

J. L. Palmer to be postmaster at Pittsville, Wis. Office became presidential October 1, 1915.

Ira B. Pierce to be postmaster at Monticello, Wis., in place of Charles D. Kennedy. Incumbent's commission expired January 16, 1916.

Thomas D. Smith to be postmaster at Fairchild, Wis., in place of Ralph E. Arnold. Incumbents' commission expired February 20, 1916.

Joseph H. Sullivan to be postmaster at Spooner, Wis., in place of Walter C. Crocker. Incumbent's commission expires April 17, 1916.

Margaret Sullivan to be postmaster at Hurley, Wis., in place of Owen Sullivan, deceased.

WYOMING.

Ethel A. Berry to be postmaster at Guernsey, Wyo. Office became presidential April 1, 1916.

CONFIRMATION.

Executive nomination confirmed by the Senate April 7 (legislative day of March 30), 1916.

POSTMASTER.

GEORGIA.

Paul Latimer, Fairburn.

WITHDRAWALS.

Executive nominations withdrawn April 7 (legislative day of March 30), 1916.

George K. Smith, jr., to be postmaster at Indianola, Miss.

Sara M. Baum to be postmaster at Pittsville, Wis.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 7, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for the strong mentality, moral fiber, religious interest, and patriotic zeal which characterizes the Congress of the United States. Otherwise it would be a strong indictment against our public schools, colleges, universities, and educational centers; a strong indictment against the public press, its daily papers, magazines, and periodicals; a terrible indictment against our churches, the clergy, who Sunday after Sunday preach to thousands, for these institutions are largely responsible for the character of our citizens and the molding of public sentiment; a terrible indictment against popular government, since it is the people who are responsible for the personnel and general character of the Congress. Hence we pray for a just estimate of our people and our sacred institutions, and that we may continue to grow intellectually, morally, spiritually. "Blessed is the nation whose God is the Lord and the people whom he hath chosen for his own inheritance." Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE.

Mr. MADDEN. Mr. Speaker, I raise the question that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The SPEAKER. Evidently there is no quorum present, and the gentleman from North Carolina [Mr. KITCHIN] moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Abercrombie	Garner	Liebel	Rowland
Aiken	Godwin, N. C.	Lobeck	Sabath
Anthony	Goodwin, Ark.	Loft	Scully
Aswell	Gould	Loud	Sells
Beales	Graham	McAndrews	Shackleford
Bennet	Gray, Ala.	McCulloch	Sinnott
Bruckner	Griest	McDermott	Slayden
Brumbaugh	Hamill	McKenzie	Snyder
Buchanan, Ill.	Hamilton, N. Y.	Maher	Steele, Pa.
Byrnes, S. C.	Hart	Mays	Steenerson
Capstick	Hay	Meeker	Stephens, Miss.
Coady	Hayes	Moon	Stephens, Tex.
Copley	Heaton	Moores, Ind.	Sterling
Crisp	Henry	Morin	Stout
Decker	Hill	Morrison	Swift
Dempsey	Hilliard	Moss, W. Va.	Taylor, Colo.
Dent	Houston	Murray	Tilson
Dewalt	Husted	Nelson	Tinkham
Doremus	Johnson, S. Dak.	Nichols, Mich.	Vare
Drukker	Jones	North	Ward
Dyer	Kearns	Oakey	Watkins
Edwards	Kennedy, Iowa	Oglesby	Watson, Pa.
Fairchild	Kennedy, R. I.	Olney	Webb
Finley	King	Patten	Williams, Wm. E.
Flynn	Kinkaid	Peters	Wilson, Ill.
Focht	Konop	Porter	Wood, Ind.
Gallagher	Lazaro	Price	Young, Tex.
Gard	Lehlbach	Rainey	
Gardner	Lenroot	Roberts, Mass.	
Garland	Lewis	Rodenberg	

The SPEAKER. On this call 316 Members, a quorum, answered to their names.

Mr. KITCHIN. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

EXTENSION OF REMARKS.

Mr. CRAMTON rose.

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. CRAMTON. To make a unanimous-consent request to extend my remarks in the RECORD by inserting a letter from Judge Samuel D. Pepper, the judge advocate general of the Michigan National Guard, with reference to section 76 of the Hay bill.

The SPEAKER. The gentleman from Michigan [Mr. CRAMTON] asks unanimous consent to extend his remarks in the RECORD by inserting a letter from Judge Samuel D. Pepper, judge advocate general of the Michigan National Guard. Is there objection?

There was no objection.

RIVERS AND HARBORS.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 12193, the river and harbor appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193, the river and harbor appropriation bill, with Mr. SHERLEY in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

The Clerk read as follows:

Red River, Ark. and La.: Continuing improvement and for maintenance below Fulton, Ark., $55,000.

Mr. FREAR. Mr. Speaker, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The Clerk read as follows:

Page 18, strike out lines 13, 14, and 15.

Mr. FREAR. Mr. Chairman, this is only a part of the appropriation intended for the Red River. We have appropriated for that river over $2,800,000 thus far. The last year's report, for 1914, showed that the commerce, not including logs and timber on that stream, reached 1,694 tons, after a great many years of improvement. The obstructions removed by the Government during the last two years numbered 240,000. I insert the tonnage and obstructions removed here:

Page 2361, report of 1914, shows $2,805,398 has been appropriated on this "project." Although the commerce, excluding floatable timber, only reached 1,227 tons in 1912, a vigorous injection of $100,000 annual Government serum raised the commerce in 1913 to 1,442 tons, or a net gain on the lower river of 215 tons during the year, which, added to 37 tons gain on the upper river, makes a grand total gain in tonnage of 252 tons for 1913 commerce on upper and lower Red River, in all reaching 1,694 tons floated, exclusive of floatable timber:

We have paid $3,000,000 for this.

	Obstructions removed.	Commerce.
		Tons.
Upper Red (1912)	51,402	
Upper Red (1913)	51,529	252
Lower Red (1912)	58,039	
Lower Red (1913)	78,982	1,442
Total	240,042	1,694

I move to strike out this item, and desire to discuss it in line with another suggestion that comes to me. Yesterday the House was criticized, particularly on this side, by the gentleman from Pennsylvania [Mr. MOORE], who said that we of the Mississippi Valley did not appreciate the importance of commerce and of waterway improvements on the eastern coast. He also stated in substance that we were influenced particularly by the Chicago Tribune, which has been making an active campaign against these so-called improvements for the past three years. I thank God that we have had the Chicago Tribune. As much as any other one agency, it helped to defeat the last two river and harbor bills.

But I can understand why the gentleman from Pennsylvania referred disparingly to the Chicago Tribune. He has been editing a magazine that berates those who tried to defeat that bill last year and the session before. Naturally there is some jealousy between the editors of two rival publications [laughter], one of which is his Waterway Journal, which has several hundred contributors, and the other is the Chicago Tribune, advertised as the greatest newspaper in the world, and one of the most influential, as we know. I can see why he should have that view. But he has made a mistake. The people on the Atlantic coast do know the character of this bill and other bills of like character.

Let me convince the House that that is so. I wish to read a brief editorial to you, and I trust you will listen for a moment. The Philadelphia Inquirer said editorially, on September 16, 1914:

Gaily the debate over the thieves' bill, commonly known as the rivers and harbors appropriations, goes on in the Senate. Having cut out appropriations of genuine merit to serve the interests of southern statesmen—

Remember, this is a paper published in Philadelphia—

It is interesting to watch the antics of our southern friends in their efforts to defend the great steal. * * * The South is in the saddle, sure enough.

I never said anything like that. [Laughter.]

The Chicago Tribune of September 10, 1914, says:

If the rivers and harbors appropriations were 50 per cent pure, they would be opposed by uncompromising Congressmen determined that filching should not have recognized place in the process of Government. Until the question of internal improvement can be taken up honestly by Congress these bills ought to be opposed.

Mr. CALLAWAY. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. FREAR. May I complete my statement?

The CHAIRMAN. The gentleman's time has expired.

Mr. FREAR. May I have five minutes more?

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, that is a Philadelphia paper, published at the home of the gentleman from Pennsylvania, one of the leading papers of that city, with several hundred thousand circulation. I have never seen anything in any other paper that compared with it. It was its opinion of the last bill, which was less in amount than this one.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FREAR. After I finish my statement.

Mr. MOORE of Pennsylvania. Has the gentleman read the Inquirer this morning?

Mr. FREAR. I will tell the gentleman about that. I am coming to that proposition.

Mr. MOORE of Pennsylvania. The Inquirer is in favor of this bill.

Mr. FREAR. I would like to complete my statement.

The CHAIRMAN. The gentleman from Wisconsin declines to yield.

Mr. FREAR. I will say that since that time Philadelphia has received $2,700,000 in this bill, and the Inquirer has changed its tone. That may have been the reason why the Philadelphia Inquirer hammered you gentlemen on the other side of the aisle in that way on the last bill. Did you ever hear of a reply coming from the gentleman from Philadelphia [Mr. MOORE] attempting to defend the other side of the House at that time, or has he ever criticized the Philadelphia Inquirer's position? But to-day, with that great appropriation of $2,700,000, which they failed to get the last time, a shadow has fallen over the editor's window. He sees nothing. But the Chicago Tribune is not afraid, although an appropriation goes to Chicago. The gentleman from Pennsylvania [Mr. MOORE] with his waterway journal can continue to assail as he does those who oppose this bill. He is the head of a great waterway association that wants about $43,000,000 from the Government for his inland waterway, and how much more the Lord only knows.

Mr. CALLAWAY. Does the gentleman mean to say that last year the Philadelphia Inquirer, from the town of the gentleman from Pennsylvania [Mr. MOORE], called this river and harbor bill a steal?

Mr. FREAR. Worse than that. It called it a bill of thieves. I have never before heard used such language as that.

Mr. CALLAWAY. What was the difference between the bill of last year, that the Philadelphia Inquirer said was a bill of thieves, and the bill this year?

Mr. FREAR. It contained $1,200,000 then for the Delaware River and this year it contains $2,700,000 for the same river.

Mr. CALLAWAY. So it is not a bill of thieves now?

Mr. FREAR. Not now.

Mr. MOORE of Pennsylvania. If the gentleman will allow me, the Philadelphia Inquirer was misled last year, after reading the speeches of my colleague, the gentleman from Wisconsin [Mr. FREAR], and my other colleague, the gentleman from Texas [Mr. CALLAWAY]. [Laughter.] It heard about the thieves for the first time then, and took these gentlemen at their word. It was they who applied these terms to our southern friends, and the Philadelphia Inquirer simply fell in line. The difference now is that, justice having at last been done to the Delaware River in this bill, the Philadelphia Inquirer is entirely satisfied. [Laughter.]

Mr. FREAR. You can see the power of persuasion, Mr. Chairman. All it needs is a large appropriation for the city of Philadelphia to cause this change and this conversion of which the gentleman so well speaks.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. MOORE of Pennsylvania. The Chicago Tribune is now satisfied, as the gentleman says, because up to 1907——

Mr. FREAR. I yield for just a question.

Mr. MOORE of Pennsylvania. Then I will put it in the form of a question. Is not the Chicago Tribune satisfied because up to 1907 out of a total of $552,000,000 appropriated from the beginning of time, the Mississippi Valley, in the territory of the gentleman from Wisconsin [Mr. FREAR] got $208,000,000 out of the whole?

Mr. FREAR. That may be so, but if it is a steal, as the Philadelphia Inquirer last year said it was, let us inquire into it, and let the Chicago Tribune get after it as well.

Mr. MOORE of Pennsylvania. You see the Chicago Tribune was satisfied before the Philadelphia Inquirer was.

Mr. FREAR. It is not difficult to see what has brought about this change of attitude on the part of that paper within 365 days.

The CHAIRMAN. The gentleman's time has again expired.

Mr. CALLAWAY. I move to strike out the last word.

Mr. SPARKMAN. I ask unanimous consent that the debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate on this paragraph and amendments thereto close in five minutes. Is there objection?

Mr. CALLAWAY. I object, Mr. Chairman. I have not been in on this river and harbor bill before, and I want to say something about it.

Mr. SPARKMAN. I move that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida moves that all debate on this paragraph and amendments thereto close in five minutes.

Mr. MANN. I make the point of order that the gentleman from Florida does not have the floor for the purpose of making that motion.

The CHAIRMAN. As the Chair understands, the gentleman from Texas permitted the gentleman from Florida to make the motion.

Mr. MANN. The gentleman from Texas objected.

The CHAIRMAN. He objected to the unanimous consent.

Mr. MANN. He did not yield the floor for that purpose.

The CHAIRMAN. If the gentleman insists upon his recognition, the gentleman from Texas is recognized for five minutes.

Mr. CALLAWAY. Mr. Chairman, I have not had any inning on this river and harbor bill this year. I am entitled to a little time. The only statement I ever saw in the Philadelphia Inquirer that I agreed with was the statement that it made that this bill was a bill of thieves. I am certain that the only reason why the Philadelphia Inquirer saw it in that way at that time was that the Philadelphia Inquirer was not in as deep as the Philadelphia Inquirer wanted to get in. It was in then $1,200,000, and it was then a bill of thieves, according to the Philadelphia Inquirer, and an outrage by the southern Congressmen, perpetrated on the Federal Treasury. But when the Delaware River got in $2,700,000 it was not a bill of thieves. Then it was a bill of virtue, a bill of righteousness, a bill of justice, a bill of proper expenditure, and southern Congressmen were gentlemen. [Laughter and applause.]

I have been calling attention to the river and harbor bill for a number of years, and I have been calling attention to some projects in my State, not because they were less just than projects in other States, but I hate to see my Congressmen being bought up like the Philadelphia Inquirer has been bought up. I do not believe that by hand-outs in different sections of the country such propositions as this ought to be forced into this House; and I think the attention of the people of the country ought to be called to it, and the reason that I called attention to the projects in my own State was because I knew of the projects, and I knew that every Member of the House would know that I knew them and that there was no selfishness and no ulterior motive on my part; and that when I called attention to it the country would know that the deal was an outrage. But it is no more of an outrage in the South than it is in the North. Take it all the way from Mattawan Creek in New Jersey to the Rio Grande where it ends and it is all alike.

Mr. FREAR. Will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. FREAR. This bill is $5,000,000 more than the one that the Philadelphia Inquirer criticized.

Mr. CALLAWAY. It is not a question of how much steal, it is a question of how much we get, and so it is all the way around.

Now, this intercoastal canal paralleling the ocean for cheap water rates! The only place on earth where we have a cheap rate is on the ocean, and we have got to have an intercoastal canal running from Boston, Mass., all along the Atlantic sea-

board to the Gulf of Mexico, to the Rio Grande River, to give us cheap transportation. [Laughter.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CALLAWAY. Mr. Chairman, I ask to continue for three minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for three minutes. Is there objection?

Mr. CALLAWAY. Make it five minutes, Mr. Chairman. [Laughter.]

The CHAIRMAN. The gentleman from Texas changes his request to five minutes. Is there objection?

Mr. SPARKMAN. Reserving the right to object, I want to see if I can get unanimous consent that all debate shall close in 10 minutes, 5 minutes to be used by the gentleman from Texas and 5 by the gentleman from Alabama [Mr. HEFLIN].

The CHAIRMAN. The gentleman from Florida asks unanimous consent to amend his request by having all debate close in 10 minutes on this paragraph and amendment thereto, 5 minutes to be used by the gentleman from Texas [Mr. CALLAWAY] and 5 minutes by the gentleman from Alabama [Mr. HEFLIN]. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, I do not understand that the gentleman from Alabama has been attacked at all in this controversy.

Mr. HEFLIN. I want to say a few words in behalf of the gentleman from Pennsylvania. [Laughter.]

The CHAIRMAN. Is there objection?

Mr. COOPER of Wisconsin. Reserving the right to object, will the gentleman give me five minutes?

Mr. SPARKMAN. Well, Mr. Chairman, I will change my request to 15 minutes.

The CHAIRMAN. The gentleman modifies his request and asks that debate close in 15 minutes. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, I ask the gentleman to extend it two minutes more, as it may be a matter involving a personal explanation.

Mr. DUPRÉ. Reserving the right to object, I would like to have all the Louisiana items disposed of before the repetition of the old story of Ali Baba and the Forty Thieves goes on. [Laughter.]

The CHAIRMAN. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none.

Mr. CALLAWAY. Mr. Chairman, my inability to distinguish between the iniquity of this bill when it carries $1,200,000 for the Delaware River and when it carries $2,700,000 for the Delaware River I think may be well understood by any Member of this House because I am not affected directly by that appropriation, and I think also that the attitude of the Philadelphia Inquirer may well be understood by Members of this House because in one instance there is $1,200,000 for the Delaware River which affects the immediate locality where the Inquirer is published, and in the next the proportion may be the same although there is nothing said about the proportion, but the Delaware River carries $2,700,000, and the difference is the difference to the Philadelphia Inquirer, and it is a difference of $2,700,000 in one instance and $1,200,000 in another.

Now I say, not because I am partial to my State but because I wanted to take this thing in a way that anybody could understand that I was not partial in taking it; I was taking it because of the inherent rot in the thing. I first called attention to the projects in my own State; and they rear up on their hind legs and fan themselves with their ears when I say anything about their river. But for the delectation of the House I want to read the engineer's report on one of these rivers for last year.

The item of work performed is as follows—

On the Trinity. I said at the outset that the Trinity is as good as the general projects in this bill, and I am not partial to the Trinity—

Number of miles worked over, 18; snags destroyed, 28—

That is doing work, is it not? [Laughter.]

stumps destroyed, 4; shore snags cut, 758; trees girdled, 204; quarter boat No. 1 started at the dam of White Rock Shoals and worked over 11½ miles. Snags destroyed, 68; stumps destroyed, 14; side jams removed, 5; leaning trees cut, 6.

[Laughter.]

There was expended during the fiscal year for maintenance of the open river navigation on the Trinity River the sum of $11,536.68. The total amount expended on these improvements that year was $192,228.58.

Mr. MADDEN. Will the gentleman state whether there was any navigation there?

Mr. CALLAWAY. Why, no; there will never be any navigation there. [Laughter.] But it is not different from the other streams in this project. The report further says:

The high water of December, 1914, caused a considerable caving of the bank and bed behind and below the north abutment, and a special allotment of $10,000 was received for repairing this damage.

The CHAIRMAN. The time of the gentleman from Texas has expired. The gentleman from Alabama [Mr. HEFLIN] is recognized for five minutes.

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, in a bill of this kind there are bound to be a few items that are not satisfactory to some gentlemen in the House, and there are some gentlemen in the House who are disappointed because they do not happen to get other items in, and who are ready then to attack all of the worthy items in the bill. I want to say to the gentleman from Wisconsin [Mr. FREAR], who has spent so much time nagging at this bill, that although he talks about the vast sums of money that are appropriated for the rivers and harbors of the country, this House is deliberately going about the consideration of the bill, hours and days having been devoted to its consideration; and I want further to ask the gentleman if he ever made or heard of any Republican protest against the bill put through this House when Senator Burton, then chairman of the Committee on Rivers and Harbors, that bill carrying millions more than this bill carries, was passed under a suspension of the rules when the Republicans were in power?

Mr. FREAR. Mr. Chairman, I will say to the gentleman in reply that at that time I was in my own State legislature trying to get regulation of the railroads of that State.

Mr. HEFLIN. I suppose so. I never heard any protest from the gentleman through the newspapers. He could have raised his voice in the legislature, he could have left his arduous duties for a short while; but he did not, or at least I never heard of it. Did the gentleman or anyone else on that side protest against the passage of the bill when Mr. Alexander, an elegant gentleman from Buffalo, N. Y., a Republican, was chairman of this great committee, when he put through a bill in four hours' general debate and all, that carried millions more than this bill carries? [Applause.] Did anybody on that side object then? No; your lips were sealed; you were silent as the tomb. [Applause.] Do you think that you can deceive the country now by attacking a bill that carries less than either one of those bills carried that passed during Republican control? You must think that most of the people can be deceived in this way. No, gentlemen, they can not be deceived by this claptrap and sometimes demagogic play upon this great bill that seeks to improve the waterways of this country. [Applause.]

I want to say to the gentleman from Pennsylvania [Mr. MOORE], and an able gentleman he is, that I am ready to vote for any worthy project in Pennsylvania, and I am from Alabama. [Applause.] I want to say to other gentlemen on that side that I stand ready as a Representative in this House to vote for any worthy project in any of your States. I am an American citizen. South, East, West, and North should all work together for the good of each, and each for the good of all. [Applause.] Let the time come, and come to stay, when these projects can be tried out on their merits, and then some man seeking to go to the Senate or somewhere else on a record that he makes attacking measures of this kind will not be rising up to say that the project is for the South, and therefore he is against it. [Applause.] I would be ashamed to go back to my constituents and say to them that I voted against a particular project because it was for the North. I am too big for that and so are my constituents. God save you from such an attitude as that. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I desire simply to call the attention of the committee to some of the expenditures in other countries for improvement of rivers and harbors. We have heard very much in the public press, we have heard upon this floor a great deal of criticism of the aggregate amounts proposed to be expended by this bill, and of the aggregate amounts which have heretofore been expended in the United States. I desire to call attention to what Mr. Burton said when he was a Member of this House, on April 6, 1896. During the consideration of the river and harbor appropriation bill at that time he said:

France, in the period from 1814 to 1894, inclusive, for which carefully prepared statistics are available, has made expenditures for the betterment of inland waterways and for ports, appearing on the budget in two forms: First, "travaux extraordinaires," improvements and additions intended to be permanent, which when complete will not require to be renewed; second, "travaux ordinaires," expenses of annual occurrence, for care and maintenance, in which are sometimes included branches and permanent improvements of minor importance.

Under the first, or permanent, class there have been expended by France in the 81 years mentioned approximately $500,000,000, of which the sum of $300,000,000 has been for rivers and canals, inland navigation, and $200,000,000 for ports and harbors.

Under the second head of "Care and maintenance," which, equally with the former, should be counted in order to make an accurate comparison, there has been expended in the same time approximately $135,000,000 for inland navigation and $70,000,000 for ports and harbors, making a total for both classes of expenditures, in round numbers, of $435,000,000 for inland navigation and $270,000,000 for harbors; in all, $705,000,000.

France is, I think, about two-thirds of the size of the State of Texas. The United States expended in that time, said Mr. Burton, $273,638,515. It will thus be seen that France, two-thirds of the size of one of our States, expended two and a half times as much as did this great Republic, extending from ocean to ocean and from the Great Lakes to the Gulf.

What about the cities? How much did the city which my good friend from Illinois [Mr. MADDEN] so worthily in part represents receive up to the time mentioned by Mr. Burton when he was chairman of this great committee? Chicago, including Calumet, received $2,272,400, and it gets $700,000 in the pending bill. I do not know how many hundreds of thousands Chicago has received since 1896 up to the time it gets $700,000 in this bill. What about the cities in Europe? On the single port of Havre, France, from 1814 to 1891, according to Mr. Burton, there was expended more than $32,000,000; on the harbor of Marseille, France, $19,000,000; and on the harbor of Dunkirk, France, $20,000,000; and, said Mr. Burton:

The public men and economists of France are practically unanimous in the opinion that these expenditures have been of the greatest benefit to the whole country, and that the amounts required should be supplied by national taxation.

Mr. Chairman, gentlemen who come from inlands districts—where there is no water, except in a few wells and cisterns—ought not to talk too severely about these great amounts, when they have not investigated the harbor conditions of the United States and know nothing about transportation by water except as they get information on this floor and in the reports submitted by the gentleman from Wisconsin [Mr. FREAR]. He has told the House in his speech on the floor—and I speak of him with great respect, because he is my friend, and I hope he will always be my friend—that we have paid out of the Government Treasury over $850,000——

Mr. FREAR. Oh, I corrected the gentleman on that very statement before on the floor.

Mr. COOPER of Wisconsin. One moment. The gentleman's correction was no correction at all, and I can demonstrate that it was not a correction——

Mr. FREAR. Go on; go on.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. I give the gentleman notice that I shall do it at some other time.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. All time has expired. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Bayous Bartholomew, Macon, D'Arbonne, and Corney, and Boeuf and Tensas Rivers, La.: For maintenance, $10,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in five minutes. Is there objection?

Mr. FREAR. Give me 5 minutes. Make it 10.

The CHAIRMAN. Is there objection?

Mr. FREAR. Reserving the right to object, make it 10 minutes, and I will not go in on the next.

Mr. SPARKMAN. I can not do that.

Mr. FREAR. I object.

Mr. SPARKMAN. I move, Mr. Chairman——

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] has been recognized for five minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, the voluntary attack made upon that great Republican newspaper, the Philadelphia Inquirer, will do it no harm. It will not tend to reduce its ever-increasing circulation. If the purpose of the Chicago Tribune is to agitate for an increased circulation through my distinguished friend from Wisconsin, it is welcome to resort to that means. I know it has a warm spot for the gentleman from Wisconsin [Mr. FREAR] and that he has a warm spot in his heart for the distinguished waterways expert of the country, Mr. Burton, whose name has often been mentioned in this House. And yet some of us, whose memories carry us back 10 years, will remember that nearly every provision for old projects now carried in this bill was put there by the distinguished gentleman from Ohio.

The Trinity River project, concerning which my friend from Texas [Mr. CALLAWAY] complains, and concerning which he heard from the people of his own State, was put in by the distinguished gentleman from Ohio, Mr. Burton. I trust that when the time comes my brother from Wisconsin will rise, as he did in the case of Cold Spring, along the coast of New Jersey, and tell us all about the artesian wells that were suggested for the upper end of the Trinity River. I do not find fault with the Trinity River. If they need navigation down there, even for sanitary purposes, let them have it. I join hands with the gentleman from Ohio and the gentleman from Alabama [Mr. HEFLIN] on that suggestion. The gentleman from Wisconsin [Mr. FREAR] and the gentleman from Texas [Mr. CALLAWAY], the latter of whom objects to projects in his own State, should remember, when we reach the Trinity River, that the sponsor of that project was Mr. Burton, of Ohio, the gentleman who is now the chief reformer in all waterways matters in this country.

Now, so far as the criticism of the Delaware River is concerned, it seems necessary to recur to it once in a while in order that the Members who were not here when we discussed it before shall be informed. It is easy to see that the gentleman who comes from the upper end of the Trinity or somewhere back in the sand hills of Texas can not understand why we must make large appropriations for this billion-dollar country.

Mr. CALLAWAY. Mr. Chairman——

Mr. MOORE of Pennsylvania. The gentleman had 10 minutes and I had only 5.

Mr. CALLAWAY. You had 40 hours.

Mr. MOORE of Pennsylvania. The gentleman was absent when I had time, but I will go over it again for his benefit.

Mr. CALLAWAY. Does the gentleman wish to state to the House that because I come from the sand hills, where I have no rivers and harbors, that that is the reason why I can not subscribe to these iniquities, and that whenever a fellow comes from where rivers and harbors are located that is the reason he has to do with the subject?

Mr. MOORE of Pennsylvania. I fear that has much to do with the case.

Mr. CALLAWAY. I am certain it has all to do with it.

Mr. MOORE of Pennsylvania. I think it has, but I think that because he comes from the section of the country he does, and for which I have very great respect, he does not know why we must make appropriations in proportion to the volume of work to be done. He seems to judge a great community like New York, with 5,000,000 people, and the greatest port in all the world, by his own environment.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I am sorry. I ask unanimous consent for five minutes more.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto end now.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto end now. Is there objection? [After a pause.] The Chair hears none. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Harbor at Galveston, Tex.: For maintenance, $325,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. The gentleman from Texas—brilliant speaker that he is, and forceful as he attempts to be on waterways matters—comes from a section of the country, to which he hies after Congress adjourns, so that he is not enabled to obtain the broad view that other gentlemen get who travel over the country and visit large cities. He keeps himself within the narrow confines of his district, and therefore does not understand the importance of other districts throughout the country. If he will come over to New York, he will see the metropolis of the world——

Mr. HULBERT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes. I wanted to get a rise out of New York.

Mr. HULBERT. Does not the gentleman know that the gentleman from Texas [Mr. CALLAWAY] was over in New York yesterday arguing against preparedness?

Mr. MOORE of Pennsylvania. If that is so, I am afraid he has come back with the impression that New York is a sunken

city, because the gentleman has not changed his views with respect to the avenues of communication to and from the great metropolis of the country. He finds fault even with the appropriation for the Delaware River, and thinks it is too large this year because it was not so large last year. I congratulate the country, which has a great deal to do with the Delaware River, upon the fact that at last something like equal and exact justice is being done in this bill to the greatest commercial river in the United States.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GOOD. How much has been expended of Government funds on the Delaware River around Philadelphia?

Mr. MOORE of Pennsylvania. Since the Constitutional Convention of 1787, less than $20,000,000, which $20,000,000 is turned back every year in customs receipts. Now compare that with the State of Iowa and be happy. [Laughter.]

Mr. GOOD. I will say to the gentleman that but for the State of Iowa Pennsylvania would not have a customhouse. [Laughter.]

Mr. MOORE of Pennsylvania. And I say if it had not been for the city of Philadelphia there would have been no State of Iowa. [Laughter.] Now, I yield to the other gentleman from Iowa [Mr. GREEN], for the defense of his State.

Mr. GREEN of Iowa. For the defense of his statement.

Mr. MOORE of Pennsylvania. That needs no defense.

Mr. GREEN of Iowa. Does the gentleman say that the city of Philadelphia pays the customs receipts of the State of Iowa?

Mr. MOORE of Pennsylvania. We do the work for you; we have a port that we have to maintain for you.

Mr. GOOD. Did the gentleman say "pork"? [Laughter.]

Mr. MOORE of Pennsylvania. No. That is the invention of the gentleman from Iowa. He never applies it to the agricultural bill, but only to a river and harbor bill. He can not see the pork in the appropriations made for hog cholera, but he can see it in the appropriations made for a large city.

Mr. Chairman, as to the Delaware River, we were 5 feet behind New York in the depth of channel when I came here 10 years ago. We were 5 feet behind Baltimore and 5 feet behind Boston, and as we had a great port and as our business was falling off because our channel was insufficient, we succeeded in having Congress authorize an improvement for that port to cost $10,000,000. Six years have elapsed and the appropriations by Congress up to this time have been at the rate, substantially, of $1,000,000 a year. They should have been $2,000,000, in order to complete the work in accordance with the engineers' plans and avoid waste. This year, for the first time, we have been given an appropriation commensurate with the estimates of the engineers and calculated to aid us in completing the work and putting the channel depth at Philadelphia on an equality with New York and Boston and Baltimore. And yet the gentleman from Iowa [Mr. GOOD] and the gentleman from Texas [Mr. CALLAWAY] and the gentleman from Wisconsin [Mr. FREAR] want to hold back these appropriations and to permit the river to silt up, and the waste to go on. On those terms appropriations would continue forever and the work would never be completed. [Applause.] I am grateful we have got a commensurate appropriation this year, because it will hasten completion of the work. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto end now.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate on this paragraph and all amendments thereto be now closed. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Galveston, Channel, Tex.: Continuing improvement by construction of sea-wall extension in accordance with the report submitted in House Document No. 1390, Sixty-second Congress, third session, subject to the conditions therein named, $200,000: *Provided*, That not part of the amount herein appropriated shall be expended and no contract shall be entered into under this appropriation until the county or city of Galveston and other local interests shall have donated the necessary lands to the United States, and shall have quieted all claims to the present San Jacinto Reservation, nor until the said county or city of Galveston shall have obtained a right of way and made provision in a manner satisfactory to the Secretary of War for paying the cost of constructing at least 3,300 feet of similar sea-wall extension in addition to that herein appropriated for: *Provided further*, That the entire work of construction shall be done under the direction of the Secretary of War, and the funds appropriated by Congress and those furnished by the county or city of Galveston shall be expended by him.

Mr. GOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. SPARKMAN. Mr. Chairman, I would like to ask how much time does the gentleman want on this?

Mr. GOOD. So far as I am concerned, I do not care for much time. I just wanted to ask some questions about the item.

Mr. MANN. This is an item that ought to be explained.

Mr. SPARKMAN. If the gentleman wants to explain it or criticize it, I should like to hear from him first. I understood that the gentleman from Massachusetts [Mr. TREADWAY] wanted to say something on it. How much time does the gentleman desire?

Mr. MANN. We had better run for a few minutes. We do not want much time. The gentleman from Texas [Mr. BURGESS] probably wants some time.

Mr. GOOD. Mr. Chairman, I moved to strike out the last word largely to ask the gentleman from Texas [Mr. BURGESS], a member of the committee, with regard to this item. I note that this is to extend a sea wall, and that at the present time the Government does not own the real estate where this wall is to be located, and that there is to be a drive or boulevard constructed there. Looking over the map, I wondered whether or not this was one of those new addition projects or something of that kind.

Mr. BURGESS. That has been corrected now.

Mr. GOOD. But is not this sea wall, or this improvement, intended principally to open up a boulevard to a new addition to Galveston? If it is not, what is the object of it?

Mr. BURGESS. The object of it is to complete the sea wall to the end of the line. You see, the city has already constructed a sea wall at a cost of about $5,000,000. Now they have to run that from where their sea wall stops to the Government property. That is all there is to it.

Mr. GOOD. I understand that this project is not to aid navigation.

Mr. BURGESS. Oh, yes; it is.

Mr. GOOD. In what respect?

Mr. BURGESS. I will read from the document, entitled "Galveston Harbor and Adjacent Waterways, Texas," a letter from the Secretary of War transmitting it. It is Document No. 1390. Has the gentleman that document?

Mr. GOOD. Yes.

Mr. BURGESS. On page 21 the gentleman will see a full discussion of it by a special board. That board was composed of Edward Burr, colonel, Corps of Engineers; Lansing H. Beach, lieutenant colonel, Corps of Engineers; and C. S. Riché, lieutenant colonel, Corps of Engineers.

Mr. GOOD. I have read that report, and I have also read the hearings, and the impression I gained from the hearings and from statements made by the chairman of the committee was to the effect that this would not aid navigation.

Mr. BURGESS. Oh, yes; it will.

Mr. GOOD. I certainly got the wrong impression, then, from statements made before the committee.

Mr. BURGESS. I read section 48 of House Document No. 1390, Sixty-second Congress, third session:

At the time of the great storm of 1900 the water rose from 12 to 14 feet above its usual level, and this storm tide was accompanied by wind of hurricane velocity. Waves and currents swept across the east end of Galveston Island, badly wrecking the shore arm of the South Jetty and making a large fill in the easterly end of Galveston Channel. This caused an immediate and serious obstruction, and it became necessary at once to procure such dredges as were available and at such terms as could be had to dredge a channel through the deposited material, so that the commercial business of the port could be continued.

Mr. GOOD. I have read the report, but it does not seem to me that the report that the gentleman is reading justifies the tremendous expenditure that we are commencing, unless it is to improve some of this real estate lying between the city of Galveston and the port.

Mr. BURGESS. Yes; this item has been in the last bill, and in the bill before last, both of which failed in the Senate.

Mr. GOOD. What is the total expenditure contemplated?

Mr. BURGESS. The total expenditure by the Government is about $1,000,000 and by the city of Galveston about $500,000.

Mr. MANN. Mr. Chairman, I move to strike out the last two words. I should like to ask the gentleman from Texas how this affects navigation?

Mr. BURGESS. It affects the situation vitally. It is necessary for you to understand the whole situation. I wish I had a map, so as to explain it to you. You understand that the city of Galveston is on an island. This is at the east end of the island.

Mr. MANN. How much of a sea wall has been constructed there now?

Mr. BURGESS. Four miles, at a cost of $5,000,000, all paid by the city of Galveston.

Mr. MANN. Does not that protect the harbor?

Mr. BURGESS. No. Now, this completes it to the point of the island where the harbor entrance goes in, and will protect the whole thing and protect the city as well. Does my colleague [Mr. GREGG] wish to make a statement?

Mr. MANN. If the gentleman [Mr. GREGG] is going to explain it, I shall be glad to yield the floor. I have not been able to get it through my head yet. What I am interested in is its relation to navigation.

Mr. BURGESS. My colleague [Mr. GREGG] will explain it.

Mr. GREGG. Mr. Chairman, the Galveston sea wall comes around the end of Galveston Island on the east end. Galveston city lies to the west. Lying north of the city is the Galveston Channel—the harbor. In the space between the Galveston sea wall and the jetty and the Government reservation, Fort San Jacinto, is a low spot, like this center aisle here. Now, when the storm comes from the Gulf it washes in through this low space and fills up the Galveston Channel, which lies just beyond that low space. In the storm of 1900 it took months to dredge out the filling made in the channel by the water washing sand and silt into it.

Mr. MANN. Who owns that low ground?

Mr. GREGG. Six hundred acres of it are to be given to the Government. I do not know who owns the various parcels of ground. I never cared.

Mr. MANN. Still it will be benefited, I suppose?

Mr. GREGG. It will be benefited. There are some wharf privileges down there. I do not think the wharf company owns it, but there will be room for more wharves down there, and it will be a general improvement to Galveston Harbor. In the last storm it was filled in, but not quite so much. It was filled in about 2 feet, and they have been dredging ever since. The depth of the channel was about 30 feet. They have been dredging with the Government dredge *Comstock* since the storm to get it back to its original depth.

Mr. MANN. I thought the gentleman said 600 acres would be given to the Government.

Mr. GREGG. Yes. The Government already has a reservation and fort there, and, according to the report under which this improvement is to be made, 600 acres of land will be donated to the Government, adjacent to the Government reservation, to become part of such reservation.

Mr. MANN. I do not see anything about it in the bill.

Mr. GREGG. It is in the report. It says it is to be done, according to the report, and that report requires the donation of 600 acres to the Government.

Mr. MANN. Oh, no; it says the construction is to be in accordance with the report, but that does not cover anything about the donation of land.

Mr. GREGG. It is understood that it is all one scheme and one project, and that the donation of the 600 acres of land to the Government is a part of the project.

Mr. MANN. The bill particularly requires that there shall be donated to the United States the land necessary to make the improvement, and also to quiet title to the reservation. There is no provision for giving 600 acres to the Government.

Mr. BURGESS. All that has been done.

Mr. MANN. It has been given to the Government?

Mr. BURGESS. Yes.

Mr. MANN. Then the Government owns the land. I was asking who owns the land.

Mr. GREGG. I did not have that information.

Between the Galveston sea wall on the east end of the island and the jetty there is a low strip of land extending to the Galveston Channel. When a storm comes it drives the water over this low strip into the Galveston Channel, carrying silt and sand into the channel and filling it up. This sea wall is to prevent that sweep of water into the Galveston Channel.

Mr. MANN. Is one of the purposes of this to protect the Government reservation from being swept over by water from the storms?

Mr. GREGG. There is a proposition that the wall be extended around the fort. This particular wall will be extended around the 600 acres required to be given to the Government to add to the reservation.

Mr. MANN. Is this 600-acre tract now subject to overflow in case of a storm?

Mr. GREGG. Yes; but it will be protected by this sea wall.

Mr. MANN. But it has no protection now?

Mr. GREGG. No; it has no protection at all now.

Mr. MANN. I thought we had constructed a wall in front of one of the reservations already.

Mr. GREGG. No; not the fort on the east end of the island. The War Department recommends that that be held up until this is completed. This goes up to Fort San Jacinto on the extreme east of the island.

Mr. TREADWAY. May I ask the gentleman from Texas when this project was adopted by Congress?

Mr. GREGG. It passed the House in the bill of 1914. It passed the House in the bill of 1915. In both those bills it went to the Senate, and while Senator Burton defeated both those bills, the committees approved this Galveston project, and Senator Burton made no war upon it. In one of his speeches he stated that the expenditure of money by the Government at Galveston had brought the greatest and most satisfactory results of any expenditure at any place.

Mr. TREADWAY. This project never actually went into a past river and harbor bill.

Mr. GREGG. No; because the bill was defeated.

Mr. TREADWAY. It became lump sums in both bills.

Mr. GREGG. Yes.

Mr. TREADWAY. Then this does not qualify under the rule of the committee that we were not to have any new projects in the bill except the one in New York.

Mr. GREGG. But this is not a new project.

Mr. TREADWAY. A project in order not to be a new project, no matter whether it passed the House or not, must have become a law.

Mr. GREGG. This is a part of the maintenance of Galveston Channel as it now exists. It is like an appropriation for dredging. This is to protect the harbor from filling up, to protect the channel from filling. It is a protective work, a work of maintenance, and is not a new project.

Mr. TREADWAY. The gentleman realizes that in the previous item there is $325,000 for maintenance.

Mr. GREGG. The very object of this work is to prevent the filling up of the channel in the future as it did in the last storm, which filling makes necessary the expenditure of that $325,000. It is to provide against similar expenditures in the future.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. BYRNS of Tennessee, having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, who informed the House of Representatives that the President had approved and signed bills and joint resolution of the following titles:

On March 28, 1916:

H. R. 65. An act to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii relating to certain gas, electric light and power, telephone, railroad, and street railway companies and franchises in the Territory of Hawaii, and amending the laws relating thereto; and

H. R. 3042. An act to ratify, approve, and confirm sections 1, 2, and 3 of an act duly enacted by the Legislature of the Territory of Hawaii relating to the board of harbor commissioners of the Territory, as herein amended, and amending the laws relating thereto.

On March 31, 1916:

H. R. 13043. An act making appropriations to supply further additional urgent deficiencies in appropriations for the fiscal year 1916 and prior fiscal years; and

H. R. 13768. An act making appropriations to supply urgent deficiencies in appropriations for the Military Establishment for the fiscal year 1916.

On April 3, 1916:

H. J. Res. 68. Joint resolution to cede to the State of Maryland temporary jurisdiction over certain lands in the Fort McHenry Military Reservation;

H. R. 2960. An act for the relief of the heirs of John Howard Payne, deceased, late United States consul at Tunis; and

H. R. 8493. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

On April 5, 1916:

S. 4657. An act to authorize the Cincinnati, New Orleans & Texas Pacific Railway Co. to rebuild and reconstruct, maintain, and operate a bridge across the Tennessee River, near Chattanooga, in Hamilton County, in the State of Tennessee;

H. R. 10037. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 11078. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

RIVERS AND HARBORS.

The committee resumed its session.

Mr. TREADWAY. Mr. Chairman, I move to strike out the paragraph beginning on line 21, page 18, and ending on line 15, page 19.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend pages 18 and 19 by striking out from line 21 on page 18 including line 15 on page 19.

Mr. TREADWAY. Mr. Chairman, I fail to find in any dictionary a definition of the word "navigation"—under which we appropriate in the river and harbor bill—that defines navigation as a construction of a sea wall, and that is what we are doing under this project. Further, I should like some explanation later on as to whether or not this is a new project.

Mr. SPARKMAN. It is not a new project in any sense. It was an old project, a project that we adopted in the bill of 1913. It was a project adopted then, but with this item deferred until the first part of it should have been completed.

Mr. TREADWAY. I am not resting the point of opposition on the new project part.

Mr. CULLOP. Will the gentleman permit an interruption?

Mr. TREADWAY. Yes.

Mr. CULLOP. It seems from the document referred to, which I desire to call the gentleman's attention to, on page 23, a summary of this matter appears. It says:

In conclusion the recommendations to the board are summarized as follows:

"Entrance channel: That the entrance channel be deepened to 35 feet at mean low tide, provided such deepening can be secured and maintained by dredging alone; and that $200,000 per annum for three years be appropriated for the purpose of determining experimentally the feasibility of such deepening."

Mr. TREADWAY. But there is nothing carried in the bill along that suggestion.

Mr. CULLOP. This is an appropriation of $200,000 for the construction of a sea wall.

Mr. TREADWAY. And more to expected.

Mr. CULLOP. Yes; it was to be $200,000 for three years in succession, and twice it has been recommended, but the bill has been defeated. That would make the $600,000 to make this experiment, and it is only an experiment when made.

Mr. TREADWAY. An experiment costing $600,000.

Mr. CULLOP. According to the recommendation of the engineers, $600,000 is the cost of the experiment.

Mr. SPARKMAN. If the gentleman will allow me, the gentleman from Indiana is mistaken in quoting from the paragraph that he does, for the paragraph does not apply to the matter under discussion. The matter under discussion is on the following page at the bottom, under the head of "Extension of sea wall."

Mr. TREADWAY. Mr. Chairman, I base my opposition to this paragraph on two features: First, certain features of the House Document 1390, and, secondly, the hearings that were held on this very item by our committee January 27, 1916, and I shall refer to both.

In the first place, this report in House Document 1390 is a special report, not made by the General Board of Engineers, but by a special board. Why that was necessary I have never been able to find out, but I assume that the Board of Engineers had turned the project down so hard that in order to get consideration it was necessary to have a special board appointed who might be favorable to the project. There are various interesting expressions that I might read from the report, but I will confine myself to a few.

On page 23, paragraph 56, there is a section that reads as follows——

The CHAIRMAN (Mr. ADAMSON). The time of the gentleman has expired.

Mr. TREADWAY. Mr. Chairman, I ask for five minutes more.

Mr. SPARKMAN. I ask unanimous consent that all debate on this paragraph and amendments thereto end in 15 minutes; 5 to be given to the gentleman from Massachusetts [Mr. TREADWAY], 5 to the gentleman from Indiana [Mr. CULLOP], and 5 to the gentleman from Texas.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this section and amendments thereto be closed in 15 minutes. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, I will read from page 23 of House Document 1390:

The front part of the fill next the concrete should be protected by a sidewalk and brick-paved roadway as has been done in the Government's similar extension of the sea wall to and in front of Fort Crockett, and the top of the fill between this roadway and its rear crest should be protected from the blowing away of its material by suitable soil covering and vegetation.

Further on we are informed that it is necessary to secure title to this property first. And then again it says that the Federal Government should build 7,000 feet of sea wall against 3,300 feet to be built by the city and local authorities.

In the item of cost we find that the pavement and roadway will cost $60,000, and the soil covering $200,000, all in the interest of navigation. We can plant nice trees and get good shrubbery there, all in the interest of navigation. It is a new feature to me, but I am glad to know that that is a part of the system to introduce forestry protection, sidewalk, and a brick-paved roadway, and all that sort of a thing into navigation. [Laughter and applause.]

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. MANN. Is it not a fact that we created an Appalachian forest reserve, partly up in New Hampshire and further down, at an expense of $10,000,000, in the interest of navigation?

Mr. TREADWAY. Yes; I will admit that, but it is a different kind of navigation from the construction of a sea wall. Further, Mr. Chairman, the gentleman from Indiana suggested this is a $600,000 project. I will call his attention to the fact that it is a $1,185,000 project as estimated by the board. Further than that, reference has been made to the storm of 1900, and also to the storm of last year. In the item previous to the one we are now considering we added $275,000 to take care of that great storm. This project has absolutely nothing to do with either storm. I want to refer to statements in the hearings. I want to quote the chairman of our committee, for whom we all have the highest regard. Here are certain statements he made when Mr. Gresham, the lobbyist for this item, was before the committee. The chairman said:

Col. Taylor has nothing in his report to show that any bad effects came from the failure of the Government to finish the sea wall.

Also, further:

The engineers, to whom we look for our information, say the sea wall is not immediately necessary to protect the harbor.

The chairman further says:

I am not in favor of having this work done immediately.

Mr. Chairman, I agree absolutely with the statements made by the chairman in the hearings. Again, we find in the hearings the testimony of the gentleman who says that he has devoted the best part of his life since 1888 in securing this appropriation from the Government, and is sent here by interested parties. I call that as pure and straight lobbying as could be done. Mr. Gresham, the gentleman referred to, admitted that was his object here, and the gentleman from Texas [Mr. BURGESS], a member of the committee, asked this gentleman for his opinion as to whether or not the item that we were preparing to insert in the bill was sufficient to satisfy those interests. He said:

Is this amount in the bill here sufficient?

Then Mr. BURGESS read the item. Mr. Chairman, I for one consider this as pure a piece of pork as ever went into a river and harbor appropriation bill. It is nothing else, and there is not a bit of lean in it. Every bit of it is Galveston's pork, and there is not a bit of lean for poor Uncle Sam. The old nursery ditty about Jack Spratt and his wife would not apply on this project.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CULLOP. Mr. Chairman, the five minutes allotted to me I desire to be yielded to the gentleman from Texas [Mr. EAGLE].

The CHAIRMAN. If the gentleman declines to use his time, the Chair will recognize the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Chairman, I do not live in or represent the city of Galveston, and therefore any observations I may make in the five minutes allotted to me certainly will have nothing of selfishness or politics in them. The observations just made and all others that criticize this particular item, in my judgment, are wholly unfounded in sound knowledge of the facts or in just deductions to be drawn from those facts. This Government has expended a total of about eight and one-half million dollars in the construction of the harbor of Galveston and about $1,700,000 in the construction of the channel leading up to that harbor, including the jetties. When that work began $636,000 represented the total annual value of imports into Galveston, coming by lighter over the inner bar 9 feet and outer bar of 12 feet of water. Last year the total value of her imports was about $12,000,000. When that work started in making the harbor of Galveston the total value of exports from Galveston, in the year 1891, was about $10,000,000, whereas last year it was about $256,000,000. It is the second port of export in the United States. It is situated on an island some 4 miles

from the shore of the State of Texas. Galveston City and port are on an island called Galveston Island, which is some 30 or 40 miles long and 4 or 5 miles wide on the average. On one side of that island they have constructed this port in Galveston Bay. In order to get deep water into and at the port of Galveston, it was required to put out two jetties some 7 or 8 miles long, one beginning on the mainland to the east, at a point called Bolivar, and the other on the island of Galveston. At the most northern beginning of those two jetties the channel is about 2 miles wide. Those jetties run out about 7 or 8 or 10 miles through the bay to the edge of the Gulf, and they have covered 119,000 acres of land between those jetties with water 30 feet deep. You may go there any day for six or eight months in the year and you will find 5 or 10 or 20 great steamers there from all over the world, taking away the commerce of the great grain-growing regions of the Central West and of the cotton-growing and cattle-producing regions of the Southwest. It is a tremendous port, and in anything we do here to injure it, we will injure 20 States and indirectly injure the whole of the United States.

Addressing myself, then, specifically to the observations of my friend, Mr. TREADWAY, I have this particular thing to suggest to him: This particular item has been criticized as being a new project, and hence, under the rule adopted, not justly susceptible here of appropriations for it. Whether it be a new project or not I am not entirely clear. Others can determine that. But as to the effect of the item, I desire to say that when in the year 1900 the worst storm in the history of the Texas coast struck Galveston it took the sand and other silt from the sea and filled up 16 feet deep in between those two jetties which run out from the city of Galveston 8 or 10 or 11 miles to the deep 35 feet of water in the Gulf. And why? Because it picked up that silt and sand from the bottom of the sea and cast it over the jetties, filling up the roadsted 16 feet deep, thus ruining the navigation, and requiring Congress to appropriate hundreds of thousands of dollars so as again to restore it. In addition, the city of Galveston thereupon constructed for several miles at an expense of many millions, a sea wall large enough to prevent the overflow of the city of Galveston from the Gulf upon such recurring occasions. Farther down than where the city's sea wall extends and parallel with the jetties are about 1,000 acres of land, which are above mean low tide but which will be subject to inundation upon such recurring calamity as that storm of 1900.

It is stated that the city of Galveston, or private interests, own some 200 or 300 acres of that, and others own some 600 or 700 acres of that total of some thousand acres.

The CHAIRMAN (Mr. ADAMSON). The time of the gentleman has expired.

Mr. EAGLE. I would like three or four minutes more. I want the gentleman to understand it.

Mr. MANN. Mr. Chairman, I ask that the gentleman have five minutes more in addition to the limit.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that in addition to the limit already fixed the gentleman from Texas [Mr. EAGLE] be allowed to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. EAGLE. That is indeed gracious of the House, and I heartily appreciate it.

I understand that about 600 acres which the citizens and persons and interests at Galveston own are by this item tendered by fee-simple title to the Government.

Mr. SHERLEY. Will the gentleman yield right at that point, because I am interested in connection with certain items I am going to bring in touching the sea wall protecting the fortification at Fort San Jacinto located on that land? Has that conveyance been actually made to the Government; and if it has not, is there anything in this paragraph that makes it a condition precedent to the spending of this money?

Mr. EAGLE. I will ask the chairman of the committee [Mr. SPARKMAN] to explain that after I shall have concluded. I agree with the inference drawn from the gentleman's interrogatory, that this item ought not to pass except continued upon that consummation. I have no definite information upon that point, I will say to the gentleman from Kentucky, though I am informed that the title papers are drawn and tendered, conditioned upon the appropriation, but I am not certain of that being the fact.

Now, then, upon that side of the land running parallel with the south jetty and upon that said 600 acres of land Fort San Jacinto, a Government fort, is situated.

Mr. TREADWAY. Will the gentleman yield for a question?

Mr. EAGLE. I will.

Mr. TREADWAY. Has the gentleman information as to how much more land there is between Galveston city and where the fort is situated than the 600 acres?

Mr. EAGLE. I have, and I will make that plain to my friend. There is a total of less than 1,000 acres in the entire distance from the end of the sea wall to what I will call Fort San Jacinto Point; and embracing all land from that point back toward the city are some 1,000 acres, and a total of some 600 acres is thus to be tendered to the Government. There is a strip between that and the present sea wall built by the city of Galveston which is owned by Galveston parties, whom I do not know, or owned by the city of Galveston itself. The city of Galveston is going to build that connecting link of the sea wall in front of that two or three hundred acres, and the benefit to come to the city of Galveston from that private expenditure will be that upon the eastern side along the jetty way there will be additional water frontage which may be used for terminals and purposes of shipping. This thing ought by all means to be done. It is absolutely just. There is not an improper motive back of it. There is not a reason in sound logic or economic fact or shipping conditions that does not urgently demand it, and I earnestly hope the House will not strike out this item.

Mr. TREADWAY. Will the gentleman permit one more question?

Mr. EAGLE. I will give the gentleman any information I have.

Mr. TREADWAY. He was referring in his remarks to the storm of 1900——

Mr. EAGLE. Yes.

Mr. TREADWAY. Is not the damage that has recently been done by the storm of last year—1915—which I understand was a very severe one, taken care of in the additional appropriation for Galveston Channel which has just gone into the bill, $275,000 more than the engineers estimated was needed?

Mr. EAGLE. That is true.

Mr. TREADWAY. And is it not also a fact that it appears in our hearings——

Mr. EAGLE. Now, I do not know about the hearings. May I specifically answer the intelligent inquiry directed to me without allowing the gentleman's further questions to get clear away from it?

Mr. TREADWAY. Certainly.

Mr. EAGLE. In reply to the query the gentleman propounds, it is not only true, but it will be true to the end of time, that every time there is a tropical hurricane Congress will be called upon to appropriate in order to get the silt and sediment out of that Galveston Channel unless this sea-wall extension be constructed to keep it out. That is the very point. But if this extension sea wall be constructed, as is provided by this item, never again will we have to make such an expenditure for maintenance of the Galveston Channel, and thereafter Fort San Jacinto, comprising that 600 acres, will always be a safe place for the fort and soldiers. And it ought to do it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Texas [Mr. BURGESS] is recognized for five minutes.

Mr. BURGESS. It has been suggested by Members that the city of Galveston deed to the Government 600 acres of land and part of this work. They have to build 3,000 feet of a jetty at a cost of about $500,000, which money they have on hand. About as fine a statement of this is made by the board to which I have referred as can possibly be made, and I wish to read from it. I read:

> The board also wishes to invite attention to another matter of great concern to the safety of Galveston Harbor. This relates to the easterly end of Galveston Island and especially to the narrow neck just east of the sea wall of the city of Galveston and between that and Fort San Jacinto.
>
> Prior to the construction of the jetties a channel known locally as the Hospital Channel from time to time existed across this neck and vessels occasionally used it in passing between Galveston Bay and the Gulf of Mexico.
>
> When the jetties were built, a long extension was made to the South Jetty, known as its shore arm, practically at right angles to the general direction of the jetty and extending to comparatively solid ground in the city of Galveston. This shore arm crossed the old Hospital Channel, causing it to fill, and thus in a measure protected the jetties from being "flanked" by the enlargement of a channel to the south of them which would have produced shoaling in the main entrance.
>
> At the time of the great storm of 1900 the water rose from 12 to 14 feet above its usual level, and this storm tide was accompanied by wind of hurricane velocity. Waves and currents swept across the east end of Galveston Island, badly wrecking the shore arm of the South Jetty and making a large fill in the easterly end of Galveston Channel. This caused an immediate and serious obstruction, and it became necessary at once to procure such dredges as were available and at such terms as could be had to dredge a channel through the deposited material so that the commercial business of the port could be continued. The restoration of this channel to its original dimensions required months, and this with the repair of the shore arm of

the South Jetty has once more produced normal conditions in this locality.

Meanwhile the city of Galveston has protected itself with a sea wall and has raised its grade so that, with a recurrence of such a storm as that of 1900, water forced across the east end of the island will be unable to find relief by spreading over the city, and its force will be concentrated more strongly than in 1900 upon this narrow neck where once existed the Hospital Channel. The shore arm of the South Jetty while now somewhat stronger than in 1900 can not form an efficient obstacle to this increased force that might thus come against it, and the result might easily be disastrous to the inner harbor and by possible resultant flanking of the jetties to the entrance channel between them. The situation, while satisfactory under normal conditions, is far from safe in the event of the repetition of a storm approaching in violence that of 1900.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

Mr. BURGESS. Certainly.

Mr. SHERLEY. Can the gentleman give the committee the information as to whether the land that is proposed to be given as an addition to the fortifications there has been given?

Mr. BURGESS. Yes.

Mr. SHERLEY. And whether there is anything that makes it certain that if this money is now appropriated we will get that land?

Mr. BURGESS. Yes; that has been done.

Mr. SHERLEY. The gentleman states that. Has he knowledge of that fact?

Mr. BURGESS. Yes. And I will say, in order that the Government can not be robbed 1 cent——

Mr. SHERLEY. The language of that provision does not cover what I am after at all. The language of the provision simply provides that title shall be given where the wall is to go and that the title shall be cleared as to San Jacinto. But I am talking about the acreage that is to be given in addition to San Jacinto, which is another proposition, and which is not contained in your legislation.

Mr. BURGESS. It is all contained in the same title.

Mr. SHERLEY. There is nothing whatever in this bill that deals with the additional land.

Mr. BURGESS. I think so.

Mr. SHERLEY. I think not. I have just read it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may have five minutes in addition to the time that has been fixed.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FERRIS rose.

The CHAIRMAN. For what purpose does the gentleman from Oklahoma rise?

Mr. FERRIS. I wanted to ask the gentleman a question, but I will wait.

Mr. BURGESS. I will read the provision from the bill. I read:

No contract shall be entered into under this appropriation until the county or city of Galveston or other local interests shall have donated the necessary lands to the United States.

Mr. SHERLEY. Oh, that is just it. They are now talking about necessary lands in connection with this improvement. I am talking about land that they were going to give in addition, which is to be a part of the fortification reservation there.

Mr. BURGESS. That is to be included.

Mr. SHERLEY. I beg the gentleman's pardon. We construe the language differently.

Mr. BURGESS. I read:

That no part of the amount herein appropriated shall be expended and no contract shall be entered into under this appropriation until the county or city of Galveston and other local interests shall have donated the necessary lands to the United States and shall have quieted all claims to the present San Jacinto Reservation.

Mr. SHERLEY. I understand. I am not talking about the present reservation. I am talking about the proposal that is contained in the original project, that they shall not only perfect title to the reservation, shall not only provide the land that is necessary to build this wall, but that they propose also to give something like 600 acres.

Mr. BURGESS. Of this reservation.

Mr. SHERLEY. Oh, no. It is not the reservation. It is in addition to the reservation.

Mr. BURGESS. I beg the gentleman's pardon.

Mr. SHERLEY. I beg yours.

Mr. BURGESS. The only title that was out was as to the land comprised in the San Jacinto Reservation.

Mr. SHERLEY. I have had occasion to look into this matter from the fortification end of it. I think the gentleman from Texas is mistaken in the facts. I think his colleague will bear witness to the fact that there is contemplated to be given something like 600 acres in addition to the land mentioned there. That does not cover it.

Mr. BURGESS. Yes; it does.

Mr. GREGG. Mr. Chairman, will my colleague yield?

Mr. BURGESS. Certainly.

Mr. GREGG. Suppose we add right after the words—

That no part of the amount herein appropriated shall be expended and no contract shall be entered into under this appropriation until the city of Galveston and other local interests shall have donated the necessary land to the United States—

I think that means the necessary land to put the sea wall on. Now, let me have the attention of the gentleman from Kentucky. Suppose we add to that these words:

And shall have conveyed to the Government the land that is required in House Document No. 1390, Sixty-second Congress.

Just add that as an amendment, so as to save any point about it.

Mr. BURGESS. You can do that, but it is abundant right now.

Mr. GREGG. It will not hurt anything, but it will make it clear and remove all objections.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield for a moment?

The CHAIRMAN. Does the gentleman from Texas yield?

Mr. BURGESS. Yes.

Mr. SPARKMAN. This project was adopted on condition that certain requirements should be complied with. Those conditions were stated in the project which we adopted. This provision here goes on to provide that no part of this money shall be expended until all of those conditions have been complied with.

Mr. SHERLEY. That would be all right if that were the fact, but it is not the fact. I am perfectly willing to defer to the gentleman's knowledge of the locality, but I think my judgment is as fair as his touching the construction of English and the law.

Mr. SPARKMAN. The gentleman no doubt thinks he is right, and he may be right. I think I am right.

Mr. SHERLEY. But it is a matter that we ought not to have any doubt about.

Mr. SPARKMAN. I have no doubt about it.

Mr. SHERLEY. If there is any doubt, let us resolve it in favor of the Government.

Mr. SPARKMAN. If there is any doubt, let us amend it so as to cover it. This report says:

That the sea wall be extended for the protection of the harbor from blockade by storms and to permit an extension eastward of the wharf facilities, said work, however, not to be undertaken until the city of Galveston and other local interests first donate certain lands to the Government, quiet all claims to the present San Jacinto Reservation, and provide for the construction of 3,300 feet of similar sea wall extension.

Now, this provision that we have in this bill covers all of those conditions, as I read it. As I understand it, the city has already done its work.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. Mr. Chairman, I move to strike out the last word.

Mr. STAFFORD. The time is limited. The gentleman had better ask unanimous consent to proceed for five minutes.

The CHAIRMAN. All debate on this paragraph has been concluded. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

Mr. STAFFORD. I think the time limit should be waived until we have this matter properly adjusted. The language here is ambiguous.

The CHAIRMAN. The Chair has no control over the matter. The time has been limited by the committee.

Mr. STAFFORD. I ask unanimous consent that the chairman may proceed for five minutes, notwithstanding the arrangement made some time ago.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent for five minutes, so that the chairman of the committee may be allowed to explain the matter. Is there objection?

There was no objection.

Mr. SPARKMAN. We want to take all the time necessary to understand it.

Mr. STAFFORD. I think there is serious question as to the language contained in the bill, whether the Government is really to receive 600 acres, as proposed in House Document 1390, referred to. There should be no objection to clearing up the language there by an amendment, as suggested by the gentleman from Texas [Mr. GREGG], or some other amendment. I have been following this discussion——

Mr. SPARKMAN. Let us see what the conditions are. The condition I have read is as follows:

Until the city of Galveston and other local interests first donate certain lands to the Government—

Now, let us see as to that.

Mr. STAFFORD. Where is the gentleman reading?

Mr. SPARKMAN. I am reading from House Document 1390, Sixty-second Congress, third session, page 3. Now the bill says:

That no part of the amount herein appropriated shall be expended and no contract shall be entered into under this appropriation until the county or city of Galveston and other local interests shall have donated the necessary lands to the United States—

Meaning the land referred to in this report. That is one of the conditions—

and shall have quieted all claims to the present San Jacinto Reservation.

Now, we have covered those two points.

The report further says:

And provide for the construction of 3,300 feet of similar sea-wall extension.

That is covered also by the bill, which says:

And made provision in a manner satisfactory to the Secretary of War for paying the cost of constructing at least 3,300 feet of similar sea-wall extension in addition to that herein appropriated for.

Mr. SHERLEY. Now, will the gentleman yield? What would the gentleman say to this suggested amendment? Instead of letting it read—

Shall have donated the necessary lands to the United States—

Let it read—

Shall have donated the land to the United States as set forth in said Document No. 1390.

Mr. SPARKMAN. I shall not object to that.

Mr. BURGESS. That is all right.

Mr. SHERLEY. The word "necessary" is restrictive.

Mr. BURGESS. The gentleman's proposed amendment is all right.

Mr. SHERLEY. I offer the amendment.

The CHAIRMAN. The amendment of the gentleman from Massachusetts [Mr. TREADWAY] is to strike out the paragraph.

Mr. SHERLEY. I offer an amendment to perfect the text, which is a preferential amendment.

The CHAIRMAN. The gentleman will state his amendment.

Mr. SHERLEY. I move to strike out, on page 19, line 4, the word "necessary," and after the words "United States," in line 5, to insert "as set forth in said Document No. 1390."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 4, strike out the word "necessary," and after the word "States," in line 5, insert the words "as set forth in said Document No. 1390."

Mr. GREEN of Iowa. Sixty-second Congress, third session.

Mr. SHERLEY. It has already been identified. The words "said document" serve to tie it to the words in lines 23 and 24, on page 18.

Mr. GREEN of Iowa. I wish to ask the chairman of the committee if the language in the present bill is not the same as that which has heretofore been in the river and harbor bill?

Mr. BURGESS. It is identical.

Mr. SPARKMAN. The same language.

Mr. GREEN of Iowa. I called attention to this language when it was up for discussion before, and suggested then, as the gentleman from Kentucky [Mr. SHERLEY] has suggested now, that the language was not sufficiently explicit; but I have examined the matter quite carefully, and I think the proposed amendment will cover all the land.

Mr. SPARKMAN. I have no objection to this amendment, which I think is proper, or not improper; but the language in the bill was drafted by the War Department itself.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. SHERLEY].

The amendment was agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from Massachusetts [Mr. TREADWAY] to strike out the paragraph.

The motion was rejected.

The Clerk read as follows:

Inland waterway on the coast of Texas: For maintenance of the West Galveston Bay-Brazos River section, $15,000; for maintenance of the Brazos River-Matagorda Bay section, $30,000; for maintenance of the Aransas Pass-Pass Cavallo section, $30,000; for maintenance of Guadalupe River up to Victoria, $23,500; in all, $98,500: *Provided*, That any portion of the amount hereby appropriated for a given section of said waterway may, upon recommendation of the Chief of Engineers, be transferred by the Secretary of War and made available for maintenance of improvement in any other section.

Mr. FERRIS. Mr. Chairman, I want to ask the gentleman from Florida [Mr. SPARKMAN] if this last paragraph read is a part of the intercoastal canal proposition?

Mr. SPARKMAN. It will be, if that system in its entirety is ever finished.

Mr. FERRIS. Is it true that, on page 9, the sum of $1,000,000 is appropriated for a project of that sort also, at Beaufort, N. C., in lines 11 and 12?

Mr. SPARKMAN. There are many links in this proposed intracoastal system of waterways. The Chesapeake and Beaufort waterway is a part of that proposed system. This one away down on the coast of Texas forms another part of it.

Mr. FERRIS. Am I right in thinking there is another on page 17, lines 10, 11, 12, and 13? Is that a part of this same intracoastal canal project?

Mr. BURGESS. That is a part of it.

Mr. FERRIS. Then it is a fact that this bill carries $1,118,500 for certain links and segments in an intercoastal canal?

Mr. SPARKMAN. Yes.

Mr. FERRIS. How much has been appropriated on that system all told?

Mr. SPARKMAN. I can not tell the gentleman exactly now.

Mr. BURGESS. About $3,000,000.

Mr. SPARKMAN. I think it is more than that.

Mr. FERRIS. How much more?

Mr. SPARKMAN. I should think as much as $5,000,000.

Mr. FERRIS. And this intercoastal canal proposes to run from Boston, Mass., around the Atlantic border, around the neck of Florida, around through the Gulf of Mexico, and where does it end?

Mr. SPARKMAN. If I was to answer the question of the gentleman as he puts it I would admit that it begins up there at Boston and runs all the way down to the point mentioned. But that is not quite the case, though if it was carried out in its entirety, as suggested by parties favoring it, it would start up there at or near Boston, come down the Atlantic coast, cross Florida, and then down the Gulf to the boundary line between Texas and Mexico; but there are links in the waterway that have never been recommended by the engineers, and I do not think that they are likely to be reported favorably in the near future. Then, again, some of these recommendations, I fancy, the Rivers and Harbors Committee, as well as Congress, would be somewhat slow to adopt. We have only selected links in the chain that we thought were urgent and meritorious.

Mr. FERRIS. Does the gentleman think seriously, under the present condition of the Treasury and under the spirit of economy, that we ought to give any encouragement to a colossal scheme like this?

Mr. SPARKMAN. I do not know what the gentleman means by "the spirit of economy," but I want to answer by saying, as I wish to say, every time that assertion is made, that if this great Government, which is going to spend billions of dollars on a large standing Army and a greater Navy, can not afford out of its great wealth a few millions to improve the waterways of the country we ought to shut up shop and quit trying to carry on such improvements at all. [Applause.]

The CHAIRMAN (Mr. ADAMSON). The time of the gentleman from Oklahoma has expired.

Mr. FERRIS. I ask unanimous consent for five minutes more.

The CHAIRMAN. At the time the Chair recognized the gentleman from Oklahoma he did not see that a member of the committee was asking for recognition. The gentleman from Wisconsin [Mr. FREAR] is entitled to recognition.

Mr. FERRIS. I simply ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FERRIS. Mr. Chairman, it is doubtless apparent to the House and more apparent to me that I know nothing about waterways. I have given but little attention to it in the past; I have always voted rather blindly, but I was willing to follow the committee, and have voted for the river and harbor bill every year. I have, I think, quite uniformly stood by the committee and their amendments. Of course, in my immediate section there is no particular interest in waterway improvement. I am entitled to no particular credit, because my own district is not immediately interested, for voting on any great proposition like this. But as little as I know about waterways, and as little as the bulk of us know about it, we undoubtedly know enough to at least try to avoid being committed to a proposition like this, of building an intracoastal canal clear around from Boston, Mass., around the Atlantic coast, around the coast of Florida to the Gulf, around the Gulf to the edge of Mexico.

That scheme seems to me so preposterous and so entirely without merit as to absolutely condemn the whole proposition.

If I understand correctly, we have spent $400,000,000 plus in digging the Panama Canal, a distance of 35 or 40 miles, and we are not through with it yet. There are still slides there once in a while, which I hope they will soon be able to master; but to start in on a proposition so colossal and never ending as this—it seems to me that the chairman of the committee ought to take hold of this and stop it before it gets too far along. Building a segment here and a segment there will be but the groundwork for additional segments, additional links in the proposition another year. I can not believe it can ever amount to anything, because it can never be accomplished. The Treasury will not stand any such drain, and it is absolutely throwing a monkey wrench into the machinery of honest projects that ought to be taken care of. I am willing to vote, as I always have, for the river and harbor bill, to help take care of the good projects that are worthy and ought to be taken care of, but to go out and dig a canal to parallel one of the great oceans of the world to have an inland route is more than I can stand for. [Applause.]

Mr. FREAR. Mr. Chairman, I am glad that the gentleman from Oklahoma has spoken because I think I can throw some light on the subject in which he will be very much interested. There are a number of questionable projects that we have passed that I have not criticized.

We have an inland waterway that runs all along the coast wherever they can get an appropriation. It is of no value in many cases, and I emphasize it by what people say who live on the waterway——

Mr. CALLAWAY. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. CALLAWAY. These waterways are deep enough to gouge the Treasury, whether they are 5 feet, 6 feet, 10 feet, or 12 feet. It is always used for the purpose of digging into the Treasury.

Mr. FREAR. Let me answer the question by stating what Mr. Holland, as president of the waterways association, at Houston said in his last published speech on the proposition which we have before us, which only carries 200 or 300 tons of commerce outside of the sand, gravel, and floatable timber, on the average, or did in 1913. I put that in my speech before. Mr. Holland said in his speech in 1913:

> It is not the appropriations that cause the rivers and harbors bill to be called a pork barrel, but the manner of making the appropriations. For instance, it is no secret that the intercoastal canal at a depth of 5 feet does not meet the demands of the lightest draft navigation for boats and barges.

Remember, gentlemen, this is the president of the waterways association who is speaking to its members.

> Nothing less than 9 feet will make a waterway that will meet the demands of commerce, but we have proceeded on the theory that it is easier to secure the small appropriations and have accepted a minimum of 5 feet with the belief that it could be easily deepened to 9 feet by additional appropriations. However, when the first and second appropriations are added together it will cost the Government more than twice as much as it would to have had the original appropriation made on the basis of 9 feet.

And then at the bottom he urges a depth of 12 feet. Mr. Chairman, this is no stranger to the project, but he is the president of the Waterways Association; and in the same article he says that they will contribute twenty-five hundred dollars to have a man here through this session in order to secure the passage of this particular project as it goes in the bill. The gentleman from Oklahoma [Mr. FERRIS] has touched upon the real point. There is no system in this. It is purely a makeshift waterway, here and there, whenever you can get the money, like the barge-canalization project, without anything to show for it. You can take any of the canals of the country, and I will challenge anyone to show me a single case where there has been a substantial increase in commerce. Take the tremendous amount of money appropriated for the Erie Canal. It has decreased 50 per cent in commerce while the country has increased 300 per cent. Take the Hennepin Canal, which Mr. CANNON spoke about the other day. It is true of that also. You can take the inland waterways, and unless they are deep waterways you will find it is so in every case, so far as my examination goes, and I do not think that I am prejudiced about it. I am endeavoring to get the truth, and I am ready to quote Col. Townsend, chairman of the Mississippi River Commission, who suggested that we do away with 58 of the different projects of the Mississippi Valley and proceed with two of them and see if we can not make them successful waterway ventures.

Mr. HULBERT. Do I understand the gentleman to say that the Erie Canal has never been a paying proposition?

Mr. FREAR. Oh, no; I did not intend to be understood in that way.

Mr. HULBERT. Now you have answered the question——

Mr. FREAR. No; I have not fully answered the question. Years ago, it is true, it brought returns, but waterway authorities say that to-day it is impossible for canals anywhere or canalized rivers to compete with the railroads of the country. It is a slow means of communication, and it will not be accepted. The question of building terminals and all these conditions interfere with the speedy transfer of commerce, and it applies to all canals. If you had your Erie Canal built to a depth so that it could carry deep-water vessels, then it would be a profitable investment; but according to the best authority I have been able to find—and I quote Mr. Moulton and others in your home State, in your board of trade—that is the judgment of all of them.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. LONGWORTH. The gentleman referred to Col. Townsend and two propositions that he advocated. Will the gentleman state what they are?

Mr. FREAR. One is from the Mississippi River up to Pittsburgh, on the Ohio, and the other is from St. Louis up to Chicago, for a deep waterway; in both cases I think it is of 14 feet.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent to be permitted to proceed for five minutes.

The CHAIRMAN. Is there objection?

Mr. SPARKMAN. Mr. Chairman, I must object to that.

Mr. FREAR. Why, I have not used more than five minutes to-day.

Mr. SPARKMAN. Oh, the gentleman has used a good deal more than that.

Mr. MANN. This is a very important item.

Mr. SPARKMAN. Let us see if we can not agree on time for the ending of discussion on this paragraph. How much time does the gentleman desire?

Mr. FREAR. Five minutes, unless I am interrupted.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto end in 20 minutes, 5 minutes to be used by the gentleman from Wisconsin [Mr. FREAR], 5 minutes by the gentleman from Indiana [Mr. CULLOP], 5 minutes by the gentleman from North Carolina [Mr. SMALL], and 5 minutes by the gentleman from Texas [Mr. BURGESS].

The CHAIRMAN. Is there objection to the request made by the gentleman from Florida?

Mr. HULBERT. Mr. Chairman, reserving the right to object, I would like to ask the gentleman from Wisconsin if he will permit me to propound an additional question?

Mr. FREAR. Surely.

Mr. HULBERT. I have no objection.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HULBERT. I should like to ask the gentleman if it is not a fact that up to 1888, when the tolls were removed on the Erie Canal, the canal at that time had shown a net profit to the State of New York of over $40,000,000?

Mr. FREAR. I will accept the gentleman's statement without any knowledge of the facts.

Mr. HULBERT. I would like to ask the gentleman if he considers there has been a fair opportunity afforded since the State barge canal was undertaken to demonstrate its practicability?

Mr. FREAR. I can not go on and discuss the Erie Canal or others, excepting to say this, that the opinion of these men is that you can not, without changing your cargo at Buffalo, use the Erie Canal, and New York is spending $170,000,000 with the terminals in order to complete the canal. The statements made by the authorities, not by myself, is that it is an impracticable and not a beneficial commercial proposition.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. CALLAWAY. For the benefit of the gentleman from New York [Mr. HULBERT] I want to quote what Mr. H. G. Moulton, one of the best authorities on river transportation in this country, said:

> Evidently the failure of the old Erie Canal was not primarily due to its inadequate depth. Evidently also (even assuming canal transportation is economical) the great part of the present outlays in New York is but a needless sinking of State funds. While the greater width may have been acquired, the extra depth appears to have been almost, if not quite, superfluous. It will be interesting to see, however, if other localities do not cheerfully go and do likewise.

Mr. PARKER of New York. Mr. Chairman, will the gentleman yield for a question?

Mr. FREAR. Just a short question. I have only five minutes.

I am trying here the best I can to show up the iniquities of this bill, and the Chairman says to me that I can not have time.

I do not indulge in personalities or waste time on this floor, but I do insist on the right to show up improprieties in this bill. When I ask for time gentlemen jump up and say that I can not have more.

You have here a canal project that means 5 feet. It is defended on the floor, when the gentlemen who live there say that it will not accommodate the lowest draft vessel. Now, the next link of the channel may be 9 feet, and the next may be 12 feet, and so it goes. For what? As suggested by the gentleman from Pennsylvania [Mr. MOORE] yesterday, for war vessels to go in there when they are wounded.

Mr. HULBERT. Will the gentleman yield?

Mr. FREAR. I yield.

Mr. HULBERT. I would like to ask the gentleman if he thinks that the people who live in the locality where these canals are being improved are the best judges as to their necessity?

Mr. FREAR. I do unquestionably when there is no traffic carried on them and it is a 5-foot project. The very fact is that they do know more about it than the gentleman from New York or myself. I am quoting from the people who know they can not have transportation on that canal, and they say so.

Mr. HULBERT. Does the gentleman know that the people of the State of New York at the last election voted to expend $27,000,000 more for the completion of the State barge canal?

Mr. FREAR. I know that, and it does not change the fact as to what the economic policy amounts to. I will simply give you the authority, and we will wait and see what the result will be. It is an experiment.

Mr. PARKER of New York. Do you consider Gen. Black authority?

Mr. FREAR. No. I will give you the reason why. In the case of the Muscle Shoals he recommended $10,000,000 for navigation at Muscle Shoals, with only 6,000 tons going through. He is the man who approved the Norfolk-Beaufort Canal. He is the man who reversed Deakyn and Townsend on the Missouri River project. Talk about Black? No. I would not accept his statement. When Townsend and Deakyn showed the condition of affairs on the Missouri, it was Black who refused to give us the report. I could not get the report on the Missouri River. Not until the Secretary of War had them sent.

Mr. PARKER of New York. Has not the gentleman referred many times to Gen. Black as authority?

Mr. FREAR. I can not recollect ever having done so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CULLOP. Mr. Chairman, I think it will be very hard to determine whether a number of these projects have any merit whatever in them. One thing appears to be certain, that the larger the amount of money expended upon them the greater the decrease in the commerce, so that it seems that we are making headway slowly in the improvement of rivers and harbors. There are a number of projects on which millions have been expended and where there is now no commerce upon the river whatever. If this furnishes a lesson of any importance to the people, it is that river transportation is rapidly disappearing and is being supplanted by rail transportation.

Now, a great many reasons have been given as to why this bill should pass. Some of them are anomalous and some of them are amusing. Gentlemen from New York say that we ought to make a large appropriation because a large amount of revenue is collected in the city of New York, and that therefore because citizens of New York pay into the customhouse large amounts of revenues, large appropriations ought to be made. The citizen of New York who pays revenues into the customhouse receives the revenues back from the ultimate consumers all over the country. His expenditure in this regard is not lost by him, but is returned.

Now, my good friend from Pennsylvania [Mr. MOORE] made the argument that we ought to expend a large amount on the Delaware River around Philadelphia, because Philadelphia pays into the customhouse a large amount of revenue. Let me say to the gentleman from Pennsylvania that every dollar his merchant or manufacturer pays into the customhouse in Philadelphia he collects back from the ultimate consumers of the country; and he is really making no expenditure which is not returned to him with profit.

Mr. PARKER of New York. Will the gentleman yield?

Mr. CULLOP. I have not time now. The distinguished and eloquent gentleman from Alabama [Mr. HEFLIN] makes the argument that this bill ought to pass because Mr. Burton, as chairman of the Rivers and Harbors Committee when the Republicans were in power, passed a bill containing a larger amount than this, and, further, Mr. Alexander, of Buffalo, when chairman of the committee, passed a bill containing a larger amount in two hours' time in this House.

Mr. HEFLIN. Will the gentleman yield?

Mr. CULLOP. Not now. If I had the time, I would be glad to do so.

Let us see what is the effect of that argument that if the Republicans did wrong in passing bills for appropriations for rivers and harbors the good old Democratic Party must come and repeat the wrong, because of the precedent that was set by the Republican Party. This argument does not justify the adoption of any items which are not meritorious. If this bill is loaded with "pork," then it is no justification for their adoption, because on prior occasions the Republicans when in power passed bills containing questionable items. It will require a better argument than this to convince the people such items should be incorporated in this measure. One wrong can not justify another, and the country will hold responsible the people who attempt to excuse such things for any such reason.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CULLOP. May I have just a few minutes more? I just want to present one other matter.

Mr. SPARKMAN. The time has been agreed upon, and I regret that I can not give the gentleman more time.

Mr. SMALL. Mr. Chairman, we are renewing the discussion which was had yesterday and before, when we had under discussion the Norfolk-Beaufort inland waterway. I shall not make any reply to the gentleman from Wisconsin [Mr. FREAR], because what he has said to-day was a repetition of what was said by him upon a former occasion. The gentleman from Wisconsin admits that he is a reformer and an unselfish opponent of graft and extravagant appropriations, and he further admits that he is a modest man. In fact, I think the House certainly was unjust to him in not yielding him more time a while ago, because, as he said, he has occupied very little time in the consideration of this bill. [Laughter.]

Mr. FREAR. Only five minutes this afternoon.

Mr. SMALL. The gentleman says "only five minutes this afternoon." I think the House ought, in fairness, to yield more time to the gentleman from Wisconsin, because a reformer, a man who stands against graft and extravagant appropriations, a man who wishes to lead his fellow Members into righteous ways of legislation, ought to have encouragement, and the House ought to hesitate before withholding time to speak, before it is uncouth and discourteous, from a Member with those distinguished qualifications. [Laughter.]

Now, Mr. Chairman, I did wish to say a word in reply to the gentleman from Oklahoma [Mr. FERRIS], who does not happen to be present. I do not see him here. I wish he was. The gentleman admitted that he knew nothing about the intracoastal waterway, either along the Atlantic seaboard or on the Gulf; and I take it that the gentleman from Indiana [Mr. CULLOP] will make a similar admission. I wish to give just a few succinct facts, first, as to the intracoastal waterway along the Atlantic coast.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Yes.

Mr. MOORE of Pennsylvania. I was out for a moment and desire to ask if it was the gentleman from Oklahoma who criticized this bill?

Mr. SMALL. Yes.

Mr. MOORE of Pennsylvania. The same gentleman who is chairman of the Committee on Public Lands?

Mr. SMALL. The same gentleman.

Mr. MOORE of Pennsylvania. Who occasionally brings in a bill for the disposition of the public lands?

Mr. SMALL. Yes; the same gentleman.

Mr. MOORE of Pennsylvania. And he was criticizing the River and Harbor Committee?

Mr. SMALL. Yes. He was afraid the House might go astray in its action on and consideration of the intracoastal waterway.

Now, I just wish to give these facts: The entire project on the Atlantic seaboard, known as the intracoastal waterway, extends from Narragansett Bay, R. I., to St. Johns River, Fla., and includes a total cost of $47,760,000. The waterway from New York Bay to the Delaware River is estimated at a cost of $20,000,000. From the Delaware River to Chesapeake Bay the cost is estimated at $8,000,000.

Now, I wish to say a word about those two links from New York Bay to the Delaware River and from the Delaware River to Chesapeake Bay. The first, as I said, is estimated to cost $20,000,000. The reports of the engineers commend unreservedly and unqualifiedly those two links for their commercial importance, and gentlemen should read the reports, which have been carefully gathered, and which are exact, before attacking a project because, forsooth, they think it is not demanded in the interests of commerce.

But in addition to the commercial importance of those two links, the General Army Board has submitted a report in the last two months, setting forth that as a second arm of defense these two links of the intercoastal waterway from New York to Chesapeake Bay are of transcendent importance and are necessary, absolutely, as a strategic and secondary arm of defense.

Now, the next link, from Chesapeake Bay to Beaufort, N. C., we have discussed before, and it is estimated at a total cost of $5,400,000. I submit, in conclusion, that gentlemen before they criticize should know the facts.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. BURGESS. Mr. Chairman, the item that is now under discussion is only for maintenance. All this theoretical discussion amounts to nothing. The item provides for the maintenance of 202 miles of the canal that was recently constructed. And I call the attention of the House to one section of this intercoastal canal. Last year it carried $215,000 worth of commerce; the year before only $48,000.

Now, why was that? Because the intercoastal canal was only recently constructed, and people were under the impression—and it is more or less true—that they could not travel on it, and they did not travel on it. Now, that is all.

This is for maintenance alone of the canal for a distance of 202 miles. Certainly gentlemen do not want to strike out this item. This is not an old project. It is new. All the other canals have been passed, and I submit that they ought to appropriate for this without a moment's hesitation. [Applause and cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Wisconsin, to strike out.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Mouth of Brazos River, Tex.: For maintenance, $175,000.

Mr. HOLLAND and Mr. CULLOP rose.

The CHAIRMAN. The gentleman from Virginia [Mr. HOLLAND] is recognized.

Mr. HOLLAND. Mr. Chairman, in looking over the RECORD——

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

Mr. HOLLAND. Yes.

Mr. SPARKMAN. How much time does the gentleman want?

Mr. HOLLAND. Not over five minutes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto end in 10 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes. Is there objection?

Mr. MANN. Reserving the right to object——

Mr. HUMPHREY of Washington. I want five minutes. I might as well use it here as anywhere else.

Mr. SPARKMAN. Fifteen minutes, then, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida modifies his request to 15 minutes. Is there objection?

There was no objection.

Mr. FREAR. Is this the mouth of the Brazos, I will ask the chairman?

Mr. SPARKMAN. This is the mouth of the Brazos.

The CHAIRMAN. The gentleman from Virginia [Mr. HOLLAND] is recognized for five minutes.

Mr. HOLLAND. Mr. Chairman, I find, in looking over the RECORD, that yesterday, while I was out of the House for a few moments with some constituents, the distinguished gentleman from Washington [Mr. HUMPHREY] expressed a deep interest in the improvement of the Norfolk Harbor. At the last session of Congress I offered an amendment to the river and harbor bill providing for this improvement, and my recollection is that the distinguished gentleman voted against it. I am delighted to know that he is now more deeply interested in this project. It is barely possible that before the close of this session the sincerity of his interest may be put to the test.

It is true there is a pressing and immediate need for the further improvement of the Norfolk Harbor. Anybody ought to know that a channel, whose foreign commerce increased in value from $31,000,000 in 1914 to $131,000,000 in 1915, and which handles annually a water-borne commerce exceeding 36,000,000 tons, and larger than that of any other port on the Atlantic coast, with the single exception of New York, ought to be wider than 400 feet.

But in one respect, at least, Mr. Chairman, the Norfolk Navy Yard is exceedingly fortunate. The channel which leads to it has a depth of 35 feet at mean low water and a depth of 37½ feet at high tide. Unlike the navy yards at Boston, New York, Philadelphia, and Charlestown, it can be reached by our largest battleships at any hour of the day, and without waiting for a change of the tide. That it can be so reached is best evidenced by the fact that during the year ended June 30, 1915, the arrivals and departures of naval vessels to and from this yard numbered 1,830.

I agree with the distinguished gentleman from Washington [Mr. HUMPHREY] that no good excuse can be given for the failure of this committee to provide for this improvement. I desire to say, however, that I have offered no amendment, because I knew if I offered it it would suffer the same fate already suffered by all amendments of a similar character.

Mr. HUMPHREY of Washington. Will the gentleman yield for a question?

Mr. HOLLAND. Certainly.

Mr. HUMPHREY of Washington. Did I understand the gentleman to say that I voted against this Norfolk project?

Mr. HOLLAND. I said it was my recollection that the gentleman did at the last session of Congress.

Mr. HUMPHREY of Washington. The gentleman is certainly mistaken.

Mr. HOLLAND. I am very glad to have the gentleman say that.

Mr. HUMPHREY of Washington. I never voted against the improvement of Norfolk at any time or place, I think. I believe that is a meritorious project.

Mr. TREADWAY. Will the gentleman yield for a question?

Mr. HOLLAND. Certainly.

Mr. TREADWAY. I understood the gentleman to refer to the similar fate of other worthy projects for other harbors. He did not specify any particular one. I infer that he refers to Boston Harbor.

Mr. HOLLAND. I do not hesitate to say, in reply to the gentleman, that I think all the navy-yard channels ought to be improved, and that their improvement ought to have been provided for in this bill.

Mr. KITCHIN. The gentleman from Virginia voted for the Boston amendment, too.

Mr. HOLLAND. I did.

The CHAIRMAN. The gentleman from Indiana [Mr. CULLOP] is recognized.

Mr. CULLOP. The gentleman from Washington [Mr. HUMPHREY] desires to use his time now, and I will wait until he concludes.

Mr. HUMPHREY of Washington. Mr. Chairman, the criticism that I made in reference to the Norfolk yard was that apparently there was no one here offering an amendment in its behalf. I think the gentleman who has just taken his seat [Mr. HOLLAND] is right. I think it would have been a useless performance to offer the amendment, but at the same time I wondered why it was not done. It would not have been a useless performance if the gentleman from Virginia [Mr. HOLLAND] could have brought some political influence to bear on the White House. If he could have gotten the word from the White House that this was needed, it would have gone into the bill; and the reason I was making the comment was because I thought perhaps that side of the House were so subdued that they did not even dare to offer an amendment. That is the reason why I was delighted to see the gentleman from South Carolina [Mr. WHALEY] have the courage to offer his amendment, even if he did not get a special dispensation from the White House to do it.

But that was not what I was going to talk about. Last evening I placed in the RECORD a telegram from the Merchants' Association of Seattle in regard to the condition of our shipping, and I want now to read one from the chamber of commerce, which I received this morning. I think it is a good time to consider the situation now, when we are proposing to spend some $40,000,000 for the improvement of rivers and harbors and yet propose to leave upon the statute books a law that makes the use of these rivers and harbors practically impossible. Here is the telegram:

SEATTLE, WASH., *April 6, 1916.*

WILL E. HUMPHREY,
House of Representatives, Washington, D. C.:

Have just telegraphed Secretary Redfield the following:

"Shipping from Puget Sound greatly hampered by inability to secure sailors under seamen law. Thirteen loaded vessels detained from 3 to 11 days. This, in face of prevailing scarcity of tonnage, is producing a commercial crisis. When honest effort to secure crew demonstrates that certified seamen are not available, is it not possible to permit clearance of vessels with such crews as they can secure? Owners are already refusing to send ships to the Sound because of the situation. When vessels are in such demand as to-day, then are compelled after loading to lie idle, and when additional vessels that could otherwise be brought here refuse to come, the condition becomes desperate."

Please cooperate with other Members of the Washington delegation.

SEATTLE CHAMBER OF COMMERCE,
By J. E. CHILBERG,
Chairman Foreign Trade Committee.

I call the attention of both sides of the House, and especially of that side, to the fact that if the Committee on the Merchant Marine and Fisheries would consume some of their time in framing and reporting a law to amend or repeal this seaman's law instead of spending their time on the socialistic proposition of Government ownership they would be doing something for the shipping of the country. [Applause on the Republican side.] I hoped, although I did not expect, so near the campaign, that something might be done to relieve this situation. In the last session we wrote upon the statute book that law, which immediately drove every American ship from the Pacific Ocean into the foreign trade. Now it is paralyzing our coastwise trade, and all of the trade on the Pacific Ocean. Yesterday I put in a telegram showing that eight vessels had been detained for a total of 53 days after they were loaded because they were unable to comply with this law.

Mr. CULLOP. Mr. Chairman, further referring to the many arguments that have been made in its behalf in the consideration of this bill, I desire to call the attention of the committee to the argument of the distinguished chairman of the committee [Mr. SPARKMAN], just made in answer to the gentleman from Oklahoma [Mr. FERRIS], who called upon him to give some justification for the project known as the intercoastal canal. The reply of the distinguished chairman [Mr. SPARKMAN] was this, as I understood him, that if this Government had money to appropriate millions of dollars for the Army and the Navy, it likewise had money to appropriate for the improvement of rivers and harbors. Mr. Chairman, that is not a very good reason; there is a better reason than that, and I hope that before this session of Congress closes the gentleman from Florida [Mr. SPARKMAN] will be able to give a better answer and a more logical reason to the country for the enormous expenditures carried in this bill, many of them being of a questionable nature. The country will want to hear it, and it is his duty to give it, in order that this bill, if passed, may be justified.

The project of the intercoastal canal along the eastern line of the Atlantic Ocean can certainly not be justified in this House, much less by the people of this country in the coming campaign. If it can not be justified here, how does he expect the people to justify it. Here is an attempt to parallel the ocean with a waterway along the shore of one of the great ocean highways of the world, dumping into this questionable project, the cost of which no man can estimate, entailing millions after millions of money to pay the cost thereof, when the commerce upon it is rapidly decreasing instead of increasing from year to year.

When population comes that will justify large expenditure, the people will build railroads that will carry their commerce more rapidly to the markets of the world, and for equally as low a rate of transportation. It is not only what the owners of the vessels are charging, but the expenditure by the people of this country in the money that you are paying out to improve these waterways, making the total cost greater than was ever charged by any railroad in this country for the transportation of products upon it. Remember, if you please, that the cost of transportation to shippers charged by the owners of vessels is not the whole cost, but there must be added the amount appropriated to improve these waterways. The two items must be taken into consideration in ascertaining the actual cost for transportation. The two aggregate costly transportation. I know gentlemen supporting this measure refer to what ships charge for carrying products, but they are not adding the cost of improvements to the cost for shipping, which the people must pay, taxed to raise the money to build the improvements of these waterways, many of which are costing more in taxes than they could realize in low transportation for all they will carry in more than a century to come. Do not overlook the real cost; if you do, the people will not, as they fully understand what the real cost is.

The CHAIRMAN. The gentleman's time has expired. All time has expired, and the Clerk will read.

The Clerk read as follows:

Brazos River, Tex.: Continuing improvement from Old Washington to Waco by the construction of locks and dams heretofore authorized, $200,000; continuing improvement and for maintenance by open-channel work from Velasco to Old Washington, $15,000; in all, $215,000.

Mr. FREAR. Mr. Chairman, I move to strike out the paragraph.

Mr. SPARKMAN. Mr. Chairman, I would like to see if we can not agree on time. I ask unanimous consent that all debate on this paragraph and amendments thereto close in 18 minutes, 5 to be used by the gentleman from Wisconsin [Mr. FREAR], 5 by the gentleman from Minnesota [Mr. SMITH], 3 by the gentleman from Massachusetts [Mr. TREADWAY], and 5 by the gentleman from Texas [Mr. CALLAWAY].

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in 18 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I realize that when one attacks any of these projects it may make him the center of personal abuse by those particularly interested in the project. Ordinarily I do not reply, and I will not in this case. I have no hesitation in some circumstances, but under these I will not take the opportunity afforded me. I will say this, however, that we have appropriated $1,777,000, with a possibility of ten or twenty millions expenditure on this river. One boat runs on the lower river and no boats runs on the upper river. Nor will there be one until the project is completed. To my mind, it is one of the most inexcusable projects here. I can not see how anyone can come to a different conclusion if he is unprejudiced.

I want to give you testimony that means something, as I did a few minutes ago, from Houston. Here is a letter I have received, dated January 26, 1916, addressed to me from a man who is one of the leading Democrats, I understand, in his community, president of a bank, as well as vice president of other banks, and connected with other business interests:

WALLIS, TEX., *January 26, 1916.*

Hon. JAMES A. FREAR,
Washington, D. C.

DEAR SIR: Noticing in the press your attitude respecting appropriations toward improvement of various streams and more particularly those applying to the Brazos and Trinity Rivers of Texas, I felt constrained to write you expressing my complete approval of your course. I am a native Texan, born and raised within 2 miles of the Brazos River; am 50 years old. My father and myself have owned land bordering on the Brazos for 58 years. I now own one tract which borders river for about 3 miles. I beg your pardon for mentioning these items. It is done to evidence my familiarity with the subject. The Brazos is an alluvial-banked stream, easily caves in banks. The work the Government has done and is doing is so utterly useless that it is contemptible and farcical, and apart from the absolute, complete, total, utter waste of such appropriations, engineers have made regulations which are costing the people along the banks of said streams large sums of money.

I will mention two. If I should put in a ferry I have to raise my cable 60 feet above low water—40 feet ordinarily would do. This additional height necessitates longer cables and stronger and more costly posts for elevating. The same applies to bridges. It has cost the people of Fort Bend County at least $40,000 excess to erect four bridges across the river, and this same expense will apply to every bridge and ferry from the mouth to Waco. The reason given for this is to allow height sufficient to clear steamboats. Now, I have lived on Brazos for 50 years and my father since 1858, and never in all that time has there ever been a steamboat either up or down, except the Government snag boat and possibly one or two small gasoline launches sent out by Waco boosters to prove the navigability of the stream. I am not a civil engineer, but I believe it would be cheaper to dig a canal from the Gulf to Waco than attempt to deepen the Brazos, and if an honest, capable engineer would investigate without being wined and feted by those interested, it would be overwhelmingly defeated. Our politicians seemed to be governed by those who make the loudest noise and the common people have no horns or bands or champions.

I wish you every success. No patriotic American can continue to support such heartless graft. We educate our children that it is proper and commendable to steal from the Government. You are welcome to use my name.

Yours, respectfully, R. W. GUYLER.

Now, Mr. Chairman, I would suggest to the people of Texas that here is an honest man, a man who shows statesmanship, who will not be carried away with the idea of a little "pork" for his home country, and will be a good candidate, in view of the vacancy which may occur, as I am informed, in that district. [Laughter.]

Mr. CALLAWAY. Mr. Chairman, I am acquainted with the Brazos River. I and mine have been acquainted with it as long as Mr. Guyler, and we know it nearly as well. Our friends from Texas, if they do not get appropriations for the Brazos, Trinity, and Red Rivers, would not vote for the intercoastal canal. [Laughter.]

Let us look at the Brazos. As I said when I was talking about the Trinity, I am not partial to the Brazos. It is as good as many other projects in the bill. It is as good as the Trinity, and they look alike. They are both infinitely better than the intercoastal canal.

From the mouth of the Brazos to old Washington we have spent $425,462.15. From old Washington to Waco, the present head of navigation—from old Washington to Waco we have spent up to the present time $1,350,654.74.

Mr. TREADWAY. Will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. TREADWAY. Has the gentleman any explanation of what we have got for the amount we have expended?

Mr. CALLAWAY. You had a Congressman here for 18 years. [Laughter.] My colleague Mr. HENRY could say like the gentleman from Missouri [Mr. BORLAND] of the Missouri River, that he knows it is navigable because he has navigated it time and time again to Congress. [Laughter.] Now we have expended

up to the present time on these sections $1,776,116.89 and we are asked to appropriate $215,000 additional on that proposition, making $1,900,000 in round numbers that we have spent on the Brazos River up to the present time. Let us see what they say about the commerce. The Engineer's report says:

No freight is now carried on this section of the river. There can be no commercial effect of the improvement until it is completed.

Mr. Chairman, it is estimated that it will cost about $10,000,000. They have been at work on it for 15 years. They have spent up to the present time about $2,000,000. In 15 years if they have spent $2,000,000 and no traffic can go up the river until it is completed, and if we work in the future as we have in the past, we will spend $10,000,000 in five times 15 years, or 75 years from the time it begun, or 60 years yet.

About the same proposition applies to the Trinity. It is estimated to cost $10,000,000, and according to the way they are working at it it will take 41 years yet to complete it. Children of the men who are getting the appropriation for the river may see this project completed. A large part of the time there is no water in the river to furnish navigation, even if they had locks and dams.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. MADDEN. Does the gentleman wish the House to understand that there is no water in either the Trinity or the Brazos?

Mr. CALLAWAY. Oh, there is some water. You can find water at times. [Laughter.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SMITH of Minnesota. Mr. Chairman, I wish to reply briefly to my distinguished colleague from Indiana [Mr. CULLOP] in reference to the railroads taking care of the traffic of the country. There are a great many rivers in the country that have a sufficient quantity of water for navigation purposes that should not be improved, and my distinguished colleague from Wisconsin [Mr. FREAR] called attention yesterday to one of them when he referred to the St. Croix River. It has as much water as the upper Mississippi and it could be used for navigation purposes if it were in demand. It is only 56 miles from the Mississippi to Taylor Falls, which is the length of the navigable portion. In these days of railroads no one is going to ship by water for a distance of only 56 miles.

THE COORDINATION OF RIVER AND RAIL TRANSPORTATION.

Inland waterways are a mere link in our transportation system. Their improvement, where the physical conditions make it feasible, is necessary, even though the cost seems high in some instances. Of course, there are many streams that should not be improved, because the cost would be out of all proportion to the benefits to be derived, but in the majority of cases this fact can be readily ascertained. Therefore all river improvements should not be condemned because some projects have no prospect of ever becoming commercially profitable. It may be possible at a slight expense to improve the channel of a river so as to convey large boats, but if it has no present or prospective tonnage along its course it would be very unwise to improve it even at a slight cost. On the other hand, the improvement of a certain river or the construction of a canal may be quite expensive, still it would be good business to make the improvement if tonnage, either present or prospective, that it will secure or affect is of sufficient value to yield a fair return, either directly or indirectly, on the investment. The Mississippi River, as well as a great number of other rivers of this country, is in this latter class. There are several substantial reasons why it is wise to improve such rivers. First and foremost, traffic can be carried by water much cheaper than by rail; secondly, by the direct saving through the reduction of railway rates due to the competition of water routes.

While it is true that water rates are lower than rail rates, the amount of this difference largely depends upon whether it is by canal, river, lake, or ocean, and the physical characteristics of the waterways employed and the number and size of vessels that can be used thereon. In the Great Lakes traffic this difference is so great on some commodities as to make it impossible for the railways to compete. This condition also applies to coastwise traffic, and under some conditions it applies to inland river commerce, which varies according to the length of the navigable route, depth of channel, wharfage facilities, and so forth. For instance, coal and lumber are carried on the river route from Pittsburgh to New Orleans by way of the Ohio and Mississippi Rivers at a cost of $2 per ton, or less than 1 mill per ton-mile. Moreover, it is claimed that the actual cost does not exceed $1 per ton, or less than one-half mill per ton-mile. The cost by rail for this same service is from 7 to 8 mills per ton-mile.

As soon as Lock and Dam No. 1 are completed similar routes can be established from Pittsburgh to the Twin Cities by way of the Ohio and Mississippi Rivers; from Peoria, Ill., to the Twin Cities by way of the Illinois and Mississippi Rivers; from Riverton, Ala., to the Twin Cities by way of the Tennessee and Mississippi Rivers; from Nashville, Tenn., to the Twin Cities by way of the Cumberland and Mississippi Rivers; from Omaha and Kansas City to the Twin Cities by way of the Missouri and Mississippi Rivers; and from New Orleans and St. Louis to the Twin Cities by way of the Mississippi River. Also, all coast towns would be accessible to the Twin Cities by way of the Panama Canal and the Mississippi River.

By the use of modern barges and the erection of suitable terminals, traffic can be handled on the upper Mississippi for about 1½ mills per ton-mile and not to exceed ¼ mills per ton-mile. The average rail rate in this valley is 7.8 to 8 mills per ton-mile.

Even with the present antiquated transportation equipment and facilities the water rates between St. Louis and St. Paul are only about 66 per cent of the rail rates.

The fact that the river is prepared to carry tonnage will have a wholesome effect on freight rates, not only at river points but for several hundred miles on either side of the river, as is shown by the report of the Chief of Engineers:

It is well known that wherever water transportation exists, whether by river, canal, or lake, its effect on freight rates is always beneficial to the public, and so long as navigation of the Mississippi River is feasible, and largely in proportion to its feasibility, such benefits will accrue, even if but little river commerce is actually carried on.

Further proof of this statement is evidenced by the commercial and industrial growth of sections of our country that are situated not on a river but in such relation to it that their produce and manufacture had convenient and ready access to river transportation. Hence, not only Minneapolis and St. Paul and other river towns will be benefited, but South and North Dakota, Iowa, Montana, Wisconsin, Illinois, and the whole of Minnesota will derive a direct benefit from river traffic on the upper Mississippi.

The future agricultural and industrial growth of this splendid section of the United States depends now more than ever before upon its ability to float its commerce on the Mississippi and its tributaries, for the reason that the favored conditions which these North Central States have heretofore enjoyed in the way of nondiscriminatory rail rates have been destroyed by a readjustment of those rates to meet, it is alleged, the new condition created by the opening of the Panama Canal. Since the opening of the canal, freight rates have been reduced 35 to 60 per cent by ocean carrying companies. Transcontinental railroads claim they can not meet these rates. It has been determined that 93 per cent of competitive freight from coast to coast points could be carried by water; hence the bulk of that competitive freight may be produced at the seaboard and shipped by way of the Panama Canal to the Pacific coast, and there sent eastward to compete with goods from Mississippi River and other Central West points, because these goods, on account of the combined water and rail rates, can be laid down in those localities cheaper than goods shipped from central interior points. By reason of the advantage given to coast towns by water transportation, the distributing territory of our Central West cities will be greatly decreased and the sales territory of the coast towns will be in like proportion increased. Therefore, in place of the Central West furnishing 75 per cent of the merchandise, as heretofore, for the territory between the Mississippi River and the Pacific coast and the Atlantic coast furnishing only 25 per cent, the Atlantic coast will furnish the 75 per cent and the Central West but 25 per cent. The loss of this competitive traffic to the Central West will be tremendous, and this loss can be retrieved only in one way, and that is by putting the Mississippi River in shape to give this section of the country water transportation.

WHY TRAFFIC ON WATERWAYS HAS DECLINED.

The opponents of inland waterways improvements contend that these once great highways of commerce are no longer possible or necessary transportation agencies and, as proof of their contention, point to a decline of navigation on them. While we must admit that there has been a decline of traffic on waterways we believe there is a satisfactory explanation for it. The Inland Waterway Commission found that railway interests in a great many instances, conducted a successful campaign against waterway traffic by control of waterway fronts and terminals, purchase of competing vessels, discriminating tariffs, adverse placement of tracks and structures, and other unneutral acts and practices. A campaign waged along the foregoing line, together with legitimate competition, caused a decline in river traffic. While water traffic is confined to the channel, railways extend their operations over large territories, and thus can

readily make up in receipts for reductions made at river points. The lack of properly constructed boats and modern terminals, such as the terminal at St. Louis with its up-to-date loading and unloading devices, and the one now being constructed at Minneapolis, which will contain every device and accommodation known to engineering skill for the economic handling of freight, handicaps river traffic as much as the opposition from the railroads, if not more. The Government, through a board of engineers created for the purpose of investigating the subject of river barges and terminals, has designed an experimental barge of a type especially designed to take care of river traffic economically and safely, and municipally owned modern terminals are either being constructed or planned for in all important towns along the Mississippi River. European countries have had wonderful success in developing inland waterway transportation in connection with their railway systems, and their success is due in a large part to a recognition of the fact that up-to-date public terminals and harbors must be maintained. In some instances the amount expended for river and harbor facilities exceeds the amount expended on the channel itself. The expenditure of the different States along the Rhine for this purpose amounts to nearly $25,000,000.

Fortunately, all the difficulties in the way of developing river traffic, as heretofore pointed out, can be overcome. Railway rates and service are now subject to public control. The roads can be compelled, under existing laws, to make physical connections with water terminals, make through bills of lading, and to prorate charges with water transportation companies. Furthermore, under section 4 of the interstate-commerce act, a railroad in competition with a water route is prohibited under certain conditions from reducing its rates to and from competitive points.

While waterways will continue to act as competitors and regulators of railroads in the most part, they will furnish greatly needed additional transportation facilities, in cooperation with those furnished by the great and extensive railway systems. The railroads recognize that in order to properly handle the rapidly increasing traffic of the country the present transportation facilities must be largely increased.

The president of the New York, New Haven & Hartford Railroad Co., Mr. Howard Elliott, one of the best-posted railroad men in America, in an address before the Chamber of Commerce of the United States on February 9, 1916, had this to say in reference to the necessity for increased transportation facilities:

> In a time of profound peace in this country the railways are congested and can not carry satisfactorily the total load. What could they do in their present condition if the added burden of war were thrown upon them? Many industries would have to stop, because the railway's first duty would be to handle the men and material incident to war.
>
> The serious freight congestion of 1906–7 and the recent one emphasize the fact that the railways have a very small "factor of safety" with which to meet the strain of a sudden and increased load.
>
> It is difficult to estimate how much money will be necessary to bring the railways of the United States up to the point of efficiency demanded by the business of the country, but it is likely to be more than any of the estimates yet made. An interesting and instructive report upon this subject was made in 1912 by the committee on internal trade and improvements of the New York State Chamber of Commerce, of which Mr. Samuel W. Fairchild was and is now chairman. This report stated, in part:
>
> "It is estimated that it will require in the next five years to maintain railroad facilities equal to the enormous traffic of the country the immense sum of $8,500,000,000. Some idea of the magnitude of this sum may be had from the fact that it is eight times the national debt, it is more than two and a half times the amount of money in circulation, it is equal to all the deposits in the National and State banks, and nearly equal to the entire money value of all the farm products of the country in one year. It is over three times the annual gross revenue of the railroads, and it amounts to nearly one-half of the existing railway capital represented by stocks and bonds.
>
> "The question of obtaining the $8,500,000,000 necessary to make railroad facilities equal to the expanding traffic of the country during the next five years therefore constitutes the most important problem now confronting business men."

Notwithstanding that the majority of railroads of the country have been permitted within the past year to raise their traffic rates 5 per cent, they still contend that they are powerless to meet this almost imperative demand so graphically described my Mr. Elliott, unless they are permitted further to greatly increase their rates; and if this right to raise their traffic rates is denied them, they can not fulfill their mission or be of great service to the people or provide for the future transportation needs of the country.

Thus it is plain to see that the public must foot the bills in the way of increased rates for additional railway facilities.

Since waterways are natural highways and can in the majority of cases be put in a condition to carry traffic for less money than it takes to build railways and construct necessary additional terminals, would it not be a wise policy to spend a part of this money for the improvement of waterways where they can be improved to advantage?

If bulky traffic could be restored to the waterways "where it economically belongs," so aptly stated by the Inland Waterways Commission, "and leave the railway equipment available for traffic properly moving by land, at the same time making possible a reduction of the other rail rates by cutting off business done at a loss and by increasing the volume of profitable business on the railroads," the same amount of traffic could be carried with a much smaller original investment of capital, which would redound to the advantage of the public and at the same time would enable the railroads to more efficiently handle traffic peculiarly adapted to that form of transportation.

There is no doubt but what an advantageous reciprocal relation could be established between railroads and waterways if all parties, including the Government, would come together in the spirit of mutual help and assistance. At least the demand that something be done to cheapen, and not increase, present traffic rates is so great that the parties concerned should make an honest effort to so reconcile any past differences they may have had and cooperate wherever cooperation is possible. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. TREADWAY rose.

Mr. SPARKMAN. Mr. Chairman, just one moment. I ask unanimous consent that the time be extended for five minutes in order that I may have five minutes after the gentleman from Massachusetts [Mr. TREADWAY] is through.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

Mr. TREADWAY. Mr. Chairman, in the speech and the report of the chairman of the committee he refers to the way in which items have been cut down from the engineer's report. I am very glad that this is one of them. The engineer's report asks for $250,000 for the Brazos River from old Washington to Waco, and this item carries $215,000. We are therefore wasting only $215,000 instead of $250,000. The amount so far appropriated for the Brazos River is $2,556,250. That amount of Government money has been wasted, and I say that it is time that we stopped. It is a poor place to put more money after the amount already wasted upon that stream. No commerce has been developed or can be developed.

Mr. BURGESS. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Another thing to which I wish to call attention is the remark that I made about this same item last year, and that is the idea that I am presenting now. I have not seen any occasion to change my view since that time. At that time I said:

> A grievous error was made when any appropriation was ever passed to commence such excuse for a navigable project as this. Let us manfully acknowledge that error now, regard the money expended as lost, and cease appropriating Government money in the hope of artificially constructing a river over a hundred miles or more in length. The item should never have been in a rivers and harbors bill.

That is what we ought to do—acknowledge the mistake made 10 years ago when this project was adopted and cease this extravagant expenditure.

Mr. BURGESS. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I have only three minutes, and that is almost gone.

Mr. BURGESS. Just a question.

Mr. TREADWAY. I yield.

Mr. BURGESS. Does not this item show that it is for the construction of locks and dams heretofore authorized?

Mr. TREADWAY. I do not know just exactly what they want to expend the money on. I do not know what past appropriations have been expended on. You can not show any results up to date; there has not been a particle of commerce on the river. The engineers' reports show that, and if we can not get commerce by an expenditure of $2,565,000, where are we going to get it? The engineers themselves say in their estimate to our committee that the amount required to complete this is indefinite. In other words, it is indefinite so far as the amount you have to expend in order to put the Brazos River in a navigable condition. We have experimented long enough in the expenditure of two and a half millions of dollars. Let us call that waste money, a big mistake that the Government ever undertook the project, and not go into what the engineers themselves say is an indefinite extension of the amount you will be obliged to expend.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SPARKMAN. Mr. Chairman, before I reply to the remark made concerning the Brazos River, I wish to call attention to some of these inland waterways which have been criticized here

to-day. In the case of all of them except one the appropriations made here are for maintenance. The one exception is the waterway from Chesapeake Bay to Albemarle Sound. All of these except the one last mentioned were in one or the other of the bills of 1889, 1899, 1902, 1907, and 1910. I merely call attention to that fact to show the members of this committee that we are merely endeavoring to carry on work authorized years ago, or rather, I should say, to maintain work that we have already done, in the hope that the waterways thus improved will become useful avenues of commerce.

Now, with regard to the Brazos River. That is to be a canalized stream, and can not be used until the whole lock and dam system is completed. It runs through a country rich in agricultural resources, and it is supposed, whenever it is completed, that it will perform a good work and that the country will receive ample returns for the money invested in it.

Mr. CALLAWAY. Mr. Chairman——

Mr. SPARKMAN. Just one moment. It is to cost when completed something like $4,000,000, nearly half of which has already been appropriated. Now, the appropriation in this bill is for the purpose of continuing this work of improvement—this work of canalization—without which the money we have already expended will be thrown away, without which no test whatever can be made as to the efficiency of the work provided for in the projects that the Government engineers have laid down and which Congress years ago entered upon.

Mr. CALLAWAY. How long have we been appropriating money for this Brazos River project?

Mr. SPARKMAN. It was adopted, I think, in the 1905 bill.

Mr. CALLAWAY. In 1902.

Mr. SPARKMAN. Well, say 1902.

Mr. CALLAWAY. Now, can you tell the House how long it will be before this project will be completed?

Mr. SPARKMAN. That will depend upon the appropriation we make. We could appropriate money here to-day sufficient to complete it perhaps in the next two years, but we are not undertaking to do that. Perhaps it would be better if we did.

Mr. CALLAWAY. Have not the engineers said all along that the amount necessary to complete it was not yet determinable, and they have never attempted to give a definite estimate?

Mr. SPARKMAN. The gentleman is correct about that. They have not been able to estimate precisely what it will cost, but it is somewhere between four and five millions of dollars, according to the estimates. Now, if we are going to complete this work, we must go on with the appropriations. As to that, Congress must judge. This House can knock out the item if it wants to do so. I believe the work ought to go on to completion. I can not but believe that this river, running as it does through a great agricultural section of the country, will be a useful artery of commerce whenever it is completed.

Now, if this House does not want to complete it, here is the place to put on the brakes and to cut it out, but I do not advise it.

The CHAIRMAN. The question is on agreeing to the amendment. All debate has expired by order of the committee.

Mr. BURGESS. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. HARDY] may have five minutes.

The CHAIRMAN. Is there objection?

Mr. EAGLE. Reserving the right to object, I ask unanimous consent that I may proceed for 10 minutes in order to make the facts about this Brazos River plain, after my colleague [Mr. HARDY] has addressed the committee.

The CHAIRMAN. The gentleman from Texas [Mr. EAGLE] asks unanimous consent that he may continue for 10 minutes additional.

Mr. MANN. I hope the gentleman will give me five minutes.

Mr. HARDY. Mr. Chairman, instead of making any talk myself, I will yield to my colleague [Mr. EAGLE] to make a 5-minute talk, or a 10-minute talk if he wishes to do so.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that 10 minutes be allowed to the gentleman from Texas [Mr. EAGLE] and 5 minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. I want to hear the gentleman from Texas [Mr. HARDY], too, and I will not take the five minutes if it keeps it away from him.

Mr. SMALL. I ask for 20 minutes then.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent for 20 minutes additional. Is there objection?

Mr. SPARKMAN. Mr. Chairman, it occurs to me we might as well vote on this. I do not want to cut it out, though——

The CHAIRMAN. Is there objection?

Mr. MADDEN. Reserving the right to object, this is a very interesting topic, and I think the gentleman from Texas [Mr. EAGLE] ought to have an opportunity to present his side of the case as well as his colleague Mr. HARDY.

The CHAIRMAN. Is there objection?

Mr. SPARKMAN. I shall have to object, Mr. Chairman.

The CHAIRMAN. Objection is heard. The question is on the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. FREAR. Division, Mr. Chairman.

The committee divided; and there were—ayes 30, noes 44.

Mr. MANN. I make the point of order, Mr. Chairman, that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and five gentlemen are present, a quorum.

Mr. MANN. Mr. Chairman, I ask for tellers.

The CHAIRMAN. Tellers are requested.

Tellers were ordered, and the Chairman appointed Mr. SPARKMAN and Mr. MANN.

The CHAIRMAN. The Chair was about to inquire whether the gentleman from Illinois desired tellers on the amendment or tellers on the presence of a quorum?

Mr. MANN. There is no such thing, except by unanimous consent, as tellers on a quorum.

The CHAIRMAN. The committee would have the right to question the count of the Chair. The question is on the motion of the gentleman from Wisconsin [Mr. FREAR].

The committee again divided; and the tellers reported—ayes 41, noes 61.

So the motion was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Trinity River, Tex.: Continuing improvement and for maintenance by open-channel work, $50,000; for improvement by the construction of Locks and Dams Nos. 3 and 5, $250,000: *Provided*, That no part of the latter amount shall be expended until the city of Dallas or other local interests shall have contributed the sum of $50,000 toward the improvement.

Mr. TREADWAY. Mr. Chairman, I move to strike out the paragraph covering lines 1 to 7, inclusive, on page 21.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

The Clerk read as follows:

Strike out the paragraph, lines 1 to 7, inclusive, on page 21.

Mr. SPARKMAN. Mr. Chairman, I would like to see if we can not arrange for limiting the debate.

Mr. MANN. This is too important an item, Mr. Chairman, to attempt to fix debate. I think the gentleman from Florida was very unfair on the last item.

The CHAIRMAN. The gentleman from Massachusetts [Mr. TREADWAY] is recognized.

Mr. TREADWAY. Mr. Chairman, in order that I may not be accused of making any unfair or incorrect statement, I want to read what I have to say about the Trinity River. It is based upon the details contained in the engineers' report. It is useless to make the motion to strike out, for the friends of the item are here in force, but people ought to know about these provisions, and what we are voting on. I read:

"As the Chairman has referred to the Trinity River appropriation in his report, a word may be said relative to this notorious, if not noted, stream. The extract from the engineers' report, published as an appendix to the committee report, gives some idea of the return Uncle Sam is likely to receive for the extravagant appropriations carried in this bill as well as in past ones, and the anticipation of future ones.

"The Trinity River is 650 miles long. It is 512¼ miles from Dallas to Galveston Bay. Appropriation was first made in 1902, and from that time to June 30, 1915, there has been expended on this notorious stream $2,069,262.42. In 1905 the people of Dallas showed their generosity by contributing $66,000, and thereby doing exactly what they are trying to do in this bill—secure continuation of appropriation by a comparatively small local contribution.

"The engineers do not consider that the project has been adopted in its entirety, but only such portions as specifically are appropriated for. House Document No. 409, Fifty-sixth Congress, first session, calls for 37 locks and dams with incidental dredging and open-channel work, thereby securing six-foot navigation at a cost of $4,650,000, and $280,000 annually for maintenance. Out of the 37 locks and dams only 7 have been specifically appropriated for, and the location of two others authorized.

"Navigation of this river is still impracticable for even light-draft boats above Liberty at ordinary low-water stages except in the disconnected pools formed by the completed dam.

"Think of it, gentlemen of the committee, that we have already spent over $2,000,000 of Uncle Sam's money, and there is to date no possibility of navigation. Only one-fifth of the project has been provided for at a cost of nearly one-half the original estimate for the entire project.

"The tonnage on the river has decreased enormously as shown by the engineer's statement. In the year 1914 there was 12,610 short tons handled, at a value of $102,000, whereas in 1912, 60,677 tons are recorded, at a value of $768,715. This consists mainly of logs in rafts.

"Is it any wonder that a Government engineer at one time suggested that artesian wells should be dug to supply water for this stream, and that the ardent advocate of the appropriation should have offered as a possible explanation of this idea at the committee hearing that if the water was flowing underneath it might be well to get it above the surface through boring into it.

"The committee report states: 'It is believed that greatly increased river traffic will result even upon the completion of this section, as it will materially lengthen the period each year during which the river can be used.'

"I dread to think what the result will be when that section is completed in proportion to the present statistics of decreased transportation of logs. Would it not be much less expensive for Uncle Sam to buy the standing timber, for a national park, and try to induce some water to remain either above or below, rather than cut down the timber and pay such tremendous prices for an opportunity to transport it by water over this stretch of 650 dry miles in the section of the 'Lone Star' State so ably represented by our delightful companion, the ardent supporter of Trinity River appropriations, our genial friend and kindly associate, Mr. SUMNERS. Much more could be said of the merits of Trinity River as an arid proposition, as an artesian well development, and as a sink hole for Uncle Sam's money."

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I know nothing whatever of this project, having never seen the Trinity River, and therefore I am obliged to rely upon the report of the committee and the opinion of experts. That there is no greater expert in the world than former Senator Burton has been certified to over and over again by my good friend, my colleague from Wisconsin [Mr. FREAR]. He does this in his minority report and in his speeches in and out of Congress. He has done it in the speeches he has made here during the discussion of this bill.

Mr. FREAR. Mr. Chairman, will my colleague yield?

The CHAIRMAN. Does the gentleman yield?

Mr. COOPER of Wisconsin. I can not yield.

Mr. FREAR. How many years ago was that report made?

The CHAIRMAN. The gentleman declines to yield.

Mr. FREAR. The gentleman refers to me personally.

Mr. COOPER of Wisconsin. I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. COOPER of Wisconsin. In 1901 Mr. Burton was chairman of the Committee on Rivers and Harbors of the House.

Mr. FREAR. That was 15 years ago.

Mr. COOPER of Wisconsin. That does not make any difference. He was an expert. But apparently he is an expert only when his opinion agrees with the opinion of the gentleman from Wisconsin [laughter]—if that is the comment which the gentleman interjects here in violation of the well-known rules of the House.

Mr. FREAR. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. COOPER of Wisconsin. I do not.

Mr. FREAR. I object, Mr. Chairman, to the gentleman addressing me in that way.

The CHAIRMAN. The gentleman will proceed in order.

Mr. COOPER of Wisconsin. I will withdraw that, Mr. Chairman, if the gentleman objects. But I wish to call the attention of the House to the opinion of the well-recognized expert, Senator Burton, who, in the language of my colleague from Wisconsin, knows more about waterways and waterway projects and the whole science of waterway improvement than any other man in the United States. On January 9, 1901, Mr. Burton, then a Member of the House, said:

> Mr. Chairman, the Committee on Rivers and Harbors present this bill with the confidence that no measure before Congress confers greater benefit upon the country.

I turn now to the next page, page 780 of the RECORD of that date, where he discusses specifically the Trinity River in Texas. He says:

> We have not included in this bill any new projects for locks and dams, except in Trinity River, in the State of Texas, where we have appropriated or authorized $750,000, part for general improvements and part for the construction of locks and dams.
>
> I am frank to say to the committee that on first examining this project I did not think favorably of it, but I gave it a good deal of consideration. The committee called before them the engineer having the improvement in charge, and it seemed to us that an expenditure of this amount was justified. The river is easily capable of improvement. It has stable banks, and the construction of locks and dams is a comparatively easy problem. There is a great amount of traffic in prospect, both from the source to the mouth and from the mouth toward the source. In this particular it differs from many other rivers, where the bulk of the traffic must necessarily be one way. Great quantities of cotton and grain will be carried toward the mouth and from the mouth toward the source timber and building material for the large expanse of prairie tributary to Dallas toward the north.

Mr. Chairman, when Mr. Burton, then a Member of the House, in the rôle of a prophet foretold the great commerce to develop on that river he had in mind the completion of the project. That project is not yet completed, nor nearly completed. The unwise practice of the Government has been to appropriate in driblets, necessitating additional and unnecessary expenditures from the Public Treasury, and delaying the completion of much needed works.

As I have said, I know nothing about the Trinity River, and am merely citing the opinion of an expert, Mr. Burton.

Mr. TREADWAY. Will the gentleman yield?

Mr. COOPER of Wisconsin. I can not yield now.

Mr. Chairman, it is said here that there is no business development on this river. That, I believe, is very true. Business could not well develop where there is a depth of 3 or 4 or 5 feet of water part of the way and then a shoal where the water is only a foot deep. Business can not increase, because there is no opportunity for continuous traffic.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that he may proceed for five minutes. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Suppose, after we had expended $250,000,000 on the Panama Canal and only partly completed it, somebody had said, "It is a failure. No boat has yet gone through it, and yet we have expended $250,000,000 on the infamously wasteful project!" Is that a fair way to discuss a proposition like this? Not at all. Absolutely, the only way in which it could be told whether the prophecy of that great expert, Senator Burton, was well founded or not would be to complete the project.

Mr. CALLAWAY. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. COOPER of Wisconsin. I can not yield. Senator Burton is responsible for putting this river under improvement by the Government. He is responsible for putting the Brazos under improvement. And yet now he repudiates repeatedly, in statements and arguments made since he left this body, every argument that he made while here. Under such circumstances a man is not necessarily a thief, a believer in the plundering of the Public Treasury, because he listens to the great Committee on Rivers and Harbors, which has reported this bill, containing no new project except one—and that the one insisted upon by the President of the United States—a bill making appropriations only for work upon projects already begun and which the committee, in their judgment, think it would be better to complete by proper appropriations than it would be to throw away everything which the Government has already invested. That is all. Never before have I heard the word "thieves" applied as it was by the gentleman from Texas [Mr. CALLAWAY] in his remarks.

Mr. CALLAWAY. Mr. Chairman——

Mr. COOPER of Wisconsin. He said that the bill from beginning to end—and I quote him literally—from alpha to omega, was a fraud—a "thieves'" bill.

Mr. CALLAWAY. Mr. Chairman——

Mr. COOPER of Wisconsin. There is one appropriation in this bill in which I am interested, and I am free to acknowledge it. I hear the laughter of my friend from Iowa [Mr. GOOD], who, as I said, has very little water in his district, excepting in a few cisterns. [Laughter.]

Mr. GOOD. I was laughing simply because some one observed that it was needless for the gentleman from Wisconsin to say that.

Mr. COOPER of Wisconsin. The project for my home city is so good that it has received the unanimous report of the committee of the present House, as it did also of the committee of the last House—so good that it passed this body without an adverse comment and was incorporated in the substitute bill which Senator Burton himself proposed in the Senate.

No honest man ever has to vouch for his own integrity, and no honest man ought to arise in the House of Representatives of

the Congress of the United States and charge his colleagues indiscriminately with supporting a thieves' bill. [Applause.]

The CHAIRMAN. The gentleman's time has expired.

Mr. CALLAWAY. Mr. Chairman——

Mr. SPARKMAN. I should like to see if we can not agree on a time for closing debate.

Mr. CALLAWAY. I should like to have five minutes.

Mr. TREADWAY. I should like to have five minutes.

Mr. GOOD. I should like to have five minutes.

Mr. SUMNERS. I should like 15 minutes.

Mr. SPARKMAN. Will not 10 minutes do the gentleman?

Mr. SUMNERS. I do not think so. This project has been very severely attacked. I should like 15 minutes. I have not spoken at all on this bill.

Mr. SPARKMAN. How much time is desired on the other side?

Mr. MANN. Twenty minutes over here.

Mr. SPARKMAN. I ask unanimous consent that debate on this paragraph and all amendments thereto close in 40 minutes, 20 minutes to be controlled by myself and 20 minutes by the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Florida asks unanimouse consent that debate on this paragraph and amendments thereto close in 40 minutes, 20 minutes to be controlled by himself and 20 minutes by the gentleman from Illinois [Mr. MANN]. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] is recognized for 20 minutes.

Mr. CALLAWAY. I thought I had the floor.

Mr. SPARKMAN. Did the gentleman have five minutes to himself?

The CHAIRMAN. No; the gentleman's five minutes will have to come out of the time agreed upon.

Mr. SPARKMAN. I will yield five minutes to the gentleman from Texas.

Mr. CALLAWAY. Mr. Chairman, the gentleman from Wisconsin [Mr. COOPER] gets himself worked up by twisting what I said. A man ought not to go out looking for trouble, and twist what somebody has said in order to get it; he may be able to find it in that way. I never meant that the committee were a set of thieves, and never so stated. What I did was to read from the Philadelphia Inquirer, a newspaper published in the territory of the gentleman from Pennsylvania [Mr. MOORE]. The Philadelphia Inquirer stated that the bill was a thieves' bill. I said that I could see no difference in the world between the bill that carried $1,200,000 for the Philadelphia Inquirer's territory and a bill that carried $2,700,000 for the Philadelphia Inquirer's territory; they were morally the same. But the Philadelphia Inquirer saw all the difference in the world, due to the difference between the appropriation of $1,200,000 and an appropriation of $2,700,000. The gentleman from Wisconsin wants to torture that into my saying that the bill was a thieves' bill.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. CALLAWAY. Yes.

Mr. COOPER of Wisconsin. The gentleman read that, and did not the gentleman then say that that was one of the few utterances of the Philadelphia Inquirer with which he agreed?

Mr. CALLAWAY. Well, now, the gentleman certainly does not want to torture that into saying that it was a thieves' bill. I did not make any such statement as that. I do say that you could look always for a motive in votes of Members on this floor. Sometimes there are exceptions to it, but you look to the motive, and with a few exceptions you will find that those who stand for the things have projects in their own districts in the bill. Nobody believes in it except the men interested.

Mr. PLATT. Will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. PLATT. Does not the gentleman think that this will make a nice, beautiful, motor-boat project?

Mr. CALLAWAY. Oh, it is not good even for motor boats.

Mr. MOORE of Pennsylvania. Does not the gentleman think that is good wit when it comes from up alongside of the Erie banks?

Mr. CALLAWAY. It is good in any particular locality where money is poured out and for the reason that the money in the Treasury is emptied into that locality. You talk about a 7-foot canal or a 5-foot canal, and we have demonstrated on this floor time and again by producing the facts that a 7-foot canal from Buffalo, N. Y., across to the Hudson River failed. They are trying to deepen it to make a 12-foot canal; but, according to the showing on all inland streams, the thing will fail like the 7-foot canal failed. Why? Because there is only one kind of deep-water transportation that is keeping up, and that is where the boats can go with their own propellers carrying over a thousand tons of freight directly upon the waterway. The Mississippi River transportation failed. Can anybody say that is because they have not got water enough?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MANN. I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, I have high regard for the opinion of Senator Burton on these projects. As we all know, Senator Burton was a very ardent advocate of the canalization of the rivers in the United States. I do not know whether his opinion regarding that great general proposition is changed or not. In my judgment it has very materially changed. This proposition for the improvement of the Trinity River is a pure canalization proposition. There are hundreds of rivers in the United States that I believe would offer better prospects for successful canalization on this scale than this particular river in Texas.

Mr. SPARKMAN. Will the gentleman name one or two of those streams.

Mr. TOWNER. I think we have two in the State of Iowa. I will say the Cedar River and the Des Moines River, and such rivers are all over the United States.

I do not find fault with gentlemen who believe in the canalization proposition, but I suggest to the gentlemen at this time who have this particular project in view that there is no justification for the expenditure of $250,000 for the building of two more dams. In the first place these dams can not be built for less than $300,000, if the engineer's report is to be believed. Fifty thousand dollars for the continuation or keeping up of the work is all that can possibly be justified at this time. I think gentlemen absolutely ignore the fact that we have no right to spend one single dollar of unnecessary money at this time. We have no right now, in view of the tremendously increased expenditures that will necessarily be before this Congress for passage, to incur such a questionable expense as this.

I will say to gentlemen on the other side, who must in the last resort assume the responsibility for the passage of this bill, that, in my judgment, there was no necessity for taking up and passing this bill at this time, and if it had been brought before us in any form, it ought to have been brought before us in the form in which only necessary and inevitable expenditures were provided for. I voted against the consideration of the bill. I think it is unwise now, and it will be a load for the Democratic Party to carry in the coming campaign. The party will not be able to justify the expenditure of these millions of unnecessary money in view of the condition of the Treasury and in view of the calls that will be made upon it. The majority will not be able to justify the passage of this bill, carrying these enormous expenditures of money, in view of the fact that you will be called upon to lay upon the people an enormous burden in taxation, that will necessarily have to be laid upon them to pass the necessary defense bills. [Applause.]

Mr. MANN. I yield five minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman, the gentleman from Wisconsin [Mr. COOPER] has twice this morning criticized me. He has on several occasions heretofore exercised the same right of criticism which is his, I acknowledge. I have not yet replied in a single instance, and I wish the House to bear evidence of that fact. I say to him and to the House that I have the highest respect for him personally, because he is an old Member, and I have exercised the fairest disposition toward him on all occasions, although when desiring to interrupt him and make corrections he refuses.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Mr. Chairman, I can not yield now. Time after time the gentleman has challenged some statement made by me. I am ready to answer any question but do not expect to reply in kind. I regret very much that he has made his criticisms personal. On the 1914 bill he had a right to vote for the bill if he chose; he did so, and I voted against it. On the second 1915 bill he had the right to vote for that bill if he chose; he did, and I voted against that. And on this bill he has the right to vote for it, and I have the right to and shall vote against it. He can challenge Senator Burton if he chooses, but the unfairness of it all lies in this, that while Senator Burton many years ago believed the Trinity River canalization was a good project, on the floor of the Senate he has said repeatedly in debate that he has seen the mistake not only in this case but in many others. And why? Because Senator Burton was chosen as the leading waterway expert of the country by Congress

and sent to Europe as chairman of the National Waterways Commission. He made a careful investigation of many canalization schemes there, and he came back with changed ideas, because he found that they were not a success, with the exception of the Rhine and a very few other projects where conditions differed widely from those found in this country.

Mr. Chairman, I understand that Senator Burton included the project of the gentleman from Wisconsin [Mr. COOPER] in his statement. I should have done so, because it is an imperative case on a harbor carrying a valuable commerce. It is a harbor on Lake Michigan, but why that should stand side by side with the Brazos and Trinity and many other questionable projects I fail to understand. It seems to me that that can be no defense to such items. If the gentleman has any inquiry to make of me and will give me a chance to reply, which he refuses every time, I shall be very glad to answer. I do say of Senator Burton that I understand that his judgment was based upon his trip to Europe and that he was disappointed in conditions found there, and when he came back he made statements on the floor of the Senate repeatedly about the Trinity and other rivers, giving reasons for their abandonment. He has shown the weakness of those projects from a commercial standpoint.

Mr. COOPER of Wisconsin rose.

Mr. FREAR. I shall be glad to reply at any time, if the gentleman desires, as to any project criticized or any statement I have made. The charge made to-day and the other day is and was that I have said $850,000,000 had been expended by the Government on waterways. It was a mistake in expression. I should have said "appropriated," for no man can tell exactly how much has been expended. It varies hundreds of thousands of dollars every day. Eight hundred and fifty million dollars have been appropriated by this Government for waterways, and no one can deny it. Over $800,000,000 had been expended eight months ago; but surely no importance can be attached to that statement, because it was fully explained in general debate.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Chairman, it seems to me that the discussion of this bill has demonstrated the false principle on which the bill is founded. When these questionable items are discussed gentlemen upon that side and the gentleman from Philadelphia [Mr. MOORE] on this side point to something that Senator Burton has said as a justification for the item carrying a useless expenditure to-day. During the past 15 years we have appropriated for the improvement of waterways and rivers and harbors in the United States more than $300,000,000. Since Senator Burton first placed some of these items in the river and harbor bill, we have expended millions upon them. Senator Burton then thought and argued on the floor of this House that the improvement of them would increase the commerce upon those rivers, and during the latter years of his service as a Member of Congress he observed that the more money we spent the less the commerce on some of these streams, and hence Senator Burton assailed such items. He favored them when he thought their improvement would aid commerce, and when he found the expenditure of public money was useless, he was against them, and he gave good and sufficient reasons for his stand at all times. Mr. Chairman, when the statement was read here to-day, and a serious indictment made against that side of the House, I have wondered why some one on that side did not answer it, an indictment by a great newspaper in Philadelphia that this bill was controlled by thieves or something to that extent. Of course we expected an answer to this serious charge by those in control of the bill. I do not believe it, but it is a serious indictment, and I noticed when the gentleman from Wisconsin [Mr. COOPER] referred to it the gentleman from Philadelphia [Mr. MOORE] applauded. Whether he applauded the sentiment or applauded the criticism, I am unable to say.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

Mr. GOOD. I can not yield unless the gentleman will get me more time.

Mr. MOORE of Pennsylvania. The gentleman will not yield to me, although he is attacking me. [Laughter.]

Mr. GOOD. Mr. Chairman, there is another great paper published in Philadelphia, and it is the Bulletin of the Inland Deep Waterways Association.

Mr. MOORE of Pennsylvania. Oh, the title is incorrect.

Mr. GOOD. And by referring to page 2 of this paper I observe that the editor is J. HAMPTON MOORE, Esq.

Mr. MOORE of Pennsylvania. The gentleman is again in error. The title is wrong and he has read the wrong editorial name.

Mr. GOOD. It is signed by J. HAMPTON MOORE as president. There appears to be no editor. The gentleman from Pennsylvania [Mr. MOORE] seems to be the whole thing.

Mr. MOORE of Pennsylvania. Whatever he signs is all right; but the gentleman is in error.

Mr. GOOD. I observe that on the third page of this paper, fathered at least, I understand, by the gentleman from Pennsylvania——

Mr. MOORE of Pennsylvania rose.

The CHAIRMAN. The gentleman declines to yield.

Mr. GOOD. There is a beautiful picture of the Falls of Minnehaha, and under the picture are the words, "The Falls of Minnehaha," and then follows this statement: "This is not the Mississippi, but boats would have to ascend most of this height to get from St. Paul to Minneapolis. Mr. FREAR must have been thinking of hydroplanes." The gentleman who wrote that must have been thinking of submarines or something of the kind, because Minnehaha Falls are not on the Mississippi River. One does not go up Minnehaha Falls to go from St. Paul to Minneapolis, but the editor of this paper seems to think that is the case. At least, the statement is to the effect that one must go up most of the falls to go from St. Paul to Minneapolis, and so we are led to conclude that Minneapolis is located some place midway between the top and the bottom of Minnehaha Falls. [Laughter.]

Mr. MOORE of Pennsylvania. Why, the writer was quoting the statement of the gentleman from Wisconsin [Mr. FREAR].

Mr. GOOD. This bill seems to be predicated upon just such statements as that.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MANN. The gentleman from New York [Mr. PLATT] desires to offer an amendment, and then I will yield him some time.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 7, strike out "$50,000" and insert in lieu thereof "$250,000."

Mr. MANN. Mr. Chairman, I yield to the gentleman two minutes.

Mr. PLATT. Mr. Chairman, up in the State of New York we are just about completing a canal which has been there a good many years, deepening it to 12 feet. I think the gentleman from Texas was probably right when he said that the Erie Canal deepened to 12 feet would be a failure, but the people of New York will have paid for it themselves. I think that in the canalizing of the Trinity River, since so much of it has been done, the United States Government might pay half and let the State of Texas pay the other half. I have introduced an amendment to equal the Government appropriation of $250,000 with $250,000 from the city of Dallas or the State of Texas. I believe that it ought to be tried. And where any locality will pay half, it may be worth while to go into these projects. They could be made to pay. We could pass a law preventing railroads from putting down their rates and driving the boats out of the business. That is what we ought to do. [Laughter.] We ought in some cases to compel the railroads to put the rates up so as to let the people use these rivers, inasmuch as we have spent such great amounts of our money on them. If we are going to have water transportation, let us have water transportation. Let us use the water.

The CHAIRMAN. The question is on the amendment.

Mr. MANN. Mr. Chairman, we ought not to disguise to ourselves the fact that the river and harbor bills are under suspicion and that Congress itself is under some suspicion in the minds of a very large share of the public in the way of making appropriations. Many people throughout the country believe that our appropriations and our actions here generally are on the "pork-barrel" theory. One of the items which has been seriously attacked in the river and harbor bill is this canalization of the Trinity River and another was the Brazos River. I think that we owe it to ourselves before we make further appropriations for the improving of projects of this kind that we should in some way require a new examination of the projects and a report to Congress, because if we go ahead making appropriations of this kind without further examination the people will come to the conclusion that Congress makes appropriations largely upon the graft theory.

Mr. SPARKMAN. Will the gentleman yield? I wanted to say that we authorized such an examination and that it is going on now. It is authorized by Congress, and at least two bills—in 1912, as I recall, and I believe in the last bill, of 1915.

Mr. MANN. I am sorry that the gentleman undertakes to talk in my time when he refuses to yield time. Of course, I have read the bill of 1915 and the bill of 1914 and the other

bills, but there is no reexamination of this thing, upon which we are depending, at least.

Mr. SPARKMAN. We authorize this at this time, for a part of it.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Florida?

Mr. MANN. I do not yield. The gentleman from Florida, who insists on closing debate all the time, wants to take all the time I have. If I had a second left, I would yield.

Why do we not make an appropriation now? There is no reexamination of this project being made in a way that would satisfy anybody in the country. There ought to be. In justice to ourselves these things ought not to be open to dispute in the country as to whether Congress is merely acting upon a "pork-barrel" theory or whether it is endeavoring to make appropriations really in the interest of commerce. I do not know anything about the Trinity River, although I have listened to debate upon it by the hour in this House. I do not think the gentlemen who talk about it know a great deal in the way of expertness on the subject. We ought to know. The people ought to know that Congress is not proceeding upon the idea of dividing up the money in the Treasury to their districts for their own personal benefit, and that appropriations made here ought to be made and are made upon the theory that they are needed, are useful, and on the square. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS. Mr. Chairman, I am persuaded that, under the circumstances, the best reply that could be made to the criticism which Members have directed against the Trinity River is to state the facts with reference to that stream.

The Trinity River, as the name indicates, has three branches. One is the West Fork, which rises in Archer County, to the northwest of Dallas, flows through the counties of Jack, Wise, and Tarrant, and is united with the Elm Fork just above Dallas. The Elm Fork rises in Montague County, flowing south through the counties of Cook and Denton. From the upper point of the West Fork watershed to the city of Dallas on an air line is approximately 100 miles, and by river 150 miles. The distance across the upper edge of the watershed of these two branches is approximately 100 miles. The watershed above the city of Dallas is approximately 7,000 square miles. The East Fork of the Trinity River rises northeast of Dallas, drains a part of the counties of Grayson, Fannin, all of Collin, and flows through the counties of Rockwall and Kaufman, joining the united West and Elm Forks 50 miles below Dallas. The average rainfall on the watershed above Dallas is as great as that in the States of Illinois, New York, Iowa, Pennsylvania, Missouri, Wisconsin, Michigan, and Ohio. The rainfall on the East Fork watershed exceeds that of the watersheds of the other two branches.

From Dallas to the Gulf of Mexico by river is 511 miles, with a practically uniform fall of considerably less than a foot per mile. The plan for the navigation of the Trinity River under which the improvements have been made has always and now deals with it as a canalization project. The gentlemen who criticize this project know this, but they will not do the project the justice to discuss it from that standpoint.

The plan submitted by Col. Riché, under which work is being done, calls for 37 locks and dams, each with a lift of 10 feet, between the city of Dallas and tidewater, some forty-odd miles above the Gulf of Mexico. The Trinity River is unlike any other stream that I know of in this country, and in my judgment that difference is responsible for the fact that the casual observer has often not been impressed with its feasibility, while no investigator of the project from the first investigation in 1852 down has pronounced it nonfeasible. Nobody, at least for 20 years, has contended that money should be expended upon the Trinity River except in the promotion of its canalization. Nature has dug the canal deep and narrow through heavy gumbo soil that holds water almost like a jug. Its deep, relatively narrow channel and stable banks would enable locks and dams to be constructed at the minimum costs. I want to emphasize that it is unlike the average river, with caving banks and shifting channel, with sandbars forming and changing with every flood. There would be no danger of a lock and dam built across the channel being rendered worthless by a change of channel. There is another important consideration. It would not require anything like the same amount of water for the purpose of navigation that would be required in the ordinary canalized river, with sandy banks through which the water percolates easily, and with a broad surface exposed to evaporation. These are definite and distinctive merits which the Trinity River has.

Of all the projects now in this bill not one can compare with the Trinity in these important essentials. No stream in the world traverses a more fertile country, or one in which there is greater present or prospective development. The gentleman from Texas [Mr. CALLAWAY] says it can never be navigated.

THE ENGINEER'S REPORT.

In the report of the engineer made in 1899 it was stated that with these locks and dams navigation could be maintained at least eight months in the year. Unfortunately for the project, as it has developed, it was stated therein that $200,000 might be expended in sinking artesian wells along the banks of the stream to supplement the natural flow in order to make sure a longer period of navigation. This part of the report has been seized upon by those who have sought to make themselves famous by ridiculing this project. In this debate two members of the Rivers and Harbors Committee have referred to it. Mr. Chairman, I recognize that there is a difference of position among Members of the House as to the wisdom of improving inland waterways, but there should be no difference of opinion as to the obligation which rests upon a member of the Rivers and Harbors Committee when he comes before the House to report upon the facts developed in the hearings held before his committee. In his criticism of the Trinity River, the member of the committee from Wisconsin [Mr. FREAR] refers to the Trinity River as the stream which needs artesian wells for moisture. The gentleman from Massachusetts [Mr. TREADWAY] makes a similar reference. These gentlemen evidently purpose to create the impression that the sinking of artesian wells along the Trinity River was deemed by the engineer who made the report necessary to the navigability of the stream. They make these statements here and try to create that impression, notwithstanding the fact that I put into the record when this matter was presented to their committee a statement which nobody questioned then and nobody has undertaken to contradict, because nobody can contradict it, that by measurement beginning with October, 1898, and extending for a period of 26½ months, or during 774 days, with the exception of 73 days in that 26½ months, it was shown that enough water came down the Elm Fork of the Trinity alone to operate the contemplated locks and dams on the basis of one lockage every 20 minutes. Now, the Elm Fork is the shortest one of the two branches of the Trinity which flow by the city of Dallas. Of course, this test demonstrated the sufficiency of the natural flow of water during 8 to 10 months each year, which is far more than the average period of river navigation. But it is fair to the eminent engineer who made that report that the House knew that at the time the report was made $200,000 would have brought to the channel of the river from the artesian strata enough water to make more than 40 lockages per day and would have bridged over most, if not all, of such conditions as existed during the 73 days mentioned. That is clearly what the engineer meant and in effect what he said. These critics do not quote the report. They deliberately try to create the impression that as a part of the general scheme for navigation during usual conditions artesian wells were deemed necessary.

It is by this sort of method that this project is sought to be ridiculed into discredit. These gentlemen, and particularly the one from Wisconsin [Mr. FREAR], complain that they are being criticized as seekers of political notoriety. I want to say this, Mr. Chairman: When members of the committee deal thus with a project they not only invite that criticism but they arouse that suspicion. These projects are entitled to stand or fall upon an analysis of them and a fair, candid discussion of their characteristics. Of course there are periods of drought in Texas. There were 73 days during the 2 years and 2 months which I have referred to in which there was a drought, and navigation doubtless would have been suspended during that time.

DROUGHT AS AGAINST ICE.

The gentleman from Massachusetts and the gentleman from Wisconsin seem to regard that as evidence of the unfeasibility of the Trinity River project. If interruption of traffic for 73 days during 2 years and 2 months were a test of the feasibility of a river for the purpose of navigation, not one stream in the section of the country from which these gentlemen come could stand that test. In February I came down the Hudson River Valley and not one boat was in operation upon that river, not one boat had been in operation on that river for months, and I doubt if they are in operation yet. They did not have a drought in that country, but they had just as well have had. Not only during this winter, but during every winter, their streams are frozen solidly. Not a boat can move. The trouble with these gentlemen and with a good many others from other sections of the country who talk about "pork" is that everything is "pork" which does not "grease" their "barrel." I do not defend, and no man can defend, the appropriation of money for a project which is not meritorious.

THE FAITH OF DALLAS.

This project is one in which a vast majority of the people living in that section believe. The people in the city of Dallas, which I represent, have never been called upon by the Federal Government for any contribution with regard to this project to which they have not responded. They paid for the lock and dam sites. They put in $66,000 at one time. They have diverted their sewerage and raised their bridges at large expenditures. They are now offering, if the Federal Government will make an appropriation sufficient to complete this project, to put $3,000,000 into it, and this particular item, which is looking to the completing of section 1 at a cost of $600,000, one hundred thousand of local money is to go into the project.

I stated a moment ago that this project has never been unfavorably reported upon by the experts who have examined it. The first report was made on the Trinity River for the Federal Government by Lieut. William H. C. Whiting on the 23d day of January, 1853, from which I quote as follows:

THE FIRST REPORT.

For the purpose of navigation this stream is practical. During the time of high water being about 600 miles; during low water, at present, being 100 miles. Passes through very rich cotton, wheat, corn, and sugar lands. Season of high water is generally from about the 1st of January to the last of June. The river, however, has been known to remain up for 18 months. Transition from high to low water is not, as in most of Texas rivers, sudden. The great length and depth of the stream retains the water for a long time. At this time seven steamboats are engaged upon the river, and despite the difficulties three of them are now returning from a point 600 miles from the mouth. The Trinity is the deepest and least obstructed river in the State of Texas. Its size, length, depth, and the section of the country through which it flows entitles it to consideration.

The next report was made in 1890 by Maj. Allen, and was a preliminary survey from the mouth to Dallas, in compliance with the rivers and harbors act of 1890. His report was not unfavorable from the standpoint of navigability, but the necessary expenditure was not advised on the ground that in his opinion present and prospective commerce would not justify the expense of improvement. In his report he stated that the Trinity was one of the most important avenues of commerce in the State until the building of railroads.

DEVELOPMENT OF DALLAS.

Maj. Allen, of course, did not find the immediate prospects for commerce upon the river at that time to justify such an expenditure, and he failed in his vision of the future. The Trinity River Valley at that time had no commerce to speak of; the bottoms were vast wastes of timber, and the prospect of these bottoms being subjected to cultivation were remote. There was not a city upon its banks from the Gulf of Mexico to its headwaters. It was 10 years after that time before the city of Dallas had reached a population of 42,000; 10 years after that report its postal receipts were less than $200,000; its city assessment was only $23,000,000; its building permits, $674,000; its real estate transfers, $4,500,000; and its banks' deposits, $7,000,000. About this period that great southwestern section began to emerge from the second state of a country's development. It had already passed through the pioneer stage, and was emerging from a strictly agricultural and retail business stage to the stage of city building and the beginning of caring for its own manufacturing, jobbing, and financial interests. From 1900 to 1910 the population of the city of Dallas increased 116 per cent. Its postal receipts trebled; its city assessments trebled; its building permits increased 700 per cent; its real estate transfers went from $4,000,000 to $26,000,000; and its banks' deposits from $7,000,000 to $26,000,000.

From 1910 to this time its population has increased from 92,000 to at least 125,000; by 1914 its postal receipts had increased from $667,000 in 1910 to $1,075,000, its city assessments from $74,000,000 to $116,000,000, its building permits from $4,000,000 to $6,000,000, its real-estate transfers from $26,000,000 to $45,000,000, and its bank deposits from $26,000,000 to $31,000,000. In addition to this character of development, the vast bottom lands which lie between the city of Dallas and the Gulf of Mexico are being brought into cultivation. Two million acres of timber are between the city of Dallas and the Gulf which ought to be utilized, and would be utilized if transportation facilities were offered. There are vast lignite-coal deposits contiguous to the river, many sorts of clay, and the last engineer's report made states that large beds of merchantable iron ore are along the river.

There are no railroads paralleling this stream for any considerable distance, except at a distance from the stream of 25, 30, or 40 miles. I am sure that if Maj. Allen could have foreseen this development he would not have concluded that the prospective commerce upon this river would not justify the expenditure of money, especially if he could have seen the development of the vast section of the country to the north of Dallas, and could have appreciated the necessity of the agricultural and other products coming down from the great northwestern section to find cheaper transportation to the ocean.

RICHÉ'S REPORT.

The third and last survey of the river was made by Col. Riché, under the act of March 3, 1899. He stated in his report that the watershed of the river had an area of 16,500 square miles (a territory equal to the States of Massachusetts, Connecticut, Rhode Island, and Delaware), that the river traversed a fertile section capable of greatest development, and stated that locks and dams could be erected without excessive costs, because of the river's narrow, high, firm banks affording good foundation for the necessary structure. He concluded his report by saying that he considered 4-foot navigation of the Trinity from Dallas to the mouth to be not only advisable but urgently necessary, and that it would accomplish much good for a great many people. He also states in his report that the making of this river navigable would develop the rich bottom lands along the river and the adjacent territory. That report, as stated, was made March 3, 1899, when Dallas was a city of 40,000 inhabitants, with a more or less uncertain future and no considerable development along broader commercial and manufacturing lines. The need and the opportunity for the use of this navigation is, of course, much greater to-day than it was when his report was made. Following this report, the Trinity River project was incorporated in the rivers and harbors bill, and Senator Burton, chairman of the Rivers and Harbors Committee at that time, in his speech in the House on January 9, 1901, in discussing this item, said:

SENATOR BURTON'S COMMENT.

We have not included in the bill any new projects for locks and dams except the Trinity River, in the State of Texas, where we have appropriated or authorized $750,000, part for general improvements and part for the construction of locks and dams. I am frank to say to the committee that on first examining this project I did not think favorably of it, but I gave it a good deal of consideration. The committee called before them the engineers having the improvement in charge, and it seemed to us that an expenditure of this amount was justified. The river is easily capable of improvement. It has stable banks, and the construction of locks and dams is a comparatively easy problem. There is a great amount of traffic in prospect both from the source to the mouth and from the mouth toward the source. In this particular it differs from many other rivers, where the bulk of the traffic must necessarily be one way. Great quantities of cotton and grain will be carried toward the mouth, and from the mouth toward the source timber and building material for the large expanse of prairie tributary to Dallas toward the north.

I understand, of course, that Senator Burton has changed his general attitude with regard to these inland improvements, and while he may have changed his conclusions he can not change the facts stated in his speech upon which his conclusions were based.

In the report of Col. Riché the Trinity River was divided into five sections, and it was estimated that a 4-foot navigation would require 37 locks and dams, which he estimated would cost $4,000,000, and $550,000 more for 6-foot navigation. For the first section, which is the section from the city of Dallas to about 50 miles downstream, where the East Fork of the Trinity unites with the stream flowing by the city of Dallas, five locks and dams were originally contemplated. This is the most difficult section, and to this original number two locks and dams have been added, making a total of seven, all of which are either completed or under process of construction, except locks and dams 3 and 5, for which the present item in this bill is intended. It is the opinion of many of those who are intimately familiar with the Trinity River that with this section completed, which would enable commerce from Dallas to reach the point where the East Fork joins, and with the stream cleared from there of snags and other obstructions, a considerable commerce could reach the Gulf, but with these two locks and dams not completed no use can be made, of course, of the expenditures of the Government heretofore made. It is as though a chain of seven links had been contemplated and two of the intermediary links of which had not been made.

It is not possible at this time, as the chairman of the committee advises me, to deal with the entire project, because the engineers who were directed, under the act of 1912, to reexamine the Trinity, with the exception of section 1, have not yet made their report, and it is rather an interesting fact, in view of the criticisms which have been levied against this stream, that the reason given by the engineers for not having completed this report is that they have been prevented from making the survey by the high water along the river.

These two locks and dams—3 and 5—are to cost $600,000. This bill carries an item of $250,000, being the amount which has been estimated to be expended this year, the remaining $50,000 to be provided by the citizens of that section. In this

connection I want to put into the RECORD a list of boats which, prior to the time the railroads were built in this country, operated upon the Trinity River, as follows:

Vesta, Belle of Texas, Josiah H. Bell, Texas, Silver Cloud, Black Cloud, Col. Stelle, Lucy Gwinn, Justice, Ida Reese, Pearl, Eva, Early Bird, C. B. Lee, Jack Hayes, Magnolia, Gov. Pease, Nora, Como, Col. D. L. Cage, Republic, John J. Carr, John S. Sellers, Henry A. Jones, Correro, Trinity No. 1, 1839, Trinity No. 2, Star State, Grapeshot, Yellow Stone, Warsaw, Laura, Constitution, Lafayette, Galveston, Emblem, Sabine, Delrenott, Sparta, Albert Gallatin, Friend, Rufus, Palmetta, Sam Houston, Rodney, Dayton, City of Houston, Putnam, Mary Leonard, Eclipse, J. B. Sydnor, Ogden, Matamoras, Thomas N. McKinney, Orleans, Bay State, Frank T. Archer, Belle, Neptune No. 1, Neptune No. 2, John Jenkins, J. D. Hindes, Harris, Fort Henry, Mollie Hambleton, Camargo, Uncle Ben, Cleona, Sunflower, Diana, and *Comanche.*

I wish to again call attention to the statement made by Lieut. Whiting, in 1853, that at that time seven boats were regularly plying upon the river, and two were on their return voyage from a point which must have been as far up as the city of Dallas.

WHY RIVER COMMERCE IS DISAPPEARING.

Now, Mr. Chairman, it has been stated in this debate that commerce is disappearing from American rivers, notwithstanding the vast amount of money which the Government is expending for their improvement, and it is argued that the fact that this commerce is disappearing shows that these expenditures ought not to be made. At first consideration it might seem that this argument is sound, but the fact remains that transportation by water is the cheapest method of transportation known to man. Whenever a stream is made navigable railroads reduce their rates in order to meet the water transportation. Now, if water transportation were not the cheapest means of transportation, railroads would not do this. Nobody ever heard of steamboats reducing their rate in order to meet ordinary railroad transportation. The reason why traffic is being driven from the streams is not difficult to understand if gentlemen really want to understand. Railroad lines deliberately reduce their transportation charges where they come into competition with waterborne traffic until they drive the boats from the streams.

Mr. PLATT. Will the gentleman yield?

Mr. SUMNERS. Certainly.

Mr. PLATT. Does not the gentleman agree with me that the railroads ought to be prevented from putting their rates down to a point where they can drive the traffic off the rivers?

Mr. SUMNERS. I do agree most heartily with the gentleman. They use their revenue collected at other points just exactly as the trusts use their revenues collected at other points to crush competition at a given point. When the Central Railroad was built into Dallas cotton was being carried from in that neighborhood to the Gulf at less than $1.50 per bale. I have seen advertisements of the Central Railroad issued at that time in which it offered to carry cotton for $1.15 per bale. The result was that with the difficulty in keeping the channel cleared and the various hazards incident to navigation upon the streams receiving no public attention, boats were driven from them, and then the railroads put the freight on cotton up to $3 per bale, and that same thing is happening all over the United States.

In the report of the Industrial Commission of 1897, I believe it was, that commission was trying to discover why traffic was disappearing from the American rivers. Among the witnesses whose testimony it took was an old captain on the Mississippi River. He told the whole story in a sentence when he directed the attention of the commission to the fact that the railroads were hauling cotton from a point 250 miles from New Orleans to that city for 50 cents a bale, whereas at a point at right angles to that point and equal distance from New Orleans the railroads were charging $2 per bale.

Now, I have no complaints to make at the railroads. I recognize that they are absolutely essential, and, of course, ought to be protected in the earning of a fair revenue, but unless there is something which has not reached my attention, I am sure it is contrary to the best economic interest of the country not to utilize also the streams of this country for the transportation of heavy freight not requiring rapid movement, and the utilization of the railroads for the transportation of passengers and the other character of freight. With the power of rate control which the Federal Government and the several States possess and exercise, railroad tracks ought not to be permitted to parallel each other, and thus put upon a community the burden of maintaining two or more railroads when one would serve the purpose, and certainly ought not to be permitted to parallel each other when there is a navigable stream that could be utilized.

We are not unfriendly to the railroads in my section of the country, but with the rapid development of that country, we need also to utilize the Trinity River to give the cheaper rates of transportation, which a navigable stream alone makes possible, for those commodities which do not require the rapidity of movement which the railroads afford. Not only is this project important to the people who live in the city of Dallas and the territory which lies between that point and the Gulf of Mexico, but it is important to those sections which lie to the north of the city of Dallas; to the grain growers of Oklahoma and Kansas. Its benefits will be shared by our neighboring country, towns and cities, perhaps not to the direct extent that those immediately upon the stream would profit.

Mr. MOORE of Pennsylvania. Will the gentleman yield for a question?

Mr. SUMNERS. I will.

Mr. MOORE of Pennsylvania. Does the gentleman know that the railroads in my vicinity, round about Pennsylvania and New York, have placed an embargo upon the products from the gentleman's section of country, so that they can not at times reach the seaboard?

Mr. SUMNERS. I don not know that.

Mr. EAGLE. And that there are more than 50,000 loaded freight cars at the present time in that vicinity which can not discharge their contents?

Mr. SUMNERS. Summing up what I have said and addressing myself particularly to the critics of this river, I want to make this statement: The Trinity River, from the standpoint of navigation, is a canal already dug; a deep, narrow channel cut through gumbo soil; stable banks; no sand bars; having therefore the minimum of percolation, the minimum of evaporation, the minimum of expenditure for the keeping of the channel open because of its noncaving banks, and absence of sand bars, the minimum danger of having the stream cut a channel around the lock constructed (there is no such danger), the minimum expenditure for the locks and dams for volume of water impounded, and the maximum of territory to be developed and served. As such, I present this project for comparison with any project in the world, and challenge critics of the project to meet these specific statements. To those from the North and East who object to this stream because we sometimes have droughts in that section, I ask them to name a river in their section that is not put out of commission three times as long each year as this stream would be unable to afford the water to make the necessary lockages per day, to carry a vast commerce. I recognize the difficulty which Members have who want to be fair about this matter. Their knowledge of rivers is limited to the average stream in this country which flows with a shifting current between wide shallow banks. With such a stream where there is large percolation and evaporation and channel obstruction, greater volume of water is necessary in order to make navigation possible, than with this stream which I represent. It is a canal, gentlemen, already dug.

I have the statement upon good authority, though I have not made the comparisons myself, that during the period in which the measurement was taken to which I have referred, with the exception of the 73 days mentioned, more water came down the Elm Fork of the Trinity than was utilized at that time for moving the vast commerce then on the Erie Canal.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from New York [Mr. PLATT].

The question being taken, the amendment was rejected.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 21, line 7, after the word "improvement," change the period to a colon and insert: "*Provided*, That no part thereof shall be expended until after a reexamination by the Secretary of War and a favorable report thereon to Congress."

The CHAIRMAN. The question is on the amendment of the gentleman from Iowa.

The question being taken, on a division (demanded by Mr. MANN) there were—ayes 40, noes 65.

Accordingly the amendment was rejected.

Mr. TOWNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TOWNER: Page 21, line 2, after the figures "50,000," strike out the semicolon and in lieu insert a period, and strike out the remainder of the paragraph.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY] to strike out the paragraph.

The question being taken, the amendment was rejected.

The Clerk read as follows:

Cypress Bayou and waterway between Jefferson, Tex., and Shreveport, La.: For maintenance, $5,000.

Mr. CLARK of Florida. Mr. Chairman, I move to strike out the last word. The gentleman from Wisconsin [Mr. FREAR] put a speech in the RECORD on the 13th of January last in which he went out of his way to talk about public buildings. He had something to say about a $60,000 building in a $5,000 town. I want to state to the gentleman that if he is going to make a fight on "pork-barrel" legislation, as he calls it, he ought to at least be partially consistent. In the last Congress the gentleman from Wisconsin [Mr. FREAR] introduced a bill to appropriate $75,000 for the purchase of a site and the construction of a building thereon in a town in his district with 2,810 population. [Laughter.] The postal receipts are $10,748.63, just over the line. He introduced another bill to construct a building at Rice Lake, Wis., costing $75,000, where they had 3,963 population and twelve thousand and some odd dollars postal receipts.

Now, I want to say that I am in favor of constructing buildings in towns of that character. I think it ought to be done. But the gentleman from Wisconsin denounces that kind of legislation as "pork," and it seems to me that the gentleman is in favor of "pork" if he can get his slice of it. [Laughter.]

I want to say further that the gentleman from Indiana [Mr. CULLOP], my distinguished friend, has at the present time five bills pending in committee for the purchase of sites and the construction of buildings, and one of these is for a town called Bicknell, Ind., where the postal receipts are $6,971.09, the population is 2,794 people, and he asks for $100,000 appropriation. [Laughter.] He goes my friend from Wisconsin $25,000 better. It does seem to me that these gentlemen who have got no rivers and harbors in their districts to be taken care of ought not to join the yellow press of the country in indiscriminately denouncing "pork-barrel" legislation; but if they do, they ought to be consistent in their course and not prefer these bills.

Mr. FREAR. Will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. FREAR. It was that very thought that induced me to refuse to introduce any more such bills into Congress. I could explain to the gentleman, but I did not understand when I first came here, and I introduced those bills. I stopped as soon as I discovered it.

Mr. CLARK of Florida. The gentleman has reformed in that regard.

Mr. FREAR. I have refused since to introduce further bills of that kind.

Mr. CLARK of Florida. The gentleman made the same fight against the river and harbor legislation in the last Congress, when these bills were pending.

Mr. FREAR. Yes; but I could not withdraw the bills after I had introduced them.

Mr. MADDEN. Mr. Chairman, I believe that the public-building legislation is the most iniquitous legislation that this Congress undertakes. I believe that no public building ought to be erected in any town of less than 25,000 people. I do not believe that any public building ought to be erected in towns of 9,000 or 12,000 or 15,000.

Mr. CLARK of Florida. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CLARK of Florida. I want to ask the gentleman if it is not true that there is already available in Chicago a million and three-quarters dollars simply for a post-office site?

Mr. MADDEN. Yes.

Mr. CLARK of Florida. And is not the greater part of the Chicago delegation, including the gentleman himself, asking for an addition of four and a quarter million dollars for the site, making it $6,000,000?

Mr. MADDEN. Yes.

Mr. CLARK of Florida. If Chicago has $6,000,000 to buy a site, does not the gentleman believe that in good conscience these enterprising towns in the rural districts ought to have $25,000 or $50,000 to buy a site and put up a building?

Mr. MADDEN. I will be frank with the gentleman from Florida. I really do not think that any city in America of less than 25,000 people ought to have a public building unless it is a city where they have the courts. I think so for this reason: Everybody knows that in a town of 900 or 1,000, or even 5,000, the postal facilities can be furnished at an expense of not exceeding $1,000 or $1,200 a year. Everybody also knows that when a public building is erected the cost to the Government for rent and service runs not only to $1,200 but up to five and six thousand dollars a year. That is one of the reasons why the Post Office Department runs behind in the conduct of its business. The money of the people is invested in buildings in places where there is no justification for their erection, because the business of the community is not sufficient to warrant the expenditure. To put these buildings up as a monument to the community is unfair. We ought to put the public buildings up where they are needed and where the business of the country will justify it.

Mr. ADAMSON. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. ADAMSON. I want to ask the gentleman, and I will ask unanimous consent to extend his time—does not the gentleman think that he has a better reply to the gentleman from Florida in that the Scripture justifies his contention that we ought to favor the large cities instead of the small towns where it says that the rich shall grow richer and the poor shall grow poorer, and to him that hath shall be given, and to him that hath not shall be taken away even the little that he has? [Laughter.]

Mr. RUCKER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. RUCKER. I understand the gentleman to say that he would not build a post-office building in a town with less than 25,000 inhabitants unless they had the Federal court in it.

Mr. MADDEN. Yes.

Mr. RUCKER. And that court would be in session perhaps only four weeks during the year, while a post-office building is doing business the whole 12 months. What does the Federal court add to it?

Mr. MADDEN. I would build the building where it was most economical to have it. Now, as to Chicago and its post office. I desire to state to the gentleman from Georgia, the gentleman from Florida, the gentleman from Missouri, and to all the gentlemen here that the city of Chicago has a population of 2,500,000 people. It has postal receipts of $26,000,000 a year. It turns into the Treasury of the United States $20,000,000 a year over and above the expenses for conducting the post office. Its postal business is increasing beyond the dreams of men. We can not keep pace with the increased business. We went into the building we are occupying now in 1907. The receipts of the office were $12,000,000, and to-day the receipts are $26,000,000.

We have a city with 39 great trunk lines of railroad, representing over 125,000 miles of railroad. We are in the center of the country geographically. We are the distributing point for all the mail that comes from every section of the country, and we must have facilities to conduct that business. It is not Chicago that wants this appropriation, it is the people of the United States.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. ADAMSON. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended for one minute. I would like to get some information.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent for five minutes.

The CHAIRMAN. Is there objection?

Mr. SPARKMAN. Mr. Chairman, I must object to that.

Mr. MADDEN. Oh, it is only fair that I should be given an opportunity to reply to the gentleman from Florida.

Mr. SPARKMAN. But this is foreign to the subject under discussion.

Mr. MADDEN. That is true; but no objection was made to the discussion of the gentleman from Florida [Mr. CLARK].

Mr. SPARKMAN. But he was talking to the bill.

Mr. ADAMSON. The same principle applies to the rivers and harbor of the country. They want to give everything to the big places and cut out the little ones.

Mr. CLARK of Florida. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois may be permitted to proceed for five minutes more, although I did not take my full time.

Mr. MADDEN. I simply want to reply to the gentleman.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the time of the gentleman from Illinois may be extended for five minutes. Is there objection?

Mr. SPARKMAN. Mr. Chairman, I will not object at this time, but I will to any such further extension.

The CHAIRMAN. The Chair hears no objection.

Mr. ADAMSON. Mr. Chairman, I will ask the gentleman if it is not true that the magnificent growth and the transcendent prosperity of Chicago, of which he boasts and of which we are all so proud, is largely owing to the fact that they have done business with all of the small towns within hundreds of miles of that city?

Mr. MADDEN. Of course it is true, and we are proud that they are so connected with us that we can do business with them; but the fact still remains that in asking for facilities with which to transact the public business there we do not do that because we want an appropriation, but we do it because we want to further expedite the public business.

Mr. SUMNERS. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. You can not take it away from Chicago if you want to. It is the place where you have to go to do the business.

Mr. ADAMSON. Is the gentleman not willing to let some of the other towns get some business?

Mr. MADDEN. We have facilities to send the mail into every section of the country.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GREENE of Vermont. I understood the gentleman to say that he would not put a public building in a town of less than 25,000 inhabitants?

Mr. MADDEN. That is what I say, and I will say it again.

Mr. GREENE of Vermont. Then, following the line that the gentleman has just stated, that this building should be for the public convenience, would the gentleman not put a public building in a town that was a customs collection district, where they need the offices, as well as the post office?

Mr. MADDEN. Of course, if you have the customs collection district there and the headquarters of the courts and the town is smaller than 25,000 inhabitants; I would make an exception in that case, but it all comes back to this: If you can get the facilities to transact the public business for $1,000 a year, there is no reason on earth why we should spend $5,000 a year to do that same work.

Mr. SUMNERS. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CLARK of Florida. I want to ask the gentleman this: I think the gentleman will agree with me that the Government does not rent the post office at any of these smaller towns except when the owner of the building gets at least 8 or 10 per cent out of it. It would not be business to rent it for any smaller rate than that.

Mr. MADDEN. I do not know what the rate is.

Mr. CLARK of Florida. If that is true, and the Government can get money for 2½ or 3 per cent, does not the gentleman think it would be a good business proposition to put buildings in those towns, provided you put ordinary workshop buildings there and did not build monuments?

Mr. MADDEN. If the construction of a public building will not cost the people of the United States any more than the rent of a private building, I then would say surely put the public building up, but that is not the case, has not been the case, and will not be the case, because every place we put up a public building we increase the cost of operating the department three, four, and five hundred per cent.

Mr. CLARK of Florida. One more question?

Mr. MADDEN. Yes.

Mr. CLARK of Florida. And is it not true that that is occasioned by reason of the fact that the Government employs expensive janitors, and so forth, to take care of the buildings, which is not done by the private owners in any of the small towns, and that there is no necessity for janitors at $1,000 and $1,200 a year?

Mr. MANN. Oh, $1,000 and $1,200 a year, nonsense! The janitors get $45 a month in most of these places.

Mr. MADDEN. That is all, but it is the amount of money we invest in the building that adds to the cost.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. RUCKER. The gentleman advocates the doctrine of renting wherever the rental would be cheaper than the interest upon the investment and the expense of maintaining it.

Mr. MADDEN. Yes.

Mr. RUCKER. If that is good for the Goverment, would it not likewise be good for the citizenship of this country?

Mr. MADDEN. Certainly.

Mr. RUCKER. Then, would it not be well for men who are able to own their own homes to rent homes if they can get them more cheaply than they can maintain their own homes?

Mr. MADDEN. Yes.

Mr. RUCKER. Is that done?

Mr. MADDEN. All men who are wise——

Mr. RUCKER. Does the gentleman believe it would be a good thing in this country if men did not own their homes but lived in rented homes?

Mr. MADDEN. Where a man can own his home I advise it, but where he can live more economically by renting, I advise that.

Mr. MANN. Mr. Chairman, I move to strike out the last two words, just for a moment. A few moments ago we had under consideration an amendment to strike out the appropriation for the further improvement of the Trinity River. I made the observation that I thought this project, in view of the situation, ought to be reexamined. The distinguished gentleman from Florida, the chairman of the Committee on Rivers and Harbors, interrupted me to ask if I did not know that it was already provided for in the river and harbor bill of last year. I said that I did not, although I had read the bill; when he informed me that it was provided for, and he reiterated the statement it was provided for, and came in again and said it was so provided. I have again refreshed my recollection, and I find this:

> The following projects now under improvement shall be reexamined, in accordance with the law for the original examination of rivers and harbors, with a view to obtaining reports whether the adopted projects shall be modified or the improvement abandoned.

But the Trinity River is not in the list.

Mr. HULBERT. Mr. Chairman, has the gentleman looked at the previous——

Mr. MANN. I do not ask the gentleman from New York to interrupt me.

Mr. HULBERT. I merely wanted to ask the gentleman a question.

Mr. SPARKMAN. Mr. Chairman——

Mr. MANN. I have not finished yet, although I have scored. There is no provision in the bill or the law for the reexamination of the Trinity project. There is a general provision at the end of this section directing the Chief of Engineers to make a report upon other projects, river or harbor, the further improvement of which, under present conditions, is undesirable, or in which modifications of the plans of projects should be made. But there is no authorization for reexamination. We could not spend a dollar on it. If they find something anywhere in the United States at any time, irrespective of that provision, they can report it ought to be abandoned, but they never have and never will. But the gentleman from Florida was mistaken. He thought that the Trinity River was in this list, and it is not.

Mr. SPARKMAN. Mr. Chairman, I knew what I was talking about. I was entirely frank with the House and I was not trying to deceive the gentleman from Illinois. If there is anybody on the floor of this House except my friend the gentleman from Illinois who can not see that the language in the act of 1915 embraces every river and harbor in the country I would like to have him rise and state it.

Section 14 of that act says:

> That the following projects now under improvement shall be reexamined, in accordance with the law for the original examination of rivers and harbors, with a view to obtaining reports whether the adopted projects shall be modified or the improvement abandoned.

Then, after naming several waterways upon which reports are directed the section proceeds:

> And the Chief of Engineers is directed to make a report upon any other project, river or harbor, the further improvement of which under present conditions is undesirable, or in which modifications of the plans or projects should be made.

Certainly this language embraces not only the Trinity River, but every other waterway under improvement in the country. In addition to that, Mr. Chairman, the act of 1912 had this provision in regard to the Trinity River:

> Improving Trinity River, Tex.: Continuing improvement with a view to obtaining a depth of 6 feet between the mouth and Dallas by the construction of locks and dams heretofore authorized, and for an accurate instrumental survey of the river as recommended in the Annual Report of the Chief of Engineers for 1911, $425,000.

Now, there was a provision specifically requiring the reexamination of the Trinity River, and an instrumental survey—whatever that may mean. Now, that survey has been going on ever since, and is not yet completed. The engineers, however, considering that the first section of that river, from Dallas down to a point about 50 miles below that city, was not embraced in that provision for the reason that it was already adopted and under improvement, and for the further reason, perhaps, that they do not think it necessary to make another survey of that section, have been confining their investigations to the lower part of the river, the balance of the 511 miles, and expect to report upon the same between now and the next session of Congress, so that the portion of the river outside of the first section is being thoroughly examined, and a complete report will no

doubt be made upon it prior to the next session of Congress and in time for use, if need be, at that session.

Again, I want to say, that, under the provision contained in the act of 1915, not only are the engineers examining and reporting from time to time upon the 10 projects mentioned, but they are also examining and will continue to examine other projects until they have completed the examination of all of them now under way, or such of them as they may consider undesirable or that should be modified.

Now, I regret that the gentleman should have seen proper to question my good intentions here. I did not intend to deceive this House, the gentleman, nor anyone else. I hope I shall never stoop so low as to attempt any such thing, either here or elsewhere. [Applause.]

Mr. SMITH of Minnesota. Mr. Chairman, I rise in opposition to the motion of the chairman of the committee.

Mr. SPARKMAN. Mr. Chairman, how much time does the gentleman want?

Mr. SMITH of Minnesota. Five minutes.

Mr. SPARKMAN. I ask unanimous consent, Mr. Chairman, that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman extend that to 10 minutes? I would like to have 5 minutes.

Mr. SPARKMAN. Could not the gentleman speak on some other item?

Mr. HUMPHREY of Washington. I could; but it might as well be here. I want to follow the gentleman. I want only five minutes.

Mr. SPARKMAN. I ask to extend it, then, Mr. Chairman, to 10 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes. Is there objection?

There was no objection.

[Mr. SMITH of Minnesota addressed the committee. See Appendix.]

Mr. HUMPHREY of Washington. Mr. Chairman, during this entire discussion there has been a great deal said back and forth in the way of insinuation about certain Members on both sides of the aisle being interested in certain propositions. The truth of it is that we are practically all alike. We are none of us saints, and none of us very great sinners.

The situation was illustrated a little while ago in the debate that took place. Here was my distinguished friend from Texas [Mr. CALLAWAY] and my distinguished friend from Iowa [Mr. TOWNER], and my other distinguished friend from Iowa [Mr. GOOD]; they were very much opposed to river and harbor bills. To their eyes a river and harbor bill is a "pork barrel." It is "graft." But remember they do not have a river in their own districts sufficiently large in which to take a respectable bath. [Laughter.] They lose nothing by attacking this river and harbor bill. They have an opportunity to get a little political advertisement, with perfect safety, at the expense of somebody else.

Then there was my distinguished friend from Chicago [Mr. MADDEN], and he thinks that an appropriation for a great city is a splendid thing, but if it is for a small town it is wrong, it is outrageous, it is "pork." And then there is my good friend, Judge CULLOP, of Indiana, who thinks that an appropriation on a river and harbor bill is an outrage, that it is wrong and infamous, but that it is a good thing to get a hundred thousand dollars for a public building for a little town in his district. [Laughter.] It all depends upon whether or not it happens to strike the particular Member.

Now, I have been a Member of this House for almost 14 years, and I have never yet seen a man that refused to take anything that was for his own district; and if there is one in this House, let him stand up, so that we may all see him. [Laughter.]

Take even my distinguished friend here from Wisconsin, Mr. FREAR, who has occupied so much time in referring to the "pork" contained in the river and harbor bill, and only a few moments ago he turned around in that magnificent and apologizing way of his to his colleague and said, "I have a very friendly disposition toward your project." That project is in Wisconsin. [Laughter.] He also has a very "friendly disposition," so far as I know, toward all the projects in Wisconsin. They are close to his district. His disposition grows friendly as he approaches home.

Now, if there is any man on either side of this aisle that has ever refused an appropriation for his district, he ought to have his photograph taken, so that it might be placed in the gallery of the immortals, and coming generations could gaze upon his benign and saintly countenance. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Red River, Ark. and Tex.: Continuing improvement and for maintenance between Fulton, Ark., and Washita River, Tex., $25,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto end in five minutes.

Mr. SLOAN. Mr. Chairman, I desire five minutes.

Mr. STAFFORD. Mr. Chairman, will the gentleman make it 10 minutes? I asked the gentleman to postpone his request until the following item.

Mr. FREAR. I want only five minutes.

Mr. SPARKMAN. Then I make it 12 minutes, Mr. Chairman; 5 to be controlled by the gentleman from Wisconsin [Mr. FREAR], and 5 by the gentlemen from Nebraska [Mr. SLOAN], and 2 by myself, if I need it.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in 12 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, the gentleman who has just preceded me [Mr. HUMPHREY of Washington] has questioned my interruptions of the work of the committee here. I have spoken thus far on three different occasions, I believe, during the whole day, not very often; and he questions whether or not I favor anything that is not in Wisconsin.

Why, assuredly, there is not a gentleman who can put himself in any other position who is in favor of waterways, and it is useless to iterate and reiterate such a proposition. But no waterway that fails to develop commerce after a fair test, and has had none in the past, should receive encouragement. If we are going to establish any rule of public honesty in waterway expenditures, we ought to criticize them and strike them out.

I do not insist upon my own views; I do not question projects like that for the improvement of New York Harbor and many others. There is no question about those, and no gentleman would criticize them.

But here is the Red River. Probably you are going to pass it. There is a $25,000 appropriation here. We have already appropriated over half a million dollars—$520,000—for this stream. What traffic do you find for last year? Outside of logs and timber that floated down, just 5 tons, and you are asked to give $25,000 in this case. Does it not seem preposterous after many years of Government work? Five hundred and twenty thousand dollars have been spent on the river since 1886. It has been improved for a great many years, and 5 tons is the result, and $25,000 more is asked in the bill.

In this connection I wish to read a letter which I have read before, and which is from a man who lives on this upper Red River:

KIOMATIA PLANTERS' CO.,
Kiomatia, Tex., June 13, 1914.

Hon. Mr. FREAR, M. C.,
Washington, D. C.

DEAR SIR: In the June 6th edition of the Saturday Evening Post the first article in the editorials is one with reference to yourself and your proposed investigation of the waste of the public money on rivers and harbors.

Allow me to congratulate you on the step you have taken, and wish you great success in your much-needed probe.

As a Red River planter, one who has spent 20 years on Red River, allow me to say (and it is the consensus of opinion of all my neighbors) that the improvement (?) of Red River this high up by snag boats is not only a farce, but actually detrimental to navigation—were such a thing possible—and to the land on the banks of the river. It is even a joke among the crews of the snag boats themselves. I will not go into figures and dates as to the number of boats navigating Red River, amount of money spent on it, etc., as you have all these at hand. But as for the good it does, I can speak. There has not been a boat (except a snag boat) on the river here in six years, and the last one was a booster boat that went to Shreveport to prove that Red River was navigable this high up, and it went down on the biggest rise we have had since 1843. The crews of these snag boats quit at 4 p. m.

I wish you to know that this plantation has actually suffered from the work of the Government snag boats.

These snag boats are all right in their places, but this Simple Simon business is the limit.

I understand the work on the Trinity is even more foolish and wasteful of money.

If this matter is of interest to you, I will gladly get up some more facts for you. At any rate, I would be pleased to have you keep me posted as to the headway you are making in this line.

GEORGE T. WRIGHT.

Mr. WINGO. Does not the gentleman know that the writer of that letter lives far above what is recognized as the limit of improvements on that river?

Mr. FREAR. I take it not beyond the limit, because the snag boats work opposite his place, he says.

Mr. WINGO. I will say to the gentleman that the man who wrote that letter, if his plantation is near his post office, can not know anything at all personally about the operations on the river.

Mr. FREAR. He has observed the snag boats on the Red River, and he speaks from actual observation, if he is a reputable man, as I assume him to be.

Mr. WINGO. Then he must have been visiting a hundred miles below his home, because his plantation is not anywhere near where the river improvements are going on.

Mr. FREAR. This letter speaks for itself. It is like the letter I introduced a few minutes ago, from some one who wrote to me about the Brazos.

Mr. BURGESS. What is the date of that letter?

Mr. FREAR. June 13, 1914. I read it during the consideration of the last bill.

Mr. WINGO. What is the name of the town?

Mr. FREAR. Kiomatia, Red River County.

Mr. WINGO. If the gentleman will refer to a map he will see how far north that is of the limit of operations on the Red River.

Mr. FREAR. I can not yield further. Now, when we come to actual projects and we find that after the expenditure of over half a million dollars on this upper river the engineers say you have got 5 tons of actual commerce, apart from a little timber that floated down, do not you think it is time we examined into some of these projects? Are we to accept them all irrespective of their merits? I am not disposed to do so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPARKMAN. I yield my two minutes to the gentleman from Arkansas [Mr. WINGO].

[Mr. WINGO addressed the committee. See Appendix.]

Mr. SLOAN. Mr. Chairman, I regret that the chairman of the committee, Mr. SPARKMAN, refused me the five minutes' time that I asked following the speech of the gentleman from Illinois [Mr. MADDEN], as I have used little time during the consideration of this bill. I desired at that particular time to challenge the statement of the gentleman from Illinois [Mr. MADDEN], who issued the metropolitan edict to this House and the country, that there shall be no public buildings in this country, except in cities of 25,000 inhabitants or more. I want to say to the gentleman that a city of 2,000 has just as good a right to the money from the Treasury of the United States to establish a place for the legitimate public business as has the great city of Chicago. [Applause.] I have no public-building bill pending now, but I propose to have one or two pending. I am willing to make an issue between those of us who have in our districts cities of less than 25,000 population and the gentleman and his lakeside metropolis. He boasts that Chicago, the city on the Lake——

Mr. COX. The Windy City.

Mr. SLOAN. The city that the rural population of this country have made, is entitled to large expenditures, because it does the business. Gentlemen of the committee, the business done by the Chicago post office is no more to the credit of the great aggregation of people and houses up there on the Lake than the making of the wealth in a bank is to the credit of the paying teller and the receiving teller. [Applause.] It is simply a matter of distribution. Has it come to this, that the people of this country have built up four or five cities of a million or more, and when they have received from the Treasury the golden store of millions and erected great marble and granite buildings for doing the public business, after they are all fixed and have all they want, they are to say, "There shall be no place in the small cities of this country over which the American flag shall float, no structure of which the people may say, 'This belongs to the Government. Something to connect us with Uncle Sam.'" Chicago has invested now in public buildings and grounds $6,982,166.99, and still are not satisfied. That would build 140 public buildings in our smaller cities.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. SLOAN. Oh, I will yield to my friend—or to temptation, either, on occasion—and this time it is to my friend.

Mr. MADDEN. I wish to ask the gentleman from Nebraska whether he would be willing to go on record in favor of paying $5,000 a year to maintain a public building in a town if he could find means by which the public business could be transacted at a cost of $1,000?

Mr. SLOAN. That was not the rule the gentleman laid down to the House. The rule he laid down to the House was a matter of population and not a matter of expense.

Mr. MADDEN. I laid down both.

Mr. SLOAN. And I took him up on the one that is the easiest to dispose of. [Laughter.] The other involves a condition unreasonable and unusual, a condition not necessarily connected with a prudent public-building policy. It may be that in this country we have built up a number of Frankensteins in New York and Boston and Philadelphia—I do not forget Philadelphia, the home of my ancestors—which may turn and crush us.

Mr. MADDEN. And Lincoln, Nebr.

Mr. SLOAN. Yes. The gentleman from Pennsylvania said the other day that all the good in Iowa came from Philadelphia. That is largely true; my father and mother came from there. [Applause.] It was a time of great exodus and they left, but the gentleman from Pennsylvania and his ancestors remained. The best went to Iowa, where I was born. [Laughter.]

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

The Clerk read as follows:

Ouachita River, Ark. and La.: Continuing improvement by the construction of locks and dams heretofore authorized, $474,000; for maintenance of improvement by open-channel work up to Camden, $25,000; in all, $499,000.

Mr. FREAR. Mr. Chairman, I move to strike out, in line 13, beginning with the word "continuing," down to the figures "$474,000"; also the words and figures, in lines 16 and 17, "in all, $499,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 21, line 13, by striking out the language, beginning at line 13 with the word "continuing," down to the figures "$474,000," and also strike out the words "in all, $499,000," in lines 16 and 17.

Mr. FREAR. So that the paragraph will read, "for an appropriation of $25,000."

Mr. Chairman, for Ouachita River we have had an appropriation of $3,700,000, and $499,000 in this bill. Deducting the sand, gravel, and logs, about 26,000 tons of commerce float in the stream. There is some traffic that ought to be taken care of unquestionably. But I am impressed very much with the opinion of the gentleman who is to-day the chief of the Mississippi River Commission, Col. Townsend. He has urged in this case and all other cases with two exceptions that we stop the canalization of rivers, stop what he considers is waste, until we can ascertain what we are receiving for the moneys we have been expending. I have quoted a part of his remarks to this effect. I read again from page 16 of the report:

Specifically the writer would not abandon any navigable stream in the Mississippi Valley that has been partially improved but would leave 58 of them in their statu quo confining operations to snagging and maintenance of existing works. * * * If facilities afforded by the Government are utilized, greater improvement of the Ohio and lower Mississippi, the upper Mississippi and the Missouri should then receive attention.

We can not get any higher authority than that. Let us determine whether or not any of these streams will bring good results, and let us do no more than appropriate for maintenance in the meantime. In this connection the book of Prof. Moulton, in his thorough discussion of waterways, is enlightening, and I will just quote a paragraph in which he gives the experience of Europe:

We have found from our study that everywhere in Europe no less than in the United States there has occurred with the development of the railways a rapid decline in the amount of traffic carried on inland waterways. * * * To attempt now to return to the antiquated system of transportation of a half century ago * * * is to attempt to turn backward the clock of time.

Mr. PARKER of New York. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. PARKER of New York. I understood the gentleman to say that he never quoted Army engineers.

Mr. FREAR. Oh, no.

Mr. PARKER of New York. I think the RECORD will so show.

Mr. FREAR. Let the gentleman find the RECORD and read it on me. Here is what Ex-Waterway Commissioner Reid says:

Our river traffic has rapidly declined. European Governments prevent railways from maintaining direct competition and foreign bargemen are content with a few cents a day for their service. Conditions here are far more difficult to overcome, and a return to practical inland river transportation is possible only with radically changed conditions, not affected by expensive river improvements. (Ex-Waterway Commissioner Reid.)

To the same effect is the opinion of Barnhard, a man engaged in the construction of boats for river use. We have the water in many streams, but practically no commerce. Let us try out some stream and not spend money aimlessly on hopeless projects all over the country.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph close in seven minutes—five minutes for the gentleman from Texas [Mr. CALLAWAY] and two for myself.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in seven minutes. Is there objection?

There was no objection.

Mr. CALLAWAY. Mr. Chairman, the gentleman from Texas [Mr. SUMNERS] says he does not like my position on the Trinity River, and then he says that, of course, I am a neighbor to him and live in a rival city, and that we want the trade at Forth Worth. Do you know where the town of Waxahachie is? They are neighbors and constituents of the gentleman and own property on the Trinity River below Dallas. The Trinity runs down through Ellis County, and Waxahachie is the county seat of that county, and that is one of the counties of the gentleman's district. There are two distinguished citizens—one O. E. Dunlap, president of the Citizens' National Bank, and the other is R. W. Getzendaner, the wealthiest man in Dallas County. Let us see what they say about the Trinity River. I have not got anything against the Trinity. The only reason I have said anything about the Trinity and the Brazos was because I wanted to show the fallacy in the whole bill, and to do that I called attention to the two streams in my own State that I know all about. Then the gentleman tries to defend them by saying that I am a neighbor to them and live in a rival city. Here are the letters:

CITIZENS' NATIONAL BANK,
Waxahachie, Tex., January 30, 1913.

Hon. OSCAR CALLAWAY,
Washington, D. C.

DEAR SIR: I wish to commend you for your course on the rivers and harbors appropriation bill. That you are right in your position there can be no question. Money appropriated to make navigable dry creeks hundreds of miles away from tidewater is money wasted. How so-called engineers can make favorable reports on such schemes is past comprehension. But they do it. Many seem to think the Government a big institution, with money without limit, and that every dollar they can get from the Government by any means is fair, and that the people are gainers to that extent, when in truth all governments as purely governments are paupers. Every dollar the Government has must come from the people. If all these foolish appropriations were placed where good results would follow, it would be commended. Why Congressmen will vote for such wild, foolish appropriations is passing strange. It can only be assigned to ignorance or insincerity. The people are getting tired of such foolishness. I have heard many commend you for your stand.

Yours, truly, O. E. DUNLAP.

Here is a letter from a man who has some interest in this appropriation. Listen to what he says:

THE CITIZENS' NATIONAL BANK,
Waxahachie, Tex., April 1, 1914.

Hon. OSCAR CALLAWAY,
Washington, D. C.

DEAR SIR: From press reports I note that you have been opposed to further appropriations for the furtherance of the proposed navigation of the Trinity River. I do not think this a practical project at all, and I wish to congratulate you on the fair, unprejudiced stand you have taken, especially so in the face of all the opposition and criticism this stand has brought upon you. Personally the cleaning and clearing of the underbrush along the river would be of much personal benefit to me, as I have considerable land adjoining same, but I do not think it right that the funds of the Federal Government should be used in bringing this about, although, as stated, should the Trinity be made a navigable stream it would be of considerable benefit to me and a project which would meet with my hearty support could I conscientiously believe it practicable, which I do not.

With best wishes to yourself, I am,

Yours, very truly, R. W. GETZENDANER.

Mr. WILSON of Louisiana. Mr. Chairman, if I felt that it had grown out of an unbiased and unprejudiced investigation and an earnest desire to secure the facts, and to make criticisms solely with a view of serving the public interests, I would say that I was both grieved and disappointed to find in the minority report filed by the gentleman from Wisconsin [Mr. FREAR], a member of the Committee on Rivers and Harbors, and also in his speech recently delivered in the House, an attack upon the Ouachita and Black Rivers in my district. When a man attacks a few things, it might be said that he had made a discriminating investigation; but when he attacks everything, it is evidence of the fact that he is simply against things generally and that his researches are for the purpose of making up a record for an indiscriminate onslaught. This seems to be his position, especially in relation to the rivers in this country.

It would be hard to find a more interesting situation than that presented by the Ouachita and Black Rivers, with their tributaries in Arkansas and Louisiana, or any place where a greater number of miles of navigable waters would be made available for navigation and commerce than the proposed improvement of these rivers.

The Ouachita River rises in Polk County, Ark., and flows in a southeasterly direction through the States of Arkansas and Louisiana, and is about 500 miles in length. A number of navigable streams flowing through a very fertile region empty into the Ouachita, these being the Bayou Bartholomew, the Bayou D'Arbonne, Boeuf River, Bayou Macon, Tensas River, and the Little River. The Tensas and Little Rivers, it would be more correct to say, join the Ouachita at Jonesville, La., and form what is known as the Black River. Black River is 56.8 miles in length, and flows into the Red River. Bayou Bartholomew is 300 miles long; Bayou D'Arbonne, 37 miles; Bayou Macon, 270 miles; Tensas River, 235 miles; Boeuf River, 300 miles; and the Little River about 100 miles in length. This project is for the improvement of the Ouachita River from the mouth of the Black River to a distance of about 10 miles above Camden, Ark., a total distance of 360 miles. The plan of this project was adopted by the Fifty-seventh Congress, and was originally for the construction of nine locks and movable dams. The river and harbor act of March 2, 1907, provided—

That, in the discretion of the Secretary of War, the location of the locks and dams contemplated by this improvement might be changed, and under this authority the arrangement of the series has been modified so as to omit Lock and Dam No. 1 altogether. (See Annual Reports of Chief of Engineers, United States Army, vol. 2, 1915.)

No provision has been made for Locks Nos. 5 and 9, and nothing is asked for in that respect in the present bill. Nos. 4, 6, and 8 are complete. No. 2 has been provided for, and is now under construction. No. 3 is 24.8 per cent complete; No. 7 is 0.2 per cent complete. To be more exact, the site has been acquired for No. 7. The present bill provides for the completion of Nos. 3 and 7.

From any standpoint it would be an unbusinesslike procedure for the Government to abandon this project. Lock and Dam No. 2 is located at Harrisonburg, La., 72.6 miles above the mouth of the Black River, and will soon be complete. Lock No. 4 is at Monroe, La., a distance of 179 miles above the mouth of the Black River, and is complete, while No. 3, at Call Landing, La., is 133.6 miles above the mouth of the Black River and is 24.8 per cent complete, and is provided for in this bill. The report of the Chief of Engineers in respect to No. 3 is that unless completed, it will constitute an obstruction to navigation. The remainder of the project is north of Monroe, La., and presents a like situation as that south of Monroe. Lock and Dam No. 6 near Felsanthal, Ark., 238 miles above the mouth of Black River, is complete, and the same is true of No. 8 at Franklin Shoals, Ark., 297.2 miles above the mouth of the Black River, while No. 7, provided for in this bill, is located between the two last named and is 268.5 miles above the mouth of Black River. For the construction of Nos. 6 and 8 the Government has paid $1,143,024. The expenditure of this sum will be to no purpose without the completion of Lock and Dam No. 7. This, in my opinion, would be an extremely unbusinesslike policy for the Government to pursue, and especially when the expenditure for the completion of this project is entirely justified by all the facts.

The Ouachita River, its tributaries, and confluent streams constitute 1,500 miles of navigable waters. This river has always been an important artery of commerce in that section, as the following data from the annual reports of the War Department will show:

For the section of the Ouchita River included between Black River and a point 10 miles above Camden, Ark., a distance of 360 miles, the traffic, in short tons, was:

Fiscal year ending June 30, 1913: Tonnage, 48,222, valued at $1,894,839; 1914, tonnage, 64,874, valued at $1,923,231; 1915, tonnage, 70,619, valued at $3,074,465.

The freight carried during the last fiscal year consisted of lumber and logs, farm products and general merchandise.

Improvement of the river has caused considerable reduction in freight rates. Railroad rates to river points are much less than to near by places without water competition. (United States War Department, Annual Reports, 1915; vol. 2, Rept. Chief of Engineers, 1915.)

The commerce of the Ouachita River and its tributaries is considerable, and consists of shipments of cotton, cotton seed, lumber, staves, saw logs, and miscellaneous articles, with return freights of general merchandise and plantation supplies. Most of the cotton is shipped to New Orleans, and large quantities of staves for export are sent to that city. The volume of commerce as reported for 22 years ranges between 57,684 and 313,863 short tons per annum, with values estimated at $357,220 to $10,234,259. The average is 165,389 short tons, valued at $5,561,044. The variations are due to crop yields, the uncertainty of navigation, droughts, and other causes, and the improvement by locks and dams is for an extension of benefits by affording navigation to Camden the year round.

The project has effected a reduction of railroad rates from New Orleans to Monroe, La., and points below meet the steamboat rates. Railroad rates from Monroe, La., to inland towns as a rule are greatly in excess of those to points where there is water competition. The benefits to be derived from slack-water navigation will tend to a greater uniformity and larger volume of commerce. (Rept. of Chief of Engineers, 1912, vol. 2, p. 759.)

The following figures are given for 14 counties in Arkansas which are tributary to the Ouachita River: These 14 counties comprise a total of more than 6,500,000 acres, with a total population of more than 300,000, with 748,268 head of live stock,

1,363,719 acres in growing crops, and with combined mercantile and industrial investments of more than $100,000,000 in capital and doing an annual mercantile trade of over $43,000,000 and shipping annually to outside markets more than 800,000,000 board feet of lumber. The uncut and merchantable timber of this territory totals more than 29,000,000,000 board feet.

There are 13 other parishes in Louisiana, also tributary to the Ouachita River, which are equally as large, rich, fertile, and productive, and to which the improvement of the Ouachita River is equally important.

Now, with all this rich territory, vast and undeveloped resources, insuring a large and steadily increasing volume of commerce, does not the Ouachita River present a most worthy project, and one which deserves the consideration and support of this Congress in its improvement? The waterways of the country are the people's highways of commerce, and are the only safety valves they have against oppressive rates by the railroads. They are the only avenues of transportation and travel, equally open to all and not subject to monopoly, and it is therefore the duty of the Government to continue the work of their improvement where and whenever a worthy project is presented.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Arkansas River, Ark. and Okla.: For maintenance of improvement, including works at Pine Bluff and the operation of dredging plant, $200,700.

Mr. TREADWAY. Mr. Chairman, I move to strike out the item.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, strike out lines 18, 19, and 20.

Mr. TREADWAY. Mr. Chairman, in rising to oppose various items in the present bill, I have endeavored to base my remarks solely on the evidence before Congress or before the Committee on Rivers and Harbors. I dislike from my own personal feelings very much indeed to oppose the present item, because I know it is of direct interest to one of my colleagues on the committee, the gentleman from Arkansas [Mr. TAYLOR], for whom I have the very highest regard, and with whom my association has been extremely pleasant upon the committee. But I hold in my hand the report of the Secretary of War, House Document No. 461, Sixty-fourth Congress, first session. It includes in it the resurvey asked for in the last river and harbor appropriation bill, and the fact is that the Chief of Engineers in that resurvey, dated December 17, 1915, distinctly does not recommend continuing this appropriation.

The Arkansas River has had so far $3,588,638 appropriated for it, and this item is for $207,700. That report to which I refer was made after the estimate on which the item is based, and so this is one that is strictly up to date. I call the attention of the House to section 4 of Gen. Kingman's report, in which he says:

After due consideration of the above-mentioned reports I concur in the views of the division engineer and the Board of Engineers for Rivers and Harbors, and therefore recommend that legislation be enacted modifying the existing project for improvement of Arkansas River, so as to limit the work of snagging the river from its mouth to the mouth of the Neosho, at any annual cost of about $35,000, and authorizing the transfer without charge of the dredges and other plant not required for snagging to such other works of improvement as the Chief of Engineers may designate.

If we intend to place any confidence whatsoever in the report of the engineers, it does seem to me that the very latest report they furnish us, dated December 17, 1915, the direct result of the River and Harbor Committee in its bill last year, for a reexamination of this project named in the bill, ought to have some weight and influence with the House. Gen. Kingman's view is supported by Col. Black, for whom I have a higher regard, I assure him, than does my friend from Wisconsin [Mr. FREAR]. I think Col. Black is a very distinguished engineer, and his appearance before the Committee on Rivers and Harbors in the New York hearings impressed me with his ability to judge of these projects. Col. Black says:

The commerce has been decreasing, and now amounts to only about 55,000 tons, a large part of which consists of forest products, which can usually be handled at medium and high stages without improvement. Gradually the large vessels which formerly navigated this river have disappeared, and the little business that is now done is by a few small boats operating over short distances.

He asks that the sum given be limited to the $35,000 to which I have already referred. Then Col. Townsend, the division engineer, also refers in his report to the decline of the river traffic on this stream, and recommends that the improvement at the present time of the Arkansas River be confined to snagging. He says:

It is therefore recommended that the improvement of the Arkansas River be at present confined to snagging, which is warranted by the existing commerce, and that all attempts to permanently improve the river channel be deferred until there is an appreciable revival of commerce on the Mississippi River. The dredging proposed by the district officer is considered a waste of public funds. It can have no effect on the permanent improvement of the river. It is insufficient even to maintain a temporary channel from the river mouth to Pine Bluff. The transfer of the dredges built for the Arkansas River to the Ohio is suggested, where they would be of some practical use.

This is certainly an unfavorable report, and if we place this item in the bill we will do so contrary to the established method of procedure of the committee.

I place the situation as regards the Arkansas River before the House on the testimony of the engineers, from the division engineer clear through the line, including the Chief of Engineers, Gen. Kingman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAYLOR of Arkansas. Mr. Chairman, I appreciate the kind words expressed of me by my friend from Massachusetts [Mr. TREADWAY]. He sits at my right hand in the committee, and we are sure enough friends.

Now, I want to say to the House that I am rather proud of the fact that Arkansas has more navigable rivers within its borders than any other State in the Union, and that the Arkansas River stands next in importance as to length to the Mississippi River. The Arkansas River is 1,460 miles in length. It rises in the Tennessee Pass, in central Colorado, comes down through Oklahoma, and into Arkansas, and travels 400 miles or more until it empties into the great Father of Waters. It passes through the most fertile country, I believe, in all of our land. From the time it reaches the western borders of Oklahoma I do not believe there is any country richer than is traversed by this great river.

This project was adopted by Congress in 1879, as I now recall, and year after year this project has been carried on by appropriations.

Now, the gentleman from Massachusetts speaks about the Board of Engineers, and what Col. Townsend and what Gen. Kingman have said about this river. This is what the local engineer, Maj. A. B. Putnam, said:

The commercial importance of the valley is increasing all the time, as is natural under an increase of population. While this increase is not reflected in the river commerce, I can not hold that the absence of such reflection is an indication of the unworthiness of the improvement of the river.

In line with the foregoing I must report that I think the project for the improvement of the river should be modified to read:

"The improvement of the river from its mouth to the mouth of Grand River (461 miles) by snagging operation, by revetting of banks, and by dredging operations, with a view to producing at ordinary low-water channel depths of 3½ feet to Little Rock, 3 feet from there to Ozark, 2½ feet from there to the mouth of the Canadian River, and 2 feet from there to the mouth of Neosho River."

I saw engineers measure the depth of this river last summer at high tide. It showed 70 feet. When you talk about the commerce of the country, last year in my county alone (Jefferson) we produced 61,000 bales of cotton. Value that cotton as it is sold, at an average of $80 a bale, and you will see something about commerce within that county.

Mr. MANN. Will the gentleman yield?

Mr. TAYLOR of Arkansas. I will.

Mr. MANN. How is this cotton carried to market?

Mr. TAYLOR of Arkansas. Why, sir, it is now being carried to market by the railroads, because the snags are in the river and the sand bars are in the river, and the boats can not travel. I am glad you asked me that question, because it leads me to say that it costs $2 a bale to take it by railroad to New Orleans, and it costs us by the river, when it is fit for transportation, $1 a bale. [Applause.]

Mr. MANN. How much money have we spent on the improvement of this river?

Mr. TAYLOR of Arkansas. Offhand I can not tell you that.

Mr. MANN. Is it used at all now for the carrying of cotton down the river?

Mr. TAYLOR of Arkansas. Yes. Let me state to the gentleman that on the north side of the river, the next county in my district, there was produced last year 1,500,000 bushels of rice that brought $1.05 a bushel. That shows the kind of commerce we have in our country.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. TAYLOR of Arkansas. Mr. Chairman, I do not usually take much time of the committee, and I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TAYLOR of Arkansas. I think, Mr. Chairman, that a Congressman may serve his country better when he does not romance, as my friend, Mr. CLARK of Florida says, but talks to the question.

Now, gentlemen of the committee, this is a great river. It is traversed on both sides by railroads, and they have charge of the commerce of our country. We have in our country the most fertile land that can be found anywhere from Fort Smith down to the mouth, where the Arkansas enters the Mississippi River. This river passes by the great city of Fort Smith—great for our country because in the South we do not have great cities, but a city now and then of 35,000 or 40,000 people we think a great city, and Fort Smith is nearly in this class. The river comes along down and passes the capital of our State—Little Rock—with a population of about 70,000 people. It comes down to my home city, with 27,000 people, and then the river flows around through the fertile and great cotton and rice-producing lands to the Mississippi.

Now, think of the commerce that lies along this river. This Board of Engineers in Washingon, who probably never saw the Arkansas River, will make a report in the face of poor Maj. Putnam, the district engineer, who is dead. He was on the ground and did not have to look upon this river and the commerce upon its bank from Washington.

Within 22 miles of this river is the greatest bauxite plant in the world. All the aluminum that you have in your homes in the form of utensils made for the home, that your wives and daughters use in their cooking, comes from that great bauxite mine. They are asking and begging Congress to give them an opportunity to improve this river, so that they may float the ore to Pittsburgh and St. Louis and Chicago, so that it may be delivered to consumers at a cheaper rate. There is a little of this bauxite in Spain and a little of it in Georgia, but Arkansas has all the rest. It has all except that which is contained in a few mountains elsewhere.

In my own city, Pine Bluff, we control great manufacturing plants. There is one mill that makes a cut of 400,000 feet of lumber a day, and yet that lumber has got to be carried over the railroads at an enormous expense.

Now, what we want is this Government to give us money enough to take the sand bars out when they come, to pull up the snags in the Arkansas River, so that that commerce may float upon its bosom. This river is being navigated to-day by three or four boats.

Now, Mr. Chairman, this very Board of Engineers, in its Book of Estimates, which you can turn to and read, states to the House that $200,000, the amount mentioned in the bill, can be profitably expended upon this river, in the fiscal year ending June 30, 1917. [Applause.]

I do not know so much about the commerce at Fort Smith, but Little Rock handles over 200,000 bales of cotton every year. Pine Bluff handles from 225,000 to 250,000 bales of cotton every year. The bauxite plant, of which I spoke, is 22 miles from Little Rock, and this plant lies in my district. They work 500 or 600 men, producing about 400,000 tons of ore every year. This ore could easily be brought to Little Rock on trucks to be placed on the Arkansas River for transportation. This river passes through a great coal, cotton, and rice-growing region, and great lumber mills are all along its banks. The cities to which I refer contain many large wholesale establishments and manufacturing concerns of all characters. The great railroad shops of the Iron Mountain Railroad are located at Little Rock and at McGehee. The railroad shops of the St. Louis Southern are located at Pine Bluff, right on the banks of this river. There is no use to discuss the question of tonnage along the Arkansas River, it is there and is growing every year, and unless this river is improved and kept up as rivers are in other sections of the country, our boats will be driven out of it and our great commerce will fall into the arms of the large railroad corporations.

The CHAIRMAN. The time of the gentleman from Arkansas has expired. [Applause.]

Mr. GREEN of Iowa rose.

Mr. SPARKMAN. Mr. Chairman, how much time does the gentleman desire?

Mr. GREEN of Iowa. Five minutes. That is all.

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes.

Mr. GREEN of Iowa. Mr. Chairman, like the gentleman from Massachusetts [Mr. TREADWAY], I dislike to oppose a project that seems to have the support of so many excellent gentlemen, and in which the gentleman from Arkansas [Mr. TAYLOR] seems to be so much interested; but I would say, Mr. Chairman, that to my mind, of all the projects that are contained in this bill, this project is the most utterly indefensible.

The Board of Engineers has condemned it. The Chief of Engineers has condemned it. The district engineer has condemned it. There are some of these projects—in fact, the most of them—that have the support of the Board of Engineers. I know of no other, at least, that has been condemned by three separate board as this project has been. There are some of these projects where it may take years for them to be finished, perhaps 50 years or a hundred years, according to the statements of some gentlemen; but they probably can be finished some time. But no engineer has ever undertaken to predict that this work would ever be finished. There are some projects as to which there is some theory that they will be successful, but the only theory that has been advanced in support of this proposition has been tried and has failed. There are projects that can be tried and carried to a successful conclusion by the unlimited expenditure of money, but, according to the engineers, this particular project can never be completed, no matter how much money is expended on it.

This is a dredging project, outside of cutting snags out of the river. I know something of the character of this river. This is about the same as the Missouri, along the banks of which I reside. It changes its course nearly every day. It wends its course through alluvial soil, and forms a sand bar one day and the next day it cuts another channel and forms a deep place. As fast as the river is dredged out down there it will fill up, and in a short time another channel will be formed. Why, Mr. Chairman, you might just as well try to bale out the Atlantic Ocean with a tablespoon as to dredge out the Arkansas River.

That was the conclusion, I believe, that all these engineers have come to, except Maj. Putnam, who was the local engineer, and who was entertained and cared for so nicely, with that superb hospitality which we in the North can not equal. In fact, he was so splendidly entertained down there that I fancy he could not resist returning a favorable report upon the proposition. I do not wonder at it, nor do I wonder, under the circumstances, that the committee has inserted the provision in this bill.

They have acted somewhat like the unjust judge in the Scriptures. There have been boards organized and associations formed to get this waterway provided for. They have had their meetings; they have had their organizations; they have labored within and without, in season and out of season, with the Arkansas delegation and with the members of this committee, until at last, and in spite of the report of the engineers, and in spite of all the circumstances I have detailed, they have provided for this improvement; but I trust it will be stricken out.

Mr. DAVENPORT. Mr. Chairman, I desire to take issue with my good friend the gentleman from Iowa [Mr. GREEN] and oppose any motion to strike the item for the improvement of the Arkansas River from the bill. The only fault I find with the item, the amount is not sufficient to enable the engineer to do such work as is necessary to improve the river as it has been improved in the past. I would like that the language in the bill be changed, and instead of the provision reading as follows:

Arkansas River, Ark. and Okla.: For maintenance of improvement, including works at Pine Bluff and the operation of dredging plant, $209,700—

I would make it read:

Arkansas River, Ark. and Okla.: For maintenance of improvements, including works at Pine Bluff and the operating of dredging plant and dredging and snagging, $300,000, $50,000 of said sum hereby appropriated to be used in the dredging, snagging, and revetment work on the Arkansas River, in the State of Oklahoma, between the line of the State of Arkansas and the head of navigation on said river at a point near the city of Tulsa, Okla.

The Arkansas River should be improved, and this Congress ought to be as liberal with the Arkansas River as it has been, and as this bill attempts to be with many other rivers in the United States. If Congress should be liberal, you would soon see many steamboats making regular trips and carrying the commerce along said river to and from market much cheaper than it is now being carried by rail. In order to properly understand why so many are now opposing the appropriation for the Arkansas River, it is not out of place to briefly direct the attention of the House to past legislation on this subject.

This is not a new project, nor is it one of experiment. It is an old project and one upon which many thousands of dollars have been expended, and for many years the river was successfully navigated. The Congress of the United States first turned its attention to the improvement of the Arkansas River in 1832, under a project then designated as Arkansas and Kansas. The first appropriation was to remove snags and wrecks. Subsequent to the first appropriation the project was enlarged and the appropriation increased for improvements providing for remov-

ing snags and rocks and the construction of dams at some of the worst shoals along said river. Under the projects for which appropriations had been made up to June 30, 1902, there had been expended upon the Arkansas River $968,256.81. By the act of August 11, 1888, Congress adopted a general project, which is set forth as follows:

That the Secretary of War shall expend the appropriation under this head with reference to the final improvement of this river as contemplated in the Report of the Chief of Engineers for the year ending July 1, 1885, and as authorized in the act for the improvement of rivers and harbors approved August 5, 1886, and in House Executive Document No. 90, Forty-ninth Congress, first session, said methods to be applied as the Secretary of War may direct at such points between Wichita, Kans., and the navigable mouth of the Arkansas River at its junction with the Mississippi River, as he may deem for the best interest of commerce.

It will be seen from the above authority given to the Secretary of War under the act of August 11, 1888, that discretion for the first time was vested in the Secretary of War as to how the appropriation should be expended. Prior to the adoption of the act of Congress of August 11, 1888, a railroad had been constructed from Little Rock, Ark., to Fort Smith, Ark., along the east bank of said Arkansas River, and just prior to the adoption of the act of August 11, 1888, a road had been constructed from Fort Smith, Ark., upon the north and east banks of the Arkansas River, through what was then Indian Territory, and on to Coffeyville, Kans.

It is important to note that from the date of the connection of the railroad between Fort Smith, Ark., and Coffeyville, Kans., making connection with the lines of railroads in Kansas, that the interest in improving the Arkansas River and making appropriations for the same gradually began to decline, and it seems the engineers who were then reporting as to the necessary appropriation required to improve the river, lost interest or began to believe it unwise to continue to make any great appropriation for the improvement of said river, notwithstanding the records show that steamboats plied the river and carried the commerce regularly from Fort Gibson, Ind. T.; Forth Smith, Ark.; Van Buren, Ark.; Dardanelle and Pine Bluff, Ark.; and Little Rock, Ark., to the Mississippi River, all of the time up to the latter part of the eighties or up until about 1890. At each succeeding Congress after the year 1888 reports were made changing or merging the projects by the engineers and showing sentiment and disposition not to have the river further improved.

By the act of Congress of February 27, 1911, the project was merged and brought down to the following:

The improvement of the river from its mouth to Ozark (318 miles) by operating two suction dredges; from its mouth to the head of navigation by snagging operations, by dredging operations, and by contraction works, holding the improved channel by revetment where necessary; and maintenance of the works at Pine Bluff, Ark.

The Arkansas River runs through one of the most fertile valleys in Oklahoma and Arkansas. It is unequaled in production in any State in the Union. The climatic conditions are such that any cereal known to the agricultural world can be produced upon the same farm, which can not be done in any other section of the United States. On the same plantation or farm along the Arkansas Valley you can successfully grow your corn, cotton, wheat, oats, potatoes, melons, and any other product the farmer grows. This can not be done to the north or to the south of us. Going to the south you can successfully grow your cotton and corn, but you can not always successfully grow your small grains or your potatoes. To the north of us you can grow your potatoes and your corn and small grains, but you can not successfully grow your cotton. But in the Arkansas Valley, as heretofore stated, every product can be successfully grown upon the same farm. It is highly important that the Arkansas River should be improved, and that we should have our local commerce handled by boat where we could get a much cheaper freight rate than we can from the railroads.

A great many Members of Congress are interested in the development of the waterways of their section of the State, and because of the fact that they are nearer large rivers or the coast or the Lakes, feel that their section of the country is more entitled to an appropriation for improvements of its waterways than are the sections of other parts of the country, because of the fact that we have the Arkansas River and it is many miles from the head of navigation to the Mississippi. There are other reasons why the Arkansas River should be improved than the agricultural industries along its valleys. In the State of Oklahoma and Arkansas coal is found in unlimited quantities, and if we could get a cheap water rate for its transportation it would be a great benefit to the consumers of coal wherever it be transported. Along the banks of the Arkansas River and near to its tributaries there is one of the greatest oil fields in the world, and it is important to this industry and those operating in the oil fields that every means of facilities be provided for in order to assist them in carrying on that great business so important to the industrial world at this time.

My colleagues have directed the attention of the House to the tonnage that would probably be shipped if this river was properly improved, and I will not take the time to call attention to that fact, but I do want to say that the Arkansas River is a navigable stream and can be improved and successfully navigated if Congress would do its duty.

I want to say to my distinguished friend, for whom I have a very high regard, the gentleman from Iowa [Mr. GREEN], that I take issue with him upon the question of the navigability of the Arkansas River. I regret to contradict anything that he has said, but I know that he is mistaken when he states that the Arkansas River does not have water sufficient to make it navigable. I first located near the Arkansas River, a short distance from Little Rock, Ark., in the year 1880, and lived near the banks of the river in Arkansas for many years, and during the time I lived in Arkansas, from 1880 up until about 1890, steamboats made regular trips carrying the commerce of the country on said river; and it was not until about the years 1888 to 1890, after the railroads were constructed parallel to the river, that the freight began to decrease that was carried by boat on the river, and the engineer began to report recommending smaller appropriations.

Since 1890 I have lived near and have been interested in industries along the Arkansas River from Little Rock to Muskogee, Okla.; and a great many boats carrying freight, since I have lived near the Arkansas River, have made trips as far up the river as Fort Gibson, Okla., which is only a short distance from the city of Muskogee, one of the most progressive and modernly constructed cities in the world. If this river should be improved and receive appropriations to which the people along this river are entitled to receive, boats could make regular trips upon this river from a point near the city of Tulsa, in Tulsa County, Okla., to the mouth of the river.

Some criticism has been made of the report made by Maj. Putman as to the improvement of the river, and some suggestion has been made that this report might have been influenced by reason of the splendid treatment accorded Maj. Putman by those interested in having the Arkansas River improved. I think this criticism unjust and without sufficient foundation, but I do think the facts warrant the report by Maj. Putman and that the statement in the report is based upon the actual facts and his knowledge of the conditions of the Arkansas River and the country along its banks.

There are many rivers in the United States that receive appropriations annually that have no more water in them than has the Arkansas River. I admit that some of the banks of the Arkansas River cave in occasionally, and that requires revetment work to keep the banks from caving; but notwithstanding this, if you will discharge your duties as you should toward the people along the Arkansas Valley and make a sufficient appropriation to remove the snags from the channel and do some dredging on the shoals and places where the channel is subject to shifting, you could carry on navigation for at least six months or more in each year. Notwithstanding the report of some of the Army engineers is adverse to the navigation of this stream, and to the effect that if this river is navigated it will not aid the people materially in freight rates, I want to say that if this river is navigated any portion of the year it will be of great advantage to the people along the Arkansas Valley and the river in obtaining lower freight rates, and especially reduce freight rates on commerce that is shipped to the different towns and cities along the river from Tulsa, Okla., to the point where the river empties into the Mississippi.

The fact that the river has been declared a navigable stream to a point near the city of Tulsa, Okla., and that boats have run upon said river to that point, which is 157 miles from Fort Smith, Ark., gives to the river towns and cities a better freight rate than we can get 40 or 50 miles or more away from the river, and if we could get a sufficient appropriation for the Arkansas River, many thousands of tons of freight will be yearly handled upon the stream, and I want to appeal to you gentlemen to discharge your duties as you should, and not strike this appropriation out of the bill; but if you do anything, increase the amount of the appropriation.

In conclusion, I want to say to my friend from Iowa [Mr. GREEN] that I do not believe the good citizens of Arkansas did any too much in the way of entertaining the engineer when he was at Little Rock, nor do I believe what they did to entertain him had any influence upon him in making his report as it is submitted. I think the committees representing the different localities along the river from its mouth to the head of navigation presented to the engineer the facts, and that he made a

personal investigation of the same sufficient to ascertain the true conditions, and which warranted him in believing that the good people along the Arkansas River and valley were being denied their just rights and were not receiving a sufficient appropriation for the improvement of the Arkansas River.

I am persuaded to believe that some of the reports filed by some of the engineers were made by men who had not made a personal investigation of that stream and had not personally gone up and down the river to ascertain the condition of its channel and its banks in order to make an accurate report.

The gentleman from Iowa [Mr. GREEN] makes a statement and says that—

> You might as well try to dip up the ocean with a spoon as to try to dredge the channel of the Arkansas and make it navigable.

I am not going to take issue with the gentleman upon that point, because when I am out upon the ocean I am a very poor sailor. My friend from Wisconsin [Mr. FREAR] and the gentleman from Pennsylvania [Mr. BARCHFELD] could rise in their places and dispute my word with accuracy if I should undertake to say that I could stay well long enough to dip a very small portion of the water from the ocean with a spoon; but I do say, if you provide proper dredges, handled by efficient men, and make the necessary appropriation to which we are entitled in the improvement of the Arkansas River, we can make the stream navigable and operate boats upon the river for at least six months in each year, and by so doing we will give to the people of the States of Arkansas and Oklahoma water transportation along the Arkansas Valley, and thereby reduce freight rates materially, and by doing so will do them a great and lasting good. [Applause.]

Mr. McLAUGHLIN. Mr. Chairman, I rise to say that I find in this appropriation the committee has followed a rule which seems to me entirely different from the one announced by the distinguished gentleman from Florida, the chairman of the committee, when he made his opening statement at the time of general debate, when he said that the committee followed the report of the Chief of Engineers; that if the report was unfavorable that settled it, or words to that effect. Here, in relation to the Arkansas River, we find the Board of Engineers made an unfavorable report as far as the amount and character of appropriation is concerned, and that after the Board of Engineers made its report the Chief of Engineers, the authority which finally investigates the matter, made an unfavorable report; but the committee overrides both the board and the chief and goes back and takes up and accepts the report of the local engineer.

The Chief of Engineers and the Board of Review recommended that no work be done on the river by way of carrying out the original project, except an annual job of dredging, costing $35,000 a year. This appropriation is directly contrary to the recommendation and calls for an appropriation of $209,000, to be expended in accordance with the provisions of the original project, which was one of dredging and revetment and different kinds of work of improvement of an extensive character. If the committee is going to follow the Chief of Engineers and the Board of Review, as the chairman of the committee announced its policy to be—and I know they did that more than once, to my sorrow—it ought to do it in respect to these projects and all projects or acknowledge that it does not treat all projects alike; that it has one rule for one when it suits its members and a different rule for another when it suits them.

Mr. JACOWAY. Mr. Chairman, I think everybody takes judicial knowledge of the fact that Arkansas is a great State, and that the Arkansas River is a magnificent stream, potential in its commercial possibilities, if only the Federal Government will do it simple justice. This House to-day is engaged in a congressional ascertainment of the real truth about this river. It is my purpose on this occasion to submit for the benefit of the committee not my individual ideas relative to the improvement of the Arkansas River, for I am not a civil engineer by profession, and besides I may be more or less biased or prejudiced, and for the further reason that in light of these facts my testimony might not be considered the best. May I also suggest to the House that it will not suffer itself to take the individual ideas of gentlemen who oppose the improvement of this great stream by the Federal Government, and who occupy the opposite of the issue from me? May I further request that to-day the House get down to the bare and leafless pole of this proposition and see what the real facts relative to this river are, and which are abundantly reflected in the testimony of the men who are competent to judge, who are expert engineers, and who are worthy representatives of a great branch of the Government activities, and who form a part of the Engineering Department of this Government? When this is done, and we further see what tonnage this river in years past has carried, and the inchoate tonnage that will necessarily float upon it, then if this body will register its decision in the light of this testimony I will be more than satisfied as to what the result of this Congress will be, sitting as a jury upon the real merits of the question at issue.

One of the greatest local engineers that was ever stationed at Little Rock, Ark., was Col. Tabor. By all he was regarded as an honest man, and in a report that he made in regard to the Arkansas River, he said:

> The rapid increase in prosperity in this State [Arkansas] during the two years spent at this office reminds me more of the frontier growth of the West than of the growth of a State of the age of this one.
>
> It is a difficult matter to give in condensed form any idea of the immense quantity of produce that is waiting the opening of this river to navigation.
>
> In a short reach from Dardanelle to Fort Smith, on the south side of the river only, about 70,000 bales of cotton are raised now, and the amount is steadily increasing. This cotton can be sent to New Orleans at 60 cents per bale by boat. If sent by rail, it costs $2.25 per bale, exclusive of ferriage and cost of hauling by wagons. Corn and wheat command good prices in Little Rock, but the railroad rates are so high that it can not be moved.
>
> Timber that sells in Little Rock as high as $75 per 1,000 is abundant in this section, but can not be marketed owing to the high freight rates.
>
> What has been said about this section applies with greater or less force to the entire reach from Little Rock to Fort Smith. A just conception of what benefits are likely to accrue can only be found by looking at some great fertile river valley in the Northern or Eastern States as they were years ago and as they are now, since settled up and with its river improved.
>
> What benefits have accrued to that community will surely accrue to this, with this addition, that the mineral resources of this valley are to be added. Its coal products alone and its wealth of timber will place it well to the fore.
>
> When the vast acreage of the Indian Territory is brought under cultivation its products must go this way. That already well known and exceedingly fertile State of Kansas will find Fort Smith or Little Rock its nearest water outlet eventually.
>
> It will be seen how difficult it is to handle this question briefly if it is borne in mind that, with deep water to New Orleans from the Gulf, the Mississippi improved, and the Arkansas River navigable to Little Rock by boats drawing 5 feet of water, we have the conditions likely to exist when the improvements are completed.
>
> I have, therefore, only attempted to outline this matter, and trust that when this portion of the report is read a map of the territory covered may be had in mind, as this will probably be of itself the strongest proof that the benefits likely to accrue can but be too vast to summarize in a report like this.
>
> This plan, with the estimates, is condensed from the fact that the time to prepare it has been limited. Time has been given to elaboration in examinations rather than to elaboration in this plan. The data is at hand for elaboration if the same is desired.

Among other things he said about the possibilities of the Arkansas River, in the then Indian Territory but now the State of Oklahoma, upon which I will not comment due to the fact that my time is severely limited and I want to address myself to the facts at issue which are before the House at this time. Not only is the report of Maj. Tabor most favorable to this project, but gentlemen upon the other side of the aisle insist that this issue be decided upon recent testimony, and it is a pleasure to me to accede to this proposition and to join issue with them upon their own ground.

In an extensive report emanating from the office of the local engineer, under date of March 24, 1915, Maj. Putman, in his recommendation, went further than any other local engineer has ever gone, and concluded this report in the following language:

> The improvement of the river from its mouth to the mouth of Grand River (461 miles) by snagging operation, by revetting of banks, and by dredging operations, with a view to producing at ordinary low water channel depths of 3½ feet to Little Rock, 3 feet from there to Ozark, 2½ feet from there to the mouth of the Canadian River, and 2 feet from there to the mouth of Neosho River.

From this report it can be seen that Maj. Putnam recommends the improvement of this river by snagging operations, by revetting of banks, and by dredging operations, with a view to producing at ordinary low water channel depths of 3½ feet to Little Rock, 3 feet from there to Ozark, 2½ feet from there to the mouth of the Canadian River, and 2 feet from there to the mouth of Neosho River. To be frank with the committee, I will add that the report of Maj. Putnam is not concurred in by the district engineer, by the Board of Engineers of the War Department, or by the Chief of Engineers, Gen. Dan C. Kingman, but I submit that the testimony of Maj. Putnam as shown in his report is worthy of greater weight than either that of the division engineer, the Board of Engineers, or the Chief of Engineers of the War Department, due to the fact that for a number of years he has been intimately associated with the Arkansas River. He is familiar with its physical attributes from its mouth up to at least the Oklahoma line, and is better able to judge as to what improvements are necessary than those who know but little of this river, who probably have never traversed it for a distance of over 80 miles, and whose knowledge is gained only from hearsay testimony in the form of documents and reports and by an examination of the geography of the country as viewed from the United States map.

Allow me to introduce for your further consideration the testimony of Maj. M. L. Walker, Corps of Engineers, and who was also local engineer at Little Rock, preceding Maj. Putman, in an extensive report, which he made upon the Arkansas River under date of May 27, 1909. I will also state that this report was not based upon hearsay testimony, but is the product of an unbiased mind of a competent engineer, who made a personal and physical examination of the river from its mouth almost up to the Oklahoma State line. In a hasty and running summary, permit me to submit that, among many other things, he stated, in terms not dubious but certain and clear, that if the Arkansas River were improved in accordance with what in common justice the dignity of that stream demanded, that the saving in freight rates alone on coal to the towns of Ozark, Coal Hill, Clarksville, London, Russellville, Morrowtown, Dardanelle, Conway, and Argenta would approach the magnificent sum of $86,850 a year. He called attention to the fact that during the year of 1908, seven years ago, that Little Rock consumed 193,000 tons of coal—practically one-third of the output of the fields adjacent to the reaches of the Arkansas River, and as a result of not reducing the freight rates on this coal which would be carried by the Arkansas River, as opposed to railroad transportation, there would be an additional saving to the city of Little Rock of $86,850. I regret there is no data available to show the amount of coal used annually by the towns just mentioned by me, and what the savings to these towns would be with the Arkansas River made navigable. Maj. Walker called attention to the fact in that report that freight rates on coal sent from the fields near Little Rock is exorbitant as compared with the rates from other fields, and drew the conclusion that the average rate out of southern Illinois fields to the several places which I have mentioned was 4.7 mills a ton, while the rate out of the Arkansas fields near by was 12 mills a ton per mile, notwithstanding that the Illinois fields were many hundreds of miles separated from Little Rock, while the Arkansas coal fields were but 119 miles from that city.

Mr. Chairman, when you consider this it is an anomaly within an anomaly. It is a sad commentary when you come to think that when coal is right at our back doors we are forced to ship it from a foreign State employing foreign capital, foreign labor, and paying tribute to foreign genius and foreign capital because it can be delivered cheaper by water rate from a distant State than by a railroad that penetrates the heart of the coal fields of Arkansas.

In Maj. Walker's report he further finds that if the Arkansas River is made navigable from its mouth up to Ozark, in Franklin County, there will be a saving in freight rates to the people of Arkansas in the sum of approximately $700,000. This finding alone, if not supported by other argument, should receive the careful and painstaking consideration of Congress to-day and elicit an unstinted admiration of the vast possibilities of the Arkansas River when it is made navigable, as it should be, and to give to the Arkansas at the very lowest calculation the amount carried in this bill at the present time.

TONNAGE.

The gentleman from Iowa a few moments ago announced as his belief that of all the projects incorporated in this present river and harbor bill that the Arkansas River was the least meritorious. In this assumption I dare say he was intensely honest, and this judgment was the result of not being acquainted with all the testimony bearing upon the matter at bar. I take especial pleasure in joining issue with him upon the premise he so broadly assumes, and I appeal to the recitations in the RECORD for the proof. Located a short distance from Little Rock are the holdings of the American Aluminum Co. that has expended millions of money in developing their properties and employs many hundred men.

When the Arkansas River is made navigable up at least as far as Little Rock, this company guarantees to give annually to river transportation 400,000 tons of bauxite alone. Arguing further in opposition to the contention of the gentleman from Iowa, I desire to state that along the stretches of the Arkansas River, and in close proximity to it, is located one of the most magnificent fields of semianthracite coal in all this country. To be definitely specific, this acreage is distributed as follows:

	Acres.
Shinn Basin	3,000
Ocita Basin	3,000
Spadra (north side of river)	14,000
Prairie View (south side of river)	20,000
Denning	3,000
Paris	4,000
Sebastian	35,000
Eastern Oklahoma	50,000

Making a total of 132,000 acres.

As a result of tests most practical, it is shown that there are 800,000,000 tons of coal, the great majority of which will find a sale in the markets of the world after having been floated over the Arkansas River.

THE ACTUAL COAL MINED.

It may not be amiss at this juncture to call the attention of the committee to the fact that the present production of coal in this great field is as follows:

	Tons.
Russellville, about	60,000
Ocita, about	15,000
Spadra, about	200,000
Denning, about	175,000
Paris, about	20,000
Sebastian, about	350,000
Eastern Oklahoma, about	150,000

Making an approximate total of 970,000 tons.

CRUSHED ROCK TONNAGE.

The Big Rock Stone & Construction Co. last year shipped 160,000 tons of crushed rock from Little Rock, Ark., to be used in revetment work upon the Mississippi River. I feel safe in saying that this volume of freight would be shipped entirely over the Arkansas when the river is made navigable.

COTTON TONNAGE.

Answering the question of the distinguished leader of the minority, Mr. MANN, of Illinois, in regard to the tonnage of cotton, I beg to say that yearly the State of Arkansas produces about 1,000,000 bales of cotton, to say nothing of cotton seed and cottonseed meal and other numerous products of field and forest; and I am sure no one will accuse me of a wild flight of imagination when I say a great volume of this magnificent tonnage will find an outlet to the market by river transportation.

MEETING OF THE BOARD OF ARMY ENGINEERS AT LITTLE ROCK, NOVEMBER, 1915.

My time will not permit, but I want the attention of the committee to be called to the records of the meeting held at Little Rock in November last by a committee from the Board of Engineers of the War Department and other interested parties. If you so desire, read the stenographic statement adduced at this meeting of Senator JAMES P. CLARKE, Senator JOSEPH T. ROBINSON, Messrs. W. M. Taylor, C. L. Holland, E. N. Adams, George Sengel, James P. Hoye, Carl J. Baer, H. F. Anten, Mr. Fox, Capt. James Evans, Capt. H. C. Daniels, and others, and I think beyond question that the most doubting will be driven unerringly to the conclusion that the Arkansas River from an engineering standpoint is both feasible and practicable and that the Federal Congress should deal with this stream most generously in the form of appropriations. In doing so it will only be to accord to that great stream, possessed of such great commercial possibilities, that which is justly and equitably hers by right from every viewpoint. Arkansas is a great State, whose citizenship is most intelligent, progressive, and patriotic, and until the Federal Government improves the streams of Arkansas and makes them highways of commerce, as has been done in other sections of this country, even simple justice has not been done to Arkansas.

CONCLUSION.

Many and varied are other arguments that might be presented on this occasion why the Arkansas River should be made navigable at the earliest possible moment. I regret that my time is so limited that I can not indulge myself in this regard. If I did not have a faith abiding in the permanent merits of the Arkansas River, and which is occasioned by the clean and clear-cut preponderance of the testimony emanating from most worthy and eminent sources, I would not stultify myself by insisting upon the appropriation. I feel that I know my case, and in view of the facts presented to you I feel confident that the committee will sustain me in my contention and give to the Arkansas River that appropriation carried in this bill of $209,000. To do less would be for Congress to be unjust, inequitably and selfishly discriminating, partial, and partisan. [Applause.]

Mr. Chairman, I wish to incorporate into my remarks at this time an argument made by me before the Committee on Rivers and Harbors of the House, February 2, 1916:

[The matter referred to will be found in the Appendix, p. 734.]

Mr. HASTINGS. Mr. Chairman, the development of the Arkansas River is of great importance to the States of Arkansas and Oklahoma, and, for that matter, to the entire country, because the prosperity of all the country is dependent upon the prosperity of the separate States and the smaller subdivisions.

This river is approximately 1,460 miles long. Rising in the State of Colorado, it flows through the States of Kansas, Oklahoma, and Arkansas and empties into the Mississippi River. There is no more fertile valley in the United States, and its development during the past few years has been phenomenal. Since 1832 it has been the subject of congressional appropriations and

held to be navigable. The money expended upon this river up to June 30, 1914, amounts to $3,243,650.91. During the past few years the importance of the Arkansas River has been greatly underestimated, although the development of the valley through which it flows and the contiguous country has been marvelous.

Only a few years ago the eastern part of Oklahoma was the Indian Territory, and the lands were held in common by the members of the Five Civilized Tribes and the Osage Nation. These lands have practically all been allotted within the past 15 years, and the vast resources of that section have attracted people from almost every State in the Union, until now the population of Oklahoma numbers more than 2,000,000. Where once were rolling prairies and heavily timbered bottoms, with few inhabitants, you now see the entire country settled by prosperous farmers, with comfortable homes, and the land in a splendid state of cultivation. Every variety of farm product is grown in that section.

In addition to Oklahoma being a great agricultural State, coal is found under thousands of acres in the eastern half, and mines are now being operated. Within the past 10 years great pools of oil have been discovered and are being brought to the surface, until the State ranks as one of the first in point of production of petroleum.

Near the confluence of the Grand, Verdigris, and Arkansas Rivers, 461 miles from the mouth, historic old Fort Gibson is located on the east bank, while on the west bank you see the thriving, prosperous city of Muskogee, with approximately 50,000 people. Only a few years ago Muskogee was an Indian village, with only one railroad. To-day it is the commercial center of eastern Oklahoma and the Southwest. It has miles of paved streets, water works, electric lights, street railways, railroad shops, oil refineries, cotton compresses, numerous wholesale houses, splendid hotels, magnificent office buildings, banks with deposits of many millions, schools and churches, and, in fact, every modern convenience.

Since 1832, when the tonnage was negligible, Government aid was given in rendering this stream navigable. In 1888 it was paralleled to the north and east by a railroad, and within the last few years to the south and east by another railroad. Other railroads gridiron the State.

The development of this river would be of vast importance to my district and State. This bill carries an appropriation for it amounting to $209,700, to be spent in Arkansas and Oklahoma. I want to express the hope that some portion, at least, of this appropriation will be used on the river in Oklahoma. I am not an engineer, but the reports of engineers for the past 75 years show that this stream has been regarded as navigable, and up until the time it was paralleled by railroads, boats made regular trips up as far as Fort Gibson and Muskogee for nine months of the year.

The importance of this work can not be overestimated. We need cheap transportation for that section of our country. When the river is placed in proper condition untold thousands of tons of coal will be mined. The products of the vast oil fields, drawn from beneath the surface, will be carried to the markets of the world on it. It would stimulate the building of factories in the cities and towns along its banks, and by reducing freight rates farm products in eastern Oklahoma would increase in value and farm lands would also be enhanced.

A large number of wholesale houses of every kind are now located in the city of Muskogee. With comparatively small amount expended in improving this river by snagging, reveting the banks, and removing shoals here and there this river could be utilized almost the entire year.

During the past year, the commercial bodies of Muskogee and Tulsa, Okla., and Fort Smith, Ark., have renewed their interest in this movement. They held numerous meetings at Muskogee and Little Rock, which were largely attended, evidencing the importance the people attach to it. A great deal of data as to the resources of the valley was collected.

Maj. A. B. Putnam, Corps of Engineers, in a report dated March 24, 1915, reviews at length this project, stating that work had been done on the river by removing snags, and so forth, since the act of Congress approved July 3, 1832. By the act of March 3, 1879, Congress extended the improvement of the river to Wichita, Kans. The report invites attention to its use by packet companies up to the mouth of the Grand River (Neosho) at Fort Gibson, Okla., and strongly advises against the abandonment of the project, as follows:

I am not of the opinion that the improvement of the Arkansas River should be abandoned, but am inclined to the belief that the work of revetting the banks should be revived. The commercial importance of the valley is increasing all the time, as is natural under an increase of population. While this increase is not reflected in the river commerce, I can not hold that the absence of such reflection is an indication of the unworthiness of the improvement of the river.

In line with the foregoing, I must report that I think the project for the improvement of the river should be modified to read:

"The improvement of the river from its mouth to the mouth of Grand River (461 miles) by snagging operation, by revetting of banks, and by dredging operations, with a view to producing at ordinary low water channel depths of 3½ feet to Little Rock, 3 feet from there to Ozark, 2½ feet from there to the mouth of the Canadian River, and 2 feet from there to the mouth of Neosho River."

The familiar argument used against the expenditure of money for this purpose has been the loss of tonnage. This is not a sufficient reason to deny congressional assistance. Accurate data is not available as to the amount of actual tonnage upon the river, but its disuse for the past few years may be accounted for upon the following grounds:

First. The building of railroads paralleling the river, and the erection of depots convenient for the loading and unloading of freight. No such means for handling freight were provided along the river, thereby discouraging the movement of freight up and down the river.

Second. Sufficient appropriations have not been made for the improvement of the river by snagging it, removing the worst shoals, and revetting the banks. In the meantime the channel has filled with sand and alluvial soil.

The building of railroads develops tonnage and aids in the development of the contiguous territory. More products are raised by farmers, and the population is increased, and the volume of business is augmented over the various lines. An undug canal carries no tonnage, and an unimproved canal or river with competitive railroads parallel to it will lose tonnage.

If the State of New York could profitably spend millions in digging a canal across the State, and if the State of Illinois could profitably expend millions in digging a canal to aid the future development of sections of their country—furnishing water transportation, decreasing freight rates, and aiding the great commercial centers which they connect—we insist that the Government of the United States could profitably spend a much smaller sum of money in keeping open one of the greatest channels—lengthy canals—west of the Mississippi River. Give this river the legislative assistance it should have and make it navigable for light boats, and even the dreamer of the future would be amazed at the vast amount of tonnage carried over it and distributed to the commercial centers of the world.

The business man does not need to be educated to the advantages of this project. He understands that the higher the inbound freight rates are the more he must sell his goods for, and his reasoning is the same as to outbound freight, because he knows that freight charges must be deducted from every barrel of oil, every ton of coal, and from all manufactured products. The farmer is beginning to realize that the prices he receives for his farm products and live stock depend upon the cost of getting them to market. A bushel of wheat from which must be deducted excessive freight, yields a smaller return to the farmer, and the same is true of cotton, potatoes, and all other farm products. Hence, the farmer as well as the business man is deeply interested in the reduction of freight rates and the development of the country. The farmer also appreciates that the development of cities and towns in the various communities affords him home markets.

If this river receives the assistance that it is justly entitled to, Muskogee, Fort Gibson, and the other towns along its banks would in the near future be filled with factories, and the vast deposits of cheap fuel, such as coal, oil, and gas, would be utilized and the raw material would be made into the finished product.

At a hearing in Little Rock, Ark., the following table, showing inbound and outbound freight, was filed by the representative of the Chamber of Commerce of Tulsa, Okla.:

Statement of Mr. E. N. Adams in re Tulsa, Okla.

	Tons.
Inbound freight:	
Groceries	16,616
Structural iron	2,000
Bar iron	5,563
Steel plates	6,531
Galvanized iron	839
Pig iron	667
Woven wire	160
Plain wire	30
Barbed wire	200
Coke	527
Coke facings	22
Boilers and machinery	48
Pumps	44
Paint	50
Pipe and pipe fittings	29,394
Oil-well supplies	5,172
Miscellaneous	1,853
Total	70,591

Outbound freight:	Tons.
Refined oil to points in the United States	462,290
Refined oil for export through the ports of New Orleans, La., and Port Arthur, Tex	250,255
Total	712,545

And the Greater Muskogee Association submitted tonnage statistics, as follows:

Statement of Greater Muskogee Association.

INBOUND TONNAGE STATISTICS.

	Tons.	Tons.
Wholesale groceries:		
Muskogee Wholesale Grocer Co	12,000	
Chestnut-Biggons Grocer Co	8,400	
Jameson Grocery Co	7,500	
Dunlap Bros	4,232	
		32,132
Packing houses:		
Armour & Co	175	
Swift & Co	500	
		675
Dry goods:		
Graham-Sykes Co	125	
Pegram Dry Goods Co	100	
		225
Clothing:		
New Phoenix Clothing Co	65	
O. R. Clothing Co	15	
		80
Boots and shoes:		
Walk-Over Boot Shop	9	
Cash Shoe Store	10	
McKinney & Redd	14	
		33
Hardware:		
Hooker-Hendrix Hardware Co	1,000	
Atlas Supply Co	9,650	
Crane & Co	300	
L. A. Perkins Hardware Co	300	
Oklahoma Corrugated Steel & Iron Co	80	
Shirar & Copeland	125	
Maddin-Merchant Hardware Co	50	
Muskogee Hardware Co	20	
H. B. Davis Hardware Co	20	
		11,545
Lumber:		
Geo. D. Hope Lumber Co	1,300	
Page Lumber Co	580	
H. E. Ketcham	1,051	
Marshall Lumber Co	1,750	
Minnetonka Lumber Co	1,250	
T. H. Rogers Lumber Co	500	
Muskogee Lumber Co	900	
J. A. Butts Lumber Co	900	
		8,231
Building material, paint, glass, wall paper, and fixtures:		
Standard Roofing & Material Co	50	
National Sash & Door Co	150	
The Craft Shop	1	
A. Fabbro & Co	150	
C. L. Dickman Glass Co	191	
Farrell Wall Paper Co	50	
Muskogee Marble & Granite Co	135	
Bockenheuser & Co	6	
Muskogee Paint & Glass Co	15	
R. E. Reed Paint & Wall Paper Co	37	
		785
Barbers' supplies, A. Halverson Co		36
Drugs, Cardinal Drug Co		12
Jewelers:		
H. L. Stern Jewelry Co	5	
Cohenour Rygel Co	2	
		7
Plumbing:		
The O'Connor Co	180	
Clyde C. Poole Plumbing Co	25	
		205
Harness and saddles:		
Thornton & Co	25	
O. S. Taylor	2	
R. B. Crittenden	5	
		32
Music houses:		
Kroh Music Co	120	
Jenkins Sons Music Co	150	
		270
Furniture:		
E. F. Riley Furniture Co., now Riley-Harbour Furniture Co	80	
Household Furniture & Carpet Co	77	
Street-Elcholtz Furniture Co	150	
Ferguson Bros	100	
Todd Furniture Co	40	
Bewley Wholesale Furniture Co	22	
		469
Electric fixtures and wiring:		
Muskogee Electric Co	15	
Peabody Electric Co	50	
		65
Office supplies:		
Phoenix Office Supply Co	2	
Burroughs Adding Machine Co	17	
		19
Job printing, bookbinding, and supplies:		
Model Printing Co	5	
Phoenix Job Printing	15	
The Star Printing Co	1	
		21
Paper, news print, etc.:		
Adleta Paper Co	400	
The Muskogee Times Democrat Co	304	
Phoenix Printing Co	300	
		1,004
Manufacturers:		
The Roberts Mattress Manufacturing Co	468	
Eagle Hay Press & Implement Co	90	
Empire Fixture Works	70	
Eagle Broom Co	3	
J. C. Wynn	247	
Wheat's Wood Workers	35	
Muskogee Iron Works	1,000	
Muskogee Tent Co	375	
O. K. Sheet Metal Co	50	
Muskogee Vehicle & Machinery Co	300	
Muskogee Carriage & Automobile Works	20	
Oklahoma Wagon Works	20	
W. R. Lantz Carriage & Automobile Works	200	
Shiff Cigar Co	1	
		2,879

RECAPITULATION.

Wholesale groceries	32,132
Packing houses	675
Dry goods	225
Clothing	80
Boots and shoes	33
Hardware	11,545
Lumber	8,231
Building material	785
Barbers' supplies	36
Drugs	12
Jewelry	7
Plumbing	205
Harness and saddles	32
Music houses	270
Furniture	469
Electrical fixtures and wiring	65
Office supplies	19
Job printing, bookbinding, and supplies	21
Paper, news print, etc	1,004
Manufacturers	2,879
Total	58,725

OUTBOUND TONNAGE.

	Tons.	Tons.
Oil:		
Muskogee Refining Co	3,952	
Cudahy Refining Co., Muskogee plant	1,864	
Cudahy Refining Co., Coffeyville plant	3,108	
		8,924
Cotton, cottonseed products:		
Shippers Compress Co	15,000	
Muskogee Cotton Oil Mill	5,000	
		20,000
Potatoes, R. T. Payne & Co		2,150
Grains and grain products:		
New State Flour & Feed Co	4,000	
Oklahoma Seed Co	250	
Muskogee Roller Mill	240	
		4,490
Fruit and fruit products, Eagle Cider & Vinegar Co		180

RECAPITULATION.

Oil	8,924
Cotton, cottonseed products	20,000
Potatoes	2,150
Grains and grain products	4,490
Fruit and fruit products	180
Total	35,744

Attention is invited to the fact that the statistics submitted on behalf of Muskogee do not include any tonnage on account of coal or oil, except refined oil, nor do they include farm products, except those handled by four companies in Muskogee, nor do they include live stock. It would be difficult, indeed, to estimate the tonnage that would be carried on this river with its proper improvement. I have invited attention to this matter for the purpose of showing its great possibilities, and what its development means to Oklahoma and the entire country, as well as to emphasize the interest I have in this project, and express the sincere hope that part of the appropriation will be utilized in the State of Oklahoma, as is evidently the purpose of the paragraph in the bill providing as follows:

Arkansas River, Ark. and Okla.: For maintenance of improvement, including works at Pine Bluff and the operation of dredging plant, $209,700.

Every thoughtful citizen of the Republic appreciates that because of the disastrous war in Europe our imports have been greatly decreased, and as a consequence our revenues from duties have been reduced. Unexpected demands are made upon the Treasury because of this war and conditions in Mexico. It is necessary to economize along all lines. For these reasons I have refrained from offering at this session an amendment to increase the appropriation for the Arkansas River to the amount its improvement justifies.

Pardon me for suggesting that close watch will be kept by Oklahoma upon the expenditure of the amount appropriated in this bill, in the hope that it will be equitably distributed along the river in both the States of Arkansas and Oklahoma, as is contemplated by the item incorporated herein. [Applause.]

Mr. McLAUGHLIN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN (Mr. SHERLEY). The gentleman from Michigan makes the point of order that there is no quorum present. The Chair will count. [After counting.] Ninety-two Members present, not a quorum.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The question was taken; and on a division (demanded by Mr. FOSTER) there were—ayes 43, noes 45.

Mr. FOSTER. Mr. Chairman, I demand tellers.

The CHAIRMAN. No quorum being present, the Clerk will call the roll.

Mr. HARRISON. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HARRISON. The gentleman from Illinois asked for tellers just as soon as the Chair announced the result of the vote.

The CHAIRMAN. Tellers are demanded.

Tellers were ordered, and Mr. MCLAUGHLIN and Mr. SPARKMAN took their places as tellers.

The committee divided; and the tellers reported—ayes 3, noes 79.

So the committee refused to rise.

The CHAIRMAN. The Chair directs the Clerk to call the roll for the determination of a quorum.

Mr. HARRISON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HARRISON. The question upon which the division was made was whether or not the committee rises. The committee refuses to rise. Is it in order now for the Chair, when a quorum is developed——

The CHAIRMAN. A quorum has not developed, and the Chair announced that a quorum was not present, whereupon a motion was made that the committee rise. That motion having been defeated, it seems to the Chair it is his duty, under the rule, to direct the roll to be called in order to report the matter to the House.

Mr. BORLAND. Mr. Chairman, is it possible for the Chair to count the Members here, but not passing between the tellers?

The CHAIRMAN. The Chair ascertained by an accurate count that a quorum was not present. The Chair then could only entertain the motion that the committee rise. That motion not having been agreed to, it occurs to the Chair that the only thing now, under the rule, is for the calling of the roll in order that report may be made to the House.

Mr. HOWARD. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HOWARD. Suppose in a case of this kind there were sufficient Members on the floor of the House, but not going between the tellers, to make a quorum, has not the Chair the right to take cognizance of those who were present but not going through the tellers?

The CHAIRMAN. The point of no quorum was made. The Chair counted the Members in the Chamber, and did not find a quorum present. Whereupon a motion was made that the committee rise. Upon that motion the Chair is not at liberty, as at present advised, to count those not voting in order to redetermine what has been determined, that a quorum was not present.

Mr. BARNHART. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BARNHART. In the event that there have been sufficient occurrences since that proceeding was taken that would indicate that there is a quorum present, might not the Chair, under that presumption, again make a count, in order to ascertain whether or not a quorum was present?

The CHAIRMAN. The Chair would reply to the gentleman's inquiry that always after the roll is ordered to be called there develops at some stage more than a quorum of the committee. That does not vitiate the call. The call has to continue. Then it is the duty of the Chairman to report to the House what occurred in the committee and what the roll has disclosed.

Mr. MCKELLAR. Mr. Chairman, if the roll call has not been begun, and the Chair can see that there is a quorum in the Chamber, would it not be entirely proper to announce it?

The CHAIRMAN. The Chair is of opinion that the rule is mandatory that upon the committee finding itself without a quorum the Chair shall instruct the roll to be called. Now, the Chair entertained the motion that the committee rise, and that having been denied by the committee, the Chair is of the opinion that the only thing now in order is to direct the Clerk to call the roll.

Mr. KITCHIN. If the Chair is now of the opinion that a count now would disclose a quorum, could he not revoke his own order?

The CHAIRMAN. The Chair determined that a quorum was not present at the time the question was raised, and the question now of the presence of a quorum is not before the Chair for consideration.

Mr. REAVIS. I demand the regular order, Mr. Chairman.

Mr. GARRETT. I do not question the integrity of the Chair, but I question the count of the Chair, and I ask that the Chair count again.

Mr. STAFFORD. Mr. Chairman, I make the point of order on that proposition.

The CHAIRMAN. The Chair holds that that request can not now be entertained by the Chair. The Chair will gladly submit the question to the committee, if it desires, and the committee may overrule the Chair if it thinks he is in error.

Mr. ADAIR. Mr. Chairman, I call for the regular order.

The CHAIRMAN. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Abercrombie	Gardner	Lazaro	Rainey
Aiken	Garland	Lehlbach	Riordan
Anthony	Gillett	Lewis	Roberts, Mass.
Aswell	Good	Liebel	Roberts, Nev.
Barchfeld	Goodwin, Ark.	Linthicum	Rodenberg
Beales	Gould	Littlepage	Rowland
Bennet	Graham	Lobeck	Sabath
Bruckner	Gray, Ala.	Loft	Scott, Pa.
Brumbaugh	Gregg	Loud	Scully
Buchanan, Ill.	Griest	McAndrews	Sells
Butler	Hamill	McArthur	Sherwood
Byrnes, S. C.	Hamilton, Mich.	McCulloch	Sisson
Callaway	Hamilton, N. Y.	McDermott	Slayden
Campbell	Hamlin	McKenzie	Slemp
Capstick	Hart	Madden	Smith, N. Y.
Carlin	Hay	Magee	Snell
Carter, Mass.	Hayes	Maher	Snyder
Chiperfield	Heaton	Meeker	Stedman
Coady	Heflin	Miller, Del.	Steele, Pa.
Copley	Helm	Montague	Stephens, Miss.
Crago	Henry	Mooney	Stephens, Nebr.
Dale, N. Y.	Hill	Morgan, La.	Stephens, Tex.
Danforth	Hilliard	Morin	Stiness
Darrow	Holland	Morrison	Swift
Davis, Minn.	Hopwood	Moss, W. Va.	Tague
Decker	Houston	Mott	Talbott
Dempsey	Huddleston	Mudd	Tinkham
Dent	Hull, Iowa	Murray	Vare
Dewalt	Husted	Nelson	Volstead
Dooling	Hutchinson	Nichols, Mich.	Ward
Doremus	James	North	Wason
Drukker	Johnson, S. Dak.	Oglesby	Watkins
Dyer	Jones	Padgett	Watson, Pa.
Edwards	Kahn	Paige, Mass.	Watson, Va.
Elston	Kelley	Patten	Williams, W. E.
Evans	Kennedy, Iowa	Peters	Wilson, Ill.
Fairchild	Kennedy, R. I.	Phelan	Winslow
Finley	Kent	Porter	Wood, Ind.
Flynn	Kincheloe	Pou	Young, N. Dak.
Foss	Konop	Powers	Young, Tex.
Gallagher	Kreider	Price	
Gard	Lafean	Ragsdale	

The committee rose; and the Speaker having resumed the chair, Mr. SHERLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the bill H. R. 12193, the river and harbor appropriation bill, and finding itself without a quorum, he had caused the roll to be called, whereupon 267 Members had answered to their names, and that the list had been furnished to the Clerk of those failing to answer.

The SPEAKER. The Chairman of the Committee of the Whole House on the state of the Union reports that that committee, having under consideration the river and harbor bill, had found itself without a quorum, and under the rules he had caused the roll to be called, when 267 Members answered to their names, a quorum; and he had caused the names of the absentees to be handed in for printing in the RECORD. The committee will resume its sitting.

The committee resumed its session.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193, the river and harbor bill.

Mr. SPARKMAN. Mr. Chairman, in view of the criticisms that have been made against this item, it is not inappropriate that I should say a few words in conclusion.

This project, in so far as the construction of two large dredges is concerned, was adopted in 1910, when provision for them was made, in the bill of that year, at a cost of more than $350,000, as I recall; certainly their construction had cost, when completed, about $350,000.

Those dredges were built for the purpose of making a test on the Arkansas River, to determine whether or not it was practicable to keep that channel open by dredging. They were completed in August or September, 1914, and had been in operation a little less than a year at the close of the last fiscal year.

Under the dragnet provision contained in the act of 1915, the engineers did reinvestigate that project, and made a report, recommending its partial abandonment. That is, the board and the chief recommended the abandonment of the dredging and the confining of work to snagging.

Now, when the committee came to investigate the matter and to pass upon it in the preparation of this bill, they reached the conclusion that no thorough test had been made of the two dredges; that the work with them had not progressed far enough for that; and that they should be tested there for another year, so as to give them a fair trial.

Now, it requires $209,000 to do that, and the committee after very careful consideration concluded to make the appropriation and operate the dredges for at least another year.

Now, we have not turned down the report of the engineers. It is still pending. We can act upon it when we prepare the next bill, if we see proper to do so, and confine the operation to snagging, as recommended.

One word in reply to the gentleman who was criticizing me a while ago on account of the remarks I made in my opening statement here the other day. Mr. Chairman, I was then dealing with an original report—a report that comes before the committee and made pursuant to a provision for an original survey when it first comes before the committee and Congress for adoption or rejection; and I stated that when a report was made, if it was adverse nothing more was usually done with it. As I said, I was dealing then with an original report, not a report like this, recommending the modification or abandonment of a project, which we may hold in abeyance as long as Congress may choose and act upon now or hereafter.

There was the Sandy Bay Breakwater, for instance, with a report not so liberal as the one concerning the Arkansas River. We have not abandoned that as yet. It is still on the books untouched, except that not being satisfied with the report, we have sent it back to the Board of Engineers for a reexamination, but we can continue it if we choose to do so. Now, we were not altogether satisfied with the report the engineers made on the Arkansas River project, because we did not think a thorough test had been made with the dredges, and we concluded to make this appropriation, and that is all there is to it.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. SPARKMAN. Yes; I yield to the gentleman from Washington.

Mr. HUMPHREY of Washington. Unfortunately, I was not present when the committee considered this item; but was not this report on the Arkansas River, in Arkansas and Oklahoma, under date of December 17, 1915, before the committee when this item was considered?

Mr. SPARKMAN. Oh, yes; and we considered it.

The CHAIRMAN. The gentleman's time has expired.

Mr. SPARKMAN. I ask unanimous consent for two minutes more, so that I may answer the gentleman's question.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, I will occupy only a moment. In that report it says:

> The dredging proposed by the district officer is considered a waste of public funds. It can have no effect on the permanent improvement of the river. It is insufficient even to maintain a temporary channel from the river mouth to Pine Bluff. The transfer of the dredges built for the Arkansas River to the Ohio is suggested, where they would be of some practical use.

Now, it seems to me the committee are violating that portion of the report.

Mr. SPARKMAN. We are not violating the report; we are simply holding it in abeyance for the present. We may perhaps take it up and consider it later on; but a majority of the committee thought it would be unfair to spend $350,000 on the construction of two dredges and then not use them for a reasonable time there. The district engineer, Maj. Putnam, advised that we go back and work on the more expensive project, one requiring not only dredging but revetment and snagging as well.

Mr. HUMPHREY of Washington. But the Board of Engineers say that would be a waste of public funds.

Mr. SPARKMAN. Yes; the board did say that; but in another report they had recommended the dredges. Now, both the reports are before the House with one action, and it can do as it pleases with them and this item.

Mr. McLAUGHLIN. I move to strike out the last word.

Mr. SPARKMAN. How much time does the gentleman want?

The CHAIRMAN. The gentleman from Michigan is recognized for five minutes.

Mr. SPARKMAN. I ask unanimous consent that debate on this item and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate on this item and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. McLAUGHLIN. Mr. Chairman, in my judgment the committee is deliberately violating the rule that it has laid down—that it will follow the report of the Chief of Engineers and refuse an appropriation when that report is unfavorable. The committee not only violates its rule, but it is evident also that the committee is not willing to permit the abandonment of a project which time and the expenditure of an immense sum of money have shown to be a worthless proposition. They evidently believe that if a project is begun it must be carried out regardless of cost and regardless of consequences, along the lines followed by the committee in some of these New Jersey projects, which were criticized so severely, where the later reports of the engineers said the carrying out of the projects and the expenditure of large sums of money so far has resulted only in draining land, exterminating mosquitoes, providing further building sites, and providing a harbor for racing yachts. The reports in those cases were unfavorable, and the engineers were trying to get away from those projects, but this committee would not let them quit spending money.

Here is a project on which hundreds of thousands of dollars have been expended, and after years of the most strenuous effort on the part of the engineers, with all the money which Congress has placed at their disposal, they have been unable to make a navigable stream of that river, they recommend abandonment of the original project and that $35,000 only shall be expended, and that to be used for dredging.

The committee, deliberately in my judgment, violating the rule by themselves laid down and enforced against many Members of the House, including myself, on more than one occasion, of which I make no complaint, because I understood the rule was general and because I see justice in it, disregarding the reports of the Chief Engineer and of the board of review, and accepting the recommendation of the junior officer, disregarding the recommendations of six of his superior officers, refusing to permit the engineers to get away from a worthless proposition, insists upon spending the public money on this worthless proposition. It gives color to the statement so generally made over the country, which people are beginning to believe, that this is unwise and improper legislation. I always have been, and still am, in favor of liberal appropriations for rivers and harbors. I started out favorably disposed toward this bill and expected and hoped sincerely to be able to support it, but after days of consideration here in the House, hearing the reports read and learning more than I knew before of the disposition of the committee and the course it has pursued, I have come to the conclusion that this bill contains many very objectionable and indefensible propositions. I reach this conclusion reluctantly. I regret that my action in making it necessary to have a call of the House has inconvenienced the Members and that so much time has been taken at this hour, but I believe if we have emphasized to the country the course that has been pursued by the committee and pursued by the House the time has not been wasted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. NORTON. Can we have the amendment reported?

The amendment was again reported.

The question was taken, and the amendment was rejected.

[Mr. WINGO and Mr. TAYLOR of Arkansas had leave to extend their remarks in the RECORD.]

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the Chair, Mr. SHERLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12193, the river and harbor bill, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. OLDFIELD, by unanimous consent, was given leave to withdraw from the files of the House without leaving copies papers in the case of Bertha Oglesby, Sixty-second Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. WILSON of Florida, by unanimous consent, was given leave of absence, for 10 days, on account of important business.

IMMIGRATION BILL.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent for the present consideration of the following privileged resolution.

The Clerk read as follows:

> *Resolved by the House of Representatives*, That the Senate is hereby requested to return H. R. 10384, an act to regulate the immigration of aliens to and the residence of aliens in the United States, passed by the House of Representatives March 30 (calendar day Mar. 31), 1916, for the purpose of correcting an error in the engrossment of the same.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I think it is proper to say that I have examined the original bill as it passed the House and that the error is not the error of the engrossing clerk.

Mr. BURNETT. Mr. Speaker, I want to confirm that. It is in regard to the Humphrey amendment. The Humphrey amendment was adopted, and the next day was amended by substitute, and both of these were sent to the engrossing clerk and O. K'd.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

LEAVE TO PRINT.

Mr. SLOAN, Mr. TAVENNER, and Mr. LINDBERGH asked unanimous consent for leave to print remarks in the RECORD.

Mr. BARNHART. Mr. Speaker, reserving the right to object, I trust that when these requests are made to extend remarks in the RECORD it will be in order for gentlemen to state what they are going to talk about. I observe that a Member had leave to extend remarks the other day and took a number of pages of the RECORD to print the names of Indians, and there are two or three other cases that have occurred in which the privilege has been grossly abused.

Mr. SLOAN. I desire to extend very briefly what I said this afternoon. I desire the House to know something about the investment in public buildings in the city of Chicago.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska, the gentleman from Illinois, and the gentleman from Minnesota?

There was no objection.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to the appropriate committee, as indicated below:

S. 3560. An act to validate a certain title whereon the purchase money has been paid on a private sale by order of the United States district court for the middle district of Pennsylvania, at No. 83, June term, 1910, sitting in bankruptcy; to the Committee on the Judiciary.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 1048. An act for the relief of Warren E. Day.

BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 13769. An act to authorize the Secretary of War to supply tents for temporary use of the sufferers from the recent conflagration in Paris, Tex., and for other purposes; and

H. R. 8466. An act to relieve J. Lawrence Latham, postmaster at Eupora, Webster County, Miss., of the payment of cash and funds stolen from the post office.

IMMIGRATION.

Mr. QUIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of immigration.

The SPEAKER. Is there objection?

There was no objection.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 6 minutes p. m.) the House adjourned until to-morrow, Saturday, April 8, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury transmitting copy of a communication from the Secretary of War submitting an estimate of appropriation in the sum of $60,000 for radio installations on the Mexican border (H. Doc. No. 990); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War transmitting, with a letter from the Chief of Engineers, report on reexamination of Browns Creek, N. Y. (H. Doc. No. 991); to the Committee on Rivers and Harbors and ordered to be printed.

3. A letter from the Secretary of War transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Lake Charlotte, Tex. (H. Doc. No. 992); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of War transmitting, in addition to list of claims adjusted and settled by the Chief of Engineers, United States Army (letter of Feb. 5, 1916), reports on two additional claims which have been adjusted and settled since date above mentioned (H. Doc. No. 993); to the Committee on Expenditures in the War Department and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, transmitting a tentative draft of legislation authorizing the extension, remodeling, etc., of the Federal building at Beaver Falls, Pa. (H. Doc. No. 994); to the Committee on Public Buildings and Grounds and ordered to be printed.

6. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Jonesport Harbor, Me., including Moosabec Bar (H. Doc. No. 995); to the Committee on Rivers and Harbors and ordered to be printed.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Shetucket and Quinebaug Rivers, Conn., and French River, Conn. and Mass., with a view to securing slack-water navigation between Norwich, Conn., and Worcester, Mass. (H. Doc. No. 996); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

8. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Ashtabula Harbor, Ohio (H. Doc. No. 997); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

9. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Catherine Weirick, widow of Ephraim B. Weirick, *v.* The United States (H. Doc. No. 998); to the Committee on War Claims and ordered to be printed.

10. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Jessie M. Phinney, widow of Lorenzo Phinney, deceased, *v.* The United States (H. Doc. No. 999); to the Committee on War Claims and ordered to be printed.

11. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Clanton G. Welsh et al., heirs of Merit C. Welsh, deceased, *v.* The United States (H. Doc. No. 1000); to the Committee on War Claims and ordered to be printed.

12. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of George D. McKinney *v.* The United States (H. Doc. No. 1001); to the Committee on War Claims and ordered to be printed.

13. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of James B. Smith *v.* The United States (H. Doc. No. 1002); to the Committee on War Claims and ordered to be printed.

14. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John C. Andrew *v.* The United States (H. Doc. No. 1003); to the Committee on War Claims and ordered to be printed.

15. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Lucy A. Durant, widow of Martin Durant, deceased, *v.* The United States (H. Doc. No. 1004); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. McCLINTIC, from the Committee on the Public Lands, to which was referred the bill (S. 1793) granting to the State of Kansas title to certain lands in said State for use as a game preserve, reported the same with amendment, accompanied by a report (No. 500), which said bill and report were referred to the Committee on the Whole House on the state of the Union.

Mr. TIMBERLAKE, from the Committee on the Public Lands, to which was referred the bill (H. R. 10124) to add to the Rocky Mountain National Park, Colo., certain lands, reported the same with amendment, accompanied by a report (No. 502), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MAYS, from the Committee on the Public Lands, to which was referred the bill (S. 35) to authorize the Secretary of the Interior to issue patents for certain lands to the town of Myton, Utah, reported the same without amendment accompanied by a report (No. 503), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (S. 1066) authorizing leave of absence to homestead settlers upon unsurveyed lands, reported the same without amendment, accompanied by a report (No. 504), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (S. 2290) authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Elsie McCaulley from Glenwood Cemetery, District of Columbia, to Philadelphia, Pa., reported the same without amendment, accompanied by a report (No. 501), which said bill and report were referred to the Private Calendar.

Mr. MAYS, from the Committee on the Public Lands, to which was referred the bill (S. 33) for the relief of Daniel M. Frost, reported the same without amendment, accompanied by a report (No. 505), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 6) authorizing issuance of patent for certain lands to Thomas L. Griffiths, reported the same without amendment, accompanied by a report (No. 506), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 31) for the relief of John L. Sevy, reported the same without amendment, accompanied by a report (No. 507), which said bill and report were referred to the Private Calendar.

MOTION TO DISCHARGE COMMITTEE.

Under clause 4 of Rule XXVII, a motion to discharge a committee was filed, as follows:

By Mr. TREADWAY: To discharge the Committee on the Judiciary from the further consideration of the bill (H. R. 476) to provide compensation for employees of the United States suffering injuries or occupational diseases in the course of their employment, and for other purposes.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 13994) for the relief of the estate of John Boyer, deceased, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and a memorial were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 14337) to regulate carriers by water engaged in the foreign and interstate commerce of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. ADAMSON: A bill (H. R. 14338) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GLASS: A bill (H. R. 14339) to limit the use of the words "Federal" and "reserve"; to the Committee on Banking and Currency.

By Mr. ADAMSON: A bill (H. R. 14340) to furnish all seagoing vessels in the Lighthouse Service and all other seagoing vessels of the Department of Commerce with radio equipment and auxiliary power for the operation thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. HULL of Iowa: A bill (H. R. 14341) to appropriate $700,000 for a building and facilities for the manufacture of aeroplanes and aircrafts at the Rock Island Arsenal; to the Committee on Military Affairs.

By Mr. HASTINGS: A bill (H. R. 14342) providing for a survey of Arkansas River, in the State of Oklahoma, with the view to making same navigable; to the Committee on Rivers and Harbors.

By Mr. GRIFFIN: A bill (H. R. 14343) providing for the removal of the remains of Samuel Chester Reid from Greenwood Cemetery, Brooklyn, N. Y., to the National Cemetery at Arlington, Va., and placing a suitable memorial to his memory; to the Committee on the Library.

By Mr. RIORDAN: A bill (H. R. 14344) to authorize the Secretary of the Treasury to sell the present assay office, at New York City, and to provide for the purchase of a new site and the erection of a building thereon; to the Committee on Public Buildings and Grounds.

By Mr. HEFLIN: Resolution (H. Res. 195) to investigate the conduct of the New York Cotton Exchange; to the Committee on Rules.

By Mr. MOTT: Memorial of the Legislature of the State of New York, favoring adequate preparedness; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ALMON: A bill (H. R. 14345) to reimburse J. B. Patterson, postmaster of Lacon, Morgan County, Ala., for certain postage stamps stolen; to the Committee on the Post Office and Post Roads.

By Mr. BORLAND: A bill (H. R. 14346) granting an increase of pension to Ellen Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14347) granting an increase of pension to Nathan Baker; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 14348) granting an increase of pension to O. H. Peters; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 14349) granting an increase of pension to Martin Fleming; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14350) granting an increase of pension to John E. Hobbs; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 14351) granting an increase of pension to Maberry Riggs; to the Committee on Invalid Pensions.

By Mr. EDMONDS: A bill (H. R. 14352) granting a pension to Ellen Murphy; to the Committee on Pensions.

Also, a bill (H. R. 14353) to reinstate I. Franklin Cohn as a passed assistant surgeon in the United States Navy; to the Committee on Naval Affairs.

By Mr. FARR: A bill (H. R. 14354) for the relief of the widow of Wallace Whitesell; to the Committee on Military Affairs.

Also, a bill (H. R. 14355) granting an increase of pension to Bridget McAndrew; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 14356) granting an increase of pension to Amos Potter; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 14357) granting a pension to Laura D. Bricker; to the Committee on Pensions.

By Mr. GRAHAM: A bill (H. R. 14358) for the relief of John S. Winslow; to the Committee on Naval Affairs.

By Mr. GRIFFIN: A bill (H. R. 14359) reinstating William S. Barriger to his former grade and rank in the United States Army; to the Committee on Military Affairs.

By Mr. HULL of Iowa: A bill (H. R. 14360) granting an increase of pension to Aaron Angle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14361) granting an increase of pension to Richard H. Crone; to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 14362) granting an increase of pension to George W. Wells; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 14363) granting an increase of pension to Mary A. Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14364) granting an increase of pension to Adam Snyder; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 14365) granting an increase of pension to John Givens; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 14366) to remove the charge of desertion and grant an honorable discharge to Samuel Bordner; to the Committee on Military Affairs.

By Mr. KIESS of Pennsylvania: A bill (H. R. 14367) providing for the promotion of Col. George A. Dodd, United States Army; to the Committee on Military Affairs.

By Mr. LAFEAN: A bill (H. R. 14368) granting an increase of pension to Bridget Trainor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14369) granting an increase of pension to Matilda W. Leightner; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 14370) granting a pension to Mary J. Rockefellow; to the Committee on Pensions.

By Mr. McCRACKEN: A bill (H. R. 14371) granting an increase of pension to Charles E. Bradish; to the Committee on Invalid Pensions.

By Mr. OVERMYER: A bill (H. R. 14372) granting an increase of pension to Peter Capp; to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 14373) granting an increase of pension to Katie W. De Beck; to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 14374) granting a pension to James W. McCullah; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14375) granting a pension to Mrs. F. G. Cahoon; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 14376) to remove the charge of desertion from the military record of Maurice Spillane, alias Maurice Splan; to the Committee on Naval Affairs.

By Mr. RUSSELL of Missouri: A bill (H. R. 14377) granting an increase of pension to Lousinda B. Montray; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Ohio: A bill (H. R. 14378) granting an increase of pension to Lewis Reddick; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 14379) granting a pension to Reuben D. Way; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 14380) granting a pension to Amelia Xandry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14381) granting a pension to John Miller; to the Committee on Invalid Pensions.

By Mr. STEDMAN: A bill (H. R. 14382) for the relief of the Commissioner of Internal Revenue; to the Committee on Claims.

Also, a bill (H. R. 14383) for the relief of the Commissioner of Internal Revenue; to the Committee on Claims.

By Mr. SWEET: A bill (H. R. 14384) granting a pension to Emma Cornelia Troy; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 14385) granting an increase of pension to Catharine Lovell; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 14386) granting an increase of pension to Mary R. Bacon; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BACHARACH: Memorial of Union League Club, of Chicago, Ill., favoring preparedness; to the Committee on Military Affairs.

By Mr. BAILEY: Protest of Robert F. Rodgers, F. J. Platt, Elmer Smith, Charles M. Hassell, F. J. Ward, Frank McClear, B. G. Matzi, Harry Davis, C. E. Marks, H. P. Walker, O. J. Wolfe, J. F. Beck, J. G. Bell, Charles P. Chilcote, and G. A. Leiser, all of Johnstown, Pa., against House bills 491 and 6468, denying the use of the mails to certain publications; to the Committee on the Post Office and Post Roads.

By Mr. BROWNING: Petition of citizens of West Collingswood, N. J., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BRUMBAUGH: Papers to accompany House bill 14230, for the relief of Timothy Kelly; to the Committee on Pensions.

By Mr. CHARLES: Petition of sundry citizens of Schenectady, N. Y., against Sunday observance bill for the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of Fulton County (N. Y.) Automobile Association, favoring an export tax on gasoline; to the Committee on Ways and Means.

Also, petition of sundry citizens of Amsterdam, N. Y., favoring passage of House bill 9678, to prevent discrimination in prices; to the Committee on Interstate and Foreign Commerce.

By Mr. CURRY: Memorial of Woman's Club of Lodi, Cal., favoring national park service bill, etc.; to the Committee on the Public Lands.

By Mr. DALE of New York: Petitions of Rhynor Fryckbehn and William G. McKnight, of New York City, favoring preparedness; to the Committee on Military Affairs.

By Mr. DENISON: Petitions of certain merchants of Steelville, Percy, Campbell Hill, Willisville, Ava, De Soto, Chester, Marion, Carterville, Johnston City, West Frankfort, Sesser, Benton, and Thompsonville, all in the State of Illinois, in favor of House bills 270 and 712; to the Committee on Ways and Means.

By Mr. ELSTON: Petition of Mrs. T. Peters and others, of Oakland, Cal., protesting against House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Petition of A. T. Church and 29 other citizens of Wonewoc, and William F. Liska and 27 others, of Hillsboro, Wis., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of United States penitentiary guards at Leavenworth, Kans., favoring increase of pay; to the Committee on Appropriations.

Also, memorial of Union League Club of Chicago, favoring preparedness; to the Committee on Military Affairs.

By Mr. FLYNN: Petition of William E. McKnight, of New York, favoring preparedness; to the Committee on Military Affairs.

By Mr. FULLER: Petition of Enighet Lodge, International Order of Good Templars, of De Kalb, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GALLIVAN: Memorial of Major How Post, No. 47, Department of Massachusetts, Grand Army of the Republic, favoring the Ashbrook bill; to the Committee on Invalid Pensions.

Also, memorial of R. A. Peirce Post, No. 190, Department of Massachusetts, Grand Army of the Republic, indorsing the Townsend bill; to the Committee on Invalid Pensions.

By Mr. GARDNER: Petition of sundry citizens of Beverly, Mass., in favor of House joint resolution No. 127; to the Committee on Foreign Affairs.

Also, petition of sundry citizens of Danvers, Mass., to prohibit the exportation of gasoline and all other petroleum products; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Society of Colonial Wars, in the District of Columbia, urging the necessity of such legislation as will assure our country thorough defense on land and sea; to the Committee on Military Affairs.

By Mr. GUERNSEY: Memorial of Bangor Chamber of Commerce, of Bangor, Me., praying for military and naval defense of Penobscot Bay, Me.; to the Committee on Military Affairs.

By Mr. HADLEY: Petition of sundry citizens and organizations of the State of Washington, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAMLIN: Papers to accompany House bill 4237, to pension H. H. Saylor; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: Petition of 500 people of Bethesda; Church of Christ, of 325 people, of Bethesda; and Baptist Church, of 222 people, of Bethesda, Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of R. W. Firestone, of Lisbon, Ohio, favoring improved military school training; to the Committee on Military Affairs.

By Mr. HUMPHREY of Washington: Petition of sundry citizens of Seattle, opposing House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. LINTHICUM: Petitions of Alabama Travelers, Montgomery; Alabama Travelers, Mobile; Chief of Immigration and Markets Bureau, Montgomery; Chamber of Commerce, Montgomery; Shakespeare Club, Birmingham; and commissioner of immigration and markets bureau, Montgomery, all in the State of Alabama, indorsing House resolution 137, providing for a committee to investigate the sanitary condition of dairies; to the Committee on Rules.

Also, petition of Railway Equipment Painters' Union, No. 751, Brotherhood of Painters, Decorators, and Paper Hangers of America, of the State of Arkansas, indorsing House resolution 137; to the Committee on Rules.

Also petitions of Thursday Afternoon Club, of Kingman; Snowball Miners' Union, No. 124, Western Federation of Miners, of Oatman; and Tempe Woman's Club, of Tempe, all in the State of Arizona, indorsing House resolution 137, providing for a committee to investigate the sanitary condition of dairies; to the Committee on Rules.

Also, petitions of Country Club of Washington Township, Centerville; Bakery and Confectionary Workers' Union, No. 37, Los Angeles; the Ebell of Oakland; Journeymen Barbers, Local No. 148, San Francisco; Contra Costa County Central Labor Council, Richmond; Association for the Study and Prevention of Tuberculosis, San Francisco; Printing Pressmen's Union No. 146, International Printing Pressmen and Assistants' Union, San Jose; Independent Order of Foresters, California Tubercular Sanatorium, Los Angeles; International Association of Machinists, Lodge No. 824, Richmond; Sacramento Federated Trades Council, Sac-

ramento; Laundry Workers' Union, Local No. 26, San Francisco; Society for the Study and Prevention of Tuberculosis, San Diego; To-Kalon Club, San Francisco; the "As You Like It" Club, San Diego; Corona Club, San Francisco; California Federation of Women's Clubs, Fresno County; La Jolla Woman's Club, La Jolla; Bakers' Union, No. 26, Pasadena; Woman's Club, Watsonville; Brotherhood of Painters, Decorators, and Paper Hangers of America, Referendum, No. 72, San Francisco; C. H. Whitman, medical director Los Angeles County Department of Charities; the Santa Ana Society for the Study and Prevention of Tuberculosis, Santa Ana; Vallejo Trades and Labor Council, Vallejo; and Carquinez Women's Club, Crockett, all in the State of California, indorsing House resolution 137, providing for a committee to investigate the sanitary condition of dairies; to the Committee on Rules.

Also, petitions of the North Side Woman's Club, of Denver; of the Rifle Reading Club, of Rifle; of the International Brotherhood of Blacksmiths and Helpers, Local No. 138, of Colorado; of the National Housewives' League of Denver; of the International Association of Machinists, Local No. 592, of Grand Junction; of the Zeta Zeta Club, of Sterling; of the International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers, Local No. 453, of Pueblo; of the Amalgamated Lithographers of America of Denver; of Dr. M. Collins, of Denver; of the Colorado Springs Gazette, of Colorado Springs; and of the Woman's Club of Denver, all in the State of Colorado, indorsing House resolution 137; to the Committee on Rules.

Also, petitions of the city of Norwalk Board of Health; of the Public Health Association of Meridian; of the Theatrical Stage Employees, Local No. 350, of Meridian; of the Piano, Organ, and Musical Instrument Workers, Local Union No. 29, of Meridian; of the Woman's Civic League of Stamford; of Local 215 of the Journeymen Barbers' International Union, of New Haven; of the Central Labor Union of Danbury and vicinity; of Yale University Department of Political Economy, Prof. Irving Fisher, of New Haven; and of the Fortnightly Club, of Madison, all in the State of Connecticut, indorsing House resolution 137; to the Committee on Rules.

Also, petition of Milford Emergency Hospital, Milford, Del., indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of International Association of Machinists, Seminole Lodge, No. 280, Sanford; Woman's Club, St. Petersburg; the Wauchula Civic League, Wauchula; St. Augustine Typographical Union, No. 588, St. Augustine; International Brotherhood of Blacksmiths, Local 96, Jacksonville; and Melbourne Woman's Club, Melbourne, all in the State of Florida, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of Mrs. Charles Worifolle, chairman pure food commission, Columbus; Women's History Club, Kingston; Wymodausis Club, Valdosta; Savannah Kindergarten Club, Savannah; Chatham Local, No. 11, International Brotherhood of Blacksmiths and Helpers, Savannah; United Commercial Travelers, Savannah; International Association of Machinists, Preston Lodge, No. 677, Fitzgerald; East Point Woman's Club, East Point; Peter F. Bahnsen, State veterinarian of Georgia department of agriculture, Atlanta; Augusta Council, No. 312, United Commercial Travelers, Augusta; and Gainesville Council, No. 416, United Commercial Travelers, Gainesville, all in the State of Georgia, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of the Pocatello Central Labor Union, Pocatello; Fortnightly Club, Harrison; Electrical Workers, Twin Falls; and Burke Miners' Union, No. 10, Burke, all in the State of Idaho, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of Pierian Club, Greenville; National Association of Marketing Officials, Chicago; Policy of the First Conference, Chicago Housewives, League, Chicago; the Danville Trades and Labor Council, Danville; International Molders' Union of North America, Local No. 220, Belleville; Tuscola Woman's Club, Tuscola; Edison Park Woman's Club, Chicago; Galewood Lodge, No. 524, International Association of Machinists, Chicago; the Centralia Woman's Club, Centralia; Noyes Street Mothers' Club, Evanston; Madison Lodge, No. 1, A. A. of I., S. and T. W., Granite; Johnston City Trades Council, Johnston City; Research Club, Peoria; Women's Civic Federation, East St. Louis; the Order of Railroad Telegraphers, Chicago, Milwaukee & St. Paul System, Division No. 23, Chicago; International Association of Bridge, Structural, and Ornamental Iron Workers and Pile Drivers, Local Union No. 1, Chicago; Switchmen's Union of North America, Lodge No. 53, Decatur; Local Union No. 1722, United Mine Workers of America, Oglesby; Otter Creek Improvement Club, Streater; the Shakespeare Club, Farmer City; Hinckley Woman's Club, Hinckley; the Athena Library Association, Sycamore; the Monday Club, Morris; the Woman's Literary Club, Urbana; International Molders' Union, No. 178, Peoria; Illinois State Association of Graduate Nurses, Chicago; International Brotherhood Blacksmiths and Helpers, No. 44, Decatur; Travelers' Protective Association, Post W, Galesburg; and Good Friday Lodge No. 8, A. A. of I., S. and T. W. of A., Granite City, all in the State of Illinois, indorsing House resolution No. 137; to the Committee on Rules.

Also, petition of the Tuesday Club, Kendallville; Greensburg Department Club, Greensburg; Travelers Protective Association, Terre Haute; Bay View Club, Kendallville; Winona Lake Literary Club, Winona; Carpenters' District Council, Indianapolis; Orpheus Club of Aurora, Aurora; resolutions committee of the Ramblers' Literary Society, Mount Vernon; J. B. I. U. of A. Local Union No. 233, Linton; the Antituberculosis League, South Bend; Woman's Club, Winamac; International Union of the United Brewery Workmen of America, Local 153, Evansville; and Chamber of Commerce, East Chicago, all in the State of Indiana, indorsing House resolution 137; to the Committee on Rules.

Also, petitions of Twentieth Century Club, Linemore; Journeyman Barbers International Union of America, Cedar Rapids; Webster County Medical Society, Fort Dodge; Chautauqua Circle, Anita; Shakespearean Club, Osage; Ivanhoe Club, Bloomfield; Chautauqua Club, Waterloo; Krol El Deen Club, Boone; Library Reading Club, Alden; Woman's Club, Corydon; Friday Club, Esterville; Sunset Club, Grinnell; Woman's Club, Maquoketa; Cleo Club, Indianola; and International Association of Machinists, Missouri Valley, all in the State of Iowa, indorsing House resolution 137; to the Committee on Rules.

Also, petitions of Monday Afternoon Club, Medicine Lodge; International Brotherhood of Electrical Workers, Local No. 226, Topeka; City of Topeka Department of Food Inspection, Topeka; and the Sorosis, Stockton, all in the State of Kansas, indorsing House resolution 137; to the Committee on Rules.

Also, petitions of the Sorosis Club, Louisville; Newport Lodge, No. 5, of Kentucky Iron, Steel, and Tin Workers, Newport; Woman's Club, Hawesville; The Antituberculosis League of Kenton County, Covington; Highland Civic Club, Louisville; and United Commercial Travelers, Louisville, all in the State of Kentucky, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of Biddeford Musician's Protective Union, Biddeford; the Old Orchard Club, Old Orchard; the Women's Educational and Industrial Union, Saco; the Progressive Club, Lisbon; and Travelers' Club of Belfast, all in the State of Maine, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of A. H. Kuhlemann, Baltimore; Max Colton, health officer, Cumberland; Dr. Frank J. Goodnow, president The Johns Hopkins University, Baltimore; Baltimore Typographical Union, No. 12, Baltimore; United Brotherhood of Carpenters and Joiners, Baltimore; Alfred E. Sharp, president the Travelers' Protective Association, Baltimore; the Woman's Club, Sparrows Point; Horace H. Leach, Baltimore; American Flint Glass Workers' Union, Baltimore; Maryland State and District of Columbia Federation of Labor, Baltimore; Baltimore Kindergarten Club, Baltimore; George Kahl, the Kahl-Holt Co., Baltimore; Women's Civic League, Baltimore; Dr. C. Hampson Jones, chief bureau of communicable diseases, Baltimore; Cumberland Academy of Medicine, Cumberland; and Coopers' International Union, Baltimore, all in the State of Maryland, indorsing House resolution No. 137; to the Committee on Rules.

Also, petition of Tuesday Club, Stockbridge; the Quabbin Club, Enfield; International Association of Machinists, Springfield; Arlington Woman's Club, Arlington; Melrose Highlands Woman's Club, Melrose Highlands; Quest and Question Club, Winthrop; Etaerio Club, Attleboro; Sheet Metal Workers' Local 289, New Bedford; Newton Federation of Women's Clubs, Newton, Clinton Antituberculosis Association, Clinton; and Chicopee Falls Woman's Club, Chicopee, all in the State of Massachusetts, indorsing House resolution No. 137; to the Committee on Rules.

Also, petition of Michigan State Federation of Women's Clubs, Bay City; Woman's Club of Ann Arbor; Railroad Lodge No. 573, Detroit; The Woman's Club, Pontiac; West Side Ladies' Literary Club, Grand Rapids; Antituberculosis Society, Saginaw; Kings Daughters and Sons, Owosso; Federation of Women's Clubs, Saginaw; International Association of Machinists, Muskegon; Journeymen Tailors' Union, Local No. 229, Detroit; Antituberculosis Society, Grand Rapids; Antituberculosis Society, Kalamazoo; Detroit Council No. 9, United Commercial Travelers' Association, Detroit; Kalamazoo Academy

of Medicine, Kalamazoo; and Grand Rapids Wood Carvers' Association, Grand Rapids, all in the State of Michigan, indorsing House resolution No. 137; to the Committee on Rules.

Also, petition of the Housewives' League, St. Paul; the Coterie, Benson; Journeymen Stone Cutters' Association, No. 433, Sandstone; Current News Club, New Ulm; Woman's Civic League, Taylors Falls; Woman's Literary Club, Litchfield; Progressive Woman's Club, Virginia; Advisory Commission, Minnesota State Sanatorium, St. Paul; Trades and Labor Assembly, Brainerd; and State chemist, St. Paul, all in the State of Minnesota, indorsing House Resolution No. 137; to the Committee on Rules.

Also, petition of Senatobia Civic League, Senatobia; Woman's Club, Hattiesburg; W. F. Hand, State chemist, Mississippi Agricultural and Mechanical College, Agricultural College; and the Meridian Central Trades Council, Meridian, all in the State of Mississippi, indorsing House resolution 137; to the Committee on Rules.

Also, petition of the Allied Printing Trades Council, St. Louis; the Century Club, Louisiana; the Woman's Study Club, Ironton; Palmyra Civic League, Palmyra; Missouri Federation of Women's Clubs, Clinton; St. Louis Medical Society, St. Louis; Banner Lodge, No. 539, International Association of Machinists, St. Joseph; Bridge Structural and Ornamental Iron Workers, Kansas City; the Sikeston Standard, Sikeston; Medical Director and Staff of Mount St. Rose Hospital, St. Louis; Ladies' Auxiliary, International Association of Machinists, Sedalia; and Metal Polishers, Buffers, Platers, No. 137, Hannibal, all in the State of Missouri, indorsing House resolution 137; to the Committee on Rules.

Also, petition of Women's Club, Hamilton, and Lewistown Woman's Club, Lewistown, both in the State of Montana, indorsing House resolution 137; to the Committee on Rules.

Also, petition of Reno Central Trades and Labor Council, Reno, Nev., indorsing House resolution 137; to the Committee on Rules.

Also, petition of Journeymen Barbers' International Union of America, Berlin; Friendly Club, Concord; Woman's Club, Milford; United Garment Workers, Whitefield; Irving A. Watson, State board of health, Concord; Center Harbor Woman's Club, Center Harbor; and the Tuesday Club, Dover, all in the State of New Hampshire, indorsing House resolution No. 137; to the Committee on Rules.

Also, petition of Amalgamated Sheet Metal Workers, Newark, N. J.; the Woman's Club, Upper Montclair; Paragraph Club, Beverly; International Longshormen's Association Local No. 306, Hoboken; Union County Central Labor Union, Elizabeth; the Keyport Improvement Association, Keyport; Hat Finishers' Union, Local 14, Newark; Sunny Rest Sanatorium, Ancora; Central Labor Union, Camden; Bakery and Confectionery Workers, Atlantic City; Atlantic City Printing Pressmen and Association, Atlantic City; Woman's Club, West Hoboken; Woodbury Civic League, Woodbury; Monday Afternoon Club, Binghamton; Local No. 45, Sanitary Workers, Trenton; Board of Commissioners, Asbury Park; Egg Harbor City Tuberculosis Committee, Egg Harbor City; R. B. Fitz-Randolph, assistant director department of health of New Jersey, Trenton; American Pure Food League, Cranford; and Improvement Society, New Brunswick, all in the State of New Jersey, indorsing House resolution No. 137; to the Committee on Rules.

Also, petition of Columbian Club, Oneida; directors of the Cayuga Preventorium, Ithaca; Central Trades and Labor Council, New York City; the Equal Suffrage League, New York City; Rochester Lithographers' Association, Rochester; Mothers' Council, White Plains; the Coterie of Fayetteville, Fayetteville; Monday Club, Saugerties; Cohoes committee for the prevention of tuberculosis, State Charities Aid Association, Cohoes; Carpenters and Joiners of America, New York City; International Wood Carvers' Association, Rochester; Amalgamated Meat Cutters and Butchers of North America, Auburn; Ulricht Study Club, Brooklyn; Kanatenah Club, Syracuse; Painters, Decorators, and Paperhangers, New York City; Tourist Club, Middletown; Central Federated Union, New York; Wood Carvers and Modelers' Association, New York; Tug Firemen and Linemen's Protective Association, Buffalo; Yonkers Woman Suffrage Association, Yonkers; Paperhangers Local Union No. 490, New York; Fortnightly Club, Rockville Center; New York Peace Society, New York; consultant in home economics, Miss C. Q. Murphy, New York; Syracuse Council of Wowen's Clubs, Syracuse; Charles E. North, the North Public Health Bureau, New York; Albany Colony of New England Women, Albany; J. Simpson, Waterloo; Philanthropic Club, Middletown; Monday Historical Club, Pulaski; Bakery and Confectionery Workers, New York; and Women's Club, Glens Falls, all of the State of New York, indorsing House resolution No. 137; to the Committee on Rules.

Also, petition of the Southern Colton Oil Co., Charlotte; and North Carolina Agriculture Experiment Station, West Raleigh, both in the State of North Carolina, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of the Woman's Club of Ashley, N. Dak., and the Commissioner of the North Dakota Agricultural Experiment Station Agricultural College, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of Journeymen Barbers' International Union of America, Local, No. 500, of Fostoria; Federation of Clubs of Warren; Cosmopolitan Club, of Nelsonville; Research Club, of Youngstown; International Association of Machinists of Alliance; International Association of Machinists of Newark; Deforest Lodge, Iron, Steel, and Tinplate Workers, of Niles; the Lorain Federation of Women Societies, of Lorain; Iron, Steel, and Tin Workers, Trumbull Union, No. 73, of Warren; United Trades and Labor Council of Dayton; the Ross County Welfare Association, of Chillicothe; Teamsters, Chauffeurs, Stablemen, and Helpers, Local No. 100, of Cincinnati; Electrical Workers, Local No. 172, of Newark; Central Labor Union of Tiffin; Cincinnati Board of Health; International Association of Machinists of Hamilton; Nineteenth Century Literary Club, of Conneaut; Advance Club, of Northside, Cincinnati; Struthers Reading Circle, of Struthers; Batavia Woman's Club, of Batavia; the Tuberculosis Society of Dayton; and the Crocus Junior Club, of Bucyrus, all in the State of Ohio, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of Oklahoma Cotton Seed Crushers' Association, of Oklahoma City, and Chickasha Cotton Oil Co., of Lawton, both in the State of Oklahoma, favoring House resolution No. 137; to the Committee on Rules.

Also, petitions of Astoria Reading Club, Astoria; and Progr Club, Marshfield, both in the State of Oregon, favoring House resolution No. 137; to the Committee on Rules.

Also, petitions of Woman's Club of Clarion; Reading Circle of 91, New Castle; Woman's Club of Kiskiminetas Valley, Apollo; Shakespeare Club, Tidioute; Twentieth Century Club, Pittsburgh; Woman's Club of Bethlehem; International Brotherhood of Bookbinders, Erie; Twentieth Century Club, Rochester; The Civic Club, Waynesboro; Brotherhood of Painters, Decorators, and Paper Hangers, Local 123, Allentown; Paper Hangers, Local 123, Allentown; Musicians' Protective Union, Oil City; the Central Labor Union of Lancaster; Fort Pitt Telegraphers' Club, McKeesport; Licensed Tugmen's Protective Association, Erie; International United Brotherhood of Leather Workers, Scranton; Woman's Culture Club, Connellsville; Department of Health of Beaver Falls; Woman's Civic Club of Southwest, Greensbury; the Travelers' Protective Association, Lebanon; the United Commercial Travelers, Meadville; S. B. Ament, Department of Health, district No. 16, Bos ick; New Century Club, Easton; Consumers' League of Eastern, Philadelphia; Woman's Club of New Brighton; Central Labor Union of Erie; International Union of the United Brewery Workmen, Du Bois, all in the State of Pennsylvania, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of the Triangle Club, Kingston; and Frank A. Jackson, chairman board of food and drug commissioners, Providence, both in the State of Rhode Island, favoring House resolution No. 137; to the Committee on Rules.

Also, petitions of Barbers' Local, No. 714, Greenville, and E. J. Watson, department of agriculture, commerce, and industries, Columbia, both in the State of South Carolina, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of Britton Study Club, Britton; History Club of Sioux Falls, Sioux Falls; and the Reading Circle, Canton, all in the State of South Dakota, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of International Association of Machinists, Knoxville; the Students' Club of Columbia, Columbia; East Side Civic Club, Nashville; Kosmos Club, Chattanooga; Chattanooga Printing Pressmen and Assistants, No. 165, Chattanooga; United Commercial Travelers, Johnson City; Painters, Decorators, and Paperhangers of America, Knoxville; and Harry L. Eskew, commissioner department of food and drugs, Nashville, all in the State of Tennessee, indorsing House resolution No. 137; to the Committee on Rules.

Also, petitions of the International Cottonseed Crushers' Association, Paris; the Woman's Club, Waco; the Woman's Health Protective Association, Galveston; International Brotherhood of Boilermakers, Childress; Allied Printing Trades Council, San Antonio; Shakespearian Club, Sherman; Two and Twenty Club, Stamford; commissioner food and drug department, Austin; the Sesame Club, Marshall; and Home Science Club, Vernon,

all in the State of Texas, indorsing House resolution No. 137; to the Committee on Rules.

Also, petition of United Commercial Travelers, Salt Lake City; commissioner, dairy and food, weights and measures, and hotel departments, Salt Lake City, Utah, indorsing House resolution 137; to the Committee on Rules.

Also, petition of In Hoc Signo Vinces Club, Roanoke; Old Dominion Citizens' Association, McLean; Journeymen Barbers' International Union, Local No. 309, Richmond; International Association of Machinists, Lynchburg; E. L. Adams Lodge, No. 275, Clifton Forge; Village Improvement Association, Berryville; E. C. Levy, chief health officer, health department, Richmond; all in the State of Virginia, indorsing House resolution 137; to the Committee on Rules.

Also, petition of Painters, Decorators, and Paperhangers of America, Everett; International Association of Machinists, Bremerton; Sailors' Union, Aberdeen; Woman's Improvement Club, Sultan; Woman's Reading Club, Walla Walla; Woman's Educational Club, Walla Walla; Commencement Bay Lodge, No. 497, Tacoma; all in the State of Washington, indorsing House resolution 137; to the Committee on Rules.

Also, petition of Association for the Prevention of Tuberculosis, Consumers' League, director in the Association for Prevention of Tuberculosis, and chairman Interstate Commerce Commission, all of Washington, D. C., indorsing House resolution 137; to the Committee on Rules.

Also, petition of the Woman's Club, Charleston; Monongahela Valley Trades and Labor Council, Fairmont; Central Labor and Trades Council, Clarksburg, all in the State of West Virginia, indorsing House resolution No. 137; to the Committee on Rules.

Also, petition of Clio Club, Manitowoc; Twentieth Century Topic Club, Wauwatosa; Oconto Woman's Club, Oconto; Musician's Protective Union, Wausau; International Boiler Makers and Ship Builders, Green Bay; Eau Claire Trades and Labor Council, Eau Claire; Woman's Club, Sheboygan; Woman's Club, Lancaster; Woman's Club, De Pere; Milwaukee Press Assistants Union, No. 27, Milwaukee; Bakery and Confectionery Workers, Green Bay; Glass Bottle Blowers' Association, Milwaukee; and Butter, Cheese, and Egg Journal, Milwaukee, all in the State of Wisconsin, indorsing House resolution No. 137; to the Committee on Rules.

By Mr. LOUD: Petition of C. O. Boze and 33 others, of Big Rapids, Mich., favoring Susan B. Anthony amendment enfranchising women; to the Committee on the Judiciary.

By Mr. MATTHEWS: Petition of 80 citizens of Montpelier, Williams County, Ohio, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. MORIN: Petition of E. M. Herr, president Westinghouse Electric & Manufacturing Co., of Pittsburgh, Pa., opposed to House bill 8665; to the Committee on Labor.

Also, petition of William U. Follansbee, of Pittsburgh, Pa., opposed to Government-owned armor plant; to the Committee on Naval Affairs.

Also, petitions of M. I. Black and A. C. Halfeidahl, of Pittsburgh, Pa., in favor of prohibiting export of intoxicants to Africa, to prohibit intoxicants in Porto Rico, and Federal censorship of moving pictures; to the Committee on the Judiciary.

Also, petitions of John W. Hallock, A. H. Anthony, E. C. Ramage, F. G. Clapp, W. A. Brewer, A. P. Aucoast, W. P. Wirhem, George Kenderdine, Charles Thornton, E. Borid, George H. Clark, Frank S. Slocum, Ralph Wood, Robert L. Wilson, T. H. Carlin, G. H. Neilson, A. D. Edwards, E. E. Harton, W. G. Wilkins, J. Roy Tanner, F. C. Clifford, F. M. McCullough, E. C. Auld, and C. C. MacMillan, all of Pittsburgh, Pa., in favor of House bill 10845 and Senate bill 3946; to the Committee on Military Affairs.

Also, petition of Duquesne Club of Pennsylvania State College, State College, Pa., in favor of House bill 10845; to the Committee on Military Affairs.

Also, petition of Bailey H. Moore, of Pittsburgh, Pa., in favor of adequate preparedness against foreign invasion of United States; to the Committee on Military Affairs.

By Mr. MOTT: Memorial of American Temperance Board, favoring the Sheppard-Barkley bill; to the Committee on the District of Columbia.

Also, memorial of Indian House, New York City, favoring national defense; to the Committee on Military Affairs.

Also, petitions of sundry citizens and organizations of the State of New York, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Oswego (N. Y.) Chamber of Commerce, against the proposed location of the new power plant in the District of Columbia; to the Committee on the District of Columbia.

By Mr. O'SHAUNESSY: Petition of Smithfield Savings Bank, of Greenville, R. I., favoring passage of House bill 11533, in amendment of the Clayton antitrust bill; to the Committee on the Judiciary.

By Mr. PRATT: Petition of M. J. McInerney, T. A. Byrne, Redmond De Vancy, C. M. Dunn, William D. Watts, J. B. Thill, F. W. Gaylord, L. J. Hinman, B. Harris, J. J. Beckley, W. J. Sutton, H. B. Kinner, J. J. Wickham, Levi Larrison, Barney Harris, and J. G. Cooley, all of Elmira; Robert Gardner, of Horseheads; L. S. Wilson, of Corning; and L. F. Dennis, of Hornell, all of the State of New York, all employees of the Washington Navy Yard, favoring the passage of House bill 11168, granting 30 days' leave of absence in each year, without forfeiture of pay during such leave, to employees at United States navy yards, gun factories, naval stations, and arsenals; to the Committee on Naval Affairs.

By Mr. ROWE: Petition of McWilliams Bros., of New York, against passage of House bill 8036, relative to eight-hour law for officers of tugboats; to the Committee on the Merchant Marine and Fisheries.

Also, petition of James F. Jarvis, of Brooklyn, N. Y., favoring the passage of the Nolan bill, relative to adjustment of salaries of Government employees; to the Committee on Reform in the Civil Service.

Also, petition of Charles W. Kotcher, of Detroit, Mich., and John Aspinwall, of Newburgh, N. Y., against passage of House bill 9411, relative to numbers on motor boats; to the Committee on the Merchant Marine and Fisheries.

Also, petition of James J. McKay, of Brooklyn, N. Y., favoring passage of House bill 6915, relative to postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of W. W. Best, of Brooklyn, N. Y., favoring House bill 13671, relative to Army headquarters and quartermaster clerks; to the Committee on Military Affairs.

By Mr. RUSSELL of Ohio: Petition of F. S. Switzer and others, of Spencerville, Allen County, Ohio, and vicinity, asking Congress not to pass House bill 6468, to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. SANFORD: Papers to accompany House bill 13372, for relief of Henry C. Romaine; to the Committee on Military Affairs.

By Mr. SINNOTT: Petition of 29 residents of Freewater and 20 residents of Hood River, Oreg., against House bills 6468 and 491; to the Committe on the Post Office and Post Roads.

Also, petitions of 23 residents of Hood River, Oreg., against House bill 652; to the Committee on the District of Columbia.

Also, petition of citizens of Hood River, Oreg., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SLOAN: Petition of R. H. Pigg and 31 others, in opposition to House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition of Mrs. M. A. Gamble and 43 others, opposed to a bill to amend the postal laws, House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Idaho: Petition of sundry citizens of Washington County; to the Committee on the Post Office and Post Roads.

Also, memorial of Bi-Farmers' Union, of Naples, Idaho, urging the enactment of rural-credit legislation; to the Committee on Banking and Currency.

Also, petition of 80 people of Couer d'Alene, Christian Church of Couer d'Alene, Baptist Church of 275 people of Couer d'Alene, all in the State of Idaho, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Kaumalapau Junior Christian Endeavor Society of Hawaii, the Kaumalapau Intermediate Christian Endeavor Society of Hawaii, and the Kaumalapau Sunday School, Hawaii, urging the adoption of a prohibition amendment to the Constitution; to the Committee on the Judiciary.

By Mr. STINESS: Papers to accompany bill for relief of Patience B. Nicholas; to the Committee on Invalid Pensions.

Also, papers to accompany bill for relief of Alexander Reid; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Arkansas: Petition of J. C. Riggan, Ross Wylie, and others, of Dallas County, Ark., favoring freedom of speech and press; to the Committee on the Post Office and Post Roads.

By Mr. TAYLOR of Colorado: Petition of citizens of Paonia, Colo., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Olathe, Colo., favoring passage of the Caraway rural credit bill; to the Committee on Banking and Currency.

By Mr. TIMBERLAKE: Petition of citizens of Fort Morgan, Colo., against the Sunday-observance bill for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of citizens of Timnath, Fort Collins, and Loveland, Larimer County, and Fort Morgan, Colo., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. VARE: Petition of citizens of Philadelphia, Pa., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

SENATE.

SATURDAY, *April 8, 1916.*

(Legislative day of Thursday, March 30, 1916.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. Let the Secretary call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones	Pittman	Sutherland
Brady	Kenyon	Poindexter	Swanson
Chamberlain	Kern	Ransdell	Taggart
Clapp	Lane	Reed	Thomas
Clarke, Ark.	Lodge	Robinson	Thompson
Cummins	McCumber	Saulsbury	Tillman
Curtis	Martin, Va.	Shafroth	Vardaman
Dillingham	Myers	Sheppard	Warren
du Pont	Nelson	Smith, Ga.	Weeks
Gallinger	Norris	Smith, S. C.	Williams
Husting	Overman	Smoot	
Johnson, Me.	Owen	Sterling	
Johnson, S. Dak.	Page	Stone	

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER] on official business. He is paired with the Senator from Idaho [Mr. BRADY].

I also desire to announce the unavoidable absence of the Senator from Arizona [Mr. SMITH] on account of illness. These announcements will stand for the day.

The PRESIDENT pro tempore. Forty-eight Senators have answered to their names. A quorum of the Senate is not present. The Secretary will furnish the Sergeant at Arms with a list of absentees and that officer is directed to request their attendance.

Mr. HARDWICK entered the Chamber and answered to his name.

The PRESIDENT pro tempore. Forty-nine Senators have answered to their names. A quorum of the Senate is present.

POTOMAC POWER PLANT.

Mr. TAGGART. Mr. President, I have a communication from the Indianapolis Board of Trade, which I ask may be read and referred to the Committee on the District of Columbia.

There being no objection, the communication was read and referred to the Committee on the District of Columbia, as follows:

THE INDIANAPOLIS BOARD OF TRADE,
Indianapolis, Ind., April 6, 1916.

Hon. THOMAS TAGGART.

DEAR SIR: In accordance with action taken by the governing committee of the Indianapolis Board of Trade, I am inclosing copy of resolution relative to the Government power plant at Washington, adopted by the committee at its regular monthly meeting, Monday evening, April 3, 1916.

Yours, very truly, WM. H. HOWARD, *Secretary.*

The governing committee of the Indianapolis Board of Trade, at its regular monthly meeting, April 3, adopted the following resolution:

"Whereas the Park Commission plans for the future development of Washington resulting from the careful study of the many plans and able suggestions offered to the Government from time to time are based on the plan laid out over 100 years ago by Washington and Jefferson; and

"Whereas these plans offer to the Nation's Capital a tangible, economical system for the location of its public buildings, bridges, statuary, highways, neighborhood parks, and a practical solution for connecting Potomac Park, National Zoological Park, Rock Creek Park, Soldiers' Home Park, and the Eastern Branch Park, the Arsenal, the Mall, and Arlington through a system of smaller parks, drives, and bridges; and

"Whereas the Park Commission plans have been indorsed by two Presidents, by the Government-appointed Fine Arts Council, the National Commission of Fine Arts, the Lincoln Memorial Commission, and by many local, national, and foreign, business, civic, municipal, architectural, labor, scientific, patriotic, and landscape societies; and

"Whereas the location of a Government power plant near the center of the park system composed of East Potomac Park, Riverside Park, Arlington, and the Mall—this building and site has been condemned as unsightly and marring the Park Commission plans by the National Commission of Fine Arts, and the location has been proved uneconomical by eminent electrical and mechanical engineers—will interfere with the development of the river front, and the building and smokestacks will detract from the dignity of the buildings, monuments, and parks, and be destructive of the beauty of the parks: Therefore be it

"*Resolved*, That the governing committee of the Indianapolis Board of Trade approve the Park Commission plans and earnestly urge upon Congress the importance of enacting a law directing that the development of Washington be according to these plans under the advice of the National Commission of Fine Arts; and be it

"*Resolved*, That we urge upon the President of the United States and the Congress of the United States that they reconsider the location of the Government power plant on the site selected; and be it further

"*Resolved*, That a copy of these resolutions be mailed to the President, our representatives in both branches of Congress, our local newspapers, and to Glenn Brown, chairman of the Committee of One Hundred on the Development of Washington, 806 Seventeenth Street NW., Washington, D. C."

GEO. H. EVANS, *President.*

Attest:

WM. H. HOWARD, *Secretary.*

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, requested the Senate to return to the House the bill (H. R. 10384) to regulate the immigration of aliens to and the residence of aliens in the United States.

IMMIGRATION.

The PRESIDENT pro tempore. The Chair lays before the Senate the request of the House of Representatives for the return of the bill (H. R. 10384) to regulate the immigration of aliens to and the residence of aliens in the United States. The Committee on Immigration will be discharged from the further consideration of the bill and the request of the House of Representatives will be complied with.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

The PRESIDENT pro tempore. The pending question is on the amendment of the Senator from South Carolina [Mr. SMITH] to the amendment of the Committee on Military Affairs.

Mr. DU PONT. Mr. President, in connection with the recent debate on that portion of the bill now before us which referred to the Federal volunteers, and incidentally to the military training camps, I present a letter from the secretary of the Military Training Camps Association, together with a copy of a letter to the governing committee of that association from the Secretary of War, which, as throwing light on the whole question, which was so long debated, I ask may be read.

The PRESIDENT pro tempore. The Secretary will read, unless there is objection. The Chair hears none.

The Secretary read as follows:

NEW YORK CITY, *April 6, 1916.*

Hon. HENRY A. DU PONT,
United States Senate, the Capitol, Washington, D. C.

DEAR SIR: In connection with the debate on the Federal volunteer provision (sec. 56) of the Chamberlain bill, questions have been raised as to the precise extent and character of the Federal training-camp movement. We wish the Senate to have full and authentic information as to the scope and present status of the camps, and respectfully present the following facts.

Camps announced for 1916 by the commanders of the four military departments are as follows:

EASTERN DEPARTMENT.

Fort Oglethorpe, Ga.: Three camps—May 3 to August 8.
Plattsburg, N. Y.: Five camps—June 3 to October 5.

CENTRAL DEPARTMENT.

Fort Benjamin Harrison, Indianapolis, Ind.: Three camps—July 5 to October 5.

SOUTHERN DEPARTMENT.

San Antonio, Tex.: One camp—June 12 to July 8.
Galveston, Tex.: One camp—June 5 to July 1.

WESTERN DEPARTMENT.

Monterey, Cal.: One camp—July 10 to August 5.
Salt Lake City, Utah: July.
American Lake, Wash.: July.

Recruiting for these camps has hardly yet been started, but already 3,503 men have actually signed for the Plattsburg camps and considerable numbers (exact figures not at hand) for the other camps. Plattsburg enrollments are coming in at the rate of over 100 per day; and as enrollments for all camps will greatly increase later in the season, we can safely estimate a minimum final enrollment as follows:

Eastern department camps	15,000
Central department camps	7,000
Southern department camps	2,000
Western department camps	6,000
Total	30,000

We are informed that requests for camps are being made by various States and communities, especially in the Central West, which the War Department can not grant because of a lack of officers and troops.

The Military Training Camps Association is national in scope, and maintains various offices and local committees at a number of points in all sections of the country. It is directed by a governing committee of 50, including representative citizens who have attended the camps and a number of university presidents.

The camps have always had the approval and support of the War Department, but never any legislative recognition or support. The men have paid their own expenses, including transportation and uniforms, the total amounting to an average of at least $60 per man. The enrollments for the 1916 camps are being made on the same basis, due to lack of any Federal legislation.

The great employers, such as the Pennsylvania Railroad Co., the Western Union Telegraph Co., and the United States Steel Corporation, have offered their cooperation and will grant four weeks' vacation for their employees to attend.

A recent letter from the Secretary of War, indicating his full approval of the training-camp movement, is inclosed. We shall be glad to furnish any further information desired by any Senator.

We have no quarrel with the National Guard. Many of our most active men are National Guardsmen.

We wish only to be given authority to continue our work, in which thousands of men, from coast to coast, are interested.

Yours, respectfully,

EXECUTIVE COMMITTEE, MILITARY TRAINING CAMPS ASSOCIATION OF THE UNITED STATES,
By GRANVILLE CLARK, *Secretary.*

—

WAR DEPARTMENT,
Washington, D. C., March 16, 1916.

To the Governing Committee of the Military Training Camps Association of the United States.

GENTLEMEN: I heartily approve and indorse the valuable and patriotic service that is being rendered to the country by the Army training camps for civilians.

I believe in the work of these camps, not only from the military point of view but as of value to the Nation educationally in promoting discipline, order, and good citizenship. The camps are exactly in line with the sound policy of reliance upon a citizenry trained to arms as our main safeguard for defense.

I appreciate highly the service rendered by the university presidents and civilian committees who are forwarding this movement.

These camps were originated by the War Department in 1913 for the training of students, and have been since extended for the benefit of other citizens with gratifying results.

You may rest assured that in continuing your work of developing and promoting these camps on a national scale you will have the continued cooperation and support of the War Department.

Yours, most sincerely,

NEWTON D. BAKER,
Secretary of War.

Mr. LEWIS. Mr. President, in connection with the communication tendered by the Senator from Delaware [Mr. DU PONT] there is an observation I wish to make with a view of clarifying what appears to be some obscure or certainly confused situation.

The vast number of telegrams which have come into this body indicate that in certain sections of the country there has been expressed the conviction that the Senate on one side or the other is opposing these training camps. I should like to have it clear that there has been no issue in the Senate as to these training camps, and on neither side of the Senate has there been expressed any opposition whatever, and no vote and no debate on either side of the Senate has involved the question.

Since there seems to be a mistaken idea throughout all parts of the country that section 56 involves that question, it is well to have it clear now that up to the present time, I think all Senators on both sides will agree, there has been no opposition whatever expressed to the camps, but every expression of encouragement.

SCIENCE OF HOME ECONOMICS.

Mr. SMOOT. Mr. President, in accordance with the notice I gave last evening, I desire to address the Senate for a few moments.

Mr. President, the Senate has been considering for some days past the question of increasing the Army of the United States for the better protection of our country, and I am now going to make a few brief remarks on a bill introduced by me on March 25 providing for an increased annual appropriation for agricultural experiment stations, to be used in researches and experiments in home economics and regulating the expenditure thereof, the purpose of which is to better prepare the girls and mothers of our country for the life duties of practically all of them. For the past four years I have been endeavoring to secure favorable action by the Senate on bills of similar import, and sincerely trust that at this session of Congress legislation along the lines outlined in the bill will be enacted into law.

As each year passes the necessity for such legislation becomes more and more apparent. I hope I can have the attention of the Senate for a short time while I give some of the reasons why I have been pressing such legislation and why I believe favorable action should be taken on my bill and at the same time, if possible, on the bill now upon the calendar in which the Senator from Georgia [Mr. SMITH] and many of us are so deeply interested. Similar bills introduced by me have in the past received the hearty approval of the Department of Agriculture, also the support of hundreds of the leading educators, both men and women, of our country, and of a very great number of women's organizations. I have the letters of indorsement, but will not burden the RECORD with them. A letter signed by Hon. B. T. Galloway, then Acting Secretary of Agriculture, dated February 14, 1914, addressed to Senator GORE, chairman of the Committee on Agriculture and Forestry of the Senate, in answer to a request that a report be made on Senate bill 280, contains this statement:

I beg to acknowledge receipt of your recent letter, together with Senate bill 280, providing for an increased annual appropriation for agricultural experiment stations, to be used in researches in home economics, etc. I note your request that a report be made on this bill.

The bill would provide for the experimental study in the agricultural experiment stations of home economics, including both domestic science and domestic art problems; i. e., it would provide for the experimental study of the nature and use in the home of food materials, wool, cotton, and other agricultural products which the housekeeper uses to feed, clothe, and otherwise care for her family and home. It is with such problems that home economics is concerned. The teaching of home economics has already been organized in the agricultural and other colleges and in numerous schools throughout the United States. In recent years the extension movement has been organized on a large scale, and this includes the dissemination and demonstration of information on home economics. The Congress has just passed a bill granting money to all the States for extension work in home economics as well as agriculture. This independent movement for instructions and demonstration in home economics can not be developed properly unless there are back of it agencies for investigation, through which tested, reliable, and new knowledge on the subject may be constantly acquired. There would, therefore, appear to be need for experimental inquiries in home economics at the present time.

The bill S. 280, as drawn, follows practically the language used in the act of March 16, 1906, commonly known as the Adams Act. Since the passage of the Adams Act there has been a material change in public sentiment with regard to the relation of the Federal Government and the States in so far as concerns educational and similar work.

The Hoke Smith-Lever bill, above referred to, lays down a principle which, it seems, should be given due weight in considering any further legislation affecting the agricultural colleges and the State experiment stations. It is a principle involving the equal sharing by the States and the Federal Government of the expenses of the work. We believe this principle should be adopted in connection with the bill under consideration. We believe, furthermore, that the appropriation, if made, should begin with a moderate sum and be cumulative, just as is the case with the Hoke Smith-Lever bill. I have submitted this proposition to some of the leading experiment-stations workers and they for the most part approve the plan. Their comments are submitted herewith as Exhibit A.

It is our view that it would be unwise at this time to make so large an appropriation as $10,000 to each State. Research in home economics opens a new field. The work, therefore, should be begun in a conservative way. We are of the opinion that $2,500 would suffice to inaugurate this work, with an additional $2,500 thereafter for three years, provided the States appropriate an equal amount. In any event, each station would receive $2,500 from the Federal Government and $2,500 each year for three consecutive years, provided the States meet the appropriation until the total from the Federal Government would equal $10,000. Thereafter the appropriation would be $10,000 annually. Some further changes are made in the bill to make it conform in general to the plan worked out in the Hoke Smith-Lever measure. All these amendments we have brought together in the form of a new bill, which is submitted as Exhibit B. There is also submitted, as Exhibit C, Senate bill No. 280, with the amendments proposed inserted, in order that the committee may see exactly what changes have been made.

I shall be pleased to furnish any additional information if such is required.

Exhibit A, referred to in the letter of the Acting Secretary, consists of letters addressed to him by Hon. Charles E. Thorne, director of the Ohio Agricultural Experiment Station; Hon. F. B. Mumford, dean and director of the College of Agriculture and Experiment Station of the University of Missouri; Hon. A. F. Woods, dean and director of the department of agriculture of the University of Minnesota; and Hon. H. J. Waters, president of the Kansas State Agricultural College, which I ask to have incorporated in the RECORD at the end of my remarks without reading.

It is generally acknowledged that upon our splendid system of popular education, as much as any other single influence, rests the greatness and glory of our Nation. Notwithstanding the splendid results of our school system, it still falls short of present-day requirements. We should not forget that it is less than 100 years since it was a debatable question in New England whether the State was justified in teaching more than "readin', writin', and cipherin'," and whether it was worth while at all to educate the girls. The change has been gradual; every advance has met with opposition. I predict the day will come when every child in America, rich or poor, will be required by law to have an education and training necessary for a life of usefulness and good citizenship. Our girls must be so educated in order to insure successful homes, which are the basis of all powerful and self-sustaining nations.

The education furnished by our agricultural colleges should be that which will make for the highest and most useful citizenship and best fit the individual for the duties and responsibilities of life that must be met and assumed. As much attention should be given to the preparation and education of the girl as the boy; as much demonstration work taken to the home as is carried to the farm. In order that this may be accomplished our agricultural experiment stations must have the appropriation provided for in my bill so that the necessary researches and experiments can be carried on and the acquired information taken by the demonstrators provided for in the recent Smith-Lever bill.

The question as to whether "it is worth while to educate girls" has been answered unequivocally in the affirmative. In this twentieth century the woman is no longer a mere drudge, a convenience, a something to satisfy the wishes and demands of the man. To-day, in America at least, we find her as counselor and partner, as God intended her to be.

In our struggle for liberty and higher national ideals woman has been our inspiration in the past and is our hope for the future. No matter what woman's aims, her hopes, or ambitions may be, or what avocations she may decide to enter, it will always remain for her to find her greatest reward and happiness as a successful home maker. The most unselfish and holy duties in our existence have been committed by our Heavenly Father to the wife and mother. What shall we think of a person or a people so ignorant or so parsimonious that would deny her any opportunity to fit herself for this special calling? Not only is the individual benefited by an education but the Nation is immensely profited by every one of its citizens receiving a sensible and practical education. Such an education means to a nation better citizenship, unquestioned loyalty, and temporal development. To the individual it means increased chances in obtaining positions of responsibility and power; self-independence; a broader view and conception of life; loftier ideals; greater usefulness to one's self; and greater appreciation for the wonders and beauties of nature. No school, college, or university that fails to fit the individual for the duties and responsibilities of life, that fails to teach morality, thrift, and industry can, in my opinion, be classed as successful. I believe in and am an advocate of vocational education for our boys and a complete home economics course for our girls. Let the student come in contact with the actual affairs of life as well as the theories. Direct their hands and eyes as well as their minds. Teach them not to be idle, "for he that is idle shall not eat the bread, nor wear the garments of the laborer." Impress upon them all that work is honorable.

The household is a unit of social progress. It implies marriage, family, and the home. Household science is so closely related to sociology or human experience in social living that sociologists often make the statement that household science is but an application of their ideals. The home ought to and by right should be the place in which the soul can develop and grow. Contentions, ignorance, wastefulness, idleness, and a lack of harmony retard that development and growth and blunt the finer sensibilities of every inmate of the household. Home economics inspires an interest in home life and daily duties. It stimulates economy, industry, neatness, individuality, and self-control. Knowing this to be true, I hope that nothing will be left undone in providing an opportunity for all American girls of every walk of life to study the real things of life—the fascinating problems of home economics.

I am one who believes that much of the world's poverty, misery, drunkenness, and disease come from poorly prepared food. It is a crime, and is wicked in the sight of God to have the products of the farm made next to useless by poor cooking. Tens of thousands of homes are ruined by helpless and ignorant housekeepers, and the American garbage can is the fattest in all the world. No one questions the fact that the food consumption per capita in America is larger than that of any other country in the world and nearly twice that of thrifty France. The way to lessen these evils is to provide an annual appropriation for agricultural experiment stations to be used in researches and experiments in home economics; and if this step is taken by Congress it will not be many years until the same system is established throughout our entire school system. Our present plan of education will be changed, or perhaps I had better say extended, and when that blessed day arrives our schools, colleges, and universities will studiously employ themselves in carrying civilization with all its blessings downward to the girls of the home and the boys and men of the farm. In saying this I do not wish to be understood as meaning there will be a lowering of standards of scholarship, culture, discipline, or research in our future system of education. Such a thing is unthinkable; it can not be, as every course of study will be dedicated to the better preparation of students for the higher and nobler duties of life. Such an education will not only develop a more contented, healthy, loyal, and home-loving people, but it will prevent billions of dollars of waste that is worse than loss to the American homes to-day. I shall briefly refer to some facts we are all familiar with to demonstrate what I mean. It is a well-known fact that the aggregate value of farm products for the year 1913 was placed at $10,000,000,000 by our Department of Agriculture. The approximate cash income of the farmers of the United States, even in ordinary times, is known to be at least $5,000,000,000. It is hardly possible for the ordinary mind to grasp the full meaning of $10,000,000,000, but comparisons are sometimes easier to understand, so I will say that the value of the farm products of the United States in 1913 was twice as great as their value in 1899 and over a billion and a half dollars greater than they were in the year 1909. These figures tell the story as forcibly as it is possible to do of the advancing cost of living, for the volume of increase of farm crops since 1899 has not kept pace with the increase of values. Any action on the part of organizations or State legislatures, any legislation by Congress that will assist the people in acquiring a knowledge that will prevent the destruction or waste of products of the farm or factory will be the greatest blessing that can be conferred upon the American home and Nation.

We must not forget that the influences that affect the family to a degree affect the Nation. In my opinion, waste and extravagance in their thousand forms are among the curses of the age, and no people upon the face of the earth is so guilty of both of these evils as our own American people. The people of the United States—I bar no class—have been living at a higher and higher standard for the last 15 years. The time has arrived when further advances in the mode of living must cease, and it is really desirous from every point of view for a retrenchment; but I recognize that a return to the old methods of economizing is hardly possible. I know it is a difficult matter for a family either to begin or to determine just where or how to begin to economize. It is so much easier to add comforts to home life than eliminate them. Extravagance and waste, which devour so much of the substance of the people, have much to do with the cost that is severely felt; that is, the cost to people of small means, who find it hard to get on in comfort with such incomes as they possess.

There is a fundamental principle of economics, so simple that it ought to be easily understood, and yet its significance is almost unheeded. It is this: Everything that goes to support life and to satisfy human wants must be continually produced for that purpose by human effort through the employment of capital and labor from the resources of nature. There is only what is thus produced to live upon; that is the supply. It is a question of how much is consumed in living, and it can not be more than the production, at least for any length of time. If products are squandered or wasted or thrown away after they are ready for consumption, the supply will be diminished, while the demand remains the same, and the cost of living will be higher than it would otherwise be. These are not questions of abstract theory, but are elementary facts within the comprehension of any ordinary man. We need to be reminded that whatever goes to waste and extravagance, which is reckoned in terms of money, is not a mere throwing away of dollars or depleting of bank accounts or getting away with inherited or accumulated property. It is using up the fruits of labor, which is going on from day to day. This is exceeding the supply of products and turning from the form of necessities and comforts to those of luxuries. It is largely the voluntary cost of high living that causes the involuntary cost of low living.

In a very short investigation and from sources I have every confidence in, I find that domestic science is not taught in a single one of the following colleges for women: Wellesley, at Wellesley, Mass.; Bryn Mawr, Bryn Mawr, Pa.; Vassar, at Poughkeepsie, N. Y.; Mount Holyoke, at South Hadley, Mass.; Smith's, at Northampton, Mass.; and Swarthmore, coeducational, at Swarthmore, Pa. In nearly all of these schools four years of preparatory Latin are positively required. A permit to substitute four years of German for three years of Latin is denied. Perhaps it can be expressed better by saying that these colleges consider proficiency in a dead language of more importance than proficiency in a modern language.

Mr. GALLINGER. Mr. President, will the Senator permit me?

The PESIDENT pro tempore. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. SMOOT. I do.

Mr. GALLINGER. The Senator may be accurate in the list of colleges he has given where household economics are not taught, but it is a fact that I think is undeniable that in the preparatory schools from which the girls go to these colleges they do have training in economics.

Mr. SMOOT. That is true, Mr. President, in almost every State in the Union, but only to a limited degree.

This simply means that our leading schools for girls do not teach the one thing that every girl should be taught, namely, how to manage a home. I am in full sympathy with the splendid work accomplished by our magnificent schools for girls. I believe in the refining influences they exert upon their students. I am an advocate of the highest education possible for woman, but I do believe no woman's education is complete until she knows how to and could, if required, manage a home successfully.

I know you often hear it said college women will not have to do their own work; but will be able, if single or married, to keep household servants. This implies that washing dishes, sweeping and dusting, and cleaning are all there is to house-

keeping. Never was there a greater mistake. Even where the financial condition of the family will allow paying the present high wages, competent servants are few and hard to find. The best servants are those trained by a woman capable of showing them how everything should be done in a well-managed home. The wife of a man with a limited income can make a home happier in proportion to her ability to make the most of every cent she receives and prepare the food for the family in the most tasty and wholesome way. The wife of a wealthy man has even greater opportunities for making the home ideal, but whether it is a home of affluence or poverty it is of the greatest importance that the wife should be capable of properly performing or directing her own household affairs. We can not deny that untold numbers of wives and mothers in this country spend their time and energy in the preparation of the meals for the family without the least knowledge of the nutritive value of the food selected. How humiliating it must be to a wife and how discouraging to a husband to have good, fresh, wholesome foodstuffs made into the most indigestible dishes, and perhaps half the time absolutely ruined by poor cooking.

A few years ago in a bulletin issued in the course of home economics in the University of Wisconsin this statement was made:

> More than ten billions are spent in the United States annually for food, shelter, and clothing; that 90 per cent of this vast sum is spent by women who have no adequate knowledge of money values.

It is pointed out that in any other avocation of life the persons intrusted with such expenditures would be required to pass through a rigid system of training. The State is taxed to provide instructions in the principles governing the production of raw material and the manufacture of those raw materials into the finished product. Woman should be trained to use this material so that there will be the least possible waste of time or money and the best results obtained.

The day will come when it will be unpopular for a young girl to boast that she does not know the first thing about housekeeping; that she doubts whether she could boil water without scorching it; and that she never sewed a stitch in her life. If I am mistaken in this prediction, God have mercy on our future American homes! The mothers of any of these same girls would never consent, and I approve of their position, to the marriage of her daughter to a man without preparation or capacity for making a living and providing a home for her; yet she would not think it improper on her part to let that daughter marry a good, honest, hard-working man with absolutely no knowledge of how to take care of a home.

The alarming increase in divorce, in wrecked homes, in increased doctor bills, is due to ignorance of woman's highest responsibilities. The press and magazines of the country are filled with articles advocating legislation for the better education of our boys. Plans for improving our present educational system are being constantly suggested and adopted. In the CONGRESSIONAL RECORD is often found the expressions of Members of Congress along the same line, the greater part of which I most heartily approve; but we seldom see or hear one word in advocacy of the better preparation and education of our girls. In my opinion, it is just as important that woman should be properly educated as that man should be.

I had the pleasure of spending an evening a short time ago with a very dear friend of mine, a man who has spent hundreds of thousands of dollars in general educational work. He remarked that if he was beginning life anew he would interest himself more in the education of girls than of boys, because the mother is the most potent force in the establishment of the highest character of the home.

Let us never forget that good housekeepers have much to do with making ideal and happy homes. I deprecate the growing tendency among the middle and well-to-do class of our girls of classifying domestic work with that done by the most ignorant servants. Home economics in its truest sense stands for culture, science, and art, and requires the broadest kind of general education. There are more real advantages to a people and greater blessings to a home gained through a knowledge of the fundamental principles of home economics than through any other kind of education for woman. Show me the woman who takes a personal interest in the preparation of the food for the home and is not dependent upon a servant to tell her how it should be cooked or served, takes an interest in her flowers and is not afraid to dig in the dirt, and I will show you a woman that is happy and a good wife.

The addition of home economics in the truest form to our educational system must come and will come as soon as it is properly understood by Congress. Increased production from the soil and the problem of properly feeding our ever-increasing numbers will tax the abilities of our statesmen. The passage of the Smith-Lever bill has assisted the farmers of our country; the passage of Senate bill 5273 will be of untold value to American homes. The Smith-Lever bill provides for the demonstration work; my bill provides for conducting original or confirmatory researches or experiments bearing directly upon home economics, including both domestic science and domestic art, and disseminating the results.

Miss Clement, of New York, highly educated in the culinary art, says:

> The wife who can not cook or superintend the housekeeping takes her husband's pay envelope on false pretenses. She does not know her business. When a couple marry, the girl expects her husband to hand her over most of his salary, and he, in turn, expects that her management of that money will make it go as far as possible. It is his business to earn the money. It is hers to spend it. Surely one part is as important as the other. Correct feeding is becoming a science and we are awakening to the fact that it is as important to combine food properly for the adult as it is for the baby. No woman need think that she is too intellectual to bother with cooking. Cooking is a science as well as an art, and one can go on learning forever. The bride who has a good foundation of culinary knowledge and takes an interest in cooking will find no end of possibilities to it. Right in her own kitchen she can join the great movement to reduce the high cost of living. She can use up every scrap of left-over material. It is the clever cook alone who can make left-over food tasty and never waste anything. The smaller the income the more intelligence it takes on the part of the bride to manage her share of the domestic partnership, and the more she needs to study and plan her daily bills of fare. A man comes home after a hard day's work and sees the same old things served, sometimes purchased from a pastry shop just before dinner. If he is easy-going he says nothing, but after a while he grows grouchy. There are more grouches caused by bad cooking than by bad luck.

Every housewife should know the simple food principles underlying their cookery. Knowing this she can give to the family the proper kind of food, prepared in the best way to produce strength, health, and contentment. She raises the standard of the home and the effect can not be other than happier homes which mean better men and women, true and loyal American citizens. I can not understand why girls of the working classes are ashamed to confess and rather pride themselves upon their ignorance of the simplest form of cooking. Then, after marriage they bewail their fate if their husbands, tormented by dyspepsia, seek relief at the restaurant or in many cases in strong drink. I have often heard it said and I believe it "that few men abandon or get a divorce from a woman who is a good cook." A great painter was once asked how he mixed his paints. He answered "I mix them with brains." In order to be a successful cook a girl must mix her food with brains. The love of the home, the field, and the garden brings true happiness to a greater number of the human family than the knowledge of dead languages or accumulated wealth. If you would be truly cultivated associate with plants and flowers, with babies and home folks.

The servant-girl problem is one that is always with us and will be until home economics becomes as much a part of our educational system as the studies in the higher grades of our district schools. Lively discussions have taken place by intelligent women with a view of solving this problem for the benefit of the housekeeper who is sorely tried with incompetent help. I desire to say in passing that in my opinion much of the complaint of incompetency can be traced to the incompetent housewife, but I sympathize with both parties—the woman who hired and paid for work that was done unsatisfactorily and being at the mercy of the girl who did not know how to do her work, and also the girl who was obliged "to work out" to make her living, and, try as she would, she could not give satisfaction, being human, having high aspirations that were born in her, and still feeling that she was an underling and in many cases looked upon with contempt. A perfect system of education is the only way to correct this widespread, unfortunate, and destructive system.

There is nothing in this world of more importance than the daily supply of food. The family meal should consist of a reasonable variety, must be regularly provided, and ought to be suitably and properly cooked. This standard must be attained in order to reach the highest degree of happiness and contentment. Every girl should be taught what to eat, how to eat, and how to cook. In order for us to live we must eat, and the question of healthful and nutritious food is a very important one of life. Providence designed eating to be no inconsiderable part of our daily requirements. An old lady about to pass to her future reward was asked while on her deathbed by her pastor which of all the divine mercies she was most thankful for at such a time, and she replied: "Well, I have always enjoyed my victuals." Home economics teaches all that is necessary to know about the sanitation of the home, the absolute need of cleanliness in every part of the home, in the cellar, the garret, and particularly every corner of the home. It shows the value of ventilation, light, and warmth, and the best methods of securing them. It points the way to make the home and all

its surroundings tasteful, comfortable, healthful. Every girl should be taught to cut, fit, and, with her own hands, make the ordinary clothing commonly used in the family. If I had a dozen daughters and was able to give each of them a million dollars the day of her marriage, I would still want each one to know how to cook, make her own clothes, and, in fact, be a superior housekeeper. It is far better for the child that a father be a worthless nonentity than the mother. Girls should educate and prepare themselves for the higher duties of life.

Mr. Robert J. Shores, essayist, once known to me as Bob Shores, the reporter, in his new book entitled "New Brooms" capitally presents, by a pretended cook, a world of philosophy on the subject in the following brief passage:

I do not believe, as many seem to believe, that every man or woman who can juggle a skillet or wield an egg beater is a cook. Merely to follow a formula in a cookery book does not make one a cook any more than compounding a prescription makes one a physician. Cooking is an art as well as a science. The violinist can not express his personality in the strains of his instrument more fully than can the cook in his cooking. The favorite dishes of a race are characteristic of that race. The Spaniard, like his chili con carne and his tamale, is hot, peppery, and economical. The Frenchman, like his many concoctions, is full of spice, imagination, and extravagance. The Italian is indolent and averse to exertion, as is evidenced by his macaroni and spaghetti. The Englishman is red and hearty like his roast beef. The German is fat and fair like his sausages. The Russian is odd and interesting like his caviar. The American, like his diet, is cosmopolitan.

And as the cooking of a nation or a race is characteristic of that nation or race, so the cooking of an individual is characteristic of that individual. Coarse people do not prepare dainty dishes. * * * If there be the feeblest spark of charity in a man's breast, a good dinner will fan it into flame. A bad dinner, on the other hand, will bring to the surface all that is mean and ignoble in his nature. Indigestion, I surmise, has been the cause of most of the cruelty of men. Viewing history in this light, it is easier to understand the apparently wanton slaughter among barbarians. Fed upon ill-conditioned food, the barbarian is attacked in his most sensitive part—his stomach. * * * It is to be observed that the science of cookery and the progress of civilization advance together. Well-fed men are slow to wrath and easily appeased. At the height of the Roman civilization the Romans became epicures and ceased to be warriors. War has no charms for the man who is at peace with his own stomach.

With the proper management housekeeping ceases to be a drudgery and becomes the highest, broadest, and most ennobling occupation for a woman. It is in no sense circumscribed in effort, energy, or talent. There is no bigger business in the world than home making in the sense that there is none more important, none more essential to the welfare of the race. History teaches us that the dominant nations of this world have attained their strength gradually, reached maturity, became diseased, and died. It is worth while to call attention to the fact that nearly every one of such nations has traveled the same road in attaining greatness and has died from the same cause. Most of the world powers have in their early history been agricultural countries and derived their manhood from the farm and their womanhood from the home. As wealth and power increased, so did the neglect of the farm and the home. Great cities were built and became the centers of commerce, social and political activities. To maintain these activities the best men of the nation were drawn to those centers. Extravagances and excesses became the rule; vice and corruption began to creep in; the home and children considered a burden; patriotism and the race began to weaken; the fertility and products of the soil decreased; the consumption of the cities increased; the cost of living rose higher and higher; discontent became universal; stronger races, living nearer to nature and God's laws, found it easy to capture or destroy the diseased nation. The death is traceable to the decay of the home and the abandonment of the farm. God grant that if the germ of this same disease is finding its way into our national life Congress will do all it can to stop and destroy it; and, in my opinion, the best way to begin it is to instruct and demonstrate to the women of our country the advantages of maintaining a clean, cheerful, and contented home, and our men the independence and profitable avocation of an intelligent farmer.

EXHIBIT A.

OHIO AGRICULTURAL EXPERIMENT STATION.

WOOSTER, OHIO, *February 2, 1914.*

Hon. B. T. GALLOWAY,
Assistant Secretary of Agriculture, Washington, D. C.

DEAR SIR: I have yours of the 29th, and am pleased to learn of the institution of such a measure as that of Senator SMOOT. This measure is a necessary adjunct to the Lever bill. It is a matter of history that the agricultural colleges failed to find themselves until the experiment stations had begun to accumulate a fund of definite information in agricultural science, and it is to be expected that before the colleges of agriculture can effectively furnish the instruction and demonstrations in domestic science required by the Lever bill a similar fund of information must be accumulated through such scientific research as the experiment stations are prepared to conduct.

While it is eminently proper that all work allied to teaching should be conducted by the colleges, it is equally proper that all lines of scientific research and experiment should be conducted by the experiment stations.

As to the amount of the appropriations, I am inclined to agree with you that it would be better to begin with a smaller amount than $10,000. My own suggestion would be $2,500 for the first year, with an increase of a like amount each year for three successive years, following somewhat after the plan of the Lever bill in this respect.

I fully agree that the State should be required to meet the national appropriation with a similar sum. The history of the Hatch and Adams Acts shows that many States have been disposed to shift all responsibility for such work on to the National Government, and I do not believe this a good thing for the State or the institution.

I think it would be necessary for the expenditure of this fund to be supervised by the national department, as that of the Hatch and Adams funds are. It will sometimes be difficult to draw the line between work in domestic science and that in general agriculture.

This station is already expending annually nearly or quite as much in work that would properly come under the scope of the proposed bill as that measure contemplates.

Thanking you for the information you have given respecting this measure, I am,

Yours, respectfully, CHAS. E. THORNE, *Director.*

UNIVERSITY OF MISSOURI,
Columbia, February 3, 1914.

Dr. B. T. GALLOWAY,
Assistant Secretary, Department of Agriculture,
Washington, D. C.

DEAR DR. GALLOWAY: I have your letter of January 29 and a copy of bill introduced by Senator SMOOT. The bill is a worthy measure. There is undoubtedly a large need for fundamental investigations in the whole range of subjects included in the general term, "home economics." A fund for investigation in home economics will stimulate the teaching and practical application of this subject as much as investigations in agriculture have stimulated teaching and practical application in agricultural subjects.

I am in favor of making the Federal appropriations conditional upon State appropriations. The people themselves must have a direct interest in public activities, and the surest way to interest them and to win their support and prepare them for taking advantage of the investigations conducted and the teaching offered is to support in whole or in part these activities by direct taxation.

It would seem to me that an initial appropriation of $5,000 a year, which is conditional upon the appropriation of an equal amount by the States, would be sufficient for a good beginning and could be efficiently administered through the present experiment station organization.

Very truly, yours,

F. B. MUMFORD.

THE UNIVERSITY OF MINNESOTA,
DEPARTMENT OF AGRICULTURE,
University Farm, St. Paul, February 6, 1914.

Dr. B. T. GALLOWAY,
Department of Agriculture, Washington, D. C.

DEAR DR. GALLOWAY: I am very much interested in the bill introduced by Senator SMOOT (S. 280) to provide for an increased annual appropriation for agricultural experiment stations to be used in research in home economics. I think the general idea of the measure is timely and good. There is certainly a need for research work bearing upon home economics. A measure of this kind would stimulate special interest and undoubtedly result in great good. I believe, however, that it would be better to start with an appropriation of $2,500 from the Government, given on condition of a similar appropriation by the State, and increasing each year until it reaches $10,000, making a total of $20,000, including the amount appropriated by the State. The general plan of the Lever bill should, in my opinion, be followed. In section 2 of the measure, line 10, I would cut out the phrase "at least once in six months" in the requirement of publication of bulletins, and I would modify the statement regarding the distribution to "each newspaper" to read "copies should be sent to the various newspapers of the State," as it would hardly be practicable to discover each newspaper. Otherwise I think the measure is a good one.

Thanking you very much for sending me a copy, and with kindest regards, I am,

Very truly, yours, A. F. WOODS,
Dean and Director.

KANSAS STATE AGRICULTURAL COLLEGE,
Manhattan, February 9, 1914.

Dr. B. T. GALLOWAY,
Assistant Secretary of Agriculture, Washington, D. C.

MY DEAR DR. GALLOWAY: Your letter of January 29, in relation to Senator SMOOT's bill seeking further to endow the experiment stations, came during my absence from the office. I have just had time to go over the matter.

I think the bill is an excellent one and should receive our heartiest support. There are some details that might need attention, but these could be handled in the hearing on the matter. I question the advisability of requiring the States to meet half of the expense, especially following immediately upon the heels of the Lever bill. I believe we could rely upon the States doing their share within a very few years, as they are now doing in supporting the work started under the Hatch fund.

With best wishes, I am,

Very cordially, yours, H. J. WATERS,
President.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The question is on the amendment submitted by the Senator from South Carolina.

Mr. HARDWICK. I move to amend the amendment, in line 17, page 2, by striking out the words "and useful in the manufacture of fertilizers."

The PRESIDING OFFICER. The proposed amendment will be stated.

The SECRETARY. On line 17, page 2, it is proposed to strike out the words "and useful in the manufacture of fertilizers."

Mr. KENYON. Mr. President, I desire to speak on the amendment now before the Senate. It is something of an anticlimax from the highly elevating speech of the Senator from Utah [Mr. SMOOT] to come to the commonplace subject of nitric acid.

I feel it a duty to say a few words concerning the amendment of the Senator from South Carolina [Mr. SMITH] and the amendment of the Senator from Alabama [Mr. UNDERWOOD]. The amendment of the Senator from Alabama is not as yet before the Senate, but the two amendments are very closely related and can be discussed together.

I am a member of the Committee on Agriculture and Forestry, and voted to report out the bill—now the amendment—of the Senator from South Carolina. I am not altogether satisfied with it, and am not altogether satisfied with the statement in the report that full and complete hearings were had. The matter was rather rushed along—I say this in no spirit of criticism—by the Senator from South Carolina with an enthusiam and power that would indicate that in times of trouble, if we could multiply the Senator of South Carolina many times, we would not need much of a factory for the production of dynamic force. It was thought that the question should come out for a full discussion upon the floor.

I rather wish that the Senator from South Carolina would not press this amendment at this time, and that the Senator from Alabama would not press his amendment, as amendments to this bill. This bill is for the reorganization of the Army; no other propositions should be attached to it unless necessary.

The question of a plant for the fixation of nitrogen from the atmosphere for the development of fertilizers does not seem to be exactly in harmony with the purpose of this bill, and I think it ought to come up here for a free discussion as an independent proposition. But the Senator from South Carolina has in his good judgment seemed to believe that there was a better opportunity to secure what he believes is necessary and what we all realize is important, some way of developing a sufficient supply of nitric acid in time of war, and so, as I understand it, he insists upon his amendment to this bill being considered now.

I wish to suggest to the Senator from South Carolina that he should change his amendment in one respect at least. As the amendment now stands in the copy before me the Secretary of War is given all this power. I do not like that. I think the War Department through its Board of Army Engineers is absolutely committed to one power site in this country. This measure comes from the Agricultural Committee. It is partially an agricultural proposition. The Secretary of Agriculture would be a very proper party to join with the Secretary of War in this project. I think an amendment to that effect would be in the third degree or I should offer the amendment, but I make the suggestion to the Senator from South Carolina as he can perfect his amendment in that way. I should feel much more like voting for this proposition if the Secretary of Agriculture was included.

Mr. President, if we must come to a choice between the amendment of the Senator from Alabama [Mr. UNDERWOOD] and that of the Senator from South Carolina I shall feel it my duty to vote for the amendment of the Senator from South Carolina, but do wish that they could be absolutely divorced from this bill, because they do not belong here; and one of the means by which bad legislation is so often accomplished is to place amendments upon bills that while possibly germane ought to be considered as independent propositions.

Again, Mr. President, I have a little doubt in my mind about the success of these various processes. We tried to find out something about it from the War Department and from the Navy Department. I do not believe that the War Department or the Navy Department have as yet made a sufficient investigation to be absolutely certain about these processes. I am not here to dispute the statement of the distinguished Senator from Alabama as to the absolute necessity, as we are at present advised, of taking some steps in any plan of preparedness, for the manufacture of nitric acid. It is a marvelous thing that we can get out of the air what may be essential for the development of this very necessary war material. But I do take some issue with the proposition which seems to be accepted by various Senators, that the processes so far as they have been developed are the best that we can look for or that the last word has been given us by the chemists in regard to this matter. However, I am willing to run some risk on the question, as we must in propositions of this kind. We know not what the future of development along chemical lines may be.

Now, we are met with a statement by the distinguished Senator from Alabama, a few days ago, that section 82 in the House, as the bill was introduced, which is similar to this or covers the same ground, was defeated by the influence, as I remember the words, of the Powder Trust, the Republican Party, and certain people calling themselves conservationists. I hold no brief for the Powder Trust and have no particular love for the Powder Trust. I have spent some hard weeks of my life in working on briefs against the Powder Trust. I do have some love for the Republican Party, and am sorry to see it coupled up with the Powder Trust even in accusation. But charges like that, of course, are easy to be made; however, coming from such a distinguished source they are entitled to consideration and should be investigated. I trust they may be.

On the other hand, it was freely charged in the House, if I may refer to that, that those supporting section 82 of that bill were influenced by the Water Power Trust or that representatives thereof had been active in its support. So we have ourselves in the situation of the Powder Trust on one hand and the Water Power Trust on the other hand, and if I may be permitted to borrow a phrase of the distinguished Senator from New Jersey [Mr. MARTINE], "God pity us under those circumstances." I want to see an investigation of both charges. Possibly when trusts fall out the Government may know the truth.

Now, this comes along here as a preparedness proposition.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. LODGE. Simply for a question. The Senator referred to section 82 of the House bill. He means section 82 of the bill as introduced, not as it comes to us?

Mr. KENYON. Section 82 of the bill introduced. I thank the Senator. I think I so stated heretofore.

This comes along now as a proposition for preparedness. Nearly everything that has been introduced here at this session has been something in relation to preparedness. I sometimes wonder where it is going to stop. We spent five weeks on a power-dam bill. It was insisted that it was a question of preparedness. We passed from that to another power-dam bill, and that was a question of preparedness. Now we seem to have another dam proposition. It seems as if we have just one dam bill after another. Everything is under the cloak of preparedness. I think my colleague [Mr. CUMMINS] suggested the other day, paraphrasing the phrase "O Liberty! Liberty! how many crimes are committed in thy name?" by "Preparedness, how many?" Not all crimes by any means; but "preparedness" now seems to be the vehicle to carry everything through Congress.

The child-labor bill is, I think, a good preparedness measure, and likewise a rural-credits bill. I suppose when the river and harbor bill comes along every appropriation for Podunk Creek will be for preparedness, and when the public-buildings bill comes along every appropriation for a public building will be for preparedness.

I have a letter from a citizen who moved away from my State a good many years ago. It is along that line, and I have had it copied and will read it. I will not give the name of the town, but it illustrates how all legislation now apparently is to get ready against the invader whose foot some can almost feel upon our shores and shows a conception of the general situation shared in by many of our countrymen.

DEAR SENATOR: As a former resident of your State, I make bold to write you concerning one feature of preparedness to which Congress does not seem to be paying the attention it should, and that is the question of appropriations for public buildings. I know you have in the past opposed items in the public buildings bill for public buildings in small towns.

Now, my dear Senator, please don't do so any more. We are expecting a public building in our town. Our Member of Congress promised it to us during the campaign and we are entitled to it. Besides, think of what it may mean along the lines of preparedness. The public buildings to be constructed in the future should be constructed as a sort of fort. A round building is just as feasible as a square one for post-office purposes; then, when we are at the front fighting the battles of our country our wives and children can stay in the public building, if it is constructed as a fort, and we will feel that they are safe from foreign invaders.

If you are really a lover of your country do not oppose any appropriations for public buildings. Of course, if you intend to side against your country and sympathize with its foes and be untrue to the flag that means so much to us, then we can not expect any help from you in securing our public building.

Truly yours, ———.

[Laughter.]

I have not given the place or the name. It is as well to omit them.

Mr. President, this question of preparedness in securing nitrogen for nitric acid is, of course, an important one. We are dependent now upon securing saltpeter or sodium nitrate from Chile. Germany has found itself able in this war to develop some plan. I do not believe anyone knows what that plan is and I do believe that that plan ought to be investigated, if it is

possible and if war is not so imminent for us, before we do settle down to any system in this country.

Nor am I so alarmed about the proposition that we must at once secure a plant for the manufacture of nitric acid. Dr. Baekeland, who was before our committee, said that the chemists of this country could become active; that they could through steam development take care of the question in an emergency, and experts of the Navy Department said that they kept enough of the Chilean product for a year of any kind of an ordinary war, whatever that may be.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I do.

Mr. SMITH of Georgia. That was for anything except war.

Mr. KENYON. I understood him to say that it would cover any kind of an ordinary war, but I may be mistaken.

Mr. SMITH of Georgia. I thought it was for ordinary service outside of war.

Mr. KENYON. The evidence was not taken down, as the Senator remembers, but in any event the Navy Department provides itself with a very large supply of the Chilean product for any cases of emergency. Possibly not enough for a year of war. It would be hard to determine, of course, how much was essential.

I believe in the Government doing this work, and building and operating the plant, because I believe that the Government should make its munitions of war. I voted for the armor-plate bill on that theory. The profits should be taken out of war, and there would be less demand for war in certain quarters.

Now, as to the fertilizer proposition, I am as much interested in that as the Senator from South Carolina. Of course we do not need as much fertilizer in Iowa for our soil as they need in South Carolina. All this nitrogen out of the air or any fertilizer I do not think could make the soil of South Carolina anywhere near as fertile as the soil of Iowa, but at the same time I am anxious that the Southern States, without such good soil, shall have their fertilizer, and I am willing that the Government shall do that, although the more I see of the Government going into business the less enthusiastic I become about the proposition. The Government does not seem to be able to run its own business, to say nothing to going into other businesses. If there is any general indictment that could be drawn against the Government it is the absolute lack of efficiency in carrying on its own affairs. The question of the conservation of our soil is as important a question as the people of this Nation have to face. And so I am inclined to vote for a Government plant to make nitric acid in war and fertilizer in peace.

I know the minute you talk about this you bump up against the Constitution, and I expected that my friend from Utah [Mr. SUTHERLAND] would get up and ask me something about it. I am glad he has not, because I realize there are some constitutional difficulties in the proposition. There are more constitutional difficulties in the proposition than there are in the child-labor bill which my friend from South Carolina has so strongly urged as unconstitutional.

Mr. President, as to whether or not these various processes are a success was discussed by the Senator from Massachusetts [Mr. LODGE], and I can not add anything to that, but I want to put into the RECORD some statements about it simply for information. Mr. Washburn, of whom we have heard a great deal and whose pamphlets drop upon us mornings like the manna of intelligence in our sphere of ignorance, delivered an address before the American Electro-Chemical Society on this subject. It was subjected after his delivering it to a good deal of discussion. I want to place some of those statements in the RECORD without reading all of them.

The PRESIDING OFFICER. Without objection, permission is granted.

Mr. KENYON. I will read what Mr. Leland L. Summers said:

Personally I do not accept the unqualified statement in regard to the success of the cyanamid process that Mr. Washburn puts forth, because, while it has been successful, I do not think that engineers by any means accept it as the final word in nitrogen fixation.

Then I insert also remarks of Dr. C. W. Bennett on the same subject:

No one denies that the preparation of cyanamid is the cheapest working process for the fixation of nitrogen. Nitrogen from cyanamid, however, is not as cheap as nitrogen from other sources. We must all admit that by-product ammonia can be placed on the market as ammonium sulphate at a profit for very much less, approximately one-fourth the selling price of cyanamid. This industry, as is pointed out in another communication, is increasing steadily in this country and in others, and it will take the development of only a few other by-products to enormously increase the output of by-product ammonia. * * * No process in operation to-day for the fixation of nitrogen, as has been pointed out a number of times, can hope to compete with by-product ammonia. In drawing conclusions we can not compare alone the processes for the fixation of nitrogen, but we must also compare the price of the product in question prepared from other sources, because the final user does not care whether his ammonia comes from the distillation of coal or from atmospheric nitrogen.

Mr. Summers says in his comprehensive paper on Fixation of Atmospheric Nitrogen:

It would be hopeless to attempt to put this acid (derived from fixation of atmospheric nitrogen) into a product to compete with fertilizer prices, for they are some 50 per cent lower. * * * It is useless to look only to cheap power as a solution of this problem, as the real solution is in the improvement of processes (p. 373).

I insert also the remarks of Dr. L. H. Baekeland:

USELESS EXPENSE IN MARKETING, NOT MANUFACTURING.

We have heard the statement that in many cases it is more expensive to buy fertilizer than to have a low yield per acre. This is very true; and if the price of fertilizer gets too high, a low yield per acre becomes practically unavoidable. Unfortunately, in this country we are almost everywhere confronted with the detrimental economic condition of too many middlemen. * * * The time will come * * * when you will no longer speak about an excess of ammonia production in gas or coke ovens. There will not be such a thing as excess of ammonia. All ammonia will be saved.

During this discussion of Mr. Washburn's paper the secretary of the society, Joseph W. Richards, said:

Mr. Landis, chief technologist of the American Cyanamid Co. (Mr. Washburn's), has said that his company confidently expects radical changes in nitrogen fixation processes in the next 5 or 10 years, and that it is prepared, if necessary, to scrap its whole plant inside of 20 years, thinking there might very possibly be no cyanamid process in use at that time. (P. 405.)

Dr. Sumners said:

Dr. Peacock's paper is very much to the point. Undoubtedly you all know that Dr. Peacock is one of the best authorities in America on fertilizer, * * * is thoroughly familiar with everything that has been connected with the use of nitrogen in fertilizers.

As a commercial undertaking nitrogen fixation must remain substantially dormant so long as the ammonia produced as a by-product of coal distillation remains of such relative amount that it is capable of controlling the rewards of capital invested in nitrogen fixation. It may be accepted as a fact that no nitrogen fixation method has as yet been publicly proposed which can produce nitrogen as cheaply as coal by-product of ammonia.

Gen. Crozier, when before the House Committee on Military Affairs, testified that there were two ways of getting nitric acid independently of the outside sources of supply: one by the use of ammonia, which is one of the by-products of coke making, gotten from coke ovens. He could not say the extent to which we could rely on that, but said it was chemically possible to produce it in that way and there was a good deal of the coke-making industry in this country. He did say the best reliance would be upon the fixation of atmospheric nitrogen, which requires a very considerable amount of cheap electric power in order to compete with the imported nitrate. He said that the expense of manufacturing nitric acid by the fixation of atmospheric nitrogen is not prohibitive if we consider even steam power, if water power can not be obtained at all; that anybody would have difficulty in surviving, commercially, in competition with the imported article.

There are two processes, he states, one the arc process and the other known as the cyanamid process. The cyanamid process requires less horsepower than the arc process, but it requires other expenses in addition, so there is a difference of opinion as to which would ultimately be the cheaper.

In view of the right of control of the Federal Government of the sources of water power, it ought to be possible to permit their development by private parties, under such conditions of consent that the Government would be assured of their utilization for military purposes when needed, at a reasonable cost, and as the great bulk of the output of the plants would be for commercial purposes it would not appear that the Government should itself embark in this development and production.

There should be provision made, he says, that if the Government cooperated with private plants the cooperation should be accompanied by the condition that the Government should have sufficient hold on these plants to insure that it could get what it wanted at reasonable prices, both in times of peace and of war.

Some one asked on yesterday about the effect on the atmosphere of the taking of the nitrogen from it. At the hearings of the Agricultural Committee a gentleman from my State, who is a good deal of a mathematician and interested in this subject, was present and asked me to ask Dr. Baekeland that question when he was on the stand. I did so, and the Doctor cast it aside rather flippantly, saying that 1 acre of air would be sufficient for all the nitrogen we would ever desire. My friend when traveling through the South wrote me a letter from Charleston about it. He said:

Being of a somewhat mathematical turn of mind, I thought I would do a little figuring in regard to the amount of nitrogen in the air. It is a well-known fact that at sea level the pressure of the air on the earth's surface is 15 pounds per square inch. That would make 2,160 pounds per square foot or 1.08 tons of 2,000 pounds each. Multiply by 43,560 square feet per acre and we have 47,044.8 tons. Multiply this by 640, the number of acres in a square mile, and we have 30,108,672 tons, the weight of the air on a square mile of the earth's surface. If I remember correctly the air is four-fifths nitrogen and one-fifth oxygen, and they must necessarily be of the same specific gravity or they would not mix and stay mixed in the proper propor-

tion to sustain animal life. By taking four-fifths of the weight of the air we find that there will be 24,086,937.6 tons of nitrogen in the air pressing on the surface of 1 square mile of the earth.

I have not verified the figures, but I know the man as a thoughtful, painstaking man, and the figures are very surprising.

In the Washington Herald a few days ago, as bearing on the question as to whether we have reached anything that is certain about this nitrogen proposition, a little item struck me. In speaking of the battle of Verdun this correspondent says:

These great guns seem to know that back in Germany the scientists have discovered substitutes for gunpowder and nitric acid and they seem to be celebrating their independence of the blockade, for at times hundreds of them resemble nothing so much as troops answering the roll call.

In times of trouble we certainly would not be so absolutely helpless as has been pictured here. American chemistry and American ingenuity would find some way, as Germany has found, to handle the question. I do not say this in any way to indicate that I do not fully realize the necessity of our Government being in condition to command an adequate supply of nitric acid in case of war.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to his colleague?

Mr. KENYON. I do.

Mr. CUMMINS. The question I shall now ask is purely for information. It has been stated many times that cheap water power was necessary in order to compete with the Chilean nitrates, but I assume that the nitrogen of the air could be fixed with steam power just the same as with water power. I should like to know if the examination before the committee indicated or developed the kind of machinery or apparatus necessary to take the power and complete the process?

Mr. KENYON. It did not.

Mr. CUMMINS. My question is based on the idea that in time of war, if we should have it speedily, a question of cost would not be so material, and I ask whether we could take steam power anywhere without much delay and prepare for the use of the process?

Mr. KENYON. I am not prepared to answer the Senator, because that fact was not developed before our committee. I rather gather that it would take considerable changes to develop the process.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. KENYON. I do.

Mr. SMITH of South Carolina. Will the Senator from Iowa allow me to make a brief statement in his time without involving his right to the floor?

Mr. KENYON. I do not want to lose the floor.

Mr. SMITH of South Carolina. That was the reason I put my question in that form. I should like to state that the process by which steam power is used in the extraction of nitrogen is, of course, exactly the same as where water power is used. In the transformation of the energy produced, the nitrogen from the air, the apparatus would be identically the same. Now, if the Senator will allow me, I want to read just a few lines from the two individuals in this country upon whom——

The PRESIDING OFFICER. The Chair will take occasion to say, reminding the Senator from Iowa of the rule which seems to have been established, that he must be his own judge as to whether or not the Senator from South Carolina is asking a question or is proceeding to a discussion.

Mr. KENYON. I think the rule to which the Chair refers is a very salutary one. I should be glad to have the suggestion of the Senator from South Carolina, but I believe that I would forfeit the floor if I should permit the Senator to speak in my time. If the Senator from South Carolina will put his suggestion in the form of a question, very well.

Mr. SMITH of South Carolina. I would not have the Senator forfeit the floor, but I wished to make the suggestion right at this point, as I was afraid that the Senate might be misled regarding the process. I shall, however, in my own time state it.

Mr. KENYON. Mr. President, we are confronted with the two amendments. If I vote for the Smith amendment, as I rather expect to if a change is made in it, I shall do so knowing it does not compel the Government, as I understand it, to spend the money. If the Government is not satisfied as to the processes it need not go ahead. The Underwood proposition, it seems to me—though I may be mistaken about it, because the Senator from Alabama says not, and I have the greatest respect for his judgment and ability, of course—but it seems to me that under the amendment of the Senator from Alabama we might just as well write into the amendment that this plant is to be located at one particular place, and that is Muscle Shoals.

Mr. SMITH of Georgia. Will the Senator allow me to ask him to tell us why he says that?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I am going to try to state just exactly what the Senator from Georgia asks me to do. I want to marshal the evidence on the proposition made. I do not want to misjudge anybody, and have nothing to say about anybody or any reflection to make on anybody.

If Muscle Shoals is the great water power which it is pictured to us to be, it may be entirely true that Muscle Shoals is the proper place for the location of one of the plants. If it is, I have absolutely no objection to the location there; but I want that determined by some board that is not already committed to the proposition, and determined by a board on which there will be some scientists and somebody who has the fertilizer interest at heart as well as the war question.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Alabama?

Mr. KENYON. I do.

Mr. BANKHEAD. I want to make a statement for the information of the Senator.

Mr. KENYON. I yield to the Senator for a question, but I do not want to lose my right to the floor.

Mr. BANKHEAD. My interruption will take but a moment. I want to state on this floor that there is not a single engineer on this board that ever had anything to do with the Muscle Shoals proposition except one.

Mr. KENYON. And that engineer is the one who has just recently overruled one of the other engineers on the Missouri River proposition, as I understand it—I may be in error on that, however.

Mr. BANKHEAD. His name is Newcomb. I repeat, he is the only one who has ever had anything to do with the proposition.

Mr. KENYON. This amendment recites that this matter shall be handled by the Board of Engineers for Rivers and Harbors, subject to the approval of the Secretary of War. They are authorized and directed, first, to hold hearings and conduct negotiations for the purpose of determining upon a suitable air nitrogen process. It must occur to anybody at the inception of reading that amendment, why should this be limited to an investigation of a suitable air process? Why not investigate a steam process or any other process?

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I yield for a question.

Mr. SMITH of Georgia. I desire to ask a question. If steam is used, it is still an air process of obtaining nitrogen, is it not?

Mr. KENYON. It comes out of the air, of course, but this is the air process. It may be that the steam process is covered; perhaps the Senator is correct; I am inclined upon reflection to think he is, but I think it should be broadened a little to cover everything and every process. That is what I am insisting upon first. Of course, the process is out of the air. This amendment provides:

Second, to select a suitable site on a navigable stream in the United States for the construction of the necessary dam, locks, substructure, power house, and hydroelectric equipment.

The Board of Engineers is there given the power to select the site. This amendment provides for only one site. The Smith amendment provides, I think, for four or five different plants, and I say that the Board of Engineers of Rivers and Harbors have committed themselves—perhaps not all of these engineers, but as a board—to the Muscle Shoals project, not as a nitrogen proposition—for that had not been thought of at that time—but as a power proposition in connection with navigation.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I do.

Mr. SMITH of Georgia. Does the Senator mean that the Board of Engineers has reached the conclusion that the Muscle Shoals power is the best power east of the Mississippi River?

Mr. KENYON. I will refer to the document in a moment or two and see just what they have decided. The Government gave a land grant of 400,000 acres of land to Alabama to build, as I understand, two canals at Muscle Shoals. We have expended there, as a navigation proposition, something like four million dollars. I understand that of the last lump appropriation $150,000 was allotted by the engineers for borings at Muscle Shoals, although Mr. Washburn, before our committee, practically stated that the navigation project there was of no use.

The Muscle Shoals development has been in Congress as a river and harbor proposition; it has been in Congress as a military proposition; it has been before committees as a fertilizer proposition. If Muscle Shoals is the proper site for these enterprises, and that is determined by a commission or a board who will take every question into consideration, I am not here to say a word against Muscle Shoals; but if that is the place in contemplation, let us have it so stated in black and white.

Its advocates certainly can not be accused of lack of persistence. I follow my line of evidence along. Mr. Worthington, who is president of the Muscle Shoals Hydroelectric Co. and director of several other companies to which I will refer, is referred to in the Decatur Daily, of Decatur, Ala., of March 9, 1916, and an article which I wish to read winds up with his statement. This is from the paper at Florence:

FLORENCE, ALA., *March 9.*

That Florentines have unlimited faith in Muscle Shoals development was conclusively proven at a mass meeting held in the courthouse at Florence last night when the circuit court room was taxed to its capacity.

The Muscle Shoals finance committee asked for $2,500, which was subscribed as fast as the secretaries, H. A. Bradshaw and W. H. Mitchell, could take the names of the contributors. This brought the Florence donation for the furtherance of the Muscle Shoals development up to $10,000 during the last few months. This money is being used to defray the expenses of those actively engaged in the oversight of the public's interest in this all-important project.

R. T. Simpson, president of the commercial club, introduced Col. C. W. Asheratt, who said people from one end of this country to the other are talking Muscle Shoals. Instead of impoverishing other sections, as is often the case in big enterprises, our progress in the Muscle Shoals development is the progress of every section of the United States. It stands head and shoulders above everything else in Washington. Many of the important congressional committees are considering it simultaneously.

The speaker complimented the Shields bill and said it removes obstacles that have heretofore existed. He declared our "preparedness" is our salvation. The surveys and plans for Muscle Shoals development are made, and it stands 999 chances out of 1,000 to be selected as the site of a Government nitrate plant.

Mr. N. C. Elting, chairman of the finance committee, said, according to this newspaper article: "I presume every man, woman, and child in Lauderdale country is for preparedness. If all had been prepared, the fearful war now raging would never have been." He said the conditions relative to Muscle Shoals are indeed optimistic. He read the following telegrams from Washington:

WASHINGTON, D. C., *March 7.*

N. C. ELTING, *Florence, Ala.:*

Will you please extend my thanks and hearty feeling of congratulations and encouragement to the courageous, upstanding, constructive people of Florence, and tell them that the bill introduced in the House by the Military Committee authorizing the development of water power and construction of atmospheric nitrogen nitric-acid plants, and Chairman HAY, in his report on the bill, in part says:

"The committee consider this question of the first importance in the consideration of preparedness for national security." Our efforts supported by the lead of Florence secured the authorization for the proposed development, and if Florence will stand pat, put up and see us through, we will get these plants. The total development with fertilizer plants established to cost $50,000,000.

J. W. WORTHINGTON.

On March 7 he sent this telegram:

WASHINGTON, *March 7, 1916.*

N. C. ELTING, *Florence, Ala.:*

Vote on Shields bill will not be taken until to-morrow and probably not until Thursday. Its passage is conceded.

J. W. WORTHINGTON.

These statements were set forth in the CONGRESSIONAL RECORD some time ago and as they have not been denied we are warranted in accepting them.

Now, who is Mr. Worthington? The distinguished Senator from Massachusetts [Mr. LODGE] yesterday inserted in the RECORD some of the connections of these various people. Mr. Worthington, who sent this disptach concerning Muscle Shoals, I understand is the president of the Muscle Shoals Hydroelectric Power Co., director of the American Cyanamid Co., director of the Alabama Power Co., director of the Alabama Interstate Power Co., director of the Little River Power Co. The Alabama Traction, Light & Power Co. is the parent of the Muscle Shoals & Alabama Power Co., owning its stock, according to Moody's Manual. Mr. Washburn, who has so kindly appeared before the various committees, is the president of the American Cyanamid Co., of which Mr. Worthington is a director; he is a director of the Muscle Shoals Hydroelectric Co., of which Mr. Worthington is president; a director of the Alabama Light & Power Co. and of the Alabama Traction, Light & Power Co., chairman of the board of the Alabama Power Co., vice president of the Alabama Interstate Power Co., director of the Birmingham, Montgomery & Gulf Power Co., and of the Little River Power Co.—or was until a short time ago, when the matter came up in Congress. It seems that he has recently resigned from a number of these companies.

It is quite evident that he is not a witness with absolutely no self-interest.

Mr. Cooper, who is vice president of the six-million-dollar fertilizer company, known as the Duke Fertilizer Co., is the general manager of the American Cyanimid Co. The American Cyanimid Co., in their statement of assets, schedule "Founding and propaganda, $230,589" as a part of their assets. So, we find Mr. Worthington sending a dispatch from Washington that Muscle Shoals stands 999 chances out of 1,000 of getting the nitrate plant; we find Mr. Washburn connected with many kinds of corporations interested in water-power development, and the two, it was charged on the floor of the House, practically control the water power of Alabama through their companies. The report of the Secretary of Agriculture, I think, was to the effect that 87 per cent of the water power of Alabama was controlled by the Alabama Traction, Light & Power Co. We find all this commingling of these interests in this project.

Now, what about Mr. Washburn, and what about the board of engineers being committed to the Muscle Shoals proposition? In 1914 the Chief of Engineers of the United States Army in document No. 20 made a report. The House Committee on Rivers and Harbors had passed a resolution, as I understand, asking for a resurvey of these various propositions. Document No. 20 consists of a letter from Gen. Kingman, of May 18, 1914, to the chairman of the Committee on Rivers and Harbors of the House. It is in reply to a letter from the chairman, inclosing a copy of the resolution of the Committee on Rivers and Harbors, of February 24, 1912, requesting the Board of Engineers to review the previous reports or surveys of the Tennessee River. Mr. Worthington, the same gentleman who sends the encouraging dispatch, submitted to the Board of Army Engineers a proposition on the part of the Muscle Shoals Hydro-Electric Power Co., signed "J. W. Worthington, President," found on page 76 of this document. This proposition was that Muscle Shoals was to be improved in connection with the Muscle Shoals Hydro-Electric Power Co. at an estimated cost of $18,701,000. It was a proposition in connection with which the Army Engineers approved of the Government loaning the money, or furnishing it for the benefit of a private institution to be paid back in annual payments running for 100 years.

Out of this, the amount properly chargeable to navigation, they found, was $8,575,000. The remainder was the amount chargeable to power development. The board advised that this was the proper thing for the United States to do, and just a short time later this same engineer advised that in the case of the Great Falls project out here, in which the whole city of Washington was interested, financial conditions were too close to do anything with it. I shall not take the time to put his statements as to that in the RECORD. Evidently he did not regard Great Falls as comparable with Muscle Shoals.

Evidently the matter of nitric acid had not been thought of so seriously at the time this proposition was up to take care of Muscle Shoals, nor after this, when the question came up in the other branch of Congress of appropriating the $150,000 which the engineers said in this report ought to be immediately done so that the work should not stop. That question was fought out on the floor of the House and defeated.

I want to read just one or two little things from the report of these Army engineers who fathered this most remarkable attempt of the Government to help a great private company that had a monopoly, that owned the power sites, as I shall show from the evidence, they and their associates now owning all the patents on this process, and before the committee Mr. Washburn said substantially that they did not propose that anybody should ever compete with them.

After its exhaustive study and full discussion of this subject the special board concludes with the recommendation that the United States undertake this improvement in connection with the Muscle Shoals Hydro-Electric Co. under certain conditions specified:

"The Board of Engineers for Rivers and Harbors has carefully considered this plan, and is in general accord with the views and recommendations of the special board. The project contemplates primarily the conservation of one of the great natural resources of the Nation by the development of power in large amount and incidentally the improvement for navigation throughout the year of a reach of about 82 miles of the Tennessee River. An expenditure by the United States of $18,701,000 within a period of five years is contemplated. Of this total $8,575,000 is estimated as the cost of the portion of the work which properly may be considered as an improvement of navigation."

The Board of Engineers says:

As this is the first project recommended for cooperation of the United States with power interests in river work on a very large scale, the board invites attention to the unusual demands such work will make upon the public funds. The development and utilization of the power of the streams of the United States will require an investment of great sums of money, and to insure the required continuity of action through successive lease periods other large sums must be available from time to time. There is little doubt that such investments are justifiable and wise, and that the utilization of this power of the streams now being wasted will increase prosperity in a measure hard to be determined.

If the United States is to have full control and is to guarantee continuity of operation it is apparent that at times it will be called upon, for longer or shorter periods, not possible of being foredetermined, to make expenditures comparable with the original sums invested by corporations, and that these expenditures will be returned only after considerable delays, perhaps of years. Whether the annual income of the United States is great enough to supply such large sums, and whether justice to the present generation would warrant such a use of income, are economic questions requiring legislative determination.

The first indication of some regard for the income of the United States that has appeared for some time.

And when one of the engineers was not willing that the Government should pay for the overflow, amounting to $1,700,000, this board overruled him and decided that the Government should pay even for that.

Following out that chain of evidence, the Board of Army Engineers approving this Muscle Shoals project in the past wanting the Government to advance $18,500,000 on the proposition, and the Mr. Worthington who made that proposition to the Board of Army Engineers that was accepted being the same party now sending the telegram down to his State that Muscle Shoals is to secure this plant, or has 999 chances out of 1,000 to secure it, I think we are progressing along the line of showing that the Board of Army Engineers ought not alone—and that is all I am insisting on—to determine this proposition.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I do, for a question.

Mr. SMITH of Georgia. Will the Senator state what the $18,000,000 was to be spent for? What was to be done with that $18,000,000?

Mr. KENYON. I did state that, but I can state it better, perhaps, from a souvenir that I hold in my hand of "A visit to the Tennessee River" of a number of Congressmen and Senators to view the Muscle Shoals proposition in May of last year. That is set out in this document, which contains a number of very fine pictures of Senators and Members of Congress. Here was the plan recommended by the United States Engineers in Document No. 20:

United States Engineers' estimate of cost of project, exclusive of equipment and power-house superstructures, $18,701,000.
Power company's cash contribution, $3,000,000.
Leaving a total of $15,701,000.
Total amount chargeable to navigation, as estimated by United States Engineers, $8,575,000.
Investment of the Federal Government chargeable to power, as estimated by United States Engineers, $7,126,000.
Estimated initial expenditure of the power company—

I do not know that the Senator desires that.

Mr. SMITH of Georgia. I do not know whether or not that means that the additional $7,000,000 was to be spent to build the power plant, and that only $8,000,000 was necessary to construct the dams, and so forth.

Mr. KENYON. I understand it that way—that the $8,000,000 was for the dam for navigation, and the additional amount, necessary for power. That is, the Board of Army Engineers determined what amount they could properly charge to navigation, which, I assume, would be for the building of a dam, without the power purposes.

Mr. LODGE. They exclude the power project, do they not?

Mr. KENYON. This is exclusive of equipment and power-house superstructures.

Mr. LODGE. Yes. This $7,000,000 is to be used in the development of power, is it not?

Mr. KENYON. It is.

Mr. LODGE. And not needed for navigation?

Mr. KENYON. Not needed for navigation.

Mr. SMITH of Georgia. I suppose, then, Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I yield, for a question.

Mr. SMITH of Georgia. Then I will ask the Senator whether it means that the $8,000,000 would be necessary to build a dam for navigation purposes, and $7,000,000 more would be necessary if it were fully developed with power?

Mr. KENYON. Exactly, as I understand it, for power purposes; so they divided the total amount between the two, and the $8,000,000, I assume, might be the proper charge to the Government for purely navigation purposes.

Mr. SMITH of Georgia. But it was all in the line of construction of dams for creating power, and not machinery for the power plant?

Mr. KENYON. That is true.

In the hearings before the House Committee on Military Affairs—I want to follow up this line of evidence—Mr. Washburn was there. He was asked as to this matter, and as to his plan. He said:

From the nature of the industry there are very few power sites available to it in the United States.

And he took the instance of Muscle Shoals and developed that, showing it as the cooperative plan. This is found on page 158 of the hearings before the Military Affairs Committee of the House. I will not take the time to read that. Mr. McKENZIE of Illinois asked him this question, which makes it fairly plain:

Let me see if I understand just what you mean. If I understand you, your plan of cooperative work is to take a power site where the Government has constructed a dam for purposes of navigation, or to aid navigation, and the company that would manufacture this product would then erect its structure alongside of this power site, and the Government would permit them to use the power, and they would pay, as I understand you, 3 per cent on the cost of the construction of the dam. In other words, the Government would build the dam and the company would erect a structure for the manufacture of the product, cooperating with the manufacturing concern, and the company would manufacture this product to be used for fertilizer during time of peace, and the Government would have the right to take the entire product during time of war, and that the company should pay annually to the Government 3 per cent on the investment in the dam. Is that correct?

Mr. WASHBURN. Upon the investment of the dam and such hydro-electric equipment as was necessary to put the power upon the switchboard. The Government investment, devoted to power purposes, normally would include the dam; and the power house and its equipment and the power would be paid for by the nitrogen industry at 3 per cent of the cost. That would be an annual tax upon the nitrogen industry.

Mr. McKenzie also asked him:

After a careful investigation of this whole subject, it is your judgment that this industry can not be successfully developed without some Government assistance in this country?

Mr. WASHBURN. I am very definitely of the opinion that private capital can not take the risk of the necessarily great investment compared with the return on the costs we would have in the United States and therefore the industry will not be developed in the United States, but in time will be developed elsewhere, and the product will be imported into the United States.

Again, speaking of his plan:

The $24,000,000 the Government would expend under that plan would be used exclusively for the production of the single product, nitric acid. The $48,000,000 would be used not only upon some devices which answer the requirements for making nitric acid but would also be used for the payment of the cost of appliances for manufacturing fertilizer.

With regards to Muscle Shoals there is a good deal said, but I will not take the time to read it.

Before the Committee on Agriculture of the House Mr. Washburn spoke of this same general plan, but it should be stated in fairness to him that he said he had no proposition of any kind to make to the Government. He was asked about the patents covering it. The chairman asked him concerning the patents. He said:

They are controlled by one concern under patents.
The CHAIRMAN. Under patents?
Mr. WASHBURN. United States patents and Canadian patents.
The CHAIRMAN. So that any immediate development of the nitrogen industry in this country would be through the Government subsidy to a monopoly controlling the process?
Mr. WASHBURN. I should not call it a subsidy.

He is asked as to who controls this cyanamid process in this country:

Your company?
Yes.

And he is asked these questions at page 925 of the record of the House Committee on Agriculture:

Mr. RUBEY. What is the date of your patent?
Mr. WASHBURN. You mean of the patent?
Mr. RUBEY. Yes.
Mr. WASHBURN. We have not any single patents. We have about a hundred patents.
Mr. RUBEY. And then the next year and the next year you would have additional patents so that the time never would come——
Mr. WASHBURN. We do not propose that it ever shall come when anybody can compete with us if it is within our power.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. KENYON. I do, for a question.

Mr. BORAH. How does he anticipate that he will prevent that competition, if he discloses that?

Mr. KENYON. I will say that it is all controlled by patents, of which I think it is fair to say that Mr. Washburn and his associates control practically all. I have seen a list of patents from the Patent Office. I know he controls some of them, and he was asked here:

Who controls this process in this country, your company?
Yes.

That is, the Cyanamid Co.

Mr. BORAH. I had supposed it was likely by reason of the patents; but that is a monopoly which has been granted to him by the Government already.

Mr. KENYON. It has been granted to him by the Government, and as I understand the Government is powerless to use any of these processes without violation of the patents, just the same as any private individual—or, rather, they might be able to use them and then the patentees would have their recourse in the Court of Claims.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. KENYON. I do, for a question.

Mr. SMITH of South Carolina. I wish to ask the Senator from Iowa if he considers that that is final? I have before me a statement on the exact process about which the question was asked a moment ago, to the effect that the fundamental patents have expired. Various minor modifications and improvements have been patented from time to time during the past 15 years. They are mostly under the control of the Cyanamid Co. They are not absolutely essential, however, to the economical production of powder by this process.

I have received that statement this morning. I wanted to have a thorough investigation, and I received it this morning from Dr. Norton.

Mr. KENYON. As I understand, when the time comes near for the patent to expire, improvements are patented, and the time is extended. That is evidently what the colloquy meant before the Agricultural Committee of the House, when Mr. Washburn said that they did not propose that the time ever should come when anybody would compete with them if it was within their power.

It has been charged that these same parties, for whose company the Board of Engineers have been willing in the past to have the Government loan or invest some $18,000,000, not only owned the patents on this process, but also controlled the water-power sites around the Muscle Shoals proposition. That question was asked of Mr. Washburn in the Committee on Agriculture and Forestry of the Senate. This Muscle Shoals project bobs up before so many committees that it is difficult to keep track of it.

Senator KENYON. Have other people associated with your company been working on the Shields bill, or on this proposition?

Mr. WASHBURN. Yes; in connection with the Shields bill.

Senator KENYON. And on this proposition, too?

Mr. WASHBURN. Yes.

Senator KENYON. Mr. Worthington?

Mr. WASHBURN. Mr. Worthington has worked in connection with the proposed development at Muscle Shoals primarily, as it originally was in the interest of the Muscle Shoals Hydro-Electric Power Co., which owns certain rights, etc., at Muscle Shoals.

Mr. MARTINE of New Jersey. Mr. President, I should like to ask the Senator the date of that hearing.

Mr. KENYON. This hearing was March 16 and 17, 1916.

Mr. MARTINE of New Jersey. Very close at hand?

Mr. KENYON. Very close at hand.

Mr. Washburn's plan, which is very similar to the plan set forth in Document 20, has been elucidated by him before the Military Committee of the House, before the Committee on Agriculture of the House, before the Committee on Agriculture of the Senate, and the plan is substantially the same plan, with some variations, as the one the Army engineers reported in favor of. That is why I have said that, in my judgment, the evidence is sufficient to show sufficient basis for the statement made that under the Underwood amendment we might just as well write the location Muscle Shoals.

I should like to see an amendment that would be a sort of halfway between these matters that would provide for a complete investigation of all processes by some competent body not already committed and an investigation of proper sites. I do not want to legislate on something that is simply going to be an assistance to private corporations in this country and no benefit to the rest of the people. I have not meant to say that Muscle Shoals was not a great proposition and possibly the proper place for it. I do not know. This great water power placed there by the Almighty should be used by the Government for the benefit of all and no monopoly permitted to control it.

I want to read from the hearings one or two things. On page 908, House Agriculture Committee, Mr. Washburn stated that the great development had come through using steam power. That is in the German nitrogen plants. On page 910 he spoke of the power site on the Columbia River. I think I should say that his claim was that there are only two proper power sites in this country for this development, one on the Columbia River at Priest Rapids and the other at Muscle Shoals. Dr. Backeland, before the Committee on Agriculture and Forestry of the Senate, said that those power sites in the far West were no better than if the plant were in Iceland, because of the railroad rates in transporting the product.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Washington?

Mr. KENYON. I do.

Mr. JONES. In other words, the qualification in these two amendments with reference to fertilizers would cut out of consideration those plants in the West?

Mr. KENYON. I think so. I think it cuts them out. It does not cut out Niagara Falls, of course. The astounding statement was made there that the water power at Niagara Falls would be sufficient, if used for fertilizers, to increase the wheat crop of this country 3,000,000 bushels per day.

Mr. JONES. What I meant was that the qualification requiring the plant to be developed with a view to getting fertilizer would necessarily exclude the consideration of a plant in a far-western State.

Mr. KENYON. To be perfectly frank with the Senator, I think it does do that practically because of the cost of transportation.

Mr. SMITH of Georgia. I did not hear the question of the Senator from Washington.

Mr. KENYON. He inquired if the fertilizer part of this amendment did not result in practically cutting out the power sites of the West because of the cost of transportation. As I stated, Dr. Baekeland, who seems to be a very eminent authority, said we might as well have the plant in Iceland, that the rates would be less to that country than to that part of this country needing the fertilizers if the plant were in any of the extreme Western States.

Mr. SMITH of Georgia. That would not——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I do.

Mr. SMITH of Georgia. That would not be true if the stream were navigable and reasonably near the Pacific, would it?

Mr. KENYON. I assume not, if they could get a rate down through the Panama Canal, but I have not studied that proposition.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. KENYON. I do for a question.

Mr. THOMAS. If the railway rates are so excessive as to prohibit an otherwise desirable site for a power plant in the development of this proposed method of producing nitrogen, does it not suggest either a further extension of Governmental control of the railway systems or the possession of them, as Germany has taken possession of them, as a part of the general scheme of preparedness? In other words, if we are going to prepare national defenses upon an adequate scale, does not that situation suggest the prime necessity, among other things, of controlling the lines of transportation of the country?

Mr. KENYON. Does the Senator believe we are going into a military camp in this country?

Mr. THOMAS. I do not, but many want us to do it; and yet those who are anxious for an extreme plan of preparedness have not thus far suggested what seems to me to be a prime element in such a plan, an element which Germany recognized 40 years ago, and that is the acquisition or the control by the Government of the various lines of transportation in the country.

Mr. KENYON. I will not go into a discussion of that. It is too broad a field, and I have talked about long enough. I do not want to delay this bill.

From the Manufacturers' Record of March 9, 1916, I place in the RECORD as evidence on the proposition I am discussing the statement of the Alabama Power Co., in a part of which they say:

In connection with the occasion for employing the $96,000,000, not covered by immediate plans, it is stated that "the Alabama Co.'s ultimate development in Alabama is predicated upon legislation regarding power sites now sought in Washington and bears special reference to the use of Muscle Shoals. The large water-power site owners of the country are pressing certain legislation which is being as stoutly resisted by others who claim that too much encroachment upon the rights of the public is contemplated in the form in which the power-site owners desire this legislation. The use of the remainder of the $100,000,000 available bears relation to the ultimate future and the possibilities of favorable legislation."

Certainly the impression has been conveyed to the good people who live in the region of Muscle Shoals that the Government is going to engage in a wonderful development there. I do not take a great deal of stock in lobby investigations. Of course, if the powder trust is doing what the Senator from Alabama said, it probably should be investigated. If others are doing what has been charged on the House side, they probably ought to be investigated also. I do not think as a general thing Members of Congress are particularly influenced by anybody coming to see

them. For my part, I am always glad to see anyone who has any information, and think I have been able to stand up against any influences thus far. But if there was to be any investigation of the powder company I want to see it go far enough to investigate the activities of the water-power companies also.

I received an invitation to visit Muscle Shoals last May, my expenses to be paid from the point of departure, and the exact time of departure being given, but as I have been opposed to the proposition in the past and expected to be opposed to it in the future I did not accept the very kindly hospitality. However, there were evidently some acceptances, and I hold in my hand a paper which leads me to believe that the good people down in Alabama at least believe that this is a project for Muscle Shoals. This paper is the Huntsville Daily Times of May 12, 1915. It is headed "Dam Muscle Shoals." There is no typographical error in that, I think.

Mr. NORRIS. That is what the Senator has been doing very effectively.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nebraska? The Chair will admonish Senators that the rules provide that before interrupting a Senator the Chair shall be addressed and permission granted by the Senator occupying the floor.

Mr. KENYON. This write up of the meeting down there and various Members of Congress who attended it is very interesting. I am not going to read it all. I merely cite it as a part of the line of evidence I have been trying to introduce in support of my statement that we might as well write Muscle Shoals into the Underwood amendment and be done with it. Certainly that is the impression in the vicinity of Muscle Shoals. This paper, the Huntsville Daily Times, says:

> Between 5,000 and 6,000 people shout the merits of Muscle Shoals, and with one voice say, "Dam it, we need it." Occasion a gala one and success comes in near future.
>
> United pull to extract the cork from the Tennessee and make the river a blessing to mankind. Big system of cooperation between private capital and the Government. Joint congressional inspection of proposed waterway a pleasing and stupendous success.
>
> It was indeed—

The paper says—

> the greatest event of its kind ever celebrated in the United States, and if any of the congressional party had any doubts as to the desire of this people and their complete interest in the development of this matchless enterprise it was forever removed when they visited Muscle Shoals and saw with their own eyes the water power that will bring a new world to this country.
>
> * * * * * * *
>
> It was a memorable occasion, the demonstration being marked by a wonderful outpouring of people of the immediate counties surrounding the proposed and completed navigation development at Muscle Shoals, and from the nine vitally interested near-by States.
>
> * * * * * * *
>
> A huge impression was made on the visitors and the only regret is that the whole of Congress could not be there on this or any other occasion and see the real good. It is actual, a substantial business proposition, not the hope of a dreamer. Impressions satisfactory were made on the visitors, and when they face their colleagues in December there should be a prompt adoption of the United States Army engineers' recommendation and let the final work proceed. Confidence believes this will be done promptly.
>
> That Niagara is a baby compared with the tremendous value and importance of Muscle Shoals possibilities goes without saying.

So it proceeds. I will not read the speeches of the various Members of the House and Members of the Senate upon that very enthusiastic occasion, but I want to refer to the conclusion of the article:

> The Tennessee River Improvement Association declares that the Muscle Shoals project is a challenge to the courage and genius of the President, the Secretary of War, and the Congress of the United States for immediate adoption.

Mr. President, that may be so.

> If our visitors would know the inspiration for the hope and confident belief of the Tennessee River Improvement Association, that the first session of the Sixty-fourth Congress will adopt the Muscle Shoals project as recommended by the United States engineers, they will find our hopes and our sentiments expressed in the last annual message of President Wilson to Congress as follows:

The poor President is drawn in to sustain the Muscle Shoals proposition, although I can not find that he says a single word about it; but such things read well in a newspaper.

> The Chief of Engineers of the United States Army—

This paper says—

> the greatest and most competent in the world have said the project is practical, feasible, and good. They are the captains, the final judges to make the decision. This has been done and this people call upon Congress to say amen to it.

That has been some of the business of Congress for some time, not entirely, I understand, confined to this branch.

> The Muscle Shoals project having been recommended for congressional adoption by the United States Engineers, it was very appropriate of course for the keynote of the occasion to be Dam Muscle Shoals and dam it now.

Now, Mr. President, I have not intended in my brief and rather scattering remarks to say anything to reflect upon anyone. I have placed some matters before the Senate that seemed a duty. These gentlemen have the right to believe, as they do believe with basis for it, that Muscle Shoals is a great project. If some board to be appointed should, after considering all the facts, be in favor of Muscle Shoals for our Government plant, I should not raise my voice against it, but I am objecting to adopting an amendment to this bill which gives to the Army Engineers the power to select a site when the record, statements, and documents show that the Army Engineers some years ago had practically adopted this as the best site for a great water power. If the Board of Army Engineers have determined that question what is the use in having them do it again? If the Government is to build and maintain these plants they should be located in different parts of the country where in time of peace they may be of the most good to the greatest number of our people.

Mr. SMITH of Georgia. Mr. President, I regret that there are expressions in the able speech of the Senator from Iowa [Mr. KENYON] who has just taken his seat and whom I admire very much, that I think are calculated to draw attention from the real merits of the question and to arouse prejudice against a great water power and men who may develop it. I never heard of Mr. Washburn until the day he appeared before the Committee on Agriculture about three weeks ago. I knew there was a cyanamide process and that fertilizers were being manufactured in Canada by somebody and shipped into the United States. I had heard that that plant would have been located on the Muscle Shoals, Tennessee River, but for the fact that a bill allowing the development of that water power passed by Congress some time ago was vetoed.

Mr. BANKHEAD. The Coosa River.

Mr. SMITH of Georgia. The Coosa River. I thought it was the Muscle Shoals. It was somewhere in northern Alabama.

Mr. President, the importance of producing nitrates inside of the United States and from the air can not be overestimated. Unquestionably if our Nation were involved in war with any nation possessing a substantial fleet the supply of nitrate of sodium or saltpeter from Chile would be cut off to a dangerous extent.

It was shown before the Committee on Agriculture that while Germany had laid in a large supply of the raw material out of which nitric acid was to be manufactured for military supplies, it was exhausted in three months after the war began, and but for the capacity of Germany to produce nitric acid from the air they would have been almost helpless.

It is essential to the production of food also in our country. It increases largely our food supply. In case of war it is essential.

It seems that there are two processes for extracting nitrogen from the air, one of which is called the arc process and the other the cyanamide process. So far only those two processes have been perfected. The arc process requires a much greater water power, the principal plants using this process being located in Norway. Germany adopted the cyanamide process for lack of greater water power. A plant can not be economically operated without 100,000 horsepower all the time.

Mr. President, if we have a water power of that kind it ought to be used, and it is the part of wisdom to take the necessary steps to have it prepared for use at once.

Reference has been made to Niagara Falls. It was fully brought to the attention of the Committee on Agriculture that we are limited in the use of Niagara Falls by treaty, and we are now using practically all the water power we could from Niagara Falls. The commercial requirements of New York State are at present consuming practically the entire water-power product that can be had from those Falls. Then, again, it is not a proper location for a plant upon which the United States should depend for military purposes. Any wise selection would involve going reasonably far from the border.

Mr. President, I am not wedded to the idea of the construction of this plant by the Government, but I do believe that the Government ought not to stand in the way of developing such a plant; on the contrary, it ought to take action which will insure it.

No private company could build a plant upon a navigable stream without Government concession. No private company could build a plant in the West upon Government land. Private companies will to-day find their hands tied in any effort to develop such an enterprise, unless the opportunity for use of a navigable stream or a stream located on Government lands is provided by congressional action.

I am sorry the Tennessee River does not flow through Georgia. I really think that the best of everything should go to my own State, and I wish this plant was to be built in Georgia. But.

unfortunately, the Tennessee River is not there. I do not care, it being outside of Georgia, whether it is in Ohio or Indiana or western Pennsylvania or West Virginia or Kentucky. It happens to be located nearly on the edge of southern Tennessee and northern Alabama.

The Senator from Iowa seems to be disturbed about the fact that the result of this bill would cause the development of Muscle Shoals, on the Tennessee River. In my own opinion, if anything intelligent on this line is done, if the wisest course is pursued, it will be built there. And why not, if it is to be east of the Mississippi River? The great bulk of our population is east of the Mississippi River, and without saying that there should not also be one built in the West, there certainly ought to be one in the East, and that Muscle Shoals is the place in the East I have no question. Engineers, or anyone else who studies the problem, guided simply by search of the truth, will in all probability determine that the one great interior point for water-power development east of the Mississippi River is on the Tennessee River, which happens to be located in northern Alabama. Why? Because this river at that point is a mile wide and the banks over 100 feet high, stretching back for miles and miles. A dam can be built across the stream a mile in length, 100 feet high, furnishing over 100,000 horsepower at lowest water.

If there is some other place east of the Mississippi River that is better, take it. I have not only no interest in Muscle Shoals, but I never heard of Mr. Washburn until he appeared before the Committee on Agriculture. Do not get the idea that Mr. Washburn has a company that will control if Muscle Shoals is developed. He has not. I believe that two dams should be built in the Tennessee River, if possible, to develop navigation, and that their construction would be a great contribution to navigation. If they can be built, making their construction for navigation and also to produce a water power that will more than pay interest on the cost of their construction, then we get the navigation free. If the Government builds the dam and develops the power and contributes to the navigation of the stream, then I think it would be stupid on the part of the Government if it did not dispose of the power, if it can be done, in such a way as to carry the cost of construction. If Washburn had a company that would take the power on proper terms from the Government and carry the cost of the development, I would not object to his having it. If the Du Pont Powder Co. are ready to take it and pay the cost of this great development under contracts that will guarantee that the Government will pay for the product from the manufactory which it needs at proper prices, at prices to be approved by the Secretary of War, I will not object to their having it.

This I say, although I believe, when practicable, the Government should manufacture those things it needs for purposes of war.

There is one feature of this amendment that I do not like. It excludes the Government from having anything to do with any private company. If we produce power for the construction of a dam and can dispose of the power to any company advantageously and take the burdens of the development entirely off the taxpayers of the country there is nothing in such a proposition that at all frightens me.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. SMITH of Georgia. Yes, sir.

Mr. VARDAMAN. Would the Senator be opposed to the Government manufacturing these fertilizers?

Mr. SMITH of Georgia. I did not say I was.

Mr. VARDAMAN. I can not see the difference between the Government creating the power and selling it and creating the nitrate and selling that, and if the Government should do that, it could be——

Mr. SMITH of Georgia. I yielded to the Senator for a question only, which is all I can yield for under the rule.

Mr. President, I am in favor of the Government going no further into the business as a competitor of private enterprise than is essential to furnish to the public that which the public is entitled to have. The water power of the stream belongs to the Government. It can not be developed except by authority of the Government.

I should be willing, under proper arrangement, to permit the dam and locks to be built by private enterprise, if the arrangement could be made in a perfectly satisfactory manner. I regard it as a business problem.

What I rose for, Mr. President, was to say that I think it unfortunate to inject anything into this debate that would create prejudice against a private corporation building a nitrate plant or a fertilizer plant—against the Government permitting it to use a water power for such a purpose. I think it unfortunate in any way to create a prejudice against what seems to be the greatest water-power opportunity for development that we have east of the Mississippi River. Unless somebody can point me to a better water power, it would not frighten me at all to put Muscle Shoals into the amendment. If that is the best water-power site, there it ought to be.

Mr. President, without being wedded to any particular plant, and without being hostile to any plan, I do insist that it is our duty either to take steps in behalf of the Government to develop the necessary water power without delay or to take steps on the part of the Government to permit some private corporation to develop the water power without delay. The chief cause of delay in time of war, if we needed nitric acid, would be the construction of the dams and the creation of the water power. It would take much less time to complete the industrial end of the enterprise in the shape of assembling the necessary machinery.

I hope the Senate will consider the subject without prejudice on account of the fact that a number of Senators once went down to see Muscle Shoals. I was not in the party; I did not know until the Senator from Iowa [Mr. KENYON] told us about it that there had been a party of Senators and Members of the other House who went down to see Muscle Shoals; but if what I am informed is true, they saw a wonderful opportunity for water-power development. I have no preference as to locality, provided the best suited to the purpose is selected; but, so far as my information goes, if we are to have a plant east of the Mississippi River, and are to take the best place, we shall put the plant east of the Mississippi River, on the Tennessee River, at Muscle Shoals.

Mr. LEWIS and Mr. MARTINE of New Jersey addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SMITH of South Carolina. Mr. President, will the Senator from Illinois yield to me?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from South Carolina?

Mr. LEWIS. I yield to the Senator from South Carolina.

The PRESIDING OFFICER. Does the Senator from Illinois yield the floor?

Mr. LEWIS. I wish first to ascertain what is the request of the Senator from South Carolina.

Mr. SMITH of South Carolina. At this particular juncture, so as to sustain the continuity of what has been said, I want merely to read—and it would not take more than five minutes, if so long as that—into the RECORD an explanation of certain facts, which I think are pertinent. I prefer to do that now rather than to have the continuity of what has been said broken. Of course I could do so at some other time, but this being the proper time if, without prejudice to the rights of the Senator from Illinois, he can yield to me for a sufficient length of time and then be recognized, I wish he would do so. Of course I should very much dislike to have him lose his place because of doing so.

The PRESIDING OFFICER. Does the Senator from Illinois yield the floor?

Mr. LEWIS. Mr. President, I have yielded the floor once or twice previously to accommodate a Senator. I do not like to interrupt my speech; but while my remarks, such as I expect to submit, are not wholly upon this subject, I will yield a few minutes, if the Senator from South Carolina so desires, and trust that I may be recognized immediately following him.

Mr. SMITH of South Carolina. I thank the Senator from Illinois.

The PRESIDING OFFICER. The Chair will remind Senators that this is a recess, and that the rule of the Senate that Senators may not speak more than twice in one day on the same subject would apply. The present occupant of the chair, however, has no disposition to insist upon the observance of the rule, unless occasion makes it necessary for him to do so. The Senator from South Carolina.

Mr. SMITH of South Carolina. Mr. President, do I understand that the rule in regard to speaking twice on the same subject would apply to me?

The PRESIDING OFFICER. It certainly would, if insisted on.

Mr. SMITH of South Carolina. What I mean to say is that I have not spoken on this subject this morning at all.

The PRESIDING OFFICER. Yes; but this is the same legislative day as yesterday; it is one legislative day.

Mr. SMITH of Georgia. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Georgia will state his parliamentary inquiry.

Mr. SMITH of Georgia. I understand the Chair to hold—and I do not dissent from the view of the Chair at all—that this day starts with the first legislative day; that it is a continuation of that day, and that the rule limits a Senator to two speeches on one subject throughout the entire legislative day.

The PRESIDING OFFICER. The Chair is of the opinion that the present legislative day started on the 30th day of March.

Mr. SHAFROTH. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. SHAFROTH. The President pro tempore of the Senate, who made the ruling, stated that, in his judgment, the appeal which was made to the Senate, and on which the ruling of the Chair was not sustained, did away with the rule to which the Chair now refers, and that the rule hereafter would be that interruptions would be permitted.

The PRESIDING OFFICER. The present occupant of the chair will take occasion to say to the Senator from Colorado that that was an entirely different question from the one now involved. There being no objection, the Senator from South Carolina is recognized.

Mr. SMITH of South Carolina. Mr. President, several of the speakers this morning took occasion to say that the processes for the production of nitrogen were in an imperfect and nebulous condition; that nothing in relation thereto was settled. There are two gentlemen upon whom we should rely by virtue of the position which they occupy in relation to this question; one is Dr. Norton, who is employed by this Government, who was sent to Germany, and who returned just previous to the outbreak of the war; the other is the chemist of the consulting board of the Navy. I am going to put into the RECORD what these gentlemen say about these processes. I will also include what Mr. Washburn said with reference to whether or not this process is practicable. Mr. Washburn said:

> So the point I wish to make is this, that the nitrogen industry is no longer in the experimental stage.
>
> * * * * * * *
>
> It has taken the greatest scientists in the world, men understanding such things, 16 years to bring it to where it is a great, successful, reliable, extraordinarily cheap method of producing the most valuable single substance known to mankind.

Dr. Baekeland says:

> The whole situation is a shame to the human race. We know how to get nitrogen from the air; we know how to increase the yields of our acres. We do not do it, although those chemical processes are no longer secrets, and we know all about them. The key to the whole situation is better utilization of our natural resources of cheap power. If you make your nitrogen compounds or your nitric acid at too high prices, you may be able to use it in war time—in war time nothing is too expensive when it comes to murdering each other.
>
> * * * * * * *

Dr. Baekeland, the consulting chemist for the Naval Board, makes that statement. He further says:

> This nitric acid is made by a chemical process, which, I am glad to say, the chemists of the United States can duplicate at any time. There is no particular secret about it, and if the chemists of the United States were confronted with this problem I have no hesitation in saying that, if properly supported and given the necessary time, they would make as good a showing for themselves as did the German chemists.
>
> * * * * * * *
>
> The question of the fixation of nitrogen from the air from the chemical standpoint is clear and easy, and is a problem no more difficult than any other chemical problem.

Dr. Norton, on the same subject, states:

> The nitrogen derived from the air in that way easily meets in competition Chilean saltpeter. It holds its own; the works are being enlarged. That demonstrates to us, with perfect clearness, that we can take the nitrogen out of the air; we can put it into such a form that it is susceptible of utilization for our agriculture, and on even terms with the supplies from Chile.
>
> Furthermore, gentlemen, you must remember that the supplies of Chilean saltpeter are limited.

So I want to set at rest right at this juncture the idea that we are feeling our way and were about to make an appropriation for something as to the practicability of which nobody had decided. Germany is an evidence that it can be accomplished; the process at Niagara is testimony as to that, and if the word of scientists can be taken at all, we need not hesitate.

I wanted to present this evidence just at this juncture, because I did not desire Senators, who will consider this question seriously, to be misled as to their being any doubt in the minds of anybody who really wants this ingredient that we are prepared to obtain it.

Mr. LEWIS. Mr. President, I arise to submit some remarks suggested by the early part of the speech of the Senator from Iowa [Mr. KENYON], and the expressions of other Senators along similar lines. The Senator from Iowa expressed some doubt as to the wisdom of introducing this measure touching nitrates at this particular time. He questioned the wisdom of having it annexed in any form upon a general bill of legislation designated for the increase of the Army, and asks that it later be treated as separate legislation.

My reflections, Mr. President, bring me to a viewpoint, which I here express, doubtless meeting the unfavorable observations of some of my fellow Senators. I do not feel that we in the Senate are properly appreciating the aspect in which we are being held by the country, whose servants we are. These measures which are now being suggested, which necessarily occupy time for debate upon their merits, and which to the country at large seem foreign to the real bill at issue, are impressing the country with one thought: either that as to this war measure we have not statesmanship enough to sustain it and to pass it quickly, with the spirit that should attend it, or, if opposed to it, we lack courage to say so. That there is a disposition manifested by our conduct to avoid responsibility at both sides of the issue.

Mr. President, the Senator from Iowa alluded to a letter from one of his constituents demanding that the public buildings hereafter authorized by Congress be constructed in a shape that is round, the constituent intimating his opposition to any public building that should be constructed square. The general opinion of the country is that there is no public building emanating from Congress that is "square." [Laughter.] The Senator from Iowa by his letter recalls the general attitude of mind that Iowa has to this body. I recall that a distinguished Member from Iowa, now departed, Maj. Lacey, formerly chairman of the Committee on Public Lands—I had the pleasure and the honor to serve on his committee and under him—received a letter from one of his constituents which read something as follows:

> DEAR MR. LACEY: I have been gettin' them books called obituaries and have been readin' them speeches about them dead Congressmen. I wish you would please have more of them obituaries sent out to our people in Iowa, for nothin' we please so much as to read about dead Congressmen.

[Laughter.]

The public mind is likely to apply that expression in a political way; and unless we move about something in a spirit that shows our desire for action, either for or against, we will meet a sentiment on the part of our countrymen that politically will visit decease, if not upon the Senator politically, upon the respect in which the office is held.

These amendments on collateral subjects presented by Senators from different States have no doubt great merit; and the fact that a prolonged debate is indulged upon them indicates that they have a merit that can be advanced for them and that there are objections which have merit that may be presented against them; but it all demonstrates that we are having now presented collateral subjects which are taking the time of the Senate at a time when, I respectfully insist, we should move absolutely to the end that we are about to accomplish. We should either surround our Government at this time with force sufficient to meet its exigencies as we see them, or announcing to the country that we do not agree that such exigencies exist, cease parleying with this question of preparation, and turn our attention wholly to these other subjects which refer to the civil welfare of the citizen.

SITUATION OF COUNTRY.

Mr. President, I view the situation of my country at this particular time as rather precarious in the matter of her diplomatic surroundings. I behold the distinguished chairman of the Foreign Relations Committee [Mr. STONE] sitting here, doing me the honor to pay heed to these observations. Missouri can well lay "unction to her soul" at the compliment afforded the State in having her distinguished citizen preside over that equally distinguished committee. The attention he has been giving to these public questions, the patience which has characterized his investigations, and the ability disclosed in his discussions are guaranties that these great considerations will be attended to with patience, discretion, and statesmanship. Mr. President, I fear for the impression we are leaving upon the country at large. It is either that we do not regard the conditions of our country calling for the immediateness of action on our part and have not the courage to say so, or that we do so regard them, but have not the statesmanship to act with the immediateness that the situation calls for. We must gather much of our information from the public press. We take some of it from that which is confided to us in our official capacity; but it is no exaggeration to say that we all recognize that this is the hour when there is necessity for action.

Mr. President, there is Mexico. Deplorable as is the situation in Mexico, the incontrovertible fact is there is Mexico with the deplorable situation. Some sources have been affording the enemy

of the United States in Mexico munitions of warfare. Whether smuggled in by those who are guilty of the meretricious trade without regard to nationality, or whether tendered these forces by those in the United States inimical to the welfare of the United States, is unsettled and may be debated; but the fact remains that there is some form of aid being given Villa and his followers by those whose particular identity we may not at this time assign, but aid of quality sufficient to make the task of the United States more difficult than it at first appeared, and will continue to make it more difficult as time goes on and the opportunities for those who act against us be increased.

MEXICO.

Mr. President, there has come the information through the public press—and from the foreign press particularly—that the United States is upon the eve of withdrawing from Mexico because of these new and multiplied embarrassments. It might as well now be understood, speaking wholly for myself and only for myself, that, so far as I am concerned, the United States will not withdraw from the undertaking it has so commendably entered upon in this punitive expedition to properly chastise those who have violated the honor of the country, and to punish those who have taken the lives of citizens of the United States. We have undertaken this task because of the justice in it, because of the right of the United States, and because of the necessity for it. We are going to maintain the dignity of our country and the freedom of an American. Therefore, in the language of the Scriptures, "Having laid our hand to the plow, we will not look back"; or, if I may apply an expression in the Merchant of Venice—

> An oath, an oath, I have an oath in heaven:
> Shall I lay perjury upon my soul?
> No; not for Venice.

Therefore, Mr. President, it becomes important, as I view it, that speedy action on the part of this body touching these measures of preparation be had. That speedy action be had in order that those who assume that this body is indifferent to supporting the President in these undertakings may obtain—from the evidence we give proof to the contrary—that all may see that what we are doing has for its object the putting behind the President at a very early moment—and at the most early moment feasible—all the power that the wisdom and statesmanship of this body can justify. That rather than that we should, through measures that are only incidental, delay the matter, that we give the other evidence—that we move to it with that rapidity which recognizes that in rapid action in supporting the President and the measures of preparation we justify before the country the movement undertaken, and by it announce to all those who may be concerned in the question as to whether we will withdraw or lessen our zeal, that, to the contrary, far from lessening it by virtue of the increased difficulties, we increase our perserverance and multiply our own activities. That we will meet these difficulties as fast as they shall arise, conscious, as we are, of our strength and of the rectitude of our conduct, and we assert that we are absolutely convinced that shortly that which we seek to do—execute justice—will be done by the United States in Mexico.

Now, Mr. President, not only will our delay add to these embarrassments to which I am alluding, but our course will be misconstrued abroad. It will be charged that we are hesitating to support these measures of necessary defense for the lack of support of our countrymen on the outside of this Chamber. It will be said that we do not feel that our countrymen at large are behind their public representatives, and for that reason we are dismayed. That we are discouraged, or that we hesitate for fear of the political punishment that may be visited upon us by a constituency that may be opposed to the constructive policy here undertaken.

Mr. President, one of the very last places to obtain the political sentiment of America is here at the Capital, at Washington. The most deplorable fact that has been established before this country seems to be this, that whenever a Senator has become unpopular in this body, he has by the things that makes him unliked here become the most liked and the most popular among the people; and the Senator who oftentimes receives at the hands of a certain form of constituency in this country approval and praise has the least standing in this body, as a man either of constructive measures or of patriotism. This I merely mention to indicate how poor a judge is this forum and how much poorer a judge is this locality in Washington of the public sentiment that surrounds our country.

Mr. President, I am not one who would yield to public sentiment merely because it is such, unless I could feel that that sentiment is one that spoke the needs of my country. I prefer, sir, to dispute with the king whose theory was that we should not rule according to the weal of the people but to the will of the king. I would rather take the other rule, that so soon as we could justly ascertain what is the weal of our countrymen, we turn to serve these needs, and not be moved from them, because here and there there may be evidences on the part of those who have not had opportunity to reflect of opposition suddenly exploding against the policies which, thought, calmness, and consideration on the part of the public agents of the country have undertaken.

It is believed by many that the vote in the State of Michigan, whereby one of the distinguished Members of this body and one of the eminent presidential candidates from the vast numbers which the Senate produces, received something of a hip-and-thigh blow from his brother—was an indication that the country at large had reversed its sentiments touching the need of a national defensive policy as against dangers that all men who look with clear vision must behold.

Mr. President, that there will arise from time to time expressions such as we have seen in Michigan we all will admit; but, sir, we can not assume from these that our countrymen have reversed their orders—that its Representatives shall do that which they know is necessary for the welfare of the country at large. We should not only not be moved by these whiffs, but we will earn the contempt of our countrymen if we let them behold that, with every wind that blows slightly against our cheek, we turn from our task and fly from that direction where we think ultimately the storm may come.

Mr. President, not only, therefore, do the conditions in Mexico call for our supporting whatever may be the policy of the President, and supporting it with such movement here as will indicate to the country at large the immediateness of action on the part of this body—putting arms, force, discipline, and patriotism behind him—but they also call for action in order that the outside world shall not assume that we have lagged in our sense of appreciation of these situations, and that the opponents of the policy of the United States may not draw further license from this delay to assume that we are unprepared to back up quickly and sufficiently the movement we have undertaken in Mexico.

Mr. VARDAMAN. Mr. President, may I interrupt the Senator to ask him a question?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Mississippi?

Mr. LEWIS. I yield to the Senator from Mississippi.

Mr. VARDAMAN. I want to ask the Senator if the President has not announced, through the War Department, that he had all the power he wanted in Mexico?

Mr. LEWIS. Has the Senator concluded?

Mr. VARDAMAN. Yes. I understood that the War Department has stated that they needed no further troops for Mexico. They might need a good pack of dogs; but I do not see any need of more troops.

Mr. LEWIS. Mr. President, it may be the Senator is right that the President has made a statement that no more troops now are needed in Mexico. I do not know concerning that. I am not referring to an immediate use of troops; I am referring to some action of Congress in preparing the country in whatever way it shall decide to prepare, so that, whatever may be needed now or hereafter may be at hand. This is wiser than to allow this delay that I see will be considered as an evidence on the part of this honorable body that it does not appreciate the gravity of a situation which at any time may make necessary further aid to the President.

GERMANY AND THE UNITED STATES.

Mr. President, I come to a second feature, to which I feel I can well invite the attention of the body as a justification for our not further intruding immaterial and collateral matters upon the pending bill.

The diplomatic relations between this country and Germany, gathered from the public press and from other information, indicate very clearly that the United States is nearer to the necessity of having to choose some decisive course than it ever has been since the beginning of the disputation over the *Lusitania* or since the arising of complications over the submarine warfare. It is sufficient to say that both sides of this Chamber will be found supporting the administration in whatever course it shall take as the final act of America; but it is perfectly clear, Mr. President, that the United States has now reached the point when it must apply to itself the Scriptural injunction:

> Choose you this day whom ye will serve.

If the policy of the United States is to be that which the distinguished President has uttered in public places—that the United States asks for itself only that which it asks for humanity—then, sir, we must be prepared to obtain for all humanity that which we are assuming to ask for ourselves. It must be very plain, Mr. President, that if such shall be the course we

are to embark upon, then, for the protection of humanity at large, the whole theory of the Republic must be changed, if not wholly transformed, and a course of offensive attitude on the part of America must be entered upon that shall be sufficient in its strength to obtain for humanity that which we will demand in behalf of America.

We can not utter the doctrine as a text on the one hand and ignore it in execution on the other. This would make us ridiculous in the eyes of the wise and make us contemptible before the face of the brave.

Therefore, sir, if such is to be the policy, all the more is it necessary now that we should proceed with such measures of power as will enact them into legislation. This is essential, that the country may know how far we have gone; that from that knowledge they may derive the fact of how far afterwards we are able to go. Without the President of the United States having the information from Congress as to what support is to be put behind him, he is left uncertain as to what course to take. Not only is he left uncertain, but he is forced necessarily to present himself before the country as changing his viewpoint from time to time to meet the exigencies put upon him by Congress. Then he is to be charged, as he has been, with the "change of opinion," apparently without justification, when his real justification is that he is forced to change his attitude by the attitude of his superiors—the people, speaking through their official representatives.

Conditions change, Mr. President. It was Emerson, I believe, who remarked that consistency was the virtue of fools, while an eminent Greek left behind him the statement for us that they who could not change their minds could not hope to know when their life had changed. Things may occur to-day and, by existing, may call for one set of observations on the part of a wise ruler or a wise governor who is prudent and cautious and anxious to avoid the assertion of extremes that may invite opposition, create antagonism, and awaken enmity; and yet, sir, after having made every effort to appease an aroused multitude and quell the mutiny in the body politic by assuring them that the hour upon us is one of security, should subsequent events develop, not of his making but at the instance of others, that render insecure that which previously looked firm and secure, he may find his duty—as duty of the President would be—to admonish his countrymen of these changed affairs, and to invite their attention to them. Then, if he felt the policy should change from that which it was in the past to the new present, it is courage on his part to assert such and demand the change. It would have been a lack of statesmanship to adhere to the yesterdays when they have been changed by the to-morrows.

So, Mr. President, if the future policy of this country, with regard to foreign nations is to be different from that of the past, and we are to be forced unhappily to deal with them in the manner that they are dealing with each other, and in the only manner which it appears they accept, by force, it would be foolhardiness for us to blind our eyes to surrounding situations and to refuse to prepare for those conditions by this one form of preparation—legitimate force.

Sir, the real question is, To what extent shall our country go for preparation? There are two extremes of thought. They seem so far apart that the man seeking to be just has difficulty to reconcile them.

WHAT IS THE JUST MIDDLE GROUND?

And, sir, the question remains, What is the just intermediate ground made necessary by the conditions of the country? If, Mr. President, the distinguished head of our Government shall adhere for the future to the lesser policy we have seen announced as his second proposition—the protection of an American citizen in the enjoyment of an American right wherever he is—then, sir, we have the second proposition to prepare for. If we shall not embark upon the first, of giving the guarantee to humanity, wherever they are, of the full extent of protection that we give to our own citizens, we will essentially be driven, soon or late, to that other of assuring to the American, wherever he is, the full enjoyment of an American's rights when asserted in peace and within the law. To do this, Mr. President, even though we should qualify the previous doctrine and not assume the guardianship of humanity at large, we will nevertheless, sir, have to prepare ourselves for such course of action as will present to the world our ability to enforce the just rights of the American, exercising an American's privilege, wherever that American is. This latter expression is the text I offer as our practicable duty.

But, sir, it is foolishness, and the office of a braggart, that we should announce to the world the right of an American within an American's rights, and our announcement of his privilege to enjoy them, and yet present before the world our utter inability to secure him in this enjoyment. That, sir, makes us ridiculous; such presents us before the world as subject to the criticism of being vain boasters; and while we may tickle the ears of the groundling by boastful halloas, we make the judicious grieve when they behold the true situation in which our country may be—boastful but useless; hopeful but helpless.

Mr. President, I desire to have it understood that I do not agree with the distinguished Senators in the idea expressed that this country is unprepared to back up any demands. Some things have been wholly lost sight of. That in addition to the Army and the National Guard there are a million men in this country who have had some form of service through the Guard, through the Volunteer service, through the national Army, through the last generation, and who have from time to time passed out into other occupations, and who at this time possess the training they have had during these last 20 years. These are accessible for some uses, and in their valor and patriotism can be relied upon to the full extent of their complete capacity.

Nor can I concur in the suggestion, made here and there, that our country is unprepared to defend itself. To the contrary, if left alone as against any single opponent that might arise, our country is as amply prepared to meet any advance against it this day as it ever has been at any time since the Civil War, and it is better prepared now than it ever has been at any time since the Spanish-American War.

Let it be remembered that no mind could have conceived that there would have been a combination of the world in war in this civilized era. We shall hereafter be forced to characterize the present pending war as the "War of the Twentieth Century." The war of the world, combining nations together in a crash and combination of power through events which no philosophy could have reasoned out, no statesmanship anticipated, and to which no form of military preparation could have been adequate.

If there shall arise in this body a Senator, however sincere, who would assume that the United States shall embark upon a course of preparation that shall be equal in power to all forms of contingencies that might arise through the combined assaults of the world, our answer is, our countrymen would not accept the program. You never can make our fellow citizens at large believe that such a holocaust could befall America. First, they behold no affront given on our part against the world, as they see it. They behold no offense on the part of America to mankind at large. They behold no reason why there should be such preparation to meet such imagined combined foe. But, alas! our countrymen do not realize that there is more to be considered than that. This country is not preparing to make assault upon any other country. True, sir, this Nation of ours is not contemplating assailing others. Our countrymen, however, fail to realize that the countries at large throughout the world have arisen with grievances, real or imaginary, against their neighbors in Europe. Their hearts are filled with old and long-contested disputes; their minds inflamed with revenges that have been surging in their lives; and their souls afflame with retaliation and resentments that have been multiplying through a century. Our countrymen fail to recognize that this very spirit when aroused, this very flame when lighted, heeds not the course it will take, and at any hour in its fury will mistake the course of America asserting her just rights as an assault upon another country. This they will charge to be a wrong against them.

POSSIBILITIES OF FUTURE COMPLICATION.

Let us dwell, sir, for a moment on the possibilities of such antagonism by only suggesting a phase or two of our threatening surroundings. We recall that respecting our trade we have demanded of England: First, that she cease opening the private letters of our fellow citizens; second, that she cease obstructing the commerce of our countrymen; third, that she end interfering with neutrals in the direct enjoyment of their legitimate commerce within international law and international practice. Britain feels that in these demands we are doing her injustice, and are putting an impediment in her way to accomplish that which she feels is essential to her future life if she shall exist as a nation upon the face of the earth.

Germany beholds us selling supplies and ammunition to the allies. She reckons this as a direct assault upon her opportunities, and a violation of what she feels should be the humane doctrine of neutrality. Then beholds us ever as an ally of Britain in our war upon her use of submarines in sea warfare. She sits as one brooding in deep grievance, and because of this, together with other offenses which she claims we have visited upon her, joins Austria in the resentment she has against us. We sent Von Papen and the military attachés to their homes, and likewise sent back the Austrian ambassador in dishonor. Austria and Germany feel the sting of this indignity put upon

them. They suffer under the insult that they seem compelled to endure before the world. We justify our actions on the ground of Americanism, and can not retreat.

Mr. President, Russia still feels that the United States committed a grave affront to her when we severed the commercial treaties because of her treatment of certain of our citizens, and because of her inability at that time to come harmoniously to an understanding with us which we hope in the future will be soon entered on. Russia likewise feels that the United States lent its aid to Japan in the Japan-Russian War, and through that aid enabled Japan to humiliate Russia in the hour of that conflict.

Japan to-day is opposing the Asiatic bill touching the question of immigration. She beholds in it the item prohibiting her people from coming into our country while our people assume to go into hers. Likewise, in her new and renewed strength, she beholds the policy of America that excludes her countrymen from the domain of the United States.

China revolts at the humiliation which we have put upon her by holding her people out to the world as unworthy to be of the fellow humankind of America.

Think you, Mr. President, that all of these nations to which I allude, having these grievances, will not bide their time legitimately, from their point of view, to express these grievances in such manner as is natural to humankind? Shall America pass into an agreeable stupor merely because it is isolated by the seas, and feel itself secure from all assault, and be unconscious of these wrongs which other countries feel we have visited upon them? And shall we be indifferent to the already awakened mind on the part of these countries, and to the executions we now see in Europe by nations on the nations against which they were aggrieved?

Sir, it is because of these things I recount, these instances I recite, that our countrymen should be awakened to the fact that America should awake. Sir, America is not preparing to assail any people. America is not presenting a war measure here for attack on anyone, or a measure looking to maintaining a war upon the theory of enmity against any people. But it is because of the knowledge that, being compelled, soon or late, to assert American rights, she is conscious that these rights will be opposed individually, perhaps jointly, combinedly, by those countries having the power when they come out of this war, to meet us in such manner that, if we are not at least prepared to oppose, we shall suffer the humiliation which no American can endure without feeling the death of honor within him.

Mr. President, it is because of these surroundings that our countrymen must mark well the real situation in which now stands America. We well might paraphrase Malcolm to Macduff:

> Stands Scotland where it did?

And ask, "Does America stand where she was?" Where is the philosophy of those fathers who spoke about the safety of the United States in the great isolation of America? Sirs, America is in greater danger to-day through these isolations than she ever had protection. Every hour in this country has given civilization the opportunity to increase its methods by which it has put the United States between the two great forces that may be the foes of this Nation—Europe on the west, Asia to the east—and, sir, far from the seas being a source of our protection, they will on either side of us be occupied by the forces of antagonism, by navy and aerial machines, and we destined to find ourselves between them all. All with a common interest at that particular time to defeat the objects which America has declared shall be her policy for the future.

Let me advert to one. My eminent friend, the distinguished chairman of the committee, referred a moment past to the Monroe doctrine. I view the operation of that doctrine differently from the eminent chairman. If I may be permitted, sir, I press to your consideration where I feel our future difficulty lies; and I use the word "difficulty" conscious that a stronger word may be very appropriately adopted.

COURSE OF MONROE DOCTRINE.

There south of us is South America. In Brazil, Germany has large possessions. We are speaking to-day of Chilean nitrates. In Chile, England has large control. In Argentina, Italy has large possessions. Throughout different parts of South America Europe has moved. When this war is over in Europe, Mr. President, as I see it, these countries will demand to enter into South America in such form of colonziation as the South American countries themselves will accept. South America, needing capital and feeling that these advances of aid from Europe would be to her interest, will be found accepting those proffers in many instances. Already South America resents what she feels to be the assumption on the part of America of guardianship over her, as if she were of the tutelage of children. She does not approve the Monroe doctrine further than this—that if the hour shall come when she shall need our aid she may be permitted to invoke it with the assurance that we will respond. But, sir, she resents that we should enter with our authority into her country at any time to say to any people, "Thus far and no farther," when she herself has made no protest. Consequently, sir, from South America and Central America, in view of what has transpired touching the Panama Canal and Nicaragua and through American administrations in Haiti and San Domingo and portions of the Central American countries around us, the United States will receive little sympathy indeed, as I view it, for the enforcement of our present day Monroe doctrine. As we have announced it as a policy of protection and guardianship of these countries, it will be resented. It will not be accepted. Therefore, sir, these southern nations will be found giving such aid to these European countries as will attempt to colonize there as that aid may indicate to the South American country to be profitable to it. All this opposing our effort to maintain the Monroe doctrine against European or Asiatic royal governments.

Then the hour will clearly come upon this my country, as I see it, when, confronted by these European foes, unless we shall compose our difference—as I pray heaven we shall—in treaties of peace and peaceful arrangements—we shall be surrounded with these awakened European enmities, these aroused animosities, these multiplied oppositions, with their long-increased grievances, all centered—as their announced point of expression in the opposition before the world to our assuming to interfere in lands which are no part of our country and by power without right. That we are doing such against the desire of these lands themselves. Then under that theme and under that theory of grievance they will vent grudges they have long espoused against us. The Orient, feeling the indignity that we have by our past course visited, and by present purpose threatens to visit, upon it, burns to join our foes to the end of forcing our abandonment of our exclusion policies. It may be that these Asiatic nations have long since endured their exclusion, but keep this in mind: I do prophesy here this day that Japan will shortly be found making such arrangements with China as will put China under her legislative and official protection. Then Japan will announce to America and to the world a Japanese Monroe doctrine. This shall have for its purpose the retaliation upon America for the Monroe doctrine enforced in Mexico against Japan and in South America against the European countries. Then Japan's policy will be: "Asia for the Asiatics"; American people and American trade will be forced out of Asia. China will likewise be glad of the hour when she can resent the affront that she feels has been visited upon her by America, and if not through herself, then by cooperation with Japan, arise to an independent nation capable of establishing her people in any land they choose to adopt. It may be true, sir, as the Senator from Delaware [Mr. SAULSBURY] now remarks, that they have long endured our policy of exclusion. It may be true, sir, that they have yielded to it, and in well-known instances obeyed it; but that they have felt it as a wrong, and are still conscious that we will not yield up the policy. But that does not lessen the buried feeling that they have, and the hour then waits. They stand muttering through Byron:

> If we do but watch the hour,
> There never yet was human power
> Which could evade, if unforgiven,
> The patient search and vigil long
> Of him who treasures up a wrong.

Then, Mr. President, with these surrounding conditions that must submit themselves to our thoughtful consideration shall we falter here and continue with this debate, on subjects however commendable yet quite apart and foreign to the main measure in hand? Shall we continue such and by such notify the country at large that we have not courage to pass these measures; shall we by our hesitancy indicate that we have been frightened by our own people? I pray we shall consider the aspect we are tendering to the Nation and contemplate the conclusions which may be drawn from it.

Mr. President, the future before us is filled with all uncertainty and to mankind much mystery. If the decree of our administration would be to secure to humanity that which we ask for ourselves, then, sir, toward that object let us prepare. If the policy shall be to enforce for America wherever an American is the rights of an American, let us in haste move toward that purpose. But, sir, whatever the course, let us now have the country see that we are rapidly legislating to enforce these rights, and that we are prepared to do so.

Mr. President, there may be many provisions in this bill that certain Senators might not agree to, but let us move to the consideration of the bill. Let us move to amend, let us move, if

you please, to correction, but let us move to the measure that our country may not be prejudiced by our course, and that our course may not mislead those whose deductions from our present situation may license them then to further assaults upon our rights, seriously complicating our situation and making it more difficult for us to work it out in peace and in security.

Therefore, may I take the liberty to urge what I really rose to present to my distinguished fellow Senators, the doctrine that as to this passage of measures of preparation, let our text be, "If it were done when 'tis done, t'were well t'were done quickly"?

I thank the Senate.

Mr. CHAMBERLAIN obtained the floor.

Mr. STONE. Mr. President——

Mr. CHAMBERLAIN. I yield to the Senator from Missouri.

Mr. STONE. Mr. President, I have no intention whatever to reply to or comment upon the speech of the Senator from Illinois [Mr. LEWIS] as a whole. It stands for itself and, of course, voices his opinions, very eloquently stated, on the subjects that he discussed. But having in mind what he said in the earlier part of his address about Mexico, I wish to make one observation only, and I am done.

I wish to say that the proposal to increase the Army or Navy of the United States, or both, has no special reference whatever to the troubles in Mexico. I would have the people of Mexico understand that much. The movement to increase the military and naval power of the United States would have been just as it is even though happily Mexico was one wide field of peace and prosperity. The President and the Government of the United States desire only peace with Mexico and to promote the welfare of that Republic.

Mr. CHAMBERLAIN. Mr. President, I am in accord with the views of the Senator from Missouri in that respect. The question of reorganizing and increasing the Army began to be discussed over a year ago, shortly after the European war commenced, not with a view of engaging in war with any power but simply for the purpose of placing our country in a position of absolute defense.

Mr. President, I am in thorough accord with the distinguished Senator from Illinois in his desire to have us move toward the consideration of this bill. We have been at it now for more than a week. There has been no attempt made to limit debate or the offering of suggestions or amendments, but it seems to me, as has been well said by the Senator from Illinois, we ought now to endeavor to take steps that will bring this measure to a hasty conclusion.

Carrying out the thought of the Senator, I send to the desk the following proposed unanimous-consent agreement and ask that it be entered into.

The PRESIDING OFFICER. It will be read.

The SECRETARY. The Senator from Oregon asks for the adoption of the following unanimous-consent agreement:

That at not later than 4 o'clock p. m. on Saturday, April, 15, 1916, the Senate will proceed to vote upon any amendment that may be pending any amendment that may be offered, and upon the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States through the regular parliamentary stages to its final disposition; and that after the hour of 12 o'clock m. on Monday, the 10th day of April, 1916, no Senator shall speak more than once or longer than 10 minutes upon the bill, or more than once or longer than 10 minutes upon any amendment offered thereto.

The PRESIDING OFFICER. Under the rule the roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Hardwick	Norris	Stone
Brady	Hughes	Overman	Sutherland
Brandegee	Johnson, Me.	Page	Taggart
Burleigh	Johnson, S. Dak.	Phelan	Thomas
Chamberlain	Kenyon	Poindexter	Thompson
Chilton	Kern	Reed	Tillman
Clapp	Lane	Robinson	Vardaman
Clark, Wyo.	Lee, Md.	Saulsbury	Walsh
Cummins	Lewis	Shafroth	Warren
Curtis	Lodge	Sheppard	Weeks
Dillingham	McCumber	Simmons	Williams
du Pont	Martin, Va.	Smith, Ga.	
Gallinger	Martine, N. J.	Smith, Mich.	
Gore	Myers	Smith, S. C.	

Mr. WALSH. I wish to announce that the Senator from Wisconsin [Mr. HUSTING] is absent on account of official business.

Mr. LEWIS. I announce the absence of the Senator from New York [Mr. O'GORMAN]. He has been called on official business to the State of New York.

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. A quorum is present. The Secretary will again read the proposed unanimous-consent agreement.

The SECRETARY. The Senator from Oregon asks unanimous consent—

That at not later than 4 o'clock p. m. on Saturday, April 15, 1916, the Senate will proceed to vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, through the regular parliamentary stages to its final disposition; and that after the hour of 12 o'clock meridian on Monday, the 10th day of April, 1916, no Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 10 minutes upon any amendment offered thereto.

Mr. SIMMONS. Mr. President, I am as anxious as any Senator in this Chamber to bring this bill to a speedy vote. It is not my desire to offer any objection to the proposition to vote upon the bill next Saturday, but the exigencies of the situation with reference to the so-called sugar bill are of such a character that I feel that measure would be jeopardized if its consideration were postponed longer than the coming week. It is my purpose, and I so notified the Senator from Oregon, to move on Monday that the Senate proceed to the consideration of that measure.

The necessity for speedy action on the bill grows out of the fact that on the 1st day of May, unless there shall be congressional action in the meantime, sugar will go upon the free list. It is easy to see if sugar should go upon the free list what would be the result both as affecting the revenues of the country and as affecting importations to this country of foreign sugar.

Ordinarily there would be sufficient time to pass the measure even after next week, because I do not suppose it will provoke any great debate in the Senate; but, Mr. President, the House has passed the bill upon one theory with reference to the extension of the duty, and the Finance Committee of the Senate has reported the bill providing for a different method looking toward the taxation of sugar. It is, therefore, evident that when the bill has been passed in this body, if the proposition of the Senate committee is adopted, there will be a sharp conflict between the House and the Senate conferees which may be somewhat prolonged; and when the matter comes back to the Senate, if the proposition of the Senate should not be sustained by the conferees—and of course we can not tell about that—a situation might be developed here which would lead to prolonged debate. The temptation might be created to make that debate so prolonged as ultimately to defeat any legislation looking to the extension of the duties upon sugar.

Under those circumstances, without at least casting upon the Finance Committee responsibility and blame in case there should be a failure, I do not feel that I can with safety consent to this proposition unless it is made clear that the agreement shall not interfere with the success of my efforts to secure action upon the sugar bill next week.

I wish to ask the Chair whether, if this unanimous-consent proposition is agreed to, it would preclude me from offering a motion on Monday or some subsequent day during the week to proceed to the consideration of the sugar bill?

The PRESIDING OFFICER. In the opinion of the present occupant of the chair it would not preclude the suggested action. The only matter that binds the Senate in connection with the unanimous-consent agreement is that it shall vote on a certain hour of a certain day.

Mr. SIMMONS. I think the Chair is clearly right. I simply wanted the ruling of the Chair upon that point.

The only other matter which might possibly affect the purpose I have in view, by reason of the very short time that will be left for debate upon this bill, is the difficulty to carve out of the time allotted in this proposition one or two days next week, and it might interfere with the success of my motion to displace this measure with the sugar bill. I felt I ought to notify the Senate that if there is any feeling or purpose on the part of Senators to defeat the proposition to take up the sugar bill because of the short time fixed in the unanimous-consent agreement, I have had it in mind to suggest to the Senator from Oregon that he make the time a little longer.

Mr. STONE. Mr. President, would it not meet the situation if an agreement could be entered into that if any number of days, one or more, should be occupied next week in the consideration of the bill referred to by the Senator from North Carolina that much additional time should be added to the consideration of the Army bill and the day fixed for voting postponed accordingly?

Mr. BORAH. Mr. President, I wish to suggest that if the Senator from Oregon would ask for that portion of the unanimous-consent agreement which limits debate to 10 minutes and postpone the question of a day certain to vote until the sugar measure is disposed of we would likely make time by following that course. If the debate is limited to 10 minutes we will dispose of a vast part of the measure between now and the time

when the sugar bill will come up, at 2 o'clock some day next week.

Mr. LODGE. Mr. President, no one can be more anxious than I am for the speedy disposition of the Army bill, and I am entirely ready to consent to any agreement that will facilitate the disposition of that measure. But, Mr. President, we ought to take immediate action on the sugar bill. There we are confronted by a date. If on the 1st of May the bill has not passed the Houses and been signed by the President sugar will come in free and the Government will lose the revenue. There are many hundreds of tons of sugar, I am told, now in storage in New York awaiting the chance of the proposed law failing.

Mr. SMOOT. Thousands of tons.

Mr. LODGE. I have no doubt there is as much as that. All that revenue would be lost to the country at a time when it is admitted by the very friends of the bill here that revenue is greatly needed. It seems to me that it is the duty of us all to see that the sugar bill is disposed of and disposed of so that there can be no possibility of its failing before the 1st of May.

Therefore I am very glad the Senator from North Carolina has given the notice he has given. I sincerely hope that it will not interfere with the request of the Senator from Oregon.

Mr. CHAMBERLAIN. Mr. President, let me say to the Senator I have no disposition in the world to delay the consideration of that revenue measure. I realize, with other Senators, its importance. It is a matter that ought to be acted on promptly, and I have not intended to interfere with its consideration within the limits required. What I am particularly anxious about, Mr. President, is to try to have a limitation upon debate and to have a time set when this measure shall be acted on. I am not particular about whether it is next Saturday or a week from next Saturday, so far as that is concerned. If we can agree on a time when it shall be disposed of, if the Senate is willing to make a unanimous-consent agreement at all, and it is postponed even a week longer, I will be perfectly satisfied.

Mr. LODGE. The Senator understands, of course, that I am not objecting to the unanimous-consent agreement.

Mr. CHAMBERLAIN. I realize that.

Mr. LODGE. I entirely assent to it, but I wanted to call attention to the fact that I think the Senator from North Carolina is bound to call up that bill. I think it is his duty to do so, and I think the Senate ought to take it up and dispose of it next week.

Mr. HARDWICK. I wish to inquire of the Senator from Oregon, because I am not familiar with the terms of the proposed agreement, whether his proposal to limit debate to 10 minutes is to take effect after Monday?

Mr. CHAMBERLAIN. The proposition is to make it take effect beginning on Monday.

Mr. HARDWICK. I just want to say that I hope he will modify that. I have one amendment, to which I have given a great deal of time, and it will take me more than 10 minutes to present it.

Mr. CHAMBERLAIN. Let me make——

Mr. HARDWICK. It will not take me very much more than 10 minutes. I am not a lengthy speaker.

Mr. CHAMBERLAIN. The suggestion of the Senator from Idaho [Mr. BORAH] I think is a good one, that for the present we limit debate, beginning Tuesday at 12 o'clock instead of Monday at 12 o'clock, and cut out the time as to voting.

Mr. HARDWICK. Of course, if the Senator will pardon me, there would be this trouble about that suggestion: If the sugar bill comes in on Monday, then we would have no opportunity to have more than 10 minutes on any one amendment upon the Army bill. I wish to say this to the Senator and the Senate: I have not served a very great length of time in this body, as the Senator knows. As a rule, I do not make lengthy speeches. I do not imagine it would take me more than 20 minutes, but I can not present the proposition in 10 minutes, and I do not intend to try to do so. If the agreement were modified so as to allow me 20 or 30 minutes, I would be content.

Mr. ROBINSON. Mr. President, will the Senator from Georgia yield to me?

Mr. HARDWICK. I yield.

Mr. ROBINSON. I think it is important that the agreement to vote on the so-called military bill at a fixed time be entered. I think the agreement asked by the Senator from Oregon ought to be made now in order that Senators may have notice in advance of the time when the vote will be taken. The only difficulty may be easily obviated, so far as the Senator from Georgia is concerned, by agreeing that the agreement shall take effect at 2 o'clock next Monday.

Mr. HARDWICK. Unless the sugar bill, if the Senator will pardon me, took up the time. Then the agreement would hold me down to 10 minutes.

Mr. ROBINSON. That difficulty can also be obviated by agreeing that at noon Monday the Senate shall proceed with the consideration of this bill, if that is necessary, and that no other business should be in order, and that at 2 o'clock the limitation as to the length of speeches shall take effect.

The bill suggested by the Senator from North Carolina undoubtedly ought to be disposed of very promptly, and I had not understood that it would require any great length of time to determine that matter in the Senate. I think it is important that the Senate should proceed with these measures as speedily as possible. We have had a great many interesting speeches here touching a variety of subjects during the time this military bill has been under consideration, and we have digressed from it to consider other questions which are of themselves of great importance. It is an abuse that exists in the Senate, as all of us realize. Our debate ought to be shortened in some way, and there ought not to be an objection to entering into this agreement.

Mr. HARDWICK. I am very sorry that the Senator from Arkansas imputes such conduct to me as that. I for one shall have to be the judge as to whether there ought to be an objection made, and I simply can not agree to a proposition like this that confines me to a 10-minute presentation——

Mr. ROBINSON. Mr. President——

Mr. HARDWICK. I am not yielding.

Mr. ROBINSON. Will not the Senator yield?

Mr. HARDWICK. Not for the present. I want to make a statement myself.

The PRESIDING OFFICER. The Senator from Georgia declines to yield.

Mr. HARDWICK. I will not agree to any proposition after we have taken up other amendments and devoted days and weeks almost to some of them, under which I can not get for what I regard the most important amendment that will be offered to the bill more than 10 minutes in which to present it.

Mr. ROBINSON. The Senator entirely misunderstood me. My suggestion was that an agreement be entered into which would give the Senator two hours.

Mr. HARDWICK. I do not want that. I have already suggested——

Mr. ROBINSON. That was the agreement I suggested, and the Senator from Oregon indicated his assent to it. I am utterly at a loss to understand the process of the Senator's mind by which he has reached the conclusion that I was in any way antagonizing him.

Mr. HARDWICK. I am not responsible for the Senator's difficulty in understanding.

Mr. ROBINSON. Perhaps not.

Mr. HARDWICK. The effect of the agreement proposed by the Senator from Oregon is that if the pending amendment offered by the Senator from South Carolina takes until 2 o'clock on Monday, I could not have more than 10 minutes to present my amendment. I do not think I shall need more than 20 minutes, but I can not agree to any proposal that will deny me that.

Mr. CHAMBERLAIN. I will say to the Senator he can speak 20 minutes, 10 minutes on the bill and 10 minutes on the amendment.

The PRESIDING OFFICER. The Chair will inquire of the Senator from Oregon whether he has modified his request? If so, it ought to be stated in its present form.

Mr. HARDWICK. I should like to have it stated exactly as it is proposed.

Mr. CHAMBERLAIN. The Secretary will read the proposed agreement as modified.

Mr. SIMMONS. Mr. President, I wish to make a suggestion to the Senator from Oregon. Evidently in preparing this agreement the Senator had in view to allow a week for discussion upon this bill. I am sure the sugar bill will not take over two days. I believe we can get through with it in one day. My idea would be, if there was any prospect of getting the bill through on Monday, to hold a night session Monday and finish it up; but I am sure we can get through with it in a couple of days. Let me suggest to the Senator from Oregon that he change the time stated in the proposed agreement so as to allow a week after Tuesday for discussion on the Army bill.

Mr. CHAMBERLAIN. I am perfectly willing to do that.

Mr. SIMMONS. Let me finish, if the Senator please. And to accommodate the views of the Senator from Georgia [Mr. HARDWICK] I suggest that we begin the application of the 10-minute rule on Thursday instead of Wednesday, which would be the next day after the sugar bill was disposed of, if it should take two days.

Mr. SMOOT. Mr. President, of course if that is satisfactory to the Senator having the bill in charge I shall not object, but I

was going to suggest that there are two or three Senators who desire to make speeches of 20 or 30 minutes, or perhaps one of three-quarters of an hour, and why would it not be better for the Senator from North Carolina to give notice now that he will call up the sugar bill on Tuesday?

Mr. SIMMONS. No; I do not want to lose another day.

Mr. SMOOT. The Senator is not any more anxious to pass that bill than I am, and I do not believe that the postponement would make a particle of difference as to the bill. Then we could use all day Monday in the delivery of speeches on the Army bill that it would take some time to deliver and agree upon a 10-minute limit to apply after Monday.

Mr. SIMMONS. The Senator must see that the very same purpose he has in view will be accomplished by the suggestion I made a little while ago. Instead of limiting debate to 10 minutes, beginning on Monday, fix the time for limiting debate to 10 minutes on Thursday. That would give all day Wednesday, if it takes us two days to pass the sugar bill, to general unlimited debate. If we can pass it in one day, it would give two days for unlimited debate.

Mr. SMOOT. If it takes two days, then there will not be any time at all left. That is what I was trying to avoid.

Mr. SIMMONS. I said not Wednesday, but Thursday, to begin the operation of the 10-minute rule.

Mr. SMOOT. I have no objection to that. I was only trying to get a time fixed, so that Senators could speak on the bill now.

Mr. THOMAS. Mr. President, this difficulty suggests itself to me with regard to the proposition of the Senator from North Carolina [Mr. SIMMONS]. His supposition is a very probable one—that the sugar bill will be disposed of within two days; but there is always in this body, in any event, the possibility that a longer amount of time will be consumed, and properly consumed, in the consideration of a bill. I have this suggestion to make: That we take up the sugar bill and devote the evenings of next week to its consideration, so that our day sessions can be devoted, just as they have been, to the consideration of the Army bill. There is no reason in the world why we should not come here at 8 o'clock every evening and consider and dispose of the sugar bill. That proceeding would have the double effect, perhaps, Mr. President, of not interfering with the present pending business and, at the same time, of shortening the debates upon the sugar bill on the part of those who may object to such a strenuous procedure.

Mr. SHAFROTH. Mr. President——

Mr. SIMMONS. Just one word. I would not have any objection to the plan proposed by the Senator from Colorado [Mr. THOMAS] except for the fact that, if we only devote night sessions to the discussion of the sugar bill, it might take us a week to pass it, because we might be troubled about questions of quorums and all that sort of thing, at the will of any Senator who might oppose the proposed legislation.

Mr. SHAFROTH. I should like to ask the Senator, Why would it not be well now to ask unanimous consent to close debate on the sugar bill at a certain time?

Mr. SIMMONS. I was just about to ask the Chair, as a parliamentary inquiry, whether it would be in order for me at this time to ask unanimous consent that the Senate proceed on Monday next with the consideration of the sugar bill, and that by unanimous consent a vote be taken thereon at 5 o'clock on Tuesday?

Mr. STONE. At not later than 5 o'clock.

Mr. SIMMONS. At not later than 5 o'clock on Tuesday.

The PRESIDING OFFICER. In answer to the inquiry of the Senator from North Carolina, the present occupant of the chair will say that he is of opinion that it is competent to have a unanimous-consent agreement to that effect, to vote at a certain hour of the day.

Mr. CHAMBERLAIN. I have no objection. I will say to the Senator from North Carolina, to his asking for any agreement that the Senate may reach as a part of this unanimous-consent agreement; but I am not going to give up the right of way here, unless the Senate takes it away from me, unless I can have some understanding about the disposition of the bill now before the Senate.

The PRESIDING OFFICER. The Chair will inquire of the Senator from Oregon whether he proposes to modify the proposed unanimous-consent agreement?

Mr. SIMMONS. I will offer this as an amendment to the unanimous-consent agreement——

Mr. CHAMBERLAIN. The Senator from North Carolina first rises and objects here to a proposal that I offered to the Senate, and I think it comes with rather poor grace from him to now come and undertake to sidetrack an attempt to get a unanimous-consent agreement as to the other. I have expressed the desire, Mr. President, to help the Senator from North Carolina get consideration of the sugar bill, but I do not feel very patient about having him undertake to sidetrack the proposition which I have submitted to the Senate in favor of the proposition which he makes.

Mr. SIMMONS. I want to assure the Senator from Oregon that I had no such thought in my mind, and I did not make this request to interfere with him in the slightest degree. I am glad he made the request, and I am willing to offer my request for unanimous consent as an amendment to his request.

The PRESIDING OFFICER. Will the Senator from North Carolina permit the amended request for a unanimous-consent agreement to be now read?

Mr. SIMMONS. Certainly.

The PRESIDING OFFICER. It will now be read by the Secretary.

The SECRETARY. It is agreed by unanimous consent that, at not later than 4 o'clock p. m. on Tuesday, April 18, 1916, the Senate will proceed to vote upon any amendment that may be pending, any amendment that may be offered, and upon the House bill 12766, to increase the efficiency of the Military Establishment of the United States through the regular parliamentary stages to its final disposition; and that after the hour of 12 o'clock meridian on Thursday, April 13, 1916, no Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 10 minutes upon any amendment offered thereto.

Mr. CUMMINS. Mr. President, I desire to make an inquiry of the Senator from North Carolina. Suppose that under that arrangement the sugar bill is taken up on Monday or Tuesday and continues for two weeks, what would happen to amendments that are to be proposed to the military bill?

Mr. SIMMONS. The Senator from Iowa probably did not hear all of my proposition. It was that we should take up the sugar bill on Monday and proceed to its consideration on Monday at 12 o'clock, and that a final vote should be taken on the bill and on all amendments thereto not later than 5 o'clock on Tuesday.

Mr. CUMMINS. If that element is put into the unanimous-consent agreement, I have no objection whatever to it; but that is not now in the agreement.

Mr. SIMMONS. I offer that as an amendment to the unanimous-consent agreement.

Mr. BRANDEGEE. Mr. President, I desire to make a parliamentary inquiry. Is a proposed unanimous-consent agreement subject to be amended?

The PRESIDING OFFICER. There is a precedent where five unanimous-consent agreements were agreed upon at the same time.

Mr. BRANDEGEE. I can understand that the Senator from Oregon [Mr. CHAMBERLAIN] can modify his own proposed unanimous-consent agreement to suit himself; but that the Senate by a majority vote can amend a unanimous-consent agreement is something of which I had not heard.

Mr. SIMMONS. I understood the Senator from Oregon to say that he would accept the amendment, that it might be incorporated in his proposed unanimous-consent agreement, and that we vote at one time upon the proposition as amended.

Mr. BRANDEGEE. Then it would become a part of the Senator's own proposition and, of course, that would be perfectly proper.

The PRESIDING OFFICER. The Chair will take the liberty of calling attention to the fact that, while the precedents do not bind, yet when the Canadian reciprocity agreement was under consideration a unanimous-consent agreement was made to vote on that bill, a unanimous-consent agreement was made to vote on the wool bill, a unanimous-consent agreement was made to vote on the farmers' free-list bill, a unanimous-consent agreement was made to vote on the apportionment of representation bill, and a unanimous-consent agreement was made to vote upon the question of the admission of New Mexico and Arizona; but they were to take effect on different days and at different hours, of course. So the Chair has suggested that it would now be competent to reach a unanimous-consent agreement to vote upon the sugar bill as well as upon the bill now under consideration.

Mr. JONES. Mr. President, if the Senator from Oregon [Mr. CHAMBERLAIN] will make the 10-minute rule begin on Friday, instead of on Thursday, I shall have no objection to the agreement.

Mr. CHAMBERLAIN. I am perfectly willing to do that.

Mr. THOMAS. If the Senate will consent to a recess until 11 o'clock on Monday morning and on Tuesday morning of next week, I shall have no objection to the agreement.

Mr. CHAMBERLAIN. I have no objection to that.

The PRESIDING OFFICER. Will the Senator from North Carolina state his request?

Mr. SIMMONS. It is that at noon on Monday next the Senate proceed to the consideration of the sugar bill and the amendments thereto, and that not later than 4 o'clock on Tuesday there shall be a vote upon——

Mr. THOMAS. Say 5 o'clock.

Mr. SIMMONS. I have no objection to 5 o'clock. I would, however, rather have it 4 o'clock; but if the Senator insists upon it being 5 o'clock——

Mr. THOMAS. Mr. President, I want to dispose of the bill and am just as anxious to do so as is the chairman of the committee; but I think there should be some time for discussion.

SEVERAL SENATORS. Make it 5 o'clock.

Mr. SIMMONS. Well, make it 5 o'clock. I ask that the Secretary place the remainder of the agreement in the usual form.

Mr. LODGE. And that the Senate recess on Monday to 11 o'clock on Tuesday.

Mr. SIMMONS. Yes. If the Senator from Oregon agrees to that, it is perfectly satisfactory to me.

The PRESIDING OFFICER. The Secretary will now state the request as amended.

The Secretary read as follows:

It is agreed by unanimous consent that at not later than 4 o'clock p. m. on Tuesday, April 18, 1916, the Senate will proceed to vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, through the regular parliamentary stages to its final disposition; and that after the hour of 12 o'clock meridian on Friday, April 14, 1916, no Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 10 minutes upon any amendment offered thereto.

And it is further agreed by unanimous consent that, at not later than 12 o'clock meridian on Monday, April 10, 1916, the Senate will proceed to the consideration of the bill H. R. 11471, an act to amend an act entitled "An act to reduce the tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, and that at not later than 5 o'clock p. m. on Tuesday, April 11, 1916, the Senate will proceed to vote upon any amendment that may then be pending, any amendment that may be offered, and upon the bill, through the regular parliamentary stages to its final disposition.

The PRESIDING OFFICER. Is there objection?

Mr. SIMMONS. I think the words "without further debate" should be included.

Mr. UNDERWOOD. Mr. President, I desire to ask the Senator from North Carolina a question. I do not exactly understand the proposal. I desire to inquire how much time will intervene between the close of the consideration and vote on the sugar bill and the time when debate and consideration of the military bill shall close?

Mr. CHAMBERLAIN. A week.

Mr. SIMMONS. Just one week.

Mr. UNDERWOOD. Very well.

The PRESIDING OFFICER. Is there objection?

Mr. POINDEXTER. Mr. President——

Mr. SIMMONS. Mr. President, I ask that the proposed agreement be modified so that debate shall close on the sugar bill at 5 o'clock on Tuesday, April 11.

The PRESIDING OFFICER. The request for unanimous consent will be modified in that respect.

Mr. SMITH of Georgia. The words "without further debate" should be added.

The SECRETARY. So as to read:

Shall vote without further debate.

Mr. POINDEXTER. Mr. President, I ask for a division of this question, so that there may be a separate presentation of each part of it.

The PRESIDING OFFICER. That is the Senator's privilege. The question will first be put upon the request for unanimous consent proposed by the Senator from Oregon. Is there objection?

Mr. POINDEXTER. Mr. President, I should like to submit a parliamentary inquiry to the Chair. I inquire whether or not under the proposition contained in this request all debate would be precluded upon amendments offered to the bill after the hour of 4 o'clock on April 14th?

The PRESIDING OFFICER. No; the Chair will reply that debate will be in order on amendments offered.

Mr. POINDEXTER. A further inquiry. The language of the request is that at that hour we shall proceed to vote upon the bill and amendments. I understand the Chair holds that debate will be in order.

The PRESIDING OFFICER. Under the 10-minute rule.

Mr. POINDEXTER. Under the 10-minute rule.

Mr. JONES. I understand debate will not be in order after the time set for voting; but after Friday, April 14, until April 18, debate under the 10-minute rule will be in order. After 4 o'clock on the 18th, however, we can not, under the proposed agreement, debate any amendment that may be pending.

Mr. POINDEXTER. After 4 o'clock on the 18th?

Mr. JONES. After 4 o'clock on the 18th, when we begin to vote, debate shall not be in order.

The PRESIDING OFFICER. The Senator from Washington is right in that respect, that on the 18th after 4 o'clock debate shall not be in order.

Mr. POINDEXTER. Mr. President, I think that I will have to object to the request in that form. It seems to me that the five-minute rule at least ought to be in order upon amendments that may be offered to the bill. It would be rather unsatisfactory if amendments which may occur to Senators shall not even be subject to explanation or to any debate whatever. So, I ask the Senator from Oregon to modify his request by providing that Senators shall not speak more than once or longer than five minutes upon the bill or any amendment after the hour of 4 o'clock on the 18th of April.

Mr. CHAMBERLAIN. I have no objection to that, Mr. President. It is desired to get a date fixed when we may dispose of this measure.

The PRESIDING OFFICER. Without objection, that change will be made in the proposed unanimous-consent agreement. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement covering House bill 12766 as finally entered into is as follows:

It is agreed by unanimous consent that at not later than 4 o'clock p. m. on Tuesday, April 18, 1916, the Senate will proceed to vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, through the regular parliamentary stages, to its final disposition; and that after the hour of 12 o'clock meridian on Friday, April 14, 1916, no Senator shall speak more than once or longer than 10 minutes upon the bill, or more than once or longer than 10 minutes upon any amendment offered thereto; and, further, that after the hour of 4 o'clock p. m. on Tuesday, April 18, 1916, no Senator shall speak more than once or longer than 5 minutes upon any amendment pending or offered to the said bill.

The PRESIDING OFFICER. Now, is there objection to the unanimous-consent agreement offered by the Senator from North Carolina [Mr. SIMMONS]?

Mr. POINDEXTER. Mr. President, I make the same observation with reference to that request.

Mr. SIMMONS. I thought that the agreement was all one.

Mr. LODGE. It is all one agreement, Mr. President.

The PRESIDING OFFICER. The Senator from Washington has asked for a division.

Mr. LODGE. How is it possible to divide a proposed unanimous-consent agreement?

The PRESIDING OFFICER. The Chair thinks the Senator from Massachusetts is wrong about that.

Mr. LODGE. But the second agreement, if it may be called so, came to us as a part of the first agreement, having been accepted by the Senator from Oregon as a modification of his own request.

The PRESIDING OFFICER. The Chair will still hold that it is a divisible question.

Mr. SIMMONS. Mr. President, if the Senator from Washington insists, I will consent to a modification, so as to provide for the same arrangement concerning debate under the five-minute rule on the sugar bill as was made regarding the military bill.

The PRESIDING OFFICER. Is there objection to the request for unanimous consent as modified? The Chair hears none, and it is so ordered.

The unanimous-consent agreement as to House bill 11471 as finally entered into is as follows:

And it is further agreed by unanimous consent that at not later than 12 o'clock meridian on Monday, April 10, 1916, the Senate will proceed to the consideration of the bill H. R. 11471, an act to amend an act entitled "An act to reduce the tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913; and that at not later than 5 o'clock p. m. on Tuesday, April 11, 1916, the Senate will vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill through the regular parliamentary stages to its final disposition; and that after the hour of 5 o'clock p. m. on said day, Tuesday, April 11, 1916, no Senator shall speak more than once or longer than five minutes upon any amendment pending or that may be offered to the said bill.

Mr. LEE of Maryland. Mr. President, in view of what has been said with reference to the National Guard being represented in Washington by a lobby, and also what has been said in reference to the position of Gen. O'Ryan on the subject of a Volunteer Army, I ask leave to have incorporated in the RECORD a communication in behalf of the executive committee of the National Guard Association of the United States, Gen. Foster, and also an article from the New York Times of to-day, showing Gen. O'Ryan's position on the subject of the Volunteer Army.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Maryland? The Chair hears none, and it will be so ordered.

The matter referred to is as follows:

THE NATIONAL GUARD ASSOCIATION OF THE UNITED STATES,
Ebbitt Hotel, Washington, April 8, 1916.

Hon. BLAIR LEE,
United States Senate, Washington, D. C.

MY DEAR SENATOR LEE: The charge that the National Guard is represented in Washington by a lobby, and that it is seeking by improper means to influence the action of Congress, with regard to pending military legislation, would not call for comment if it had emanated from a less important source. As that charge has been made, it seems proper and necessary that this committee make a statement with regard to that matter.

The National Guard Association of the United States is a representative organization which meets annually in convention made up of delegates selected upon a basis of 1 for each 500 or fraction thereof of organized troops. Its object is to promote this branch of the National Military Establishment, and practically all of the Federal legislation dealing with the militia which has been enacted in recent years has been initiated by this organization. During the interim between its conventions the affairs of the association are conducted by an executive committee, and it may be stated in passing that guardsmen do not seek positions upon this committee; they are selected for that duty, and if they serve they do so at some personal expense and sacrifice.

The members of this executive committee appeared before the Military Committees of Congress at the hearings which were held prior to the formulation of the bills which have since been introduced in the House and Senate. Some of the members of this committee have been here since, during the progress of the pending military legislation. If excuse for their presence witnin the precincts of this sacred city is required, it may be said that they are here at the suggestion and request of Members of both the Senate and House who are not only interested in the National Guard, but who are earnestly trying to preserve that institution against the assaults of those who would destroy it.

When the House military bill had been introduced the members of the National Guard executive committee met here and spent a week in careful consideration of those of its features dealing with their branch of the service and they submitted to Mr. HAY and to the members of his committee certain suggested amendments which they felt would improve the National Guard sections of the bill. The chairman of the House committee graciously gave the National Guard representatives a hearing, and while he did not accept all of the suggestions which were made, every opportunity was afforded them for consultation and discussion. A similar course was followed with the Senate bill when it was finally introduced. On March 18 certain amendments proposed by this committee were submitted to Senator CHAMBERLAIN with request that they be considered and that opportunity be given to present to him the reasons which prompted their suggestion. This communication was not acknowledged nor replied to. I think it must be admitted that our committee was not unduly insistent in pressing its recommendations upon the notice of the Senate committee.

These recommendations have, however, been brought to the attention of Senators through National Guardsmen of their own States, and, for the most part, have now been offered in the Senate as amendments to the Senate bill.

Inquiry suggests itself as to what constitutes a "bald" or "insidious" lobby.

We may without disadvantage, I think, compare the activities of the National Guard committee with those of other organizations and interests and "movements" concerned with the same legislation. What the "bald lobby" of the National Guard has done has already been stated. Here are some of the things it has not done:

Those composing it have not sought to interview or called upon any Senator or Representative except when specially invited to do so. The writer has not written or spoken to either Senator or the Representatives from his own State upon the subject of military legislation, a privilege that probably would not have been denied him.

No printed matter has been gotten out or circulated.

No headquarters is maintained; no publicity agent is employed or other medium for extending propaganda.

The Members of Congress have not been circularized and their mail has not been burdened with letters from this committee.

The above humiliating confession as to the further defects in the National Guard system, indicating lack of efficiency in the methods of influencing legislation which are recognized and practiced by the experts, is unwillingly wrung from us.

On the other hand, practically every other branch of the military service has its "league" for promotion, with established offices and paid publicity agents actively at work in extending its propaganda. The president of one of the patriotic preparedness leagues recently employed a whole page in a Washington paper to warn the House of Representatives against legislating for the development of the National Guard and sent each Member one or more letters.

Presumably that newspaper space was not donated for the purpose. The organization referred to and the many others of similar character rendered kin by a system of interlocking directorates which would put the Standard Oil system to blush is expending thousands of dollars in extending its propaganda against the long-established volunteer military system of the country in favor of conscription and compulsory military service.

Hundreds of telegrams have been received within the last few days in the Senate from various sources and complacently placed in the RECORD as evidence of the patriotic purpose of the senders, but telegrams from National Guardsmen were made the basis for scathing denunciation. If it is an offense against the peace of the Nation and the dignity of the Senate for the Members of that body to be made acquainted by telegram with the views of their constituents who are guardsmen, upon matters of pending legislation, let the excuse offered by the executive committee of the Military Training Camp Association for similar action, as quoted in the New York Times of Thursday, be accepted also for the offending guardsmen. The "Plattsburg" representatives said: "It has been our consistent policy to keep out of politics and legislative activities, but when it becomes a matter of self-preservation, such as is this, it is not only proper but absolutely necessary that we take measures to protect the future of the movement."

The relationship between the military training camp project and the continental army scheme is thus for the first time officially disclosed. If a policy alleged to attach to a mere "movement" can gain consistency in a year, something may be said for the record of an institution which for more than a hundred years has practiced similar rectitude and repression, and, with small encouragement, has worked to keep alive the military spirit of our people "during the many years of our national indifference on the subject of preparedness," as the Senate Military Committee has very fairly expressed it.

If Congress be desirous of identifying the military influences to which it is willingly and unwillingly subjected, we suggest the simple expedient of a statute requiring all who receive pay or emoluments in the military service of the Government to wear the uniform while in Washington. If this were done, my dear Senator, it may be safely predicted that the much-dreaded National Guard "lobby" would be lost sight of in the crowd.

For more than two years the National Guard representatives stood on the steps at the War Department and urged the Secretary of War to recommend to Congress those measures for the improvement of their service, which they and all of the agencies of the War Department had agreed were consistent and necessary. During that time they were repeatedly told by the former Secretary of War that they might go direct to Congress with their proposals; but, believing that the National Guard is sustained for its Federal uses and that its needs should be presented by the head of the War Department, the same as is done for the Army, the suggestion was not acted upon until all other doors stood closed. The National Guard has now come to Congress. Openly and not without confidence, because sure of the justice and wisdom of what it proposes. With due regard to our respective official relationships we have been scrupulously careful to observe the amenities of the situation, as we understand them and as they have been revealed to us. Conscious of no inconsistent action and being actuated by motives which we know to be proper and which we believe to be patriotic, we protest against misrepresentation and unjust denunciation by those who, as the representatives of the Government we seek to serve, we have the right to look for fair treatment and reasonable consideration.

Due to the fact that the National Guard has not advertised its virtues and has left its enemies free to proclaim its deficiencies, there is no institution of the American Government which at this time is more generally misunderstood, more incorrectly estimated, and more persistently and maliciously misrepresented. Knowing this, we can the better appreciate the attitude of yourself and others in Congress who are supporting our branch of the service and speaking in its defense.

Very sincerely, yours,

EXECUTIVE COMMITTEE OF THE NATIONAL GUARD ASSOCIATION OF THE UNITED STATES,
J. CLIFFORD R. FOSTER, *Chairman.*

[From the New York Times of Apr. 8, 1916.]

GEN. O'RYAN ASSAILS VOLUNTEER ARMY PLAN—DENIES HIS LETTER INDORSED IT—NATIONAL GUARD AT WAR WITH TRAINING CAMP LEADERS.

The breach that separates the two groups most interested in the Army legislation now pending in Congress, one group being composed of the officers of the National Guard and those in sympathy with them and the other group comprising the men who attended the training camps held last year and numerous officers of the Regular Army, is widening to the point where the two groups are almost openly at war. Section 56 of the Chamberlain bill, which creates a "volunteer army" separate and distinct from the National Guard organization as provided for in section 58, is the cause of the division.

The National Guardsmen almost to a man maintain that the existence of the two forces at the same time is impossible, because, as an officer of the New York Guard expressed it yesterday, it requires "two bodies with identical functions to occupy the same space at the same time." Among the officers none is more outspoken in his opposition to the "volunteer army" than Maj. Gen. John F. O'Ryan, commanding the National Guard of this State. He said yesterday that he believed that section 56 of the Chamberlain bill was backed by "a strong ultra-military group, who can see nothing good in the way of preparedness except a huge Regular Army, supported by conscription."

The letter written to Senator O'GORMAN by Col. Henry S. Sternburger, chief quartermaster on the staff of Gen. O'Ryan, which Senator O'GORMAN interpreted as a command to vote for the elimination of the "volunteer army" provision of the Chamberlain bill, is approved by the great majority of guard officers in New York. In the opinion of brother officers, Col. Sternburger was within his rights when he wrote that letter, in which, among other things, he said:

"I shall use my influence, not only with the National Guardsmen but with all citizens with whom I come into contact, toward pointing out to them that the so-called continental army scheme is impracticable and will have a bad effect if passed."

Gen. O'Ryan did not say so, but it is believed that he indorsed every word that Col. Sternburger wrote.

Senator O'GORMAN, in expressing in the Senate Thursday his disapproval of Col. Sternburger's utterances, stated that Gen. O'Ryan had written on January 17 a letter stating that the volunteer army provision would not impair the efficiency of the National Guard. Gen. O'Ryan said yesterday that he was at a loss to understand how such an interpretation could be placed upon the letter referred to, which relates to training camps, and not to any volunteer army such as is proposed in the Chamberlain bill.

GEN. O'RYAN'S VIEWS.

"The letter referred to as having been written by me," said Gen. O'Ryan, "was doubtless a letter written to Gen. Wood or Capt. Johnson of his staff, commanding the Plattsburg training camp, and suggesting the cooperation of the National Guard regimental commanders. The letter had no reference to the Federal Army proposition.

"The officers of the National Guard generally throughout the country do not believe in the wisdom of the volunteer army provision of the Chamberlain bill, and I am of the opinion that this sentiment is not based on selfish grounds, for if there is any unselfish aggregation of men in this country it is the army made up of the officers and men composing the National Guard. Their practical spirit of self-sacrifice over a long period of years has demonstrated this. They believe the provision referred to unwise, because they think there is a strong ultra-military group who can see nothing good in the way of preparedness except a huge Regular Army, supported by conscription, and that the opposition to the reorganization of the National Guard as a Federal force is fostered by this element.

"They further believe that the volunteer army provision, while resulting in nothing practical in the way of creating an efficient fighting force, will nevertheless create a new organization to assist in fighting the National Guard—a force to be later discarded as evidence of an honest but fruitless attempt to develop a force other than by conscrip-

tion. They believe that the wealthy men and the professional and business men who constitute the personnel of the training camp associations would not enlist in a volunteer army any more than they would enlist in the National Guard; or, if they did, it would be for the sole purpose of attempting to give the organization a start, after which they would drop out. They believe that the members of these training camp associations do not realize the probability of this outcome.

"The sentiment of the National Guard is that while the widely advertised shortcomings of the National Guard have been greatly exaggerated, there are faults of organization and insufficient Federal control, all of which will be corrected after the passage of the legislation now pending in Congress, which will give to the National Guard a Federal status.

"I say this is the sentiment of the National Guard as I understand it from correspondence and conversation with officers from all over the country. They feel that they have not had sympathetic support, and some go so far as to state that the recent remarkable increase in efficiency has resulted in increased antagonism on the part of the group referred to. It is to be regretted that this sentiment exists, but that it does exist is not to be denied.

"Some officers who make these criticisms give voluntary acknowledgment of their confidence in the large number of regular officers working with the National Guard, and who believe in the possibilities of its future development under Federal control.

"Personally, I do not believe in the volunteer army provision of the Chamberlain bill, for the reason that it creates an additional category of troops of the same class as the National Guard of the United States under the new bill, and because it will constitute a force that will be worthless without the expenditure of millions of dollars to provide it with facilities, which the National Guard already possesses. An additional objection is the fact that the new force will necessarily be in conflict with the reorganized Federal National Guard in the matters of recruiting and obtaining appropriations for field training and armament. The results could not but be contrary to the best interests of the country.

"Much misinformation exists concerning the effect of the new legislation on the National Guard. If anyone will take the trouble to read the provisions of the bill it will be found that they provide for uniformity in every detail of military organization, discipline, training, armament, and equipment throughout the country."

Other officers at National Guard headquarters in the municipal building stated that Gen. O'Ryan had expressed their views. One of these officers referred to a letter sent to members of the Military Training Camps Association of the United States this week, in which the men who attended the military training camps were asked to telegraph their Senators immediately to support the volunteer army section of the Chamberlain bill, under which section the President would have the power, in discretion, to organize camps similar to the Plattsburg camp in all parts of the country.

"If a Guard officer writes his Senator it is dictation, but if a member of the Training Camps Association telegraphs him, it is a perfectly proper thing to do," was one officer's comment.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

Mr. MARTIN of Virginia. Mr. President, the Senator from Oregon consents that the military bill may be temporarily laid aside so that I may ask the Senate to proceed to the consideration of the legislative, executive, and judicial appropriation bill.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent for the present consideration of House bill 12207, the title of which will be stated.

The SECRETARY. A bill (H. R. 12207) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes.

Mr. CHAMBERLAIN. Mr. President, I want it understood that that will not displace the regular order.

The PRESIDING OFFICER. Not at all. The regular order will be laid aside temporarily. Is there objection to the request of the Senator from Virginia?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12207) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. MARTIN of Virginia. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, the amendments of the committee to be first considered.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, the amendments of the committee to be first considered. Is there objection? The Chair hears none, and it is so ordered.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Legislative," subhead "Senate," on page 2, line 13, after "$6,500," to strike out "hire of horse and wagon for the Secretary's office, $420"; in line 15, after "$5,000," to insert "reading clerk, $3,600"; in line 17, after the words "principal clerk," to strike out "reading clerk," and on page 3, line 4, after the words "in all" to strike out "$94,230" and insert "$94,410," so as to make the clause read:

Office of Secretary: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of the contingent fund of the Senate, $6,500; assistant secretary, Henry M. Rose, $5,000; reading clerk, $3,600; chief clerk, $3,250; financial clerk, $3,000; minute and journal clerk, principal clerk and enrolling clerk, at $3,000 each; executive clerk, and assistant financial clerk, at $2,750 each; librarian, file clerk, chief bookkeeper, assistant journal clerk, and printing clerk, at $2,500 each; first assistant librarian, and keeper of stationery, at $2,400 each; assistant librarian, $1,800; skilled laborer, $1,200; clerks—3 at $2,500 each, 4 at $2,220 each, 2 at $2,100 each, 1 $1,800, 2 at $1,600 each, 1 $1,440; assistant keeper of stationery, $2,000; assistant in stationery room, $1,200; messenger, $1,440; assistant messenger, $1,200; laborers—3 at $840 each, 3 at $720 each, 1 in stationery room, $720; in all, $94,410.

The amendment was agreed to.

The next amendment was in the item of appropriation for "Clerks and messengers to the committees of the Senate," on page 7, line 15, after the words "Rules—clerk," to strike out "$2,220" and insert: "$2,720, to include full compensation for the preparation biennially of the Senate Manual, under the direction of the Committee on Rules," and, on page 8, line 3, after the words "in all," to strike out "$427,880" and insert "$428,380," so as to read:

Rules—clerk $2,720, to include full compensation for the preparation biennially of the Senate Manual, under the direction of the Committee on Rules, assistant clerk $1,800, messenger $1,440; Standards, Weights, and Measures—clerk $2,220, assistant clerk $1,440, messenger $1,200; Territories—clerk $2,220, assistant clerk $1,440, messenger $1,440; Transportation and Sale of Meat Products—clerk $2,220, assistant clerk $1,440, messenger $1,200; Transportation Routes to the Seaboard—clerk $2,220, assistant clerk $1,440, messenger $1,200; University of the United States—clerk $2,220, assistant clerk $1,440, messenger $1,200; Woman Suffrage—clerk $2,220, assistant clerk $1,440, messenger $1,200; in all, $428,380.

The amendment was agreed to.

The next amendment was, on page 8, line 10, after "$3,000," to insert "two floor assistants, at $2,000 each," and, in line 12, after "$1,000," to strike out "two on the floor of the Senate, at $2,000 each," so as to read:

Office of Sergeant at Arms and Doorkeeper: Sergeant at Arms and Doorkeeper, $6,500; Assistant Sergeant at Arms, $2,500; Assistant Doorkeeper, $3,000; Acting Assistant Doorkeeper, $3,000; two floor assistants, at $2,000 each; messengers—4 (acting as assistant doorkeepers) at $1,800 each, 32 at $1,440 each, 1 $1,050, 1 $1,000, 1 at card door $1,600.

The amendment was agreed to.

The next amendment was, on page 9, line 13, after the word "Foreman," to strike out "$1,400" and insert "$1,600," and, in line 15, after the words "in all," to strike out "$17,720" and insert "$17,920," so as to make the clause read:

Folding room: Foreman, $1,600; assistant, $1,400; clerk, $1,200; folders—7 at $1,000 each, 8 at $840 each; in all $17,920.

The amendment was agreed to.

The next amendment was, on page 10, line 4, after the word "each," to insert "24 assistant clerks, at $1,200 each," and, in line 6, after the words "in all," to strike out "$76,800" and insert "$105,600," so as to make the clause read:

For assistance to Senators who are not chairmen of committees, as follows: Twenty-four clerks, at $2,000 each; 24 assistant clerks, at $1,200 each; 24 messengers, at $1,200 each; in all, $105,600.

The amendment was agreed to.

The next amendment was, on page 10, after line 11, to strike out:

For maintaining and equipping motor vehicles for carrying the mails $6,000, or so much thereof as may be necessary.

And to insert:

For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $6,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 10, line 22, after the word "thousand," to strike out "$5,000" and insert "$10,000," so as to make the clause read:

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $10,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 5, to insert:

For rent of warehouse for storage of public documents, $1,800.

The amendment was agreed to.

The next amendment was, under the head of "Library of Congress," on page 22, line 21, after the word "each," where it occurs the second time, to strike out "two" and insert "four," and on page 23, line 4, after the words "in all," to strike out "$58,020" and insert "$59,220," so as to make the clause read:

Reading rooms (including evening service) and special collections: Superintendent, $3,000; assistants—2 at $1,800 each, 5 at $1,200 each (including 1 in room for the blind), 2 at charging desk at $1,080 each, 3 at $960 each, 10 at $840 each, 4 at $600 each; stenographer and typewriter, $960; attendants—Senate reading room, $960; Representatives' reading room—1 $960, 1 $840, 2 in cloakroom at $780 each, 1 in Toner Library $960, 1 in Washington Library $960, 2 for gallery and alcoves at $540 each; telephone operator, $660; 4 junior messengers, at $420 each; 2 watchmen, at $780 each; evening service, assistants—5 at $960 each, 15 at $840 each, 2 at $600 each; in all, $59,220.

The amendment was agreed to.

The next amendment was, on page 24, line 8, after "$1,500," to insert "assistant, $900," and in line 9, after the words "in all," to strike out "$4,920" and insert "$5,820," so as to make the clause read:

Semitic and Oriental Literature: Chief of division, $3,000; assistant, $1,500; assistant, $900; junior messenger, $420; in all, $5,820.

The amendment was agreed to.

The next amendment was, on page 25, line 3, after the word "each," where it occurs the second time, to strike out "two" and insert "three"; in line 4, after the word "each," where it occurs the first time, to strike out "three" and insert "four," and in line 10, after the word "Librarian," to strike out "$40,900" and insert "$43,000," so as to make the clause read:

Distribution of card indexes: For service in connection with distribution of card indexes and other publications of the Library: Chief of division, $3,000; chief assistant, $1,800; assistants—1 $1,600, 3 at $1,500 each, 3 at $1,400 each, 3 at $1,200 each, 3 at $1,100 each, 4 at $1,000 each; for services of assistants at salaries less than $1,000 per annum and for piecework and work by the hour, $17,000, including not exceeding $500 for freight charges, expressage, traveling expenses connected with such distribution, and expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, $43,000.

The amendment was agreed to.

The next amendment was, on page 27, line 6, before the word "watchmen," to strike out "sixteen" and insert "eighteen"; in line 7, before the word "painter," to strike out "carpenter" and insert "two carpenters"; in line 8, before the word "laborers," to strike out "fourteen" and insert "sixteen"; and in line 15, after the words "in all," to strike out "$77,745" and insert "$81,525," so as to make the clause read:

Library building and grounds: Superintendent, $3,000; clerks—1 $2,000, 1 $1,600, 1 $1,400, 1 $1,000; property clerk, $900; messenger; assistant messenger; telephone switchboard operator; assistant telephone switchboard operator; captain of watch, $1,400; lieutenant of watch, $1,000; 18 watchmen, at $900 each; 2 carpenters, painter, and foreman of laborers, at $900 each; 16 laborers, at $540 each; 2 attendants in ladies' room, at $480 each; 4 check boys, at $360 each; mistress of charwomen, $425; assistant mistress of charwomen, $300; 58 charwomen; chief engineer, $1,500; assistant engineers—1 $1,200, 3 at $900 each; electrician, $1,500; machinists—1 $1,000, 1 $900; 2 wiremen, at $900 each; plumber, $900; 3 elevator conductors, and 10 skilled laborers, at $720 each; in all, $81,525.

The amendment was agreed to.

The next amendment was, on page 28, after line 2, to insert:

For resurfacing west driveway and repairs to stone curb in Library grounds, $4,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 4, to insert:

For refitting of boiler room and coal vaults, $2,500.

The amendment was agreed to.

The next amendment was, under the head of "Botanic Garden," on page 28, line 11, after the words "Joint Committee on the Library," to strike out "$17,000" and insert "$19,500," so as to make the clause read:

For assistants and laborers, under the direction of the Joint Committee on the Library, $19,500.

The amendment was agreed to.

The next amendment was, on page 28, line 14, after the word "supplies," to insert "traveling expenses and per diem in lieu of subsistence of the superintendent and his assistants"; in line 17, after the words "Botanic Gardens," to insert "purchase and maintenance of motor-propelled delivery vehicle"; and in line 19, after the words "Joint Library Committee of Congress," to strike out "$9,000" and insert "$11,903," so as to make the clause read:

For procuring manure, soil, tools, fuel, purchasing trees, shrubs, plants, and seeds; services, materials, and miscellaneous supplies, traveling expenses and per diem in lieu of subsistence of the superintendent and his assistants, street car tickets not exceeding $25, and contingent expenses in connection with repairs and improvements to Botanic Gardens, purchase and maintenance of motor-propelled delivery vehicle, under direction of the Joint Library Committee of Congress, $11,903.

The amendment was agreed to.

The next amendment was, under the head of "Executive," on page 29, line 5, after the word "clerks," to insert "two at $2,500 each"; in line 6, before the words "of class four," to strike out "six" and insert "five"; in the same line, before the words "of class three," to strike out "three" and insert "two"; in line 8, before the word "at," where it occurs the first time, to strike out "two" and insert "three"; in the same line, before the word "at," where it occurs the second time, to strike out "two" and insert "three"; and in line 9, after the words "in all," to strike out "$73,440" and insert "$76,780," so as to make the clause read:

Office of the President: Secretary, $7,500; executive clerk, $5,000; chief clerk, $4,000; appointment clerk, $3,500; record clerk, $2,500; 2 expert stenographers, at $2,500 each; accountant and disbursing clerk, $2,500; 2 correspondents, at $2,500 each; clerks—2 at $2,500 each, 4 at $2,000 each, 5 of class 4, 2 of class 3, 4 of class 2, 3 of class 1; messengers—3 at $900 each, 3 at $840 each; 3 laborers at $720 each; in all, $76,780: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Civil Service Commission," on page 30, line 19, before the words "of class four," to strike out "six" and insert "seven"; in the same line, before the words "of class three," to strike out "twenty-six" and insert "thirty"; in line 20, before the words "of class two," to strike out "thirty-six" and insert "forty-two"; and on page 31, line 1, after the words "in all," to strike out "$278,330" and insert "$294,930," so as to make the clause read:

For commissioner, acting as president of the commission, $4,500; 2 commissioners, at $4,000 each; chief examiner, $3,500; secretary, $2,500; assistant chief examiner, $2,250; chiefs of division—3 at $2,000 each; examiners—1 $2,400, 3 at $2,000 each, 6 at $1,800 each; clerks—7 of class 4, 30 of class 3, 42 of class 2, 52 of class 1, 34 at $1,000 each, 22 at $900 each; messenger; assistant messenger; skilled laborer, $720; 4 messenger boys, at $360 each. Custodian force: Engineer, $840; general mechanic, $840; telephone switchboard operator; 2 firemen; 2 watchmen; 2 elevator conductors, at $720 each; 3 laborers; 4 charwomen; in all, $294,930.

The amendment was agreed to.

The next amendment was, on page 32, line 2, after the word "commission," to strike out "$18,000" and insert "$20,000," so as to make the clause read:

For necessary traveling expenses, including those of examiners acting under the direction of the commission, and for expenses of examinations and investigations held elsewhere than at Washington, and including not exceeding $1,000 for expenses of attendance at meetings of public officials when specifically directed by the commission, $20,000.

The amendment was agreed to.

The next amendment was, on page 32, line 6, after the word "commission," to strike out "$5,700" and insert "$7,500," so as to make the clause read:

For field examiners at the rate of $1,500 per annum each, for work in connection with members of local boards and other necessary work as directed by the commission, $7,500.

The next amendment was, under the head of "Department of State," on page 32, line 9, after "$12,000," to insert "Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500"; in line 13, after "4,500," to strike out "Counselor for the department, to be appointed by the President, by and with the advice and consent of the Senate, $7,500"; in line 16, after the word "work," to strike out "four" and insert "five," so as to read:

DEPARTMENT OF STATE.

For Secretary of State, $12,000; Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500; Assistant Secretary, $5,000; Second and Third Assistant Secretaries, at $4,500 each; Director of the Consular Service, $4,500; officers to aid in important drafting work, five at $4,500 each.

The amendment was agreed to.

Mr. POINDEXTER. Mr. President, I notice, so far as the bill has been read, on almost every page the creation apparently of additional clerkships and additional positions of watchmen and messengers. There seems to be, to quite an extent, a multiplication of positions in this bill. I should like to inquire of the Senator from Virginia if he has made any computation as to how many new positions are provided for by the bill?

Mr. MARTIN of Virginia. Mr. President, I can not give the number, but in the aggregate it is small. All the Senate amendments only involve an increase of about half a million dollars. Increases have only been made where they are very necessary, and they are much fewer than were estimated and asked for by the departments. Some increases in the service in some places were absolutely necessary to accomplish efficient work.

Mr. POINDEXTER. Of course, Mr. President, under the situation which every Senator is familiar with, it is absolutely impossible for Senators, with the other duties which they have, to be informed about these matters, and we have to rely—and I do rely—on the committee in charge of them, particularly on the chairman of the committee; but my observation, in going into the various departments here, is that there is no lack of messengers and watchmen. It seems to me, if anything, there is a superfluity of them. The impression that one gets is that, so far as those positions are concerned, those who hold them are suffering for lack of something to do. They seem to spend the day sitting in the corridors; and so it is somewhat surprising to see, on every page in this bill, additional positions of this kind, and other kinds, created.

Mr. MARTIN of Virginia. I will say to the Senator, Mr. President, that I am sure the committee all feel that if we have erred at all, it was in denying things that were asked, rather than in giving what we have given. The increases are

very often apparent and not real. They are struck off in one place and added in another.

You may take particularly the State Department. There they were paying 93 clerks out of a lump sum, and we discontinued that. We repealed the sections that allowed lump sums for clerks, and made them statutory appointments.

I am sure that if we have erred at all it has been in denying things rather than in allowing too much.

Mr. POINDEXTER. I sincerely hope that is true, Mr. President. Of course, that matter will have to stand upon its merits, and the Senator, no doubt, is assured of the need for these new positions; but it is very surprising.

I should like to ask the Senator further if this entire increase of $500,000, or the greater part of it, is for these new positions?

Mr. MARTIN of Virginia. Oh, no—a very small part of it, Mr. President. The largest increase is for an increased force for the collection of the income tax.

Mr. POINDEXTER. Can the Senator inform the Senate as to the total amount of the appropriations contained in this bill for the salaries of new positions that are provided for in the bill?

Mr. MARTIN of Virginia. I have not a list made up giving that aggregate, but I can assure the Senator that it is not large, and we have pruned it wherever we possibly could. The committee has made a conscientious effort to prevent duplication of service or too liberal a supply of assistants in the departments.

Mr. POINDEXTER. I notice on page 33 of the bill, just turning to it at random, in line 8, that the bill as it came from the House provided for 17 clerks of class 4. The Senate bill provides for 25 of these clerks. In line 9 the House bill provided for 19 clerks of class 3. The Senate bill provides for 26 clerks of class 3. In the same line and in line 10, 25 clerks of class 2 are increased to 35 clerks of class 2. In line 10, 43 clerks of class 1 are increased to 53 clerks of class 1. That seems to be, so far as I have been able to follow the reading of the bill, characteristic of the entire legislation.

Mr. MARTIN of Virginia. If the Senator will permit me, I am sure I can set his mind at rest about that. If he will turn over to page 34, he will find stricken out of the bill the $30,000 lump sum which had been provided for clerks. I will say to him, furthermore, that we found that the State Department was employing 93 clerks and paying them out of the appropriation of $2,750,000 made to meet war conditions in Europe. We have made these places statutory positions so far as they were preserved. The number is reduced, and they are made statutory positions. That makes it appear that we are making a large increase in the State Department, whereas, as a matter of fact, we are reducing the clerical force in the State Department.

Mr. POINDEXTER. The Senator stated a moment ago, as I understood him, that the appropriation for the clerical force was increased.

Mr. MARTIN of Virginia. No; I said I did not know about the aggregate. I said the clerks are increased in some places and diminished in others. I have not made up a statement of the entire amount paid for clerical help; but I know that in the State Department we have reduced the clerical force, and the reason why they appear as increases on the face of the bill is that we have taken the payment from a lump sum and made them statutory provisions, but in a reduced number.

Mr. POINDEXTER. I am only asking for information. I am not speaking in any contentious spirit or on acount of any fractious disposition in regard to it.

Mr. MARTIN of Virginia. I understand the Senator, and we are glad to give him the information.

Mr. POINDEXTER. I call attention to the fact that this item of $30,000, which the Senator from Virginia says is stricken out of the House bill, was merely a provision for emergency clerical services. It seems that the Senate committee has substituted permanent employment for what was only a contingency, provided against an emergency, in the House bill.

Mr. SMOOT. Mr. President, I wish to say to the Senator that the appropriation of $2,750,000 was for emergency clerks and assistants in foreign lands, the necessity for which was brought about by reason of the war. So far, of that $2,750,000 the State Department has spent $2,021,000, leaving a balance of $729,000 in the fund. The Committee on Appropriations thought that was a very loose way, indeed, of handling the money. We have no report as to what it was expended for. We can not tell how much of that money is to be returned after peace is established by these foreign countries. But the abuse that has existed in the past, where lump sums have been appropriated, every Senator knows should be obviated in the future; and I will say to the Senator that it was for that reason that the number of clerks provided in the bill was given to the State Department. It is not the full number of 92 clerks that they have now, called emergency clerks, but there are some forty-odd that are put in here that will be permanent, because of the fact that the State Department claim that with the immense amount of work that is piled upon them on account of the war conditions they are compelled to have these forty-odd clerks. Those we gave them as statutory positions, but we struck out the $30,000 that the House had put in there for emergency clerical services.

Mr. POINDEXTER. I should just like to remark, if the Senator will allow me, at this time that, judging from general conditions, the need for additional clerks seems to arise in many of the departments from the fact that many of the clerks are superannuated. I have long been of the opinion, and am of the opinion now, that as a matter of economy—placing it, if you choose, solely upon the proposition of economy and efficiency, to say nothing of justice—the country could well afford to establish a civil-service pension list, so as to retire clerks at a certain age, and not have the rolls filled with those whom we do not like to discharge and yet who are not capable of performing their duties.

Mr. SMOOT. That is true, Mr. President, in some of the departments; and I hope to see reported to the Senate at this session a bill for the very purpose of granting age pensions to all of the employees of our Government.

Mr. President, I simply can not resist at this time congratulating my Democratic friends upon acknowledging their error some years ago when we Republicans, led by Senator Root, tried to put into this bill the wording that we find now on page 32, as follows:

> Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate.

Mr. MARTIN of Virginia. I will say to the Senator that that amendment has been agreed to.

Mr. ROBINSON. Mr. President——

Mr. SMOOT. I know it has been agreed to.

Mr. MARTIN of Virginia. I thought the Senator wanted to discuss it.

Mr. SMOOT. I simply wanted to congratulate my Democratic friends, because when we had that proposal before the Senate heretofore there were hours and hours of time taken up to show that such a thing was unreasonable and that we were aping foreign nations.

The reading of the bill was resumed.

The next amendment was, in line 17, after the word "each," where it occurs the second time, to insert "one at $2,500"; in line 23, after the word "each," to insert "one at $2,500"; in line 25, after "$2,500," to insert "two law clerks, at $2,250 each; law clerk, $2,000"; on page 33, line 8, before the words "of class four," to strike out "seventeen" and insert "twenty-five"; in line 9, before the words "of class three," to strike out "nineteen" and insert "twenty-six"; in line 10, before the words "of class two," to strike out "twenty-five" and insert "thirty-five"; in the same line, before the words "of class one," to strike out "forty-three" and insert "fifty-three"; in line 13, before the word "messengers," to strike out "six" and insert "seven"; in the same line, before the words "assistant messengers," to strike out "twenty-three" and insert "twenty-five"; in line 15, before the word "laborers," to strike out "four" and insert "seven"; in line 16, after the word "operator," to insert "five female laborers, at $240 each"; and in line 17, after the words "in all," to strike out "$321,020" and insert "$393,900," so as to read:

> One at $2,500, to be appointed by the Secretary, any one of whom may be employed as chief of division of far eastern, Latin American, near eastern, or European affairs, or upon other work in connection with foreign relations; assistant solicitors of the department, to be appointed by the Secretary—3 at $3,000 each, 1 at $2,500; chief clerk, who shall sign such official papers and documents as the Secretary may direct, $3,000; law clerk, $2,500; 2 law clerks, at $2,250 each; law clerk, $2,000; law clerk and assistant, to be selected and appointed by the Secretary, to edit the laws of Congress and perform such other duties as may be required of them, at $2,500 and $1,500, respectively; chiefs of bureaus—2 at $2,250 each, 5 at $2,100 each; 2 translators, at $2,100 each; additional to Chief of Bureau of Accounts as disbursing clerk, $200; private secretary to the Secretary, $2,500; clerk to the Secretary, $1,800; clerks—25 of class 4, 26 of class 3, 35 of class 2, 53 of class 1 (3 of whom shall be telegraph operators), 18 at $1,000 each, 18 at $900 each; chief messenger, $1,000; 7 messengers; 25 assistant messengers; messenger boy, $420; packer, $720; 7 laborers, at $600 each; telephone switchboard operator; assistant telephone switchboard operator; 5 female laborers, at $240 each; driver, $840; hoister, $720; in all, $393,900.

The amendment was agreed to.

Mr. MARTIN of Virginia. Mr. President, I note an error in spelling on line 17. It ought to be "hostler." It is "hoister." It is just an error in spelling.

The PRESIDING OFFICER. Without objection, the correction will be made by the clerks.

The reading of the bill was resumed.

The next amendment was, at the top of page 34, to strike out:

For emergency clerical services, to be expended by the Secretary of State in his discretion, $30,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 34, line 6, after the word "repairs," to strike out "$10,500" and insert "$12,500," so as to make the clause read:

Contingent expenses: For stationery, furniture, fixtures, typewriters, including exchange of the same, repairs, and material for repairs, $12,500.

The amendment was agreed to.

The next amendment was, on page 34, line 16, after the word "foregoing," to strike out "$7,280" and insert "$10,000," so as to make the clause read:

For miscellaneous expenses, including purchase, care, and subsistence of horses, to be used only for official purposes, repair and maintenance of horse-drawn passenger-carrying vehicles; automobile mail wagon, including exchange of same, harness, equipment for drivers, street-car tickets not exceeding $100, and other items not included in the foregoing, $10,000.

The amendment was agreed to.

The next amendment was, on page 34, line 18, after the words "District of Columbia," to strike out "$11,200" and insert "$19,080," so as to make the clause read:

For rent of buildings in the District of Columbia, $19,080.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," on page 37, line 6, after the words "Chief of division," to strike out "$4,000" and insert "$4,800," and, in line 17, after the words "in all," to strike out "$70,750" and insert "$71,550," so as to make the clause read:

Division of Customs: Chief of division, $4,800; assistant chiefs of division—1, $3,000 (in lieu of supervising agent at $4,500 paid from appropriation "Expenses of collecting revenue from customs"), 1, $3,000; supervising tea examiner, $2,750; law clerks—4 at $2,500 each, 3 at $2,000 each; clerks—5 of class 4, 4 of class 3 (1 transferred from Division of Special Agents), 6 of class 2 (1 transferred from Division of Special Agents), 9 of class 1 (1 transferred from Division of Special Agents), 5 at $1,000 each; 2 messengers (1 transferred from Division of Special Agents); assistant messenger; in all, $71,550.

The amendment was agreed to.

The next amendment was, on page 39, line 23, after the words "lock shop," to strike out "$1,100" and insert "$1,200"; in line 25, before the word "at," where it occurs the first time, to strike out "three" and insert "one at $600, two"; and, on page 40, line 2, after the words "in all," to strike out "$220,800" and insert "$221,020," so as to make the clause read:

Office of Supervising Architect: Supervising Architect, $5,000; executive officer, $3,250; technical officer, $3,000; drafting division—superintendent $3,000, assistant superintendent $2,750; mechanical engineering division—superintendent $2,750, assistant superintendent $2,400; structural division—superintendent $2,750, assistant superintendent $2,400; superintendents—computing division $2,750, repairs division $2,400, accounts division $2,500, maintenance division $2,500; files and records division—chief $2,500, assistant chief $2,250; head draftsman, $2,500; administrative clerks—8 at $2,000 each; technical clerks—4 at $1,800 each; clerks—9 of class 4, additional to one of class 4 as bookkeeper $100, 4 at $1,700 each, 14 of class 3, 6 at $1,500 each, 13 of class 2, 8 at $1,300 each, 21 of class 1, 4 at $1,100 each, 7 at $1,000 each, 3 at $900 each, 2 at $840 each; photographer, $2,000; foreman, duplicating galley, $1,800; 2 duplicating paper chemists at $1,200 each; foreman vault, safe, and lock shop, $1,200; 5 messengers; 2 assistant messengers; messenger boys—1 at $600, 2 at $480 each, 2 at $360 each; skilled laborers—4 at $1,000 each, 7 at $960 each, 1 $900, 1 $840; laborers—1 $660, 1 $600; in all, $221,020.

The amendment was agreed to.

The next amendment was, on page 40, after line 12, to insert:

For law books, including their exchange, to be expended under the direction of the Comptroller of the Treasury, $250.

The amendment was agreed to.

The next amendment was, on page 41, line 5, before the words "at $1,000 each," to strike out "eight" and insert "nine," and, in line 7, after the words "in all," to strike out "$290,010" and insert "$291,010," so as to make the clause read:

Office of Auditor for War Department: Auditor, $4,000; assistant and chief clerk, $2,250; law clerk, $2,000; chief of division of accounts, $2,500; chief of claims and records division, $2,000; 2 assistant chiefs of division, at $1,900 each; chief transportation clerk, $2,000; clerks—22 of class 4, 49 of class 3, 55 of class 2, 45 of class 1, 9 at $1,000 each; 3 at $900 each; skilled laborer, $900; messenger; 5 assistant messengers; 9 laborers; messenger boy, $480; in all, $291,010.

The amendment was agreed to

The next amendment was, on page 41, line 13, after the word "each," where it occurs the second time, to insert "helper, $900 (transferred from the Bureau of Engraving and Printing)," and, in line 15, after the words "in all," to strike out "$141,390" and insert "$142,290," so as to make the clause read:

Office of Auditor for Navy Department: Auditor, $4,000; chief clerk and chief of division, $2,250; law clerk, $2,000; chief of division, $2,000; assistant chief of division, $2,000; clerks—13 of class 4, 22 of class 3, 20 of class 2, 23 of class 1, 6 at $1,000 each, 6 at $900 each; helper, $900 (transferred from the Bureau of Engraving and Printing); messenger; assistant messenger; three laborers; in all, $142,290.

The amendment was agreed to.

The next amendment was, on page 41, line 20, before the words "of class 4," to strike out "13" and insert "16"; in the same line, before the words "of class 3," to strike out "15" and insert "18"; and, in line 24, after the words "in all," to strike out "$134,430" and insert "$144,630," so as to make the clause read:

Office of Auditor for Interior Department: Auditor, $4,000; chief clerk and chief of division, $2,250; law clerk, $2,000; chief of division, $2,000; clerks—16 of class 4, 18 of class 3, 17 of class 2, 22 of class 1, 12 at $1,000 each, 12 at $900 each (7 transferred from lump-sum appropriation); 2 messengers; 2 assistant messengers; laborer; in all, $144,630.

The amendment was agreed to.

The next amendment was, on page 47, after line 18, to insert:

For the employment of clerical help in the office of the Commissioner of Internal Revenue at rates to be fixed by the commissioner, with the approval of the Secretary, $20,000.

The amendment was agreed to.

The next amendment was, on page 49, line 4, after the words "captain of," to strike out "watch" and insert "guards"; in line 5, after the words "lieutenants of," to strike out "watch" and insert "guards"; and, in line 6, after the word "sixty," to strike out "watchmen" and insert "guards," so as to read:

Bureau of Engraving and Printing: Director, $6,000; assistant director, $3,500; chief of division of assignments and reviews, $3,000; chief clerk, $2,500; disbursing agent, $2,400; medical and sanitary officer, $2,000; stenographer, $1,800; storekeeper, $1,600; assistant storekeeper, $1,000; clerk in charge of purchases and supplies, $2,000; clerks—1 of class 4, 6 of class 3, 9 of class 2, 9 of class 1, 8 at $1,000 each, 12 at $900 each, 15 at $840 each, 3 at $780 each; 9 attendants, at $600 each; helpers—1 at $900, 2 at $720 each, 2 at $600 each; 3 messengers; 7 assistant messengers; captain of guards, $1,400; 2 lieutenants of guards, at $900 each; 60 guards, at $720 each.

The amendment was agreed to.

The next amendment was, on page 52, line 14, after the words "District of Columbia," to strike out "$10,000" and insert "$15,000," so as to make the clause read:

For investigation and experimentation and to secure better methods of administration, with a view to increased efficiency or to greater economy in the expenditure of public money, including necessary traveling expenses, in connection with special work, or obtaining of better administrative methods in any branch of the service within or under the Treasury Department, including the temporary employment of agents, stenographers, accountants, or other expert services, either within or without the District of Columbia, $15,000.

The amendment was agreed to.

The next amendment was on page 53, after line 5, to strike out:

Hereafter no moneys appropriated by this or any other act shall be used for the payment of gas furnished for use in any of the public buildings of the United States in the District of Columbia at a rate in excess of 70 cents per 1,000 cubic feet.

The amendment was agreed to.

The next amendment was under the subhead "Collecting internal revenue," on page 57, after line 4, to insert:

All internal-revenue agents, inspectors, and the cotton-futures attorney may be granted leave of absence with pay, which shall not be cumulative, not to exceed 30 days in any calendar year, under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

The amendment was agreed to.

The next amendment was on page 57, line 21, after the date "1914," to strike out "$1,600,000" and insert: "$1,750,000, and authority is hereby given to use $90,000 of said sum for the employment in the District of Columbia of necessary clerical and other personal services and the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the District of Columbia," so as to make the clause read:

Collecting the income tax: For expenses of assessing and collecting the income tax as provided in paragraph N, section 2, of an act entitled "An act to reduce tariff duties, and to provide revenue for the Government, and for other purposes," approved October 3, 1913, including the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the several collection districts, including not to exceed $4 per diem, in lieu of subsistence, pursuant to section 13 of the sundry-civil act approved August 1, 1914, $1,750,000, and authority is hereby given to use $90,000 of said sum for the employment in the District of Columbia of necessary clerical and other personal services and the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the District of Columbia.

The amendment was agreed to.

The next amendment was on page 59, after line 21, to insert:

When absent on duty from their customary residence, all internal-revenue agents appointed under section 3152, Revised Statutes, as amended, and cotton-futures attorneys may be granted per diem in lieu of subsistence not exceeding $4, and, when absent on duty from their customary residence, income-tax agents and inspectors, special gaugers, and special employees may be granted a per diem in lieu

of subsistence not exceeding $3, the per diem in lieu of subsistence to be fixed by the Commissioner of Internal Revenue, subject to the approval of the Secretary of the Treasury.

The PRESIDING OFFICER. The Chair will call the attention of Senators to the fact that on page 57, line 6, the bill says "the cotton-futures attorney," while on the page just read it is in the plural.

Mr. OVERMAN. There is only one, but I suppose we had better leave it that way.

Mr. SMOOT. No, Mr. President; there is only one in one case, but there is more than one in the other case.

The PRESIDING OFFICER. Very well; that explains it.

Mr. SMOOT. But, Mr. President, there is a question in my mind as to the advisability of this amendment. I do not want to go into the discussion of it to-day, however. I will content myself by allowing it to go into conference, and having it thoroughly discussed in conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, under the head of "Mints and assay offices," on page 64, line 16, after the word "employees," to strike out "$90,000" and insert "$92,000," so as to make the clause read:

For wages of workmen and other employees, $92,000.

The amendment was agreed to.

The next amendment was, under the subhead "Assay office at Deadwood, S. Dak.," on page 66, line 20, after the word "expenses," to strike out "$500" and insert "$1,500," so as to make the clause read:

For incidental and contingent expenses, $1,500.

The amendment was agreed to.

The next amendment was, under the head of "War Department," on page 68, line 13, before the words "of class 2," to strike out "14" and insert "15"; in line 14, after the word "each," to insert "one at $900"; in line 17, after the word "messengers," to insert "two assistant messengers, at $600 each"; and in line 22, after the words "in all," to strike out "$143,540" and insert "$147,040," so as to make the clause read:

Office of the Secretary: Secretary of War, $12,000; Assistant Secretary, $5,000; assistant and chief clerk, who shall sign such official papers and documents as the Secretary may direct, $4,000; private secretary to the Secretary, $2,500; clerk to the Secretary, $2,000; stenographer to the Secretary, $2,000; clerk to the Assistant Secretary, $2,400; assistant chief clerk, $2,400; disbursing clerk, $2,750; appointment clerk, $2,250; four chiefs of divisions, at $2,000 each; superintendent of buildings outside of State, War, and Navy Department Building, in addition to compensation as chief of division, $500; chief telegrapher, $1,800; clerks—5 of class 4, 5 of class 3, 15 of class 2, 19 of class 1, 5 at $1,000 each, 1 at $900; foreman, $1,200; carpenters—one $1,200, one $1,080; chief messenger, $1,000; skilled laborer, $1,080; six messengers; seven assistant messengers; two assistant messengers, at $600 each; telephone switchboard operator; assistant telephone switchboard operator; engineer, $900; assistant engineer, $720; fireman; four watchmen; three watchmen, at $660 each; eight laborers; hostlers—one $600, one $540; four charwomen; in all, $147,040.

The amendment was agreed to.

The next amendment was, on page 69, line 17, after the words "chief clerk," to strike out "$2,000" and insert "$2,200," and in line 20, after the words "in all," to strike out "$24,800" and insert "$25,000," so as to make the clause read:

Signal Office: Chief clerk, $2,200; clerks—2 of class 4, 1 of class 3, 1 of class 2, 4 of class 1, 9 at $1,000 each; two messengers; assistant messenger; in all, $25,000.

The amendment was agreed to.

The next amendment was, on page 70, line 20, after the word "each," to insert "3 at $2,000 each"; in line 21, after the word "clerks," to strike out "15" and insert "12"; and on page 71, line 5, after the words "in all," to strike out "$372,320" and insert "$372,920," so as to make the clause read:

Office of Quartermaster General: Chief clerk, $2,750; principal clerks—5 at $2,250 each, 3 at $2,000 each; clerks—12 of class 4, 25 of class 3, 44 of class 2, 85 of class 1, 50 at $1,000 each, 10 at $900 each; advisory architect, $4,000; draftsmen—three at $1,800 each, seven at $1,600 each, five at $1,400 each; supervising engineer, $2,750; hydraulic and sanitary engineer, $2,000; civil engineer, $1,800; electrical engineer, $2,000; electrical and mechanical engineer, $2,250; marine engineer, $3,500; sanitary and heating engineer, $1,800; blue-print operator, $900; 6 messengers; 14 assistant messengers; 12 laborers; laborers—one $600, one $480; in all, $372,920.

The amendment was agreed to.

The next amendment was, on page 71, after line 23, to insert:

Section 7 of the general deficiency appropriation act approved August 26, 1912, as amended by section 4 of the act making appropriations for legislative, executive, and judicial expenses of the Government, approved March 4, 1913, restricting changes in salaries of certain employees paid from lump-sum appropriations, is further amended to provide that it shall not apply to draftsmen whose services are necessary in carrying on the various manufacturing or constructing operations of the Government.

The amendment was agreed to.

The next amendment was, on page 74, line 4, after the word "messenger," to strike out "assistant messenger" and insert "two assistant messengers," and in line 5, after the words "in all," to strike out "$38,480" and insert "$39,200," so as to make the clause read:

Division of Militia Affairs, Office of Chief of Staff: For the following authorized by section 20 of the act approved January 21, 1903, as amended by the act approved May 27, 1908, and as restricted by the legislative, executive, and judicial act approved March 4, 1915: Chief clerk, $2,000; clerks—2 of class 4, 2 of class 3, 4 of class 2, 11 of class 1, 8 at $1,000 each; messenger; 2 assistant messengers; 2 laborers; in all, $39,200.

The amendment was agreed to.

The next amendment was, on page 75, line 11, after the word "offices," to strike out "$20,000" and insert "$25,000," so as to make the clause read:

For stationery for the department and its bureaus and offices, $25,000.

The amendment was agreed to.

The next amendment was, under the head of "Public buildings and grounds," on page 75, line 23, after the words "landscape architect," to insert "and the purchase of park designs," so as to make the clause read:

Office of public buildings and grounds: Superintendent, $3,000; assistant and chief clerk, $2,400; clerks—1 of class 4, 1 of class 3, 1 of class 2 and stenographer, 1 of class 1; messenger; landscape architect and the purchase of park designs, $2,400; surveyor and draftsman, $1,500; in all, $16,140.

The amendment was agreed to.

The next amendment was, on page 76, line 3, after the word "park," to strike out "watchmen" and insert "police," so as to make the clause read:

For sergeant of park police, $950.

The amendment was agreed to.

The next amendment was, on page 76, after line 3, to strike out "For second sergeant of park watchmen, $900" and insert "For two second sergeants of park police, at $900 each, $1,800," so as to make the clause read:

For two second sergeants of park police, at $900 each, $1,800.

The amendment was agreed to.

The next amendment was, on page 76, line 6, after the word "day," to strike out "watchmen" and insert "police"; in line 21, before the words "in Potomac Park," to strike out "three" and insert "four"; in line 22, before the words "in all," to strike out "twenty-two" and insert "twenty-three"; and in the same line, after the word "each," to strike out "$18,480" and insert "$19,320," so as to make the clause read:

For day police, as follows: One in Franklin Park and adjacent reservations on New York Avenue; 1 in Lafayette Park; 2 in Smithsonian Grounds and neighboring reservations; 1 in Judiciary Park; 1 in Lincoln Park and adjacent reservations; 1 in Iowa Circle and reservations to the northeast; 1 in Thomas and Scott Circles and neighboring reservations; 1 in Washington Circle and neighboring reservations; 1 in Dupont Circle and neighboring reservations; 1 in McPherson Park and Farragut Square; 1 in Stanton Park and neighboring reservations; 2 in Henry and Seaton Parks and neighboring reservations; 1 in Mount Vernon Park and reservations to the northeast; 1 in grounds south of the Executive Mansion; 1 in Garfield and Marion Parks and reservations to the east; 1 in Monument Park; 4 in Potomac Park; 1 in Montrose Park; 23 in all, at $840 each, $19,320.

The amendment was agreed to.

The next amendment was, on page 76, line 23, after the word "night," to strike out "watchmen" and insert "police"; in the same line, before the word "in," to strike out "Two" and insert "Three"; on page 77, line 5, before the words "in Lafayette," to strike out "one" and insert "two"; in line 10, before the words "in all," to strike out "nineteen" and insert "twenty-one"; and in the same line, after the word "each," to strike out "$15,960" and insert "$17,640," so as to make the clause read:

For night police, as follows: Three in Smithsonian Grounds and neighboring reservations; 1 in Judiciary Park; 2 in Henry and Seaton Parks and adjacent reservations; 1 in grounds south of the Executive Mansion; 1 in Monument Park; 1 in Garfield Park and neighboring reservations; 1 in Iowa, Scott, and Thomas Circles and neighboring reservations; 1 in Stanton and Lincoln Parks and neighboring reservations; 2 in Lafayette, McPherson, Franklin, and Farragut Parks; 1 in Washington and Dupont Circles and neighboring reservations; 1 in Mount Vernon Park and neighboring reservations; 2 for greenhouses and nursery; 4 in Potomac Park; 21 in all, at $840 each, $17,640.

The amendment was agreed to.

The next amendment was, on page 77, line 18, after the word "park," to strike out "watchmen" and insert "police," so as to make the clause read:

For purchase and repair of bicycles and revolvers for park police and for purchase of ammunition, $1,000.

The amendment was agreed to.

The next amendment was, on page 77, after line 19, to strike out:

For purchase of one motor cycle $250, and for the upkeep of the same, $240; in all, $490.

The amendment was agreed to.

The next amendment was, on page 77, after line 21, to insert:

For purchase of two motor cycles at $250 each, and for the upkeep of same at $240 each, $980.

The amendment was agreed to.

The next amendment was, on page 77, line 25, after the word "bridge," to strike out "watchmen" and insert "police," so as to make the clause read:

For purchasing and supplying uniforms to park, Monument, and bridge police, $2,800.

The amendment was agreed to.

The next amendment was, on page 78, line 2, after the words "sum of," to strike out "$35,890" and insert "$37,845," so as to make the clause read:

Of the foregoing amounts appropriated under public buildings and grounds, the sum of $37,845 shall be paid out of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the head of "State, War, and Navy Department Building," on page 78, line 6, after the words "of class 3," to strike out "stenographer and typewriter, $900" and insert "clerk of class 1," and in line 18, after the words "in all," to strike out "$103,560" and insert "$103,860," so as to make the clause read:

Office of superintendent: Clerk of class 3; clerk of class 1; chief engineer, $1,400; 5 assistant engineers, at $1,000 each; electrical machinist, $1,200; captain of the watch, $1,200; 2 lieutenants of the watch, at $840 each; 40 watchmen; carpenter, $1,000; electrician, $1,200; machinist, $1,000; painter, $1,000; plumber, $1,000; 3 dynamo tenders, at $900 each; 7 skilled laborers or mechanics, at $840 each; messenger; foreman of laborers, $840; 10 firemen; 11 elevator conductors, at $720 each; 17 laborers; 3 second-class firemen, at $660 each; 4 forewomen of charwomen, at $300 each; 67 charwomen; gardener, $720; in all, $103,860.

The amendment was agreed to.

The next amendment was, on page 78, line 21, after "$32,000," to strike out "*Provided*, That the commission in charge, or a majority of the members thereof, may at any time reapportion space among the departments now occupying the State, War, and Navy Department Building if the same can be done with a reduction of the amount of floor space occupied by any branch of the public service in said building, the reduction or avoidance of public expense for rent of office or storage space for the Government, and the reduction of the number of watchmen required for said building from 40 to not more than 38: *Provided further*, That no arrangement of space made hereunder shall involve the ejectment from the building of any department or branch of the public service now occupying the same: *Provided further*, That no rooms vacated under any arrangement of space hereunder shall be used for museum purposes," so as to make the clause read:

For fuel, lights, repairs, miscellaneous items, printing, and city directories, $32,000.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," on page 79, line 22, after the word "Secretary" where it occurs the second time, to strike out "$2,500" and insert "$2,750"; in line 23, after "$2,250," to insert "private secretary to Assistant Secretary, $2,400"; on page 80, line 1, after the word "clerks," to strike out "two" and insert "one"; in line 4, after the word "carpenter," to strike out "$900" and insert "$1,000"; and in line 7, after the words "in all," to strike out "$81,140" and insert "$82,090," so as to make the clause read:

Office of the Secretary: Secretary of the Navy, $12,000; Assistant Secretary, $5,000; chief clerk, $3,000; private secretary to Secretary, $2,750; clerk to Secretary, $2,250; private secretary to Assistant Secretary, $2,400; clerk to Assistant Secretary, $2,000; disbursing clerk, $2,250; appointment clerk, $2,000; estimate clerk, $1,800; stenographer, $1,800; clerks—1 of class 4, 3 of class 3, 5 of class 2, 5 of class 1, 1 $1,100, 6 at $1,000 each; stenographer, $1,200; 3 copyists; carpenter, $1,000; 4 messengers; 4 assistant messengers; 3 laborers; messenger boys—4 at $600 each, 1 $420, 1 $400, 1 $360; 2 telephone switchboard operators; in all, $82,090.

The amendment was agreed to.

The next amendment was, on page 81, line 7, after the word "clerks," to strike out "1 at $2,000" and insert "2 at $2,000 each," and, in line 12, after the words "in all," to strike out "$82,050" and insert "$84,050," so as to make the clause read:

Bureau of Navigation: Chief clerk, $2,250; clerks—2 at $2,000 each, 5 of class 4, 5 of class 3, 6 of class 2, 8 of class 1, 3 at $1,100 each, 14 at $1,000 each; 14 copyists; 9 copyists at $840 each; 2 assistant messengers; messenger boy, $600; 5 laborers; in all $84,050.

The amendment was agreed to.

The next amendment was, on page 81, line 13, after the word "Clerks," to strike out "1 of class 4" and insert "2 of class 4," and in line 16, after the words "in all," to strike out "$12,300" and insert "$14,100," so as to make the clause read:

Office of Naval Intelligence: Clerks—2 of class 4, 1 of class 3, 1 $1,300, 3 at $1,000 each; 2 translators, at $1,400 each; draftsman, $1,200; messenger boy, $600; in all $14,100.

The amendment was agreed to.

The next amendment was, on page 85, line 3, after the word "repair," to insert "exchange," so as to make the clause read:

For fuel, oil, grease, pipe, wire, and other materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power plant, and water-supply system; purchase and maintenance of teams; maintenance, repair, exchange, or operation of motor truck and of horse-drawn passenger-carrying vehicles; material for boxing nautical instruments for transportation; paints, telegraph, and telephone service, and incidental labor, $8,000.

The amendment was agreed to.

The next amendment was, in the item of appropriation for Bureau of Steam Engineering, on page 85, line 23, before the words "of class 1," to strike out "5" and insert "6"; in line 24, after the word "copyist," to insert "2 expert radio aids, at $3,130 each"; on page 86, line 3, after the word "laborers," to insert "1 at $720"; in the same line, after "$720," to strike out "3" and insert "2"; and, in line 5, after the words "in all," to strike out "$46,890" and insert "$54,410," so as to make the clause read:

Bureau of Steam Engineering: Chief clerk, $2,250; bookkeeper and accountant, $1,800; clerks—1 of class 4, 4 of class 3, 4 of class 2, 2 at $1,300 each, 6 of class 1, 1 $1,100, 4 at $1,000 each, 1 $900; copyist; 2 expert radio aids, at $3,130 each; expert in wireless telegraphy, $3,000; draftsmen—1 (who shall be an expert in marine construction) $2,000, 1 $1,400, assistant $1,200; blue printer, $720; 2 assistant messengers; laborers—1 at $720, 2 at $660 each; 2 at $600 each; messenger boy, $600; in all, $54,410.

The amendment was agreed to.

The next amendment was, on page 86, line 21, before the words "of class 1," to strike out "three" and insert "four"; in line 22, after the words "at $1,100 each," to strike out "nine" and insert "ten"; and in line 24, after the words "in all," to strike out "$60,950" and insert "$63,250," so as to make the clause read:

Bureau of Construction and Repair: Chief clerk, $2,250; clerks—2 of class 4, 3 of class 3, 3 of class 2, 4 at $1,300 each, 4 of class 1, 10 at $1,100 each, 15 at $1,000 each; 5 copyists; two assistant messengers; laborer; messenger boys—9 at $600 each; 1 $400; in all, $63,250.

The amendment was agreed to.

The next amendment was, on page 87, line 15, after the word "clerks," to strike out "1 of class 4" and insert "2 of class 4," and in line 19, after the words "in all," to strike out "$30,210" and insert "$32,010," so as to make the clause read:

Bureau of Ordnance: Chief clerk, $2,250; draftsman, $1,400; clerks—2 of class 4, 2 of class 3, 2 of class 2, 1 $1,300, 3 of class 1, 1 $1,100, 5 at $1,000 each; 3 copyists; 2 copyists, at $840 each; assistant messenger; messenger boys—2 at $600 each, 2 at $400 each; laborer; in all, $32,010.

The amendment was agreed to.

The next amendment was, on page 88, line 12, after the word "clerks," to strike out "four" and insert "five"; in line 13, before the words "of class 2," to strike out "seven" and insert "eight"; in line 14, before "at $1,100," to strike out "ten" and insert "twelve"; in line 16, after the word "boys," to strike out "three" and insert "four"; in line 17, before the words "at $400," to strike out "three" and insert "two"; and in the same line, after the words "in all," to strike out "$118,890" and insert "$124,490," so as to make the clause read:

Bureau of Supplies and Accounts: Civilian assistant, $2,500; chief accountant, $2,250; 2 chief bookkeepers, at $2,000 each; statistician, $1,800; clerks—5 of class 4, 8 of class 3, 8 of class 2, 15 of class 1, 12 at $1,100 each, 28 at $1,000 each, 14 at $900 each; 2 copyists, at $840 each; 5 assistant messengers; messenger boys—4 at $600 each; 2 at $400 each; laborer; in all, $124,490.

The amendment was agreed to.

The next amendment was, on page 89, line 22, before the words "at $1,000," to strike out "three" and insert "four," and in line 23, after the words "in all," to strike out "$10,100" and insert "$11,100," so as to make the clause read:

Division of Naval Militia Affairs: For the following, authorized by section 17 of the Naval Militia act approved February 16, 1914: Chief clerk, $1,600; clerks—1 of class 2, 2 of class 1, 1 $1,100, 4 at $1,000 each; messenger boys—1 $600; in all, $11,100.

The amendment was agreed to.

The next amendment was, on page 90, line 1, after the word "binding," to strike out "$3,000" and insert "$3,600," so as to make the clause read:

For miscellaneous expenses, including stationery, furniture, office equipment, postage, typewriters and exchange of same, and necessary printing and binding $3,600, which sum, together with the foregoing amount for salaries, shall be paid from the appropriation for "Arming and equipping Naval Militia" for the fiscal year 1917, and no other or

further sums shall be expended from said appropriation for or on account of said Division of Naval Militia Affairs during the fiscal year 1917.

The amendment was agreed to.

The next amendment was, on page 90, line 17, after the word "vehicles," to insert "automobile mail wagon, including exchange of same," and, in line 21, after the word "offices," to strike out "$42,000" and insert "$45,000," so as to make the clause read:

For stationery, furniture, newspapers, plans, drawings, drawing materials, horses and wagons to be used only for official purposes, including rental of stable; purchase, maintenance, repair, or operation of horse-drawn passenger-carrying vehicles, automobile mail wagon, including exchange of same, street car tickets not exceeding $250, freight, expressage, postage, typewriters and computing machines and exchange of same, and other absolutely necessary expenses of the Navy Department and its various bureaus and offices, $45,000; it shall not be lawful to expend, for any of the offices or bureaus of the Navy Department at Washington, any sum out of appropriations made for the Naval Establishment for any of the purposes mentioned or authorized in this paragraph.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 91, line 20, after "$2,500," to strike out: "Two special inspectors, whose employment shall be limited to the inspection of offices and the work in the several offices under the control of the department, at $2,500 each," so as to read:

Office of the Secretary: Secretary of the Interior, $12,000; First Assistant Secretary, $5,000; Assistant Secretary, $4,500; chief clerk, including $500 as superintendent of buildings, who shall be chief executive officer of the department and who may be designated by the Secretary to sign official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries, $4,000; assistant to the Secretary, $2,750; assistant attorney, $2,500.

Mr. SMOOT. Mr. President, from information I have received, I think the committee acted on that amendment and struck it out upon misinformation.

Mr. MARTIN of Virginia. I think myself, Mr. President, that it would be well if the committee amendment were rejected in that case.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment was, in the item for the maintenance of the office of the Secretary of the Interior, on page 92, line 21, after the words "in all," to strike out "$275,820" and insert "$270,820," so as to read:

Engineer, $1,200; assistant engineer, $1,000; 7 firemen; clerk to sign, under the direction of the Secretary, in his name and for him; his approval of all tribal deeds to allottees and deeds for town lots made and executed according to law for any of the Five Civilized Tribes of Indians in the Indian Territory, $1,200; in all, $270,820.

Mr. MARTIN of Virginia. That amendment is a mere matter of total, but the amendment just rejected necessitates the rejection of this also. I ask unanimous consent that the clerks may readjust the totals if any mistake is made.

The PRESIDING OFFICER. Without objection, that order will be made. The question is on agreeing to the amendment.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment was, on page 94, line 13, after the word "clerks," to strike out "twenty-seven" and insert "twenty-nine"; in line 14, before the words "of class 3," to strike out "fifty-one" and insert "fifty-two"; in line 15, before the words "of class 2," to strike out "seventy-four" and insert "seventy-seven"; in line 16, before the words "of class 1," to strike out "seventy-seven" and insert "eighty-two"; in the same line, before the words "at $1,000," to strike out "sixty-five" and insert "sixty-six"; in line 17, before the word "copyists," where it occurs the first time, to strike out "sixty-five" and insert "seventy-one"; in the same line, before the word "copyists," where it occurs the second time, to strike "twenty-six" and insert "twenty-nine"; and, on page 95, line 2, after the words "in all," to strike out "$631,250" and insert "$655,210," so as to make the clause read:

General Land Office: Commissioner, $5,000; assistant commissioner, $3,500; chief clerk, $3,000; chief law clerk, $2,500; 2 law clerks, at $2,200 each; 3 law examiners of surveyors general and district land offices, at $2,000 each; recorder, $2,000; chiefs of divisions—one of surveys $2,750, one $2,400, ten at $2,000 each; assistant chief of division, $2,000; law examiners—13 at $2,000 each, 10 at $1,800 each, 18 at $1,600 each; clerks 29 of class 4, 52 of class 3, 77 of class 2, 82 of class 1, 66 at $1,000 each; 71 copyists; 29 copyists, at $720 each; 2 messengers; 10 assistant messengers; messenger boys—10 at $600 each, 6 at $480 each; 6 skilled laborers, who may act as assistant messengers when required, at $660 each; 16 laborers; laborer, $480; packer, $720; depositary acting for the commissioner as receiver of public moneys, $2,000, who may, with the approval of the commissioner, designate a clerk of the General Land Office to act as such depositary in his absence; clerk and librarian, $1,000; in all, $655,210.

The amendment was agreed to.

The next amendment was, on page 95, line 14, after the words "General Land Office," to strike out "$6,000" and insert "$8,000," so as to make the clause read:

For per diem in lieu of subsistence, at not exceeding $4, pursuant to section 13 of the sundry civil act approved August 1, 1914, of examiners and of clerks detailed to inspect offices of United States surveyors general and other offices in public-land service, to investigate fraudulent land entries, trespasses on the public lands, and cases of official misconduct, actual necessary expenses of transportation, including necessary sleeping-car fares, and for employment of stenographers and other assistants when necessary to the efficient conduct of examinations, and when authorized by the Commissioner of the General Land Office, $8,000.

The amendment was agreed to.

The next amendment was, on page 96, after line 2, to strike out:

For separate State and Territorial maps of public-land States, including maps showing areas designated by the Secretary of the Interior under the enlarged homestead acts prepared in the General Land Office, $3,000.

And to insert:

For maps showing areas designated by the Secretary of the Interior under the enlarged homestead acts, prepared in the General Land Office, $1,500.

The amendment was agreed to.

The next amendment was, on page 97, after line 20, to strike out:

Appointments shall not be made to any of the positions herein appropriated for in the classified service of the Bureau of Pensions not actually filled June 30, 1916, nor shall more than 25 per cent of other vacancies actually occurring in any grade in the classified service of that bureau during the fiscal year 1917 be filled by original appointment or promotion. The salaries or compensation of all places which may not be filled as hereinabove provided for shall not be available for expenditure, but shall lapse and shall be covered into the Treasury.

The amendment was agreed to.

The next amendment was, on page 98, line 22, after the word "each," to strike out "examiner of interferences, $2,700" and insert "two examiners of interferences, at $2,700 each"; in line 25, after "$2,400," to insert "two second assistants, at $2,100 each"; and on page 99, line 19, after the words "in all," to strike out "$1,375,040" and insert "$1,381,940," so as to make the clause read:

Patent Office: Commissioner, $5,000; first assistant commissioner, $4,500; assistant commissioner, $3,500; chief clerk (who shall be qualified to act as principal examiner), $3,000; 5 law examiners, at $2,750 each; examiner of classification, $3,600; 5 examiners in chief, at $3,500 each; 2 examiners of interferences, at $2,700 each; examiners of trade-marks and designs—1 $2,700, first assistant $2,400, 2 second assistants at $2,100 each, 6 assistants at $1,500 each; examiners—43 principals at $2,700 each, 86 first assistants at $2,400 each, 86 second assistants at $2,100 each, 86 third assistants at $1,800 each, 86 fourth assistants at $1,500 each; financial clerk, who shall give bonds in such amount as the Secretary of the Interior may determine, $2,250; librarian, who shall be qualified to act as an assistant examiner, $2,000; 6 chiefs of divisions, at $2,000 each; 3 assistant chiefs of divisions, at $1,800 each; private secretary, to be selected and appointed by the commissioner, $1,800; translator of languages, $1,800; clerks—9 of class 4, 9 of class 3, 17 of class 2, 130 of class 1, 91 at $1,000 each; 3 skilled draftsmen, at $1,200 each; 4 draftsmen, at $1,000 each; 90 copyists; 50 copyists, at $720 each; 4 messengers; 25 assistant messengers; laborers—14 at $600 each, 42 at $540 each; 40 messenger boys, at $420 each; in all, $1,381,940.

The amendment was agreed to.

The next amendment was, on page 99, after line 19, to insert:

For special and temporary services of typewriters certified by the Civil Service Commission, who may be employed in such numbers at $2.50 per diem as may, in the judgment of the Commissioner of Patents, be necessary to keep current the work of furnishing manuscript copies of records, $10,000.

The amendment was agreed to.

The next amendment was, on page 100, line 6, after the word "papers," to strike out "$125,000" and insert "$140,000," so as to make the clause read:

For producing copies of weekly issue of patents, designs, and trade-marks; production of copies of drawings and specifications of exhausted patents and other papers, $140,000.

The amendment was agreed to.

The next amendment was, under the head of "Offices of Surveyors General," on page 106, line 5, after the word "Clerks," to strike out "$16,000" and insert "$17,240," so as to make the clause read:

Clerks, $17,240.

The amendment was agreed to.

The next amendment was, on page 106, line 6, after the words "in all," to strike out "$20,000" and insert "$21,240," so as to make the clause read:

Contingent expenses, $1,000; in all, $21,240.

The amendment was agreed to.

The next amendment was, on page 107, after line 2, to strike out:

The use of the fund created by the act of July 2, 1864 (13 Stat., p. 365), and the act of March 2, 1895 (28 Stat., p. 937), for office work in the surveyor generals' office and in the General Land Office is ex-

tended for one year from June 30, 1916: *Provided*, That not to exceed $25,000 of this fund shall be used for the purposes above indicated.

The amendment was agreed to.

The next amendment was, under the head of "Post Office Department," in the item of appropriation for the maintenance of the Office of the Postmaster General, on page 110, line 2, before the word "dynamo," to strike out "three" and insert "two"; in the same line, after the word "each," to insert "(one omitted)"; and in line 11, after the words "in all," to strike out "$191,450" and insert "$190,550," so as to read:

Electrician, $1,400; 2 assistant electricians, at $1,200 each; 2 dynamo tenders, at $900 each (1 omitted); fireman, who shall be a blacksmith, and fireman, who shall be a steam fitter, at $900 each; 10 elevator conductors, at $720 each; 15 firemen; carpenters—one $1,200, one $1,000, two at $900 each; captain of the watch, $1,000; additional to 2 watchmen acting as lieutenant of watchmen, at $120 each; 22 watchmen; foreman of laborers, $800; 43 laborers; plumber, $900; awning maker, $900; female laborers—one $540, 3 at $500 each, 5 at $480 each; 43 charwomen; in all $190,550.

The amendment was agreed to.

The next amendment was, on page 111, line 12, after the word "building," to strike out "Three assistant engineers, at $900 each," and insert "Two assistant engineers, at $1,000 each"; in line 17, after the words "assistant plumber," to strike out "$720" and insert "$840"; and in line 19, after the words "in all," to strike out "$38,700" and insert "$38,120," so as to make the clause read:

Washington, D. C., post-office building: Two assistant engineers, at $1,000 each; 3 assistant electricians, at $900 each; 10 elevator conductors, at $720 each; 3 oilers, at $720 each; 12 watchmen; additional to 1 watchman acting as lieutenant of watch, $120; 15 laborers; assistant plumber, $840; 2 female laborers, at $480 each; 15 charwomen; in all, $38,120.

The amendment was agreed to.

The next amendment was, on page 112, line 10, after the word "clerks," to strike out "17 of class 4 (2 transferred from Second Assistant's office, 2 transferred from Fourth Assistant's office), 23 of class 3 (3 transferred from Second Assistant's office, 1 transferred from Fourth Assistant's office, and 1 submitted at $1,400), 37 of class 2 (1 in lieu of 1 at $1,600, 2 transferred from Postmaster General's office, 4 from Second Assistant's office, 9 from Fourth Assistant's office, and 1 submitted at $1,200), 50 of class 1 (1 in lieu of 1 at $1,400, 5 transferred from Second Assistant's office, 26 transferred from Fourth Assistant's office, 3 submitted at $1,000 each, and 1 at $900), 34 at $1,000 each (3 in lieu of 3 at $1,200 each, 3 transferred from Second Assistant's office, 16 transferred from Fourth Assistant's office, and 3 submitted at $900 each), 20 at $900 each (3 in lieu of 3 at $1,000 each, 1 in lieu of 1 at $1,200, 1 transferred from Second Assistant's office, 6 transferred from Fourth Assistant's office, 2 submitted at $840 each, and 3 at $720 each); 4 messengers (2 in lieu of 2 at $900 each and 1 submitted at $660); 8 assistant messengers (3 in lieu of 3 at $900 each, 1 transferred from Second Assistant's office, 2 transferred from Fourth Assistant's office); 7 laborers (1 in lieu of 1 at $840, 6 transferred from Fourth Assistant's office); 3 female laborers at $480 each (formerly pages in Fourth Assistant's office); in all, $278,630," and to insert "16 of class 4 (1 transferred from Second Assistant's office, 2 transferred from Fourth Assistant's office), 24 of class 3 (4 transferred from Second Assistant's office, 1 transferred from Fourth Assistant's office, 1 submitted at $1,400, and 1 submitted at $1,200), 36 of class 2 (1 in lieu of 1 at $1,600, 2 transferred from Postmaster General's office, 3 from Second Assistant's office, 9 from Fourth Assistant's office, 1 submitted at $1,200, and 1 transferred to Postmaster General's office), 50 of class 1 (1 in lieu of 1 at $1,600, 1 in lieu of 1 at $1,400, 5 transferred from Second Assistant's office, 26 transferred from Fourth Assistant's office, 4 submitted at $1,000 each, and 1 at $900), 36 at $1,000 each (4 in lieu of 4 at $1,200 each, 5 transferred from Second Assistant's office, 16 transferred from Fourth Assistant's office, and 3 submitted at $900 each), 19 at $900 each (3 in lieu of 3 at $1,000 each, 1 in lieu of 1 at $1,200, 1 transferred from Division of Postal Savings, 6 transferred from Fourth Assistant's office, 2 submitted at $840 each, and 4 at $720 each); 4 messengers (2 in lieu of 2 at $900 each and 1 submitted at $660); 7 assistant messengers (4 in lieu of 3 at $900 each, 2 transferred from Fourth Assistant's office); 7 laborers (1 in lieu of 1 at $840, 6 transferred from Fourth Assistant's office); 3 female laborers at $480 each (transferred from Fourth Assistant's office); in all, $277,410," so as to make the clause read:

Office First Assistant Postmaster General: First Assistant Postmaster General, $5,000; chief clerk, $2,500; Division of Post Office Service—superintendent $4,000 (formerly Superintendent of Division of Salaries and Allowances), assistant superintendent $3,000 (formerly Superintendent Division of City Delivery), assistant superintendent $2,250 (formerly Assistant Superintendent Division of Salaries and Allowances), 2 assistant superintendents $2,000 each (1 formerly Assistant Superintendent Division of City Delivery, 1 formerly Superintendent Division of Miscellaneous Transportation, Second Assistant's office); Division of Postmasters' Appointments—superintendent $3,000, 2 assistant superintendents at $2,000 each, Superintendent Division of Dead Letters $2,500 (transferred from Fourth Assistant's office), Chief Division of Correspondence $2,000; clerks—16 of class 4 (1 transferred from Second Assistant's office, 2 transferred from Fourth Assistant's office), 24 of class 3 (4 transferred from Second Assistant's office, 1 transferred from Fourth Assistant's office, 1 submitted at $1,400, and 1 submitted at $1,200), 36 of class 2 (1 in lieu of 1 at $1,600, 2 transferred from Postmaster General's office, 3 from Second Assistant's office, 9 from Fourth Assistant's office, 1 submitted at $1,200, and 1 transferred to Postmaster General's office), 50 of class 1 (1 in lieu of 1 at $1,600, 1 in lieu of 1 at $1,400, 5 transferred from Second Assistant's office, 26 transferred from Fourth Assistant's office, 4 submitted at $1,000 each, and 1 at $900), 36 at $1,000 each (4 in lieu of 4 at $1,200 each, 5 transferred from Second Assistant's office, 16 transferred from Fourth Assistant's office, and 3 submitted at $900 each), 19 at $900 each (3 in lieu of 3 at $1,000 each, 1 in lieu of 1 at $1,200, 1 transferred from Division of Postal Savings, 6 transferred from Fourth Assistant's office, 2 submitted at $840 each, and 4 at $720 each); 4 messengers (2 in lieu of 2 at $900 each and 1 submitted at $660); 7 assistant messengers (4 in lieu of 3 at $900 each, 2 transferred from Fourth Assistant's office); 7 laborers (1 in lieu of 1 at $840, 6 transferred from Fourth Assistant's office); 3 female laborers at $480 each (transferred from Fourth Assistant's office); in all, $277,410.

The amendment was agreed to.

The next amendment was, on page 114, line 17, after the word "clerks," to strike out "11 of class 4 (2 transferred to First Assistant's office), 19 of class 3 (3 transferred to First Assistant's office and 1 submitted at $1,200), 10 of class 2 (1 transferred to Postmaster General's office, 4 transferred to First Assistant's office, and 3 submitted at $1,200), 10 of class 1 (1 in lieu of 1 at $1,600, 3 in lieu of 3 at $1,400, 1 transferred to Postmaster General's office, 5 transferred to First Assistant's office, 2 submitted at $1,000 each, and 1 at $900), 10 at $1,000 each (2 in lieu of 2 at $1,200, 3 transferred to First Assistant's office, and 1 submitted at $900), 8 at $900 each (1 in lieu of 1 at $1,200, 1 in lieu of 1 at $1,000, 1 transferred to First Assistant's office); messenger in charge of mails, $900; 4 assistant messengers (1 in lieu of clerk, $900, transferred from Division of Railway Mail Service, 1 transferred to First Assistant's offices); page, $360; in all, $115,390"; and to insert "11 of class 4 (1 transferred to First Assistant's office, and 1 omitted), 18 of class 3 (4 transferred to First Assistant's office and 1 submitted at $1,200), 12 of class 2 (1 transferred to Postmaster General's office, 3 transferred to First Assistant's office, and 2 submitted at $1,200), 8 of class 1 (1 in lieu of 1 at $1,600, 2 in lieu of 2 at $1,400, 1 transferred to Postmaster General's office, 5 transferred to First Assistant's office, 1 submitted at $1,000, and 3 omitted), 8 at $1,000 each (1 in lieu of 1 at $1,200, 5 transferred to First Assistant's office), 7 at $900 each; messenger in charge of mails, $900; 4 assistant messengers (1 in lieu of clerk, $900, transferred from Division of Railway Mail Service, 1 omitted); page, $360; in all, $111,190"; so as to make the clause read:

Office Second Assistant Postmaster General: Second Assistant Postmaster General, $5,000; chief clerk, $2,500; Division of Railway Adjustments—superintendent $3,000, assistant superintendent $2,250; Division of Foreign Mails—superintendent $3,000, assistant superintendent, $2,000; clerks—11 of class 4 (1 transferred to first assistant's office and 1 omitted), 18 of class 3 (4 transferred to first assistant's office and 1 submitted at $1,200), 12 of class 2 (1 transferred to Postmaster General's office, 3 transferred to first assistant's office, and 2 submitted at $1,200), 8 of class 1 (1 in lieu of 1 at $1,600, 2 in lieu of 2 at $1,400, 1 transferred to Postmaster General's office, 5 transferred to first assistant's office, 1 submitted at $1,000, and 3 omitted), 8 at $1,000 each (1 in lieu of 1 at $1,200, 5 transferred to first assistant's office), 7 at $900 each; messenger in charge of mails, $900; 4 assistant messengers (1 in lieu of clerk, $900, transferred from Division of Railway Mail Service, 1 omitted); page, $360; in all, $111,190.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the office of the Fourth Assistant Postmaster General, on page 119, line 8, before the word "laborers," to strike out "21" and insert "19"; in line 10, before the word "omitted," to strike out "2" and insert "4," and, in the same line, after the words "in all," to strike out "$311,070" and insert "$309,750," so as to read:

Eight assistant messengers (1 submitted at $660, 2 transferred to first assistant's office); 19 laborers (1 in lieu of assistant messenger, 6 transferred to first assistant's office, and 4 omitted); in all, $309,750.

The amendment was agreed to.

The next amendment was, on page 120, line 10, after the word "cabinets," to strike out "$7,000" and insert "$12,000," so as to make the clause read:

For furniture and filing cabinets, $12,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 123, after line 19, to insert:

The Attorney General is authorized to enter into a contract for the lease of a modern fireproof office building for the use of the Department of Justice, for a period not to exceed five years, renewable, at the

option of the Government, for an additional period not exceeding five years, at an annual rental not exceeding $36,000, and at a rate per annum per square foot of available floor space not to exceed 36.3 cents.

The amendment was agreed to.

The Secretary read the next paragraph of the bill, as follows:

Office of Solicitor of the Treasury: Solicitor, $5,000; assistant solicitor, $3,000; chief clerk, $2,000; 1 law clerk, $2,000; 2 docket clerks, at $2,000 each; clerks—2 of class 4, 2 of class 3, 2 of class 2; assistant messenger; laborer; in all, $26,980.

Mr. KERN. I desire to offer an amendment at that point, and I will present it now if it is in order to do so.

Mr. MARTIN of Virginia. I suggest to the Senator from Indiana to wait until we get through with the committee amendments.

The PRESIDING OFFICER. The agreement was that the committee amendments should be first considered, unless the Senator has an amendment to the committee amendment.

The reading of the bill was continued.

The next amendment was, under the head of "Department of Commerce," on page 124, line 25, after the word "clerks," to strike out "nine" and insert "ten"; on page 125, line 7, after the words "assistant engineer," to strike out "$800" and insert "$1,000"; and in line 14, after the words "in all," to strike out "$179,140" and insert "$181,140," so as to make the clause read:

Office of the Secretary: Secretary of Commerce, $12,000; Assistant Secretary, $5,000; private secretary to the Secretary, $2,500; confidential clerk to the Secretary, $1,800; private secretary to Assistant Secretary, $2,100; chief clerk and superintendent, $3,000; disbursing clerk, $3,000; chiefs of divisions—appointments $2,500, publications, $2,500, supplies $2,100; assistant chief, division of publications, $2,000; clerks—10 of class 4, 9 of class 3, 9 of class 2, 19 of class 1 (4 transferred from Census Office), 11 at $1,000 each, 11 at $900 each (1 transferred from Census Office); 2 telephone operators, at $720 each; messenger to the Secretary, $1,000; 5 messengers; 7 assistant messengers; 8 messenger boys, at $480 each (1 transferred from Census Office); engineer, $1,100; assistant engineer, $1,000; skilled laborers—1 at $1,000, 1 at $900 (transferred from Census Office), 2 at $840 each, 5 at $720 each (1 in lieu of 1 watchman at $720); 3 elevator conductors, at $720 each; 3 firemen; 13 laborers; 2 laborers, at $480 each; cabinetmaker, $1,000; carpenter, $900; chief watchman, $900; 9 watchmen; 25 charwomen; in all, $181,140.

The amendment was agreed to.

The next amendment was, on page 125, line 22, after the word "draftsmen," to strike out "one $1,800" and insert "two at $1,800 each," and in line 24, after the words "in all," to strike out "$64,030" and insert "$65,830," so as to make the clause read:

Bureau of Lighthouses: Commissioner, $5,000; deputy commissioner, $4,000; chief constructing engineer, $4,000; superintendent of naval construction, $3,000; chief clerk, $2,400; clerks—1 $2,000, 2 of class 4, 2 of class 3, 2 of class 2, 5 of class 1, 7 at $1,000 each, 2 at $900 each, 1 $840; messenger; assistant messenger; messenger boy, $480; assistant engineers—1 $3,000, 1 $2,400, 1 $2,250; draftsmen—2 at $1,800 each, 1 $1,560, 1 $1,500, 1 $1,440, 2 at $1,200 each; in all, $65,830.

The amendment was agreed to.

The next amendment was, on page 126, line 5, before the words "of class one," to strike out "two hundred and forty-three" and insert "two hundred and eighty-three"; in line 8, before the words "at $1,000," to strike out "one hundred and thirteen" and insert "eighty-three"; in the same line, before the words "at $900," to strike out "ninety-one" and insert "eighty-one"; in line 11, before the words "three messengers," to strike out "two at $720 each" and insert "one $720"; in line 12, before the word "unskilled," to strike out "three" and insert "four"; and in line 14, after the words "in all," to strike out "$664,460" and insert "$673,460," so as to make the clause read:

Census Office: Director, $6,000; four chief statisticians, at $3,000 each; chief clerk, $2,500; geographer, $2,000; stenographer, $1,500; nine expert chiefs of divisions, at $2,000 each; clerks—15 of class 4, 25 of class 3, 40 of class 2, 283 of class 1 (4 transferred to Secretary's office), 83 at $1,000 each, 81 at $900 each (1 transferred to Secretary's office); skilled laborers—two at $900 each (one transferred to Secretary's office), one $720; three messengers; five assistant messengers; four unskilled laborers, at $720 each; three messenger boys, at $480 each (one transferred to Secretary's office); in all, $673,460.

The amendment was agreed to.

The next amendment was, on page 127, line 6, after the word "Statistics," to insert "*Provided further*, That hereafter the Director of the Census may procure the information for the tobacco reports required by this act and the act approved April 30, 1912, by mail or by special agents or by other employees of the Bureau of the Census," so as to make the clause read:

For securing information for census reports, provided for by law, semimonthly reports of cotton production, periodical reports of stocks of baled cotton in the United States and of the domestic and foreign consumption of cotton; quarterly reports of tobacco; per diem compensation of special agents and expenses of same and of detailed employees, whether employed in Washington, D. C., or elsewhere; the cost of transcribing State, municipal, and other records, temporary rental of quarters outside of the District of Columbia, for supervising special agents, and employment by them of such temporary service as may be necessary in collecting the statistics required by law, including $15,000 for collecting tobacco statistics authorized by law in addition to any other fund available therefor: *Provided*, That hereafter there shall be in the official organization of the bureau a separate, distinct, and independent division called the division of cotton and tobacco statistics: *Provided further*, That hereafter the Director of the Census may procure the information for the tobacco reports required by this act and the act approved April 30, 1912, by mail or by special agents or by other employees of the Bureau of the Census: *Provided further*, That the compensation of not to exceed five special agents provided for in this paragraph may be fixed at a rate not to exceed $8 per day, $512,000.

The amendment was agreed to.

The next amendment was, on page 128, line 8, after the words "United States," to insert "including exchange on official checks," and in line 9, after the word "checks," to strike out "$125,000" and insert "$150,000," so as to make the clause read:

To further promote and develop the foreign and domestic commerce of the United States, including exchange on official checks, $150,000, to be expended under the direction of the Secretary of Commerce: *Provided*, That not exceeding $3,000 of this sum may be expended for the purchase of documents, manuscripts, plans, specifications, and other publications necessary for the promotion of our commercial interests: *Provided further*, That out of this sum there may be expended $2,000 for the employment of an editorial assistant, and $1,600 for an editorial clerk, in Washington, D. C., to edit the reports of the field agents employed under this appropriation.

The amendment was agreed to.

The next amendment was, on page 130, line 11, after the words "United States," to insert "exchange on official checks," so as to make the clause read:

Commercial attachés: For commercial attachés, to be appointed by the Secretary of Commerce, after examination to be held under his direction to determine their competency, and to be accredited through the State Department, whose duties shall be to investigate and report upon such conditions in the manufacturing industries and trade of foreign countries as may be of interest to the United States; and for one clerk to each of said commercial attachés to be paid a salary not to exceed $1,500 each; and for necessary traveling and subsistence expenses, rent, purchase of reports, books of reference and periodicals, travel to and from the United States, exchange on official checks, and all other necessary expenses not included in the foregoing; such commercial attachés shall serve directly under the Secretary of Commerce and shall report directly to him, $100,000.

The amendment was agreed to.

The next amendment was, on page 132, line 3, after the date "1911," to strike out "$84,000" and insert "$93,000," so as to make the clause read:

Clerk hire, service at large: For compensation, not exceeding $1,500 a year to each person, of clerks to boards of steamboat inspectors, to be appointed by the Secretary of Commerce in accordance with the provisions of section 4414, Revised Statutes, and the acts of April 9, 1906, and March 4, 1911, $93,000.

The amendment was agreed to.

The next amendment was, on page 132, line 18, after the word "Commissioner," to strike out "$4,000" and insert "$4,500"; in line 21, before the words "at $1,000," to strike out "two" and insert "four"; and in line 24, after the words "in all," to strike out "$35,780" and insert "$38,280," so as to make the clause read:

Bureau of Navigation: Commissioner, $4,500; deputy commissioner, $2,400; chief clerk, $2,000; clerk to commissioner, $1,600; clerks—2 of class 4, 2 of class 3, 3 of class 2, 4 of class 1, 4 at $1,000 each, 6 at $900 each; 2 stenographers and typewriters to be employed not to exceed six months at the rate of $75 per month each; 2 messengers; in all, $38,280.

The amendment was agreed to.

The next amendment was, on page 124, line 3, after the word "boats," to strike out "$22,000" and insert "$33,500," so as to make the clause read:

Enforcement of navigation laws: To enable the Secretary of Commerce to provide and operate such motor boats and employ thereon such persons as may be necessary for the enforcement, under his direction by customs officers, of laws relating to navigation and inspection of vessels, boarding of vessels, and counting of passengers on excursion boats, $33,500.

The amendment was agreed to.

The next amendment was, on page 134, line 11, after the word "therewith," to strike out "$15,000" and insert "$18,000," so as to make the clause read:

To enable the Secretary of Commerce to employ temporarily, in addition to those now provided for by law, such other persons as may be necessary, of whom not more than two at any one time may be employed in the District of Columbia, to enforce the laws to prevent overcrowding of passenger and excursion vessels, and all necessary expenses in connection therewith, $18,000.

The amendment was agreed to.

The next amendment was, on page 134, line 22, after the word "foregoing," to strike out "$45,000" and insert "$49,200," so as to make the clause read:

Wireless-communication laws: To enable the Secretary of Commerce to enforce the acts of Congress "to require apparatus and operators for radio communication on certain ocean steamers" and "to regulate radio communication" and carry out the international radio telegraphic convention, and to employ such persons and means as may be necessary, this employment to include salaries of employees in Washington not

exceeding $7,150, traveling and subsistence expenses, purchase and exchange of instruments, technical books, rent, and all other miscellaneous items and necessary expenses not included in the foregoing, $49,200.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the Bureau of Standards, on page 135, line 12, before the words "of class 4," to strike out "one" and insert "two," and in the same line, before the words "of class 3," to strike out "one" and insert "two," so as to read:

Clerks—2 of class 4, 2 of class 3, 2 of class 2, 6 of class 1, 5 at $1,000 each, 5 at $900 each, 2 at $720 each.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the Bureau of Standards, on page 136, line 4, after the words "in all," to strike out "$310,120" and insert "$313,520," so as to read:

Ten laborers; janitors—three at $660 each, one $600; two female laborers, at $360 each; in all, $313,520.

The amendment was agreed to.

The next amendment was, on page 138, line 1, after the word "field," to strike out "$100,000" and insert "$125,000," so as to make the clause read:

For continuation of the investigation of structural materials, such as stone, clays, cement, and so forth, including personal services in the District of Columbia and in the field, $125,000.

The amendment was agreed to.

The next amendment was, on page 138, line 12, after the word "field," to strike out "$25,000" and insert "$40,000," so as to make the clause read:

For investigation of fire-resisting properties of building materials and conditions under which they may be most efficiently used, and for the standardization of types of appliances for fire prevention, including personal services in the District of Columbia and in the field, $40,000.

The amendment was agreed to.

The next amendment was, on page 138, line 18, after the word "field," to strike out "$25,000" and insert "$40,000," so as to make the clause read:

For investigation of the standards and methods of measurements of public utilities, such as gas, electric light, electric power, water, telephone, and electric railway service, and the solution of the problems which arise in connection with standards in such service, including personal services in the District of Columbia and in the field, $40,000.

The amendment was agreed to.

The next amendment was, on page 139, line 12, before the word "paint," to strike out "including cottonseed oil," and in line 14, after the word "field," to strike out "$10,000" and insert "$5,000," so as to make the clause read:

To develop color standards and methods of manufacture and of color measurement, with special reference to their industrial use in standardization and specification of colorants such as dyestuffs, inks, and pigments, and other products, paint, paper, and textiles, in which color is a pertinent property, including personal services in the District of Columbia and in the field, $5,000.

The amendment was agreed to.

The next amendment was, on page 139, after line 14, to insert:

To study methods of measurement and technical processes used in the manufacture of pottery, brick, tile, terra cotta, and other clay products, and the study of the properties of the materials used in that industry, including personal services in the District of Columbia and in the field, $5,000.

Mr. SMOOT. I ask the chairman of the committee if he will not accept an amendment making the sum $10,000, and let it go into conference?

Mr. MARTIN of Virginia. I have no objection.

Mr. SMOOT. I have some letters here that I wish to present to the conferees.

Mr. MARTIN of Virginia. Let it go to conference.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. Change the amount from $5,000 to $10,000 in line 19.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued.

The next amendment was, on page 140, line 18, after the word "field," to strike out "$10,000" and insert "$15,000," so as to make the clause read:

To develop methods of testing and standardizing machines, motors, tools, measuring instruments, and other apparatus and devices used in mechanical, hydraulic, and aeronautic engineering; for the comparative study of types of apparatus and methods of operation, and for the establishment of standards of performance; for the accurate determination of fundamental physical constants involved in the proper execution of this work; and for the scientific experiments and investigations needed in solving the problems which may arise in conection therewith, especially in response to the requirements of aeronautics and aviation for information of a purely scientific nature, including personal services in the District of Columbia and in the field, $15,000.

The amendment was agreed to.

The next amendment was under the head of "Department of Labor," on page 147, line 20, after the words "in all," to strike out "$36,100" and insert "$38,100, of which sum not exceeding $2,000, or so much thereof as may be necessary, which is made immediately available, shall be used for the repairs to the Mills Building which the Government is required to make under the terms of the lease," so as to make the clause read:

Contingent expenses, Department of Labor: For contingent and miscellaneous expenses of the offices and bureaus of the department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges, laundry, street car tickets, not exceeding $125, lighting and heating; maintenance and repair of a motor truck; purchase, exchange, maintenance, and repair of passenger-carrying vehicle for use of the Secretary and such other officials as exigency may require for official purposes; freight and express charges, postage to foreign countries, telegraph and telephone service, typewriters, adding machines and other labor-saving devices, including their exchange; repairs to the building occupied by the office of the Secretary of Labor; purchase of law books, books of reference, and periodicals not exceeding $300; in all, $38,100, of which sum not exceeding $2,000, or so much thereof as may be necessary, which is made immediately available, shall be used for the repairs to the Mills Building which the Government is required to make under the terms of the lease; and in addition thereto such sum as may be necessary, not in excess of $13,500, to facilitate the purchase, through the central purchasing office, as provided in the act of June 17, 1910 (36 Stat. L., p. 531), of certain supplies for the Immigration Service, shall be deducted from the appropriation "Expenses of regulating immigration" made for the fiscal year 1917 and added to the appropriation "Contingent expenses, Department of Labor," for that year; and the total sum thereof shall be and constitute the appropriation for contingent expenses for the Department of Labor, to be expended through the central purchasing office (Division of Publications and Supplies), Department of Labor.

The amendment was agreed to.

The next amendment was, on page 148, after line 17, to insert:

The Secretary of Labor is authorized to enter into a contract for the lease of a modern fireproof building for the use of the Department of Labor for a period not to exceed five years, renewable, at the option of the Government, for an additional period not exceeding five years, at an annual rental not exceeding $24,000 and at a rate per annum per square foot of available floor space not to exceed 36.3 cents.

The amendment was agreed to.

The next amendment was, under the head of "Judicial," on page 149, line 3, after "$4,500," to insert "9 law clerks, 1 for the Chief Justice and 1 for each Associate Justice, at not exceeding $3,600 each per annum," and in line 7, after the words "in all," to strike out "$153,500" and insert "$185,900," so as to make the clause read:

Supreme Court: Chief Justice, $15,000; 8 Associate Justices, at $14,500 each; marshal, $4,500; 9 law clerks, 1 for the Chief Justice and 1 for each Associate Justice, at not exceeding $3,600 each per annum; 9 stenographic clerks, 1 for the Chief Justice and 1 for each Associate Justice, at not exceeding $2,000 each; in all, $185,900.

The amendment was agreed to.

The next amendment was, in section 4, on page 153, line 13, after the word "That," to strike out "appropriations in this act shall not" and insert "no part of any money appropriated by this or any other act shall," and in line 26, after the word "schools," to insert "*Provided*, That in construing this section the Commissioner of Patents shall advise the Comptroller of the Treasury as to whether the changes in any typewriter are of such structural character as to constitute a new machine not within the limitations of this section," so as to make the section read:

SEC. 4. That no part of any money appropriated by this or any other act shall be used during the fiscal year 1917 for the purchase of any typewriting machine at a price in excess of the lowest price paid by the Government of the United States for the same make and substantially the same model of machine during the fiscal year 1915; such price shall include the value of any typewriting machine or machines given in exchange, but shall not apply to special prices granted on typewriting machines used in schools of the District of Columbia or of the Indian Service, the lowest of which special prices paid for typewriting machines shall not be exceeded in future purchases for such schools: *Provided*, That in construing this section the Commissioner of Patents shall advise the Comptroller of the Treasury as to whether the changes in any typewriter are of such structural character as to constitute a new machine not within the limitations of this section.

The amendment was agreed to.

The next amendment was, in section 5, page 154, line 11, after the word "made," to insert "*Provided*, That nothing in this section shall be deemed to apply to the investigation of any matter or the preparation, prosecution, or defense of any suit by the Department of Justice," so as to make the section read:

SEC. 5. That in expending appropriations made in this act persons in the classified service at Washington, D. C., shall not be detailed for service outside of the District of Columbia except for or in connection with work pertaining directly to the service at the seat of government of the department or other Government establishment from which the detail is made: *Provided*, That nothing in this section shall be deemed to apply to the investigation of any matter or the preparation, prosecution, or defense of any suit by the Department of Justice.

The amendment was agreed to.

The next amendment was, on page 154, after line 14, to insert as a new section the following:

SEC. 6. That no money appropriated by this or any other act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000

per annum, but this shall not apply to retired officers of the Army or Navy whenever they may be elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate.

Mr. LODGE, Mr. SWANSON, and Mr. KERN addressed the Chair.

Mr. LODGE. I merely wish to offer an amendment to the amendment. I dare say the Senator from Virginia rose to offer the same amendment I was going to propose.

Mr. SWANSON. About the Marine Corps?

Mr. LODGE. To insert, after the word "Navy," the words "Marine Corps."

Mr. SWANSON. And, in line 20, "appointed or."

Mr. LODGE. "Appointed or" before "elected."

Mr. OVERMAN. What is the amendment?

Mr. LODGE. The amendment is to insert, after "retired officers of the Army or Navy," the words "or Marine Corps," and, of course, it ought also to read "whenever they may be appointed or elected to public office."

The PRESIDING OFFICER. The proposed amendment will be read.

The SECRETARY. On page 154, in section 6, after the word "Army," insert a comma and strike out the word "or"; after the word "Navy" insert the words "or Marine Corps"; and, in line 20, before the word "elected," insert "appointed or"; so as to make the section read:

SEC. 6. That no money appropriated by this or any other act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000 per annum, but this shall not apply to retired officers of the Army, Navy, or Marine Corps whenever they may be appointed or elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate.

Mr. MARTIN of Virginia. I think that is a proper amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KERN. Mr. President——

The PRESIDING OFFICER. The Chair will ask the Senator from Virginia if he has any further amendment from the committee?

Mr. MARTIN of Virginia. There is no further amendment to submit on the part of the committee.

Mr. KERN. On line 5, page 124, I move to strike out the words "1 law clerk, $2,000," and to insert the words "2 law clerks, at $2,000 each."

Mr. SMOOT. Where is the amendment proposed to be inserted?

The SECRETARY. At page 124, line 5.

Mr. KERN. That is the exact number of law clerks the Solicitor of the Treasury now has, and the House struck out the provision for one of them. The Solicitor of the Treasury has a chief clerk and two law clerks, and they are absolutely necessary. I myself have personal knowledge to that effect.

Mr. MARTIN of Virginia. I think the amendmeat ought to be adopted. When we get into conference, if we find any reason to doubt the wisdom of that action, it will be attended to, but I think the amendment is all right.

The amendment was agreed to.

Mr. WEEKS. Mr. President, I submit an amendment, which I send to the Secretary's desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. On page 8, line 12, it is proposed to strike out the word "thirty-two," and to insert "thirty-four," so as to read:

Thirty-four at $1,440 each.

The amendment was agreed to.

Mr. BRANDEGEE. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Connecticut will be stated.

The SECRETARY. On page 71, line 10, it is proposed to strike out "seventeen hundred dollars," and to insert in lieu thereof "eighteen hundred dollars."

The PRESIDING OFFICER. If there be no objection, the amendment will be agreed to.

Mr. SMOOT. Mr. President, I do not know whether or not the chairman of the committee desires to say anything on that amendment, but it proposes an increase of the two translators' salaries from $1,700 to $1,800 each. That question was discussed before the committee; it was considered not only by the subcommittee but by the whole committee, and was rejected. Does the Senator desire to accept that amendment?

Mr. MARTIN of Virginia. I do not think the amendment ought to be accepted. The committee gave as careful consideration to it as it could. I shall not, however, object at this late hour in the afternoon to the amendment, as I am anxious to finish the bill. We can investigate it in conference. I do not think, however, it is right.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. BRANDEGEE. Mr. President, I wish to say, in connection with the Senator's statement, that that increase has been estimated for.

Mr. MARTIN of Virginia. I am fully aware of that fact. It was estimated for at $1,800. That is correct.

Mr. BRANDEGEE. And it is recommended by the chief of the bureau.

Mr. MARTIN of Virginia. That is right.

Mr. SHEPPARD. Mr. President, I wish, for information, to make an inquiry regarding section 6. As I understand it, the combined amount of salaries that one person may draw has heretofore been limited to $2,500. Am I correct in that?

Mr. MARTIN of Virginia. No. The former law was that no clerk who was receiving as much as $2,500 per annum should have any second appointment at all.

Mr. SHEPPARD. Why was that amount reduced to $2,000?

Mr. MARTIN of Virginia. Because we were informed of abuses in some of the departments; that when they could not raise a clerk's salary—when Congress refused to make the allowance—they would just give him some other place in addition to that which he held.

Mr. SHEPPARD. That is entirely satisfactory to me, Mr. President.

The PRESIDING OFFICER. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. SHEPPARD. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. SHEPPARD. Are any of these items of the bill now subject to points of order as in Committee of the Whole?

The PRESIDING OFFICER. A point of order might have been made when they were presented.

Mr. MARTIN of Virginia. I did not hear the inquiry of the Senator from Texas.

Mr. SHEPPARD. I was asking if any of the items of the bill are now subject to a point of order.

Mr. MARTIN of Virginia. Which items?

Mr. SHEPPARD. Any items of the bill as considered in Committee of the Whole.

Mr. MARTIN of Virginia. I am not aware of any being subject to a point of order. If they are subject to a point of order, I hope the Senator from Texas is not going to make any such point. It is too late to do so, in fact.

Mr. ROBINSON. The amendments made as in Committee of the Whole have all been agreed to.

The PRESIDING OFFICER. The amendments have been agreed to.

Mr. ROBINSON. Then they are not now subject to a point of order.

The PRESIDING OFFICER. The amendments have been agreed to as in Committee of the Whole; but, if it is a committee amendment, the point of order might be made when the bill comes into the Senate.

Mr. SHEPPARD. Is it too late to make the point of order to any paragraph of the bill as adopted by the Senate as in Committee of the Whole?

The PRESIDING OFFICER. To amendments of the committee?

Mr. SHEPPARD. Of the bill itself.

The PRESIDING OFFICER. The Senator can not make a point of order against any provision in the House bill in roman type.

Mr. SHEPPARD. That is the information I desired, Mr. President. I wish to ask a further question: May a point of order be submitted when the bill reaches the Senate?

The PRESIDING OFFICER. It can be.

Mr. SHEPPARD. To any item of the bill?

The PRESIDING OFFICER. It can be.

Mr. SHEPPARD. I merely desire to reserve the right to make a point of order against any item in the bill when it reaches the Senate.

The PRESIDING OFFICER. That is the Senator's right.

Mr. PHELAN. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from California will be stated.

The SECRETARY. On page 63, line 13, it is proposed to strike out "$2,800," and to insert in lieu thereof "$3,000," so that if amended it will read:

San Francisco, Office of Assistant Treasurer: * * * Cashier, who also acts as vault clerk, $3,000.

Mr. MARTIN of Virginia. Mr. President, I make the point of order that this is an increase of appropriation without an estimate from the department.

The PRESIDING OFFICER. Does the Senator from California wish to be heard on the point of order?

Mr. PHELAN. Mr. President, I am not familiar with the procedure of the Senate in reference to such matters, but I know that the other House arbitrarily reduced this cashier's salary from $3,000 to $2,800. It seems to me at a time when the work has grown to enormous proportions, when hundreds of millions of dollars are in the vaults, and this cashier is also the custodian of the vaults, it is manifestly unfair to reduce his salary. A recognition of this kind is a direct incentive to bad service among the public employees.

The PRESIDING OFFICER. If the proposed increase has not been estimated for, the Chair will sustain the point of order.

Mr. MARTIN of Virginia. It has not been estimated for.

Mr. WEEKS. Mr. President, I offer an amendment, which I send to the Secretary's desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. On page 9, line 3, it is proposed to strike out "one, $840"; and, in line 14, to strike one "seven" and to insert "six."

Mr. MARTIN of Virginia. As I understand, the Senator from Massachusetts offers those amendments to follow what was inserted a little while ago.

Mr. WEEKS. Exactly.

Mr. MARTIN of Virginia. I think the amendments are proper.

The PRESIDING OFFICER. In the absence of objection, the amendments proposed by the Senator from Massachusetts are agreed to.

Mr. KENYON. Mr. President, I should like to ask the chairman of the committee, if it does not disturb the harmony of the proceedings, about clerks and messengers to committees. That proposition has been adopted, I know, but I have understood that where a chairman of a committee, an inactive committee, such, for instance, as the Committee on Revolutionary Claims or the Committee on the Disposition of Useless Papers in the Executive Departments——

Mr. JONES. Mr. President, I object to any reference to the latter committee in that way. I have found, to my surprise, that that is a very active committee. It works nearly every day.

Mr. KENYON. Which one of the committees?

Mr. JONES. The Committee on the Disposition of Useless Papers in the Executive Departments.

Mr. KENYON. Then I exclude that committee from my remarks and apologize to the Senator from Washington. I wish to ask where a Senator has been the chairman of such a committee and goes out of office on the 4th of March, are the clerks of that committee and the secretary and the messenger to that committee each paid until the time that the new Senator comes in, or does the service of those employees terminate when the service of the Senator terminates?

Mr. MARTIN of Virginia. I believe such employees continue to draw their salaries until the new Senator comes in.

Mr. WARREN. That is usually provided for toward the close of a Congress by a provision that they shall remain.

Mr. MARTIN of Virginia. That is correct; but it is not a hardship, when people are turned loose in that way for two or three months, and until they can establish themselves in some other business, for the Government to pay them during that time. I have never felt that it was an economy that commended itself to a great Government that where employees were unexpectedly deprived of their places they should not be permitted to draw their salaries for two or three months until they could get into some other business. I do not think it is a vital matter to the United States Government.

Mr. KENYON. Of course, it is not vital to the United States Government to try to save any money anywhere; I realize that; but I wondered how long those salaries run and how much they amount to in such cases.

Mr. MARTIN of Virginia. It may be nothing; we can not tell; but it is a bagatelle.

Mr. KENYON. Would it amount to $22,000 or $23,000?

Mr. MARTIN of Virginia. I do not think it would amount to so much as that. I have not the slightest idea that it would. I think it does not amount to half of that sum.

Mr. JONES. Mr. President, I wish to take just a moment. I hold in my hand a praised, but a much fractured and forgotten document, that was used a few years ago very generally, from which I desire to read a paragraph. The document to which I refer reads as follows:

> We denounce the profligate waste of the money wrung from the people by oppressive taxation through the lavish appropriations of recent Republican Congresses, which have kept taxes high and reduced the purchasing power of the people's toil. We demand a return to that simplicity and economy which benefits a democratic government, and a reduction in the number of useless offices, the salaries of which drain the substance of the people.

Mr. PHELAN. The cashier in the office of the assistant treasurer at San Francisco is a victim of that doctrine.

Mr. JONES. I find in the last Republican legislative, executive, and judicial appropriation bill that for the fiscal year ending June 30, 1914, the appropriations were $35,172,434.50. This bill, brought in by our Democratic friends, carries $38,196,762.25. The estimate for the legislative bill submitted by the Republican administration for the year ending June 30, 1914, was $36,514,955.50; the estimate submitted for the year ending June 30, 1917, by the present administration, was $39,749,377.25. I am glad, Mr. President, that this administration is not adhering to that paragraph of the Democratic platform, but is making the necessary appropriations for the proper conduct of the business of the Government.

Mr. HUGHES. Mr. President, of course the Senator understands the reason for that, does he not, and realizes how that was brought about? The Republicans failed to appropriate sufficient money just before they went out of power, so that we have been compelled to provide more money to conduct properly the affairs of the Government.

Mr. JONES. Mr. President, I simply wanted to put the facts in the RECORD, and our Democratic friends can explain them as they see fit.

Mr. THOMAS. Mr. President, I am very glad the Senator from Washington [Mr. JONES] has again directed the attention of the Senate to that plank in the Democratic platform to which I have sometimes adverted. I do not perceive on either side of the Chamber any great tendency toward it; and although the question of economy should not be a partisan one, thus far I have noticed during my short experience in the Senate no exhibition of a desire to economize on either side of the Chamber. With the exception of the senior Senator from Utah [Mr. SMOOT], the junior Senator from Iowa [Mr. KENYON], and the Senator from Washington, I have observed no symptoms of economy either with regard to general appropriations or to bills carrying specific appropriations. And on this side of the Chamber conditions are about the same. And I have a lively recollection that during the summer of 1913 the Senator from Washington obstructed the business of the Senate of the United States day after day—and I am told that it costs the country about a thousand dollars an hour to enjoy that luxury known as the Senate of the United States—in order to get an extra clerk at $1,200 or $1,300. He finally wore us out and carried his point. We found it was more economical to let him have the extra clerk, with the expense involved, than to put the country to the continued additional expense consequent upon his persistent efforts. I still hope—although the hope is not a very strong one—that the people, who are really and primarily responsible for the extravagances of Congress, will ultimately realize the necessity of beginning at home with economy and demand of their Senators and Representatives that they decrease appropriations, many of which are entirely unnecessary.

Mr. JONES. Mr. President, of course, in what I read I did not intend to make any personal reference to the Senator from Colorado; but I trust that the Senator will see to it that in the next Democratic platform there are no such apparently meaningless charges as that contained in the platform from which I have quoted.

The Senator, I think, if his recollection will go back, will remember that several times I have joined with him in attempting to eliminate appropriations or, in other words, to economize. Possibly the Senator was not very earnest in what he was desiring, and, as he and I were about the only ones who were working together, I confess that I got a little bit discouraged, as he seems to be. Of course, I have not learned of any Senator on the other side of the Chamber who seems to be willing to give up any of his clerical help for the useless committees which I myself have been trying for some time to get rid of. I do not, however, seem to be able to get very much assistance from the other side of the Chamber, and I have not heard the clarion voice of my friend from Colorado coming to my relief in this respect at all.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

The PRESIDING OFFICER. The bill is now in the Senate and open to amendment.

Mr. SHEPPARD. Mr. President, I wish to inquire if a point of order against the item, on line 4, page 2, is in order?

The PRESIDING OFFICER. Does the Senator make a point of order?

Mr. SHEPPARD. I desire to make a point of order, if it is permissible, against that item.

The PRESIDING OFFICER. If it is in the text of the House bill, it is not in order.

Mr. MARTIN of Virginia. It is in the House text.

Mr. SHEPPARD. Then I will state that I intended to make the point of order that that provision which reads "for mileage of Senators, $51,000," is contrary to law and not authorized by law; but, of course, inasmuch as the Presiding Officer states that it is not subject to a point of order, having come over from the House, I shall not make the point of order.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

NATIONAL DEFENSE.

Mr. WORKS. Mr. President, I desire to give notice that on next Wednesday morning I will submit some remarks on the Army reorganization bill.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of sundry citizens of Pittsfield, Mass., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented memorials of sundry citizens of Boston, Somerville, Brookline, Everett, Malden, Melrose, Cambridge, and Worcester, all in the State of Massachusetts, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

Mr. JOHNSON of South Dakota presented petitions of Rev. Naphtale Lucock, of Helena; of William Henry Talmage, of Flandreau; and of sundry citizens of Sioux Falls, all in the State of South Dakota, praying for the establishment of Government economic experiment stations, which were referred to the Committee on Agriculture and Forestry.

Mr. JONES presented memorials of sundry citizens of the State of Washington, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Everett, Wash., remonstrating against the enactment of legislation to fix standard prices for patented and trade-marked articles, which were referred to the Committee on Education and Labor.

Mr. POINDEXTER presented petitions of Local Grange No. 209, Patrons of Husbandry, of Ellensburg; of Buena Vista Grange, No. 415, Patrons of Husbandry, of Prosser; and of sundry citizens of Colville, all in the State of Washington, praying for Government ownership of telephone and telegraph systems, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of Local Grange No. 209, Patrons of Husbandry, of Ellensburg; of Mount Corgin Grange, No. 409, Patrons of Husbandry, of Rice; and of sundry citizens of Colville, all in the State of Washington, remonstrating against an increase in armaments, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Spokane and Richland, in the State of Washington, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. PHELAN presented petitions of Bennington Camp, No. 20, United Spanish War Veterans, of San Diego, and of Local Branch, Veterans of Foreign Wars of the United States, of San Francisco, in the State of California, praying for the enactment of legislation to grant pensions to widows and orphans of veterans of the Spanish-American War, which were ordered to lie on the table.

He also presented petitions of Local Union No. 26, Laundry Workers' Union, of San Francisco, and of the Federated Trades Council, of Sacramento, in the State of California, praying for an investigation into the conditions surrounding the marketing of dairy products, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Los Gatos, Cal., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. DU PONT presented petitions of sundry citizens of Wilmington and Newport, in the State of Delaware, praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which were ordered to lie on the table.

He also presented a petition of the City Council of Wilmington, Del., praying for the enactment of legislation to grant pensions to employees of the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Delaware, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. ROBINSON presented a petition of sundry citizens of Stuttgart, Ark., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of North Carolina, remonstrating against the enactment of legislation to prohibit interstate commerce in the products of child labor, which were referred to the Committee on Interstate Commerce.

Mr. SHEPPARD presented memorials of sundry citizens of Fort Worth and Waco, in the State of Texas, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Paint Rock, Water Valley, San Angelo, Sterling City, Crosby, Thrall Circuit, Dallas, Washita, and Oakwood, all in the State of Texas, and of sundry citizens of Washington, D. C., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. CHAMBERLAIN presented a memorial of sundry citizens of Montavilla, Oreg., remonstrating against appropriations being made for sectarian purposes, etc., which was referred to the Committee on Appropriations.

He also presented memorials of sundry citizens of Oregon, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Oregon, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. WALSH, from the Committee on Indian Affairs, to which was referred the bill (S. 2458) authorizing the Cowlitz Tribe of Indians residing in the State of Washington to submit claims to the Court of Claims, reported it with amendments and submitted a report (No. 333) thereon.

Mr. LANE, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 4974) to provide for the purchase of a site and the erection of a building thereon at Corvallis, in the State of Oregon, reported it with amendments and submitted a report (No. 332) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. TAGGART:

A bill (S. 5416) to place on the retired list of the Army the names of the surviving officers who were mustered out under the provisions of the act of Congress approved July 15, 1870, in reduction of the Army; to the Committee on Military Affairs.

A bill (S. 5417) granting an increase of pension to Loami E. Scherer;

A bill (S. 5418) granting an increase of pension to Andrew Meredith;

A bill (S. 5419) granting a pension to Marilla Barnes (with accompanying papers);

A bill (S. 5420) granting an increase of pension to John R. Kingman (with accompanying papers); and

A bill (S. 5421) granting an increase of pension to William D. Thompson; to the Committee on Pensions.

By Mr. LANE:

A bill (S. 5422) granting a pension to George Hillis (with accompanying papers); and

A bill (S. 5423) granting an increase of pension to Sarah M. Monroe (with accompanying papers); to the Committee on Pensions.

By Mr. CATRON:

A bill (S. 5424) to construct a bridge in San Juan County, State of New Mexico; to the Committee on Commerce.

By Mr. CLAPP:

A bill (S. 5425) to standardize lime barrels; to the Committee on Standards, Weights, and Measures.

By Mr. OWEN:
A bill (S. 5426) granting a pension to Mary A. Barber; to the Committee on Pensions.

FOX RIVER BRIDGE, ILLINOIS.

Mr. LEWIS. Mr. President, may I ask consent, without violating the rule, that I may tender a bill for private relief where a bridge has been condemned over a river caused by some flood or something in the community? The public-utilities commission has requested the Chicago & North Western to promptly put in a new bridge across a little river called the Fox River. I am told that there is not any navigation except for fishing, and it is necessary to get permission of the War Department. I ask the privilege that I may tender the bill preliminary to asking the Secretary of War to investigate the subject.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

By Mr. LEWIS:
A bill (S. 5415) to authorize the construction of a bridge across the Fox River at Geneva, Ill.; to the Committee on Commerce.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. HUGHES submitted an amendment proposing to appropriate $62,000 to adjust the compensation of printers employed in certain post offices, intended to be proposed by him to the Post Office appropriation bill (H. R. 10484), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

HOMESTEAD ENTRIES.

Mr. WALSH submitted an amendment intended to be proposed by him to the bill (S. 780) validating certain homestead entries, which was referred to the Committee on Public Lands and ordered to be printed.

NATIONAL DEFENSE.

Mr. JONES submitted two amendments intended to be proposed by him to the amendment submitted by Mr. SMITH of South Carolina to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which were ordered to lie on the table and be printed.

Mr. SIMMONS submitted an amendment intended to be proposed by him to the amendment submitted by Mr. SMITH of South Carolina to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

Mr. OWEN submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

HEARINGS BEFORE THE COMMITTEE ON MANUFACTURES.

Mr. REED submitted the following resolution (S. Res. 159), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Manufactures, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-fourth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

RESOURCES OF ARID-LAND STATES (S. DOC. NO. 391).

Mr. SHAFROTH. Mr. President, I ask to have printed as a public document an article by Mr. I. S. Barlett, of Cheyenne, Wyo., on the marvelous resources of the arid-land States.

The PRESIDING OFFICER. Is there objection?

Mr. BRANDEGEE. I should like to know what the title of the article is or what it is about?

Mr. SHAFROTH. It embraces a lot of statistics concerning water power.

Mr. BRANDEGEE. Very well; I have no objection.

The PRESIDING OFFICER. Without objection, the matter submitted by the Senator from Colorado will be printed as a public document.

RECESS.

Mr. KERN. I move that the Senate take a recess until Monday morning next at 11 o'clock.

The motion was agreed to; and (at 4 o'clock and 40 minutes p. m., Saturday, April 8, 1916) the Senate took a recess until Monday, April 10, 1916, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April 8, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in heaven, that amid the roar and din of battle, the suffering, intense pain, and sorrows incident thereto, the angel of the Red Cross is pouring out Thy love in the oil of tenderness and mercy in its healing touch and comforting message.

We thank Thee for the great organization whose altruistic efforts lend a touch of human kindness to the awful picture. In it the Son of Man lives, and we pray that His blessed presence may dissipate the demons of hate and revenge, and through His spirit grant that the eyes of the blind may be opened, the ears of the deaf unstopped, and cold hearts be warmed again into love, peace, and good will for all mankind; that the prayer of prayers may be answered, Thy kingdom come, Thy will be done on earth as it is in heaven. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. DILL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of woman suffrage by printing a letter and resolution from the Congressional Union of the State of Washington and my reply thereto.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD on the subject of woman suffrage. Is there objection?

There was no objection.

MINORITY VIEWS—ARMOR-PLATE BILL.

Mr. KELLEY. Mr. Speaker, I ask unanimous consent that the minority may have three days in which to present the minority views on the armor-plate bill, S. 1417.

The SPEAKER. The gentleman from Michigan [Mr. KELLEY] asks unanimous consent that the minority of the Committee on Naval Affairs shall have three legislative days in which to file its views as to the armor-plate factory. Is there objection? [After a pause.] The Chair hears none.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter which I addressed to Dr. Melvin, Chief of the Bureau of Animal Industry, and the reply to the same by Secretary Houston, in regard to the dairy and creamery industries of the country.

The SPEAKER. The gentleman from North Carolina [Mr. DOUGHTON] asks unanimous consent to extend his remarks in the RECORD by printing a letter which he wrote to the Chief of the Bureau of Animal Industry and the answer to the same, written by Secretary Houston. Is there objection? [After a pause.] The Chair hears none.

Mr. TAGGART. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. TAGGART. I rise to ask unanimous consent to extend my remarks in the RECORD on the subject of a movement toward adopting a universal alphabet. By request I introduced resolution No. 99 for that purpose——

The SPEAKER. The gentleman has a right to ask unanimous consent, but not to argue. Is there objection to the request of the gentleman from Kansas to extend his remarks in the RECORD on the subject of a universal alphabet?

Mr. MANN. Reserving the right to object, what is it? It is evidently not a speech.

Mr. TAGGART. It is not a speech; and I wish to say to the House that I have not, by any means, prepared all of it, and there is not very much of it. But I have been repeatedly asked and questioned for the last several weeks, while I was very busy, to get these remarks in the RECORD.

Mr. MANN. If there is not much of it, I shall not object.

Mr. FOSTER. Mr. Speaker, these matters of extension go in the back of the RECORD?

The SPEAKER. Of course they do. Is there objection?

Mr. BARNHART. Mr. Speaker, reserving the right to object, I would like to inquire who it is or what agency it is that is urging this?

Mr. TAGGART. There is no agency that I know of, no organization that I know of, with a president, secretary, or treasurer, but a number of scholars in this country and teachers, particularly represented by a gentleman by the name of Mr. Robert Stein, an employee of the Government here, interested in the question of a movement to have a universal alphabet, so that people will study each other's languages.

Mr. MANN. Is not the purpose of this to have it printed as a public document and have it franked out by the thousands?

The SPEAKER. How many letters has your alphabet?

Mr. TAGGART. I beg leave to state that the object of this resolution is not to create a new alphabet, but to print an alphabet that everybody can read.

Mr. MANN. That is what I wanted to inquire, whether the intention was, having inserted it in the RECORD, to spread it the world over, at Government expense, so far as the Postal Service is concerned.

Mr. TAGGART. It could not go the world over at Government expense.

Mr. MANN. It could go to the United States and Canada and Mexico and Cuba, and that is a good share of the world.

Mr. TAGGART. I do not believe that under the present circumstances we are not in favor of sending this to Mexico. [Laughter.]

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I would like to have the gentleman state whether that is the purpose.

Mr. GARRETT. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

JOURNAL NATIONAL ENCAMPMENT GRAND ARMY OF THE REPUBLIC.

Mr. BARNHART. Mr. Speaker, I submit the following privileged resolution and ask for its present consideration.

The SPEAKER. The gentleman from Indiana submits a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 26 (H. Rept. 508).

Concurrent resolution authorizing the printing of the journal of the national encampment of the Grand Army of the Republic.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the journal of the fiftieth national encampment of the Grand Army of the Republic, for the year 1916, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

Mr. MANN. Mr. Speaker, I would like to ask the gentleman a question. This fixes a limit of cost. Is that the limit of cost for the 1,500 copies?

Mr. BARNHART. Yes, sir. It is the same resolution, I will say to the gentleman, that has been put through in two or three of the last Congresses.

Mr. MANN. Did we always have that limit of cost in it?

Mr. BARNHART. Yes; it is the same.

Mr. GARNER. What is the object of this?

Mr. BARNHART. We first passed that resolution without the limit of cost, and it went to the Senate, and the Senate added the $1,700, and it has been running at that amount ever since.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

REPORT OF UNVEILING OF STATUE OF HENRY MOWER RICE.

Mr. BARNHART. Mr. Speaker, I submit another privileged resolution and ask for its present consideration.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Senate concurrent resolution 16 (H. Rept. 510).

Concurrent resolution to authorize the printing of the proceedings in Congress and in Statuary Hall relative to unveiling of the statue of Henry Mower Rice, etc.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound, under the direction of the Joint Committee on Printing, the proceedings in Congress, together with the proceedings at the unveiling in Statuary Hall, upon the acceptance of the statue of Henry Mower Rice presented by the State of Minnesota, 16,500 copies, with suitable illustration, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Minnesota.

The SPEAKER. The question is on agreeing to the resolution.

Mr. CRISP. Mr. Speaker, I would like to ask the gentleman, has he any objection to the distribution of these documents through the folding room?

Mr. BARNHART. No.

Mr. MANN. It is made through the folding room.

Mr. BARNHART. When it is printed as a House document it always goes to the folding room unless otherwise provided for.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

REVISED EDITION OF BANKRUPTCY LAWS.

Mr. BARNHART. Mr. Speaker, I submit another privileged resolution and ask for its present consideration.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House concurrent resolution 27 (H. Rept. 509).

Concurrent resolution authorizing the printing of a revised edition of the bankruptcy laws, as prepared by the Committee on Revision of the Laws of the House of Representatives.

Resolved by the House of Representatives (the Senate concurring), That there be printed 20,000 copies of the revised edition of United States bankruptcy laws, as prepared by the Committee on Revision of the Laws of the House of Representatives, the said 20,000 copies to be distributed as follows: Three thousand copies to the Senate folding room, 3,000 copies for the Senate document room, 7,000 copies for the House folding room, and 7,000 copies for the House document room.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I wish to inquire of the purpose of the committee in allotting such a large number of these very much requested bankruptcy laws to the document room. I know in my own individual case that I often have requests for copies of the bankruptcy laws, and I assume that every other Member of the House has requests from attorneys in his district. You are not allotting as many as usual in proportion to the House as to the document room. Why not allot a larger proportion to the Members of the House than is herein provided?

Mr. BARNHART. The committee always inquires of the document rooms of the House and Senate as to whether or not they have any considerable demand for these documents, and the committee then inquires of Members of the House, and if there is not a large demand for the publication, we undertake to divide between the folding rooms and the document rooms, so that the document will probably be distributed. I ascertained from the document room of the House, for instance, that they have something like 400 applications for these pamphlets, and that is out of proportion to the applications that I have for them. I will say to the gentleman that it is the purpose of the committee to try to furnish these documents to such distributing agencies as will send them out to people who want them.

Mr. STAFFORD. The gentleman will realize that one of the many documents that can be distributed with advantage by Members of Congress is this document containing the bankruptcy laws. I suppose that I am in no exceptional condition when I say that I have frequent requests from attorneys of my city, and I assume that other Members have, that can not be filled. I will ask the gentleman when we last had at our disposal these bankruptcy laws?

Mr. BARNHART. I think two years ago.

Mr. STAFFORD. I think it must have been longer than that, because I do not recall having any at my disposal for many years.

Mr. BARNHART. It might have been a reprint of the former edition.

Mr. STAFFORD. I think it would be better to allot a larger number to the folding room, so that Members could distribute them as called for by the attorneys of their respective districts, rather than have them go out all at once from the document room. What is the proposal in the gentleman's resolution?

Mr. MANN. Fifty-fifty.

Mr. STAFFORD. I think it ought to be 75 and 25—75 per cent to the folding room and 25 per cent to the document room. I do not question that the document room has requests for them, but I say they could be more evenly distributed throughout the country by placing a larger number at the disposal of Members through the folding room.

Mr. BARNHART. Mr. Speaker, the difficulty about that is the demand for documents of this sort comes from lawyers, and they write to the Clerk of the House asking for the document. They do that more frequently than they write to Members of Congress. The Committee on Printing ascertained that the demands upon the document room for this particular document are so large that they thought it best to give the document room a liberal allowance, because it is a document that is needed only by lawyers, and the document room has such a large accumulation of requests that they will take up most of what are hereby allotted.

Mr. STAFFORD. You say they have 400 requests, and you are providing 7,000 copies for them?

Mr. BARNHART. Let me finish my statement. On the other hand, if they are sent exclusively to the folding room, the probability is that half the Members of this House will permit this document to lie there, if they do not happen to have requests for them, while requests from their own district are lying in the document room unanswered and unfilled, because the document room has not enough documents to fill orders.

Mr. STAFFORD. How many of the last allotment are now lodged in the folding room to the credit of Members of the House?

Mr. BARNHART. I do not know that there are any.

Mr. STAFFORD. The gentleman will find that the supply is virtually exhausted because of the demands upon the respective Members. Will the gentleman increase the quota to be at the disposal of Members through the folding room? I think we ought to have a larger quota.

Mr. MANN. We can get more when we need them.

Mr. BARNHART. I will agree to this, and the committee will agree to it, I think, that if this allotment is not found to be sufficient for the Members of the House, we will introduce another resolution and put it through later if we find there is a demand for it.

Mr. STAFFORD. I shall be after the gentleman very shortly to pass such a resolution.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. BARNHART. Certainly.

Mr. MANN. I notice that this is to print the bankruptcy law as presented or furnished in some way by the Committee on the Revision of the Laws. What is there new about the document?

Mr. BARNHART. I can not say to the gentleman from Illinois, except that the author of the bill says that the Committee on Revision of the Laws have revised it and brought it up to date, and that it contains everything in the way of bankruptcy laws up to the present time.

Mr. MANN. I do not recall many changes, if any, in the bankruptcy law now for a very long time.

Mr. SHERLEY. The last revision of the bankruptcy law was made as a result of a bill introduced by myself, and passed some six years ago. There may have been one or two bills affecting the law in a very slight way that have been passed since then, but there has been no general revision made since that one.

Mr. MANN. I wondered whether the purpose of it was to have an edition that had been recently annotated by the committee.

Mr. SHERLEY. It may be that there is something of that kind. For my own part I can not see why we should now supply this law free to the legal profession any more than any other law.

Mr. MANN. I agree with the gentleman.

Mr. SHERLEY. When it was first passed there was a reason; but now any lawyer can obtain a copy of the bankruptcy law in the same way that he obtains a copy of any other law.

Mr. BARNHART. Well, the committee called before it the author of the bill.

Mr. SHERLEY. What bill?

Mr. BARNHART. This resolution.

Mr. MANN. The author of the resolution.

Mr. BARNHART. The committee called before it the author of the resolution, and we also had the superintendent of the document room before us, and got the information from the author of the bill that it had been revised and brought up to date in the matter of citations, and so forth, which the former publication did not carry, and that it had been done by the Committee on Revision of the Laws. We had no reason to dispute his word.

Mr. SHERLEY. I have no doubt there may have been some annotations made to the law, but the point I am calling to the attention of the gentleman is simply the policy of Congress, as to how far Congress is going to issue reprints of laws with annotations for the benefit of the profession. There is no more reason for doing that with this law than any other.

Mr. MANN. They can buy this document from the superintendent of documents now.

Mr. SHERLEY. Not only that, but there are any number of law books printed, and the Statutes at Large, that deal with the subject. The profession is not without means of getting copies.

Mr. BARNHART. I agree with what the gentleman says as to that.

Mr. MANN. I suppose it gives an excuse for the clerk of the Committee on Revision of the Laws.

Mr. BARNHART. If the gentleman will permit, I can explain the excuse. It is pressure from the membership of the House. I think the gentleman from Illinois will agree with me that the present Committee on Printing is bringing in a very limited number of bills; but the pressure for more is very great, and especially so in this particular instance.

Mr. MANN. I have not heard of the pressure before as to the bankruptcy law. I thought the pressure was to repeal it.

Mr. COOPER of Wisconsin. I desire to ask the gentleman from Indiana [Mr. BARNHART] a question.

Mr. BARNHART. I yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. I do not know whether the gentleman has any resolution relating to the report of the Industrial Commission. I have received a number of requests for copies of that report, and also quite a number of requests for copies of the testimony. When is it expected to print either the report or the testimony?

Mr. BARNHART. The situation as to the report of the Commission on Industrial Relations is this: Some time early in January this House passed a resolution providing for the printing and distribution through the folding rooms of 100,000 copies of the report. The Committee on Printing asked the officials of the late Industrial Commission to give us some information and data as to what parts of the hearings they wanted printed and what parts they thought ought to be eliminated, because the testimony taken at the hearings is of great bulk. We have not had any reply from them. In the meantime our resolution went to the Senate.

Mr. COOPER of Wisconsin. That resolution is in relation to the report, but not the testimony.

Mr. BARNHART. The resolution which we sent to the Senate relates to the report.

Mr. COOPER of Wisconsin. And what the gentleman has said about writing to the chairman of the commission relates to the testimony and not the report?

Mr. BARNHART. Yes and no. We passed a resolution providing for the printing of the report and sent it to the Senate. The Senate committee amended our resolution by providing that instead of binding the report in cloth it should be bound in paper, and it also provided for the printing of 10,000 copies of the hearings, at a cost, I think, of $87,500. And the matter has been hung up, I hear, by the economists over there because of the excessive cost of printing the hearings. Our bill for the publication of the report is attached to it, and has not gone through on that account.

Mr. MANN. Has there not been a question over there as to what part of the testimony shall be printed?

Mr. BARNHART. Yes. The industrial relations committee has dissolved, and I understand that three members of the commission have refused to sign the report, and if the report is published they want the right to submit their views, and so it is in that tangled condition. Until it is straightened out over there we can do nothing. I have asked the committee to put our resolution through and give us the report and settle the question of printing the hearings afterwards, but so far we have been unable to get such action approved.

Mr. COOPER of Wisconsin. It is certainly a remarkable situation that a commission of this importance should take the testimony of capitalists, the greatest in the world, because they are the greatest in the United States, the testimony of Mr. Rockefeller, Mr. Carnegie, and Mr. Morgan, and of others engaged in various kinds of business, the testimony of farmers, of tenant farmers in Texas, of the wives of those farmers, of the great landowners and mine owners and miners, of laboring men in every business, of working girls and working women, of the owners of great stores, thus going into the great industrial questions which relate most closely to the lives and welfare of all the people in the country, should do this at such great expense, with every opportunity for examination and cross-examination of each witness, and that then the Congress of the United States should be unable to get either the report or the testimony printed.

When the bill to appoint the commission was up—I think it was July, 1912—in some remarks which I had the privilege of making during the debate I insisted that the bill ought to contain a mandatory provision for printing the testimony and the report. I prophesied at that time that because the commission was to consist of nine members divided ito three distinct groups, if the law did not contain such mandatory provision and thus afford Congress some opportunity to get acquainted with the testimony we would not know what to believe about the report. The then chairman of the committee having the bill in charge, now the Secretary of Labor, said that he thought that the report would be printed anyway. But it now appears that the printing is completely hung up.

Mr. BARNHART. Mr. Speaker, I do not like a statement like that to go abroad without explanation, because I have some information that I think the House and those interested ought to have. The House will recall that at the time the commission was created there was an appropriation of $350,000 to supply it with the means of prosecuting the work. Afterwards they came back to Congress, so I am informed, and asked for an additional $100,000 to finish the work and print the report. They printed an edition of only 10,000 copies of the report, and kindly allowed to each Member of Congress one copy, and the members of the commission distributed the balance.

They did not have the report printed at the Government Printing Office where the plates might be available for the use of Congress, but by some private concern. They did not

print the hearings and put so much in the hearings consisting, as I understand, of such bulky volumes as the life of John D. Rockefeller, and so forth, that the committee of the House asked the commission to edit out all of this extraneous matter and give the plain evidence with references to publications mentioned.

Mr. COOPER of Wisconsin. Is there any reason why the two Houses could not print what they want to print?

Mr. BARNHART. The committee does not like to assume the responsibility of editing the report of a commission of investigation.

Mr. COOPER of Wisconsin. It would not be editing, but simply excluding from publication volumes of biography, and nobody would impute any wrong motive should those be excluded.

Mr. BARNHART. The members of the committee of the House do not like to undertake to edit a report of any commission or department of the Government. They prefer that the commission should edit it, otherwise the committee might be subjected to criticism for leaving out important matter or leaving in irrelevant matter.

Mr. COOPER of Wisconsin. These volumes the gentleman speaks of are not in the report?

Mr. BARNHART. No; they are in the hearings. But the question of editing the hearings so as to leave out the books, and so forth, admitted as reference and the dispute over the correctness of the report did not come up until after the House passed the resolution. Now it is said three members of the commission refuse to approve the report and say it is not a report of the commission.

Mr. COOPER of Wisconsin. There were nine on the commission?

Mr. BARNHART. Yes.

Mr. COOPER of Wisconsin. Three is a very decided minority.

Mr. BARNHART. The names of only four of the members are attached to the report itself.

Mr. COOPER of Wisconsin. I thought there was more than one report.

Mr. BARNHART. There is one general report and two or three on special investigations, such as the Colorado strike.

Mr. COOPER of Wisconsin. There are two reports?

Mr. BARNHART. No; the general is one volume, one report.

Mr. COOPER of Wisconsin. They did not agree on the report. Prof. Commons filed a separate report, did he not?

Mr. BARNHART. Yes; but some members of the commission do not agree to some parts of the report, while others do not agree to other parts.

Mr. COOPER of Wisconsin. That is not an uncommon thing in the House of Representatives.

Mr. BARNHART. What we are anxious to do is to get the commission to edit a report that will not be disputed by its members when it is issued.

Mr. COOPER of Wisconsin. Mr. Speaker, I have had handed to me what is entitled the final report of the Commission on Industrial Relations. Here is another report by the same commission dealing with the Colorado strike.

Mr. BARNHART. The Colorado report is a separate report.

Mr. COOPER of Wisconsin. Here is one report, signed John R. Commons, Florence J. Harriman, Horace Weinstock, S. Thurston Ballard, and Richard H. Aishton. That is one report. Then here is a separate report signed by three of those five, being the report of Commissioners Weinstock, Ballard, and Aishton. As a matter of fact, all of these commissioners signed something, and five of the nine sign one report. Here we have another report signed by the other four. Here is a separate report of Commissioner John B. Lennon on industrial education. Here is another report signed by John B. Lennon, James O'Connell, Mr. Garretson, S. Thurston Ballard, and Frank P. Walsh. S. Thurston Ballard, it appears—and I had not noticed that before—is one of the five who signed this report, and is also one of the five who signed the other report which I mentioned. So, as a matter of fact, instead of three of the commissioners not signing a report, every one has signed a report.

Mr. BARNHART. That is, signed some part of it.

Mr. COOPER of Wisconsin. Five is the majority of nine, and there are two reports here each of which is signed by five members of the commission; so, instead of there being any report signed by only four, there are two reports each signed by five, a majority of the commission.

Mr. BARNHART. Mr. Speaker, this is all foreign to the matter. The House has already passed this resolution authorizing the publication of this report, and my remarks refer to the condition that exists in another body of the Congress. We did all that we could two or three months ago by promptly passing a resolution to print the report for distribution; but if it is within the power of any gentleman of this House to hurry it through in another branch of this Congress, I would be very glad to be advised how it can be done.

Mr. JOHNSON of Washington. Mr. Speaker, does not the gentleman from Wisconsin think, in view of this report and partial reports signed this way and that way, that it would be a good plan to have Congress provide a commission on commissions so that we can straighten up some of these things?

Mr. BARNHART. Mr. Speaker, I ask for a vote on the pending resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

IMMIGRATION.

Mr. SPARKMAN rose.

Mr. BURNETT. Mr. Speaker, if I may be permitted, if the gentleman from Florida [Mr. SPARKMAN] will withhold for a moment his motion to go into the Committee of the Whole House on the state of the Union on the river and harbor appropriation bill, I think we can dispose of the matter we had up yesterday evening respecting the immigration bill. In response to the request of the resolution which we passed last evening requesting the Senate to return to the House the bill H. R. 10384, the immigration bill, the Senate has sent it back, and I think the trouble will be cured by striking out the Humphrey amendment, which would then leave the Siegel substitute. Is that the opinion of the gentleman from Illinois [Mr. MANN]?

Mr. MANN. Yes; and I suggest to the gentleman that he ask unanimous consent, all in one request, to reconsider the vote by which the bill was passed; that it be reengrossed, striking out that amendment, and be considered as passed again.

Mr. BURNETT. Mr. Speaker, I thank the gentleman for the suggestion, and I make that request. I think that is a solution of the entire matter.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the proceedings by which the immigration bill, H. R. 10384, was passed be vacated, that the bill be amended by striking out the matter referred to, which the Clerk will report, and as so amended that the bill be considered as reengrossed and passed. The Clerk will report the matter to be stricken out.

The Clerk read as follows:

Page 10, line 24, after the word "zone," strike out the following:

"*Provided further*, That whenever any foreign country shall by statute, executive order, or otherwise, exclude from its territory any class or classes of citizens from the United States upon grounds different from the grounds for excluding aliens from the United States herein specified, the same class or classes of aliens residing in such country shall be excluded from the United States so long as such exclusion of United States citizens continues."

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none, and it is so ordered.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193, the river and harbor appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill, with Mr. SHERLEY in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

White River, Ark.: For maintenance, $30,500.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. TREADWAY] may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Massachusetts [Mr. TREADWAY] may proceed for 10 minutes. Is there objection?

Mr. SPARKMAN. Mr. Chairman, reserving the right to object, I ask to amend that request by providing for five additional minutes, to be controlled by myself, and that at the end of that time all debate on the paragraph and all amendments thereto shall close.

The SPEAKER. The gentleman from Florida adds to the request that he may have five minutes, at the end of which time all debate on the paragraph and all amendments thereto shall close. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, in the course of the debate yesterday on the item relative to the Galveston Channel, con-

tinuing improvements by the construction of a sea wall, the question was asked the chairman of the committee respecting whether or not this might be a new or an old project. The gentleman from Florida [Mr. SPARKMAN] replied to the inquiry:

It is not a new project in any sense. It was an old project, a project that we adopted in the bill of 1913. It was a project adopted then, but with this item deferred until the first part of it should have been completed.

Since that statement was made I have been making a little search in the RECORD to determine whether or not that is an old project. I have in my hand the statutes, volume 37, No. 1, public laws, Sixty-second Congress, and I find on page 812 two items relative to Galveston Harbor. One reads:

Galveston Harbor Channel, Tex.: Continuing improvement and for maintenance under the existing project.

And that contemplates the building up of some streets, from Fifty-first Street to Fifty-sixth Street, as reported in House document 1328.

The next item reads as follows:

Improving the channel, Galveston Harbor to Texas City, Tex., for improvement and maintenance in accordance with the report submitted in House Document No. 1390, Sixty-second Congress, third session, subject to the conditions therein specified, $550,000.

With a continuing appropriation of $900,000 more, making a total of $1,400,000 for improving the channel from Galveston Harbor to Texas City.

Now, Mr. Chairman, by reference to the map herein, House Document No. 1390, which is the document referred to, which I am holding, we find that the sea wall extends from Galveston city in a direction probably north. I do not see the compass on here, but I presume it is north along the shore, and that Texas City is some distance up the channel, directly at right angles to the sea wall.

And mark the phraseology of the item in the bill, which is:

Improving channel from Galveston Harbor to Texas City.

It has absolutely nothing to do in any way, shape, or manner with the sea wall. It is an entirely different item in the project, and that is all there is on the statute books—the act of March 4, 1913. Since then no river and harbor bill as it has passed this House containing this very item, but has had the phrase "for construction of a sea wall." That is the phraseology that has appeared since, and the law as it was passed was for the improvement of the channel to Texas City.

Now, further than that, we find four different items recommended by that special board. One of them is Texas City Dike and Channel, $1,400,000, which is the item carried in the bill. Another item we find is the sea-wall extension, $1,185,000; no connection whatsoever with the channel to Texas City. Further than that, in the report of the chairman, with the appendix we have before us here to-day, on the present river and harbor bill, absolutely not one word is said about the sea wall.

I hold in my hand the engineers' report, and here is what they say about the present project, on top of page 868:

Adopted by the river and harbor bill of March 4, 1913, providing for the widening of the channel to 300 feet on the bottom, 30 feet deep at mean low tide, and the construction of a pile dike on the north side 28,200 feet in length, provided "that a gap 100 feet in width shall be left between the western end of this dike and the Texas City Harbor lines to permit the passage of small boats." The estimated cost of the project was $1,400,000, with $50,000 annually for maintenance. (See H. Doc. No. 1390, 62d Cong., 3d sess.) The tidal variation is about 1¼ feet.

That is the present project, gentlemen, as adopted in the river and harbor bill of March 4, 1913, and that is every part of it that has been adopted. It is every bit that has ever been estimated on; it is every bit that the engineers have ever reported on; it is all that appears. There is no reference to it whatsoever in the chairman's report to this House in the present session.

Therefore it seems to me absolutely proven that by the inclusion in the present bill of this item for the construction of a sea wall, absolutely separate, understand, from the item that is adopted, you are adopting a new project. If it is the wish of the House to adopt a new project, I have nothing more to say. We have taken votes here time and again that the only new project that we will adopt is the one in connection with New York Harbor. If the House wishes to adopt additional projects, well and good, but let us do it with our eyes wide open and with a knowledge of the fact that this particular project has never been adopted; that the engineers have never estimated for it; that they do not in their estimates and in the report that I have here, and just referred to, in any way, shape, or manner refer to the sea wall. If we put it into this bill at this time, we are not showing good faith by the House as we are adopting a new project in every sense of the word. In addition to that, we are taking on an item that even the chairman of the committee in his report to the House has never so much as referred to.

I submit these facts in connection with the statement that the chairman made yesterday that this project had been adopted in 1913. It never was adopted except in one item, that of going up to Texas City. And in order to make ourselves square we must adopt that project now if it is going into the bill at this time. I would like some explanation in what manner this can be considered an adopted project, when the engineers, the special board, with four items in their report, have never taken up but one of them, and now we come back to another and adopt it as a new project.

I have already said that if it is going into the bill, all right, but it is going in with the information before the House that you are breaking faith in the sense that the committee said that there should be but one new project. This will be a second new project if it stays in the present river and harbor bill. The gentleman from Texas [Mr. BURGESS] can shake his head. I would like him to substantiate that I am making a wrong statement on the floor when I finish. He can not offer any explanation. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPARKMAN. Mr. Chairman, the gentleman from Massachusetts no doubt thinks he is correct, but I wish to say to him that he is absolutely mistaken. That project was adopted in the bill of 1913, and in one of the paragraphs which I believe he read a moment ago. I did make a slight mistake yesterday in the reasons I assigned for deferring that particular part of the project to a later date. I stated that it was intended to be deferred until the balance of the project was completed. In that I was in error. I saw that afterwards, and I intended to correct it, but we became involved in other discussions and I overlooked it. The reason, as I recall, for the deferring of that project was that we wanted to postpone it until the city of Galveston should have complied with certain conditions imposed by it. The city has since complied with those conditions, or is ready to comply with them. Those conditions were referred to in the discussion yesterday and the item amended so as to meet certain objections. The document to which the gentleman refers, namely, House Document 1390, Sixty-second Congress, third session, on page 4 says:

With reference to the extension of the Galveston sea wall, it is recommended that appropriation be made for this work when the city of Galveston and other local interests shall have donated the required lands to the Government, shall have quieted all claims to the present San Jacinto Reservation, and shall have given assurance satisfactory to the Secretary of War that it will construct 3,300 feet of similar sea-wall extension.

That is the correction I wished to make yesterday, but I overlooked it at the end of the discussion.

Mr. TREADWAY. Would the gentleman kindly quote the statute as it appears, under which this project is construed to be law—the sea-wall-extension section of the project?

Mr. SPARKMAN. The statute itself did not mention the sea wall specifically, but embraced it by adopting the project without any reservation.

Mr. TREADWAY. May I not ask, Mr. Chairman, if the part of the project adopted referred directly to the channel to Texas City, and whether or not the gentleman construes that reference to the channel to Texas City to also adopt the reference to the sea wall?

Mr. SPARKMAN. As I recall it, it embraced two channels. One of them being the channel up to Texas City. This part of the statute that the gentleman read awhile ago, is, "Continuing improvement and maintenance, in accordance with the report submitted in House Document 1390, Sixty-second Congress, third session, and the conditions therein specified." These were some of the conditions I have just read.

Now, there are two other projects in this bill on all fours with this one. One is the Lake Union and Washington Canal, in the State of Washington. Part of that project was deferred and we have provided for it in this bill. Another is the project at Racine, Wis. A portion of that project was deferred—indeed, only a part was adopted—and we are taking care of the remainder in this bill in precisely the same way that we are taking care of the Galveston sea wall.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Cache River, Ark.: For maintenance, $3,000.

Mr. LENROOT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin is recognized for five minutes.

Mr. LENROOT. Mr. Chairman, with all due deference to the gentleman from Florida [Mr. SPARKMAN], the chairman of the Committee on Rivers and Harbors, he has not met this question raised by the gentleman from Massachusetts [Mr. TREADWAY].

This project never has been adopted. It was not adopted in the act of 1913. The Board of Engineers has recognized that it was not adopted, and the report of the gentleman's own committee recognizes that the project that was adopted in 1913 does not include this sea wall. Referring to this, I hold in my hand the report of the committee referring to the project that was adopted in 1913, and which the gentleman says includes this sea wall. The report says:

The estimated cost of the project adopted was $1,400,000.

Then $1,400,000 does not include the sea wall. That is an additional $1,100,000.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. LENROOT. Yes.

Mr. SPARKMAN. Nobody has ever said, my friend, that it included the sea wall, because that money was not appropriated or authorized for the purpose of building the sea wall.

Mr. LENROOT. No; but the gentleman does not get my point. I am speaking of what the project was.

Mr. SPARKMAN. I think I do; but I do not think the gentleman understands what the adoption of a project is.

Mr. LENROOT. Let us see. Here are three items recommended by the special board, including three entirely distinct things. One is the sea wall, one is the improvement of this channel, and the other is certain dredging outside of these two other propositions; and the law of 1913 adopted but one of those three items. In confirmation of that, I refer to the report of the board itself, where it clearly shows that what the board had in mind as adopted by the act of 1913, because the members of that board say that the total cost of the project adopted was $1,400,000, and therefore it could not include this sea wall.

Now, I will be glad to yield to the gentleman.

Mr. SPARKMAN. We adopted a project in that bill, as the gentleman will admit?

Mr. LENROOT. Yes. We adopted one of the three projects included in this special report.

Mr. SPARKMAN. Does the act so state that it is one of three?

Mr. LENROOT. It identifies specifically one of the three.

Mr. TREADWAY. The channel to Texas City.

Mr. LENROOT. Yes; the channel to Texas City. And let me call the gentleman's attention to the fact that the item following this is the item for the channel to Texas City, the maintenance of this very work that was adopted.

Mr. SPARKMAN. It is for continuing the improvement and for maintenance of the project submitted in House Document 1390, Sixty-second Congress, third session.

Mr. LENROOT. Will not the gentleman read the description of the project?

Mr. SPARKMAN. Subject to the conditions therein.

Mr. LENROOT. What was it for? The item in the act of 1913 is "improving the channel from Galveston Harbor to Texas City." That is one of the three projects reported upon by the special board, and that is the project that you are referring to in this act of 1913, and not the sea wall at all.

Mr. SPARKMAN. I want to say to the gentleman that the War Department and the Board of Engineers have differed with him, because they have expended money on the very channel that this sea wall is designed to protect.

Mr. LENROOT. I say that the War Department has not differed with me, and I again call attention to the report of the Army engineers themselves, made this year, where they say specifically that the project adopted in 1913 involved a cost of $1,400,000, which was exactly the amount, in exactly the same figures, that the board estimated for, outside of the sea wall.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. LENROOT. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes more.

Mr. SPARKMAN. I ask unanimous consent, Mr. Chairman, that all debate on this paragraph and amendments thereto close in seven minutes, two minutes to be used by myself.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the debate may be continued for seven minutes on this paragraph and all amendments thereto. Is there objection?

Mr. MANN. May I ask the gentleman from Wisconsin a question?

Mr. LENROOT. Certainly.

Mr. MANN. Is not the position of the gentleman from Florida apparently that if in a report there are a dozen different projects included, and we adopt one, we thereby adopt the other 11?

Mr. LENROOT. That is exactly the position of the gentleman from Florida; and I want to call the gentleman's attention to this: That so far as that sea wall was concerned that report was recommended upon a condition, and if it was the intention to adopt the sea-wall part of that report the condition would have been stated just as it is stated in this bill. This proposition in the bill is complete in itself in accordance with the report of the board, and it is the first time that it has appeared in any bill that has become a law.

Now, I want to call attention to one other thing. In the report of the gentleman's committee, which I hold in my hand, not one single word is found concerning this matter, and the gentleman owes an explanation to the House as to why an item of this kind has been reported, which he now says was an adopted project, when the committee report is absolutely silent upon that subject. I yield to the gentleman to answer.

Mr. SPARKMAN. I will answer in my own time.

Mr. LENROOT. Very well.

Mr. COOPER of Wisconsin. Will the gentleman yield for one question?

Mr. LENROOT. Yes.

Mr. COOPER of Wisconsin. What was the date when that was adopted?

Mr. LENROOT. March 4, 1913, and the report was made——

Mr. TREADWAY. February 11.

Mr. LENROOT. February 11.

Mr. GOOD. If it is not a new project, why the new language?

Mr. SPARKMAN. What was the gentleman's question?

Mr. LENROOT. He wants to know, if it is not a new project, why the new language. And I will ask further, why did not your committee comply with the recommendations of the board if, as you say, it was adopted in the act of 1913?

Mr. SPARKMAN. If we are to provide for the sea wall at all, we have got to use new language. The language in the bill of 1913 would not care for it.

Mr. LENROOT. Of course not, because you did not adopt it. That is the reason, and it was not the intention to adopt it.

Now, Mr. Chairman, this committee and this House seem to be in a position that, irrespective of the facts, they will sustain this Committee on Rivers and Harbors. They started out upon the proposition that no new project would be permitted in this bill except New York Harbor. Now, it is absolutely proven that there is a new project, and not only that it is a new project but that the committee in making their report have not said one single word about this project in the report itself. The committee owe it to themselves, and I want to say to the gentleman from Florida and the gentleman from Texas, in view of this late discovery they ought to be willing to permit unanimous consent to return to consider this matter and have a vote upon its merits. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I can not say any more than I have already said. This is a part of an old project that was adopted, as anyone will see who reads the report carefully, and, as I said a short time ago, it is in the same class with two other projects to which I called attention—that at Racine, Wis., and that of Puget Sound-Lake Washington waterway. There is practically no difference between them in so far as the question of new projects is concerned.

Now, the Committee on Rivers and Harbors adopted that rule regarding new projects, and under its definition of new projects determined those three projects to be old projects. That classification was acquiesced in so far as the committee was concerned when those items were placed in the bill, and we have not departed from that rule in any particular. This is not a new project within the definition fixed by the majority of the members of the Rivers and Harbors Committee. I think that is all I care to say.

Mr. COOPER of Wisconsin. Mr. Chairman——

The CHAIRMAN. All debate is exhausted. The Clerk will read.

Mr. COOPER of Wisconsin. I ask unanimous consent to proceed for five minutes.

Mr. SPARKMAN. Oh, let us read some of the bill. There will be more opportunity.

Mr. COOPER of Wisconsin. All right.

Mr. MANN. Mr. Chairman, I ask unanimous consent that we may now return to the item, page 18, line 21, entitled "Galveston Channel, Tex.," for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent to return to page 18, line 21, for the purpose of offering an amendment to the Galveston Channel item. Is there objection?

Mr. SPARKMAN. Mr. Chairman, I shall have to object to that, because we had that up yesterday and discussed it fully.

The CHAIRMAN. The gentleman objects. The Clerk will read.

The Clerk read as follows:

St. Francis River and tributaries, Ark.: For maintenance of improvement of St. Francis and L'Anguille Rivers and Blackfish Bayou, $9,500.

Mr. DOWELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DOWELL: Page 22, strike out lines 1, 2, and 3.

Mr. DOWELL. Mr. Chairman, this appropriation, like numerous others in this bill, during the time this project has been in existence, has resulted in practically no benefit to the public. I want to call attention to the report of the engineers upon this item. This covers three items—the St. Francis and L'Anguille Rivers and Blackfish Bayou. I quote from the report of the Engineer of the United States Army, page 2729:

All operations on these streams during the fiscal year 1915 were by hired labor with Government plant. The snag boat *A. B. Johnson* (hand propelled), which was in ordinary at Madison, Ark., 60 miles above the mouth, resumed operations October 26, 1914. The boat worked down to Blackfish Bayou, 38 miles above mouth, and then upstream to Burr Place, 120 miles above mouth, after which it worked down to Madison, going in ordinary there January 28, 1915. By those operations 684 snags were removed, 7 drifts broken, 289 trees cut and 220 others girdled between Burr Place, 120 miles above mouth, and the mouth of Blackfish Bayou. There were no operations on L'Anguille or Blackfish Bayou during the year.

Further, from the same page, I read the following:

Neither of the tributary streams are navigable during low water, and the main stream—the St. Francis—is navigable by only very light-draft boats at that time. During the calendar year 1914 the St. Francis River in the vicinity of Madison was too low for navigation purposes from June 17 to December 29, and in the vicinity of Marked Tree from June 14 to December 31. Blackfish Bayou, up to the mouth of the Fifteenmile Bayou, was too low from January 1 to 30, June 4 to 25, and June 29 to December 31. On the L'Anguille the periods were January 1 to February 7, July 22 to September 5, October 1 to 18, October 31 to December 17, December 21 to 30.

This project was inaugurated in 1871. One hundred and sixty-nine thousand dollars has been appropriated by the Government for this project.

Mr. SPARKMAN. I want to correct the gentleman there, if he will pardon me just a moment. It may be immaterial, but——

Mr. DOWELL. I yield to the gentleman.

Mr. SPARKMAN. The project was adopted in 1902.

Mr. DOWELL. In 1871, according to the engineer's report.

Mr. SPARKMAN. Oh, well, the gentleman has not read the right report.

Mr. DOWELL. I have also read the report of the committee. I have read from page 2729 of the engineer's report.

Mr. SPARKMAN. If he will look at page 1007——

Mr. DOWELL. I do not desire to have the gentleman take up all of my time.

Mr. SPARKMAN. He will find it was adopted in 1902.

Mr. DOWELL. Mr. Chairman, I shall have to ask for more time.

The CHAIRMAN. The gentleman's time has not yet expired. The gentleman will proceed.

Mr. DOWELL. This report further states:

The improvement has had no material effect upon freight rates, except on freights moving between Marianna and Mississippi River points. On such the river rate is slightly less than the rail rate.

Now, gentlemen, if $169,000, appropriated by the Government since 1871, has produced absolutely no good results, it occurs to me that it is a waste of public money to make further contribution.

Mr. Chairman, this is not all that is in this proposition. Behind this is another proposition which proposes to dig a canal along this river for 81 miles, where there is absolutely no stream at all. I want to call attention to the report of the hearings before this committee, with reference to a part of this River St. Francis. I read from the hearings before the Committee on Rivers and Harbors, dated January 20, 1916, in statement of Hon. THADDEUS H. CARAWAY, a Representative from the State of Arkansas:

St. Francis River for 81 miles has no defined channel or banks. It varies in width—that is, the sunk lands—from a quarter of a mile to about 7 miles. I notice that in the report the engineer states that it is from one fourth to 2½ miles, but having lived for quite a while in the so-called lake or sunk-land section, I am entirely familiar with it, and know that he is in error somewhat. The channel of the river, or what used to be the channel, has almost entirely disappeared. When I first knew the river, as far up as Lake City, through the sunk lands, steamboats of considerable size ran. That was only 15 years ago. Where the wagon and railway bridges cross the lake at Lake City, and which have draws, and were built within the last six or seven years, under these draws there are now islands and willow trees growing, which are tall enough to reach from this floor to the ceiling. The channel is choked with a growth which we locally call smartweed.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. DOWELL. I ask for five minutes more, Mr. Chairman.

Mr. SPARKMAN. Mr. Chairman, I ask that all debate on this paragraph and amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DOWELL. I want to call attention briefly to a part of this investigation to show what the purpose, or rather to show the idea that the one had who is behind the project when it was presented.

I quote from the chairman of the committee at the hearing:

The CHAIRMAN. I want to call your attention to the fact that the committee does not deal with public lands in any way and really does not deal with the matter of drainage unless it happens to be one of the incidents of the improvement of a navigable waterway.

Mr. CARAWAY. I understand that, and, with all due deference to the chairman, I understand that a great deal of the river and harbor improvement work has commerce only as a secondary incident, though it is the alleged reason for the improvement.

That is what is the matter with this bill. The alleged reason for improvement is different from the actual reason for improvement. When this project is completed it is estimated that it will cost the Government something over $600,000. It is merely for the purpose of draining 52,000 acres of swamp lands in the States of Arkansas and Missouri, and these gentlemen have practically conceded before the committee that the main purpose was for the improvement of waste lands in these two States. It seems to me the time has come when we should stop drawing on the Treasury of the United States for the purpose of draining the districts in these various States. I hope the amendment will be adopted.

Mr. CARAWAY. Mr. Chairman, the gentleman from Iowa who has just concluded quoted one sentence from a statement I made before the Committee on Rivers and Harbors, and from that, drawing a conclusion, said that the only object I had in view was the drainage of lands. There is not anything in the language that would warrant the inference and nothing that expresses the idea.

The St. Francis River rises in the State of Missouri. It flows down and forms the boundary line for a short distance between the States of Arkansas and Missouri. It then passes through the State of Arkansas and empties into the Mississippi River at Helena. It is navigable for 235 miles. It carries over 200,000 tons of freight yearly. That portion of the river upon which an expenditure is here asked is known as the "sunken lands." In 1811 an earthquake destroyed the bed of this river for 81 miles. The channel above that is well defined with banks 18 feet above low-water mark, and just below that it has a well-defined channel with banks 23 feet above low water. In this 81-mile stretch destroyed by the earthquake the river is spread out over the sunken land varying in width from one-quarter of a mile to 7 miles.

Even within the last 15 or 20 years there has been considerable commerce through that portion of the river, but it has been greatly impeded by vegetation and other obstructions. The river is broken up into three segments; the lower part, 135 miles in length, has been kept open by snagging and the removal of obstructions. Considerable commerce floats on that part of the stream. Above this, extending from the head of the sunken lands to the mouth of the Varner River in Missouri, there is a depth of about 3 feet at low water, and there is considerable commerce on that section. The middle part is the "sunk lands." The river is broken up in that way into three parts. The project to which the gentleman refers seeks to have the river canalized through the sunken lands. Now, the gentleman ought to have gone a little further in his statement and told the House of the proposition made to the Rivers and Harbors Committee, and that the one adopted by that committee is not ultimately to cost the Federal Government a nickel. He learned that when he read the report.

The proposition is this: That the Government is to improve the river along the lines it one time adopted, for in June, 1880 a bill passed the House providing for the canalization of the St. Francis River through the sunken land. This was to be done entirely at the expense of the Government and in the interest of navigation. While the present project looks to the canalization of the river in the same way, it is not to cost the Federal Government one cent. According to the estimate made by Mr. Whittemore, a civil engineer in the employment of the Government, working under the War Department, there are 52,000 acres of Government land as rich as was ever seen now practically destroyed by this condition. Mr. Whittemore went over this portion of the river last summer. These lands are now worthless. You can not go upon them for any purpose at

all, but he says that for an expenditure of $610,000 the river could be canalized and these lands reclaimed.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. CARAWAY. Mr. Chairman, I ask unanimous consent that I may continue for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas to continue for five minutes?

There was no objection.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. DOWELL. The gentleman's position is that the Government is to advance the $610,000 for the purpose of digging a ditch or canal through the 52,000 acres of land for the purpose of drainage, is it not?

Mr. CARAWAY. No.

Mr. DOWELL. Is not that what the gentleman said before the committee?

Mr. CARAWAY. No.

Mr. DOWELL. Is it that in effect?

Mr. CARAWAY. No; I did not say that in either those words or in effect. I said this: Congress has adopted this project to improve this broad stretch of river in the interest of commerce. I said that if the Government would carry out that project, advance the money, dig the canal through that part of the St. Francis River, permitting these lands that the engineer says would be reclaimed by that canal to be then sold to actual homesteaders at a price and under such terms and conditions as the Secretary of the Interior might direct—if this did not return to the Government every dollar that the Government expended in making the improvement, that the State of Arkansas and the State of Missouri by acts of their respective legislatures would empower the Secretary of the Interior to assess benefits upon the adjacent lands and collect enough to repay to the Government any deficit. That is what I said.

Mr. DOWELL. But it is true, is it not, that the Government was to advance the $610,000?

Mr. CARAWAY. Why, that is true.

Mr. DOWELL. That is what I was asking.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. MOORE of Pennsylvania. I would like to have the gentleman state whether the St. Francis River and its tributaries are subject to flood.

Mr. CARAWAY. They are. I hope I may have time to explain this condition. The St. Francis Valley is in this shape: There is a high ridge of land extending from Cape Girardeau, in Missouri, running nearly south and touching the Mississippi River again at Helena, Ark. This ridge is known as Crowleys Ridge. The Mississippi River lies east of that ridge, and the valley of the St. Francis River is almost in the center, between this ridge and the Mississippi River. The ridge rises two or three hundred feet in height several miles west of the St. Francis River, the Mississippi banks being 9 or 10 feet higher than the valley and several miles east of it. The valley of the St. Francis is a trough. All of the waters coming down from the ridge flowing east, all of the waters coming out of the Mississippi flowing west, must pass down this valley of the St. Francis. As it now is it is being destroyed. The people in that section have taxed themselves for the purpose of drainage. West of the St. Francis River and between the ridge and the river they have expended of their own money more than $2,700,000 for local drainage purposes. Those drainage canals are useless, or nearly so, unless this river is made to perform the service for which it was originally intended, namely, to carry these waters from this ridge through its channel. Through this stretch of 81 miles it can not do it. While the present flood waters passing through the St. Francis at the head of the sunk lands is 9,000 flood feet per second, there are drainage projects that empty into this river that will, when completed, increase this amount to 30,000 feet per second. This will put two and a half times as much water in that valley as it now has.

Mr. COOPER of Wisconsin. How many acres of submerged land does the Government own?

Mr. CARAWAY. Fifty-two thousand acres.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. DOWELL. Does the gentleman mean that the Government owns this land?

Mr. CARAWAY. Yes.

Mr. DOWELL. Is it not a fact that under the grant of 1850 all of this land was granted to the States of Arkansas and Missouri?

Mr. CARAWAY. No.

Mr. DOWELL. And that it was granted for school purposes?

Mr. CARAWAY. I know what the gentleman means. Let me answer, because my time is limited. Under the swamp-land grant of 1850 all lands not fit for cultivation, not suitable then for agricultural purposes owing to flood conditions, were granted to the States of Arkansas, Missouri, and other States for the purpose of reclamation.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. DOWELL. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for two minutes, as I desire to ask him a question.

Mr. CARAWAY. Make it five minutes, and let me finish.

Mr. DOWELL. I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the gentleman from Arkansas may continue for five minutes. Is there objection?

There was no objection.

Mr. CARAWAY. Now, let me answer the question. Going back, a grant from the Government to the State or to an individual is never a completed transaction until the lands are surveyed and platted, and the Secretary of the Interior——

Mr. DOWELL. So the Supreme Court of the United States has held.

Mr. CARAWAY. It must be platted, and the governor must have signified his selection of this land, and this selection must have been approved by the Secretary of the Interior before title passes. No unsurveyed lands ever passed from the Government to anyone.

Mr. DOWELL. That is, the complete title.

Mr. CARAWAY. No. These 52,000 acres—estimated—were never surveyed. In 1898, under what is known as the compromise act, by which the State of Arkansas and the General Government entered into an agreement affecting these and other lands, the Government released the State from certain obligations and confirmed patents to certain lands that the State had undertaken to pass title to, and in consideration of this upon the part of the Government the State ceded to the General Government its right to any unpatented lands at that time affected by the swamp and overflow grant. The Supreme Court in the case of Little *v.* Williams (231 U. S., October term 1913, p. 335) and approved in Chapman & Dewey Lumber Co. against St. Francis Levee Board said that the title to unsurveyed lands remained in the Government, and the State had no right to them even though reclaimed.

Mr. DOWELL. May I just read two lines from the decision of the Supreme Court upon that question of the transfer by the grant?

Mr. CARAWAY. Two lines will not tell us what the court says. Read the entire opinion.

Mr. DOWELL. It will take but two lines to tell you what it says on this question:

When he made such identification—

That is, the Secretary of the Interior, and that was by the survey and by granting a patent—

then, and not before, the State was entitled to a patent.

Mr. CARAWAY. That is true.

Mr. DOWELL. And on such patent the fee-simple title vested in the State.

Now, is it not true that after the grant of this land was made to the State of Arkansas and the State of Missouri, and the survey completed, the State of Arkansas was entitled to receive the patent and the complete title?

Mr. CARAWAY. No, sir. The State of Arkansas relinquished all of its inchoate right that it might have had to unsurveyed lands by the legislature's accepting the act of Congress of 1898, and the Supreme Court passing upon that very question said that the State of Arkansas had no further interest in these lands.

Mr. DOWELL. The language I read——

Mr. CARAWAY. Pardon me. I am familiar with that litigation and I know what it is. You read it and get somebody to tell you what it means. [Laughter.] The gentleman skipped the project that he asked to strike out in order to make an argument against this one we are now discussing. Certainly if it is worth the Government's while to reclaim lands out West and to make homes for its people, it would be as well for it here to improve a navigable river that it has said is worth while to improve in the interest of commerce, when at the same time it will reclaim lands enough to furnish homes to 1,300 families with farms of 40 acres each, which, according to the statement of the engineer who went over it, is the richest land

he ever saw, and which will not cost the Government one cent to reclaim, and at the same time give on this river 235 miles of uninterrupted navigable water. In addition to that—and I am going to be frank with you—it will reclaim other hundreds of thousands of acres of as fine land as you ever saw, land now privately owned. It will also serve the purpose for which they dug drainage ditches that have cost the people $2,700,000 to construct, and that will remain practically useless if the gentleman's motion prevails. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARAWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting the statement I made on Saturday, January 29, 1916, while before the Committee on Rivers and Harbors, and from which the gentleman from Iowa [Mr. DOWELL] quoted, and further to have appended thereto and printed as a part of it the letter received by me from Mr. George F. Whittemore, a civil engineer, who surveyed the river during the summer of 1915.

The statement and letter are as follows:

ST. FRANCIS RIVER, ARK. AND MO.

STATEMENT OF HON. THADDEUS H. CARAWAY, A REPRESNTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS.

Mr. CARAWAY. Mr. Chairman and gentlemen of the committee, Mr. RUSSELL of Missouri and I are here interested in the same matter. You will pardon me if I seem tedious in my statement of our wishes. Our project is a little out of the ordinary in river and harbor legislation. We are trying to promote the improvement of the St. Francis River through what is known as the sunk lands, that part of the river which was destroyed, or practically so, by an earthquake in 1811. I have not the number of the bill I introduced. There are two bills, however, one being introduced by Mr. RUSSELL of Missouri and one by myself. They are identical and were introduced on the same day and seek the same relief.

Mr. RUSSELL. My bill is No. 6872. It is identical with Mr. CARAWAY'S bill, but not the same number. We introduced the same character of bill.

Mr. CARAWAY. I will state what the matter is we seek. The St. Francis River for 81 miles has no defined channel or banks. It varies in width—that is, the sunk lands—from a quarter of a mile to about 7 miles. I notice that in the report the engineer states that it is from one-fourth to 2½ miles, but having lived for quite a while in the so-called lake or sunk-land section I am entirely familiar with it, and know that he is in error somewhat. The channel of the river, or what used to be the channel, has almost entirely disappeared. When I first knew the river, as far up as Lake City, through the sunk lands, steamboats of considerable size ran. That was only 15 years ago. Where the wagon and railway bridges cross the lake at Lake City, and which have draws, and were built within the last six or seven years, under these draws there are now islands and willow trees growing, which are tall enough to reach from this floor to the ceiling. The channel is choked with a growth which we locally call smartweed. It grows to a height of 15 or 20 feet, and at places I have seen it so thick that it appeared to be land on which you might walk, but if you attempted to do so you would sink in 10 or 15 feet. I knew a very estimable gentleman to lose his life because he mistook that formation of weeds for land. He walked out on it and was drowned.

The river, as a consequence of this formation and other causes, has destroyed, or is destroying, the lands on both sides of it. The waters come down and pile up on this sunk land and do a great deal of damage to lands on either side of the stream, both in Arkansas and Missouri. The people in these localities have expended in the last few years for levees and drainage in attempting to relieve their situation, on my side of the river alone, a little over $2,500,000, and in many places the territory affected and from which the revenues must be drawn to effect these improvements is not over 5 miles in width. While the soil is fertile, the people are poor. They brought no wealth with them when they came to this section. What they have earned has since been devoted to an effort to protect their lands from this condition and improve their homes. Therefore, they are without resources other than this fertile soil.

The last Rivers and Harbors Committee was kind enough, at my request, to give us a survey of the river, extending from Madison, in St. Francis County, to St. Francis, in Clay County, which is nearer the point at which the river becomes the boundary line between Missouri and Arkansas. At that point the channel is well defined and its banks are sufficient to protect the adjacent country from overflows. Mr. Whittemore, whom I presume many of you know—George F. Whittemore—went over the river in conformity with the provisions of the last river and harbor bill. He was at that time under the direction of the engineer in charge at Little Rock, but is now at Humboldt Bay, in California. When he began to make this survey I asked him if he would, in addition to ascertaining what commerce might be developed on the river and the possible cost of improvement, tell us what, if any, lands might be reclaimed and what would be the probable cost of canalizing the river, so as to reclaim these lands. With that idea in view, he made the survey, and I want to read a part of the letter in which he sets forth his findings. Omitting the first paragraph, he says:

"With reference to your inquiry concerning my estimates of canalizing through the sunken lands, I have to report that the cost would be about $610,000 for a canal with a top width of channel of 130 feet, bottom width of 85 feet, and mean depth of 15 feet below low water. A specially rigged dredge could place the excavated material 100 feet to one side to form good levees about 200 feet apart to retain the higher waters. The length of the river through the sunken lands is now 81 miles, and when improved, as you suggest, by canalization, would have a length of 75 miles, or 6 miles shorter than it now is. This would reclaim approximately 52,000 acres of the richest land I have ever seen, at a cost not to exceed $12 per acre. This might be modified to bring the cost of reclamation down to $8 per acre by reducing the width at bottom of proposed canal to 50 feet and top width of 95 feet."

We are not coming here asking the Government to give us anything, or ultimately to be out a dollar. We are asking that a survey be made to ascertain what the exact cost will be and what will be necessary to reclaim these lands and render them fit for homes. The depressed bed of the lake, which is anywhere, according to this report, from a quarter of a mile to 2½ miles in width, but in reality from a quarter of a mile to 7 miles in width, is part of the year covered with water and part of the year is as dry as this floor on which I stand. The lands belong to the Government; they have never been surveyed. The idea that we entertain is that if this river is canalized through this section it will reclaim these lands, and Mr. Whittemore says they are the richest he ever saw. We are asking that the Government furnish money to reclaim these lands and then permit the lands to be sold, somewhat according to the plan of the reclamation of the arid lands in the West under irrigation, and we are offering to do this: If you will aid us to reclaim these lands in this way, we will then sell them in tracts of not less than 40 acres and not in excess of 160 acres, the lands to be sold to bona fide homesteaders at prices they are able to pay and on terms to meet their necessities.

We then offer, if the receipts realized from these sales fail to repay to the Government every dollar invested in the project, together with interest, that by acts of the Legislatures of Missouri and Arkansas—and we do not ask you to expend this money except for the survey until we do our part—we will empower the Secretary of the Interior to assess and collect betterments on all lands affected on either side of the river in an amount sufficient to repay this deficit. We can not lift ourselves by our bootstraps; we can not reclaim this country without help. Here is a fertile country. Some of the land has been reclaimed; but, as I said in the beginning, the people on those lands are not wealthy. Most of the holdings are small, and it has required every cent our people could earn to build their homes. They are not asking the Government to give them a cent; they are asking only that it lend its credit to reclaim these lands that are now lying waste, amounting, according to the statement of Mr. Whittemore, to 52,000 acres.

Mr. RUSSELL. Are they Government lands?

Mr. CARAWAY. Yes; these lands belong to the Government. They are worthless now and will remain so until this improvement is made.

The CHAIRMAN. I want to call your attention to the fact that the committee does not deal with public lands in any way and really does not deal with the matter of drainage unless it happens to be one of the incidents of the improvement of a navigable waterway.

Mr. CARAWAY. I understand that, and, with all due deference to the chairman, I understand that a great deal of the river and harbor improvement work has commerce only as a secondary incident, though it is the alleged reason for the improvement.

The CHAIRMAN. I will say that I think the committee could hardly see its way clear to report a bill or carry an item in the rivers and harbors bill that dealt solely with land reclamation.

Mr. CARAWAY. This does not deal solely with that. I am trying to state the whole case, and in order to do so I probably should have stated it more in detail. The St. Francis River has been an adopted project for the improvement of navigation for nearly 50 years, and every river and harbor bill carries an item for its continued improvement.

Mr. SWITZER. For the improvement of the river at this point?

Mr. CARAWAY. Yes; this stretch of the river is included in the bills, but, as a matter of fact, in the last few years no work has been done on this part of the river.

Mr. BOOHER. The original project for the improvement of the St. Francis River was carried in the rivers and harbors act of March 3, 1871.

Mr. CARAWAY. Yes, sir; and the act of 1880 carried a provision for doing exactly what I am asking now, except under the theory that it was for the promotion of navigation, and was to be done without cooperation. Let me tell you something about the improvement of the St. Francis River. Congress started in above the sunk lands and improved the river for about 80 miles, but recently this was cut down to about 18 miles. It snagged out that part of the river and then skipped 81 miles and commenced again, so that the improvement is broken up into two fragments. There are about 75 boats of one kind or another, but most of them are small motor boats engaged in local navigation in the middle strip, or sunk-land portion of the river, with an average haul of 10 miles, but if this river were canalized through these sunk lands you would have 235 miles of continuous navigation.

Mr. KENNEDY. Does that contemplate any locks or dams?

Mr. CARAWAY. No, sir; not one.

Mr. KENNEDY. In other words, it is a ditch through there.

Mr. CARAWAY. Yes, sir; that is it. By the act of June 14, 1880, an appropriation was made for improving the river from Wittsburg to Lesters Landing, the project for the expenditure of this appropriation being to cut a channel through "the lake" and clear the river of obstructions by snagging operations. So it is not a new project, and you have carried an appropriation in every bill for the improvement of this particular section of the river, and we are coming to you now and asking you to do what you at one time said you were going to do in aid of navigation. We are offering in addition thereto a repayment to the Government of all it may expend. If you dig a canal through these sunk lands you will reclaim these 52,000 acres. That will furnish homes for 1,300 families, with 40 acres to each family, and it is as rich land as is to be found anywhere in the world. It would furnish homes for about 6,500 people, and this improvement can be made for $610,000, according to the estimate of Mr. Whittemore, which is $12 per acre.

I know you can sell every acre of that reclaimed land for $25 an acre to people who are actually seeking homes, and they would be delighted to buy it. In addition, there are nearly 200,000 acres of land in private ownership which will be rendered suitable for cultivation that is now unsuitable, and a great deal of the country will be greatly benefited, and more than $2,500,000 worth of private drainage enterprises, to pay for which the people have gone into their pockets and taxed themselves—and which are now in danger of being destroyed by reason of the choked condition of this river—will be rendered safe and usable, and will be made to accomplish the purposes for which they were constructed. For example, one drainage ditch which cost the people of Clay County $456,000, together with the levees that were erected to aid it, and which drained the country to an average width of 5 to 10 miles, was partly filled up last August when we had an unusually high water, and the people lost $200,000 of their investment, every dollar of which has to be paid by people who are poor. They have taxed their homes to pay this, and this loss would not have fallen upon them if this improvement had been made. We are not tax shirkers. We pay the regular State and county taxes; we pay a special tax for schools; we pay a special tax for roads, and in addition we pay a tax to build levees along the Mississippi River, which tax is now 20 cents per acre, and goes up about 5 cents per acre every year or two. In addition we also pay 25 to 50 cents per acre for local drainage. We

are but asking that you do your part toward reclaiming this land that belongs to the Government by continuing the project that you adopted by the act of 1880 in aid of navigation. I do not know to what extent the river is going to be used for navigation, but for that purpose it gives great promise, and we want it so improved that the lands also may be reclaimed and be of use to the people.

Mr. BOOHER. The St. Francis River, outside of the section called the sunk-land section, has a well-defined channel?

Mr. CARAWAY. Yes, sir.

Mr. BOOHER. The sunk lands begin in Dunklin County, Mo., below Shipley?

Mr. CARAWAY. Yes, sir.

Mr. BOOHER. Do you know what the width of that strip is; the strip called the sunk lands?

Mr. CARAWAY. Yes, sir; I do. The sunk lands vary in width from a quarter of a mile to 7 miles.

Mr. BOOHER. Do you know how much below the surface of the Mississippi River the sunk lands are?

Mr. CARAWAY. I did know that, but I do not recall it now. If you will pardon me, I will make a statement that will give you that information.

Mr. BOOHER. Where the river strikes these sunk lands it practically becomes a swamp?

Mr. CARAWAY. Absolutely.

Mr. BOOHER. For what distance?

Mr. CARAWAY. Eighty-one miles.

Mr. BOOHER. How much of that is in Missouri, in miles?

Mr. CARAWAY. I can tell you that approximately. There are about 36 miles in Missouri.

Mr. BOOHER. And the balance is in Arkansas?

Mr. CARAWAY. Yes, sir.

Mr. BOOHER. In what counties in Arkansas?

Mr. CARAWAY. In Clay, Greene, Craighead, and Poinsett Counties, principally, and just a little corner of Mississippi County is affected by it.

Mr. BOOHER. In Missouri it is in Dunklin County?

Mr. CARAWAY. Yes, sir. Sixteen miles above the head of the sunk lands the St. Francis River has a channel with banks 17 feet above the low-water state; 9 miles below the sunk lands, at Marked Tree, it has 18 feet; and a short distance below that, at Madison, in St. Francis County, it has 38-foot banks. Through the sunk lands, in some places, it has a well-defined bank on one side, but on the other the average above low water, I should think, was not over 18 inches, and it may be less than that. In fact, when you approach it at many places you will not know when you reach the river, and the channel winds around through logs and growth and this smartweed, as we call it, and you can actually cross the river and never know it. As I said, where they have built the railroad bridge and wagon bridge at Lake City, and where I have seen steamboats at least 30 or 40 feet in length, there are willows growing up, in some places coming through the flooring of the bridges. There is no sign of a river there, and for three-quarters of a mile up and down stream, where I used to see the river, there is nothing now to be seen but vegetation. However, there is water there, and if you should probe down through this growth you would be apt to find water anywhere from 18 inches to 10 feet deep. If you canalize this river, you make it a continuous navigable stream for whatever uses it may be put, and I think the reports will show that this river carries about as much commerce as the ordinary streams for which appropriations are made, and you will, in addition, reclaim these lands. As I said before, we are not asking that the Government shall ultimately be out a cent. We are willing to pay whatever interest the Government has to pay on this investment, and we will pay back every cent when these lands are reclaimed and sold. We do not seek nor want to open these lands for the exploitation of big corporations. We want to open them for homes for poor people. We want them for those who will live on them and rear families and help uplift and upbuild our State. If from the sale of these lands the Government does not get back all money required to make this improvement, we will, by acts of the Legislatures of Missouri and Arkansas, empower the Secretary of the Interior to assess benefits on all lands lying within the basin which have been reclaimed or which may be benefited by the improvement.

Mr. BOOHER. Do you know, from the information you have gathered about that situation, how that land was before the earthquake?

Mr. CARAWAY. No; I do not. The earthquake was in 1811. But you can tell by an examination of the country that the land originally was covered with oak, cottonwood, and black-walnut timber. At the time of this disturbance the land dropped anywhere from 8 to 10 feet, but a great deal of the timber is yet standing.

Mr. BOOHER. Did it not drop as much as 20 feet in some places?

Mr. CARAWAY. I did not understand so.

Mr. BOOHER. How about that, Mr. RUSSELL?

Mr. RUSSELL. About four years ago, which was just 100 years after the occurrence of this earthquake, I placed in the record a letter written by an old lady whose name, I believe, was Eliza Bryan, and she stated in that letter, or at least I got the idea from some one, that the land sunk from 8 to 20 feet in different places, and sometimes more.

Mr. BOOHER. I think I read somewhere that they sunk as much as 22 feet.

Mr RUSSELL. Probably that much in some places. It varied at different places.

Mr. CARAWAY. All of that sunk land is crisscrossed with fallen timber that has been submerged and yet not decayed. Vegetation has grown up in its bed since that time and has literally choked the river.

The CHAIRMAN. What kind of timber is that?

Mr. CARAWAY. Cypress, oak, cottonwood, and there is some black walnut.

Now, you can take this country just up to where the land was destroyed. The people have gone on it and made homes—most of them poor people, as I said before. They live in very cheap houses, but——

The CHAIRMAN. Is there any dead cypress anywhere indicating that there was a cypress growth before that land sunk?

Mr. CARAWAY. Yes; millions of feet of it. There are cypress trees still standing in it that I am sure must be hundreds of years old. Some of them are not exactly perpendicular but are set at angles, showing that when the land sank they were standing timber and not of later growth.

The CHAIRMAN. There is a section of Florida to the west of the Apalachicola River that is supposed to have sunk during the same disturbance, and there are large cypress trees there. Of course, they are dead, but they are there, nevertheless. Cypress as a rule does not decay rapidly and after the long years that have gone by since that section of the country sank, they are still there in that condition.

Mr. CARAWAY. In stretches of this lake where there is considerable water, at ordinary water stages you will not see any signs of trees or stumps, but when the river gets very low its bed looks like a forest has been cut off, leaving the stumps standing where the trees were thrown down at the time of the earthquake.

Mr. HUMPHREYS. Reelfoot Lake sank very much more than 20 feet.

Mr. CARAWAY. Oh, yes. I think in some places it was 40 or 50 feet in depth. Now, in Missouri, in New Madrid County, there was a greater drop than that in Arkansas. I have seen there near New Madrid a gulch about 20 or 25 feet in depth.

Mr. RUSSELL. Some of the land is planted in corn.

Mr. CARAWAY. I know. If the river is not improved, however, it is going to render the remainder of the land worthless. It is going to destroy it. We have at this time there on the St. Francis River an overflow caused by this situation that will average in width 15 miles. The only railroad in that immediate section has been out of commission for a week. Last August when the crops were standing there came an unusual rainy season, and the whole country was submerged and crops ruined. A great ridge is building across the river. The water now piles up against this and spills out over the country and threatens the homes of all of our people living in that section.

The CHAIRMAN. There is a modification of the present project for the improvement of that river recently reported in House Document No. 60.

Mr. CARAWAY. I have it here before me.

The CHAIRMAN. You are now requesting a survey?

Mr. CARAWAY. That is it.

The CHAIRMAN. And would you be willing to have a survey, merely requesting the engineers to reinvestigate the matter with a view of seeing whether cooperation can be furnished by the people there with a view to coordinating the improvement of the river with the drainage of the contiguous lands?

Mr. CARAWAY. Let me be certain that I understand you. You want to know whether we would be willing to accept a survey and at the time of the survey to ascertain how much, if at all, the people are willing to cooperate in making the improvement?

The CHAIRMAN. Well, in any way. Of course, your idea is one of cooperation?

Mr. CARAWAY. Yes, sir.

The CHAIRMAN. You present a proposition that you say eventually will not cost the Government anything?

Mr. CARAWAY. I am going to guarantee it will not. We will put millions of dollars' worth of property back of it.

The CHAIRMAN. I was going to ask you whether you would be willing to have such a survey as I suggest?

Mr. CARAWAY. Yes, sir; I presume so. Here is what I want. Let me state it briefly and you will possible know better whether your suggestion and mine agree: The bill asks for $10,000, but the bill was drawn before House Document No. 60 reached me. I notice that Mr. Wittemore says it will take for a physical survey, in order to determine the very thing I am asking for now, $25,000; that it will require 1,500 miles of surveying. If you adopt our bill, or any modification the committee sees fit, because we have no pride of authorship in the bill, you would give us this survey, and Mr. RUSSELL could go to the Legislature of Missouri, and I could go to the Legislature of Arkansas, which meets next January, and we could get an act empowering the Secretary of the Interior, after these lands have been disposed of, if necessary then, to assess and collect betterments. I have in my office now a petition signed by 10,000 people interested in this matter. I believe that practically the entire population of that part of Arkansas affected by it are asking this. I know more than 500 from Mr. RUSSELL'S district in Missouri have sent requests to me. Of course, you would have to authorize and make the survey, but before you do more, the bill provides that the Legislatures of Missouri and Arkansas shall empower the Secretary of the Interior, after he has disposed of these reclaimed lands, to assess whatever benefit may be necessary to repay the Government every cent that has been expended.

Mr. BOOHER. Has this land ever been disposed of by the Government?

Mr. CARAWAY. No, sir; it has never been surveyed.

Mr. BOOHER. None of it?

Mr. CARAWAY. Not an acre of this 52,000 acres has had a surveyor's chain on it. In the original survey of this river the meander line of this lake left quite a large section of country that is now under cultivation within the meander line, but within the last six or seven years the Government has reclaimed that land, claiming that there was a mistake in the original survey, and then that part of it was opened for homesteads. We do not want to repossess that; we do not want to oust the homesteader of one cent's worth of his property; we do not seek those lands. These 52,000 acres are practically covered with water nine months in the year, and they are useless to anybody. No one has ever had the hardihood to go on them and try to live on them. There are no vested rights at all. The riparian owners have no claims on them, and no homesteader has sought to settle there.

Mr. HUMPHREYS. Now, Arkansas has a law under which the State of Arkansas owns to the center of the lake.

Mr. CARAWAY. The Arkansas law provides that on navigable streams the riparian owner shall own to the low-water mark. The State owns the bed of the stream, but the State of Arkansas claims none of these unsurveyed lands which lie in this marshy swamp.

Mr. BOOHER. In Missouri the swamp and overflow lands belong to the school fund.

Mr. RUSSELL. They were conveyed for that purpose, but that does not include unsurveyed lands.

Mr. HUMPHREYS. I do not know about that.

Mr. CARAWAY. That question has been settled by several cases in the Supreme Court of the United States, one of them being the case of Williams v. Little, and another the Chapman & Dewey Lumber Co. v. The St. Francis Levee District. The decisions in these cases were handed down only two or three years ago. I think they set at rest the question of the title to these lands. The lands are lying waste, and Mr. Whittemore, who went over them, said they are the richest lands he ever saw. I am not asking that any corporation shall be permitted to exploit them for profit, but that the man who buys any of them shall do so subject to any condition that the Secretary of the Interior may impose, just as it is done in the Reclamation Service.

The CHAIRMAN. Whatever we do ourselves will be done through the Secretary of War. If there should be reclamation work afterwards as a result of that work, it is quite probable that the land would still remain under the control of the Secretary of the Interior, but so far as we are concerned the Secretary of War will have charge of whatever work we might authorize.

Mr. CARAWAY. I understand the Secretary of War will do the reclamation work, but the levying of taxes and the disposition of the land would be under the Secretary of the Interior. Therefore I drew the bill in the form in which it now is. I tried as nearly as possible to adapt the laws for the reclamation of arid lands of the West to the improvement of this particular situation. You gentlemen realize there are thousands of people who are able to pay a small assessment and thereby eventually pay back to the Government the money it may expend, and in that way acquire and pay for a home. We want to help them by this legislation.

I would like to place in the record a letter and a statement of the cost of private drainage and levee work that we are undertaking.

Mr. BOOHER. You think that the riparian owners in the State of Arkansas have no rights in the matter?

Mr. CARAWAY. I know that under the decision of the Supreme Court they have none. We tested that question out in a case that arose in Arkansas, and the Arkansas Supreme Court held that they had those rights, but on appeal to the Supreme Court of the United States that court reversed our court.

Mr. BOOHER. They held that the riparian owners have no rights at all?

Mr. CARAWAY. Absolutely none.

I wish here to insert extracts from the opinion of the Supreme Court of the United States bearing on this question.

With reference to the legal ownership of the lands sought to be reclaimed by the improvement of the St. Francis River, the question is asked whether the lands reclaimed would become the property of the Government of the United States or the State in which the lands may be located. Those in Arkansas, which are possibly three-fourths of the lands herein sought to be reclaimed, are controlled by the decision of Little v. Williams (231 U. S., October term, 1913, p. 335). Under what is known as the compromise act, in which the State of Arkansas undertook to surrender its inchoate rights in all lands not then patented, and do other things, the Government accepted these lands and surrendered certain bonds. All the right and title of the State of Arkansas to any unsurveyed public lands was surrendered to the United States. However, the decision of the court without question, while settling the compromise act, lays down the doctrine that swamp and overflowed lands granted to the State by the acts of Congress of 1850 only pass by survey and plats. And the court, in speaking of this, says:

"In view of the finding that the land in controversy was never patented to the State, it will be perceived that a pivotal question in the case is, whether the swamp-land act of 1850 in itself operated to invest the State with the title in any such sense as to be of present avail to the plaintiff. The State court answered the question in the negative, and the correctness of that ruling is now to be passed upon.

"Although the terms of the first section of the act denote a present grant to the State of the 'swamp and overflowed lands made unfit thereby for cultivation,' the second section lays upon the Secretary of the Interior the duty of identifying and listing the lands coming within the terms of the grant and of causing patents therefor to be issued to the State 'at the request of' its governor, and then declares: 'And on that patent the fee simple to said lands shall vest in the State,' subject to the disposal of its legislature. It became necessary in Rogers Locomotive Works v. Emigrant Co. (164 U. S., 559) to determine the meaning and effect of the act in the light of these provisions and of prior decisions, and it was there said (p. 570): 'While, therefore, as held in many cases, the act of 1850 was in præsenti, and gave an inchoate title, the lands needed to be identified as lands that passed under the act; which being done, and not before, the title became perfect as of the date of the granting act.' And again (p. 574): 'It belonged to him [the Secretary of the Interior], primarily, to identify all lands that were to go to the State under the act of 1850. When he made such identification, then, and not before, the State was entitled to a patent, and on such patent the fee-simple title vested in the State. The State's title was at the outset an inchoate one, and did not become perfect, as of the date of the act, until a patent was issued.' What was there said has since been regarded as the settled law upon the subject. (Michigan Land & Lumber Co. v. Rust, 168 U. S., 589, 592; Brown v. Hitchcock, 173 U. S., 473, 476; Niles v. Cedar Point Club, 175 U. S., 300, 308; Ogden v. Buckley, 115 Iowa, 352; Birch v. Gillis, 67 Mo., 102; Carr v. Moore, 119 Iowa, 152 159.)

"As this land was never so identified, and, so far as appears, its identification was never even requested by the State, it follows that, even if at the date of the act the land was in fact swamp or overflowed, the State never acquired more than an inchoate title to it, a claim which was imperfect both at law and in equity."

Inasmuch as the State is declared there to have acquired no more than inchoate title, a claim which was imperfect both at law and in equity, it follows, as a matter of course, that if the Federal Government should make other disposition of the lands the State could have no claim therein.

The same opinion was affirmed in Chapman & Dewey Lumber Co. v. St. Francis Levee District (234 U. S., October term, 1913, p. 667).

UNITED STATES ENGINEER OFFICE,
Eureka, Cal., January 12, 1916.

From: Geo. F. Whittemore, junior engineer, 210 Federal Building, Eureka, Cal.

To: Hon. T. H. Caraway, House of Representatives, Washington, D. C.

Subject: Canalization of St. Francis River, Ark., through the Sunken Lands.

(1) Your letter of 3d instant just at hand to-day. Last May I was transferred to the first California district under Lieut. Col. Rees and put in local charge of harbor works at Humboldt Bay. I was much shocked to hear of Maj. Putman's sudden death shortly after I left Little Rock.

(2) With reference to your inquiry concerning my estimate of canalizing through the Sunken Lands, I have to report that the cost would be about $610,000 for a canal with a top width of channel of 130 feet, bottom width of 85 feet, and mean depth of 15 feet below low water. A specially rigged dredge could place the excavated material 100 feet to one side to form good levees about 200 feet apart to retain the higher waters.

(3) The length of river through the Sunken Lands is now 81 miles, and when improved, as you suggest, by canalization, would have a length of 75 miles, or 6 miles shorter than it now is. This would reclaim approximately 52,000 acres of the richest land that I have ever seen at a cost not to exceed $12 per acre. This might be modified to bring the cost of reclamation down to $8 per acre by reducing the width at bottom of proposed canal to 50 feet and top width of 95 feet.

(4) In this connection, I beg to state that Mr. C. B. Bailey, civil engineer, of Wynne, is very well posted and interested in that section. It is to be hoped that you may be able to accomplish something with the area in question, as it seems worthy of improvement.

(5) With best regards to Chairman SPARKMAN; Mr. EDWARDS, of my old district; and yourself, I am, sir,

Yours, sincerely, GEO. F. WHITTEMORE.

Mr. RUSSELL of Missouri. Mr. Chairman, I understood the gentleman from Florida had some time to yield to me.

The CHAIRMAN. The gentleman has not.

Mr. RUSSELL of Missouri. Then I move to strike out the last two words.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. RUSSELL of Missouri. Mr. Chairman, I have a constituency that is very deeply interested in this proposition. That is my apology for adding anything to the able and full argument that has been made by the gentleman from Arkansas [Mr. CARAWAY].

I am very sorry to find that the gentleman from Iowa [Mr. DOWELL] is so anxious to jump upon this item in this bill that he has gone from page 22, where we are now reading, to this item, that does not appear until you reach page 39. I want to say in a general way that if there is a single item in this bill that is meritorious above all others it seems to me to be this, because of the fact that it is not to cost this Government ultimately one single dollar.

The St. Francis is a navigable river. Nobody, I think, questions that; but if so, let me call your attention to the fact that this House and this Congress at this session has passed three bills authorizing the construction of bridges across that river that could not be built without that authority. The Government owns this stream. It has heretofore expended hundreds of thousands of dollars for the improvement of this river. In the years 1811 and 1812 an earthquake that has become notorious as an historical event in this country obliterated that river for about 80 miles. It destroyed the channel, by reason of the lands along its banks sinking perhaps 8 or 10 feet. Since that time we have what is sometimes called the "sunken lands," but more generally known as the "spreads" of the St. Francis River. We have a navigable river at the north end of the St. Francis. We have a navigable river south of these sunken lands, the south end of the St. Francis River, but the channel for 75 or 80 miles has been destroyed by the earthquake. It formed an impenetrable lake by reason of the land sinking, as stated, creating a great body of water in that country that has been impassable since that time. It is to-day absolutely valueless, and will be until drained and reclaimed. It is waste land as it now is and not worth a dollar to any man or to the Government, but is a great menace to the health of that country. These lands, I am advised by engineers who have made some slight examination of the conditions, can be successfully drained if this river is straightened and canalized for 75 miles. The Government owns 52,000 acres of that land. The statement has been questioned by the gentleman from Iowa [Mr. DOWELL], but Arkansas has relinquished any claim upon them that are situated in that State, and nearly all of these waste lands are upon the Arkansas side of the river. These lands can be reclaimed, and will be worth more than $5,000,000 when improved and ready for cultivation. They will be capable of producing annual crops in cotton, corn, and wheat of the value of from $1,000,000 to $2,000,000, depending upon the seasons and the price of these staple farm products. And with a family of five upon every 40 acres, which would be easily possible, would furnish homes for 6,500 people.

We are advised by the engineers who have made some examination that this canal can be dug for $610,000, or about $12 per acre. All we ask in this bill is that a full and a perfect survey may be made, so that the money may be appropriated later to dig the proposed canal, and when it has been done the Government can sell the land reclaimed for or more than is required to do the work. We have promised and guaranteed in the bills that were introduced by the gentleman from Arkansas [Mr. CARAWAY] and myself that the Government ultimately shall not lose one single cent. We pledge our property to reimburse the Treasury if the Government's land when sold does not pay it. Our citizens who will be incidentally benefited will pay in taxes on their private property any deficit the Government may sustain by reason of the expenditure.

They tell us that this is a drainage proposition, and not a question of navigation. It is both. The river is navigable above, and it is navigable below, and when we dig the proposed canal through these spreads it will connect the two parts of the river and it will then be navigable from the north end to the

south end. This is a question of navigation as well as one of drainage and of flood control.

Mr. Chairman, if I have stated the case fairly and correctly, and I assure you I have tried to do so, it would seem to be almost a criminal neglect for the Government to refuse to promptly lend its encouragement, its aid, and its credit to an improvement so inexpensive, so meritorious, and so important to so many people.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, does the gentleman from Missouri want to go on?

Mr. RUSSELL of Missouri. No. I ask unanimous consent that I may extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. All debate on this paragraph has closed.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to amend the paragraph at the end of line 3 by striking out "$9,500," and inserting "$9,600."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Page 22, line 3, strike out "$9,500," and insert "$9,600."

Mr. MOORE of Pennsylvania. Mr. Chairman, there have been times when I have not agreed with the Democratic Party. [Laughter.]

Mr. SPARKMAN. Mr. Chairman, how much time does the gentleman intend to use?

Mr. MOORE of Pennsylvania. The usual time for my amendment—five minutes.

Mr. DOWELL. Mr. Chairman, I want some time for one matter.

Mr. MOORE of Pennsylvania. Mr. Chairman, one-half of my time is taken already. [Laughter.] I say there have been times when I have not agreed with the Democratic Party.

Mr. GOOD. On river and harbor appropriations? [Laughter.]

Mr. MOORE of Pennsylvania. There have been times, also, when I have disagreed with the President of the United States, but those differences have been on matters of policy relating particularly to political economy and the manner in which the Government should be carried on. But I like to be consistent sometimes [laughter], and therefore, as a party man, I am surprised that the gentleman from Iowa [Mr. DOWELL], who has been criticizing this item of the St. Francis River, should not be more in accord with the party platform that he undertakes, along with the rest of us on this side, to observe.

The Democratic Party in its platform of 1912 stood for the improvement of rivers and harbors, and so far as I have observed, it has stood for it consistently, although its consistency in this regard has been somewhat unique. [Laughter.] But it has stood for the improvement of rivers and harbors, not so much up in my section, perhaps, as in other sections, but I am not raising that question now.

The Democratic Party was elected to power on its platform of 1912, and it is entitled to make the most of it. As a Republican I have been ready to take my medicine, because in 1912 Republicans generally were not sufficiently interested to prevent it. Hence I have not objected in this day and generation of Democratic supremacy, incidental and accidental though it may be, to their building a few post offices, to improving a few rivers and harbors in their own territory, or to providing here and there for the reclamation of land or the redemption of a few swamps. [Laughter.]

I believe it would be a splendid thing all over the South, particularly in the State of Arkansas, if many of the sluggish rivers that prevail there could be made to run free of the snags and overhanging boughs and branches and all those things that impede navigation and impair the growth and health of the people. But I am not going very far into that now. I am too consistent a river and harbor man. [Laughter.]

Now, before the Democratic Party came into power——

Mr. PLATT. Mr. Chairman, will the gentleman yield there?

Mr. MOORE of Pennsylvania. No; I can not yield. I can not discuss railroads with the gentleman from New York in five minutes. The gentleman can not interject railroads into my waterway speech at this particular time.

Mr. PLATT. Just for a question.

Mr. MOORE of Pennsylvania. No; I can not yield to the gentleman; the gentleman wants to prove that railway transportation is cheaper than water transportation. He could not do that to my satisfaction in 100 years.

Mr. PLATT. I want to prove that the gentleman's proposition would be like feeding money to the birds.

Mr. MOORE of Pennsylvania. No; the gentleman can not prove that, either. The gentleman has not been consistent on any proposition in this bill. He is as inconsistent as the Democratic Party has been on its platform at Baltimore.

Mr. MADDEN. I thought the gentleman was trying to be consistent with the Democratic platform.

Mr. MOORE of Pennsylvania. Oh, no. I know what the gentleman from Illinois wants. He wants $4,500,000 for a post-office site out there in Chicago, and he thinks that if this river and harbor bill goes through there will not be money enough left in the Treasury to provide for the building; therefore he does not agree with the Democratic Party's ideas on navigation. [Laughter.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for three minutes more.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that the debate on this paragraph and amendments thereto close in five minutes.

Mr. DOWELL. Mr. Chairman, I want five minutes after the gentleman closes.

Mr. SPARKMAN. The gentleman from Iowa stated before that he wanted only two minutes.

Mr. DOWELL. I want five minutes, now.

Mr. MOORE of Pennsylvania. Mr. Chairman, I think they are speaking in my time.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Florida will state his motion.

Mr. SPARKMAN. I ask unanimous consent, Mr. Chairman, that all debate on this paragraph end in eight minutes. The gentleman from Pennsylvania wanted three minutes. I want five.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in eight minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for three minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Do my three minutes begin now?

The CHAIRMAN. They do.

Mr. MOORE of Pennsylvania. I thank the Chair. The gentleman from Iowa [Mr. DOWELL], who belongs to a newly developed band of Republican reformers following the lead of the gallant gentleman from Wisconsin [Mr. FREAR] in opposition to river and harbor improvements in this country, indicated by his question to the gentleman from Arkansas [Mr. CARAWAY] that the St. Francis River and its tributaries are a sort of drainage ditch. I recall the exact words, "a drainage ditch." It seems to be all wrong to want to clear out a section of the country by a drainage ditch.

Well, the Democratic platform stood for rivers and harbors, and also for drainage ditches, and the clearing of swamps and things of that kind, and the Democrats have been consistent since 1912 on that proposition. But where does the Republican Party stand and where do the gentleman from Iowa [Mr. DOWELL] and his distinguished band of compatriots from that splendid farming State of theirs stand on the question of drainage ditches?

The Republican platform of 1912 had something to say on that subject. I do not know who wrote the ditches plank into that platform. I am sure I did not, because I had some views on that subject myself. But I find in the Republican platform, which the gentleman from Iowa [Mr. DOWELL] ought to recognize, this interesting paragraph with regard to rivers and harbors:

> We favor a liberal and systematic policy for the improvement of our rivers and harbors. Such improvements should be made upon expert information and after a careful comparison of cost and prospective benefits.

Therefore we are in favor of a rivers and harbors bill.

But as to drainage ditches and as to flood protection, what does the platform of the Republican Party say?

> The Mississippi River is the Nation's drainage ditch.

The gentleman has been quoting his own platform without knowing it, and he uses, as an opprobrious term, words which he takes from the platform of his own party. Now, I contend

that there is not very much politics in river and harbor matters, and I am not laying too much stress on what some one man wrote in a platform, for I suspect that both the Republican and the Democratic conventions were swayed by the same influences on this proposition. But there it is in the Republican platform just the same.

The Mississippi River—

Says the platform—I mean the Republican platform—

is the Nation's drainage ditch. Its flood waters, gathered from 31 States and the Dominion of Canada, constitute an overpowering force which breaks the levees and pours its torrents over many million acres of the richest land in the Union, stopping mails, impeding commerce, and causing great loss of life and property. These floods are national in scope, and the disasters they produce seriously affect the general welfare. The States, unaided, can not cope with this giant problem. Hence we believe the Federal Government should assume a fair proportion of the burden of its control so as to prevent the disasters from recurring floods.

We favor the continuance of the policy of the Government with regard to the reclamation of arid lands, and for the encouragement of the speedy settlement and improvement of such lands we favor an amendment to the law that will reasonably extend the time within which the cost of any reclamation project may be repaid by the landowners under it.

As the Democratic plank is not much different, it shows there is little or no politics in the bill.

The CHAIRMAN. If there be no objection, the pro forma amendment offered by the gentleman from Pennsylvania [Mr. MOORE] will be withdrawn.

There was no objection.

Mr. DOWELL. I want to say to the gentleman from Pennsylvania [Mr. MOORE] that he can vote for this amendment and not in any manner interfere with the platform of the Republican Party, which he has just read to me. In view of the fact that he has raised this question, I want to read to the House just the kind of a river, or a harbor, or whatever you want to call it, we are dealing with now. I am sure that if my friend from Pennsylvania had even known what he was talking about he would not have read that platform in your hearing, in view of the evidence I am about to read from the statement before the committee of the gentleman from Arkansas [Mr. CARAWAY], who, I assume, knows this river fairly well:

Through the sunk lands in some places it has a well-defined bank on one side—

Now listen to this—

but on the other the average above low water, I should think, was not over 18 inches, and it may be less than that. In fact, when you approach it at many places you will not know when you reach the river.

Does that look as though we were violating the sacred plank of the Republican platform that the gentleman from Pennsylvania [Mr. MOORE] is so afraid he is going to violate if he votes for this amendment?

I read further:

And the channel winds around through logs and growth and this smartweed, as we call it, and you can actually cross the river and never know it.

[Laughter.]

That is the language of the gentleman from Arkansas before the committee in the hearings on this identical proposition. I am ashamed of the gentleman from Pennsylvania [Mr. MOORE] that he did not know what he was talking about when he so eloquently pleaded for the sacredness of the platform of the Republican Party. But listen to this. I want to read some more from the gentleman from Arkansas.

Mr. TREADWAY. I want to ask the gentleman if the reason he would not know when he crossed the river was because there was no water in it.

Mr. DOWELL. I will let the gentleman from Arkansas [Mr. CARAWAY] answer that in his own words before the committee.

I read further from the statement before the committee:

As I said, where they have built the railroad bridge and wagon bridge at Lake City, and where I have seen steamboats at least 30 or 40 feet in length, there are willows growing up, in some places coming through the flooring of the bridges. There is no sign of a river there, and for three-quarters of a mile up and down stream, where I used to see the river, there is nothing now to be seen but vegetation.

Does that look like a river?

Mr. CARAWAY. Will the gentleman yield?

Mr. DOWELL. Just a moment. This statement of the gentleman at the hearing is just about as good as anything he will be able to tell us now, and I want to read this first:

However, there is water there—

Now listen to this. I call it to the attention of the gentleman from Pennsylvania [Mr. MOORE]—

and if you should probe down through this growth you would be apt to find water anywhere from 18 inches to 10 feet deep.

You would be apt to find water if you dug deep enough in this place, but it is conclusive from this evidence that there is no river there.

The gentleman from Pennsylvania has described this place as a great waterway, and has suggested the violation of the sacred plank of the Republican platform if we vote for my amendment. It is projects of this character that bring criticism to this bill.

The CHAIRMAN. The gentleman's time has expired. All time has expired. The question is on the amendment of the gentleman from Iowa [Mr. DOWELL].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Cumberland River, Tenn. and Ky.: For maintenance above Nashville, $5,000; continuing improvement below Nashville, $705,000; in all, $710,000.

Mr. FREAR. Mr. Chairman, I move to strike out the figures in line 6, page 22, "$705,000," and to insert "$171,000"; and then I move to strike out the figures "$710,000" and insert the figures "$176,000."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 22, in line 6, by striking out "$705,000" and inserting in lieu thereof "$171,000"; and strike out "$710,000" and insert in lieu thereof "$176,000."

Mr. FREAR. Mr. Chairman, the purpose of this amendment is to strike out as nearly as I can ascertain from the reports the money that is to be expended for new locks and dams, leaving in the amounts that are for ordinary maintenance. It is a little over half a million dollars. This is a project—and I will only discuss the amendment, because I will try not to take unnecessary time of the committee—that has been rejected three different times by the Army engineers. Finally it was approved by the Army engineers with a condition. That condition was that the people of the States should contribute one-half of the $4,500,000, and in view of the condition that was made, there appeared before the Board of Army Engineers 11 Congressmen and United States Senators in an effort to secure the removal of that contribution.

Mr. SPARKMAN. What portion of the river is the gentleman referring to? I thought his amendment applied to the lower portion.

Mr. FREAR. No; the Cumberland River above. I am going to read from Document No. 10, pages 3 and 9. As I said, after having been rejected three times by the Army engineers and Col. Black, who is the Chief of Engineers, who placed the condition of the contribution of one-half of the $4,500,000, these gentlemen that I refer to appeared before the board and secured the removal of this condition.

Col. Black says, and I am reading from page 9:

Of these $2,250,000—

And yet Col. Black changed his mind inside of a week, and withdrew the condition, so that the Government is engaged in preparing for this $4,500,000 project. Now, I read from page 16021 of the CONGRESSIONAL RECORD, of September 3, 1914, the words of a very distinguished man who knew more about the rivers and harbors than I do. In it he says:

If I could have the attention of the Senate while I present facts and figures, I am confident I could demonstrate that, as regards the higher grades of freight, it would be cheaper to carry every pound that can possibly be presented by autotruck rather than by a canal, and pay interest on the investment.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FREAR. Mr. Chairman, I ask for five minutes more.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 22 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate close in 22 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, if this was the only river existing in this condition I might not challenge it at this time, but in view of the statement of Col. Townsend that all the rivers of the Mississippi Valley—in view of his proposal that we stop the further canalization of 58 streams until we can try out one or two of them, it occurs to me that we can save $500,000 by adopting the amendment that I am proposing on the Cumberland River. I realize that whenever this question is raised it naturally reaches those who are particularly interested in the project, and I think I ought to be entitled to a vote of thanks of the House for giving them an opportunity to speak on their favorite projects.

Now, I have no more objection to this than any other river for canalization. I am not going to speak any more of the Cumberland River, but I do ask one thing in justice to a paper that we were discussing yesterday, the Philadelphia Inquirer. I quoted from the Philadelphia Inquirer yesterday, and I ask

unanimous consent to incorporate in my remarks a short editorial from that paper.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FREAR. The editorial is interesting in one particular, in that it suggests a change in the present system. It acknowledges the present system is not satisfactory and it believes that certain improvements have been brought about. In all fairness I desire to say that in view of the editorial read yesterday, I desire to express my appreciation of the spirit of an editorial in yesterday's issue, which is illuminating and in which it speaks very hopefully of adopting some further and better system than the one we have to-day. I trust the change in system may soon be reached in order that we may get away from present conditions.

Now, I am not going to take any further time, because the House has been very generous to me, and I propose to leave it where it is.

The editorial is as follows:

[From the Philadelphia Inquirer, Friday, Apr. 7, 1916.]

WHAT IS A PORK BARREL?

The "pork barrel" known to Congress is an appropriation bill carrying immense sums in the aggregate, which sums are distributed among congressional districts on the principle of "you tickle me and I'll tickle you."

There are usually two barrels. One contains hunks of appropriation pork for rivers and harbors. The other contains pap for nice little Congressmen who have influence enough to demand and receive all sorts of money for all sorts of public buildings in all sorts of towns of their districts.

The abuses which have crept into these two barrels in the past have been extremely serious. Mud flats have been dug out for the benefit of catboats. Expensive buildings have been erected out of all proportion to practical requirements.

There are centers of population where the business of the Government is badly handicapped for lack of accommodations for handling the mails. Philadelphia is an important point. It returns to the Federal Treasury huge profits from the mails and from customs. A much larger post-office building is a necessity in Philadelphia; so is an enlarged customhouse. We mention Philadelphia as an instance only, for other large cities are likewise suffering. But because so many little places are awarded Federal buildings two and three or even half a dozen times too large, and at a cost as many times too great for the business done, the important centers are obliged to get along as best they can for years upon years.

That is what the public-building pork barrel does in the way of evil.

It is precisely so with rivers and harbors. Again, we take Philadelphia as an example. Here is a port second only to that of New York. For years it has been fighting for justice. Long ago it should have had a 35-foot channel. The necessity for it was conceded. Congress has been committed to it. But because of the enormous waste on places of no account whatever, the Delaware River has been coming into its own by piecemeal only. And this is not only so with the Delaware, but with other enterprises of general importance.

At last there is evidence that Congress is experiencing a change of heart. Whether it is true and permanent repentance, or whether it is temporary and occasioned by the necessity to economize, is a question for the future to answer. But the fact is that the Committee on Rivers and Harbors in drawing up the appropriation bill which has been under discussion throughout the week in the House apparently did its best to get rid of "pork." Enterprises of little account are still coddled, but their number is extremely few in comparison with past offenses. With the exception of a New York scheme, the House has refused to start new projects and has confined itself to enterprises under way. Because of this new policy the important Delaware River is treated decently. For the 35-foot channel the sum of $2,165,000 is awarded, with an additional $600,000 for continuing existing contracts. This action is satisfactory. It is also satisfactory that the disposition has been strong to disregard insignificant schemes.

To this Congress must eventually come as a definite policy. It should get down to a systematic plan for development, and it will be done when it becomes possible to blacklist all foolish projects which have been eating up millions upon millions for no other reason than that Members of Congress have been potent enough heretofore to secure "pork" for their districts.

Ports that do a substantial foreign business are worthy of attention. They will get it when the trout streams are given back to the trout.

Mr. BYRNS of Tennessee. Mr. Chairman, the remarks of my friend, the distinguished gentleman from Wisconsin, have simply served to amplify the fund of misinformation which he undertook to give to the House by way of a minority report, in so far as this particular appropriation for the lower Cumberland River is concerned. The gentleman has been a member of the Committee on Rivers and Harbors for several years. He professes to have given the subject general study, and I do not question the fact that he has given it close attention. He has assumed to come before the House and, by way of a minority report and by the remarks he has made, to give to the House accurate information in regard to many of these projects.

Now, I know nothing about the facts concerning other projects contained in the bill and referred to by the gentleman from Wisconsin, but I want to say, with all due deference but with every assurance, that if the statements made in his report with respect to other projects are no more correct and accurate than they are with reference to this particular project, then very little consideration can be given to any of them.

The gentleman, notwithstanding his extended study of this subject, does not seem to understand that there are two projects on the Cumberland River—one the upper Cumberland River project, extending from Nashville to the headwaters of navigation, and the other the lower Cumberland River project, extending from Nashville to the Ohio River, into which it empties. This appropriation is made to carry on the work now under way on the lower Cumberland River project, a project that was adopted by Congress in 1892, providing for seven locks and dams and the dredging of a portion of the river at its mouth, and which was modified in June, 1910, by eliminating one of those locks and dams.

The gentleman in his report says that this project has been rejected by the Board of Engineers. I want to say to the gentleman that that is an absolute mistake upon his part. This project has never been rejected by the Board of Engineers, and I may say in passing that the project on the upper Cumberland River has never been rejected by the Board of Engineers, although work was discontinued or suspended there several years ago. So far as the lower Cumberland River project is concerned, one lock was authorized in 1892 and then work was suspended, but there was no rejection on the part of the Board of Engineers. Congress, in 1910, again took up that work, and made an appropriation for that purpose. Three locks and dams are now under way, and if this appropriation is passed, as I hope it will be, it will mean that the other two locks and dams necessary to complete the improvements on the lower Cumberland from Nashville to the Ohio River will be put under way and soon completed.

The gentleman, by his motion to strike out this item, would have this work stop, and, notwithstanding the fact that the construction of only two more locks and dams is necessary to complete the whole scheme of improvements on the lower Cumberland River, he would deny to the people who are served by this river this improvement which is necessary to make the river navigable during the entire year. And he takes this position in the face of the fact that appropriations have already been made for four locks and dams on this project. In other words, he would, in effect, throw away the money and work already expended and leave a great still-water canal in the middle of the river, with no outlet, during a part of the year for the great amount of commerce, agricultural and timber products which will find their way to the markets of the world by way of this river, if certain navigation is afforded during every month of the year. Certainly the gentleman will not, upon reflection, insist upon that, nor will the House agree to any such proposition.

The gentleman, in his minority report, solemnly tells the House that, deducting the floatable timber and sand, a commerce of only 53,000 tons is reported for the river. Now, I have the highest respect for the gentleman, and I am quite sure he does not intentionally wish to misrepresent the facts. But he is entirely in error about that. As a matter of fact, deducting the great amount of commerce to which he alludes, the tonnage on the river amounted last year to more than a quarter of a million tons. But it is hardly a fair argument to refer to the tonnage and use that as a basis why an appropriation should not be made for the improvement of a river. It is not to be expected that the tonnage will reach anything like its maximum on a river where there can be certain navigation for a period of only eight or nine months in the year, on account of shoals and a low state of water. River transportation can never be developed under such circumstances. We must look to the possibilities and not to the conditions existing before the improvements are actually made.

If I had the time I could point out to you the great commercial possibilities of this river, not only because of the rich agricultural section traversed by it, than which there is none better in the United States, but also because of the timber, coal, and other valuable products which are to be found in reasonable market distance. But improvements of this kind should not be considered wholly from the standpoint of the actual amount of commerce which may be carried. Their potentiality in helping to control freight rates should not be overlooked. In speaking of this phase of the matter, with reference to the lower Cumberland River improvement, the report of engineers states:

The work on Locks B, C, and D will not facilitate navigation until the locks and dams are completed and placed in operation; nor can it be expected that the lower Cumberland River will be continuously navigable until the two remaining locks and dams have been completed. Nevertheless, even in its present condition the lower Cumberland River has a marked effect on railroad freight rates, and the navigable facilities offered by this stream are undoubtedly responsible for the favorable freight rates which Nashville has been granted, as compared with rates between towns not connected by a navigable waterway. The effect of the continuous navigation provided by the

canalization for the 41.4 miles below Nashville was noted from the immediate reduction by about 50 per cent in the rates charged by the Tennessee Central Railroad over that part of its line which parallels the pool of Dam A.

The gentleman has referred to a meeting before the Board of Engineers, and he has asked this committee to believe that that meeting was with reference to the lower Cumberland project, for which an appropriation is made in this bill, and which he is now seeking to strike out. The gentleman is again mistaken, for the meeting to which he refers was with reference to the upper Cumberland, and has nothing to do with this appropriation. I want to say to the gentleman that there has never been any meeting before the Board of Engineers, so far as I know, with reference to the lower Cumberland River project, nor do I know of any question being made about it on the part of the Board of Engineers. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BARKLEY. Mr. Chairman, the items contained in the paragraph sought to be eliminated by the gentleman from Wisconsin [Mr. FREAR] are composed of two parts, $5,000 for the upper Cumberland River and $705,000 for the lower Cumberland River. The gentleman from Wisconsin [Mr. FREAR] makes a motion to strike out the appropriation with reference to the lower Cumberland and then made a speech on the upper Cumberland. Is it possible that the gentleman undertook to deceive the House by talking about a proposition that is not even cared for in the bill except with a $5,000 appropriation for maintenance?

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. FREAR. My purpose in that is only secondary. The purpose is to stop all of the work of building these locks and dams pursuant to the report of Col. Townsend.

Mr. BARKLEY. This work on the Cumberland was begun in 1892. Originally it provided for seven locks between Nashville and the Ohio River, but by reason of the canalization of the Ohio, and the building of a lock and dam below Smithland, Ky., just below the mouth of the Cumberland, one of those locks and dams has been eliminated because the backwater caused by the damming of the Ohio will afford navigation for 30 or 40 miles up the Cumberland River from its mouth to a bend near Eddyville, Ky. Ever since 1892 the Government has been building these locks and dams, or has been promising to build them, and yet when we come to the completion of the project including an appropriation sufficient to build locks and dams at a point opposite Cadiz, in Trigg County, and at Eddyville, Ky., the gentleman from Wisconsin [Mr. FREAR] wants to stop all work and waste all of the money that has been expended upon them, when, by the completion of the three locks and dams that are unfinished and these three that have not been started, a 6-foot channel will be afforded for yearly navigation to the people along the banks of the Cumberland from Nashville to the mouth. The gentleman has repeatedly claimed that navigation has decreased on these rivers, and I want to point out that while it is true that the report shows there has been a slight falling off on the Cumberland River, from 1912 to 1914, this falling off is due to two causes. First, in 1913–14 we had along the banks of this river one of the most severe droughts that has ever befallen the people of that section of the country, and in addition to that, according to the Engineers' report, navigation is only possible for six months out of the year, and we can not expect men to invest their money in boats where they can operate them only six months out of the year.

There is scarcely a man of any business sense who would invest his money in any project or enterprise or any undertaking where he could only carry on his enterprise one-half of the year. I can assure the gentleman from Wisconsin that the navigation on the Cumberland River, which flows through a very fertile and thickly settled part of the States of Tennessee and Kentucky, if this project is completed and boats are permitted to run 12 months in the year instead of 6, in my opinion, will very greatly increase, not only double, but three and four fold, because of the possibility of being able to navigate it all the year round.

The gentleman undertakes to exclude commerce that he calls "floatable." I presume the gentleman would carry out the same notion in every other adventure of human life, and instead of riding on trains we would go back to the old-fashioned stagecoach to get from one part of the country to another. We have no way to float our commerce down the river except in boats, as it ought to be floated; and we can not float boats without a channel of at least 6 feet, which will be obtained when this improvement is completed. I hope this appropriation will not be stricken out or reduced. [Applause.]

Mr. HULL of Tennessee. Mr. Chairman, no Member of this House, I think, is in stronger sympathy with honest efforts to promote economy than I am. I commend in the strongest terms the efforts of the gentleman from Wisconsin [Mr. FREAR] and others to whatever extent they relate to a real purpose to practically economize, as I do all Members in both Houses. But I wish, Mr. Chairman, to take exception to what appears to be the studied effort of some gentlemen to misrepresent the plain facts as they relate to some of these river projects. I hope gentlemen who are or profess to be interested in the matter of economy will give attention to the facts upon which they base their utterances here if they have any remote disposition to be fair or honest in dealing with these items.

Now, my friend the gentleman from Wisconsin [Mr. FREAR] evidently did not know that the Cumberland River consisted of two separate and distinct projects. He offers an amendment here to one project and then proceeds to pour out some vituperation on the other project, a project which is not in this bill at all. I was content to remain silent, because it comes in the list of new projects, which are not to be embraced in this bill, but the gentleman from Wisconsin insists on lugging into this debate denunciation of a project that is not in the bill at all and as to this bill has no connection with the lower section of the river.

Mr. FREAR. I will say that I accept the gentleman's statement regarding this, because I do want to be correct. I simply based what I said upon the statement of Col. Townsend.

Mr. HULL of Tennessee. I am glad to hear the gentleman accept it, because I was very greatly surprised to see the gentleman bring up this matter at this time.

Now, the facts are, Mr. Chairman, that this project that is not in the bill and which has been attacked was approved by both Houses of Congress for 20 years, from 1886 to 1906. The gentleman from Ohio, Mr. Burton, was one of the supporters of this project. Finally the commerce apparently dropped down to less than half of what it was. The result was that the Department of Engineers not knowing the real facts as to the commerce recommended the temporary discontinuance of this improvement. Now, the gentleman from Wisconsin inaccurately said that this had been turned down three times by the department engineers. The fact is it never was turned down at all. It was only discontinued temporarily, until in 1912 the actual facts were developed with respect to the actual commerce of this river, and then the entire Department of Engineers recommended its restoration to the original plan of improvement. I recall that not only the Rivers and Harbors Committee in the House itself, but the Commerce Committee of the Senate unanimously approved this project in 1914. And I welcome the closest scrutiny of every fact pertaining to its worthiness as a proposition for improvement. I think the gentleman from Florida [Mr. SPARKMAN], chairman of the Rivers and Harbors Committee, will testify to the fact that his committee, at least in the main, are favorably impressed with the merits of the upper Cumberland River as a project worthy of improvement, as much perhaps as almost any project in the pending bill. I would like for the gentleman to say whether he and the committee still have that view of the matter or not.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SPARKMAN. Mr. Chairman, then I will answer the gentleman in my own time. I will say that project was inserted in the river and harbor bill in 1914. I thought it then a worthy project. In fact, I believed it was among the best projects that went into that bill, and I have had no occasion since to change my mind. I want to say further right there, wherever that river has been completely improved it has shown good results for the money that has been expended upon it. I believe it will continue to do so.

I think that is all I have to say.

Mr. SMALL. May I have the balance of your time?

Mr. SPARKMAN. How much time have I left?

The CHAIRMAN. The gentleman from Florida has one minute remaining.

Mr. SMALL. Mr. Chairman, I only wish to ask permission to extend my remarks in the RECORD by submitting some data and information which I think establishes conclusively the commercial importance of the Cumberland River.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD as suggested by him. Is there objection? [After a pause.] The Chair hears none.

Mr. HULL of Tennessee. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I ask unanimous consent to withdraw my amendment, and ask unanimous consent to insert a statement.

The CHAIRMAN. The gentleman asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none.

The gentleman further asks unanimous consent to extend his remarks in the RECORD by inserting certain matter which he sends to the Clerk's desk. Is there objection?

There was no objection.

The following is the statement referred to:

CUMBERLAND RIVER, 1914.

[Taken from Engineer's Report, 1915, vol. 2, pp. 2847 and 2848.]

			Tons.
Above Nashville			314,028
Sand and gravel hauled 12 miles	tons	100,925	
Logs, ties, and timber	do	172,507	
			273,432
			40,596
Below Nashville			153,458
Sand and gravel	tons	38,976	
Logs, ties, and timber	do	102,024	
			141,000
			12,458
Total net			53,054

The Clerk read as follows:

Tennessee River, Tenn., Ala., and Ky.: For maintenance and continuing improvement by open-channel work above Chattanooga, Tenn., $300,000; for maintenance and continuing improvement by open-channel work between Florence and Riverton, Ala., $120,000; for continuing improvement by the construction of locks and dams between Chattanooga, Tenn., and Browns Island, Ala., in accordance with the report submitted in House Document No. 360, Sixty-second Congress, second session, as modified by the report of the Board of Engineers for Rivers and Harbors printed in Rivers and Harbors Committee Document No. 1, Sixty-fourth Congress, first session, $500,000: *Provided*, That no contract shall be entered into for the construction thereof until the local interests shall assume and pay all claims for flowage damage or arrange to do so in manner satisfactory to the Secretary of War: *Provided further*, That one high dam or two low dams may be constructed according as the local interests may contribute the cost of all claims for flowage damage arising from either type of dams, respectively: *And provided further*, That the Secretary of War shall ultimately determine the type of dams to be constructed; for continuing improvement and for maintenance below Riverton, Ala., $24,000; in all, $944,000.

Mr. SPARKMAN. Mr. Chairman, I wish to offer a committee amendment.

The CHAIRMAN. The gentleman from Florida offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 22, line 9, after the figures "$300,000," strike out the semicolon and insert "and of this amount not to exceed $5,000 may be expended, in the discretion of the Chief of Engineers and the Secretary of War, for the maintenance of the Clinch and Holston Rivers at or near the mouth of said rivers."

Mr. SPARKMAN. Mr. Chairman, I only wish to say that the necessity for that amendment has become apparent to the committee since the bill was reported. If we had had the same information before us at the time the bill was framed, we would have inserted some such provision as that in the body of the bill at the time.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. FREAR. I am not going to refer to the Tennessee River or attempt to discuss that. I understand there is nothing here for the Muscle Shoals item, Mr. Chairman?

Mr. SPARKMAN. Nothing at all.

Mr. FREAR. Of course the Army Engineers, as I understand, expended $90,000 during the past summer under the general survey provision.

Mr. SPARKMAN. How much time does the gentleman desire?

Mr. FREAR. Five minutes.

Mr. SPARKMAN. I ask unanimous consent, Mr. Chairman, that the debate on this paragraph close in five minutes.

Mr. MANN. I hope the gentleman will wait. Not much time will be taken.

Mr. FREAR. I am not going to discuss the item, Mr. Chairman, because it is a large one. It carries $934,000. The last two allotments carried $724,000 more. I suggest, however, that this is a very proper place in which to apply the principle invoked by Col. Townsend, that if we are going to drop some of these projects here is a good place to do it; that is, to object to the continuation of these projects.

However, I just moved to strike out the last word because it is impossible to determine, so far as I can gather, just what is for maintenance and what is for improvement, so I shall not attempt it.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. MOORE of Pennsylvania. I would like to get the gentleman's viewpoint with regard to this item and others of the kind. Do I understand that the gentleman's proposition is that where certain locks and dams have been constructed and the commerce does not seem to justify further expenditure the gentleman would stop all work and abandon the project?

Mr. FREAR. The gentleman has asked me a question, and that involves quite an explanation. I am in favor of having some other system by which we can investigate these projects and not waste money, as we are doing to-day, on aimless "improvements," as they are called.

This Tennessee improvement is one of those that has been persistently pressed. The river is no larger than the river that flows in front of my own town, that fails to carry traffic. We have there an open stream a mile wide. The experience in Europe and here has been that that does not add to the traffic.

The gentleman from Kentucky [Mr. BARKLEY] stated a few moments ago that they hoped to have increased commerce on the Cumberland River, and I hope they will, and I hope they will have it on the Tennessee River. But the commerce there to-day is not of a character to give any encouragement as I view it.

The question was asked, Why do you take out floatable timber and sand from the statistics of commerce transported? The sand may be hauled half a mile, and the figures are put in to justify large appropriations. I leave out floatable timber also, because the timber can be floated ordinarily in a very low stage of water. Ordinarily it does not require a 5-foot stage or a 9-foot stage, as has been urged, on many of these streams. That is the reason why we have deducted sand and timber. The sand and floatable timber have been deducted by authorities, generally better authorities than I am on this question. They deduct such items and leave the remainder to serve as the basis of computing commerce. That is done here in other cases.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield there?

Mr. FREAR. Yes.

Mr. BARKLEY. The gentleman stated that the Tennessee River was no larger than the river that flows by his own town.

Mr. FREAR. Yes; I stated that.

Mr. BARKLEY. Does the gentleman know that more water flows out of the Tennessee than flows down the Ohio River under normal conditions?

Mr. FREAR. Yes; but my river is a mile wide. We have excursion boats there, and, as I once said, we had a larger commerce there than they have in the city of Milwaukee or Philadelphia, but it was all logs and lumber, and now the mills have closed down operations and there is no commerce to speak of there.

Mr. Chairman, I ask unanimous consent to insert a report of commerce for the Tennessee, making the deductions that I have referred to, and I withdraw my pro forma amendment.

The CHAIRMAN. The gentleman from Wisconsin withdraws his pro forma amendment and asks unanimous consent to insert in the RECORD the figures he refers to. Is there objection?

There was no objection.

Following are the figures referred to:

Commerce on Tennessee River.

			Tons.
Above Chattanooga			305,616
Logs, ties, and timber	tons	57,873	
Sand	do	145,832	
Chattanooga to Florence			124,872
Logs and ties	tons	30,477	
Sand	do	54,708	
Florence to Paducah			449,956
Logs, ties, and timber	tons	408,783	
Logs, ties, timber, and sand		697,673	880,444
			697,673
Actual net			182,771

My statement was about 200,000 tons. Of the 182,000 tons, 28,418 tons of marble was hauled 5 miles and 50,000 tons of iron ore, valued at a dollar a ton, was hauled 15 miles, or 78,000 tons of cheap freight with an insignificant haul. For that commerce so reported we have appropriated $11,000,000 in round numbers on the Tennessee and $944,000 more is carried in this bill.

Mr. MOON. Mr. Chairman, I am not surprised that my friend from Wisconsin makes no further objection to the item for the Tennessee River than he does. The National Waterways Com-

mission determined that the Tennessee River was practically the fourth river in importance in the United States, and stated that it had maintained its commerce wherever it was improved, and had increased it.

Now, the rivers that have been improved completely have been of great advantage to the people of the United States. Of course a river can not have a great commerce until it is prepared for that commerce. I realize that I can not undertake to enter into a discussion of the merits of this river in five minutes, because it would take an hour. But I want to make one suggestion that is applicable to the position of the gentleman from Wisconsin [Mr. FREAR]. He says we have not the commerce. Sir, there is more coal in the six States tributary to the Tennessee River than could be moved by it in a century, so the geologists of this country say, and more than would supply a population of 100,000,000 people for a thousand years. There is marble and timber and agricultural products and iron ore—commerce—everything there.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MOON. Not just now. Now, between two of the pools that are navigated in that river there was a commerce valued at $2,000,000 last year, and the statistics here are utterly incomplete. That was commerce that floated during the times when the obstructions did not prevent it. What other commerce was there during that time that might have been carried but for the obstructions? Six million tons of coal on the upper end of the river, and a distance of 180 miles below 18,000,000 tons of coal might have been carried if that river had been prepared and fixed for carrying it the year around. What is the difference between the water freights and railway freights upon that article? It is the difference between 5 cents and 41 cents; 41 by the railroad and 5 by the river for a given distance.

There is an advantage. There are many millions that might have been saved to the people if this river had been opened.

Now, I want to make another suggestion. This section of the bill is not quite fair to the Tennessee River, in view of the $25,000,000 of commerce now being carried upon it. It is not fair to it inasmuch as it demands that we shall pay for the flowage rights and all damage done to private property where a public lock is located in the interest of commerce. Yet that provision is in this bill, and our people are going to accept it and pay for this part of the improvement of this river.

There was a section of 33 miles below the city of Chattanooga for which the Government of the United States made but small appropriations. Yet private enterprise, the people of that State and those of other States interested in water power, have improved that section of the river. How much would it have cost the Government of the United States to have improved it? The result of the improvement shows that it would have cost about $11,000,000; and yet the Government has placed only $243,000 in it, and the people of Tennessee and the corporations that have developed the water power there to 80,000 horsepower have expended in the interest of navigation primarily $11,000,000. We are helping to take care of the interests not only of the people there but of the United States. If any river in the world needs encouragement, it is that river, along whose banks the patriotic people look to the protection not only of their own interests but of the national interests. When this river is completely improved, there will be an open waterway from upper East Tennessee to New Orleans and St. Paul. There are more resources along this river and it is a greater river than the Ohio, yet we hear no objections to $60,000,000 of money being expended in the improvement of the Ohio. We have completed one project at private expense. We have completed two other great projects upon the river at Government expense. The present project is 63 per cent completed, and I do not wonder that the gentleman from Wisconsin [Mr. FREAR] could find no more objection than he did to this great waterway.

The CHAIRMAN. The gentleman's time has expired.

Mr. ALMON. Mr. Chairman, I am glad to know that there is no serious objection on the part of any Member of the House to the paragraph now under consideration making provision for the appropriation for the Tennessee River. This is evidence of the merit of this appropriation, as so many projects have been objected to in this bill. As has been stated by the gentleman from Wisconsin [Mr. FREAR], who has made so many objections to various paragraphs of this bill, the Tennessee is one of the big and important rivers of the Nation; and when this distinguished gentleman fails to object to the provisions made for the Tennessee River I am sure that each Member will agree that there is merit in each item appropriated for this river.

The Tennessee is indeed a great river. There are only two, I believe, larger in the United States. At Paducah, where the Tennessee and Ohio come together, there is a greater volume of water in the Tennessee than in the Ohio. The commerce upon this great river justifies sufficient appropriation by the National Government to open it up and make it navigable every month in the year. Every item in this bill, so far as this river is concerned, has been recommended by the engineers of the War Department, and is to be used at different points along the river from Knoxville, Tenn., to Paducah, Ky., a distance of 652 miles.

As there is no motion pending to strike out this paragraph, nor has any amendment been offered to reduce the appropriation, I deem it unnecessary to say anything further, and ask that the paragraph be passed.

Mr. SMALL. Mr. Chairman——

Mr. SPARKMAN. I should like to see if we can not arrange for some time on this paragraph. I ask unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, I rise mainly for the purpose of calling the attention of the committee to the minority report of the gentleman from Wisconsin [Mr. FREAR] on the Tennessee River. On page 9 of this minority report he uses this language:

> Excluding floatable timber and sand, the Tennessee River has absorbed $11,000,000, in round numbers, in order to develop about 200,000 tons of actual commerce in 1914, of which 78,000 tons of coal was floated 16 miles.

Now, the reports of the engineers show that for the calendar year 1914 there was a total commerce on the Tennessee River of 1,343,709 tons, of a valuation of $19,723,951.

Mr. FREAR. Will the gentleman yield?

Mr. SMALL. In just a moment. Now, deducting from the total commerce timber and sand, which, I take it, is inclusive of the language used by the gentleman, "deducting floatable timber and sand," the commerce as reported on the three sections of the river is as follows:

> Above Chattanooga, 134,446 tons; between Chattanooga and Florence, 68,732 tons; between Florence and Chattanooga, 268,791 tons; making a total of 471,969.

Now, that calculation was made by Mr. J. H. McCann, one of the capable clerks of the River and Harbor Committee, and I take it to be absolutely correct. So that when the gentleman stated that there was only 200,000 tons after deducting the timber and sand, he was mistaken.

Mr. FREAR. I have submitted my report, and it is verified by the evidence, except that the coal hauled a short distance and the marble that was hauled a short distance was not taken into account.

Mr. SMALL. The engineer's report makes no mention of any coal having been carried.

Mr. FREAR. I so stated.

Mr. MOON. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. MOON. I want to say that there was an immense amount of coal moved, and about 18,000,000 tons that could have been moved on one section of the river, but which had to go by railroad. It could have gone by river, if it had been opened at the proper time.

Mr. SMALL. I am trying to show by report of the engineers that the minority report of the gentleman from Wisconsin can not be relied upon.

Now, I will read from the engineer's report, page 1101:

> In the Annual Report of the Chief of Engineers for 1915, page 1101, it is stated: "The prosecution of the work in various localities and the consequent lack of continuity of the improvement has resulted in no long reach of the river being made capable of uninterrupted navigation during low-water periods, except the stretch of about 200 miles from Big Bend Shoals to the mouth. Not so much benefit has followed, therefore, as would have been secured by advancing the work progressively upstream from the mouth. Nevertheless considerable improvement has resulted, and there is an important local traffic on various reaches of the river."

I will say in conclusion that the evidence goes to show that when the work of improvement shall be entirely completed it will demonstrate, as was well said by the gentleman from Tennessee [Mr. MOON], that this river will be one of the most important streams for commerce in all the country. [Applause.]

Mr. AUSTIN. Mr. Chairman, I wish to send an amendment to the desk to be read with the view of asking the chairman of the committee for some information.

The Clerk read as follows:

> Insert at the end of the last committee amendment the following:
> "For the construction of locks and dams at Caney Creek Shoals, between Knoxville and Chattanooga, Tenn., in accordance with the report submitted in House Document No. 360, Sixty-second Congress, second session, $500,000."

Mr. AUSTIN. Mr. Chairman, I wish to ask the chairman of the committee if it is the intention of the Committee on Rivers and Harbors to take up this proposition providing for a lock and dam at Caney Creek Shoals?

Mr. SPARKMAN. I will say to the gentleman that in some subsequent bill, as far as I am concerned, we propose to take up that matter and consider it.

Mr. AUSTIN. Mr. Chairman, with that understanding I will withdraw the amendment. I want to say, however, a few words about the Tennessee River. I was born on it, lived all my life on its banks, and traveled over it from end to end. On one of these trips I accompanied the River and Harbor Committee, of which at that time Mr. Burton was the chairman. On that occasion Mr. Burton expressed himself as being satisfied with the merits of the Tennessee River as one of the streams which deserved favorable consideration at the hands of Congress.

The national waterways commission referred to by my colleague, Judge MOON, which made a very careful and exhaustive study of the meritorious rivers in the United States, pronounced the Tennessee River the fourth largest in importance in the United States. That commission was created, as I recall, as the result of the efforts of Mr. Burton, who served as its chairman. There is not a river in the United States having a greater undeveloped wealth than the Tennessee River.

The gentleman from Wisconsin [Mr. FREAR] says something about the transportation of sand and timber on this river. If the Tennessee River was canalized, with slack water all the year, there is more wealth and business for future development than in any section of the United States in proportion to size and population.

Eastern Tennessee is the heart of the great southern coal fields. This field is 1,300 miles nearer New Orleans than the coal fields of Pennsylvania or West Virginia, and we are unable to sell a ton of coal in that market because of the lack of water navigation.

The most valuable and useful marble in this country is the Tennessee marble, quarried on the banks of this river. We have at present over 5,000 men engaged in that industry. If we had the river so we could utilize it, we would reduce the freight on marble to the interior cities at least $1.50 a ton.

There are three iron furnaces in the district I represent and a number in the district represented by my friend, Judge MOON. If this river was made useful 12 months in the year, as Congress has determined the Ohio River shall be made, we could deliver pig iron at Cincinnati, Louisville, New Orleans, and other points for $1.50 a ton less. In 1914 for the first time we were unable to compete with our foreign competitors in the sale of pig iron in New Orleans, because they could ship it across the ocean and lay it down for less than we could ship it by rail from the furnaces in eastern Tennessee to New Orleans.

We have the largest zinc mill in the United States in east Tennessee. The Aluminum Co. of America is constructing now the largest aluminum plant in the world in that section of the country. It is hauling its bauxite, its raw material, from the district in Arkansas, represented by Mr. JACOWAY, by rail, and are shipping out aluminum pig to Pittsburgh, St. Louis, and other points by rail. The utilization of this river year in and year out would mean a saving in the transportation of the raw material and finished article to the amount of millions of dollars. That is not all.

The East Tennessee Copper Co., located in eastern Tennessee, and an English company at the same point, are two of the most prosperous concerns of the kind in the United States, and they would be affected by deep-water transportation.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. ALMON. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. AUSTIN. Mr. Chairman, the largest and most extensive territory of hardwood lumber in this country is in the Appalachian Mountains and can be reached by a development of this river and its tributaries. We are shipping out rough lumber, we are shipping out manufactured or sawed lumber, and we are shipping out furniture, and so forth, made in our factories, and that interest would be affected and benefited by a reduction of transportation rates. We have cotton mills and knitting mills, and we are hauling our raw materials from the cotton fields of the South and shipping out our finished products by rail, and these industries would all be gainers by all-the-year-round navigation, which would make a reduction in the transportation of the raw materials and the finished articles to the markets of the world. There are a million people in east Tennessee. There is a manufacturing city at Chattanooga, with a population of nearly 100,000, and at Knoxville, a city of equal population, and you may search the census returns and you will find no other cities or section of the country which have grown industrially as has the mountain district of Tennessee, filled with iron, coal, marble, copper, hardwood lumber, aluminum, zinc, and so forth.

Mr. MOON. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. Certainly.

Mr. MOON. I want to suggest to the gentleman that at Richard City, Marion County, there is a cement plant that cost more than a million dollars within a half mile of the river, and that plant has a right of way to the river, and by reason of the fact that it can not use the river for more than half of the year, during the other half of the year has to pay half again as much freight as it does during the six months when it can use the river.

Mr. AUSTIN. I thank the gentleman for the interruption. We have commenced and have virtually completed a $3,000,000 dye plant in east Tennessee to relieve a very serious situation in this country. Here is the best investment for practical, useful river improvement in the United States and where there is a future enormous in the way of industrial development and growth of population which means wealth and wages and prosperity for our country. [Applause.] And the Democratic majority in this House would be untrue and false to the interests of the South if it did not provide for the practical, useful improvement of this river when it has the opportunity. Southern Democrats would be derelict to their duty, and I hope no Republican colleague of mine will ever stand in the way of this practical, useful, and patriotic legislation to improve this great river. [Applause.]

Mr. SMITH of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. SMITH of Minnesota. Does not the gentleman think that the developments to which he has referred would also benefit the North quite as much as the South?

Mr. AUSTIN. Why, we are shipping our raw material and finished articles to the North, West, and East and other sections, which would get the benefit of the reduced rate and the reduced cost of these goods, both as to the raw material and the finished article.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

The Clerk read as follows:

Harbor at Toledo, Ohio: For maintenance, $20,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word for the purpose of discussing briefly this question of anticipated commerce. The suggestion has been made by two or three of the speakers, as of the last project, that if they are given opportunity to complete a certain project commerce will grow very rapidly. I hope it will, and the gentleman at my left, my colleague from Minnesota [Mr. SMITH], who represents the Mississippi River, speaks of the possibility of it; but I desire to call attention to the fact that the anticipated Mississippi commerce has usually been a disappointment. If you will examine the commerce of the Mississippi River from St. Paul clear down to New Orleans, you will find that it has been a disappointment on the streams all along that great waterway. I want to speak of some of the anticipated commerce on a number of streams which was never realized. Of course excuses may be offered one way and another, but these are anticipations of people who are urging the appropriations. Take, for instance, the Arkansas River, which we have had up for discussion. I did not care to present it when the matter was up, but I refer now to page 20 of the report. It was there estimated that 800,000,000 tons of coal are tributary to the river, and yet, after spending $3,572,000 on the Arkansas River, the reports shows that 900,000 tons of coal were shipped by rail out of the territory adjacent to the river in 1914, and only 2,716 tons were floated 7 miles on the river last year.

Mr. HULBERT. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Just for a question.

Mr. HULBERT. Has this river been sufficiently improved to put it in active competition with the railroads at that point?

Mr. FREAR. I think, unquestionably, because $3,592,000 have been expended upon it, and it has been navigated for 20 or 30 years, or longer than that. On the Big Sandy River it was prophesied a dozen years ago that by canalizing the river a million tons of coal or more would be floated annually down that stream, whereas after expending $1,126,125 on the river only 12 tons were floated 20 miles in 1913.

Mr. SWITZER. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Just one moment. I want to finish my statement. Here is a report published by the gentleman from Philadelphia which goes on to criticize me very severely because I

said 12 tons of coal were shipped on the Big Sandy in 1913, and he says he can not find it anywhere. He takes four pages to denounce me, when, as a matter of fact, he did not know where to go to look for it. I stated where it could be found.

On the Hennepin Canal, which has cost the Government $7,597,781 for 33 locks, freight savings on grain were promised Iowa growers a dozen years ago of $20,000,000 annually. For five years it has been used and only 5,868 tons of grain were floated in 1914 at a cost to the Government in interest and maintenance of over $36 per ton. An actual loss in the insignificant grain shipments occurred from 1913 to 1914.

After spending $21,700,000 on the Missouri River it is now predicted that $14,100,000 will invite large grain shipments from Kansas City to St. Louis. Yet after squandering a score of millions on the river to date, not one ton of grain was shipped by water from Kansas City to St. Louis in 1912, 1913, or 1914. A total of 5,290 tons of grain was barged 115 miles in 1914, or slightly over one-quarter of the distance between the cities was averaged. This project was recommended for abandonment by the local engineer, but he was overruled by the board.

The above is a statement which is in the report and based on the statistics. Surely none of these anticipations have been realized.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent for two minutes more.

Mr. SPARKMAN. I object.

Mr. SWITZER. Mr. Chairman, I ask for two or three minutes myself.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in three minutes.

The CHAIRMAN. Is there objection?

Mr. HULBERT. Reserving the right to object, I would like to ask the gentleman if he will make it five minutes?

Mr. SPARKMAN. I will make it five minutes. Does the gentleman wish two minutes?

Mr. HULBERT. Yes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on the paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. SWITZER. Mr. Chairman, while I personally doubt the wisdom of improving the Big Sandy, I do not know if I had been a member of the Rivers and Harbors Committee whether or not I would have supported it at the time. I do, though, want to protest against the gentleman from Wisconsin [Mr. FREAR] libeling and slandering the man who prophesied there would be an immense tonnage of coal shipped out over this stream if it should be canalized. The facts of the matter are that the Government, after building two or three dams on this river—I have forgotten the exact number—stopped improving the Big Sandy River.

By building one or two more dams they would have reached this great coal field, and I have no doubt but that the prophecy of the person who made this prediction at the time the project was adopted would be fulfilled if the Government had carried out the proposition adopted.

I do not know if that is the reason, though another fact is that the Chesapeake & Ohio Railroad has a line running from this coal field on the Kentucky side right down the Big Sandy River. I do not know what stopped the improvement of the Big Sandy. As to the gentleman reading a letter saying that the writer does not know where the Big Sandy River is, it seems like a slur on those two great States of Kentucky and Virginia, containing the two greatest coal fields in this country outside of Pennsylvania, and the Big Sandy separating the two States.

Mr. HULBERT. I would like to utilize the two minutes allotted to me for the purpose of propounding to the gentleman from Wisconsin a question which he did not have opportunity to answer while he had the floor. The gentleman has made a comparison of the shipment of coal by rail and water on the Arkansas River. The gentleman made the statement that the river had been sufficiently improved to put it in competition with the railroad.

Mr. FREAR. I did not say that.

Mr. HULBERT. That is the question I asked. I wanted to know if the river had been sufficiently improved to put it in actual competition with the railroad for the purpose of transporting coal from the coal fields at that point, and if the gentleman misunderstood my question I repeat the question now and ask if he will be good enough to answer.

Mr. FREAR. What is the inquiry?

Mr. HULBERT. Whether the river has been sufficiently improved to put it in active competition against the railroad at that point in the transportation of coal?

Mr. FREAR. I will say, judging from all history, that it will never be so. It is the history of every river in the country.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Harbor at Port Clinton, Ohio: For maintenance, $1,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. A little while ago I put a question to the gentleman from Wisconsin [Mr. FREAR] as to his attitude, in order that we might more intelligently understand whether or not he favored the cessation of work on projects which had been started and on which much money had already been spent. I do not recall that he made a definite answer to that question. I want to know whether the Government, having spent a large amount of money building locks and dams on a river like the Ohio, should abandon the work and charge it up to profit and loss if, while in progress of construction, it did not come up to the expectations of some waterways expert in the matter of commerce and serviceability?

Now, if that is the gentleman's position, that we should abandon all these existing works, it is a very serious matter, and it affects largely every argument that he has made upon this floor. What the gentleman stated in that relation has been based, as he states, very largely upon his inquiries and studies as to foreign conditions. A while ago he said, with respect to the Tennessee River I think, that the lumber had all been cut off, indicating a falling tonnage.

Mr. FREAR. Oh, no; I was referring to our part of the country.

Mr. MOORE of Pennsylvania. I apply it, then, to any river that the gentleman might have referred to, where the lumber in the vicinity had been cut away——

Mr. FREAR. I do not know anything about that down there——

Mr. MOORE of Pennsylvania. And that the necessity of providing transportation by water no longer exists.

Now, if the gentleman is basing that kind of an argument upon foreign conditions, I just want to call his attention to the canals in Europe, particularly those of Germany and France, which are in constant use for the purpose of carrying bulky freight, and where, as to lumber, instead of having their forests utterly depleted and cut away, they are constantly recreating them, as, for instance, in the Sihlwald of Switzerland. I direct the gentleman's attention to that particular section of Europe or to the Black Forest in Germany, because it will help him in his studies of the waterway transportation question. Where they cut down a tree in Switzerland they see to it that another tree is planted to take its place.

That practice has been followed in Germany for years, and it is one of the secrets of Germany's ability to maintain herself to-day that instead of drawing upon her own forests she has been drawing on the forests of Norway and Sweden and Russia, buying her timber instead of using up her own. In Switzerland, where they remove a tree they see that it is restored. Not even an apple tree that is struck by lightning is permitted to go without another apple tree being planted to take its place.

So in those studies and investigations that the gentleman is making of waterways abroad, upon which he bases his proposition that we should abandon great works in the United States, I commend to him the close study of the lumber situation in Europe.

When it comes to rail-and-water transportation in the United States, I want to commend to the gentleman the action of the Interstate Commerce Commission in recent cases, showing that wherever water transportation has had a fair chance it has compelled the railroads to be reasonable in their freight rates. I would not have you understand that I am opposed to the railroads. I am as strong a railroad development man as there is in this House, and I want to see them reach out and penetrate every section of the country. But as in foreign countries the railway is not injured by the waterway, so it should be here; the two of them serving to their full capacity create new business, and each of them does more business under such conditions than it did before. If the railroad men are wise—and some of them in the East begin to realize it—rather than retard waterway development they will encourage it, because where they have been subjected to the congestion such as they have endured during the last few months, carrying the products of the West to the seaboard, they find that it is desirable to have relief, some auxiliary, such as Mr. James J. Hill back in 1907 indicated must be had if the railroads of this country are to give effective service.

The railroads have not been expanding as they should have been, and now that there is a great pressure upon them, they have been obliged in my section of the country to lay an em-

bargo on the transportation of heavy commodities, because they do not have sufficient facilities to carry them.

This has recently developed in the case of the Ohio River. I have in my hand a ruling of the Interstate Commerce Commission permitting the railroads there to lower their rates in order to compete with what, in that section, is superior transportation of products by waterways.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend my remarks by inserting an extract from an Interstate Commerce Commission report.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORE of Pennsylvania submitted the following:

FOURTH SECTION APPLICATIONS NOS. 2045, 3965, 1952, 1548, 1065, 2138, 4219, 780, AND 2072—CLASS AND COMMODITY RATES BETWEEN ST. LOUIS AND EAST ST. LOUIS AND OHIO RIVER POINTS AND BETWEEN THE OHIO RIVER POINTS THEMSELVES.

[Submitted Apr. 8, 1915. Decided Mar. 2, 1916.]

The class and commodity rates of carriers operating both north and south of the Ohio River in the territory lying between St. Louis, Mo., and East St. Louis, Ill., on the one hand, and Ohio River points on the other, and between the various Ohio River points themselves, are in many instances in contravention of the long-and-short-haul rule of the fourth section of the act. These carriers ask to be allowed to continue these rates between the river points, which are lower than rates at intermediate points. Upon the facts disclosed by the record; *Held*, That—

1. Water competition justifies departures from the long-and-short-haul rule of the fourth section in rates between points on the Ohio and Mississippi Rivers, and relief should be granted to the extent prescribed in the report.

2. Authority to continue to charge class and commodity rates between the same points via Chicago and Chicago junctions lower than rates contemporaneously applicable on like traffic to intermediate points denied.

3. Authority to continue class and commodity rates between the same points via the route of the Louisville & Nashville Railroad through Guthrie lower than rates contemporaneously applicable on like traffic to intermediate points denied.

Mr. FREAR. Mr. Chairman, I rise in opposition to the pending amendment, and wish to say, in response to the statement of the gentleman from Pennsylvania——

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph end in two minutes.

Mr. FREAR. Mr. Chairman, I move to strike out the last two words.

Mr. BORLAND. The gentleman from Wisconsin can take time under the next item.

Mr. FREAR. It is immaterial to me, but it will not take extra time.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that the debate on the pending paragraph may be closed in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the debate on the pending paragraph be closed in five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Wisconsin is recognized for five minutes.

Mr. FREAR. Mr. Chairman, the gentleman from Pennsylvania [Mr. MOORE] propounds so many questions that it is very hard for me to answer them in five minutes.

Mr. SPARKMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Florida will state it.

Mr. SPARKMAN. Does not the rule require that a gentleman rising to address the committee shall confine his remarks to the subject under discussion?

The CHAIRMAN. Yes.

Mr. SPARKMAN. Then, I make the point of order that the gentleman from Wisconsin is not discussing the pending question.

Mr. FREAR. Oh, Mr. Chairman, I am discussing the very proposition that freights carried by boats are cheaper than freights carried by rail. The gentleman from Florida sat silent and did not object to the gentleman from Pennsylvania, while he was talking for five minutes.

Mr. SPARKMAN. Oh, the gentleman should not get worked up.

Mr. FREAR. I am not worked up in the slightest degree.

Mr. SPARKMAN. I notice, Mr. Chairman, that a great deal of this discussion ranges over a wide area.

Mr. FREAR. Mr. Chairman, I ask for order.

The CHAIRMAN. The Chair will insist that order be observed. The gentleman from Wisconsin is recognized for five minutes.

Mr. FREAR. Mr. Chairman, I call attention directly to this transportation question, but the chairman of the Committee on Rivers and Harbors objects to it. I am undertaking to discuss the question of canalization on the Ohio River and these other projects. The gentleman from Pennsylvania [Mr. MOORE] asked me, "Do you believe in canalization projects?" I believe that, as one of the best engineers says, we ought to stop work on most of these projects until we have made an experiment. We have had the Black Warrior River completed at a cost of $12,000,000. Let us try and see how far we can go with that, what return can be had, and keep the others in status quo, says Col. Townsend. That is the judgment of other waterway experts. I know nothing about it, except, I say, let us put this in the hands of people who will determine which is the right project to continue, and hold the others back until we ascertain whether or not any complete return will come to the people of this country on the investment we are making.

Now, the gentleman discusses—and it is right in line with this proposition—the question of carrying products in France and in Germany. I have stated those propositions as well as I could in the limited time given me, and I find that even on those canals in France and Germany the judgment of the men who write authoritatively about them is that they are not a profitable investment ordinarily to either France or Germany, although the concentrated populations in those countries make it possible to carry a greater amount of commerce on those canals than here. But the gentleman leaves out of the question the one important proposition that there the Government controls railway rates—in fact, owns the railways—and forces commerce by that means to use the water transportation which we do not do in this country. Now, the gentleman says, touching upon this very question of transportation, "Do you believe that the railroads ought to be allowed to cut down their rates to meet the water transportation?" I do not. Do you? Here is the result the moment you do. Did the gentleman from Pennsylvania favor the 5 per cent increase or any other increase to make it profitable for the railroads to do business? If so, for what reason? It is because they are not making a reasonable profit at the present time.

Now, the moment you cut them down below a reasonable profit at one point in order to get the business at some waterway point, do you not necessarily compel them to raise the rate inland? More than that, you compel those discriminated against to pay the expense of the improvement. You speak of a waterway point down here on the Ohio River where rates will be reduced. We ought to give to the waterway the right to carry the freight, because if we determine on the question of reasonable earnings to the railroads to which they are entitled, it is necessary that some one else must make up the deficiency, and it is the man who lives off the river, who has not the benefit of the waterway competition, who must make it up, and pay the excess rates to meet the deficiency at water-competition points.

I believe we ought to control the rates of the railroads to prevent them driving out the waterway transportation. The gentleman speaks of the growing of timber over in Europe. Of course, they do that there. They do many things better than we do, because we have been lavish with all our natural resources. We have not yet grown timber here. We have not yet controlled railroads, but we are proceeding on an elaborate process of canalization, without knowing where we are going or how far we are going into the Treasury. Until we do work as they are doing in foreign countries it is a useless waste of money at the present time.

The CHAIRMAN. The time of the gentleman has expired. The pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Harbor at Sandusky, Ohio: For maintenance, $10,000.

Mr. BORLAND. Mr. Speaker, I move to strike out the last word. I am very anxious to expedite the consideration of this bill, and I do not want to take up any time in unnecessary discussion of it; but I do not want the statement of the gentleman from Wisconsin to go out without any reply at all from those who are familiar with the facts.

The gentleman has stated in round numbers how much has been expended on the Arkansas River and certain other rivers, and then has pointed to the commerce on those rivers during the time in which that expenditure has been made. Now, if the gentleman would make a scientific study of the question of river transportation, he would find that a river, in order to carry freight in competition with a railroad—and that is the modern condition; it must carry in competition with the railroad—must be put into a certain usable condition before it even begins to be able to carry goods profitably. River navigation is greatly different, now that the boats must compete with the railroads, than it was before the day of railroads, when the rivers were the only available channels of commerce. He

would find that up to a certain point sand and timber could be floated down the river. Up to another point coal could be barged upon it. When he gets beyond that point and begins to carry goods—high-class freight that the railroads can compete for—he must have facilities comparable with the railroad facilities.

The mere improvement of the channel is not the only problem involved. The question of development of terminals is one problem involved. The question of the development of routes of trade and through rates and joint rates is another problem involved. The question of the articulation of railroads and the exchange of business is another problem involved. The question of the kind of craft that can be used on a particular stream is another problem, whether barges towed by a power boat or boats operating under their own power. The gentleman assumes that all these problems are going to solve themselves the very minute that the Government causes the expenditure of a sum of money on the channel. The fact of the matter is that if the inland rivers of this country are to be put in condition as arteries of commerce, there are a number of problems that must be solved by the local interests which are concerned, at considerable cost and expense to themselves.

I am not going to discuss the Missouri River, because we will come to that later; but I am going to point the gentleman to the very exhaustive report made by the Board of Engineers on the reexamination of the Missouri River projects, Document No. 463, in which the board say:

> The company is making the most thorough attempt within the knowledge of the board to revive river traffic, which has disappeared under railway competition. It appears to be sparing no expense or effort that will contribute to the solution of the problem, and it claims as a result of its experience that success is obtainable if a permanent 6-foot channel is provided.

In that report they are speaking of the Shippers' Boat Line, of Kansas City, Mo. I want to call the attention of gentlemen to the chart which accompanies that report. Our German naval architect, Mr. Von Pagenhardt, worked out the question of how many hours each barge in the employ of that company was engaged in profitable traffic. He wanted to show what the condition of the river was and how much of the time that barge could run in competition with the railroad; and do you know that he found that a barge, provided at the expense of the company and operated by a full complement of men, could only run 30 per cent of the time on a partially improved river that a railroad car can run in the service of a railroad company. All of the black spots and all of the spotted lines in these charts indicate time when the barge is tied up. The black spots represent the nighttime. You can not run at night on an unimproved river, even if you have it lighted by guide lights. You can not afford to risk your goods at night on an unimproved channel. The spotted lines indicate navigation troubles caused by low water and sand bars, and only the clear white squares there represent hours of running time when the barge is actually making money for its owners.

If we could eliminate the black spots and the spotted squares and put the barge in a position of a railroad car by improving the channel so as to be able to carry the freight night and day, and make daily trips on a schedule time, there will be a vast difference in the commerce.

What did the board find? In the last three years commerce had grown between Kansas City and St. Louis in competition with the railroads in high-class freight, 146 per cent every season the boat operated. [Applause.]

The Clerk read as follows:

Harbor at Huron, Ohio: For maintenance, $2,500.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. Following out the same discussion of water transportation which the gentleman speaks of, this Government has paid some $400,000,000 on river improvements of this country for waterway transportation, and I challenge the gentleman to point to instances where the commerce has increased.

Mr. SWITZER. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. SWITZER. How about the Monongahela River?

Mr. FREAR. Well, the Monongahela has held about even. The river has held about even with the same company owning the coal and owning the boat, as I am informed. But it is practically the only river, as I stated in my report, and because of the coal mines at the headwaters. It stands by itself.

Let us come to the Missouri River and the rivers like the Missouri. We have spent $20,000,000 on navigation. The report of Mr. Deakin says that for the purpose of saving $10,000 in freight charges in waterway transportation it will cost the Government $1,100,000 annually.

Mr. BORLAND. Oh, no; the gentleman is wrong about that.

Mr. FREAR. I can prove it by the report.

Mr. BORLAND. But it has been proved that Mr. Deakin was wrong.

Mr. FREAR. The chairman of the Mississippi River Commission, Col. Townsend, confirms him. I speak of that merely to show the enthusiasm and day dreams that my friends have and when they challenge me and ask for reasons for the position I take. Now, in reference to water transportation I am in favor of improvements where we can show any legitimate results, but not where you put the money into useless rivers by canalization. Half of the canals in the country have been abandoned, and we see no legitimate results from this investment. Take the $7,000,000 Hennepin Canal and the $12,000,000 Black Warrior River. In what way have you seen any reasonable return for the investment? And yet we are asked to appropriate a large sum of money for all these projects. Let us have a commission that will make an examination of this question and see that the money is wisely expended and not be wasted.

The Clerk read as follows:

Harbor at Cleveland, Ohio: For maintenance, $65,000.

Mr. SWITZER. Mr. Chairman, I move to strike out the last word. I asked the gentleman from Wisconsin about the Monongahela River and whether or not the annual tonnage had not increased by reason of the improvement of this stream. I hold in my hand a letter sent to the Committee on Commerce in the United States Senate by the Board of Army Engineers. It has no number, but they give the figures as to the Monongahela. The original commerce on the Monongahela River before it was improved was 4,407,000 tons. The commerce in 1911—that was after it was canalized—was 11,143,000 tons, and so in 1912, or two and three-quarters as much as it was before the stream was canalized, and the report says that the freight rates have been reduced 40 or 50 per cent. I have a letter showing that the coal coming down the Monongahela to a point on the Ohio, which used to cost 44 cents a ton to move, now is being moved for 4 cents a ton.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this item and amendments thereto be closed in two minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none.

Mr. FREAR. Mr. Chairman, I have excepted the Monongahela and Ohio Rivers as showing an appreciable commerce in my report. I wish to say, in regard to the proposition that the gentleman has presented, that the Army engineers state commerce is sometimes duplicated and triplicated and quadrupled. This is because the same commerce is frequently counted several times. I have taken the Ohio River and shown by an analysis of the report of the Army engineers how the report does duplicate. With an open-channel project there was no difficulty in determining improvements, but the moment you get locks and dams there is no determination of the exact amount. In the case of the Ohio River, by investigation and analyzing, I do not see how it can be answered. We have no means of exact determination.

Now, as I have said, I have excepted the Monongahela River, because it is in a class by itself; but out of 100 rivers, does it not seem striking that only 2 rivers show anything toward an increase in commerce after the expenditure of several hundred million dollars in all on rivers?

The Clerk read as follows:

Ohio River: Continuing improvement by the construction of locks and dams with a view to securing a navigable depth of 9 feet, $5,000,000.

Mr. FREAR. Mr. Chairman, in order to give several gentlemen who are present an opportunity to discuss the Ohio River and show some of the good things about it—and I am not going to say much against it—I move to strike out the section; and if I were confident that amendment would pass I might hesitate to make the motion. I do it simply to show the situation in which we are placed. A large number of locks are being constructed to-day on the Ohio River. We have expended over $50,000,000 on the Ohio River. The project is going to take from $80,000,000 to $100,000,000, so far as the estimate of different engineers shows, before the project is completed. Col. Townsend says, "Let us take two streams," and he mentions the Ohio River as one, and also the project of a 14-foot channel from St. Louis to Chicago; and he suggests that they be put in as experimental projects, and that all the others wait in status quo. The difficulty with Col. Townsend's proposition is that he ignores the fact that we have completed certain projects, as, for instance, the Warrior, which has cost about $12,000,000; the Hennepin Canal, which has cost over $7,000,000; and some of the other rivers that have been completed—quite a large number of them—as we well know by the records. Let us take

those and see what the result is to-day, instead of going on and putting in forty or fifty million dollars more—that is, in this project, which I believe now is a 53-lock canalization project. Gentlemen have told me, who have run that river—pilots as well as captains—that the traffic to-day is not what it once was. You have a coal traffic there—and, by the way, I ask unanimous consent to incorporate in my remarks an analysis that I have made of the Ohio traffic.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

There was no objection.

The analysis referred to is as follows:

THE OHIO RIVER COMMERCE.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, July 27, 1914.

Hon. S. M. SPARKMAN,
Chairman Committee on Rivers and Harbors,
United States House of Representatives.

SIR: 1. Referring to the statement of the commercial statistics of the Ohio River, telephoned to you some time since, I have the honor to inform you that a report just received from the district officer states that the commercial statistics which he reported by telegraph have been found upon careful check to have contained some duplication. A corrected tabular statement of the statistics is herewith.

2. As to the reason for reporting the statistics at only six locks, it may be stated that the particular locks were selected with a view to obtaining as complete statistics as possible, and at the same time to eliminate duplication as much as practicable. Boats with through tows are required to report only at the first lock through which they pass. The item for open-river commerce is the local commerce carried on between the various locks and dams.

Very respectfully,

DAN C. KINGMAN,
Chief of Engineers, United States Army.

Ohio River tonnage, calendar year 1913.

[Through lock and open river.]

	Tonnage.	Valuation.	Passengers.
Lock No. 1	1,982,257.5	$3,720,794.36	86,518
Lock No. 8	224,080.5	1,095,666.92	5,005
Lock No. 18	374,945.0	2,336,645.31	9,421
Lock No. 26	796,629.0	2,926,918.65	17,266
Lock No. 37	1,988,434.0	9,953,466.24	104,078
Lock No. 41	1,537,146.5	6,318,567.53	11,767
Open river	1,509,111.5	14,083,452.70	1,086,897
Ferries	1,401,519.0	36,086,390.07	2,949,834
Total	9,814,123.0	77,026,901.78	4,270,786

A corrected statement of average freight floated on the Ohio, based upon official lock reports, is now presented over Chief Kingman's signature, and invites scrutiny.

When a 63-lock system on the Ohio River has been completed as a monument to congressional waste and engineering complicity "commerce" can then be determined by using 63 as a multiple of lock tonnage. This cumulative method of reckoning is as illuminating as to count the passengers in every car at every street corner in order to determine the total street car traffic. Astounding statistics may thus be produced. Chief Kingman says he has "avoided duplication as far as possible." What is the average haul or tonnage along the river when 1,400,000 tons were ferried across the river? Did the continuous commerce reach 100,000 tons or 50,000 tons, exclusive of soft coal, which has floated down the Ohio and Mississippi for a half century at a yearly decreasing rate?

In an effort to excuse a proposed wasteful expenditure of from $60,000,000 to $100,000,000 on the Ohio, according to the varying predictions of Army engineers, our present chief includes in his totals 1,500,000 tons of "open-river traffic" that passes along the river as it always has for 50 years and in much larger quantities before canalization was known and before a dollar was spent by the Government on the Ohio. Was that open-river traffic part of the open-river traffic at each lock? How much freight goes through locks, and how far?

CANALIZATION TO PROMOTE RIVER FERRIAGE.

The limit of imaginary mathematics is reached when to total lockages of freight at a half dozen dams, including open-river traffic, our Chief Engineer adds more "open-river traffic" and finally scores a positive triumph by adding ferriage across the river, which aggregates 2,949,834 passengers, nearly three-fourths of the total number, valued at $36,086,390.07. That odd 7 cents is developed through engineering accuracy. Ferriage valuation is practically one-half of the total value of all tonnage and passengers carried on the river. Assuming that passengers had no value and that freight alone was considered, no further analysis need be made to show the valueless character of valuation statistics submitted by the Chief Engineer to bolster up this $100,000,000 canalization project.

Approaching 2,000,000 tons at one or two different points, over 95 per cent of which is soft coal, sand, and gravel, a traffic rapidly diminishing in quantity and value, leaves the mouth of the Ohio River at less than a million tons of soft coal, so far as can be ascertained, and then drifts slowly down the Mississippi to be recounted at Cairo, Memphis, Vicksburg, and New Orleans. In other words, a few tons of soft coal that reach New Orleans are first counted at a dozen locks on the Monongahela, then at the locks on the Ohio, and then the same coal, used to swell senseless quadrupled statistics, is sent down and recounted at Cairo, Memphis, Vicksburg, and New Orleans, on the Father of Waters.

It is an interesting system—one that only an able engineer could gravely put across with a wealth of misleading statistics, and one that is frequently used for duplicating and quadruplicating commerce on other rivers and canals.

In order that a better understanding of Chief Kingman's letter may be had, let us take the tables from which he draws deductions.

OHIO RIVER TRAFFIC AT LOCK 1.

Lock 1 is given 1,982,257 tons. But page 2711 says that is commerce which passed through the lock—"and open river"—at that point. The table further shows that of the impressive tonnage reported, including duplications, 1,946,119 tons consisted of soft coal, sand, and gravel that was always floated down the "open river," leaving a commerce of 36,135 tons, including 11,240 tons of floatable logs and ties, or less than 25,000 tons that may or may not have required the services of this $100,000,000 lock system.

OHIO RIVER TRAFFIC AT LOCK 8.

Lock 8 and "open river" is given 224,080 tons by Chief Kingman, page 2712. Of that traffic, so reported, soft coal and railroad ties, that for a half century were floated down the open river, reached 207,429 tons, leaving 16,651 tons of cement and other reported freight at that point for which a $100,000,000 lock system is being built under the recommendation of Army engineers.

OHIO RIVER TRAFFIC AT LOCK 18.

Other lock statistics are of the same character. For fear this statement may not be accepted, as based on investigation, I will take the next lock. Chief Kingman's next lock, 18, and "open river" statistics are found on page 2713. He reports a total "commerce" of 374,945 tons, whereas out of an even 50 items reported, 2 items of soft coal and logs reached 342,836 tons. Just what method was taken for shipping some 7,000 tons of oil and 2,500 tons of lumber, found in the remaining 48 items, the report fails to disclose. One thing is certain amid all this attempt to impress Congress with inflated statistics of open-river and lock traffic, the Government is annually paying bills reaching, with the regular and sundry civil bills, from $5,000,000 to $8,000,000 for the Ohio River alone, for a comparatively insignificant commerce average along the river, apart from soft coal, sand, and gravel, of less than 50,000 tons at given points, as shown by the official reports.

Similar conclusions were reached in the record of April 10, 1914, when other lock statements were analyzed.

In the debate preceding the defeat of the 1915 bill a prominent Senator called the Ohio River project the "worst of all." It received $1,769,000 from the first allotment, $3,200,000 in the 1915 sundry civil bill, and $3,915,000 allotment from the Chief of Army Engineers April 1, 1915, or $7,115,000 for 1915, in addition to cash on hand—twenty times the amount that was allotted to New York's inner harbor, which handles fifty times the Ohio's actual commerce.

When a $100,000,000 Ohio canalization system has been fastened upon us with its annual interest burden of $3,000,000, and a reasonable maintenance and deterioration charge of $4,000,000 more annually for sixty-odd locks and dams, if the diminishing coal commerce is retained—a violent assumption—the Government will have little tangible traffic to show for its $100,000,000 investment and the annual $7,000,000 charge properly lodged against it.

Mr. FREAR. Mr. Chairman, I do not know whether this is all foolish work or not, to challenge all of these rainbow statements; but I do it on the judgment of the best experts in the country, and they base their judgment upon experience in Europe and in this country, so far as expenditures have been made. The Mississippi River to-day is as good as you can ever make it. Col. Townsend's proposition to go up to Chicago is impracticable, according to the judgment of the Army engineers, and they have so stated. They think that it is unwise, because not 5 per cent of the traffic that goes to Chicago comes in boats that are under 14 feet draft. Now, if we can stop the waste, let us try to do it, or if we can get any kind of a system that will determine where the money is being profitably expended, let us do that. I do not care where it may be, I have not any objection to any particular item. The Lord knows that, and so do gentlemen who have told me. I am simply trying to get light on this subject, and I suggest projects like this in order that gentlemen may make their statements about their own projects.

Mr. CLARK of Florida. Mr. Chairman, with considerable misgiving and a great deal of humility I rise for the purpose of attempting to correct the gentleman from Illinois [Mr. MANN] in respect to a statement which he made yesterday. When I was discussing with the other gentleman from Illinois [Mr. MADDEN] the subject of public buildings, and that gentleman was attempting to show that the upkeep of these small buildings was very expensive, I stated as one of the reasons for that the fact that the Treasury Department paid such extravagant prices for their upkeep, mentioning that they paid for janitors a thousand dollars to twelve hundred dollars a year. The gentleman from Illinois [Mr. MANN], for whom I have the highest respect, immediately arose and waved him arms and said:

Oh, a thousand and twelve hundred dollars a year, nonsense! The janitors get $45 a month in most of these places.

I hold in my hand a report made by the Treasury Department under date of March 27 of this year on a proposed public building at Alturas, Cal. The report shows that the census of 1910 gives a population of 916, and it further shows the cost of the upkeep of the building at that place, and as an item of such upkeep charges they have put the janitor service down at $1,260 per annum.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. In just a moment. I have been accustomed to sit here for several years under the drippings of wisdom as they fell from the lips of my distinguished friend, and I have thought that the old idea that humanity was not infallible had been absolutely annihilated in the personality

of my good friend; but we are told that Homer sometimes nods, and I find now that the distinguished gentleman from Illinois sometimes makes a mistake. I now yield to the gentleman.

Mr. MANN. Mr. Chairman, does the gentleman think that "janitor service" at $1,200 a year means that a janitor gets $1,200 a year?

Mr. CLARK of Florida. It states for "janitor service," and if that is not for janitor service or for janitors I do not know what it means.

Mr. MANN. But the gentleman's statement was that the janitors received a thousand and twelve hundred dollars a year, and I corrected the gentleman, and I correct him now.

Mr. CLARK of Florida. They may have two janitors, or three; but this is for janitor service, and if that is not to pay janitors for service I do not know what it is for.

Mr. MANN. I will say to the gentleman that in Chicago the "janitor service" costs a great deal more than twelve hundred dollars a year, as it does in Washington, and that in New York it costs far more than a thousand or twelve hundred dollars a year.

Mr. CLARK of Florida. But it is not simply $45 a month in the little towns, when the Treasury Department says that it is $1,260 a year.

Mr. MANN. The gentleman and I are not far apart at all. Some of these buildings are controlled by the Post Office Department, and the janitors there receive $720 or $800 a year, and under the Treasury Department they get $50 a month.

Mr. CLARK of Florida. Yes; but the janitor service at one of these little buildings is $1,260. Whether they have one or two janitors, I do not know.

Mr. MANN. Not unless they employ two janitors.

Mr. CLARK of Florida. They may do that.

Mr. MANN. If they employ two janitors it goes a long ways toward sustaining the argument of my colleague from Illinois [Mr. MADDEN], in all of which I do not agree.

Mr. CLARK of Florida. Which they ought not to do.

Mr. MANN. To show how uselessly expensive these public buildings are.

Mr. ADAIR. Will the gentleman yield to me for just a minute?

The CHAIRMAN. The gentleman's time has expired. The question is on the motion of the gentleman from Pennsylvania.

[Mr. BARCHFELD addressed the committee. See Appendix.]

Mr. SPARKMAN. Mr. Chairman, I shall have to ask that all debate on this paragraph close in 25 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and all amendments thereto close in 25 minutes. Is there objection?

Mr. BARKLEY. Reserving the right to object, Mr. Chairman, will the gentleman take care of me out of that time?

Mr. SPARKMAN. I do not think I can guarantee it. Make it 30 minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida modifies his request and asks that all debate close on this paragraph and amendments thereto in 30 minutes.

Mr. LONGWORTH. Mr. Chairman, will the gentleman state whom he expects to recognize in that time?

The CHAIRMAN. The Chair will state that the recognition would not rest with the gentleman from Florida. The Chair will recognize gentlemen for five minutes each.

Mr. MANN. We would like to have 20 minutes on this side.

Mr. SPARKMAN. Then, Mr. Chairman, I will not make any request at all.

The CHAIRMAN. The gentleman from Florida withdraws his request. The gentleman from Kentucky [Mr. BARKLEY] is recognized for five minutes.

Mr. BARKLEY. Mr. Chairman, the district which I have the honor to represent is at the lower end of this great river, so ably represented at its source by my handsome friend from Pennsylvania, Dr. BARCHFELD.

Mr. BARCHFELD. I thank the gentleman. [Laughter.]

Mr. BARKLEY. That stream consists of 968 miles from Pittsburgh to Cairo, and along it is a string of the most prosperous, wide-awake, and progressive cities that can be found along any similar stream in the United States. Beginning with Pittsburgh and coming on down through West Virginia, Ohio, Indiana, Kentucky, and Illinois, I do not believe there can be found anywhere in this country a stretch of 968 miles of a navigable river on the banks of which can be found a more fertile soil, a more prosperous people, and more progressive cities. [Applause.]

Now, the gentleman from Wisconsin [Mr. FREAR] has frequently stated, during his numerous addresses to the House since this bill has been under consideration, that in Col. Townsend's report—and he appraises Col. Townsend as the greatest expert on waterway improvement and navigation in the United States, unless he puts Senator Burton ahead of him—in Col. Townsend's report he says it is recommended that the Ohio River and the Mississippi River be the two streams that the Government shall first improve before it takes up those other 58 rivers that he recommends should be dropped from the list, at least for the time being.

Two years ago, in the discussion of this bill, I made the statement, which I repeat now, that if it is not an economical and wise expenditure of the money for the Government to improve the Ohio River, then we may well doubt whether funds can be successfully expended on the other rivers in the United States.

It is unfair also to judge of the efficiency of the navigation on a river or to judge of the wisdom of an expenditure upon it by undertaking to compare figures during the progress of the work of its canalization. You might as well undertake to judge of the value of a house by undertaking to live in it before the roof is put on it, or of a suit of clothes before you sew up the seams, because the engineers themselves who have charge of the Ohio River improvements in their reports state that the progress has not been sufficient yet to enable them to tell the extent of the improvement in commerce that may be made on the Ohio River after it has been completed.

Originally this project contemplated the building of 54 locks and dams between Pittsburgh and Cairo. The Ohio River can not be considered as a canalized project until the last lock and dam is completed between Mound City and Cairo, Ill. The report of the committee and the report of the engineers state that it takes something like four years to build a lock and dam on the Ohio River, and the figures show that as we go down the stream and the stream becomes wider and wider, until it empties into the Mississippi River, it takes more money to build those locks and dams, and it takes proportionately more time to construct them.

Inasmuch as it takes four or five years to complete one of these locks and dams on the Ohio River, it does not take much of a stretch of the imagination to conceive the idea that the Government ought to begin the construction of these locks and dams in the lower Ohio as soon as possible, in order that the river may be canalized from its source to its mouth.

When this project was inaugurated it was contemplated to have it completed by 1922, with the expenditure of something like $60,000,000. Unless the appropriation provided for in this paragraph of $5,000,000 be used for the continuation of the locks already under construction, and for beginning six additional locks nearer the mouth of the river, as contemplated in the Engineers' report, not only will it not be possible to complete this canalization by 1922 but it will be impossible to complete it by 1930 or 1932, because if we are to fall behind the promise of Congress made to the people of the Ohio Valley and the cities along the valley in 1910 what hope have we that future Congresses will not continue to decrease the appropriation so as to dwindle along and spread the canalization of this great stream out over a quarter of a century? Because, as I said in connection with the improvement of the Cumberland River, boats can not run between Cairo and Cincinnati now on an average more than four or five or, at the very outside, six months in the year. I can remember a time when steamships plied the Ohio River and the Mississippi River from Memphis to Cincinnati two, three, and four times a week, making round trips between those cities on the Mississippi and the Ohio River, loaded to the guards with freight every trip they made. Why is it that those boats have been taken off the river? Because they find more profitable navigation in other streams where they can run the year round; and it would be a fool who would invest hundreds of thousands of dollars in the construction of boats and in the equipment of vessels for navigation and be unable to carry on that work for more than six months in the year. Men want to invest their money in enterprises they can operate all the time instead of half the time. And in view of the fact that on this great river, which, after it has been completed, will furnish navigation to the depth of 9 feet for every month in the year, we may hope that there will be a renewal of traffic along the Ohio River not only for coal but for wheat, corn, lumber, and manufactured products coming from Pittsburgh, Cincinnati, and Louisville, at the falls of the great Ohio River, or down by Evansville, Paducah, and Cairo, out into the Mississippi River down to the port of New Orleans, and then by steamer through the Panama Canal, which will be one of the greatest boons to trade, and to the development of our country, when it has been completed and its navigation has been assured, that could possibly happen to that

great and fertile section. This is not a temporary improvement, but when this great river has been canalized it will be an improvement that will last for one hundred, two hundred, or an indefinite period of years, insuring, as population increases and as each acre of land is compelled to support more people than it did before, facilities for the transportation of all our commerce. [Applause.]

Mr. LONGWORTH. Mr. Chairman, of course I do not believe that this House will for a moment seriously consider the question of striking out this appropriation of $5,000,000 for the Ohio River, and I have grave doubts as to whether the gentleman from Wisconsin is really serious in advocating it. I have no quarrel with the gentleman from Wisconsin. I think he is performing a useful public service in calling the attention of the country to the river and harbor bill. Surely no one could object to the shedding of full light upon every project contained in this bill, whether he is personally interested in it or not; and if a serious flaw should be developed in any one of them, no man ought to oppose its being stricken out.

But in this proposition, whether urged seriously or not, the gentleman from Wisconsin is open to the charge of inconsistency. Only yesterday he strongly advocated—at least by implication—the completion of the Ohio River improvement. He eulogized Col. Townsend as the foremost authority on inland waterways in the country, and, after pronouncing his eulogy, declared that Col. Townsend advocated only two of the larger projects. In response to a question I asked him, he replied that one of these two was the Ohio River.

This project stands on a little different footing from any other. It is a complete canalization proposition, for the completion of which within 12 years the United States Government solemnly pledged its word 6 years ago. The question of the present commerce on the Ohio is not essentially determinative of whether the progress of the work so far is or is not a success. We often say that no chain is stronger than its weakest link. By analogy it would be fair to say that the effect upon commerce of the Ohio River improvement is not to be finally decided until the last lock and dam of the 53 is finished. Until then there will not be a 9-foot stage of water in the Ohio River.

But if, as the gentleman from Wisconsin says, the present commerce is a material question, I desire to refer here to a decision of the Interstate Commerce Commission, reported on the 2d of last March. This decision involved class and commodity rates between St. Louis, East St. Louis, and other Ohio River points, and between Ohio River points themselves, and among other things it held, as reported in the syllabus:

> Water competition justifies departures from the long-and-short haul rule of the fourth section in rates between points on the Ohio and Mississippi Rivers, and relief should be granted to the extent prescribed in the report.

During the course of the decision the following language appears:

> The record shows that boat lines are operating between St. Louis, East St. Louis, and Ohio River crossings, and that the traffic moving by water is important in amount. It is shown by the evidence that the waterways throughout the territory involved afford not only potential competition but actual competition.

And, further:

> There can be no doubt from the evidence that the water competition on both the Ohio and Mississippi Rivers is active in controlling and that the rail rates between the water points have been set at a lower level than they might reasonably be were it not for the effect of this water competition.

Admitting, for the sake of argument, that some doubt may exist as to the permanent and final value of Government investment in the canalization of internal waterways, that is only an additional argument for the speedy completion of the Ohio River improvement. If this shall prove a failure, then no such project can be a success. It is then the part of true economy to proceed as speedily as possible with this improvement, and we of the Ohio Valley are confident in the hope and expectation that it will stand the test.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. COX. Mr. Chairman, the item carried in this bill is $5,000,000 for the further completion of the project adopted by Congress in 1910. I have no criticism to offer on the gentleman from Wisconsin. I think, in a measure, he is doing this country a splendid work. If there can be any better plan evolved for the improvement of internal waterways and the improvement of rivers and harbors, the people of the country can do it and can only do it by first getting the information and bringing that information to Congress. I do not believe that he considers for one moment that his motion will prevail to strike out the item. I am not here to criticize this great committee. It is not for me to say that any item carried in the bill is not worthy of consideration; but I do believe that of all the items carried in this bill that is worthy of consideration one of the most worthy is the canalization of the Ohio River.

Surrounded by all the natural resources that go to make up a great country and a great Nation, the people starting with the splendid and magnificent coal mines of western Pennsylvania, with the easy access and easy reach of iron ores mined in that section of the country, it flows on through the richest valley in the world, not outrivaled in riches and prosperity and happiness by even the valley of the ancient Nile.

Mr. Chairman, the question of transportation to-day, in my judgment, is the most serious question confronting the American people. It is of far more importance than the trusts, the tariff, or the financial questions combined. It is so important that the President of the United States, in his annual message early in December, called attention to it and advised Congress to create a commission to study the railroad-transportation problem. I rejoice to know that the great committee of this House which has jurisdiction of that has already reported a bill, now on the calendar awaiting its final passage, to study that identical question. Already our great harbors in New York, Boston, Philadelphia, and Chicago are crowded with commodities, consisting of produce of the farm, the commodities dug out of the mines, commodities manufactured by various manufacturing concerns of the country. And while the President did not recommend the study of internal improvements in rivers and harbors, yet it is so correlated with the question of railroad transportation and goes hand in hand with it that I hope when the committee is appointed to study the question of transportation it will widen and broaden its power so as to give it authority to study the question of inland transportation of commodities upon our rivers and harbors.

It is a well-known fact that with the improvement of the Ohio River we are in close touch with the Panama Canal. We can transport commodities down the Ohio, down the Mississippi into the Gulf of Mexico, far cheaper than they can be transported by rail to the eastern coast and taken by ships around to the Panama Canal.

I happen to know from personal experience that the Ohio River has had something to do with decreasing freight rates. The little city in which I live is quite a manufacturing center for furniture.

It manufactures office desks. It is 25 miles from the Ohio River and is situated upon the Southern Railway. The city of Tell City, having a population of 4,000, is a great manufacturing center chiefly engaged in manufacturing furniture, and a part of the furniture it manufactures is office desks. The manufacture of desks in the city of Tell City, only 25 miles from Jasper, can ship its desks to any point in the United States at a rate of 25 cents per desk cheaper than the Jasper manufacturer of desks can ship his desks to the same point in the United States. And the city of Tell City is situated upon the Southern Railway, the same as the city of Jasper. This gives to the Tell City manufacturer a decided advantage over the Jasper manufacturer, and the same condition is true on the Ohio River wherever they have water transportation. This is no fault of the manufacturers living upon the Ohio River. It is their fortune to be so situated as to have competition between water and railway transportation. What is true in these instances, and in these localities, is true all over the United States with but few if any exceptions. When the project is completed, as I hope it will be soon, there is no doubt but what river transportation will multiply quick and fast over what it is now or has been for many years in the past, because business will naturally go to points and places where transportation is cheapest and where it can get good terminal facilities.

Mr. BARCHFELD. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SWITZER. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman, I believe in internal improvements at the expense of the Government. I always have believed that the Government was justified in that sort of an expenditure. The construction of railroads, of canals, and the improvement of rivers and harbors are legitimate if they increase the business of the people of the country. I do not speak now as representing any district that impinges on the Ohio River which this item

proposes to improve. I neither speak as one interested in this particular project, for I am no more interested in this than in other projects, therefore I am free to say that there are some items in this bill that I have not indorsed, and when the opportunity was offered to vote against them I have voted against them. Motions have been made to strike out objectionable items, or at least they so appeared to me. I voted to strike them out. I do not say that in criticism of the committee. I know something of the representations of the claims pressed upon the committee. I doubt not that the committee has done the best it could in presenting its bill here. But that is not of itself a justification of its adoption as a whole. It seems to me that some of the items ought to have been omitted by a vote of the Committee of the Whole, and if not by the committee, then by the House.

On this particular item of the Ohio River I can assure myself in my own way of thinking that while the commerce now is not very great, for indeed the commerce for the year 1914 is just a little more than the combined commerce that is mentioned here in these various projects on the lake that impinges on my own State, that fact would indicate that this wonderful river with the possibilities it seems to me it has—that the commerce is nothing at all now to what it would be under proper canalization. The Ohio River presents all the conditions which under proper improvement are necessary for a great route for transportation. What makes a great transportation line are the termini, not only river transportation but railroad as well. I happen to live on one of the trunk lines connecting New York and Chicago, and I have frequently called the attention of students to the growth of the towns along the railroad trunk lines as compared with the growth of the towns along the Ohio River.

The growth of the former is greater than that of the latter, taking the same number of years. I can understand in a way why that is. The rapid transit and greater convenience of delivery may have something to do with it, speaking now especially of a trunk line such as the great western lines. However, as compared with the Ohio River the Ohio River is not, and never has been, in a condition in which it could be utilized in such a way that it could compete with the railroad lines, and it will not be until this project is completed. That does not mean that it will not be able to compete when it is ready to do so. When you think of the territory through which this river runs, the number of States rich in natural resources upon which millions of people rely, the character of the soil in the territory through which it runs, the productive capacity of this region will suggest transportation possibilities of this river. When you measure the distance from Pittsburgh down to New Orleans—over 2,000 miles—you have not yet taken in all of the route, because when this canalization project is completed the utilization of the upper Mississippi will be a part of the route, just as it will be of the lower Mississippi. It will make possible a water transit yet unknown to this country. Vast areas of rich country, great populations widely separated make transportation facilities available. The 30,000,000 people who live in juxtaposition to this river line, located in widely separated centers, suggest the necessity of this route. Think of the center of a half million or more people in Pittsburgh, and the center of another half million 500 miles or a little less down the river at Cincinnati, and then another center a little over a hundred miles farther down at Louisville, and then still farther on down another center, while you do not touch St. Louis on the downward trip you will make her a part of this wonderful center of distribution along that water line, and then on down to the mouth of the river to what surely must become a great southern metropolis—New Orleans. When we think of all of these centers of possibilities, I think I am justified in quoting the language of the first great President of this Nation when he was urging the country to build a system of canals to connect the upper waters of the Potomac with the upper waters of the Monongahela. He said, in substance, you will start a stream of civilization by a great inland water route, the like of which the history of the world has not yet seen. Washington saw the value of the water routes, though, of course, he would see it then with a little different interest than what we do now, because they did not have the railroad facilities at that time; but I believe, my friends, that here is a project which when completed will have all of the conditions to make a wonderful thoroughfare for transportation beyond the dreams of our first great President.

Mr. PARKER of New York. Was not that true of the Erie Canal?

Mr. FESS. Yes; and that will be by way of correction. That was true of the Erie Canal. It was started really before the railroads were completed.

Mr. MOORE of Pennsylvania. And that connected the Great Lakes with the Atlantic Ocean.

Mr. FESS. Yes. Mr. Chairman, I would vote without any hesitation for an improvement like we are making at the Soo Canal. I have just been looking over the wonderful commerce that goes through that waterway. It is vastly beyond what we now have on the Ohio. I would vote without a moment's hesitation for an improvement such as we are making at New York, for I believe that that is not only justifiable from the standpoint of the coast, but from the standpoint of the inland States. The growth of any great center is of importance to my State, because it is important to the Nation, and what helps the one helps the other. Likewise I will vote for improvement of the Delaware, because of great trade that passes over it. I will vote for any project that has promise of great inland waterborne commerce, whether on the rivers which run to the sea or to the Lakes, whether for cities on the seacoast, Lakes, Gulf, or rivers, and I will do it in case I live upon either or in case I live upon neither, but beyond a State that is bordered by either, because I believe it is a good policy for this Government to pursue. The one thing needful in this legislation is to separate the worthy from the unworthy projects. Therefore, I rise simply to say that while there are some items in this bill that ought not to be in it, there are projects that call loudly for the support of this House, whether we have an inclination to criticize the general work or not.

If the opportunity is afforded to report this measure, either directly from the committee or by way of recommitment, omitting items clearly of questionable value and including those only of unquestioned worth, I shall give my support most willingly. It is most unfortunate to load down the bill with such items and compel their adoption at the cost of defeat of the valuable items. There must be some way to avoid this sort of legislation. It gives some color to the already too well pronounced suspicion of the country of the sincerity and character of the Congress—a suspicion that I do not believe is warranted.

Mr. SWITZER. Mr. Chairman, I am glad to note that the gentleman from Wisconsin [Mr. FREAR] concedes that the Ohio River proposition is a worthy one, and that he admits beyond question that the Monongahela has been a worthy one. I have no doubt that in a few years to come—the next 5 or 6 or 10 years—he will concede that many of the propositions that he has been criticizing in the last two or three days down in the Southland are equally as worthy as the Monongahela and the Ohio. Last May I had an opportunity to take advantage of the invitation to the committee to visit the wonderful region on the Tennessee from Knoxville down to Sheffield, Ala. While I do not profess to be much of a prophet, yet I came to the conclusion at that time—and I believe now—that that will be the second Pittsburgh region of this country. The Tennessee is 652 miles long. The Government, I think, up to this time has expended something like $11,000,000 upon it, and the people at Chattanooga and one man, who has since died in New York, put $10,000,000 in one dam across the Tennessee River. That dam is something like 48 feet high, and is called the Brady Dam; and I simply call attention to this in order to direct the attention of those who voted for the 25 per cent proposition of Representative Good, upon the estimated cost, to the fact that when they started in to build this dam it was thought it would cost two and a half millions of dollars or less; but before they got through with it it cost $10,000,000; and the larger part of that money—something like seven or eight million dollars—was put up by Mr. Brady, of New York City, showing that private interests had confidence in the Tennessee River. I believe that to be a worthy project.

I do not know that it is necessary to say much more about the commerce on the Ohio River, but I have in my hand here a home paper, the Gallipolis Tribune, of Gallipolis, Ohio, under date of April 4, and it states in that paper that at the Island Creek coal terminal, near Huntington, W. Va., to which I referred in my speech made here about six weeks or two months ago, the Pittsburgh Coal Co. has one contract, to load for delivery on the Mississippi, of 400,000 tons of coal. As to the benefit that this will be to those along the river, I will say that there is a chair factory in my town, about 250 miles from Pittsburgh, and when the packets are running chairs and furniture manufactured in my town can be sent by boat to Pittsburgh and put on the floor of the furniture stores in Pittsburgh in less time than you can send it there by rail. What is true in that instance will be true, of course, when we come to send the freight to Cincinnati. The gentleman has spoken on occasions of the fact that there are not many craft on the river. The Department of Commerce furnished me the following statement: Steam tugs, 202 in number, with a tonnage of 33,420 tons;

and there are also steamboats to the number of 129 and gas towing tugs to the number of 110 upon the Ohio River.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LIEB. Mr. Chairman, in a minority report made by my friend from Wisconsin [Mr. FREAR], a member of this committee, he tries to make you believe that tonnage on the Ohio River is only about 2,000,000. I would like to read a quotation from his report:

Less than 100,000 tons of continuous commerce now remains, apart from soft coal, that has always floated downstream, reaching in 1914 between 1,000,000 and 2,000,000 tons of continuous traffic.

Now, in this report here he is trying to make this House believe that the entire commerce is only 2,000,000 tons. Why, the Kanawha River alone brought down 1,700,000 tons, which was towed into and down the Ohio River. I ask here to insert the commercial statistics which have been kept by the Government engineers and can be inspected at the department.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

Mr. LIEB. The following are the statistics referred to:

The nature of the commerce in recent years remains about the same, and no material change in lines of transportation has been made so far as known. About 45.5 per cent of the tonnage for the calendar year 1914 was coal and the remainder miscellaneous freight.

	Short tons.	Value.	Passengers.
Part calendar year 1912 (Apr. 1 to Dec. 31):			
Through locks and open river	6,998,747.3	$34,617,358.81	1,203,674
Ferries	1,619,621.7	36,446,870.87	2,628,615
Total	8,618,369.0	71,064,229.68	3,832,289
Calendar year 1913:			
Through locks and open river	8,412,603.8	40,940,511.71	1,320,952
Ferries	1,401,519.5	36,086,390.07	2,949,834
Total	9,814,123.3	77,026,901.78	4,270,786
Calendar year 1914:			
Through locks and open river	7,589,161.5	38,063,685.74	1,307,728
Ferries	1,941,148.0	55,225,794.14	2,648,183
Total	9,530,309.5	93,294,479.88	3,955,911

It has been charged on this floor that the construction of locks and dams on the Ohio has resulted in no reduction of freight rates. As assertions of this character might have a tendency to be misleading, I again wish to quote from the report of the Chief of Engineers of the United States Army, as follows:

Effect of improvement: The work of canalization of the Ohio River is not sufficiently advanced to have any appreciable effect on freight rates, but the probable results of the improvement are discussed at some length in House Document No. 492, Sixtieth Congress, first session. The great future benefit of the improvement will be felt only when the slack-water system has been extended far enough downstream to permit of continuous navigation at all times (except when interfered with by floods or ice) over a considerable section of the river. It should be noted, however, that a comparison of the cost of delivery of Monongahela River coal by rail and by river to points in the pools above Dam No. 6, where slack water has been available for a number of years, shows a saving of from 30 to 50 cents a ton in favor of water transportation.

Proposed operations: It is expected that the funds available July 1, 1915, will be exhausted June 30, 1916. It is proposed to apply the funds for which estimate is made in continuing the construction of Locks and Dams Nos. 12, 14, 15, 16, 17, 20, 21, 22, 24, 29, 31, 35, 39, 41, 43, and 48, for which $4,450,000 will be required, and commencing the construction of six additional locks and dams, which will cost $6,300,000. Since the construction of a lock and dam will require about four years, it is not necessary that more than $5,000,000 be made immediately available, but the remainder of the amount estimated, viz, $5,750,000, should, for economical work, be covered by a continuing-contract authorization.

Now, the total amount of tonnage on the Ohio River is 9,530,300 tons. You can see from Mr. FREAR's report, heretofore referred to, that he is trying to belittle the Ohio River. All this is a matter of record. Here is the report. Here are the statistics of the engineers, and I say that the gentleman has made a statement which is untrue.

Mr. FREAR. Will the gentleman yield?

Mr. LIEB. I will not yield. My time is limited. The records are here, and the gentleman can examine them for himself.

Mr. FREAR. I have them.

Mr. LIEB. Well, they are here.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LIEB. I ask for one minute more.

Mr. SPARKMAN. I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman has no time to yield.

Mr. SPARKMAN. I thought I had 15 minutes.

The CHAIRMAN. The gentleman from Indiana [Mr. DIXON] has five minutes, the gentleman from Kentucky [Mr. BARKLEY] five minutes additional, and the gentleman now speaking has used five minutes.

Mr. SPARKMAN. The gentleman from Kentucky has spoken before this division.

The CHAIRMAN. The gentleman has spoken five minutes more.

Mr. BARKLEY. If the gentleman will permit me, my five minutes was not taken out of any arrangement for time.

The CHAIRMAN. The Chair is of the opinion that 15 minutes have been used out of the time, but without objection the gentleman from Indiana may proceed.

There was no objection.

Mr. LIEB. I will read an article from the Evansville (Ind.) Courier that was printed on March 30, 1916, as follows:

FIRST BARGE TO PASS CITY APRIL 6—NEW FREIGHT CARRIER COMPLETED AND WILL MAKE MAIDEN TRIP TO NEW ORLEANS.

The first of the self-propelled barges to be operated on the Ohio by the Inland Navigation Co. will pass Evansville April 6 or 7 on her maiden trip to New Orleans. This is the information brought to the city yesterday by Givin Fowler, freight agent for the new river transportation company. Mr. Fowler talked to Evansville shippers yesterday. The barge is named *Inco No. 1* and is of 1,500 tons capacity. Two other barges, one of 2,000 tons and one of 3,000 tons, are building in the Jeffersonville yards.

Fourteen men are required to operate each barge. The company's plans call for 36 of these barges, which can operate on a minimum draft of 3½ feet when the river is low. The freight for the first trip amounts to three times the barge's capacity, says Mr. Fowler, one shipment of 3,000 bathtubs for New Orleans being refused. Evansville shippers, by using the new barge line, can put freight on board direct for New Orleans.

Each barge is equipped with a steel weatherproof cargo box and is propelled by means of four internal-combustion engines. This quadrupling of plant makes it practically immune against a breakdown, and since the cooking and heating are done by electricity and all lighting is electric, there is no fire on board. This not only makes the barge a very safe carrier but also gives a low insurance rate, which is carried by the company.

The barge is further equipped with four watertight bulkheads, dividing it into five compartments. She is further equipped with wireless, permitting constant communication with headquarters. It is also equipped with an electric traveling crane with a telescopic boom, which may be extended outboard on either side for as many as 70 feet, enabling it to lift a load of 3 tons at a time.

It is expected at first to maintain a three-weekly service between St. Louis and New Orleans, and as each additional barge shall be completed, the frequency of the service will be increased accordingly.

The company expects to be able to carry freight to and from the river by rail, issuing in each instance a through bill of lading, absorbing loading and unloading charges, switching charges, car rental, and the like; the bill of lading to also cover insurance. Thus shipments are insured from the moment they are received until they are delivered.

The rates of freight will be, in round numbers, about 75 per cent of the all-rail rates, and in some cases less.

The CHAIRMAN. The gentleman's time has expired. All time has expired. The question is on the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Harbor of refuge at Grand Marais, Mich.: For maintenance, $10,000.

Mr. ALLEN. Mr. Chairman, I desire to ask unanimous consent to extend my remarks in the RECORD on the Ohio River.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. ALLEN. Mr. Chairman, in two former Congresses I have spoken at length upon the Ohio River improvement, and there are few things I can add to my former statements or in addition to what has been said here this afternoon; and I observe that no one, outside of the gentleman from Wisconsin [Mr. FREAR], has had aught to say against this great improvement.

At this time capitalists from my own State are arranging to build additional tipples at Huntington for handling Guyan Valley coal; also to build barges in which to transport the coal to markets down the Ohio and Mississippi and to supply the tributaries of these rivers.

It is also worthy of most careful note that contracts have been prepared providing for the construction of 150 steel barges of not less than 2,000 tons capacity for the transportation of coal to New Orleans and the Panama Canal.

These boats will be ready when the Government has executed its contract to give a dependable stage of 9 feet from Pittsburgh to Cairo.

I append a statement showing the number of vessels now operating on the river, together with the gross tonnage of each, as furnished by the Bureau of Navigation.

Vessels of the United States documented on June 30, 1915, at the ports of Pittsburgh, Cincinnati, Louisville, Evansville, Paducah, and Cairo.

Port.	Steam towing.		All other steam.		Gas towing.		All other gas.		Barges.		Total.	
	Number of vessels.	Gross tons.	Number.	Gross.	Number.	Gross.	Number.	Gross.	Number.	Gross.	Number.	Gross.
Pittsburgh	115	22,782	47	7,599	31	330	45	468	17	1,264	255	32,444
Cincinnati	31	4,930	31	7,631	38	404	24	292	5	436	129	13,693
Louisville	22	2,084	27	3,540	24	314	55	612	3	93	131	6,643
Evansville	20	1,959	16	3,143	10	143	45	923	7	639	98	6,807
Paducah	11	1,519	5	510	7	67	26	264	3	410	52	2,770
Cairo	3	146	3	734	.....	.....	29	291	1	447	36	1,618
Total	202	33,420	129	23,157	110	1,258	224	2,850	36	3,289	701	63,974

The above table does not include, of course, the number and tonnage of many barges, undoubtedly, which are engaged in carrying coal and not under document.

[Mr. DIXON addressed the committee. See Appendix.]

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

This morning when that matter was up as to whether or not the Galveston sea wall was a new or old project, request for unanimous consent was made to return to that item and that was objected to by the chairman of the committee on the ground, as he stated, that the matter had been thoroughly debated yesterday. I desire to take exception to that statement in the fact that there was practically no debate whatsoever as to whether or not it was or was not a new item. The question was asked the chairman whether it was or was not, and he said it was, and we in the House here accepted his statement in good faith.

But, it has been very thoroughly proven that it was a new project, and therefore we should have had an opportunity to return to the item with that information before us and consider it from that standpoint. I do not understand why that permission was not granted. I maintain there was no discussion before the House whether it was a new project or not. The gentleman from Texas [Mr. EAGLE] was very frank in his statement when he said that he did not himself know whether it was or not.

Now, I want to submit this fact further. Mr. Chairman, that we not only had no discussion of the question of whether it was a new project or not, but when one of these four times under the special report was adopted in 1913 there was absolutely no discussion of it then. The item under which the chairman and the men advocating this appropriation claimed that the whole project was adopted—and it was not, and he can not prove it and no other man can—was part of the special report made to Congress on February 11, 1913, and on February 18, 1913, that separate item for the channel to Texas City went into the bill in the Senate without a particle of discussion, and was agreed to in conference here. The item has never been before this House.

Mr BURGESS. The gentleman is mistaken.

Mr. TREADWAY. No; let the gentleman prove that I am mistaken. I wish the gentleman would. He is the one gentleman that I would like to hear argue this point. The gentleman sits by and does not argue the point; perhaps he will tell how it was voted into the bill in the committee; but we do not hear the gentleman from Texas getting up on the floor and explaining these provisions or when the project was adopted.

Mr. BURGESS. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. No; not now. I hope the gentleman will take his own time and prove to this House that I am mistaken. He is the one man I would like to have prove it—but in his own time. I have only five minutes.

Mr. BURGESS. Will the gentleman yield?

Mr. TREADWAY. No; I can not yield now, but I am very glad that for once I have gotten a rise out of the gentleman from Texas [Mr. BURGESS]. He is mighty good in getting "pork" provisions into the bill in the committee, but not in defending them on the floor. But we are not bringing up questions of "pork" now. We are debating the question whether the Galveston sea wall is a new item or not, and I maintain that it is new, and that it was not considered as an adopted project.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HULBERT. Mr. Chairman, I desire to oppose the motion to strike out.

When the Ohio River item was before the House I thought I had arranged with the chairman of the Committee on Rivers and Harbors that I should participate to the extent of five minutes in the discussion of that item, although I did not propose to speak in opposition to the item of $5,500,000 for the improvement of the Ohio River. But I did desire to avail myself of the opportunity at that time to make a comparison between the amount of money which has been expended and which is being appropriated for the Ohio River in this bill and the amount which has been expended and appropriated in this bill for the East River in New York.

Now, Mr. Chairman, on page 274 of the report of the chairman of the committee it is shown that the total number of short tons on the Ohio River is 9,530,000, having a value of $93,000,000, and the total number of passengers carried on that river during the year 1915 was 3,955,000. Within that same period of time upon the East River in New York the total amount of commerce was 46,553,000 short tons, having the value of $1,537,239,000, and the number of passengers carried on the East River during the year 1915 was 22,436,000.

Mr. BURGESS. Over the ferries?

Mr. HULBERT. No; not over the ferries. The people of New York go across the East River on the four bridges, which were built at the expense of the city, at an expense of $100,000,000. That is the way we make improvements in the city of New York, and that is not the way the Federal Government makes them in the city of New York.

In the period from 1868, when the project for the improvement of the East River was adopted—and I quote from page 30 of the chairman's report—there has been appropriated by the Federal Government $6,104,000, while during the same time there has been appropriated by the State of New York and by the city of New York and by local interests in the city of New York a total of $39,235,859. And upon the Hudson River, I want to tell this House that in all the time you have been making those $850,000,000 of appropriations all over the United States you have not given a million dollars to the Hudson River at New York City—not a million dollars in all the time that you have been appropriating; and yet, within that same period, the State and city and the local interests in New York have contributed for the improvement of the Hudson River $105,504,217.05.

The gentleman from Washington [Mr. HUMPHREY] stated the other day that he understood my colleague [Mr. BENNET] to say that the amount expended was not $105,000,000 but $203,000; and that illustrates the care which some gentlemen give to the consideration of some of the items affecting New York, because the $260,000—not $203,000—that my colleague spoke of was money to be appropriated, not for the improvement of the Hudson River, but for the East River, and it was a single item representing the contribution that the city of New York had to agree to make last year in order that it might get the Federal Government to contribute half of that amount for the improvement of Coenties Reef. [Applause]

The CHAIRMAN. The time of the gentleman from New York has expired. The Clerk will read.

The Clerk read as follows:

Harbor at Muskegon, Mich.: For maintenance, $7,500.

Mr. McLAUGHLIN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. McLAUGHLIN. I notice, Mr. Chairman, by reading the report of the committee and quoting from the report of the engineers, that whereas $12,500 is recommended for the maintenance and dredging of the harbor of Muskegon, the committee recommends and the bill contains only $7,500. I should like to ask the chairman of the committee why this reduction in the recommendation was made.

Mr. SPARKMAN. That reduction was made on the recommendation of Col. Taylor, from the office of the Chief of Engineers. I will say to the gentleman that we had Col. Taylor with us quite frequently while framing the bill and whenever we considered his presence necessary. It was he who made the recommendation regarding each item where the amount of the estimate was increased or reduced. When we reached this item he stated that the project could get along with $7,500 instead of the larger amount.

Mr. McLAUGHLIN. In the figures contained in the report, the figures furnished by the engineers, $7,500, the total of this appropriation, is to be used and is thought necessary for the use of one dredge, *General Meade*. Now, if the engineers are to do any work at that harbor except dredging—dredging at the beginning of the season and to keep it dredged during the year—it will be necessary to have more money than is provided, because that entire amount is for the operation of one dredge.

Mr. SPARKMAN. They have, or did have when this item was inserted in the bill, an amount of money on hand. As I said a moment ago, when we reached that item Col. Taylor, who had gone over the estimates very carefully, stated that the amount we have appropriated here was all that we needed for the purposes of the maintenance of that harbor.

Mr. McLAUGHLIN. I was hoping, Mr. Chairman, that the committee would make an appropriation for the improvement of that harbor and the repair of it. I called the attention of the committee to it when a former bill was being prepared. There is a gap on the one side of the pier, where the waves, coming in from the lake and reaching that point, spread out and are tearing away portions of one of the streets of the city.

I was told at first that the committee paid no attention to damages of that kind, and that the expense of them must be borne by the municipalities themselves. But the same bill carried appropriations for repairing highways that had been damaged as a result of harbor improvement, or by the action of water at harbors that were improved and maintained at the expense of the Government; and I was hoping that this appropriation might be large enough to enable the engineers to make some improvement to stop the damage which results from the defective work and from the failure to fill the gap. It would take only a few hundred dollars to make that improvement, and even if money enough for dredging is available, it seems to me there ought to be a slight increase, so that the damage to this street of which I have spoken may be repaired and further damage prevented, a line of work which the chairman of the committee and other members of the committee now say is proper. A suggestion on my part to that effect made some time ago was rejected, but now members of the committee approve it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN. I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that he may proceed for five minutes. Is there objection?

There was no objection.

Mr. SPARKMAN. I shall be glad to answer the gentleman in so far as I can. I do not just understand the gentleman's complaint. That is, I do not understand his statement regarding the class of work he thinks ought to be done there, and that he says we are not doing.

Mr. McLAUGHLIN. This harbor is a passageway between Lake Michigan and Lake Muskegon, with piers on each side of the channel, which is about a mile long. At one place in the south pier there is an opening. There has never been any pier there. The waves come in from Lake Michigan, and, rolling along the channel, when they reach this gap they break and spread out.

Mr. SPARKMAN. Was that gap left by the Government in the original work it did there?

Mr. McLAUGHLIN. It has never been filled. I do not know whether the original project included the filling up of that gap or not, but it is there; and the effect of the waves is what I have stated to the gentleman. There is a street of the city that runs probably from 50 to 100 feet south of the south line of the channel, and the waves coming to that opening spread out and tear away the street. An effort has been made to have the Government take care of it, but for want of an appropriation it has not been done, and the expense has been borne by the city.

Mr. SPARKMAN. Let me ask the gentleman to what extent have the parties interested made any effort to have the Government take care of the matter?

Mr. McLAUGHLIN. I have not lately appeared before the committee, because I have understood that that kind of work was not provided for, and that where the Government makes an improvement and damage results to municipal property the Government pays no attention to it. But last year this bill carried a provision for repairs to a highway injured by a waterway in the State of Florida. At that time I called attention to what I believed to be a discrimination.

Mr. SPARKMAN. I think that was something quite different from this matter to which the gentleman is referring. In the Florida case the Government cut a channel across a highway that belonged to the county. It was a county highway, and the Federal Government has always made good that kind of damage; and it ought to do it. Now, I am not clear as to whether the work that the gentleman wants done is a class of work that Congress has been accustomed to appropriate for; but I would like to suggest to the gentleman that if he thinks it ought to be done by the Government he have a survey and examination made by the War Department through the engineers, and let a report be made to Congress, and then we will know just what ought to be done and how much it will cost.

Mr. McLAUGHLIN. It seems to me when the attention of the committee is called to it, and the result is known, the committee ought to take some action.

Mr. SPARKMAN. I think the gentleman has admitted that he has not called anyone's attention to it before this.

Mr. McLAUGHLIN. I have called attention to it before, and I think if the amount of this appropriation were left as first recommended by the engineers it would be sufficient to enable the Government to make those repairs. It needs only a little sheet piling.

Mr. SPARKMAN. There might be plenty of money, but unless the engineers were authorized to use it in that way it would not be used.

Mr. McLAUGHLIN. If it is put in there with the understanding that it is to be used for that purpose, without the specific direction——

Mr. SPARKMAN. We can not make appropriations in that way, I will say to my friend. We must have the estimate of the engineers and know where it is to be used. Otherwise we might find ourselves involved in expenditures that would reach up into the millions.

Mr. McLAUGHLIN. In the particular matter that I have called to the attention of the committee I dislike to see the appropriation for dredging reduced, because I know how often they are short of money for that purpose.

Mr. SPARKMAN. I would have no objection to increasing it if the engineers would tell us they need it.

The CHAIRMAN. The time of the gentleman has expired. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Ship channel connecting waters of the Great Lakes between Chicago, Duluth, and Buffalo: For maintenance of improvement through Lake St. Clair, $25,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I am very glad this appropriation is being made for this ship channel connecting the waters of the Great Lakes between Chicago, Duluth, and Buffalo, because it makes a connecting link through the existing Erie Canal with the Hudson River and the Atlantic Ocean. If all the coastal waterways were connected, it would not only bring the Great Lakes to the sea but would also connect up with the Atlantic coast inland to Florida. Some gentlemen have ridiculed the idea of the intercoastal waterway, but they always do it in good humor and through lack of information. Our distinguished and eloquent historian from Ohio, Dr. FESS, has referred to the broad view of George Washington more than 100 years ago, in contemplation of a western development through waterway arteries. It may be said that the same illustrious American foresaw the possibilities of the opening up of the channels along the Atlantic seaboard; because in his day the present great West was unknown, and anything beyond the Mississippi was feared, not only in the commercial but also in the pioneer sense. It was George Washington who surveyed Lake Drummond, which feeds the water into the Dismal Swamp Canal to-day—a rather phenomenal condition which even some of our scientific friends have not explained. The waters of Lake Drummond, surveyed by Washington with a view to establishing a canal in that section, are 20 feet or so above the canal itself, so that a natural and steady flow is assured by nature to the canal supplying a valuable aid to transportation between the North with the South.

For many years—nearly a century—the old Dismal Swamp Canal has been in operation. The serviceability of the old canal is underestimated by some, because the only information they

have is derived from Tom Moore's beautiful poem of "The Firefly Lamp." An odd basis for refusing appropriations with respect to a great public improvement, yet it is about equal to the wisdom of those who, when I came here 10 years ago would curtail appropriations for the Delaware River on the ground that all they knew about it was due a picture of George Washington crossing the Delaware to capture the Hessians at Trenton. And yet it is by such arguments as these that our great commercial interests are sometimes determined in the House.

We have now come to the conecting link of the Great Lakes, and I call the attention of our Great Lakes' friends to the fact that by reason of this connecting link of the Great Lakes they are connected with the Atlantic Ocean by the Erie Canal, which the State of New York alone constructed, beginning back in 1812, when the Congress of the United States, acting very much as it does with respect to some of the waterways improvements today, refused to join in the great enterprise. It was that Erie Canal which made it possible to develop the great West, and which did develop the metropolis of New York, which in prior days was not in the running with the first maritime city of the Nation—Philadelphia. [Applause.]

Mr. MAPES. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. SPARKMAN. I ask unanimous consent that all debate on this paragraph and amendements thereto close in 10 minutes.

The CHAIRMAN (Mr. Cox). The gentleman from Florida asks unanimous consent that all debate on this paragraph close in 10 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for 10 minutes. Is there objection.

There was no objection.

Mr. MAPES. Mr. Chairman, I desire to make a few observations about this bill before it is passed, and it is probably as appropriate for me to make them now while the Michigan items are under consideration as at any time.

It seems to me that Prof. Moulton in his work on "Waterways versus Railways" arrives at a correct conclusion and announces the principle which ought to govern Congress in enacting rivers and harbors legislation when he declares that "waterway development in the United States must at best be confined to a few particular projects where conditions combine in a very favorable manner." This bill does not, in my opinion, follow that principle and for that reason I shall vote against it.

This bill is a depleted Treasury, war times rivers and harbors appropriation bill, yet it carries 271 items of appropriation, aggregating a total of nearly $40,000,000, besides authorizing 84 surveys in order to provide an additional supply upon which to expend the Government money in the future should by any chance any of the present rivers and harbors become exhausted for that purpose.

If one-half of the statements in the minority report and of the critics of the bill made on the floor of the House about the extravagance and waste of these appropriations is true, then the bill ought not to pass and there should be a radical change in the policy of the Government, as far as rivers and harbors legislation is concerned. I doubt if this or any similar bill could pass if it was not for the fact that it carries an appropriation for so many different congressional districts and the natural dislike of the Members representing those districts to vote against it on that account. In fact, it carries an appropriation, recommended by the engineers, for a harbor in the district which I represent, but I do not think that I should be called upon to swallow a $40,000,000 appropriation for that reason or that the people of the district want me to do so. I know of no way to stop the practice as exemplified in this bill unless the majority of the Members of Congress stand out against it.

In my opinion a large part of the money expended by the Government in the past on inland rivers, especially in order to stimulate navigation upon them, has been wasted. This is evidenced by the fact that in many cases after spending several hundreds and sometimes millions of dollars in order to make them navigable they are now totally abandoned.

I do not believe that appropriations for the improvement of rivers and harbors generally on the scale in which they have been made for the last few years can be justified any longer on the plea that they are an aid to navigation. Notwithstanding the enormous and ever-increasing size of these appropriations, the evidence is practically universal that the commerce on our rivers is gradually and constantly diminishing, and the best students of the question seem to be in general accord on the proposition that the tendency will be the same in the future. Modern conditions of transportation do not seem to permit of inland river traffic. There are many reasons why that is so. Among them are the cost of construction and maintenance; the lack of uniformity in the depth of rivers and canals; the limited territory that can be served by river navigation; the fact that it is confined to the natural valleys and the level portions of the country; the cost of transshipment, loading, and reloading; the fact that river navigation in the North, at least, is impossible for several months in the year on account of the ice; the development of our railroads; the necessity for the speedy delivery of most commodities; and the fact that river navigation is confined very largely to such commodities as coal, timber, ore, building material, and so forth. As Prof. Moulton states it:

> The ability of the railways to extend their lines to every point of the compass, to develop a very network of branch and spur lines which can carry traffic from the most out-of-the-way source to any destination whatever, can not be matched by any system of waterways that could be developed.

The extravagance and waste in these appropriations have been such and the commerce on some of our rivers is so small as compared with the annual appropriation for their improvement and maintenance as to justify Mr. Burton, formerly Senator from Ohio, in declaring that it would be cheaper for the Government to buy the commerce on them and burn it than to spend what it does annually for their improvement and maintenance, to say nothing of the comparatively insignificant cost of transportation for carrying that commerce.

I sometimes wonder if Congress, following the lead of previous Congresses, does not get into the habit of voting large appropriations year after year without fully realizing the enormous sums that are actually being appropriated.

Mr. BOOHER. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. BOOHER. I find 19 items in the bill for the State of Michigan. Will the gentleman point out one of those items that he would be willing to strike out of the bill.

Mr. MAPES. There has not been a single objection to any Michigan item by any Member of the House, and every one was recommended by the engineers. The most of them, such as the appropriation for the improvement of St. Marys River and the harbors on the Great Lakes, can not be compared with the appropriations for a number of the inland rivers in this bill. There is no comparison between the harbors on the Great Lakes and the river legislation carried in this bill.

Mr. BOOHER. Is there a single one——

Mr. MAPES. I can not yield further unless I am given more time.

The $40,000,000 carried in this bill, for example, to be expended in the next fiscal year, would build 1,000 miles of railroad, at a cost of $40,000 per mile. It is said that $850,000,000 have been appropriated by the Government altogether for rivers and harbors, enough, at the same cost, with which to build 21,000 miles of railroads. What is there to show for all this enormous expenditure of money?

The last Congress authorized the building of a railroad in Alaska at a cost of $25,000,000, a trifling amount as compared with the total amount spent on our rivers and harbors, and a little over one-half the annual appropriation for that purpose.

The creation of the Interstate Commerce Commission and the different State commissions, with authority to regulate railroad rates, has destroyed the force of the old argument that the possibility of river transportation has a tendency to keep down railroad rates, even though little commerce is actually carried on the rivers. But even if river and harbor appropriations did have a tendency in that direction, $40,000,000 to $50,000,000 per year expended on rivers and harbors in addition to the expense of these different commissions would be an enormous amount to pay for railroad regulation. It would be cheaper for the Government to build competing railroads and give them to private individuals to operate. In fact, the maintenance cost of rivers per mile after they are improved, contrary to general belief, is greater than the cost of maintenance of railroads per mile.

I am not opposed to all river and harbor legislation. In fact, I favor the proper expenditure of money by the Federal Government for the improvement of them, but I am opposed to expending it on the rivers and harbors of the country indiscriminately and regardless of whether they can ever be made use of for the purpose of navigation or not. It should be confined to the development of a few "particular projects."

The distinguished gentleman from Kentucky [Mr. SHERLEY], who is now presiding over this committee, in a very able report, recently made, on the fortifications appropriations bill, calls attention to the act of Congress approved March 3, 1885, which authorized the President to appoint a board to examine and report at what ports in the United States fortifications or other defenses were most urgently required and the character and

kind of defenses best adapted for each. The board authorized by that act of Congress, after making a thorough study and report on the subject, named the 27 different places which in its opinion ought to be fortified. Since that time Congress has had the benefit of the report of two other commissions on that subject, and has followed, in the main, in its fortifications appropriation bills the recommendations of those commissions. As a result the fortifications of the United States are as good as any in the world.

It seems to me that some such commission made up of experts ought to be appointed to study and report the rivers, harbors, and canals in the United States which ought to be improved and for which Congress would be justified in making appropriations, and after receiving such a report Congress should then confine itself in its rivers and harbors appropriation bills to the projects recommended by such a commission. [Applause.]

The Clerk read as follows:

St. Marys River at the falls, Michigan: Continuing improvement by the construction of a fourth lock, $800,000.

Mr. SCOTT of Michigan. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee why the bill differs from the recommendation of the engineer. I observe on page 292 that the engineers recommend the expenditure of $1,300,000 on the fourth lock. The work has been started and I am taking his recommendation for it, and I assume that he knows what he is talking about.

Mr. SPARKMAN. A portion of the $500,000 is to be taken care of in the sundry civil bill.

Mr. SCOTT of Michigan. Let me understand the gentleman. The balance of the $500,000 which does not appear in the bill is to be taken care of in the sundry civil bill?

Mr. SPARKMAN. Yes. It was not estimated for in this bill, but in the sundry civil bill.

Mr. COOPER of Wisconsin. Mr. Chairman, the gentleman from Michigan [Mr. MAPES] proposes that a commission be appointed, a commission to consist of persons other than Army engineers. Let me read what a great expert said concerning a similar proposal. Senator Burton was chairman of the National Waterways Commission, which, in Europe and in America, made an exhaustive study of the question of waterway improvements, and filed its report in the Senate in 1912. On page 78 of its final report—a report which it is well understood was prepared mainly by Senator Burton, its chairman—that commission says:

Numerous propositions have been made for the creation of a board of public works or other body which shall decide upon the feasibility and desirability of propositions for expenditures on rivers and harbors. The commission is unwilling to recommend a change of this kind, and points to the fact that the past recommendations of the Engineer Corps have been carefully prepared and with a degree of expert knowledge and comprehension of the commercial needs of the country which could not well be supplied by any other body or organization. The advantages which attach to the Engineer Corps are obvious. The members are in the permanent service of the Government and are free from those influences which would inevitably be brought to bear upon men in civil life. Those engineers now engaged in the work are carefully trained in the planning and execution of these improvements and have special qualifications for judging the feasibility and the cost of proposed river and harbor projects.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. I yield.

Mr. MAPES. Is it not true that under the present system the responsibility is divided between Congress and the Engineers, and do we not in this very bill, in which the committee has reported what is a small number of projects for survey, 87, as called attention to by the minority report, in a great many instances instruct the Engineers to report upon one of two different propositions, thereby making it practically mandatory upon them to report in favor of one of them?

Mr. COOPER of Wisconsin. Mr. Chairman, the gentleman has evaded the proposition somewhat or has failed to notice that in answer to his proposal I read the opinion of the great national commission who traveled over Europe and over this country to study the general subject of river and harbor appropriations, and that they were unanimously and strongly opposed to such a commission as the gentleman advocated in his speech.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. FESS. Has the gentleman from Wisconsin [Mr. COOPER] read that with approval or disapproval?

Mr. COOPER of Wisconsin. I read it as the opinion of the distinguished expert on river and harbor improvements, Senator Burton, and his fellow members of the national commission.

Mr. FESS. Is that the gentleman's answer to my question?

Mr. COOPER of Wisconsin. My own idea is that those splendid officers like Col. Taylor and his associates in the office of the Chief of Engineers, and also the other fine men in the Engineer Corps of the United States Army, are just as free from political or other influence, just as dependable to do what is right as would be such a commission as was proposed here to consist of three gentlemen appointed to Cabinet positions, all members of one party, and all confirmed by the Senate. [Applause.]

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Does that meet the question of the gentleman from Michigan?

Mr. MAPES. Mr. Chairman, I would like to say——

Mr. FESS rose.

Mr. MAPES. I would like to say that I did not advocate any such commission as the gentleman has suggested.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. I want to do that in order to reply to the second question of the gentleman from Michigan [Mr. MAPES] as to whether the bill does not propose that there shall be new surveys. Yes; but that does not require the engineers, after they have made the surveys, to report favorably upon them. On the contrary, the engineers can exercise the discretion which they have heretofore exercised and refuse to recommend for improvement any project which they may have been called upon to survey.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. MANN. Is it not a fact that under the law the engineers are required not to report upon a project in detail or as to the surveying end of it until they have first found that commercially it is desirable?

Mr. COOPER of Wisconsin. Yes; and I thank the gentleman from Illinois for asking the question.

Mr. CLINE. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. I can not yield now. I want to read what Senator Burton said on another occasion.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. I can not yield now.

The CHAIRMAN. The gentleman from Wisconsin declines to yield.

Mr. COOPER of Wisconsin. Senator Burton addressed the National Rivers and Harbors Congress at its convention in this city in December, 1909. I have here the official report of the proceedings of that convention. Here is what Senator Burton said:

My friends, the president of this congress will say to you that we have known no North, no South, no East, no West in the years we have been together. [Applause.] We have taken up projects according to the measure of their merit, and I can vouch that members of the committee in many instances——

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. I can not yield now to the gentleman. I want to continue the reading—

and I can vouch that members of the committee in many instances have leaned over backward where their own localities were involved, and have given closer attention to projects in other places.

* * * * * * *

I have found many observant and intelligent men—

And this applies to the gentleman from Michigan [Mr. MAPES], as I infer from his remarks—

who have an idea that a very large share of our appropriations go for insignificant creeks and streams. Now, perhaps I might point out the benefit of improving many of these minor streams, a benefit which proportionately is often greater than even in the case of large rivers.

Observe that important statement of the Senator. Referring to the benefit from improving many of these minor streams, he says that it is—

A benefit which proportionately is often greater than even in the case of large rivers.

Mr. MAPES. Mr. Chairman——

Mr. COOPER of Wisconsin. I can not yield, Mr. Chairman.

Mr. CLARK of Florida. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is the gentleman from Wisconsin.

Mr. MAPES. I would like to submit a parliamentary inquiry.

Mr. COOPER of Wisconsin. I object, Mr. Chairman. I do not desire to disoblige, but I have a duty to Senator Burton that I wish to perform. [Laughter.]

Mr. Chairman, I read further from the speech of Senator Burton to the great waterway convention:

You have had to meet the idea that there is a "pork barrel" somewhere. Whenever there is a man of superficial information on this

subject, or one who has had some project that has been turned down, and turned down hard because it had to be turned down, that man begins to talk about the "pork barrel."

[Applause.]

That is correct. You got that in at the right place. It says "applause" here. [Laughter.]

I will now read what he says immediately following his remarks about gentlemen with superficial information.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. The Senator continues:

There has been no line of appropriations made by this Government more carefully guarded than appropriations for rivers and harbors.

Now, I ask the especial attention of the gentleman from Michigan to a statement of the distinguished Senator on that occasion, which affords a complete answer to the question propounded to me by the gentleman a little while ago, and in which question he seemed to exhibit a fear lest there might be something wrong about the proposed surveys.

Mr. MAPES. Will the gentleman yield?

Mr. COOPER of Wisconsin. I can not. If the gentleman will please remain in status quo, as the gentleman from Wisconsin [Mr. FREAR] wants some of these projects to remain, until I finish this, then I will yield. [Laughter.]

Mr. MAPES. Mr. Chairman——

Mr. COOPER of Wisconsin. After declaring that—

There has been no line of appropriations made by this Government more carefully guarded than appropriations for rivers and harbors—

The Senator says—and I think this information will be interesting to the gentleman from Michigan:

In the first place, before anything is undertaken, there is a preliminary examination which is ordered by legislation; there must be a preliminary examination. Then, if that is favorable, a more detailed examination. Before the project is presented to Congress it must pass before a so-called board of review. By the time it gets to Congress it has had to pass through a pretty long gantlet. Then, when it reaches the Rivers and Harbors Committee, it has a still more severe experience—perhaps some of you think so, anyhow.

* * * * * * *

There has been no logrolling, no "pork barrel," no regard for individual prospects, or anything of that sort. [Applause.] No regard for any particular locality in the country.

Speaking of the advantages to be derived from adequate transportation facilities by water, the Senator remarks:

Then there is a second class of advantages that are arbitrary, due to their lowering of rates to drive waterways out of business. The best illustration with reference to that which I know is a case where a barge line on the Mississippi was carrying freight at 25 cents a hundred very profitably. The railways put down the rate to 10 cents a hundred until the barge line was driven out of business; then the railways put up the rate to 50 cents a hundred, where it has remained ever since. Now, that ought not to be allowed.

He then expresses the hope that the waterways and the railways in some way will agree to work together; that to work together would be for the interest of both.

It is really for the interest of both to work together. [Applause.] The time is coming when they will both see it. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. COOPER] has expired. [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman——

Mr. SPARKMAN. I would like to inquire of my colleague how much time he wants?

Mr. HUMPHREY of Washington. I would like five minutes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that debate on the paragraph and all amendments thereto end in five minutes.

The CHAIRMAN. Is there objection?

Mr. McLAUGHLIN. Mr. Chairman, I would like five minutes. Can the gentleman from Florida make it 10?

Mr. SPARKMAN. We have another paragraph to read in a moment.

Mr. McLAUGHLIN. Then I will wait until another paragraph is read.

The CHAIRMAN. The gentleman from Washington [Mr. HUMPHREY] is recognized for five minutes.

Mr. HUMPHREY of Washington. Mr. Chairman, I am very much pleased to know that the committee did not make any mistake in reference to one item, anyway; that is an item in the district represented by the gentleman from Michigan [Mr. MAPES]. Even he approved it.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Pennsylvania?

Mr. HUMPHREY of Washington. Yes.

Mr. MOORE of Pennsylvania. The gentleman from Michigan [Mr. MAPES] explicitly approved that item, and said that was a good item.

Mr. HUMPHREY of Washington. Well, in doing that he has only done what everybody else in this House has done. I am still waiting to see one man stand up and attack or condemn his own project.

Now, we are coming to the State of Wisconsin, and I am wondering whether some gentleman from that State will stand up and condemn some of those items.

Mr. Chairman, there are some more things that I want to call attention to, and one of them is that in the attempt to demonstrate that there has been a waste of appropriations because traffic on certain waterways has decreased, it does not necessrily follow that that is so, because there are three stages in waterway improvement. The first stage is before you have the railroad improvement, and then after you have it paralleled with a railroad improvement the waterway may be no longer valuable. But the time may come again when the waterway will again be very valuable.

I can cite one instance in my own State, the Columbia River, from Wenatchee to Kettle Falls. We have appropriated for several years for this part of the river, and I know that the distinguished chairman of this committee will agree with me when I say that there was no appropriation ever made that brought a greater return for the amount invested than that for the upper Columbia. That has been discontinued, because now it is paralleled by the railroad. But that does not mean that the money that was invested in that improvement was money wasted. The time may come again when it will be worth while to once more improve the Columbia River. So that the arguments made to that effect do not necessarily prove true. The people who make that argument ought to point out the particular items to which they refer.

My distinguished friend from Michigan [Mr. MAPES] was laboring under a wrong impression in regard to these surveys. Seventy per cent of the surveys that have gone into these bills in the last year or two have, if I remember correctly, been reported on unfavorably. And there never was, in my judgment, a greater mistake than to say that we ought to take the power of reporting upon these projects away from the engineers and give it to some commission. [Applause.] The moment you do that there will be politics in the appropriations.

I agree with what former Senator Burton said, read by the distinguished gentleman from Wisconsin [Mr. COOPER], that the Government engineers by training, by occupation, and by the positions which they hold during life are the best fitted of any body of men that we could possibly secure to pass upon these projects. I have never yet heard a just criticism leveled against the conduct of the engineers, except in particular cases, and I think I am well within the facts when I say that I never heard a Government engineer severely criticized on the floor of this House as to any project unless it was by some gentleman whose project had been unfavorably reported upon by that engineer.

The CHAIRMAN (Mr. COX). The time of the gentleman from Washington has expired. The Clerk will read.

The Clerk read as follows:

Black River at Port Huron, Mich.: Completing improvement and for maintenance, $25,000.

Mr. McLAUGHLIN. Mr. Chairman, I move to strike out the last word in order that I may have time to reply to statements that have been made.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. McLAUGHLIN. Mr. Chairman, I approve what the gentleman from Washington [Mr. HUMPHREY] has said, that this work ought to be left to the Corps of Engineers, made up of the men best fitted in this country to do this work. I have had considerable experience with them. They are the highest class of men, and, in my judgment, they are the most capable men who could be called upon for this work; and while they have differed from me, and while I have not been able to get from them the favorable reports that I wished, I have no criticism whatever to make of them. I believe they are men of splendid character, men of ability, without local bias, and as free from improper influence as any who can possibly be engaged for the work. It would be folly to organize a commission. It would be or become a political body and subject to or suspected of yielding to local influence and prejudice.

Now, the gentleman from Missouri [Mr. BOOHER], a member of the committee, asked the gentleman from Michigan [Mr. MAPES] if there were any provisions in this bill for harbors in

Michigan which he would wish to have stricken out. Evidently he thought that because small sums mostly were given for Michigan, nearly all for dredging and maintenance, we ought to object to some of them, because we object to projects where they have to go several feet deep in order to find water in the bed of what they call or wish to make into a river; that because we object to projects where they build a harbor because it touches a great automobile road, where the men from the cities using automobiles can stop at the so-called harbor and reach their yachts; because we object to such projects as these we are told we ought to object to all or to some at least of the improvements in the State of Michigan.

Mr. CLARK of Florida. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman yield?

Mr. McLAUGHLIN. I can not yield. The gentleman from Michigan [Mr. MAPES] rose to speak as the item relating to Grand Haven was reached. At Grand Haven there were 645,804 tons of freight last year. It is a great harbor which ought to be properly maintained.

I am particularly interested in three or four projects that are located in my district. One is at Muskegon, of which I have already spoken, my home city, where the item in this bill is only $7,500, altogether for dredging, where the business last year was 119,811 tons; and that is one of the very few projects mentioned in the committee's report concerning which it appears that the business is increasing year by year. I am sure it will increase even more rapidly in the future. Only a few years ago it was the greatest lumber town in the world, making more lumber than any other place in the world. Now it does not make a foot of lumber, and still, by unusual and commendable energy and thrift and public spirit, the people are building a city upon the ruins of the lumber business, and it is now one of the most prosperous cities in Michigan, having a population of about 35,000.

I am also interested in the harbor of Luddington, in my district, for which there is an appropriation in the bill of $250,000. The freight there last year was 1,510,437 tons. You do not have to bore into the ground there to find water for a harbor. It is perhaps the greatest car-ferry point in the world.

And I might speak of Manistee, another splendid harbor in my district, at which more salt is produced than at any other place in the United States; but that project, having been approved by Congress, the appropriations for its completion are carried in another bill.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. McLAUGHLIN. I will when I get through. Wait a moment. I am interested also in the harbor of Frankfort, where the report shows that last year there were 737,248 tons of freight. The appropriation for that point is only $5,000.

Do gentlemen accuse us of inconsistency if we do not object to those very moderate appropriations for those very worthy projects simply because we object to some in other parts of the country which we think are grossly improper? The fact has been spoken of, Mr. Chairman, that nearly $50,000,000 has been appropriated and has been used for improving harbors in the State of Michigan. I have not exact figures, but am safe in saying that three-fourths at least of that money was used for building locks and otherwise improving St. Marys River and for improving Detroit River. All of it ought not to be charged to Michigan; but if it were all so charged, the expenditure of every dollar was proper. In the year 1913 about 80,000,000 tons of freight passed through the St. Marys Canal; the value of that freight was nearly $1,000,000,000. There was paid for carrying that freight $44,380,000, and the value of the boats which carried it was about $4,500,000. The number of boats passing through the locks of St. Marys River in 1913 was nearly 24,000, and the net registered tonnage of them was nearly 58,000,000 tons. The total amount spent on St. Marys River is in the neighborhood of $25,000,000—$13,000,000 on the locks and $12,000,000 on the river itself. The Suez Canal, of which we read so much and which is generally thought to be a wonderful waterway, carried last year only 5,085 ships, of net registered tonnage amounting to a little more than 20,000,000 tons, or about one-fifth of the number at the Soo Locks and of little more than one-third the tonnage. And the Suez Canal is open all the year, while the St. Marys Canal is open only eight months of a year.

The Detroit River is a part of the boundary line between Michigan and Canada, and carries the immense commerce of several States, the commerce being strictly interstate and not chargeable to Michigan or to be credited to that State alone, although we would like to claim it if we could properly do so. Our Government has expended several million dollars—I do not know how many—on this river, and every dollar so used has returned profit of a hundredfold to the people of this country.

In 1913 the vessels passing through that river, not including ferryboats, railroad ferries, or other local craft, numbered 37,473, of net registered tonnage of 62,092,149 tons, carrying freight to the amount of 85,376,705 tons and of the value of $927,191,076.

A glance at these figures or a moment's thought to what they mean as representing the amount of business done on these two great waterways will justify all expenditure the Congress has made for their improvement and maintenance.

We are not to be charged with inconsistency in supporting appropriations for these projects, as we support other appropriations for Michigan that I have referred to, while we oppose, as we feel we must, some items in this bill that we believe are unjustifiable. We are real friends of rivers and harbors, believing in Federal aid to worthy projects, and we therefore oppose measures which bring reproach upon proper and legitimate river and harbor legislation. We will not stultify ourselves by approving an entire bill which contains appropriations for anything and everything, even if it does provide money for projects in or about our own State, every one of which is properly taken care of.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CLARK of Florida. Mr. Chairman——

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in five minutes and that the gentleman from Missouri [Mr. BOOHER] have that five minutes.

Mr. CLARK of Florida. I want two minutes.

Mr. CRAMTON. Mr. Chairman, I should like one minute.

Mr. CLARK of Florida. I believe I have been recognized. I want only two minutes.

Mr. SPARKMAN. Then, Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in eight minutes, two minutes to be used by the gentleman from Florida [Mr. CLARK], one minute by the gentleman from Michigan [Mr. CRAMTON], and five minutes by the gentleman from Missouri [Mr. BOOHER].

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate on this paragraph and amendments thereto close in eight minutes, two minutes to be used by the gentleman from Florida [Mr. CLARK], one minute by the gentleman from Michigan [Mr. CRAMTON], and five minutes by the gentleman from Missouri [Mr. BOOHER]. Is there objection?

There was no objection.

Mr. CLARK of Florida. Mr. Chairman, I just simply want to say that I am absolutely in favor of this bill, and expect to vote for every item in it. If the gentleman from Michigan [Mr. McLAUGHLIN], who would not yield to me a moment ago, will point out in this bill a single river where the testimony shows that you have to dig 10 feet into the bed of it to get water, I will vote against it. The gentleman ought not to make such a statement as that, which is absolutely and entirely at variance with all the facts.

Mr. GOOD. Will the gentleman yield for a question?

Mr. CLARK of Florida. For a question only.

Mr. GOOD. Will the gentleman vote against the bill if we can point out a river where the Member of the House who lives in the vicinity says you are likely to cross the river at some point before you know you have reached it?

Mr. CLARK of Florida. I will not, because I would rather take the testimony of the gentleman who lives on the river than to take the testimony of a gentleman who lives miles away. I know the river that the gentleman refers to, and I can not yield further; but I want to say that gentlemen ought not to make such statement as that, because there is not a word of truth anywhere about any item in this bill which shows that any river is so dry that you have got to dig 10 feet into the bed of it to get water. It is preposterous, it is ridiculous, and it is unworthy of any gentleman upon this floor.

I yield back the remainder of my time.

Mr. CRAMTON. Mr. Chairman, the gentleman from Missouri [Mr. BOOHER] wanted to know about our Michigan items, and seemed to think that because some other items in this bill have been criticized, therefore the Michigan items should be criticized. I have here a memorandum which states that the report of operation of the Panama Canal for the first 10 months and 15 days shows practically 5,000,000 tons of freight carried, at an operating expense of about $5,000,000. As my colleague [Mr. McLAUGHLIN] has said, the Soo Canal has received about $25,000,000 out of the $45,000,000 charged to our State. The

Soo Canal carries in 15 days as much freight as the Panama Canal carried in more than 10 months, at an operating expense for the Soo Canal of about $10,000. And the same freight that goes through the Soo Canal in 15 days, equal in amount to that which goes through the Panama Canal in 10 months, goes on down through the lakes and rivers that are appropriated for and charged to Michigan in this bill. [Applause.]

Mr. BOOHER. There can not very much freight go through the Panama Canal now, because it is closed by slides, and almost any river can beat it, as far as freight is concerned, now.

Mr. CRAMTON. These figures do not apply to the time when the canal has been closed by slides.

Mr. BOOHER. I am vesy sorry that the simple question I asked the gentleman from Michigan [Mr. MAPES] has stirred up such a tempest. There was nothing in it to excite anybody. The gentleman had stated that there were many projects in this bill that were unworthy and ought to be stricken out. I only wanted to find out whether there was one of these unworthy projects in the State of Michigan, where there were 19 different projects, with nearly $1,500,000 appropriated for them, but he had not paid enough attention to the bill to know whether there was an unworthy project in Michigan or not. How, then, can he say he has paid enough attention to the bill to know that there is a single unworthy project in the bill?

Mr. HUMPHREY of Washington. I want to call the attention of the gentleman from Missouri to the fact that Michigan is not so wonderfully above the others. I call his attention to the first item in the Michigan projects, on page 23, lines 17 and 18:

Harbor at Ontonagon, Mich.: For maintenance, $9,000.

For maintenance, $9,000. Now, they had a tremendous commerce there last year of 12,032 tons. Can you find many projects in the bill where there is any greater amount spent for maintenance in proportion to the business that is done? [Laughter.]

Mr. BOOHER. Mr. Chairman, I did not ask the question for the purpose of irritating the gentlemen from Michigan or stirring them up. I wanted to know if the gentleman had so carefully examined the bill that he could point out a single item in Michigan that was unworthy. That was all there was to it. The gentleman from Michigan [Mr. MCLAUGHLIN] flies into a passion because the question was asked and says they are all good projects. I do not know whether they are or not. The engineers report favorable on every one of them, and every one is carried in the bill, and no one, not even the distinguished gentleman from Wisconsin, has raised his voice against it. I do not know why.

Mr. CRAMTON. Will the gentleman yield?

Mr. BOOHER. Yes.

Mr. CRAMTON. Are there any items in the bill from any section of the country which do not have the recommendation of the engineers?

Mr. BOOHER. If there is one I do not know it. I would be glad for the gentleman to point it out.

Mr. CRAMTON. I was seeking information.

Mr. BOOHER. If there is one I would be glad to have the gentleman point it out. I do not know of one in the bill.

Mr. GREEN of Iowa. How about the Arkansas River?

Mr. MAPES. Will the gentleman yield?

Mr. BOOHER. Yes.

Mr. MAPES. The gentleman is a member of the committee that reported this bill, and I will ask him if the appropriations for the rivers and harbors in any other State have been passed over without criticism from any Member of the House as they have in the State of Michigan?

Mr. BOOHER. No; and I am glad there has not been any criticism of the Michigan items, but they are no better than the other items in the bill; but I do not know whether the gentleman from Wisconsin will pass them entirely or not. We can not tell. The gentleman ought to have been able to tell us whether any of them was objectionable, or that they were not objectionable, but he would not say either way. He could have answered my question yes or no. As far as the gentleman from Iowa is concerned, who asked about the Arkansas River, it has been recommended favorably by the engineers from time immemorial. The memory of man does not go back to the time when the engineers have not indorsed it, and they asked for more money than they got.

Mr. GREEN of Iowa. Has the gentleman read the last report?

Mr. BOOHER. Yes; I have.

Mr. GREEN of Iowa. Where it says that all the money has been thrown away, and they recommend the discontinuance of it.

Mr. BOOHER. Oh, no; the gentleman is mistaken. If he will sit down and read the report to get what there is in it and not what is outside of it, he will find he is mistaken. The River and Harbor Committee has not reported a single item that is not recommended by the Board of Engineers.

The Clerk read as follows:

Clinton River, Mich.: For maintenance, $1,500.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word in order to enlighten the House on this question relating to the commerce of certain ports. I wish to call attention to some statistics which have been prepared for me by the Department of Commerce. They throw a great deal of light on the general meaning and significance of river and harbor work. Unfortunately, we have been unable to obtain statistics covering the coastwise trade. Time and again efforts have been made to induce Congress to authorize appropriations for this purpose, but none have been made. The Secretary of Commerce has asked for appropriations to obtain them, but he has not succeeded.

The gentlemen from Michigan are particularly proud of the tonnage that passes through the Soo. They do not discuss, or very lightly, the enormous appropriations that have gone to the State of Michigan in order to provide them with the Soo and their other waterways. They should not be modest about it, for their record in that regard is one of the very best amongst the 48 States of the Union. They have not missed much in the matter of appropriations.

I have in my hand the record submitted by the Secretary of the Treasury, which indicates that up to the two last river and harbor bills Michigan had taken out of the Treasury a little in excess of $48,000,000 for the purpose of improvements within its own limits. It is fair to assume they have gone to $50,000,000 since. Therefore it does not seem entirely generous of the gentleman from Michigan to belittle the smaller projects throughout the country and find fault with certain sections for endeavoring to get appropriations for the improvement of their rivers. Michigan has been beautifully taken care of; due, of course, to the activity and energy of her Representatives in Congress. They are entitled to all the credit that comes to active, hustling Representatives, who hate the pork barrel, but who desire to take back home something to show their people.

Mr. GOOD. Will the gentleman yield?

Mr. MOORE of Pennsylvania. No; I can not yield. I have said something about the sums going to Michigan approximating $50,000,000, I believe, and Michigan is only one State in the Union. They have taken $50,000,000 up to date substantially, and yet the gentleman from Michigan [Mr. MAPES], finding everything pretty well covered at home, sees no special reason why anybody else should be considered—leave it to Michigan, "Dear old Michigan," they are certainly all right up in Michigan. [Laughter.] Mr. Chairman, I have no fault to find with their having gotten what they have got—I am glad they have it—but I do question whether they ought to prevent anybody else getting what is needed elsewhere. The gentleman from Michigan [Mr. MCLAUGHLIN] on several occasions has indicated that the greatest tonnage of the world passes through the Soo Canal. I give him credit for that statement. I can not get the coastwise statistics, so I will not dispute domestic figures with him just now; but I know that the tonnage that passes through the locks is made up very largely of iron ore and copper ore and coal; it is not the most valuable tonnage in the world, but it is great for weight; it is splendid for showing tonnage. I am going to produce some figures about foreign tonnage, however.

Mr. STAFFORD. What about the wheat?

Mr. MOORE of Pennsylvania. Oh, there is some wheat there, and we buy it and consume it, and we pay Michigan and other Western States well for it. I am glad we have the money once in a while to do that, because it helps make Michigan prosperous.

Mr. LONGWORTH. What about automobiles?

Mr. GOOD. And Fords?

Mr. MOORE of Pennsylvania. Oh, we buy them when we get the money, but we can not buy them as numerously as you do in Michigan or in Iowa or in Nebraska. It is the farmers mostly that buy automobiles.

Mr. GOOD. Why not ask for them in this bill? You get most everything else.

Mr. MOORE of Pennsylvania. We are waiting for the Agricultural bill; we will ask for automobiles in the Agricultural bill. [Laughter.]

Mr. GOOD. But it is easier to get them in this bill. All you have to do is to ask for them.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Under leave previously granted, Mr. MOORE of Pennsylvania inserted the following table of statistics:

Number and net tonnage of sailing and steam vessels entered and cleared in the foreign trade of the United States during the fiscal year ended June 30, 1914.

[By geographical divisions.]

Geographical divisions.	Entered.		Cleared.		Total entered and cleared.	
	Vessels.	Net tons.	Vessels.	Net tons.	Vessels.	Net tons.
Atlantic	10,489	26,401,314	10,084	25,491,836	20,573	51,893,150
Pacific	5,319	6,042,347	5,236	5,798,238	10,555	11,840,585
Gulf	4,697	7,608,628	4,986	8,453,138	9,683	16,061,766
Great Lakes	20,512	13,336,288	19,344	13,440,197	39,856	26,776,485
Total	41,017	53,388,577	39,650	53,183,409	80,667	106,571,986

Total values of imports and exports into and from the United States during the fiscal year ended June 30, 1914.

[By mode of transportation and geographical divisions.]

Geographical divisions.	Imports.	Exports.	Total imports and exports.
Water borne:			
Atlantic	$1,360,519,398	$1,299,062,457	$2,659,581,855
Pacific	130,767,796	125,991,894	256,759,690
Gulf	120,983,430	570,139,028	691,122,458
Great Lakes	104,996,047	52,565,775	157,561,822
Interior	20,441,982	705	20,442,687
Total water borne	1,737,708,653	2,047,759,859	3,785,468,512
In cars and other land vehicles	156,217,004	316,819,289	473,036,293
Total	1,893,925,657	2,364,579,148	4,258,504,805

NOTE.—The above tables cover only the commerce of the United States with foreign countries. No data are available for the domestic coastwise commerce.

Mr. CALLAWAY rose.

Mr. SPARKMAN. Oh, Mr. Chairman——

Mr. CALLAWAY. Why, I have not spoken to-day. [Laughter.]

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

[Mr. CALLAWAY addressed the committee. See Appendix.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Harbor at Green Bay, Wis.: For maintenance, $18,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. Mr. Chairman, it is now almost 5 o'clock. I would like to get the attention of the House for a moment. The House sat this morning at 11 o'clock. While it did not proceed immediately to the consideration of this bill, the delay this morning was not long. We have read to-day three pages of the bill and three or four more paragraphs. Very few of the paragraphs that have been read to-day have been contested. While the discussion has been interesting and illuminating, most of it has been in reference to matters not involved in the paragraphs which have been read.

I had hoped that it might be possible to finish the bill to-day, but that, evidently, is impossible. I hope that gentlemen of the House on both sides will endeavor to restrain themselves a little bit, so that we can make more progress with this bill before half-past 5 o'clock; but it is not unlikely that we will have to remain here Monday until we finish it. While I am not anxious about too great expedition, still I think we ought to get through with this bill sooner or later, and I hope gentlemen will appreciate the condition. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Harbor at Two Rivers, Wis.: For maintenance, $3,500.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I will do a great deal to comply with the wishes of the minority leader. I wish to say that I have not, as a rule, discussed anything except the items under consideration.

A few moments ago the gentleman from Washington [Mr. HUMPHREY] invited my attention to the fact that the Wisconsin items were about to be approached, and he wanted to know what my attitude would be with respect to them. If I wait until these items are finished, and remain silent, I have no doubt he will call attention to that fact. The members of the Committee on Rivers and Harbors will bear me out in the statement that I have not asked for the inclusion of one of these items in the bill. Members of the committee nod their heads. The engineers have approved these items, and they speak for themselves. I have stated that I have nothing at stake. I think as much of one side of the State of Wisconsin as the other, and I say that for the reason that I could not be bought for any amount of money that might be put in this bill. I am now about to make a statement which I have never made before, that gentlemen came to me here in my office from my home town, appointed by the governor of the State of Wisconsin, to get me to indorse an item of several million dollars for a project which would go past my own home. It was to go to the engineers. Gentlemen here are aware of the facts. I told them they could not secure my support; that I did not believe it was a worthy project, and I told them so.

Wisconsin has the second largest commerce of any State in the country, unless you count that which goes through the Soo Canal. Three harbors that I can name carry 60,000,000 tons. They are named right in this minority report, and they get $53,000 in this bill. It would make no difference to me whether they got more or less. It is not a question of the amount. I do not agree with the gentleman from Pennsylvania [Mr. MOORE] that it is a question of fighting for your State or fighting for your project. I believe it ought to be allowed without a fight if it is a worthy project. The commerce in the place where I live was larger at one time than that of the port of Philadelphia, because the boats were constantly moving by, with great rafts. To-day it will float the largest boats upon the Mississippi River, but it has no commerce. I am not urging any project. I would not urge a project, and I could not be influenced by that argument. I do not believe you can buy any man in the House. I do not want that conclusion put upon his actions. I know gentlemen here are trying to represent their constituencies. I have made no criticism of anyone heretofore, and I do not propose to make one now. I say this, that in the criticisms I have made of these different projects there has been no personal reasons for what I have said. I ask the committee to bear we out in that. I have simply told the conditions that surrounded the project, according to the facts shown by official reports.

The Brazos River gets $390,000 and carries a commerce of 1,080 tons annually. We get for the whole State of Wisconsin, I think, $308,000 for over 60,000,000 tons. But that does not make any difference. It does not make any difference if it is $1,000,000, or if it is nothing at all. The question ought to be determined on the merits of each project.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words.

Mr. SPARKMAN. How much time does the gentleman want?

Mr. MOORE of Pennsylvania. Five minutes.

Mr. SPARKMAN. I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, one trouble with the gentleman from Wisconsin [Mr. FREAR] is this—and I say it in all kindness—in his treatment of this subject of rivers and harbors he takes himself too seriously. When he indicates that anyone would suggest that he might personally be bribed, or, for that matter, that any other Member of the House might be bribed or "bought," in the sense that he would be unduly or corruptly influenced to act for or against a measure, he is unfair to himself and to the House. No one has made any such insinuation with respect to him or his purposes. I think I have read the gentleman from Wisconsin as closely in the matter of his characteristics as any man here. I know him. I like him. I believe him to be honest, and it is unnecessary to say that I believe him to be sincere; but I believe him to be misled with respect to his agitation against a river and harbor bill. Some men are influenced, not as he has indicated, by the governor or influential men of a State coming to them, but some men are influenced in another way, and it is most unfortunate. It indicates the vanity that sometimes bubbles up in an individual, and I do not wish to impute it to the gentleman from Wisconsin. But some men are unduly influenced more by what appears in the newspapers or in the magazines than by any other influence.

I suspect when the gentleman from Michigan [Mr. MAPES] delivered his interesting speech here that he had it in mind that the public sentiment was drifting against the river and harbor bill; not that his project was not worthy, nor, for that

matter, that the gentleman from Wisconsin's projects are not worthy, but because it might be a little more beneficial from the public or political viewpoint to appear at least to be standing against what, after all, you are really for. Why should we play two sides in a matter of such importance? Why not be more direct? It is true as gospel, and your constituents expect it, that you stand for those things which your constituents desire you to stand for. Otherwise, what is the purpose of coming to Congress? If you do not come to represent your constituents, what are you here for?

The gentleman from Michigan would not go back to his constituents in good countenance if he protested against an item for his district. The gentleman from Wisconsin, challenged by the gentleman from Washington, will not now oppose or say that he will oppose a single item for rivers and harbors in Wisconsin. He stands for these items, notwithstanding the governor of his State may have come to him on his bended knees and pleaded with him to vote for something in his State.

Mr. FREAR. I do not wish that statement to go unchallenged, for the governor has never said a word to me about it.

Mr. MOORE of Pennsylvania. I amend my remarks to that extent. But the gentleman does not rise in opposition to any proposition from his own State. Even the gentlemen from Michigan who have taken inspiration from our inland friend of Iowa—even the gentlemen from Michigan who have joined in the opposition to certain projects—have no word of protest to the projects in their own State, notwithstanding they have mounted up to nearly $50,000,000. And yet this wonderful tonnage of which they boast—and upon which I congratulate them—so far as the foreign-tonnage part of it is concerned, is only a half of what it is along the Atlantic seaboard, and only one-sixteenth in value.

Mr. ADAMSON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield.

Mr. ADAMSON.

> 'Tis sweet to hear the watchdog's honest bark
> Bay deep-mouthed welcome as we draw near home.

Mr. MOORE of Pennsylvania. It is. While that is old, it is good and appropriate.

Mr. McLAUGHLIN. Mr. Chairman, we were asked if there was any project in Michigan that ought to be stricken from the bill, and the gentleman from Washington [Mr. HUMPHREY] rises and speaks of Ontonagon. I want to say that no Michigan Member asked to have that put in the bill, and it was put in by the committee of their own accord.

The Clerk read as follows:

Harbor at Green Bay, Wis.: For maintenance, $18,000.

Mr. MILLER of Pennsylvania. Mr. Chairman, I move to strike out the section. I think the gentleman from Pennsylvania [Mr. MOORE] who last had the floor is mistaken about the fact that Members are opposed to this bill, or different sections of it, because the newspapers throughout the country, or the magazines, say that there is pork in it. I shall not vote for this bill, but not because the people of my district would reflect upon me if I did. I am not a candidate for renomination to Congress, as I do not care to return and would not come back under any circumstances. I have been in Congress in past years, and in this Congress and my present term is as long as I want to come. [Applause.]

I am opposed to this bill for one reason, because the Government can not afford to pay the money that is being appropriated in it. There is about $20,000,000 in this bill that I would like to vote for. I would like to vote for the project which appropriates money for the rivers and harbors in the vicinity of New York City, some $2,000,000; I would like to vote for the appropriation for the Delaware River, some $2,500,000; I would like to vote for the appropriation for the Ohio River, some $5,000,000; I would like to vote for the appropriation for the Mississippi River, some $6,000,000; but when I come to vote for those I have to vote for some twenty-odd million dollars more provided for in the bill that I do not believe ought to be appropriated.

The country needs the money and will need it badly before this Congress meets again in 1918. That is why I shall vote against the bill. I do not know whether there is any pork in it, but I presume there is by what Members have said on the floor, but I believe that some of these sums ought not to be appropriated. In the early part of the year 1915, I received letters from a committee of business men in the Mississippi Valley asking my support for a proposed appropriation for the Mississippi River. I answered the letters saying if you will have a fair bill prepared and introduced as a separate measure for the improvement of the Mississippi River, and only ask for what you ought to have, I will vote for it, but if you put the appropriation in the river and harbor bill, where there are millions of dollars included with it that ought not to be in it, I will not vote for it.

I regret that this House can not have a separate vote on these worthy measures. The gentleman from New York [Mr. BENNET] stated in his remarks that when one of the large battleships, costing some $18,000,000 and carrying a crew of 800 men, passes from the lower bay past Governors Island to the navy yard, at one point in the channel for a long distance there is but 1 foot of water under the keel of the vessel. An appropriation is asked to deepen this channel and is included in the $2,000,000 appropriation above referred to. It should be granted. It should be presented to the House in a separate bill; and the same should be done for the appropriation for the Delaware River, the Ohio River, the Mississippi River, Galveston Harbor, and the appropriation for the harbor and rivers and improvements at Chicago. If that was done there would be no logrolling; no pork could get into the bill, and the Government would save $20,000,000 this session as it saved that amount in the last session of the Sixty-third Congress, and an equal amount in the first session of the Sixty-third Congress through the help of Senator Burton, of Ohio.

I shall therefore vote against this bill on final passage. I withdraw the amendment I offered.

Mr. FOCHT rose.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in two minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on the paragraph and all amendments thereto close in two minutes. Is there objection?

Mr. FOCHT. Mr. Chairman, I would like to have five minutes.

The CHAIRMAN. Is there objection to the request?

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, my colleague from Pennsylvania [Mr. FOCHT] has asked for five minutes, and I would like to have one or two.

Mr. FOCHT. Oh, I will give the gentleman one of mine.

Mr. MOORE of Pennsylvania. I do not think that would be quite satisfactory.

The CHAIRMAN. Is there objection to the request?

Mr. SPARKMAN. Mr. Chairman, I will amend my request so as to make it five minutes.

The CHAIRMAN. The gentleman from Florida amends his request to five minutes. Is there objection?

There was no objection.

Mr. FOCHT. Mr. Chairman, it is a well-known fact that Pennsylvania never yet had any appropriations out of this bill that are at all commensurate with the importance of the tonnage carried down the Delawfire or from Pittsburgh, and the people of our great State have often wondered why it is that there was not some accomplishment with respect to a greater port in Philadelphia; but I will allow that matter to be taken care of by the gentlemen who represent Philadelphia, Mr. MOORE and others. However, in the matter of these little mulligrub, skipper streams they have been talking about here on the floor, I desire to say that I have, throughout my political career, freely voted for every conceivable kind of charity, public benefaction, and improvement and betterment, but I would like to know from those of you who have bills here providing for an appropriation of untold thousands of dollars for the improvement of little streams, such as has been referred to here, into which you must dig 10 feet before you can find any water, streams over which railroads and wagon and highway bridges are constructed, under and through which grow willow trees, I would like to know whether it is not almost impudent to ask intelligent, fair-minded men to vote for any bill containing such measures as those when the allegations have not been disavowed on this floor. Until they are I am not going to say that I can vote for the bill. [Applause.]

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

Mr. FOCHT. Yes.

Mr. SPARKMAN. I simply rise in response to the gentleman's challenge to disavow that statement.

Mr. FOCHT. The gentlemen who made them have not.

Mr. SPARKMAN. If the gentleman from Pennsylvania can find any such streams as he has mentioned, I shall not disavow it.

Mr. FOCHT. Oh, a member of the gentleman's committee [Mr. CLARK of Florida], makes the allegation, and the gentleman from Michigan [Mr. MAPES] makes the allegation, and other gentlemen here have made even broader impeachments.

Mr. SPARKMAN. Mr. CLARK is not a member of the committee, and he made no such statement.

Mr. FOCHT. I heard what he said and what others have repeatedly alleged, and that is why the measure is discredited throughout the land as a "pork-barrel" bill. They take the

worst, of course, and believe the rest is the same. Clean it up and we will all be glad to vote for it.

Mr. SPARKMAN. The claim of "pork" comes from such reckless statements as the gentleman has just made.

Mr. FOCHT. It is not a reckless statement; it has been made countless times before, and the RECORD is written full of allegations of reckless waste and extravagance in appropriating to make navigable dry creeks and so-called rivers in this evident old-time logrolling process of attack upon a Treasury already empty. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I rise to indorse the statement of the gentleman from Florida [Mr. SPARKMAN], that it is due to such statements as that just made, unwittingly I am sure, by my colleague, the gentleman from Pennsylvania [Mr. FOCHT], that this Congress of the United States sometimes fails to attend to its own business, but tends to yield up its prerogative to the whim of some cartoonist or editorial writer. Congress ought to be big enough to do the business which it swears it will do when it meets at the beginning of the session. It ought not to yield constantly to what is written in the skyscrapers of New York or Chicago and by men who do not know or can not know the facts. Why should Congress disbelieve its committees and tremble every time it hears the cry of pork? The trouble is that gentlemen are trying to inject politics into this bill. I deplore it, for there is no politics in a bill in which all parties are interested. These provisions come with the approval of the engineers; they come to us here through a committee of this House, and gentlemen who are attending to other business in which they expect to be trusted can not consistently and justly criticize a great committee like that on rivers and harbors, because it is presumed to be as well informed as any other committee which brings a bill into the House.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. All time has expired, and the Clerk will read.

The Clerk read as follows:

Harbor at Milwaukee, Wis., including harbor of refuge: For maintenance, $11,000.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I move to strike out the last word. I only want to make some general observations respecting the criticisms that have been offered. Most of the general objections are to the alleged fact that we are appropriating for worthless creeks. I took occasion some time ago to examine into the bills for four years, and I found that the appropriations for the creeks that were included in the bills for those four years amounted to a little less than a million dollars and that the tonnage floated on these same creeks during those four years was valued at $1,000,000,000. The tonnage carried upon the creeks appropriated for in the bill annually—and I hope the gentleman who criticized these creeks will listen to me; I see that his attention is directed elsewhere——

Mr. FOCHT. What is that?

Mr. HUMPHREYS of Mississippi. The tonnage carried on the little creeks about which the gentleman complains amounted in those four years to twice as much as has ever been estimated for American commerce passing annually through the Panama Canal.

So much for the creeks.

Mr. CALLAWAY. Will the gentleman yield?

Mr. HUMPHREYS of Mississippi. I decline to yield.

Mr. HULBERT. Will the gentleman yield for a question?

Mr. HUMPHREYS of Mississippi. I can not yield. This is the first time I have taken the floor during the progress of this debate, and I want to talk facts now rather than to deal in fancies.

The tonnage carried by the little rivers provided for in this bill—and this does not include the Delaware River, or the East River, or the rivers that connect the Great Lakes, or the Mississippi River, or the Ohio River, just the little rivers that are provided for in this bill, and the creeks—last year amounted to more than 100,000,000 tons, and that was all American tonnage.

Now, let us take some standard by which to measure that. When we undertook to build the Panama Canal, or, rather, when we had completed it and undertook to ascertain the facts upon which to predicate the tolls that should be charged upon the tonnage, the President, Mr. Taft, selected Prof. Emery Johnson as an expert to ascertain about what tonnage would pass through the canal.

His estimate was that the tonnage through the canal would probably be ten and one-half million tons a year. That included coastwise tonnage and foreign tonnage—all the tonnage that would pass through the Panama Canal in a year. The little rivers provided for in this bill carried last year more than 100,000,000 tons, ten times as much tonnage as it was estimated would pass through the Panama Canal in any one year, foreign and domestic both included.

Now, in view of these facts it does occur to me that gentlemen ought not to indulge in general criticisms of the bill and charge the committee with wastefulness in making these appropriations. I do not know very much about the various items in the bill. I was a member of the committee for a number of years, though I am not on it now. I know there is no railroad on the face of this earth that can carry a billion dollars' worth of merchandise at a cost of $1,000,000 for maintenance, for instance, and that is what the creeks alone provided for in this bill carried in four years. I submit that these criticisms, except as they may be directed to particular items—these general criticisms—are misleading. Upon them are based the criticisms we hear in the country. Now, so far as "logrolling" is concerned and the "pork barrel" and it being a "bill of thieves," these criticisms, in my opinion, it is not necessary to reply to.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

Mr. HULBERT. Reserving the right to object, I would like to ask the gentleman——

The CHAIRMAN. Does the gentleman object?

Mr. HULBERT. Reserving the right to object——

The CHAIRMAN. Does the gentleman object?

Mr. HULBERT. No; I do not object.

Mr. HUMPHREYS of Mississippi. I served on the Committee on Rivers and Harbors for 13 years, 6 years under the chairmanship of Mr. Burton, 2 years under the chairmanship of Mr. ALEXANDER, and the rest of the time under the chairmanship of the gentleman from Florida [Mr. SPARKMAN].

All three framed their bills along identical lines.

My opinion is that the criticisms generally against this bill are wholly unfounded. I do not believe, for instance, that the criticisms which I hear sometimes from my colleagues on this side that during the past the Southern States did not get fair treatment is just. The fact of the business is, so far as the rivers of this country are concerned, the Southern States have had and will continue to get the bulk of the appropriations made for rivers. That is not merely because of any sectionalism. It is because when God made the rivers he put them in the South. Any man who will look at the map of the United States will see why the large part of the appropriations go to the southern rivers. And the Republican Party during its administration has been equally as just and equally as generous to the items of the South as the Democratic Party has been since it has been in power. [Applause.]

I never have heard a sectional question raised in the committee. I never had one man in my 13 years of service, either on the committee or off of it, directly or indirectly, make a proposition to me that he would vote for the projects I was interested in if I would vote for the projects he was interested in. Frequently, yes, very frequently, when projects were proposed that I did not agree to, that I did not believe ought to be put in the bill, I have stood in the committee and fought them, and every other member of the committee has done the same thing, but I realized the fact that nobody but the uncivilized man insists upon having everything exactly as he wants it. That is the difference between the civilized man and the uncivilized man. The savage insists upon having everything he wants, "he wants what he wants when he wants it," and if the other man has it he knocks him on the head and takes it away from him. It is the civilized man that recognizes the futility of such proceedings. You must yield to the judgment of other people sometimes and recognize their rights.

Now, Mr. Chairman, I thought it not entirely out of place that I should make these observations. I am interested, of course, in one of the projects carried in this bill. Perhaps that will be stated as the reason why I defend the whole bill. But the interest which I represent particularly is a project which I have for many years pleaded to have presented to Congress as a single item, to take the judgment of Congress upon it as a single project; and I hope that in the near future we shall have that opportunity. [Applause.]

Mr. HULBERT. Mr. Chairman, I rise to oppose the motion, merely to put into the RECORD a statement of fact, that one of the creeks included in the list that the gentleman referred to in New York, namely, Newton Creek, had a tonnage in 1915 of 5,541,116 tons, valued at $226,000,000.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Harbor at Racine, Wis.: Continuing improvement, $200,000.

Mr. COOPER of Wisconsin. Mr. Chairman, this afternoon my colleague from Wisconsin [Mr. LENROOT] made a speech in

which he objected to the incorporation in the bill, although it had been incorporated, of the sea-wall project for Galveston, Tex. The gentleman claimed that the Galveston sea-wall project is a new one, and that under the rule adopted by the committee it ought not to have been included in the bill. Thereupon, the chairman of the committee, the gentleman from Florida [Mr. SPARKMAN], in replying to the gentleman from Wisconsin, said that the provision for the sea wall at Galveston was on all fours with the provision for Racine, Wis.

That means, as I understand, that the provision in this bill for Racine is for a new project. Is that it, I will inquire of the gentleman from Florida?

Mr. SPARKMAN. What is the question that the gentleman asked?

Mr. COOPER of Wisconsin. Does the gentleman say that the project at Racine is a new project?

Mr. SPARKMAN. No; I do not.

Mr. COOPER of Wisconsin. The gentleman from Wisconsin [Mr. LENROOT] claimed that the project for a sea wall at Galveston is new, never adopted by Congress, and he seemed to demonstrate the truth of his contention.

Mr. SPARKMAN. I do not share in the gentleman's opinion of the demonstration. [Laughter.]

Mr. COOPER of Wisconsin. Well, as I understood the argument of my colleague from Wisconsin, I thought the project for the sea wall a new one.

Now, as to the project at Racine Harbor, I wish to show that it at least is not a thieves' proposition. [Laughter.] Racine, as many gentlemen know, lies between Chicago and Milwaukee, on the shore of Lake Michigan, about an hour and a quarter's ride from Chicago and half an hour or less from Milwaukee. With its compactly built suburbs, it has 45,000 or more of population. It is one of the greatest manufacturing cities of its size in the United States.

The old project for the harbor consisted of two parallel piers running east from the mouth of the river into Lake Michigan, one called the south pier, the other the north pier. Always during storms from the lake, especially northeast storms, there was great trouble caused by the wind driving the water up between the piers and along the docks, far into the city. To remedy this serious condition Congress, on March 2, 1907, adopted a new project providing for a north breakwater and a south breakwater, both to extend to the shore, and for the removal of both of the old piers. Two years later Congress appropriated money to complete only the north half of the project, but with the express understanding that if after it was completed experience should show the necessity for the construction of the south half, then it also should be completed.

Experience soon demonstrated the necessity for the completion of the south half of the project.

I was at home in December, 1913, and saw the storm described in the letter which I am about to read. The letter is from one of the lake captains who were caught with their vessels in the harbor in that storm.

Before I read the letter gentlemen should know that the steamer mentioned in it was up around a bend in the river and three-quarters of a mile or more from Lake Michigan. The letter is as follows:

RACINE, WIS., *November 12, 1913.*

Hon. H. A. COOPER,
Washington, D. C.

DEAR SIR: I wish to state that on November 6 I arrived in Racine at 4 a. m., loaded with 2,826 tons of coal consigned to the Carroll Coal Co. The weather being fine, I arrived at the Carroll Coal Co. dock at 7.30 and ready to start unloading. I started unloading at 8 a. m. and continued unloading Thursday, Friday, and Saturday, and on Saturday noon it started to blow quite hard from the northeast and continued increasing. At 4 a. m. Sunday all hands were called on deck to get out more lines, as considerable sea had made and steamer started parting her lines, caused by the undertow. We worked continually from that time until Monday afternoon, when the wind shifted to the westward, which caused the sea to moderate.

We parted every working line we had several times, then we got out our 9½-inch brand new hawser. We got two parts out of each end of the boat, which she snapped like shoestrings. After using up 1,000 feet of our hawser, or, in fact, the whole line, we could do nothing but start working our engine. We had made junk of $650 worth of lines and we had no more, so we started working our engine ahead and astern. About every five minutes, as our steamer would rush ahead, we would back the engine, and when she would rush astern would work ahead.

All this time we lay in the middle of the river and did not know what moment our steamer would rush into the bridge ahead of us. All this time our anchor was down at the bottom, but would drag wherever she went. I must also say that the Carrol Coal Co. dock is three-fourths of a mile from the mouth of the river and around a bend, and that at normal stage of water their docks are between 4 and 5 feet above water, and must say that the sea rolled at least 2 feet over the docks, causing our steamer to roll and pound, in which we were afraid that our rudder and shoe would be damaged. On Monday morning while we were still in midstream I called Mr. George T. Caystile, manager of the Carrol Coal Co., and asked him to call our agent, D. Sullivan & Co., Chicago, on long-distance phone and ask him to send us 120 fathoms of 6½-inch new line by express in order to have something to tie our steamer up to the dock with. This arrived at 3 p. m. Monday afternoon and cost us $145 more. By 6 o'clock Monday afternoon we were once more alongside of the dock.

Under the conditions at Racine at present I hope I never will be asked to fetch another load there, and think that after our owners received my letter stating conditions here I am satisfied they will not send us here again unless conditions are improved.

GEO. A. MONTGOMERY,
Captain of the Steamer Nyanza.

I received a letter also from another captain describing his equally dangerous and costly experience in the harbor during the same storm. His letter was printed in the RECORD in the last Congress.

The engineers find that the completion of only half of the project is entirely insufficient, and they recommend that the other half of the Arrowhead project be completed by the construction of the south breakwater and the removal of the south pier.

A provision to carry out this recommendation of the engineers was incorporated in the bill two years ago. A similar provision was incorporated in the last bill. It passed the House without an adverse comment. When it reached the Senate, Senator Burton put the provision in the bill which he offered as a substitute.

Mr. SPARKMAN. Mr. Chairman, I wish to correct if possible an erroneous impression that seems to have been much upon the mind of the gentleman from Wisconsin [Mr. COOPER], although I may not be able to do so.

I stated this morning all that I had to say at the time and all that I deemed necessary as to the status of the three items I then mentioned in so far as their relation to new projects was concerned. The remarks I made were mainly on the Galveston item, and were intended to show that it was an old project. I said there were two others in the same class, making three in all, the one at Racine, Wis., being one of them. Now I wish to say that while I do not think the rule we established regarding new projects was strained in any one of the cases in order to get those three items into the bill, yet if it was strained at all it was in the case of the project at Racine. I think, however, indeed I am sure, that project was clearly within the rule and was no exception to the same. It was postponed originally until an experiment could be made showing its necessity. Later on the engineers reported the work as necessary, and recommended that it be done, just as they did with reference to the sea wall at Galveston, work on that part of the project having been postponed until certain conditions were complied with. When those conditions were met, that part of the already adopted project was ready for an appropriation, which is carried in this bill; they came forward and recommended that the work go on. They did the same thing with reference to the Lake Union & Washington Canal. Certain work was postponed there until other work was done. We had by appropriate legislation adopted the project, and when this work was done the engineers came forward and recommended that the deferred work go on, and we have made provision for it in this bill.

Now, that in brief is the history of the three projects, and I was correct this morning when I said that there was no exception to the rule concerning new projects in either one of these cases.

Mr. LENROOT. Will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. LENROOT. I want to ask the gentleman whether he examined the adoption of the project at the port of Racine?

Mr. SPARKMAN. I examined it very fully.

Mr. LENROOT. Does not the gentleman know that every part of that project in the engineer's report was expressly adopted by law, and in Galveston Harbor it was not?

Mr. SPARKMAN. I do not know anything of the kind. I have stated the facts correctly, the gentleman's assertion apparently to the contrary notwithstanding.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent for three minutes.

Mr. MANN. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SHERLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12193, the river and harbor bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ASHBROOK for three days, on account of important business.

To Mr. HAMILTON of Michigan, indefinitely, on account of illness.

LOUISIANA.

Mr. DUPRÉ. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the geographical description of the State of Louisiana.

Mr. BARNHART. I would like to ask if it relates to this bill.

Mr. DUPRÉ. Yes; it is cognate to the bill.

The SPEAKER. Is there objection?

There was no objection.

HOUR OF MEETING ON MONDAY.

Mr. RAINEY. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. on Monday next.

The SPEAKER. The gentleman from Illinois asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. on Monday next. Is there objection?

There was no objection.

Mr. FESS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Ohio River project.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the bill (H. R. 10384) to regulate the immigration of aliens to, and the residence of aliens in, the United States.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5016. An act to authorize the reconstruction of an existing bridge across the Wabash River, at Silverwood, in the State of Indiana.

ADJOURNMENT.

Mr. RAINEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 35 minutes p. m.) the House adjourned until Monday, April 10, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting a draft of legislation to authorize the Secretary of the Treasury to advertise and sell abandoned customs boarding stations Pass a l'Outre, South West Pass, and "the Jump" (H. Doc. No. 1005); to the Committee on Public Buildings and Grounds and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, submitting estimates of appropriation, "Building, Bureau of Engraving and Printing laundry, Bureau of Engraving and Printing laundry machinery" (H. Doc. No. 1006); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, submitting an estimate of appropriation to pay for services of special counsel in the civil proceedings against the Capital City Dairy Co., of Columbus, Ohio, for recovery of taxes on oleomargarine out of which the Government was defrauded (H. Doc. No. 1007); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, together with a copy of a report from a special board of officers of the Corps of Engineers, on preliminary examination of waterway from Lake Superior to the Mississippi River, also a copy of report by the Board of Engineers for Rivers and Harbors on reexamination of this waterway (H. Doc. No. 1008); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. STOUT, from the Committee on the Public Lands, to which was referred the bill (H. R. 600) to validate title to the town site of McCabe, in the State of Montana, reported the same with amendment, accompanied by a report (No. 511), which said bill and report were referred to the Committee on the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11903) granting an increase of pension to Charles B. Boyd; Committee on Invalid Pensions discharged and referred to the Committee on Pensions.

A bill (H. R. 11568) granting an increase of pension to William Lendemann; Committee on Invalid Pensions discharged and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XII, bills and resolutions were introduced and severally referred as follows:

By Mr. COPLEY: A bill (H. R. 14387) to authorize the construction of a bridge across the Fox River at Geneva, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: A bill (H. R. 14388) to create in the War Department and the Navy Department, respectively, a roll designated as "the Civil War Volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes; to the Committee on Military Affairs.

By Mr. STEELE of Iowa: A bill (H. R. 14389) to authorize the Secretary of Agriculture to license establishments for and to regulate the preparation of viruses, serums, toxins, and analogous products for use in the treatment of domestic animals, and for other purposes; to the Committee on Agriculture.

By Mr. BURNETT: A bill (H. R. 14390) to transfer certain beats in St. Clair County, Ala., to the Anniston division of the northern judicial district of Alabama; to the Committee on the Judiciary.

By Mr. NELSON: A bill (H. R. 14391) authorizing the purchase of a site and the erection of a public building thereon at Madison, Wis., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. TAGUE (by request): Resolution (H. Res. 196) directing the Secretary of the Treasury to ascertain and transmit to the House of Representatives certain information relative to Anglo-French bonds in the hands of national banks; to the Committee on Banking and Currency.

By Mr. COLEMAN: Resolution (H. Res. 197) to authorize and empower the Secretary of the Interior immediately to investigate a certain substitute for gasoline, and to authorize an appropriation therefor; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 14392) granting an increase of pension to Phoebe Keiser; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 14393) for the relief of the estate of Richard J. Jarnagin; to the Committee on Claims.

By Mr. AYRES: A bill (H. R. 14394) granting an increase of pension to Matthias Gates; to the Committee on Invalid Pensions.

By Mr. CASEY: A bill (H. R. 14395) granting a pension to Louisa Schatzel; to the Committee on Pensions.

By Mr. COLEMAN: A bill (H. R. 14396) granting a pension to Eliza J. Reed; to the Committee on Pensions.

Also, a bill (H. R. 14397) granting a pension to Andrew J. Woomer; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 14398) granting a pension to Alfred Rogers; to the Committee on Pensions.

By Mr. FREEMAN: A bill (H. R. 14399) granting an increase of pension to Ellen Hartie, Norwich, Conn.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14400) granting an increase of pension to Caroline P. Young, of Chaplin, Conn.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14401) granting an increase of pension to Charity A. Vooris, of Eastford, Conn.; to the Committee on Invalid Pensions.

By Mr. GLASS: A bill (H. R. 14402) for the relief of George E. Pickett, 3d; to the Committee on Claims.

By Mr. GREGG: A bill (H. R. 14403) for the relief of Charles Funk; to the Committee on Claims.

By Mr. HUDDLESTON: A bill (H. R. 14404) granting a pension to John Buckelew; to the Committee on Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 14405) to remove the charge of desertion from the naval record of John C. Warren, alias John Stevens; to the Committee of Naval Affairs.

By Mr. MONDELL: A bill (H. R. 14406) granting a pension to Martha A. Curtis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14407) granting an increase of pension to Mary J. Dupes; to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 14408) granting an increase of pension to Alem Snyder; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 14409) granting an increase of pension to Robert C. Stanley; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 14410) granting a increase of pension to Washington M. Brown; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 14411) granting a pension to Elizabeth Collier; to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 14412) granting a pension to Elizabeth Pfroender; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 14413) granting an increase of pension to John N. Havlin; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 14414) granting a pension to Susan E. Patterson; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 14415) for the relief of O. W. Lindsley; to the Committee on Claims.

By Mr. STAFFORD: A bill (H. R. 14416) granting a pension to Henry Hertzer; to the Committee on Invalid Pensions.

By Mr. WM. ELZA WILLIAMS: A bill (H. R. 14417) granting an increase of pension to Madison B. Mann; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany House bill 13930, for relief of Philip McKinney; to the Committee on Invalid Pensions.

Also, evidence to accompany House bill 13993, for relief of William A. Griner; to the Committee on Invalid Pensions.

By Mr. AUSTIN: Petition of citizens of Maryville, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BAILEY: Protest of D. D. Blauch, T. J. Clinefelter, Charles Rigby, Albert Tilley, S. M. Wilson, T. S. Tilley, C. J. Smith, G. M. Marsh, C. W. Cole, W. L. Kauffman, J. M. Trefts, Arthur E. Oldham, George Lees, and Harry Jones, all of Johnstown, Pa., against the passage of House bills 491 and 6468, denying admission to the mails to certain publications; to the Committee on Ways and Means.

By Mr. CALDWELL: Petition of Lincoln Lodge, International Order Good Templars, of Corona, and Woman's Christian Temperance Union of Corona, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the second district of New York, protesting against the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of Holy Name Society of St. Sebastian, of Woodside, Long Island, indorsing House bill 6468; to the Committee on the Post Office and Post Roads.

By Mr. COLEMAN: Petition of sundry citizens and organizations of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. COLLIER: Petition of Association for the Relief to Riparian Owners of Eastern Bank of Mississippi River relative to control of the river; to the Committee on Flood Control.

By Mr. COPLEY: Petition of citizens and employees of the Elgin National Watch Co., of Elgin, Ill., against passage of bills to amend the postal law; to the Committee on the Post Office and Post Roads.

Also, memorial of members and friends of the First Congregational Church of Geneva, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DALE of New York: Petitions of Philip Hiss, John J. Amory, Walter C. Burrell, and Richard Henry Gatling, favoring adequate preparedness; to the Committee on Military Affairs.

Also, petition of Henry Steers, of New York, against House bill 8036, relative to eight-hour law for officers, etc., on tugboats; to the Committee on the Merchant Marine and Fisheries.

Also, petition of women voters of the State of Washington, demanding immediate and favorable report of Susan B. Anthony amendment; to the Committee on the Judiciary.

By Mr. DILLON: Memorial of National Wholesale Lumber Dealers' Association, favoring House bill 651, relative to charges by common carriers; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Grand Valley Rural Credits League, of Lincoln County, S. Dak., against rural-credits bill; to the Committee on Banking and Currency.

By Mr. ELSTON: Petition of C. E. Griggs and other citizens of Alameda County, Cal., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of C. E. Griggs and other citizens of Alameda County, Cal., against passage of the Sunday observance bill in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ESCH: Memorial of the National Wholesale Lumber Dealers' Association, of Philadelphia, Pa., favoring passage of House bill 651, relative to recovery of charges by common carriers; to the Committee on Interstate and Foreign Commerce.

Also, petition of sundry citizens and organizations of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

By Mr. FLYNN: Petition of Henry Stiers, of New York, against House bill 8036, relative to eight-hour law for officers, etc., on tugboats; to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Walter C. Burrell, John J. Amory, Richard Henry Gatling, and Philip Hiss, all of New York, favoring adequate preparedness; to the Committee on Military Affairs.

By Mr. FREEMAN: Petitions of sundry citizens and organizations of the State of Connecticut, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of Lyman Briggs and 15 others, of Eastford, Conn., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of F. H. Plumb, of Stafford Springs, Conn., favoring censorship of motion pictures; to the Committee on Education.

By Mr. FULLER: Petition of citizens of Somonauk, Ill., favoring a tax on mail-order houses; to the Committee on Ways and Means.

By Mr. GALLIVAN: Petition of United States penitentiary guards at Leavenworth, Kans., relative to increase in pay; to the Committee on Appropriations.

Also, memorial of citizens of Boston, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GANDY: Petition of citizens of Hot Springs, S. Dak., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GORDON: Petition of H. H. Myers and 11 other citizens of Cleveland, praying for enactment of House bill 5792; to the Committee on Agriculture.

By Mr. HASTINGS: Memorial of Methodist Episcopal Sunday School of Gore, Okla., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of J. L. Ealy, camp commander United Confederate Veterans, Camp Stand Waite, Stilwell, Okla., favoring passage of House bill 11078, relative to pensions for Confederate veterans; to the Committee on Invalid Pensions.

By Mr. HAYDEN: Petition of Mrs. Ollie Frank and 15 other citizens of Phoenix, Ariz., against the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition of Mr. R. E. Kalfus and 39 other citizens of Phoenix, Ariz., opposing the passage of House bill 652; to the Committee on the District of Columbia.

Also, petition of Mary L. Beloat and 48 other citizens of Buckeye and Liberty, Ariz., favoring the adoption of a prohibition amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HINDS: Petition of 17 citizens of Sanford and Trinity Methodist Episcopal Sunday School, of South Portland, Me., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HOLLINGSWORTH: Memorial of the Ohio State Automobile Association, Cleveland, Ohio, asking that the high cost of gasoline be investigated and measures taken to reduce the same; to the Committee on Rules.

By Mr. HUMPHREY of Washington: Petition of sundry citizens of Seattle and Oakville, Wash., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. JOHNSON of South Dakota: Petition of sundry citizens of South Dakota; to the Committee on Banking and Currency.

By Mr. JOHNSON of Washington: Petition of 20 citizens of South Tacoma, 14 citizens of Cowlitz County, and 6 citizens of Carrolls, all in the State of Washington, against Sunday observance bill for the District of Columbia; to the Committee on the District of Columbia.

Also, petitions of sundry citizens and organizations of the State of Washington, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Skamokawa Grange, No. 425, of Skamokawa, Wash., favoring House bill 13882, for the construction of a military highway between Vancouver Barracks and Fort Canby, Wash.; to the Committee on Military Affairs.

Also, petition of 20 citizens of South Tacoma, Wash., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petitions of sundry citizens and organizations of the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KETTNER: Petition of San Diego County Federation of Women's Clubs, Mrs. H. E. Ricksecker and 123 others, favoring the Chamberlain-Hayden bill; to the Committee on the Public Lands.

Also, petition of Fortuna Woman's Civic Club, Mrs. R. R. Smith, president, and Mrs. H. A. Biller, secretary, of Fortuna, Cal., favoring bill for national-park service; to the Committee on the Public Lands.

Also, petition of Peter G. McIver and 8 others, of Redlands, Cal., favoring prohibition of liquor traffic in the District of Columbia, Hawaiian Islands, and Porto Rico, also national prohibition; to the Committee on the Territories.

Also, petition of Mrs. Florence E. Survant and 3 others, of Needles, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Association of Collegiate Alumnæ, Southern California Branch, Mrs. Henry Goodall, president, of San Bernardino, Cal., favoring Keating-Owen bill; to the Committee on Labor.

Also, petitions of Nellie R. Short, of Victorville; Virginia E. Messick, of Victorville; Mrs. M. B. Messick, of Victorville; and Percival Thompson, of Coronado, all in the State of California, favoring national defense; to the Committee on Military Affairs.

Also, petition of Charles Saleman, of San Diego; W. P. Buck and Peter J. Beckar, of San Diego, Cal., favoring strict neutrality; to the Committee on Foreign Affairs.

Also, petition of W. M. Healey, assistant secretary Pacific Religious Liberty Association; Mrs. M. E. Waldron and 4 others; Emmet S. McCollum and 36 others; Mrs. O. C. Smith and 12 others; Mrs. Viola L. Speers and 8 others; P. E. Switzer and 5 others; W. C. Perrin and 3 others; Mrs. G. H. Smith and 13 others; Mrs. Wetherber and 12 others; Thomas J. Sutherland and 13 others; Thomas Roach and 12 others; Mrs. Elsey Endsley and 13 others; Mrs. Annette Rowe and 9 others; Mrs. F. Knorr and 13 others; P. E. Mass and 35 others; H. E. Tallaut and 16 others; J. M. Pease and 12 others; and Edgar A. Stopher and 12 others, all of San Diego, Cal., protesting against House bills 6468 and 491, to amend postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of Edgar A. Stopher and 12 others, of San Diego, Cal., protesting against bill to permit the erection of a monument in Arlington National Cemetery to the nuns who served as nurses in the Civil war; to the Committee on Military Affairs.

Also, petition of Edgar A. Stopher and 12 others, of San Diego, Cal., protesting against a bill to make October 12, Columbus Day, a legal holiday in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Harriett E. van Schaick and 10 others and P. H. Reed and 20 others, all of Colton, Cal.; N. A. Stevens and 1 other, of San Diego, Cal.; Mrs. Annette Rowe and 9 others; Mrs. Elsie Endsley and 16 others; P. E. Mass and 37 others; and H. E. Tallaut and 15 others, protesting against House bill 652, to provide for the closing of barber shops in the District of Columbia on Sunday, or any other like religious measure; to the Committee on the District of Columbia.

By Mr. LINTHICUM: Petitions of sundry citizens, indorsing House bill 6915, providing for an indefinite leave of absence at half pay for superannuated postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens, indorsing House bill 11168, providing 30 days' annual leave to United States employees of the Naval Gun Factory; to the Committee on Naval Affairs.

By Mr. LOUD: Petition of C. C. Barnes and 20 other citizens of Big Rapids, Mecosta County, Mich., favoring passage of the Susan B. Anthony amendment enfranchising women; to the Committee on the Judiciary.

By Mr. MAPES: Petition of Jesse Walls and 118 other citizens of Kent County, Mich., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. MEEKER: Petition of eight citizens of St. Louis, Mo., favoring an embargo on arms, etc., for belligerent nations; to the Committee on Foreign Affairs.

By Mr. MILLER of Delaware: Memorial of mayor and council, of Wilmington, Del., favoring passage of House bill 6915, granting indefinite leave of absence to certain postal employees; to the Committee on the Post Office and Post Roads.

By Mr. MOORE of Pennsylvania: Memorial of Philadelphia Yearly Meeting of Friends, against preparedness; to the Committee on Military Affairs.

Also, memorial of Chamber of Commerce of Philadelphia, Pa., favoring establishment of Government institution for treatment of leprosy; to the Committee on Appropriations.

By Mr. OAKEY: Petition of citizens of Hartford County, Conn., for the passage of woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. POU: Petition of 15 farmers, of Franklin County, N. C., relative to rural credits; to the Committee on Banking and Currency.

By Mr. PRATT: Petition of Rev. H. A. Pease, Rev. C. A. Steucke, E. J. Carpenter, and sundry other citizens of Ithaca, N. Y., opposing the passage of Senate bill 645 and House bill 642, providing for the closing of barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

Also, petition of Reading Grange, No. 50, and Schuyler County Pomona Grange, Mrs. J. W. Jennings, of Watkins, N. Y., secretary, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Christian Endeavor Society of the First Congregational Church, of Ithaca, N. Y., E. R. Smith, president, favoring the passage of all measures relating to the prohibition of the liquor traffic; to the Committee on the Judiciary.

Also, petition of James C. Moore, G. A. Thorp, and sundry other citizens of Hornell, N. Y., opposing the passage of the postal bills introduced by Mr. FITZGERALD and Mr. SIEGEL; to the Committee on the Post Office and Post Roads.

Also, memorial of W. T. Kellogg, L. A. Baker, Rev. H. A. Pease, Rev. C. A. Steucke, Rev. J. C. B. Moyer, and other sundry citizens of Ithaca, N Y., opposing the passage of the postal bills introduced by Mr. FITZGERALD and Mr. SIEGEL; to the Committee on the Post Office and Post Roads.

By Mr. RANDALL: Memorial of Commonwealth Club, San Francisco, Cal., against preparedness; to the Committee on Military Affairs.

Also, petition of United Brethren Sunday School, of Puente, Cal., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SLAYDEN: Petition of citizens of Bexar County, Tex., against passage of Senate bill 645, relative to Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of citizens of Bexar County, Tex., against passage of bills to amend postal laws; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Idaho: Memorial of Commercial Club of Lewiston, Idaho, favoring House bill 10400, for appropriation for construction of roads through forest reserves; to the Committee on Agriculture.

Also, petition of citizens of Coolin and Gilbert, Idaho, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SULLOWAY: Petition of Herbert E. Linscott, of South Merrimack, N. H., approving House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. TIMBERLAKE: Petitions of citizens of Snyder, Fort Morgan, and Loveland, Colo., against the Sunday-observance bill for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of citizens of Snyder, Loveland, Berthoud, and Fort Morgan, Colo., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. WALSH: Petition of George B. Haskell and 35 others, indorsing the Gillett bill, House bill 10924; to the Committee on Alcoholic Liquor Traffic.

Also, petition of Massachusetts State Federation of Woman's Clubs, indorsing Gillett bill, House bill 10924; to the Committee on Alcoholic Liquor Traffic.

SENATE.

MONDAY, *April 10, 1916.*

(Legislative day of Thursday, March 30, 1916.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. SHEPPARD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Overman	Stone
Bankhead	Hollis	Page	Sutherland
Borah	Husting	Pittman	Swanson
Brady	Johnson, Me.	Poindexter	Taggart
Brandegee	Jones	Pomerene	Thomas
Bryan	Kenyon	Ransdell	Thompson
Burleigh	Kern	Reed	Underwood
Chamberlain	La Follette	Robinson	Vardaman
Chilton	Lane	Saulsbury	Wadsworth
Clapp	Lodge	Shafroth	Walsh
Clark, Wyo.	Martin, Va.	Sheppard	Warren
Colt	Martine, N. J.	Sherman	Weeks
Culberson	Myers	Shields	Williams
Cummins	Nelson	Simmons	Works
Dillingham	Newlands	Smith, Ga.	
Gallinger	Norris	Smith, S. C.	
Hardwick	Oliver	Smoot	

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER], who is away on official business. He is paired with the Senator from Idaho [Mr. BRADY].

I desire also to announce the unavoidable absence of the Senator from Arizona [Mr. SMITH], on account of illness.

I wish also to announce the unavoidable absence of the junior Senator from Maryland [Mr. LEE], who is paired with the Senator from West Virginia [Mr. GOFF].

These announcements may stand for the day.

Mr. CHILTON. My colleague [Mr. GOFF] is absent on account of illness.

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present.

NATIONAL DEFENSE.

Mr. JONES. Mr. President, I desire to give notice that on Wednesday, the 12th, at the conclusion of the remarks of the Senator from California [Mr. WORKS], I shall submit some remarks on preparedness and the pending military bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Georgia [Mr. HARDWICK] to the amendment of the Senator from South Carolina [Mr. SMITH].

Mr. CHAMBERLAIN. I understood that the Senator from Georgia [Mr. HARDWICK] desired to address himself to that amendment. I do not see him present. Besides, I understood that we were going to take up the sugar bill this morning at 11 o'clock.

Mr. OVERMAN and others. At 12 o'clock.

The VICE PRESIDENT. The Senator from Georgia [Mr. HARDWICK] answered to the roll call.

Mr. SMOOT. The sugar bill is to be taken up not later than 12, and we can begin now.

The VICE PRESIDENT. The question is on the amendment of the Senator from Georgia to the amendment of the Senator from South Carolina.

Mr. NORRIS. Let us have the amendment to the amendment read.

The VICE PRESIDENT. The Secretary will state it.

The SECRETARY. On page 2, line 17, strike out the words "and useful in the manufacture of fertilizers."

Mr. SIMMONS. Mr. President, I had supposed that the sugar bill would not be taken up at 11 o'clock, but I am ready to proceed with it now, unless the Senator from Oregon wishes to go on with the military bill until 12 o'clock.

Mr. CHAMBERLAIN. It is immaterial to me. If the Senator prefers I am willing to go ahead with this bill until 12 o'clock.

Mr. JONES. I think it was the general understanding that the sugar bill would come up at 11. The unanimous-consent agreement says "not later than 12." I know Senators who are expecting to speak on the pending amendment are not here.

Mr. SIMMONS. I am ready to go on with the sugar bill.

Mr. CHAMBERLAIN. Then I ask unanimous consent that the pending bill be temporarily laid aside in order that we may take up the sugar bill, under the unanimous-consent agreement.

The VICE PRESIDENT. Is there objection? The Chair hears none, and lays House bill 11471 before the Senate.

DUTY ON SUGAR.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11471) to amend an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, which had been reported from the Committee on Finance with an amendment.

The VICE PRESIDENT. The amendment of the Committee on Finance will be read.

The SECRETARY. The Committee on Finance reports to strike out all after the enacting clause of the bill and in lieu thereof to insert:

That the third proviso of paragraph 177 of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913 (Stat. L., vol. 38, pp. 114 to 202, inclusive), be, and is hereby, amended to read as follows: "*Provided further*, That on and after the 1st day of May, 1920, the articles hereinbefore enumerated in this paragraph shall be admitted free of duty."

SEC. 2. That the proviso of paragraph 178 of the aforesaid act be, and is hereby, amended to read as follows: "*Provided*, That on and after the 1st day of May, 1920, the articles hereinbefore enumerated in this paragraph shall be admitted free of duty."

Mr. SIMMONS. Mr. President, the difference between the bill as passed by the House and the Senate committee amendment, which is in the nature of a substitute, is very simple. The act of October 4, 1913, provided that after the 1st day of May, 1916, sugar should be admitted free. The bill as passed by the House repealed the free-sugar proviso of the act of 1913, thereby placing sugar upon the dutiable list without any limitation as to time. The Senate committee amendment retains the free-sugar provision of the act of 1913 and extends the time when it shall go into effect from May 1, 1916, to May 1, 1920. That is to say, the effect of the Senate committee amendment is simply to extend the time when sugar shall cease to be dutiable and become free—four years longer—the original act having extended the time for nearly three years.

When the original act was passed the time for the free proviso to go into effect, to which I have referred, was extended to meet a situation which existed at that time with respect to the industry in this country. The justification for the present proposed extension is to meet another and a new situation growing out of the needs of the Treasury and the general revenue situation of the Government.

The Senate committee in its amendment seeks to preserve the principle enunciated in the original act in favor of free sugar and to provide for the emergency, which it is believed will be of a temporary character, by again extending the time so as to bridge over the present revenue situation created by the effect of the war conditions in Europe.

Mr. President, when the act of 1913 was framed and when it was decided that sugar should be untaxed, but that to meet a situation it was necessary or expedient and just to extend that period for three years, the Congress, acting upon the report of the Finance Committee, decided that during the three years while sugar was to remain on the dutiable list, the duty should be reduced so as to conform to the theory upon which the bill was framed, to wit, as a revenue-producing measure based upon competitive rates. Carrying out the purpose of giving the people the benefit of the same ratio of reduction upon sugar during the three years it was to remain upon the dutiable list that was given with respect to the other articles retained upon the dutiable list in the bill, your committee proceeded to reduce the duties of the Payne-Aldrich bill upon sugar just as it proceeded to reduce them upon other articles.

The duties imposed by the Payne-Aldrich bill upon sugar were protective. We reduced those duties upon sugar about 25 per cent. That was about the same or probably a little greater reduction than those made upon other staple articles taxed by both the Payne-Aldrich bill and by the present law. In other words, Mr. President, we reduced the duties upon sugar during those three years just about in the same ratio that we reduced the Payne-Aldrich duties upon woolens and cotton goods and upon iron, steel, and many other articles. So, if this period is again extended for four years, sugar will be dutiable as other articles in the act are dutiable, not upon a protective basis, but upon a revenue basis, according to the revenue standard fixed in that bill; that is to say, Mr. President, if the duties which the present law imposes upon woolens and cotton goods, upon iron, steel, and other commodities are revenue rates or free-trade rates, as our Republican friends are in the habit of saying, then sugar, which was then subjected to the same degree of reduction, will also be continued upon a revenue basis.

Mr. President, the attitude of both political parties in this country in the past toward sugar has been one of alternately favoring free and dutiable sugar. The Mills bill, which was a Democratic measure, free listed sugar. The McKinley bill, which was a Republican measure, also free listed sugar. The Wilson bill, a Democratic measure, took sugar off the free list, where the McKinley bill had placed it, and placed a duty upon it of 40 per cent ad valorem.

Mr. SMOOT. Mr. President, I think the Senator from North Carolina perhaps would like to be absolutely accurate in the statement he is making.

Mr. SIMMONS. Yes. I am not making this statement in a controversial spirit at all.

Mr. SMOOT. Nor do I intend to make my statement in that spirit.

Mr. SIMMONS. If I am inaccurate, I shall be very much obliged if the Senator from Utah will correct me.

Mr. SMOOT. What I wanted to suggest to the Senator from North Carolina was that the McKinley bill provided a bounty on sugar, instead of a tariff.

Mr. SIMMONS. Oh, yes; but it placed sugar upon the free list. The Wilson bill, as I said, Mr. President, a Democratic measure, took sugar from the free list where the McKinley bill had placed it and placed it upon the dutiable list. The Dingley bill, a Republican measure, retained sugar upon the dutiable list and increased the duty upon it. The present tariff law, following the Mills bill, placed sugar upon the free list, but postponed the time when the law should go into effect for about three years.

The discussions in Congress and outside of Congress on the several bills to which I have referred show that the change in attitude of the two parties with reference to the taxing or untaxing of sugar has been influenced largely—not altogether, but largely—by the financial condition of the Treasury and the need of the Government for revenue. Revenue considerations were probably as influential in bringing about the diverse treatment of this commodity by the Republican Party as by the Democratic Party.

Now, Mr. President, in order to show that apparently our Republican friends have felt as we did, that sugar, a necessary of life, consumed by all the people, the poor as well as the rich, ought to be untaxed when the revenue situation of the Government permitted, I wish to read some extracts from the speeches of leading Republican Senators, with reference to this subject, when the last four bills to which I have referred were under consideration in the Senate.

When the McKinley bill, placing sugar upon the free list, was before the Senate in 1890, Senator Aldrich, who was a conspicuous leader of the Republican Party and a recognized authority upon matters pertaining to the tariff and revenue, addressing himself to that bill, said:

> Whatever duty we remove from raw sugars will be for the benefit, and the direct benefit, of the people of the United States.

Senator Hale, then prominent in Republican councils, and also a recognized authority, said:

> The reciprocity amendment, adopted by the Republican Congress and signed by a Republican President, was based upon the determination of the Republican Party to put upon the tables of the American people untaxed sugar, and to reduce the surplus revenue of the country to the extent of $60,000,000 a year.

Mr. Morrill, the author of the Morrill Tariff Act, speaking to the same general effect, said:

> The question of adding free sugar to the breakfast table presents even a stronger case than tea and coffee presented in 1872 for like treatment. Every dollar of the duty imposed comes out of the poor as well as of the rich. If you can prudently—

Said Mr. Morrill—

> do without the revenue of over $50,000,000, clearly it should be done without hesitation. There is no article so largely and so equally consumed by the people.

That was when the Republican Party proposed to put sugar upon the free list, and as a result of the attitude of leading Senators representing the dominant party it was placed upon the free list.

Four years afterwards, when the Wilson bill, which took sugar from the free list, where the McKinley bill had placed it, and put it upon the dutiable list, on the amendment of Senator Jones, of Arkansas, imposing a duty of 40 per cent ad valorem upon it, was under consideration in the Senate, Senator Peffer, Populist Senator from Kansas, but who, affiliated with the Republican Party before, after, and while he was in Congress, offered an amendment to place sugar upon the free list, and it was supported by every Republican in the Senate. After the failure of that proposed amendment in Committee of the Whole to put sugar upon the free list, the great Senator from Rhode Island, Senator Aldrich, with, I think, some little evidence of pique, said, addressing himself to the Democratic Senators who had voted against the amendment:

> I say to you now, that when this question is reached in the Senate, we shall try on this side of the Chamber to secure, if possible, a vote for free sugar.

There was no proposition then to retain a bounty upon sugar. Senator Peffer knew when he introduced that amendment——

Mr. CURTIS. Mr. President, will the Senator please give the year when that occurred?

Mr. SIMMONS. 1894.

Mr. CURTIS. That was at a time when we were producing very little, if any, beet sugar.

Mr. SIMMONS. I think we were producing some beet sugar at that time; but that is not pertinent to the line of argument which I am pursuing. I say that when Senator Peffer offered that amendment, which was supported by all the Republicans, to put sugar on the free list; when Senator Aldrich gave utterance to the sentiments that I have just read, to the effect that, notwithstanding the Peffer amendment had been defeated in Committee of the Whole, when it got into the Senate he and his party would try, if possible, to get another vote to put sugar on the free list—there was, I say, at that time no thought on the part of Senator Aldrich or any other Republican Senator that if sugar should be put on the free list in a Democratic measure the Democratic Party would put a bounty upon sugar. Everybody knew that the Democratic Party was then, as now, and always, irrevocably opposed to bounties. Hence when, in 1894, the proposition to retain sugar on the free list came from the Republican side of the Chamber, with the support of the leaders and the entire body of the Republican side, it meant free sugar without bounty; and while the attitude of the party in 1890, when the McKinley bill was adopted, with reference to putting sugar upon the free list might in part have been dictated by the supplemental policy of a bounty upon sugar to protect the American producer, whose product was about to be put upon the free list, in 1894, when the Democrats were taking it off of the free list and were met with opposition from the Republican Party and with the insistence on their part that it should remain upon the free list, it was unequivocally a vote to free list sugar without any reference to or expectation of a bounty to the sugar producers to supply the place of the duty they sought to remove.

Senator Hale, addressing himself to the Wilson bill, in which the Democrats put a duty on sugar, said:

> Mr. President, there is one thing that is certain as the coming of the tides and sunrise, and that is that whatever happens to be put finally into the bill and is comprehended in its features when it passes, the American people will not go long without a return to the features of free sugar for the breakfast tables of the people, thereby saving to those breakfast tables an annual tax of beween $60,000,000 and $70,000,000.

Senator Aldrich, in addressing himself to the bill in general terms—the other quotation that I have given from him had reference to the Peffer amendment—said:

> I include also the representatives of the third party, those gentlemen who have always asserted that they were the friends of the people; they have signalized that friendship to-day by joining their Democratic allies in forcing upon the people of the United States—

What?—

> this unjustifiable, indefensible, and infamous (sugar) tax. I said this tax was infamous—

Said the Senator—

> and if I could employ any stronger word than that in characterizing it I should be glad to do so.

Senator Allison added his mite, and, of course, his mite was mighty, with this observation:

> Mr. President, if I had my way, I should strike from this bill every vestige which provides a duty on sugar.

But the duty on sugar was retained, notwithstanding the stubborn opposition and aggressive fight made against it by the leaders of the Republican Party, backed by the whole body of that party in this Chamber.

In 1897, three years after that, when the Dingley bill was before the Senate, increasing the duty on sugar from 40 per cent at valorem under the Wilson bill to 1.63 cents per pound, the report of Mr. Dingley declared and recognized that the purpose in retaining this duty and increasing it was in part in order to get more revenue. Senator Aldrich, still not satisfied that there should be a tax upon sugar, and evidently still adhering to his original views as expressed in 1890 on the McKinley bill and in 1894 on the Wilson bill, with that wisdom which characterized him in dealing with practical questions, yielded to the revenue necessities of that day, and waived at the time his opposition to a tax upon sugar. He said:

> The pressing necessity for securing greatly increased revenue seems to render a return to the Republican policy of free sugar, adopted in 1890, an impossibility.

I suppose he meant the Republican policy upon this subject as exemplified and as enunciated in the McKinley bill.

The demand for revenue purposes, and a belief that every reasonable effort should be made to encourage the production of beet sugar in the United States, led a majority of the Finance Committee to recommend the high rates upon sugar which are contained in the bill now before the Senate.

Senator White, of Louisiana, who, although a Democrat, was in favor of a duty on sugar, as the Senators from that State have generally been. In his discussions of this bill, referring to the attitude of the Republican Party in 1890 and 1894, he makes clear the Republican thought and purpose at that time with reference to taxing sugar when a tax on it was not needed for revenue requirements, and that that purpose was correctly expressed and outlined in the speeches of leading Republicans which I have cited. Senator White said:

The American breakfast table was a source of solicitude on the other side of the Chamber during that debate—

Referring to the debate on the McKinley bill.

We were told that the poor man was entitled to have his sugar without any tariff mixture. Untaxed sugar was something that the Republican Party guaranteed to every American consumer. He must have sugar and he must have it free from tax. Yet, Mr. President, the same distinguished gentleman, I repeat, who at that time so roundly denounced the Democrats in this Chamber because of the imposition of a small sugar tariff, are here to-day levying a greater tax, as a result of their experience and in the face of their own advertised promises and record.

* * * * * * *

During the consideration of the Wilson bill, day by day it was dinned into the public ear of this country that the only true method of bringing about a correct solution of this entire tariff subject regarding sugar and the only way to build up the sugar industry was to impose a bounty. Throughout the consideration of that bill, from the day the debate began until it concluded, we were informed by the Senators from the other side of the Chamber that a tax on sugar was an outrage.

Mr. President, I have not recited these positions of the Republican Party for the purpose of making any political capital or for the purpose of entering into any partisan discussion. I have recalled them simply for the purpose of trying to show that, at the bottom, both parties believe, because of the fact that sugar is such a universal article of food, consumed equally by the rich and the poor, that it ought, if the Treasury conditions will permit, to be one of the untaxed articles, and that, so feeling, both of these parties have in the past placed sugar alternately upon one list and alternately upon the other list, and the revenue requirements of the Government have in large measure prompted and influenced the action taken in each case.

Mr. President, at this time I shall content myself with the statement I have made with reference to this measure, supplementing it only by the statement of what is known to every Senator—that the present financial situation, very much to our regret, on account of circumstances which we can in no way control, makes it necessary for us to have a large amount of additional revenue. Recognizing sugar as one of the best of all the revenue-producing articles, having reduced the rates to the revenue basis, according to the standards of our Democratic tariff act, we feel constrained to yield to the necessities of the hour, and further to extend the time for untaxing this food necessity.

I do not desire to say, and shall not at this time say, more with reference to this bill; nor do I desire, now or at any time during this debate, to engage in a partisan discussion of the tariff. I shall, however, if it becomes necessary as the debate proceeds, have more to say, although I trust we may avoid any prolonged or partisan discussion on account of the well-known anxiety of the Senate to expedite certain other legislation of great importance and emergency, and on account of the fact that it is important that this measure should be passed before May the 1st, when, otherwise, sugar will under the present law become free. Speedy action is also especially necessary in view of the fact that the sharp disagreement between the House and the Senate, if the Senate substitute passes, may require considerable time in conference, and the conference report may become the subject of considerable discussion in the one or the other body.

Mr. GALLINGER. Mr. President, will the Senator from North Carolina permit a question before he takes his seat?

Mr. SIMMONS. Yes.

Mr. GALLINGER. I have listened very carefully to the speech of the Senator; and while I think he might well have omitted some things that he has incorporated in his speech, yet I will ask the Senator this question: I assume that if this side of the Chamber can not have the House bill, which I think a large proportion of the Republicans prefer, the Senator will welcome our assistance in passing the amendment which he has reported from the Committee on Finance?

Mr. SIMMONS. Of course, Mr. President, we shall welcome the assistance of Senators on the other side. I have tried very hard to say nothing with respect to this question, upon which I think there is accord to a large extent on both sides of the aisle, that might be presumably displeasing to the minority side of the Chamber.

Mr. NEWLANDS obtained the floor.

Mr. SMOOT. Will the Senator yield to me for a moment?

Mr. NEWLANDS. Certainly.

Mr. SMOOT. I simply wish to say to the Senate that I did not intend to speak on this subject, and I thought we could get a vote on it very promptly; but the remarks of the Senator from North Carolina will compel me to make a statement. Therefore I shall desire to occupy a few minutes of the time of the Senate.

Mr. NEWLANDS. Mr. President, I trust that the contingency referred to by the Senator from New Hampshire [Mr. GALLINGER] will not occur, that the substitute providing for free sugar after 1920 offered by the Senate Finance Committee for the action of the House will be defeated, and I trust that the Democrats of the Senate will stand by the views of the President and the House as the best expression of Democratic sentiment upon this subject, rather than upon the views of the Democratic members of the Finance Committee.

I shall be brief, Mr. President, in my discussion of this question. I shall go no further back than the last Democratic convention, when a free-sugar plank urged before the committee on platform of the Democratic Party was defeated without, if my memory is correct, a dissenting vote.

I also refer to a unanimous report of the Democratic members of the Finance Committee of the Senate made only a short time before the meeting of the Democratic convention at Baltimore, in which those Democratic members unanimously reported in favor of a revenue duty upon sugar, declaring that it had been the traditional policy of the Democratic Party to levy such a duty.

We all know the history of the free-sugar proviso in the last tariff act. The President of the United States at that time urged, whilst the tariff was under consideration by the Ways and Means Committee of the House, that sugar should be put upon the free list, and I am reliably informed that at that time and before his expression of opinion there were only two members of the Ways and Means Committee of the House who favored free sugar. The Ways and Means Committee of the House yielded to the views of the President, and a provision insuring the reduced duty on sugar until 1916 and then putting it on the free list was put in the tariff.

The President also, when the bill came to the Senate, made a similar request of the Democratic members of the Finance Committee, and they yielded, the members of that committee being almost identical in membership with the Democratic membership of the Finance Committee at the preceding Congress, which declared that the traditional policy of the Democratic Party favored a revenue duty upon sugar.

A number of Senators from the West, including myself, who represented the arid and semiarid region, realizing that beet-sugar production was the basic agricultural product of that region, upon which in a large degree the agricultural prosperity of the region rested, endeavored to convince both the Senate Finance Committee and the President that fair dealing with reference to the beet-sugar industry required only a moderate reduction in the duty on sugar to a revenue basis and not ultimate free trade, but without result. There were enough members representing that region who, if they had acted independently of the caucus action, could have beaten the proviso establishing free trade in 1916; but being unwilling to defeat the will of the party as expressed in a party caucus, they finally reluctantly assented.

Mr. President, conditions have now changed. The European war is on. The country needs revenue, and we realize that as a result of diminished production of beet sugar in France, in Russia, and in Germany it was a fortunate thing that sugar production had been stimulated in this country by a duty upon sugar, whether that duty was of a revenue or of a protective character, for it had developed the production of nearly a million tons annually, pretty nearly one-sixteenth of the production of the world, within the boundaries of the United States, exclusive of our insular possessions, and unless that production had been stimulated the cutting off and the shortage of the production of Europe would have very largely added to the very largely increased price caused by the war.

Mr. President, I shall not go into the economics of this question now. I insist upon it that the Democratic Party declared that it would accomplish the revision of the tariff in such a way as not to injure or destroy any legitimate industry, and so I believe that as an industry beet-sugar production is en-

titled to fair and proportionate treatment with the other industries of the country.

I find in looking over the tariff act that the farm products of other regions, some 50 in number, in Schedule G, are dutiable, such as barley, macaroni, oats, butter, vegetables, eggs, poultry, hay, honey, citrus fruits, apples, and so forth. I presume the Democratic Party kept those products in the tariff act in redemption of the pledge made at Baltimore that they would have regard for every American industry in this revision and that meant a regard for agricultural as well as manufacturing industry, and that therefore they would not hurry these products to the free list, even though it might bring about a freer breakfast table.

I assume that the Democratic Party did that from a sense of justice and not simply from a desire of concilating the agricultural interests in the humid region represented by the major part of the Democratic Party in Congress, and I insist upon it that justice and fair dealing require the same considerate treatment of the agricultural industries of the arid and semiarid region as it does of the agricultural industries of the humid region.

Mr. President, I regret very much to differ with the members of the Finance Committee of my own party upon this subject. I do not indulge in contention with them upon the subject. I regret that they, in view of the utterances of the Democratic members of the Finance Committee in the past, the traditional policy of the Democratic Party and the last expression of the party at Baltimore, did not fall in line with Democratic sentiment as expressed by the President and the House of Representatives in their recent action. So far as I am concerned, whilst I desire to stand with Democrats, I prefer to stand with the President and the House upon this subject rather than with the Democratic members of the Senate committee.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Nevada yield to the Senator from Utah?

Mr. NEWLANDS. Certainly.

Mr. SMOOT. The Senator has on two or three occasions made the statement that the President is in favor of the House provision. By what authority does the Senator make that statement?

Mr. NEWLANDS. I do not do it by any direct authority. It was in the air at the time that the administration as a revenue matter proposed to do away with the proviso which put sugar upon the free list in 1916. Nothing was said about simply extending the period of the duty, and I assumed that the action of the House in absolutely, not qualifiedly, repealing the proviso was in harmony with the President's views.

Mr. SMOOT. I simply wanted the Senator to put in the RECORD if he knew from just what source his information came.

Mr. NEWLANDS. No; I have no direct expression, but it was in the air; it was generally believed at the time, and it was doubtless believed by the Democrats of the House, who almost unanimously voted for the repeal of the proviso without qualification.

Now, Mr. President, as to economic aspects of this question, I stand only for a revenue duty upon sugar.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from North Carolina?

Mr. NEWLANDS. Certainly.

Mr. SIMMONS. Mr. President, I do not know upon what authority the Senator makes the statement with reference to the President's attitude. I am not myself advised upon it, but I do feel that it is safe to say that I am sure the President has no hostility to this provision of the Senate committee.

Mr. NEWLANDS. Mr. President, I will not add to my utterance upon that subject. All I can say is that it was apparently the view of the President, and certainly the expression of the Democrats of the House following his suggestion has been in favor of the repeal of this proviso without qualification.

As to the economic aspects of this question, Mr. President, we are about to enter upon an economic crisis at the close of the European war. No one can foretell the result of that war upon the economics of the world. The administration itself is apprehensive, and one of its reasons for recommending the organization of a tariff board is that the consideration of tariffs and action upon tariffs might be of the highest importance in the economic defense of this country, doubtless realizing that an invasion of cheap goods as the result of low wages and hard times abroad might be paralyzing to the industries of the country. So it has been engaged in the study of that question and also in the study of the question as to the anti-dumping provision, all these studies stimulated by the apprehension that an invasion of goods from abroad at the end of this war may be as destructive to the wage earners of our country as an invasion of men.

It is wise to take proper caution, and inasmuch as the caution of the hour demands that we should repeal this proviso, why should we qualify it? Why should we refuse to leave future action upon sugar as upon other subjects, to the wisdom of the hour, guided by experience and information and knowledge, instead of putting this industry in a strait-jacket as a result of apprehension created by present action upon future conditions?

The debate during the discussion of the present tariff developed the fact that Cuba could deliver in New York and in New Orleans raw sugar for 2 cents a pound. As against that we know that the lowest price which can be accepted by farmers in the arid and semiarid regions for their beets is $5 a ton, and that they insist upon a higher price and claim that they are being dealt with unfairly by the sugar-beet factories in giving them a lower price.

The average amount of sugar found in a ton of beets is from 200 to 300 pounds, the average, possibly, being about 250 pounds. So if we divide $5 by 250, we have 2 cents a pound as the price paid by the manufacturer for the sugar in the beets themselves, delivered to the factory. So there we have these basic facts—raw sugar delivered in New Orleans and New York by Cuba, before the war, for 2 cents a pound; sugar in the beet—not raw sugar, not sugar in a manufactured state—delivered to the factory at the rate of 2 cents a pound. We all know that the price of refining raw cane sugar is about one-half the price of putting beets through the factory. We all know that the price of freight from New York and New Orleans to Mississippi and Missouri points is about one-half of the price of freight from the arid and semiarid regions to those points. How, then, will it be possible, if the duty on sugar is abandoned, for the beet-sugar raisers of the arid and semiarid region to compete with Cuba, which is capable of raising its production to an amount almost sufficient to supply the world with sugar, which is capable of delivering cane sugar in a raw state at New York and New Orleans for 2 cents a pound?

Then, do you wish to submit the entire sugar industry to the changes of conditions in Cuba itself—a revolutionary country, where at any time war, the result of domestic and civil conditions, can paralyze that industry, as it did prior to the Spanish-American War, reducing the entire production of that island, I believe, to about 400,000 tons, whereas to-day its production is nearly 2,000,000 tons.

Is it wise, if we are to enter upon a condition of economic as well as of military preparedness, to submit one of the most important food products of this country to the chance of revolution in Cuba, when, by a moderate revenue duty, beneficial to the Treasury of the United States, we can maintain, at least, and perhaps stimulate, a domestic industry that will result in the production of sugar and the maintenance in the end of a lower price level for sugar throughout the world?

Mr. President, I shall not dwell upon this subject further at this time. I will, in closing, merely express the hope that just at the time when we are entering upon an era of preparedness—military, industrial, and economic—we shall act with that deliberation and caution which should characterize our action upon so important a question, uncontrolled by all these considerations of consistency, lest, in endeavoring to square the action of to-day with the action of two years ago, when the action of two years ago was directly contradictory to the action by the Democratic members of the Senate Finance Committee of six months before and to the traditional policy of the Democratic Party, we should produce a condition of depression in the advancement of this great agricultural industry.

Mr. THOMAS. Mr. President, two years ago the Democratic Party, then for the first time in many years in control of both Houses of Congress and of the national administration, proceeded to legislate in accordance with certain pledges which it had made to the people of the United States, and which involved, as the subject of first consideration, a thorough revision of the tariff laws. That majority approached the subject with a full appreciation of its importance and of the necessity of systematic procedure thoroughly representative of a majority of Democratic sentiment. The result was the enactment of what is popularly known as the Underwood-Simmons tariff law.

Schedule E of that statute reduced the duties upon sugar and provided that upon the 1st day of May, 1916, those duties should cease, when sugar would automatically go upon the free list. That decision was not reached without much controversy, some of which was acrimonious, but it was reached neverthe-

less; and, when reached, represented the Democratic attitude upon the subject and the Democratic construction of the Baltimore platform as well.

With those of my party who may challenge this statement I have no quarrel. There is no question that those who contend that the platform did not commit the party to free sugar and those who contend that the platform did commit the party to free sugar both find in that platform a substantive plank as a basis of their respective contentions, but the fact is that the party crystallized its own official construction of its duty as there outlined in the provisions of the Underwood law.

I had hoped, Mr. President, that, whether right or wrong in this conclusion, the vexed subject had been finally laid at rest and that our method of securing revenue would be hereafter largely confined to taxes upon wealth, as contradistinguished from taxes upon consumption. This conclusion was never accepted by those interested in the commodity, or by a great number of them, and it has been, therefore, the subject of more or less agitation ever since, always accompanied by the contention that the perpetuation of the tax was essential to the existence of the industry, although, when the amount of the duty was finally determined, it was declared with equal emphasis by its opponents that it was an inadequate protection.

We are now, Mr. President, confronted with a bill, the purpose of which is to strike out the provisos of schedule E and go back to the old régime, whereby an article of prime and universal necessity is to be indefinitely burdened with a tax, only a portion of which, as levied under its provisions, ever finds its way into the Treasury of the United States.

The Senate committee having charge of the bill, after due consideration, by its majority members have reported a compromise which is quite as distasteful to me as it is to my genial friend from Nevada [Mr. NEWLANDS], but for an entirely different reason. My objection to it is that the law as it stands should not be disturbed; his that it is not made a permanent feature of our tariff law, as the House bill provides. These differences, however, Mr. President, are always bound to arise with regard to the vexed question of protection, and particularly between Democrats who believe in protection and those who do not; and that, I think, is the fundamental difference between the Senator from Nevada and myself, who, if I am to judge from his many public utterances, worships at the shrine of protection with an ardor equal to that of my distinguished friend from Utah [Mr. SMOOT].

Mr. NEWLANDS. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. THOMAS. I yield.

Mr. NEWLANDS. Mr. President, I hardly think the Senator fairly represents my view regarding the tariff. I am not a free trader; I believe in a moderate tariff for revenue, so adjusted as not by sudden and precipitate reductions to prostrate industry and produce unemployment and want. I believe in the reduction of the excesses of a Republican high protective tariff; I believe that in proceeding from high protection to a moderate revenue basis we should proceed gradually, as our platform calls for; that the country, having placed itself upon the cliff of high protection, can not safely throw itself over the cliff to the levels below; and that the wise thing is to climb down slowly and laboriously without wrecking the country's industries. With this view I have sustained reasonable, moderate reductions in the tariff and am prepared to consider favorably others, bearing in mind the Democratic platform of Denver, which declared for a gradual reduction of tariffs toward a revenue basis, and bearing in mind also the similar plank in the Democratic platform of Baltimore, which declared that these reductions should be effected without imperiling or destroying any American industry.

Now, if the Senator can make a high protectionist out of the doctrine which I have thus enunciated, I am sure that I can not complain of the manner in which he seeks to do it, for he has been entirely good-natured about it; I can only complain of his logic.

Mr. THOMAS. Mr. President, I would not for the world intentionally misrepresent the view or the position of my very dear friend upon any subject, least of all upon the tariff. I am willing to accept his explanation for what it may be worth. If I erred in classifying him with that school of protectionists of which the Senator from Utah is one of the chief apostles, I will retract it and place him in that school of protection of which the senior Senator from Iowa [Mr. CUMMINS] is so distinguished an advocate and representative; and I do so because I can not distinguish between the attitude of the Senator from Nevada, as just outlined, and that of the late, sometime prominent, but now lamated Progressive Party upon the subject. I known that the Senator believes in stepping down from the "high pinnacle on to the distant plain," but I am satisfied that he would protest against the stepping-down process long before we reached the plain, and would insist upon suspending us somewhere between the top of the cliff and the plain below.

I am no free trader, Mr. President. Free trade might be classified in the language of the lamented Ingalls as "an irridescent dream." I am in favor of a tariff for revenue, because it is impossible to get rid of a tariff entirely; but, except as the protection is incidental to revenue duties, I am no protectionist. We belong, therefore, Mr. President, to different schools; and it is evident now, as it always has been, that, whatever the official views of the great political parties on the subject of protection may be, there is a divergence of sentiment among the members, at least of the Democratic Party, upon the subject, which never has been and, I presume, never will be reconciled.

Mr. President, the real object of this bill, however one may judge from expressions regarding it, is to prolong the duty on sugar. Its ostensible object is to provide revenue in order to meet the necessities of the Government. My contention that it is but an ostensible object is due to the fact that if it be necessary to raise a revenue upon sugar at all, or any other necessity of life, that necessity should find expression in legislation which would place in the Treasury of the United States every dollar of the tax so levied, instead of diverting a part only into the Treasury, and the other part into the pockets of the interests identified with the subject of the tax. In other words, if revenue is the prime motive behind this bill, and it is necessary to obtain it by taxing sugar, then we should tax it in such wise as to realize more than twice the amount of revenue for the Government. This can be effected by an excise tax of similar amount to the duty which is to be prolonged by the Senate substitute, and every cent of it would go into the Treasury of the United States. Moreover, Mr. President, the tax so raised would be a fixed quantity, and would not diminish in amount as the domestic product increased in amount.

It is estimated, speaking roundly, that the present duty upon sugar gives the Government an annual revenue of $43,000,000; but an excise tax at a similar rate on all sugar—that produced at home and that imported—would give the Government, in round numbers, $86,000,000 of revenue annually. Upon the assumption, therefore, that our present duty requires us to obtain revenue, and that the exigency justifies us in raising it from an article like sugar, then common sense, to say nothing of wise statesmanship, would readily suggest an excise tax as a substitute for the existing tariff duty of substantially 1 cent per pound.

But, Mr. President, that view does not seem to be a popular one. It found but little favor in our committee, which seemed to be reluctant to place an internal-revenue duty upon a necessity of life, lest the resentment consequent upon it should make the tax unpopular, although conceding what is self-evident, that the alternative of the excise tax could not affect the price of sugar any more than it is affected by the protective duty. I felt, Mr. President, and I still feel, that if the financial affairs of the Government are so desperate that taxes upon consumption should be prolonged, even temporarily, the dominant body should meet the situation by raising the revenue in the best way—by so raising it that the Government will receive all the returns, albeit, Mr. President, the subject of the tax should be a necessity of life.

Let me ask why we should for the sake of revenue give this favored industry further protection at such tremendous cost to the consumer? Certainly no one to-day will question the universal prosperity of the industry, with perhaps here and there an exception. Certainly not the most ardent protectionist will contend that it needs protection at this time. The contention must be, in the very nature of things, that hereafter, when present conditions shall have changed, the industry will need the further protection of the Government if it is to continue.

But we have, as I say, agreed upon a substitute, and if I vote at all I shall vote, with much reluctance, for it. It means that the proviso in Schedule E, instead of becoming operative on the 1st of May next, will become operative on the 1st of May, 1920. In other words, a postponement of the day of free sugar for four years is provided for in the substitute. This, according to present estimates, will yield $172,000,000 for that quadrennial period; but it also gives the manufacturers and producers of sugar $172,000,000. By this substitute, and upon the theory that we are obliged to have the revenue, we propose to donate to a great, prosperous, and wealthy industry an equal amount of money by authorizing its collection from the consumer. This may be all right; but I can not reconcile it with

my notions of Democratic duty, or with my views of practical, useful legislation. If it be right, then every view which I have expressed upon this subject since the Underwood bill came to the Senate for consideration is wrong. That may not be a remarkable thing. All of them may be entirely erroneous. Nevertheless, I believed them then, as I believe them now, to rest upon a firm basis, and to correctly outline the Democratic position upon the historic question of a duty for revenue.

Mr. CLARKE of Arkansas. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Arkansas?

Mr. THOMAS. I do.

Mr. CLARKE of Arkansas. I think the Senator made the statement that the sugar consumed in this country was divided about equally between that produced in continental America and the islands, on the one hand, and that imported from other sections.

Mr. THOMAS. Yes.

Mr. CLARKE of Arkansas. Does the Senator know how much of the half imported is imported from Cuba?

Mr. THOMAS. Why, practically all of it, Mr. President. I think perhaps fifteen or twenty thousand tons come from other sources.

Mr. SIMMONS. All of it except about 2,000,000 pounds, I think.

Mr. THOMAS. From Cuba?

Mr. SIMMONS. Yes; all except 2,000,000 pounds.

Mr. THOMAS. I accept the correction.

Mr. CLARKE of Arkansas. The Senator corrects his figures, then, as to the amount of bounty that would be given to the untaxed sugar. Practically all sugar is imported in raw condition by the Sugar Trust. The Cuban sugar pays 80 per cent of the rate named in the pending bill.

Mr. THOMAS. Much more than that; the Cuban duty is a trifle over a dollar a hundred pounds—a trifle over a cent a pound.

Mr. CLARKE of Arkansas. Would not the importers of sugar add the entire tariff, and would not they get 20 per cent of $172,000,000 in addition to the $172,000,000?

Mr. THOMAS. That I think is true, Mr. President. Of course, my estimates were based upon the fact that the bulk of the sugar imported into the country to make up the deficiency and supply the needs of the people comes from Cuba. But I think the question asked by the Senator from Arkansas must be answered affirmatively. To this sum of $172,000,000 should be added the amount to which his question refers.

Mr. President, in the consideration of this measure two years ago, and the ultimate disposition that was made of it, the Senators from Louisiana were out of accord with their party action. Their position was perfectly consistent and entirely honorable. It was based upon a situation peculiar to that State as they understood it. I want to say here by way of digression, with regard to the sugar of Louisiana, that the real menace to it is not in the abrogation of all duties but in the expansion of the beet-sugar industry. The industry in the State of Louisiana has been the subject of the fostering care of the United States for a century. Climatic conditions, problems of labor, and other considerations have demonstrated that this protection, extended for so many years, has not been sufficient to place the industry upon a self-sustaining basis, and never will. On the other hand, during the last quarter of a century a new sugar industry, protected for the greater part of its existence, but a new industry nevertheless, has asserted itself, and to-day produces nearly one-fourth of the total consumption of sugar in this country. It has expanded and will continue to expand in the Far West, tariff or no tariff, until by the processes of natural growth and natural selection the less favored industry in the State of Louisiana must ultimately disappear. I believe the time will come when the action of the Sixty-third Congress upon this subject, much as it may have directly affected the material welfare of the State of Louisiana, for whose people I have every consideration, will be regarded as the wisest step that could have been taken regarding it, since during the interval between the enactment of the law and the time when it was designed to take effect due provision could be made for doing away with the industry in that State and taking up other and more profitable pursuits.

I venture the assertion that if a tariff of 100 per cent ad valorem were placed upon sugar in 25 years from now the domestic product would be confined to our insular possessions and to the great semiarid and arid regions of California and the Rocky Mountain West, enjoying, as they do, physical advantages which adverse legislation can not affect and which do not need the protecting influence of legislation to make them operative.

Mr. President, the production of sugar never was so profitable to manufacturers as it is now and as it has been since August, 1914. I venture to say that no industry upon this continent can show more prodigous returns than those derived by the sugar companies of Porto Rico and Hawaii and the beet-sugar companies in the United States, with here and there an exception due either to poor management or undesirable location. The price of sugar at present is phenomenal, and there is no question in my mind that it is going to be higher for a long time before it falls.

In this connection I want to call attention to a few comments that I have clipped recently from some of the newspapers upon this subject. I first refer to the Chicago Journal of the 21st day of March last. This paper says:

There is a possibility of Chicago housewives being compelled to pay 10 cents a pound for sugar within a very short time.

The United States exported more sugar in the year ended March 15 than in any year in the history of the country. The export of refined sugar on that date totaled 173,684 tons, as compared with a total of 25,873 tons for the year ended March 15, 1915.

Let me digress here, Mr. President, with the statement that we have become exporters of the refined product within the last 24 months. Prior to the outbreak of the war the export of sugar from the United States was negligible. To-day, owing to changed conditions—and of course that adds to the price of the domestic product—we have become great exporters of sugar to other nations, and the trade which has been thus acquired will survive the war for many years if there be any truth in the reports of the provisions that are being made by the allies for trade conditions after the war as affecting their future relations with their present enemies, the central empires.

The result of this unprecedented export trade is that sugar is now $7.20 per 100 pounds wholesale. One year ago it was $6.35 per hundred. On January 1 of this year sugar could be purchased in Chicago for $6.20 per hundred, wholesale. The retail price now is from 7½ cents to 7¾ cents.

The biggest buyers of American sugar are England and France. Norway and Sweden, which formerly purchased their supply in Germany, have been compelled to turn to the United States. Added to these buyers are Italy, shut off from Austria, and Greece, formerly a buyer on the German and Austrian markets.

"If Europe was to talk peace to-morrow, the price of sugar would fall off $1 per hundred," said N. N. Jacobson, of Reid, Murdoch & Co., wholesale grocers. "But unless they begin the peace talk within the next few months there is a possibility of the retail price going to 10 cents a pound. At best, an estimate of the probabilities of sugar going much higher is a gamble. Merchants do not count on making much profit on sugar, and when the price advances they generally shut down on their orders, and consumers do not use as much."

W. T. Chandler, vice president of the Franklin MacVeagh Co., wholesale grocers, said that he believed the advance in price was temporarily checked.

"I do not know whether the rumors of peace talk have anything to do with this or not," he said. "Of course peace would mean that they would resume the production of sugar in Europe, which would mean a falling off in our export trade. This obviously would mean cheaper sugar at home.

"The price charged by the merchant is regulated by the wholesale price and advances very slowly. Profit is not looked for, and there will consequently not be any big increase—a jump of from 7 to 10 cents a pound, I mean. I would not care to speculate on what sugar will do. But I admit that 10-cent sugar is a possibility."

From the Rocky Mountain News, of Denver, Colo., of March 18, I clip the following:

SUGAR GOING UP—NO HOPE OF ITS EVER COMING DOWN.

The price of sugar is advancing steadily, with no prospect for any immediate or remote reduction. The passing of the bill keeping the tariff duty on sugar, together with an unprecedented demand for the product, means the development of manufacturing facilities, restricted only by funds to finance projects, the ability to secure materials and suitable locations, according to W. L. Petrikin, of the Great Western Sugar Co. The building of eight factories, two in Nebraska, two in Wyoming, and four in Utah, will begin at once, actual construction being deferred until action upon the sugar bill, which passed the National House Thursday by a vote of 364 to 14.

How familiar that sounds, Mr. President! It is the usual "hold up," warning. Action upon these new structures will be deferred until final action is taken by the Congress of the United States upon the subject of free sugar. I know of two or three new enterprises in my own State and an adjoining State which will not be halted, in my judgment, by anything of the sort, although in a sense they are not new enterprises. In the main they simply consist in the transplantation or transfer of old sugar plants, located in unsatisfactory places, to newer and more attractive locations.

I also refer to and ask leave to insert in the RECORD without reading it a similar quotation from a New York paper of the 16th of March.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

SUGAR SITUATION ACUTE.

NEW YORK, *March 16.*

The situation in the sugar market is rapidly growing acute. Both spot and refined sustained further advances to-day, the latter rising 15 points, to 6.90 cents. Price of raws was marked up 13 points, to

5.77 cents. It is pointed out that since Secretary McAdoo made his speech in favor of the repeal of the duty on sugar the price of that article has risen 2 cents a pound.

In well-informed sugar circles the belief is growing that the only way this rise in the price of sugar and sugar products can be arrested is by the rescinding of this duty. It is pointed out that Cuban interests practically control the sugar market of the world, and they can mark up prices at their will. Insular prices, in consequence, are raised hand in hand with the Cuban interests. Shortage in the crops of Germany and Austria has in no way served as a check to the Cuban market, which is controlled by United Fruit, Canadian Pacific, Cuban-American, and Cuban Cane Sugar Corporation interests.

Mr. THOMAS. Now, Mr. President, let me briefly refer to some of the phenomenal conditions, some of the remarkable profits, some of the tremendous incomes that beet-sugar companies have enjoyed in consequence of this rise in prices. I read a quotation from a trade journal published in New York:

Profits: The Great Western Sugar Co. was organized in 1905 with a capital of $30,000,000, of which there is outstanding $13,630,000 preferred and $10,544,000 common. The common stock was "all water," according to the testimony of its president, Mr. Morey.

I may add that fully 30 per cent of the preferred stock was watered also.

The attached forecast of the Great Western Sugar Co.'s position indicates the prosperity of this "infant" industry. On January 1 it had $10,000,000 in cash and $10,000,000 in sugar, making a total surplus of $20,000,000. The Central Aguirre, of Porto Rico, is now paying dividends at the rate of 24 per cent per annum, but it is suggested to go on a 10 per cent basis next quarter, making dividends at the rate of 40 per cent per annum.

Many of these "infants" are expected to disclose their real profits after the tariff bill, insuring an added profit of $22.40 per ton for the next four years or indefinitely, has safely passed the Senate and the House. In anticipation sugar stocks have shown a further advance.

I do not care to read the table, but will insert it in the RECORD with the permission of the Senate.

The matter referred to is as follows:

Name of company.	Price Mar. 1, 1914.	Price February, 1916.	Price Mar. 31, 1916.
South Porto Rico Sugar Co. (preferred)	$59.00	$110.00	$117.00
South Porto Rico Sugar Co. (common)	30.00	170.00	197.00
Central Aguirre Sugar Co. (preferred)	25.00	165.00	177.00
Central Aguirre Sugar Co. (common)	15.00	167.00	181.00
Fajardo Sugar Co. (preferred)	14.00	86.00	100.00
American Beet Sugar Co. (preferred)	65.00	95.00	95.00
American Beet Sugar Co. (common)	20.00	68.00	74.00
Great Western Sugar Co. (preferred)	91.00	112.00	114.00
Great Western Sugar Co. (common)	45.00	140.00	206.00
Michigan Sugar Co. (preferred)	85.00	100.00	100.00
Michigan Sugar Co. (common)	35.00	102.00	112.00
Utah-Idaho Sugar Co. (par. 10, preferred)	6.50	12.50	12.50

The rescission of the duty would partially reduce the price to the consumers. Nothing else will do it. But I think the removal of the duty would unquestionably result in lowering the price, because the expectation of free sugar prior to the outbreak of the war sensibly affected the price. It was one of the few necessities of life the price of which was actually reduced—I will not say by the law, but I believe that to be the fact—between the enactment of the law and the month of August, 1914.

We have heard much about the high cost of living. It is a question more acute to-day than it ever has been. Here is one instance, on example, one opportunity for lowering to some extent the price to consumers of a prime necessity of life by allowing this law to go into effect in accordance with its original purpose and intent.

Mr. President, I have prepared a somewhat rough table giving an estimate of the profits of beet sugar during the last two years, based upon the Colorado beet-sugar crop for 1915 of Willett & Gray, who are the recognized authority upon the subject.

The beet-sugar crop of the State of Colorado for the year 1915 was 244,499 tons—about one-third of the entire crop. This is the equivalent of 547,677,760 pounds. At 6 cents a pound, less $2.70 cost of production per hundred—and that is the cost testified to or stated before the Hardwick committee in 1912 of producing sugar at that time—that would leave a profit of $3.30 per hundred. With sugar at 6 cents and a total profit for the crop of $18,063,366, upon an estimated product of 200,000 tons at 5 cents per pound for the crop of 1914, would produce $12,544,000, or a total in the two seasons of $30,617,366, a profit which is probably less than that actually realized; and of course it does not take into consideration the by-products of the industry, which in 1914 were worth about 47½ cents per ton.

Of the above production the Great Western Co. should be credited with about two-thirds; that is to say, it produces about two-thirds of the entire beet-sugar crop of the State. This gives it $20,412,578 for the two years. The other companies—the American Beet Sugar Co. being the principal one—would represent the beneficiaries of the remaining third.

On the 5th day of April the Wall Street Journal said that the American Beet Sugar Co. had announced earnings for the year ending March 31 at $3,000,000. I am satisfied that this represents but a small portion of its actual profit. Senators may perhaps remember that during the hearings before the committee appointed to inquire into the President's charge concerning a lobby, it was admitted by Mr. Oxnard, the founder of this company, that the actual money invested in his concern was $4,000,000, when it was capitalized at $5,000,000 preferred, with $15,000,000 of common. The admission of this company as to its earnings for 1915 means that for a single year its net profits have been three-fourths of the amount of money originally invested and three-fifths of the amount of money actually invested by it in the business up to the time of that lobby hearing.

Mr. President, in this connection I wish to call attention to the statement of the New York News Bureau of March 30, 1916, regarding the Great Western. This is from Boston:

It is understood that the Great Western Sugar Co. has been ripening a melon that is almost ready for plucking. This company, one of the largest beet-sugar producers in the world, has prospered enormously since the war lifted raw sugar prices to the highest level of years. The common stock, of which there is $10,544,000 outstanding, has advanced from 50 last September to the present market of 200. There is likewise $13,630,000 7 per cent preferred outstanding, the authorized amount of each issue being $15,000,000. The American Sugar Refining Co. is a substantial minority stockholder.

I will come to the share feature of the sugar situation a little later on. I ask leave to insert without reading the remainder of this quotation.

The PRESIDING OFFICER. Without objection it is so ordered.

The matter referred to is as follows:

Great Western Sugar has paid common dividends of 5 per cent since January, 1910. The company issues no financial statements, but it is said on authority that the 1915 earnings were safely over 50 per cent on the common stock. For the current year, if sugar prices hold, the company may easily earn $70 a share. Therefore, so far as earnings alone count, the company could easily multiply its present dividend, but because of the uncertainty regarding possible tariff reduction directors have so far stifled the temptation. Great Western had approximately $10,000,000 cash on hand at the beginning of the present year and about the same amount in sugar. It is likely that current liabilities were small, so that the excess current assets were probably equal to $200 per share on the common stock, setting off plants against the preferred-stock issue.

Great Western Sugar is in a position to pay a handsome extra dividend in cash, or to capitalize part of its bulky surplus by the declaration of a stock dividend. The belief is prevalent that some such action is a near-by probability.

Mr. THOMAS. At or about this same time the American Beet Sugar Co. announced a 6 per cent dividend on its common stock. This followed the passage of the House bill repealing the provision regarding free sugar.

Mr. President, there are other companies, as well, engaged in the production of cane sugar, whose condition is equally prosperous and whose returns in proportion to the amount of their capital stock are equally great.

I ask leave to insert, without reading, articles from the San Francisco News Bureau of Monday, March 6, 1916, March 10, 1916, and an article from the San Francisco Chronicle of March 15, 1916, and relating to the financial affairs of certain Hawaiian companies.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

HAWAIIAN SUGAR STOCKS.

[San Francisco News Bureau, Monday, Mar. 6, 1916.]

Honolulu: While stocks continue to climb, investors, speculators, and all persons interested in Hawaiian sugar stock or its profits, which means practically all the business men in the Territory, are wondering how large a part of the millions now held in reserve will be paid out in special dividends. That extra dividends will be declared by most of the companies is generally conceded on all hands, though no intimation of any official nature has been given out that any such plan is in the wind. Dividends of from 20 to 30 per cent, and even higher in some instances, were paid by the sugar companies during 1915, but without exception those on a paying basis piled up huge reserves because of the then uncertain prospect of the sugar tariff. Free sugar is not even a remote danger, and there is no prospect of an early termination of the European war to reduce prices. With land and mills in the best condition ever known in the history of the industry on these islands, and with bulging treasuries, it is held certain that big dividends will be paid as soon as the bill repealing the free-sugar clause has safely passed Congress and been signed by the President. Sixteen companies had on hand cash balances totaling $8,751,000 at the end of 1915, according to the best obtainable information.

HONOKAA SUGAR EARNINGS.

[San Francisco News Bureau, Mar. 10, 1916.]

Honolulu: Honokaa Sugar Co. and the Pacific Sugar Mill, by the purchase of 175,000 shares of stock in the Hawaiian Irrigation Co. (Ltd.), the price totaling more than $95,000, now own practically all the shares

in the latter corporation, according to reports presented to Honokaa and Pacific Sugar shareholders at their annual meeting. The annual report of F. A. Schaefer, president of Honokaa, follows, in part: "The cost of producing a ton of sugar was considerably reduced, viz, from $65.136 to $54.242, these figures not including bond interest, etc., while the net profit on the crop over and above all charges was $161,849, which includes a charge of $17,720 sinking fund on the bonds, which is payable to the trustees during this year. During the year the directors, on the authorization of the stockholders, purchased a four-sevenths interest in 122,500 shares of the Hawaiian Irrigation Co. (Ltd.) for the sum of $81,479, paying for the same in cash. This purchase gives to this company and its neighbor, Pacific Sugar Mill, practically all of the shares of the Hawaiian Irrigation Co. (Ltd.), and is expected to prove very advantageous."

The annual report of F. A. Schaefer, president Honokaa Sugar Plantation, also refers to the fact that the cost of production was reduced approximately $11 per ton.

[From the San Francisco Chronicle, Mar. 15, 1916.]

SIXTEEN HAWAIIAN COMPANIES HAD $8,751,000 CASH ON HAND.

(By Charles Remington.)

Sixteen Hawaiian sugar plantations, according to actual figures in some instances and estimates in others, closed the year with $8,751,000 cash on hand. This fund has been built up during the past two or three years in anticipation of free sugar. Now that the likelihood of free sugar in the next few years is practically past, the fund will be kept nearly intact for the purpose of meeting this or other unforeseen vicissitudes. The fund, however, is deemed large enough by most of the plantations, so the stockholders in most instances can reasonably expect a full distribution of 1916 earnings, which promise to break all records. The amount of the cash balances on hand December 31, 1915, were:

Ewa	$593,000
Hawaiian Agricultural	600,000
Hawaiian C. & S. Co	1,316,000
Hawaiian Sugar	550,000
Honomu	240,000
Kekaha	390,000
Koloa	90,000
Maui Agricultural	1,122,000
McBryde	71,000
Olaa	453,000
Oahu Sugar	1,000,000
Onomea	715,000
Pepeekeo	400,000
Pioneer	415,000
Waialua	398,000
Wailuku	400,000
Total	8,751,000

Mr. THOMAS. Now, Mr. President, how can it be contended that the extension of this duty is essential to the existence or even to the welfare of this great industry? I am aware that it is said we must not estimate or legislate with regard to existing conditions which are phenomenal, and I admit that they are unusual. I am aware also that it is said that unless this legislation shall proceed these industries will wither away and perish with the return of peace.

Mr. President, if the Great Western Sugar Co., with its $20,000,000 of surplus, and if the other beet-sugar companies with their millions of surplus, and if the sugar companies in the insular possessions with their millions upon millions of surplus are to perish and to disappear when peace shall again gladden the earth with her presence, unless their power to levy toll upon the American people shall be prolonged, then they constitute industries which ought to perish, because it is evident that if prolonged it is only a question of time when they will absorb into their treasuries all that remains worth absorbing not already acquired by similar huge institutions also basking in the sunshine of prosperity consequent upon the suffering and desolation of Europe.

In my section of the country, Mr. President, sugar companies occupy a peculiar advantage. They have capitalized not only the tariff and capitalized the future in their common stock, but as I directed the attention of the Senate two years ago, they have also capitalized inequalities in transportation rates, all of them working to the disadvantage of the consumers in the beet-sugar producing region.

Mr. President, there is a close and indissoluble connection between the great transportation companies of the United States and those huge industries which dominate almost every avenue of human effort and enterprise. Through the conjunction of the control of big business with the control of transportation lines throughout the country competition becomes impossible, and the coexistence of others engaged in the same lines of business is one of grace and of kindly consideration, dependent on good behavior. Equal right to the channels of trade for legitimate competition no longer survives.

It is a singular fact that this industry, about which my distinguished friend from Nevada is so concerned, the beet-sugar industry, has, in conjunction with the American Sugar Refining Co., its principal shareholder, so cunningly devised and manipulated railroad rates as to enjoy a tremendous advantage over the people who are said to enjoy the benefits of this protective duty in the States of Colorado, Wyoming, Utah, and Idaho; and I may assure you that the advantage is pressed to the limit. For example, the rate upon 100 pounds of sugar from Denver to San Francisco, although it is down grade practically all the way, is 30 cents a hundred higher than the rate upon sugar from San Francisco to Denver. The rates upon sugar from Denver to the common points of the Missouri River are similarly arranged. James J. Hill once said that you could kick a barrel of flour and start it rolling in Minneapolis and it would of its own volition roll clear to New Orleans. I might paraphrase this statement by saying that you could kick a barrel of sugar in Denver and start it rolling and it would reach Galveston of its own volition. Yet the rates from Denver to Galveston upon practically all commodities, including such commodities as sugar, are greater than the rates for the same commodities from Galveston to Denver, up grade all the way.

Mr. President, it is generally supposed to be a law of economics that where the supply of a given article gluts the market the price falls. The sugar companies in Colorado produce several times as much sugar as can be consumed there, but the price does not fall worth a cent. On the contrary, the price rises, and we actually pay more for the sugar consumed in the States I have mentioned than in any other part of the United States. This is made possible by the scheme of freight manipulation to which I have adverted.

I have prepared a table which I here insert based upon sugar at $6.90 in New York, wholesale, giving the wholesale price in different parts of the country, among others at Denver:

CANE.	Cents.
San Francisco	7.10
Phoenix, Ariz	7.55
Denver, Colo	7.45
Billings, Mont	7.85
Carson City, Nev	7.55
Boise, Idaho	7.85
Sante Fe, N. Mex	7.45
Omaha, Nebr	7.23
Seattle, Wash	7.65
Portland, Oreg	7.25
Cheyenne, Wyo	7.45
Topeka, Kans	7.33
Des Moines, Iowa	7.25
Pierre, S. Dak	7.43
Bismarck, N. Dak	7.63
BEET.	
San Francisco	6.90
Phoenix, Ariz	7.35
Denver, Colo	7.25
Billings, Mont	7.65
Carson City, Nev	7.35
Boise, Idaho	7.65
Sante Fe, N. Mex	7.25
Omaha, Nebr	7.03
Seattle, Wash	6.85
Portland, Oreg	7.05
Cheyenne, Wyo	7.25
Topeka, Kans	7.13
Des Moines, Iowa	7.15
Pierre, S. Dak	7.23
Bismarck, N. Dak	7.43

With sugar at $6.90 in New York, cane sugar is $7.45 in Denver and beet sugar is $7.25 in Denver. In Billings, Mont., is located one of the largest factories of the Great Western Sugar Co. It produces many thousands of tons of sugar every year. It produces so much, indeed, that it is supposed by its owners to be in a chronic danger of bankruptcy when the question of tariff is agitated. With sugar in New York at $6.90, cane sugar at Billings is $7.85 and beet sugar is $7.65, with the result, Mr. President, that beet sugar manufactured at Billings or at Longmont or any other point in my own and adjoining States can be purchased by the consumer at Omaha and Kansas City, who can then pay the freight upon it to the point of consumption for less than it can be obtained at the very door of the factory producing it.

The amount in round numbers of this added charge, upon the basis of 80 pounds of sugar per capita, to the people of my State is about $250,000 per annum. Calculate what that has aggregated in the last 16 years, during which time the system has been in operation, and then add a similar tax upon the people of Utah, Arizona, New Mexico, Wyoming, Idaho, and Montana, for the same period, and some faint conception may be formed of the tremendous aggregate burden placed upon the people of that section of the country where sugar is produced more abundantly than elsewhere, wrung from them by the skillful and shrewd manipulation of transportation rates which operate as an added protective tariff, then ask what claim this industry has upon the American Congress. I am afraid the burden will be upon us always unless the Government, realizing the impossibility of changing these conditions by what it calls control, shall take over the great lines of transportation and operate them, as they should be operated, on terms of equality for all the people.

Mr. President, this intolerable situation is made possible by the cooperation of the American Sugar Refining Co., which, as

I have stated, is the largest single shareholder of the bulk of these concerns. It could end the practice if it would by the mere threat of competition.

It was stated, I think on the floor, somewhere in my presence, that the interest acquired a good many years ago in the beet-sugar companies by the American Sugar Refining Co. had been disposed of and that the American Sugar Refining Co. is at present arrayed against the beet companies and the ardent advocate of free sugar. Indeed, that bugaboo has been paraded before the eyes of the American people ever since the Democratic Party came into power in 1912 and directed its attention to a rectification of the abuses consequent upon the existence of this tariff.

The contrary is the fact, Mr. President. This concern deliberately set about securing control of the beet-sugar industry as far back as 1902. In a speech which I delivered upon this floor in September, 1913, I gave the details of the transaction and how it was accomplished. It is not necessary here to recapitulate them. Suffice it to say that at that time I inserted in the RECORD extracts from hearings upon the subject demonstrating that the American Sugar Refining Co. was largely interested in beet-sugar companies, which produced about 54 per cent of all the beet sugar in the United States, the interest of the refining company in these companies being approximately 42 per cent, or virtual control. The total amount in dollars of the holdings at that time was stated to be, in round numbers, about $23,500,000. In the recent annual report dated March 8, 1916, of the American Sugar Refining Co., I find this statement:

INCOME FROM INVESTMENTS.

The profit and loss account shows a larger return on "Income from investments" than in 1914. This is owing to larger dividend returns from its holdings of beet-sugar stocks, which companies as producers of their own raw material have prospered greatly with the higher range of prices. There has been a corresponding and substantial increase in the market value of these beet-sugar holdings which, however, have not been reappraised in the item of "Investments general," where they are carried at the same value as in former years. While the company during the last few years has disposed of certain beet-sugar stocks, as opportunity offered, and has so reported to its stockholders, it still has an interest in seven companies acquired many years ago and now carried for investment purposes solely.

If we turn now to its comparative statement for the years 1913, 1914, and 1915 it will be perceived that the profit from its own operations, that is to say the profit from the active and direct business of the company for 1915 were but $2,991,465.39. But its income from investments was $2,312,646.21, and the amount of its general investments are there stated as $22,577,772, or within a million dollars of the amount stated in 1913 as the total par value of all its holdings in beet-sugar companies. Evidently it has disposed of a very small proportion of these investments.

Now, Mr. President, I think that our common experience of human nature will tell us, if, indeed, that were necessary, that the investment of a great concern like the American Sugar Refining Co., producing an income in an amount which is the equivalent of that derived, its own business would hardly be antagonistic to the continuance of a protective duty, the existence of which is so very necessary to the preservation thereof.

But, Mr. President, we have the positive statement of Mr. Atkinson, now, I think, the president of that company, made before one of the committees of Congress, expressly declaring that the company was not identified with the free-sugar movement and was opposed to it, although he believed that some reduction of duty might be made.

There are companies, Mr. President, which are advocates of free sugar and which are engaged in the refining business, but to say that the American Sugar Refining Co., the greatest of them all, that huge concern with its millions upon millions of capital, controlling a majority of the sugar consumption of the United States, practically in control of seven of the great beet-sugar companies of the United States, which it acquired that competition with them might end, is advocating a policy or assuming a position antagonistic to its own expressed interests, is to assume something which is certainly not consistent with its general practice or with the laws of commercial procedure.

I have here, Mr. President, a statement of the refiners in the United States who favor free sugar, those who are undeclared, and those who are opposed to free sugar, which, at this point in my remarks, I ask leave to insert without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

REFINERS IN THE UNITED STATES FAVORING FREE SUGAR.

Federal Sugar Refining Co., New York.
Arbuckle Sugar Refining Co., New York.
Combined refining capacity, 15,000 barrels daily.

REFINERS IN THE UNITED STATES UNDECLARED BUT PROBABLY FAVORING FREE SUGAR.

Revere Sugar Refining Co., Boston.
Warner Sugar Refining Co., New York; in favor of moderate tariff before last Ways and Means Committee (1911).
McCahn Sugar Refining Co., Philadelphia.
Pennsylvania Sugar Refining Co., Philadelphia.
Combined refining capacity, 12,500 barrels daily.

REFINERS IN THE UNITED STATES OPPOSED TO FREE SUGAR.

American Sugar Refining Co., Boston.
National Sugar Refining Co., Long Island City.
National Sugar Refining Co., Yonkers.
American Sugar Refining Co., Brooklyn.
American Sugar Refining Co., Jersey City.
American Sugar Refining Co., Philadelphia.
American Sugar Refining Co., New Orleans.
Colonial Sugar Refining Co., New Orleans.
Henderson Sugar Refining Co., New Orleans.
C. & H. Sugar Refining Co., San Francisco.
Western Sugar Refining Co., San Francisco.
Combined refining capacity, 57,000 barrels daily.

NOTE.—The Revere, McCahn, and Pennsylvania Sugar Refining companies, while undeclared, probably would not oppose "free sugar" because, so far as I know, they make no special profits as the result of the tariff. The reasons for "opposed to free sugar" are clearly evident, as the companies named have, directly or indirectly, connections that make substantial profits because of the tariff.

Mr. THOMAS. Mr. President, I deny broadly that any duty whatever is essential to the continuation or the prosperity of the beet-sugar industry, and I base this denial, Mr. President, in some degree upon the statements and admissions of men connected with the industry from its inception and to which I had occasion to advert some two years ago. The Senator from Nevada [Mr. NEWLANDS] declares that inasmuch as Cuba can lay down sugar in the United States at 2 cents and inasmuch as the beet-sugar companies can not manufacture sugar at any such price a duty is necessary, if the latter pursuit is to continue.

Mr. President, upon the assumption that these figures are correct the conclusion drawn by the Senator is obvious. Conceding for a moment for the sake of the argument that they are correct, let me ask what great calamity would result to this country if its hundred million people could secure this prime necessity of life for a trifle over 2 cents a pound? Think of the saving to them if, indeed, it were true that from an isle of the sea near to our shores this great blessing were possible, and think, Mr. President, of what could be accomplished by diverting the capital and the labor now connected with this highly-protected industry into other sources of desirable production. To my mind, those conditions are not at all undesirable, and I would welcome the day when every necessity of life essential to the existence of human kind could be reduced in proportion, so that they would in abundance be within the reach of every man, every woman, and every child in the Nation. It is to me a much more pleasing prospect than the levying of a tax upon every stick of candy in the baby fingers of every child in this country in order that these huge concerns with their millions may add to their vast possessions year after year.

But, Mr. President, I do not think the Senator from Navada knows, and I am sure that I do not, what the cost of Cuban sugar or of beet-sugar production in this country is. I know that Mr. Oxnard said in 1899 that with sugar at 4 cents a pound he could make enormous returns upon his proposed investment, and I am satisfied that he enlisted a good deal of capital upon the faith of that statement. I know that such a thing as the cost of a pound of beet sugar is impossible of definite calculation. You can get it, if you please, in one factory to-day, but the price in that very factory may vary to-morrow; you can get an average, if you please, in half a dozen factories; but to say that it is possible either in Cuba or in the United States to ascertain and fix a definite cost or an actual cost of sugar production is to make a statement which I think, Mr. President, it is impossible to support.

In all of the calculations that I have seen upon the subject—and I have seen a good many—I have discovered no allowance for by-products, no allowance for efficiency in the factory force or the lack of it, no allowance based on the sugar content of the beet, nor in the wear and tear, which is an essential factor in the matter of cost, nor have I ever been able to see a balance sheet showing the actual amount of expenditure and the actual amount of receipts, between which is the difference of profits, from which the cost can be intelligently calculated.

I recall, Mr. President, that when the Hardwick committee was in session the chairman demanded from some of the witnesses before that committee a statement of the cost of beet-sugar production, and Mr. Truman G. Palmer, then the expert and the representative of the beet-sugar companies, in writing upon the subject to Mr. Charles C. Hamlin, also a representative of the beet-sugar interests, said that there was no way out of compliance; but instead of calling witnesses to be examined

by the committee he thought it would be better to wait until the hearing was over and then issue a circular calling attention to it—a most disingenuous way, putting it mildly, of meeting a demand of the chairman of an important committee regarding a subject absolutely essential to a proper understanding of the situation.

Mr. President, I shall not take the time of the Senate in going in detail into this matter of the cost of production; but I assert now, as I asserted then, that whatever the effect may be in other sections of the country, the great arid and semi-arid regions of the West, including California, the natural home of this industry, can produce beet sugar at an ample profit upon the capital actually invested without any protection whatever. Nature has furnished conditions there, Mr. President, which constitute the best possible protection and which legislation can not affect or destroy.

The sugar beet is a peculiar vegetable. In its initial stages of growth it needs a great deal of water; in its medium stages of growth it needs very little; during the sugar-forming period it needs none. Our system of irrigation enables us to regulate this demand of the plant so that at its various stages of growth and maturity it may be supplied with precisely the moisture that it needs. It is not there subject to the conditions of a more humid region, which is liable to periods of undue moisture and of undue drought. That element is the subject of artificial regulation. It needs constant sunshine; and out in that region there are from 300 to 320 days of sunshine every year. It needs cool nights, and at that altitude, more than a mile above sea level, the nights are always deliciously cool, however sultry the weather may be at midday.

Those conditions, Mr. President, will ultimately assert, indeed they are now asserting, themselves as against the industry in other sections. A good many factories have been built in some of the States farther east, in some of the humid States; built sometimes for purposes of speculation, sometimes for political reasons, as was the case of the factory in Iowa, which, according to the lobby hearings, was built more to affect and influence the attitude of the then senior Senator from Iowa, Mr. Allison, than to make sugar for the multitude. His State being interested in this great industry through the erection of a lonely plant, he would naturally want to protect it. Other great factories have been built in unfavorable sections and in the best of faith. They can not compete with the conditions to which I have adverted, even with a tariff that might be specially designed for their protection. Hence, I say, that in the natural progress of the development and growth of an industry these natural, necessary, and superior advantages must assert themselves, and in the course of time all of the production will be gathered into that region. Indeed, that gathering process has been in evidence for some time. A large number of the factories in my State have been transplanted from Michigan, from Wisconsin, and from Nebraska; a large number of those in other of the arid States have been transplanted from other sections in order to get the advantage, the absolutely necessary advantage, of these natural conditions.

To say, therefore, that these huge concerns, with their treasuries bursting, Mr. President, with millions, and which are dropsical with watered stock, need an extension for four years more of the duty of 1 cent per pound, or need it indefinitely, if they are to exist at all, does not comport with the actual conditions, and never did.

My distinguished friend from Nevada [Mr. NEWLANDS] declares that beet sugar is entitled to fair protection. He believes it, and he doubtless thinks that this bill gives fair protection if we should accept its provisions as it came from the House.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. THOMAS. I do.

Mr. NEWLANDS. Mr. President, I think the Senator from Colorado will find that I insisted that this agricultural product should receive the same fair treatment as is received by other agricultural products, and inasmuch as almost all the agricultural products of the humid region are upon the dutiable list, it would be unfair to put this agricultural product, which is especially the product of the arid and semiarid regions, upon the free list. I did not say that it was entitled to protection.

Mr. THOMAS. Mr. President, I am very glad that the Senator from Nevada has corrected me, as I do not desire to misrepresent him. The note which I took during the course of his remarks is that "beet sugar is entitled to as fair protection as other agricultural products are." I was coming to that. I think the Senator, who has been in public life for a long time, knows that this so-called system of protection of purely agricultural products is the veriest of all the humbugs of protection.

Why, Mr. President, think of a protective duty in this country on potatoes and wheat and asparagus and eggs and other commodities, of which we produce an abundance and much of which we export. That is merely the sop, the tub, thrown to the farmer whale by the protectionist of the past, and, unfortunately, many of the farmers have been deceived and deluded into a false sense of security in consequence of it. They actually think it does them good. Why, during the consideration of the Canadian reciprocity bill we were face to face with the remarkable spectacle that the farmers of the United States were going to be ruined if we had reciprocity with Canada, and that the farmers of Canada were going to be ruined if they had reciprocity with America. That condition of things, Mr. President, absurd as it was, actually found a serious lodgment in many minds, notwithstanding the ruin so freely prophesied was due to the resulting prosperity and monopoly of trade in agricultural products by the other.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. THOMAS. I do.

Mr. NEWLANDS. The Senator from Colorado will bear in mind, however, that the duties to which I referred upon the agricultural products of the humid region were not duties that were imposed upon them by a Republican tariff, but are the duties that are imposed by a Democratic tariff.

Mr. THOMAS. Does the Senator from Nevada mean to say that the Republican Party did not impose those duties?

Mr. NEWLANDS. They did, yes; but they were maintained by the Democratic Party, and I insist——

Mr. THOMAS. They did impose those duties, and we did not have the courage of our convictions and remove them all. They perform no function save to encumber the statute books.

Mr. WILLIAMS. We reduced them, however, by about 50 per cent.

Mr. THOMAS. That is true.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. The Senator from Colorado has the floor. Does the Senator yield; and if so, to whom?

Mr. BORAH. Mr. President——

Mr. THOMAS. As I said before, these were designed to flatter the credulity of the farmers, and, having a great voting agricultural population, we partially continued that protection, because we were unable, in view of our individual differences, to make effective all the reforms in tariff legislation which some of us wanted to make.

Mr. NEWLANDS. Mr. President, will the Senator from Colorado permit me to interrupt him there?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. THOMAS. Yes.

Mr. NEWLANDS. Just right there, in connection with what the Senator says—and I admire the Senator's candor; I think he has very properly commented upon this action—I insist upon it, that in whatever method we do act the action shall be fair and proportionate as between different sections of the country.

Mr. THOMAS. In other words——

Mr. NEWLANDS. If we conclude to remain upon a protective basis as to certain agricultural products in the humid regions, where, perhaps, votes are necessary, fairness demands that we shall not drift the agricultural products of another region absolutely to the free list.

Mr. THOMAS. Mr. President, the Senator's admission——

Mr. BORAH. Mr. President——

Mr. THOMAS. Just a moment and I will yield. The Senator's position virtually is that because it may seem necessary to protect the potatoes of the Wisconsin or the Michigan farmer, who has a hard time to make a living at all, in order to be fair it is equally necessary that we should protect these huge aggregations of capital which manufacture beet sugar and who now have more money than they know what to do with.

Mr. NEWLANDS. Mr. President——

Mr. THOMAS. I must yield now to the Senator from Idaho.

Mr. NEWLANDS. I wish the Senator would let me say right there——

The PRESIDING OFFICER. The Senator from Colorado has the floor, and declines to yield.

Mr. THOMAS. With the consent of my friend from Idaho, I will give the Senator from Nevada another chance.

Mr. NEWLANDS. I wish the Senator from Colorado would distinguish between the great aggregations of capital that simply put an agricultural product into shape for consumption and the great agricultural industry itself that produces that product upon the farm.

Mr. THOMAS. I am coming to that.

Mr. NEWLANDS. I will join with the Senator from Colorado in any movement that will prevent extortion on the part of great aggregations of capital, that will prevent unjust discrimination as between sections regarding freight rates, and so forth, but I am talking about the basic industry. You can not maintain this industry unless you have beets; and if you produce beets you must have sugar factories, of course; and, however obnoxious they may be to our ideas of monopoly, our prejudice against the monopoly which produces the sugar product should not prevent us from dealing fairly with the basic industry itself.

Mr. THOMAS. Mr. President, with the permission of the Senator, I will say that I am coming to that feature of the situation pretty soon; but I have reached the point where I can not distinguish between the farmer who waters his stock and may therefore need protection and the beet company that waters its stock because of protection.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I yield to the Senator from Idaho.

Mr. BORAH. In the interest of the rule and precedent, I ask that the Senator from Colorado be permitted to proceed by unanimous consent.

The PRESIDING OFFICER. The Senator from Colorado will be allowed to proceed by unanimous consent.

Mr. THOMAS. Mr. President, I am very grateful to my friend from Idaho, but if I properly understand the present parliamentary situation, the recent appeal of the Senator from Mississippi [Mr. WILLIAMS] from the ruling of the Chair upon that subject has smashed all previous records and leaves us at liberty to conduct ourselves as we please.

The PRESIDING OFFICER. The present occupant of the Chair feels that he is bound by that rule, but, by unanimous consent, the Senator may proceed.

Mr. THOMAS. Mr. President, the Senator from Nevada is concerned, and very properly so, for the beet raiser. So am I. He is the man whom I would fain protect, if protection is necessary, and he needs it, but he needs it from the refiners and not from the Congress of the United States; he needs it from the only customer that he has, not from legislation that we may enact; and if we enacted it, Mr. President, it would not amount to much for him, because, as I have stated, all, or nearly all, such legislation designed for the ultimate producer fails usually to realize the hopes of its advocates.

Now, my friend the Senator from Nevada perhaps does not know that, although the price of sugar has advanced from about 4 cents to nearly 8, and will go to 10 cents, although the surpluses of the refiners have advanced from $2,000,000 and $4,000,000 and $5,000,000 to $5,000,000, $10,000,000, and $20,000,000; that, although their common stock has advanced from $4 and $10 and $15 up to $100 and $150 and $205 per share, there has been no increase in the prices paid to the Colorado farmer for his beets, and not very much anywhere. The farmer of my State makes to-day what he did before. Rising markets mean nothing to him.

In order to demonstrate this, I shall read a couple of letters which I have received from gentlemen fully acquainted with the conditions in my State. I wanted first-hand information about it before making the statement, and so I wrote them. One is from Mr. Albert Dakan, the attorney of the Beet Growers' Association. His letter is dated March 24, and he says:

> Answering yours of the 20th instant, there has been no advance made to the beet grower of northern Colorado by the Great Western Sugar Co. in its 1916 contract. The new contract is the same in price paid for beets as that of 1915.

The other is from Mr. John A. Cross, for many years sheriff of his county, afterwards State senator, and at present postmaster at Loveland, Colo., where one of the great factories of the Great Western Co. is situated. His letter is dated March 23, and is as follows:

> DEAR FRIEND THOMAS: Yours received to-night. The Great Western Sugar Co.'s contracts for beets for 1916 are for just the same price that they paid last year; and they paid their laborers at the factory during the last campaign the very lowest wages that they could get men to work for, and we shorthanded much of the time, and worked their men very hard. They keep their expenses for labor and production down to the very lowest possible point, while they are making their millions every year.

O Mr. President, if my friend the Senator from Nevada could enact a system of tariff legislation which would be carried past the manufacturer and benefit the man who toils in the field, so that it might shower its blessings upon his product, I would gladly join him; but this sugar tariff is all absorbed long before it reaches the grower.

Now, what is the spectacle? The farmers, working from sunrise to sunset, during the storm and heat and changeable weather conditions, with the expense of living rising in all directions, with fair knowledge of the fact that the company which constitutes his only customer is prospering as such institution never prospered before, must content himself with practically the same compensation, and that barely sufficient to pay the actual cost of production. My recollection, Mr. President—I may not state it accurately—is that it requires about 12 tons of 15 per cent beets to the acre to pay the cost of the farmer's production. What he gets above and beyond that is profit; but that does not take into consideration interest upon his capital or the value of his farm.

Mr. President, paralleling these conditions here, let me turn for a moment to those which prevail in the countries at war. The Government of France has fixed the price which the farmer shall receive for beet roots at $9.65 per ton. The average here is $5.50. In Austria-Hungary the price is fixed at $8.12 per ton minimum. In Belgium—even in poor, desolated Belgium—the German authorities have stipulated a price of $8.49 per ton. Our Department of Agriculture shows that the average price which the farmer receives in this country is $5.54, less than the average paid in Germany prior to the war; and yet these concerns, bursting and bulging with enormous and incalculable profits, declare that they can not exist unless we continue the protective duty of 1 cent a pound, which means an added cost of a necessity of life of $86,000,000 per year to the consumers of this country.

Mr. President, I want to advert now to a phase of the subject of labor cost which I should like my friend, the junior Senator from Iowa [Mr. KENYON], to hear, but unfortunately he is not in the Chamber. He has taken a great and laudable interest in the antichild labor bill. He has given the subject great consideration, and is the chief advocate of that measure in this body. His whole heart is in the subject, but his attention has been directed so far, chiefly if not entirely, to the conditions of child labor in the factories of the country, and particularly in the factories of the South. I want to emphasize the fact that, notwithstanding the profits of this industry, notwithstanding its great and unexpected prosperity, child labor is conspicuous in the beet fields of Colorado. It is one basis of productive energy to as great, if not a greater, extent than before the war, and certainly to as great a degree as child labor has ever been exploited in the Southern States.

I shall read, Mr. President, an article from a newspaper, the Denver News, which is entirely devoted to the features of the House bill now under consideration, and which does not approve the position which I, as a Senator from Colorado, occupy toward it.

A few days ago the Rocky Mountain News—I think it was the 12th of March—published an article entitled "Labor in fields retards pupils. Child-labor committee report estimates 5,000 children work in beet industry."

That is in my State, but one of the many Commonwealths engaged in this industry. I will read the article:

> Five thousand children are reported to be working in the beet fields of Colorado during the growing season of each year, according to figures given out last week by the national child-labor committee. School-teachers and the national child-labor committee, as well as other authorities, have been gathering information on this subject for some years, a part of which has been made into reports.
>
> The committee declares that the children are overworked in the fields, so much so that their progress in their studies is seriously hampered.
>
> The children are used principally in caring for the beets while they are growing. The farmer who contracts with the beet-sugar factory to grow a certain number of acres is told that he must place a proportionate number of persons upon the tract. If he has 20 acres, he will require a certain number of laborers; if 40 acres, he must have twice the number. The work of thinning, cultivating, topping, and irrigating the beets is done by contract, the head of a family being paid a certain price per acre—from $18 to $20—for the work.

The first subhead is:

> SIX-YEAR-OLD CHILDREN WORK.
>
> Russian men usually contract to do the work, and when the farmer looks about for some one to engage for the summer, he inquires for a family with the number of members to correspond with that required for the work. Ordinarily the contract is made for a father, mother, and children to make up the required number.
>
> The age of the children is said to be taken into consideration under the contract, and those of tender years are not expected to do any of the field work. But the real working of the system is declared, both by teachers in the Denver public schools and by others who have investigated the matter, to be that the children of 6 years are sent into the fields. Those from 8 to 10 are said to be employed constantly during the weeding, thinning, and topping seasons.
>
> An investigator states that he had found the practice has been for work to commence in the fields as early as 3 o'clock in the morning, when the first sign of day begins to peep in from the east.

Six-year-old children at 3 o'clock in the morning begin their daily toil.

The next subhead is:

SEVENTEEN HOURS OF LABOR.

At 7 o'clock the workers have breakfast, sometimes going to the "Russian house" for it and sometimes it being served in the fields, so that the labor does not cease. Again at noon the workers are fed in the same way, being allowed a half hour for that purpose. They take their supper at about 6 o'clock and return to their labors, staying out in the fields until 8 o'clock at night, or even later.

The average hours of work for children in the fields is declared to be about 17 during the busiest seasons.

One abuse of the system that investigators say they have discovered results in a charge of peonage. This is that if the family desiring to take a contract for the handling of the beets upon a farm is not as large as required under the rules, the head of the house hires children from other families.

Sometimes the farmer does the managing himself, hiring men, women, and children to do the actual labor.

I am satisfied, Mr. President, that this statement does not apply to the American farmer. A great many of the farm workers in the beet field, who are emigrants from Russia, Bohemia, and other countries, having acquired money sufficient to make an initial payment, purchase lands of their own and engage largely in the work of raising beets and work their children upon their farms. Such is my information.

The work of thinning and weeding is done on the knees, usually in soil that was irrigated the day before or maybe only a few hours before, and is wet and cold.

Denver teachers who have had charge of children used in the fields during the summer state that the work keeps the youths out of school during two months of the year set apart for their education. The teachers also say that children come in from the fields so worn out as to be unable to do satisfactory studying for several weeks. The effect is that they practically lose about four months of the school year, and are kept in grades twice as long as those who are able to attend regularly.

One teacher in the Denver schools received the following letter from a pupil who had been hired from a city family to do work in the fields during the summer:

"DEAR TEACHER: It is rainy to-day so I could write you a letter. We was working very, very hard the last two weeks, and we did work last Sunday, too, because beets grow so fast.

"We get up in the morning 3 o'clock every day and we work till 12 o'clock, then we have our dinner about half an hour, and then we go to work till 7.15, so we worked about 15 or 16 hours. Oh, it's too hard! I wish I didn't have to go any more to work beets and could spend my time in school. School is what I like, but I have to make my living to work so hard."

The next subhead is:

WALKS 80 MILES ON KNEES.

"Four of us worked 60 acres of beets, and in this month I have to walk on my knees 80 miles, and thin the beets at the same time, and to hoe that 80 miles, it takes me to do it about 34 days. I get $6 an acre to block and thin, so I make $90. But it's too hard to walk that 80 miles on your knees on hot summer days. I get sleep about six hours a day, and you know it isn't enough for that kind of job.

"Soon as I lay in a bed I am sleeping in about three minutes, and I never wake up until our clock strikes to alarm. I am glad it's raining to-day so I could rest a little. I am going to make our dinner now, and after dinner I am going to sleep.

"I tell you everything about hard work when I come to Denver."

The report of the National Labor Committee says that the children between 7 and 15 employed yearly in the sugar-beet fields of Colorado, according to estimates made by the superintendent of schools, lose two or more school months as a result.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Ohio.

Mr. THOMAS. I yield to the Senator.

Mr. POMERENE. What discount is given by the sugar mills out there upon the sugar which is consumed by these little children?

Mr. THOMAS. Alas! Mr. President, no discount is given, either to them or to anybody else. These companies are absolutely democratic when it comes to discounts. All consumers look alike to them.

SCHOOL WORK SERIOUSLY AFFECTED.

That the loss of schooling seriously affects the progress of the beet workers in school is shown by the fact that the average per cent of retardation among the beet workers is 53 per cent as compared with an average of 20 per cent for the nonbeet workers, says the report.

The work the children do in "pulling" and "topping" the beets involves great physical strain when continued for 12 hours a day throughout the harvesting season.

The report states that compared with the total number of persons engaged in beet culture, the number of children under 14 employed is small, and that therefore the industry would not suffer if they were eliminated.

The compulsory education law is not enforced in the beet sections, and the report recommends the reorganization of the school system on a county unit instead of a district basis to secure enforcement of the law by removing it from local influence, and thus control the employment of children in the beet fields

Mr. SMOOT. Who is the author of the letter? Will the Senator say?

Mr. THOMAS. This is taken from the Rocky Mountain News of March 12. It is attributed to "inquiries made by the national child-labor committee of school teachers as well as other authorities."

Mr. SMOOT. I do not know how it is in Colorado or the other States, but I do know that the laws in my State compelling children to go to school are absolutely enforced.

Mr. THOMAS. Mr. President, of course I accept the Senator's statement; and yet I think he will admit that children are employed to work long hours in the beet fields of Utah just as they are in the other beet-sugar States of the West.

Mr. SMOOT. Mr. President——

Mr. SMITH of South Carolina. Mr. President——

Mr. THOMAS. I yield to the Senator from South Carolina. I will yield to the Senator from Utah in just a moment.

Mr. SMITH of South Carolina. I simply wanted to ask the Senator from Colorado if the supervision of these children is included in the Keating child-labor bill?

Mr. THOMAS. The Senator must answer his own question, because I think he knows more about that bill than I do, as I have not yet read it. My impression, however, from the discussion which accompanied the remarks of the Senator from Iowa [Mr. KENYON] is that it does not include agricultural laborers.

I now yield to the Senator from Utah.

Mr. SMOOT. I will simply say to the Senator, in answer to what he has stated, that the children in the State of Utah do work in the beet fields for the thinning of beets only. It is the easiest work that a child can do. It is the most healthy work that a child can do, because he is out of doors. They are all paid so much per row. I have never heard anybody, either a parent or anyone else in the State, complain of the work; but I do know that it is a most profitable work for a child, and has done a great deal of good toward keeping children off the street, and has brought in a fair income to the child; and in many cases it is the means of starting a savings account that grows each year.

Mr. THOMAS. Will the Senator inform me how many hours the children work in his State?

Mr. SMOOT. I do not think they work over eight or nine hours a day. Mr. President—none that I know of.

Mr. THOMAS. I am glad to know that.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Ohio?

Mr. THOMAS. I do.

Mr. POMERENE. Is the number of hours limited by statute in the Senator's State as to child labor on the farms?

Mr. SMOOT. No; not on the farms.

Mr. POMERENE. Or in the beet fields?

Mr. SMOOT. But I will say this to the Senator: In our State the children mostly help the father upon the farm. So many of them are beet growers. They all have small patches to cultivate. There are no great, large acreages of beets grown in the State of Utah. Some of them have an acre, some of them 2, hardly any of them above 10 acres. The father takes the children with him during the thinning of the beets, and the children thin the beets while he is doing the other necessary hard work in connection with the cultivation of the beets.

Mr. THOMAS. Mr. President, I am very glad to learn that the State of Utah seems to be a shining exception to this situation, and I wish its example could be copied, and copied at once, by the adjoining States. In my State, and I think in some of the others, the work to which I am now referring is done largely by Mexicans and their children, by Russians and their children, by Bohemians and their children. They work in colonies, living somewhere in the towns during the winter season, and exploiting the beet fields in companies during the summer.

As to the extent to which this practice goes, I am unable to say; but I feel sure that in the State from which I hail, which yields one-third of all the beet sugar produced in the United States, whose refiners are to-day the owners of more millions than they ever imagined in their wildest dreams of accumulation, do not stand very well before the American public in pleading for a continuation of this tax, when it is evident that they not only pay the farmer no more for his beets than they did before, they not only do not pay their factory workers any more than they did before, but they obtain the benefit of, if they are not directly responsible for, the exploitation of little children working 14 to 17 hours a day in the production of the crop which is essential to their industry. They do not appeal to me, Mr. President, in the light of these facts, even if it were necessary that we should tax 100,000,000 people indefinitely, to the end that they may continue to prosper.

I have said more perhaps than I had intended to say upon this subject. I felt it my duty to give expression to my views with regard to the expediency of this proposed legislation, largely because I represent in small degree that section of the

country which is interested in the subject. I believe that these facts should be laid before the public in order that they may properly judge of the wisdom or propriety of our action in postponing the operation of this law.

Mr. President, the enormous profits which these companies are reaping from our people through the agonies of Europe, and the consequent change of business conditions, pay but little of the taxes levied for the support of the States where they operate, and practically none at all upon their surplus. Those with which I am familiar are organized in the State of New Jersey, where their tax is regulated with regard to the amount of their capitalization. The taxes which they pay in my State are paid upon their visible property. I think the only tax which they pay upon their vast accumulations of money is the 1 per cent exacted by our Federal income-tax law.

We need revenue, Mr. President, and need it badly. We are going to expand the area of our expenditures, and therefore we shall be obliged to increase taxation far beyond its present extent. I believe that a tax of 5 per cent upon these enormous profits, or 10 per cent, if you please—a tax upon the accumulated wealth of the country—is far more just and far more desirable at this supreme moment in the national affairs than the extension of a tax upon an absolute necessity of life, only one half of which we realize; the other half going to swell the millions of these big and favored institutions.

I would that it were possible to-day to substitute for the Senate bill an increase of the income tax upon these huge concerns, and thereby compel wealth to pay a more equal portion, a more just portion, of the revenues needed in the operations of our Government. The committee of which I am a member have decided otherwise. With much reluctance, I have accepted the compromise which they have offered; and if I cast my vote at all, I shall feel compelled to support it.

Mr. CURTIS. Mr. President, the chairman of the committee announced in his opening statement as one of the reasons for continuing the law the fact that the Republicans had placed sugar upon the free list in 1890. I desire to call the Senator's attention to the fact that while sugar was placed upon the free list in the act of 1890, yet, to encourage the production of beet, sorghum, or cane sugar in this country, a bounty of 2 cents a pound was to be paid upon beet, sorghum, or cane sugar produced within the United States. In addition to that there was a provision to secure reciprocal trade with countries producing and exporting sugar, molasses, coffee, and other products, and if any country failed or refused to enter into satisfactory arrangements with this country the importation of sugar from that country should pay a duty.

In 1890 the production of beet sugar in this country amounted to only 2,353,568 pounds, while the production in 1915 amounted to 1,328,000,000 pounds. I think the great increase in the production of beet sugar under the protective system of the Republican Party is evidence of what may be done with that industry if it is properly protected.

I do not blame the other side for continuing this law for four years. I should be pleased if the majority would remove the limitation and agree to the House bill which repeals the law, and, for one, I shall support the House provision in preference to the Senate provision. But I am not criticizing the Senators on the other side, because they need the revenue, and need it badly.

The amount of duty collected on sugar each year has been a great addition to the revenues of the Government. In 1914 the amount collected was about $61,000,000, while the sugar imported that year upon which a duty was collected amounted to about 5,000,000,000 pounds. There were over 2,000,000,000 pounds of sugar produced in the United States and nearly 2,000,000,000 pounds were brought from the noncontiguous territories of the United States—Porto Rico, Hawaii, and the Philippines. When it is remembered that the ordinary receipts of the Government for the year ending June 30, 1915, including over $39,000,000 corporation income tax, over $41,000,000 individual income tax, and $52,000,000 emergency or war tax, amounted to over $697,000,000, and the ordinary disbursements for that year amounted to $731,000,000, which left a deficit for the year of over $33,000,000, it is not surprising that the Democratic majority should desire to have the benefit of a duty on sugar. They need it, and need it badly.

It must be remembered that the deficit for the fiscal year to date is nearly $53,000,000, and it is estimated that it will amount to over $64,000,000 by June 30, 1916; and it is estimated by the department that the excess of appropriations, exclusive of deficiencies and miscellaneous, over estimated revenues for the year ending June 30, 1917, will amount to over $366,000,000, and the increased estimates for 1917 over the same for 1916 amount to more than $195,000,000. It will be noticed that the deficiencies have been excluded from the estimates by the department; and you will agree that it is wise to exclude them when you remember that this administration has already presented three emergency deficiency measures at this session of Congress, when heretofore one such measure has usually answered the purpose of the department at one session.

Personally I am very sorry that the Senate Committee on Finance amended the House bill and limited its operation to four years. I should like to see a duty on sugar, for I believe in protecting that industry, and believe that if properly protected it will not be long until all the sugar consumed in the United States will be produced in this country. The great increase in the production of beet sugar justifies this prediction. Ten years ago there was produced in the United States only about 600,000,000 pounds of beet sugar, while in 1914 the production amounted to over 1,000,000,000 pounds.

The chairman of the committee stated that this additional revenue was needed, and left, or at least tried to leave, the impression that it was because of the great decrease of revenues collected and the conditions brought about by the war. An examination of the reports of the Secretary of the Treasury will show that under the change the loss in revenue from customs in 1915, as compared with 1913, was only $109,000,000, while there was collected in corporation income tax, individual income tax, and emergency or war-revenue tax $133,262,884 in the year 1915. It seems to me that, instead of laying this matter upon the war, Senators on the other side ought to be honest and say that it is brought about by the mistake they made when they wrote the Underwood law upon the statute books of this country.

I shall vote for the House bill because I believe in the American system of protection; and if the Senators on the other side were fair in their contention instead of voting for this measure they would do what was suggested by the Senator from Colorado a few moments ago and lay the duties upon some other articles. I congratulate the majority in coming over at least to four years of protection; and I hope that before the vote occurs to-morrow they will agree to the House bill and let it go through instead of supporting the Senate amendment, which continues the duty on sugar for four years.

Mr. SMOOT obtained the floor.

Mr. CURTIS. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Husting	Oliver	Smith, Ga.
Brandegee	Johnson, Me.	Overman	Smith, Mich.
Broussard	Jones	Owen	Smoot
Bryan	Kenyon	Page	Sterling
Burleigh	La Follette	Phelan	Sutherland
Chamberlain	Lane	Pittman	Swanson
Chilton	Lewis	Poindexter	Thompson
Clapp	Lippitt	Pomerene	Tillman
Clark, Wyo.	Lodge	Reed	Underwood
Colt	McCumber	Robinson	Vardaman
Curtis	Martin, Va.	Saulsbury	Wadsworth
Gallinger	Martine, N. J.	Sheppard	Warren
Hardwick	Myers	Sherman	Williams
Hitchcock	Nelson	Shields	Works
Hollis	Newlands	Simmons	
Hughes	Norris	Smith, Ariz.	

Mr. SMITH of Michigan. I desire to announce the unavoidable absence of my colleague [Mr. TOWNSEND], who is detained from the Senate on account of illness in his family. I should like to have this announcement stand for the day.

The PRESIDING OFFICER. Sixty-two Senators have responded to their names. A quorum is present.

Mr. SMOOT. Mr. President, the unanimous-consent agreement provides that the vote shall be taken not later than 5 o'clock to-morrow upon the pending bill. I wish to say to the Senator from North Carolina that I understand there are some Senators who desire to speak to-morrow. I do not particularly care if I speak this afternoon or not, or whether I speak at all. The Senator from Massachusetts [Mr. LODGE] I think wants to be heard and we shall have ample time to-morrow to dispose of the bill. I ask unanimous consent that the Senate proceed to the calendar under Rule VIII and consider bills to which there is no objection.

Mr. SIMMONS and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. WILLIAMS. I rose to respond to the request for unanimous consent.

Mr. SIMMONS. I wish to state that if there is any Senator on either side of the Chamber who desires to speak upon the pending bill I will object to the request of the Senator from Utah, but if there is no Senator who desires to speak I would not feel disposed to object.

Mr. WILLIAMS. If the Senator from Utah will ask unanimous consent simply to take up the calendar, I shall not object, but if he asks unanimous consent to consider only such bills as are upon the calendar that no Member shall choose to object to I shall object to that request.

Mr. SMOOT. I wish to state to the Senator from Mississippi that there are 18 pages of bills now on the calendar to be considered under Rule VIII. At least 99 per cent of them could probably be passed this afternoon if we proceed to the calendar under Rule VIII and consider only unobjected cases, but if we proceed under Rule VIII the very first bill on the calendar is a bill to provide for stock-raising homesteads, and for other purposes, and no doubt it would take the afternoon to dispose of that bill and perhaps longer.

Mr. WILLIAMS. That is not the effect of my objection. My objection to this method of proceeding is that whenever there is any bill of any real importance upon the calendar to which one, two, three, four, or five Senators may object, but to which, it is hoped, a majority of the Senators would not object, and which might be passed, it is passed over from day to day indefinitely and is never considered, and the only measures that are taken up are local bills of one sort and another in which no one is interested except those in the neighborhood or from the particular State or section, and they are gotten out of the way, while if a bill is of some importance and you get it off the calendar you have something off the calendar finally. We ought, in fact, in this body to have one calendar day every week or every two weeks, at any rate, for the consideration of nothing but the calendar, and I hope the Committee on Rules, before many weeks, will report such a rule, but I shall object to merely the consideration of such bills as are not objected to. I think the power of one man in the Senate is too extensive, anyhow, and I do not care to accentuate it.

Mr. OVERMAN. If it is the Senator's idea to get a bill through to which Senators object, we would not make any headway with the calendar. We would continue just on that one bill.

Mr. WILLIAMS. If we are to go to the calendar this afternoon, it ought to be for the consideration of some of the important bills that are upon the calendar.

Mr. SMOOT. If the Senator from Mississippi is going to object there is no need of discussing it further. I wish to say to the Senator that many bills on the calendar must go to the House and be passed by the House, and if bills to which there is objection are held back here there may not be any action on those measures to which there is no objection, and I fear the legislation will fail in the House.

Mr. WILLIAMS. I will not object to them when they are reached in regular order.

Mr. SMOOT. Do I understand that the Senator from Mississippi objects?

Mr. WILLIAMS. I think the Senator understands it.

The PRESIDING OFFICER. Objection is made.

Mr. SIMMONS. I understand that the Senator from Massachusetts is going to take the floor.

Mr. LODGE. No; I have no desire to make a speech on the sugar bill. At the appropriate time I intend to offer as an amendment a provision in regard to dyestuffs. I shall not debate it at any length. I will offer that amendment now and ask that it be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. It is proposed to amend the bill by inserting the following:

That on and after the day following the passage of this act there shall be levied, collected, and paid upon the articles named herein when imported from any foreign country into the United States or into any of its possessions, except the Philippine Islands and the islands of Guam and Tutuila, the rates of duties which are herein prescribed, namely:

DUTIABLE LIST.

First. All products of coal, produced in commercial quantities through the destructive distillation of coal or otherwise, such as benzol, toluol, xylol, cumol, naphthalin, methylnaphthalin, azenaphten, fluorin, anthracene, phenol, cresol, pyridin, chinolin, carbazol, and other not specially provided for and not colors or dyes, 5 per cent ad valorem.

Second. All the so-called "intermediates" made from the products referred to in paragraph 1, not colors or dyes, not specially provided for, 3½ cents per pound and 15 per cent ad valorem.

Third. All colors or dyes derived from coal, 7½ cents per pound and 30 per cent ad valorem.

FREE LIST.

Fourth. Acids: Acetic or pyroligneous, arsenic or arsenious, chromic, fluoric, hydrofluoric, hydrochloric or muriatic, nitric, phosphoric, prussic, silicic, sulphuric or oil of vitriol, and valerianic.

Fifth. Coal tar, crude, pitch of coal tar, wood or other tar, dead or creosote oil.

Sixth. Indigo, natural.

SEC. 2. That paragraphs 20, 21, 22, and 23 of Schedule A of section 1 of an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved 9 o'clock and 10 minutes p. m. October 3, 1913, and paragraphs 387, 394, 452, and 514 of the "free list" of section 1 of said act, and so much of any heretofore existing law or parts of law as may be inconsistent with this act are hereby repealed.

Mr. LODGE. I move that as a new section to be added to the amendment proposed by the committee.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SMOOT. I move that the Senate proceed to the consideration of Order of Business 222 on the calendar, being the bill (S. 4856) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. SIMMONS. Mr. President, I wish to inquire of the Senators on the other side of the Chamber if there is any objection to our proceeding to vote upon the amendment to the sugar bill and upon the bill now. Under the unanimous-consent agreement we are to vote not later than 5 o'clock to-morrow. I assume that we could consistently with the rule vote now, and I do not see any reason, if no Senator is ready to speak, why the matter should be put over until to-morrow in order to enable Senators to speak. Why should we not vote now?

Mr. SMOOT. I understand that there are one or two Senators who intend to speak briefly on the bill, but they are not here to speak now and they will be ready to speak to-morrow. Of course the discussion of the Army bill could be carried on until 5 o'clock to-morrow, but I want to assure the Senator that there is no intention whatever to delay the passage of the bill. The only object that I have in the world is to occupy the time of the Senate profitably during the afternoon in passing bills upon the calendar.

Mr. SMITH of Georgia. Mr. President, it does seem to me, if we intend to pursue that course, we should begin at the top of the calendar, and dispose of bills which are near the top of the calendar first.

Mr. SMOOT. We would not dispose of them this afternoon.

Mr. SMITH of Georgia. It would begin the disposition of them.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The question is on the motion of the Senator from Utah.

Mr. WILLIAMS. Would a motion to proceed to the calendar take precedence of the motion made by the Senator from Utah to pick out a particular bill on the calendar and proceed to its consideration?

The PRESIDING OFFICER. The Chair will inquire of the Senator from North Carolina [Mr. SIMMONS] if he proposes to lay aside what is known as the sugar bill?

Mr. LODGE. That is not the unfinished business.

Mr. SIMMONS. That is not necessary, I think, because under the unanimous-consent agreement we shall have to vote on the bill to-morrow evening not later than 5 o'clock.

The PRESIDING OFFICER. The motion of the Senator from Utah is first in order.

Mr. WILLIAMS. Mr. President, a parliamentary inquiry. Does not a motion to proceed to the consideration of the calendar take precedence of a motion to pick out a particular bill on the calendar out of its order and proceed to its consideration?

The PRESIDING OFFICER. The Chair holds that the motion of the Senator from Utah is first in order.

Mr. WILLIAMS. Then I offer as a substitute for the motion of the Senator from Utah a motion that the Senate proceed to the consideration of the calendar.

Mr. SMOOT. That motion can not be made under the rule.

The PRESIDING OFFICER. The motion of the Senator from Mississippi can not be entertained, it being against the rule. The question is on the motion of the Senator from Utah.

Mr. CHAMBERLAIN. Mr. President, a parliamentary inquiry. The motion will not have the effect to displace the unfinished business?

The PRESIDING OFFICER. The Chair understands that it does not.

Mr. CHAMBERLAIN. I have no objection, then.

Mr. WILLIAMS. Is it not in order to substitute for the motion of the Senator from Utah a motion to proceed to the calendar?

The PRESIDING OFFICER. The Chair thinks not, under the rules of the Senate.

Mr. SMITH of Georgia. Mr. President, I suggest the absence of a quorum.

Mr. CLAPP. Mr. President, a point of order. There has been no business transacted since the last call.

The PRESIDING OFFICER. No business having been transacted since the last call of the roll, the question raised by the Senator from Georgia can not be entertained.

Mr. WILLIAMS. Does the Chair rule that it is not in order for me to substitute for the motion of the Senator from Utah a motion to proceed to the consideration of the calendar?

The PRESIDING OFFICER. Under the rules the motion of the Senator from Mississippi is not in order until the motion of the Senator from Utah is disposed of.

Mr. WILLIAMS. Even to substitute one bill for another?

The PRESIDING OFFICER. The Chair thinks that under the rules of the Senate that can not be done. The question is on the motion of the Senator from Utah.

Mr. WORKS. Mr. President, a parliamentary inquiry. I understand the unfinished business was laid aside for the sole purpose of considering the sugar bill. If that be so, I make the point of order that we should go back to the consideration of the Army bill.

The PRESIDING OFFICER. The Army bill was laid aside, and it is the unfinished business. The question is on the motion of the Senator from Utah. [Putting the question.] The Chair is in doubt.

Mr. SMOOT. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. For that reason I withhold my vote.

Mr. JOHNSON of Maine (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. GRONNA]. In his absence I withhold my vote.

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. MCLEAN]. As he is absent, I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Maryland [Mr. LEE] and vote "nay."

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. He is absent on important business, and I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from New Jersey [Mr. HUGHES], and I vote "nay."

The roll call was concluded.

Mr. JOHNSON of Maine. I transfer the pair which I have heretofore announced to the junior Senator from Nevada [Mr. PITTMAN], and I vote "yea."

Mr. BRYAN (after having voted in the negative). I transfer my pair with the junior Senator from Michigan [Mr. TOWNSEND] to the junior Senator from Tennessee [Mr. SHIELDS] and allow my vote to stand.

Mr. LEWIS. I wish to announce the absence of the Senator from New York [Mr. O'GORMAN], he having been called to New York on official business.

Mr. CHILTON. I have a pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Indiana [Mr. KERN] and vote "nay."

Mr. DILLINGHAM (after having voted in the affirmative). I inquire if the senior Senator from Maryland [Mr. SMITH] has voted?

The PRESIDING OFFICER. The senior Senator from Maryland has not voted.

Mr. DILLINGHAM. Then I will withdraw my vote, having a general pair with that Senator.

Mr. OWEN. Has the Senator from New Mexico [Mr. CATRON] voted?

The PRESIDING OFFICER. He has not voted.

Mr. OWEN. I withhold my vote, being paired with that Senator.

Mr. CURTIS. I wish to announce that the Senator from New Mexico [Mr. CATRON] is paired with the Senator from Oklahoma [Mr. OWEN];

The Senator from Delaware [Mr. DU PONT] with the Senator from Kentucky [Mr. BECKHAM];

The Senator from Idaho [Mr. BRADY] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

The result was announced—yeas 36, nays 24, as follows:

YEAS—36.

Borah	Curtis	Martine, N. J.	Simmons
Brandegee	Johnson, Me.	Nelson	Smith, Mich.
Broussard	Jones	Norris	Smoot
Burleigh	Kenyon	Oliver	Sterling
Chamberlain	La Follette	Page	Sutherland
Clapp	Lane	Poindexter	Thompson
Clark, Wyo.	Lippitt	Pomerene	Wadsworth
Colt	Lodge	Saulsbury	Warren
Cummins	McCumber	Sherman	Works

NAYS—24.

Bryan	Martin, Va.	Sheppard	Swanson
Chilton	Overman	Shields	Taggart
Hardwick	Phelan	Smith, Ariz.	Thomas
Hollis	Ransdell	Smith, Ga.	Tillman
Husting	Reed	Smith, S. C.	Vardaman
Lewis	Robinson	Stone	Williams

NOT VOTING—36.

Ashurst	Fall	James	Owen
Bankhead	Fletcher	Johnson, S. Dak.	Penrose
Beckham	Gallinger	Kern	Pittman
Brady	Goff	Lea, Tenn.	Shafroth
Catron	Gore	Lee, Md.	Smith, Md.
Clarke, Ark.	Gronna	McLean	Townsend
Culberson	Harding	Myers	Underwood
Dillingham	Hitchcock	Newlands	Walsh
du Pont	Hughes	O'Gorman	Weeks

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4856) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

It proposes to pension the following persons at the rate given:

Nettie Johnson, widow of John W. Johnson, late of Company F, One hundred and fifty-fifth Regiment Indiana Volunteer Infantry, $12 per month.

John George Bauer, late of Company G, Fifth Regiment Iowa Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

Corda P. Gracey, widow of Samuel L. Gracey, late chaplain Sixth Regiment Pennsylvania Volunteer Cavalry, and former widow of Harrison O. Pratt, late of Company M, First Regiment Massachusetts Volunteer Heavy Artillery, $12 per month.

Elizabeth Propson, widow of John Propson, late of Company I, One hundred and twenty-eighth Regiment New York Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Sarah E. Marsh, widow of Charles H. Marsh, late of Company D, First Regiment Connecticut Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

Cecilia Murphy, widow of Charles Murphy, late of Battery M, Third Regiment New York Volunteer Light Artillery, $20 per month in lieu of that she is now receiving.

Andrew H. Nichols, late of Company C, Second Regiment Connecticut Volunteer Heavy Artillery, $36 per month in lieu of that he is now receiving.

Mary E. Norton, widow of Silas M. Norton, late of Company K, Sixteenth Regiment Connecticut Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Ann Odell, widow of Thomas Odell, late of Company K, Twentieth Regiment Connecticut Volunteer Infantry, $20 per month in lieu of that she is now receiving.

William R. Latimer, late of Company F, Fourteenth Regiment Connecticut Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Rebecca L. Lapaugh, widow of John D. Lapaugh, late of Company C, Sixteenth Regiment Connecticut Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Lide Smith, widow of Albert G. Smith, late of Company F, Fifty-second Regiment Illinois Volunteer Infantry, $12 per month.

Alice R. Hutchinson, widow of Henry A. Hutchinson, late of Company B, Eleventh Regiment Rhode Island Volunteer Infantry, $12 per month.

Mary Pritchard, widow of Claudius B. Pritchard, late of Company I, Second Regiment Minnesota Volunteer Infantry, and former widow of John Pelas, late of Company G, Fourth Regiment Wisconsin Volunteer Cavalry, $12 per month.

Henry Brown, late of Company B, Fifth Regiment, and Company A, Seventh Regiment, Delaware Volunteer Infantry, $21 per month.

Moses Green, late of Company B, Fourteenth Regiment Michigan Volunteer Infantry, $30 per month in lieu of that he is now receiving.

George E. Newall, late first lieutenant Company A, Eighth Regiment Michigan Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Alice Quigley, widow of Charles Quigley, late of Company G, Tenth Regiment Michigan Volunteer Infantry, $12 per month.

Winifred Whitney, helpless and dependent child of Adrial L. Whitney, late of Company C, First Regiment Maine Volunteer Light Artillery, $12 per month.

Marie A. Smith, widow of Lawrence Smith, late of Company K, Thirty-ninth Regiment Wisconsin Volunteer Infantry, $12 per month.

Elizabeth S. Chaplain, former widow of John W. Minton, late of Company C, Fifteenth Regiment Illinois Volunteer Cavalry, and widow of Charles Chaplain, late of Company A, Fortieth Regiment Illinois Volunteer Infantry, $12 per month.

Ellen Edwards, widow of Presley Edwards, late of Company H, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Francis M. George, late of Company I, One hundred and fifty-fourth Regiment Illinois Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Harvey W. Hoover, late of Company A, First Regiment Mississippi Marine Brigade Volunteer Infantry, $30 per month in lieu of that he is now receiving.

John Fry, late of Company G, Eighty-ninth Regiment Indiana Volunteer Infantry, $36 per month in lieu of that he is now receiving.

John M. Davidson, late of Company I, Ninety-first Regiment, and Company F, One hundred and twentieth Regiment Indiana Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Justine M. Thrift, widow of William H. Thrift, late of Company D, Sixteenth Regiment Iowa Volunteer Infantry, and major and additional paymaster, United States Volunteers, War with Spain, $25 per month in lieu of that she is now receiving.

Samuel E. Wilson, late of Company G, Fifty-sixth Regiment Illinois Volunteer Infantry, $30 per month in lieu of that he is now receiving.

John Harper, late of Company A, Ninth Regiment Maine Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Mary J. White, widow of Albert E. White, late of Company K, Eighty-ninth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Elsie A. Platt, widow of Charles Platt, late of Company B, First Battalion Connecticut Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

Adelaide M. Tarbox, widow of George H. Tarbox, late of Company E, Eighteenth Regiment Connecticut Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Mary Whipple, widow of Lucian A. Whipple, late of Company F, Second Regiment Rhode Island Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Hannah A. Hill, widow of Robert Hill, late of Company E, Sixty-fifth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

John C. Brown, late of Company H, Eighth Regiment Tennessee Volunteer Cavalry, $36 per month in lieu of that he is now receiving.

Michael Reuss, late of Company H, Sixty-first Regiment New York Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Henry Waltz, late of Company K, Forty-sixth Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Moses Hull, late of Company D, Seventh Regiment Kentucky Volunteer Cavalry, $40 per month in lieu of that he is now receiving.

Margaret M. Lane, widow of Marion D. Lane, late of U. S. S. *Grampus, Nymph,* and *Hastings,* United States Navy, $20 per month in lieu of that she is now receiving.

William Crome, late of Company H, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, $50 per month in lieu of that he is now receiving.

James C. Green, late of Company C, One hundred and seventh Regiment Pennsylvania Volunteer Infantry, $24 per month in lieu of that he is now receiving.

John Gowland, late of Company G, Eighth Regiment, and Company M, Sixteenth Regiment Pennsylvania Volunteer Cavalry, $50 per month in lieu of that he is now receiving.

John B. Hammer, late of Company D, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Henry Lichtley, late of Company B, Fiftieth Regiment Pennsylvania Volunteer Infantry, $21 per month in lieu of that he is now receiving.

Malisa A. Sherk, widow of William Sherk, late of Company M, Fifth Regiment Pennsylvania Volunteer Cavalry, and Company F, Nineteenth Regiment Veteran Reserve Corps, $12 per month.

Fannie M. Carey, widow of Daniel W. Carey, late of Company I, and principal musicion One hundred and third Regiment New York Volunteer Infantry, $12 per month.

Nathaniel Haskell, late of Company E, Fifth Regiment Maine Volunteer Infantry, and Company B, First Regiment Maine Veteran Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Edwin J. Walton, late of Company C, First Regiment United States Volunteer Sharpshooters, $50 per month in lieu of that he is now receiving.

Robert N. B. Simpson, late of Company A, Fourth Regiment Delaware Volunteer Infantry, $30 per month in lieu of that he is now receiving.

William O'Neal, late of Company E, Forty-fifth Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Silas Blodgett, late of Company H, First Regiment District of Columbia Volunteer Cavalry, and Company K, First Regiment Maine Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

Ella A. Tyler, widow of Benjamin F. Tyler, late of Company K, Twenty-sixth Regiment Ohio Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Emma J. Beal, widow of Horace W. Beal, late of Company A, Thirteenth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

James Beaton, late of Company G, Twenty-first Regiment New York Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Mary C. Knowlton, widow of John O. Knowlton, late of Company C, Ninth Regiment Vermont Volunteer Infantry, $12 per month.

Sarah C. Greenfield, widow of John Greenfield, late of Company L, Twenty-second Regiment New York Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

James H. Moser, late of Company F, Twenty-third Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Adelia C. Macauley, widow of Orlando H. Macauley, late captain Company H, Thirteenth Regiment Kansas Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Barney Sancomb, late of Company I, Twenty-sixth Regiment New York Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

William P. Nelson, late of Company D, Seventeenth Regiment Iowa Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Marion Kilborn, late of Company I, Ninety-eighth Regiment, and Company H, Sixty-first Regiment, Illinois Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Albert J. Sprinkle, late of Company B, Eighty-first Regiment Ohio Volunteer Infantry, $24 per month in lieu of that he is now receiving.

Thomas White, late of Company E, Twenty-seventh Regiment, and Company C, Thirty-third Regiment, Indiana Volunteer Infantry, $36 per month in lieu of that he is now receiving.

James S. Meek, late captain Company H, Ninety-seventh Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Michael Demuth, late of Company G, Forty-fourth Regiment Indiana Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Benjamin Simpson, late of Company I, Fifty-first Regiment Indiana Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Aaron Benjamin Waggoner, alias Aaron Benjamin, late of Company D, Twenty-fifth Regiment Indiana Volunteer Infantry, $30 per month in lieu of that he is now receiving.

John Merchant, late of Company M, Eighth Regiment New York Volunteer Heavy Artillery, and Company G, Tenth Regiment New York Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Elmira E. Morrison, widow of James W. Morrison, late of Company C, Sixty-ninth Regiment Indiana Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Sarah J. Cadle, widow of Richard Cadle, late quartermaster Eleventh Regiment Iowa Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Ellen Temperance Smith, helpless and dependent daughter of George W. Smith, late of Company C, Fifteenth Regiment Kansas Volunteer Cavalry, $12 per month.

Carrie S. Cross, widow of Samuel K. Cross, late first lieutenant Company A, Second Regiment Kansas Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

James Hawkins, late of Company B, Third Regiment Tennessee Volunteer Mounted Infantry, $30 per month in lieu of that he is now receiving.

Martha A. Hodges, widow of James L. Hodges, late captain Company K, Third Regiment Minnesota Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Leora L. Macarey, widow of Harlow E. Macarey, late first lieutenant Company K, Twenty-eighth Regiment Michigan Volunteer Infantry, $12 per month.

Charles Leeder, late of Company C, Eleventh Regiment Illinois Volunteer Infantry, $30 per month in lieu of that he is now receiving.

John S. Allison, late of Company G, One hundred and sixth Regiment Illinois Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Ida C. Martin, widow of Edwin L. Martin, late of Company K, Fifty-seventh Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Guy Beebe, late of Company F, Seventy-third Regiment Ohio Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Ellen Lambert, former widow of Robert Lambert, late of Company F, Twenty-eighth Regiment Maine Volunteer Infantry, $12 per month.

George W. Doyle, late of Company A, Fifth Regiment Vermont Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Harvey D. Plummer, alias Harvey D. Picknell, late of Company H, First Regiment New Hampshire Volunteer Heavy Artillery, $30 per month in lieu of that he is now receiving.

Benjamin H. Whipple, late of Company B, First Regiment New Hampshire Volunteer Heavy Artillery, $30 per month in lieu of that he is now receiving.

William H. Gallup, late of Company D, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Peter Soncrant, late of Company A, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

David Moody, jr., late of Company A, Sixteenth Regiment, and Company I, Twentieth Regiment, Maine Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Alphonso W. Longfellow, late of Company C, First Regiment Maine Volunteer Sharpshooters, $36 per month in lieu of that he is now receiving.

Clara P. Boulter, widow of Eugene A. Boulter, late of Company C, Nineteenth Regiment Maine Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Christian C. Forney, late of Company F, Nineteenth Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Mary A. Moreland, widow of George W. Moreland, late of Company I, Eighty-second Regiment Indiana Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Rebecca J. Short, widow of Ferdinand E. Short, late of Company C, Thirty-fifth Regiment Illinois Volunteer Infantry, $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John L. Short, helpless and dependent child of said Ferdinand E. Short, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Rebecca J. Short, the name of said John L. Short shall be placed on the pension roll at $12 per month from and after the date of death of said Rebecca J. Short.

Mary C. Finlay, widow of Andrew Finlay, late of Companies D and K, Forty-seventh Regiment Illinois Volunteer Infantry, and former widow of John Dolman, late of Company G, One hundred and fifty-third Regiment Indiana Volunteer Infantry, $12 per month.

Annie P. Marchant, widow of Amaziah B. Marchant, late of Company H, Twelfth Regiment Rhode Island Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Henry C. Pennington, late of Company E, One hundred and eighty-fourth Regiment Pennsylvania Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Edward P. Carman, late of Company F, First Regiment Maine Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Sophronia Porter, widow of John W. Porter, late of Company K, Ninety-fourth Regiment Illinois Volunteer Infantry, $12 per month.

Mary E. B. Bruson, formerly Blackmar, late nurse, Medical Department, United States Volunteers, $20 per month in lieu of that she is now receiving.

William F. Wiley, late captain Company K, Twenty-fourth Regiment Massachusetts Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Julia C. Bradley, widow of David B. Bradley, late of Company F, Thirteenth Regiment Wisconsin Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Matilda Weger, widow of John W. Weger, late of Company F, First Regiment Oregon Volunteer Infantry, $12 per month.

Mercy A. Martin, widow of Milton Martin, late captain Company F, First Regiment Wisconsin Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

Mandana C. Thorp, widow of Thomas J. Thorp, late colonel One hundred and thirtieth Regiment New York Volunteer Infantry, $30 per month in lieu of that she is now receiving.

Mary M. Lose, widow of Daniel Lose, late of Company G, Two hundred and third Regiment Pennsylvania Volunteer Infantry, $12 per month.

Lulu S. Knight Bigelow, widow of Jonathan G. Bigelow, late captain, Eightieth Regiment, and Company K, Eighty-third Regiment United States Colored Volunteer Infantry, $20 per month, with an additional $2 per month on account of the minor child of said Jonathan G. Bigelow until she reaches the age of 16 years, said pension to be in lieu of all pension now being paid on account of the service of this soldier.

Sarah A. Hanson, widow of George H. Hanson, late of Company G, One hundred and twenty-eighth Regiment Indiana Volunteer Infantry, $25 per month in lieu of that she is now receiving.

Hugh Harbinson, late of Company B, Sixty-fifth Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Nellie S. Nason, widow of Nahum A. Nason, late of Company I, Thirteenth Regiment Maine Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Ruth A. Hazzard, widow of Robert C. Hazzard, late of Company A, Ninth Regiment Delaware Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Celina C. Smith, widow of Jesse Smith, late of Company G, One hundred and twenty-sixth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Jacob Baker, late of Company F, Sixteenth Regiment Michigan Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Herbert Wadsworth, late second lieutenant Company E, Twenty-eighth Regiment Maine Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Joanna Swander, widow of William H. Swander, late assistant surgeon Seventy-ninth Regiment Ohio Volunteer Infantry, $25 per month in lieu of that she is now receiving.

James Hanners, late of Company G, Fifth Regiment Missouri State Militia Cavalry, $16 per month.

John Stone, late of Company E, Tenth Regiment Missouri Volunteer Cavalry, $40 per month in lieu of that he is now receiving.

Eva Helena Patten, widow of Ambrose E. Patten, late of Company E, Twenty-eighth Regiment Maine Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Job D. Marshall, late of Company G, Ninth Regiment Delaware Volunteer Infantry, $24 per month in lieu of that he is now receiving.

Hiram Stevens, late of Company F, Thirteenth Regiment Maine Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Louis Badger, late of Company D, Fourth Regiment Indiana Volunteer Cavalry, $40 per month in lieu of that he is now receiving.

Martha Nutter, former widow of George D. Trembley, late of Company G, One hundred and forty-second Regiment Indiana Volunteer Infantry, $12 per month.

Erastus T. Bowers, late of Company G, Fifty-sixth Regiment Illinois Volunteer Infantry, $36 per month in lieu of that he is now receiving.

David McLean, late of Company E, Nineteenth Regiment Wisconsin Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Alonzo E. Martin, late of Company H, Fourth Regiment Maine Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Edwin W. Clark, late of U. S. S. *Sabine*, *Ohio*, and *Passaic*, United States Navy, $30 per month in lieu of that he is now receiving.

John Kern, late of Company H, Seventeenth Regiment Wisconsin Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Corydon B. Lakin, late first lieutenant Company B, First Regiment District of Columbia Volunteer Cavalry, $40 per month in lieu of that he is now receiving.

Emma J. Wamaling, widow of C. Thomas Wamaling, late acting third assistant engineer, United States Navy, $25 per month in lieu of that she is now receiving.

Thomas E. Sharp, late of Company E, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Della W. Crane, widow of James M. Crane, late of Company C, Fourth Regiment Michigan Volunteer Cavalry, and former widow of Edwin R. Clark, late captain Company B, Thirtieth Regiment Massachusetts Volunteer Infantry, $12 per month.

Elvira Louisa Kanady, widow of Sanford B. Kanady, late of Company C, Twenty-ninth Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Lorenzo D. Emory, late of Company K, Twenty-third Regiment Indiana Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Alvin E. Tennant, late of Company C, Seventh Regiment Illinois Volunteer Cavalry, $30 per month.

Nephi Owen, late of Company A, One hundred and fifteenth Regiment Indiana Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Richard H. Bellamy, late of Company C, One hundred and thirty-ninth Regiment Illinois Volunteer Infantry, $24 per month in lieu of that he is now receiving.

James M. Dailey, late second lieutenant Company E, One hundred and twentieth Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Elizabeth Holt, widow of John Holt, late of Company B, Twenty-second Regiment Indiana Volunteer Infantry, $24 per month.

Mr. JOHNSON of Maine. On page 10, I move to strike out lines 1, 2, 3, and 4, in the following words:

The name of Edwin J. Walton, late of Company C, First Regiment United States Volunteer Sharpshooters, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. JOHNSON of Maine. On page 18, I move to strike out lines 15 to 18, inclusive, in the following words:

The name of Mary E. B. Bruson, formerly Blackmar, late nurse, Medical Department, United States Volunteers, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

Mr. JOHNSON of Maine. On page 18, I move to strike out lines 19 to 22, inclusive, in the following words:

The name of William F. Wiley, late captain Company K, Twenty-fourth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the concurrent resolution (S. Con. Res. 16) to authorize the printing of the proceedings in Congress and in Statuary Hall relative to the unveiling of the statue of Henry Mower Rice.

The message also announced that the House had passed a bill (H. R. 10384) to regulate the immigration of aliens to, and the residence of aliens in, the United States, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution (No. 26) providing for the printing of 1,500 copies of the journal of the fiftieth national encampment of the Grand Army of the Republic for the year 1916, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution (No. 27) providing for the printing of 20,000 copies of the revised edition of United States bankruptcy laws, as prepared by the Committee on Revision of the Laws of the House of Representatives, etc., in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 5016) to authorize the reconstruction of an existing bridge across the Wabash River, at Silverwood, in the State of Indiana, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented the petition of C. Stanley Emery and others, citizens of Concord, N. H., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented the memorial of Herbert E. Linscott, of South Merrimack, N. H., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

He also presented a memorial of 22 citizens of Nashua, N. H., remonstrating against appropriations being made for sectarian purposes, which was ordered to lie on the table.

Mr. POINDEXTER presented a memorial of Vale Grange, No. 453, Patrons of Husbandry, of Richland, Wash., remonstrating against an increase in armaments, which was ordered to lie on the table.

He also presented a petition of the Washington State Branch, Congressional Union for Woman Suffrage, praying for the adoption of the Susan B. Anthony woman-suffrage amendment to the Constitution, which was ordered to lie on the table.

He also presented a memorial of Local Grange No. 201, Patrons of Husbandry, of Bellingham, Wash., remonstrating against any change being made in the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

Mr. BURLEIGH presented a petition of the congregation of the Congregational Church of Cumberland, Me., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. PHELAN presented resolutions of the Woman's Foreign Missionary Society of the Methodist Episcopal Church of Oakland district, Berkeley, Cal., favoring the enactment of legislation to prohibit the sale of alcoholic liquors in Porto Rico, Hawaii, and the Philippines, and also to prohibit the exportation of alcoholic liquors from the United States to Africa, which were referred to the Committee on Pacific Islands and Porto Rico.

He also presented petitions of Local Branch, International Alliance of Theatrical Stage Employees, of Oakland; of Typographical Union No. 46, of Sacramento; of Local Union, Brotherhood of Electrical Workers, of Oakland; and of Mailers' Local Union, No. 9, of Los Angeles, all in the State of California, praying for the passage of the so-called Burnett immigration bill, which were referred to the Committee on Immigration.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WADSWORTH presented memorials of sundry citizens of New York, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Rochester, N. Y., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Troy, N. Y., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

Mr. HOLLIS presented petitions of sundry citizens of New Hampshire, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. MYERS. I present a petition of Kalispell Court, Guardians of Liberty, of Kalispell, Mont., in favor of a constitutional amendment to prohibit sectarian appropriations for educational purposes and also opposing any such appropriations in the Indian appropriation bill, which I ask may be received.

The VICE PRESIDENT. The petition will lie on the table.

Mr. MYERS. I also present a petition of residents of Whitefish, Mont., in favor of a constitutional amendment to prohibit sectarian appropriations for educational purposes and also opposing any such appropriations in the Indian appropriation bill, which I ask may be received.

The VICE PRESIDENT. The petition will lie on the table.

Mr. MYERS presented the petition of A. M. S. Kindlow, of Montana, praying for an appropriation of $1,000,000 for the Flathead irrigation project, which was ordered to lie on the table.

Mr. ROBINSON presented a petition of the Common Council of San Diego, Cal., praying for the establishment of a submarine naval base at San Diego, Cal., which was referred to the Committee on Naval Affairs.

He also presented memorials of sundry citizens of South Carolina, remonstrating against the enactment of legislation to prohibit interstate commerce in the products of child labor, which were referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. SAULSBURY, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 6442) to provide for the exchange of the present Federal building site in Newark, Del., reported it without amendment.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 759) to provide for the removal of what is now known as the Aqueduct Bridge across the Potomac

River and for the building of a bridge in place thereof, reported it with amendments and submitted a report (No. 334) thereon.

MARKING OF CONFEDERATE SOLDIERS' GRAVES.

Mr. CHAMBERLAIN. From the Committee on Appropriations I report back favorably, without amendment, the joint resolution (H. J. Res. 171) to continue in effect the provisions of the act of March 9, 1906, and I ask unanimous consent for its consideration. The joint resolution has passed the House. A similar joint resolution has passed the Senate. The original act has been continued in force from year to year, and it is hoped that the work may be completed the coming year.

Mr. SMOOT. The Senator reports it from the Committee on Appropriations?

Mr. CHAMBERLAIN. Yes; it was handed to me by the chairman of the committee a couple of days ago.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read, as follows:

Resolved, etc., That the act entitled "An act to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate Army and Navy who died in northern prisons and were buried near the prisons where they died, and for other purposes," approved March 9, 1906; and continued in full force and effect for two years by joint resolution approved February 26, 1908; and for the additional period of one year by a joint resolution approved on February 25, 1910; and for the additional period of two years by a joint resolution approved December 23, 1910; and for the further additional period of two years by a joint resolution approved March 14, 1914, be, and the same is hereby, continued in full force and effect for two years from the expiration of the present continuation, March 13, 1916; and the unexpended balance of the appropriation made by said act of March 9, 1906, is continued and made applicable for expenditure during the additional period of two years herein provided for: *Provided*, That the triplicate registers provided for in the original act shall include the time and place of death of each Confederate soldier prisoner of war: *Provided further*, That the compensation of the commissioner shall be fixed by the Secretary of War.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RAILWAY LAND GRANTS IN IOWA (S. DOC. NO. 404).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 160), which was considered by unanimous consent and agreed to:

Resolved, That the papers relating to railway land grants in Iowa, transmitted in response to Senate resolution 166, Sixty-third Congress, which was submitted by the Senator from Iowa [Mr. CUMMINS] and agreed to on August 19, 1913, be printed as a Senate document, with illustrations.

DAUGHTERS OF THE AMERICAN REVOLUTION (S. DOC. NO. 392).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 161), which was considered by unanimous consent and agreed to:

Resolved, That the eighteenth report of the National Society of the Daughters of the American Revolution for the year ended October 11, 1915, transmitted to Congress pursuant to law by the Secretary of the Smithsonian Institution, be printed as a Senate document, with illustrations.

FEDERAL PROBATION (S. DOC. NO. 393).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 162), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript submitted by the Senator from Oklahoma [Mr. OWEN] on March 28, 1916, entitled "Memorial in re Federal Probation Bill (S. 1092)," by Charles L. Chute, secretary New York State Probation Commission, be printed as a Senate document.

ALLOTMENT OF INDIAN LANDS (S. DOC. 394).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 163), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript submitted by the Senator from Oklahoma [Mr. OWEN] on March 23, 1916, entitled "Memorial of Creek Nation as to Withdrawal of Certain Tribal Lands from Allotment," by R. C. Allen, national attorney for Creek Nation, be printed as a Senate document.

THE MERCHANT MARINE (S. DOC. NO. 395).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 164), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript entitled "The Farmer and the Shipping Bill," by Carl Vrooman, Assistant Secretary of Agriculture, be printed as a Senate document.

FINANCING THE FARMER (S. DOC. NO. 396).

Mr. CHILTON, from the Committee on Printing, reported the following resolution (S. Res. 165), which was considered by uninamous consent and agreed to:

Resolved, That the manuscript submitted by the Senator from Ohio, Mr. HARDING, on March 10, 1916, entitled "How to Finance the Farmer—Private Enterprise, not State Aid," by Myron T. Herrick and R. Ingalls, be printed as a Senate document.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 5427) referring certain claims against the Choctaw and Chickasaw Nations of Indians to the Court of Claims; to the Committee on Indian Affairs.

By Mr. TAGGART:

A bill (S. 5428) granting a pension to E. R. Bigham; and

A bill (S. 5429) granting a pension to Susan S. Stran (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 5430) granting a pension to Frank D. Haskell; to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 5431) granting a pension to Francis G. Schutt; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 5432) confirming a patent heretofore issued to Wapato Charley, an Indian in the State of Washington; to the Committee on Indian Affairs.

By Mr. POMERENE:

A bill (S. 5433) granting an increase of pension to Oliver Harding; to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 5434) granting an increase of pension to Albert A. Burleigh; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 5435) to amend section 4472 of the Revised Statutes of the United States, relating to the carrying of dangerous articles on passenger steamers; to the Committee on Commerce.

By Mr. PAGE:

A bill (S. 5436) granting a pension to Charlotte Goding (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 5437) to further amend the act of Congress entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," approved June 25, 1910, to extend the same to elections for United States Senators and for presidential electors, and to regulate, control, and limit campaign and other contributions and expenditures in connection with such elections, and to define corrupt practices in connection therewith, and for other purposes; to the Committee on Privileges and Elections.

By Mr. MYERS:

A bill (S. 5438) for the relief of Nels A. Levang; to the Committee on Public Lands.

By Mr. MYERS (for Mr. FLETCHER):

A bill (S. 5439) for the relief of the Southern States Lumber Co.; to the Committee on Claims.

By Mr. LEWIS:

A bill (S. 5440) to reduce night work in post offices; to the Committee on Post Offices and Post Roads.

By Mr. CHAMBERLAIN:

A joint resolution (S. J. Res. 119) to permit the issuance of medical and other supplies to the American National Red Cross for a temporary period; to the Committee on Military Affairs.

HOMESTEAD ENTRIES.

Mr. MYERS submitted an amendment intended to be proposed by him to the bill (S. 5379) validating certain homestead entries, which was referred to the Committee on Public Lands and ordered to be printed.

NATIONAL DEFENSE.

Mr. REED submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

THE UNITED STATES SUPREME COURT.

Mr. OVERMAN. Mr. President, I have an article prepared by B. F. Long, of North Carolina, which I ask may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EPITOME FROM A CHAPTER ON THE FOURTH CIRCUIT.

[By B. F. Long, of North Carolina.]

"There is nothing so powerful as truth, and often nothing so strange."

Statement in regard to the acts of Congress relating to the Supreme Court, the precedents of Presidents in appointments thereto, the ages of judges when appointed, length of service after 70 years old,

and a comparison of the fourth circuit and the three adjacent circuits, to wit, the third, the fifth, and sixth.

The Judicial Code, section 116, creates nine judicial circuits and provides—section 119—for an allotment by the Supreme Court of its members, one each, to a circuit, among the nine circuits; it provides—section 215—that the Supreme Court of the United States shall consist of a Chief Justice and eight associates justices, or nine judges, corresponding in number to the number of circuits. Although there is no mandatory provision requiring each circuit to have at all times a member of the Supreme Court appointed from the residents within its boundaries, such, nevertheless, is contemplated by the statutory allotment and assignments, and is really the spirit of the laws, for all the circuits are of equal dignity, vested with equal rights and power, and subject to the same duties, obligations, and regulations. It is therefore clear, upon the broad and just grounds of equality and equity, that one circuit shall not have two judges while a sister circuit has none.

We do not discuss the reasons, but we nevertheless state facts which are of deep concern, relative to the exclusion since 1864—51 years—of the fourth circuit (Maryland, Virginia, West Virginia, North Carolina, and South Carolina) from a seat on the Supreme Bench. Exclusion for 51 years, since the death of Taney, challenges attention and arouses inquiry. It is fair to look further and observe what has been done in these 51 years in States and circuits contiguous to the fourth on the north, south, and west of it.

During these 51 years the third circuit, adjoining the fourth on the north, has had the following members of the court:

1. William Strong, 1870–1880.
2. J. P. Bradley, 1870–1892.
3. George Shiras, 1892.
4. Justice Pitney.

During the same time the fifth circuit, on the south, has had:

1. W. B. Wood, 1880–1887.
2. L. Q. C. Lamar, 1888–1893.
3. Justice and Chief Justice White, 1894.
4. Justice Joseph Lamar.

During the same 51 years the sixth circuit, adjoining on the west, has had:

1. Chief Justice Chase, 1864–1873.
2. Chief Justice Waite, 1874–1888.
3. Edwin M. Stanton, 1869 (but did not qualify).
4. Justice Swayne, appointed in 1862, but served 17 years after 1864.
5. John Marshall Harlan, 1877.
6. Stanley Matthews, 1881–1889.
7. H. B. Brown, 1890.
8. Howell Jackson, 1893.
9. Justice Day.
10. Justice Lurton.
11. Justice McReynolds.

So it is a fact that the three adjacent circuits to the fourth have had these 19 recognitions, two full benches plus one, since the fourth has had a member.

Comparisons usually are odious, but this one is not made with such motive. It is stated only to bring to light a condition which we believe has not been called to the attention of the Executive.

If the 10 Senators of the fourth circuit, heretofore representing 9,000,000 people, had presented this status of affairs to the Executive it may be that the fourth circuit would have been restored to her rightful place amongst the sisterhood of circuits. This state of affairs evidently has been overlooked. But it is said that the 11 appointments in the sixth can be explained from the fact that so many Presidents have come from that circuit. If that is true, and a proper precedent, then the fact that the present Executive was born and reared in the fourth circuit makes it peculiarly proper for him at the proper time to restore the equilibrium. The opportunity may not come again in another half century. But, apart from this consideration, upon all the incontrovertible facts above set forth it is respectfully urged that the fourth circuit is entitled, agreeably to the manifest intention of the laws, to have a place of equality with her sister circuits.

With regard to the five States composing the fourth circuit, it may be of interest to refer to their relations to the Department of Justice before the war, when they did have recognition. In those early days Virginia was recognized on the Supreme Bench in the persons of:

1. John Blair, 1789–1795.
2. Bushrod Washington, 1798–1829.
3. P. P. Barbour, 1836–1841.
4. John Marshall, 1801–1835.
5. Peter V. Daniels, 1841–1860.

Representing a total service of 95 years. Virginia also had Attorneys General Randolph, Lee, Wirt, and Mason.

Maryland had on the bench:

1. Thomas Johnson, 1791–1793.
2. Samuel Chase, 1796–1811.
3. Gabriel Duval, 1811–1836.
4. Roger B. Taney, 1836–1864.

Representing a total service of 70 years; and as Attorneys General she had Smith, Pinkney, Taney, Nelson, Johnson, and lately Bonaparte.

South Carolina had Rutledge appointed but not confirmed, and William Johnson appointed in 1804 and served till 1834—30 years. As Attorney General she had one, Hugh S. Lagare.

North Carolina had on the bench:

1. James Iredell, 1790–1799.
2. Alfred Moore, 1799–1804.

Representing a service of 13 years only, more than seven times less time of representation than Virginia, more than five times less than Maryland, and more than twice less than South Carolina.

It is singular that North Carolina, largely the most populous of all the States in the fourth circuit and always having had lawyers and judges of eminence among her citizens, should never have had an Attorney General in the Cabinet. Indeed, it will be seen that Virginia has been represented in the Cabinet before the war 22 times, Maryland 18, South Carolina 6, and North Carolina only 4.

Coke has said it required the lubrications of 20 years to make a perfect lawyer. It has also been said it requires the attrition of 20 years to make the perfect judge. If these opinions as to the time required to effect proficiency are sound, the thoroughly equipped judge is found at about the age of 61. The opinions of great lawyers are at variance with Osierism. And so, too, is the sentiment of Homer, the greatest poet of all time, for he speaks of "a green old age, unconscious of decays that proves the hero born in better days."

But the idea has been advanced that as section 260 of the code provides the judge may resign at 70, after 10 years' service, and get full pay, that he should be barred from appointment if he is 60 or slightly over at appointment. This is a non sequitur. This has not been the custom.

There is nothing in the law compelling retirement at 70, nor providing pay unless there is a service of 10 years, nor arbitrarily or otherwise barring appointment at a certain age, nor is there a limitation restricting the discretion of the appointing power.

There is the express provision favorable to age and service at 70, and there is also an express provision which shows respect for age—section 216 of the code—which says:

"The Associate Justices shall have precedence according to the dates of their commissions or, when the commissions of two or more of them bear the same date, according to their ages."

These are all the statutory rules relating to the age of the judge.

The precedents for a century or more, established under the laws of Congress, in appointing lawyers of mature experience and age to the Supreme Bench, are in direct conflict with the notion that he should be ineligible when on the shady side of 60. Indeed, such a hard and fast rule, if followed, would bar many from Congress and from the Presidency as well. Some men are stronger at 60 than others at 40. Each particular case heretofore has been determined upon its merits. Taney was appointed at 59 and served 28½ years. Waite was appointed at 58 and served 14 years. Moore was appointed when quite young, but ill health compelled his resignation in four years.

The appointments heretofore made establish the precedents and rules of action by the Executive at variance to modern suggestions that a man should be effaced at or near 60. This contention is proven by reference to a few appointments.

The 22 appointments set forth below constitute about one-third of all the judges who served on the Supreme Bench from the foundation of that court. Dates are given as of nearest birthday:

1. Judge Lurton, appointed at 65 or 66.
2. Ward Hunt, appointed at 63 (served over 10 years).
3. L. Q. C. Lamar, appointed at 63.
4. William Strong, appointed at 62.
5. Samuel Blatchford, appointed at 62 (served over 11 years).
6. Howell Jackson, appointed at 61.
7. Justice Holmes, appointed at 61.
8. Justice Shiras, appointed at 60.
9. Chief Justice Taney, appointed at 59 (served 28½ years).
10. Thomas Johnson, appointed at 59.
11. Gabriel Duval, appointed at 59.
12. J. P. Bradley, appointed at 58 (served 22 years).
13. Chief Justice Waite, appointed at 58 (served 14 years).
14. Chief Justice Chase, appointed at 57.
15. John Blair, appointed at 57.
16. John McKinley, appointed at 57.
17. Peter V. Daniels, appointed at 57.
18. W. B. Woods, appointed at 57.
19. Stanley Mathews, appointed at 57.
20. Justice Peckham, appointed at 57.
21. Chief Justice Fuller, appointed at 56.
22. Levi Woodbury, appointed at 56.

It is a remarkable fact that 36 of the 56, the total of the predecessors of the present Chief Justice on the Supreme Bench, served periods ranging in time from 10 to 34 years, though mature in age at the date of their respective appointments. The record is a wonderful one, demonstrating the large majority to have been men sound in body and mind and capable of exacting and exalted service, virile exemplars of former days.

An examination of the record also discloses the remarkable fact that 20 of the judges of the Supreme Court—nearly one-third of all who ever served after appointment—served long periods, varying in time, after they reached 70, besides the long service before 70.

In verification of the statement their ages and names and the length of service after 70, is given as follows:

1. Chief Justice Taney served after 70 years old 17½ years.
2. Duvall served after 70 years old 12½ years.
3. Wayne served after 70 years old 10$\frac{6}{12}$ years.
4. Field served after 70 years old 10 years.
5. Marshall served after 70 years old 9$\frac{5}{12}$ years.
6. Nelson served after 70 years old 9¾ years.
7. Catron served after 70 years old 9 years.
8. Bradley served after 70 years old 8⅝ years.
9. Cushing served after 70 years old 8$\frac{11}{12}$ years.
10. Harlan served after 70 years old 8½ years.
11. Clifford served after 70 years old 7 years.
12. Smith Thompson served after 70 years old 6¼ years.
13. McLean served after 70 years old 6 years.
14. Daniels served after 70 years old 6 years.
15. Swayne served after 70 years old 6 years.
16. Grier served after 70 years old 5$\frac{8}{12}$ years.
17. Gray served after 70 years old 4⅝ years.
18. Miller served after 70 years old 4 years.
19. Blackford served after 70 years old 3½ years.
20. Waite served after 70 years old 1½ years.

LONGEVITY ON THE BENCH AND AT THE BAR.

The completion by Lord Halsbury, on September 3, of his ninetieth year reminds one of many remarkable cases of longevity both on the bench and at the bar. The illustrious Sergt. Sir John Maynard was at his death in his eighty-ninth year, having been within a few months of his death Lord Commissioner of the Great Seal. The Right Hon. James Fitzgerald, the Prime Sergeant of Ireland, died in 1834, in his ninty-fourth year, after a great career at the bar in Ireland and in the Irish and English Houses of Parliament, being requited with the offer of a peerage, which was, however, declined. Mr. Robert Holmes died in 1859, in his ninety-fourth wear, as father of the Irish bar, of which he was an acknowledged leader although a stuff gownsman, having refused the highest promotion and the office of solicitor general. Lord Plunket, Lord Chancellor of Ireland, died in 1854 in his ninetieth year; Lord Lyndhurst at his death in 1864 was 90; Lord Brougham at his death in 1869 had all but completed his ninetieth year; and Lord St. Leonards at his death in 1875 was 94. The Right Hon. Thomas Lefroy, Lord Chief Justice of Ireland, who presided over the Irish Court of Queen's Bench in 1866 when he was past 90, died in 1869 in his ninety-third year. Vice Chancellor Bacon, who died in 1895 in his ninety-seventh year, continued to discharge the duties of vice chancellor till 1886. In Canada, Sir James Robert Gowan, who died in 1910 in his ninety-sixth year, had the unique record of 60 years of judicial work. (Law Notes, Nov. 15, 1915.)

These are a few who grew old—not in years but in deeds, service, and honor.

We have illustrious examples in the different States where eminent judges, cotemporaries of some of the justices mentioned above, served on the bench long after they had reached three score and ten. Two of these may be mentioned because they made State, National, and international reputations—Chief Justice Richmond M. Pearson and Chief Justice Thomas Ruffin. Pearson was unsurpassed in America as a common-law lawyer and judge. Ruffin was a familiar acquaintance of Marshall and Kent, and by them and such as they was esteemed one of the ablest judges in all branches of the law who ever presided over courts among English-speaking people. It may be added that no lawyer, perhaps, in America ever rendered more efficient and lasting service to his country than John B. Minor, professor of common and statute law of the University of Virginia, who died in the harness when he had passed his four score years.

The Supreme Court of the United States is the only court from whose judgments there is no appeal. "None but the judgments of the Lord are just and righteous altogether." Nevertheless in the government of men the power must be lodged somewhere for final arbitrament, and where mankind hope justice and righteousness may be established. This transcendent power is given the Supreme Court. This Supreme Court magnifies the importance of its decrees and that these guardians of the Constitution, the life, liberty, and perpetuity of the Union shall be ripe in wisdom and virtue and mature in years and experience.

This statement is made to present a few obscured or forgotten truths. The best way to arrive at the truth is to examine things as they actually have been, now are, and not as they are imagined or fancied to be either by ourselves or others. From what has heretofore been stated, it logically follows when two of the circuits each have two members of the court that two others are denied membership, and this inevitably results in inequality. This has not always been so as to any one of the nine, except as to the fourth for the last half century. History will associate the discrimination with the penalties of the Civil War. The appointing power of the present can view the past with poise and calmness and recall Maryland, Virginia, North Carolina, and South Carolina were four of the original 13, whose first succession established this great Republic; and although three of them joined the second secession they paid the debt in full of the vanquished, without murmur, and without dishonor, and became again more powerful constituents of a restored Union. The immediate precedents of exclusion were set at the close of the war, and unhappily acquiesced in since, but the time has come when the sunshine of fraternity and equality should break through and dispel the long-continued eclipse. The Most High visited upon his chosen people a sentence of wandering in the wilderness of only 40—not 51 years.

The sole purpose of this simple statement will be effected if in anywise the appointing power is aided in an examination of the facts, to the end that equality and justice shall be reestablished between circuits and States of equal dignity and power and entitled to equal rights under the laws.

Although, since the end of reconstruction, these five States—practically one-ninth of the Republic—have been accorded the untrammelled right to vote in presidential elections, and to have representation in Congress, their sole dependence and hope for equitable representation in the other—the judicial department—has been in the appointing power.

Is it not one of the most notable occurrences in our history that this great people throughout their humiliation of a half century have borne it patiently and without uttering a word of complaint or criticism?

Since there is no virtue so great and godlike as justice, does not this extraordinary situation appeal to the head and heart of a thoughtful President, capable of "hearing courteously, considering soberly, answering wisely, and deciding impartially?"

ARMY DENTAL CORPS.

Mr. SMITH of Georgia. Mr. President, I present a letter from William C. Crenshaw, of Atlanta, Ga., president of the National Association of Dental College Faculties, addressed to the senior Senator from North Carolina [Mr. OVERMAN], which I ask may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ATLANTA, GA., *March 23, 1916.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR SIR: You were a member of the Senate Military Committee and actively interested in several Army Dental Corps bills which were considered and reported by the committee and passed by the Senate, each of which bills provided that the three grades of rank of lieutenant, captain, and major should be available to the Dental Corps subject to the same periods of service required in the case of Medical, Pay, and other Staff Corps. You were particularly interested in minimizing the discrimination in the matter of rank and status which the Congress was influenced, through unidentified and mysterious sources, to inflict on the dental profession and its schools.

I therefore write you to again assure you of the profession's appreciation of your interest in the object stated, and also to urgently ask a continuance of your active support of an effort to so amend the dental provisions of the pending Army reorganization bill that the Dental Corps may, for the sake of its efficiency and because of the immeasurable effect of its military status on the civil status of the profession, be accorded rank and a military status commensurate with the profession's civil status and with the importance of its function in preserving and restoring the health, comfort, and efficiency of these of our fellow citizens who are called to arms in defense of the democracy of our country and of our country's claim to accord its people equal opportunity without discriminating distinctions.

The executive and the legislative branches of the Government have been in accord with the general policy of placing the several staff corps on a parity in the matter of rank and pay, so that the highly educated specialist in medicine and surgery and the specially trained officers of the Pay and other Staff Corps are on an equal footing. Experience has proven the wisdom of this policy, while digressions therefrom result in discriminating distinctions destructive of the esprit de corps essential to efficiency and economy.

The claim made but a few years ago in behalf of the Medical and other Staff Corps that equality of rank and pay should obtain between officers educated at their own expense and those educated at Government expense has not only been established as just, but has resulted in attracting to both the Army and the Navy Medical Corps a more highly educated, broadly qualified, and notably efficient class of surgeons. The same claim and the same reasoning would apply with equal force and similar results in the case of dental officers who treat those of our fellow citizens whose lives are offered in defense of their country. To deny the dental surgeon an equality with other officers whose function is the amelioration of human suffering and the preservation of human efficiency, and instead attempt to degrade him to the military position of the Army horse doctor, carries with it an equal degradation of the soldier to the level of the military horse.

Many of your colleagues are convinced—in fact, it is almost uniformly recognized—that the Army and Navy personnel require and have a right to expect the Government to provide the most competent general medical and special surgical service available, and it is also generally recognized that there can not be an equality in the competency of the service rendered by the several different professions represented in the Army and Navy if there is not also an equality in their social, professional, and official status.

In support of the object of the amendment, a tentative draft of which you indorsed to Senator CHAMBERLAIN on the 17th instant, I append hereto excerpts from the views of the Military Committees of the Senate and House on similar bills, which were expressed in their official reports, and also the views of many nondental men of prominence in the educational affairs of the country, and additionally some data bearing on the high status and the extraordinary results accomplished by the Canadian Army Dental Corps, and also on the unparalleled results of the dental service in connection with the European war.

Surgery is surgery, whether practiced by a medical doctor or a doctor of dental surgery. There was never a greater contribution to the science and art of surgery nor a more blessed boon to suffering mankind everywhere, especially to the soldier wounded on the field of battle, than the discovery and application by dental surgeons of surgical anesthesia.

I will probably send Senator SMITH a copy of the above referred to collection of data on the subject and ask him to have it printed and made available to other Senators who are interested in the attainment of this almost universally approved object.

With a deep sense of gratitude to you personally and in behalf of my profession, I remain,

Yours, very sincerely,

WILLIAM C. CRENSHAW,
President of the National Association of Dental College Faculties.

HOUSE BILL REFERRED.

H. R. 10384. An act to regulate the immigration of aliens to and the residence of aliens in the United States was read twice by its title and referred to the Committee on Immigration.

UNITED STATES BANKRUPTCY LAWS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 27) of the House of Representatives, which was read and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed 20,000 copies of the revised edition of United States bankruptcy laws, as prepared by the Committee on Revision of the Laws of the House of Representatives, the said 20,000 copies to be distributed as follows: Three thousand copies to the Senate folding room, 3,000 copies for the Senate document room, 7,000 copies for the House folding room, and 7,000 copies for the House document room.

GRAND ARMY OF THE REPUBLIC.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 26) of the House of Representatives, which was read and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the journal of the fiftieth national encampment of the Grand Army of the Republic, for the year 1916, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

NATIONAL DEFENSE.

Mr. REED. Mr. President, I ask leave, out of order, at this time to introduce an amendment to the so-called military bill. I am introducing the amendment now in order that it may be printed for the consideration of Senators.

Briefly stated, the amendment provides pay for militia officers above the rank of captain who are engaged in active service.

I also ask to have printed in the RECORD a number of telegrams bearing upon the subject matter of the amendment.

The military bill, as it is drawn, deprives all officers above the rank of captains serving with their companies of pay. The alleged basis for that action is that officers above the rank of captain do no work of importance. It is claimed that they do not give their time and labor to the upbuilding of the National Guard.

In order to ascertain whether the allegations referred to were founded in fact or otherwise, I sent two forms of telegrams to various officers of the National Guard which I ask leave to insert in the RECORD. One of these forms was sent to captains commanding companies. The other form was sent to officers above the rank of captain. I employed the two forms and caused them respectively to be sent to the classes of officers referred to for this reason: Those sent to captains commanding companies would elicit answers from men who will, under the terms of the bill, receive pay. The amendment does not in any manner affect their pay, therefore, their opinions and statements of fact are in no manner colored by interest. The other telegram sent to officers who will be affected by the amendment I

propose affords them an opportunity to frankly state their views, and the facts relative to the character of service by them rendered.

I ask leave to insert in the RECORD: First, a copy of the telegram sent by me to officers above the rank of captain together with the answers by me received thereto. Second, a copy of the telegram sent by me to the captains commanding companies together with the answers I received.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Without objection, it is so ordered.

Mr. REED. The copy of the telegram sent by me to officers above the rank of captain is as follows:

[Telegram.]

APRIL 9, 1916.

In justification of Senate bill which fails to provide pay for other than company officers, it is claimed that staff officers do not devote any considerable portion of their time to military work. How much of your time and money do you annually devote to the National Guard? Wire immediately.

JAMES A. REED.

The replies received from officers above the rank of captain are as follows:

NEVADA, MO., *April 10, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Commanding general is responsible for instruction, discipline, government, equipment, condition, movement, and operations of National Guard, requiring his constant supervision and attention, devoting very large part of his time, as he must pass upon everything. Colonels are responsible for instruction and discipline of their regiments, keeping up strength and interest, visiting companies, handling correspondence, and countless matters requiring fully half their time in city regiments. Majors are required to supervise drill of their battalions, giving four nights each week in country regiments; majors visit towns in which companies are stationed, supervising same. Brigade and regimental adjutants, quartermasters, and inspectors of rifle practice handle all work and correspondence of their departments, giving fully half their time in addition to other duties. All officers above named devote much time to study schools and correspondence schools to keep abreast of progress in military matters.

Duties of company commander require much time, and pay should be at least as much as that provided in the Senate bill, but lieutenants are given proportionately too much, as they give relatively much less than any other officer in this Guard; and as between captains and lieutenants the relative pay fixed in Hay bill is much more equitable than in Senate bill. In National Guard of this State amount of time devoted to military duties is, generally speaking, in direct ratio to rank of the office, and in strict fairness pay should be proportional to rank, as it is with enlisted men in this bill, and with officers in the Army. However, we regard the provisions of the Hay bill, fixing the pay of all officers above the grade of captain at the same sum fixed for that grade as based upon the principle that the higher officers are willing to make greater sacrifice of their time, and we therefore earnestly indorse the rates of pay fixed in section 76 of the Hay bill. We call attention to the fact that section 112 of the Senate bill provides that only officers paid under section 108 shall be called in case of war. If these two sections stand no officer above the rank of captain would be eligible to Federal service in war. We are in the National Guard to serve the United States.

HARVEY C. CLARK,
Brigadier General Commanding.
A. B. DONNELLY,
Colonel First Regiment.
W. A. RAUPP,
Colonel Second Regiment.
F. A. LAMB,
Colonel Third Regiment.
J. D. MCNEELEY,
Colonel Fourth Regiment.
E. M. STAYTON,
Major Battalion Field Artillery.

—

ST. JOSEPH, MO., *April 9, 1916.*

JAMES A. REED,
United States Senate, Washington, D. C.:

Relative to representation that colonels, and so forth, of militia do not devote any considerable time to it, will state that between 400 and 500 communications pertaining to militia originate in or are forwarded, transmitted, or received in my office each month, including militia orders, letters, reports, returns, vouchers, applications, and so forth. My telephone toll bill on military business the past month was $25. Two-thirds of my time is devoted to my regiment and I make a living with the other third. Two-thirds of the work of my law-office stenographer is military work; one-half of my office suite is devoted to military work. About 30 different forms of printed military blanks are required to be used. Am willing to bring to Washington, without Government expense, a couple of trunks full of military files of my office to substantiate above, asking only in return that if enemies of the National Guard are found to have misrepresented on this point their statements on all others be regarded with suspicion. If any Senator who opposes Federal support to brigade, regimental, and battalion commanders will personally visit any near-by regimental headquarters of Washington or Baltimore National Guard and go through the files, he will be surprised at the extent of work involved and will turn against those upon whom he has heretofore relied for information. Gen. Clark devotes two-thirds of his time to military work, notwithstanding he is a prominent lawyer. My majors devote considerable time to work of instruction, organization, and inspection. My adjutant devotes two or three hours a day to military work. For any further information wire me. Am ready to back all statements with proof.

JOHN D. MCNEELY,
Colonel Fourth Missouri Infantry.

ST. JOSEPH, MO., *April 9, 1916.*

JAMES A. REED,
Senate, Washington, D. C.:

Relative to Senate bill refusing recognition to officers above rank of captain, permit me to state that our brigade commander, Gen. Clark, was lieutenant colonel of Volunteers in Spanish War. Long prior to that was company commander, and previously an enlisted man. I am an honor gradute of Missouri State Military School, where I was a cadet five years. Served as officer in this regiment in Volunteers, 1898–99. Have attained rank by gradual promotion. Lieutenant colonel and majors of regiment have been officers for from 14 to 25 years and earned promotion by service. I submit that it would be utterly discouraging to them if Congress declares promotion earned by faithful service deprived them of recognition under the bill.

JOHN D. MCNEELY,
Colonel Fourth Missouri Infantry.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Statement that field and staff officers devote but little time to guard absolutely untrue and ridiculous on its face. As colonel of the First Infantry I average five nights a week and every spare moment I can get away from my business. Majors and staff officers I require to be present three nights, besides calling on them occasionally in the daytime. Thursday of each week these officers are required to be at the armory from 6 to 11.30 p. m. Is the Senate willing to believe any business, or the Government itself, could be conducted successfully if the head of it or the executive department gave it but little time? The colonel and his staff occupy relatively the same position to a regiment as the President and his Cabinet do to the Government. Furthermore, I might have a company captain and fine soldier and deserving of promotion to major, or especially fitted for the staff. If his means were limited, he could not give up pay of company officer and assume expense as major without pay.

ARTHUR P. DONNELLY,
Colonel First Infantry.

—

KIRKSVILLE, MO., *April 9, 1916.*

JAMES A. REED,
Washington, D. C.:

I spend many days in inspecting scattered companies and keeping them up to standard. I have been a captain for years, and I find that a major spends more time out of the city. His work is more difficult than that of a captain. He, too, should receive pay.

J. E. REGOR, *Major.*

—

TRENTON, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Have been an officer in the National Guard since 1902. Service continuous; company commander greater portion of that time; have made probably 10 or more trips inspecting and instructing companies; not in home town in the past year.

W. D. STEPP,
Major, Fourth Infantry, National Guard.

The copy of telegrams sent by me to captains of companies is as follows:

[Telegram.]

APRIL 9, 1916.

In justification of Senate bill, which fails to provide pay for other than company officers, it is claimed generals, colonels, majors, and staff officers do not in fact devote any considerable portion of their time to military work. Wire facts. Also have captains commanding companies wire statements of amount of work done by generals, colonels, majors, and staff officers. Must have answers immediately.

JAMES A. REED.

The replies received from captains commanding companies are as follows:

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Information received here to the effect that claims are made in Washington that generals, colonels, majors, and staff officers devote but little time to National Guard service. At a meeting of company commanders of the First Infantry, National Guard of Missouri, this evening the undersigned decided to protest the attempt to exclude above officers from pay. Desire to state that all these officers devote at least three nights a week, and often more. The organization could not exist if they are discriminated against. In fact, the higher the rank the greater the amount of time devoted to the service. This applies from general to second lieutenant.

George V. Stewart, Captain Company A; R. W. Rombauer, Captain Company B; A. R. Sourwein, Captain Company C; Gunther Meier, Captain Company D; G. M. Faught, Captain Company E; E. F. Lloyd, Company F; J. R. Robinson, Captain Company G; E. J. McMahon, Captain Company H; J. F. Carmack, Captain Company I; Fred Bottger, Captain Company K; John Schweitzer, Captain Campany L; J. J. Koch, Captain Company M; N. B. Comfort, Captain Machine Gun Company.

—

KANSAS CITY, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

We earnestly indorse the rates of pay fixed in the Hay bill. The higher the officer the more time he is required to give the service. This applies to every officer in the National Guard.

Capt. F. G. Ward; Capt. W. E. Coe; Capt. John Constable; Capt. W. B. Johnson; Capt. C. F. Jones; Capt. T. C. Ross; Capt. W. A. Smith; Capt. F. W. Hardin; Capt. A. Barnes; Capt. G. E. Sanstrom; Capt. W. Osgood; Capt. A. Johnson.

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Colonel devotes practically all his evenings to guards; majors and staff officers' presence required three nights a week. Senate bill provides promotion must be made from guard. No company officer who was being reimbursed for time and expense could afford assume additional expense of colonel, major, and staff officer and at the same time sacrifice the small amount the Government gave him as company officer. As a result would be impossible to fill vacancies in higher rank, or else have inefficiency on account of their wealth. We would have a lot of companies with no directing head.

N. B. COMFORT,
Captain Machine Gun Company.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Hope you offer amendment to include all officers in pay provision of Senate bill. Strength of a regiment lies in its colonel, majors, and staff officers, as well as company officers. They are compelled to spend as much time as anyone—never less than three nights a week.

J. J. KOCH,
Captain Company M.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Bill should include field and staff officers in pay. Absolutely necessary or legislation will be a failure. If present officers should resign, no company officer would accept additional expense and worry of field officer, thereby losing pay as company officer.

JOHN SCHWEITZER,
Captain Company L.

—

TRENTON, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Officers of higher rank have more responsibility, and much is required of them, having attained their rank by reason of having served in the various lower grades. Their continued services is, in my judgment, very necessary.

W. C. WILLIAMSON,
Captain, Fourth Infantry, National Guard of Missouri.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

The higher the rank of officer in National Guard, more time, expense, and responsibility. Organization would fail if they neglected their business.

G. M. FAUGHT,
Captain Company E.

—

ST. LOUIS, MO., *April 8, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

If your statement of time devoted by field and staff officers were correct, there would be no regimental organization, but 12 little organizations instead of 1 homogeneous whole.

J. R. ROBINSON,
Captain Company G.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

The colonel has to devote more time; majors and staff officers same time as company officers; their expense is also great.

E. J. MCMAHON,
Captain Company H.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Successful administration of a regiment requires more time of colonel and major and staff officers than anyone. I personally declined a major's commission on account of time and expense.

A. R. SOURWEIN,
Captain Company C.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Our colonel devotes more time to regiment than any man in service; staff officers and majors same time as company commanders.

R. W. ROMBAUER,
Captain Company B.

—

ST. LOUIS, MO., *April 9, 1916*

Senator JAMES A. REED,
Washington, D. C.:

No truth in statement about field and staff officers; the passage of bill failing to provide pay for these officers would result in this organization weaken the bill immeasurably.

J. F. CARMACK,
Captain Company I.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Regiment could not exist if colonel and staff failed to give time and attention.

GEO. W. STEWART,
Captain Company A.

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Colonel, majors, staff officers devote fully as much time as company officers. Failure to provide pay unjust, and would operate to prevent any captain accepting promotion or serving on staff.

GUNTHER MEIER,
Captain Company D.

—

ST. LOUIS, MO., *April 9, 1916.*

Senator JAMES A. REED,
Washington, D. C.:

Colonel devotes practically all his evenings and large part of days to guard; majors and staff officers compelled to stand same time as company officers. Hope bill is amended to include them in pay.

FRED BOTTGER,
Captain Company K.

—

ST. JOSEPH, MO., *April 9, 1916.*

JAMES A. REED,
United States Senate, Washington, D. C.:

Colonel of regiment, being highest rank, does more work than company commander. Paper work of company multiplied in his office by 12 or 14, same being number of subordinate organizations dealt with by colonel and adjutant.

CHAS. E. HOLT,
Captain Company M, Fourth Missouri.
W. A. MANN,
Captain and Adjutant, Fourth Missouri.

—

PIERCE CITY, MO., *April 10, 1916.*

Hon. JAMES A. REED,
United States Senate, Washington, D. C.:

The higher the rank the more time given the service. This applies to every officer from brigadier general to second lieutenant. We earnestly indorse rate of pay fixed in Hay bill.

Elmer Throwbridge, Captain Company A, Second Infantry, National Guard Missouri; Ed. C. Clarke, Captain Company B, Second Infantry, National Guard Missouri; Joseph H. Hull, Captain Company C, Second Infantry, National Guard Missouri; Fred A. Nesbit, Captain Company D, Second Infantry, National Guard Missouri; S. A. Martin, Captain Company E, Second Infantry, National Guard Missouri; H. A. Hibler, Captain Company F, Second Infantry, National Guard Missouri; S. A. Fillingham, Captain Company G, Second Infantry, National Guard Missouri; Fred A. Nesbit, Captain Company I, Second Infantry, National Guard Missouri; Paul A. Frey, Captain Company K, Second Infantry, National Guard Missouri; Wm. S. Moon, Captain Company L, Second Infantry, National Guard Missouri; Wm. A. Ogiesby, Captain Company M, Second Infantry, National Guard Missouri; W. M. Williams, Captain Machine Gun Company.

DUTY ON SUGAR.

Mr. SIMMONS. I think, Mr. President, we are now in position to resume the consideration of the sugar bill.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 11471) to amend an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913.

Mr. BROUSSARD. Mr. President, I had intended addressing the Senate at some length upon the substitute reported by the Committee on Finance of the Senate to the House bill repealing the free-sugar clause of the Underwood tariff bill. I quite realize, as we all do here, that the main controversy with regard to this matter will most probably take place as the result of the conference between the two Houses upon their disagreement. I can not, however, permit the bill to come to a vote without at least expressing myself with regard to the substitute reported by the committee, because of the great interest which Louisiana has as the result of this legislation.

These are unusual times and on every hand the question of preparing this country for defense because of the conditions existing in Europe has focused the public mind upon what preparedness really contemplates. Of course, we all understand that preparedness has for its primary purpose the organization upon some systematic and scientific plan of the various arms of defense used during times of war. But conditions in Europe have shown us that that alone will not suffice to have this country thoroughly prepared for its defense. So we see in some quarters that efforts are being made to prepare the commercial conditions of the country against the result of the European war after it shall have terminated.

Suggestions have come to Congress, through various sources, as to the necessity of various preparations and for the enactment of some laws to save the industries of this country from the dumping on the American market of a large quantity of goods cheaply produced after the close of the war in Europe. Other suggestions have come to us in the shape, for instance, of the suggestion that there should be a protective tariff upon dyestuffs, in order that we may not be entirely dependent upon Germany for those commodities essential to the manufacture of the clothing of the people of this country. Various other suggestions have been made; for instance, such as the construction of a plant or plants in order to produce the nitrates of this

country. All of these suggestions have grown out of conditions that have made the necessity for them apparent, as the result of the war in Europe. I take it, that sugar comes in the category of things as to which we ought to prepare as the result of conditions that we find existing in the two largest sugar-consuming countries now engaged in the war.

Let us note, for instance, the conditions of Germany. Germany, which heretofore has produced more sugar than was necessary for her own consumption, was enabled, because of that surplus production, to build up a large trade with England by disposing of her surplus sugar upon that market, which enabled her to purchase goods from England for the use of the German people. Germany to-day, though practically closed from outside traffic, and certainly unable to get any sugar from anywhere else, finds herself enabled to furnish her people with the sugar requisite for their everyday consumption. We find that the price of sugar in Germany, because of the policy pursued by Germany, has not yet reached 5 cents a pound. England, which heretofore had purchased sugar so very cheaply of Germany, because of the overproduction of sugar in that country, found herself at the outset of the war closed from a market that had theretofore supplied her with sugar, and found herself under the necessity of approaching our supply market in order to secure the necessary quantity of sugar to supply her people.

What has been the result? The result is that sugar is selling in England to-day at 9 cents a pound, as compared with less than 5 cents in Germany, simply because, on the one hand, Germany was prepared to meet those conditions and England was totally unprepared. The policy which this bill suggests, if carried out by this Government, must inevitably place us in the same situation should we at some subsequent time become involved in a great contest—which I hope will never occur—and will place us in the identical position in which we find England to-day. If we have not prepared ourselves to produce either from a domestic source or through our insular possessions sufficient sugar to supply the American people, we shall find ourselves in the same attitude in which we find the British people to-day. Not only will we have to pay double or thrice the normal price of sugar, but we shall be compelled, in order to enable us to secure the quantity of sugar requisite to supply the American people, to submit ourselves to other difficulties. For instance, over and above the enhanced value of sugar to the British people, because of the war in Europe, we find that within the first year and a half of the contest, while the British people were compelled to pay over $125,000,000 in excess of what they had been paying for the same quantity of sugar in the year and a half preceding that time, in order to get this sugar, she was compelled to encroach upon our source of supply; and the American people, taking no part at all in the war, have found themselves contributing on that one item alone over $175,000,000 because of the advanced price of sugar, through the competition of the British people with us upon the market from which we draw our supply.

I am calling attention to these facts, because the policy which this bill as amended by the Senate Finance Committee would place upon the domestic production must of necessity stop the development of that industry and must of necessity place us in the same condition in which England was in August, 1914, when the great war broke out.

But, Mr. President, looking at the report of the committee with regard to this legislation, I find this statement:

> In making this recommendation your committee regrets that owing to the abnormal conditions, both as respects the revenues and expenditures of the Government, on account of the European war and legislation made necessary by it, the revenue requirements make it inexpedient at this time to dispense with the revenues which will accrue to the Treasury from the temporary continuance of existing duties upon sugar and the other articles of the sugar schedule hereinbefore enumerated.

The committee states that it regrets that it is at this time compelled to permit the continuance of the existing duty for a period of four years. I feel indeed sorry, Mr. President—and I know that the regret which I express at the attitude of the party to which I belong is shared by the people whom I represent, who also lend their allegiance to the Democratic Party—I regret indeed that the party does not find itself able to afford more opportunity, more consolation, as the result of this legislation, than is contemplated by this report and by the utterances of Senators on this side of the Chamber.

We have looked at the sugar situation from many viewpoints; we have had our trials and tribulations in regard to it for the last four years. The industry has been in a condition tottering upon the verge of absolute bankruptcy. Many of those engaged in it in the last few years have gone into bankruptcy; many others have survived by extraordinary efforts to maintain themselves until the prices were enhanced as the result of the war going on in Europe. We had hoped that when this step was taken it would define the attitude of the Democratic Party on this question, and that that attitude would be one affording some opportunity for those in Louisiana engaged in the industry to continue it without having, as they have had for the last three years, the threat of the annihilation of that industry hanging over them. Of course, under this policy, while this tariff will help them during the period of four years in contemplation by this bill, if that is the final action of Congress; yet we must know that, as a result of that policy, there can be no advancement in the development of the industry and that no additional money can possibly be invested in an industry the life of which is fixed by statute and the life of which can not be extended beyond the limitation fixed in the statute.

So, I say, I regret that the people of Louisiana can find so little consolation at this time when the party declares that its purpose to continue the present duty for a period of four years is not dependent upon whether it may accrue to their interest or not; it is not dependent upon whether they are to receive that sort of encouragement at the hands of the party to which they belong; but it depends solely and entirely upon the condition of the Treasury; that their condition is not to be consulted, but solely and exclusively the condition of the Treasury is to be consulted in legislating with regard to that industry. This is a keen disappointment to me, as a Democrat. It will prove a keen disappointment to the Democrats of Louisiana.

I do not want to make it appear that the people engaged in the production of sugar in Louisiana want to be discriminated in favor of by any legislation by Congress. All they ask is to be treated upon an impartial equality with other people engaged in other industries throughout the country. They are not asking at the hands of Congress, they are not asking at the hands of the Democratic membership of the other House or of this that they be selected with a view of being favored, but they do insist upon the declaration of the platform of their party; they do insist that they shall have that same equal and fair treatment that other industries in the country are receiving and are admitted to be receiving under the same bill which we seek to amend here. That that industry should be selected from the other industries of the country, that it should be ordered when not needed, to stand aside or to come forward and deliver whenever the Treasury is without funds, and that it should be turned out of doors whenever the Treasury has sufficient money to administer the Government is not Democratic, and it does not appeal to the sense of fairness and justice of any man; yet that is the attitude in which that industry is placed. The people of Louisiana are told, in substance, as in so many words, "Whenever the Treasury requires you to contribute toward the maintenance of the Government, you can come forward and deliver your share of the taxes to conduct the Government, but whenever we can raise such taxes in some other way then you must stand out and be extinguished, because there is no need for your services." I do not believe that that attitude could be sustained before the American people if that issue were permitted to be presented to them, because their sense of fairness, their sense of justice, would not permit that attitude to be held very long on this floor or elsewhere.

Mr. President, what has been the attitude of the party to which I belong, with regard to this matter, since it has come into power? Just prior to the presidential election the House of Representatives passed a bill putting this article on the free list. When the convention was held at Baltimore that proposition was pending before the Finance Committee of the Senate. After the platform had been written and the candidate of the party had been selected the Senate Committee on Finance reported upon the free-sugar bill which had been passed by the other House and reported as a substitute for the House free-sugar proposition a bill carrying practically the same duty as exists to-day.

Mr. HARDWICK. Mr. President, I do not wish to disturb the Senator, but I want to ask him a question.

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. BROUSSARD. I yield for a question.

Mr. HARDWICK. Will not the Senator admit that the Baltimore platform contains specific approval of the tariff-schedule bills passed by the House of Representatives?

Mr. BROUSSARD. No; I will not admit that, Mr. President, nor will I discuss that proposition. I had intended going over the entire subject matter, but I do not wish to detain the Senate.

Mr. HARDWICK. Very well.

Mr. BROUSSARD. But I will not admit that, of course, nor will I discuss it at this time.

Mr. HARDWICK. Just one other question. Will the Senator put in his remarks the words of the Baltimore platform on that point?

Mr. BROUSSARD. The words of the Baltimore platform?

Mr. HARDWICK. Yes; on the tariff-schedule bills passed by the House of Representatives.

Mr. BROUSSARD. The Senator and I have thrashed that out time and time again, and I could no more convince him than he could convince me. The difference between the Senator and myself is that I was one of those who drafted the platform and the Senator was not. So we can not convince one another.

Mr. HARDWICK. I do not want to bother the Senator, but I only have the knowledge that Democrats generally have from what the committee did and what the convention adopted. I should just like to ask the Senator, so that he will not misrepresent the attitude of the party, to put in connection with his remarks, or read now to the Senate and to the country, what the platform at Baltimore said about the tariff-schedule bills of the House of Representatives, one of which was the bill providing for free sugar?

Mr. BROUSSARD. Mr. President, I will not do that, either. I have stated already that the Senator and I have discussed that on many occasions, and I have no hope of converting the Senator from his conclusions; and, of course, having been one of those who drafted the particular platform in question, I have absolute knowledge of what I speak. I do not intend to discuss that, but I want to present this aspect of the question to the Senate: The House having passed the free-sugar bill, the Democratic convention having been held at Baltimore, the platform having been adopted and announced and the candidate selected, the Finance Committee of the Senate reported back to the Senate and substituted for the free-sugar bill of the House a bill carrying a duty, practically the duty now in the law, and the extension of which is sought to be accomplished by both the House and the Senate bills. Subsequently the passage by the House of the Underwood bill brought to the Senate a proposition on the part of the House as a part of the Underwood bill to impose on sugar a duty of three-fourths of the then existing duty, with free sugar at the end of three years. In that proposition the Senate concurred; so that that provision is in the law.

At this session of Congress the House, finding that the Treasury needs the money, finding that the Treasury can not get along with the duty on sugar abandoned as provided in the Underwood law, continues indefinitely that duty, which is the sensible thing to do, because no one can tell just how long the Treasury will be in need of this 1 cent a pound duty on sugar; no one can tell what two or three or four years may bring, and, furthermore, everybody understands that this Congress cannot bind upon that proposition a subsequent Congress which will sit here four years hence.

Now, what attitude does the committee of the Senate take with regard to the last House action? The Senate committee comes back at the duty fixed by the House at 1 cent a pound, and retorts by saying that, after four years that duty of 1 cent a pound shall cease; in other words, before the assembling of the Baltimore Convention the House favored free sugar and the Senate would not abide by it, but after the convention had been held and the candidate had been elected, at this time the House says that the duty of 1 cent, which was retained in the Underwood tariff law for a period of three years, is necessary to supply the Government with the needed money for its operations; but the Senate says "we will not need it after four years"; and so we propose to legislate for whatever Congress may be sitting here four years hence, all the time holding this threat over that great industry so as to stop its development, so as to prevent an opportunity for securing credit in order to produce the quantity of sugar that could and would be produced under normal conditions in this country. So that it all leads us back to the proposition with which I started, that we are now adopting a policy similar to the policy which England has pursued; and, if, perchance, within any short period of time this country should become involved in any extensive military operations, regardless of whether we are able to reach our base of supply in Cuba, regardless of whether our Navy could insure our commercial vessels reaching the ports from which we draw our sugar, we would find that the competition in those ports would put us at the same disadvantage under which England finds herself at this moment.

If 30 or 40 years ago England had pursued the policy of developing the sugar industry in her tropical islands, and had lent some sort of encouragement to the people engaged in that industry, instead of catering to that trade next to her, which gave her cheaper sugar than could be given by the people who produced sugar on her islands—if she had pursued that policy, at this time, when it is so difficult for her to get the means with which to conduct the great war, she would not find herself compelled to disburse great sums of money in order to supply her people with sugar. So it will be with this country. If we are made to rely absolutely upon the importation of sugar to supply the demands of this country it is inevitably going to result in this country as it resulted in England should we find ourselves engaged in war at any time.

I did not, as I said, Mr. President, intend to deal very extensively with this question, but I did want to express the regret which I feel, the regret which I know the Democrats of Louisiana feel, toward the attitude represented in this report and so often stated upon this floor, that the people of the State of Louisiana must look to a policy under which, if they continue to grow sugar, they must compete with the world without any duty at all, and, if any duty is imposed upon the article, the production of which forms the main industry of the State, it will not be because there is any concern with regard to the people of Louisiana or their investment or their methods of livelihood, but because the needs of the Treasury require that they shall contribute something toward replenishing that Treasury. I repeat, I regret this act of my party, and Democrats in Louisiana join me in expressing this regret, which we all feel in that State.

Mr. SMITH of Georgia. Mr. President, I had expected at this time to move to take up another measure, but I understand there is no objection to proceeding at once to a vote on amendments to the pending bill.

Mr. SIMMONS. That is my understanding.

Mr. SMITH of Georgia. If we are prepared to go on and vote upon the amendments to the pending bill, I do not desire to move to proceed to the consideration of another measure; but if we are not so prepared, I wish to move to proceed to the consideration of Calendar No. 18, being Senate bill 706.

The PRESIDING OFFICER. The question is, as the Chair understands, on the amendment offered by the committee to strike out and insert.

Mr. LODGE. No, Mr. President; I have moved an amendment to the amendment of the committee.

The PRESIDING OFFICER. The Chair stands corrected. The question is on the amendment offered by the Senator from Massachusetts to the amendment reported by the committee.

Mr. LODGE. The amendment I have offered is to add a new section to the amendment proposed by the committee.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Massachusetts to the amendment reported by the committee.

Mr. SIMMONS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kern	Poindexter	Stone
Brandegee	La Follette	Pomerene	Sutherland
Broussard	Lane	Ransdell	Swanson
Burleigh	Lewis	Saulsbury	Taggart
Chamberlain	Lodge	Shafroth	Thomas
Chilton	Martine, N. J.	Sheppard	Thompson
Clapp	Nelson	Sherman	Tillman
Clark, Wyo.	Norris	Shields	Underwood
Colt	Oliver	Simmons	Vardaman
Dillingham	Overman	Smith, Ariz.	Wadsworth
Gallinger	Owen	Smith, Ga.	Warren
Hardwick	Page	Smith, Mich.	
Hughes	Phelan	Smith, S. C.	
Johnson, Me.	Pittman	Smoot	

Mr. LEWIS. I desire to announce the absence of the Senator from New York [Mr. O'GORMAN], who has been called to his State on official business.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present. The pending amendment is the amendment offered by the Senator from Massachusetts [Mr. LODGE] to the amendment reported by the committee.

Mr. LODGE. Mr. President, I have no intention or desire to discuss this amendment. Its purpose is to place duties on certain dyestuffs and coal-tar products with a view of encouraging the development of that industry here, and the production of those acids which are essential in the production of explosives, and of which we are now almost completely destitute.

I think all the Senators are familiar both with the need of these acids for the purposes of defense and with the great need of the dyestuffs caused by the scarcity due to the war in Europe; and all I desire is to have a vote upon the amendment.

Mr. SIMMONS. Mr. President, I have not read carefully the amendment offered by the Senator from Massachusetts. In fact, I have not read it at all. I did not know whether the Senator would press the amendment or not. I wish to ask the Senator from Massachusetts if this is not the bill introduced in the House by Mr. HILL, of Connecticut, and known as the Hill bill?

Mr. LODGE. It is the bill that was introduced in the House by Mr. HILL of Connecticut.

Mr. SIMMONS. I wish to ask the Senator what is the average rate of duty provided by it? About 75 per cent, is it not?

Mr. LODGE. Five per cent on the first, all products of coal; 3½ cents per pound and 15 per cent ad valorem on the intermediates; and 7½ cents per pound and 30 per cent ad valorem on all colors or dyes derived from coal.

Mr. SIMMONS. I have understood that that is about an average of 75 per cent ad valorem. That bill is before the House committee, and there have been some conferences over here with some persons interested in the industry. I do not think even those interested in the industry have asked quite as much protection as the Hill bill affords; and without discussing it, I hope the amendment offered by the Senator from Massachusetts will not prevail.

Mr. UNDERWOOD. Mr. President, I did not intend to discuss this question; but before voting on it I should like to have an opportunity to state my reasons in reference to it.

This amendment seeks, in the main, to increase the tax on what are known as coal-tar dyes. There are some other side propositions in the amendment, but that is the main question. The tax placed on coal-tar dyes in the Dingley bill amounted to 30 per cent ad valorem. Under the Dingley bill a large number of these dyes were imported into this country; but gradually an industry grew up and occupied about 10 per cent of the American field. In other words, we produced at home about 10 per cent of our coal-tar dyes. The other 90 per cent were imported from Germany. I think one reason why a larger percentage of coal-tar dyes was not manufactured in this country was because the textile manufacturers rather slighted the American production, and claimed that the American manufacturers did not make as successful dyes as the German dyes. I have serious doubts in my own mind as to whether that was the case.

When the Payne Ways and Means Committee met to write a new tariff bill after the Dingley rate had been on the statute books for, I think, 14 years, the producers of coal-tar dyes came before that committee, asking for an increase, and the Payne committee denied the increase, claiming that the 30 per cent tax was sufficient. When the last tariff bill was written, and the Democratic Ways and Means Committee was organized, the home producers of coal-tar dyes came before the Ways and Means Committee and did not ask for an increase of the tax. There was a very great demand on the part of the textile manufacturers of the country for a reduction of this tax.

The manufacturers of coal-tar dyes in this country who appeared before the committee—and they were the leading men in the business—stated that they did not ask for an increase; that they could run their business on the present tax, but that to reduce the tax would seriously jeopardize their business. There were five or six million dollars of revenue raised from this source; and after the Ways and Means Committee over which I presided had given careful consideration to the question, in view of the fact that there was a large amount of revenue raised, that the tax was what might be called a competitive tax, because there were large importations coming into the country, and also because the manufacturers of coal-tar dyes were satisfied and asked for no further increase the committee decided not to change the rate in any particular, and passed the bill through the House leaving on coal-tar dyes the 30 per cent that was in the Dingley bill and the 30 per cent that was in the Payne bill, and that is the law to-day. There were some other dyes in the chemical schedule that were increased in the House bill; but when the bill came to the Senate, the Senate saw proper to put them back to the old rates.

Mr. President, that is the historic statement of the facts. At that time there was a very considerable importation of coal-tar dyes into this country. There is practically none to-day. The American manufacturer has almost the undisputed field in the American market; but it is contended that after the war is over this market will be jeopardized by importations from abroad. The same rate stands here to-day that stood under the Dingley bill for 14 years, when the highest protective tariff that was ever on the statute books of this country was in existence, and those who maintain that theory of levying taxes did not find any necessity for raising the tax.

When the Payne bill was written, and the case was presented to them, the importations were coming from Germany; there was nothing to interrupt the importation; but they saw no occasion to raise the tax. The manufacturers came before the Democratic Ways and Means Committee and asked for no increase; and to-day we find the country manufacturing these coal-tar dyes in the main with almost all its men in the army. A great burden of indebtedness is accumulating on that country, and taxes must be higher. The industries of Germany are practically closed down in this line, because they have not had the men nor the market in which to produce them.

The labor required for the manufacture of coal-tar dyes is that of chemists—not ordinary common labor, but men of a high degree of education. They must be college-bred men. Many of those men to-day are buried under the battle fields of France and Russia, and never will come back to the factories again. After this war is over it will be years before this industry in Germany can be reorganized again and put on the competitive basis on which that country conducted it during the time the Dingley bill was on the statute books and the Payne bill was on the statute books.

I do not desire to delay the Senate on the important vote that awaits us this evening to go into a further discussion of this case. With no importations coming into the country to-day, knowing that after the war in Europe is over it will be years before the industry can be reorganized or put in a position where it can again compete as it did, and knowing the further fact that the rate of taxation at the customhouse to-day on the statute books is the one that had the approval of the Republican Party for 16 years, in my judgment, at least, this side of the Chamber should defeat the amendment by a solid vote.

Mr. LODGE. Mr. President, it is quite true that the duty of 30 per cent was imposed in the Dingley bill, but it is equally true that it did not develop the industry. It is equally true that it was not raised at the time of the passage of the Payne-Aldrich bill. The textile manufacturers, the users of dyes, opposed any increase. They wanted it reduced. They felt that they could buy their dyestuffs cheaper in Germany, and they prevailed with the committee then, of which I happened to be a member, and maintained the rate of 30 per cent, under which it had been demonstrated that the industry could not be developed in this country.

I recognized the opposition of the textile manufacturers at that time. I knew how strong it was. I thought they were shortsighted; and now they find themselves unable to procure dyestuffs.

As for Germany having closed down those factories, those are some of the factories she has not closed down. She may not be making dyestuffs, but she is making the acids used in explosives at every factory in Germany where it is possible to make them to-day. That organization is not broken down and will not be.

As to the rates, I merely want to call attention to the statement of the committee of the American Chemical Society at Seattle in September, 1915. It is from the address of the president, Prof. Charles H. Herty, of Chapel Hill, N. C., and he refers to the report of their committee:

> As a guide to what this increase should be, we have the judgment of the committee of the New York section of this society, a committee representative of all interests concerned, in the persons of B. C. Hesse, chemical expert in coal-tar dyes, chairman; H. A. Metz, for the importers; J. B. F. Herreshoff, for the manufacturers of heavy chemicals; I. F. Stone, for the American coal-tar dye producers; J. Merritt Matthews, for the textile interests; David W. Jayne, for the producers of crude coal-tar products; and Allen Rogers, chairman of the New York section. The unanimous report of this committee, which was unanimously adopted by the section, says: "It has been conclusively demonstrated during the past 30 years that the present tariff rate of 30 per cent on dyestuffs is not sufficient to induce the domestic dyestuff industry to expand at a rate comparable with the consumption of dyestuffs in this country and that, therefore, all dyestuffs made from coal tar, whether they be aniline dyes or alizarin, or alizarin dyes, or anthracene dyes or indigo, so long as they are made in whole or in part from products of or obtainable from coal tar, should all be assessed alike, namely, 30 per cent ad valorem plus 7½ cents per pound specific, and that all manufactured products of or obtainable from coal tar, themselves not dyes or colors and not medicinal, should be taxed 15 per cent ad valorem and 3¾ cents per pound specific."

That is the recommendation of the American Chemical Society, and those are the figures followed in the bill. At the present moment, with no dyestuffs coming to this country, if we had the manufacturers here, of course, they would make money; but no one is going to invest money in the manufacture of dyestuffs when he knows that the industry will be destroyed as soon as the war, which at the present moment is a prohibitory tariff, ends.

Mr. UNDERWOOD. Mr. President, will the Senator yield?

Mr. LODGE. I yield to the Senator from Alabama.

Mr. UNDERWOOD. Is it not a fact that a large company is being organized in New York right now to make these dyes? That is my understanding.

Mr. LODGE. I do not understand that any company is ready to go on with this manufacture unless the people interested in it can get some assurance that they will not be ruined, as they have been before, by German dumping.

Mr. UNDERWOOD. I have seen prospectuses sent out, showing that they were seeking to raise capital, some months ago.

Mr. LODGE. I have not heard of the establishment of that industry.

Mr. STONE. Mr. President, will the Senator tell me what would be the total ad valorem equivalent of the figures he read as being recommended?

Mr. LODGE. I have not figured it out. The Senator from North Carolina said it would be 75 per cent.

Mr. SIMMONS. About 75 per cent.

Mr. UNDERWOOD. If the Senator will allow me, as he asks for information, I think the rate of duty proposed—30 per cent ad valorem and 7½ cents a pound specific—would amount to 45 per cent altogether.

Mr. SIMMONS. I have not worked it out. I have simply seen the statement made that it was about 75 per cent, as I understood.

Mr. LODGE. The Senator from North Carolina said it was 75 per cent. I understood it was 45 per cent.

At all events, Mr. President, I think we are now reaping the fruits of our improvidence. If we had given these industries suitable protection we would not now have a famine of dyestuffs and we should be able to supply ourselves with explosives. I am anxious to build up the industry chiefly because I think it is important that we should have a source from which we can draw supplies of picric acid and the other acids used in and essential to the manufacture of explosives.

This duty will, of course, produce revenue, and I think will be of great advantage to the country, of course, from my point of view as a protectionist, in building up the industry; but wholly apart from that, I think it would be of great advantage to the country to have a source for the production of these acids.

I do not care to go further into the discussion.

Mr. STONE. Mr. President, has this amendment been before the Committee on Finance? I mean, has it been acted upon by them?

Mr. LODGE. No; Mr. President. I took it upon myself to offer the amendment.

Mr. STONE. Oh, I am not at all criticizing what the Senator has done. I am asking for information.

Mr. LODGE. Oh, no; it was not submitted to the committee. I simply offered the amendment as an individual Senator, that is all. I hope the Senator does not think I have been disrespectful or have gone beyond my rights in doing so.

Mr. STONE. I have remarked that I did not. It was hardly necessary to make that remark. I am fully conscious of the fact that the Senator is proceeding entirely within his rights.

Mr. SIMMONS. Mr. President, I have no doubt this is a very delightful conversation, but we can not hear it over here.

Mr. LODGE. It was a delightful conversation.

SEVERAL SENATORS. And complimentary?

Mr. STONE. No; it was agreeable.

Mr. LODGE. Perfectly.

Mr. STONE. Mr. President, I am not sure that I am ready to vote on this proposition.

Mr. GALLINGER. For it?

Mr. STONE. I am not sure that I am ready to vote on it—for it or against it. I am impressed with the idea that it is of very great importance to the industries of this country that the subject of the manufacture of dyes should be given very thoughtful and attentive consideration. Just what ought to be done with respect to it, I am not prepared to say to my own satisfaction. I should have been glad to have this measure considered fully by the Committee on Finance, and all the facts gone into and the needs of the situation well understood. While it is true that 30 per cent ad valorem has been the tax prevailing for a great many years, that fact alone is not sufficient to satisfy me that it is the rate that ought to be prescribed.

I feel that this is rather an exceptional case—the making of dyes—the building up of the dye industry in the United States. I could go on here giving some reasons that impress me, at least, but I do not care at this time to go into it or to provoke discussion with regard to it. I should have been very glad, however, to have the matter made the subject of a sufficient inquiry and discussion, to have had the facts laid before us afresh, to enable us to pass upon it with a greater degree of intelligence, I think, than the Senate is about to pass upon it.

While the Senator has acted with great propriety and entirely within the limits of his rights, I regret that he has seen proper to throw this matter into the Senate in this connection.

Mr. LODGE. Mr. President, I agree with the Senator from Missouri that this is an exceptional case. That is the only thing that led me to offer the amendment—not because I do not think there are other items in the tariff law which ought to be changed, but because I think this is very exceptional.

Last summer the Secretary of War pointed out to the country the necessity of building up the dyestuffs industry, with a view to the manufacture of explosives. The matter has been before the committee. I have heard reports that the party responsible for legislation were about to bring it forward, and I have been hoping that they would do so. I should have been glad to unite with them in any legislation looking to the building up of this industry, which I think involves a great deal more than the mere question of a rate of duty or a rate of taxation or the development of an industry. Nothing has been done, however, and the winter has gone, so I have offered this amendment. I wanted to bring it to the attention of the Senate. I have offered it in the form recommended by the American Chemical Society, and embodied in a bill by Mr. HILL, of Connecticut, in the House. I merely wish to bring it to the attention of the Senate and ask a vote upon it.

Mr. SIMMONS. Mr. President, I do not desire to discuss this matter, because I do not think the Senate is likely to adopt as an amendment a bill that is now pending in the other House and is being given, by the Ways and Means Committee of that body, very serious consideration. While I have not the remotest idea that they will adopt this particular bill, I think the probabilities are that that committee will bring out some bill to meet the extraordinary situation which the Senator from Massachusetts and the Senator from Missouri correctly state exists with reference to this particular industry.

As chairman of the Committee on Finance, I have myself had a number of consultations, together with other majority members of the committee, with persons interested in this industry. Last week I held quite a lengthy conference with certain gentlemen who represent jointly the manufacturers of dyestuffs and colors and acids and the textile manufacturers. I was given to understand that they did not desire, nor did they need, the great increase provided in the Hill bill. They were not asking for that; neither did they think that their industry had been altogether suppressed in this country by reason of inadequate tariff protection. They rather attributed—and I think there is good ground for that—the fact that the industry in this country has not developed under the high protective rates that have obtained heretofore, especially those that obtained a great many years ago, that were much higher than the Payne-Aldrich rates, to the fact that certain countries in Europe, by combination, had acquired a world monopoly, and had employed to suppress the development of the industry in this country the methods that are ordinarily employed by trusts. I understand that these gentlemen desire some protection against that; and, as the Senator from Massachusetts has said, the Secretary of Commerce and his force up there, in connection with the Bureau of Foreign and Domestic Commerce, have been working upon that side of the question.

Mr. President, I have no doubt during the session, both on this side of Congress and the other side, this matter will be given serious consideration, and of course there ought not to be any action regarding a matter so important upon an amendment offered here to another bill, which has never been before the committee and which has had no consideration whatever.

Even under the present circumstances the dye industry in this country is making very rapid progress. The Senator referred to some large industry established in some other State than the one I have in mind. In my own State I read the other day a very interesting account of arrangements which have already been perfected for the establishment at Sanford, in that State, of a very large plant for the manufacture of dyestuffs, and all over the country they are beginning to establish factories for this purpose. I have here a statement contained in a speech made not long since by Dr. Edward Ewing Pratt, who is Chief of the Bureau of Foreign and Domestic Commerce of the Department of Labor, in which he says:

> Since the outbreak of the European war the American coal-tar dyestuff industry has made great strides forward. The factories in existence at that time have greatly increased their output. New establishments for the manufacture of intermediates have been brought into existence. Thousands of tons of benzol and coal tar heretofore recklessly wasted are now being saved and utilized.
>
> The census of manufactures taken in 1909 reported the total output of coal-tar dyestuffs manufactured in this country to be 5,890,000 pounds, valued at $1,813,000. The output was probably much increased over these figures at the time of the outbreak of the European war. Since that time the five domestic concerns manufacturing dyestuffs have doubled their outputs. Another factory, the branch of a large German firm, has greatly increased its output. Still another factory manufacturing aniline has quadrupled its output.
>
> But the great need and the great demand for dyestuffs have also brought many new concerns into the field. There are now nine new plants making aniline and intermediates. Their total output is approximately 18,000 pounds daily. One new plant for manufacturing

dyestuffs, capitalized at $2,000,000, is now in existence, and is producing at the rate of 1,000 pounds daily. Another plant will be ready for operation about November 1. Another company, capitalized at $15,000,000, has started plans for extensive works in different sections of the country.

Our total production of coal-tar dyestuff materials at the present moment is probably over three times the production prior to the European war.

Mr. President, I do not wish to discuss this matter any further. I hope we will now have a vote.

Mr. BRANDEGEE. Mr. President, I think this is a very important amendment. The Senator from North Carolina states that there is a bill pending in the House, but I understand the House committee has not even reported the bill.

Mr. SIMMONS. They have had hearings, I will say to the Senator, and quite extensive hearings, showing that it has been considered there.

Mr. BRANDEGEE. I understand. I had no idea this amendment was to be offered by the Senator from Massachusetts, and I am free to say I am not prepared to discuss the matter extensively; but when the Senator from Massachusetts stated that his amendment was the bill introduced by Mr. HILL, of Connecticut, I turned to the RECORD to see what he had said about that question in the House. I find here in the RECORD under date of February 14, 1916, on page 2523 of the RECORD, the remarks of Mr. HILL upon this industry, upon its history, upon the various rates of duty which have been imposed upon these articles in the past, and there are certainly some most astounding statements in his speech, astounding in that they show the absolute dependence upon—not to say abject subjection of this country to—Germany in this whole question of dyestuffs and acids and chemical products.

I will read just one extract, which is the testimony of Dr. Pratt, who is the chief of the Bureau of Foreign Commerce, and it is said to appear on page 202 of the hearings. He says:

> The European artificial dyestuff industry is more than a large and prosperous industry. It is a highly organized combination of manufacturers seeking not only to enlarge their output and to compete with similar manufacturers in other parts of the world, but carrying on a definite industrial program looking to the control of the market and the ultimate elimination of important competitors. This factor in the situation has made it practically impossible for the American dyestuff industry up to the present time to get a really firm foothold, and has made it necessary for us to import a large proportion of our dyestuffs and has placed us in the position where we find ourselves to-day, practically in the midst of a dyestuff famine.
>
> The methods used by the European dyestuff manufacturers should not be unfamiliar to us Americans. When an American manufacturer has developed a certain dye and is selling it in considerable quantities the European manufacturers have suddenly reduced the price far below the actual cost of production, either in this country or abroad, and hence the American manufacturer has been forced to withdraw quite rapidly from the manufacture of that particular dye. These unfair methods of competition on the part of our competitors in Europe would not be tolerated for a moment under the recent trust legislation except for the fact that those who are responsible for these methods are not amenable to the laws of the United States.

In glancing hurriedly over this speech of Mr. HILL numerous instances are given of the situation of our manufacturers at present. In reference to one concern it is testified that it was compelled to pay for its dyes alone over $300,000 more during 1915 than it did during 1914. We all know—every Senator and Representative knows—the distress that all the producers of textiles who use these dyes have been in during the last year.

I am very glad the Senator from Massachusetts offered this amendment. If there is a similar measure pending in the House, it seems to me Democratic Senators might well enough allow this amendment to go to conference, and if the House committee intends to do anything to help relieve this famine and the extortion of our citizens by this foreign trust—for it is a great foreign trust—they can, if they choose, modify what we propose and let the conference committee report out what may be agreed upon in conference and put it on a bill that will stand some chance of getting through both Houses at the present session.

Owing to the situation of the public business in the House, the amount of time taken up on contested matters, I am free to say that I am not at all optimistic that any legislation on this subject which will be of any substantial benefit will receive any consideration worthy of the name on the floor of the House if reported out as an independent measure. I think if our Democratic friends are as sincere in their desire to try to make this Nation not utterly dependent upon a belligerent for this great necessity, now is the chance to demonstrate it and let this amendment go on the bill and go to conference at least. They will control both branches of the conferees, and no damage will be done by letting it go there and getting some consideration.

While I wish I were better prepared to speak upon this matter than I am, I felt that I would like to say as much as I have said.

Mr. BRANDEGEE subsequently said: Mr. President, I should like to have permission to have incorporated in the remarks which I made a few moments ago a letter to Mr. LONGWORTH, of the House of Representatives, and also a letter from the Secretary of the Treasury to the Speaker of the House, which appear on page 5247 of the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letters referred to are as follows:

NEW YORK, *February 23, 1916.*

Mr. NICHOLAS LONGWORTH,
Room 319, House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: I have just read the copy of Congressman HILL's speech before Congress on the dyestuff bill (H. R. 702), and on page 11 I read that yourself and Mr. HILL discussed the writer's statement before the Ways and Means Committee regarding our recent dyestuff purchases in China.

In order to have the matter entirely correct in your mind, I would say that you will find, on page 119 of the printed hearing before the Ways and Means Committee on the dyestuff bill that the writer answered your question as to exorbitant cost of dyestuffs, stating that my company had just paid $5.75 a pound for aniline black (made by Badische, in Germany), which we had purchased from China.

These identical goods in normal times would have cost us 20 cents per pound, or a total of $1,748, whereas we are now compelled to pay more than $52,000.

Since that time we have made another purchase of same goods from Shanghai, paying $7.50 per pound instead of $5.75, and on February 14 last we were quoted $12 a pound for exactly the same material from China.

This latest quotation means an advance of 6,000 per cent over the normal before-the-war figure of 20 cents per pound.

Yours, very truly,

R. H. COMEY CO.,
GEO. W. WILKIE,
For the Company.

—

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, March 9, 1916.

SIR: Owing to conditions arising out of the European war, the Bureau of Engraving and Printing, which prepares all Government notes and other securities, national-bank notes and Federal reserve notes, postage and revenue stamps, and currency of the Philippine government, has found it impossible to purchase colors for inks in sufficient quantities in the United States to carry on its work. It has been compelled for over a year to use cheap and unsatisfactory substitutes for some of the colors, and as time has gone on even these substitutes have become more and more difficult to purchase, and it seems to be only a question of a short time until the supply of them will be exhausted. At present the Bureau of Engraving and Printing has only two weeks' supply of reds and blues, which are the most important colors used by it.

Some time ago an order for 145,000 pounds of blues and reds was placed in Germany, and through the assistance of the State Department permission was granted for the exportation of these colors. The first of several consignments has just reached this country. Under the tariff act some, if not all, of these colors are dutiable, and it seems to me it is proper at this time and under these conditions for Congress by joint resolution to authorize the importation of all of these colors free. It is impossible to buy these colors here. The prices that are now paid for them in Germany are higher than the prices before the war plus the duty. The duty will be approximately $12,000, and it will be necessary to go to Congress for a deficiency appropriation if this duty is paid. There can be no question of this importation injuring in any manner any American industry.

I therefore have the honor to request that a joint resolution authorizing the admission free of duty of approximately 145,000 pounds of dry colors, valued at $40,000 to $50,000 (the exact amount not being determinable at this time owing to the fluctuations of exchange), from Germany for the use of the Bureau of Engraving and Printing, the same having been ordered December 10, 1915, and shipment being made to and in the name of the Secretary of the Treasury, said colors to be exclusively for the use of the Bureau of Engraving and Printing, may be passed by Congress. As part of these colors has already been shipped and some of them are now in this country, I request that immediate action on this resolution may be taken, if possible.

I inclose herewith a suggested form of resolution.

Respectfully,

BYRON R. NEWTON,
Acting Secretary.

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

Mr. JOHNSON of Maine. Mr. President, I am ready to vote at the proper time for any duty upon dyestuffs that may be necessary to establish or encourage their manufacture in this country and to make our textile mills independent of the manufacturers abroad for all the dyes which they use. But it seems to me we ought to have more information than we have at present, and that this is not the proper place to introduce the amendment and call for action on this very important matter.

I remember very well having something to do with the chemical schedule of the last tariff bill, as a member of the Finance Committee, and the attitude of the textile mills of New England toward any additional duties on dyestuffs. I recall that the Underwood bill, as it came to the Senate from the House, carried a duty upon anthracene and alizarin, and dyes derived from them, and upon indigo, which had hitherto been upon the free list, and I remember the attitude of all the textile mills of New England, and largely throughout the country, in regard to an increase of duties or placing duties on articles which had

theretofore been on the free list. There were protests and delegations visited Washington. I remember they came from some of the mills in New England which were large users of these dyes.

I realize that there is a hardship at this time, that they are compelled to pay largely increased prices owing to the cutting off of the importation of dyes which they are compelled to use; but, with no chance to investigate the matter, with no hearings by any committee of the Senate, with no investigation and no report, it seems to me we have no information upon which to act, as to what the duty ought to be now, and what action should be taken. I say this in explanation of the vote which I shall cast.

Mr. SIMMONS. I may say that in an informal way the committee has been considering it.

Mr. JOHNSON of Maine. But not the committee of the Senate; the committee of the House.

Mr. SIMMONS. The committee of the Senate in an informal way, the members of the committee, certainly myself as chairman, have been considering and studying the data, conferring with those interested both in the manufacture of dyes and those engaged in the textile industry.

Mr. JOHNSON of Maine. I am very glad to have that information from the Senator from North Carolina, but I do not understand that any bill is pending or has been referred to the committee for consideration.

Mr. SIMMONS. No.

Mr. JOHNSON of Maine. I simply wished to say this in explanation of my vote at this time.

Mr. SMOOT. Mr. President, I can not see that it makes any difference whether this amendment has been referred to the Finance Committee or not. There never has been a tariff bill presented to the Senate since I have been a Member when there have not been amendments offered that had never been referred to the committee.

Mr. SIMMONS. If the Senator will pardon me——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. Certainly, for a question.

Mr. SIMMONS. Of course the Senator understands that no one is questioning the right of the Senator from Massachusetts to offer the amendment in this way, without having it go before the committee?

Mr. SMOOT. I understand that; and I also understand that I have no apology or excuse to offer for my vote on this amendment as Senators on the other side of the Chamber are doing. I do not have to get up on the floor of the Senate and say this is not the proper time to vote for it. I know as well as I know I am alive that the present rate of duty will never fully establish the industry in this country. I have said so upon this floor not once but a dozen times. When the manufacturers of the East were here, as the Senator from Maine has said, pleading that the rate be not increased, I have always said that it was selfishness upon their part, and now the conditions of the world are such that it has brought it home to them and they find themselves next to helpless.

Mr. President, it is not only the coal-tar dyes that need protection in the chemical schedule, it is the schedule as a whole. Since the passage of the tariff act I have called the attention of the Senate upon two occasions to the utter destruction by it of the manufacture of chemicals in this country. The machinery has been thrown to the junk pile, and that, Mr. President, will continue if there is no change in this schedule after the war is over and matters become normal.

Mr. OWEN. Mr. President, will the Senator yield for a question?

Mr. SMOOT. Certainly.

Mr. OWEN. What is the average duty now on the chemical schedule?

Mr. SMOOT. Does the Senator mean taking the schedule as a whole?

Mr. OWEN. Yes; all the way through.

Mr. SMOOT. I should judge about 23 or 24 per cent, although I have not looked it up of late.

Mr. OWEN. What is the labor cost?

Mr. SMOOT. I would say that the labor cost in a few classes of chemicals is very low indeed. There are others where the labor cost is as high as 85 per cent. So I can not state to the Senator what the average would be.

Mr. OWEN. The reason why I called the attention of the Senator to it was because the average, as shown by the tariff bill in 1909, when those figures were made up, was 8 per cent as against 28 per cent average. The labor cost was only 8 per cent on an average, while the total levy was 28 per cent.

Mr. SMOOT. I do not know who made up the figures, but if there is any man in this country or any other country who says the full line of chemicals and dyestuffs as covered by the chemical schedule in the tariff law of 1913 is only 8 per cent says something that is absolutely untrue. It can not be. I do not know who made up the figures, but they are wrong, or else the Senator from Oklahoma has misunderstood his informant.

Mr. OWEN. Mr. President, if the Senator will permit me, I will state that the 28 per cent was made up by the Committee on Finance of the Senate, and the 8 per cent was made up by figures which I found in the census and which I made up myself, and I know, therefore, they are correct.

Mr. SMOOT. If the Senator made them up himself, he certainly missed a great part of the cost of manufacturing chemicals. There is no question about that.

I am not going into a discussion of the tariff question at this time. I am ready to vote upon this amendment. I think it ought to be adopted, and I believe myself there are many Democrats in this body who believe it ought to be adopted. If you are going to build up this industry, I say it will not only require a change in the coal-tar paragraph, but it will require a change in the whole schedule, and the sooner it comes the better it will be for the country.

Mr. NORRIS. Mr. President, I dislike very much to be required to vote on this amendment with the information the Senate has before it. For some time now we have read a great deal in the press, including some statements from officials to the effect that there ought to be action by Congress in regard to the dyestuff proposition. I am not certain if the evidence were produced that I would not support this amendment. I would like to vote for a law that would bring about the development of this industry. But we have here offered from the floor of the Senate an amendment which has not received the consideration of any committee or of any official. No investigation has been made as to whether the rates fixed in the amendment are reasonable and fair, and no Senator has offered, at least to my satisfaction, any evidence showing that the rates provided for in the amendment are proper and just.

I am not finding fault with the Senator from Massachusetts for offering the amendment on the floor of the Senate without the consideration of the committee, and we could consider and act on it if it were on a subject of which we had general knowledge or on which the Senator could give us definite information as to the cost of production and other things that ought to be taken into consideration in fixing a just tariff. I should like to vote for a bill or an amendment that would develop this industry. It seems to me the desirability of its development has been shown by recent events during the war. But the tariff now on the statute books is one that was placed there a great many years ago. I understand it was in the Dingley law; that it was in the Payne-Aldrich law, and that it is in the present Democratic law without any change. If those different changes of the tariff had made a change in this rate, we would have had something on which to base our judgment, but it does not seem to me to be quite fair to expect us to vote for tariff rates upon an important question like this without having some evidence as to what would be a fair and sufficient tariff to develop the industry. It certainly is not a scientific way of making a tariff bill, especially upon the subject of dyestuffs, as to which Senators are not informed and the ordinary person has no direct information.

Therefore it strikes me that it is my duty to vote against the amendment. I do so without intending to condemn it or to say that I should not vote for it if the proper showing were made in its behalf.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. I ask for the yeas and nays on the amendment, Mr. President.

Mr. SHERMAN. Mr. President, I shall not consume very much time, but some question has been raised as to whether or not there is any satisfactory evidence before the Senate on the wisdom or unwisdom of the amendment which has been offered by the Senator from Massachusetts [Mr. LODGE]. The Secretary of Commerce has given us divers kinds of advice on a great many subjects, and among them is the line of merchandise mentioned in this amendment. The only criticism I have to make on his suggestions is the manner in which he describes the dyestuff industry in this country. He refers to it as an "incipient industry." I might criticize the phrase, but we have government by phrase making now very largely, and this is probably in keeping with other branches of the service. I have understood that the word "incipient" ordinarily applied to various epidemics, such as smallpox, measles, and the like, but I never understood that an industry in this country was classified as a disease, except by this administration. This

industry is referred to as an "incipient industry." It may have been an inadvertence or it may have been intentional, but with this preliminary explanation, Mr. President, I wish to read what Secretary Redfield said. I unfortunately did not observe in the dispatch in which this address was reported the particular place where it was delivered, and I am now trusting to my memory in order to give it a habitation. I think, however, it was at Trenton, N. J., in which he used the following language, which I commend to my brother from Nebraska [Mr. NORRIS]:

> Capital hesitates under existing conditions to embark heavily in an undertaking where there is a strong probability, if not a certainty, that upon the return of normal conditions an incipient, half-developed American industry would be exposed to prolonged and relentless underselling by foreign competitors possessing almost boundless resources, financial and technical.

Mr. NORRIS. Mr. President, will the Senator from Illinois yield to me?

Mr. SHERMAN. Certainly.

Mr. NORRIS. I should like to ask the Senator if he has any evidence before him in regard to the rates which are proposed in this amendment? Are they fair? Would they develop the industry? Are they too high or too low?

Mr. SHERMAN. I can only give the Senator an opinion. There is nothing in the recommendation made by the Secretary of Commerce bearing on the subject.

Mr. NORRIS. I understand that. The question upon which I was particularly seeking light was not so much as to whether we should pass some law for the development of this industry, but what ought to be the rates in such a new law.

Mr. SHERMAN. Does the Senator ask whether the rates proposed in the amendment are reasonable or fair or otherwise?

Mr. NORRIS. Yes.

Mr. SHERMAN. I can only give my own opinion that I have formed upon such investigation as I have been able to make and such information as I have been able to gather in a general way without any special knowledge of the industry. I will say that I am willing to vote for the amendment. I believe the rates proposed in it are not out of the way in view of the condition that we are now facing.

Mr. SMOOT. Mr. President, will the Senator from Illinois yield to me?

Mr. SHERMAN. Yes.

Mr. SMOOT. In answer to the question asked by the Senator from Nebraska [Mr. NORRIS]——

The VICE PRESIDENT. Does the Senator from Illinois yield for a question or for a speech, or does he yield the floor?

Mr. SHERMAN. Well, I do not understand the ruling that was made the other day, but that does not make any difference. I am perfectly willing to yield the floor if it is necessary.

Mr. SMOOT. I will not proceed.

Mr. SHERMAN. I am unable to state what the rule is in the Senate. We voted both ways on it. I am willing to yield the floor to the Senator from Utah.

Mr. SMOOT. I do not want the Senator to yield the floor to me.

Mr. MARTINE of New Jersey. Since this inquiry——

Mr. GALLINGER. Mr. President, I think we had better not have another speech.

Mr. MARTINE of New Jersey. Well, it is not——

The VICE PRESIDENT. Just a moment. Does the Senator from Illinois yield?

Mr. MARTINE of New Jersey. I thought the Senator from Illinois was about to take his seat.

Mr. SHERMAN. No, sir. I will not yield to the Senator from New Jersey except for a question, but I shall be very glad to yield for a question.

Mr. MARTINE of New Jersey. I thought the Senator from Illinois had concluded his remarks.

The VICE PRESIDENT. The Senator from Illinois has not concluded.

Mr. MARTINE of New Jersey. Very well.

Mr. SHERMAN. I shall be glad at any time to yield to the Senator from New Jersey for a question.

Mr. MARTINE of New Jersey. My purpose was not so much to ask a question as it was to give——

The VICE PRESIDENT. The Senator from Illinois has the floor.

Mr. MARTINE of New Jersey. I will say what I desire to say later.

Mr. SHERMAN. Mr. President, I have myself enough information to vote for the amendment proposed by the Senator from Massachusetts, and I sincerely hope that the amendment may be adopted. It will not only furnish the ground upon which this industry may recover itself, but it is to be hoped it will produce some additional revenue; and while that is not the primary purpose of many of us on this side of the Chamber, yet it is a matter that ought not to be cast lightly aside. We are needing some additional revenue. If the amendment should be adopted, upon both grounds it would, in my judgment, be a very wise provision. While we can not originate money bills, we can by way of amendment propose them and send them across to the other House, and in that way give them at least a valid excuse to consider them before a committee. So, in the case of this amendment, if it should be adopted by the Senate, it would be an indication that we are soberly considering the question involved.

Mr. MARTINE of New Jersey. Mr. President, apropos of this matter and since this discussion on the question of dyestuffs, prompted by the amendment of the Senator from Massachusetts [Mr. LODGE], I called up the Department of Commerce to learn as nearly as I could what the situation might be. A number of gentlemen in New Jersey interested in the manufacture of aniline dyes have appealed to me by letter and some have called on me personally. A day or two ago I had occasion to go to Jersey City, where I noticed a number of large plants devoted to the manufacture of dyes and dyestuffs, and I observed that enormous additions to them were being built. Hence I was prompted to make inquiry of the Department of Commerce. They tell me that we are now manufacturing in this country a little over half the amount of dyestuffs we consumed before the war. So we are not utterly prostrate and do not need the tickling of an additional tariff.

I then inquired of the department what their knowledge was as to the construction of plants for the further manufacture of aniline dyes, and they informed me that under the present tariff the dyestuff plants are putting up additions on all sides, and the only difficulty now is not the lack of capital, because capital is freely and plentifully offered, but the only trouble is to get adequate quantities of machinery required for the manufacture of these dyes. The tariff seems amply adequate, according to the department, for the establishment of plants and the manufacture of all the needed dyes.

Now, this eternal call for a little more, this cry "hold me up by the chin that I may survive a little longer," is not only heard with reference to dyestuffs but it is heard with reference to sugar, and to the sugar bill the amendment of the Senator from Massachusetts is sought to be tacked on. I want to say for myself as to the sugar question that I believe sugar is vitally necessary for the welfare of man, and, in addition, in ordinary slang parlance it is sometimes said when we have money with which to buy that we have "the sugar." So sugar is necessary not only in connection with the purse but for our physical well-being.

This question was all thrashed out before the people some time ago, and in the Senate of the United States we pronounced in favor of a free breakfast table. That was our slogan, and with that slogan we went before the people. We promised a free breakfast table to the people, and we voted for it. They believed in it, and I believe in it as much now as ever; but there has been a perpetual propaganda on the part of a few men—and there are comparatively few interested in the sugar industry—and they have been keeping up the never-ending clamor that we must continue the tariff on sugar. I have heard it right along from the day we pledged ourselves to vote for free sugar.

The brief visit I made to Hawaii during the past summer opened my eyes as to sugar. If there ever was a sugar oligarchy on God's footstool, I know it is the sugar oligarchy in the islands of Hawaii, now a part of the United States. I have been advocating free sugar, and I told my friends in New Jersey that I was in favor of abolishing the duty of 25 cents a bushel on their potatoes. I voted for that conscientiously, and they are getting a better price for their potatoes now than they ever did before. I voted for that with all the relish in the world; and yet I now find myself confronted with a situation where I must vote to impose a duty on sugar. We are all agriculturists in a way, though there are very few of us who are real farmers; but I should like some one to find me a product known to man and cultivated in the United States that will produce a return equivalent to the return produced by sugar in the islands of Hawaii; and yet under the provision of the pending bill we are to continue longer the duty on sugar. In Hawaii the product runs from a minimum of 3 tons up to 5 and even 7 tons, not of sugar cane but of raw sugar, per acre. Put that into dollars, and then I ask you, with what grace can our Democratic Party go before the people and advocate a duty on sugar?

I am not telling tales out of school, but you all know that the Democratic Senators had a caucus, and it was agreed that we should support the bill which has been presented by the distinguished chairman of the Finance Committee, the Senator from North Carolina [Mr. SIMMONS]. I there voiced my protest and

cast my vote against it, but I was so overwhelmingly buried—there was but one other, I think, who voted "nay" with me—that finally, in deference to the opinion of my party and their counsels, but much against my judgment, I agreed to vote to continue the tariff on sugar; but, so help me, I will not vote for an increased tariff on dyestuffs while present prospects are so good.

Mr. BRANDEGEE. Mr. President, will the Senator from New Jersey tell me whether the Department of Commerce informed him that in this country we are only making 2 colors out of a total of 1,800 different colors made by German manufacturers of dyestuffs?

Mr. MARTINE of New Jersey. They did not say that; but, since the Senator has brought that out, they said that we do not produce the same variety of colors as is produced in Germany.

Mr. BRANDEGEE. I think that agrees with my statement.

Mr. MARTINE of New Jersey. Well, that is all right.

Mr. LODGE. We are making about 15 colors, while there are about 1,800.

Mr. MARTINE of New Jersey. I do not know whether 1,800 is absolutely the correct number, but I understand that it depends very much upon a man's condition as to how many shades he sees in the rainbow. [Laughter.]

Mr. SMOOT. Mr. President, there has been an intimation, if not a direct statement, that the rates upon coal-tar dyes are the same to-day as they were under the Dingley law, but I wish to call attention to one difference. When the Dingley law was in operation there was a rate of duty upon coal-tar dyes of 30 per cent, as stated by every Senator who has mentioned the subject, but the Senate has not been informed that under the Dingley law all the intermediate products came in free. There is a long list of them, and therefore I will not read them to the Senate, but any Senator who is interested can look up the paragraph and find them.

Some of these products are absolutely necessary to the dye manufacturers of this country, and they are required to get them from Germany. Many of them are made nowhere else. Many of them are the products that go into the thousand different colors that are not manufactured in this country. The Underwood-Simmons law, instead of leaving those products that could not be made in this country upon the free list, imposed a duty upon them of 10 per cent. Therefore the coal-tar dye manufacturers of this country are not in the same condition as they were under the Dingley law.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. SMOOT. Certainly, I yield.

Mr. NORRIS. I want to ask the Senator a question.

Mr. SMOOT. I yield for a question.

Mr. NORRIS. It seems to me that that emphasizes the fact which I previously endeavored to state—that we are not now in a position to legislate intelligently on this subject. I should like to ask the Senator whether, if, instead of adopting the amendment of the Senator from Massachusetts, we should put on the free list the other ingredients which he has mentioned and which it is necessary to use in order to make these dyes, would not that bring the proper relief and would not that be better than to increase the tariff on these commodities?

Mr. SMOOT. It would bring a certain relief, I will say to the Senator, but not such relief that the business could live after normal conditions in the world are established.

Mr. NORRIS. How can the Senator say that? What evidence—and this is one of the things I wanted to find out—has the Senator as to the cost of the manufacture of these articles here and abroad?

Mr. SMOOT. Mr. President, I have called the attention of the Senate many times to the facts showing the difference in the wage paid in Germany and in this country, beginning with the chemist down to the very lowest class of labor engaged in the manufacture of chemicals; and I say to the Senator now that the wage paid in German institutions in the manufacture of chemicals and dyes is not to exceed one-quarter of the wage paid in this country. And I want the Senator to understand that in stating that I say it because I know it. Another thing is that the German people as a people have made a study of the question of making and manufacturing dyes as no other people on earth have done. They produce alizarins, which we never produce in this country. They produce a thousand kinds of colors for which the world depends upon Germany, and, Mr. President, the policy of Germany has been in the past, wherever there is established anywhere in the United States a factory of any size for producing chemicals, to ship into this country, even if at prices below cost, until they closed the American factory.

I could call the attention of the Senator, if he wanted it, this afternoon, and if I had the time, to a dozen such instances. Not only that, Mr. President, combinations are allowed in Germany, and they have been made so powerful in capital and organization that no matter in what part of the world other people begin to manufacture chemicals, the German combination simply go to work and undersell until they close them up, and the balance of the world pays the amount that is lost in advance prices until it is accomplished. I do not state this on hearsay. That is stated in reports from Germany herself.

Mr. President, it seems to me that any Senator who desires to see this industry established in this country should vote for the amendment that has been offered by the Senator from Massachusetts. It is 30 per cent ad valorem and 7½ cents per pound specific duty, and on some things I think that would amount to perhaps 75 per cent, and maybe more on some of the cheaper articles. Upon the great quantity of them, the high-priced products, it would be less than that, not to exceed 40 or 45 per cent. It seems to me, Mr. President, that what the country is passing through now, the condition in which we find ourselves, ought to teach every Senator who has a vote to cast to establish this industry in this country that now is the time to do it.

I want to say, further, Mr. President, that you will find that the clothing that the people wear in this country will not be so fast in color as it has been in the past, because we are not prepared to make the required product. I say that we never will be prepared unless we have a protective tariff sufficient for the manufacturers of this country to get established. I know that the rate proposed in this amendment is none too high to accomplish that purpose.

Mr. MARTINE of New Jersey. Mr. President, will the Senator yield to me just for a question?

Mr. SMOOT. I will.

Mr. MARTINE of New Jersey. I wish to ask for what reason the Senator can ask for this additional duty, when, if these statements are correct as I get them from the department, capital is to-day, under the present duty of 35 per cent——

Mr. SMOOT. Thirty per cent.

Mr. MARTINE of New Jersey. Thirty per cent—capital is to-day rushing in and building up the plants as rapidly as it can. The department says that the only delay is due to the fact that the manufacturers can not get the machinery. If that is so, why does the Senator ask for more duty?

Mr. SMOOT. Why, Mr. President, the capital that is going into this business to-day expects, and rightfully expects, that it will be more than a year before the plants in Germany get established in making these products again in the quantities that they used to, and the manufacturers know that at the prices they are paying to-day, if they can get one year's run, they will nearly clear the cost of their mill. I want to say to the Senator that the reds that are used in printing our currency we used to buy for 40 cents a pound, and the Government of the United States is paying $4 per pound for them to-day. How long it will take a manufacturer to make his plant clear, and perhaps make a profit, the same as the manufacturers of munitions of war are making to-day—and I was going to say a great many other industries in this country. But as soon as the war is over a change will come.

Mr. BRANDEGEE. Mr. President, will the Senator yield for a question?

Mr. SMOOT. I will; for a question.

Mr. BRANDEGEE. Is it not a fact that even if Germany were producing these dyes in sufficient quantities to-day, they could not be gotten into this country?

Mr. SMOOT. It is absolutely true.

Mr. BRANDEGEE. Is not that one good reason why capital would go in, having the entire American market, and only being able to supply half the demand, if it is up against no foreign competition at all?

Mr. SMOOT. Yes, Mr. President; and I want to say to the Senator from New Jersey that if he will go with me I will show him invoices for coal-tar dyes two years ago and invoices for the same colors purchased the last three months, and he will find that there has not been a slight increase of 10, 15, or 20 per cent, but he will find that there has been an increase in some instances of hundreds of per cent.

Mr. MARTINE of New Jersey. I realize all that.

Mr. SMOOT. And, Mr. President, it is natural under the conditions existing. Many of the manufacturers can not get what they want even with the prices asked and they are willing to pay, and the products that they are manufacturing to-day are not what the manufacturers of this country want. Blacks and light colors are being used as much as possible, in order that the American manufacturer will secure dyes in sufficient qualities to run the mills. I think, of course, the American customer, under the circumstances, will recognize this fact

and make his purchases accordingly; and I will say it is safer to buy a straight black this year than any other color, if fastness of color is desired.

Mr. MARTINE of New Jersey. I should like to ask the Senator whether there is any assurance that if we should adopt this bill we will get the rebate, and get clear down to the original prices again? With the subsidy to the dyestuff manufacturers that they will be granted under this additional stipend that the amendment of the Senator from Massachusetts proposes, they will not lower the prices. They will hold the prices up just as high, even after the war, as they are to-day.

The VICE PRESIDENT. This is not a question.

Mr. SMOOT. Mr. President, in answer to the question of the Senator from New Jersey, I will say that when normal conditions exist in the world again, competition will then bring prices down. I will admit that the increase in this rate, which is 7½ cents per pound, will in many, many cases enable the manufacturers of this country to proceed with the manufacturing of coal-tar dyes. In many cases it will not. But I will say to the Senator that 7½ cents a pound on the dyestuffs which cost a dollar a pound that go into the manufacturing of his clothing would not amount to one-tenth of a cent a yard. The Senator would not buy his clothing for any less; no one would; but perhaps we can have American labor make these products, instead of the products being made in a foreign country. That is the object of the amendment, and that is the only reason why I would vote for it.

Mr. VARDAMAN. Mr. President, I ask that the amendment be read. I have been absent during the discussion, in attendance upon a subcommittee, and I have not heard the amendment read. I should like to hear it.

The VICE PRESIDENT. The Secretary will state the amendment.

Mr. GALLINGER. Mr. President, I noticed when it was read before that some words were not plainly understood by those of us who were listening. [Laughter.]

The VICE PRESIDENT. The Chair cautions the Secretary to pronounce the words correctly.

The SECRETARY. The Senator from Massachusetts proposes to add the following to the amendment offered by the committee:

That on and after the day following the passage of this act there shall be levied, collected, and paid upon the articles named herein when imported from any foreign country into the United States or into any of its possessions, except the Philippine Islands and the Islands of Guam and Tutuila, the rates of duties which are herein prescribed, namely:

DUTIABLE LIST.

1. All products of coal, produced in commercial quantities through the destructive distillation of coal or otherwise, such as benzol, toluol, xylol, cumol, naphthalin, methylnaphthalin, azenaphten, fluorin, anthracene, phenol, cresol, pyridin, chinolin, carbazol, and other not specially provided for and not colors or dyes, 5 per cent ad valorem.

2. All the so-called "intermediates," made from the products referred to in paragraph 1, not colors or dyes, not specially provided for, 3½ cents per pound and 15 per cent ad valorem.

3. All colors or dyes derived from coal, 7½ cents per pound and 30 per cent ad valorem.

FREE LIST.

4. Acids: Acetic or pyroligneous, arsenic or arsenious, chromic, fluoric, hydrofluoric, hydrochloric or muriatic, nitric, phosphoric, prussic, silicic, sulphuric or oil of vitriol, and valerianic.

5. Coal tar, crude, pitch of coal tar, wood or other tar, dead or creosote oil.

6. Indigo, natural.

SEC. 2. That paragraphs 20, 21, 22, and 23 of Schedule A of section 1 of an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved 9 o'clock and 10 minutes p. m., October 3, 1913, and paragraphs 387 394, 452, and 514 of the "free list" of section 1 of said act, and so much of any heretofore existing law or parts of law as may be inconsistent with this act are hereby repealed.

Mr. SIMMONS. Mr. President, I think probably there is no other Senator who desires to speak on this matter, and I move to lay the amendment of the Senator from Massachusetts on the table.

Mr. LODGE. I think we can get a direct vote, Mr. President.

Mr. SIMMONS. Very well; I have no objection.

The VICE PRESIDENT. The yeas and nays have been demanded and ordered. The Secretary will call the roll.

Mr. LODGE. This is on the amendment?

The VICE PRESIDENT. On the adoption of the amendment.

The Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN], who is absent. Not knowing how he would vote if present, I withhold my vote.

Mr. JOHNSON of Maine (when his name was called). I transfer my general pair with the junior Senator from North Dakota [Mr. GRONNA] to the senior Senator from Texas [Mr. CULBERSON] and will vote. I vote "nay."

Mr. MYERS (when his name was called). I have a pair with the junior Senator from Connecticut [Mr. MCLEAN]. In his absence, I withhold my vote. I am informed that if the Senator from Connecticut were present he would vote "yea," and if I were able to vote I would vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. I see he is not present, and I shall have to withhold my vote, as I do not know how he would vote on this question.

Mr. OWEN (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. CATRON] to the Senator from South Dakota [Mr. JOHNSON] and will vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I am paired with the senior Senator from Arkansas [Mr. CLARKE], who is absent. On that account I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the junior Senator from Maryland [Mr. LEE] and will vote. I vote "nay."

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. I transfer that pair to the senior Senator from Tennessee [Mr. LEA] and will vote. I vote "nay."

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from New Jersey [Mr. HUGHES], I vote "nay."

The roll call was concluded.

Mr. CHILTON. I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the junior Senator from Oklahoma [Mr. GORE] and will vote. I vote "nay."

Mr. DILLINGHAM (after having voted in the affirmative). I am compelled to withdraw my vote, as I see that the senior Senator from Maryland [Mr. SMITH] has not voted, and I have a pair with him.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Delaware [Mr. DU PONT] with the Senator from Kentucky [Mr. BECKHAM];

The Senator from Idaho [Mr. BRADY] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Florida [Mr. BRYAN].

The result was announced—yeas 25, nays 41, as follows:

YEAS—25.

Borah	Curtis	Nelson	Sterling
Brandegee	Jones	Oliver	Wadsworth
Burleigh	Kenyon	Page	Weeks
Clapp	La Follette	Poindexter	Works
Clark, Wyo.	Lippitt	Sherman	
Colt	Lodge	Smith, Mich.	
Cummins	McCumber	Smoot	

NAYS—41.

Ashurst	Lane	Robinson	Taggart
Bankhead	Lewis	Saulsbury	Thomas
Broussard	Martin, Va.	Shafroth	Thompson
Chamberlain	Martine, N. J.	Sheppard	Tillman
Chilton	Norris	Shields	Underwood
Hardwick	Owen	Simmons	Vardaman
Hitchcock	Phelan	Smith, Ariz.	Walsh
Hollis	Pittman	Smith, Ga.	Williams
Husting	Pomerene	Smith, S. C.	
Johnson, Me.	Ransdell	Stone	
Kern	Reed	Swanson	

NOT VOTING—30.

Beckham	Fall	James	Overman
Brady	Fletcher	Johnson, S. Dak.	Penrose
Bryan	Gallinger	Lea, Tenn.	Smith, Md.
Catron	Goff	Lee, Md.	Sutherland
Clarke, Ark.	Gore	McLean	Townsend
Culberson	Gronna	Myers	Warren
Dillingham	Harding	Newlands	
du Pont	Hughes	O'Gorman	

So Mr. LODGE's amendment to the amendment of the committee was rejected.

The VICE PRESIDENT. The question recurs on the amendment of the Committee on Finance.

Mr. WORKS. Mr. President, I had supposed that a vote would not be called for upon the bill this afternoon. I have an amendment that I desire to submit and support by a few remarks. I am not prepared to do so this evening. I will ask the Senator from North Carolina whether there is any reason why the bill should be pressed to a vote this afternoon?

Mr. SIMMONS. I will state to the Senator that the only reason was that no Senator was ready to speak this afternoon, and I thought in view of the fact that we have a very short time before the 1st of May, the sooner we get this matter into

conference, where we anticipate there will be some little difference between the House and the Senate, the better. I was advised that there was no Senator on the other side of the Chamber who desires to speak.

Mr. WORKS. Then, evidently, I was not consulted on the subject. I do desire to present an amendment and support it very briefly. Probably it will not take me more than half an hour, but I can not do it now.

Mr. SIMMONS. Is there any reason why the Senator can not proceed now? I think we ought to get this matter out of the way as quickly as possible, so that the military bill may be taken up. It is important legislation, and I hope the Senator will not hold up the whole matter.

Mr. WORKS. I think under the unanimous-consent agreement the Senator ought not to press this measure to a vote now, when a Senator desires to be heard upon it and is not prepared to go on at this time.

Mr. SIMMONS. The unanimous-consent agreement, if the Senator will permit me, was that we would vote not later than 5 o'clock to-morrow.

Mr. WORKS. I think Senators had a right to assume——

Mr. SIMMONS. Of course under that agreement we can vote at any time when we are ready.

Mr. WORKS. We are not ready to vote now, when a Senator desires to submit an amendment to-morrow and speak upon it.

Mr. SIMMONS. Under the unanimous-consent agreement we were to proceed to the consideration of this bill beginning at 12 o'clock to-day and——

Mr. WORKS. I have no desire to delay the bill, but I do desire an opportunity to present what I have to say upon the amendment I shall propose, and I took it for granted that under the unanimous-consent agreement the bill would not be pressed to a vote this afternoon. I hardly think the Senator would desire to do that under the circumstances.

Mr. SIMMONS. Of course the Senator understands I do not desire to do anything that is discourteous to any Senator, and if the Senator states that he wants to speak and is not ready to speak this afternoon, I would not feel in face of that like insisting on a vote.

Mr. WORKS. That is what I have been saying.

Mr. GALLINGER. Mr. President, the Senator from North Carolina has stated what ought to be the action of the Senate. On this side of the Chamber we have hastened the passage of this bill. We have been anxious to have it passed. I have not agreed with some of the arguments that have been made in behalf of its passage, but it is inevitable that it is to pass and the Treasury needs the revenue. For that reason we have had no disposition to halt it.

Mr. President, it was distinctly understood that we would have most of to-morrow to discuss the bill, if anyone wished to discuss it, or to offer an amendment; and, when the Senator from California says he desires to offer an amendment and is not ready to do so now, there ought to be no controversy as to the bill going over until to-morrow.

Mr. STONE. There is none.

Mr. GALLINGER. I hope no effort will be made to force it.

Mr. SIMMONS. There is none. If the Senator from California says he is not ready to offer an amendment now, I, of course, do not press the bill.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session, the doors were reopened.

Mr. KERN. I move the Senate adjourn until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m., Monday, April 10, 1916) the Senate adjourned until to-morrow, Tuesday, April 11, 1916, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 10 (legislative day of March 30), 1916.

RECEIVERS OF PUBLIC MONEYS.

Frank Campbell to be receiver of public moneys at O'Neill, Nebr.

Arnold F. Beeler to be receiver of public moneys at North Platte, Nebr.

John P. Robertson to be receiver of public moneys at Broken Bow, Nebr.

REGISTER OF THE LAND OFFICE.

Eugene J. Eames to be register of the land office at North Platte, Nebr.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Ensign Howard A. Flanigan to be a lieutenant (junior grade).

Ensign Otto M. Forster to be a lieutenant (junior grade).

Chauncey R. Murray to be an assistant paymaster.

Boatswain Benjamin F. Singles to be a chief boatswain.

Boatswain Frank G. Mehling to be a chief boatswain.

Gunner Joseph Chamberlain to be a chief gunner.

Machinist Stephen H. Badgett to be a chief machinist.

Machinist Jonathan H. Warman to be a chief machinist.

John F. Huddleston to be an assistant paymaster.

POSTMASTERS.

MISSOURI.

Clyde G. Eubank, Madison.

A. S. J. Martin, East Prairie.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 10, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Father of all Souls, never far from any of us, we would draw near to Thee, that our minds may be quickened, our hearts purified; that we may be strong to do and to dare. For Thou art the inspiration of all good, the strength of every noble endeavor. We realize that the path of duty is not always easy to follow; but we shall reap if we faint not, for Thou art the God of our salvation, and in Thee we put our trust. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of Saturday, April 8, 1916, was read and approved.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of what is known as the juvenile-court bill.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the juvenile-court bill, the unfinished business on District day.

Mr. SPARKMAN rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. SPARKMAN. Mr. Speaker, I rise to make a preferential motion. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193, the river and harbor appropriation bill.

The SPEAKER. The gentleman from Florida makes the preferential motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill. The question is on the motion of the gentleman from Florida, that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill.

The question was taken; and on a division (demanded by Mr. JOHNSON of Kentucky) there were—ayes 46, noes 6.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill, with Mr. SHERLEY in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Fox River, Wis.: Continuing improvement from Depere up to Portage, including maintenance of improvement of Wolf River and of the harbors heretofore improved on Lake Winnebago, $30,000. And the Secretary of War is hereby authorized to convey, by quitclaim deed, to the State of Wisconsin, or to the city of Portage, free of cost, all the right, title, and interest of the United States in and to the "Portage Levee," including the right of way on which it is built, whenever the proper authorities of said State, or of said city, shall satisfy the Secretary of War that they are empowered by law to accept the same.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I dislike to question the competency or accuracy of the clerks employed by the Rivers and Harbors Committee, and will say that the best compliment I have received in my work has come from the secretary of that committee, who praised the

accuracy of my deductions in the past, a task he is required constantly to verify.

The gentleman from North Carolina [Mr. SMALL] is an old member of the committee, but apparently knows little about actual commerce on any of the rivers or canals, as I have demonstrated. On page 6583 of the RECORD he contributes a statement prepared by Mr. McGann, whom he terms one of the capable clerks of the River and Harbor Committee, and the gentleman from North Carolina says he accepts it as absolutely correct.

I ask every Member who desires to ascertain the truth and learn how far we have been misled by so-called commerce statements to turn to the RECORD of April 8, page 6583, and read first the analysis of commerce on the Tennessee River, prepared by myself, and then the statement prepared by the gentleman from North Carolina, which appears in an adjoining column. I will rest my whole case against the committee and against the bill on that page.

One of the statements must be wrong, and I here verify my own figures and disprove the claims of the gentleman from North Carolina, whose other statements I have so frequently discredited by official reports.

This statement is of the utmost importance because of misleading commerce reports constantly quoted by engineers and waterway rainbow chasers when searching for large governmental appropriations:

Tennessee River above Chattanooga.

COMMERCIAL STATISTICS, 1914.

(Chief Army Engineer's Report, 1915, p. 2870.)

			Tons.
Total tons (carried 24 miles on the average)			305,616
Logs	tons	30,573	
Lumber	do	8,510	
Ties	do	18,850	
Sand	do	145,832	
			203,765
Total			101,851

The logs, timber, and sand could have been floated in 2 or 3 feet depth without trouble.

I call upon the gentleman from North Carolina to explain his own error, as apparent from page 6583 of the RECORD.

Tennessee River between Chattanooga and Florence.

COMMERCIAL STATISTICS, 1914.

(Engineer's Report, 1915, p. 2871.)

			Tons.
Total tons (carried 42 miles on the average)			128,872
Logs	tons	16,746	
Lumber	do	10,933	
Ties	do	2,798	
Sand	do	54,708	
			85,185
Total			43,687

Again I ask what excuse has the gentleman from North Caroline for the error he commits?

Tennessee River between Florence and Paducah.

COMMERCIAL STATISTICS, 1914.

(Chief Engineer's Report, 1915, p. 2872.)

			Tons.
Total tons			449,956
Logs	tons	42,212	
Lumber	do	12,261	
Ties	do	330,376	
Poles	do	20,000	
Other timber	do	3,934	
			408,783
Total			41,173

Recapitulation.

	Total tons.	Net tons.
Above Chattanooga	305,616	101,851
Chattanooga to Florence	128,872	43,687
Florence to Paducah	449,956	41,173
Total	884,444	186,711

Only 186,711 tons, of which 78,000 tons was marble and cheap iron ore, floated from 5 to 15 miles. For this commerce we have already appropriated $11,000,000, and this bill carries $944,000 for the coming year.

Compared with this statement is the following from the gentleman from North Carolina, page 6583 of the RECORD:

"Now, the reports of the engineers show that for the calendar year 1914 there was a total commerce on the Tennessee River of 1,343,709 tons."

"Deducting floatable timber and sand, the commerce, as reported on the three sections of the river, is as follows: Above Chattanooga, 134,446 tons; between Chattanooga and Florence, 68,732 tons; between Florence and Chattanooga, 268,791 tons; making a total of 471,969 tons."

	Tons.
Mr. SMALL says the total 1914 commerce was	1,343,709
Engineers' report, 1915, pages 2870 to 2872, shows	884,444
Excess over official report	559,265

Mr. Small's statement is over 60 per cent too high on total commerce.

	Tons.
Net commerce, Mr. SMALL'S statement	471,969
Net commerce, engineers' report, pages 2870 to 2872	186,711
Excess over official report	285,258

Mr. SMALL'S statement is 285,258 tons, or 250 per cent, too high on net tonnage. The importance of this comparison should not be overlooked. On pages 6178, 6179, and 6180 of the RECORD of April 3, the statements of the gentleman from North Carolina were squarely discredited by the official reports, and now he places responsibility upon a clerk for the inexcusable errors above noted. By getting the statements of inland-waterway boosters squarely on record, we are able to puncture misleading arguments, on which they are now securing enormous appropriations from the Government In this connection I again call attention to the monstrous absurdity now perpetrated on the Government by the Beaufort-Norfolk waterway, which gets $1,000,000 in this bill for a net commerce estimated at about 65,000 tons annually.

But the most scandalous part of that project is that the Government dredge crew can be employed for $200,000 annually, whereas the $800,000 additional for 1916 is divided up among private dredges, as exposed by Mr. GOOD, of Iowa, and these private contractors charge 80 per cent more for the same service than the cost to the Government when it performs the work with its own plant. These are the contracts made for us by Army engineers, and we are to blame for the extravagant appropriations they feel compelled to spend.

I do not allege graft in some $300,000 overcharges on this one-year's job, provided for by an $800,000 surplus in this one bill, but I do ask how far is the Government to be mulcted by such wasteful projects and such outrageous contracts.

Mr. SEARS. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for 15 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to proceed for 15 minutes. Is there objection?

Mr. FOSTER. Mr. Chairman, I do not believe at this stage of the proceedings gentlemen ought to ask unanimous consent to proceed for so long a time as 15 minutes under the 5-minute rule.

The CHAIRMAN. Does the gentleman object?

Mr. FOSTER. I do.

The CHAIRMAN. Objection is heard and the gentleman from Florida is recognized for five minutes.

Mr. SEARS. Mr. Chairman, I have not taken up much of the time of this House, and I am indeed sorry the distinguished gentleman from Illinois [Mr. FOSTER] objects, not that any words of wisdom perhaps will fall from my lips, but in order that certain corrections may be made in remarks of the gentleman from Wisconsin [Mr. FREAR], I have asked unanimous consent. It is not my purpose to attack those appropriations in this bill affecting the State of Wisconsin. I have studied those appropriations, and I believe they are worthy.

In a speech made before the House on war taxes and waste, the gentleman from Wisconsin [Mr. FREAR] took occasion to severely criticize several projects in my district which are provided for in the present rivers and harbors bill. Indeed, the gentleman took such a delight in this criticism that he referred to same on six different pages and at six different times.

Believing that these attacks are unfair and unjust, and that the distinguished gentleman from Wisconsin made said charges and criticisms because he was misinformed, and that there was no desire on his part to be unjust, I have decided, in justice to my State, my district, and my people, to briefly reply thereto and present to you for your consideration the facts.

On page 800 of the CONGRESSIONAL RECORD of January 16, 1916, the gentleman referred to the St. Johns River, Fla., as follows:

St. Johns River, Fla., $370,000, the full amount requested. Balance on hand January 1, 1915, $111,381. Amount already expended, over $6,500,000. Commerce is 40 per cent floatable lumber and ties. Florida projects are first in number and amount in all waterway bills. Florida also has first call at the hands of Army engineers. Why?

He also referred to the St. Johns River at various times during said speech for the purpose of proving to you that the rivers and harbors bill was nothing but a pork-barrel proposition.

In order that the Members may thoroughly understand this project, I desire briefly to give you the facts and figures relative

thereto as compiled by me from the report of the War Department, and in which I compare the St. Johns River, Fla., with the Fox River, Wis. I ask that you carefully study and compare them.

Mr. Chairman, I am satisfied the figures contained in comparisons Nos. 1, 2, 3, and 4, and also those contained in No. 5, which I will later give you, completely refutes—at least as far as my State is concerned—the statement that there is no commerce on the rivers and that the moneys spent on them by the Government is wasted.

Now, Mr. Chairman, I am satisfied any gentleman who will study the above figures will be compelled to admit there is no just grounds for placing these projects in the pork-barrel class. The Government has paid out on these projects the sum of $6,758,170.59, less than $1 per ton for the commerce carried over said projects, and from now on the cost to the Government will be materially decreased.

By referring to the Fox River, Wis., you will find the cost per ton to the Government has been something over $9 per ton. It is with no spirit of criticism of the Fox River project that these comparisons are given, but solely to prove to you conclusively that the St. Johns River projects are worthy and are entitled to even more liberal appropriations than are given them by the Government. They also completely refute the inference made by my colleague when he stated, "Florida also has first call at the hands of the Army Engineers. Why?

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to proceed for five minutes.

Mr. MANN. Mr. Chairman, I amend that and ask that he may be permitted to proceed for 10 minutes.

Mr. FOSTER. Mr. Chairman, I have no objection to the gentleman's proceeding for 15 minutes, but it seems to me if we start this we can not deny the same privilege to others.

Mr. MANN. I think we will get along better if the gentleman's time is extended.

The CHAIRMAN. Is there objection to the request that the gentleman may proceed for 10 minutes?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SEARS. Mr. Chairman, I regret I must decline to yield, as my time is limited.

Several of the distinguished gentlemen who have spoken against the rivers and harbors bill have stated they believe no assistance should be given by the Government until the projects receiving aid from the Government first receive some local assistance. While I do not entirely agree with this proposition, in addition to the statement made yesterday, when I showed Miami was spending $585,000 on the Miami Harbor project, I desire to read to you from page 632, part 1, Report of the Chief of Engineers, United States Army, as follows:

Local cooperation. None is required by the appropriation act of June 25, 1910. Between 1892 and 1894 Duval County expended $303,206.25 in building training walls and shore protection and dredging between Dames Point and Mile Point to secure an 18-foot channel through this 10-mile stretch. The funds were derived from the sale of county bonds issued for the purpose. The city of Jacksonville is now building a system of extensive, thoroughly modern municipal terminals, with adequate storage yards, warehouses, handling appliances, and rail connections, which will be ready for use about July 1, 1916. The cost is estimated at about $1,500,000. The funds were raised by an issue of city bonds specially authorized for the purpose.

This should meet the opposition of my colleagues along the lines above mentioned.

COMPARISON No. 1.

St. Johns River, Fla.

Total expenditures on St. Johns River from Jacksonville, Fla., to sea have been to June 30, 1915, $6,368,307.86.

The commerce was in—	Tons.	Value.
1912	2,204,794	$67,877,603
1913	2,562,043	71,244,501
1914	2,186,678	60,718,452
Total for three years	6,953,515	199,840,556

Average value per ton, about $30.
Passengers, 1,334,597.
N. B.—See page 632, annual report, on terminals. Balance in favor of above, 6,531,621 tons; value, $197,642,662; 1,244,974 passengers.

FREIGHT TRAFFIC.

Articles.	Amount. Customary units.	Amount. Short tons.	Valuation.
Cotton	24,320 bales	6,080	$1,266,000
Cement	156,500 barrels	31,300	265,125
Coal	192,833 tons	192,833	867,750
Crushed stone	6,214 tons	6,214	18,642
Fertilizer material	133,555 tons	133,555	5,342,200
Fuller's earth and kaolin	18,189 tons	18,189	149,339
Grain and hay	662,760 packages	37,838	1,189,140
Groceries, etc	27,654 tons	27,654	2,533,700
Lumber and crossties	363,820,000 feet b.m.	818,595	5,457,300
Miscellaneous	342,612 tons	342,612	27,881,960
Naval stores:			
Turpentine	58,123 barrels	12,940	1,409,238
Rosin	200,727 barrels	50,131	1,208,270
Oils:			
Refined	1,120,000 barrels	211,000	8,018,000
Crude	5,400,000 gallons	20,769	124,614
Creosote	28,509,000 gallons	126,666	2,733,320
Cotton seed	1,254 barrels	271	18,810
Oranges and fruit	686,495 boxes	27,447	940,616
Paving brick	4,200 tons	4,200	27,300
Phosphate	58,674 tons	58,674	293,370
Salt	39,000 tons	39,000	351,000
Vegetables	462,775 crates	20,254	616,718
Watermelons	38 cars	456	3,040
Total		2,188,678	60,718,152

Fox River, Wis.

Total expenditures on Fox River have been to June 30, 1915, $3,911,651.18.

The commerce was in—	Tons.	Value.
1912	145,890	$634,362
1913	134,638	724,972
1914	141,366	838,637
Total for three years	421,894	2,197,971

Average value per ton, about $6.
Passengers, 89,623.
See attached statement.—Note sand, gravel, and wire grass. Over one-half the expenditures, about one-fifteenth the tonnage, one-ninety-eighth the value, and one-fourteenth the number of passengers.

FREIGHT TRAFFIC.

Articles.	Amount. Customary units.	Amount. Short tons.	Valuation.	Average haul or distance freight was carried.	Rate per ton-mile.
				Miles.	
Basswood bolts	152 cords	76	$646	42.5	$0.0469
Beer	1,106 barrels	194	8,446	24.6	.0565
Brick	4,673,100	9,346	39,721	12.9	.0308
Building material		74	1,115	17.1	.0437
Butter and cheese		180	70,280	19.8	.1008
Cement	3,676 barrels	691	6,812	15.3	.058
Cinders	782 cubic yards	235	782	19.4	.0256
Coal		65,656	328,280	41.5	.0156
Cordwood	1,046 cords	2,615	5,230	50.7	.0098
Clover seed	597 bushels	18	4,776	31.8	.0315
Fruit		10	250	12.1	.0823
Fish		3	630	23.3	.0858
Grain, flour, and feed		2,313	75,657	26.4	.0377
Iron		33	652	16.1	.123
Kerosene	21 barrels	4	84	25.9	.0192
Laths and shingles	1,884,000	260	7,807	24.9	.028
Lime	607 barrels	61	516	22.2	.045
Logs	1,397,300 feet	4,192	13,973	18.0	.0041
Lumber	1,220,500 feet b. m.	1,831	36,615	26.4	.0303
Meat		34	6,165	24.7	.0809
Merchandise, general		843	110,843	22.8	.0881
Posts, cedar	2,200	33	110	44.3	.015
Potatoes	46,277 bushels	1,388	23,139	27.2	.0367
Pulp plaster	1,204 bags	60	753	21.8	.0457
Salt	1,124 barrels	157	1,236	36.4	.0196
Sand and gravel	34,495 cubic yards	46,568	1,236	36.4	.0196
Sugar	40 barrels	7	910	12.1	.047
Sugar beets		3,000	18,000	11.6	.0689
Vinegar	43 barrels	8	258	17.4	.0312
Wire grass		1,467	21,735	32.1	.031
Total		141,366	838,637		

COMPARISON NO. 2.

St. Johns River, Fla.

The expenditures on St. Johns River from Jacksonville, Fla., to Palatka, Fla., to June 30, 1915, $187,308.88.

The commerce was in—	Tons.	Value.
1912	206,441	$8,601,264
1913	145,354	4,822,843
1914	141,892	3,620,415
Total for 3 years	493,687	17,044,522

Average value per ton, about $25; passengers, 41,223.
Freight rates 50 per cent lower than localities that have no water competition.

FREIGHT TRAFFIC.

Articles.	Amount (customary units).	Amount in short tons.	Valuation.	Average distance carried.	Rate per ton-mile.
				Miles.	*Cents.*
Cattle	202 head	93	$8,020	60	.....
Cement	5,140 sacks	233	2,090	60	2.0
Coal	191 tons	191	1,170	60	2.0
Cottonseed meal	250 tons	250	7,750	60	.....
Crate material	17,080 packages	433	13,345	60	1.7
Crossties	150,000 ties	12,500	45,000	60	.....
Fertilizer	15,640 sacks	1,263	43,090	60	2.0
Fish	1,900 barrels	191	15,080	60	4.0
Grain and hay	60,549 packages	3,147	105,406	60	2.0
Grape fruit and oranges	163,671 boxes	6,453	213,841	60	3.0
Groceries, etc	11,908 packages	761	74,467	60	5.0
Lath, cypress	3,000,000	750	8,250	60	.....
Logs:					
Cypress	300,000 feet b. m.	1,200	3,600	10	.....
Pine	9,949,000 feet b. m.	33,247	91,700	10	.....
Lumber:					
Cypress	10,800,000 feet b. m.	18,900	302,400	60	.....
Pine	7,500,000 feet b. m.	18,000	100,000	60	.....
Miscellaneous	36,819 tons	36,819	2,345,724	60	5.0
Naval stores	12,710 barrels	3,109	130,432	60	2.1
Pears	1,344 barrels	134	5,376	60	3.0
Poles	556	140	1,500	25	.....
Potatoes	37,152 barrels	3,440	83,592	60	3.0
Shingles, cypress	1,000,000	250	3,250	60	.....
Vegetables	11,683 packages	388	14,732	60	3.0
Total	.....	141,892	3,620,415	.....	.....

Fox River, Wis.

Total expenditures on Fox River to June 30, 1915, $3,911,651.18.

The commerce was in—	Tons.	Value.
1912	145,890	$634,362
1913	134,638	724,972
1914	141,366	838,637
Total for 3 years	421,894	2,197,971

Average value per ton, about $6; passengers, 89,623.

COMPARISON.

Tonnage, about equal.
Value in favor of St. Johns River, $14,846,551.
Expenditures, about one-twentieth of Fox River.
Passengers, about one-half of Fox River.

COMPARISON NO. 3.

St. Johns River, Fla.

Total expenditures on St. Johns River from Palatka, Fla., to Lake Harney, Fla., to June 30, 1915, $187,308.88.

The commerce was in—	Tons.	Value.
1912	212,121	$4,858,338
1913	174,045	3,549,662
1914	163,209	3,058,117
Total for three years	549,375	11,466,117

Average value about $20 per ton; passengers, 35,823.
Freight rates 50 per cent lower than localities that have no water competition.

FREIGHT TRAFFIC.

Articles.	Amount (customary units).	Amount in short tons.	Valuation.	Average distance carried.	Rate per ton-mile.
				Miles.	*Cents.*
Cattle	183 head	86	$7,320	142	1.1
Cement	5,140 sacks	283	2,540	142	.7
Coal	179 tons	179	1,098	142	.7
Cottonseed meal	250 tons	250	7,750	87	2.5
Crate material	16,636 packages	402	8,869	142	.6
Fertilizer	13,127 sacks	1,095	36,323	142	.7
Fish	2,975 barrels	302	28,910	(1)	.....
Grain and hay	61,119 sacks	3,444	105,788	142	1.2
Grapefruit and oranges	139,175 boxes	5,884	194,712	142	2.1
Groceries	287 tons	287	25,765	142	3.1
Ice	713 tons	713	4,842	(1)	.....
Logs:					
Cypress	16,627,000 feet b. m.	66,481	199,740	50	.....
Pine	18,951,000 feet b. m.	57,353	182,537	50	.....
Lumber	90,000 feet b. m.	194	1,332	(1)	.....
Miscellaneous	24,436 tons	24,436	2,179,522	142	3.1
Naval stores	1,240 barrels	1,240	54,837	142	2.8
Vegetables	13,617 packages	580	16,232	142	2.8
Total	.....	163,209	3,058,117	.....	.....

Fox River, Wis.

Total expenditures on Fox River to June 30, 1915, $3,911,651.18.

The commerce was in—	Tons.	Value.
1912	145,890	$634,362
1913	134,638	724,972
1914	141,366	838,637
Total for three years	421,894	2,197,971

Average value about $6 per ton; passengers, 89,623.

COMPARISON.

Tonnage greater than Fox River by 127,481.
Value greater than Fox River by $9,268,146.
Expenditures about one-twentieth of Fox River.
Passengers about 55 per cent less than Fox River.

NOTE.—Not in a spirit of criticism, but solely because the gentleman takes a special delight in ridiculing the commerce on all projects where a large part of same is lumber, logs, sand, and gravel, I ask you to refer to comparison No. 1. There you will find, under heading "Freight traffic," coal, 65,656 tons; sand and gravel, 46,568 tons; and wire grass, 1,467 tons; a total of 113,691 tons out of a total of all articles of commerce of only 141,366 tons for year 1914.

COMPARISON No. 4.

St. Johns River, Lake Harney to the sea.

Tonnage, 1912–1914, inclusive	7,996,577
Value, 1912–1914, inclusive	$226,153,301
Passengers, 1912–1914, inclusive	1,411,643
Total expenditures	$6,758,170.59

Fox River.

Tonnage, 1912–1914, inclusive	421,894
Value, 1912–1914, inclusive	$2,197,971
Passengers, 1912–1914, inclusive	89,623
Total expenditures	$3,911,651.18

COMPARISON.

St. Johns River, with less than twice the expenditures of Fox River—
Carried more than 15 times the tonnage of the Fox River.
Carried more than 112 times the value of the Fox River.
Carried more than 15 times the passengers of the Fox River.

NOTE.—The three St. Johns projects are combined, as they are really one, and besides, the gentleman in his speech combined the expenditures on same.

COMPARISON No. 5.

Kissimmee River, Fla.

Total expenditures on Kissimmee River, Fla., to June 30, 1915, $32,266.16.

The commerce was in—	Tons.	Value.
1912	71,950	$2,930,500
1913	85,550	3,558,400
1914	36,902	828,890
Total for three years	194,402	7,317,790

Average value per ton in 1913, about $40; average value per ton in 1914, about $23; passengers, 5,000.

NOTE.—I believe you will concede the above is a very good showing for a river which, according to the gentleman from Wisconsin, is dry 8 or 9 months out of 12.

FREIGHT TRAFFIC.

Articles.	Amount (customary units).	Amount in short tons.	Valuation.	Average distance carried.	Rate per ton-mile.
				Miles.	*Cents.*
Cattle	600 head	140	$12,000	12	20.0
Crate material	37,500 packages	750	18,000	12	20.0
Cross ties	9,000 ties	630	3,600	12	.....
Fertilizer	4,000 sacks	400	12,000	12	20.0
Fish	5,000 barrels	500	40,000	20	.....
Gasoline and oils	1,000 barrels	207	8,640	12	20.0
Grain and hay	15,000 packages	750	22,500	12	20.0
Grapefruit and oranges	63,750 boxes	2,550	63,750	12	20.0
Groceries, etc	1,000 tons	1,000	400,000	12	20.0
Hides and skins	25 tons	25	2,000	12	20.0
Ice	600 tons	600	4,800	20	.....
Logs, pine	1,400,000 feet b. m.	4,900	9,000	12	.....
Lumber, pine	7,050,000 feet b. m.	15,800	85,000	12	20.0
Miscellaneous	1,500 tons	1,500	50,000	12	20.0
Naval stores:					
Turpentine	700 barrels	155	13,950	30	7.5
Rosin	2,400 barrels	600	18,000	30	7.5
Railroad supplies	100 tons	100	2,500	12	20.0
Sand	200 tons	200	200	.....	.....
Vegetables	40,000 boxes	1,000	50,000	12	20.0
Wood	3,000 cords	5,085	7,950	12	.....
Wool	80 packs	10	5,000	12	20.0
Total		36,902	828,890	.....	.....

Fox River, Wis.

Total expenditures on Fox River, to June 30, 1915, $3,911,651.18.

The commerce was in—	Tons.	Value.
1912	145,800	$634,362
1913	134,638	724,972
1914	141,366	838,637
Total for three years	421,894	2,197,971

Average value per ton, about $6; passengers, 89,623.

COMPARISON.

Tonnage in favor of Fox River, 227,492.
Value in favor of Kissimmee River, $5,119,819.
Expenditures, about one one-hundred-and-twentieth of Fox River.
Passengers, about one-eighteenth of Fox River.

The word "why" in the statement can only refer to the chairman of the Rivers and Harbors Committee. I can not, however, bring myself to believe the gentleman from Wisconsin intended to cast any reflection on the chairman of said committee. I will, therefore, only say that his 21 years of faithful service in this House is too well known to need any defense at my hands.

I also find, in referring to the speech of the able but misguided gentleman, that he severely criticized the Kissimmee River project; and while this is a small project, small only from an appropriation standpoint, he took occasion to go out of his way and unjustly criticize same on four pages and at four different times. I believe that the gentleman, as stated relative to the St. Johns River proposition, also made these unjust criticisms because he was misinformed. The gentleman from Wisconsin [Mr. FREAR], referring to the Trinity River project, on page 1135 of the RECORD, above referred to, said:

Is not that a case like the Kissimmee River, in Florida, that ought to be insured against fire?

And on page 1148 of the same RECORD he referred to the Kissimmee River project in part as follows:

The country has been informed that the official engineer's report is untrue when it says the Kissimmee River is dry eight months of the year. What is the difference, provided the engineers approve Kissimmee River, wet or dry? The issue of wet or dry on the Kissimmee has become as famous as wet or dry Kansas, and has become a prolific source of argument; but so is the condition of the Trinity, which is dry eight or nine months of the year, according to the same authority. Yet Army engineers recommend an expenditure on the Trinity of twenty millions or thereabouts, although it is reported dry two-thirds of the time. Why not insure against fire?

On page 833 of the same RECORD he made the following statement:

A vigorous champion of the Kissimmee River, eight months dry during the year, according to engineer's report, was also eloquently impressed.

At this time, Mr. Chairman, I desire to present to you some figures which I have compiled from the records of the War Department, and I am satisfied, if you will carefully study these figures, you will agree with me that these criticisms are unjust, the facts do not sustain them, and the same should not have been made by the gentleman from Wisconsin. I am satisfied in the future no similar charges as these will be made by him or anyone.

I also desire to call your attention to the fact that on the Chippewa River, Wis., the Government has spent $201,756; and by referring to the report of the Army engineers you will find the river traffic at present on said river is confined to rafting of manufactured lumber and the running of loose logs, and that the maximum draft that can be carried at low water is 18 inches.

I also desire to call your attention to the St. Croix River, part in Wisconsin and part in Minnesota, on which the Government has spent $156,487.34. The commerce on said river, as shown by the 1915 report of the Chief of Engineers, was only 42,337 tons, and the same was composed largely of logs and lumber, a

larger part of which was floated; in fact, about 75 per cent of the commerce was logs and lumber.

When I state to you that in 1914, on account of the very dry seasons in our State, which practically made it impossible for river navigation on the Kissimmee River, the commerce on said river was 36,902 tons, with a value of $828,890, I believe you will agree with me that the Kissimmee River project is not only a worthy one, but that the total expenditure by the Government of $32,266.16 on said project, when compared with the appropriation of the St. Croix River of $156,487.34, with a tonnage of only 42,335 tons for the year 1914, fades into insignificance.

I also believe, Mr. Chairman, if it had not been the policy of the committee at the present time not to include any new projects, that the paltry appropriation of $47,000 which we are asking for the Kissimmee River, and which will give us continuous navigation, would be granted by the Members of this House at this time.

For 34 years I have lived at Kissimmee, on the shores of Lake Tohopekaliga, and I therefore believe I know and understand conditions there. Therefore, in order that my colleagues may more fully appreciate the unjust attack made on said river, I will briefly describe for what purpose the appropriation of $32,266.15 was spent and what the appropriation of $3,000 is to cover. Originally the Kissimmee River was only a short stream, but by a system of canals cut by private parties and without expense to the Government the distance now covered by said appropriation is approximately 137 miles, or from Kissimmee to Lake Okechobee.

As a matter of fact, my friends, if you would give us the appropriation sufficient to construct the necessary locks, instead of having navigation eight or nine months out of the year, and sometimes throughout the entire year when we have the usual amount of rainfall, we would have navigation the year round. In order that you may thoroughly understand the project I will briefly describe same. You can take the boat at Kissimmee, cross Lake Tohopekaliga, a distance of 13 miles, then through the Southport Canal into Lake Cypress, across Lake Cypress, and through a canal into Lake Hatchineha; then through a system of canals and the old river into Lake Kissimmee, and across said lake, where you reach the Kissimmee River proper; then down said river to Lake Okechobee, one of the largest inland lakes in the world, and then through Caloosahatchee River to the Gulf, or if you prefer through a system of canals constructed by the State without expense to the Government, and for the purpose of draining the Everglades, you can reach Fort Lauderdale, West Palm Beach, Miami, and the ocean; or you can go northward to Jacksonville. Yet, by asking the Government for $47,000 to give us 12 months' instead of a possible eight or nine months' navigation is only to be accused of being a persistent and consistent follower of the pork-barrel system.

But why take up more of your time with these facts and figures. The charges and imputations have been fully refuted. I will only say, Mr. Chairman, that Jacksonville, with her approximately, 100,000 good, true, loyal, and patriotic citizens; the picturesque St. Johns winding her way northward from Sanford to Palatka, and from Palatka to Jacksonville; the Indian River with her scenic beauty; and the Kissimmee River with her sweet-sounding euphoneous Indian name needs no further defense at my hands. If, however, a further defense should be needed I only have to state to you that during the winter season just coming to a close more than 100,000 tourists from the North, East, West, and South have basked in the balmy sunshine of Florida; have bathed in her placid waters during the months of January, February, and March, and for the past few months having, in truth and in fact, escaped the cold and chilling blasts of the north, and having really lived the life worth living, will now wend their way homeward, only to sing the praises of the wonderful resources and possibilities of my State and the hospitality of her people. [Applause.]

Permit me briefly to quote you What We Believe, written by Dr. Lincoln Hulley, president of Stetson University, De Land, Fla.:

We believe in Florida, the land of blue skies and soft winds and eternal sunshine.

We love its rivers, lakes, pine woods, orange groves, and broad stretches of prairie.

We are one with her people to unite heart, soul, and body in developing her resources, in making this the beautiful home of a free and prosperous people.

We vow with them to be true to the ideals of the sturdy settlers who opened this fair land to be a home for all people.

We invite those seeking new homes, if they are worthy, to settle among us, and we pledge to them the warm hand of hospitality, a glad welcome to the State, and a fraternal cooperation in seeking peace and happiness in this land of plenty—a land of summer and sunshine and song.

I also quote The Floridian's Creed and Covenant, by William Fremont Blackman, Ph. D., LL. D., former president of Rollins College, Winter Park, Fla., which is as follows, and ask that it be included in my remarks:

I believe in Florida, land of the open and fathomless sky, of lambent stars, of mountainous opalescent clouds, of soft benignant airs, of incessant summer, of unstinted and vivifying sunshine, of responsive and fecund soil.

I believe in Florida, laved on every hand—cooled and warmed and cleansed and fed and decorated—by the azure and teeming waters of Tropic seas and by countless and sparkling lakes and streams.

I believe in Florida, land of wide-stretching and open woods, of limitless green prairies and glades, of dense and vine-hung hammocks, of mysterious bays and swamps, all in their various forms lovely and fruitful; the land of fragrant pine and mourning cypress, of moss-draped oak, of waxen magnolia, of comely palm, of regal poinciana, of flaming vine, and of shy and brilliant orchid.

I believe in Florida, land of the orange and pomelo and spicy kumquat, of peach and pear and persimmon and loquat, of pineapple and guava and mango and avocado, of corn and cotton and cane and cattle, and of whatever else is anywhere borne of trees or grown by the soil of the earth.

I believe in Florida, the home of creatures strange, curious, and beautiful—the saurian monster; the gliding reptile; the darting, dainty lizard; the aquatic manatee; the egret in snowy nuptial array; the roseate spoonbill; the exuberant mocking bird; the flame-like, flute-like cardinal; the woodpecker with ivory bill and the humming bird with ruby throat; the painted butterfly sipping nectar in winter days.

I believe in Florida, land of romantic legend and adventurous history, of towns the most ancient and the newest, of swiftly-growing cities, of farms and orchards, and of wide and inviting solitudes still awaiting man's coming.

I believe in Florida, magnet and meeting place for men and women of the North and the South, the East and the West, and countries oversea—Americans all, one blended and indissoluble and free people. I believe in her eager boys and winsome girls, in her schools and colleges, in her churches of divers faiths, in her institutions of philanthropy and mercy, and in her press, the voice and the instructor of her common mind and will.

In fine, I believe in Florida, the Commonwealth old yet young, unformed as yet, but palpitant with energy and fairing forth into the future with high hope and swift step; and believing thus—

I covenant with all her people of like faith to give myself to her service, mind and heart and hand and purse, to explore and develop her hidden resources, to celebrate her praises truthfully, to win worthy citizens for her void spaces, to till her fields, to keep pure her politics, to make more efficient her schools, to strengthen and unify her churches, to cleanse and sweeten her social life, and thus to make her in full fact what she is by human right and divine dower, the queen of commonwealths.

Neither of these gentlemen are Floridians by birth, only by adoption; both of them are from States north of the Mason and Dixon line; but no one, after reading their sentiments expressed as above, would ever doubt their loyalty to their adopted State.

Mr. Chairman, we should not too severely criticize the gentleman from Wisconsin. He is not entirely to blame, as he has worked so hard on the bill which was reported last year and the present bill under consideration he is suffering from a severe attack of rivergitis and harboritis. His case is not, however, dangerous, and I am satisfied if he will pay my State a visit this fall and secure a few facts he will at least recover, so far as my projects are concerned. I now take pleasure in extending to him a cordial invitation, and assure him he will receive a cordial reception.

Now, Mr. Chairman, not being satisfied with criticizing the projects in my State and other projects in the South, the distinguished gentleman diverted his remarks and engaged in an attack upon the South as a whole. On page 1140 of the above RECORD referred to he called attention to the number of southern Members holding chairmanships of important committees, and severely criticized the same, as follows:

SOUTHERN DELEGATION WITH 27 CHAIRMEN.

The country is confronted with a remarkable spectacle when chairmen from Southern States sit in judgment over the deliberations of 27 of the most important committees of the House, and when a large majority of the Democratic majority controlling national legislation hail from these same Southern States; but when to this astonishing situation the country is further informed by the committee chairman that southern leaders and southern delegations will be lined up behind such scandalous raids on the Treasury it is a call for sectionalism that will bear fruit in no uncertain manner.

In reply to the above I will only say, Mr. Chairman, the gentlemen referred to do not owe their high standing in Congress to chance, and same is due solely in recognition of their ability, character, and long service.

I desire to state a large percentage of my constituents were formerly your constituents, but they are now, regardless of the State or section they formerly lived in, Floridians, loyal and true, and it is unfair to them to raise the cry of sectionalism. And to do so, Mr. Chairman, is only to criticize those, many of whom were but recently constituents of yours, but I am glad to say now are constituents of mine.

In order that you may thoroughly understand how rapidly my district is growing it is only necessary for me to remind you that approximately six years ago at St. Cloud, Fla., what is now known as the "Wonder City," there was only one house, while to-day there are approximately 3,000 citizens, happy and contented. In this short time they have built blocks of handsome brick business houses, beautiful homes, an ice factory, a three-

story brick hotel, and have banks, electric lights, telephone, cement sidewalks, and paved streets. Fully 80 per cent of these people moved to my district from States north of the Mason-Dixon Line, and you only have to write any of them to find out whether or not the lines dividing the North and the South have been swept aside. A few years ago the Grand Army of the Republic met in my home town, and I never saw a more beautiful sight than the one presented when the old soldiers wearing the blue marched down our principal street, and by their side marched those wearing the gray. As they marched down the street our local band played "Dixie," and before the last note died away one of the old and few fife and drum corps of the days of '61 to '65 took up the strains of "Yankee Doodle." On that occasion, Mr. Chairman, it was my pleasure to deliver the address of welcome, and as I, a southerner and son of a Confederate soldier, clapsed the hand of the commander of the Grand Army of the Republic, a veteran of the Civil War, it was my pleasure to remark, in truth and in fact, "There is no North, no South, no East, no West." [Applause.]

I could also call your attention to the growth of Okeechobee City, on Lake Okeechobee, and in fact many other places in my district, where the growth has been equally as marvelous and wonderful, but time will not permit.

Now, Mr. Chairman, I shall vote on all bills as my conscience dictates, and I shall never vote against a proposition because it does not directly or indirectly affect my district, and because no benefits for my district will be derived therefrom. I also trust, in the future, when any gentleman desires to make an attack on any proposition he will name the State, and that he will not unjustly criticize either the South or the North.

I am sorry to have taken up so much of your time, but you can rest assured I shall never let my State be unjustly criticized without defending her to the extent of my ability.

I will simply say in conclusion, Mr. Chairman, I trust as long as I sit as a Member, or perchance as a spectator, in the Halls of Congress, no more will I hear the cry of the North and the South in a partisan manner, as that day has passed forever, and we are now one people, with one flag; a united Nation with only one purpose in view, "On earth peace, good will toward men." I thank you. [Applause.]

The Clerk read as follows:

Duluth-Superior Harbor, Minn. and Wis.: For maintenance, $43,000.

Mr. LENROOT. Mr. Chairman, I move to strike out the last word.

This item of $43,000 for the maintenance of the Superior-Duluth Harbor is an item for a port that the gentleman from Minnesota [Mr. MILLER] and I have the honor to jointly represent. I speak upon this item not for the purpose of justifying it, because it needs no justification, but there have been intimations thrown out on this floor from time to time that if a Member was silent with reference to a project in his own State he was inconsistent when he voted against a project in some other State.

Now, Mr. Chairman, I want to call attention to this item for the purpose of showing some of our friends what commerce really is and what justification there is for Members remaining silent upon some of these propositions and not upon others. The Superior-Duluth Harbor last year—and I read from the report of the Board of Engineers—did the following business:

The total number of tons received and shipped for the calendar year 1914 was 33,535,701 tons—

Mark the figures—

with a total valuation of $287,200,960.

It is the largest interior port in the United States and second only to New York City in the United States. The total number of vessels arriving and departing was 9,712. Net registered tonnage of all vessels arriving and departing, 28,216,139 tons. The average number of tons of cargo received per day during the season of navigation for 1914 was 45,176. The average number of tons shipped per day for same period was 97,528. In other words, the commerce of our port was 143,000 tons per day, three times as much as most of the smaller items in this bill for the entire year. In other words, we ship more in a single day than the majority of the rivers in this country ship during an entire year.

I read further:

The harbor has iron-ore docks with a total storage capacity of 797,592 gross tons, coal docks with total capacity of 10,908,000 short tons, and grain elevators with total capacity of 31,625,000 bushels, and these freight-handling facilities are being increased annually. From a total of 6,325,351 tons of freight shipped and received in 1895 the commerce has increased to 33,535,704 tons shipped and received in 1914. From the curve of increase shown in the harbor commerce, and with a knowledge of the sources of supply which create this traffic, it is believed that the prospective commercial importance of this harbor is very great and that any reasonable necessary aid to insure the safety of vessels using it would be fully justified.

From the report of the committee upon this bill, containing an extract from the report of the Board of Engineers, I read:

From comparison with the rate on freight passing through St. Marys Falls Canal with railroad rates the saving through water transportation appears to be $2 per ton, and for the 33,535,704 tons received and shipped at this harbor in 1914 amounts to $67,071,408.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. LENROOT. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. LENROOT. In other words, the saving by reason of this water commerce from the port alone was $67,000,000 last year.

Now, Mr. Chairman, we have a very congested condition in this harbor. In the last river and harbor bill I secured the incorporation of an item for a survey to increase the anchorage basin and turning area. A favorable report was made on this project. It is now pending before the Committee on Rivers and Harbors, recommending the adoption of a project at a total cost of $360,000, and an immediate appropriation of $180,000. It is a matter of urgency and a matter of necessity. But, having in mind the rule that the committee adopted when they began the consideration of this bill, having in mind the condition of the Treasury, I did not even ask the Committee on Rivers and Harbors to consider this very necessary item, because I believe that in view of the present condition of the Treasury the committee was warranted in keeping out all new projects except those that were absolutely necessary, and I supposed that in the make-up of the bill which the committee would bring in they would have the same thing in mind; that they would bring in a bill carrying appropriations only for the maintenance of existing rivers and harbors in order to carry the commerce that now floats upon them, and in addition carrying only appropriations for existing projects whereby, if they failed to carry on the work, there would be a vast loss to the Government in the projects that have already been adopted.

But I find when I come to an examination of this bill that there is nothing of that kind; no such rule has been adopted. I venture to say that at least half of the appropriations in this present bill could be dispensed with without interfering with the maintenance with a single river and harbor where it ought to be maintained or without the Government losing a dollar in the carrying on of existing projects. I had supposed that the House would treat this river and harbor bill upon that basis, having in mind the condition of the Treasury; but that is not so. We find throughout this bill the argument is not its present necessity, but whether it is carrying out an existing project and whether in the future, however distant it may be, that the expenditure is warranted.

I have tried on two or three occasions and have taken the floor to attempt to get such items stricken out, upon the theory alone of the present condition of the Treasury; but I have been unsuccessful in that. And I want to say that when we come to the question of the extravagance of this administration, in view of the present condition of the Treasury, in view of the fact that the chairman of the Committee on Ways and Means is lying awake nights to find where he is going to get the revenue to supply the appropriations that are being made, I assert some of the items in this bill are absolutely unjustified; and if some of the items remain in the bill there are tenfold more reasons for including some new projects such as are contained in the report, as, for example, that with reference to my own harbor, where the necessity is tenfold greater than the necessity for some of the appropriations that are contained in this bill.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. SPARKMAN. Mr. Chairman, new projects were not left out of this bill for the reason that none of them were urgent or important. The gentleman's project was not before us at the time we were framing this bill, but if it had been it would have fallen outside of the rule established, not to include new projects in this bill.

Mr. LENROOT. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Florida yield to the gentleman from Wisconsin?

Mr. SPARKMAN. Yes.

Mr. LENROOT. I want to say that I am not criticizing the gentleman at all, or his committee, for not including this project. I did not ask them to do so.

Mr. SPARKMAN. If the gentleman had been with us when we were framing this bill, he would have had, I think; in fact, I am sure he would have had more information than he has now; at least, more than he seems to have when he says there are many projects in this bill that could have been left out without any loss to the Government.

In that he is badly mistaken. There are very few projects in this bill which, in my judgment, could have been left out without loss to the Government.

Now, there may be some items here and there where no great amount of damage perhaps would be done, but not many; if any such there are now, we were confronted with this condition; We found $230,000,000 of projects on the books to be taken care of if they are to be completed, and one of the reasons for leaving out new projects was that we might deal more liberally with these old projects and get them out of the way, as far as possible in this bill. Of course, another reason was the condition of the Treasury and the necessity for national preparedness. We considered all those things. But if we had taken on these new projects we could not have carried forward this old work as rapidly as was desired, nor have dealt with them as liberally as we have.

I will say, Mr. Chairman, that I, for one, propose to try to have new projects placed in the next bill. I stated here the other day that after this bill is out of the way and disposed of by the House I propose to ask the committee to come together for the purpose of considering new projects, of having hearings upon them, and to prepare the bill, in so far as new projects are concerned, before this session ends; that is, as far as we can prepare it.

Now, as I have just remarked, we want to get this old work pushed along as rapidly as we can. You will see that with $230,000,000 of projects and only about $40,000,000 in this bill how long it is going to take us to care for all these old projects. Of course, if the Flood Control Committee takes care of the building of the levees on the Mississippi River, that is going to eliminate a part of our work, and we can perhaps get along more rapidly. Now, the gentleman [Mr. LENROOT] has a project that is a very important one. I have been there and I know what his harbor is. There is not a more important inland harbor in the whole country than his, and I think it not only worthy but urgent, and as soon as we have a bill with new projects in it I think that will be taken care of. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Calumet River, Ill. and Ind.: For maintenance, $20,000: *Provided*, That the upper limit of said project shall be at the intersection of the Grand Calumet River and the Indiana Harbor Canal.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Reference is made here to the Indiana Harbor Canal. I wish some one who is informed would describe that canal.

Mr. MADDEN. I will say to the gentleman that it is an artificial waterway running in from the lake to the interior to reach a lot of manufacturing plants. It was built by private enterprise, as I understand, to begin with, and at private expense. They turned it over to the Government of the United States, which is now appopriating money out of the Treasury to build breakwaters to protect it from storms.

Mr. MOORE of Pennsylvania. Did the Government make any expenditure for the acquisition of this canal?

Mr. MADDEN. None whatever.

Mr. MOORE of Pennsylvania. It was donated by the owners?

Mr. MADDEN. Donated by the owners.

Mr. MOORE of Pennsylvania. And it runs up to private establishments?

Mr. MADDEN. It runs into the interior from the lake several miles, and is capable of carrying ships up to these manufacturing plants.

Mr. MOORE of Pennsylvania. Does it make a connection between the lake and the Illinois River?

Mr. MADDEN. No; it is just a harbor.

Mr. MANN. The Indiana Harbor Canal runs from Lake Michigan to Indiana Harbor and intersects the Grand Calumet River.

Mr. MOORE of Pennsylvania. But there is an artificial canal?

Mr. MANN. Yes.

Mr. MOORE of Pennsylvania. And it has been taken over by the Government?

Mr. MANN. I do not remember whether the Government has taken it over or not.

Mr. MADDEN. It was taken over in an appropriation bill several years ago.

Mr. MOORE of Pennsylvania. This is for the maintenance of an artificial canal?

Mr. MANN. This appropriation is for the maintenance of the Calumet River. It has nothing to do with the maintenance of the Indiana Harbor Canal.

Mr. MOORE of Pennsylvania. Of what benefit would the river be to these manufacturers, these industries along the banks, if it were not for the canal leading into the river?

Mr. MANN. The river and the canal have nothing to do with each other, except that they meet. One is on one section of the triangle and the other is on the other.

Mr. MOORE of Pennsylvania. It provides transportation inland, does it not?

Mr. MANN. This provision in the bill has nothing to do with the Indiana Harbor Canal.

Mr. MOORE of Pennsylvania. Does it not make a connection with the lake?

Mr. MANN. The Indiana Harbor Canal runs to the lake, but the Calumet River at this point is not navigable at this time.

Mr. MOORE of Pennsylvania. The purpose is to make it navigable, is it not?

Mr. MANN. The project for the Grand Calumet River provides for its extension one-half mile above Hammond, Ind. Now, you might think it was easily ascertainable where one-half mile above Hammond, Ind., is, but nobody knows or ever has known just what that meant; whether it meant one-half mile above the eastern boundary of Hammond, Ind., or one-half mile above the center line of Hammond, Ind., or one-half mile beyond the western boundary. The engineers have desired that it shall be determined exactly where the upper limit of the project is, and, on their recommendation, it was fixed at the junction with the Indiana Harbor Canal. However, there is no appropriation for the improvement of the Grand Calumet River up to that point, and none is being asked for at this time.

Mr. MOORE of Pennsylvania. I will say to the gentleman that I have no objection to the item.

Mr. MANN. I understand that.

Mr. MOORE of Pennsylvania. I am only trying to ascertain just what connection the canal has with this project.

Mr. MANN. The canal runs from the lake to Indiana Harbor. It is an artificial canal. There are manufacturing plants along there. The Grand Calumet River comes around the other way, and the two are connected, but there is no commerce that runs around through the two. This is just fixing the upper limit of the Calumet River project.

Mr. MADDEN. This was all built by private enterprise.

Mr. MANN. The Indiana Harbor Canal has nothing to do with anything in this item.

Mr. MADDEN. It is to build a breakwater.

Mr. MANN. The gentleman is looking at the wrong item.

Mr. MOORE of Pennsylvania. I have no disposition to oppose the item.

Mr. SPARKMAN. If I understand this discussion, it is with reference to the item in lines 16 to 19, inclusive, for the Calumet River. Is that correct?

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. I thought the gentleman was asking about Indiana Harbor.

Mr. MANN. Mr. Chairman, I move to strike out the last two words. There are very often controversies here as to the effect of the improvement of rivers and harbors. The part of the Calumet River that is in Illinois, or a portion of the part of it that is in Illinois, is in my district. The major part of the Calumet River is in my district. We have been making improvements for several years, which are now practically completed. I hear gentlemen talk here about commerce to the extent of thousands of tons, and some to the extent of hundreds of thousands of tons. The Calumet River has a commerce of six million to eight million or ten million tons every year, and does not take very much trouble to boast about it. We hear a great deal about the commerce of Chicago. Calumet Harbor is in Chicago. The Chicago River now has a commerce of three or four million tons a year. Calumet Harbor itself had a commerce last year of something over 7,000,000 tons. During the more prosperous times a few years ago it went up to 8,000,000 tons, and then it dropped down again.

A large share, it is true, is iron ore; but a large share also is grain and other heavy commodities.

If any harbor improvement has ever demonstrated the benefit of making improvements in advance of the commerce it has been demonstrated at South Chicago on the Calumet River, for as fast as the river has been deepened so as to make it navigable, it has been lined with great establishments carrying on a great commerce.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MOORE of Pennsylvania. That has been done in anticipation of business at that point?

Mr. MANN. Much has been done; yes.

Mr. MOORE of Pennsylvania. With reference to this improvement, it can not be claimed for the Calumet River, or South Chicago, that it was wholly responsible for the heavy tonnage to which the gentleman refers. That tonnage is caused by the development of business elsewhere and the distribution of resources throughout the country.

Mr. MANN. Undoubtedly the Calumet River is so located that it is within touch of commerce coming into Chicago. Owing to the many difficulties or obstructions in the Chicago River, lake navigation from South Chicago is for grain about 50 cents a ton cheaper than from the Chicago River, and the heavy commerce naturally has a tendency to go down by way of South Chicago to Calumet River; it is through commerce.

Mr. MOORE of Pennsylvania. There is an extensive lake tonnage centralized at this point?

Mr. MANN. Yes.

Mr. MOORE of Pennsylvania. That passes on to Cleveland, Toledo, Erie, and Buffalo?

Mr. MANN. Yes; the Calumet River commerce radiates to all points on the lake.

Mr. MOORE of Pennsylvania. And in its course it would pass through such connecting waterways as the Great Lakes to the East?

Mr. MANN. I do not think anybody would be foolish enough, if that is what the gentleman wants my opinion about, to send commerce from the Calumet River for the purpose of going through the Beaufort inland canal.

Mr. MOORE of Pennsylvania. The gentleman will admit that iron ore is not perishable and that coal is not perishable.

Mr. MANN. Oh, no; iron is perishable. [Laughter.]

Mr. SMALL. Mr. Chairman, among the criticisms of this bill there is an occasional expression directed against that really national project, the Norfolk and Beaufort Inlet waterway. The gentleman from Texas [Mr. CALLAWAY] appears on the scene at intervals and endeavors to indulge in ribald jests about that very important project.

Mr. MADDEN. What is the project the gentleman referred to?

Mr. SMALL. The Norfolk and Beaufort Inlet waterway. Yesterday I received a letter from a man who appears to be the chief boatswain in charge of one of the United States steamers, owned by the Bureau of Fisheries and now located at Wilmington, N. C., on Cape Fear, and I wish to read the letter. It is as follows:

DEPARTMENT OF COMMERCE,
BUREAU OF FISHERIES,
Wilmington, N. C., April 7, 1916.

Hon. JOHN H. SMALL, M. C.,
The Capitol, Washington, D. C.

SIR: Having read an account in the Wilmington (N. C.) Star of your speech in the House in re the appropriation for inland waterway—Norfolk to Beaufort—I feel constrained to address a few lines to you on the question.

I am in command of this vessel, which belongs to the United States Fish Commission, at present on the Cape Fear River, engaged in the propagation of shad. We came down via the Albemarle and Chesapeake Canal two weeks ago.

This vessel is 37 years old, and owing to the fact that she has the same engines now that she started with in 1879, and that she has had practically no repairs to her hull since 1896, it is considered too great a risk to send her to sea by the outside route around Cape Hatteras. Therefore, for the last five or six years whenever she is ordered south we always have to use the inland waterways; and, as we have twin screws, it becomes necessary to have a tug tow us through from Norfolk to the North River Light. With our draft of 9 feet and with the shallow depth of water through the North Landing River, we would be in danger of breaking our propellers on stumps, sunken logs, etc., which would not be the case if the whole route were deepened to 12 feet, as the bill provides for.

I also wish to cite the fact that all the way across Croatan Sound this vessel dragged over the bottom, just being able to barely slide over, and in two places in Adams Creek we also stuck.

I do not know just how much traffic there is, but I do know this, that if the entire route is deepened to 12 feet and later to 15 feet it would be the greatest boon to all maritime interests and a blessing to us fellows who handle ships. And as you so aptly say, "We could send our submarines, torpedo vessels, tugs, and small gunboats via that route, thus saving time, expense, and worry to the naval authorities."

There may be waste in the rivers and harbors bill, but it is not in any part of it which improves waters in this section. I am telling you this as a man who has served 30 years in the United States Navy, and several years previous to that in Maine merchantmen and New Bedford whalers. Being a native of Massachusetts, no one can honestly accuse me of being partial to North Carolina. I simply want to give credit where credit is due, and it is due your section.

If this will be of any assistance to you, you are at liberty to use it, providing you withhold my name, as the Navy Department would not approve of my writing this.

Sincerely hoping you win out in your fight for a good cause, I remain,

_____.

It is for that reason that I do not give his name.

The CHAIRMAN. The time of the gentleman from North Carolina has expired, and the Clerk will read.

The Clerk read as follows:

Illinois River, Ill.: Continuing improvement and for maintenance below Copperas Creek, $55,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I wish to say a few words about the tonnage situation. The gentleman from Wisconsin [Mr. LENROOT] made a speech, eloquent, as usual, about the large tonnage at his port of Superior. It is entirely commendable to that port and that section of the country, but the argument as he makes it is very much the same as we sometimes make along the Atlantic seaboard, where we speak of the revenue derived at our ports. At New York we take in the largest amount of customs duties of any port in the United States, more than at all ports combined. At Philadelphia we take in $20,000,000, which is more than the Government has given us back in all time for the improvement of the river. Gentlemen rise and say that we have no right to state those figures, because business does not originate with us, because that $20,000,000 revenue at Philadelphia is paid for by the people of the country.

Now, if we accept that as the true line of argument, we have to apply it to the argument made by the gentleman from Wisconsin [Mr. LENROOT] as to the tonnage of his port and to the increased tonnage of the Calumet River referred to by the gentleman from Illinois [Mr. MANN].

The truth of the matter is—and it scarcely seems necessary to reiterate it—we are interdependent in all these matters. There would be no great business at Philadelphia if there was not a hinterland. There would be no great business at New York if there was not a country to fall back on, and the same argument applies to Duluth, to Superior, to Buffalo, to Chicago, and other ports. The inland ports do not create revenue, but they do create tonnage. But the tonnage created on the Great Lakes is largely tonnage of weight; it would not compare in value with the coast tonnage. But there would be scarcely any tonnage for the Lakes if there were not waterways or railroads in the country radiating from the ports and carrying the raw materials where they may be fabricated or consumed.

Mr. GOOD. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GOOD. What does the inland waterway create? It creates neither tonnage nor revenue.

Mr. MOORE of Pennsylvania. So the gentleman from Iowa returns to the attack. When the gentleman makes that statement he again shows his bias against the inland waterways and thinks he can get along without them. He can not. The gentleman comes from the interior and does not visit us in the great cities along the coast where the storm beats, but if he did he would have a different point of view. What would be the use of the millions of tons of iron and copper ore if it was not for the great cities of New York, Philadelphia, Buffalo, Pittsburgh, Toledo, Cleveland, and others?

Why, this vast tonnage to which the gentleman from Wisconsin [Mr. LENROOT] refers is manufactured in the State of Pennsylvania, and it goes into what? It goes into railroad tracks, it goes into the construction of bridges and into buildings, not only in this country, but just now it goes very largely into the great works developed by the European war.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. I suppose they could manufacture it where the ore is produced, if they wanted to.

Mr. MOORE of Pennsylvania. Why do they not do it?

Mr. LENROOT. They are doing it now.

Mr. MOORE of Pennsylvania. I am glad of it.

Mr. MILLER of Minnesota. They are doing it.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent that the gentleman may have three minutes more. I would like to ask him a question.

The CHAIRMAN. The gentleman has yielded the floor.

Mr. MILLER of Minnesota. Then, Mr. Chairman, I ask to be recognized and move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. MILLER of Minnesota. Mr. Chairman, I do so only that I may take the time to make an inquiry of the gentleman from Pennsylvania——

Mr. SPARKMAN. Mr. Chairman, will the gentleman from Minnesota yield to me to make a request for unanimous consent?

Mr. MILLER of Minnesota. Certainly.

Mr. SPARKMAN. How much time does the gentleman from Minnesota desire?

Mr. MILLER of Minnesota. Five minutes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr. Chairman, the purpose of making this inquiry was this: In listening to the gentleman from Pennsylvania [Mr. MOORE] I observed him to say that the commerce at the Duluth-Superior Harbor was largely one of bulk and not of value. May I inquire of the gentleman if he knows what the value of the commerce at the Duluth-Superior Harbor each year is?

Mr. MOORE of Pennsylvania. Yes; I put that in the RECORD a day or two ago.

Mr. LENROOT. I gave it to the gentleman this morning.

Mr. MOORE of Pennsylvania. So far as the foreign tonnage is concerned, it is just one-half what the foreign tonnage is on the Atlantic seaboard.

Mr. MILLER of Minnesota. Will the gentleman state what the value of that is?

Mr. MOORE of Pennsylvania. The Great Lakes tonnage is about one-sixteenth of the foreign tonnage of the Atlantic coast. The lake tonnage is concentrated at the gentleman's port, it goes into the neck of a funnel and is easily calculated, while ours is distributed, and it is very difficult to get any statistics upon it.

Mr. MILLER of Minnesota. Will the gentleman state what the total tonnage is along the Atlantic coast?

Mr. MOORE of Pennsylvania. If the gentleman will look in the RECORD——

Mr. MILLER of Minnesota. Oh, if the gentleman has it he can give it. I don't want to look into the RECORD.

Mr. MOORE of Pennsylvania. Oh, I do not carry billions in my head or in my pocket.

Mr. HULBERT. I can give the gentleman the information that he is looking for.

Mr. MILLER of Minnesota. I will give the gentleman from New York an opportunity in a moment or two. I want to say that the value of the Duluth-Superior tonnage each year is upward of $300,000,000, and if that is one-sixteenth of the value of the freight tonnage on the Atlantic seaboard, then that tonnage is vastly superior to anything that I have ever heard stated of it.

Mr. MOORE of Pennsylvania. Suppose, for the sake of argument, we accept the gentleman's figures as correct; does the gentleman deny that the people of the United States participate in it from Florida to the State of Washington?

Mr. MILLER of Minnesota. I am not denying anything.

Mr. MOORE of Pennsylvania. Does the gentleman deny that we pay for that all over the country?

Mr. MILLER of Minnesota. I will assert this, that the tonnage at the Duluth-Superior Harbor is a tonnage serving all of the people of the great interior, and in addition somewhat the Atlantic seaboard.

Mr. HULBERT. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Oh, wait one moment. I have the time. The gentleman has answered my question as best he can, which was not satisfactory to anyone, but I do not wish to tire his intellect further.

Mr. HULBERT. Mr. Chairman, will the gentleman yield now?

Mr. MILLER of Minnesota. Oh, wait a minute until I can make a brief statement, and I will give the gentleman from New York an opportunity. Mr. Chairman, I always like to listen to these gentlemen from the Atlantic seaboard talk about their wonderful ports and cities. One would think that all the greatness of civilization was centered there. The tonnage of the Duluth-Superior Harbor each year, the number of clearances of boats, arrivals and departures, is greater than the combined commerce, the combined arrivals and departures at the ports of Boston, Philadelphia, New Orleans, and San Francisco.

Mr. MOORE of Pennsylvania. Why does the gentleman leave out New York?

Mr. MILLER of Minnesota. For the simple reason that I can not put New York in that class.

Mr. HULBERT. I am glad the gentleman excepts New York.

Mr. MOORE of Pennsylvania. That is a delightful Minnesota comparison.

Mr. MILLER of Minnesota. It at least has the merit of being truthful.

Mr. MOORE of Pennsylvania. Yes; up to the point where the gentleman leaves off.

Mr. MILLER of Minnesota. Very well, if the gentleman will wait a minute. Now we will turn our attention to New York, and I am glad to see for the first time in the history of Congress the gentleman from Philadelphia standing up to say something good about New York. Turning to the city of New York, which is so ably represented by the gentleman who is about to speak, if he gets the time, I beg to state that if they would just compile the figures, give us the tonnage of New York, then we would have something on which to base the comparison.

Mr. HULBERT. I am prepared to give the tonnage.

Mr. MILLER of Minnesota. Then the gentleman can give something that the Board of Engineers of the Army has not heretofore been able to do.

Mr. HULBERT. I will give the figures of the customhouse.

Mr. MILLER of Minnesota. I yield to the gentleman.

Mr. HULBERT. During the 12 months ending December 31, 1915, the imports into the United States were valued at $1,280,069,660, and of that total $987,447,342 entered or went through the port of New York.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HULBERT. I ask that I have half a minute in order to complete the statement.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Mississippi River, from Head of Passes to the mouth of the Ohio River, including salaries, clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission: Continuing improvement with a view to securing a permanent channel depth of 9 feet, $6,000,000, which sum shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees, and which may be done, in the discretion of the Secretary of War, by hired labor or otherwise, between Head of Passes and Cape Girardeau, Mo., and for surveys, including the survey from Head of Passes to the headwaters of the river, in such manner as in their opinion shall best improve navigation and promote the interests of commerce at all stages of the river: *Provided*, That of the money hereby appropriated so much as may be necessary shall be expended in the construction of suitable and necessary dredge boats and other devices and appliances and in the maintenance and operation of the same: *Provided further*, That the watercourses connected with said river and the harbors upon it, now under the control of the Mississippi River Commission and under improvement, together with the harbor at Vicksburg, Miss., which is hereby transferred to and placed under the control and jurisdiction of such commission, may, in the discretion of said commission, upon approval by the Chief of Engineers, receive allotments for improvements now under way or hereafter to be undertaken, to be paid for from the amount herein appropriated.

Mr. SPARKMAN, Mr. MILLER of Minnesota, and Mr. HULBERT rose.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] is recognized.

Mr. SPARKMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Florida offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 28, line 2, after the word "appropriated," insert:

"*Provided further*, That the report of the Mississippi River Commission contained in House Document No. 667, Sixty-third Congress, second session, shall not be construed as a project requiring special congressional action."

Mr. MANN. Mr. Chairman, what is this for?

Mr. SPARKMAN. The purpose of this amendment is to make certain other language in the paragraph that has just been read. That language is contained in the last proviso before the amendment and is as follows:

Provided further, That the watercourses connected with said river and the harbors upon it, now under the control of the Mississippi River Commission and under improvement, together with the harbor at Vicksburg, Miss., which is hereby transferred to and placed under the control and jurisdiction of such commission, may, in the discretion of said commission—

And so forth.

Now, since this bill was framed Col. Townsend, the chairman of the Mississippi River Commission, stated in a letter to me that the language quoted would hardly, in his opinion, accomplish the purpose we have in view. I thought it would and think yet it ought to do it, but he has to expend the money furnished and to select the places where it is to be expended, and he thinks the language insufficient; hence the purpose is to make it certain.

Mr. MANN. Is that the project referred to in that document that is cited, at Vicksburg?

Mr. SPARKMAN. Yes; that is the project referred to in the document.

Mr. MANN. Of course, there has been an effort for a long time by the Mississippi River Commission to take care of the harbor at Vicksburg.

Mr. SPARKMAN. Yes.

Mr. MANN. And is that the document that refers to that matter?

Mr. SPARKMAN. Yes; that is the one.

Mr. MANN. Theoretically, then, we are adopting that project?

Mr. SPARKMAN. No; we are not adopting a project.

Mr. MANN. I would say that theoretically we were adopting it.

Mr. SPARKMAN. We are rather excluding it than adopting it.

Mr. MANN. I do not think so. The amendment, as I understood it, authorizes the Mississippi River Commission to proceed with that project without requiring congressional action.

Mr. SPARKMAN. It is for the purpose of making certain what Congress intends to do there. There is no necessity that any survey be ordered. The survey was made, and it has never been adopted and perhaps never would be adopted. The purpose has been for years to place this back under the control of the Mississippi River Commission, where it properly belongs.

Mr. MANN. I am not sure there is no doubt about that. We had long controversies in the House when the gentleman was opposing it.

Mr. SPARKMAN. Every place similarly situated on the Mississippi River except this is under the jurisdiction of the Mississippi River Commission, so far as I know.

Mr. MANN. The purpose of the amendment, as I understand, is to permit the Mississippi River Commission to use its discretion about this improvement without further action by Congress?

Mr. SPARKMAN. That is correct. We want them to do it if they think it ought to be done. That is the purpose of this provision, and it is accomplished, I think, by the language we use here in the bill; if not, this amendment will.

Mr. MADDEN. The House acted in favor of this proposition last year, did it not, or the year before?

Mr. SPARKMAN. We had a similar provision to that in the bill of last year. We have put it in two bills, I believe.

Mr. HUMPHREY of Washington. Mr. Chairman, I would ask that the amendment be reported again.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again reported.

Mr. COLLIER. Mr. Chairman——

Mr. HUMPHREY of Washington. I wanted to ask the chairman what was really the purpose of the amendment?

Mr. COLLIER. I will explain it. Mr. Chairman and gentlemen, the purpose of this amendment is to clear up a difference in construction. For the benefit of those Members who were not here during the last Congress, I will state that some years ago there was a canal constructed in front of the city of Vicksburg. On the west bank of that canal a levee was erected not for the purpose of protection but the useful purpose of impounding the water of that canal and to make a scouring so that they would have a proper channel. Well, according to the report of the engineers, the amount of water coming through that canal from 800 miles of navigable streams—the Yazoo, the Sunflower, the Tallahatchie, and others, together with two crevasses in the levees in 1911 and 1912—brought an immense volume of water through that canal, much more than the engineers expected at the time, and the consequence was that the harbor at Vicksburg, upon which was situated railroad tracks, compresses, and warehouses, commenced rapidly to crumble into the canal, and it soon looked as though most of the harbor would be destroyed. I went before the Committee on Rivers and Harbors and they gave me a survey. The district engineers passed favorably upon that survey, the board of engineers for Rivers and Harbors passed favorably upon it, the Mississippi River Commission passed upon the survey, and made a favorable report that the Government appropriate $125,000 for revetment, provided that the city of Vicksburg appropriated $32,500 to build a levee and give them the right of way.

By reason of a rule and custom of the Rivers and Harbors Committee, which does not instruct the Mississippi River Commission to do any particular work in any particular place, but leaving it to the discretion of the commission, it refused to put a direct appropriation in the bill. Some of the older Members will remember that this proposition came up in this House, and that on two separate occasions the House voted to put it in. The Rivers and Harbors Committee already have put in the bill instructions which they considered sufficient authority for the Mississippi River Commission to do this work. But the commission thinks otherwise.

Now we are coming to the matter in point. Col. Townsend, the chairman of the Mississippi River Commission, has construed that when there is a survey on a special project, and a report has been made on that survey to Congress, that the commission is helpless to carry out the acts and purposes of the report unless specifically directed by Congress to do so. Now, this amendment simply gives the Mississippi River Commission authority and permission to do this work if, in their judgment, they so desire.

In other words, we are not asking for any more privilege than is given to any other piece of work on the Mississippi River over which the Mississippi River Commsson has jurisdiction. We are simply asking Congress not to estop the Mississippi River Commission from attempting to do this work by reason of a survey, if the work is meritorious in the opinion of the commission and should be done.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Massachusetts?

Mr. COLLIER. Yes; I yield to the gentleman from Massachusetts.

Mr. TREADWAY. There is a reference on page 27, lines 20 and 21, to having the Mississippi River Commission take control of the harbor of Vicksburg. Is not that practically what the gentleman desires to have accomplished, and is not that what this amendment would accomplish, except that it goes up another stream? Is not that what the gentleman desires to have accomplished by lines 19 and 20, where we specifically say that the Mississippi River Commission shall take control of the harbor at Vicksburg? That is what the gentleman desires, is it not?

Mr. COLLIER. Yes.

Mr. TREADWAY. Then, why the need of this amendment?

Mr. COLLIER. Because the man in accordance with whose opinion this work is to be done takes a different construction from that of the Committee on Rivers and Harbors.

Gentlemen, we are confronted with this proposition: The Chief of Engineers says the work ought to be done; the Committee on Rivers and Harbors says the work ought to be done; the Mississippi River Commission says the work ought to be done; and a vote of this House, by tellers, said that the House believed the work ought to be done. Afterwards, on a separate amendment, the House declared, when the roll was called, that it believed the work ought to be done. Still later, when the rivers and harbors bill was in the Senate, when they made it a lump sum, one of the Senators whose name has been so often brought up on this floor stated that he was willing to let the Vicksburg amendment go in, and another Senator from the West, who was attacking river and harbor legislation, stated that that amendment so appealed to him that he would not object to it.

Now we are confronted with this situation: The commission and the engineers and Congress are willing that the work shall be done, but there is a difference of construction which must be cleared up. Col. Townsend contends that the construction that he places on the language in the bill will not permit him to do this work. The Committee on Rivers and Harbors claims that it will.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. DUPRÉ. Mr. Chairman, I ask unanimous consent that the gentleman from Mississippi may proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. COLLIER. Unfortunately for this work, the last word in this matter belongs to Col. Townsend, and he makes a different construction.

Now, Mr. Chairman and gentlemen, I want to say that we have heard a great deal about commerce and navigation during the discussion of this bill. It is true that there is a commerce of $33,000,000 at the city of Vicksburg. But we are not coming here to ask you to improve our harbor or to increase our navigation. A great deal of our harbor is now in the sea. We are not asking for damages for that, although we have suffered greatly. Warehouses, railroad tracks, and a great deal of our harbor have slumped off into the canal, and when I say to you that Vicksburg is situated upon high bluffs and there is only a small amount of level lands sufficient for harbor purposes there, which is being attacked and washed away, you will realize the importance of this amendment. We are simply asking you to stop the damage which is continually going on. Damage created by whom? By the Government. I say without fear of any kind of successful contradiction that a civil suit not only to stop the damages but to get damages for what has been

done would lie against anybody except the Government, which can not be sued.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. Yes; I yield to the gentleman from Illinois.

Mr. MANN. The item on page 16 of the bill, for the improvement of the mouth of the Yazoo, places that project under the Engineers rather than under the Mississippi River Commission. I take it that is not in conflict with this item on page 27, although it would appear to be.

Mr. COLLIER. I did not catch the last word.

Mr. MANN. Under the heading of Mississippi River we provide that the improvement of the mouth of the Yazoo River should be under the control of the Secretary of War, and not under the control of the Mississippi River Commission. Under the item in the appropriation we apparently provide that it shall be under the control of the Mississippi River Commission. Now, which is it?

Mr. COLLIER. The Vicksburg Harbor and the mouth of the Yazoo River are two different propositions.

Mr. MANN. I supposed they were the same.

Mr. COLLIER. No. They are two different propositions in this: The Yazoo River was deflected by a canal which came down about 6 miles, passing in front of the city of Vicksburg. The city of Vicksburg is about half a mile, or a little more perhaps, from the Mississippi River. Those are two different propositions.

Mr. MANN. Then I was mistaken about that. But is not the harbor the mouth of the Yazoo River?

Mr. COLLIER. I say no; although it is one stream. There is a distinction there.

Mr. HUMPHREYS of Mississippi. The mouth of the Yazoo empties into Lake Centennial, above the city of Vicksburg, 2 or 3 miles from the canal emptying into the river. There is a big lake. It is proposed to leave the mouth of the Yazoo several miles above there under the jurisdiction of the War Department, and to put the harbor at Vicksburg under the jurisdiction of the Mississippi River Commission.

Mr. MANN. The Yazoo does not flow, then, into the Mississippi River?

Mr. COLLIER. It is brought by a canal to Lake Centennial. Lake Centennial was caused by the cut-off at Vicksburg in 1876, when the river left Vicksburg half a mile to the north.

This is simply a matter of construction. The engineers and different Members of Congress seemed to want this work done, but there is a difference in the construction of the language which prevents it from being done.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I would like to make a brief explanation to show the difference between this proposition and the one that was urged here last year and the year before. The construction which the Mississippi River Commission puts upon this matter, I think, is the correct one. I think they put exactly the construction on the law that ought to be put on it. Vicksburg is not now under the jurisdiction of the Mississippi River Commission. It was taken out from under the jurisdiction of the Mississippi River Commission a number of years ago, and it was decided to put it back under the Mississippi River Commission.

Now, in that same bill a survey was asked for the harbor at Vicksburg. Here is the general law that the Mississippi River Commission was bound to go by:

> The Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this act until funds for the commencement of the proposed work shall have been actually appropriated by law.

So that, although they recommended the appropriation of $125,000 in their report, they could not spend that $125,000 until the project was actually adopted. Last year and the year before, at the suggestion of my colleague [Mr. COLLIER], the House adopted this project specifically, and authorized the expenditure of $125,000 on it. That is not proposed to-day at all. It is now proposed simply to pass a resolution declaring that this survey heretofore ordered shall not be regarded as a project requiring special congressional action; so that out of the general fund appropriated for the Mississippi River Commission which is carried in this bill that commission may, if it chooses to do so, make allotments to the harbor at Vicksburg, thereby placing Vicksburg exactly in the same status as every other harbor on the river. We do not direct them to do it and we do not say they shall not do it. As the law stands to-day, it says they shall not do anything at Vicksburg, because there has been a survey of it and the survey has not been acted upon. We propose simply to annul that and to say that that survey shall not be construed as a project requiring special congressional action, and to leave it thereafter to the judgment of the commission—not out of any additional $125,000 appropriated, as was done heretofore, but out of the lump sum which is appropriated for the river. If they see fit to do it, they can take care of the harbor at Vicksburg.

Mr. HUMPHREY of Washington. Will the gentleman yield for a question?

Mr. HUMPHREYS of Mississippi. I yield to the gentleman.

Mr. HUMPHREY of Washington. This amendment would simply transfer the jurisdiction to the Mississippi River Commission, and then the Mississippi River Commission would proceed to make the improvement, and therefore they would get a project into this bill that is a new project, and that we have not put in heretofore.

Mr. HUMPHREYS of Mississippi. No; the Mississippi River Commission could proceed. That is, it puts Vicksburg back under the jurisdiction of the Mississippi River Commission. Now, this survey that was put in there a few years ago was a mistake.

Mr. COLLIER. And that made the whole trouble.

Mr. HUMPHREYS of Mississippi. The House adopted the provision for the survey. When the bill went over to the Senate, the Senate said, "We will transfer Vicksburg back to the commission," but it did not take out the order for the survey, by some piece of bad luck, and there it stands.

Mr. COLLIER. And that has been the whole trouble.

Mr. HUMPHREYS of Mississippi. That left it with Vicksburg put under the Mississippi River Commission, but with the law saying, "Although Vicksburg is under the Mississippi River Commission, you shall not do anything for it." Now, we want to do away with that discrimination, and put Vicksburg on the same footing as every other harbor on the river.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. COLLIER. Mr. Chairman, I believe that if we had never had the survey there would be no necessity at all for this amendment, because then the Mississippi River Commission would have had the power to do the work there the same as at any other harbor; but this survey acts as a bar, which prevents the Mississippi River Commission from doing that work.

Mr. HUMPHREY of Washington. Mr. Chairman, the situation in regard to this item is this: The report of the engineers showed that this proposed improvement was not in the interest of navigation, and the committee refused to put it in the bill. Here upon the floor of the House it was inserted on at least one occasion. I think probably the second time it was voted down, but at one time it was put in.

Mr. HUMPHREYS of Mississippi. Carrying a specific appropriation.

Mr. HUMPHREY of Washington. Carrying a specific appropriation. Now, that would come under a new project if we had to appropriate for it at this time, so that this is simply an ingenius way of putting another new project into the bill. That is all it means, because if we make the transfer now over to the Mississippi River Commission then it goes into the bill and becomes a new project and they can reach it, when if the proposition came up directly we would not put it in because it is a new project.

Mr. CLINE. I understand that this bill carries about $6,000,000 for Mississippi River improvements.

Mr. HUMPHREY of Washington. I do not know the total amount.

Mr. MADDEN. Six million dollars.

Mr. CLINE. Suppose that the Flood Prevention Committee should report a bill carrying $5,000,000 or $6,000,000, or any other amount, would not that constitute a dislocation of the plan of improvements of the Mississippi River?

Mr. HUMPHREY of Washington. Of course, we can not tell. This is a flood provision to some extent, because this is to prevent the destruction of that bank, but what I wish to call specially to the attention of the committee is that this is not only a new project, but a project that ought not to be appropriated for, anyway, because while there is damage done, this is not in the interest of navigation, and the proposition to appropriate this money is very largely to take care of the railroads that cross at that particular point, their property, and their bridges and their levees.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield to me?

Mr. HUMPHREY of Washington. Certainly.

Mr. HUMPHREYS of Mississippi. Does the gentleman believe that the language carried in the provision which transfers the harbor at Vicksburg back to the Mississippi River Commission ought to remain in the bill?

Mr. HUMPHREY of Washington. I am inclined to think it ought to be transferred back there, probably.

Mr. HUMPHREYS of Mississippi. If it ought to be transferred back, ought the law to be permitted to stand as it does now, to wit, that it is hereby transferred back to the Mississippi River Commission, but that they shall not be allowed to do any work on it?

Mr. HUMPHREY of Washington. I do not think there ought to be any work done on it. I do not think it is a meritorious project. I do not think it ought to be improved. I think, as I said before, that this is simply an indirect way of getting another new project into this bill; and, in addition to that, it is a project that ought not to go into the bill. It is true there is some damage shown there, but we have not elsewhere appropriated for such projects. The gentleman from Michigan [Mr. McLAUGHLIN] had a great deal to say about his project, and, as I recall it, it was of the same character, where there was some damage occasioned by what the Government had done; and in equity I suppose the Government ought to pay, but we never established that rule. In this case it is a railroad, and I think they ought to be able to take care of it themselves.

Mr. SWITZER. Mr. Chairman, I differ from my colleague from Washington. So far as the merits are concerned in the harbor at Vicksburg, if this is adopted it will be a matter for the Mississippi River Commission. If it is not meritorious I do not suppose they will do any work. All this does, as I understand, is to put back under the jurisdiction of the Mississippi River Commission what was formerly taken away from it by reason of a survey which has been construed by the commission as taking it out of their jurisdiction.

I think, as the gentleman from Mississippi says, if there had been no special survey made the commission would hold that they were not barred from doing the work.

But what I rose specially for was to say that in my opinion this is about the only real urgent proposition in the bill. You talk about the emergency at New York City, but here is a harbor that is actually washing away. Photographs were brought before the committee showing that the land and the tracks of a railway were going into the river, and cotton compresses also. I, for one, am not afraid to vote for a proposition that will protect land on which some railroad track is located, or upon which some cotton compresses are situated. There would be no necessity for the harbor for Vicksburg if it were not for the cotton compresses and the railroads that bring the cotton in from the back country towns.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. SWITZER. I will.

Mr. HUMPHREY of Washington. The gentleman talks about an emergency. These photographs were brought in five years ago, and it has not fallen into the river yet.

Mr. HUMPHREYS of Mississippi. They absolutely went in this year.

Mr. SWITZER. The argument of the gentleman from Washington is that nothing should be done until the land is all washed into the harbor.

Mr. HUMPHREYS of Mississippi. This was a double track, and both tracks went in.

Mr. SWITZER. The committee put this in, but the trouble is Col. Townsend construes the language that we used in putting this in as a recommendation, as not accomplishing what we intended. All this provision seeks to do is to carry out the intent of the majority of the committee.

Mr. SPARKMAN. Mr. Chairman, I would like to ascertain if we can not agree on some limit of time for the discussion. I ask unanimous consent that all debate on the paragraph and amendments thereto end in 10 minutes, 5 to be given to the gentleman from Massachusetts and 5 to be controlled by myself.

The CHAIRMAN. Is there objection?

Mr. HUMPHREYS of Mississippi. Mr. Chairman, reserving the right to object, this amendment relates only to the harbor at Vicksburg. I am advised that other amendments will be offered, and if they are offered I would like to discuss them. I hope the gentleman will confine his request to debate on this amendment.

Mr. SPARKMAN. Very well, Mr. Chairman; I will withhold the request for the present.

Mr. TREADWAY. Mr. Chairman, I think it is best that we should understand the situation as regards the amendment offered by the chairman of the committee. We recognize the situation as it exists at Vicksburg. Gentlemen have appeared before the Committee on Rivers and Harbors in good faith and shown what the condition actually was. It is one that I for one feel deserves attention. In lines 19 and 20 we direct the Mississippi River Commission to take over the harbor at Vicksburg. There is nothing plainer than that. On top of that, the chairman offers an amendment that we adopt a project in Document No. 667, Sixty-third Congress, second session. There is nothing else to that but a vote to adopt another new project. It is in the nature of an instruction to the Mississippi River Commission to undertake a new project without even having this House pass upon the merits of the project. They have general authority over the Mississippi River, and we are instructing them to look after the harbor at Vicksburg.

Mr. DUPRÉ. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. DUPRÉ. Has not the Mississippi River Commission declared that it had no jurisdiction over the harbor at Vicksburg?

Mr. TREADWAY. But we are giving them absolute jurisdiction in this bill.

Mr. DUPRÉ. And have they not said that that language was not sufficient to carry out the purpose?

Mr. TREADWAY. Well, if the House desires to adopt that project as another new project and have another way to get in new projects into this bill, all well and good. I discussed the method previously as to how new projects are coming into the bill, and now we are having an illustration this morning of another new method of getting them into the bill. I compliment the men who were against the adoption of new projects on their capacity and skill in getting this one in. I was one of those who voted against the rule not to adopt any new projects, and I am more than glad that I did so vote when I see the methods used now to adopt new projects.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. TREADWAY. I will.

Mr. HUMPHREYS of Mississippi. The gentleman thinks that Vicksburg ought to be transferred to the jurisdiction of the Mississippi River Commission?

Mr. TREADWAY. On the representations made before the Committee on Rivers and Harbors, I do.

Mr. HUMPHREYS of Mississippi. Does the gentleman think that it ought to be transferred to the Mississippi River Commission with the proviso that they shall not spend any money on it?

Mr. TREADWAY. Mr. Chairman, I think there is no more reason for instructing the Mississippi River Commission what they should do in this particular than in any other portion of their work. The phraseology in the bill simply puts under their general control the harbor of Vicksburg, and that is as far as this House ought to go, unless it is ready once more to stultify itself by the adoption of another new project. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, this is not a new project; it is not an attempt by any circumlocution or legerdemain to put a new project on this bill, and I hope that the gentleman from Massachusetts [Mr. TREADWAY] will give me his attention for a moment. I, as a member of the Committee on Rivers and Harbors, although this was in my own State, was opposed to putting this project in, and was opposed to directing the commission to spend any money, and voted against that proposition here on the floor of the House when it came up. That proposition was to adopt the project and direct the Mississippi River Commission to expend $125,000 at Vicksburg. I was unwilling to do that. I was willing to do this, to put the Vicksburg Harbor under the Mississippi River Commission, leaving it to their judgment whether they should spend money for that harbor, putting it exactly upon the same status as every other harbor along that river.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. MANN. Suppose this item were not in the bill at all—to transfer the harbor to the Mississippi River Commission—would an item to make a direct appropriation directing the Chief of Engineers to do this work be a new project?

Mr. HUMPHREYS of Mississippi. It would.

Mr. MANN. So that it is beating the devil around the stump in another way.

Mr. HUMPHREYS of Mississippi. I think not, and for this reason——

Mr. MANN. The original item was a new project.

Mr. HUMPHREYS of Mississippi. Will the gentleman give me his attention?

Mr. MANN. I always do.

Mr. HUMPHREYS of Mississippi. I think I will convince him, if he does listen to me.

Mr. MANN. The gentleman has not begun yet to convince me.

Mr. HUMPHREYS of Mississippi. I will convince the gentleman now, if he will listen. We transfer this to the Mississippi River Commission and say nothing more. Very well. What is the law on the subject to-day? A survey has been hereto-

fore ordered for the specific project at Vicksburg, and what is the law:

The Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this act until funds for the commencement of the proposed work shall have been actually appropriated by law.

What does the engineer say under that, and I think he properly construes the law? He concludes that until Congress acts upon this particular survey his hands are tied, and he will do nothing.

Mr. MANN. I agree with the engineer.

Mr. HUMPHREYS of Mississippi. Very well.

Mr. MANN. That is evidence that it is a new project.

Mr. HUMPHREYS of Mississippi. That it is a separate project, absolutely—that that was a new and separate and distinct project, and Congress refused to adopt it and the Committee on Rivers and Harbors refused to adopt it, but they now say, "We will transfer this harbor back under the Mississippi River Commission."

Mr. MANN. That of itself is a new project.

Mr. HUMPHREYS of Mississippi. Oh, listen to me. If the gentleman will, I can convince him, I think, and not against his will. The law as it stands to-day, even if we transfer it back to the Mississippi River Commission, as construed by the Mississippi River Commission, and properly construed, is that, although it is transferred they have no power to act. We propose to say, not that this new project directing the commission to spend $125,000 shall be adopted, but that it shall not be considered as a project requiring special congressional action. In other words, we repeal the law that ordered the survey and now say, "We will transfer the harbor to you; treat it as you would any other harbor upon the river, and if you think it ought to have money, give it to it, and if you do not, do not give it to it." To simply transfer the harbor back to the Mississippi River Commission with the law as it stands would be to say, "Hang your clothes on a hickory limb, but don't go near the water."

Mr. MANN. Absolutely. The gentleman has convinced me that it is a new project.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SPARKMAN. Mr. Chairman, only a few words. As I stated a while ago, it is not a new project in any sense of the word. When we adopt a project we appropriate and direct the engineers to spend money upon it. In this case we do not direct them to spend any money at all. The only thing we do—and we do it independently of the project to which reference is made in the amendment—is to place Vicksburg under the jurisdiction of the Mississippi River Commission, just like every other portion of the river from the mouth of the Ohio down to the mouth of the Mississippi. We place it under the jurisdiction of the Mississippi River Commission, leaving it to that body to say whether it will expend any money there and how much. We do not direct them to expend any, as we do when we adopt a project. When we adopt a project we name the project, and thus designate the place where the work is to be done. We give the number of the report and make the appropriation, which is equivalent to a direction to the engineers to spend the money on the project. But there is no direction here. The language leaves it within their discretion to say whether they will expend any money there or not. If they follow the course they have heretofore, if they continue to entertain the opinion they have entertained heretofore, as I have interpreted that opinion they will expend no money whatever at that place. In the course of time they may do it, but I doubt very much whether they will expend any money there within the next few years. I think that is all I care to say. If I thought we were adopting a new project, I would not offer the amendment.

Mr. MANN. Mr. Chairman, we have seen quite a number of efforts at this session in the consideration of this bill to insert or strike out items contrary to the wish of the gentleman from Florida [Mr. SPARKMAN], the chairman of the committee, and most of the Members of the House probably will not remember when anything of the kind was ever done. I take off my hat to the genial gentleman from Mississippi, Mr. COLLIER, who is getting his way about this item now, and I compliment the Committee on Rivers and Harbors that they know when they are licked. They do not want to run up against a stone wall too many times in succession. The gentleman from Mississippi [Mr. COLLIER] turned the Committee on Rivers and Harbors upside down across his knee a few days ago and treated it like a naughty child, and I aided him, thinking his cause was worthy, and he said to the Committee on Rivers and Harbors, in effect, "As to Vicksburg, before you determine what you will do, see me." [Laughter.]

Now, I think the Committee on Rivers and Harbors is right now, though doubtless this is a new project, but an urgent one.

Mr. COLLIER. Will the gentleman yield right there?

Mr. MANN. I am glad the gentleman from Mississippi [Mr. COLLIER] is going to get his way this time without spanking the Committee on Rivers and Harbors. I am glad that he has them properly under subjection. It is a good thing, and shows that once in a while in the House a real meritorious project, backed by a very able and congenial gentleman, can win, notwithstanding the Committee on Rivers and Harbors. [Applause.]

The CHAIRMAN (Mr. HOWARD). The question is on the amendment of the gentleman from Florida [Mr. SPARKMAN].

The question was taken, and the amendment was agreed to.

Mr. FREAR and Mr. MOORE of Pennsylvania rose.

The CHAIRMAN. The gentleman from Wisconsin [Mr. FREAR], a member of the committee, will be recognized first and then the gentleman from Pennsylvania.

Mr. FREAR. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. FREAR: Page 27, line 1, after the word "feet," strike out "$6,000,000" and insert in lieu thereof "$1,000,000."

Mr. FREAR. The appropriation proposed will give $1,000 a mile to the Mississippi River which, under the circumstances, ought to be sufficient for purposes of navigation. The Flood Committee, which has recently been organized, according to press report expects to receive an appropriation from the Government in the neighborhood of $45,000,000. I do not know whether that is correct or not, but I state it just as reported, with an understanding that it is to be distributed over five years, which, if this remains in the bill in its present form, and $9,000,000 more is inserted, will bring the appropriations this year up to $15,000,000 for the lower Mississippi.

The purpose of these appropriations for the lower Mississippi has always been known, although it has not been frankly stated sometimes, to be for reclamation purposes largely and not for navigation, because the commerce on the lower Mississippi River has very largely disappeared. And as an evidence of that I quote from the Mississippi River Commission's report of 1912, wherein the commission says:

While the levees have a certain degree of utility in the improvement of the channel and are necessary to "promote the interests of commerce" by providing landing places for the interchange of traffic in times of flood and protecting the lines of railway behind them, their immediate and main value is the protection of the alluvial lands for the benefit of their owners.

What need be added to this unqualified admission by an official agent of the parties in interest?

Quoting from the comprehensive brief of Hon. B. E. Moses, of Memphis, he says in this connection:

This so-called protection of the alluvial lands along the Mississippi River is primarily and fundamentally a work of "reclamation," as that term is generally understood. * * * The history of the levee system along the Mississippi River is merely a repetition of the fight of mankind from time immemorial to reclaim for cultivation the fertile alluvial plains of the rivers of the world. The futility of the fight under the past method of "levees only" is apparent and real and has been impressed upon the people of the valley during the floods of the last two years by ruin, starvation, and death, incident to the breaks in the levee system.

The Government is reclaiming lands that were never before used, and for the benefit of private interests. This purpose is not disputed by any recognized authority, so far as I can ascertain.

THE GOVERNMENT'S DUTY AND LIMITATIONS.

Several years ago Congress commissioned some of her ablest men to make a thorough study of the waterway question and to make recommendations. These men, composing the United States National Waterways Commission, did make a careful investigation of waterways, both in this country and Europe. Fresh from that investigation they laid down certain principles of governmental action that condemn the expenditures now being made on the Mississippi land-reclamation scheme. I quote from the report on this question, as follows:

It should always be borne in mind that the waterway improvements made by the Federal Government under the exercise of its authority should be restricted to navigation. Whenever bank protection or flood prevention or the clarification of water is the sole object of improvements the question presents little difficulty in its solution. Such projects are not a proper charge upon the Federal Treasury. * * * In many instances proposed improvements have as their main object the protection or benefit of private property. In such cases there is a distinct benefit conferred upon individuals or localities which is only of a remote or very indirect benefit to the country as a whole. Lands subject to periodical overflow or lands of uncertain value because of the danger of erosion, when improved, are multiplied many times in value, and there is a constant danger that such improvements will be advocated under the guise of river and harbor legislation framed to benefit

navigation when the real object is the benefit which will accrue to individuals or localities. * * * The line should be carefully drawn between improvements which, in whole or in part, are for the protection or development of private property and those which are made in the sole interest of navigation.

This report from which the foregoing is quoted was signed by Theodore E. Burton, chairman; J. H. Gallinger, vice chairman; S. H. Piles, William Alden Smith, F. M. Simmons, James P. Clarke, William Lorimer, D. S. Alexander, Frederick C. Stevens, Irving P. Wanger, Stephen M. Sparkman, and John A. Moon.

The statement from the Mississippi River Commission is comprehensive, and I have inserted in the RECORD, in addition to that, the statement of one or two other authorities who live in the Mississippi Valley.

Now, Mr. Chairman, if that be for reclamation it is practically part of the duties of the new flood commission to undertake. When that is done I understand there is to be some determination of what proportion will be paid by the people who own these alluvial lands. That is to say, a basis will be established for the purpose of aiding people who are to have their lands reclaimed.

Mr. DUPRÉ. Will the gentleman yield?

Mr. FREAR. In a moment. That is the situation as I now understand it. There can be no justification for such a large amount for purposes of commerce. The River and Harbor Committee is to-day discussing these questions from the standpoint of navigation. Now, this has been taken away from them. It ought no longer to stand in the way, because we have a Flood Committee prepared to act, and when it does act I assume it will determine what will be a fair proportion of the money to be paid by the various landowners along the Mississippi Valley.

Now, Mr. Chairman, I am not going to ask for any further time in explanation, but I will yield to the gentleman from Louisiana [Mr. DUPRÉ].

Mr. DUPRÉ. Do you make any distinction, in your mind, between the reclamation of uncultivatable lands and the devastation of lands that are already under cultivation?

Mr. FREAR. It is given out as for the reclamation of lands. They unite that question with flood conditions. But here is a condition explained by the commission itself, that has been for reclaiming land all of these years, instead of for navigation, the purpose over which we are supposed to have jurisdiction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. Mr. Chairman, something has been said by the gentleman from Wisconsin about the commerce of the Mississippi River, and in the minority report filed by the gentleman he uses this language:

The greatest river, the Mississippi, has lost over 90 per cent of its commerce during the past 40 years. Good authorities estimate the loss at 95 per cent. Approximately $150,000,000 has been expended on the river, and about one-half of that amount within the past dozen years, without adding anything to its commerce. From 16,000,000 to 20,000,000 acres of land belonging to private parties, valued at over $100 per acre on the average, is being reclaimed by the Government, and yet experts and reputable residents along the river declare the entire levee system is wasteful, and so-called river improvements are a makeshift and sure to be disappointing. From the viewpoint of navigation the Mississippi has only a slight local commerce, justifying no more than nominal expenditures. Experimental and political methods of extending flood relief have become notoriously extravagant and unsatisfactory.

The Bureau of Corporations of the Department of Commerce published several years ago several volumes—four, I think—on the question of water transportation, and in the second volume, entitled "Transportation by Water in the United States," I obtain this data:

The principal traffic on the river in the early days consisted of shipment of grain from St. Louis to New Orleans, and in 1875, just 40 years ago, the tonnage of such shipments amounted to 187,520 tons. The receipts of cotton at New Orleans for the same year amounted to 8,640 tons, or a total of 196,160 tons.

That was 40 years ago. The grain shipments on the river reached their highest point in 1880, when they amounted to 441,354 tons, and the receipts of cotton that year at New Orleans by river amounted to 170,094 tons, a total of 611,448 tons.

Now, I would like gentlemen to keep those figures in mind a moment. The reports of the Chief of Engineers for 1915 show the commerce passing between St. Louis and Cairo for the year 1914 as having been 325,164 tons; between Cairo and Memphis, 1,321,081 tons; and between Memphis and Vicksburg, 1,880,394 tons; between Vicksburg and New Orleans, 2,343,623 tons.

Now, without attempting to get the aggregate of that tonnage, upon the theory that much of it is duplicated, simply take, if you please, the commerce between Vicksburg and New Orleans for the year 1914 at 2,243,623 tons, while the commerce 40 years ago amounted to 196,160 tons, and in the greatest year, 1880, a total of 611,448 tons. I submit this data as a contribution from an official publication by the Department of Commerce in comparison with the statement contained in the minority report of the gentleman from Wisconsin [Mr. FREAR].

Has my time expired, Mr. Chairman?

The CHAIRMAN. The gentleman has two minutes remaining.

Mr. SMALL. Now the gentleman stated further—and I use this language, quoting from his report:

Approximately $150,000,000 had been expended on the river, and about one-half of that amount within the past dozen years, without adding anything to its commerce.

These are the facts: The total amount appropriated for the whole river down to the Passes from 1903 to 1914 was $58,366,575. So it is not $75,000,000 or one-half of $150,000,000, as stated in the gentleman's report.

Now, of that $58,000,000, a portion—how large I do not know—was expended on that reach of the river, about 100 miles, between New Orleans and the Passes. I submit that when minority reports are filed, when statements are made which are given credence by the press and by the country, more care should be taken as to accuracy than is displayed in this particular report upon the Mississippi River.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I will say this, that in the bill itself South Pass is called a part of the Mississippi River. It has always been that. The gentleman deducts the appropriation, takes it away. I am not going to discuss the question of commerce on the river in a few moments remaining, because that is confusing, and I have endeavored to get the true figures from the analysis made in the past after considering duplication and quadruplication excluding coal and because coal was repeatedly counted on the river at different points. I wish to say this, that if gentlemen of the House will look into the RECORD tomorrow they will see a comparison as to the Tennessee River between the statement made by the gentleman from North Carolina and the statement I have made based upon the official reports, and I am sure that in this case as in others the figures will show that he has given a wrong understanding of the statistics of that river.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. SMALL. Mr. Chairman, I ask unanimous consent to proceed for three minutes to correct the gentleman's statement.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SMALL. The gentleman from Wisconsin is mistaken about the Passes being a part of the Mississippi River project. They have always been considered separate and apart from it, and have been appropriated for separately. The commerce passing in and out of the Passes at the mouth of the Mississippi River is always given separately from that on the Mississippi River proper. If I had the memorandum here that I just handed to the reporter I would be able to give the commerce for 1914, but I can say, approximately, that there was a total in that year of over 6,000,000 tons of commerce passing through the South and Southwest Passes, independent of that commerce on the Mississippi River to which I referred.

The CHAIRMAN. The time of the gentleman from North Carolina has expired. All time on the paragraph has expired.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. HUMPHREYS of Mississippi. I have asked for this time, Mr. Chairman, for the purpose of making an explanation to the gentleman from Wisconsin [Mr. FREAR] and several other gentlemen who have made inquiries of me. If the Committee on Flood Control succeeds in passing a bill that will take care of the Mississippi River hereafter, the appropriations that will be made in pursuance of that bill will come in the sundry civil bill next year. The only appropriation for the Mississippi River that will be made for the fiscal year ending June 30, 1917, will be carried in the river and harbor bill, whatever that may be.

The Committee on Flood Control has no power to appropriate, only to authorize; and whatever may be authorized in that bill will be carried in the sundry civil bill that will be adopted next winter, so that the gentleman is in error in supposing that what-

ever the Committee on Flood Control may provide for the Mississippi River will be in addition to what is carried in this bill. There will be nothing carried in that bill and nothing authorized in that bill for the year which will be taken care of by the six millions in this bill.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield there?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. DUPRÉ. Will there be any cessation in the meantime of the local contributions that will be made on the part of the people down there?

Mr. HUMPHREYS of Mississippi. No. As to those local contributions, the law has never required any local contributions. Heretofore the figures have been estimated and stated loosely, but now the commission has at last gathered this information together under the direction of Congress, and their report shows that on the Mississippi River proper the local interests have contributed since 1882 more than $80,000,000 for the construction of levees, whereas the Federal Government during that same time has contributed $32,000,000. But there has been no law compelling that.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. FREAR. This appropriation—the larger portion of it—is to be used, is it not, for the reclamation of the alluvial lands, as stated by the Mississippi River Commission, as it has been done in the past?

Mr. HUMPHREYS of Mississippi. No. The Mississippi River Commission, with all due respect to the gentleman, although he read it only five minutes ago, never did state that. It is not stated in what the gentleman just read, and it is not a fact. What he read was that the main purpose of the levee is to protect the country from overflow. Now, he states that the principal part of the sum appropriated will be expended for reclamation.

Mr. FREAR. Oh, no.

Mr. HUMPHREYS of Mississippi. The principal part of the sum appropriated will never go into levees, and never has gone into them. It will go for other work.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. GARRETT. Mr. Chairman, I ask unanimous consent that the gentleman from Mississippi may proceed for five minutes.

The CHAIRMAN. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that the gentleman from Mississippi [Mr. HUMPHREYS] may proceed for five minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, will the gentleman allow me to ask him a question, so long as he has an extention of time?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. FREAR. What is the basis for the contributions to-day for those people to have their lands reclaimed?

Mr. HUMPHREYS of Mississippi. As I said, it has been stated to be about 3 to 1 for levee construction.

Mr. FREAR. Has that any determinate basis that you have to work upon?

Mr. HUMPHREYS of Mississippi. None at all. The law has never required any of it at all, but Congress has appropriated so little money for the construction of levees that the people there have taxed themselves to the utmost extent to raise all they could, and whether Congress gave much or little, they contributed all that they could raise by the most onerous system of taxation.

Mr. FREAR. Were not those contributions largely at an early day? Have they been recently?

Mr. HUMPHREYS of Mississippi. No; they have been made since 1882. Prior to 1882 the Government contributed nothing whatever, and there were vast sums spent then, I do not know how much. But you understand we could not proceed rapidly; we would get the levees up to a reasonable height, and a flood would come and wash them down, and we would have to do it over again. Then as the reclamation of the upper valley proceeded, the waters were precipitated into the lower valley so rapidly that the rush of the waters began to wash down the banks of the river and cave the levees into the river. I will give the gentleman one illustration of that——

Mr. FREAR. About how many acres are included in the lands which it is proposed to reclaim?

Mr. HUMPHREYS of Mississippi. There are 20,000,000 acres in the Delta. Of course, the gentleman understands that all that reclamation is to be done by the people. Congress is not expected to do anything in the way of reclamation.

Mr. FREAR. I understand there are about 2,000,000 acres which it is proposed to reclaim.

Mr. HUMPHREYS of Mississippi. There are 20,000,000 acres.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Certainly.

Mr. COOPER of Wisconsin. As the gentleman has put the question, and as the answer reads, it would appear that this money is appropriated to reclaim 20,000,000 acres of land.

Mr. HUMPHREYS of Mississippi. That is not the case at all.

Mr. FREAR. Each year that contribution is directed toward that purpose, is it not?

Mr. HUMPHREYS of Mississippi. Not at all. It never has been. It is directed toward the construction of levees. The Government has contributed a very small portion of that, and for many years it was limited by act of Congress, so that no levees could be built for the purpose of preventing overflow, but that levees should be constructed only in the interest of navigation. After the floods have been controlled the reclamation of the land is left entirely to the people. That costs them from $30 to $40 an acre, which they themselves pay. It has never been in their contemplation and never in their hope that the Federal Government would contribute anything toward reclamation of the land.

But I was telling you about these waters that rush down on us and cave the levees into the river after we build them. I have two levee districts in my congressional district, one with a levee line 189 miles long. Since 1882 we have abandoned 180 miles out of 189 miles on account of the caving of the banks. In other words, we have practically built that line of levees twice. And that occurs all along. By the time we get them half built, this great volume of water comes along and caves them into the river, and we have to start all over again.

Mr. COOPER of Wisconsin. Who paid for that?

Mr. HUMPHREYS of Mississippi. The people in my district paid for it.

Mr. COOPER of Wisconsin. That did not come out of the Federal Treasury.

Mr. HUMPHREYS of Mississippi. Not a nickel of it.

Mr. COOPER of Wisconsin. How much has the Government contributed, and how much have private interests contributed?

Mr. HUMPHREYS of Mississippi. So far as the construction of the levees on the river itself is concerned, private individuals have contributed some $80,000,000. Of course they have built some levees up the tributaries, and counting in those levees on tributaries the private owners have contributed $91,000,000 since 1882. During that time the Federal Government has contributed $32,000,000.

Mr. FREAR. The gentleman has stated that three times.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. DUPRÉ. I ask unanimous consent that the gentleman's time may be extended five minutes, to allow him to answer a question.

Mr. SPARKMAN. Let us see if we can not agree on the length of time. How much time does the gentleman from Mississippi desire?

Mr. FREAR. I ask that the gentleman from Mississippi have five minutes more.

Mr. HUMPHREYS of Mississippi. All I want is time to answer my friend's question.

Mr. DUPRÉ. I want time enough to ask the gentleman from Mississippi a question.

Mr. SPARKMAN. I ask unanimous consent that debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent that all debate on this paragraph and amendments thereto close in five minutes. Is there objection?

Mr. MANN. Reserving the right to object, the gentleman from Pennsylvania [Mr. MOORE] desires to offer an amendment, and would like to have five minutes on it.

Mr. HUMPHREYS of Mississippi. What is the gentleman's amendment?

Mr. SPARKMAN. I will confine my request to this particular amendment then.

Mr. MANN. Oh, the gentleman had better make it cover the paragraph.

Mr. SPARKMAN. Then I will ask unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman asks unanimous consent that debate on this paragraph and amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. FREAR. I wish to ask the gentleman a question. He says the Government has made no contribution toward these levees which have been washed out.

Mr. HUMPHREYS of Mississippi. Oh, no; I did not say that. At least I did not intend to.

Mr. FREAR. I did not think the gentleman intended to be so understood. The Government has engaged in building these levees, has it not?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. FREAR. And some of these levees have been washed out.

Mr. HUMPHREYS of Mississippi. Yes.

Mr. FREAR. Very largely so in the case mentioned.

Mr. HUMPHREYS of Mississippi. Yes.

Mr. FREAR. And the Government is replacing those levees.

Mr. HUMPHREYS of Mississippi. The Government is contributing a very little toward it, but has contributed something; but the vast amount of the Federal money is spent for other purposes, purposes which the engineer says are in the interest of navigation. The bulk of this money goes for revetment and channel improvements and for the administration of the commission.

Mr. FREAR. But that all aids in this matter of reclamation, does it not, supporting the levees?

Mr. HUMPHREYS of Mississippi. It does aid by keeping the floods off the land, undoubtedly.

Mr. DUPRÉ. Will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. DUPRÉ. Was it not testified before the committee that Louisiana had spent $45,000,000 since 1870 on the Mississippi River?

Mr. HUMPHREYS of Mississippi. It was a large amount; I do not recollect the figures.

Mr. DUPRÉ. And was it not stated also that the city of New Orleans was taxed $700,000 annually for levee purposes?

Mr. HUMPHREYS of Mississippi. I do not recollect the figures. Everything is taxed in my district; the land is taxed 17½ mills, and 5 cents an acre in addition, a dollar a bale on all cotton in addition, and a tax on every privilege. For instance, a man who does any business whatever for profit, whether he drives a wagon, practices law, or runs a store, or what not, is taxed for the privilege, and that goes into the levees. In other districts they tax potatoes, rice, sugar, molasses, every ton of hay, and every barrel of oysters that are gathered, because the muddy water that overflows and goes into the ocean injures the oysters.

Mr. MANN. That is done wherever the Democrats have full control. [Laughter.]

Mr. HUMPHREYS of Mississippi. Well, we have full control down there, and the story that Adam Bede used to tell when he was a Member of Congress always struck me as if he had our people in view. It was a hard-luck story, and ran this way:

> His horse went dead and his mule went lame,
> And he lost his cow in a poker game;
> Then a cyclone came on a summer's day
> And blew the house, where he lived, away;
> Then an earthquake came, and when that was gone,
> And swallowed the ground that the house stood on,
> Then the tax collector came around
> And charged him up with the hole in the ground.

[Laughter.]

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 28, line 2, after the word "appropriated," insert as a new paragraph the following:

"And the Mississippi River Commission shall report to Congress before December 1, 1916, an estimate of the cost of levee construction necessary to be done to complete the project."

Mr. MOORE of Pennsylvania. Mr. Chairman, this is the largest and most important item in the bill, but it is not criticized on the ground that is usually used in criticizing smaller items. Six million dollars is here to be appropriated for this particular part of the Mississippi River. In view of previous legislation and the interests to be served, I am in favor of the appropriation as it stands. I remember that it came in at one time as an emergency appropriation, because of floods. I have looked into the question of cooperation of the States along the line, and while the States frequently complained that the floods come down from the North, due to erosion and other causes, I found it true that Mississippi and Louisiana especially were contributing very largely of their own means, by way of cooperation, and that, it seemed to me, was commendable. But there are some things about the authority given the Mississippi River Commission that are so different from work in other sections of the country that it occasions wonder why some of our newspaper critics and others who are influenced by newspaper criticism on the floor of the House do not comment upon them. The Mississippi River Commission is given power to build dredges——

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. HUMPHREYS of Mississippi. The Mississippi River Commission was directed to make this report, and has made it, and we have it.

Mr. MOORE of Pennsylvania. To complete the work?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. MOORE of Pennsylvania. How much did it amount to?

Mr. HUMPHREYS of Mississippi. It was three or four years ago, and they estimated that to complete the system of levees would cost $57,000,000; and since that quite a lot of work has been done, and they now estimate that it can be completed for about $40,000,000.

Mr. MOORE of Pennsylvania. That takes into account the appropriations made since the report was made?

Mr. HUMPHREYS of Mississippi. And the contributions by the local interests.

Mr. MOORE of Pennsylvania. I am frank to say that I offered this amendment for the purpose of having some discussion on the subject. I am glad the gentleman from Mississippi responds. But I wish to say that this is a $6,000,000 item we are voting into the bill, without scarcely a word as to the manner in which it is spent, for the construction of dredges and providing devices that do not apply to other improvements apart from the Mississippi. The gentleman from Iowa has not commented upon the appropriation for dredges, and I suppose they overlook it because Iowa is bounded by the Mississippi River——

Mr. HUMPHREYS of Mississippi. These dredges are operated and owned by the United States Government.

Mr. MOORE of Pennsylvania. That is true, but it might be criticized if applied to the country where they are doing the work by private contract.

Mr. DUPRÉ. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I have not the time.

Mr. DUPRÉ. I only wanted to say that levee construction has been greatly cheapened within the last few years.

Mr. MOORE of Pennsylvania. By the construction of Government dredges that may all be. But here we are appropriating $6,000,000 in one item and little or nothing is said about it. If some poor little creek was to be taken care of at an expense of $1,000 or so it would be criticized to the limit.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Any funds which are herein, or may hereafter be, appropriated by Congress for improving the Mississippi River between Head of Passes and the mouth of the Ohio River, and which may be allotted to levees, may be expended, under the direction of the Secretary of War, in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for levees upon any part of said river between Head of Passes and Rock Island, Ill., in such manner as, in their opinion, shall best improve navigation and promote the interest of commerce at all stages of the river.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. It was impossible in the five minutes I had to say what I desired to say with reference to the enthusiasts who criticize river and harbor bills because, perchance, $1,000 happens to be appropriated for the improvement of a stream. When we get to a six-million-dollar item they have nothing to say. It is the small stream pouring into the big one that makes the flood that causes the trouble in the Mississippi Valley; but it is just as we find it sometimes in ordinary financial affairs. If a man steals a million dollars he invites public attention, but if he steals a loaf of bread he goes to jail. Why do not some of the gentlemen from Iowa who have been opposing this bill, and along whose territory we are now passing, rise and make some observations? Rock Island is in the vicinity of the Mississippi at this point, and yet I observe there is not a single gentleman from the Iowa delegation here to say a word of criticism.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I beg the gentleman not to interrupt me at this point. Oh, I see the gentleman from Iowa [Mr. GREEN] is here. I beg his pardon.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman state what benefit Iowa is to get out of this?

Mr. MOORE of Pennsylvania. Why, Iowa gets to the Gulf and the Panama Canal through the Mississippi River.

Mr. GREEN of Iowa. But what portion of this fund is to be expended for the benefit of Iowa?

Mr. MOORE of Pennsylvania. It is improving the Mississippi River along the borders of Iowa.

Mr. GREEN of Iowa. But that is the part that does not need improvement.

Mr. MANN. Does not the gentleman from Pennsylvania know that Iowa is north of Missouri and not south?

Mr. MOORE of Pennsylvania. Certainly.

Mr. MANN. But this only goes to the Missouri.

Mr. MOORE of Pennsylvania. Then we will apply it to the next item.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GOOD. Of course, we could not expect the editor or the president of the bulletin of the Inland Deep Waterways Association, which placed Minneapolis halfway up Minnehaha Falls, to know just exactly where on the map Iowa would be located.

Mr. MANN. He evidently did not.

Mr. MOORE of Pennsylvania. Mr. Chairman, the gentleman from Iowa [Mr. GOOD] misread the article to which he refers. I did not write it, however. It is pleasing to get a rise out of our Iowa friends. I have brought them to book on a $6,000,000 appropriation, passing up to their own State, about which they have nothing to say.

Mr. GOOD. Mr. Chairman, I move to strike out the last word.

Mr. SPARKMAN. Mr. Chairman, can we not agree upon some time? How much time does the gentleman want?

Mr. GOOD. Five minutes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in seven minutes—two minutes to be controlled by myself.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, there are certain rivers and harbors in the United States well recognized as needing improvement. One of them is the Delaware, one of them is the Mississippi, and another of them is the Ohio. We are all agreed about that, but I want to say to the Committee on Rivers and Harbors that, if it has brought in a bill carrying five or six millions of dollars for the Mississippi in order to get the vote of the Members of the House from Iowa, that committee will be disappointed. I object to this bill because of the principle upon which it was apparently drawn. I object to it not because it has some worthy items in it, but because it is loaded with so many items that are not worthy. Gentlemen say there is no politics in the bill, but before election day comes in November those who vote for it will find that it is loaded with politics. Take the hearings, for instance. I have here the hearings on the Galveston Harbor project, and that is but illustrative of what was done in other items. The chairman says:

Col. Taylor has nothing in his report to say that any bad effects came from the failure of the Government to finish the sea wall.

Again the chairman says:

Nothing has happened so far to show that this—

The sea wall appropriated for—

is immediately necessary.

Speaking again about the sea wall, the chairman says:

We have a report to the effect that $475,000 will be necessary to restore the conditions that existed before the storm. Now, regarding the sea wall, the engineers first report that while it was a convenience and might in time prove of use in arresting wave action in case of severe storms, yet they did not think it urgent, because the danger was rather remote.

Again, the chairman asked Mr. Gresham:

Now, which would you prefer having done—the sea wall, which the engineers say is not urgent, or the other, which they say is?

Mr. Gresham, who says that he has spent the flower of his life lobbying for this provision, says:

By all means we would prefer the sea wall.

And the sea wall goes into the bill.

Yet they say this is a meritorious bill, every item of it is a meritorious item. Why, one gentleman, talking about the river in his district for which we made an appropriation, says that it has no well-defined banks, and that if you are not careful when you go down to the river you will cross it before you know you have reached it. Yet we propose to make it navigable by appropriation. And there is the Wateree River, in which nobody has discovered any water. We are irrigating some of these southern streams in order to get appropriations to make them navigable. Do you think for one moment that with an empty Treasury the people would approve of these outlandish appropriations? You will be deceived in that. You argue that, because Senator Burton was at one time in favor of some of these projects. So he was. But it is passing strange that now after an experience of 10 or 15 years had demonstrated that they were valueless for navigation purposes you should keep on voting for them. You vote for them after Burton repudiated them. That is just the difference between the Republican Party and the Democratic Party. We discover our mistakes and try to rectify them. You refuse to follow our successes, but take up our failures and follow them, even in the face on an empty Treasury. That is what you have done in this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPARKMAN. Mr. Chairman, so far as the Rivers and Harbors Committee is concerned, there is no politics in this bill. And I wish to say, further, that if anyone here or elsewhere thinks the people of this country are going to vote against anybody because he favors, or any party because it passes, a river and harbor bill, he will wake up on the morning after the next election and find himself very much deceived. There is, in my judgment, in this country no more popular measure than those annual river and harbor bills. The people want this great work to go on, and they are going to have it go on.

Now, we may have made some mistakes in the bill, as I said at the outset, but we have asked this House to correct us where it thinks we are wrong, to strike out what is not right. Has there been anything stricken out yet? The membership here has stood by the committee up to date, a majority at least, and it has not done so because there is any politics in the bill, but because they think that, in the main, it is a good bill and ought to become a law.

The CHAIRMAN. All time has expired. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

Mr. SMALL. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The motion is not in order. The Clerk will read.

The Clerk read as follows:

Mississippi River, from the mouth of the Ohio River to and including the mouth of the Missouri River: Continuing improvement and for maintenance, $350,000

Mr. SMALL. Mr. Chairman, if I may have the attention of the gentleman from Iowa [Mr. GOOD] a moment, I would like to put this thought to him. With the construction of the Panama Canal and the reduction of rates between the two coasts, there is a section lying between the Appalachian and the Rocky Mountains which will be placed at a disadvantage in rates as compared with the two coasts not so favorable as heretofore enjoyed. The Interstate Commerce Commission in the adjustment of rates by rail will not be able to give to the Mississippi Valley that relief to which it may think itself entitled and to which perhaps it is justly entitled. That great section, including the great agricultural State of Iowa, must look to some source in order that by an equalization and adjustment of rates the agricultural products and the manufactured products of the State of Iowa may find their way to market. The only relief which will be open to them will be the great Mississippi River and its tributaries, and it will be up to the producers, agricultural and manufacturing, of his great State and others of those great Central States similarly situated to utilize these waterways by the establishment of water traffic, and their outlet, their gateway to the commerce of the world, will be the city of New Orleans. And the time will come, and these gentlemen from the great State of Iowa will realize it, that States which now think, by reason of their interior location, they are not interested in the improvement of our interior waterways, will turn to them as the only source of relief in the distribution of their products to their natural market, which they must find if they would maintain their present degree of prosperity.

Mr. MILLER of Minnesota. Mr. Chairman, a few moments ago when I had the floor the gentleman from New York [Mr. HULBERT] was making a short statement, and I would like if he will kindly complete that statement, as I understand he can do so in a moment.

Mr. HULBERT. Mr. Chairman, that part of the statement, which time did not permit me to put in the RECORD, is as follows:

Our national exports were valued at $2,431,004,047, of which $1,785,101,131 were sent out through the port of New York. Of a total foreign commerce, valued at $3,711,073,713, the share falling to the port of New York amounted to $2,772,548,473. In other words, New York's export and import trade amounted to more than 74 per cent of the country's total. I am speaking of foreign commerce only.

I do not know whether the gentleman referred to tonnage of ships or merchandise, but I hold in my hand an extract from the Statistical Record, issued by the Department of Commerce, in which it is stated that during the year 1913 the total tonnage on vessels which entered and cleared the port of New York was 28,834,780 tons, and for the improvement of that portion of New York Harbor which the tonnage represented by those ves-

sels used the Federal Government has appropriated in total only $13,538,840.

Mr. MILLER of Minnesota. Will the gentleman state the year for which those figures were given?

Mr. HULBERT. For 1913. For 1914 it was 27,445,963 tons, and for 1915 it was 26,056,658. Of course since the European war broke out there are three trans-Atlantic steamship lines, formerly operating out of New York, which have been compelled to discontinue, and others are paralyzed by destruction of ships or their appropriation by the British Government. But I will offer a statement from the New York Journal of Commerce of January 3, 1916, showing improved conditions nevertheless:

FOUR THOUSAND NINE HUNDRED AND FIFTEEN SHIPS SAILED FOR FOREIGN PORTS—YEAR'S CLEARANCES GREATER THAN IN 1914 AND 1913—WHILE THE VESSELS IN FOREIGN COMMERCE INCREASED IN NUMBER, THEIR AGGREGATE TONNAGE WAS SMALLER, DUE TO THE ELIMINATION OF LARGE PASSENGER STEAMERS FROM OCEAN TRAFFIC—COMPARATIVE FIGURES FOR THREE YEARS.

Despite the European war and the elimination of German and Austrian steamships from the foreign commerce, the number of vessels entering the port of New York during the past calendar year was larger than the total for 1914 and the total for 1913. On the other hand, the tonnage of the vessels entering and clearing from this port was considerably smaller than in the two previous years.

Following is a summary of the tonnage of vessels in New York's foreign commerce for the past three years, compiled by the customhouse authorities:

	1913	1914	1915
Number of vessels entered	4,448	4,206	4,890
Number of vessels cleared	4,203	4,042	4,915
Tonnage of vessels entered	15,410,977	18,894,486	12,962,428
Tonnage of vessels cleared	15,167,801	13,551,477	13,094,230

The increase in the past year in the number of ships sailing from New York for foreign ports is largely due to the tremendous increase in merchandise exports, the total value of which amounted to $1,783,372,810, which is greater by $25,000,000 than the combined exports of 1913 and 1914.

The decrease in the aggregate tonnage is due to the fact that ocean steamers of the type of the *Olympic*, *Mauretania*, and *Vaterland* have not been engaged in the regular service owing to the war, many of the steamers of this class having been requisitioned by foreign Governments.

It is also to be noted that there has been a considerable increase in the number of vessels in our foreign commerce despite the fact that German and Austrian vessels have not entered or cleared at this port since the outbreak of the European war, about 17 months ago.

Following table gives the detailed figures, by months, of the entrance and clearance of vessels for the past three years:

1913.

Month.	Entered.		Cleared.	
	Number of vessels.	Tonnage.	Number of vessels.	Tonnage.
January	317	1,096,105	319	1,199,997
February	288	1,048,225	277	1,062,375
March	313	1,189,732	314	1,232,040
April	368	1,365,344	321	1,240,665
May	377	1,280,043	361	1,332,597
June	402	1,341,416	342	1,262,882
July	431	1,358,475	408	1,317,628
August	437	1,360,781	425	1,378,232
September	432	1,449,209	383	1,303,366
October	373	1,403,158	377	1,440,913
November	330	1,156,666	320	1,143,471
December	380	1,361,923	356	1,253,135
Total	4,448	15,410,977	4,203	15,167,301

1914.

Month.	Entered.		Cleared.	
	Number of vessels.	Tonnage.	Number of vessels.	Tonnage.
January	294	1,106,633	305	1,188,646
February	269	1,027,721	261	1,027,803
March	344	1,292,750	326	1,276,537
April	386	1,448,064	346	1,311,426
May	375	1,352,924	377	1,374,060
June	425	1,449,985	389	1,406,412
July	425	1,429,355	411	1,345,228
August	357	1,044,579	203	795,926
September	353	975,256	343	1,034,664
October	340	977,828	366	994,247
November	337	913,722	299	860,442
December	301	875,669	326	936,086
Total	4,206	13,894,486	4,042	13,551,477

1915.

Month.	Entered.		Cleared.	
	Number vessels.	Tonnage.	Number vessels.	Tonnage.
January	310	923,365	307	937,304
February	293	910,039	303	878,655
March	371	1,049,215	357	1,096,749
April	461	1,219,141	412	1,094,014
May	421	1,079,490	416	1,119,693
June	491	1,249,956	453	1,168,361
July	430	1,079,982	469	1,157,295
August	430	1,084,081	416	1,046,859
September	428	1,055,835	423	1,115,294
October	437	1,119,803	451	1,142,744
November	441	1,191,222	466	1,202,730
December	377	1,000,292	445	1,233,529
Total	4,890	12,962,428	4,915	13,094,231

[1] Estimated.

The total tonnage of the vessels engaged in foreign trade with the United States for the fiscal year ended June 30, 1915, was 46,710,466 for all ports. In 1914 the total for the country was 53,388,577.

The total exports from the port of New York for the week ending March 11, 1916, were $60,204,165. For the corresponding week for 1915 the total exports were only $40,864,337 and for the corresponding week in the year 1914 the total was only $20,945,607. Now, we do not claim that because of these figures——

Mr. MILLER of Minnesota. The gentleman did not give the freight tonnage for the year 1915.

Mr. HULBERT. I can not give it to you accurately, but it is approximately 100,000,000 tons, having a value of $6,000,000,000 per annum.

Mr. MILLER of Minnesota. The gentleman can not cite us to any authoritative record showing 100,000,000 tons of freight.

Mr. HULBERT. The only authority I can cite is the report of the Chief of Engineers, United States Army, as to the tonnage of the whole port of New York. I can cite the gentleman the figures in regard to the foreign commerce in tons at New York, because that information is obtainable from the customhouse.

Mr. MILLER of Minnesota. What are those figures?

Mr. HULBERT. I have not got them at hand, but I will be very glad to produce them and put them into the RECORD. But the total domestic or coastwise trade I can not give the gentleman, because there is no provision of law by which it can be collected, analyzed, and published. I now have such a bill in course of preparation and intend to introduce it.

Mr. MILLER of Minnesota. I would like to have some of my time left.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HULBERT. Mr. Chairman, I move to strike out the last three words; and I will yield to the gentleman from Minnesota for the purpose of an inquiry.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that the debate on this paragraph and amendments close in five minutes.

Mr. MILLER of Minnesota. That would be sufficient, so far as I am concerned.

Mr. HUMPHREY of Washington. Mr. Chairman, I would like to have five minutes, following the gentleman from Minnesota [Mr. MILLER].

Mr. SPARKMAN. Then I will ask to extend it to 10 minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the debate on the paragraph and amendments thereto close in 10 minutes. Is there objection?

There was no objection.

The CHAIRMAN. Does the gentleman from New York [Mr. HULBERT] desire recognition?

Mr. HULBERT. I will ask recognition in order that my colleague [Mr. MILLER] may ask me a question, if he desires to do so.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. MILLER of Minnesota. Will the gentleman permit me in his time to make a brief statement, completing the statement he made?

Mr. HULBERT. If it relates to the statement I made, I have no objection.

Mr. MILLER of Minnesota. I wish in addition, Mr. Chairman, to call attention to the position taken by the gentleman from Pennsylvania [Mr. MOORE]. Unquestionably the greatest

commercial port in the world is the city of New York; the greatest in the world. Unquestionably the second greatest port in the world, so far as tonnage is concerned, is the Duluth-Superior Harbor, at the western extremity of Lake Superior.

Oh, I see some gentlemen smile. That smiling on their part does not do themselves very much credit. It indicates that they have not kept abreast of the times. The gentleman from New York [Mr. HULBERT] has cited the fact that the tonnage of the ships that carried the imperial commerce of New York in 1913 was 28,000,000 tons. The tonnage of the ships that carried the tonnage of Duluth-Superior Harbor in 1913 was 28,000,000 tons. That does not represent the freight tonnage carried, however. The freight tonnage for the year 1914, as was given by the gentleman from Wisconsin [Mr. LENROOT], for the Duluth-Superior Harbor, is about 33,000,000 tons. The gentleman might, if he had chosen, have stated that that was the low year for many years, and that in the preceding year of 1913 the total tonnage was 46,000,000. I see, also, that its value was $352,595,577.

Mr. HULBERT. Will the gentleman yield for a question?

Mr. MILLER of Minnesota. In a minute. The total tonnage for London that year was but 41,000,000. The tonnage for Liverpool was but 35,000,000. The tonnage of Chicago, imperial city as it was, was but 14,000,000. When we come to make comparisons as to freight and the tonnage, the Duluth-Superior Harbor ranks second to New York in the world.

Now, in harmony with what the gentleman from Pennsylvania [Mr. MOORE] said a short time ago——

Mr. HULBERT. Mr. Chairman, will the gentleman permit an inquiry there?

Mr. MILLER of Minnesota. In a second. We do not maintain that the appropriations for the Duluth-Superior Harbor are of exclusive benefit to Duluth and Superior any more than that the appropriations for the improvement of the Delaware River are for the exclusive benefit of the splendid city of Philadelphia. An appropriation for the harbor of Duluth-Superior is a benefit to every man in the United States who either sends something through that harbor or buys something that is sent through it. In fact, that is the great gateway to the interior of the continent, and its commerce will continue to grow with tremendous rapidity as the commerce of the country develops. Manufactured products and foreign products coming down the Great Lakes there meet the rails, and are thence transported into the interior.

A few years ago I was interested to hear a gentleman who was engaged in the Lake transportation business for 40 years, after spending a whole winter in the work, finally come to a fairly reasonable estimate as to what had been saved to the producers and consumers of America in cheapened freight by the improvements made upon the Great Lakes, and the figures that were produced by him staggered one. Men on this floor can remember distinctly when it cost 10 or 12 cents to send a bushel of wheat from Duluth to Buffalo. Now you can send that bushel of wheat anywhere for from three-quarters to one and one-half cents.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MANN. Mr. Chairman, the gentleman from Minnesota [Mr. MILLER] falls into an error which a great many people of the country in the inland districts have fallen into. They make a comparison between all of the commerce at their local ports and the foreign commerce at one of the seaports.

Mr. MILLER of Minnesota. I did nothing of the kind.

Mr. MANN. That is exactly what the gentleman did. The gentleman compares commerce of the Duluth-Superior port with the foreign commerce of New York City.

Mr. MILLER of Minnesota. I did nothing of the kind.

Mr. MANN. I make the statement, and I am correct. If all the commerce of New York City was taken into consideration, it would amount to hundreds of millions of tons, computed in the same way that they compute the commerce at Chicago and through the Duluth & Superior Canal or Milwaukee or any of those places of that sort. They do not pretend to gather statistics of all the domestic commerce at New York City.

Mr. HULBERT. Mr. Chairman, will the gentleman yield?

Mr. MANN. No; I have made a correct statement, and I do not care to yield.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HUMPHREY of Washington. Mr. Chairman, I listened to my friend from Minnesota [Mr. MILLER] make his statement a little while ago, and I also heard him a little earlier in the day. I simply wanted to dispel any impression that the House might have that the gentleman from Minnesota is any different from the most of us, that he is any more altruistic than other Members of this House.

I remember distinctly that when the Panama Canal was up for consideration the distinguished gentleman joined hands with the other side of the aisle to impose tolls upon American coastwise shipping going through that canal.

Yet the products from my portion of the country, the wheat and the lumber and the other products from the Pacific coast, go to the Atlantic coast and there compete with those from his State. The Government furnishes him a canal for his products free, and he was not so altruistic at that time but that he voted to impose a tariff upon the products coming from my portion of the country that competed with his, already handicapped by having to come a good many thousand miles farther. So I thought it might be well to state that my good friend from Minnesota, just like the rest of us, can see good in his own products. He can stand up here and praise them, and he can see faults in the others, just the same as anybody else.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield for an inquiry?

Mr. HUMPHREY of Washington. Yes.

Mr. MILLER of Minnesota. Does the gentleman think there is no difference between an interoceanic canal at Panama and the Sault Ste. Marie Canal connecting two bodies of water within the United States?

Mr. HUMPHREY of Washington. Not a bit of difference. They were both built on American soil; the American people own both and the American flag floats over both.

Mr. MILLER of Minnesota. If the gentleman can not see any difference, I think he is the only Member of the House who can not.

Mr. HUMPHREY of Washington. At least, I am not like some Members who first saw the thing one way and then changed their minds, and so, having been on both sides, must have been right at least once. [Laughter.]

Mr. GOOD. Would not the gentleman expect one side of the House at least to follow the President when he flops?

Mr. HUMPHREY of Washington. Yes; but I would hardly expect the gentleman from Minnesota to follow him.

Mr. MILLER of Minnesota. I will say to the gentleman from Washington that the President followed me. When he found he differed with me, he flopped. [Laughter.] When the bill was originally before the House I followed the lead of the distinguished committee and its chairman, and the ranking member on the Republican side, and voted for tolls, because I believed then and believe now that we ought to have tolls for going through the Panama Canal. When the President looked and found that he had had the temerity to differ with me, he promptly and expeditiously changed his views. [Laughter.]

Mr. HUMPHREY of Washington. The gentleman enjoys it when he is wrong, and the President is wrong with him. It might be well for the gentleman sometimes to be right, even if the President differs with him.

Mr. MILLER of Minnesota. I will state that if I did, the President never would be on my side. [Laughter.]

The CHAIRMAN. The gentleman's time has expired. All time has expired.

The Clerk read as follows:

Mississippi River from the mouth of the Missouri River to Minneapolis, Minn.: Continuing improvement and for maintenance, $1,200,000.

Mr. FREAR. Mr. Chairman, I ask unanimous consent to speak for 15 minutes. This is the only project on which I desire to speak longer than 5 minutes.

Mr. HUMPHREY of Washington. What project is it?

Mr. FREAR. It is my own, the upper Mississippi.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that he may proceed for 15 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

Mr. HUMPHREY of Washington. I thought the gentleman was going to move to strike out the item.

Mr. FREAR. Leave that to me.

Mr. Chairman, for many days I have pressed on the attention of the House and through the RECORD on the country the startling fact that while this Government has been aimlessly squandering some four hundred million dollars on its creeks, canals, and rivers, while our population has increased over 200 per cent, and our country's total commerce has been quadrupled and again quadrupled, these same rivers, canals, and creeks on which hundreds of millions have been spent did not gain a ton of commerce on the average. I do not refer to several deep waterways which are in a separate class. More striking, with

rare exceptions, the rivers have lost from 50 per cent to 100 per cent of their boasted waterway commerce, and the greatest river of all, the Mississippi, on which nearly $150,000,000 has been spent, now shows a loss estimated at 90 per cent of its once great commerce.

During several days I have presented to this committee the opinions of able economists, statesmen, waterway experts, and conscientious engineers, who unanimously agree it is folly to spend hundreds of millions more without definite purpose. Moulton, Fisher, Reid, Burton, and Col. Townsend, men familiar with waterways all over the world, have been quoted. Not one of the many experts on the subject has been answered. They are among the highest authorities in the country and are impartial students. They say we are trying to turn back the hands of time and to plow with a stick in this twentieth century.

This bill carries $39,600,000, over half of which goes to a dozen largely deserted rivers and hopeless waterway projects, as I have pointed out in my report. It wastes other millions on a hundred and fifty other rivers and creeks contained in the bill. We have spent $150,000,000 on the Mississippi, largely for reclamation of private lands, and all these enormous expenditures have been required in order to secure for a few actual commercial waterways needed improvements.

Mr. Chairman, for three years I have tried to present to the House the character of river and harbor bills brought before it. I do not take any credit for what has been accomplished. If my work has been of any service to the country, that is sufficient reward for the effort.

The last two river bills defeated carried over $92,000,000. The substitutes carried $50,000,000, or a saving of $42,000,000. I believe far more than that amount has been saved, because the last item read in this bill is a reduction of over a half million dollars from the amount contained in the first bill defeated, an illustration of what has occurred with many other items.

Because of the demand of others that I be consistent and show good faith, I asked to go on the River and Harbor Committee for the purpose of trying to prevent waste and to suggest a better system. Needless to say, the work was not agreeable, but I wish to express my grateful acknowledgments to the chairman and members of the committee, who have treated me with every courtesy. If I have done aught to offend, personally, I trust it will be pardoned.

For three years I have been criticized and lampooned by different Members of the House because of my efforts. Believing there is no half-way course, I have refused to become involved in personalities. My motives for remaining silent, for not replying, may have been misconstrued, but I have accepted hard blows without any return because the subject is too important to be clouded by personalities. Within the past day or so the gentleman from Alabama [Mr. HEFLIN] insisted my course was political and sectional; the gentleman from Florida [Mr. CLARK] has insisted I am inconsistent and ask for myself what I criticize in others. My friend from Pennsylvania Mr. MOORE charges me with lack of interest in waterways generally.

These gentlemen are among their party leaders on this floor. Many others have joined them in criticisms, but I will not reply in kind nor seek to explain. Explanations are of little avail to those who fail to comprehend that a man may stand for what he believes to be right because of honest convictions. That it has become a national disgrace, to use the words of Senator Toombs, for Congress to engage in a "miserable scramble for a slice from the Public Treasury."

I do not care to explain motives nor do I care to offer any defense for my course.

The gentleman from Alabama says it is political and sectional. Yet I denounced wasteful waterway projects in the North from Cold Spring Inlet to a dozen smaller items, and the one under discussion is equally wasteful. He says it is political. Yet my colleague from Wisconsin [Mr. KONOP] will tell you that although an entire stranger to him, and a friend of his Republican opponent, Mr. Kusterman, it was my vote that gave him his seat here when the State election commission, of which I was chairman, divided two and one with only five votes in dispute.

The gentleman from Florida [Mr. CLARK] says I want some favors and am disappointed. Saturday I explained to the House that I refused to indorse an $8,000,000 canalization project on the St. Croix, beside my home city. The chairman of that commission is one of my close friends from my home town. When he came to Washington I told him I could not stand for it because it was a waste of public money.

My friend Mr. MOORE of Pennsylvania has said repeatedly that I do not know the importance of waterways and my work may help railways. As to the railway proposition, I will say the railways profit by these appropriations because it helps their terminals and boat lines, and they own by far the greater number of both. For years I have sought to secure laws regulating railways and for years gave help to my distinguished colleague [Mr. LENROOT], then speaker of the Wisconsin Assembly, who was active in that same fight.

I am greatly interested in waterways. Wisconsin's waterway commerce is second only to that of New York. It has a dozen or more fine harbors on Lakes Superior and Michigan, while three of these harbors carried over 60,000,000 tons in 1913, many times the actual waterway commerce of all the Southern States put together. Wisconsin only receives $308,000 in this bill for her harbors—less than the Brazos gets for 1,080 tons annually. So far as I know Wisconsin has all she needs for present projects, but over a million dollars in this one bill given to the Brazos, Arkansas, and Ouachita alone is all wasted.

In addition to the two greatest lakes in the world, the greatest river in the world is on our borders. One hundred miles runs along my own district. Years ago I remember when the Mississippi and the St. Croix were covered with large boats and a great commerce. That was before the advent of railways. To-day there is only a shadow of the old commerce. After spending over $20,000,000 on the upper Mississippi, it is not in as good shape, according to river pilots, as 40 years ago, although it can still float the largest river boats on a 4½-foot depth throughout the season. Some of the people of my district were at first opposed to my fight against these bills. A Government boat yard in my district was stirred by outside influences until I went to the city in which the yard is situated to say that if they wanted their Member to vote for such wasteful bills they must send some one else here. I carried that city at the next election by a larger vote than before. The people of Wisconsin as well as the people from Texas, whose commending letters I have read, are honest. They do not believe in this wasteful bill.

Mr. Chairman, the upper Mississippi receives $1,200,000 in this bill. After deducting sand, gravel, brush, Government construction material, and floatable timber, the commerce on the 600-mile stretch reached about 170,000 tons in 1913, and that was floated a distance on the average of less than 50 miles.

Six thousand automobiles and some live stock ferried across the river composed two-thirds of the commerce value shown by the engineers' reports; 770,000 tons of sand, gravel, brush, and so forth, used by the Government for river dams and construction, were added into the 1913 commerce report. That commerce report is a public scandal. Misleading commerce reports have been repeatedly exposed, and Col. Townsend now admits the loss of traffic on the upper Mississippi is about 90 per cent. St. Paul and Minneapolis are cities of 600,000 inhabitants. St. Louis has a greater population. A score of other cities are along the river; but all the actual commerce on that river to-day is only a joke, compared with millions of tons carried by railways along its banks. Promises of future commerce are equally hopeless. When Bernhard, the boat builder, asked what commerce St. Paul merchants could drum up for his line, the committee secured promises for only 12,000 tons—two or three trainloads in one year—that was all.

Waste on the lower Mississippi is a matter of national importance, but on the upper river it is equally inexcusable.

I desire to offer an amendment cutting the proposed appropriation in two, giving $600,000 to the 600 upper miles. Friends tell me that those who resent criticisms of the bill will unite to pass my amendment; but, if so, it will only serve to bring before the country the weakness of the present pork-barrel system. I believe that appropriation should be cut to actual maintenance. Col. Townsend so recommends; and it is in the direction of public economy.

The entire bill should be cut in two by striking out most of the appropriations now going into useless and hopeless rivers and canals.

Is my amendment an answer to criticisms? If not, I shall not dodge the issue. I refuse to be influenced by a $1,200,000 Mississippi River appropriation next my district or by any $8,000,000 canalization to run past my home town, or by any amount that may be given to my own State in this or any other bill. Every legitimate waterway should be improved; but I am not willing to stifle my judgment nor my conscience to vote for a vicious bill like the one before us. I am not questioning motives of those who do so; but, when you criticize my action, I say to you that I will not be a party to the "miserable scramble" spoken of by Bob. Toombs. What is more, I hope to do all I can in a small way to expose the character of this bill and to try to point the way to a better system.

Mr. Chairman, criticism of Congress is invited by this bill. We can affect to be righteously indignant over that criticism, but the fault is ours. I hope and expect a substitute will be adopted that will relieve the Treasury from the burden imposed by this bill. I do not trust the unrestricted judgment of Army Engineers, but, acting under a bad system without any possibility of immediate improvement, it seems the only alternative if we would save $20,000,000 in wasted money. I have offered this amendment seriously. I have offered many other amendments that have been defeated. This one will save $600,000; and if we pass a reasonable substitute bill we will save $20,000,000, the cost of a great battleship, while no legitimate waterway in the country need suffer from this bill's defeat.

Mr. Chairman, I ask unanimous consent to insert in the RECORD a statement of the commerce report of the river, and also a statement made by Mr. Bernhard.

The CHAIRMAN. The gentleman asks leave to extend his remarks by including the data indicated. Is there objection?

There was no objection.

The matter referred to is as follows:

ST. PAUL TO ST. LOUIS—ANOTHER COUNT IN THE INDICTMENT.

The next stretch on the Mississippi River is from St. Paul to St. Louis, and the Chief Engineer, on April 1, 1915, apparently in order to hand over nearly $5,000,000 to the lower river in 1915, threw a round million into this part of the upper river. In January, 1915, $444,274 remained on hand for this section, according to Senate Document 953, Sixty-third Congress. What justification was offered for spending nearly $2,000 per mile in one year on this stretch of the river? What commerce is served?

Keeping in mind that actual commerce on the river has probably decreased 95 per cent during the past few years, during which time $20,000,000 of Government funds has been dumped into this 600-mile stretch during that period, let us see how the Chief of Engineers excuses an allotment in 1915 of an even million in addition to the balance on hand and in addition to approximately $30,000 per mile already spent on this project. Examine his statement of commerce, taken from page 2437 of the Chief Engineer's report for 1914. It will not be found easily in the index.

The report says the quantity of freight carried by all boats, including the rock and brush used in Government work and also including logs and lumber floated down the stream, is as follows, and then follows a table, of which 772,392 tons hauled 9,445,576 ton-miles, valued at $781,897, is for material used by the Government in improving the river.

Upper Mississippi River freight statement for 1913.

Designation.	Short tons.	Ton-miles.	Valuation.
Logs	64,489	30,245,340	$315,271
Rafted lumber, shingles, etc	13,570	4,400,147	190,001
Miscellaneous freight	1,294,864	12,229,310	31,417,968
United States material	772,392	9,445,576	781,897
Total	2,145,315	56,320,373	32,705,137

Classified freight traffic, 1913.

Articles.	Amount.		Valuation.	Average haul.	Ton-miles.
	Customary units.	Short tons.			
				Miles.	
Apples	160,000 barrels	11,505	$200,218	34.4	395,959
Automobiles	5,703	6,034	9,545,950	3.8	23,014
Brick	192,190 pieces	981	3,052	7.3	7,157
Brush	656,644 cubic yards	82,450	170,191	20.6	1,700,694
Cement	4,205 bbls	4,305	24,378	9.9	425,790
Coal	26,236 tons	26,236	90,400	13.5	354,401
Corn	119,000 bushels	3,463	77,431	6.4	22,144
Farm produce	13,565 tons	13,565	359,319	23.5	318,900
Fish	6,539 tons	6,539	666,000	9.8	62,486
Gravel	268,103 cubic yards	398,179	195,242	9.1	3,621,435
Hay	2,615 tons	2,615	44,269	5.4	14,122
Lath	3,056,000 pieces	1,018	10,575	317.2	322,989
Live stock	58,954 head	28,713	5,218,730	6.6	190,202
Logs	8,904,380 feet b. m	98,268	463,631	316.2	31,074,221
Lumber	19,167,689 feet b. m	30,408	467,775	138.0	4,195,827
Merchandise	17,101 tons	17,101	2,107,830	126.9	217,089
Oats	3,550 bushels	55	1,775	1.0	55
Rock	535,143 cubic yards	708,066	562,077	11.3	7,976,674
Sand	430,173 cubic yards	562,010	209,143	4.7	2,653,545
Shells	11,428 tons	11,428	246,229	42.9	490,801
Shingles	622,000 pieces	65	1,866	1.3	85
Teams	23,501	26,609	6,540,900	1.7	46,537
Wheat	11,500 bushels	382	12,347	7.9	3,015
Wood	21,847 cords	34,248	108,213	16.4	560,865
Miscellaneous	71,042 tons	71,042	5,366,996	231.0	1,642,366
Total		2,145,315	32,705,137	26.2	56,322,373

A comparative statement of upper river commerce is also offered by years, during which period between $20,000,000 and $25,000,000 have been expended by the Government on the advice of Army engineers. While the 1913 commerce was only about 35 per cent of that floated in 1885, it will be ascertained upon analysis that over nine-tenths of the 35 per cent floated in 1913 is bogus commerce, or, assuming the 1885 commerce reported to have been legitimate, in 28 years river freight fell approximately 96 per cent.

Mississippi River: Mouth of the Missouri to St. Paul, Minn.

[From reports of the Chief of Engineers, War Department.]

	Tonnage.
1885	5,607,196
1886	3,200,000
1887	3,500,000
1888	3,750,000
1889	3,500,000
1890	4,200,000
1891	3,300,000
1892	3,750,000
1893	3,200,000
1894	2,975,000
1895	3,000,000
1896	2,250,000
1897	3,200,000
1898	2,800,000
1899	2,900,000
1900	2,400,000
1901	2,125,000
1902	1,900,000
1903	4,545,129
1904	4,534,539
1905	4,089,318
1906	3,847,319
1908	2,581,857
1909	1,916,114
1910	1,836,035
1911	2,081,566
1912	1,830,294
1913	2,145,315

[From reports of the Chief of Engineers, War Department, 1904, vol. 2, p. 2157, and 1913, vol. 2, p. 2385.]

	Tonnage.
Average tonnage for years 1877 to 1903, inclusive	4,615,376
Tonnage in 1912	1,830,294
Decrease	2,785,082

Referring to the 1913 statement, let us briefly examine the items, which show some remarkable facts.

ENGINEER'S STATISTICS OF COMMERCE (?).

"Commerce" reached 2,145,315 tons in 1913, so the Chief of Engineers reports. Tons of what? Let us see:

	Tons.
Brush for river construction work	82,450
Gravel dredged from river	398,178
Rock for river work	708,000
Sand dredged from river	562,000
Logs that have floated for 50 years	98,268
Lumber and wood barged	64,408
Animals ferried across river	55,322
Automobiles ferried across river	6,034
	1,974,980

All could be floated in 2 or 3 feet of water, leaving 170,335 tons of questionable commerce remaining, which was hauled on an average of 26 miles or thereabouts.

What a legislative travesty when eleven-twelfths of the commerce for which $1,000,000 was allotted by the Chief of Engineers is of that character. Who weighed the brush? Who weighed the logs? Who weighed the rocks, gravel, sand, and so forth, used in the river work? Where was it carried, and for what purpose? Was it floated 1 mile or 10 miles? Who knows? Why measure Government material for river work anyway?

A WONDERFUL SYSTEM IN VALUING "COMMERCE."

The Chief of Engineers says that 26,609 tons of horses were carried a mile and a half across the river and their value was $6,540,900, or one-fifth of the total. Other live stock carried across the river, he says, was valued at $5,218,730; and then, to cap the climax, this report adds that 6,034 tons of automobiles ferried across the river were valued at $9,545,950.

Nearly two-thirds of all the glowing commerce valuations on the upper Mississippi, including Government sand, rock, and gravel, turns out to be animals and automobiles ferried across the river.

Again, how much of the remaining 170,000 tons was repair material or Government supplies out of a total 772,000 tons reported? How much was duplicated before it could boost a million-dollar allotment for the upper river?

The following statement is from a discussion on Rivers and Railroads in the United States by J. H. Bernhard, associate member of the American Society of Civil Engineers, in the proceedings of that society, August, 1915:

A mistake is made by the public in assuming that it is always the river channel that causes this idleness. Nothing could be further from the truth. To-day the Mississippi, from St. Louis to its mouth, affords a channel which is the best to be found on any stream in the world, unless one takes the Amazon or the Congo into account; and see its emptiness. An 8-foot channel is all that the most efficient service requires. The Government works unremittingly to develop waterways, only to see the water-borne traffic on inland rivers grow less as the years go by, not due chiefly to the inadequate depth of the channels, but to this rate-making anarchism; and until the idea that the principal function of inland water channels is to regulate the rates for rail transportation has been untaught, or made unnecessary by just rates, we will not see great river traffic.

Still the average "riverman" will insist that the poor condition of the channels keeps our inland waters idle. This is preposterous; the Rhine could never compare with the Mississippi in its advantages for transportation; its channel is narrower and shallower, more changeable; the current is swifter; and ice is known in the winter over its entire navigable length to its very mouth, yet in 1913 more than 97,000 vessels passed the Dutch and German frontier on the Rhine, which means a vessel every five minutes for the entire year.

Mr. FREAR. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FREAR: Page 28, line 19, strike out "$1,200,000" and insert "$600,000."

Mr. FREAR. Mr. Chairman, as I have stated, that practically provides for $1,000 a mile, not quite as much as the stretch of the river below. It is just the same as was proposed for the lower Mississippi. It seems to me that ought to take care of the maintenance.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The question was taken; and on a division (demanded by Mr. FREAR) there were—ayes 30, noes 35.

Accordingly the amendment was rejected.

Mr. ESCH. Mr. Chairman, I offer an amendment to come in as a new paragraph.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 28, after line 19, insert the following as a new paragraph: "That the Chief of Engineers, or such board as the Secretary of War may appoint, shall, within two years after the passage of this act, make such experiments in the transportation of heavy freights on said Mississippi River between the mouth of the Ohio River and St. Louis and between Dubuque, Iowa, and Minneapolis, Minn., at all stages of water in said river, with the experimental tows and barges described in House Document No. 857, Sixty-third Congress, second session, as will fully demonstrate the economy or lack of economy in the transportation of such heavy freights, and particularly upstream in parts of said river in which said improvement has been completed or practically completed, and for the making of such experiments said Chief of Engineers or board is hereby authorized to use not to exceed $50,000 of the unexpended balance of the $500,000 appropriated by the act of June 25, 1910, for designing and constructing experimental tow boats and barges and loading and unloading facilities for towing and delivering supplies along the Mississippi River and its tributaries."

Mr. ESCH. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. SPARKMAN. I ask unanimous consent that all debate on this amendment close in 15 minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this amendment close in 15 minutes. Is there objection?

There was no objection.

Mr. ESCH. Mr. Chairman, by this amendment I desire to put life into a provision of the river and harbor act approved June 25, 1910. The provision I have reference to is as follows:

The Chief of Engineers, under the direction of the Secretary of War, is hereby authorized to design and construct two experimental towboats of modern but different types, with a complement of suitable barges and necessary loading and unloading facilities, for towing and delivering supplies along the Mississippi River and its tributaries, and in making designs for such boats the said Chief of Engineers shall investigate and consider types of boats in use for similar purposes on nontidal rivers in this and other countries, and for the purposes of such investigation, designs, and construction there is hereby appropriated the sum of $500,000.

That became law in 1910. Immediately after the passage of that law the Chief of Engineers appointed a commission of experts on August 6, 1910. That commission was given the following work to do:

Consideration of devices for river transportation, experiments upon model towboats and barges, experiments upon paddlewheels, investigation of methods in use on European rivers, consideration of cargo-handling appliances, discussion and determination of designs of experimental towboats and barges.

That was in August, 1910. That commission began its work, and in the course of its work a subcommittee of the commission went to Europe to investigate the question of river navigation in various countries. As a result of that investigation this commission found:

That European methods of towing are in general not suitable for use on the Mississippi River and its tributaries.

They also found that towing by tow line, the European mode, is not considered practicable upon our western rivers on account of the physical conditions of these waterways and on account of the necessity of having a crew on each barge.

This commission appointed in August, 1910, did not make a report until February 20, 1914. When it did report it recommended the adoption of certain types of tows and barges, the construction of one fleet of six No. 2 deck barges, another fleet of six No. 4 open barges. It also recommended that the hulls should be made of steel, that two towboats be of the stern-wheel type and two of the twin screws in tunnels, with a beam of 43 feet and 34 feet, respectively, and length between perpendiculars 170 feet, and draft 4 feet in both cases, with other recommendations which I have set out and designated in my amendment. The information given to Congress in this report of February 20, 1914, was quite complete. A year ago I offered a similar amendment to the river and harbor bill, but in that I provided that the $50,000 should be taken out of the $1,200,000 provided for the upper river. In the present amendment I ask that $50,000 is to be taken out of the $475,000 that is still available and is to be used for experiments. I do not deduct this sum of $50,000 from the improvement fund for the upper river but segregate $50,000 out of the $475,000 that is still available.

I have stated that according to the engineers the European methods of river navigation are of little value to us in this country, therefore we must adopt types or models of tows and barges suited to our home conditions. Hence the necessity for this commission making a report at as early a date as possible in response to the direction of Congress made in 1910.

Mr. BORLAND. Will the gentleman yield?

Mr. ESCH. Yes.

Mr. BORLAND. I am thoroughly in accord with the gentleman as to the necessity of this experiment on the type of boats for river navigation. That has been one of the great drawbacks to river navigation up to the present time. But does the gentleman understand that these experiments have been carried on for the last three years on the Missouri River until we have developed a type of barge that answers the purpose?

Mr. ESCH. Yes; but the Missouri River boats are a double-tunnel type like the *Scott* and *Advance* and have a horsepower of 600, while this type recommended by the commission is to have a horsepower of 1,200, and the conditions of operation would be quite different.

These models that the engineers have recommended are the result of experiments of six months duration by Prof. Sadler, in an experimental tank at the University of Michigan. His experiments were with toy models. We want the barges and towboats actually constructed and actually used in the upper Mississippi River in order to determine whether they can meet the conditions of navigation in the upper river—whether they can take one barge loaded at 880 tons, that is the tonnage capacity per barge recommended—or two barges or three barges or four barges or a maximum of six barges; whether they can meet the conditions of low-water navigation, whether they can meet the dangerous cross currents in the upper river caused by the construction of winged dams. These are some of the problems that can not be solved except by actual construction of the towboats and barges and not by any mere model operated in experimental tanks.

I have stated that the experiments must be made within two years. That is ample time. We have waited six years and have not yet gotten the model tows and barges constructed nor have we made any experiments therewith. My amendment gives two more years in order that this may be done. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Chairman, the amendment offered by the gentleman from Wisconsin, it has occurred to me, as he says, will give some life to this provision, which was carried in the river and harbor bill a few years ago. The appointment of a commission to examine and if possible find some means whereby the upper Mississippi River can be navigated by certain types of boats so as to carry freight on that river at a stage of the river which is usually shallow. I do not know whether under the authorization the commission will go ahead and carry it out or not, but I do believe that something ought to be done to construct these boats. But it seems to me that if they do not do so this amendment of the gentleman from Wisconsin [Mr. ESCH] ought to be incorporated in the bill, so that we will have some definite result. For that reason I have thought that the amendment of the gentleman from Wisconsin ought to prevail and will vote for it unless it can be shown otherwise.

Mr. SPARKMAN. Mr. Chairman, this amendment, in my judgment, is wholly unnecessary. The river and harbor act of 1910 carried a provision similar to the one the gentleman has offered here, and since that time the engineers of the War Department have been experimenting and making a study of a type of boat to be used on the Mississippi and other rivers of the country. They have about completed their study, so far as that is concerned, and have made a report. That report, as was stated by the gentleman a moment ago, was made March 20, 1914, a little more than two years ago, but quite recently I had a conversation with the Chief of Engineers, who told me that they were going ahead under that provision and would in a

short time have one or two boats constructed and ready for use. I do not think they expect to go into the business very extensively, may not perhaps expend all of the money appropriated for the purpose, but sufficiently to complete the experiment and to be able to make a satisfactory report to Congress of the results of their experiments. I do not think this amendment will hurt anything, but it will, in my opinion, do no good.

Mr. ESCH. Mr. Chairman, when this matter was up a year ago the gentleman from Florida [Mr. SPARKMAN] said he had called the matter to the attention of the Chief of Engineers at that time, and one year has elapsed since that time, and the situation is the same as before. Why not put a little "pep" into the proposition?

Mr. SPARKMAN. I think this discussion will have that effect, if such an effect is needed, just as much as would the adoption of the amendment offered by the gentleman from Wisconsin.

The CHAIRMAN. The time of the gentleman from Florida has expired. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Mississippi River from St. Paul to Minneapolis, Minn.: Completing improvement, $170,000.

Mr. SMITH of Minnesota. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, by inserting as a new paragraph, on page 28, line 21, after the figures "$170,000," the following:

"That the Secretary of War be, and is hereby, directed to make and enter into an agreement with the Municipal Electric Co., a public corporation organized and existing under the laws of the State of Minnesota, for the purpose of utilizing the hydroelectric power developed by the surplus waters not needed for navigation by the dam prescribed and provided for in House Document No. 741, Sixty-first Congress, second session, as adopted by Congress in the act entitled 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' approved June 25, 1910. Such agreement shall provide that for the privileges secured thereby said corporation shall pay to the United States the fair and proportional cost of maintenance of said dam, lands, and appurtenant works, and also pay in addition an annual sum, not less than 3 per cent, upon such amount as the United States shall have invested and expended in the completion of the project by which such water power is developed and maintained over and above the amount actually expended and which would have been expended in completion of the project for navigation only. Such amount shall be determined by the records in the office of the Chief of Engineers, and the said annual payments for rent and maintenance shall be made on or before the 2d day of January of each year; and the rent shall begin with the use of the power commercially by the said Municipal Electric Corporation, and not later than one year after said company has been notified by the Secretary of War that the water is available.

"The right shall be reserved to the United States and included in such contract for the United States to purchase and use such supply of said power as may be required for its own purposes on the same terms and conditions as the said power is sold or distributed to the members of said public corporation of the State of Minnesota."

Mr. SMITH of Minnesota. Mr. Chairman, the amendment which I offer, while a little long, is one that has been considered by Congress before. In the Sixty-second Congress it passed the Senate, and it was introduced in the House as a bill in the second session of the Sixty-second Congress, and referred to the Committee on Rivers and Harbors. It was also introduced in the Sixty-third Congress and referred to the same committee. It was first introduced in the Senate by my distinguished colleague, Senator NELSON. It is in the exact language as the amendment adopted in the river and harbor appropriation bill in the Senate in the Sixty-second Congress.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Minnesota. Yes.

Mr. BORLAND. We would like to know, for information, whether there is surplus power that will be developed from that dam?

Mr. SMITH of Minnesota. Yes; there will 15,000, maximum, horsepower.

Mr. BORLAND. And is this company that is seeking to lease the power a municipal lighting company?

Mr. SMITH of Minnesota. It is the Municipal Electric Co., so named, created under the laws of our State and composed of the president of the board of regents of the University of Minnesota and the mayor of the city of Minneapolis and the mayor of the city of St. Paul.

Mr. BORLAND. It is, in effect, a municipal corporation?

Mr. SMITH of Minnesota. Yes.

Mr. BORLAND. It is not a private corporation?

Mr. SMITH of Minnesota. Oh, no.

Mr. BORLAND. It is a corporation formed by the two cities and the State University.

Mr. SMITH of Minnesota. It is a municipal corporation, incorporated for the purpose of furnishing light to the city of Minneapolis and to the city of St. Paul and to the State University, and to the four Federal buildings in those two cities and to Fort Snelling. I want to say further that while this amendment provides that the Municipal Electric Co. is to get the lease of the hydroelectric power developed by the surplus water not needed for navigation at this dam should it be determined that the Federal Government needs the whole or any part of this power the Municipal Electric Co. must furnish it to the Government at cost. The Federal Government is to have the first lien and the right to the power, and what is left after the Government is supplied goes to the two cities for street lighting and for other public purposes, and to the State University.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Minnesota. Yes.

Mr. STEENERSON. Is this a corporation organized for profit or simply to serve the public?

Mr. SMITH of Minnesota. This is a corporation without profit. It is simply to serve the State of Minnesota, and the two cities, and the United States Government without any profit to any one. The officers and the directors of the association, it is specifically provided in the law shall receive no salary. They have a right to employ such managers and engineers as would be necessary to carry on the business, but there is no profit anywhere.

Mr. Chairman, I wish to introduce at this time a copy of the law under which this corporation was created and also the charter which has been granted to it, and I wish also to introduce the application that is now on file in the War Department with reference to the project. I also wish to have read by the Clerk a statement made by Gen. Bixby, Chief of Engineers, at the time Senator NELSON's amendment, of which this is an exact copy, was under consideration in the Senate, stating the reason why he thought this amendment was a proper amendment and should be passed. I also wish to say before the Clerk reads the statement that at the time that statement was made by Gen. Bixby the charter of the Municipal Electric Co. was not on file in the War Department, but that since that time it has been furnished to the War Department.

The Clerk read as follows:

OFFICE CHIEF OF ENGINEERS,
January 8, 1913.

To the SECRETARY OF WAR:

1. Returned.

2. In the river and harbor act of June 25, 1910, Congress adopted a modified project for the improvement of Mississippi River from St. Paul to Minneapolis, set forth in House Document No. 741, Sixty-first Congress, second session.

3. The project for this improvement, then under way, provided for the construction of two locks and dams for the purpose of securing a navigable depth of 6 feet at low water. The principal feature of the modified project was the substitution of a single high dam for the two low dams provided for in the original project, such substitution being considered desirable for the reason that a high dam would provide better facilities for navigation, giving a navigable depth of 9 feet, and would also create a valuable water power which could be utilized to pay the cost of construction as well as of future maintenance and operation. The whole scheme of improvement, including the proposed utilization of the water power developed, is clearly set forth in the report of the Chief of Engineers dated March 3, 1910, printed in the aforesaid document to which attention is respectfully invited.

4. While the work was to be executed by the Federal Government solely at its own expense in order that the absolute control of the water power and the unqualified right to dispose of it might rest in the United States, it was considered that the cities of St. Paul and Minneapolis would be the most desirable lessees of such power, and it was clearly intended that these two municipalities should be given preference in the matter. The purpose of the bill under consideration is to give effect to this intention.

5. The bill directs the Secretary of War to contract with the Municipal Electric Co., understood to be a public corporation of which the two cities are members, for the use of the power developed at the dam by the water not required for navigation. It is deemed proper to say, however, that the foregoing statement regarding the corporation named in the bill is merely an assumption, as there is no information as to its status on the records of this department. If amended as indicated in red thereon, it is believed that the bill will amply provide for the protection of the public interest, and no objection is seen to its favorable consideration by Congress.

W. H. BIXBY,
Chief of Engineers, United States Army.

IN THE MATTER OF THE HIGH DAM BETWEEN MINNEAPOLIS AND ST. PAUL, MINN.—APPLICATION FOR PERMIT AND LEASE.

Hon. LINDLEY M. GARRISON,
Secretary of War:

Application is herewith made to the Secretary of War, on behalf of the Municipal Electric Co., of the State of Minnesota, composed of the cities of St. Paul and Minneapolis and the University of the State of Minnesota, for the early grant to it of permit and lease for use of the surplus water power to be developed by the operation of the Government dam in the Mississippi River between the cities of Minneapolis and St. Paul.

Reference is made to the fact that there exist circumstances connected with the authorization and erection of the dam in question and

the use of the water power therefrom, which call for peculiar consideration to be shown by the Government to these municipalities in respect to such water power.

These considerations are as follows:

I.

1. That the proposed power project and its use lie wholly within the State of Minnesota.

2. That the Government dam being in a 90 per cent state of completion, there is call for early action if these petitioning communities are to be considered at all at the hands of Government.

3. That the cities of Minneapolis and St. Paul from the inception of this Government project expected and petitioned for rights of use of power to be developed thereby, as appears by action taken May 6, 1901, by the Board of Park Commissioners of the former city, as follows:

"In response to communication of Maj. D. W. Lockwood transmitting correspondence with the United States Government relative to the conveyance of land for lock and dam at Minnehaha Park, the board authorized deed to the Government of land asked for, and resolved that with the deed be transmitted the annexed resolution.

"*Resolved* (by the Board of Park Commissioners of the city of Minneapolis), That the board hereby represents to the United States Government that if any water power shall ever be developed in connection with one or both of the two dams to be constructed by the Government in the Mississippi River, between Minnehaha Creek and St. Anthony Falls, the city of Minneapolis ought to be entitled, and in good morals is entitled, to one-half of such power for public use, by virtue of the donation of public lands by the city for such dams and flowage rights in connection therewith, and this board does respectfully petition and memorialize the Government not to grant or lease said one-half of such power to anyone except the city of Minneapolis."

4. That the river improvement in question, including the dam incident thereto, as now constructed, has been prosecuted by authority of Congress (since the abandonment of the plan under the Report of Engineers, H. Doc. 341), wholy in accordance with the report of the Chief of Engineers dated March 3, 1910, House document 741, which was adopted by the Sixty-first Congress, second session, chapter 382, Vol. 36, United States Statutes at Large, No. 1, page 659.

5. That throughout such engineer's report (document 741), so adopted by Congress, there clearly appears a governmental purpose that there should be granted in some form to the Twin Cities priority of use in the water power planned for and recommended in such report.

The report, in paragraphs 32 to 41, recommends the legislation afterwards enacted by Congress, with the provision in paragraph 38, as follows: "Provided that the cities of St. Paul and Minneapolis shall pay to the United States an annual rental of $10,000, etc., etc."

6. That the special Board of Engineers for Rivers and Harbors on February 14, 1910, in the same document conclude the adoption of the foregoing report and in such second indorsement of this project modify paragraph 40 thereof to read as follows:

"That in compliance with the conditions recited the cities of St. Paul and Minneapolis be granted permission to erect a power house and install such plant as shall be necessary for the development of power and to maintain and operate such plant and to dispose of said power for a period of 50 years, etc."

7. That in paragraph 24 of such document it was recommended that the cities be allowed until July 1, 1911, to obtain legislative sanction for the undertaking of this power project.

8. That in pursuance of such municipal plan the Legislature of Minnesota on April 13, 1911, passed an act authorizing municipal hydroelectric plants. (Exhibit I hereto attached.)

9. That under such authorization there was organized in the interests of the public the Municipal Electric Co. on behalf of the cities of St. Paul and Minneapolis and the University of the State of Minnesota. (Exhibit II hereto attached.)

10. That conveyances of land as requested by the Government for lock and dam and for flowage rights have been made or tendered by the cities of St. Paul and Minneapolis and the University of the State of Minnesota with the reasonable expectation of priority of consideration in the matter of future water power; and

That the Government throughout the project, as modified, so seems definitely to confirm such expectation.

11. That in accordance with the request made to the cities in document 741, these cities stand tendering the Government a large acreage of most valuable land (in the case of Minneapolis park land valued at the least at $35,000) which will be overflowed by the operation of the dam.

Such overflow is also likely in the future to entail upon these municipalities a large outlay for trunk sewer changes for the disposal of sewerage, which expense in the case of Minneapolis alone is estimated by the city engineer and the chairman of the committee on sewers, will possibly reach the sum of $750,000.

In the case of the city of St. Paul the destruction of a large area of wooded park land is involved. The trees have already been removed therefrom, and the resultant damage to that city's park system is estimated at $50,000. In addition there is necessitated an outlay for sewer changes which will probably reach the sum of $500,000.

It is further urged on behalf of St. Paul that the construction of the dam does not materially benefit that city so far as navigation is concerned, and that the principal benefit to it will be resultant upon participation in the use of electric energy generated by such Government construction.

II.

1. That the Minnesota statute under the terms of which the Municipal Electric Co. has been organized was passed to conform to the suggestions deemed necessary or expedient in the Government report cited and, as shown, within the limitation of time imposed.

2. That such statutory enactment is in accordance with the special situation and wholly conserves the public interest; and

As for competitive bids under some other plan keeping down the energy cost to the public, it is insisted that the public interest is wholly conserved by the limitation in rates for electrical energy in such enactment, "to cost, maintenance, and a reasonable emergency fund, and no more."

3. That the purpose of the acquisition of this power is solely in the interest of the public of these two cities and their great university; and

That by the charter of the Municipal Electric Co. formed under such enactment, such corporation is limited in the scope of its objects to the furnishing of electric energy to "Federal and State institutions and to the cities of Minneapolis and St. Paul."

4. That for the purpose of conserving the public interest the "Municipal Electric Co." is an instrumentality of the State of Minnesota with responsible functions of a State utilities commission in this regard, and that for it in the Minnesota act the rate is fixed, as cited.

5. That the situation of these cities is wholly unique; that in all fairness and equity there seems clear ground under all the circumstances here for governmental preference in the bestowal of power privileges.

The Government's expressed purpose and the hope and expectation throughout these years of St. Paul and Minneapolis of its fulfillment, and the grants made and tendered by them in its furtherance, give them, it is deemed, special claim to early and affirmative action by the Government awarding to them these power rights.

Such award should be made irrespective of any comprehensive plan of power disposal devised, or to be devised, so long subsequent to the plan announced by the Government for these two cities in connection with this project.

FRED B. SNYDER,
President of the Board of Regents of the University of Minnesota.
WALLACE M. NYE,
Mayor of the City of Minneapolis, Minn.
WINN POWERS,
Mayor of the City of St. Paul, Minn.

EXHIBIT No. 1.

CHAPTER 141—S. F. NO. 496.

An act to authorize the formation of public corporations, under certain circumstances, in order to secure and provide electrical energy at approximate cost for cities and any State institution in any such city.

Be it enacted by the Legislature of the State of Minnesota:

Formation of public corporations for development of water power: SECTION 1. Any city situated upon a river where there may be secured a developed water power conveniently near for utilization in the creation and development of electrical energy to supply such city and any State institution therein with such energy at approximate cost, either alone or in conjunction with an adjacent city, may do so through a public corporation formed at its request as hereinafter provided.

One city may unite with another: Sec. 2. Any such city which may desire to avail itself of the provisions of this act shall proceed as follows:

If there is another city adjacent thereto, it shall be invited by resolution of the legislative branch of the city first mentioned to unite with the latter in securing the organization of such public corporation. If such adjacent city within 30 days thereafter shall by resolution accept such invitation, said city shall by further resolution of their respective legislative bodies declare their desire to so secure such water power and to have organized under this act a public corporation therefor, and shall by the same resolution request the respective mayors or other executive heads (by whatever name known) of said cities, and the president or other executive head of the governing or managing board of any State institution (or of the senior State institution, if more than one) in such cities to proceed to form such corporation under this act.

If there is no adjacent city, or if there is one and it fails or refuses to unite in the adoption of such resolutions within 30 days, the legislative body of the city which may desire to avail itself of the provisions of this act shall by resolution request its mayor or other executive head, its city engineer, or the head of its engineering department (if known by any other name), and the president or other executive head of the governing or managing board of any State institution (or of the senior institution, if more than one) within such city to proceed to form such a corporation under this act.

Officials to meet upon call of mayor: Sec. 3. The officials designated shall meet upon the call of the mayor (of the larger of the cities, if more than one) at his office, and shall proceed to organize themselves into a public corporation under some appropriate name for the objects and purposes stated in section 1, and shall unite in a certificate which shall state the name and objects of the corporation, the fact that it is organized under this act, and that the members of the corporation shall be themselves, during their respective terms of office, and their respective successors in such offices. Such certificate shall be recorded in the office of the secretary of state.

Corporation to elect officers and employ a manager: Sec. 4. Such corporation, when organized, shall provide for and elect such officers as it may designate, and may employ a manager and such other agents and servants as may be necessary for the corporate business, and may adopt such rules, regulations, and by-laws for the government of the corporation and of its employees as may seem best, but the members of such corporation shall receive no pay or compensation as such members, or as officers, but may have their actual expenses.

Authorized to acquire and develop water power: Sec. 5. Such public corporation, when organized, shall be authorized and empowered to acquire by lease or otherwise any developed water power within or near the corporate limits of the cities whose officers are ex officio members of such corporation; to acquire all necessary lands, rights and privileges, and to provide itself with a suitable hydroelectric plant fully equipped with auxiliary power plant necessary to utilize economically said water power, and with the necessary means of distribution of the electrical energy therefrom.

Disposition of electrical energy: Sec. 6. The electrical energy so developed shall be disposed of as follows: First, to the grantor from whom the water power is acquired, if the contract therefor so provides; second, to any State institution in such city or cities desiring the same; and, third, any surplus then remaining in equal shares to the cities whose officers are members of the corporation, if more than one; otherwise the whole to the single city.

Same rate to all patrons: Sec. 7. The same rate shall be charged by the corporation to all users of electrical energy so supplied, whether the user is the guarantor of the water power, a State institution, or a city, and that rate shall be sufficient to pay and cover the cost of operation, maintenance, interest charges, and the retirement of any indebtedness, and to provide for the renewal of the plant and for a reasonable emergency fund, and no more.

Issuance of bonds: Sec. 8. Such corporation shall likewise be authorized to raise money by the sale of its bonds or certificates of indebtedness to carry out the objects and purposes of the corporation, and the indebtedness evidenced thereby shall be a lien upon all the property, rights, and franchises of the corporation.

Approved April 13, 1911.

EXHIBIT No. 2.

CERTIFICATE OF INCORPORATION OF THE MUNICIPAL ELECTRIC CO.

The cities of Minneapolis and St. Paul, Minn., having by resolutions of their respective legislative bodies duly expressed and declared their desire and election in accordance with the provisions of chapter 141, Laws of 1911, to secure for said cities and the University of Minnesota, located in said city of Minneapolis, the benefits of any water power now developed or which may hereafter be developed within or near the corporate limits of said cities, and having by said resolutions expressed their desire and election to have a public corporation organized in accordance with the provisions of said chapter 141, Laws of 1911, for the purpose of acquiring any such water power and for the purpose of utilizing said water power in the creation and development of electrical energy to supply said cities and the said University of Minnesota with electrical energy at approximate cost:

Now, therefore, John Lind, the president of the board of regents of the University of the State of Minnesota; James C. Haynes, the mayor of the city of Minneapolis, Minn.; and Herbert P. Keller, the mayor of the city of St. Paul, Minn., in accordance with the request of the legislative bodies of said cities and pursuant to chapter 141 of the Laws of 1911, being "An act to authorize the formation of public corporations under certain circumstances in order to secure and provide electrical energy at approximate cost for cities and any State institution in any such city," approved April 13, 1911, and for the purpose of forming such corporation, do hereby certify as follows:

1. The name of the corporation shall be Municipal Electric Co., and its principal place of business shall be at the University of Minnesota.

2. The objects of this corporation and the general nature of its business shall be to acquire by lease or otherwise any developed water power within or near the corporate limits of Minneapolis or St. Paul, or either of them, and from said water power to develop electrical energy and to distribute the electrical energy so developed to any Federal institution and to any State institution within said cities, or either of them, and to the cities of Minneapolis and St. Paul, and to that end and for that purpose to acquire all necessary lands, rights, and privileges, and to provide itself with the necessary electric plant or plants and with the necessary means of distribution of electrical energy, and to do all things necessary to carry out the purpose and object above expressed, and to that end to perform all and singular the powers and duties granted and described in and by chapter 141 of Laws of 1911.

3. The members of this corporation shall be John Lind, the president of the board of regents of the University of Minnesota; James C. Haynes, the mayor of the city of Minneapolis, Minn.; and Herbert P. Keller, the mayor of the city of St. Paul, Minn., during their respective terms of office as such president of the board of regents of the University of Minnesota, and such mayor of said cities, and their respective successors in such offices.

4. The corporation shall commerce at the time of the execution of this certificate and shall continue thereafter perpetually.

5. The management of the business of this company shall be vested in the aforesaid corporate members, so long as they shall respectively hold the offices above named and in the persons who shall succeed them in said offices from time to time, it being the intent hereof that the chief executive officer of each of said cities and the executive head of the board of regents or other governing body of said university, shall be the governing body of this corporation.

6. Said corporate members shall annually elect one of their number as president of the corporation and may appoint a secretary thereof from their own members or otherwise, and such other officers, agents, and employees as it may be deemed necessary for the proper conduct of the business of this corporation and fix the compensation of such agents and employees, provided only that no members of this corporation shall receive any compensation for services rendered as members or officers of this corporation, and may adopt such by-laws, rules, and regulations for the government of the corporation and its officers, agents, and servants, as to said members shall seem best. The first president of this corporation shall be Herbert P. Keller, and the first secretary shall be James C. Haynes, who shall hold office until their respective successors are chosen and qualified.

In witness whereof, the parties have hereunto subscribed their names at the city of Minneapolis, Minn., this 24th day of November, 1911.

JOHN LIND,
President of the Board of Regents of the University of Minnesota.

JAMES C. HAYNES,
Mayor of the City of Minneapolis, Minn.

HERBERT, P. KELLER,
Mayor of the City of St. Paul, Minn.

In presence of—
FRANK J. WATEROUS,
WM. P. ROBERTS.

STATE OF MINNESOTA,
County of Hennepin, ss:

On this 24th day of November, 1911, before me, a notary public, within and for said Hennepin County, Minn., personally appeared John Lind, president of the board of regents of the University of Minnesota; James C. Haynes, mayor of the city of Minneapolis, Minn; and Herbert P. Keller, mayor of the city of St. Paul, Minn., to me personally known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

[SEAL.] WM. P. ROBERTS, *Notary Public, Hennepin County, Minn.*

My commission expires January 7, 1914.

Filed for record in this office on the 25th day of November, A. D. 1911, at 10.30 o'clock a. m.

JULIUS A. SCHMAHL,
Secretary of State.

Mr. SMITH of Minnesota. Mr. Chairman, I ask that I may proceed for 10 minutes longer.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for 10 minutes more. Is there objection?

Mr. SMITH of Minnesota. It is pretty hard to make a statement covering this subject in less time than that. This means at least $30,000 per year to the Government, and probably more.

The CHAIRMAN. Is there objection to the request? [After a pause.] The Chair hears none.

Mr. SMITH of Minnesota. Mr. Chairman, I wish again to call attention to the fact that at the time Gen. Bixby made that statement the charter of the Municipal Electric Co. was not on file in the War Department, and that is why he used the language he did. But he points out in his statement just what we have been contending for, to wit, that the cities of St. Paul and Minneapolis and the State university are entitled to "reasonable concessions" in the way of a lease of this power and "should be given a preference" because they have practically donated a valuable water-power site and valuable flowage rights to the Federal Government. At the point where the high dam is erected and for several miles upstream the water flows through a deep gorge, leaving on either side quite a strip of lowland. This lowland has been a part of the park system of the cities of St. Paul and Minneapolis. No one can tell what these lands are worth for park purposes. The two cities now have a population of nearly 700,000, and this park is right in the center of these two cities. It is safe to say that $1,000,000 would not pay the actual worth of these park lands. No one can say at this time how much the power site is worth, because it is gradually increasing in value. Every power site in this country is increasing in value. There is no such thing as decrease in value of a water-power site.

For the purpose of improving navigation Congress authorized, in 1894, the construction of two locks and dams, known as Nos. 1 and 2, having a combined height of 27 feet, in the Mississippi River, between St. Paul and Minneapolis, at an estimated cost of $1,166,437. The river between the cities of St. Paul and Minneapolis flows through a gorge with a strip of lowland on either side of the channel. This lowland, as well as a valuable power site, was owned by the two cities and the State of Minnesota. For a nominal consideration the Government purchased a small tract of land on the left bank of the river for purposes of navigation, and the State of Minnesota and the city of Minneapolis, without any consideration except as herein stated, deeded to the Government the power site and the lowlands on the right bank of the river for purposes of navigation only. This deed was accompanied with the resolution—

that if any power should ever be developed in connection with one or both of the dams to be constructed by the Government in the Mississippi River between Minnehaha Creek and St. Anthony Falls, the city of Minneapolis ought to be entitled, and in good morals is entitled, to one-half of such power for public use by virtue of the donation of public lands by the city of Minneapolis for such dams and flowage rights in connection therewith, and the board further memorializes the Government not to grant or lease said one-half of such power to any one except the city of Minneapolis.

The city of St. Paul passed similar resolutions.

By these respective deeds the Government acquired title to all of the lowlands; but, as a matter of fact, the water at the authorized level—the height of the dam—would cover only a small part of the lands acquired and the rest, which was heavily covered with timber, would still be left intact, and the people of the two cities would still derive the benefits of the natural beauties of the river gorge for park purposes as they had previously been doing, thus, while they had deeded to the Government these valuable park lands for the purpose of improving navigation, the public would still be able to use these lands to practically the same extent that they had theretofore.

In the early nineties water power became very valuable because of the discovery of long-distance transmission, which enabled the wide distribution of hydroelectric power, and an agitation was started looking toward the development of power at either or both of these dams.

In March, 1909, Congress authorized the appointment of a committee to investigate the feasibility of modifying this project so as to develop power as well as improve navigation. This committee was composed of Maj. C. S. Riche, Maj. Francis Shunk, and Maj. Charles S. Bromwell, Corps of Engineers, United States Army.

The board thus created held a public hearing at St. Paul on January 12, 1910, for the purpose of securing a definite proposition from the Twin Cities and the State of Minnesota in reference to changing these dams from low to high.

The board made a complete report on this subject, which was published and is known as H. R. 741, Sixty-first Congress, second session. This report considers the proposition from three different points of view, only one of which for present purposes need be discussed, namely:

The erection of a single 30-foot dam (in lieu of the two dams) primarily for navigation purposes and incidentally for power purposes, such dam to be built in cooperation with the State and municipal governments.

Neither the United States nor any private corporation has the right to condemn lands for the purpose of developing power; however, the United States can condemn lands for the purpose of navigation; therefore, inasmuch as a single 30-foot dam, or high dam, would not be built as an aid to navigation, such lands as might be needed for the purpose of developing power could only be acquired by the consent of the municipalities and the State. That the board recognized this fact is evidenced by that portion of their report in which they state:

It is abundantly evident from the proceedings at this hearing that this land could not be acquired by a private company. Public opinion is so strongly against any such arrangement that the board is convinced that a recommendation in favor of cooperation with a private company would be equivalent to a recommendation that the high dam be not built.

If public opinion could be entirely disregarded—

Continued the report—

this proposition is entirely feasible, but such is the local feeling against private control that the board is of the opinion that such an agreement could not be brought about even if otherwise possible. The statements made to the board at its public hearing were most emphatic in this respect. The communities control the flowage rights and would prefer that the water run to waste rather than that any private concern should have any control of the power in any way, shape, or form. In view of this local sentiment, the board can not recommend that the United States should now endeavor to cooperate in this matter with any private concern, but that it should be carried out in cooperation with the State and municipal agencies, and that the cities of St. Paul and Minneapolis have expressed a willingness to bear the increased cost of the scheme. Under such arrangement it seems evident that the cities should be the lawful owners of the power developed.

The Board of Engineers for Rivers and Harbors concurred in this report as to municipal cooperation in the construction of the high dam. However, the Chief of Engineers, in submitting this report to Congress, recommended that the cost of construction of the high dam should be borne by the United States alone, "as experience had shown that any other policy might lead to friction and misunderstanding, often attended by serious complications." He further recommended—

that reasonable and proper concessions be made to the State and the Twin Cities in the matter of leasing the surplus power in exchange for flowage rights over their lands.

In the river and harbor act of 1910, Congress adopted the report of the special board, as modified by the Chief of Engineers, since which time the Government has abandoned Dam No. 2 and has been constructing Dam No. 1, as modified from 13 to 30 feet.

Through an act of the State legislature the State of Minnesota and the two cities have acquired a legal status under what is known as the Municipal Electric Co., and have been ready and willing at all times since Congress adopted the report of the Chief of Engineers to enter into a lease with the Government for the power at this dam. Up to the present time the Government has failed to recognize the desires, rights, and equities of the people of our State, assigning as its reason that there is not sufficient authority in existing law to make such a lease.

It is for the purpose of making definite and certain just what the Government is authorized to do that I offer this amendment.

The Government had acquired sufficient flowage rights from the State and the Twin Cities for the original project, but needed additional lands and flowage rights for the high dam. The city of Minneapolis has deeded the necessary additional lands to the Government on its side of the river, and the university stands ready and willing to do likewise.

The State of Minnesota and the two cities have donated to the Government this valuable power site and these valuable lands without any consideration, except a nominal amount paid to the State for a small tract of land near the east end of the dam, with the understanding that the State and the municipalities would be given reasonable and proper concessions in a lease of the power at this dam.

True, Congress has the sovereign right to dispose of this power in any way it sees fit, but notwithstanding it has the abstract legal right, it has no moral or equitable right. All the lands, with the one exception, given to the United States by the State of Minnesota and the municipalities were to be held in trust by the Government and returned later in the form of a privilege to lease any resultant power at a reasonable rate based on the cost of erecting that portion of the dam needed for power purposes, or, in other words, based on the difference between the cost of the completed modified project and the cost of the original plan. There is nothing legally to prevent the Government from disposing of this power as it sees fit; however, the paternal relation of the parties to this controversy and the equities involved sufficiently counteract any legal rights. In this case the Federal Government is dealing with a State and municipality, groups of its own citizens. The relation is a delicate one, and it is hardly conceivable that the Federal Government would treat a State unjustly or take advantage of the trust placed in it by that State, a situation not reconcilable with the avowed policy of the Federal Government.

The United States, moreover, can not in good faith and conscience proceed with the disposition of this power without taking due cognizance of the equities of the two cities and the university which are involved, namely, (1) the surrender of valuable park lands; (2) the large additional cost entailed for changing sewer systems; and (3) the concession of valuable water-power rights upon the express understanding that any benefits accruing from the construction of the dam shall redound to the cities and the State which made the gift to the United States.

First. With the added height of the new project, a large area of beautiful wooded park lands will be totally destroyed. The Mississippi River gorge, with its natural park lands and attractive islands, has always been one of the beauty spots of the Twin Cities and a recreation ground for thousands of people. With the erection of the high dam all the islands will be flooded and the park lands at the foot of the bluffs will be under water. The trees have already been cut from the islands and from along the shore, leaving only a desolate expanse shorn of all its former beauties. This will be somewhat relieved by the creation of a pool or lake; but such a lake can be utilized only by a few, whereas the former park lands were used constantly by thousands. It is difficult to estimate the damage done and the damage still to result, as it is largely an æsthetic value rather than a pecuniary one, nevertheless, a real and substantial value not to be underestimated.

Second. The pool in the near future will also entail upon the two cities a large outlay for the construction of a trunk sewer system opening below the dam to care for all the sewers now opening into the river above the dam. As all Minneapolis sewers open directly into the pool, the burden will fall hardest upon that city. To leave the sewers in their present condition would mean the creation of a stagnant polluted pool giving rise to offensive effluvia detrimental to and endangering the lives of the near-by residents. The cost of the change in the sewer system has been estimated by the city engineer to be $750,000 for the city of Minneapolis alone, and about $500,000 for St. Paul. No exact figures are available at present.

That the power rights of the cities have considerable value has never been denied nor has it been accurately estimated, but the value has frequently been placed at a figure that is absurdly low. By comparing the flowage and other figures that can be and have been accurately ascertained with similar figures from plants now in operation under similar conditions a fair estimate of the actual value of the power rights can be determined.

The United States Government at present owns and operates a power plant at Rock Island, in the Mississippi River, a plant not much larger than that under construction at the Twin Cities. Col. Burr, the commanding officer, has prepared figures on the cost of electrical current and has also placed a valuation on the plant based on figures and results obtained from actual usage. The Rock Island plant is capable of developing 22,000 horsepower per year when fully utilized. At present only about 1,400 horsepower is being used by the arsenal at a cost of 3.6 mills per kilowatt-hour. For valuation purposes the average practical capacity of the plant is used as a basis, namely, 18,000 horsepower. At a cost of $15 per horsepower per year the development of 18,000 horsepower is worth $270,000 gross to the Government. Allowing $50,000 for maintenance, interest, operation charges, and depreciation, the net profits to the Government would be $220,000, which, upon the 3 per cent basis, would give a capital value of $7,333,000 for the power project at Rock Island. Col. Burr in computing this value adds "that such an estimate is exceedingly reasonable," and that moreover, "it is a permanent indestructible property increasing annually in value and which will increase in value after all existing steam plants are consigned to the scrap heap." He further substantiates his point by referring to the project now pending to build a dam at the foot of the Le Claire Rapids, a short distance above the Rock Island Dam, a project which, in comparison to the water-power possibilities, would be a duplicate of the Rock Island Dam, and yet to develop this dam a private corporation proposes to spend $10,000,000.

The power possibilities of the modified project at the Twin Cities have been estimated by various engineers at different times. Col. Potter, United States Engineer Corps, has estimated the average amount of power that can be developed to be about 9,500 horsepower per year. With electrical current worth $20 per horsepower per year—a very conservative figure for Minneapolis, which is far removed from the coal fields—the gross

profits would be $200,000. Allowing $40,000 for maintenance, interest, and depreciation—a liberal allowance in comparison with Col. Burr's figures—the net profits would be $150,000, which represents a net return of 3 per cent on a value of $5,000,000. However, the high dam was built jointly for power and navigation purposes, whereas the Rock Island plant is solely for power, as navigation is cared for on the west branch of the river. Therefore, in computing the value of the dam at the Twin Cities a portion of the construction costs should be charged to navigation. This portion of the costs amount to a little over $1,000,000, while the cost for power purposes plus the cost of the necessary power plant and machinery will not exceed $1,000,000, leaving the value of the water-power rights over and above the cost of the dam, $4,000,000.

These are the valuable water-power rights that the State and municipalities owned and which they gave to the United States practically free upon the express understanding that they were to be given reasonable concessions in the way of a lease of this power.

If this power is not leased to the cities, it must naturally be leased to a private corporation. The Municipal Electric Co. requested a lease based upon the cost of constructing that portion of the dam needed solely for power purposes. If a lease were made to a private corporation upon the same basis, the Government would virtually be making a gift to private interests of the $4,000,000 of water-power rights and lands voluntarily given by the Twin Cities and the State to the Government with the understanding that the public and not private interests should receive any benefits accruing therefrom.

On the other hand, a lease of this power based on its actual value, about $5,000,000, would place the Government in the anomolous position of having received without cost water-power rights worth $4,000,000 from its citizens and turning them over to a private concern. The Government in such an instance would profit to the extent of the sum paid and the cities would suffer a loss of equal amount; besides, the corporation would follow the usual course of corporations and would issue stocks and bonds to at least the full value of these water-power rights and force the general public to pay the interest on this amount for all time to come. The Government would be placing an exorbitant and unjust burden upon its own citizens. It is beyond comprehension that the United States Government would be a party to such an unfair and unjust transaction. As it is impossible for a private concern to acquire control of the land and power rights without the consent of the cities, the Government would be acting as a tool or mediary for a private corporation to the direct impairment of the public's rights if it should now grant a lease to a private concern.

Therefore, in view of the recommendation made by the Board of Engineers in H. R. 741, and in the adoption of this recommendation by Congress, together with the passage of a law authorizing the Government to make the lease with the municipalities; in view of the paternal relation existing between the General Government and the State and municipalities; in view of the loss to the cities of the valuable park lands for park purposes; in view of the cost entailed to the cities by the erection of the dam for the construction of a trunk-sewer system; in view of the surrender and grant of valuable power rights to the Government—in view of all these facts, the only policy that the Government can honestly pursue is to lease the power to the Municipal Electric Co. according to the original understanding and agreement. The position of the city is not antagonistic to private ownership or industry. All the city is asking is the right to use its own property in its own way.

Mr. SPARKMAN. Is the gentleman speaking of some conditions that were imposed by the report under which this dam was constructed? Did those cities, or either of them, comply with those conditions?

Mr. SMITH of Minnesota. The city of Minneapolis has complied literally with those conditions. The State University is now ready—and has always been ready—to deed, and the city of St. Paul has some question about this, because there has been no effort on the part of the Government to do its part and enter into a lease with these cities and the university, as promised.

Mr. ADAMSON. If the gentleman will yield, I have at hand some modern information directly in point. The War Department says, speaking of the original act:

> No stipulation has been made that either they or the city of St. Paul should acquire any part of the water power to be developed at Lock and Dam No. 1.

Mr. SMITH of Minnesota. I decline to yield further.

Mr. ADAMSON. One more sentence, please.

Mr. SMITH of Minnesota. Never mind. I will fix your sentence. Mr. Chairman, I decline to yield. The gentleman from Georgia has never had any particular love for this proposition, and I am not surprised that he now tells this House that there was no stipulation made. What would a stipulation of that kind amount to? We are now asking that the Government make reasonable concessions to the cities in the way of a lease for this surplus power, as recommended by the Chief of Engineers and the Board of Engineers, and as recommended by this Congress in its adoption of the report of the engineers.

The Board of Engineers and the Chief of Engineers say the two cities of St. Paul and Minneapolis are deeply interested in the construction of a high lock and dam, and, in addition, say those two cities would be naturally the most desirable lessees of the surplus power that may be created thereby; through assurances of reasonable and proper concessions to them their flowage rights may be obtained by the Government without cost. That is what the Chief of Engineers recommended to Congress in his report known as No. 741, and that is the recommendation that the Congress adopted.

Of course I know, and the gentleman from Georgia knows, that there is some opposition to this proposition. I hold in my hand a letter written by Fred P. Royce, vice president of Stone & Webster, a member of the Hydroelectric Trust, and who was at the time he wrote the letter vice president of the Minneapolis General Electric Co., one of the subsidiary companies of the trust then under the control and management of the Stone & Webster people. I will place this letter in the RECORD. And I want to say to my friend from Georgia that that letter outlines the provisions of the bill that he has brought into this House this year, as well as the bill that he brought in last year. The only thing we demand is that the Government shall live up to the assurances that it held out to us at the time this project was adopted. We are only asking for justice and equity to those cities.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Minnesota. Yes.

Mr. STEENERSON. Does the gentleman's proposition contemplate that the public corporation mentioned should pay a sufficient amount of rental to cover the interest on the extra amount invested in order to make this high dam over and above what it would cost for navigation?

Mr. SMITH of Minnesota. I am glad the gentleman interrupted me with that question. The amendment which I offer provides that the cities and the university shall pay the United States Government for the privilege of using the surplus water a fair and proportional cost of maintaining the dam, lands, and appurtenant works, and also pay, in addition, an annual sum not less than 3 per cent upon such amount as the United States shall have invested and expended in the completion of the project by which such water power is developed and maintained over and above the amount actually expended and which would have been expended in completion of the project for navigation only, and it also provides that every particle of this power shall be delivered to the Federal Government in case the Federal Government at any time should need it. [Applause.]

The letter of the vice president of the Minneapolis General Electric Co. to which I referred bears date, Boston, Mass., November 17, 1910, and was addressed to the Hon. Frederick C. Stevens, St. Paul, Minn., who was then a Member of Congress from the fourth congressional district of Minnesota, is in part as follows:

> DEAR SIR: Following the writer's conference with you in Minneapolis in October we have thought that it might be of interest to you if we should prepare and submit to you a statement covering the history, condition, and purposes of the Minneapolis General Electric Co. and its policy toward the public at Minneapolis. * * * The principle that any company is entitled to earn a fair return on the money actually invested in the property necessary to carry on its business has become well established. It has also been demonstrated that a gas or electric company can not succeed in earning this fair return on its investment and at the same time furnish satisfactory service to the public unless it is allowed to have a field free from competition. * * * When it is understood that the demands on the company will be probably doubled oftener than once in 10 years, some idea of the probable future demands on the management of the company will be gained. Ample provision has been made to meet this future demand. Careful investigations having shown that there were certain good water-power developments possible within a comparatively short distance from Minneapolis, it was realized that the consumers should have the benefit of them. On that account the company has acquired most of the flowage rights necessary to develop at least five of these powers with an aggregate capacity of not less than 75,000 kilowatts. * * *
>
> The management of the Minneapolis company believe that they should be protected from competition. * * * We believe that in every case where a Federal license is requested and the power is to be used for public-service purposes a thorough examination should be made of the property by competent Government engineers, and no permit should

be granted unless it can be shown that there is a market for the power that can not be provided for as well and as cheaply by existing companies. * * * We should perhaps consider the best method to be adopted of utilizing the power that will be developed at the new Government dam at Minneapolis. * * * The logical and most satisfactory way of distributing this surplus power in Minneapolis would be through the Minneapolis company.

FREDERICK P. ROYCE,
Vice President Minneapolis General Electric Co.

The Frederick C. Stevens to whom the above letter was addressed is the same Frederick C. Stevens who, in company with Mr. ADAMSON, of Georgia, visited the War Department this morning.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ADAMSON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. ADAMSON. I rise at the request of the chairman of the committee, Mr. Chairman; otherwise I would not have done so. I am sorry my good friend from Minnesota [Mr. SMITH] in a measure lost his temper. I had no idea on earth of offending him. I am not hostile to that project. I am very much in favor of that project, and I am very much in favor of the Government realizing something from it, especially as the Government has expended so much money creating it.

The letter I offered to contribute during the gentleman's speech is a modern letter, from the Secretary of War. It is not ancient history. In that letter he states what I knew, that no stipulation had been made with either of those cities that would require giving to them any water power to be developed at Lock and Dam No. 1. Further on in the letter—and I shall ask unanimous consent to print it in the RECORD——

Mr. ANDERSON. Mr. Chairman, will the gentleman yield right there?

Mr. ADAMSON. Yes.

Mr. ANDERSON. Of course, if the writer of that letter means that no lease has been entered into with this corporation or with either of those two cities for the use of this water power, all right. But if he intends to represent that no representations were made to the cities, at the time the Government got the right to build this dam, that they would be given a preferential right in the leasing of this water power, then he states that which has no foundation.

Mr. ADAMSON. Mr. Chairman, that is a quarrel between the gentleman from Minnesota [Mr. ANDERSON] and the Secretary of War. I am reading a letter from the Secretary of War:

> Both cities have declined to convey the flowage rights now needed without consideration, and agreements have been reached whereby the city of Minneapolis will be paid $15,000 and the city of St. Paul will be given part of the Government land at Lock and Dam No. 2, which is valued at $6,000.

Now, Mr. Chairman, I am very fond of both St. Paul and Minneapolis. They have treated me well on my visits there. I do not know of any two communities on earth less in need of charity than those two prosperous cities. There was no sign of a breadline or of any soup houses at all. I viewed the premises where the dam is. It is a magnificent structure that has cost a great deal of money. The distinguished gentleman from Minnesota [Mr. SMITH] is one of those who has declaimed in this House against giving away the rights of the Government and of the people. He is one of those who have impugned the motives of statesmen here who have tried to procure general dam legislation for the benefit of all the people and the Government, on the ground that we were giving away something; and now his proposition is to come in and give either of the two cities and a corporation, after decrying about giving to other corporations, the benefit of what the Government has erected.

I have a further statement from the War Department showing all the structures similar to this in the United States. I wish to put that in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Following are the letter and statement referred to:

WAR DEPARTMENT,
Washington, March 11, 1916.

Hon. WILLIAM C. ADAMSON,
Chairman Committee on Interstate and Foreign Commerce,
House of Representatives.

SIR: In further reply to your letter of January 30, 1916, requesting information for the use of the Committee on Interstate and Foreign Commerce in considering some of the details of water-power legislation, I have the honor to advise you as follows:

1. The total amount appropriated by Congress for the improvement of the Mississippi River between St. Paul and Minneapolis to date is $2,391,600. The total amount expended to January 31, 1916, was $1,544,583.44 for Lock and Dam No. 1 and $739,644.14 for other work. The estimated cost of completion of Lock and Dam No. 1 is $170,000.

2. The actual construction of Lock and Dam No. 2 began in the spring of 1898. This is a low dam built for navigation purposes only, has no effect on the water-power project, and will be drowned out by the high dam authorized in 1910 and now under construction. The appropriations and expenditures given in the preceding paragraph include work on this lock and dam.

3. The estimated time of completion of the contract: Some time during the navigation season of 1917.

4. As to the amounts paid for real estate, flowage rights, etc.—The total cost of land and flowage rights, including the cost of the sites of the two locks and dams, has been $24,970 to date. The State of Minnesota and the city of Minneapolis have deeded land and flowage right without consideration, but no stipulation has been made that either they or the city of St. Paul should acquire any part of the water power to be developed at Lock and Dam No. 1. It should be stated, however, that the flowage right conveyed by the city of Minneapolis was under the original project and subject to a limitation as to the height of the dam. Under the present project the dam will be above that limit and the conveyance will be void on that account. Both cities have declined to convey the flowage rights now needed without consideration, and agreements have been reached whereby the city of Minneapolis will be paid $15,000 and the city of St. Paul will be given part of the Government land at Lock and Dam No. 2, which is valued at about $6,000.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

WAR DEPARTMENT,
Washington, February 12, 1916.

Hon. WILLIAM C. ADAMSON,
Chairman Committee on Interstate and Foreign Commerce,
House of Representatives.

SIR: In response to your request in paragraph 1 of your letter of January 28 last, I beg to inclose herewith a memorandum giving certain data with respect to the matter of the lease of power privileges at dams constructed in whole or in part with funds appropriated by Congress.

In response to paragraph 2 of the letter, I have the honor to inclose a table showing the maximum, minimum, and mean monthly discharge at Dam No. 1, Mississippi River, and the resultant theoretical and efficient horsepower that could have been developed during January and February of 1910–1915, inclusive. The computations of the horsepower which could have been developed are based on the assumption that flashboards 3 feet high would be in use during that time of the year.

Very respectfully,

H. L. SCOTT,
Acting Secretary of War,
Major General, Chief of Staff.

Table of horsepower at mean, maximum, and minimum discharge at Lock and Dam No. 1, Mississippi River.

	1910			1911			1912			1913			1914			1915		
	Average.[1]	Maximum.	Minimum.	Average.	Maximum.	Minimum.	Average.	Maximum.	Minimum.	Average.	Maximum.	Minimum.	Average.	Maximum.	Minimum.	Average.	Maximum.	Minimum.
JANUARY.																		
Disc. C. F. S.	4,200	5,600	3,240	1,764	1,955	1,610	1,840	2,400	1,550	2,600	2,950	2,250	3,615	4,470	2,100	3,857	4,270	2,900
H. P., Theor.	15,730	20,270	12,130	6,610	7,330	6,030	6,900	9,000	5,810	9,740	11,040	8,430	13,520	16,740	7,870	14,420	16,000	10,860
Eff. H. P.	11,800	15,710	9,100	4,960	5,500	4,520	5,170	6,750	4,360	7,300	8,280	6,320	10,140	12,550	5,910	10,810	12,000	8,150
FEBRUARY.																		
Disc. C. F. S.	4,011	5,200	3,240	1,799	1,945	1,610	1,750	2,365	1,520	2,200	2,605	1,950	3,170	4,100	1,825	3,721	4,370	2,960
H. P., Theor.	15,000	19,480	12,130	6,740	7,290	6,030	6,560	8,870	5,690	8,250	9,760	7,310	11,890	15,360	6,840	13,940	13,360	11,090
Eff. H. P.	11,250	14,600	9,100	5,050	5,470	4,520	4,920	6,660	4,270	6,190	7,320	5,480	8,910	11,520	5,130	10,450	12,270	8,320

[1] Average = mean monthly discharge, not average of maximum and minimum.

NOTE.—Effective head of 33' used in preparation of table above, and effective horsepower = 75 per cent of theoretic horsepower.

Memorandum of acts of Congress, and the projects constructed in accordance with them, establishing power privileges on dams owned or constructed in whole or in part by appropriations by Congress.

River.	Location	Part constructed.		Quantity of power.		Project document.	Acts of Congress.	Present status.	Affected by pending amendment to general dam act.
		By United States.	By other agency.	Developed.	To be developed.				
1. Fox	Neenah, Wis	Rebuilt by United States.	Built originally by private company.	2,433			July 7, 1870 June 10, 1872	Complete	No.
	Appleton, Wis	do	do	6,000			do	do	No.
	Little Chute, Wis	do	do	8,000			do	do	No.
	Kaukauna, Wis	do	do	781			do	do	No.
	do	do	do	2,500			do	do	No.
	do	do	do	725			do	do	No.
	do	do	do	700			do	do	No.
2. Muskingum	Zanesville, Ohio			1,138			Aug. 5, 1886	do	No.
	Duncan Falls, Ohio			540			Aug. 11, 1888	do	No.
	Stockport, Ohio			985			do	do	No.
	Luke Chute, Ohio			1,045			do	do	No.
	Beverly, Ohio			564			do	do	No.
	Lowell, Ohio			1,220			do	do	No.
	Marietta, Ohio							do	No.
3. Green and Barren.	Kentucky						Aug. 11, 1888 Sept. 19, 1890		
4. Cumberland	Dam No. 1, Nashville, Tenn.						June 13, 1902 amended June 28, 1902		
5. White	Dam No. 1, Arkansas	United States					June 28, 1906		
6. St. Marys	Sault Ste. Marie, Mich., Edison Sault Electric Co.	Extension deducted from rentals.	Private company				Mar. 3, 1909		No.
	Sault Ste. Marie, Mich., Michigan Northern Power Co.	do	do	10,000	30,000		do		No.
7. Mississippi	St. Paul, Minn	United States			15,000	H. Doc. 741 (61, 2)	June 25, 1910	77 per cent complete.	Yes.
8. Black Warrior	Dam 17, near Kellerman, Ala.	do			10,000	H. Doc. 72 (62, 1)	Aug. 22, 1911	Lock and dam complete. No power developed.	Yes.
9. Coosa	Dam No. 4, Alabama	do					June 4, 1906 Mar. 4, 1911		
10. Coosa	Dam No. 12, Alabama		Private company				Mar. 4, 1907	Completed Mar. 4, 1914.	
11. Hudson	Troy, N. Y	United States			4,000	H. Doc. 719 (61, 2)	June 25, 1910	Completed	Yes.

MEMORANDUM.

1. Dams on Fox River, Wis.: The Fox River improvement, with a series of locks and dams, was purchased from the Green Bay and Mississippi Canal Co. for the sum of $145,000 appropriated by act of Congress approved June 10, 1872. Under the terms of the transaction the Government simply purchased the line of water communication, the water powers created by the dams being reserved to the company.

2. Dams on Muskingum River, Ohio: By a provision in the river and harbor act of August 5, 1886, Congress accepted from the State of Ohio the Muskingum River improvement, with all the locks, dams, canals, franchises, and property rights of every kind, including all water leases and rights to use water then running and in force between the State and private persons or corporations. In the river and harbor act of August 11, 1888, a provision was incorporated authorizing the Secretary of War to grant leases or licenses for the use of lands and water powers belonging to the United States for such periods of time and at such rates as he might deem just and expedient.

3. Dams on Green and Barren Rivers, Ky.: The Green and Barren Rivers improvement was purchased by the United States in pursuance of authority granted in the river and harbor act of August 11, 1888. The improvement consisted of a number of locks and dams built by a navigation company at which the surplus water was leased, and in the river and harbor act of September 19, 1890, Congress authorized the Secretary of War to continue the practice and to grant leases for periods not exceeding 20 years.

4. Cumberland River, Tenn.: By an act approved June 28, 1902, amendatory of the river and harbor act of June 13, 1902, Congress authorized the Secretary of War to lease the surplus water not required for navigation at Dam No. 1 on this river. No leases have so far been granted.

5. White River, Ark.: By an act approved June 28, 1906, Congress granted to the Batesville Power Co. the right to make construction for the development and use of water power at Lock and Dam No. 1, and for that purpose to withdraw water from the pool formed by said dam, the Secretary of War being authorized to fix from time to time the charges to be paid by said company for the use of said power.

6. St. Marys River, Mich.: In the river and harbor act of March 3, 1909, Congress provided that any excess of water in the St. Marys River at Sault Ste. Marie over and above the amount required for navigation shall be leased for power purposes by the Secretary of War upon such terms and conditions as in his judgment shall be best calculated to insure the development thereof. Under this authorization two leases have been granted—one to the Edison Sault Electric Co. and one to the Michigan Northern Power Co. These two leases cover practically all the surplus water belonging to the United States not needed for navigation at the rapids of St. Marys River, and each runs for a period of 30 years.

7. Mississippi River from St. Paul to Minneapolis: The river and harbor act of June 25, 1910, adopted a project for improvement which contemplated the construction of a high dam, and the leasing of water power created thereby, at rates that will insure a reasonable compensation to the United States. No leases have been made.

8. Dam 17, Black Warrior River, Ala.: By act approved August 22, 1911, Congress authorized the Secretary of War to change the plans for the construction of Dam No. 17 so as to increase its height to 63 feet, the object being: To render unnecessary the building of Locks 18 and 19, to provide for the extension of navigation up the Mulberry and Locust Forks of the river, and for the development of water power. The lease of water power thus created has not been authorized by Congress.

9. Coosa River, Ala., Dam No. 4: By an act approved June 4, 1906, Congress authorized the Secretary of War to make a contract with any individual or corporation to complete the dam and forebay at Dam No. 4, and in consideration thereof the contracting party was to have the use of the surplus water for manufacturing purposes. No contract was made under this authorization, and in the river and harbor act of March 4, 1911, the Secretary of War was authorized to make a contract with the Ragland Water Power Co. to complete this dam, in consideration of which the company was to have the use of the surplus water for 50 years. A contract was entered into with the said company, but the work was not done, and the time limit for completion fixed by the act has expired.

10. Coosa River, Dam No. 12: By an act approved March 4, 1907, the Alabama Power Co. was authorized to build a dam at the site selected for Lock and Dam No. 12, and to use the water for power purposes, on condition that the Government should have the right to build a lock and control the dam for purposes of navigation. The dam was completed by the company within the time prescribed by the act.

11. Hudson River, near Troy, N. Y.: No provision for developing power has as yet been made nor is there any authority for disposing of it.

Mr. SMITH of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. ADAMSON. Yes.

Mr. SMITH of Minnesota. When does your letter bear date?

Mr. ADAMSON. It is recent.

Mr. BORLAND. March 11, 1916.

Mr. ADAMSON. Yes; March 11, 1916.

Mr. SMITH of Minnesota. That is after you knew this amendment was coming up?

Mr. ADAMSON. I knew some time ago about the gentleman's project. He gives me the credit of being opposed to it. I am opposed to this amendment, but I am not opposed to the project. I want to make this statement: I do not want to quarrel with the gentleman. I like him, and I wish him good in all things; but I want him to quit giving away what belongs to the Government and to the people. He has decried against that practice many times. There are many projects like this in the United States, not all of the same magnitude, but the paper which I will insert and print will show all of them. We have endeavored to agree upon a general plan by which the Secretary of War could lease the surplus water at any or all the Government structures. The gentleman from Arkansas [Mr. OLDFIELD] introduced a bill for that purpose. We have not reported that separate bill, because the Secretary of War said he preferred to have it incorporated in the general dam legislation which you, Mr. Chairman, know, and the Secretary of the Interior

knows, and the Secretary of War knows, we are all trying to agree upon, so as to secure, not legislation dictated, as the gentleman wants, by any corporation or for the benefit, as he is trying to bring about, of any corporation, but a bill that will protect all the rights of the people and at the same time secure construction and advancement in the country.

The proposition approved by the Secretary of War is incorporated in the bill which has been reported here. If that bill can not be passed, the separate bill of the gentleman from Arkansas [Mr. CLDFIELD] can be passed, which will enable the Secretary of War, under the general authority, to entertain propositions to dispose of the surplus water power at all these structures. But, Mr. Chairman, after all the lectures and insinuations that I have heard in this House for the last 20 years about giving things away, I am opposed to the Government spending two or three million dollars on a structure and then giving the power to any city or any corporation which pretends to operate as the trustee or intermediary between the Government and that city. If that is to be done, almost every city in the United States that is on a navigable river can call upon the Government as an eleemosynary institution to construct a dam and give it water power. Four or five cities in my own district could be accommodated by building dams, all at the aggregate cost that has been expended on this one project. If it is fair for them, it is fair for us; but the proper and fair thing to do is to allow a general provision, under which all can be treated alike. They ought all to be given a chance, so that the Government can on the most advantageous terms dispose of the surplus water power. In the meantime the act under which this project was authorized gives to the Secretary of War power to contract, if he can find an advantageous proposition. I do not care now to reply to the suggestions of gentleman about the general dam act, unjust and irrelevant as they are. At the proper time, when that bill is considered, I will take care of such unjust insinuations. Sufficient for this time to say that the corporation favored by the gentleman from Minnesota [Mr. SMITH] may be as bad as any other corporation. It certainly proposes a scheme to enjoy a monopoly. I worked on the general dam law before I ever heard of Stone and Webster, and neither that nor any other corporation can mistate the general dam legislation to me.

Mr. NORTON. Will the gentleman yield?

Mr. ADAMSON. Certainly.

Mr. NORTON. Is the gentleman in favor of giving this great power, or the excess of this great power that the Government would not use, to the cities of Minneapolis and St. Paul, or does he rather prefer to give it to the General Electric Co. or some other private corporation?

Mr. ADAMSON. The Secretary of War ought to make the best contract he can to protect the interests of the Government, and at the same time to use it for navigable purposes as the prime object.

Mr. NORTON. Just another question. What objection has the gentleman to this Congress saying that the people of Minneapolis and St. Paul shall have this excess power to use, provided they pay to the Government a reasonable compensation or interest for the amount the Government has invested in the plant?

Mr. ADAMSON. I have no objection to their taking it if they bid more than anybody else and give better terms to the Government than anybody else; but I want the Government to make the best terms possible.

Mr. NORTON. That is all this amendment proposes, is it not?

Mr. ADAMSON. I do not understand this amendment to open it to the public at all.

Mr. NORTON. No; it gives it to the city.

Mr. ADAMSON. I prefer a general plan that will cover all these projects everywhere in the country. They ought all to be treated exactly alike, and the Secretary of War ought to be authorized, as he will be, to get the best terms possible in each case.

Mr. NORTON. Another question. The gentleman knows that this power is worth millions of dollars to the municipality or to the private concern that gets it. Now, does the gentleman think there ought to be any question but that that power, if it can be used by the citizens of Minneapolis and St. Paul, ought to go to them, and that Congress should say so?

Mr. ADAMSON. In the provision that we have incorporated it is provided that these cities shall have a fair opportunity, and the preferential opportunity to secure it solely for municipal purposes.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I always value the opinion of my good friend from Georgia [Mr. ADAMSON] on any matter relating to transportation, and I really value his opinion very highly on a matter of this kind; but I do not believe he quite appreciates the exact situation in the vicinity of this dam.

Mr. Chairman, I feel as though I were pretty well identified with this project. I have sort of grown up with it. When I was a senior at the University of Minnesota in 1894 this dam was begun. It is only now being completed. After the lapse of the 22 years that have passed I am glad to congratulate that locality that the dam is about to be completed. In its inception perhaps there was some question as to its value. In the 22 years that have passed those two cities have grown, and have become one of the greatest and most important industrial centers in America. The project originally did not comprehend water power. Now it does so, and properly. That water power is a Government instrumentality. It belongs to the people of the United States. For what purpose? For the Government to make money out of it? No; for the Government of the United States to administer for the welfare and best interests of the people concerned. [Applause.] Who are the people concerned? Not the people in the beautiful peach orchards of Georgia nor among the hills of Maine. They are upon the banks of the Mississippi River, where lie the great institutions that are affected. Now, what are some of those institutions? Fort Snelling is one of the great and important military posts of the United States. It is a large consumer of electric power. It is a post that will be enlarged, and that will need larger quantities of electric power as the years go by.

What is the next institution that we ought to consider? The University of Minnesota, which has made its contribution in order that this project might be completed. The shores of the campus are being inundated to a considerable extent in order that this dam may be built. That is no small, insignificant institution of learning. When I first went there the total membership was 1,500. To-day it is upward of 7,000. The campus then consisted of but a few acres. To-day it is large, and for a long distance skirts the Mississippi River. That great institution, with its colleges devoted to mechanical arts, with its mining and engineering colleges, even running an electric railway to connect the main campus with the school of agriculture, requires large quantities of electric power.

It has made its contribution; it is a public institution, performing a tremendously important public work; why not let it get some of the benefits resulting from the development of the water power on its own land? What public purpose higher than this can there be to serve? The education of the youth of a land to lead in the industrial development of a region and in the humanitarian work among a great people is of the very highest public concern. To improve the facilities afforded by such an institution should be the object of all having the public interests in charge. The Federal Government, too, is directly interested in many features of the university. For instance, at this institution of learning is one of the finest cadet battalions in the country, 1,400 in number, and that is an institution existing for Federal purposes only.

I would have failed, indeed, had I omitted to mention the biggest consideration of all, the hundreds of thousands of people in St. Paul and Minneapolis who in their corporate municipal capacity are deeply interested in this project.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER of Minnesota. I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. I know what it is in some degree to find a water power corralled within the hands of a few, and so does every man here. There are some water powers, even along the Mississippi River, yet available, but not many. This is one of the best of all, and, thank God, it is the property of the United States, to be administered for the welfare of the people. Now, let us administer it for the welfare of the people of that great center. [Applause.] Let us provide, as the amendment does, that the people who have builded their homes here, the people who have lived there, the people who have formed the two cities, the people who have deeded the land necessary for the construction of the enterprise, the people on whose land this water power is being developed, shall be allowed to conserve this power for the public good and have the first chance to use this water power, not only using it for strictly municipal purposes but regulate its use by its citizens without paying tribute to corporations that will doubtless seek to control it. If you do that, you have administered a public utility for the welfare of the public; and if you fail, in my judgment you have set yourselves against the general interests of public welfare. [Applause.]

Mr. SMALL. Mr. Chairman, the provision for the construction of this dam was adopted in the river and harbor act of 1910, based on a report of the engineers known as House Document 741, Sixty-first Congress, second session.

In that report of the Chief Engineer's the summarization of the matter is in this language:

That from the standpoint of navigation and other Federal interests, it would be advisable to modify the existing project in such manner as, while better serving those interests, will permit the creation and utilization of a valuable water power which can be applied to minimizing the cost of construction; (b) that instead of inviting the cooperation of and entering into contractual relations with any private or municipal corporations for the execution of the work (a policy which experience has shown to be conducive to friction and misunderstanding, and often attended by serious complications), the cost of construction should be borne by the United States alone so that the control of the water power will be absolute, and it may be used, leased, or otherwise utilized as may be most advantageous to interests of the Government.

Mr. MADDEN. How much water power is it to develop?

Mr. SMALL. Fifteen thousand horsepower.

Mr. MADDEN. What do they do with it?

Mr. SMALL. They do not utilize it at present, for it is not completed. The last report of the engineers shows that on the 30th of June last the project was 87 per cent completed. Doubtless work has been continued since that time and it is now more nearly complete.

Mr. SMITH of Minnesota. Will the gentleman yield?

Mr. SMALL. I will.

Mr. SMITH of Minnesota. The gentleman is reading from page 4. Will he read all of page 4? I want to say to my colleague that it is immaterial how much more the dam has cost than the $200,000 estimated by the board, because my amendment provides that there shall be paid at least 3 per cent on every dollar put into the dam over and above the original estimate.

If the gentleman will read a little further on the page, leaving out the estimate, he will find what concession the Chief of Engineers desired to make to the cities, but take the whole report and he will find that the board that visited the two cities made the report to the Chief of Engineers recommending that the two cities should have the power without qualification, except to furnish the needed money, and that was why the Chief of Engineers changed the language, because he thought it was better that the United States should furnish all the money and that there should be no partnership about it.

Mr. SMALL. Now, Mr. Chairman, I think everyone will concede that the two cities of St. Paul and Minneapolis should be permitted to utilize this power at the proper time and on the proper terms, providing they are willing to give the Government as much as any other person or corporation which may desire to use the same power.

But the crux of the matter lies in the contention of the gentleman from Georgia [Mr. ADAMSON]. The proposition here is to lease the power to the hydroelectric corporation if it pays the expense of the maintenance of the dam itself, not of the navigable river, and 3 per cent on the cost of the construction of the dam.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. SMALL. I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMALL. Now, regardless of whether that is a fair or not fair price, there are two vital objections to it. One is that we have been holding up utilization of water powers all over the country until we could get a general dam act. That act we expect to have passed at this session. The Senate has already passed an act.

Mr. SMITH of Minnesota. Will the gentleman allow me to ask him one question?

Mr. SMALL. Yes.

Mr. SMITH of Minnesota. This dam was started long before your general dam act. My distinguished colleague from Georgia has just told you that the idea running through the general dam act now before Congress is to put the power up to public auction and sell it to the highest bidder. If you do that the municipalities can not get it. This is the only way we can get it. We have appropriated the land, notwithstanding what my colleague says. The War Department has a deed from Minneapolis of every foot of the land that is necessary for the project, with a condition attached to it that if the Government does not do it it will give $15,000 for a little small stretch of it.

Mr. SMALL. In other words, the gentleman wishes for this corporation to be the recipient of unadulterated favoritism.

Mr. SMITH of Minnesota. Oh, no.

Mr. ADAMSON. Mr. Chairman, I ask unanimous consent for two minutes so that I can make a correction.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. STEENERSON. Mr. Chairman, reserving the right to object, I would like to have five minutes.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to have two minutes.

The CHAIRMAN (Mr. FERRIS). This is not closing debate. Is there objection?

There was no objection.

Mr. ADAMSON. Mr. Chairman, in the first place, this subject was not mentioned at the War Department this morning, and in the second place, as I remember, and I have sent for a copy of the bill to see for certain, the provision in the general dam act as reported by me, I think, gives the cities the preference for municipal purposes solely, but not for the purpose of allowing a corporation under that pretext to take charge of the matter.

Mr. SMITH of Minnesota. Mr. Chairman——

Mr. ADAMSON. Oh, I do not mean to say that you are operating under that pretext at all.

Mr. SMALL. Mr. Chairman, I desire to say that this is my time.

Mr. SWITZER. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Yes; but I will ask the gentleman to make it brief.

Mr. SWITZER. Does the gentleman believe this ought to be put in a way that some corporation, some monopoly could run the price up and obtain control of the power and force the city to pay a higher price?

Mr. SMALL. No; I do not.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to ask a question in that connection. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. COOPER of Wisconsin. I would like to ask this question, and it seems to me that it goes to the whole of the great problem now before Congress and the American people, and that is the question of hydroelectric power—if these are to be put up to the highest bidder, will not the General Electric Co., with millions of capital behind it, get all of the valuable property? It can bid more than any other bidder.

Mr. SMALL. Mr. Chairman, under the general dam act, as it shall finally be passed, the interest of the United States will be properly conserved and the interest of the consumers will be properly conserved; but I have not the time to go into that matter now. The point that I make is that this power development by this dam in the upper Mississippi, between St. Paul and Minneapolis, should be put upon the same basis, with no better and no worse terms than other water powers which have been and which will be developed in the future by the Government of the United States.

Mr. STEENERSON rose.

Mr. SMALL. I can not yield further. I want to make this further suggestion. The United States has spent in the construction of reservoirs above at the headwaters of the Mississippi $1,559,000.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. SMALL. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, the city of Minneapolis, through its great manufacturing plants, its flour mills, is one of the beneficiaries of the conservation of these headwaters of the Mississippi in these reservoirs, and by reason of the equalization of the water they are getting the benefit of it during a longer season of the year. They are now coming in and asking, not that the city of Minneapolis or the city of St. Paul, not that this particular corporation, shall get this water power upon such terms as others are willing to pay, and terms, if you please, which will at the same time protect the users of it, but they ask you to adopt an amendment fixing the name of the lessee of this water power, fixing the terms regardless of the opportunity to consider and determine whether these are fair terms, and regardless of whether they shall coincide with the terms that shall ultimately be adopted by Congress in the general dam act. It is unfair and is a species of favoritism.

Mr. STEENERSON. Mr. Chairman, the gentleman from Georgia [Mr. ADAMSON] and the gentleman from North Carolina [Mr. SMALL] have outlined what we have a right to assume is their view of the future policy of the United States with regard to surplus power to be developed by Government dams, and I do not believe that this House will at this time, at the very beginning of the development of this policy, place it upon the basis that they have indicated; that is to say, where the

Government has surplus power to dispose of, that it shall put it up at public auction and sell to the highest bidder. The vice of that policy is plainly seen in the case before us. Here is a project developing 15,000 horsepower per annum, worth perhaps $150,000 or $200,000 each year, and when it is proposed to lease it to the corporation representing the municipalities, especially organized to serve the public without profit, upon the basis of a rental that will bring at least 3 per cent interest on the investment to the Government, you say no, that is not enough; we will put the lease up at auction and sell it to the highest bidder. The proposition in the amendment is to pay the Government a suitable income upon the investment over and above what the Government has spent for navigation.

If this be put up at public auction to the highest bidder, the Stone & Webster Co. or affiliated companies will bid up the price in order to obtain—what? To obtain a power which the gentleman from Georgia [Mr. ADAMSON] has with such great ability been fighting these many years, namely, monopoly. It will be possible under this plan for the present power concerns to bid in the Government power, to get it from the Government, and then control it and have a monopoly of power in that great center of population indefinitely. Then, when they have obtained that, they will exploit the people upon the basis of the improvement built by the Government without restraint. Is that what we are adopting this water-power policy for? Is that the purpose you seek to accomplish? Or is it that we may get income upon the money invested and serve the public at cost, like every municipal or public-service institution? [Applause.]

Mr. BORLAND. Will the gentleman yield?

Mr. STEENERSON. I yield to the gentleman.

Mr. BORLAND. Assuming that the private corporation would overbid the city and get the power from the Government, would it not then turn around and sell the power to the same set of consumers at an advanced price represented by the increased bid?

Mr. STEENERSON. Why, certainly. It would bleed the people of Minnesota, it would bleed the people of Minneapolis and St. Paul and the University of Minnesota to the last farthing, and you, the Congress of the United States, would put power in their hands to do that forever. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HUMPHREY of Washington. Mr. Chairman——

Mr. SPARKMAN. How much times does the gentleman want?

Mr. HUMPHREY of Washington. I want five minutes.

Mr. ANDERSON. I may want five minutes. If the gentleman from Florida [Mr. SPARKMAN] is going to conclude, I do not care to use any time; but if other gentlemen are going to attack the proposition, I shall want some time.

Mr. SPARKMAN. I will yield to the gentleman from Washington, then.

Mr. HUMPHREY of Washington. Mr. Chairman, I have been waiting with a great deal of interest to have some of my conservation friends on this side of the House arise and insist that the same rule be applied in this case that they have always insisted should be applied to the water-power projects in the West. What has become of the gentlemen on this side of the aisle that have been so insistent that the Government, in selling this water power, ought to make the charge upon the amount of power developed? I have not heard anybody make that statement here to day.

Mr. SMITH of Minnesota. Will the gentleman yield for a moment? Will you make any distinction between a city that owns a water power, that owns valuable private land, that has to spend in the neighborhood of $1,000,000, and the water site out on the Government domain and the Government owning all the land and all the site?

Mr. HUMPHREY of Washington. Mr. Chairman, ever since I have been a Member of this House, since the question arose in regard to the development of water power, I have heard it insistently urged on the floor of this House that the Government should charge for the power developed and not for the value of the property. And here in this particular instance you propose to let them have this power and charge them 3 per cent over and above what it would have cost the Government to construct it for navigation purposes. Now, I do not consider that that is a fair compensation for the Government if you are going to compensate it at all—3 per cent on the money, beginning at the time when the contract is entered into. I hope that before this discussion ends some of my conservation friends that have stood upon the floor of this House so often and have blocked every attempt that has been made to develop water power in the West will explain themselves as to why it is different when in the Middle West, when it is in Minnesota. What has become of our distinguished patriot on this side of the House that has so often stood up here and said that the Government must not be robbed? If you are going to develop water power, let us have it upon the power developed and not upon the value of the land or the money put into the proposition, or abandon this rule for the West. Why do they want one rule for the Middle West and another for the Pacific coast? I hope that the patriotic conservationists have not taken to the cloakroom because this matter is up for consideration. Why do not the conservationists seek to protect the Government now as they always pretend to do when there is a project on the Pacific coast to be considered?

Mr. ADAMSON. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. ADAMSON. I want to read a sentence that the gentleman on the other side would not permit me the time to read a short time ago. It is as follows:

Provided, That the said Secretary of War in making such leases, other conditions being equal, shall give preference to the bid solely for municipal use of any municipal corporation or other public corporation not operated for profit.

Mr. HUMPHREY of Washington. Of course that is fair; there can be no question about it. But here we are certainly asked to give an advantage to this one particular corporation. Why should they not comply with the general law? Of course I am not in sympathy with a great deal we hear in regard to these water powers, but, as I said a moment ago, I can not help but notice it when they talk one thing for the Pacific coast and another for the Middle West.

Mr. LINDBERGH. Mr. Chairman, I believe in conservation, but I do not advocate what the gentleman from Washington [Mr. HUMPHREY] suggests of Minnesota Members. The position I take upon that question is, that whenever the Government turns over to a private monopoly any of these water powers they place within the power of that monopoly the right, or rather the privilege, to charge back to the people whatever the private monopoly sees fit unless there is some Government regulation of prices.

The trouble with the proposition is that if a private corporation, in business solely for the profits it can make out of the business, gets possession of this water power, then it will charge back to the people in general, not only what it pays to the Government, but such additional sum as it sees fit to make for its own profits. Now, if we lease this water to a municipality or the university, every advantage is with the public. That is a very difficult thing than giving a monopoly to some private concern.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. LINDBERGH. Sure I do.

Mr. HUMPHREY of Washington. Inasmuch as the gentleman recognizes the right of the Government to go and pay it 3 per cent on the investment, why do you not place that compensation on the water developed, the same as you are insisting on being done with the water powers of the West?

Mr. LINDBERGH. The gentleman is mistaken in saying that I claim any such thing. My position is this, that whatever the Government charges will be charged back to the consumer whether in one part of the United States or in another part of the United States. I am opposed to the Government granting any privilege to a private monopoly at any price, for what sense is there in the public granting such a right for a consideration which the courts hold that the monopoly can turn right about and charge back to the public plus such profit as it sees fit, or at least a profit over and above what it pays to the Government for, say, in this case, a lease. The Government making a bargain for the purpose of getting more money into the Treasury simply means that whatever bargain they make must be returned in some form to be collected back from the people in general. And we have to draw a distinction between a municipality or university that is going to use this power and a private corporation securing the control of the power to levy a profit on the people.

We have to draw a distinction between this case of the municipality of Minneapolis, or the university, or public utility it is for, or that is going to use this power, and a private corporation seeking to control that power simply to make money out of it. That is all the explanation I wish to make in connection with the matter.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. SPARKMAN. Mr. Chairman, I hope this amendment will not be adopted; not that I have any objection to the two cities—St. Paul and Minneapolis—obtaining cheap hydroelectric power, but I object to giving them a preference in the use of such power over others, private of public, in this country.

It is a fact, Mr. Chairman, that for some time we have been unable to pass legislation here by the Government with authority to any private or quasi public institution to use such power. Every time a proposition of that kind has come up before this House it has been voted down. I recall very distinctly a bill brought in here by the Rivers and Harbors Committee about four years ago to build a very high dam, No. 17, on the Black Warrior River, within 12 miles of the city of Birmingham, Ala. This dam would furnish a sufficient head to develop a large amount of power, and the proposition was coupled with authority to a certain corporation to use the power under lease from the Government. But it was voted down, not unanimously, to be sure, but overwhelmingly, and from then until now no committee of the House, certainly not the Committee on Rivers and Harbors, has thought it advisable to bring in a similar measure, although there are many places where power can be developed, our purpose being to await the effort being made by another committee, the Committee on Interstate and Foreign Commerce, of which the gentleman from Georgia [Mr. ADAMSON] is chairman, to present to this House a bill that will take care of these propositions wherever they may arise throughout the country.

I think it is unwise, Mr. Chairman, to single out these particular cities and practically give them this power which is owned by all the people of the country, whether in or outside of our cities.

Now, suppose some one were to come and say, "This high dam on the Black Warrior River is constructed in such a way as to be in a position to develop a great deal of power. Let us turn that over to the city of Birmingham on certain conditions very favorable to that city, or some corporation that will obligate itself to turn over part of it to the city of Birmingham." There would be just the same objection to that as there is to the proposition here.

Now, as I said a moment ago, I have no objection to these two cities obtaining cheap power, but I can not go quite as far as my friend from Minnesota [Mr. MILLER] did a while ago, when he asserted with emphasis that this power was the people's power. Now what was his deduction from that premise? Not that the whole people should have the benefit of it, but those two cities. It belongs to all the people, but according to his view those two cities should have the use of it. That is not the proper deduction to make from the premise.

If the Adamson bill passes—and it has got to pass some time or other—it will be for this House to say just what it will contain. The gentleman from Georgia [Mr. ADAMSON] has read a proviso, already in the proposed bill, which, if the measure becomes a law, will take care of this whole situation. It gives preference not only to the cities of Minneapolis and St. Paul but to every other city in the country to utilize the power that the Government may develop.

Mr. SMITH of Minnesota. Mr. Chairman, will the gentleman yield there for just a moment?

Mr. SPARKMAN. Certainly.

Mr. SMITH of Minnesota. I am sure that the gentleman does not understand the effect of the bill prepared by the gentleman from Georgia. The effect of his bill, as he claims, is that municipalities shall have a preference. How? After the power has been put up at auction and sold to the highest bidder. If you can show me how any municipality in this country will get any benefit out of a bill that authorizes the Secretary of War to put up at public auction and sell the power to the highest bidder, then I will withdraw my amendment.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SPARKMAN. It says:

Provided, That the Secretary of War, in making such leases, other conditions being equal, shall give preference to the bid, solely for municipal use, of any municipal corporation or other corporations not operated for profit.

I am not sure but what that would cut out the gentleman's corporation, and that it would cut out the two cities solely for their use.

Mr. SMITH of Michigan. You have not read the provision in the bill prepared by the gentleman from Georgia. I will read it. It says:

Provided, That the Secretary of War, in making such leases, other things being equal, shall give preference to the bid, solely for municipal use, of any municipal corporation or other public corporation not operated for profit.

That is, it shall give preference to the highest bidder, other things being equal.

There are two things in that bill that destroy what he would like to have us believe that he desires to accomplish. If he gets his bill through, it will give preference to a municipality, but it requires that the Secretary of War shall put this power up at auction and sell it to the highest bidder.

Mr. SPARKMAN. We have not enacted that bill into law. When it comes before the House we can do what we please with it. I have every confidence that the House will do that which is right.

Now, another feature that would cause me to oppose this amendment, if there were nothing else, is that we own this power now. The Government of the United States has it, can control it, and do what it pleases with it. But the moment this amendment is adopted, if the Government wants to use any power there it will have to go to this corporation and pay for it. I do not want any such condition as that.

Mr. SMITH of Minnesota. The gentleman does not quite understand the amendment. Under the amendment the United States Government will have the first right to all of this power at just exactly what it costs to manufacture it, with no profit to anyone.

Mr. MADDEN. It does not say that.

Mr. SPARKMAN. I am opposed to turning over this power to anybody under such conditions. The provision is:

The right shall be reserved to the United States and included in such contract for the United States to purchase and use such supply of said power as may be required for its own purposes on the same terms and conditions as the said power is sold or distributed to the members of said public corporation of the State of Minnesota.

I am opposed to putting the Government of the United States in any such position. We have the power now, and we had better keep it as it is for the present and until proper legislation for its disposition can be enacted.

Mr. MADDEN. Mr. Chairman——

Mr. SPARKMAN. How much time does the gentleman want?

Mr. MADDEN. Just five minutes.

Mr. SPARKMAN. Then I ask unanimous consent that all debate on this paragraph and amendments thereto close in seven minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate on this paragraph and amendments thereto close in seven minutes. Is there objection?

Mr. ANDERSON. I would like three or four minutes.

The CHAIRMAN. Does the gentleman from Florida desire to modify his request?

Mr. SPARKMAN. I understood from the gentleman that if I wanted to close the debate I could do so.

Mr. ANDERSON. I said if the gentleman desired to close the debate I did not desire any time, but the gentleman is not going to close.

Mr. SPARKMAN. We ought to get on with this bill. I think everybody understands it.

Mr. MADDEN. I am ready to take a vote now. I will yield, and let the vote be taken.

SEVERAL MEMBERS. Vote! Vote!

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. SMITH].

The question being taken, on a division (demanded by Mr. SMITH of Minnesota) there were—ayes 47, noes 58.

Mr. SMITH of Minnesota. I ask for tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. SPARKMAN and Mr. SMITH of Minnesota.

The committee again divided; and the tellers reported—ayes 46, noes 65.

Accordingly the amendment was rejected.

Mr. SMITH of Minnesota. Mr. Chairman, I ask permission to extend my remarks by introducing a letter from Mr. Frederick C. Stevens, and also the law and charter and application relating to this subject.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

Mr. LENROOT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LENROOT: Page 29, line 7, strike out "$1,500,000," and insert "$150,000."

Mr. LENROOT. Mr. Chairman, I do not expect that this amendment will be adopted, because in the consideration of this bill it is very plain that the United States Treasury is entirely

forgotten, and that economy has no place in the consideration of a measure of this character. Earlier to-day in the debate I suggested what I believe to be a proper river and harbor bill under the present condition of the Treasury, and that is a bill carrying appropriations that would maintain rivers and harbors to accommodate the commerce that now exists upon them, and in addition appropriations for the carrying on of existing projects where there would be a direct and substantial loss to the Government if the projects were not carried on at this time. The gentleman from Florida [Mr. SPARKMAN], the chairman of the committee, in reply to that suggestion stated that with very few exceptions that was the theory of this bill. I do not know whether my good friend from Florida [Mr. SPARKMAN] will admit that this item is one of those exceptions or not; but the truth nevertheless is that it is one of the exceptions. If this amendment of mine should be adopted, which I know it will not be, there would be a direct saving to the United States Treasury at this time of $1,350,000, and at the same time the Missouri River will be maintained in its present condition; and all of the public works that are going on under existing projects will be maintained so far as necessary so that there will not be a dollar of loss to the Government; so if this Missouri River $20,000,000 project is a meritorious project, the only thing that will be accomplished by the adoption of this amendment will be to postpone that expenditure of $1,350,000 until such time as the Treasury is in better condition.

Mr. SWITZER. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. I yield to the gentleman.

Mr. SWITZER. Does the gentleman expect the appropriation in the next four or five years will be any smaller than it will be this year?

Mr. LENROOT. I do not; but I do expect that the Treasury will be in better condition than it is to-day. [Applause on the Republican side.] And if the Treasury is not in better condition, then I am frank to say that the appropriations ought to be very much smaller than they are in this bill. [Applause on the Republican side.]

Now, Mr. Chairman, this Missouri River project is one that was specially examined with a view to reporting to Congress upon the question whether that project should be abandoned or not. It was first referred to the district engineer, Mr. Deakyne, who made a report upon it under date of April 22, 1915. He recommended that the project be entirely abandoned and that hereafter an appropriation of only $40,000 a year be made for the purpose of snagging; and, reading from his report, speaking of the commerce upon this river, he says:

> Eliminating the logs and the sand and gravel barged, the remaining traffic is 37,551 tons, divided into classes which are carried over average distances of from 8 to 291 miles. The total freight charge on this traffic was about $41,000. The Kansas City-Missouri River Navigation Co., the only through line on the river, operating between Kansas City and St. Louis, charges 80 per cent of the railroad freight rates. Assuming this to be the relation between the rail and water rates for the entire traffic, the saving to shippers by the use of the river in 1913 was about $10,000.

Let me say right here that, irrespective of the completion of the continuation of the present project, it has cost the Government $100,000 annually for maintenance, or, in other words, it cost the Government $90,000 over what was saved in freight rates.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. LENROOT. Mr. Chairman, I ask that I may proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LENROOT. The cost to the Government for maintenance alone, to say nothing about the cost of the project, was $10 for every dollar that was saved in freight rates.

Now, it is fair to say that it is reported that this last year the commerce was 60,000 as against 37,000 in 1913. The average cost per ton by rail is $1.40 in round numbers. The cost by water is about $1.10, and so there is a saving by water carriage of 30 cents a ton.

Now, assuming that it was 60,000 tons, there is a saving to the shipper of $18,000, at a cost to the Government of $100,000, to say nothing about the cost of the project itself. It is true that when the project was first begun it was estimated that there would be a million tons of traffic upon this river. I undertake to say that no man in this House will ever see the time when there is a million tons of traffic on the Missouri River between Kansas City and St. Louis. But assuming there is a million tons, assuming there is a saving of 30 cents a ton, it is estimated that the annual cost of maintenance will be $500,000 a year, so that the Government, even if there is a million tons of traffic carried on this river, will be paying out of the Treasury a half a million dollars a year to save the shippers $300,000 a year.

Referring to the Deakyne report, he says:

> It is evident that this saving is entirely inadequate to warrant the serious consideration of an expenditure by the Government of $1,100,000 per year in interest and maintenance.

The report of Mr. Deakyne went next to the division engineer for review—Col. Townsend—and Col. Townsend, by the way, is one of the three engineers who recommended, in the first instance, the adoption of the $20,000,000 project.

Col. Townsend, in reviewing the report of the district engineer, agrees with it in every particular save one, that instead of $40,000 a year for snagging he recommends $150,000 for maintenance, and that is the amendment that I have proposed. He says in his report that if this $150,000 is properly expended it will not only keep the river clear but will maintain, without any loss to the Government, the work that has been done by the Government.

In paragraph 4 of Col. Townsend's report, he says:

> In the opinion of the division engineer, the problem of developing our western rivers should be treated as a single one. Instead of scattering appropriations over the entire western territory, a channel of 8 or 9 feet depth should first be provided from Chicago to New Orleans, and the offer of assistantce in the construction of a canal along the Des Plaines River from the State of Illinois accepted. An opportunity should then be afforded the American people to determine whether they want waterways not by rhetorical efforts in river conventions but by a practical utilization of the channel thus afforded. Until such revival occurs appropriations on the tributaries should be confined to maintaining the existing status. The existing works should not be allowed to deteriorate. At present an annual appropriation of $150,000 for snagging and the maintenance of existing works is therefore recommended.

Turning again for a moment to the Deakyne report, he refers to the prospective commerce on the Missouri River, and calls attention to the fact that on the Mississippi River, where there is a stretch of river exactly similar to that proposed upon the Missouri, except only that the facilities for traffic and country contributory is very much greater than on the Missouri, but after that has been completed the highest traffic has been 258,000 tons per year upon that portion of the Mississippi River, and he says that it is unreasonable to suppose that the traffic on the Missouri River will assume any larger proportions than that.

So you have Deakyne's report recommending the abandonment of the $20,000,000 project, and we have Col. Townsend's report, who was one of the three who originally recommended the project, recommending the abandonment of the $20,000,000 project, and finally it comes to the Board of Engineers for review, and that board met at Kansas City.

I am not going to criticize the Board of Engineers any more than to say that the Board of Army Engineers is human just as Members of Congress are human, and they are subject to political influences, I believe, to a lesser degree than most people, and, nevertheless, they are subject to political influence to some extent, which is not necessarily reflecting upon them. Any man who will take that report of the Board of Engineers wherein they recommend the project be not abandoned and will read it carefully from beginning to end will conclude that they have not made a showing that would satisfy any jury in the United States that that project should be continued. They have some 20 paragraphs in this report, and if you will examine the report thoroughly you will see that there are only two or three findings of fact in the entire report, but paragraph after paragraph that states not what they believe but what the Kansas City interests claim. Again and again you will find in each paragraph, "It is claimed by interested parties," "It is stated by interested parties," and so on, and when they come to the final paragraph wherein they sum up their reasons for their action in not concurring in the report of the district and division engineers, they say:

> A review of the entire situation indicates that the present grounds for continuance of this project were stronger than those which led to its adoption. The board therefore concludes that it is advisable for the United States to continue the improvement—

And so forth.

They say the reasons are stronger now than when the project was adopted, and that is based upon the fact that when this was adopted there was no commerce, and that now there is a commerce of 60,000 tons upon that river, costing the Government, irrespective of the $20,000,000 we propose to expend, $6 for every dollar that is saved to the shippers upon this record.

Mr. Chairman, I have gone into the merits of this for the purpose solely not at this time of recommending the abandonment of the project, but of showing to this committee that if they wish to vote upon this question upon its merits, if they wish to save $1,350,000 to the United States Treasury, leaving the consideration of the ultimate improvement, acceptance, or

abandonment of this project to such time as the Treasury is in condition to consider it, they will adopt this amendment that I have proposed.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BORLAND. Mr. Chairman, I am very glad that the gentleman has stated that he has no serious idea that the House will adopt his amendment. If he is anywhere as near correct in his statement, his amendment itself, expending $150,000, would not be justified. How can he justify expending $150,000 a year if the commerce is measured by the statement which he made of $10,000 saving in freight rates? In no case ought his amendment to be adopted. But the gentleman has overlooked what I have attempted to call to the attenion of the House, namely, the difference of putting a waterway, a navigable river, in condition as a carrier of freight and the improvement of a harbor upon the coast. An improved harbor becomes at once the terminal facility for lines of railroads, and is of great advantage to railroads as well as to all other forms of transportation. It ought to be built because it is an outlet for American commerce. A river differs from a harbor in that it is a competitor of the railroad in the interior of the country. This is what makes the difference in the fight on river improvement.

The Missouri River, from Kansas City to the mouth, is a direct competitor of five lines of railroad. Not only that, but it is a direct rate regulator for all of the lines of railroad running west of the Missouri River—between that and the Rocky Mountains. All of the traffic originating west of the Missouri and between that and the Rocky Mountains, and in some cases to the Sierra Nevada, wants an outlet to the east. It must have through routes, with joint rates and joint tariffs made over and upon the same lines of shipment. The minute you introduce a new line of shipment, a new competitor that is willing to take 80 per cent of the rail rate, as the boat line is willing to do, you have a fight on your hands. We have had a fight on our hands to build up a traffic on that east and west line of the Missouri River between Kansas City and St. Louis competitive with the railroads. I need not depend on anybody for testimony to that effect other than the railroad men themselves. In case No. 6119 of the Interstate Commerce Commission, being the case against the Illinois Central and Mississippi & Yazoo Valley Railroads, Mr. Shepherd, assistant freight agent of the Illinois Central, testified:

The rates between New Orleans and Kansas City are not normal rates, but are depressed by water competition on the Missouri and Mississippi Rivers.

Therefore the amount that is hauled by boats on the Missouri and Mississippi Rivers is not the full measure of the saving to the shippers in that territory, and that was the underlying and fundamental mistake of Mr. Deakyne. Mr. Deakyne came from Philadelphia to Kansas City. On the 4th day of March we passed a bill providing that certain projects should be reexamined, and on the 22d of April Mr. Deakyne had sent in his report condemning the project he had been sent there to look at. The committee of river engineers went over the situation as no river has ever been gone over to my knowledge in the history of the country, and this report embodies their findings; and the report says in its conclusion——

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for 10 minutes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 12 minutes.

The CHAIRMAN. Is there objection?

Mr. RUCKER. Mr. Chairman, reserving the right to object, I have an amendment that I would like to offer, and I would like to have five minutes.

Mr. SPARKMAN. Then, Mr. Chairman, I ask unanimous consent that all debate on the paragraph and all amendments thereto end in 17 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BORLAND. I quote from the report of the Board of River Engineers:

The United States embraces within its limits widely varying conditions of soil and climate, with farm, mine, and forest products of all kinds. Each section has some special advantage in the production of at least one of the articles required in civilized life. To attain the maximum benefit from these conditions it is essential that the means of intercommunication and distribution shall be fully developed, so that producers and consumers may be served at a minimum of cost. Both railways and waterways are needed. Each class of transportation has a sphere of its own. Destructive competition between them is uneconomical and wrong. In the more thickly settled parts of the country both now flourish even on parallel lines. It is uncertain whether this condition is as yet possible in the Missouri Valley. Its inhabitants claim that it is. This waterway lies in a direct path of traffic, and a well organized freight carrying line operates on it. When equally efficacious and up-to-date water transportation lines shall have been established on the Mississippi River, is seems beyond reasonable doubt that the commercial possibilities of these streams will be utilized to advantage. The testimony given to the board and appearing in the record of the public hearing shows potent causes for the decline of river traffic entirely apart from the true relative costs of transportation by rail and water. Changes of law have eliminated some of these causes, and it is claimed that the operations of the Kansas City-Missouri River Transportation Co. give promise that the remainder will disappear, and that through such agencies the much-to-be-desired problem of minimum cost of transportation by water and rail will receive a definite solution.

A review of the entire situation indicates that the present grounds for continuance of this project are stronger than those which led to its adoption. The board therefore concludes that it is advisable for the United States to continue the improvement of the Missouri River between Kansas City and the mouth in accordance with the existing project.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. COOPER of Wisconsin. How many engineers were on that board?

Mr. BORLAND. Seven. The chairman of that board was Gen. Black, who is now Chief of Engineers of the Army of the United States. I want to say further to the gentleman from Wisconsin [Mr. LENROOT] that I need not go any further than his own locality to demonstrate the saving in water rates. Here is one of the exhibits attached to Gen. Black's committee report, which shows that the cost of hauling wheat from Kansas City to Chicago, 451 miles, is 12 cents a hundred pounds, and from Chicago to New York, 812 miles, the cost all rail is 18.8 cents per 100 pounds; rail and lake, 14.7 cents per 100 pounds; and lake and canal, 8.85 cents. So the gentleman's own territory is getting an advantage upon its farm products of an 8.85-cent rate upon wheat, while we of the Southwest are paying 12 cents. What is the cause of the difference in the cost of shipment of the wheat? Nothing, except the question of rail transportation and water competition.

They have the water competition and we have not. Now, let us see what our Kansas friends say about this thing. They had the Kansas millers' convention the other day down in Wichita, and Henry Lassen, who is the president of that organization, said:

"Every farmer and miller in the Southwest is vitally interested in the outcome of the movement to develop the Missouri River," he said. "Nothing can help the Southwest more than the development of the river. I am not speaking against the railroads, because they can not handle all of the business. We need a cheap method of transportation to compete with Minneapolis mills. The latter have lake transportation in their favor. There is nothing that can be shipped better by river than wheat and its products.

"Twenty-five per cent of last year's wheat crop is held in Kansas," said Mr. Lassen. "Under normal conditions, without the shortage in freight cars, not more than 10 per cent would be held within the State."

The present car shortage, Mr. Lassen said, is a breakdown of the delivery system.

Another 100,000,000-bushel wheat crop can be expected this year, Mr. Lassen believes. According to the Wichita miller, wheat conditions are excellent. Although occasional dry spells occurred this winter, the ground was so thoroughly soaked last fall that a wonderful crop will be produced.

Now, the gentleman says that we ought to depend on the railroads. When this project was adopted by Congress it was on the figures of 1907, which were that through the gateway of Kansas City there was passing 5,000,000 tons of commerce. That is the gateway that controls the rates to the Southwest. We adopted this project when there was 5,000,000 tons of commerce going through the gateway of Kansas City. This board found that in 1915 there was 11,000,000 tons of commerce passing through the same gateway, and every pound of that commerce is affected directly or indirectly by water competition. How long are these five railroads going to continue to handle that business between Kansas City and St. Louis? They are not handling it now. In order to double-track one of those existing lines, it will cost $55,000 a mile. It will cost $2,500 a mile to keep them up after they are made. That is three-quarters of a million dollars yearly to maintain a rail line to St. Louis, and it will cost two-thirds of that, or $500,000 to maintain a water line. Does anyone think that the shippers are not going to pay for the additional capitalization of railroads? Who pays for the capitalization of railroads? Is the gentleman right that we are going to save all this money that we do not put into river navigation? And these railroad men say if it was not for the open-water channel they would raise the rail rates into the Southwest to-day if they had the power. And the only thing that keeps them from having the power is that Congress has determined to improve the Missouri River for navigation.

Now, Congress has said, in 1910, that if a railroad reduced its rate to meet water competition, it should not afterwards raise those rates without showing conditions other than eliminating the competition. The railroads have got to a point where they must reduce their rates in competition with river navigation, and the easiest thing for them to do is to stop, if they can, river navigation competition.

Now, why do I say they have reached a point where they have got to reduce their rates? Simply because they are going before the Interstate Commerce Commission pleading that they have the right to readjust rates into the Southwest to meet that competition. In a case before the Interstate Commerce Commission, Case No. 7112, we forced them to make through rates with the boat line on mill products for export from Newport News and Norfolk. If we can compel one railroad to do that we can compel every railroad to make a general joint tariff agreement with the river lines, and as fast as the railroads come in a cheaper route of transportation is open to the shipper on that line of railroad by routing via the boat line.

Mr. PLATT. Will the gentleman yield?

Mr. BORLAND. I will yield.

Mr. PLATT. What you are really for is not water transportation on the Missouri, but to cut down the railroad rates?

Mr. BORLAND. We not only want to, but we are carrying freight. If the gentleman wants to see how we are doing it, I refer him to that same engineer's report, in which he shows that this company has solved the problem of the steel-hulled barges, compartments, noninflammable and nonsinkable barges. The power boats take the barges from the wharf and they are loaded from the car, and as soon as the barge is ready the power boat takes it downstream. And in that way they have solved the competition with rail lines.

Mr. MADDEN. How many of these barges are there?

Mr. BORLAND. Twelve barges now and three power boats.

Mr. MADDEN. What is the capacity?

Mr. BORLAND. The capacity runs from 1,400 tons down to 300.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BORLAND. I would like to ask for five minutes additional. This particular matter, I think, is vital to the whole river navigation problem.

The CHAIRMAN. The gentleman asks unanimous consent that the order of the committee be changed, and that he be given five additional minutes.

Mr. SPARKMAN. Mr. Chairman, I shall have to object to that.

The CHAIRMAN. The gentleman from Missouri [Mr. RUCKER] is recognized for five minutes.

Mr. RUCKER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RUCKER: Amend, by inserting at the end of line 7, on page 29, the following:

"*Provided*, That $250,000, or so much thereof as may be required, be expended for the permanent improvement of the shores along Carroll and Chariton Counties, at points where the river is leaving its channel, so as to prevent the widening of said river by confining its waters to the present channel, in harmony with the general scheme adopted by the Army Engineers to secure and maintain a 6-foot channel between Kansas City and the mouth of said river."

Mr. RUCKER. Mr. Chairman, I am not going to discuss the general proposition, the economic importance of Missouri River improvement, which was so ably discussed by my colleague from Kansas City [Mr. BORLAND] a few moments ago.

Let me remark, however, before addressing myself to the amendment sent to the desk, that I am somewhat surprised at the distinguished gentleman who a few moments ago addressed the committee in opposition to the item of $1,500,000 for the Missouri River reported by the committee in this bill. The gentleman thinks this is reckless, wanton waste of public funds, and from that side of the aisle every hour during the day admonitions are heard as to the state of the Federal Treasury, and that under the awful conditions which now stare us in the face these appropriations ought not to be asked for or given. And yet nearly every gentleman over there, at least nearly every one of those who have addressed the committee, has done what he could do, and is doing what he can do, to make the condition of the Treasury still more deplorable and lamentable than they tell us it now is. Even the distinguished gentleman who addressed us a few moments ago, and whose analysis so beautifully and logically betrayed the great extravagance we are practicing by leaving this item in the bill, has himself asked for an appropriation from that same depleted and impoverished Treasury for $75,000 with which to build a post-office building in a town of a little over 2,000 inhabitants. "O, consistency, thou are a jewel" that is not always found on that side of the aisle! [Laughter.]

Now, Mr. Chairman, the Government of the United States has wisely entered upon the project of improving this great river, the Missouri River. It is a sane course to pursue, and I take it that this House by an almost unanimous vote, responding to a sense of duty, will indorse the action of the Committee on Rivers and Harbors in reporting the item which is now under consideration. In the scheme of improving the Missouri River necessarily must be involved the scheme of bank protection, in order to keep the river from widening its bed, changing its course, and filling its channel with sand and snags.

The amendment I have offered does not seek to increase the appropriation or to take more money from the Federal Treasury. Its object and purpose is to divert a part of the appropriation authorized by this item to specific work at places where it is grievously needed. Let me say to you we will soon have in here a bill which, I understand unofficially, may carry something like $50,000,000 or $60,000,000 for flood prevention and not one cent to aid in navigation—millions to prevent floods and overflows, and the consequent destruction of crops and damage to lands, without any pretense that this large expenditure is in any sense designed or intended to be expended in securing the navigability of the rivers upon which it will be expended. And yet when we are considering this bill some gentlemen who are likely to encounter no difficulty in voting vast sums of money for flood prevention manifest great concern and anxiety to know whether the intention of amendments like the one I have offered is really in the interest of navigation solely and to the exclusion of shore protection. I am frank to say I am advocating the adoption of an amendment which will authorize, if adopted, the use of money for shore protection. To me it is a self-evident fact that protection of the shore is a necessary incident to permanent improvement of a river in the interest of navigation.

I am not going to discuss the volume of commerce now carried upon the Missouri River nor what increase in volume we may logically and reasonably expect when the river is ultimately put in proper condition. I am going to address myself briefly to the real purpose I have in mind, without any attempt at concealment, appealing to the judgment of this House to sustain my contention. We spend countless millions of dollars to remove sand and dirt from the channels of rivers in order that a sufficient depth may be obtained to float boats loaded with commerce. Those who think as I do believe it to be the part of wisdom and of economic administration to expend comparatively small sums of money to keep the sand out of the channel rather than large sums to take it out after it washes in.

It has been scientifically and accurately ascertained by those competent to deal with the question that the Missouri River actually washes away not less than 10,000 acres of land every 12 months. It gives no additional force to my contention to tell you that this 10,000 acres of land is of incalculable value; that it is fertile and productive, and if saved from the destructive currents of the river would annually afford homes and sustenance for a large number of people. Nor does it strengthen my argument to present the fact that this 10,000 acres of land wasted every year is or was the home of brave, determined, patriotic sons of toil who have, in many instances, spent the best part of a lifetime in establishing their homes. Within my personal knowledge, confined to two counties in my district which border upon this river, great destruction is wrought every year. Not only are the lands washed away, but in many cases the houses which have sheltered families for many years must be quickly removed or they, too, fall a prey to the raging current of the river. These facts, which show conclusively that during every period of 12 months the channel of the river must find lodgment somewhere for 10,000 acres of land distributed down the river, to my mind conclusively shows, also, the wisdom of appropriating money to make secure and permanent the banks of rivers and thus, incidentally, save homes and effectually prevent the large deposit of earth and sand in the river, which must be removed annually in order to keep a sufficient channel for boats to ply the stream. I am glad the old theory that Congress can use public moneys only to aid in securing the navigability of streams, once so largely accepted, has given way to a broader, saner, and more patriotic conception of the power of Congress which now asserts its right to spend public money avowedly and solely for the purpose of preventing damage to property resulting from overflows. If Congress can wisely expend money to prevent destruction of crops by reason of overflows in some sections, then surely no one should hesitate to vote an appropriation of public money to protect the land from which crops are grown and upon which the homes of good people are erected in other sections.

With neither desire nor purpose to conceal the effect of the amendment offered by me, but asserting that I believe the thought is founded in common sense and fair dealing, and that its adoption will be in line with the general plan for the improvement of the Missouri River, and would also protect and preserve the homes of a large number of worthy, loyal citizens of the United States, I earnestly urge the adoption of the pending amendment.

Mr. SPARKMAN. Mr. Chairman, I hope neither one of these amendments will prevail.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield there for a moment?

Mr. SPARKMAN. I have only two minutes, but I will yield.

Mr. ALEXANDER. The district of my colleague Mr. RUCKER lies directly east of mine, and the same conditions exist in my district as exist in his, and the specific diversion of a certain amount of money from this general appropriation would tend to deprive other localities of some of this appropriation. For that reason I question the propriety of making specific appropriations for any particular point.

Mr. SPARKMAN. Yes; that was what I was going to say. I am opposed to this, first, because if we are going to do this work at all, we should go ahead and do it as rapidly as is reasonably practicable. I think the Treasury of the United States can stand it. I should hate to think it could not.

Now, with reference to the second amendment, the amendment offered by the gentleman from Missouri [Mr. RUCKER], I wish to say we have no estimate from the Engineer's office as to what that class of work will cost. If it is a piece of work that must be done under the project we have already adopted, then the engineers can go ahead under this appropriation and do it; if it is not such a project, then we should not take it up at all, because we do not know what it will cost. We have no project.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The question was taken; and the Chairman announced that the "noes" seemed to have it.

Mr. FREAR. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 27, noes 50.

So the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from Missouri [Mr. RUCKER].

The question was taken, and the amendment was rejected.

Mr. RUCKER. I am satisfied the House did not understand that motion. Otherwise it would have never voted as it did. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Missouri River: For improvement and maintenance from Kansas City to Sioux City, $50,000, of which amount at least $25,000 may be expended for such bank revetment as in the judgment of the Chief of Engineers may be in the interest of navigation; continuing improvement and for maintenance from Sioux City to Fort Benton, $125,000, of which amount at least $50,000 may be expended for such bank revetment as in the judgment of the Chief of Engineers may be in the interest of navigation; in all, $175,000.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. CALLAWAY. Mr. Chairman, I want to call the attention of the committee to a newspaper report on the upper Mississippi, under date of August 21, 1915, from the Chicago Tribune:

OMAHA, NEBR., *August 21, 1915.*

While Kansas City, Omaha, Sioux City, and other cities are trying to revive steamship traffic on the Missouri River, and are asking Congress for appropriations to deepen the channel, the skeletons of 295 steamboats are rotting in its sands.

Of the 72,339 tons below Sioux City but 8,443 tons were hauled by steamship; the rest, wood and railroad crossties, were rafted.

In 1915 there is just one steamship on the river between Sioux City and Kansas City. She is the *Julia*, of 10 tons, and she plies between Omaha and Decatur, 60 miles. The United States Government spent many millions of dollars in order that the *Julia* might operate. On her last trip the *Julia* brought one passenger—the first and only steamship passenger to land in Omaha in 30 years.

Along the same line, the Sioux City Tribune, of November 22, 1915, says:

MISSOURI RIVER TRAFFIC INVESTMENTS.

It is relating how "over $34,000,000 of river-traffic investments" are demanding the "pork" for the Missouri River. Foolishly it itemizes these "investments."

An analysis of the itemized list shows that of the $34,688,000 listed as "investments" in Missouri River traffic $10,000,000 is credited to New Orleans Harbor improvements which are being made for ocean traffic. Of the remaining $24,688,000, just $125,000 represents actual investments. The rest shows up in items like these: "Proposed barge line," "proposed bond issue for terminals," "boat line proposed by private funds," and "estimated proposed bond issue."

This is a sample of the way the country is being deceived. There are no actual investments of any consequence in river traffic, because capital knows river traffic is absurd and impossible. If river traffic were as profitable a competitor to railroads as "pork-barrel" advocates make it out to be, the navigable rivers of the country would be crowded with river steamboats just as they were in the early days, for the rivers are surely as navigable now as they were then. The whole proposition is a fraud.

Now, I want to refer to the engineer's report on this upper Missouri River and to show just how fraudulent, according to the report, some of these estimates are.

Commercial statistics of the Missouri River, Kansas City to Fort Benton, season of navigation, 1913, opened April 1, closed November 15. Freight traffic——

In the general summary of freight traffic they give $2,013,000; tons, 165,766. In their tonnage is included 115,688 tons of sand.

In their estimate of the value of this traffic the whole amount of which is about $2,013,000, the contractor's outfit on this stretch of the river is $925,000, or about one-half of the entire traffic of the river is the contractor's outfit with which he hauls this sand, that makes almost three-fourths of the tonnage.

Mr. Chairman, I have been at a loss to understand how these river navigators argued that such appropriations as are made in river and harbor bills are a good thing for the country, but I have been associated with scientifically educated naval engineers for the last four months and I have their viewpoint.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALLAWAY. I ask unanimous consent to continue for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that he may proceed for five minutes. Is there objection?

Mr. SPARKMAN. I would like to ask that all debate on this paragraph and amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman asks unanimous consent that all debate on the paragraph and amendments thereto close in 10 minutes. Is there objection?

Mr. BOOHER. Reserving the right to object, I speak on behalf of a gentleman who, I think, will want 10 minutes.

The CHAIRMAN. Does the gentleman modify his request?

Mr. SPARKMAN. Yes; to 15 minutes.

The CHAIRMAN. The gentleman from Florida modifies his request to 15 minutes. Is there objection?

There was no objection.

Mr. CALLAWAY. Associating with these engineers, who are scientific men, educated at Government schools, has given me an insight into their viewpoint on economics; it might be instructive to this House. Possibly that is the view taken by these river navigators, following the Government engineers. I want first to quote a mechanical engineer of very repute, Hudson Maxim. Hudson Maxim was born in Maine. He is a brother of Sir Hiram Maxim, of England, the inventor of Maxim rapid-fire guns. Sir Hiram was titled by the Crown because of his inventions. Hudson married an Englishwoman, stayed in this country, invented smokeless powder, sold out his business to Dupont Powder Co., and entered the employ of that company as chief mechanical engineer. While he is discussing a different subject, he reaches possibly the economic viewpoint of these learned engineers who are figuring on rivers and harbors. He says:

The result is that the nation as a whole is not impoverished in the least by the burden of armaments, but is rather benefited by their support. Also, a nation may likewise be economically benefited by actual war, so long as it has such resources, number of population, industrial arts and sciences, and naval and military equipment as to prevent subjugation and the humiliation and degradation of being forced to pay ransom or tribute in the shape of a large war indemnity to a foreign power.

The money spent by the Government in building fighting ships could not be esteemed so much money lost, even if the ships were useless. The Government taxes the people for the money to build the ships, and then pays the money back to the people again for the ships. The people get their money all back, and the Government gets the ships. The people lose nothing, and the Government is the gainer to the value of the ships. The result is that the fighting ships have cost nothing. On the contrary, their production has benefited all. Everybody is made better and richer through the building of them. When we have looked upon our Navy, remembering what the pacifists have told us about its enormous cost, we are strongly impressed with the colossal expenditure, not realizing that the Navy has actually cost nothing. Its production has been a source of profit and benefit to the people.

I notice in the Army and Navy News, published at San Francisco, Cal., December, 1915, in the discussion of the same subject, the following:

The second alleged reason is utterly without foundation. Military preparedness costs us nothing. The few hundred dollars we spend for imported drugs for the medical departments of Army and Navy is an entirely negligable item. Everything else we get right in the United States, and the money is kept right at home. We construct our own ships and guns in our own yards and factories from materials that come from our own mines. The wool and cotton for clothing come from our own fields; the provisions come from our own farms and ranches. No money leaves the country. It stays right at home, making our shipyards

and factories hum with activity, and providing employment for thousands of good Americans. Instead of being hoarded the money is kept in circulation and everybody is benefited.

But for fear somebody would say these were not up to the standard I want to quote from an admiral who is regarded as one of the brightest in the Navy, Admiral Grant. I quote from his testimony before the Committee on Naval Affairs:

Mr. CALLAWAY. If one has to have his bigger than the other, and the other has got to have his bigger than the one, then what?

Admiral GRANT. You may not know, Mr. CALLAWAY, but I do not see that we are running ourselves to death by building a battleship. Some people consider that money thrown away. I do not, because of every cent that goes into a battleship half of it goes into the labor product and the other half for material goes originally for the labor and material to produce that material. It is not money wasted, in my opinion. You will find it universally stated—that is, a great many men state it—that this $18,000,000 for this battleship is money wasted and thrown away. I do not consider it so. That is my opinion only.

Mr. CALLAWAY. Your opinion is that the money is still among us?

Admiral GRANT. Yes sir.

Mr. CALLAWAY. And that the $18,000,000 put into labor and put into material is still with us, and that money is laid out here and there has been no waste at all?

Admiral GRANT. That is my opinion. That is the way I look at it.

Mr. HENSLEY. On the same theory, why should we not tear down these magnificent buildings and reconstruct them again?

Admiral GRANT. I do not think that is on the same line at all.

Mr. BRITTEN. We are using the buildings.

Admiral GRANT. I have known in the West, in the early days, of men who furnished money to laboring men to move sand from one side of a lot to the other to give them employment.

Mr. HENSLEY. Do you regard that as a necessity?

Admiral GRANT. Very philanthropic.

Mr. HENSLEY. A good investment?

Admiral GRANT. Good charity.

The CHAIRMAN. The gentleman's time has expired.

Mr. CALLAWAY. Mr. Chairman, I would like three minutes more to finish this quotation.

The CHAIRMAN. The time has been limited by the committee.

Mr. CALLAWAY. I ask unanimous consent for three minutes.

The CHAIRMAN. The gentleman asks unanimous consent that the order be modified so as to give him three minutes more. Is there objection?

Mr. BOOHER. Reserving the right to object, if the gentleman's time is extended, some one else will want a similar extension——

Mr. SPARKMAN. I would not like to extend the time. The gentleman can get time later on, on the next item.

The CHAIRMAN. The gentleman from Florida objects.

Mr. SPARKMAN. Mr. Chairman, time has been reserved on behalf of the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I will use but two or three minutes, because this does not touch my district, but it does touch my State. I do not know what the virtues of this particular project are. But matters in this bill do not depend upon particular basic facts by themselves, but rather as a matter of relation. And if this upper Missouri River, this classic stream of ours, is not entitled to equal consideration with the rivers of Texas, then I suppose this committee will vote it out. I refer to Texas because that is the State whence hails the gentleman [Mr. CALLAWAY] who is leading the assault upon this project.

These rivers in Texas have stayed in the bill—the Brazos and the Trinity, the latter called Trinity instead of Unity because it is said to stop at two different intervals, leaving it in three sections. As we studied these rivers in the old geography, they started on the plains near the Panhandle and ran to the Gulf, but we learn from their consideration here that they do not run in that direction or even follow gravity; they run from the plains of Texas to the city of Washington. The only live freight they have ever carried in all these years is Congressmen [laughter], save and except they have been followed in one or two historical cases, so graphically described by Hoyt, in "Texas Steers," and then, of course, they carried the dead ones back. [Laughter.]

I merely ask, so far as I am concerned as a Member from Nebraska, that the Missouri River be given the same consideration that is given every other project in this bill. We are claiming it as a matter of relative importance, not particularly in reference to its virtue or the lack of it. [Laughter.]

Mr. SPARKMAN. Mr. Chairman, I yield to the gentleman from Nebraska [Mr. STEPHENS] five minutes.

Mr. STEPHENS of Nebraska. Mr. Chairman, the item carried in this bill of $50,000 for the improvement of the Missouri River from Kansas City to Sioux City is used largely for snagging and for the revetment of the banks in several places between Kansas City and Sioux City, where small towns are being endangered and where they have established some navigation.

Mr. MADDEN. Will the gentleman define the word "some"?

Mr. STEPHENS of Nebraska. "Some navigation" is correct. This river between Omaha and Sioux City has at the present time two or three small steamboats carrying grain from the inland town of Decatur to Omaha. It is an inland town and has no railroad facilities at all. It has had a small steamer carrying grain and other freight between Omaha and Decatur for two years, I think. Last summer private parties in the town of Decatur provided at their own expense two or three small boats for the purpose of extending this commerce between that inland town and Omaha.

Now, if there ever was a time when there was any excuse whatever for improving this channel, the excuse exists now, because this is the first time in the 25 or 30 years that I have been acquainted with the river that we have done much at all in the way of stimulating the building up of commerce on this stream. The appropriations carried in the bill heretofore have been of immense benefit to the towns along the river in preventing them from being washed away. Three or four years ago a small section of Nebraska containing a population of about 3,000 people would have been washed into the river had it not been for the appropriation carried in this bill at that time which made it possible to revet the banks and keep the stream in its channel. I believe that if there ever was a time when we should carry this item in the bill it is now, when these people are providing means for carrying their commerce between Decatur and Omaha. They have invested many thousands of dollars in these boats. They made an application last year for me to secure the loan from the Government of the flatboats used by the snagging crew. They wanted them to transport grain to Omaha. Some technical provisions of the law prevented this loan; but it does show that the people of this town are doing their best to get water transportation to the metropolitan city of Omaha, and I believe this item should be retained in the bill.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 12207. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes.

RIVERS AND HARBORS.

The committee resumed its session.

The CHAIRMAN. The pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Missouri River: For improvement and maintenance from Kansas City to Sioux City, $50,000, of which amount at least $25,000 may be expended for such bank revetment as in the judgment of the Chief of Engineers may be in the interest of navigation; continuing improvement and for maintenance from Sioux City to Fort Benton, $125,000, of which amount at least $50,000 may be expended for such bank revetment as in the judgment of the Chief of Engineers may be in the interest of navigation; in all, $175,000.

[Mr. CALLAWAY addressed the committee. See Appendix.]

The Clerk read as follows:

Humboldt Harbor and Bay, Cal.: Continuing improvement and for maintenance, $450,000.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Sacramento and Feather Rivers, Cal.: Continuing improvement and for maintenance, $115,000: *Provided*, That $10,000 of this amount shall be expended for improvement on the Feather River, subject to the condition precedent that local interests contribute a like sum toward the improvement: *Provided further*, That so much of the river and harbor act of June 3, 1896, as authorizes the appointment of a board of engineers to have charge of the examination, survey, and improvement of Sacramento and Feather Rivers, Cal., is hereby repealed.

Mr. SPARKMAN. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Page 31, line 2, after the word "maintenance," insert the words "including above Sacramento to Red Bluff."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Florida.

The amendment was agreed to.

The Clerk read as follows:

Tillamook Bay and Bar, Oreg.: For maintenance, $5,000.

Mr. HAWLEY. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Page 31, line 3, after the word "bar," insert "and Hoquarton Slough to Tillamook City."

Mr. HAWLEY. Mr. Chairman, the purpose of this amendment is to make available the maintenance of the entire waterway from Tillamook City, from which the greater proportion of the commerce on the waterway arises, to the bar, so that the engineers can use the appropriation of $5,000 to keep the bay in condition for navigation and also this slough, which is about 5 miles long. The people of Tillamook have raised by taxation from $2,000 to $2,500 a year, with which they have been maintaining the navigation on Hoquarton Slough. Under the law that is the limit of money that they can raise. This amendment does not increase the appropriation. The greater proportion of the commerce—85 per cent or more, I am told—goes to and from Tillamook City. If this amount is made available, so that a small portion of it, in case of necessity, can be used for the maintenance of navigation on the Hoquarton Slough on which there is a regular established project of 9 feet at high water, the commerce in that section of the country will be greatly benefited. It does not increase the expense, it simply provides that the engineers can do in the ensuing year what they have been doing for a long period of years, with the exception of the last two years, and I hope the chairman of the committee will accept the amendment.

It is of great importance to the traffic on the waterway that the water in the slough should be maintained at the depth, at the very least, provided in the existing project, and this is what the amendment will authorize the engineers to do.

Mr. SPARKMAN. Mr. Chairman, I hope the amendment will not prevail. It is not nearly as harmless as it would appear from the remarks made by the gentleman from Oregon [Mr. HAWLEY]. As I caught the substance of the amendment it provides that the Government shall do certain work which the people there have undertaken to do. When we adopted the project, we adopted it subject to certain conditions set forth in the project, which this amendment would nullify. That part of the report reads as follows:

> In view of all the facts the board believes that the United States would be justified in undertaking the project at a cost of $814,000, provided the localities to be benefited contribute one-half of said sum and agree to create and maintain an effective channel between Bay City and the city of Tillamook of at least equal capacity to that authorized by the existing project, which provides for a depth of 9 feet at mean high water.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oregon.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

> Snake River, Oreg., Wash., and Idaho: Continuing improvement and for maintenance from the mouth to Pittsburg Landing, Idaho, $25,000.

Mr. McCRACKEN. Mr. Chairman, I ask unanimous consent at this point to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. In the river and harbor act of 1910 there was a provision for the purchase of a canal and locks around Willamette Falls, Oreg., and the Secretary of War was instructed to enter into negotiations looking to the purchase of that canal. That was for the purpose of assisting navigation in the vicinity of Oregon City, as I understand it. I would like to know from some member of the committee whether the War Department executed that commission intrusted to it by law in 1910?

Mr. SPARKMAN. I did not just catch the question.

Mr. MOORE of Pennsylvania. Has the War Department entered into negotiation for the purchase of existing canals and locks at Willamette Falls in the State of Oregon?

Mr. HAWLEY. Will the gentleman yield to me?

Mr. MOORE of Pennsylvania. I will.

Mr. HAWLEY. The Government has finally obtained title to the locks at Oregon City. The State of Oregon contributed $300,000 toward the purchase of the locks and the Government an equal amount.

Mr. MOORE of Pennsylvania. Will the gentleman simply state in my time what the object of this purchase was?

Mr. HAWLEY. The locks before had been owned by a private company that charged toll—the Portland Railway, Light & Power Co.

Mr. MOORE of Pennsylvania. How much did the Government contribute?

Mr. HAWLEY. Three hundred thousand dollars, and the State contributed $300,000. All of it is not expended.

Mr. MOORE of Pennsylvania. The Government participated in the purchase of this canal?

Mr. HAWLEY. On equal terms with the State.

Mr. MOORE of Pennsylvania. What has been done since the canal was purchased?

Mr. HAWLEY. There were many difficulties in the way of securing a title, and the title was only secured this last summer, and the Government intends to make some alterations in the locks to accommodate the traffic. The gate of the lower lock is too near the surface of the water to accommodate larger traffic.

Mr. MOORE of Pennsylvania. Can the gentleman explain whether tolls were charged on this canal originally?

Mr. HAWLEY. All the time until the Government took it over.

Mr. MOORE of Pennsylvania. And that impeded transportation, of course?

Mr. HAWLEY. It was a burden on transportation.

Mr. MOORE of Pennsylvania. May I ask whether the locks are now free to everybody?

Mr. HAWLEY. They are now free to everybody.

Mr. MOORE of Pennsylvania. And this is accomplished by the Government entering into a transaction to pay $375,000?

Mr. HAWLEY. Three hundred thousand dollars, and the State pay $300,000.

Mr. MOORE of Pennsylvania. That was the proportion?

Mr. HAWLEY. Yes. There is a plan, as I understand it, for the Government to make some alterations and to make some changes in the locks the better to accommodate the transportation on the river.

Mr. MOORE of Pennsylvania. What was the tonnage the canal was doing under private ownership?

Mr. HAWLEY. I do not have the figures here at this moment.

Mr. MOORE of Pennsylvania. There was commerce on the canal?

Mr. HAWLEY. There was commerce on the river above the locks to and from way points and to Portland. And at the locks at Oregon City, on the west side, where the locks are located, there were three large paper mills that used the locks all the time.

Mr. MOORE of Pennsylvania. In your judgment, then, it is in the interest of navigation?

Mr. HAWLEY. Yes.

Mr. MOORE of Pennsylvania. And beneficial to the people?

Mr. HAWLEY. Very beneficial.

The Clerk read as follows:

> Channel west of Swan Island, Kenebec River, Me., near the town of Richmond.

The Clerk read as follows:

> Columbia and Lower Willamette Rivers below Portland, Oreg.: Continuing improvement and for maintenance, $360,000.

With a committee amendment, as follows:

> Page 32, line 17, after the word "below," insert the words "Vancouver, Wash., and."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Florida [Mr. SPARKMAN].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> Mouth of Columbia River, Oreg. and Wash.: Continuing improvement and for maintenance, $1,200,000

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman, this is one of the greatest waterway improvements now under way. The appropriation here is for $1,200,000 for continuing the improvement and maintenance of the mouth of the Columbia River. I presume that is work around the jetties?

Mr. HAWLEY. It is for the completion of the north jetty.

Mr. MOORE of Pennsylvania. The completion of the north jetty?

Mr. HAWLEY. Yes, sir.

Mr. MOORE of Pennsylvania. Does this mean that this is the end of the work on the jetties?

Mr. HAWLEY. One other appropriation may be needed.

Mr. MOORE of Pennsylvania. How much has been appropriated thus far on the jetties exclusively, if the gentleman can tell?

Mr. HAWLEY. The amount expended already for the construction is about $13,000,000, for the work done at the mouth of the river, including the north and south jetties.

Mr. JOHNSON of Washington. About $12,000,000.

Mr. MOORE of Pennsylvania. May I ask where the commercial statistics are taken for the Columbia River? Are they taken at Astoria or at Portland?

Mr. HAWLEY. I think they are taken at both places, but most of the commerce, the greater bulk of commerce, arises at Portland.

Mr. MOORE of Pennsylvania. Is the tonnage in excess of 4,000,000 for Columbia and its tributaries?

Mr. JOHNSON of Washington. If the gentleman will permit me, I will answer yes. There are 500 ocean-going ships.

Mr. HAWLEY. The tonnage is over 8,000,000 tons.

Mr. MOORE of Pennsylvania. Then it has increased considerably in recent years?

Mr. HAWLEY. Yes; it is more than 8,000,000 tons annually.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield there?

Mr. MOORE of Pennsylvania. Yes.

Mr. SPARKMAN. I am not sure, nor are the engineers sure, that it is going to take another appropriation like this to finish the project. Indeed, they are hopeful that they will get through with it before the appropriation provided for in this bill shall have been expended. I will say, further, that I saw that harbor last year, and I was very much pleased with the work the engineers are doing there. I had been led to believe it would be difficult to complete that channel, because of silt which it was said the stream carried.

Mr. MOORE of Pennsylvania. Carrying away a part of the jetties at times?

Mr. SPARKMAN. But after going and looking at it and talking with the engineers, I became convinced it was entirely feasible, and that they would complete it perhaps within the estimated cost.

Mr. MOORE of Pennsylvania. The estimated tonnage, as given here, together with the expenditures already made upon the jetties does not, of course, comprehend the entire Columbia River and its tributaries?

Mr. SPARKMAN. Oh, no.

Mr. MOORE of Pennsylvania. Other improvements are being made along the line, as at Celilo Falls?

Mr. SPARKMAN. Yes.

Mr. MOORE of Pennsylvania. It is an important project, and I am glad to see it is making such progress.

Mr. CULLOP. Mr. Chairman, I desire to correct the statement, made inadvertently, no doubt, by the distinguished gentleman from Florida [Mr. CLARK], chairman of the Committee on Public Buildings and Grounds, last Friday on the floor of the House, in reference to the city of Bicknell, Ind., a flourishing city in my district. The gentleman from Florida gave the population as 2,794. He doubtless was misled by the census report of 1910, which gives the population at that time as 2,794. But it is now a city of more than 9,000 population—a thriving, enterprising city. It is located in the heart of the great coal fields of Indiana. In this locality there are three veins of coal within less than 500 feet of the surface of the earth, aggregating in thickness 21 feet, and some of the largest mines in Indiana—aye, in the Mississippi Valley—are found at the city of Bicknell. The average monthly pay roll is $250,000 for labor in its mines, aggregating $3,000,000 per year for wages in this industry alone. It is destined to be one of the most important business places in southwestern Indiana. The coal is of a superior quality, with an almost inexhaustible supply. Its growth has been rapid and substantial, and it is attracting capital desirous of profitable investment. The Pennsylvania Railroad Co., at this city, is now putting in yardage costing more than $300,000, to handle the great amount of traffic furnished at this important business point.

Eastern and northern capital is now arranging to erect a power plant near the city of Bicknell, costing approximately $1,000,000, for the purpose of producing and transmitting power to the various mines and manufacturing plants in that and adjacent localities. Its growth and enterprise has been marvelous. Its buildings, both business and residential, are substantial and of beautiful design. There is not a vacant residence or business house in this beautiful Indiana city of more than 9,000 population. True it is, as the gentleman from Florida [Mr. CLARK] stated last Friday, in 1910 it had a population of only 2,794, and if he had consulted the census returns of 1900 he would have found at that time it had a population of less than 600. It has prospered in the last six years, and its outlook for the future is very promising, which is most gratifying to its citizens and friends. There is no place in the great Mississippi Valley where coal of such a superior quality can be mined as profitably as in this locality.

Again, the distinguished gentleman from Florida [Mr. CLARK] is mistaken when he states its postal receipts are only a little more than $6,000 per year. Its postal receipts this fiscal year, I am reliably informed by a gentleman in the Post Office Department, will exceed $10,000; and on the 1st day of July of this year it is to be advanced to a second-class office. I am sure the gentleman from Florida has not investigated its present condition or he would not have made the statement he did, as I am sure he would not knowingly do this thrifty and enterprising city or its citizens an injustice. I believe he desires to be fair and just to all.

Mr. SWITZER. Mr. Chairman, will the gentleman yield?

Mr. CULLOP. I regret I have not the time to yield.

Mr. SWITZER. Does the gentleman know that the Treasury Department will not acquire the site, even after the appropriation is made?

Mr. CULLOP. No; I do not know that. But I will inform the gentleman that this place comes squarely within the rule laid down by the Treasury Department for public buildings, and the conditions there are such as to require one, both from a business and economical standpoint.

Mr. SWITZER. I have one, too, but I do not get a site or an appropriation for it.

Mr. CULLOP. Then the gentleman is in no position to complain if he has been unable to get an appropriation. He could not expect the department to purchase a site before he secures an authorization. The post office to which I refer is situated in most undesirable quarters, wholly inadequate to accommodate the business of the same, and unsuitable for the work of the employees. Rents are very high, because there is not a vacant business or dwelling house in the city. It is almost impossible to rent a suitable place for the office at a price the Government is authorized to pay. The quarters now occupied by the office are altogether unsuitable for the office in a city of its size and importance. It deserves a more commodious and more appropriate place for the conduct of the business of the Government than can now be secured because of the congested condition of that city, and good business methods require a better and safer building for the office. Private business will pay a better rental for suitable quarters than the Government will pay, and hence the difficulty to procure a proper building in a suitable locality in the city for the office. The city now has free delivery. I am quite sure conditions at this place are such as to comply with the rule promulgated by the Treasury Department to authorize the purchase of a site and the erection of a building, and it would be a good investment for the Government to do so. The gentleman from Indiana was fully within the rule laid down by the department when he introduced his bill for this building, and his proposition in this case is a meritorious one.

Mr. Chairman, repeatedly our Republican friends on that side of the aisle during the consideration of this bill have proclaimed their opposition to the measure because the Government did not have the money to pay the expense of the proposed improvements. Not content with howling calamity about business conditions, they now add to it a plea of national poverty, undertaking to discredit our financial standing before the entire world. This is un-American. The pride of every American should be above such petty partisan politics. Sir, this is not only the most powerful Nation in the world, but it is also the richest. Our national wealth amounts to more than $225,000,000,000. We are as rich as England, Germany, and France combined, ten times as rich as Italy, eight times as rich as Austria, and four times as rich as France. We are abundantly able to pay for any obligation we may create and thoroughly responsible for all obligations that we may incur. In addition to that we are enjoying the most marvelous era of prosperity the country has ever known, and our people are happy and contented. We are not poverty stricken, as Republican calamity howlers would have the people believe. The people have no patience with the men who are talking about poverty, distress, and calamity.

We are the only great nation in the world enjoying the blessings of peace, while others are torn asunder by desolating war, exhausting their treasure and killing their producers, our Nation is reaping the golden harvests of peace, capturing the commerce of the world, and increasing both the individual and national wealth, the great blessing resulting from our wise domestic and foreign policies. Fortunate, indeed, is our Nation at this time, while the world is passing through the most distressing crisis known throughout the annals of time. The people are wiser, much wiser, than many gentlemen who are talking calamity, poverty, and distress are aware, and they have no patience with such petty partisan politics.

This Nation, with its great resources, its unparalleled wealth, is abundantly able to pay every obligation we shall create without distressing its people or impairing its credit. It is not the question of our ability to pay or to raise the revenue, but the material question is whether the expenditures are provident and what obligations we should incur. This is the crux of the whole matter, and to this proposition we should concentrate our best efforts and use our best judgment. It should then, therefore, resolve itself into purely a business matter, whether we should adopt this or that project. If any are not good business

projects, then they should be rejected and the people not burdened to pay for them. This is the important question, the one for the solution of which we will be held responsible.

Again, I say it is not a sufficient answer to say somebody else at some time in the past did this or that or was going to do so and so. That is no defense for what we are doing now. There should be a better answer, one giving the facts concerning the subject under consideration, so that all may know and understand the basis for the action. People ask for nothing more and want nothing less. They are entitled to have such information, and it should be furnished for their satisfaction. It is an old adage that "two wrongs never make a right," and because somebody else when in power made appropriations for similar projects, which were without merit, for which there was no adequate return, will not suffice as a justification for the commission of a wrong here. We ought to profit by the experience and avoid the pitfall into which they were plunged. If they blundered, made mistakes, we should not repeat them, but avoid them.

The CHAIRMAN. The pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Grays River, Wash.: For maintenance, $500.

Mr. JOHNSON of Washington. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 33, after line 8, insert a new paragraph, as follows:

"Improving Willapa Harbor and River, Wash., in accordance with the report submitted in House Document No. 706, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $100,000: *Provided*, That the Secretary of War may enter into a contract for such work and materials as may be necessary to prosecute the said project, not to exceed in the aggregate $247,950."

Mr. JOHNSON of Washington. Mr. Chairman, I present this paragraph calling for an appropriation for the improvement of Willapa Harbor and the river of that name because the identical item was in the rivers and harbors bill which passed the last House, but which failed to become a law. The merits of the project are fully set forth in the document to which the paragraph refers. Under the rules which the Committee on Rivers and Harbors act, the improvement of Willapa Harbor must be treated as a new project. Therefore that committee refuses to add the item to this bill, and points to the specially adopted rule for this bill, which provides that no new projects shall be added to it. The committee broke its own rule when it added the New York item, concerning which there was so much consideration in the opening discussion of this measure.

The people of Raymond and South Bend, the cities on Willapa Harbor, are entitled to have their project voted on, in spite of the committee's rule. They should not be asked to wait longer for the commencement of work on their harbor. Work was commenced long ago on the various harbors of the North Pacific, and work continues on most of them. The Willapa Harbor ranks well up with any of them, not only as to its depth of water, its safety, and its tonnage, but is fully entitled to improvement by the Government engineers on the authority of Congress in accordance with the paragraph I have submitted and on which I ask a vote.

Mr. HUMPHREY of Washington. Mr. Chairman, I want to say in regard to this project that Willapa Harbor is one of the chief harbors of the Pacific Northwest. The amount of traffic there last year was over $5,000,000. It is a terminus of the Northern Pacific Railroad, and the Milwaukee Railroad has also recently reached this harbor. There is more standing timber tributary to Willapa Harbor than to any other seaport in the United States. I think the policy of the committee in continuing to improve some projects that to say the least are questionable, while great projects like this go unimproved, is a mistake. This is for a 24-foot project, and all the traffic that I have mentioned is foreign traffic. With the shoaling up of this bay that traffic must cease. This project is of highest merit and should go into this bill.

Mr. SPARKMAN. Mr. Chairman, I hope this amendment will not prevail. I believe it is true that it was inserted in the bill of 1914, along with 60 or 70 other projects which have been left out of this bill. I am further under the impression, without committing myself to it right now, that it is a good project that perhaps ought to be adopted, but we can not undertake to care for it without adopting a great many others equally as meritorious.

The CHAIRMAN. The question is on the amendment of the gentleman from Washington [Mr. JOHNSON].

The amendment was rejected.

Mr. HUMPHREY of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HUMPHREY of Washington: Page 33, after line 8, insert:

"Improving Skagit River, Wash.: Completing improvement at Skagit City Bar in accordance with the recommendation of the Chief of Engineers, contained in House Document No. 935, Sixty-third Congress, second session, $30,000."

Mr. HUMPHREY of Washington. Mr. Chairman, there could not be a better illustration of what is being done in this bill. The Skagit River is the largest river that flows into Puget Sound. Last year the traffic on that river amounted to about $5,500,000. This bar is forming only a few miles from the mouth of the river, and, unless something is done, in the course of another year it is liable to obstruct, if not entirely stop, the navigation on that stream. Here is a river that has about five times as much traffic as the Missouri. A little while ago we gave $1,500,000 to the Missouri, but here is a river that carries five times as much traffic, which is liable to be entirely stopped for the want of an appropriation of $30,000, which the committee have refused to incorporate in this bill because it is a new project.

It shows where we are going under this rule of continuing to complete projects, some of them that are not worthy of completion, and refusing to adopt new and worthy projects of this character. Take it in this particular instance, where $30,000 is needed for a five and a half millions of traffic, and evidence showing that there is an actual saving on freight and passengers of $37,501. That is not speculative, but it is according to the evidence submitted in the report. I offer this amendment to call attention once more to the policy we are pursuing. I was one who voted to take on new projects. The reason was that there were several others of like character to this, where, by appropriating a few thousand dollars, you can accommodate a tremendous traffic; but instead of that we let the traffic suffer, or perhaps to be entirely destroyed, while we appropriate millions for rivers where they have very little traffic and where there would be no damage to the traffic if we did not continue to improve it.

I trust that this is the last bill of this character to be reported to the House; that unless we can take on new projects and appropriate where the traffic demands it, that we will stop having a river and harbor appropriation bill entirely.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Coquille River, Oreg.: For maintenance, $6,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. We have passed an item of $348,000 for a waterway connecting Lakes Union and Washington. It is for continuing the improvement. I find in the report that there was a local cooperation on this project.

Mr. SPARKMAN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. SPARKMAN. Does the gentleman ask to go back to that item?

Mr. MOORE of Pennsylvania. There were reasons why I did not make the motion at the time we passed it, but I have no desire to go back to the item. I am merely discussing the State of Washington improvements before we pass on to Hawaii.

The report of the committee shows that there was a local cooperation on this project which was to connect Lakes Union and Washington. The contemplated cost was over $3,300,000, and there was local cooperation to this extent, as the report states:

The right of way and the flowage rights were secured by the United States by King County and accepted as satisfactory by the Secretary of War June 20, 1909.

I want to ask whether there was a canal connecting Lake Union and Lake Washington before the project was approved?

Mr. HUMPHREY of Washington. Only a very small canal, but it was recognized by the Government as navigable and was used only to run logs.

Mr. MOORE of Pennsylvania. Lake Union is above Lake Washington?

Mr. HUMPHREY of Washington. No; Lake Washington is above Lake Union and Puget Sound is below Lake Union. Lake Washington is 8 feet above Lake Union and Lake Union is 8 feet above Puget Sound.

Mr. MOORE of Pennsylvania. A kind of water terrace. The idea was to connect Lake Washington with Puget Sound?

Mr. HUMPHREY of Washington. Yes; this appropriation completes this great work. It has the greatest lock on the North American Continent outside of those at Panama.

Mr. MOORE of Pennsylvania. This appropriation of $348,000 will finish up the work?

Mr. HUMPHREY of Washington. Yes; and what the Government has done is to furnish the locks. The local authorities furnished the right of way and did the excavating and the Government has furnished the lock and excavated below the lock.

Mr. MOORE of Pennsylvania. Did any Federal money go into the purchase of the canal?

Mr. HUMPHREY of Washington. No.

Mr. MOORE of Pennsylvania. I want to commend the gentleman from Washington. He was on the committee at the time the project was inaugurated, and he has stood steadfastly by it. I have been over the two lakes and Puget Sound. It is a great project. I also agree with the gentleman from Washington that there has been a little too much hesitancy on the part of the Rivers and Harbors Committee in not taking on new projects in this bill.

Mr. MADDEN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. Does the gentleman think there is any prospect in the near future of anybody connected with the Dismal Swamp Canal or the Albemarle Canal turning over any property that they own to the Government of the United States without expense?

Mr. MOORE of Pennsylvania. I accept the gentleman's remarks as facetious. The gentleman knows why I am asking these questions.

Mr. MADDEN. They are serious.

Mr. MOORE of Pennsylvania. There is no reason why one canal should be taken over more than another, if they have equal merit.

The Clerk read as follows:

Harbor at San Juan, P. R: For maintenanace, $10,000.

Mr. COADY. Mr. Chairman, I rise for the purpose of calling the attention of the House to the importance of the bill (H. R. 12613) introduced by my colleague [Mr. TALBOTT] on March 3, 1916, and which provides for an appropriation of $125,000 for the dredging of Curtis Bay Channel, Baltimore Harbor, to a depth of 35 feet from the Patapsco River Channel to and into Curtis Bay. This channel is now 30 feet deep and 250 feet wide, and the adoption of the Talbott bill and the expenditure of the amount of money it provides would give it an additional depth of 5 feet, making altogether 35 feet. This would give the Curtis Bay Channel the same depth of the Patapsco Channel, with which it connects at a point a few miles below the main harbor of Baltimore, and would enable large ships coming into our port to use this bay as well as the Patapsco River.

Curtis Bay is commercially a part of Baltimore. The large commercial and manufacturing plants that are located on it, and they are many, are operated and financed by Baltimore business men. The Baltimore & Ohio Railroad Co. has a large coal pier at the head of this bay that is capable of loading 3,000,000 tons of coal annually on vessels. This railroad company has another such pier in course of erection which when completed will cost $1,500,000. The Pennsylvania Railroad Co. is said to be seeking a site on these waters on which to erect a large terminal station for the handling of freight.

An increased commercial development will surely follow these improvements. No better place than Curtis Bay for loading naval colliers exists along the Atlantic seaboard.

It is close to the coal fields of Western Maryland and West Virginia, and the Baltimore & Ohio is one of the largest coal-carrying roads in the United States.

The collier *Newton* was loaded at one of these piers with 7,500 tons of coal in three and three-fourths hours.

Real preparedness includes proper facilities for the rapid coaling of the colliers that supply our ships of war with fuel.

The deepening of this channel should be a part of our preparedness program. With only 30 feet of water there may be danger of the grounding of one of these big colliers when loaded to its full capacity.

Baltimore city has expended large sums of money in the work of improving its main harbor and has cooperated with the United States in providing approaches to the channels. Up to this year of 1916 it spent over $11,700,000 for harbor improvements and it is now spending $250,000 on its inner harbor. Last year our tonnage was over 13,500,000 tons. We have 34 steamboat and steamship lines, and over 13,000 boats engaged in the bay and coastwise trade.

This project is recommended by United States engineers. An Acting Secretary of the Navy has recommended it and has called attention to its superior advantages as a coaling place for our war vessels. He has said that this improvement would be of the greatest value to the Navy in admitting the latest type of naval colliers to the railroad piers for loading coal; that Curtis Bay is one of the chief loading ports for the Navy, and it might easily become a valuable asset in time of war.

Col. Beach, of the United States Engineers, has said that this contemplated improvement is of more than local importance and it affects the whole country in its influence upon the supply of coal for the Navy.

This improvement is bound to be of great benefit to our commerce, an aid to navigation, and a great advantage to our Navy in the coaling of its ships.

The Clerk read as follows:

SEC. 2. That for examinations, surveys, and contingencies for rivers and harbors for which there may be no special appropriation, the sum of $250,000 is hereby appropriated: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless ordered by a concurrent resolution of Congress: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this act until funds for the commencement of the proposed work shall have been actually appropriated by law.

Mr. TREADWAY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. TREADWAY: Page 34, line 4, after the word "law," insert:

"The Secretary of War is hereby authorized and directed to cause reexaminations and surveys to be made upon such projects as are now receiving allotments for maintenance or improvement which were adopted more than 10 years ago. A report shall be made to Congress which shall contain the recommendations of the engineers whether or not in their judgment the projects shall be continued and whether reasons for their original adoption still apply."

Mr. TREADWAY. Mr. Chairman, it seems to me that the adoption of this amendment would in a way do away with a good deal of criticism that we have heard in the debate on this bill. We have adopted in years gone by projects which later on have not appeared to have as much merit and to be of as great benefit to the waterways of the country as they appeared to be at the time of their adoption. There are projects for which we have voted money in the course of the reading of this bill adopted many years ago. One of the objections I have had to the lump-sum appropriation scheme, which has been the method for the appropriations in the last two bills, is the fact that the engineers seem to regard as instructions from Congress any adopted project, no matter what the merits might be at the time they were allotted money for it and no matter what the opinion of Congress might be toward the project at the present time.

It seems to me that we ought to have further information on which we can base our opinions in the future as to the relative merits of projects before us. It is in no sense a criticism of the committee; it is in no sense a criticism of the method of the making up of the bill. It is simply a means by which we can secure the very latest opinions of the engineers as to the merits of the projects that may be before us looking for appropriations for improvement or maintenance.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. BORLAND. Does the gentleman mean that the reexamination ought to be from an engineering standpoint or from a commercial standpoint?

Mr. TREADWAY. Of course, the engineers express to us only their views from an engineering standpoint. They do not pretend to express any commercial views.

Mr. BORLAND. Oh, I think that would not be the effect of the gentleman's amendment.

Mr. TREADWAY. We ask for the opinion of the Board of Engineers from their standpoint.

Mr. BORLAND. I want to call the attention of the gentleman to the effect that a specific provision was put in the river and harbor act of last year requiring the reexamination of certain projects; and the engineer reexamined the Missouri River, and the report was that from an engineering standpoint it is sound, but the engineer reported against this on commercial grounds, without holding any hearings, without calling anyone before him, and without consulting any shipper in the district.

The bill was passed on the 4th of March and he prepared his report on the 22d of April, and it turned out on hearing that his report as to commercial conditions was absolutely valueless. He reported that the engineering plan was sound. Which kind of a report does the gentleman expect to get?

Mr. TREADWAY. I desire from the engineers a report on all projects now before Congress that were adopted 10 years ago. In recent years, the gentleman well knows, no project has been adopted which the engineers have not first recommended.

Mr. BORLAND. Certainly.

Mr. TREADWAY. I did not attempt to specify as to what kind of a recommendation they should make, nor do I desire to make particular reference to the gentleman's project on the Missouri River. It is nothing in the nature of a particular item to which I refer. I have no idea when the Missouri River project was adopted. As one member of the committee I find that we are in a way very largely in the dark as to the merits of projects at the present time, and I think it is no more than right that Congress should have a revised opinion from the Board of Engineers as to the merits of projects for which we are asked to appropriate money.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SPARKMAN. Mr. Chairman, I hope that this amendment will not prevail, because it is totally unnecessary. Under the provisions of section 14 in the river and harbor act of 1915 the engineers are going on and doing exactly what the gentleman's amendment would provide for. As I caught the drift of the amendment, he has confined it to some period anterior to 10 years from this date. The provision in the 1915 act does not curtail the powers or duties of the engineers in any particular in the matter of such examinations, but gives them full power in that regard, and they are going ahead under that provision examining all these projects and are making reports from time to time, so that this amendment is wholly unnecessary.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

Mr. BORLAND. Mr. Chairman, I would like a minute or two.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BORLAND. I thoroughly agree with the gentleman from Massachusetts in the idea that there ought to be periodical reports of the engineers as to the engineering features of the projects. That is what the engineers are supposed to look after. Then if it turns out that Congress is proceeding on a false basis and the engineering feature of it is not feasible, the engineers ought to stop the expenditure of money. But it seems to me that the River and Harbor Committee ought to have some means, and I would rather assume that they did, of holding hearings on each project before they bring in a bill to determine whether a continued improvement is necessary from a commercial standpoint. It seems to me that particular phase of the question is peculiarly within the consideration of the committee. I believe they should hold hearings as to whether a particular project ought to be appropriated for. That is not a question within the jurisdiction of the engineers at all. The engineers determine whether the project is feasible from an engineering standpoint, and if it turns out that it is not, they ought to make report, whether it is a 10-year-old project or a 1-year-old project, that that project ought to be discontinued or modified.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

The amendment was rejected.

Mr. SMITH of Minnesota. Mr. Chairman, I move to strike out the last word. I am going to vote for this bill, and I wish to make a few observations in reference to the general policy that is pursued in the improvement of our inland waterways.

Mr. SPARKMAN. How much time does the gentleman want?

Mr. SMITH of Minnesota. About seven minutes.

Mr. SPARKMAN. Well, Mr. Chairman, I ask unanimous consent that all debate close in eight minutes, and I reserve one minute for myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SMITH of Minnesota. Mr. Chairman, as to the high dam at Minneapolis, that project was commenced 22 years ago through the efforts of Senator Washburn, who is long since dead. It was nursed along by Congressman Fletcher, and he has been out of Congress for 10 years. It was assisted by Congressman Nye, who was here for 6 years, and I have been here for 4 years. Twenty-two years have passed since this project was undertaken. It was estimated at that time that it would cost only $1,166,000. But we have spent $2,200,000 on the project and still we have only 87½ per cent of it perfected. Portions of the dam have gone out twice, and there is great disappointment among the friends of this dam because it did not go out this year. However, it came nearly going out.

I have no criticism of the Committee on Rivers and Harbors. I simply make these observations for the purpose of calling attention to matters in connection with our system of improving inland waters. We turn over to the Board of Engineers the question of determining whether or not these projects are feasible, and after the Board of Engineers determine they are feasible, we turn them over to the Board of Engineers to be constructed, and after the board has taken on the work they come before Congress year after year for appropriations to continue the work, and Congress grants the requests and recommendations of the engineers as a matter of course, until, in my locality, the cost of the project has more than doubled the original estimates.

There are no engineering features connected with the high dam at Minneapolis that makes it difficult. It is simply a dam erected between high stone walls. Each year for the last three years the people of this locality have been given to understand that the dam would be completed. I know there are institutions in my community that wish this dam were never built. For example, the Minneapolis General Electric Co., which owns five other dams in this community, is not ready to take it over. The longer it is delayed the better so far as this company is concerned. They own three dams that are undeveloped, and they are not ready for this dam; and so year after year we go on building this dam, letting the water wash it out and then replacing it. It is a "pork barrel" bill, they say, but for whom? For the railroads of this country? For the hydroelectric companies in this country? Certainly not for the people of my community, because every dollar you put into that dam, whether the power is leased to the General Electric Co. or whether it shall belong to the State of Minnesota and the Twin Cities, the people of that community will have to pay dividends, or rent, on that dollar for all time to come, and the General Government will derive no benefit, because it has parted with its dollar. Why this increased cost, and why this delay? That is the question for the committee to ascertain. About 10 miles farther up the Mississippi River the Minneapolis General Electric Co., within the last three years, erected a dam that develops practically the same amount of power that this dam develops. It only took the company a little over a year to erect this private dam.

They will have to pay a rental that will yield a fair return on the cost of the dam, and the more you can make it cost the more we will have to pay. Do you think my people are anxious that year after year their Congressmen shall bring home "pork" to them in the shape of an item in the river and harbor bill? Why, gentlemen, my constituents are not so foolish as that; your constituents are not so foolish as that.

I say that the time has come when the Committee on Rivers and Harbors of this House that has worked so hard and so nobly for these projects should ascertain why these projects are not completed; why they are delayed year after year. Who is going to put his money into navigation equipment until he is certain that the rivers are to be made navigable and kept so? Why, the debate that has taken place in this House during the last week would scare any man who had a dollar to invest and who wanted to go into the navigation business.

I know of no better way to destroy the hope of ever getting inland waterway navigation than to continue the performance that we have had during this and the preceding Congress over the river and harbor bill.

These are the observations that I want to call to the attention of the House. I believe in inland waterways. I believe they are necessary to the transportation system of this country. I know that the Committee on Rivers and Harbors has worked hard in behalf of these projects, but it is time that somebody be jacked up; it is time that these projects should be brought to completion.

Gentlemen, I am not for public ownership. I believe that wherever possible private enterprise should be given an opportunity to develop the great industries of the country, but here we have a situation in which private enterprise has become highly monopolized, and every move that is made by the public seems to be directed toward helping that monopoly to get a still firmer hold upon the rights of the public. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired. The Clerk will read.

The Clerk read as follows:

Buzzards Bay, Mass., at its upper end, with a view to providing additional anchorage area and improving the approaches to the Cape Cod Canal, in so far as it may be the duty of the United States to improve the same.

Mr. BURGESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BURGESS: Page 34, line 18, after the paragraph ending with the word "same," insert:

"Quinnipiac River, Conn., from New Haven Harbor to Meriden.

"Naugatuck River, Conn., between the head of navigation at Derby and Waterbury, Conn., with a view to the construction of a barge canal."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. COOPER of Wisconsin. Mr. Chairman, in view of the criticism directed against certain waterways provided for in this bill, each of which has a tonnage of more than 100,000 tons a year, I desire to call attention to what Mr. Burton, chairman of the Committee on Rivers and Harbors—afterwards Senator—said in the House on March 17, 1902:

I think that it will be conceded by all that when a waterway has a tonnage of over 100,000 per annum it is worthy of attention and of the fostering care of the Government.

I want also to remind gentlemen that there has been criticism because the Government is improving some of the short waterways, called "creeks." Here is what Senator Burton said March 17, 1902, concerning this argument:

The Interstate Commerce Commission has prepared, at my request, a statement of the tonnage on certain of the minor railroads of the country. I selected at random 16 railways, the shortest of which has a mileage of 11.78 miles and the longest of 253.7 miles, and found that of these 8 had a tonnage of less than 100,000 per annum, varying from 3,310 tons on one railway having a length of 44 miles to 59,146 tons on one having a mileage of 86 miles, and if we select the one having the largest tonnage on a short mileage, 98,000 tons on a railroad having a mileage of 11.78 miles.

Yet it will appear that each one of these railroads is capitalized for a very considerable sum. The following is a list of them:

Statement of mileage and tonnage of certain roads for the year ending June 30, 1901.

Name of road.	Miles operated.	Tons carried.	Tons carried 1 mile.
Clarendon & Pittsford R. R.	11.78	98,586	443,637
Buffalo, Attica & Arcade R. R.	28	31,620	342,492
Queen Anne's R. R.	67	29,831	825,231
Dayton, Lebanon & Western R. R.	23	62,120	836,300
Birmingham & Atlantic R. R.	42.46	62,005	1,165,884
Nashville & Knoxville R. R.	86.80	59,146	1,951,818
Leavenworth & Topeka Ry.	56.12	12,027	321,852
Florida Midland R. R.	44	3,310	46,721
Total		358,645	5,933,935

So that it will appear on examination that this criticism that ponds and creeks are absorbing a great share of these river and harbor bills is absolutely without foundation.

He gives a list of the tonnage of some of these creeks: Raccoon Creek, N. J., 172,000 tons; Mantua Creek, N. J., 188,000 tons; Cooper Creek, 230,138 tons; Duck Creek, Del., 348,728 tons; East Chester Creek, N. Y., 300,000 tons.

Mr. Chairman, early during this debate I called attention to what I thought was an error in the minority report of my friend from Wisconsin [Mr. FREAR]. He says in the minority report, and the House will remember it——

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. I ask unanimous consent to continue for five minutes.

The CHAIRMAN. The gentleman asks unanimous consent to continue for five minutes. Is there objection?

Mr. SPARKMAN. I ask unanimous consent that debate on this paragraph end in five minutes.

Mr. FREAR. Will the gentleman make it five minutes more? I have not answered before——

Mr. COOPER of Wisconsin. Then I would like to have 10 minutes, and give the gentleman 10.

Mr. FREAR. All right. That is perfectly satisfactory, if the House wants it; but I object otherwise.

Mr. SPARKMAN. I ask unanimous consent for five minutes to be used by the gentleman from Wisconsin [Mr. COOPER] and five minutes to be used by the gentleman from Wisconsin [Mr. FREAR].

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. The gentleman from Wisconsin [Mr. FREAR] said in his report that we had expended more than $850,000,000 for our waterways. The gentleman corrected me when I called attention to that statement by saying that what he meant was that that amount had been appropriated instead of expended. But in his speech of January 13, 1916, made some weeks before the minority report was filed, he said:

Mr. Speaker, we have paid out of the Government Treasury over $850,000,000 for our waterways.

The gentleman's language in the speech was "paid out of the Government Treasury." That shows what the gentleman understood when in his report he used the word "expenditure." The gentleman in his minority report asks the specific question:

What policy has governed the expenditure of $850,000,000 on waterways since 1875?

There can be no mistake about the the meaning of the expression—

We have paid out of the Government Treasury $850,000,000—

Nor about the meaning of the question—

What policy has governed the expenditure of $850,000,000 on our waterways since 1875?

Now, I have a statement which I procured at the office of the Chief of Engineers from Col. Taylor, who examined the records and gave me these figures:

The amount expended prior to June 30, 1875, was $54,570,505; the amount on hand January 1, 1916, unexpended money appropriated, $38,833,721. Together these make an aggregate of $93,404,226 less than the amount of money which this minority report said had been expended between 1875 and 1916. In other words, when the gentleman in his speech said that we had "paid out of the Treasury" $850,000,000, and in his report that we had "expended" the same amount since 1875, he made an error, according to the figures of the War Department, of more than $93,000,000.

I merely called attention to that because I thought it a mistake. And it was a mistake.

Mr. Chairman, I would like to ask the gentleman from Wisconsin who his expert, Prof. Moulton, is, and where he is a professor?

Mr. FREAR. I will answer in my own time.

Mr. COOPER of Wisconsin. I would like to have the information.

Mr. FREAR. The gentleman has not yielded to me heretofore, and I will answer him in my own time.

Mr. COOPER of Wisconsin. Well, there was no offense in that. The gentleman has repeatedly refused to yield to other persons. I do not know who this professor is except that I have his book here, in which his name is given as Harold G. Moulton. The preface is dated February, 1912, and closes with these words:

Above all, I am deeply grateful to Prof. J. Laurence Laughlin, who inspired the work and who gave his worthy criticism at every stage of the writing.

Mr. Laughlin is a professor in Chicago University.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FREAR. Mr. Chairman, within three years we have witnessed a phenomenal growth in sentiment against reckless waste and extravagance in public affairs. Less than a decade ago Senator Aldrich stated that Government extravagance caused over $300,000,000 waste in appropriations every year. This waste is not confined to any single appropriation bill, but is found in many of the large bills that for years passed practically unchallenged.

Private claims involving comparatively insignificant amounts receive close scrutiny, but not so with large pork-barrel appropriations that generously carry something for communities all over the country. Personal or locality interest creates a barrier to thorough, careful, businesslike accounting, whether it be for waterways or nitrate plants.

It may not be time wasted to refer briefly to what has been accomplished in arousing public sentiment and official action against wasteful waterway legislation.

One hundred and thirty-three votes have been recorded against the 1916 bill and 149 in favor of the $20,000,000 substitute bill. That is great progress.

Three years ago scarcely a dozen Members arose to protest against the passage of the 1914 $43,000,000 river and harbor bill. For days all opposition had been derided, and amid laughter and ridicule the handful of Members was hopelessly outvoted and outshouted. Gentlemen with a "few unnecessary observations" created much amusement by suggesting that new Members frequently used the pork barrel as a target, but soon became convinced that the inside of the barrel is not so black as it is painted.

Three years ago the committee was gravely informed that there could be no just criticism of waterway projects, because one and all were approved by Army engineers. Army engineers are among the honor men of the Military Academy, and criticism

of an Army engineer was alleged to be a direct attack on Col. Goethals, who built the Panama Canal. That was the refrain sung in unison by those who had projects at stake in the bill.

Again three years ago the red danger flag of "railroads" was swung by those who had big appropriations hanging fire. Any man who asked for facts or pointed out waste was alleged to be acting for railways, an arch enemy of waterways. The critic of river and harbor bills was declared to be looking for notoriety or else disgruntled because he had failed to land something for his own constituency. Pork hunting was declared to be a legitimate game, practiced from time immemorial, and any man who refused to play the game must be governed by ulterior and selfish motives.

Even men of standing who believed in the old order of things denounced honest criticism as "bunk." Realizing that conditions are wrong, they said that condition is a necessary accompaniment of representative government.

Three years ago a corporal's guard was howled down when the 1914 vicious river and horbor bill sailed through the House. Two years ago the 1915 bill, submitting to public sentiment, eliminated new projects but clung to every scandalous, wasteful, old proposition wherever located. The malcontents, discontents, and opponents of waste reached about 80 votes against the bill when in 1915 it tumbled over opposition in the House, but public confidence in the infallibility of Army engineers received a body blow in 1915 through a defeat of the Muscle Shoals item contained in that bill.

APPROVALS BY ARMY ENGINEERS.

Army engineers were backed by the present Chief of Engineers, Col. Black, then chairman of the board. A proposition from Army engineers to give $18,700,000 to a private water-power company in Alabama was involved in the Muscle Shoals item. Vicious and indefensible in character, it gave a rude shock to those who had lauded the disinterestedness and independence of Army engineers. Notwithstanding it was fought for hard and long by Democratic leaders, the House began to find an objectionable smell to the bill and to many of its innocent-looking projects, and for the first time in years an item involving eventually many million dollars was struck out.

The 1916 river and harbor bill has been under discussion for many days. Formerly it was put through in a few hours, but now it receives serious consideration. True, the committee, as a whole, swings a powerful influence, but for the first time in years three members filed minority reports and voted against the bill. Two hundred and seventy projects, distributed along the coast from Portland, Me., to Portland, Oreg., and from Minnesota to Mississippi, also hold a fair percentage of votes for the bill, but no man can be oblivious to the significance of a vote reaching 159, counting 10 pairs, in favor of the $20,000,000 substitute, which would permit a saving of nearly $20,000,000, or of 143 votes, counting 10 pairs, cast squarely against the 1916 river and harbor bill.

No champion of Army engineers will discount the significance of a vote in committee by 40 majority, which directs engineers to enter into no more contracts with private dredging concerns, at a profit of more than 25 per cent above the cost of performance by a Government plant. Suspicious contracts, carrying 80 per cent profit, like those let in the Norfolk-Beaufort Waterway, will now receive careful scrutiny.

SUSPICIOUS PRIVATE DREDGING CONTRACTS.

It is hard to find any reasonable explanation for such contracts between engineers and dredgers, when official reports show, first, that $200,000 is sufficient to keep busy the Government plant now on that Norfolk-Beaufort project; and, second, that private dredgers on the same job charge the Government for the same work 80 per cent more than it costs when performed by a Government crew. Yet, on an indefensible, useless, $5,400,000 canal proposition, recommended by Army engineers, instead of asking for only $200,000 for the Government crew, the official estimate asks $1,000,000 for 1916 on that one project. More significant, the 1916 bill carries $1,000,000, of which $800,000 is for private dredging contracts, costing 80 per cent more than Government work.

Correspondence submitted to the House showed that the Dredgers' Protective Association has in the past pushed and pulled hard for river and harbor pork barrels; that confidential lists of dredgers were furnished to the National Rivers and Harbors Congress, as a basis for securing contributions to that famous $50,000,000 annual river and harbor lobby; and that these same dredgers in the past have divided up Government contracts among themselves by allotment.

With these alleged facts exposed and before the House, the Chief of Engineers, Col. Black, wrote a long letter to Chairman SPARKMAN, protesting against any limitation in dredging contracts, notwithstanding private dredgers are fattening off Government contracts all over the country to-day.

In his letter, read to the House, Col. Black says:

> At the present time it is believed that contracts are let at prices which are as low as will permit the contractors to maintain their plant and make any profit whatever.

The least said about Col. Black's judgment and opinion, the better; but it calls to mind one or two other significant expressions from the man Congress has placed in a position of unparalleled financial responsibility, from the determination of private dredging and building contracts aggregating over $30,000,000 annually to a decision of just how much shall be put into specific projects annually, or where $20,000,000 nitrate factories shall be established.

Let us ascertain how far his judgment is entitled to our confidence in view of the unlimited power he assumes and which we surrender to him. We will not forget the Muscle Shoals recommendation of $8,575,000 for enormous dams and locks, to accommodate 6,000 tons of annual "commerce." We will not forget the fact that Col. Black, the present Chief of Engineers, on page 6 of House Committee Document No. 20, Sixty-third Congress, chairman of the Board of Army Engineers, overruled Col. Riché on the subject of giving to a water-power company $1,750,000 more for flowage rights.

A PRESENT OF $1,750,000 TO A POWER COMPANY.

Let me make the statement clear as shown by that document: Col. Riché agreed to a proposition to give $8,575,000 for "navigation" to a 26-mile canal but he balked over flowage damages, and said on page 57 of Document 20:

> I recommend all lands and easements be donated to the United States and do not fear delay will result in loss to the United States or prevent the improvement of Muscle Shoals.

In response to this proposal Col. Black, then chairman of the board, in overruling Riché, significantly said, page 6:

> It would doubtless lead to considerable delay and would be apt to defeat the present opportunity to make this improvement on favorable terms.

Congress has since learned what this opportunity provided: First, the privilege of giving $8,575,000 toward navigation down among the sand hills of Alabama, to accommodate 6,000 tons of questionable annual commerce; second, the privilege of giving $1,750,000 additional for flowage rights in order to help out the same astounding proposition; and, third, the further privilege of loaning to the Muscle Shoals Hydro-Electric Power Co., J. W. Worthington, president, an additional sum of $8,375,000, payable back in installments during the course of 100 years.

It was Col. Black, now Chief of Engineers, who recommended that the Government give $18,700,000 to this indefensible project which is similar in character to the nitrate proposition contained in section 82, recently stricken from the Hay Army bill when before the House.

Congress might be disposed to overlook the letter sent by the Chief of Engineers to Congress protesting against any limitation on dredgers' contracts, notwithstanding the unsavory facts surrounding prior contracts and the unbusinesslike, astounding proposal from Col. Black on the Muscle Shoals project; but other significant evidences of failure to grasp simple economic propositions and the interests of the Federal Treasury indicate that no measure calculated to safeguard the Treasury should be overlooked.

Let me quote from Col. Deakyne, an Army engineer, who recently protested in House Document No. 463, Sixty-fourth Congress, against the wasteful Missouri River $20,000,000 project. He said:

> The total freight charge on (1914) traffic was about 41,000 tons. The Kansas City (Mo.) River Navigation Co., the only through line on the river operating between Kansas City and St. Louis, charges 80 per cent of the railroad freight rates. Assuming this to be the relation between the rail and water rates for the entire traffic (37,551 tons), the saving to shippers by the use of the river in 1913 was about $10,000. It is evident that this saving is entirely inadequate to warrant the serious consideration of an expenditure by the Government of $1,100,000 per year in interest and maintenance.

This is what Deakyne wrote when recommending an abandonment of the $20,000,000 Missouri River project—a river on which the Government has already expended over $20,000,000 and on which a balance of $14,000,000 is recommended by Army engineers.

Col. C. McD. Townsend, chairman of the Mississippi River Commission and division engineer, indorsed in substance the Deakyne recommendation for abandonment of the Missouri River project, excepting $150,000 annually was recommended for snagging and dredging in lieu of the proposed project that asks $14,000,000 more in cash and $500,000 for annual maintenance.

Col. Black, who wrote the letter protesting against any interference with dredgers' contracts, and who recommended the $18,700,000 private water-power proposition at Muscle Shoals, by

a singular coincidence is the same Col. Black who is now Chief of Engineers and was the former chairman of the board that on December 8, 1915, overruled Col. Deakyne and Col. Townsend. In doing so he says of the Missouri River, on page 7 of Document No. 463:

> It has been estimated that with the channel held by revetted banks there would be available for agricultural purposes in the bottom land along the river between Kansas City and St. Louis 500,000 acres, the greater part of which would be less than a mile distant from the river, and a considerable portion of which is now necessarily nonproducing. It is claimed that this area would contribute very substantially to the river traffic.

And he overruled Deakyne and Townsend and recommended that $14,000,000 more be expended with an accompanying annual interest and maintainance expense to the Government of $1,100,000 on the Missouri River.

PRIVATE BENEFICIARIES AT GOVERNMENT EXPENSE.

No man expects the owners of 500,000 acres of reclaimed land to become enraged over the Government's reclamation of their lands without expense to them. That is Col. Black's proposition.

Nor would it be reasonable to expect the Alabama Power Co. to be wrathful over Col. Black's recommendation that $18,700,000 be advanced by the Government to its water-power project. In fact, it is not to be expected that the army of dredgers would object to a longer lease in their unlimited dredging contracts as proposed by the Chief of Engineers, but Congress is beginning to inquire into these matters, and as a result the Muscle Shoals project, although recommended by Col. Black, was stricken from the last River and Harbor bill and the Missouri River item of $1,500,000 in the 1916 bill had a narrow squeak in the Committee of the Whole while the proposal to longer leave dredgers' contracts without limitation received a pronounced backset by over 40 majority.

Who says the world is not moving when Congress awakens to the way in which it has been misled by army engineers? This bill now goes to another legislative body where the protest against limiting dredgers' contracts will again be urged. But what shall be said of leaving to army engineers the absolute determination of such contracts when it is discovered that under an innocent item in the 1915 bill granting a resurvey of a portion of the Tennessee River, engineers expended in 1915 upwards of $150,000, on borings at Muscle Shoals, in order to prepare for the Alabama Water Power Co. project which was stricken out of the 1915 bill?

OTHER QUESTIONABLE ITEMS IN THE 1916 BILL.

I have briefly referred to projects and recommendations which destroy confidence in the judgment of Army engineers, who in turn now object to restricting profits on private dredging contracts. What shall be said of many small items in the 1916 bill of the character of Cold Spring Harbor, N. J., a notorious real estate scheme for which the Government has already given $961,000. It carries $40,000 in this bill, and was originally recommended by Army engineers, who stated in Document 388, Fifty-ninth Congress:

> The project will be of material benefit to the city of Cape May as a pleasure resort by filling the adjacent swamp lands, obliterating mosquito-breeding beds, and furnishing opportunity for expansion of building sites.

The Engineer's report further urges that "improvement" in order to secure a removal of the Tom Lipton yacht races from New York to Atlantic City, see page 5.

This proposal need not suprise those who will learn from Document 346, Sixtieth Congress, that Toms River, which floated 92 tons of commerce in 1914—

> is located on one of the three principal automobile lines of travel. * * * Suitable depth in the river would increase this traffic, owing to the ease with which owners could communicate with their yachts at this point.

And pursuant to the Engineers' recommendation our Government is now keeping the river open to accommodate private yacht owners.

The Toms River proposition is no more absurd than for the Government to be spending hundreds of thousands of dollars every year in a perpetual-motion job by pulling deadheads out of the Pearl, Leaf, Red, and other rivers for the use of milling and logging companies that practically have the exclusive use of such streams.

Where is the limit of engineering proposals when on the St. Francis River, Ark., it requires prodding in the mud to determine any line of demarcation between the marsh and a river along which the Government has been reclaiming lands now valued at $88,874,000, according to a report of a Memphis trust company.

Nor are Army engineers' reclamation proposals of private lands at Government expense more unreasonable in theory than for the Government to cut water hyacinth from Florida and Mississippi creeks and rivers in an effort to promote "commerce." Millions of dollars are spent by the Government annually in reclaiming overflowed private lands, all under the cloak of navigation, and it is significant that all these projects have the indorsement of Army engineers who now object to any limit being placed on private dredging company profits.

ARMY ENGINEERS NOT ALONE TO BLAME.

Let me repeat what has often been stated before, that army engineers are not to blame for the situation, although following Washington bureaucratic custom they are constantly reaching out for more power.

We put them where they are. We pretend to use them as a buffer to withstand congressional influence, and then when they miserably fail we pretend not to see their shortcomings.

From the day he first learns to discriminate between hay foot, straw foot, down to the day when inducted into the Chief Engineer's office, the officer has been taught obedience to superiors, acknowledgment of authority, and the surrender of his judgment to those above him. From the day he enters the military school to the day he completes his military career the officer ordinarily has no large financial responsibility nor source of income other than a meager salary compared with those with whom he associates in official and business life. Honorable, unquestionably. As a class we may concede these honor men resist temptation that might naturally cause the fall of others, but that is not the question involved. Called upon to handle many millions of dollars annually in contracts, without any supervision or limitation of those contracts; recommending millions annually for waterway projects without having had practical business training; confronted with the fact that political authority is exercised by men in high political positions, by those who may reward or destroy—besieged, importuned, and denounced in turn by those who have projects at stake—these engineers are assumed by us to be supermen. We place them in unenviable positions of trust and then seek to break down the barrier we have assumed to create against our own selfishness. We indulge in sophistry in an effort to deceive ourselves. Well-knowing engineers constantly yield to such influences, as evidenced by the Cumberland River, Lookout Harbor, Muscle Shoals, Missouri River, and scores of other questionable projects, we yet point to them as proof against influence and men qualified to handle some of the most responsible affairs of government.

What a legislative travesty and what a hypocritical proposition with which we seek to deceive ourselves.

Where public interest conflicts with private interest every man is expected to be absolutely independent and unbiased, but we know he is not nor will he ever be while human nature exists. Unlimited authority must cease and political pressure be withdrawn before the annual river and harbor bill will command respect.

A FEW QUESTIONABLE 1916 APPROPRIATIONS.

Need any further testimony of present autocratic methods of Army engineers be offered than that already presented?

We do not need alone to look with suspicion upon a $250,000 appropriation in the 1916 bill for the Trinity River recommended by Army engineers or to be reminded that this is a stream on which about $2,000,000 has been expended, and yet after 30 years' improvement the official report says, "There is little or no commerce on Trinity River above mile 6."

Nor do we wonder that Army engineers once proposed to float commerce on this river by using artesian wells?

Take the Brazos, which receives $390,000 in the 1916 bill on the advice of engineers. A stream that after many years of "improvement" and an expenditure of $1,776,000, reports on the upper river "there can be no commerce until completed" and on the lower river "no commerce statistics from one boat that makes weekly trips."

Generous with Government funds, our engineers recommend, and we find in the 1916 bill an item of $499,000 for the Ouichita in Arkansas. After appropriating $3,722,869 for this stream we find the present project is only 46 per cent completed, and, deducting timber, sand, and gravel, the commerce reported for 1914 was less than 27,000 tons.

Similar history accompanies the Red, which boasts of less than 2,000 tons of real commerce annually, and of the Arkansas, which gets $209,000 in this bill, although it has been recommended for abandonment by Army engineers.

After getting us in deep they sometimes try unsuccessfully to get us out. Needless to say, once in it is hard to get out.

Let us not forget $98,000, a small amount comparatively, given to the Coosa on the advice of engineers. An expenditure

of $1,384,661, we find has been made, but on Chicken Shoal only 20 per cent is completed, and open-channel work is about 30 per cent completed on a river improvement first began in 1876. What can we hope for on learning that real commerce, deducting wood and timber, reaches less than 18,000 tons for 1914, and to read on page 749 of the 1915 report—

> The decrease from last year is probably permanent. Only one boat is operating on this improvement, and that is not proving a paying investment.

The Cumberland gets $710,000 in this bill on the advice of Army engineers in addition to $5,773,000 already appropriated, although it has been repeatedly demonstrated that, deducting floatable wood and timber and also sand, the actual traffic reached only about 53,000 tons in 1914.

Take the Tennessee, which gets $944,000 in this bill on the recommendation of Army engineers after some $11,000,000 has been appropriated for the same river. Again it has been demonstrated that, deducting sand, gravel, and floatable timber, which does not require any large depth of water over that enjoyed 50 years ago, the actual traffic in 1914 on the river reached about 186,000 tons, of which ore and marble hauled from 5 to 15 miles, according to official reports, amounted to 78,000 tons.

Even the upper Mississippi, after deducting Government brush, sand, gravel, and floatable timber, reaches about the same as the Tennessee, as I have repeatedly demonstrated from an analysis of commerce statistics, and yet that upper river gets $1,200,000 in this 1916 bill on the recommendation of Army engineers.

On 58 projects in the Mississippi Valley, it has been proposed by an engineer of acknowledged standing that we stop in this mad race to spend money irrespective of returns.

ALL WATERWAY AUTHORITIES ADVISE A HALT IN WASTE.

I can do no better than quote the words of Col. C. McD. Townsend at this time, with the further statement that Col. Townsend is chairman of the Mississippi River Commission and the best-informed Army engineer in the country on Mississippi River Valley waterways. He says:

> Specifically the writer would not abandon any navigable stream in the Mississippi Valley that has been partially improved, but would leave 58 of them in their statu quo, confining operations to snagging and maintenance of existing works. * * * If facilities afforded by the Government are utilized (greater improvement of the Ohio and lower Mississippi), the upper Mississippi and the Missouri should then receive attention.

This was the admonition of Col. Townsend at the beginning of the present session last December, and his words inserted in the CONGRESSIONAL RECORD of December 10 last bring a tremendous responsibility to Army engineers and legislators who ignore his advice at this time and are urging unlimited extravagance on useless projects.

CANALIZED RIVERS AND CANALS OF LITTLE VALUE.

Since 1873 Mr. CANNON has been a Member of this body. Honored for many years by the highest office in the gift of his associates, his knowledge of legislation and legislative methods is second to none. His judgment of results is based upon that knowledge. No legislator in Congress is better qualified to speak. Discussing the inland-waterway travesty which carries $1,000,000 in the 1916 bill for the Beaufort and Norfolk worthless canal project, Mr. CANNON said, on April 4, during this debate:

> Mr. Chairman, I have a very clear recollection of the desire of Indiana and Illinois for canals many years ago. * * * The canal passed through the neighborhood where I lived. * * * In round numbers, for canals Indiana expended about $15,000,000. It took a long time to pay it. Illinois accumulated a debt not so large, but I think from eight to ten million dollars for the Illinois and Michigan Canal. * * * The Hennepin Canal. That was completed at a cost of nearly $12,000,000, to the best of my recollection. * * * If any canal boat has ever carried a ton of freight over that canal from that time to this, I am not informed of it. * * * It was money thrown away.

Waterway authorities have given careful investigation to conditions surrounding canalized rivers and canals. Generally speaking, they agree that conditions are similar and neither will be of any especial permanent value for commercial purposes because of the new order of things and improved methods of transportation.

In "Waterways against Railways," Prof. Moulton gives his judgment, after an exhaustive study of waterways in Europe and this country, as follows:

> We have found from our study that everywhere in Europe no less than in the United States there has occurred with the development of the railways a rapid decline in the amount of traffic carried on inland waterways. * * * To attempt now to return to the antiquated system of transportation of a half century ago * * * is to attempt to turn backward the clock of time.

OTHER WATERWAY AUTHORITIES.

Ex-Waterway Commissioner Reid, of Wisconsin, a practical riverman of many years' experience, made two extended trips to Europe at his own expense. During his investigations he traveled over the Rhine, the Danube, and Volga and studied the waterways of Europe as he had previously studied those of this country. His observations are summed up in a brief statement taken from my minority report, No. 254, part 2, Sixty-fourth Congress:

> Our river traffic has rapidly declined. European Governments prevent railways from maintaining direct competition and foreign bargemen are content with a few cents a day for their service. Conditions here are far more difficult to overcome, and a return to practical inland river transportation is possible only with radically changed conditions, not affected by expensive river improvements.

Ex-Senator Burton was selected by Congress as chairman of the National Waterway Commission. He, too, gave a very careful investigation of European waterways in addition to those in this country with which he was already familiar. In Congress prior to leaving the Senate he gave a careful review of many wasteful projects we are engaged in "improving." Speaking of the Missouri River, typical of others, on which $20,000,000 had already been expended, he said:

> You may spend $20,000,000—yes, $30,000,000—on this project, and in spite of that enormous amount, the traffic will diminish, because you are facing a condition that no policy of river improvement can reverse—the loss of that class of river traffic and the utilization of other agencies for the carrying of freight. I wish it were not so * * * but I am tired of rainbow chasing, and that is what this is. It is much worse than rainbow chasing. It is pure, bald, unmitigated waste.

FACTS SUSTAIN THESE AUTHORITIES.

I could quote from other authorities that have made an impartial study of the waterway question, but no man of national standing has arisen to dispute the deductions of such men. No man can successfully do so, because he is confronted with the proposition that after appropriating $850,000,000 for American waterways, over $800,000,000 of which has been expended and approximately one-half of which has gone into rivers, creeks, and canals, practically not one river or canal, apart from deep waterways, has proven a success commercially. The Ohio and Monongahela, by reason of coal deposits at their headwaters, have preserved a semblance of their commerce, but the Mississippi has lost approximately 90 per cent of its commerce while we have been expending $150,000,000 on that river. The Missouri has become practically deserted, after an expenditure of over $20,000,000. The Ohio has not held its own, after an expenditure of over $50,000,000. The Tennessee has lost most of its river trade of 50 years ago, although $11,000,000, in round numbers, has been appropriated for locks and dams and other improvements.

So the list could be continued indefinitely to include the Warrior, Alabama, Coosa, Cumberland, Trinity, Brazos, Arkansas, Ouichita, Red, and other rivers and canals.

We are wasting money on aimless ventures and are making no effort to get any economic or scientific understanding of the waterway question, depending entirely on local insistence in determining the appropriations we distribute.

We may spend another $400,000,000 on rivers, creeks, and canals without any substantial increase in actual commerce, judging from past experience. We are taking over many new projects, and the game of draining the Federal Treasury goes merrily on, but no results are accomplished by this enormous expenditure of money, nor can we hope for any tangible returns.

Army engineers furnish misleading commercial reports of rivers and canals as a basis for future appropriations. After deducting sand, gravel, Government construction material, logs, and timber float on a small depth, the net commerce, aided by expensive improvements, is ordinarily slight and of little value compared with money spent.

I have repeatedly analyzed such reports, and the objectionable policy of placing projects all over the country in order to get the bill through has been regularly denounced by many Members. It is indefensible, and no substantial improvement will be reached until we reform our system, or lack of system.

Let me submit several tables that have been prepared. The showing of net tonnage on several rivers has been disputed in some instances, but, counting duplications and quadruplications, it gives a fair demonstration of the loss of actual commerce on rivers and canals all over the country. In proportion to appropriations the meager returns speak for themselves.

WHERE THE MONEY GOES.

In order to present the destination of waterway appropriations in concrete form it may be stated that two substitute bills reaching $20,000,000 and $30,000,000 were passed during the Sixty-third Congress in lieu of two bills aggregating $92,000,000 which were defeated.

The $50,000,000 was by law turned over to Army engineers for allotment, and out of 240 projects given specific amounts the following was awarded to an even dozen waterway projects:

Engineers' allotment, 1914 and 1915, of $47,586,000, and 1916 bill.

Rivers.	1914, twenty million.	1915, thirty million.	Total Sixty-fourth Congress.	1916, proposed bill, $39,608,410.
Mississippi	$5,250,000	$5,815,000	$11,065,000	$8,320,000
Missouri	950,000	1,100,000	2,050,000	1,750,000
Ohio[1]	1,769,000	3,915,000	5,684,000	5,509,000
Tennessee	223,000	501,000	724,000	944,000
Cumberland	210,000	378,000	588,000	710,000
Ouichita	300,000	136,000	436,000	499,000
Aransas Pass	470,000	180,000	650,000	100,000
Sabine Pass	240,000	100,000	340,000	590,000
Brazos	230,000	240,000	470,000	390,000
Black Warrior	768,000	48,000	816,000	.....
Cape Fear	185,000	323,000	508,000	218,500
Beaufort Canal	.....	400,000	400,000	1,000,000
Total	10,595,000	13,136,000	23,731,000	20,030,500

[1] The Ohio River was also given $3,200,000 in the 1915 sundry civil bill.

Of two hundred and twenty-odd projects given the remaining 50 per cent from the 1914 and 1915 allotments about one-half were trafficless rivers which have a combined actual commerce less than the waterway tonnage of Buffalo or Boston or Cleveland or Philadelphia, or several other lake and ocean harbors. The 12 rivers that received $23,731,000 in 1914 and 1915, or 50 per cent of the total during the Sixty-third Congress, are well recognized by the committee in the 1916 bill with an aggregate of $20,030,500 out of $39,358,410 contained in the bill after deducting $250,000 for surveys.

The 1916 bill from which the minority dissents gives these same 12 river projects nearly as much as was allotted for the two years 1914 and 1915. More striking, one-half of the entire proposed 1916 appropriation goes to these 12 river projects. Deducting $20,030,500 above provided and $250,000 for new surveys leaves $19,327,910, which is divided among the remaining 270 items. Of these items approximately 170 are canals, bayous, and rivers all of which do not handle as much actual commerce as two or three harbors than can be named.

Over $250,000,000 has been spent on the 12 river and canal projects by the Government in an effort to resuscitate a lost commerce. Deducting floatable timber and sand that floated a half century ago in larger quantities than to-day and do not require expensive waterways, several of these projects are reported to have floated in 1913 approximately as follows:

	Tons.
Upper Mississippi (average upper Mississippi haul less than 50 miles, or less than 30,000 tons average continuous haul)	170,000
Lower Mississippi (excluding coal)	200,000
Ohio (95 per cent coal) under	2,000,000
Tennessee (includes on Tennessee 78,000 tons coal hauled 16 miles)	200,000
Tombigbee and Warrior (includes on Warrior 32,000 tons coal, distance not stated), average	56,000
Beaufort Canal	65,000
Cumberland	53,000
Missouri	24,000
Hennepin Canal	11,850
Muscle Shoals Canal	5,887
Red River	1,094

Aside from soft coal, as near as can be estimated, the average haul was from 30 to 100 miles on the various rivers.

THE ABOVE RIVERS RECEIVED 50 PER CENT OF EVERY BILL.

During 1914, 1915, and 1916 approximately one-half of the entire amount given to all waterways was for these 10 river and canal projects. The balance was divided among about 270 or more projects, of which 20 genuine waterways disclosed 1913 traffic as follows:

10 ocean harbors.	Tons.	10 lake harbors.	Tons.
New York (estimated)	100,000,000	Superior-Duluth	46,875,000
Philadelphia	26,267,335	Chicago-Calumet	13,275,000
Boston (estimated)	20,000,000	Milwaukee	8,047,000
Baltimore	14,781,942	Ashland	5,623,309
Norfolk	17,349,942	Ashtabula	15,743,375
Savannah	3,154,389	Cleveland	16,488,083
New Orleans	6,442,932	Buffalo	18,920,854
Galveston	4,445,088	Erie	3,340,671
San Francisco	9,353,530	Marquette	1,852,229
Portland, Oreg	7,923,902	Soo Canal	79,714,344

Approximately 200,000,000 tons of waterway commerce was handled at the 10 ocean ports, and, allowing for duplications, one-half that amount at the 10 lake ports. Presumably the commerce was carried on the average 200 to 500 miles, counting ocean and lake traffic, but, like some other waterway statistics, no definite figures are available.

The significance of the comparisons will not be overlooked. Ten ocean ports handled fifty times the actual commerce carried on 10 river projects that annually receive about half of the average waterway bill, and these same rivers floated only about 4 per cent of the commerce counted at 10 lake ports.

COST TO THE GOVERNMENT FOR FLOATING "COMMERCE."

The cost to the Government for furnishing a waterway for inland commerce per ton is not definitely settled as to method of computation and only approximate results can be reached, because the amount properly chargeable to investment interest is variously estimated, although annual maintenance is sure and certain. Excluding floatable timber and sand, usually hauled short distances, the following estimates have been made on the several rivers and canals noted:

	Per ton.
Ohio River (excluding coal, $40 per ton)	$3.00
Ouachita	8.00
Warrior and Tombigbee	12.00
Upper Mississippi	12.00
Lower Mississippi	35.00
Arkansas	20.00
Hennepin	36.75
Missouri	40.00
Muscle Shoals (Tennessee)	40.00
Aransas Pass Canal	80.00
Brazos	80.00
Red	100.00
Muscle Shoals (proposed)	150.00
Big Sandy, Ky	350.00

It is interesting to note that in round numbers the following estimate of expenditures per mile have been made by the Government on three waterways:

	Per mile.
Lower Mississippi, 1,000 miles, at	$100,000
Ohio River to Missouri River, 200 miles, at	80,000
Upper Mississippi, 600 miles, at	40,000
Ohio River, 1,000 miles, at	60,000
Lower Missouri, 400 miles, at	40,000

Government and State canal investments are proportionately wasteful.

	Per mile.
Hennepin Canal, 60 miles, at	$126,000
Muscle Shoals, 26 miles, at	175,000
Muscle Shoals, proposed, 26 miles, at	560,000
Chesapeake & Delaware Canal, proposed, 13 miles, at	1,530,000

The above river and canal projects are small waterways that float an insignificant commerce compared with the investment. Can any condemnation of our wasteful purposeless waterway policy compare with a brief statement of expenditures past, present, and prospective.

CHANGE THE SYSTEM.

Mr. Chairman, I believe no permanent improvement in river and harbor legislation will be brought about until the whole system is changed. It is hard to conceive of any more unsatisfactory procedure than the present method of securing waterway legislation.

No one factor is alone responsible for conditions. Enthusiastic waterway conventions urge particular projects. In the case of the National Rivers and Harbors Congress a permanent organized lobby keeps pressing on Congress a policy of appropriating $50,000,000 annually for "a policy not a project."

If we would get away from present conditions and inaugurate a scientific and economic waterway system fashioned on the plan adopted by European Governments we must take the matter out of politics.

Never in recent history has the time been more opportune for a change, and with the hope that a suggestion may bear fruit by pointing the way toward a businesslike method of handling the question I submit herewith a bill I have introduced proposing a national waterway commission.

A bill (H. R. 6821) creating a national waterway commission.

Be it enacted, etc., That a commission is hereby created and established, to be known as the national waterway commission, hereafter referred to as the commission, which shall be composed of five commissioners, who shall be appointed by the President, by and with the advice and consent of the Senate. Not more than three of the commissioners shall be members of the same political party. The first commissioners appointed shall continue in office for terms of three, four, five, six, and seven years, respectively, from the date of the taking effect of this act the term of each to be designated by the President, but their successors shall be appointed for terms of seven years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he shall succeed. The commission shall choose a chairman from its own membership. No commissioner shall engage in any other business, vocation, or employment. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the commission shall not impair the right of the remaining commissioners to exercise all the powers of the commission.

SEC. 2. That each commissioner shall receive an annual salary of $10,000, payable in the same manner as the judges of the courts of the United States. The commission shall appoint a secretary, who shall receive an annual salary of $5,000, payable in like manner. The commission shall have the authority to employ and fix the compensation of civil engineers, clerks, and other employees as it may from time to time find necessary for the proper performance of its duties and as may be

from time to time appropriated by Congress, and in making appointments for continuous service the commission, so far as practicable, shall select its employees from the classified service.

All property of the United States in the hands or under the control of Army engineers or other officials or of private individuals or public contractors, including dredges, steamboats, barges, yards, and other property used in the improvement of public waterways, shall be placed under the jurisdiction and authority of the commission.

SEC. 3. That the Secretary of War may, if practicable, detail such Army engineers as are requested by the commission to assist in organizing and establishing a comprehensive system of waterway improvement, providing that such details of engineers shall not be made to the detriment of their military duties.

SEC. 4. That the commission shall have the authority and it shall be its duty to make an investigation of all waterway projects now constructed in whole or in part by Federal aid. The commission shall prepare a complete and succinct statement, by years, of the amount heretofore appropriated for each project, the estimated amount required to complete such project, a report of the commerce now served and to be served, the character of such commerce given by separate items so far as can be furnished, the source of information, the interests to be served, the kind of water craft used, and such other information as may be useful in determining the public use and value of the project. The commission shall also furnish Congress, at the earliest practicable date, information concerning all harbors and waterways now improved or being improved in whole or in part by Government aid, showing the amount of commerce, character of terminals or landings, ownership thereof, and, so far as practicable, ownership of regular lines of craft used thereon; and the commission shall also report its recommendations for the finishing of the projects now being constructed or modification of existing plans or abandonment of work on any project, together with findings upon which such recommendations are based.

The commission shall further ascertain and report what projects are now being improved for purposes other than navigation, and if for power development, a full statement of interests concerned, officers and stockholders, public use to be served, if any, private or public contribution toward expense of construction, and the commission's recommendations thereon. Said commission shall further ascertain and report what projects are now being carried on in whole or in part for land-reclamation purposes, the character of such project, amount of lands to be recovered, estimated value of such lands, ownership thereof, and contributions now being made by beneficiaries toward such expenditures, together with the commission's recommendations.

The commission shall make a full investigation into all work now being performed by the Mississippi River Commission, the amount of money heretofore expended on such river, character and permanency of work performed, and reclamation interests now being served, if there be any, a full statement of contributions by public or private interests toward said work, together with a comprehensive and intelligible report of the probable cost of the present plans of levee construction or other river improvement now being undertaken, the percentage of project completed, and this commission's recommendation thereon. Such Mississippi River report shall be separate and distinct from reports on other projects now under improvement by the Federal Government.

All of such data and all other available information of a pertinent character affecting particular projects or entire waterway improvements now being conducted by the Federal Government shall be collected in convenient form and presented to Congress in installments at the earliest practicable date.

When the commission shall have reason to believe at any time that the proposed project is not for general use of the public or will not warrant further expenditures, or if contributions shall be required to be furnished before further appropriations are made or further expenditures authorized, such commission shall immediately report to Congress, with a preliminary recommendation thereon, and shall furnish a copy thereof to the United States Treasurer. That thereupon, when so recommended, the Treasurer shall withhold all funds theretofore appropriated not specifically obligated under existing contracts and shall refuse further payments until subsequent and specific action shall be had thereon by Congress.

SEC. 5. That prior to the presentation of any new waterway-project appropriations the commission shall cause a careful survey of the proposed improvement, and if it shall appear such project is to serve a public use and is feasible, the commission shall thereupon collate data showing the estimated cost thereof, commerce to be served, water craft to be used, public terminals furnished, and contributions recommended to be made by public or private interests, together with such additional data as has heretofore been specifically required to be furnished on existing projects. The commission shall thereupon transmit to the Committee on Appropriations of the House of Representatives a full report concerning such new project or projects, its recommendations thereon, and, if requested so to do, all other and further information that may be required by the Committee on Appropriations.

Whenever the commission shall determine that any waterway project is primarily for power or land-reclamation purposes or to serve special interests, the commission may recommend Government aid for such project, notwithstanding the special interests to be served, and shall prepare data showing the proportionate amount of Federal aid recommended, together with suitable restrictions as to audit and payment of funds from the Public Treasury. Such recommendation shall be presented as a proposed separate bill to the Committee on Appropriations of the House and shall not be embodied in any general waterway appropriation bill by such committee.

Whenever any new survey shall be proposed for any waterway project, the commission, prior to such survey, may require data to be furnished showing the public use and prospective commerce to be served and such other information as may be desired, and a brief synopsis of such information shall be furnished to Congress by the commission to accompany any recommendations made for new surveys.

All existing waterways, new projects, and new surveys shall be classified, so far as practicable, prior to each regular session of Congress, together with estimates of appropriations required for maintenance and improvement for the ensuing two-year period, and a brief report as to each project considered shall be separately prepared and, with the commission's recommendation thereon, shall be placed in the hands of the Committee on Appropriations of the House at the beginning of each session.

Whenever the Appropriations Committee so requires the commission shall furnish additional data concerning any project, and shall further aid the Committee on Appropriations when requested so to do in the preparation of the regular river and harbor bill, which shall be prepared and presented by the Committee on Appropriations of the House.

The commission shall further compile and cause to be published at the earliest practicable date for the use of Congress an intelligent, concise statement of past waterway expenditures by the Government and of amounts needed to complete all continuing projects, and shall further give estimates of future obligations to be incurred by new projects recommended for construction. The commission shall give preference in its recommendations to Congress of appropriations needed to complete the more important projects, and, so far as practicable, shall enter upon a program looking toward the early completion of such projects.

The commission shall make a thorough investigation of reasons for loss of river traffic and shall make recommendations for the reestablishment of such traffic. It shall ascertain and determine the most available craft for river use, and, as soon as practicable, shall prepare plans and build experimental craft for such purpose.

Whenever reason therefor shall appear the commission may fix reasonable freight rates on all interstate water-borne traffic by common carrier and upon all such traffic on navigable waters wholly within the State, subject, however, to the jurisdiction now conferred by law on the Interstate Commerce Commission to fix maximum joint rates between and over rail and water lines.

The commission shall determine the reasonableness of wharfage or water-terminal charges, whether such terminals are owned by private persons or municipalities, and all river and harbor improvements, including terminal facilities, shall be under the supervision and control of the commission.

Whenever the commission shall determine that unprofitable railway freight tariffs are maintained in any given case in order to prevent waterway competition, it shall be the duty of the commission to make a report thereon in duplicate to the Interstate Commerce Commission and to Congresses, with recommendations that Congress give power, if need be, to the Interstate Commerce Commission for fixing minimum railway rates.

The commission shall at the earliest practicable date adopt an intelligent system of national waterway improvement and shall perform such other and further duties as may present themselves from time to time.

Whenever it shall be desirable to secure sworn testimony from any witness or witnesses relating to any project or to navigation generally, or whenever the commission shall have reason to believe that private interests are secretly or improperly seeking to influence the commission or to force the passage of any private or public waterway measure through Congress the commission may cause a hearing or summary investigation to be held, and for that purpose may issue summons, subpœnas, or other writs in the same manner and under the same procedure as is more specifically set forth in the act to regulate commerce approved February 4, 1887, and the amendments thereto, which portions of such act relating to procedure, so far as applicable, are made a part of this act, and may bring before such commission all parties believed to be informed concerning the facts or interested in the passage of such measure. A complete record shall be preserved of the testimony taken at such hearing and a certified transcript thereof shall be transmitted immediately to the Committee on Appropriations.

SEC. 6. That all unexpended balances to the credit of any project not specifically obligated under existing contracts shall, from the date of the passage of this act, be transferred by the Treasurer to the general fund, and all vouchers thereafter paid by the Treasurer shall be upon order of the national waterway commission.

SEC. 7. That the sum of $500,000, or so much thereof as may be necessary, be, and the same hereby is, appropriated, out of any money in the Treasury, to carry out the provisions of this act.

The Clerk read as follows:

Sheepshead Bay, N. Y.

Mr. HULBERT. Mr. Chairman, I have an amendment which I submitted to the chairman of the subcommittee on surveys to be inserted at this point, and I will ask him to send it to the Clerk's desk.

Mr. BURGESS. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. BURGESS: Page 35, after line 1, insert as a new paragraph:

"Shore front from Jones Inlet to Rockaway Inlet, with a view to obtaining data as to tide, current, drift, and depth of water, with a view to determining whether or not the interests of navigation are being endangered by the erosion thereof."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Waterway or ship channel along the most practicable route between Lake Erie and Lake Ontario of sufficient capacity to admit the largest vessels now in use on the Great Lakes.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. I do not know that I shall make the point of order. There are several items in this bill for canals that may be properly in the bill or may not be properly in the bill. What is intended to be accomplished by this project with reference to a waterway around Niagara Falls? I refer to this ship canal between Lakes Erie and Ontario. What is the proposition?

Mr. BURGESS. Just what it says.

Mr. MANN. Oh, well, it does not say anything. You might build it around by the North Pole for all I know. What is the proposition?

Mr. SPARKMAN. Mr. Chairman, I will say that so far as I know the purpose is to get an estimate upon a canal leaving Lake Erie some little distance above the Niagara River and running across to Lake Ontario on what I would call the east side of the river; that is, on the American side.

Mr. MANN. That runs around south of the city of Buffalo?

Mr. SPARKMAN. It is on American soil. It is to run to the right, as you look down the river.

Mr. MANN. Where is this canal expected to start from, above or below the city of Buffalo?

Mr. SPARKMAN. That is to be determined, of course, by the engineers, if they should report favorably upon a project.

Mr. MANN. I understand that, but I assume that the committee does not stick items like this in a bill without some idea of what they are. Are items of this sort put in the bill just because some one somewhere has had a bad dream and asked to have them put in?

Mr. SPARKMAN. Oh, no.

Mr. MANN. I assumed not.

Mr. SPARKMAN. One of the gentlemen from New York presented this survey to me, and it went then to the chairman of the subcommittee, Mr. BURGESS. It is to start at some point below Buffalo. I have forgotten just now the point; but perhaps the gentleman from New York [Mr. HULBERT] can state.

Mr. MANN. Is not this something that would be very expensive? I refer now to the survey.

Mr. SPARKMAN. I think not.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

Mr. BURGESS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 35, after line 7, insert the following:
"Buffalo Harbor, Buffalo Creek, and Buffalo Ship Canal, N. Y., with a view to increasing the dimensions thereof to meet the demands of present and prospective commerce."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

Mr. STAFFORD. Mr. Chairman, what is the proposition with this survey? Is this to carry out the idea of the Welland Canal or is it in conjunction with the Erie Canal?

Mr. DRISCOLL. Mr. Chairman, I will state for the benefit of the gentleman that this provision has nothing to do with the proposed ship canal or the barge canal to extend from Lake Erie to Lake Ontario. That is the proposition submitted by a colleague of mine, and I think his idea was to construct a canal or a channel to compete with the Canadian Channel at the Welland Canal that is now being completed at the expenditure of a great deal of money.

Mr. STAFFORD. Will the gentleman explain what his proposition is in the amendment just now submitted?

Mr. DRISCOLL. For a great many years at Buffalo, or at the harbor of Buffalo, conditions have been congested, especially in the outer harbor. From the outer harbor to the fork, probably a distance of 500 feet, a narrow-neck channel, the space is less than 200 feet.

That channel is obstructed by a line of boats that generally anchor along what is known as the Delaware trestle. Leading from there up into Buffalo Creek or the Buffalo Ship Canal, on account of the great increase in commerce coming up through the concrete locks, we feel that a general survey would be very beneficial not only to the port of Buffalo but to every State bordering upon the Great Lakes; and that is our reason for asking for this survey.

Mr. STAFFORD. And this is no canalization scheme?

Mr. DRISCOLL. No.

Mr. STAFFORD. Merely an inner-harbor proposition?

Mr. DRISCOLL. That is all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BURGESS].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Overpeck Creek, N. J., from Little Ferry to Leonia.

Mr. RICKETTS. Mr. Chairman and gentlemen of the House, the Committee on Rivers and Harbors has brought into this House H. R. 12193, designated as a bill making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

For more than a week past this bill has been under consideration. Numerous and various amendments have been offered to certain of its provisions by the gentleman from Wisconsin [Mr. FREAR], the gentleman from Iowa [Mr. GOOD], and others, and nearly all of these amendments have been turned down by the House.

The consideration of this bill from day to day has been especially interesting. Many heated discussions have been had upon the merits and demerits of certain provisions of the bill. I have taken no part in the discussion, but I have listened attentively to the persuasive arguments offered, both for and against numerous provisions of the bill. I have also carefully read each and every item in this bill, and have read many portions of the hearings, and to one who is serving his first term in this House I confess the recommendation for the appropriations provided for in this bill are astounding, to say the least of them. So much so, if you please, as to constrain me, in order that I might vote intelligently on the various amendments that have been offered or may hereafter be offered, and that I might be able to vote either for or against this bill when it comes up for final passage, to make some investigation with reference to the appropriations heretofore made by Congress in relation to the subject matter of the bill.

The first appropriation for rivers was made by Congress on the 6th of April, 1802, in the sum of $30,000, and each and every year since that time Congress has appropriated various sums of money for the improvement and protection of rivers, canals, and harbors.

The report of the Secretary of War, Lindley M. Garrison, to the Speaker of the House of Representatives on January 12, 1915, shows that Congress has appropriated from year to year, commencing with the first appropriation on the 6th of April, 1802, to certain States and Territories for the protection, preservation, and maintenance of their rivers, canals, and harbors the following sums of money, to wit:

Alabama	$9,115,230.60
Alaska	513,500.00
Arkansas	1,871,501.05
California	21,672,604.10
Connecticut	6,799,123.81
Delaware	2,560,449.49
Florida	17,536,579.88
Georgia	15,388,219.57
Hawaii	3,058,500.00
Idaho	37,705.59
Illinois	19,874,736.72
Indiana	2,461,839.92
Iowa	2,500.00
Kansas	25,000.00
Kentucky	9,568,585.70
Louisiana	5,296,829.57
Maine	7,399,565.99
Marina Islands	10,000.00
Maryland	10,836,445.50
Massachusetts	21,410,898.91
Michigan	59,378,884.50
Minnesota	1,699,238.20
Mississippi	5,848,490.95
Missouri	224,000.00
Montana	14,750.00
New Hampshire	1,719,471.00
New Jersey	7,311,272.71
New York	57,161,356.20
North Carolina	11,190,257.92
Ohio	22,423,769.53
Oregon	5,816,879.55
Pennsylvania	5,082,468.73
Porto Rico	785,500.00
Rhode Island	8,134,002.82
South Carolina	10,600,536.64
Tennessee	556,853.00
Texas	40,135,890.38
Vermont	983,085.20
Virginia	10,797,518.58
Washington	9,394,332.00
West Virginia	6,559,965.42
Wisconsin	16,484,000.05

Now, it seems to me that it has been the policy of Congress for many years to make appropriations for the protection and maintenance of rivers, canals, and harbors of the United States. These annual appropriations have been made from the beginning of the Government down to the present time. Besides these enormous appropriations which have been made by Congress from year to year, additional miscellaneous appropriations have been made aggregating $409,947,557.97. These various appropriations reach the grand total of $850,551,708.25.

Mr. Chairman, is it any wonder that there is a deficit in the United States Treasury at the end of this fiscal year of $50,097,315? Is it not more the wonder that this Government has escaped bankruptcy?

I am frank to admit that the great national harbors of the Atlantic and Pacific and of the Great Lakes should be protected and maintained. The appropriations heretofore made, year after year, with reference to these harbors have been entirely appropriate and in the interest of the people of this Nation and of this Government. Now, it is proposed by this bill to appropriate this year the sum of $39,608,410 for the various projects enumerated in the present rivers and harbors bill. Of course, there can be no question but what there are many meritorious projects set forth in the present bill, and I again most heartily support this bill to that extent. There are, however, many unmeritorious projects provided for in the bill which require the expenditure of several millions of dollars, and which, in my judgment, is entirely unnecessary.

I feel that it is the part of gross extravagance to spend about twenty millions of dollars on inland rivers, canals, and lakes that are of but little importance to the people of this Nation. They are, no doubt, of great interest to the inhabitants of the various States, and the States in which these rivers are located

should make provision for their repair and maintenance. I do not feel that these small rivers, lakes, and harbors should be provided for in a national way or by an appropriation from the National Treasury on the part of Congress.

I know that those in favor of this bill will say to us that we do not understand the situation and location of these various small rivers, canals, and harbors; that we are not advised with reference to the needs of the people who use these rivers and harbors; and that consequently we ought not to make any objection to this lavish expenditure. I further clearly understand that new Members of Congress are presumed to be seen and not heard; that the older Members of Congress, who have had years of experience with this appropriation, are well advised with reference to the merits of the same, and that new Congressmen should follow the advice and counsel of their seniors in Congress with reference to appropriations. I can not subscribe to this theory. I want to vote for this bill because of the several meritorious projects contained therein, but I feel that the bill should be pruned and shorn of a great many of the immaterial projects that it contains. This is an omnibus bill, so framed as to embarrass Members who would like to support its meritorious provisions, but who can not do so without supporting unmeritorious provisions contained in it.

ECONOMY.

Both the Republican and Democratic Parties have declared in their numerous platforms in years gone by for economy. The Democratic Party in its platform of 1912 declared in part as follows:

> We favor the adoption of a liberal and comprehensive plan for the development and improvement of our inland waterways with economy and efficiency so as to permit their navigation by vessels of standard draft.

The Republican Party in its platform of 1912 provided in part as follows:

> The Mississippi River is the Nation's drainage ditch. Its flood waters, gathered from 31 States and the Dominion of Canada, constitute an overpowering force which breaks the levees and pours its torrents over many millions of acres of the richest land in the Union; stops the mails, impedes commerce, and causes great loss of life and property. These floods are national in scope and the disasters they produce seriously affect the general welfare. The States unaided can not cope with this giant problem, hence, we believe the Federal Government ought to assume a fair proportion of the burden of its control so as to prevent the disasters from recurring floods.

Now, it will be seen that the Democratic Party in its platform proposes to deal with these appropriations in an economical way, and the Republican Party in its platform proposes to assume a fair proportion of the burden with reference to the protection and maintenance of the rivers in the Mississippi Valley.

I had hoped that many of the amendments offered by the gentleman from Wisconsin [Mr. FREAR] and the gentleman from Iowa [Mr. GOOD] and others would be adopted and to that end I supported the various amendments offered. However, I am convinced that it is the purpose and intention of a majority of the Membership of this House, regardless of their party affiliation, to pass this appropriation bill involving this great expenditure regardless of the consequences and without knowing where the money is to come from.

The appropriations by Congress have constantly increased since 1910, and the appropriations that must of necessity be made by this Congress will far surpass any that have been made in the history of the Government. Now, who is to bear the burden of raising the money? It is the taxpayer of the country. There can be no question but what this Congress must provide for these lavish appropriations through the enactment of an inheritance tax, an additional income tax, a tax on the shipment of manufactured war munitions, an additional tax on spiritous and malt liquors, and possibly an additional tax on corporations, automobiles, gasoline, oil, iron, and steel, and, in short, place a direct tax upon all the business interests of the country.

I do not claim to be familiar with all the facts surrounding these various projects, but the facts have been pretty thoroughly thrashed out on the floor of this House in the discussions had during the consideration of this bill, and there is a marked discrepancy in the conclusions reached with reference to the various provisions of the bill. This discrepancy has tended more to confuse than to enlighten. When you stop to think that we are about to spend nearly forty million dollars of the people's money, it seems to me that we ought to be certain that the expenditure of this amount of money is really necessary.

I do not mean to criticize the committee. This practice has gone on for so many years, and the various States have annually received their proportionate appropriation so regularly, that many of the members of the committee and of this House really and sincerely believe that this appropriation should be made, and that it is in the interest of the people of the Nation. I regret that Congress should have drifted into such a false position. There are many distinguished Members on both sides of this House, men who have given these matters careful and long consideration, who fully believe that this appropriation is greatly in excess of what it should be. Besides, from present indications, these appropriations are to be made continuously from year to year, and no one knows when Congress will cease to make such appropriations. Some one has said to me that no appropriation bill is more carefully scrutinized by the Members of this House than the rivers and harbors appropriation bill. This may be true, but if this is a fair example of legislation in the interest of economy, then I confess that I do not understand the meaning of the term.

Congress has heretofore appropriated $493,725 for the improvement, repair, and maintenance of the Ocmulgee River in Georgia, and the present Congress proposes to appropriate $53,000 this year for the repair, improvement, and maintenance of the Altamahee, Oconee, and Ocmulgee Rivers in Georgia.

Congress has appropriated heretofore $285,750 for work on the Oconee River in Georgia, and the sum of $493,725 for work on Jekyl Creek in Georgia. Congress has appropriated $1,728,154.24 for the protection and maintenance of the White River in Arkansas, and it is proposed to make an additional appropriation this year. For many years exceptions have been taken, both by Members of Congress and by the press of the country to these unmeritorious expenditures, and I have felt it to be my duty to give expression to my views with reference to this matter, so that the people of the district whom I have the honor to represent may know what has been done by Congress with reference to the appropriations provided for for the various projects in this bill.

The people of the Nation as a whole ought to know just what is going on in Congress with reference to the expenditure of public money. There seems to me to be considerable pork in this bill, and I hope the committee will consent to some of the amendments offered here so that I may be able to support the bill for the meritorious items which it contains. If the committee will eliminate the insignificant projects contained in this bill, for which large and extravagant appropriations are sought to be made, and clean up the bill and get rid of this pork, then I would be glad to vote for it. In fact, there are many Members here who would be glad to vote for it, but so long as the bill remains in its present form I do not see my way clear to vote for it. Why not take the pork out of it? Why waste public money in this reckless way? The Government needs the money, and needs it badly. I believe in economy in administering the affairs of the Nation, and I am unequivocally against such reckless and wholesale extravagance.

We are transacting business for the people, and we should protect the interests of those whom we represent. That is my sense of feeling in the matter, and I shall be governed accordingly.

The Clerk read as follows:

> Channel connecting York River, Va., with Back Creek to Slaight's Wharf, with a view to securing a depth of 10 feet and widths of 200 and 100 feet, respectively.

Mr. BURGESS. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Page 36, after line 6, insert:
> "Northwest River, Va. and N. C., with a view to its improvement from its mouth as far up as may be practicable."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

> Beach Creek, Va., with a view to increasing the dimensions of the channel to a depth of 6 feet and a width of 60 feet.

Mr. BURGESS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Page 36, after line 10, insert:
> "Mattaponi River, Va., with a view to removing the bars and securing increased depth of water at the mouth.
> "Queens Creek, Va., with a view to securing increased depth of water at the mouth."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

> Escambia River, Fla.

Mr. BURGESS. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 37, line 23, insert:
"One Mile Creek.
"Bayou Manannota, Ala."

The amendment was agreed to.

Mr. BURGESS. I also offer the following amendment, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 37, after line 23, insert:
"Key West Harbor, Fla., with a view to removing the middle ground.
"Onosohatchee River, Fla."

Mr. MANN. What is the proposition with reference to removing the "middle ground" at Key West?

Mr. SEARS. That is the name of it. It is known as the "middle ground." As I understand it, there is a mud bank in the harbor of Key West, and by removing same—and the expense will not be much—it will give approximately 26 feet of water, and a very much wider channel. One of the steamship companies going into Key West is now building a boat 440 feet long, for the purpose of handling the commerce at this harbor, and unless this "middle ground" is removed the same can not be done as the channel will not be wide enough. As a matter of fact, there should be an appropriation in this bill for the purpose of removing this "middle ground," and I am satisfied the same would have been included, in view of the importance of the harbor as a naval base, as well as from a commercial standpoint, if the committee had not unanimously decided not to include any new projects.

I trust there will be no opposition to this amendment.

Mr. MANN. Very well.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. BURGESS].

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment offered by the gentleman from Texas [Mr. BURGESS].

The Clerk read as follows:

Amendment offered by Mr. BURGESS: Page 37, line 23, insert "One Mile Creek and Bayou Marmotte, Ala."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Bayous des Cannes and Nezpique, La.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin [Mr. COOPER] moves to strike out the last word.

Mr. COOPER of Wisconsin. Mr. Chairman and gentlemen, when the distinguished gentleman from Florida [Mr. SPARKMAN], the chairman of the Committee on Rivers and Harbors, made his speech opening this debate, the gentleman from Texas [Mr. EAGLE] interrupted to say that the aggregate expenditures had been $680,000,000. I rose, not knowing the facts concerning the total expenditure, and asked a question:

Mr. COOPER of Wisconsin. I should like to ask one question.
Mr. SPARKMAN. Certainly.
Mr. COOPER of Wisconsin. I notice in the speech of the gentleman from Wisconsin [Mr. FREAR] made on January 13 that he made the following statement:
"Mr. Speaker, we have paid out of the Government Treasury over $850,000,000 for waterways."
Now, has $850,000,000 been paid out of the Treasury in actual money?

I made that inquiry because I did not know. The gentleman from Florida answered:

Mr. SPARKMAN. That is not my understanding, and I have gone over the matter very closely. I think the error of the gentleman from Wisconsin [Mr. FREAR] arose from the fact that he was considering appropriations rather than expenditures.
Mr. FREAR. Unquestionably. Almost anyone would understand that by reading the speech as a whole. That was the intention.

Whereupon, the gentleman from Florida said:

But the gentleman called me to task awhile ago, and insisted that I was wrong when I used the word "expenditures."

Mr. Chairman, that speech covers 45 pages of the CONGRESSIONAL RECORD and I had not had time to read it very carefully, at least, not all of it. [Laughter.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent to continue for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. That speech covers 45 pages, 90 columns solid. Not more than half of it was delivered on the floor of the House.

The chairman of the committee [Mr. SPARKMAN], referring to the gentleman [Mr. FREAR], interrupted and said:

But the gentleman called me to task awhile ago, and insisted that I was wrong when I used the word "expenditures."

The gentleman from Wisconsin [Mr. FREAR] had criticized the gentleman from Florida, the distinguished chairman of the committee, for having used the word "expenditures" wrongly; but when I asked the question to elicit information as to the sense in which the gentleman from Wisconsin [Mr. FREAR] himself had used the words "paid out of the Treasury," the gentleman replied that I ought to have understood that he meant "appropriated."

In reply to the gentleman from Florida [Mr. SPARKMAN], the gentleman from Wisconsin [Mr. FREAR] said:

I did not get the distinction the gentleman made at the time.

Then the colloquy continued as follows:

Mr. SPARKMAN. I think if the gentleman will look over his speech he will find that he did not make that distinction.
Mr. FREAR. No; I presume that was an error in expression. The chairman says the amount is $800,000,000, but it is impossible to say what the exact expenditure has been since the last report.
Mr. COOPER of Wisconsin. Will the gentleman allow me to make one comment right there?
Mr. SPARKMAN. Certainly.
Mr. COOPER of Wisconsin. I do not think a gentleman should be obliged to read 40 or 50 pages of a speech to find out what it means, when a gentleman says that more than $850,000,000 has been paid out of the Treasury. [Applause.]

As a matter of fact, less than $800,000,000 had been paid out. The $853,000,000 were all of the appropriations for waterways not since 1875, but since the beginning of the Government. Besides the $54,000,000 expended previous to 1875 there was $38,000,000 on hand on the 1st of January, 1916; so that the $54,000,000 and the $38,000,000, with their fractions, made more than $93,000,000 of difference between the sum actually "paid out of the Treasury" since 1875 and the amount in the statement of the gentleman from Wisconsin [Mr. FREAR].

Mr. PLATT rose.

Mr. COOPER of Wisconsin. I can not yield now. Of course, I would not even so much as intimate that the gentleman from Wisconsin [Mr. FREAR] intended to mislead the House. I did not attribute or think of attributing the slightest personal wrongful motive to the gentleman.

The gentleman says that I ought to have known who Prof. Moulton is. Will the gentleman kindly tell me in what institution the gentleman is a professor?

Mr. FREAR. Prof. Moulton is a professor in the University of Chicago, a man of acknowledged standing in the United States. The gentleman sitting at my right, the leader of the minority [Mr. MANN], knows him well, and I have heard him spoken of very highly by many people.

Mr. COOPER of Wisconsin. The gentleman said I did not know because of my ignorance.

Mr. FREAR. I withdraw that remark.

Mr. COOPER of Wisconsin. There are a great many people in the world of whom I have never heard. There are a great many people in the world who have never heard of the gentleman from Wisconsin [Mr. FREAR], but they are not therefore necessarily ignorant.

Mr. FREAR. Will the gentleman yield?

Mr. COOPER of Wisconsin. Not now.

Mr. FREAR. The gentleman will find that there are others.

Mr. COOPER of Wisconsin. A few days ago I consulted Who's Who in America to learn about Prof. Moulton, but his name was not in that very voluminous book. Strange as it may seem, it so happened that I never heard of him until I listened to the speech of the gentleman from Wisconsin. Now, in this book of Prof. Moulton he says:

When this investigation was undertaken the writer shared in the common belief that traffic of certain kinds can be carried at substantially less cost by water than by rail.

He inclined to that view, he says, until he made a long investigation in Europe, which was financed by the famous clothing house of Hart, Schaffner & Marx. They gave him the money to go abroad, and Prof. J. Laurence Laughlin inspired the work.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask for five minutes more. This is important.

The CHAIRMAN. The gentleman from Wisconsin asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. The gentleman has declared that Prof. Moulton is a great expert, and speaks of Mr. Reed as also a great expert. Now, Mr. Reed was a county probate judge in Wisconsin, as I have ascertained from people who knew. A few years ago the Legislature of Wisconsin passed a law providing for the appointment of a man to investigate waterways, and a county probate judge in La Crosse, was appointed, a man who used to be a resident of the city of Hudson, the home of the gentleman from Wisconsin, Mr. FREAR. He went to Europe and investigated and came back. Within a short time, three or four years, the legislature repealed the law, and he is out of office. He has been here in the gallery, so a gentleman who knows him tells me, much interested in this matter. He is opposed to the improvement of inland waterways in the United States, as anybody can see who reads his opinions on the subject.

Now, here is another book that was published by another professor in the Chicago University, entitled "Government Regulation of Railway Rates." It is by Prof. Hugo R. Meyer, and was published in 1905, just prior to the legislation to extend the authority of the Interstate Commerce Commission. He said:

This book presents the conclusions forced upon the author by a painstaking study of the railway question extending over some 12 years.

* * * * * * *

The net result has been the disclosure of such overwhelming proof of the evils of State direction of industry or interference with its natural course, that he has become firmly convinced of the unwisdom of Government regulation of railways or their rates.

Prof. Meyer was strongly against any Government regulation of railroad rates. He was convinced against his will about this, as Prof. Moulton, of the same institution, was convinced against his will on the subject of waterway improvements.

Further on he said:

The book appears at the present time because of the possibility that Congress, influenced by the discontent that exists in some sections of the country because of the friction necessarily incident to the transaction of the complicated business of transportation, may be led to an act of ill-considered laws granting dangerously enlarged power to the Interstate Commerce Commission. * * *

* * * A fair consideration of these facts and of the conditions under which railroads must operate to secure their greatest efficiency compels the conclusion that whatever evils now exist none of them are at all commensurate with the harm which must result from bestowing the power to fix railroad rates to the Interstate Commerce Commission.

Mr. CONRY. Will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. CONRY. Is the university with which these distinguished professors are connected endowed by anybody?

Mr. COOPER of Wisconsin. Yes.

Mr. CONRY. By whom?

Mr. COOPER of Wisconsin. By John D. Rockefeller—a great man in the world of business, but not especially an enemy of railways.

Now, this book of Prof. Meyer was issued in 1905, just before the tremendous struggle came on in the House of Representatives over the Hepburn bill to grant more power to the Interstate Commerce Commission. In 1903 I had introduced a bill conferring power on the Interstate Commerce Commission to regulate railroad rates, the first bill of that kind ever introduced by a Member from Wisconsin in either House of Congress. We know the tremendous struggle that went on here to force the legislation through the two Houses of Congress.

Prof. Moulton's book, published in 1912, financed by Hart, Schaffner & Marx and supervised by Prof. J. Laurence Laughlin, is an argument against—and I have looked it through carefully—against all waterway improvement unless it be some harbor where railroads have terminals. He is opposed to waterway improvement, as the other professor was opposed to railway-rate regulation. I do not recognize either him or Mr. Reed as an authority to whom I must always yield my judgment as to what is best for the industrial development of the country. On the title-page Mr. Moulton is not called a professor.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. FESS. Dr. Moulton is the son of Dr. W. J. Moulton, who was brought from Oxford, England, by President Harper when he opened the University of Chicago under the reorganization in 1893 or 1894, and this Dr. Moulton received his degree in the Chicago University.

Mr. COOPER of Wisconsin. What year?

Mr. FESS. I could not give the gentleman the exact year, but I think prior, of course, to the writing of that book.

Mr. COOPER of Wisconsin. The book was published in 1912.

Mr. FESS. Then, quite a time before that. The Dr. Moulton, whose book the gentleman has, was educated in the University of Chicago.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent to proceed for 30 seconds more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. I say after careful examination of this book of Moulton's, so often cited by the gentleman from Wisconsin, that from cover to cover it is an elaborate argument against anything like the improvement of rivers in the United States for transportation purposes, and that Prof. Moulton is just as strongly opposed to such improvements as the other professor—Prof. Meyer—was opposed to Government regulation of railway rates.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the committee rose, and the Speaker having resumed the chair, Mr. SHERLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12193, the river and harbor appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BYRNS of Tennessee for one week, on account of death in family.

To Mr. HILL for this week, on account of illness.

To Mr. FARR for three days, on account of illness in family.

To Mr. MOONEY for one week, on account of illness in family.

INDIAN APPROPRIATION BILL.

Mr. HAYDEN. Mr. Speaker, by direction of the Committee on Indian Affairs, I report back to the House the bill H. R. 10385, the Indian appropriation bill. (H. Rept. 514.)

The SPEAKER. Has the gentleman from Arizona any suggestion to make in reference to it?

Mr. MANN. It goes to the Committee of the Whole House on the state of the Union.

The SPEAKER. It will be referred to the Committee of the Whole House on the state of the Union and ordered printed.

EXTENSION OF REMARKS.

Mr. SEARS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the middle ground in Key West Harbor.

The SPEAKER. Is there objection?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

HOUR OF MEETING TO-MORROW.

Mr. RAINEY. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. RAINEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 13 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 11, 1916, at 11 o'clock a. m.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 7093) granting an increase of pension to George W. Stewart, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and a memorial were introduced and severally referred as follows:

By Mr. CARY: A bill (H. R. 14418) to authorize and direct the Postmaster General to procure postal cars and contract for hauling them, and appropriating money therefor; to the Committee on the Post Office and Post Roads.

By Mr. CARTER of Oklahoma: A bill (H. R. 14419) authorizing the Secretary of War to have made an appropriate investigation of the Washita and other rivers in southeastern Oklahoma; to the Committee on Rivers and Harbors.

By Mr. HENSLEY: A bill (H. R. 14420) to purchase a site for the erection of a post-office building in the city of Perryville, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14421) to purchase a site for the erection of a post-office building in the city of Flat River, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14422) to purchase a site for the erection of a post-office building in the city of Ste. Genevieve, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. TAVENNER: A bill (H. R. 14423) to provide for the purchase of a site and the erection of a public building thereon at Carthage, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Idaho: A bill (H. R. 14424) to prohibit the sale of intoxicating beverages on the islands of American Samoa and Guam; to the Committee on Alcoholic Liquor Traffic.

By Mr. WEBB: A bill (H. R. 14425) prohibiting threats by mail against the President of the United States or against any officer who may by the law of succession be entitled to succeed to the office of President of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 14426) to amend section 6 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 14427) granting additional leave of absence, with pay, to employees within the Federal classified service attending militia maneuvers or Federal instruction camps; to the Committee on Reform in the Civil Service.

By Mr. DARROW: A bill (H. R. 14428) to increase the pensions of those who have lost limbs or have been totally disabled in the same in the military or naval service of the United States; to the Committee on Pensions.

By Mr. TAVENNER: A bill (H. R. 14429) to provide for the purchase of a site and the erection of a public building thereon at East Moline, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. MUDD: A bill (H. R. 14430) authorizing the Secretary of the Navy to construct a foot-passenger bridge over Mattawoman Creek, Charles County, Md., for the use of the employees of the Government proving grounds at Indianhead; to the Committee on Naval Affairs.

By Mr. HARRISON: A resolution (H. Res. 198) making it in order for the Speaker to entertain motions for the consideration of bills of a privileged character on the first and third Mondays of each month; to the Committee on Rules.

By Mr. BARNHART: A concurrent resolution (H. Con. Res. 28) providing for the printing of the prayers of the Chaplain of the House during the Sixty-third Congress; to the Committee on Printing.

By Mr. BRUCKNER: Memorial of the Legislature of the State of New York favoring an increased Navy; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. BEAKES: A bill (H. R. 14431) for the relief of John Henry Gibbons, captain on the retired list of the United States Navy; to the Committee on Naval Affairs.

By Mr. CANTRILL: A bill (H. R. 14432) granting an increase of pension to Robert Perry; to the Committee on Invalid Pensions.

By Mr. CARTER of Oklahoma: A bill (H. R. 14433) granting an increase of pension to Squire Grose; to the Committee on Pensions.

By Mr. COADY: A bill (H. R. 14434) granting a pension to Isabella C. Waddell; to the Committee on Invalid Pensions.

By Mr. COOPER of West Virginia: A bill (H. R. 14435) granting an increase of pension to Isaac Thacker; to the Committee on Invalid Pensions.

By Mr. COSTELLO: A bill (H. R. 14436) for the relief of Morris Dietrich; to the Committee on War Claims.

By Mr. CROSSER: A bill (H. R. 14437) granting a pension to Mrs. Jennie B. Darby; to the Committee on Invalid Pensions.

By Mr. DAVIS of Texas: A bill (H. R. 14438) granting a pension to Charlotte M. Beckham, widow of Capt. R. H. Beckham, deceased; to the Committee on Pensions.

By Mr. FARR: A bill (H. R. 14439) granting an increase of pension to Margaret A. Bass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14440) granting an increase of pension to Henrietta Steinmetz; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 14441) for the relief of Lyman Bryant; to the Committee on Military Affairs.

By Mr. GOOD: A bill (H. R. 14442) granting an increase of pension to William W. Clark; to the Committee on Invalid Pensions.

By Mr. GRIFFIN: A bill (H. R. 14443) granting a pension to Frederick W. Mellor; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 14444) granting an increase of pension to Helen E. Smith; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 14445) for the relief of George F. De Maranville; to the Committee on Military Affairs.

By Mr. McCRACKEN: A bill (H. R. 14446) granting a pension to John L. Johnson; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 14447) for the relief of Owen Matthews; to the Committee on Military Affairs.

Also, a bill (H. R. 14448) granting an increase of pension to Joseph Smolinski; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14449) granting a pension to Abram Gardner; to the Committee on Invalid Pensions.

By Mr. NELSON: A bill (H. R. 14450) granting an increase of pension to Alfred A. Bonney; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 14451) granting an increase of pension to William Roush; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 14452) granting a pension to George W. Burk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14453) granting an increase of pension to John H. Davison; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 14454) granting an increase of pension to Ellen M. Mills; to the Committee on Invalid Pensions.

By Mr. SANFORD: A bill (H. R. 14455) granting a pension to Joseph P. Weis; to the Committee on Pensions.

Also, a bill (H. R. 14456) for the relief of John J. Dooley; to the Committee on Military Affairs.

By Mr. SEARS: A bill (H. R. 14457) granting an increase of pension to Stephen J. Coleman; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 14458) granting an increase of pension to James H. Tunnell; to the Committee on Invalid Pensions.

By Mr. SHALLENBERGER: A bill (H. R. 14459) granting an increase of pension to William M. Mackey; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 14460) to correct the military record of Edward S. Knappen; to the Committee on Military Affairs.

By Mr. SMITH of Minnesota: A bill (H. R. 14461) granting a pension to Ella Mitchell York; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 14462) for the relief of George Deitz; to the Committee on Military Affairs.

Also, a bill (H. R. 14463) for the relief of Albert E. Kelly; to the Committee on Claims.

By Mr. SPARKMAN: A bill (H. R. 14464) granting a pension to James E. Whitehead; to the Committee on Pensions.

By Mr. STEELE of Pennsylvania: A bill (H. R. 14465) granting a pension to Rosa E. Lilly; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 14466) granting a pension to Carrie A. Stittions; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 14467) granting an increase of pension to Joseph L. Reel; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 14468) granting an increase of pension to Mary L. Finney; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Society of Sponsors of the United States Navy, pledging loyalty to the United States; to the Committee on Military Affairs.

Also (by request), memorial of women voters of Washington, favoring action on the Susan B. Anthony amendment; to the Committee on the Judiciary.

Also (by request), petition of Health Officers' Association of Los Angeles, Cal., favoring Federal aid for indigent persons afflicted with tuberculosis; to the Committee on Interstate and Foreign Commerce.

By Mr. BACHARACH: Memorial of Board of Trade of the city of Newark, N. J., relative to national defense; to the Committee on Military Affairs.

By Mr. BAILEY: Petition of W. R. Davidson, George F. Guyer, Ben Butterworth, Rev. Nelson B. Kline, C. C. Ball, John Sterrat, jr., J. J. Mitchell, Fred Kleine, Charles B. Graffius, A. E. Fox, George Proud, Clair Caldwell, R. J. Protzeller, D. B. Beaver, F. N. Artley, Sidney Alsop, J. C. Wesner, Harry M. Finn, Alex Leslie, Samuel Jessop, Thomas Bell, Guy Leslie, James Bendle, Logan Long, Albert Marsh, John Bendle, jr., C. M. Darling, J. H. Leslie, and J. H. Temple, all of Spangler, Pa., in favor of national prohibition; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petition of 104 citizens of Bethel and Upper St. Clair Townships, Allegheny County, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of the First Methodist Episcopal Church, the First Christian Church, the United Presbyterian Church, and the Woman's Christian Temperance Union of Homestead; the New Century Club and First Presbyterian Church of Dormont; the United Presbyterian Church and the Woman's Christian Temperance Union of Crafton; the United Presbyterian Church and Baptist Church of Mount Lebanon; the Civic Club of Bridgeville; the Beechview Methodist Church and Lutheran Church of the Redeemer of Pittsburgh; Forest Grove Presbyterian Church, of McKees Rocks; and Bethel Presbyterian Church, of Bridgeville, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 95 citizens of Allegheny County, Pa., favoring House bill 6468, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of the faculty of the department of architecture of the Carnegie Institute of Technology, against the erection of the proposed power house on the Potomac Channel, near the Bureau of Engraving and Printing; to the Committee on Public Buildings and Grounds.

Also, petition of 117 voters of Duquesne, Pa., favoring the passage of House joint resolutions 84 and 85, proposing an amendment to the Constitution of the United States for nation-wide prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Petition of John H. Martens, favoring passage of Stevens-Ayres bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Light & Power Co., St. Louis, Mo., against passage of bills relative to numbers on motor boats; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Typotheta of New York City, favoring House bill 11621, relative to mailing catalogues, etc.; to the Committee on the Post Office and Post Roads.

Also, petition of National Association of Bureau of Animal Industry Employees, New York City, favoring House bill 5792, relative to salaries in Bureau of Animal Industry; to the Committee on Agriculture.

Also, petition of J. A. McCarthy, New York City, favoring House bill 6915, the Griffin bill; to the Committee on the Post Office and Post Roads.

By Mr. BURKE: Memorial of Cigarmakers' Union No. 381, of Watertown, Wis., favoring passage of House bill 6871, relative to convict-made goods; to the Committee on Labor.

By Mr. CASEY: Memorial of Pittston City District of the Luzerne County Sabbath School Association, State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DALE of New York: Memorial of Republican State Central Committee of Wyoming, favoring woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of the Pineoleum Co., of New York City, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, memorial of Western Oil Jobbers' Association, favoring effectual dissolution of the Standard Oil Co.; to the Committee on the Judiciary.

Also, petition of W. E. Shrewsbury, of New York City, favoring preparedness; to the Committee on Military Affairs.

By Mr. DALLINGER: Petition of First Baptist Young People's Society of Christian Endeavor of Cambridge, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DILLON: Petition of sundry citizens of Sioux Falls, S. Dak., against the Sunday-observance bill in the District of Columbia; to the Committee on the District of Columbia.

By Mr. EAGAN: Memorial of Union League Club, of Chicago, and Society of Colonial Wars, in the District of Columbia, favoring preparedness; to the Committee on Military Affairs.

Also, petition of Western Oil Jobbers' Association, relative to effectual dissolution of the Standard Oil Co.; to the Committee on the Judiciary.

Also, petition of United States penitentiary guards at Leavenworth, Kans., for increase in pay; to the Committee on Appropriations.

By Mr. ELSTON: Petition of Ottie W. Smith and other citizens of Alameda County, Cal., against passage of House bill 652, Sunday-observance bill in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Ottie W. Smith and others, of Alameda County, Cal., against passage of bills to amend the postal law; to the Committee on the Post Office and Post Roads.

Also, petition of the Woman's Christian Temperance Union of Berkeley, Cal., favoring the passage of a bill to prohibit the sale of alcoholic liquors in the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of the board of supervisors of Alameda County, Cal., favoring House bill 8352, to standardize the treatment of tuberculosis and provide Federal aid to indigent patients; to the Committee on Interstate and Foreign Commerce.

Also, petition of Trinity Church, of Berkeley, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Berkeley (Cal.) Woman's Christian Temperance Union, favoring national prohibition; to the Committee on the Judiciary.

By Mr. FLYNN: Memorial of Western Oil Jobbers' Association, favoring effectual dissolution of the Standard Oil Co.; to the Committee on the Judiciary.

Also, petition of Olin J. Stephens, of New York, relative to compulsory military service; to the Committee on Military Affairs.

Also, petition of the Pineoleum Co., of New York City, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of committee on provision for the feeble-minded, favoring House bill 13666, relative to feeble-minded in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Richey, Browne & Donald, of New York City, against passage of bill to regulate method of directing the work of Government employees; to the Committee on Labor.

By Mr. FULLER: Petition of Culver (Ind.) Military School, relative to amendments to the military bill; to the Committee on Military Affairs.

By Mr. GARNER: Memorial of Southwestern Millers' League, favoring a merchant marine; to the Committee on the Merchant Marine and Fisheries.

Also, petition of El Paso (Tex.) Chamber of Commerce, favoring preparedness; to the Committee on Military Affairs.

Also, petition of Civic League of Del Rio, Tex., favoring inspection of dairy products; to the Committee on Rules.

By Mr. GRIFFIN: Petition of Richey Browne & Donald, of New York City, against passage of a bill to regulate the method of directing the work of Government employees; to the Committee on Labor.

Also, memorial of Ohio Association Volunteer Retired List, relative to Volunteer officers' retirement bill; to the Committee on Military Affairs.

Also, petition of the Pineoleum Co., of New York City, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. GUERNSEY: Petition of citizens of Old Town, Me., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAMLIN: Papers to accompany House bill 12449, to pension John G. Monroe; to the Committee on Invalid Pensions.

By Mr. HAWLEY: Petition of Ministerial Association of Medford, Presbyterian Church of Creswell, Woman's Civic Improvement Club of Creswell, sundry citizens of Oregon, and citizens of Linn, Oreg., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAYDEN: Petition of Mrs. J. E. Laurence and 7 other citizens of Phoenix, Ariz., opposing the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition of Tula A. Robertson and 34 other citizens of Flagstaff, Ariz., favoring the adoption of a prohibition amendment to the Constitution of the United States; to the Committee on the Judiciary.

Mr. HOLLINGSWORTH: Petition of Rev. J. B. Buckey and 47 others, of Salineville, Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of American Flint Glass Works Local Union, Toronto, Ohio, against repeal of the seamen's act; to the Committee on the Merchant Marine and Fisheries.

By Mr. HUMPHREY of Washington: Petition of 28 citizens of Seattle, and Perseverance Lodge, No. 121, International Order of Good Templars, of Seattle, Wash., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KEISTER: Petition of sundry citizens and organizations of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEWIS: Petition of a number of citizens of Cumberland, Md., opposing the passage of House bill 8348; to the Committee on the Judiciary.

By Mr. LINDBERGH: Petition of citizens of Akeley, Minn., protesting against the passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Petition of Gerrit Masselink and 18 others, of Big Rapids, Mecosta County, Mich., favoring passage of woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. McARTHUR: Petition of Pioneer Methodist Church of St. Johns, Portland, Oreg., favoring the establishment of a Federal motion-picture commission; to the Committee on Education.

Also, petition of Central Presbyterian Church, of Portland, Oreg., favoring the establishment of a Federal motion-picture commission; to the Committee on Education.

Also, petition of First United Brethren Church, of Portland, Oreg., favoring establishment of a Federal motion-picture commission; to the Committee on Education.

By Mr. McGILLICUDDY: Petition of citizens and organizations of the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAPES: Petition of citizens of Lamont, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. NELSON: Petition of sundry citizens of Crawford County, Wis., against bills to amend the postal law; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens and organizations of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

By Mr. NORTH: Petition of the Holy Name Society of St. Patrick's Church, for the Federal-censorship bill for moving pictures; to the Committee on Education.

Also, petition of Federation of Catholic Societies, for the Federal-censorship bill for moving pictures; to the Committee on Education.

Also, petition of Homer City Council, No. 199, Junior Order United American Mechanics, against the Fitzgerald postal bill and the Siegel postal bill; to the Committee on the Post Office and Post Roads.

Also, petition of 57 citizens of Indiana County, Pa., favoring a Christian amendment to Constitution of United States; to the Committee on the Judiciary.

Also, petition of sundry citizens and organizations of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PETERS: Petition of sundry citizens and organizations of the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PHELAN: Petition of Brotherhood Class of Cliftondale, Sangus, Mass., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of citizens of the State of Massachusetts favoring embargo on arms, etc.; to the Committee on Foreign Affairs.

By Mr. PRATT: Petition of the widows of soldiers of the United States, who reside in the city of Ithaca, N. Y., favoring the passage of the Ashbrook widows' pension bill, House bill 11707; to the Committee on Invalid Pensions.

By Mr. RAINEY: Petition of Mrs. Ellen L. Rupert and others of Rockport, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RANDALL: Petition of Joe Senger and 79 other residents of Franklin Grove, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Board of Supervisors of Alameda County, Cal., favoring House bill 8325; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Health Officers' Association of Los Angeles County, Cal., favoring Federal aid for indigent persons afflicted with tuberculosis; to the Committee on Interstate and Foreign Commerce.

By Mr. SLOAN: Petition of International Christian Endeavor of Congregational Church at Crete, Nebr., favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SMITH of Idaho: Papers to accompany House bill 14415 for relief of O. W. Lindsley; to the Committee on Claims.

By Mr. SMITH of Minnesota: Petition of A. E. Peck Manufacturing Co., of Minneapolis, Minn., against continuance of tax on tooth paste; to the Committee on Ways and Means.

Also, memorial of Calhoun Commercial Club of Minneapolis, Minn., relative to national control of the Mississippi River; to the Committee on Rivers and Harbors.

By Mr. STEAGALL: Petition of sundry citizens of Downs, Ala., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Samson, Ala., relative to rural-credits legislation; to the Committee on Banking and Currency.

Also, petition of sundry citizens and organizations of the State of Alabama, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEELE of Pennsylvania: Petition of sundry citizens and organizations of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Memorial of Women's Conference of Jewish Organizations, Los Angeles, and Cremieux Lodge, San Francisco; also communications from Edward F. Mullen and 21 others of Los Angeles, all in the State of California, protesting against the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of Commonwealth Club of San Francisco, Cal., favoring peaceful settlement of international disputes; to the Committee on Foreign Affairs.

Also, petition of Building Material Dealers Creditors' Association, Sebastian Kraemer, E. H. Porter, and F. W. Enderly, all of Los Angeles, Cal., protesting against the stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition of Women's Club, of Lodi, Cal., and the California Federation of Women's Clubs, San Francisco, Cal., favoring appropriations for Yosemite National Park; to the Committee on the Public Lands.

Also, memorial of Board of Supervisors, Alameda, and Health Officers' Association of Los Angeles, both in the State of California, favoring Federal aid for indigent consumptives; to the Committee on Interstate and Foreign Commerce.

Also, petition of Mary R. Moore and 33 others of Los Angeles, Cal., favoring the Warren bill; to the Committee on Military Affairs.

Also, petition of Jefferson Davis Chapter, United Daughters of the Confederacy, San Francisco, Cal., favoring the Works bill for the relief of Confederate veterans; to the Committee on Pensions.

Also, petition of California Associated Societies for the Conservation of Wild Life, favoring a national-park service; to the Committee on the Public Lands.

By Mr. TAYLOR of Colorado: Petition of citizens of Palisade, Colo., against passage of compulsory Sunday observance bills; to the Committee on the District of Columbia.

By Mr. TEMPLE: Petition of J. A. Forsythe and 15 other citizens of Beaver and Lawrence Counties, favoring a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. TILSON: Petition of F. H. Evarts and 43 others, of New Haven, Conn., favoring bills to amend the postal law; to the Committee on the Post Office and Post Roads.

By Mr. TINKHAM: Petition of United States Penitentiary guards at Leavenworth, Kans., for increase of pay; to the Committee on Appropriations.

Also, petition of Society of the Chagres, Balboa Heights, Canal Zone, relative to resolution to reward members of the Isthmian Canal Commission; to the Committee on Appropriations.

By Mr. WASON: Petitions of John A. Scott and 10 other residents of Bennington, Miss F. L. Edwards and 21 other residents of Bennington, N. H., favoring national prohibition; to the Committee on the Judiciary.

Also, resolution of Bennington Grange, of Bennington, N. H., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

TUESDAY, *April 11, 1916.*

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thy name has been the hope and inspiration of our Nation in all its history. In the time of our conscious weakness our fathers called upon Thy name. Thou didst deliver us. Thou didst give us power. In the day of our conscious strength and greatness we call upon Thy name that we forget not Thy benefits to us and that we may remember Thou hast a purpose in all that Thou hast ministered unto us as a Nation. Thou hast sent us upon a mission among the nations of the earth. Thy kingdom is within us. We pray that our Nation may be in our hearts as well and that Thy kingdom and our Nation may be one in our hearts. With a divine inspiration and with a godly purpose may we address ourselves to the tasks of this day. For Christ's sake. Amen.

priations.

tion; to the Committee on the Judiciary.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Thursday, March 30, 1916, when, on request of Mr. SIMMONS, and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PERSONAL EXPLANATION.

Mr. WEEKS. Mr. President, I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. When the vote was taken yesterday afternoon I came into the Senate when the call had been nearly completed. Understanding that the Senator from Kentucky had voted I voted. If he had been present he would have voted in the negative upon the proposition which was before the Senate. I voted in the affirmative. I, of course, voted under a misapprehension of the conditions.

I make this statement to protect the Senator from Kentucky, who had provided a pair on this question.

PRICE OF GASOLINE (S. DOC. NO. 403.)

The VICE PRESIDENT. The Chair lays before the Senate a communication from the chairman of the Federal Trade Commission, transmitting a preliminary report concerning the investigation of gasoline prices by that commission. The communication and accompanying report will be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

Mr. McCUMBER subsequently said: I should like to ask the Chair what was done with the report concerning gasoline?

The VICE PRESIDENT. It was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD.

Mr. McCUMBER. I ask that it be printed also as a document. I think it is a matter of considerable interest to the country and that it should be so printed in addition to its being printed in the RECORD.

Mr. SMOOT. The rule has been either to print as a public document or in the RECORD, and whichever course the Senator chooses can be taken.

Mr. McCUMBER. I have not asked that it be printed in the RECORD. I simply ask that it be printed as a document so that it may be available in that form.

The VICE PRESIDENT. Without objection, the communication will be printed as a document and not printed in the RECORD.

NATIONAL DEFENSE.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of March 30 (calendar day of April 7), three opinions of the Judge Advocate General of the Army bearing upon various phases of the legal situation involved in measures pending before the two branches of Congress upon the reorganization of the Army.

Mr. BRANDEGEE. Inasmuch as the communication does not concern the present subject of debate, I ask that it be printed in the RECORD when we take up the Army bill for consideration.

The VICE PRESIDENT. The communication and accompanying papers will be referred to the Committee on Military Affairs and printed in the RECORD following the consideration or during the consideration of the Army reorganization bill.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the chief clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes:

Mary K. Corwin, daughter and one of the heirs of Henry D. Kingsbury, deceased, *v.* The United States (S. Doc. No. 397);

Wright Bisbee *v.* The United States (S. Doc. No. 398);

Warren D. Crandall *v.* The United States (S. Doc. No. 399);

Clarence W. Denton *v.* The United States (S. Doc. No. 400);

Albert H. Van Deusen *v.* The United States (S. Doc. No. 401); and

James P. Harbeson *v.* The United States (S. Doc. No. 402).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by E. T. Taylor, jr., one of its clerks, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 10385) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1917; asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and had appointed Mr. CARTER of Oklahoma, Mr. KONOP, Mr. HAYDEN, Mr. CAMPBELL, and Mr. NORTON managers at the conference on the part of the House.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3984) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4399) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

NATIONAL DEFENSE.

Mr. UNDERWOOD. Mr. President, some days ago I published a letter which I received from Mr. Landis in reference to the statement I made about him. He has written me another letter on the subject, which disclaims knowledge of Mr. Carter. I ask that the letter may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

E. I. DU PONT DE NEMOURS & CO.,
Wilmington, Del., April 10, 1916.

Hon. OSCAR W. UNDERWOOD,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The CONGRESSIONAL RECORD of April 7 did not reach me until to-day, and I hasten to write you because I want you to know that some one is imposing on you and lying about me.

Under date of April 5, referring to charge made by you against me in letter to Mr. du Pont, I wrote you assuring you that I had nothing whatever to do with any provision in the House bill bearing on nitrates or anything else, and that I did not recall that I had ever spoken to any Senator or Representative at any time about nitrates or the fixation of atmospheric nitrogen.

You had my letter read to the Senate and printed in the CONGRESSIONAL RECORD, and you followed it with a statement explaining the source of your information about me and my alleged antagonism to the House nitrate provision.

It appears from your statement that a man by the name of R. B. Carter, formerly of Albemarle County, Va., claiming to be an engineer employed by the Du Pont Co., states that while dining with me recently I told him he should not advocate a Government nitric-acid plant, because the Du Pont Co. was opposing such an enterprise.

I want to say to you in all sincerity and honesty that I do not recall ever having met, or known, a man by the name of R. B. Carter. I certainly never dined with a man by that name in recent years.

Until I read his name in the CONGRESSIONAL RECORD I never heard of Mr. R. F. Bower, of Albemarle County, Va.

Further than is set forth by Mr. du Pont's letter addressed to the Secretary of War and the bill accompanying it touching conditions under which the Du Pont Co. would undertake the fixation of atmospheric nitrogen, I have in no way interested myself in the question.

I will appreciate it greatly if you will have this letter read from the Secretary's desk.

Very truly, yours, C. B. LANDIS.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial of Local Branch, Commandery of the Military Order of the Loyal Legion of the United States, of the District of Columbia, remonstrating against the erection of a power plant in the city of Washington, D. C., on such a location as will mar the beauty of memorial structures, which was ordered to lie on the table.

He also presented a petition of the Merchants' Association, of Manila, P. I., praying that final action on legislation affecting the government of the Philippines or having to do with their relations with the United States be withheld until the European war shall have been ended, which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 8, of St. Louis, Mo., praying for Government ownership of telephone and telegraph systems, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Honolulu, Hawaii, praying for prohibition in the Territory of Hawaii, which were referred to the Committee on Pacific Islands and Porto Rico.

He also presented a telegram in the nature of a petition from U. S. Grant Post, No. 327, Department of New York, Grand Army of the Republic, of Brooklyn, N. Y., and a petition of the Society of Sponsors of the United States Navy, of Philadelphia, Pa., and of the board of governors of the India House, of New York City, N. Y., praying for an increase in armaments, which were ordered to lie on the table.

Mr. POINDEXTER. I present resolutions in the nature of a petition adopted by the Northwest Conference, held at Spokane, Wash., March 27 and 28, 1916, on what has come to be called preparedness. I ask that they may be printed in the RECORD.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

The Northwest Conference on Preparedness, held at Spokane March 27 and 28, 1916, after duly authorized call to the people of Oregon,

Washington, Idaho, Montana, and Wyoming, adopted the following resolutions at the conclusion of two days of discussion and deliberation:

"The United States is the richest country on earth, and the most vulnerable to attack. With a navy that ranks fourth in the battle fleets of the world, it has two long ocean fronts, the Gulf of Mexico, the Panama Canal, Hawaii, the Philippines, and Porto Rico to defend.

"It is the only great power that is content to risk its safety on a small navy and the unknown quantity of a volunteer army. France, Germany, Austria-Hungary, Russia, Italy, Japan, Australia, all have adopted compulsory training of their youth and compulsory liability to service in time of war, and Great Britain has now adopted a modified form of compulsory service.

"In the light of these undeniable facts we call upon Congress and the President to give this endangered Nation a modern and well-balanced navy, with ships enough to guard the long Pacific coast front without impairing the fleet that will always be needed to guard the long Atlantic front.

"We make this appeal on the broad basis of national safety and welfare. This is a union, one and indissoluble. A blow at the Atlantic States and cities will be a blow felt by the Middle West, the Rocky Mountain States, and the Pacific slope, and a blow at the Pacific coast will be an injury to every other star in the flag.

"The States bordering on the Pacific coast of the great Northwest have many wealthy and populous coast cities and towns and railroad and steamship terminals wholly dependent upon the traffic of the ocean highways lying to-day at the mercy of invading foreign powers for the want of national seacoast fortifications for protection from invasion from the high seas.

"Therefore, with an adequate Navy in the Pacific should go ample provision of naval bases for the fuller protection of that Navy and the cities of the Pacific coast—those of Puget Sound and the Columbia River and of San Francisco and southern California as well.

"We believe, with Washington, Jefferson and Madison, and Monroe and Jackson, that the applied principle of manhood duty to the flag should go hand in hand with manhood suffrage.

"We believe with the military authorities of to-day—the Chief of Staff, the Assistant Chief of Staff, the president of the Army War College, the major general commanding the Department of the East, and practically every other military authority who has testified before the Military Affairs Committees of the House and the Senate—that this Nation will not have adequate, dependable, just, and democratic defense until it has discarded the unfair and volunteer plan and applied the equitable principle of universal physical, moral, and military training of its youth, with universal liability to serve in case of war.

"We believe that sufficient appropriation should be made by our State legislatures to provide adequate armory facilities and to meet the administrative and incidental expenses of the National Guard troops of our several States when organized in accordance with the accepted plan for a force of citizen soldiery contained in the pending Federal legislation which we have indorsed.

"We urge all business and professional men to at once give patriotic personal study and service as auxiliaries to the existing National Guard and Naval Militia and to business men's military lectures and citizens' camps, to the end that every citizen will voluntarily and at once give some assistance to changing the United States of America into a defended treasure land.

"Compulsory training of the country's youth will tend powerfully to the correction of grave evils and make our people more efficient in all the industries and arts of peace. We place it first, therefore, in the consideration of plans of national defense recommended by the country's ablest military and naval authorities as they have testified before the committees of the Senate and the House.

"To their plans and their counsel we will cheerfully yield our local interests everywhere.

"The Chamberlain bill from the Senate committee follows closely the recommendations of the country's duly constituted military advisers. It should be adopted, and we will call upon the Senators and Representatives from the five States sending delegates to this convention—Wyoming, Montana, Idaho, Washington, and Oregon—to support it with their voice, vote, and influence.

"Whereas it has become absolutely admitted, through practical application, that the country, even in time of peace and more urgently in time of war, demands the construction of highways across this continent, to be used in case of war in repelling the invasion of a foreign power or in offensive warfare for the transportation of munitions of war from coast to coast, from the interior: Therefore

"*Resolved*, That we urge upon Congress appropriations in aid of such highways as may be deemed necessary for military operations.

"*Resolved*, That ample supplies of nitrogen and potash are an essential part of the preparedness of the United States to meet the emergency that would be created by war, and a comprehensive plan for conducting experiments and doing the other things necessary to develop these industries in our own country must be an essential part of a broad plan for industrial and military preparedness."

Mr. McCUMBER presented a memorial of the Commercial Club of Jamestown, N. Dak., remonstrating against the imposition of a tax on gasoline, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Minot, N. Dak., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Leonard, Pekin, Dunn Center, Wildrose, Kulm, McClusky, and Niagara, all in the State of North Dakota, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. SHEPPARD presented memorials of sundry citizens of Austin and Pampa, in the State of Texas, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Farmers' Union of Fannin County, Tex., remonstrating against section 11 of the so-called cotton-futures bill, which was referred to the Committee on Agriculture and Forestry.

He also presented memorials of sundry citizens of Waco and Keene, in the State of Texas, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Comanche, Palacios, and Canyon, in the State of Texas, and a petition of sundry citizens of Oil City, Pa., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WORKS presented a petition of sundry citizens of Sawtelle, Cal., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. JONES presented petitions of sundry citizens of the State of Washington, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Conconully, Oakville, and Mount Vernon, all in the State of Washington, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. SHAFROTH presented petitions of sundry citizens of Clifton, Colo., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SMITH of Michigan presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Prescott, Mich., praying for the creation of a system of rural credits, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Morenci, Mich., praying for an investigation into the price of gasoline, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Grand Rapids, Mich., praying for an investigation into conditions surrounding the marketing of dairy products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Kalamazoo, Mich., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented memorials of sundry citizens of Michigan, remonstrating against any change being made in the parcel-post law, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Hillsdale and Dundee, in the State of Michigan, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

Mr. MYERS presented a memorial of sundry citizens of Kalispell and Somers, in the State of Montana, remonstrating against appropriations for sectarian purposes, which was ordered to lie on the table.

Mr. BURLEIGH presented a petition of sundry citizens of Old Town, Me., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. PHELAN presented petitions of sundry citizens of San Francisco, Sacramento, and Los Angeles, all in the State of California, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented a petition of sundry citizens of San Francisco, Cal., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

Mr. THOMPSON presented petitions of sundry citizens of Pittsburg, Kans., praying for the enactment of legislation to grant pensions to employees of the Postal Service, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Young People's Society of Christian Endeavor, of Lakin, Kans., praying for prohibition in the island of Porto Rico, which was referred to the Committee on Pacific Islands and Porto Rico.

Mr. CHAMBERLAIN presented a petition of sundry citizens of St. Johns, Oreg., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Salem, Oreg., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Oregon, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Oregon, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. CURTIS presented petitions of the congregations of the Methodist Episcopal Church, the Baptist Church, and the Presbyterian Church, all of Wellsville, in the State of Kansas, praying for prohibition in the District of Columbia, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Louisville, Junction City, La Harpe, Gaylord, Newton, Jefferson, Atchison, Goddard, Wichita, Lucas, Onaga, Lost Springs, and Alton, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Chanute, Garnett, Kansas City, Ottawa, and Pittsburg, all in the State of Kansas, praying for the enactment of legislation to grant pensions to employees in the Postal Service, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Lawrence and Topeka, in the State of Kansas, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented memorials of sundry citizens of Dwight, Olathe, Lenexa, Wakefield, Manhattan, Lairds Creek, Bronson, Detroit, Mount Pleasant, Arkansas City, Princeton, Altoona, Earlton, Stover, Carbondale, Overbrook, Fredonia, Burlington, Horton, Baldwin, and Ozawkie, all of the State of Kansas, remonstrating against any change being made in the parcel-post law, which were referred to the Committee on Post Offices and Post Roads.

Mr. WEEKS. I present resolutions of the General Court of the Commonwealth of Massachusetts relative to the conditions of destitution in Poland and to the entry of food therein. I ask that the resolutions be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, 1916.

Resolutions relative to the conditions of destitution in Poland and to the entry of food therein.

Whereas, according to reliable information, the situation in the belligerent countries of Europe is such that the inhabitants of Poland and the invaded districts of Russia are dying of starvation; and

Whereas it has been authoritatively presented that the only solution for this problem is to increase the available food supply in said territory from outside sources through the medium of an organization similar to the present Commission for the Relief of Belgium: Therefore be it

Resolved, That the Senators and Representatives in Congress from Massachusetts are hereby requested to take early and concerted action to bring before the United States Department of State the awful plight of the inhabitants of these districts, with a view to having representations made to the Governments of the belligerent nations that the importation of foodstuffs therein be made possible.

Resolved, That copies of these resolutions, attested by the secretary of the Commonwealth, be sent by said official to each of the Senators and Representatives in Congress from Massachusetts.

In house of representatives, adopted March 17, 1916.
In senate, adopted in concurrence March 22, 1916.
A true copy.
Attest:

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

Mr. WEEKS presented petitions of sundry citizens of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of West Newton, Mass., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Watertown, Mass., praying that an appropriation be made to provide for the construction of a national leprosarium, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of sundry citizens of Belchertown, Mass., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

He also presented a memorial of the Massachusetts State Branch of the Woman's Peace Party, remonstrating against the acquisition of any Mexican territory at any time or under any circumstances, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Pittsfield, Mass., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Worcester, Mass., praying for the enactment of legislation to provide for a reclassification of the employees of the Bureau of Animal Industry, Department of Agriculture, which was referred to the Committee on Agriculture and Forestry.

Mr. SMITH of Michigan. I present a resolution adopted by the Rotary Club of Saginaw, Mich., which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SAGINAW ROTARY CLUB,
Saginaw, Mich., April 6, 1916.

Hon. WM. ALDEN SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The Saginaw Rotary Club, at its meeting yesterday, adopted unanimously the following resolution, which, in accordance with its terms, I have the honor to transmit herewith:

"*Resolved*, That the secretary of this club be instructed to communicate with our representatives in Congress, requesting them to give hearty support in the most adequate and effective measures for national preparedness which may be possible of enactment by the present Congress."

Respectfully, yours, MAX P. HEAVENRICH, *Secretary.*

Mr. SMITH of Michigan. I present resolutions adopted by the City Commission of Jackson, Mich., which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

CITY OF JACKSON, MICH., *April 4, 1916.*

Hon. WM. ALDEN SMITH,
United States Senate, Washington, D. C.

DEAR SIR:

"*Resolved* That the City Commission of Jackson, Mich., favor the passage by Congress of a bill providing for pensions for Federal employees if incapacitated by old age or disability after 25 years of service; and be it further

Resolved, That a copy of these resolutions be sent to each of the United States Senators and Representatives in Congress from the State of Michigan.

[SEAL.] C. H. VEDDER, *City Clerk.*

Mr. SMITH of Michigan. I present a communication from members of Pisgah Lodge, No. 34, Independent Order of B'nai B'rith, of Detroit, Mich., which I ask may be printed in the RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

DETROIT, MICH., *April 3, 1916.*

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.

DEAR SENATOR: The members of the Pisgah Lodge, No. 34, of the Independent Order of B'nai B'rith, are unalterably opposed to the Burnett immigration bill because of the literacy test and because of the proposed increase in the head tax.

We wish to assure you that as American citizens we are heartily in favor of legislation excluding immigrants who are diseased, criminal, or insane. We are of the belief, however, that if there is need to amend the present immigration law, such amendment should be confined to the exclusion of the mentally, morally, and physically unfit.

It is a well-known fact that not only are there many criminals among those who can read and write, but quite a number of criminals are even highly educated.

As to the increase of head tax, it seems to us that there is no need for such increase, in view of the fact that there is a surplus of millions of dollars to the account of the Immigration Service in the Treasury of the United States at present.

We, therefore, most emphatically protest against the passage of the said bill.

This country has been and should remain open to all honest and worthy immigrants, regardless of wealth, learning, race, or creed.

Trusting that you will give this protest your most earnest consideration, we are,

Respectfully, yours,

LOUIS JAMES ROSENBERG,
Chairman.
ADOLPH FREUND,
Secretary Temple Beth El.
A. M. HERSHMAN,
Rabbi Congregation Schaare Fedeew.

Mr. GRONNA. I have received a telegram from citizens of Grafton, N. Dak., which I send to the desk and ask to have read.

There being no objection, the telegram was read, as follows:

GRAFTON, N. DAK., *April 4, 1916.*

Hon. A. J. GRONNA,
Senate, Washington, D. C.:

Grafton and vicinity is deeply interested in National Guard legislation. If the guard is discouraged by legislation now, what can we look for eventually but conscription to maintain adequate national defense? Will you not support Lee and Cummins amendments in preference to section 56, Chamberlain bill? Grafton has maintained a National Guard company for over 30 years, of which we are justly proud. Its record and that of the whole regiment in the Spanish-American War is one which the whole State can read with pleasure, for practically every man in the guard volunteered when the call came. Give the National Guard a fair chance, and we are confident the people will support them in preference to any form of the continental-army plans.

W. K. TREUMANN, *President,*
T. W. KIBBEE, *Druggist,*
N. D. ERIE, *Merchant,*
E. A. CAPSER, *Merchant,*
J. E. GRAY, *Lawyer,*
Directors of Grafton Commercial Club.

Mr. JOHNSON of Maine presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented the memorial of G. H. Mardeu, of Madison, Me., remonstrating against Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. NORRIS, from the Committee on Public Lands, to which was referred the bill (S. 4810) for the issuance of a patent for certain Government land to Benjamin F. Robinson and John Dows, reported it with an amendment and submitted a report (No. 338) thereon.

Mr. CHAMBERLAIN, from the Committee on Public Lands, to which was referred the bill (H. R. 4746) granting the city of Portland, Oreg., the right to purchase certain lands for public-park purposes, reported it without amendment and submitted a report (No. 339) thereon.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to which was referred the bill (S. 5348) to authorize the exchange of lot 10, section 19, township 45 north, range 114 west, sixth principal meridian, for certain private lands needed in connection with the construction of Jackson Lake Reservoir, Wyo., and for other purposes, reported it without amendment and submitted a report (No. 340) thereon.

He also, from the same committee, to which was referred the bill (S. 3986) granting certain coal lands to the town of Kaycee, Wyo., reported it with an amendment and submitted a report (No. 342) thereon.

Mr. SUTHERLAND, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 4) to provide for the purchase of a site and the erection of a public building thereon at Bingham Canyon, in the State of Utah, reported it without amendment and submitted a report (No. 341) thereon.

Mr. THOMAS, from the Committee on Public Lands, to which was referred the bill (H. R. 28) to amend an act entitled "An act granting to the city of Durango, in the State of Colorado, certain lands therein described for water reservoirs," approved March 1, 1907, reported it without amendment and submitted a report (No. 343) thereon.

ALLEGHENY RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 5229) granting the consent of Congress to the county commissioners of Warren County, Pa., to construct a bridge across the Allegheny River, in the borough of Warren, county of Warren, in the State of Pennsylvania, and I submit a report (No. 335) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FLINT RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 9923) granting the consent of Congress to the county of Mitchell or to the county of Baker, both in the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River, and I submit a report (No. 336) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MONONGAHELA RIVER BRIDGE.

Mr SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 10139) to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia, and I submit a report (No. 337) thereon. I ask for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT AUGUSTA, GA.

Mr. HARDWICK. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (S. 5407) authorizing and directing the Secretary of the Treasury to extend the time of payment of the amount due the Government by the city of Augusta, Ga., and I ask unanimous consent for its immediate consideration.

Mr. SMOOT. I will not object to the bill being considered at this time, but, Mr. President, as long as the calendar under Rule VIII contains 18 pages of bills to which there is no objection, I am going to object to the consideration of other bills until the calendar is considered. We might just as well make the calendar twice 18 pages and then perhaps enough Senators would be interested in it to take it up. I am not going to object to the consideration of this bill.

Mr. HARDWICK. I thank the Senator. This is an emergency proposition.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that so much of the provisions of the act of March 4, 1911, making appropriations for the sundry civil expenses of the Government as relates to the United States post office and courthouse at the city of Augusta, Ga., be, and the same is hereby, amended so as to authorize and direct the Secretary of the Treasury to extend the time of payment of the amount due the Government by the city of Augusta for a period of five years, without interest, the Government of the United States retaining title to the property until payment in full is made by the city, but delivering possession and use of the property, without rental or other charges, to the city of Augusta pending such payment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WORKS:

A bill (S. 5441) for the relief of the heirs of Albert Sidney Johnston (with accompanying papers); to the Committee on Military Affairs.

By Mr. PHELAN:

A bill (S. 5442) to acquire a site and for the erection and completion thereon of a public building in the city of Vallejo, Cal.;

A bill (S. 5443) to acquire a site and for the erection and completion thereon of a public building in the city of Richmond, Cal. (with accompanying papers);

A bill (S. 5444) to acquire a site and for the erection and completion thereon of a public building in the city of Palo Alto, Cal. (with accompanying papers); and

A bill (S. 5445) to acquire a site and for the erection and completion thereon of a public building in the city of Placerville, Cal. (with accompanying papers); to the Committee on Public Buildings and Grounds.

By Mr. OVERMAN:

A bill (S. 5446) granting an increase of pension to Helen A. Gibbs (with accompanying papers); to the Committee on Pensions.

By Mr. CULBERSON:

A bill (S. 5447) providing for the erection of a public building at Taylor, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. CLAPP:

A bill (S. 5448) to confer jurisdiction upon the United States District Court for the District of Minnesota to hear, try, and determine the value of certain pine timber; to the Committee on the Judiciary.

A bill (S. 5449) granting an increase of pension to Andrew J. Weidle; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 5450) to amend section 108, chapter 5, of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

A bill (S. 5451) to regulate the binding and tying of cotton bales in interstate or foreign commerce or intended for interstate or foreign commerce; to the Committee on Interstate Commerce.

By Mr. McCUMBER:

A bill (S. 5452) granting an increase of pension to Sarah M. Thomas; and

A bill (S. 5453) granting an increase of pension to John F. Pettit; to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 5454) granting a pension to Robert Webb Banks; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 5455) granting an increase of pension to Henry Carl (with accompanying papers); and

A bill (S. 5456) granting a pension to Mark M. Coffman (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 5457) granting an increase of pension to Sarah A. Workman (with accompanying papers); to the Committee on Pensions.

By Mr. PAGE:

A bill (S. 5458) to amend section 4747 of the Revised Statutes, relating to pensions (with accompanying paper); to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 5459) to remove the charge of desertion from the military record of Robert Letherby; to the Committee on Military Affairs.

A bill (S. 5460) granting a pension to Elizabeth A. Stebbins; and

A bill (S. 5461) granting a pension to Verona H. Coon; to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 5462) granting an increase of pension to Rebecca Ramsey (with accompanying papers); to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 5463) granting a pension to Rosario F. Freemault; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 5464) granting a pension to William A. Bowens (with accompanying papers); and

A bill (S. 5465) granting an increase of pension to Annie K. Ames (with accompanying papers); to the Committee on Pensions.

By Mr. PITTMAN:

A bill (S. 5466) to open abandoned military reservations in the State of Nevada to homestead entry and desert-land entry and to amend an act entitled "An act to open abandoned military reservations in the State of Nevada to homestead entry," approved October 1, 1890; to the Committee on Public Lands.

A bill (S. 5467) for the relief of John B. O'Sullivan; to the Committee on Claims.

By Mr. CLARK of Wyoming:

A bill (S. 5468) granting a pension to Nellie Loucks; to the Committee on Pensions.

By Mr. CUMMINS:

A bill (S. 5469) granting an increase of pension to Soren V. Kalsem (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 5470) granting an increase of pension to Hugh Findlay (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 5471) for the relief of Peter Carroll and others, lately laborers employed by the United States military authorities in and about Fort Leavenworth, Kans.; to the Committee on Claims.

A bill (S. 5472) granting an increase of pension to Elizabeth J. Beck (with accompanying papers);

A bill (S. 5473) granting an increase of pension to Thomas M. James (with accompanying papers);

A bill (S. 5474) granting an increase of pension to T. Ewing W. Elliott (with accompanying papers);

A bill (S. 5475) granting a pension to Jennie Y. Brandon (with accompanying papers);

A bill (S. 5476) granting an increase of pension to Morgan W. Jones (with accompanying papers);

A bill (S. 5477) granting a pension to Mary J. Evans (with accompanying papers);

A bill (S. 5478) granting an increase of pension to Elizabeth Shaw (with accompanying papers);

A bill (S. 5479) granting a pension to Joseph J. Wood (with accompanying papers);

A bill (S. 5480) granting an increase of pension to John D. Patterson (with accompanying papers);

A bill (S. 5481) granting a pension to Elizabeth Crockett (with accompanying papers);

A bill (S. 5482) granting a pension to Hattie W. Hurst (with accompanying papers);

A bill (S. 5483) granting an increase of pension to Smith Culler (with accompanying papers);

A bill (S. 5484) granting a pension to Eliza Jane Mayabb (with accompanying papers);

A bill (S. 5485) granting a pension to Annie S. Gradle (with accompanying papers);

A bill (S. 5486) granting an increase of pension to J. C. Griffith (with accompanying papers);

A bill (S. 5487) granting a pension to Henry Weese (with accompanying papers);

A bill (S. 5488) granting a pension to Charlotte Ann Ury (with accompanying papers);

A bill (S. 5489) granting a pension to Della E. Pierce (with accompanying papers);

A bill (S. 5490) granting a pension to John A. Pryor (with accompanying papers); and

A bill (S. 5491) granting an increase of pension to George W. Platt (with accompanying papers); to the Committee on Pensions.

A bill (S. 5492) for the relief of Matthew McDonald (with accompanying papers); to the Committee on Naval Affairs.

A bill (S. 5493) to correct the military record of Thomas Jackson Hanson (with accompanying papers); to the Committee on Military Affairs.

By Mr. OWEN:

A bill (S. 5494) granting a pension to Lucy Ramsay; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 5495) for the relief of Edward J. Lynch, collector of internal revenue for the district of Minnesota (with accompanying papers); to the Committee on Finance.

A bill (S. 5496) to amend section 5 of an act entitled "An act to authorize the drainage of certain lands in the State of Minnesota," approved May 20, 1908; to the Committee on Public Lands.

A bill (S. 5497) granting a pension to W. H. Johnston; to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 5498) granting a pension to Robert T. C. Blevins (with accompanying papers); to the Committee on Pensions.

By Mr. BROUSSARD:

A bill (S. 5499) to amend the act of Congress approved March 4, 1913 (37 Stats., 869), to increase the limit of cost for the enlargement, extension, remodeling, rebuilding, and reconstruction of the post office and courthouse at Alexandria, La. (with accompanying papers); to the Committee on Public Buildings and Grounds.

By Mr. GALLINGER:

A bill (S. 5500) granting an increase of pension to Harriet A. Streeter (with accompanying papers); to the Committee on Pensions.

By Mr. VARDAMAN:

A bill (S. 5501) to authorize and direct the President to nominate and appoint Capt. James B. Hutchinson, Philippine Scouts, a captain of Infantry in the United States Army; to the Committee on Military Affairs.

THE PUBLIC HEALTH SERVICE.

Mr. WORKS. I introduce a joint resolution and ask that it be printed in the RECORD and referred to the Committee on Public Health and National Quarantine.

The joint resolution (S. J. Res. 120) making it unlawful for any member of the Public Health Service to become a member of any medical or private health association, was read twice by its title, referred to the Committee on Public Health and National Quarantine, and ordered to be printed in the RECORD, as follows:

Whereas the American Medical Association is a national organization of physicians and surgeons of one school of medicine only and intended to advance the personal and private interests of its members; and

Whereas one of the objects of said association actively and aggressively prosecuted is to procure legislation, State and National, in the interest of the school of medicine represented by it and against all others; and

Whereas the Public Health Service of the United States is intended to represent all classes of people of all medical or nonmedical beliefs in national and interstate affairs; and

Whereas the Surgeon General of the Public Health Service has been elected president of said association and other officers of the service have become members thereof; and

Whereas it is believed that the best interests of the Public Health Service and of the people require that its officials and employees be free from influence or control by any school of medicine, or mode of healing: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any officer or employee of the Public Health Service of the Government to be or become a member or officer of, or in any way connected with any medical or private-health association or organization of any kind.

METROPOLITAN POLICE OF THE DISTRICT OF COLUMBIA.

Mr. SWANSON submitted an amendment intended to be proposed by him to the bill (S. 4479) to amend an act approved June 8, 1906, entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," which was referred to the Committee on the District of Columbia and ordered to be printed.

INVESTIGATIONS OF LIGNITE COALS.

Mr. SHEPPARD submitted an amendment proposing to appropriate $50,000 for special investigations of lignite coals, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

NATIONAL DEFENSE.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

Mr. REED submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

Mr. NELSON submitted two amendments intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which were ordered to lie on the table and be printed.

CITRUS CANKER.

Mr. BRYAN. I desire to offer an amendment to the Agricultural appropriation bill (H. R. 12717) and to make a statement with reference to the amendment.

In the matter of the eradication of the citrus canker Florida is making some progress along with her sister States of the South. On the urgent deficiency bill reported in December and passed some time ago there was an appropriation of $300,000 to carry on the work to the end of this fiscal year. In the Agricultural appropriation bill for the fiscal year ending June 30, 1917, the Secretary of Agriculture has recommended an appropriation of $250,000. The Secretary states that it was very difficult to estimate the amount of money that would be required, but in the hearings along in January he estimated that it would take perhaps $30,000 a month in the State of Florida, and he further estimated that the amount of the expenditure which would have to be devoted to that State would be about one-half of the amount needed. In the Agricultural appropriation bill hearings, while stating that he could not arrive at anything approaching an estimate, the Secretary was of the opinion that perhaps $250,000 would carry him along until December.

Mr. President, I am very glad to say that great progress has been made in Florida in fighting this pest. I suppose it is hardly necessary to state how it originated. It came here from Japan and worked its way from Texas over into Florida, where, of course, the citrus industry is one of the great industries of the State, there being perhaps $300,000,000 of investments in it.

I hope the Secretary is correct in supposing that it will not be necessary to spend as much money in the future as it has been in the recent past, but if it is not necessary, then the money will not be spent. I am very fearful that as soon as the rains come again the disease will reappear, and it will be very difficult to meet the situation if, unfortunately, the disease reappears during the summer months or in the fall.

Under an appropriation made by the legislature, which was thought to be sufficient to stamp out the pest, there was gathered by the State of Florida a force of men. The deficiency appropriation was placed upon the deficiency bill for the reason that the appropriation made by the State was exhausted, and if the Government would take it up until the State legislature could meet again, then a division and an equitable arrangement between the State and the Federal Government as to the proportion which should be spent by each would be considered. It would be most unfortunate if during the summer or fall months, during the recess of Congress, the disease should reappear and there not be money to have that force carry on its work, because it took considerable time to gather together men who could understand the disease, men who would know it when they saw it and who were able to make it certain that they would not spread the disease as they went from one grove to another.

I should consider it a great misfortune if this force—perhaps 200 men—should be dissipated and scattered because of the lack of money needed immediately on account of the failure of the appropriation through the negligence either of the State or of Congress to meet the situation.

There is no doubt but that the disease can be stamped out. As the Secretary says, no man can state how much money it will take. It will take considerably less than was estimated a year ago, because of the active participation of both the State and Congress in fighting the disease.

I offer this amendment now, so that after the bill passes the House and comes into the Senate the conditions may then be known and, if necessary, Congress can make a larger appropriation.

Therefore I propose the amendment increasing the appropriation from $250,000 to $500,000.

The VICE PRESIDENT. The amendment will be referred to the Committee on Agriculture and Forestry and be printed.

WITHDRAWAL OF PAPERS—EUGENE WESTCOTT.

On motion of Mr. WEEKS it was—

Ordered, That the papers accompanying the bill (S. 6667) granting pension to Eugene Westcott, Sixty-third Congress, be withdrawn from the files of the Senate, no adverse report having been made thereon.

LANDING OF SIR FRANCIS DRAKE IN CALIFORNIA.

Mr. PHELAN submitted a concurrent resolution (S. Con. Res. 20), which was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is hereby authorized and requested to appoint a representative of this Government to appear at the celebration of the landing of Sir Francis Drake on the shores of Marin County, Cal., on the dates of May 19, 20, and 21, 1916: *Provided*, That the expenses of such representative shall be paid by those in charge of the celebration, and that no expense whatever shall be required of the Federal Government.

PRICE OF GASOLINE.

Mr. KENYON. Mr. President, I desire to submit a resolution. First, I shall ask to have read a letter from the general counsel of the Western Oil Jobbers' Association with reference to the subject of gasoline, containing a statement of the prices of gasoline at Dayton, Ohio, April 7, 1916, and at Richmond, Ind., points 42 miles apart; also a resolution adopted by the Western Oil Jobbers' Association at their annual convention at St. Louis, Mo., March 16 and 17, 1916. I ask that the letter and the resolutions which I present may be read for the information of the Senate, after which I shall offer a resolution on the subject.

The VICE PRESIDENT. Is there objection to the request of the Senator from Iowa? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

DISCRIMINATION.

On April 7, 1916: Gasoline at Dayton, Ohio, 23 cents; gasoline at Richmond, Ind., 18.5 cents; difference, 4.5 cents.

The two points are 42 miles apart.

The Standard Oil Co. of Ohio makes the Ohio price, and the Standard Oil Co. of Indiana makes the Indiana price.

The difference is typical of the conditions throughout both States.

—

WESTERN OIL JOBBERS' ASSOCIATION,
Chicago, Ill., March 27, 1916.

Hon. WILLIAM S. KENYON,
United States Senate, Washington, D. C.

DEAR SIR: The independent oil jobbers of the Middle West will be driven out of the gasoline business during the coming summer if the present discriminatory prices are not equalized.

The price of gasoline in New York charged by the Standard Oil Co. of New York is 26 cents to consumers. The price at Chicago charged by the Standard Oil Co. of Indiana is 18½ cents. Prices in Ohio charged by the Standard Oil Co. of Ohio, freight rates from the Oklahoma fields considered, have been 2 cents higher than those charged by the Standard Oil Co. of Indiana throughout the Middle West. The price at Pittsburgh was 24 cents, in comparison with the Chicago price of 18½ cents, while the difference in freight from the midcontinent field is less than a cent.

The Oil, Paint, and Drug Reporter, on page 33 of the issue of March 27, 1916, says: "Our midcontinent correspondent reports free offers (for gasoline) at 20 and 21 cents, many of the bids being turned down." In other words, gasoline can be sold f. o. b. cars Oklahoma, where the independent oil jobbers of the Middle West obtain their supplies, for more than the tank-wagon market price of gasoline in the Middle West.

A letter on my desk from a jobber operating in this territory says: "At six of our country stations we are now charging prices on gasoline 2½ cents per gallon above the Standard Oil Co., and this price barely lets us out even, to say nothing of the loss our agents are taking in reduced commissions."

Competition in the Middle West will be dead if this condition continues.

This discrimination in price is probably legal, owing to the absurd dissolution decree.

Is Congress going to adjourn without going to the bottom of the whole gasoline situation?

You will find inclosed a speech on the situation delivered by me at St. Louis a few days ago, in which I contend that the dissolution decree is a failure and ask that Congress shall either make the Sherman law effective or abandon it. Resolutions adopted by our association to the same effect are also inclosed.

The burdens of Congressmen and Senators are many, but I trust you will have time to read what I have to say on the subject. The Western Oil Jobbers, 75 independent jobbers, doing business throughout the Middle West, face financial ruin. Has Congress an interest in the preservation of competition?

Very truly, yours,

R. L. WELCH, *General Counsel.*

—

Resolution adopted by the Western Oil Jobbers' Association at their annual convention at St. Louis, Mo., March 16 and 17, 1916.

Resolved by the Western Oil Jobbers' Association, an association of independent oil men doing business in the Middle West, That the dissolution of the Standard Oil Co. is a failure; that under the provisions of the dissolution decree the stockholders of the Standard Oil Co. have

practically all of the advantages of combination which they had prior to the decree, and in addition thereto are not subject to regulation as a whole, in the manner in which the holding company, the Standard Oil Co. of New Jersey, would now be subject to regulation but for the decree.

That the Standard Oil Co., by this decree, has been granted an artificial immunity from the provisions of the Sherman Act and the Clayton law.

That, on the other hand, the independent oil interests of the United States are compelled to compete against this anomalous and artificial combination of capital, are denied the benefits of combination, and are subject to all of the rigors of both the laws referred to.

That Congress ought to provide by law for the effectual dissolution or control of the Standard Oil Co.

That we respectfully petition Congress to supplement the Sherman Act so as to provide for the effectual dissolution of the Standard Oil Co., and for the vigorous and impartial enforcement of that law against all combinations in restraint of trade, or courageously to abandon and repeal the Sherman law, and provide for reasonable combinations in industry, impose the terms thereof, and, by Federal incorporation, the enlargement of the powers of the Federal Trade Commission, or otherwise provide for the effectual regulation and control of big and little business.

Mr. KENYON. Mr. President, I offer the resolution which I send to the desk, and I ask unanimous consent for its immediate consideration.

The resolution (S. Res. 166) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Attorney General of the United States is hereby requested, if not incompatible with the public interest, to send to the Senate any reports in his department of any investigations of the oil interests of the United States, including the Standard Oil Co. and other companies affiliated therewith or independent thereof, the same to cover all reports of investigations made by Department of Justice relating to said subject, or to gasoline or oil, since the decree of dissolution of the Standard Oil Co.

SAMUEL R. SMITH.

Mr. KERN submitted the following resolution (S. Res. 167), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Whereas Samuel R. Smith, for many years a member of the Capitol police force and employed at the Senate end of the Capitol, received injuries while in the discharge of his duties on the 20th of November, 1910, which have permanently disabled him so that he is unable to gain a livelihood by manual labor; and

Whereas the said Smith was dropped from the rolls on the 31st day of January, 1912, and is now out of employment: Therefore be it

Resolved, That the said Samuel R. Smith be, and is hereby, placed on the rolls of the Senate of the United States at the salary he was receiving at the date of his injury and that he be assigned by the Sergeant at Arms to such service as he may be able to perform.

FUR SEALS ON PRIBILOF ISLANDS.

Mr. SMITH of Michigan submitted the following resolution (S. Res. 168), which was read and referred to the Committee on the Judiciary:

Resolved, That the Attorney General be, and he is hereby, authorized and requested to examine into the facts as stated in House Report 500, Sixty-third Congress, second session, April 4, 1914, concerning the illegal killing of fur seals on the Pribilof Islands, and taking of skins therefrom, and to bring suit as urged therein if the law and evidence warrants such action.

GAME SANCTUARIES IN NATIONAL FORESTS.

Mr. TAGGART. I ask unanimous consent for the present consideration of Order of Business 237, being the bill (S. 4418) to establish game sanctuaries in national forests, and for other purposes. The bill was introduced by the Senator from Oregon [Mr. CHAMBERLAIN], and it was considered by the Committee on Forest Reservations and the Protection of Game, and has been favorably reported by the Senator from Oregon [Mr. LANE]. I should like to have the bill considered.

The VICE PRESIDENT. Is there objection to the present consideration of the bill.

Mr. SMOOT. I object.

The VICE PRESIDENT. There is objection.

INDIAN APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10385) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1917, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ASHURST. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the chair.

The motion was agreed to; and the Vice President appointed Mr. ASHURST, Mr. MYERS, and Mr. CLAPP conferees on the part of the Senate.

PENSIONS AND INCREASE OF PENSIONS.

Mr. JOHNSON of Maine submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3984) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 6, 7, 10, 13, 14, 17, 18, 19, and 20.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 5, 8, 9, 11, 12, 15, 16, and 21, and agree to the same.

CHARLES F. JOHNSON,
WILLIAM HUGHES,
Managers on the part of the Senate.

ISAAC R. SHERWOOD,
JOE J. RUSSELL,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

Mr. JOHNSON of Maine submitted the following report:

The committee of conference of the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4399) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1, 2, 4, 5, 6, 7, 9, 12, 13, and 14.

That the Senate recede from its disagreement to the amendments of the House numbered 3, 8, 10, and 15, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment as follows: Restore the matter stricken out by the amendment, and on page 12, line 24, after "month," insert "in lieu of that she is now receiving"; and the House agree to the same.

CHARLES F. JOHNSON,
WILLIAM HUGHES,
Managers on the part of the Senate.

ISAAC R. SHERWOOD,
JOE J. RUSSELL,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

RIVER REGULATION AND FLOOD CONTROL.

Mr. NEWLANDS. Mr. President, some time ago, at the height of the flood at New Orleans, a telegram was addressed by the New Orleans Association of Commerce to the Secretary of Commerce, which I will insert in the RECORD, calling attention to these floods and to the party assurances given regarding flood mitigation and river development, and suggesting immediate legislative action upon the subject. Following the receipt of that telegram, the President reconstituted the interdepartmental committee, which some time ago was instructed by him to inquire into the differing phases of river regulation and control presented by various bodies and to report to him. That committee consisted of the Secretaries of War, of the Interior, of Agriculture, and of Commerce.

The office of Secretary of War being vacant, the three other Secretaries met and communicated with the senior Senator from Louisiana [Mr. RANSDELL], the junior Senator from Louisiana [Mr. BROUSSARD], the Representative from Mississippi [Mr. HUMPHREYS], and myself. Mr. HUMPHREYS was unable to be present, owing to illness; but after several discussions of the question the interdepartmental committee drew up a report to the President presenting their views regarding needed legislation. That report has been recently transmitted to me by the President of the United States. I ask to have read the letter of the President and the report of the interdepartmental committee, and I will ask unanimous consent to insert in the RECORD the telegram to which I have referred.

The VICE PRESIDENT. Without objection, it is so ordered.

The telegram referred to is as follows:

[Telegram.]

NEW ORLEANS, *February 15, 1916.*

Hon. WILLIAM C. REDFIELD,
Secretary Department of Commerce, Washington, D. C.

DEAR SIR: One of the main-line levees of the Mississippi River in northern Louisiana has just given way in a district which suffered in 1912 and in 1913. A vast area of fertile farm land is being inundated. The people are fleeing from their homes. We are sending them help, as we always do. You are one of the members of the interdepartmental committee appointed many months ago to study the various submitted plans of stream and flood control. Your committee, we have been informed, reached an agreement upon the principle of the measures which were to be supported before Congress by the executive department. This organization, voicing the settled judgment of the business community of New Orleans, is on record as favoring the principle and the form of one great measure submitted to you for your approval, and by you in principle indorsed.

Through three sessions of Congress we have waited patiently for the action to which the Democratic Party is pledged and to which you gentlemen yourselves have submitted your belief and your approval. We have waited, conscious that each year of delay in approaching the problem of flood and stream control in a broad and comprehensive manner adds another year to the many years of our continual and recurring peril. Still no action has come. We do not presume to sit in judgment upon those of you who occupy posts in close relationship to the processes of legislation and of execution in the Federal Government, but we do know that our peril continues, that we lose in money and in lives in each returning year of flood. We suffer an invasion as real as though it were directed by the head of an alien government. We lose lives as certainly as though they had been lost in Mexico or on the high seas. We suffer the imposition of indemnities which we must meet with taxes and bond issues that are just as much indemnities as though levied by a conquering army, and through the years and in proportion to the wealth of the region afflicted, what we have lost and what we have paid surpasses the indemnities inflicted upon France after the Franco-Prussian War—the greatest indemnity ever paid by any one nation.

Here in New Orleans we feel that we as individuals and our investments are physically safe because we have massed resources of human power and of material which enable us to keep our levee breastworks so far ahead of the long lines reaching up the two sides of the Mississippi River from here to Cape Girardeau that levees elsewhere give way before the flood level reaches us, and thus we are saved by the misfortune of our fellow citizens of the Mississippi Valley. We appeal to you now in behalf of those unfortunates in Kentucky, southern Missouri, Arkansas, Mississippi, and Louisiana who have lost their homes, their fortunes, or their lives through the onslaught of the forces of nature operating over the territory of thirty-odd States, and concentrating their evil effect upon those who live in the smaller regions on the lower reaches of the Mississippi Valley.

It is now too late for Congress to do more for those who are suffering than to give them food, if they need it, to furnish them with Government tents, and to put at their call the officers of the United States Army; but it is not too late for the interdepartmental committee to make known its conclusion and its findings with reference to suggested legislation having to do with the inland rivers of the United States. It is not too late for the executive department of the Government to put its recommendations before Congress, to lend the strength of its influence in support of the measures already drafted and pending therein, which will bring to bear upon the whole vast interrelated problem of stream flow control, flood disaster prevention, and use of the rivers in navigation the coordinated power and capacity of the whole Federal Government. It is not too late for this administration and this Congress to undertake "after Panama" the task of "the inland rivers"; carrying out the policy so well phrased and indorsed by President Wilson in his telegraphic message to Senator NEWLANDS, dispatched in the autumn of 1912:

"SEAGIRT, N. J., *September 29, 1912.*

"Hon. FRANCIS G. NEWLANDS,
"*President Irrigation Congress, Salt Lake, Utah:*

"Please express to the National Irrigation Congress my hearty approval of the policy it is met to promote, and especially of the policy of supplementing bank and levee protection by storage of flood waters above for irrigation and water power, turning floods from a menace into a blessing and at the same time abundantly feeding navigable waters.

"WOODROW WILSON."

Is it asking too much to request you to read this telegram at the next Cabinet meeting as a respectful and an urgent message from the Association of Commerce, as representing the afflicted and jeopardized people, to the responsible heads of a Government from which we had expected adequate measures of safety?

WALTER PARKER,
General Manager New Orleans Association of Commerce.

Mr. NEWLANDS. Now I ask that the Secretary read the letter of the President and the report of the interdepartmental committee.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

THE WHITE HOUSE,
Washington, April 3, 1916.

Hon. FRANCIS G. NEWLANDS,
United States Senate.

MY DEAR SENATOR: I take the liberty of sending you inclosed a copy of a memorandum concerning flood control which the Secretaries of the Interior, of Agriculture, and of Commerce were kind enough to prepare for me. I hope that it will prove of interest to you. I know that you were consulted at the time the memorandum was contemplated.

Sincerely, yours,

WOODROW WILSON.

THE SECRETARY OF THE INTERIOR,
Washington, February 26, 1916.

DEAR MR. PRESIDENT: In accordance with your suggestion, we beg to present a résumé of our views as to the practicable way of dealing with the problem of so regulating and handling our rivers that they will be made to be of greater use and of less injury to the Nation.

We do not feel the necessity for emphasizing the need for such legislation. Each recurring year makes plain the greatness of the work that must be undertaken if we are to keep our rivers within their banks. The floods of each year take their toll in property and lives. Our streams are filling with silt and their channels becoming less certain and reliable as nature's primal highways. Vast bodies of lands of the richest alluvial character are submerged so large a portion of the time as to be of no value to the Nation and of no service to the world. Therefore, to make more navigable our streams, to protect the cities and farms already established, and to make a place for others, to save life and increase our crops, to conserve the waters on the higher reaches of the streams where they may be used for needed irrigation, and to convert their fall into electric power—these are the chief ends to be reached by river improvement.

It is now time, we believe, to urge a comprehensive and constructive plan of river development upon Congress, a plan which recognizes the magnitude of the problem, the impossibility of dealing with it by temporary expedients and that looks definitely to the time when the flood evils of to-day will be remedied and the waters put to their highest use. This means nothing less than a study under one responsible authority of the problems and possibilities of each river, and after such study a determination upon a definite policy with regard to it and the commitment of the Government to the pursuit of such policy. It has been suggested that an adequate lump sum and continuing fund for carrying on such national work shall be placed in the hands of a commission composed of the President and four of his Cabinet, which fund shall be expended upon such projects as it sees fit. We do not think this plan in its logical entirety necessary to the end in view.

We do believe, however, that the Congress should commit itself to a comprehensive policy of river development, involving the expenditure over a long period of a large sum of money, with sufficient appropriations immediately available for continuing the work on the lower Mississippi, substantially in accordance with the plans of the Mississippi River Commission, and for taking the necessary preliminary steps for the study of problems and the projection of work on other parts of the Mississippi and of other rivers. It should study each river system and as projects are developed, reports with recommendations for expenditure should be made to Congress, with the understanding that Congress, on the basis of the data furnished, would provide sufficient sums for the continuous prosecution of the work. There are precedents for this course, such as the Panama Canal and the Alaskan railroad projects. In these cases Congress determined that such enterprise should be undertaken, the general lines of development, and in a sense pledged itself to award the money necessary for the completion of the enterprise within a limited time, leaving the details of the plans and their execution to executive bodies.

We believe that for the execution of such a policy the Congress should authorize a national waterways council, composed of the President and the four heads of departments most concerned, War, Interior, Agriculture, and Commerce, and a subordinate water control board, composed of a highly qualified representative from each of the four departments and of such engineers or other officials as the Congress may authorize. The four department representatives of the latter board should have such standing in the departments and such functions as would enable them to secure such data and services in connection with the work from the various bureaus in the departments as may be serviceable and necessary. The national waterways council should be authorized to direct and control the general policy and procedure of the water control board and other agencies charged with the execution of the work, to establish the necessary rules and regulations, to consider and approve plans, the distribution of funds under authorization from the Congress, to decide questions of conflict, and to report to Congress. The latter board should be authorized to coordinate and invoke the services of the necessary bureaus and agencies of the Government, to make preliminary surveys and detailed plans for work in various areas, to prepare estimates, to study the activities of the States, municipalities, organizations, and individuals in water regulation, to prepare a general program of water and waterways regulation and development involving the combined resources and cooperation of all the agencies, to recommend to the council for approval the assignments for the different bureaus or services of the departments, to compile statements of the work already accomplished, and immediately to supervise the prosecution of the work under the plans approved. It would be understood that in the meantime there should be no interference with the execution of the existing plans of the Mississippi River Commission for the work on the lower Mississippi, and that these plans should proceed as outlined unless it should become clear that improvements could be made.

The most pressing call for help has come and continues to come from the lower Mississippi. As to this river what may be determined defensive plans have been elaborated by the eminent body of national officials who are now prepared to proceed with their work to its completion. Their embarrassment arose out of the fact that they can not plan for the execution of their work continuously and for a sufficiently long period, owing to the fact that each year the work must wait on the appropriations for that year. There would seem to be every reason for prosecuting these plans vigorously, and later as investigations proceed for supplementing these works with others of a constructive nature higher up the river, and for undertaking as soon as possible projects on other rivers.

To summarize, we recommend:

1. That Congress declare its purpose to deal with our river problems in a comprehensive way, involving a large ultimate expenditure of funds and the immediate expenditure of considerable amounts, and the creation of machinery intimately related to the executive branch of the Government.

2. That the boards and the other parts of the machinery provided for shall be directed to continue the work on the lower Mississippi substantially under existing plans, and to proceed with the investigations and the elaboration of plans on other parts of the Mississippi River and other rivers of the Nation.

3. That all the available agencies of the Government shall be coordinated in this endeavor to improve and protect our rivers, to control floods, to utilize waters, and to reclaim valuable lands and make the necessary reports to Congress as bases for additional appropriations.

4. That the expenditures for this work, should, in the main, be met by the sale of national bonds, and that the lands benefited should be made to bear a proportion of such expenses, agreements in this regard to be submitted to the Congress as part of the plan for development.

Cordially, yours,

FRANKLIN K. LANE,
D. F. HOUSTON,
WILLIAM C. REDFIELD.

The PRESIDENT,
The White House.

Mr. NEWLANDS. Mr. President, at the time this matter was under consideration by the interdepartmental committee there were two bills which had been pending in Congress for some time relating to river development. One was advocated by the senior Senator from Louisiana [Mr. RANSDELL] and the Representative from Mississippi [Mr. HUMPHREYS], known as the Ransdell-Humphreys bill. The other was advocated by myself and the junior Senator from Louisiana [Mr. BROUSSARD], known as the Newlands-Broussard bill; the latter bill, since Mr. BROUSSARD's withdrawal from the House of Representatives, being fathered in that body by Mr. RAINEY, of Illinois.

The difference in these two bills is this: The Ransdell-Humphreys bill provides simply for the control and regulation of the Mississippi River below Cairo, the treatment of that river being bank revetment, with a view to fixing the channel, and bank levees, with a view to preventing the overflow of the banks. That was designed, of course, to take care of the vast floods of water falling upon the great Mississippi Valley, comprising, I believe, over one-half of the area of the entire country, whose waters, as the land above became settled and cultivated and as swamps were reclaimed, were being shed more and more rapidly into the tributary streams of the Mississippi, thus increasing the flood height below.

There arose an insistent demand for a more rapid and more complete and more extensive development of this control. The so-called Newlands-Broussard river-regulation bill not only embraced the Mississippi River, but embraced the larger subject of the flood control of every watershed in the country, with a view not only to the promotion of navigation but with a view to source control, thus slowing up the waters in their progress from the watersheds to the lower reaches of the great rivers, and their control for every beneficial purpose, including mitigation of floods, the irrigation of arid lands, the development of water power, the reclamation of swamp lands, the increase of intensive cultivation in the great humid region, and the development of forest areas.

It will be observed that the authors of those two bills were present at this conference, and the result of that conference practically was that the features of both bills were included in the recommendation of the interdepartmental committee. That committee did not commit itself regarding the very extensive appropriation of funds called for by the Newlands-Broussard bill—an appropriation which called for $60,000,000 annually for 10 years, and divided that fund for contemporaneous work among the different watersheds of the country according to their relative importance. It was thought wise by the interdepartmental committee not to make any recommendation upon that subject, but to leave the subject of the fund entirely to the wisdom and discretion of Congress.

Whilst individually, in order to pass a measure at this session, I would waive the requirements regarding the specific fund, yet I hope that the wisdom of Congress will determine that the most effective way of going about this work is to recognize at the very start the largeness of the conception, the bigness of the work, and to provide adequately for it, so that it may not be subject to the contingencies to which other great public works have been subjected, namely, the temporary laying aside, the temporary abandonment, the temporary slowing up of the work in such a way as possibly to defeat the success of the plan itself.

We have a notable instance of this regarding the Missouri River, where many years ago Congress authorized the protection of the banks and levee building with a view to securing a stable channel between the mouth of the river and Kansas City, a distance of about 300 miles, and where, after spending millions of dollars and securing a bank revetment for a space of nearly 100 miles, which has ever since withstood the violence of the floods and which has ever since constituted the only stable part of that channel, Congress abandoned it; and only recently, having undertaken the work again at the instance of the Senator from Missouri and having appropriated a million dollars a year toward that development, the Senator from Missouri found himself confronted by the report of a new engineer, coming from an eastern district, not as familiar with conditions as the previous United States engineer, recommending an absolute abandonment of the work—a recommendation which was fortunately reconsidered by the board of review and was not adopted.

In my judgment, it is absolutely necessary, if we are to enter upon this work successfully and not see it defeated by indirection in the future, to make up our minds that a large sum shall be devoted to this work, and that the work shall be energetically and continuously conducted; and we must have in our minds the fact that our purpose is to make over 25,000 miles of waterways in this country as perfect instrumentalities of commerce as are our railroads themselves, with every device for coordination between rail and boat, such as transfer facilities and sites, with all the instrumentalities that cheapen transfer, and, above all things, legislation that will compel fair treatment of the water carriers by the rail carriers, and not permit the rail carriers, as they have done heretofore, to sandbag the water carriers.

Mr. President, I do not propose to enter into this matter at any length. I will simply add that the House of Representatives, recognizing the great importance of this work, realizing that a condition prevailed there of divided jurisdiction—the Interstate Commerce Committee having jurisdiction of the phases of interstate commerce and the Rivers and Harbors Committee having charge of the physical construction and development of these rivers—concluded recently to appoint a special committee for this purpose, called the Committee on Flood Control, the purpose of which committee is simply to regulate and control the flood waters of the country by all practicable means, through levees to prevent overflow, through arid-land reclamation, through swamp-land reclamation, through storage for water power and other purposes, so as to control these great agencies, which can be used either for good or for destruction, in such a way as to prevent them from imperiling the lower parts of the rivers, great cultivable areas and great commercial cities. The House Committee on Flood Control is now conducting hearings on this subject.

I am of the opinion that in the Senate it may possibly become necessary to resort to the organization of some such committee. At present two committees apparently have jurisdiction over this subject—one, perhaps, as a matter of right and the other as a matter of practice. As a matter of practice, the Commerce Committee of the Senate, having jurisdiction over foreign commerce, not interstate commerce, has thus far had jurisdiction over all our legislation relating to the development of our rivers; and yet it is perfectly manifest that if we are to perfect these rivers as instrumentalities of interstate commerce the jurisdiction relating to those rivers belongs to the Committee on Interstate Commerce.

The result of this contest between the two committees has been that I was compelled recently in introducing the so-called Newlands-Broussard river-regulation bill to ask that it lie on the table with a view hereafter of having the Senate settle the committee to which that bill should go, whether to the Commerce Committee, according to the previous practice, or to the Interstate Commerce Committee, according to its jurisdictional right.

Now, whether it will be necessary to press that I do not know. I have been in hopes that I would come to some accommodation with the chairman of the Commerce Committee of the Senate, the Senator from Arkansas [Mr. CLARKE], and that we might arrange to appoint a joint subcommittee which would take in hand this subject; but thus far I have not received any response from him with reference to that suggestion. If that suggestion should fail, we shall have either to make a contest over the question of jurisdiction as to which of these committees it shall be referred to or we shall have to resort to the expedient resorted to by the House and create an entirely new committee, with but one subject under its jurisdiction, and that is flood control and river regulation. I may add that the Senator from Texas [Mr. SHEPPARD] has recently offered in the Senate a rule providing for a new committee, resembling the new committee of the House, to be called, as is that committee, the Committee on Flood Control. Unless the matter of jurisdiction between the committee and the Interstate Commerce Committee of the Senate is adjusted, it may be wise and necessary to adopt the rule offered by the Senator from Texas [Mr. SHEPPARD], and thus create a new committee, whose jurisdiction will be undoubted and uncomplicated.

DIRECTORS OF BANKS AND TRUST COMPANIES.

The VICE PRESIDENT. Morning business is closed.

Mr. SIMMONS. Mr President, if there is no other——

Mr. KERN. I should like to have the Senate take up a bill that will occupy very little time. It is the bill (S. 4432) to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914. The bill has had the approval of the Federal Reserve Board, and is one in which the banks and trust companies are very much interested.

Mr. SIMMONS. I should like to suggest to the Senator from Indiana that I think we can safely rely upon getting a vote upon the sugar bill about 2 o'clock, and then I presume the balance of the day could be set apart for matters of this character. However, if it is not going to lead to any debate——

Mr. SMOOT. I do not believe there is any objection to the bill. I do not think it will take very long for the Senate to dispose of it.

Mr. SIMMONS. Very well, I have no objection.

Mr. KERN. I think the bill is generally understood.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4432) to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, which has been reported from the Committee on Banking and Currency with amendments.

The amendments were, on page 2, line 3, after the word "bank," to strike out the comma, and in line 7, before the words "other banks," to strike out "one or more" and insert "two," so as to make the bill read:

Be it enacted, etc., That section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, be, and the same is hereby, amended by striking out the period at the end of the second clause of said section, inserting in lieu thereof a colon, and adding to said clause the following:

"*And provided further*, That nothing in this act shall prohibit any officer, director, or employee of any member bank, or class A director of a Federal reserve bank, who shall first procure the consent of the Federal Reserve Board, which board is hereby authorized, at its discretion, to grant, withhold, or revoke such consent, from being an officer, director, or employee of two other banks, banking associations, or trust companies, whether organized under the laws of the United States or any State, if such other bank, banking association, or trust company is not in substantial competition with such member bank."

The amendments were agreed to.

Mr. SMITH of Michigan. May I ask the Senator from Indiana a question? The bill so modifies the recent law that a stockholder may be a director in more than one bank?

Mr. KERN. In two banks or trust companies.

Mr. SMITH of Michigan. Is there any limitation as to that right?

Mr. KERN. It is limited to two, with the approval of the Federal Reserve Board. The board must be satisfied that they are noncompetitive.

Mr. SMITH of Michigan. They must be noncompetitive?

Mr. KERN. Yes. The bill has the approval of the banks of the country and of the Federal Reserve Board. It has been submitted to them. The effect of the bill is to permit the Federal Reserve Board to authorize a director of a member bank to serve as a member of the board of directors of another bank or trust company if such other bank is not in substantial competition with the member bank.

This is the situation which it is desired to meet. I will illustrate it by conditions in my own city. There are a number of leading banks and a number of directors and stockholders of leading banks. A good many years ago they organized a trust company to do business which the banks were unable to do. Those trust companies have been built up through the ability and energy and the financial standing of the men who were directors and stockholders of the banks. These trust companies are great financial institutions. If the directors—the men engaged in the banks—are compelled to retire from the trust companies it takes from the trust companies their real foundation so far as ability and financial standing are concerned, and it was felt that it would be very injurious.

Therefore there have been demands from all over this country as to that provision of the Clayton Act which goes into effect next October and is not yet in force, and as the election for directors of these trust companies will come on in June, it is highly desirable to have this bill passed before June so that there will be no interference. It was submitted to the Federal Reserve Board and they think such a provision is desirable.

Mr. HARDWICK. If the Senator will yield to me just a moment, I wish to suggest to him, too, that there are a large number of other cases where banks in our principal cities have a little interest in little country banks around. This bill will meet that proposition.

Mr. SMOOT. There is another case, Mr. President, I will state to the Senator. Many times directors in national banks are also directors in savings banks of the town. They in no way compete, and they should be allowed to serve on those directorates.

Mr. SMITH of Michigan. That is just the point I was aiming at. In my State the State banks have no right to join the Federal Reserve System until new legislation has been obtained, and it seems a little unusual that a State bank should not be permitted to have a director who is a director in a national bank and a member of the Federal Reserve System.

Mr. KERN. This meets it.

Mr. SMITH of Michigan. It meets it only partially, I think; and if you will just add the words "State banks" after "trust companies" you will accomplish the purpose.

Mr. KERN. The bill says "that nothing in this act shall prohibit any officer, director, or employee of any member bank or Class A director of a Federal reserve bank, who shall first secure the consent of the Federal Reserve Board, which board is hereby authorized, in its discretion, to grant, withhold, or revoke such consent, from being an officer, director, or employee of two other banks, banking associations, or trust companies, whether organized under the laws of the United States or any State."

Mr. WILLIAMS. That covers it.

Mr. SMITH of Michigan. It covers it.

Mr. SMOOT. That covers it.

Mr. STONE. I should like to ask the Senator a question. A director of a national bank may be a director in one other or two other banks?

Mr. KERN. In two other banks or trust companies, provided they are not competing and get the consent of the Federal Reserve Board.

Mr. STONE. He may be a director in two.

Mr. KERN. In two. They are limited to two.

Mr. STONE. I wish to say to the Senator that recently I received two letters from officers of important national banks in my State concerning this proposed provision of law. The gentlemen writing me are officers of large national banks. They were not friendly to this proposed legislation, and I am suggesting to the Senator from Indiana and to the Senate what was said to me in these letters. It was said that in all large cities there are certain important banks which more or less cooperate and establish a community of interests. They work in concert with a view to controlling certain things—for example, the organization of a local board governing the local reserve banks. If an officer or director of one of these national banks, acting in concert, though not in combination, but with a sort of gentlemen's understanding, may be a director in a large trust company organized under the laws of the State and should take a like position in some other State institution, a State bank of any kind, it would simply strengthen this rather secret though perhaps not illegal kind of understanding between them, made with a view of controlling the banking and monetary force of a great community.

Mr. KERN. They must get the consent of the Federal Reserve Board.

Mr. STONE. I know; that is according to the language of the bill read, but if you authorize it to be done and change the law about to go into operation to that effect presumably the Federal Reserve Board will not intervene with an objection to such an arrangement as that proposed. If it should, then the bill accomplishes nothing.

I am not pressing the objection against the bill of the Senator from Indiana, but I am suggesting what important bankers in some of the leading cities of my State have suggested as likely to be a danger resulting from this legislation.

Mr. SHAFROTH. Mr. President, when the Clayton Anti-trust Act was passed it was aimed and directed against interlocking directorates in banking institutions. It was thought to be a very excellent provision with respect to that, inasmuch as great abuses had occurred by reason of the combination of a great many banks, especially in large cities, where there had been refusal of credits and where a great many other things had occurred to the detriment of legitimate enterprises in the United States.

The conditions that obtained under the Federal reserve act made it so that even where banks were of a noncompetitive nature they would be in such a position that they could not cooperate with each other by reason of the fact that some of the directors were in the directorates of the other bank and that was prohibited by the Clayton Act.

Mr. STONE. May I ask the Senator from Colorado a question?

Mr. SHAFROTH. Yes, sir.

Mr. STONE. What does the Senator understand to be noncompetitive as between banks in the same town or city?

Mr. SHAFROTH. Well, it is very hard, of course, to say that any bank is noncompetitive with another bank in the same city; but at the same time trust companies are supposed to be noncompetitive as against national banks. Their rules and regulations are such that they are not competitive except in a very limited measure. On that account they are mentioned here specifically.

Mr. POMERENE. Mr. President, may I call the attention of the Senator to the phraseology of that act which allows this where there is no substantial competition between the banks?

Mr. SHAFROTH. Yes; that is true. The words "substantial competition" are used. They recognize that there is some competition, even if they are near the same place; but there were a great many objections on account of the fact that a bank in a city would have a correspondent out in a country town, and there was hardly any, if any, competition that could exist, and yet they felt that there ought to be some limit to cooperation in management between the large city bank and the small country bank which would make the country bank stronger. To make this privilege unlimited, however, would be reestablishing many of the abuses that the original law was intended to prevent. So the committee, after consideration of the matter, concluded to limit the privilege by preventing a man being a director at the same time in more than two banks. The main objection to interlocking directorates was on account of combinations that existed in banks of large cities; and inasmuch as under this bill only two could be a party to such interlocking directorships, it would so limit the practice as to make it harmless. So it seems to me that it remedies a great objection to the Federal reserve act, by reason of granting the limited privilege which is contained in the bill.

Mr. POMERENE. Mr. President, the brief report which accompanies this bill fully sets forth the reasons which actuated the committee in reporting the bill. I suggest that, without reading it, the report be incorporated in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The report referred to is as follows:

Mr. OWEN, from the Committee on Banking and Currency, submitted the following report:

The Committee on Banking and Currency, to which was referred Senate bill 4432, "To amend section 8 of an act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914," having carefully considered the same, recommends that the bill be amended by striking out the comma after the word "bank" on line 12, page 1, and by striking out on line 3, page 2, the words "one or more" and inserting in lieu thereof the word "two," and as amended the committee recommends that the bill pass.

The effect of the passage of this bill will be to permit the Federal Reserve Board to authorize a director of a member bank to serve as a member of the board of directors of two other banks, banking associations, or trust companies, if such other bank, banking association, or trust company is not in substantial competition with such member bank.

It was represented to the committee that the rigid enforcement of the so-called Clayton antitrust law, with respect to interlocking directorates, would work a great hardship in many cases where men of great banking experience were serving on the boards of more than one bank, and where there was no substantial competition between the banks for which they were rendering this service.

Realizing that the purpose of the passage of the Clayton antitrust law, in so far as it affects banks, was to prohibit a practical monopoly of credits through the interlocking directorates of competing banks, the committee is of the opinion that that purpose can be as well served by granting this permission to those banks which are not in substantial competition with each other, requiring, however, that the Federal Reserve Board shall first give its permission, and limiting the discretion of the Federal Reserve Board in the matter to specifically two other banks.

It frequently happens that there are several banking institutions under the same roof having practically the same personnel on the several boards of directors, but the banks in nowise competing with each other, as, for instance, a national bank and a trust company, the trust company being authorized to do business of a nature which a national bank would be prohibited from doing under the national-bank act and a State bank with a different line of business under State laws.

The Federal Reserve Board was requested to consider this bill and report thereon to this committee, and the board's report is made a part hereof, as follows:

FEDERAL RESERVE BOARD,
Washington, March 8, 1916.

MY DEAR SENATOR: As requested in yours of February 26, the bill introduced by Senator KERN to amend section 8 of the Clayton Act, which is now before your committee, has been submitted to and considered by the board.

It appears that under this bill the restrictions contained in the Clayton Act relating to interlocking directorates will not prohibit an officer, director, or employee of a member bank, or a class A director of a Federal reserve bank, who first procures the consent of the Federal Reserve Board, from being an officer, director, or employee of one or more other banks, if such other banks are not in substantial competition with the member bank.

This amendment, if adopted, will give some elasticity to the provisions of the Clayton Act which prohibit directors of other banking institutions from serving as directors of member banks under certain conditions. It would seem to be desirable to have this discretionary power vested in the board, since in many instances the enforcement of the provisions of the Clayton Act will result in depriving a member bank of the services of a director because of his connection with other banking institutions, even though his serving on both boards would not be violative of the spirit of the act.

It is the opinion of the board, however, that some limitation should be placed upon this discretionary power, and it is suggested that the bill should be amended so as to provide that "the Federal Reserve Board shall in no case authorize a director of a member bank to serve on the boards of more than two other banking institutions or on more than one other such institution located in the same city or town." It is also suggested that the comma appearing after the word "bank" at the beginning of line 12, page 1, of the bill be eliminated to avoid ambiguity. As the bill now reads it might be contended that the qualifying sentence "who shall first procure the consent of the Federal Reserve Board" relates to class A directors of Federal reserve banks and not to officers, directors, or employees of any member bank.

While the board realizes that it will be difficult in some instances to determine whether or not two or more banks are in substantial competition, it is prepared to assume this responsibility should this bill become a law. In the opinion of the board, the amendment appears to be a desirable one from many standpoints.

Respectfully,

C. S. HAMLIN, *Governor.*

Hon. ROBERT L. OWEN,
United States Senate, Washington, D. C.

Mr. SUTHERLAND. Mr. President, I am quite in sympathy with this bill, but I want to suggest one or two changes in its phraseology. The first is in line 3, on page 2. The semicolon after the word "bank" evidently should be a comma, because what immediately follows is parenthetical, being the words "who shall first procure the consent of the Federal Reserve Board, which board is hereby authorized, at its discretion, to grant, withhold, or revoke such consent from being an officer," and so on.

Mr. KERN. What is the Senator's suggestion?

Mr. SUTHERLAND. The semicolon in line 3 should very obviously be a comma.

Mr. KERN. I think the Senator is right about that.

Mr. SUTHERLAND. Then, in line 7 I suggest that the words "not more than" should be inserted, because literally, while the law would not properly be construed in that way, the provision is that he may be a director "of two other banks" and not of "one other bank."

Mr. KERN. If the Senator will move those amendments I shall agree to them.

Mr. SUTHERLAND. I move that the bill be amended in the particulars which I have stated.

The VICE PRESIDENT. Without objection, the amendments are agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONTRIBUTORS OF THE ELLEN M. STONE RANSOM FUND.

Mr. POMERENE. Mr. President, I ask unanimous consent for the present consideration of the bill (S. 3606) for the relief of contributors of the Ellen M. Stone ransom fund. I do not believe there will be any debate on the subject.

Mr. SMOOT. I object to taking up bills on the calendar until we take up the calendar in its entirety.

Mr. POMERENE. I did not understand the remark of the Senator from Utah.

Mr. SMOOT. I am perfectly willing that the bill to which the Senator refers should be passed; I have not the least objection to it; but if we allow Senators to pick out bills upon the calendar and get them considered and passed, we shall never reach the consideration of the calendar.

Mr. POMERENE. Mr. President, this bill relates to the relief of the contributors of the ransom fund of Miss Ellen M. Stone. It has passed the Senate at least twice, and perhaps oftener.

Mr. SMOOT. As I have said, I favor the bill, and I have voted for it three times. I believe in it absolutely. I think it ought to be passed, but I simply say that there are other bills upon the calendar that ought to be passed in the same way. I want the Senator from Ohio to help us get to the consideration of the calendar under Rule VIII of bills to which there is no objection, and then we shall pass his bill at that time.

Mr. POMERENE. We could have passed this bill while we have been discussing it, and I really think that the honor of this Government is involved in it.

Mr. GALLINGER. This bill has passed the Senate three times, if not four times, Mr. President.

Mr. POMERENE. Yes.

Mr. SMOOT. I think that is true.

Mr. POMERENE. I hope the Senator will withdraw his objection to the bill. It is not very often I present a request of this kind, but my heart is somewhat in this bill.

Mr. SMOOT. Mr. President, everybody knows the object of the bill, and it is so just that I shall not object to its consideration now; but I shall object to giving unanimous consent for the consideration of any other bill.

Mr. SIMMONS. Mr. President, I shall myself object to the consideration of any other bill except the unfinished business after this bill is passed. I do not, however, object to the consideration of this bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3606) for the relief of contributors of the Ellen M. Stone ransom fund. It directs the Secretary of the Treasury to return to such contributors, or, in the event of the death of any such contributor, to the legal representative thereof, as may file their claims within one year from

the passage of this act, the money subscribed by such contributor to pay the ransom for the release of Miss Ellen M. Stone, an American missionary to Turkey, who was abducted by brigands on September 3, 1901, the said total sum not to exceed $66,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DUTY ON SUGAR.

Mr. SIMMONS. Mr. President, if it be necessary to do so, notwithstanding the unanimous-consent agreement, I ask unanimous consent of the Senate to now proceed to the consideration of the so-called sugar bill.

The VICE PRESIDENT. The Chair is ready to construe the unanimous-consent agreement that at any moment when there is an objection to action being taken on any other matter it is the duty of the Chair to lay House bill 11471 before the Senate under the unanimous-consent agreement. The Chair now lays that bill before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11471) to amend an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913.

The VICE PRESIDENT. The question is on the amendment reported by the Committee on Finance.

Mr. WORKS. Mr. President, I offer the amendment which I send to the desk to the amendment reported by the committee.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. After line 2, on page 3, at the end of the proposed committee amendment, it is proposed to insert the following:

That on and after the passage of this act there shall be levied, collected, and paid upon the following articles when imported from any foreign country into the United States, or into any of its possessions, the rates of duties herein provided, as follows:

1. Lemons, limes, grapefruit, shaddocks, pomelos, 1 cent per pound.

Mr. WORKS. Mr. President, I want in the beginning to express my thanks to the Senator from North Carolina [Mr. SIMMONS], who is in charge of the bill, for his courtesy in allowing the bill to come over until to-day in order that I might present this amendment. I shall endeavor not to abuse his courtesy by taking up any great length of time in the discussion of the amendment which I have offered. It is a matter with which the Senate should be quite familiar. I feel very kindly to my friends on the other side of the Chamber, and I am offering them the opportunity, by presenting this amendment, to right a great wrong that has been done to the fruit growers of my State.

At the time the present tariff law was before the Senate for consideration and enactment there was a tariff of one cent and a half a pound on lemons. By the Underwood bill the tariff was placed on an entirely different basis, being levied by the box and not by the pound. The intention was, I believe, to allow what would be equal to half a cent a pound, but the result was to reduce the tariff even below that amount. It is somewhere between thirty-five and forty one-hundredths of a cent.

I charged at the time this matter was before the Senate during the consideration of the Underwood bill that it was being supported by a paid and corrupt lobby that had misled Members of Congress by false representations, and that the proposed reduction in the tariff on lemons was the result of misinformation brought about in that way. I discussed the merits of the tariff on lemons at considerable length at that time, and attempted to prove—and think I did prove—that a duty of at least 1 cent a pound was absolutely necessary for the protection of the industry in my State. I am not going to undertake now to discuss the merits of the question as I did then. Many of the Members of the Senate are familiar with the discussion that took place at that time. I am going to confine myself at the present time to the discussion of the question of the lobby which has, I think, brought about that unjust reduction in the tariff.

Of course, it was maintained by gentlemen who were interested as paid lobbyists to have lemons put on the free list that the reduction was in the interest of the consumer; but they were, in fact, acting for foreign importers of lemons into this country, made up largely of representatives of the Sicilian growers in Italy.

I want, Mr. President, in the beginning—for I do not desire to repeat what I said at that time—to insert in the RECORD as part of my remarks an extract from the speech I made at that time, bearing upon that particular question.

The VICE PRESIDENT. Without objection, permission to do so is granted.

The extract referred to is as follows:

"Therefore some one else must be interested in reducing the tariff besides the consumer. But it sounds better in the public ear to cry out against injustice that they pretend is being done the poor consumer. And this false cry is convincing some unthinking people, who do not investigate the question for themselves, that the price of lemons to the retail purchaser has actually been increased by the tariff.

"Mr. President, it is not the man who buys his lemons in this country that is affected, nor is it the consumer in this country that is complaining of the tariff. He has no reason to complain. It is the importer, the promoter, the broker, and others who deal in foreign lemons who are making this fight for free lemons or a reduced tariff. The importers in New York and the exporters in Sicily have levied tribute at different times on every box of lemons imported into this country to raise a fund to fight the tariff, and, unfortunately, Members of Congress have been found who have been willing to make the fight for the foreign importer and foreigners who make their living by handling the foreign product here, against their own countrymen and upon the specious but wholly unfounded claim that it is done in the interest of the domestic consumer. Over one-half of the imports of lemons into the United States are controlled by 11 New York Italian importers, as will be seen from the following statement showing the receivers of foreign lemons at New York City and the percentage of importations handled by each during the period November 1, 1911, to October 31, 1912. The first 11 firms controlled 51.3 per cent of the total imports. About 90 per cent of the total imports are received in the port of New York. The names of the importers sufficiently disclose their nativity. The table is as follows:

Receivers of foreign lemons in New York and percentage of imports handled by each from Nov. 1, 1911, to Oct. 31, 1912.

Receiver.	Total boxes.	Per cent.
Zito & Co	144,868	10.476
P. Sciortino	86,281	6.240
S. S. Steiner & Co	75,456	5.457
S. Amoroso & Co	74,992	5.423
Dominici Bros	73,116	5.287
A. Sacca & Co	59,541	4.306
G. Lo Cicero	56,006	4.050
G. De Lutio	35,308	2.553
G. Cirincione	35,140	2.541
F. Di Anci	34,458	2.492
A. Caramusa	34,193	2.473
Mercadante Regan & Co	33,508	2.423
Cuccio & Morello	30,177	2.182
P. Castiglione	29,360	2.123
F. Cuttletta	28,634	2.071
Cap. Maniscalco	27,964	2.022
F. M. Maniscalco	24,692	1.786
De Luccia & Co	21,988	1.590
P. Tramantana	20,336	1.470
G. Brandina	19,924	1.441
C. V. Smith	19,470	1.408
O. F. Maniscalco	19,056	1.378
P. Lauricella	17,692	1.277
C. Greco	16,970	1.227
L. Zerillo	16,801	1.215
J. Crochiolo	16,515	1.194
B. Follina	16,496	1.193
G. Puccio	16,286	1.178
B. Trioli	14,223	1.029
G. Mannino	14,214	1.028
P. Bajata	13,787	.997
B. Mussachia	12,473	.902
F. Z. Madonia	11,546	.835
Ig. Saitta Di M	10,759	.778
G. Viviane	9,620	.695
Hart & Truckwell	9,132	.660
A. Maniscalco	8,164	.590
V. Pedone	7,917	.573
C. Cavalerro	7,792	.563
F. Minaldi	7,623	.551
G. Giamance	7,120	.515
A. Grilli	6,306	.456
G. Cappadonia	6,170	.446
P. Giambanci	6,117	.442
C. Zito	6,095	.441
G. & M. Ziot	6,060	.438
A. Montano	5,100	.370
P. Scogli	4,686	.339
O. Maniscalco, jr	4,648	.336
Sgobel & Day	3,569	.258
Saitta Bros	3,534	.255
L. G. Marino	3,328	.241
S. Gangiolosi	3,238	.234
Ant. Brucato	2,902	.210
R. Mocu	2,842	.205
C. Cameci	2,830	.204
Capt. Izzo	2,289	.165
G. Noto	2,254	.163
G. Brocita	1,919	.139
Fr. F. di Piro	1,847	.134
F. Fuschia	1,738	.126
Pedone & Gambine	1,603	.116

All other importers handled less than one-tenth of 1 per cent each.

"The means resorted to to arouse prejudice against the domestic lemon industry and the people that are behind the movement to reduce the tariff is very well shown in an article

written by Agnes C. Laut in a late issue of the Sunset Magazine. It was written, I am informed, on her own initiative and upon her own investigation of the facts, and not at the instance or at the instigation of interested parties. She says:

"How many people who know about the picturesqueness of the citrus groves in sunny California also know about 'a slush fund' of $200,000 a year manipulated by the Lemon Trust of Italy to smash the system of cooperation that sustains those citrus groves of the Southwest? How many know about 'rebates' of 5 cents a box on every sale of Italian lemons auctioned off in New York to create a 'lobby' fund for the purpose of smashing California lemons? How many know that when Collector Loeb, of New York, and Wickersham, of Washington, and the Fruit Exchange of New York went after that 'rebate' among the fruit brokers—which is contrary to New York law—'the rebates' on sales were discontinued and a 'rebate' given by the foreign steamship companies on every box of lemons shipped from Italy in order to knock the tariff off that protects California lemons? You see the point, don't you—ships that fly a foreign flag can not be prosecuted by the United States Government for 'rebating' to an Italian trust, and the Italian trust uses its 'rebate' fund ($50,000 it amounted to in three months) to tamper with legislation in Washington.

"There are still funnier features to this human-nature side of the citrus industry. When the Lemon Trust of Palermo, which consists of some 60 Italian firms primarily controlled and directed by 11 men with headquarters in New York—not many of whom are American citizens—laid out its campaign to capture the markets of the United States, it realized that it must first of all smash—utterly smash—the citrus growers' union of California. Why? Because the citrus growers' union has wiped out all speculators, all brokers. It deals directly with the jobber. It has its own salaried salesmen on every market in the world. It sells almost from farm to table—or straight into the hands of the jobber who caters to the retailers, whereas the Lemon Trust of Italy is purely a speculative concern. In the days before there was a California citrus league to deal direct with buyers the fruit brokers of New York have depressed prices by throwing a glut of Italian fruit suddenly on the market, then buying up every box of available lemons and oranges in America. Then, presto, up leaped prices from 10 cents and 50 cents and $1 a box to $6 and $8 and $11 a box. Since the citrus growers of California formed their cooperative league to deal directly with the buyer such wild fluctuations of prices have been unknown. The ruling price has been created wholly and solely by supply and demand. Only two years ago, when the California supply of lemons had been exhausted, the Italian lemon brokers of New York, in order 'to jack up' prices, deliberately shipped out of the country a cargo of 800,000 pounds.

"Now, the citrus growers of Italy had several very important advantages over the citrus growers of the Southwest.

"They not only got 'rebates' on auctions, which were against the law, and 'rebates' on steamship freights, which were contrary to law but could not be punished, but they also received 'rebates' from the customs, owing to alleged decay. It has been usual, and rightly so, for the United States customs to allow 'rebate' of duties charged on all fruits that subsequently showed decay. Oddly enough the samples of Italian fruits examined by the customs appraiser ran such a high percentage in decay that Collector Loeb investigated. It was found that as much as $200,000 in a few months had been allowed as 'rebate' duty on decayed fruit when the fruit was not decayed at all.

"The next advantage possessed by the Foreign Fruit Trust was in the way of freight tariffs. The freight rate on California citrus—oranges and lemons—runs 82 to 84 cents plus refrigeration and precooling charges, or, say, about 90 cents a box to points east of the Rockies. The freight rate from Italy to points east of the Rockies runs 30 cents less 6 cents of a 'rebate' on all shipments over 1,000 boxes.

"Yet another point. Wages in Italy are only one-third wages in California.

"Now, to equalize conditions California had asked duties of 1½ cents a pound on lemons, 1 cent a pound on oranges. If you figure out 330 lemons to a box—fewer oranges—and 70 to 75 pounds to the box, the duty runs from 3 to 4 cents a dozen. Has the price been pushed up by the duty for the eastern consumer? It has uniformly ruled lower. There has been no more sudden jumping of the price up from a few cents a box to $6 and $8 and $11. Another point: In Canada citrus fruits enter duty free; yet the price of oranges and lemons rules in Canada a few cents a dozen—6 to 10—higher than in the United States. Why? Not the extra freight, for the freight rate is the same from California to Montreal as from California to New York. Why, then, is the price slightly higher in duty-free Canada than in the United States with duties of 1 cent and 1½ cents a pound? Because in Canada the prices are controlled by the fruit brokers' rings and the Foreign Trust. In the United States, as long as the citrus grower deals directly with the buyer, eliminating speculators' profits, the price is kept purely on a basis of supply and demand. High prices rule only during seasons when frosts have touched the groves, and these seasons of high prices, such as the current year of 1912–13 is bound to be, are only a third the high prices formerly prevailing under the manipulation of the Foreign Fruit Trust.

"Now, I am not a high-tariff advocate, but a free trader; but this strikes me as one of the exceptions that proves the rule. It strikes me as a little anomalous that a foreign fruit trust should set itself to do three things to a purely domestic American industry:

"First. Jack up and control prices on one of the great staple necessities of living.

"Second. Create 'a slush fund' by illegal rebates to smash a growing American industry.

"Third. Write an agreement with a firm of Wall Street lawyers to give them half that 'slush fund' if they could 'induce' Congress to remove the duty equalizing conditions for California fruit growers as against Italian.

"Now, for the funny features of the Foreign Fruit Trust's manipulations. 'Barkers' and 'posters' began mysteriously to appear in such summer resorts as Coney Island, Atlantic City, etc., calling on passers-by 'to smash the California Fruit Trust.' Petitions were circulated through the crowd for signatures against the duty that protected California fruit. An agent of the California cooperative union saw these petitions to Congress being signed by hundreds of youngsters—a foreign rabble—not over 10 and 12 years of age. Now, if there is one thing the California Citrus Growers' League is not it is a trust. Its selling is a direct transaction from producer to jobber, and it takes not a cent of profit to its managers, but only a deduction for salaries, turning 97 per cent of the jobber's price back to the shipper, less the freight charges. Yet the 'barkers' and 'posters' represented California fruit growers as a 'trust.'

"It is only fair to say that the attorney and representatives of the foreign dealers deny the accuracy of this statement, in some particulars, especially as to the size of the fund raised to influence legislation. But the size of the fund is not so material. That such a fund was raised, in the manner stated, and for the purpose indicated, can not be denied. And I am assured that it would have been larger if these conspirators against the best interests of our country had not fallen out among themselves. It is in this way and for this purpose that the effort to arouse public sentiment has been carried on and the aid of politicians seeking votes procured.

"The temptation for some Members of Congress to contend for free lemons is great in some quarters, notably in some of the New York congressional districts, and, in fact, in the whole State of New York, because of the large Italian vote there which can be easily reached by this means. There are other sections in this country where similar conditions exist and where like results may be reached by favoring the countrymen of this class of voters. It may mean the gain or loss of a congressional district or a whole State in more than one of the States in the Union.

"I am not here to say that any Member of Congress, in this body or elsewhere, would submit to this temptation. But any Senator who will take the pains to investigate the whole subject with a view of arriving at the truth will be forced to the conclusion that there is no just or even plausible reason for reducing the tariff on lemons other than that of political gain to individuals or to a political party.

"The extent to which tribute was laid upon lemons imported into this country to raise the funds to employ lobbyists and influence action in favor of free lemons in the interest of the importer of the foreign product is more clearly shown by an extract I have taken from a letter of a man interested in the sale of lemons in the New York market to my predecessor in office, Hon. Frank P. Flint. The letter was written January 11, 1911. In it he says:

"Now as to the article which appeared recently in McClure's Magazine, that any reader would know is an output of the importers and paid for by them. As I advised you under date of June 25 last, the importers levied an assessment of 5 cents per box on every box of foreign lemons to create a fund which they aimed to so expend as to secure legislation that would reduce the present tariff on lemons, and the amount collected to date now amounts to, in round figures, between sixty and seventy-five thousand dollars. The special committee in charge of this fund is Scortino, Dominici, and Zito, who have employed Messrs. William C. Beers and Harrison Osborn, both located in this city, to disburse said fund in any way they think advisable without rendering an account therefor. It was under the supervision of these last two men that this magazine article was manipulated, and up to date out of this 5-cents-per-box fund there has been turned over to these gentlemen, Beers and Osborn, a total of about $23,000. On the 9th instant there was a meeting of the Fruit Importers' Union, and some of the members called upon Beers and Osborn for an accounting of the money turned over to them, and they replied by saying that their agreement was that they should make no accounting whatsoever, and they declined to do so. Funds are advanced to Beers and Osborn in lump sums of two, three, or five thousand dollars. I will note here that effort was first made to get the Outlook to publish the article which appeared in McClure's, but the Outlook refused to publish it.

"I suppose Senators are fully aware that Osborn and Beers have been carrying out their part of the bargain by which this great industry of my State was to be sacrificed in the interest of foreigners, for they have been lobbying here diligently and persistently for months for free lemons. Near the close of the last Congress they did get lemons on the free list in the House, but they were saved in the Senate. It was learned before this time that the lemon importers of New York and the exporters of Palermo had organized to bring about a reduction of the tariff on lemons and, if possible, remove the tariff entirely. They were most active in this effort. In addition to the raising of funds necessary to carry on the campaign by levying on every box of lemons imported and the employment of lobbyists, as I have stated, they stamped on every box of their lemons 'If lemons were free of duty this box would cost you $1.20 less.' This was a plain falsehood, and known to be so, because the full tariff on lemons was only $1.12 a box. But aside from this, we have ample and unanswerable proof that the claim was not made in good faith. No one believed that the whole or probably any part of the tariff would go to the consumer in the way of cheaper lemons. This last winter the California crop of lemons was mostly destroyed by an unusual and destructive frost. As a result very few domestic lemons went to New York and other eastern cities. It practically gave the market to the foreign product, just as it will if the proposed reduction of the tariff becomes a law. What was the result?

The following table giving the quantity of foreign lemons delivered in the New York market and the prices received shows:

	Boxes.	Price per box.
Nov. 1, 1909, to June 17, 1910	938,210	$2.74
Nov. 1, 1910, to June 17, 1911	884,456	3.29
Nov. 1, 1911, to June 17, 1912	987,270	2.71
Nov. 1, 1912, to June 17, 1913	1,139,164	4.36

"It will be noticed that because of the short crop in California from November 1, 1912, to June 17, 1913, there was an increase of foreign lemons over the highest number of any previous year for the same time of 150,000 boxes, and the price to the consumer was increased $1.65 a box. This shows how the lemons will be $1.20 a box higher if the California lemons are driven out of the market by an unjust tariff as they were temporarily by cold weather. But the work of the enterprising foreign dealers did not stop with the efforts I have disclosed. They raised the cry that the high tariff was robbing the sick and the poor, and that it was being done at the instance of a powerful trust amongst the fruit growers in California. This cry was echoed on the floors of Congress. When it was declared with melting sympathy that the high price of lemons to the sick in the hospitals was caused by the tariff, and these unfortunates should be protected by Congress, an investigation was instituted in 15 of the largest hospitals in the city of New York to see how this might be. The number of patients in each and the number of boxes of lemons used for the year previous was ascertained, and it was shown that they had used four-fifths of one lemon a year for each patient. It is only just to say that this included day patients as well as more permanent ones. But if we exclude them, possibly the hospitals used on an average 1 full lemon a year for each of its patients.

"I may call attention to another effort of the foreign dealers to accomplish what they were striving for. At Brighton Beach, N. Y., and, as was stated by the men engaged in it, at other places, a strenuous effort was made to secure signers to petitions to Congress for free lemons. At one of the stands in the crowd flaming red posters were posted containing the following:

"(Poster.)

"The high cost of living concerns you!

"A petition to Congress asking for the repeal of the duty on lemons.

"California produces 40 per cent of the supply of lemons used in the United States. The Payne-Aldrich tariff bill put a duty of $1.20 per box on lemons, which is a big advantage to the Lemon Trust in maintaining the present high prices. Lemons are absolutely needed in various ways for medicine, food, and flavoring purposes. The independent dealers are trying to have the present tariff repealed, and, if successful, are pledged to reduce the cost accordingly, thus making lemons cheaper.

"They want your assistance in their efforts and respectfully ask you to sign the petition to Congress to take this burdensome duty off an article that is an everyday necessity.

"Sign the petition for lower prices.

"Men employed for the purpose were on hand with bundles of petitions, as follows:

"(Petition.)

"———, 1911.

"*To the House of Representatives of the United States,*
"*Washington, D. C.*

"GENTLEMEN: We, your petitioners, residents of ———, respectfully request the repeal of the burdensome duty on lemons which was enacted by the Payne-Aldrich bill into a law, at the expense of the great masses of population on the Atlantic seaboard, for the purpose of doubling the wealth of 10 or a dozen millionaires of California and also for the purpose of paying the wages of tens of thousands of Japanese soldiers, who exclusively monopolize the labor of the California lemon orchards, thus depriving American laborers of opportunity of labor and wages.

"Respectfully, yours, "———, ———.

"In this way signers to the petitions, many of whom were children, were obtained to be forwarded to Congress; how many I do not know.

"These varied and persistent efforts of lobbyists and others had their effect. Some people, even in Congress, began to believe at least some of the mendacious things they said. On August 3, 1911, an amendment was offered to the tariff bill then pending placing lemons on the free list. It was offered by the chairman of the Committee on Ways and Means. It was solemnly asserted in support of the amendment that the tariff had been increased 'at the demand of the California Lemon Trust'; that is, was 'just about as clear an example of the giving of special privileges by tariff rates as it is possible to obtain'; that lemons to many people of foreign birth and descent are a necessary of life; and that 'the only purpose of the increase of the tariff was to raise the price of lemons in the markets of the East and increase the profits of the California Lemon Trust.' These assertions could not very well have been further from the truth. The increase was not made on demand of the California trust. There is no such trust, and never has been. The increase was not made upon the demand or even at the request of the fruit growers of California or anyone interested in the industry in the State. I do not know whether lemons are a necessity to people of foreign birth or not. On that question I give way to the superior knowledge of the gentleman who made the assertion, whose constituency is largely made up of Italians, who have their own peculiar reason for wanting lemons on the free list in the interest of their countrymen. The amendment passed the House, but was defeated in the Senate. In conference the House stood firmly to their amendment. It was again asserted:

"It is going to drive the Sicilian and the Italian lemon out of the American market, and the people of this country and the hospitals and eleemosynary institutions that require lemons at the sick bed are going to be placed in the hands of one of the most drastic trusts that exists in the United States.

"Solemn words of warning, dire predictions, and high-sounding claims of a most 'drastic trust' were these. But the warnings were not needed, the predictions were unfounded, and the assertion of a trust was untrue.

"But, Mr. President, the people who had misled good men into the belief by the influence of the lobby, false petitions, and misrepresentations that these things were actually true were not ungrateful although, temporarily at least, the efforts in their behalf had failed.

"As another potential means of securing free lemons, the Italians of New York formed a political organization. It was known as the 'National Italian Democratic League.' This political organization was prompt to show its appreciation of the efforts made in the interest of importers of foreign lemons. It is said to have contributed large sums to the late Democratic campaign, but this I have not been able to verify. The league gave a magnificent banquet at the Waldorf-Astoria within a few days after a Democratic House had voted to remove the tariff on lemons. The chairman of the Committee on Ways and Means, who offered the amendment striking off the tariff, was the guest of honor on that auspicious and delightful occasion, and other members of the Democratic Party, favorable to free lemons, and also the chairman of the Democratic congressional committee and other distinguished Members of the House were not absent; and, last but not least, Mr. Harrison Osborne, the paid lobbyist already mentioned and with whom doubtless the other gentlemen were well acquainted, was conspicuous on the happy occasion.

"The gathering was presided over by Giovanni Dominici, whose name sufficiently indicates the place of his nativity and who happened to be one of the leading lemon importers and who, with many others present, was deeply interested in free lemons. I have here a beautiful picture of the assembly; it shows Mr. Dominici as presiding and the distinguished chairman of the Ways and Means Committee as the guest of honor on his right. If the CONGRESSIONAL RECORD were only an illustrated publication I would ask to have it inserted in connection with my remarks.

"Now, Mr. President, no one believes—certainly I do not—that any of these distinguished gentlemen present on this great occasion, and whose duty it was to legislate justly and without prejudice against the interests of my people, would allow themselves to be improperly influenced by this touching evidence of the regard and appreciation of the Italian importers for the men who had so valiantly striven in their interest. But, sir, on the face of it, it did look bad for the California fruit growers. I am sorry it occurred.

"The following interesting account of the banquet was given in the Fruitman's Guide, of New York, in its issue of August 26, 1911:

"ITALIAN DEMOCRATS DINE—BANQUET IN HONOR OF O. W. UNDERWOOD AT WALDORF—SICILY LEMON IMPORTERS CREDITED WITH PULLING WIRES FOR LOWER LEMON TARIFF—DINNER GIVEN IN A HURRY.

"NEW YORK, *August 25, 1911.*

"Sicily lemon importers and other Italian importing interests seemed in a hurry to pay their respects to members of the Ways and Means Committee of the House of Representatives, for they made OSCAR W. UNDERWOOD, chairman of the committee, a guest of honor at the first annual dinner of their political organization, held in the Waldorf-Astoria last Wednesday night. The particular political organization of the Italian importers is styled the National Italian Democratic League. This dinner, it seems, was a decidedly hurried affair. It is stated that the whole affair was planned and executed inside of 48 hours. It was originally intended to be in honor of all the Democratic members of the Ways and Means Committee, but Mr. UNDERWOOD was the only one who got there. Several of his colleagues in the House sat at the speaker's table, however.

"Giovanni Dominici, one of the leading lemon importers of the city and president of the Italian League, presided at the banquet. Besides he and Mr. UNDERWOOD, there were present these Congressmen: C. Y. Fornes, of New York; F. E. Wilson, of Brooklyn; Jefferson M. Levy,

of New York; JAMES T. LLOYD, of Missouri, chairman of the Democratic national congressional committee; Martin W. Littleton, of Long Island; and W. I. McCoy, of New Jersey. Joseph Auerbach was one of the speakers. Among others present were ex-Justice Gildersleeve; Antonio Succa; Justice Russell, of special sessions; G. Solari, president of the Italian Chamber of Commerce; S. Sailta, the lemon broker; and former Coroner Peter Acitelli.

"OSCAR W. UNDERWOOD, the guest of honor, was the principal speaker. He made a speech whacking Mr. Taft for signing the Payne tariff bill and turning down the bills offered by the Democrats in the extra session of Congress. He applauded the President's stand on reciprocity. The Italians cheered Mr. UNDERWOOD'S speech and the band played 'Dixie.' Mr. UNDERWOOD is from Alabama.

"There were several members in the trade who received invitations to attend, but who found at the last moment that they could not possibly go. In view of the fact that some secrecy attended the hurried plans for the dinner, and because of the fact that a strong working interest is active for a further reduction in the duty on Sicily lemons, certain members of the trade are busy attaching unusual significance to the entertainment provided for the Democrats. It is openly asserted that the Italian element here is looking to the Democratic Party for help, and that wires are being pulled in the hope of action at the next session of Congress on the lemon tariff. Importers generally deny the imputation expressed in the conviction of the trade. The National Italian Democratic League is less than one year old, but it seems to be more or less of a mighty precocious infant.

"I protest earnestly against making this great industry of my State the victim of selfish partisanship or the greed for political gain. If it can be shown to the satisfaction of any Senator who desires to act wholly upon the facts as they exist that the present tariff should be reduced as a matter of right and justice, I have nothing to say against his action in voting against this tariff. That being shown to his satisfaction, it is not only his right but his plain duty to vote for a reduction of the tariff. As I said in the beginning, the question is one of right and justice and not of politics or expediency, and should be so treated."

Mr. WORKS. I then mentioned, without any present proof on the subject, that a combination had been formed by the importers of foreign lemons to reduce the tariff upon home-grown lemons; that their first intent and purpose was to place lemons upon the free list; that they contracted with the gentlemen, who undertook the task of bringing about this reduction, for a certain amount of money if they succeeded in placing lemons upon the free list, a lesser amount if they succeeded in reducing the tariff to half a cent a pound, and a still lesser amount if it was made something higher than that. Now, Mr. President, we have the positive evidence of the truth of the charges that were made by me at that time.

These worthy gentlemen have fallen out amongst themselves, and Mr. Beer, who was hired by the importers to bring about a reduction in the tariff, has brought suit against the importers as an organization to recover $75,000, which he claims to be due him on account of services rendered by him to bring about that reduction in the tariff. It is also claimed, amongst other things, that there was $140,000 raised by the importers for the purpose of paying the expenses of the efforts that were to be made by the man whom they had hired to lobby this thing through. It was one of the most corrupt efforts to control legislation that has ever happened; and in that connection and as showing what the extent and purpose of it was, I desire to have read an article from the Fruitman's Guide, of New York, which gives the particulars of the contract that was entered into, the amount of money that was raised for the purpose, and other information, which, I think, the Senate would like to have.

The actual amount of collections and expenditures is set out in the report that was made by the gentlemen who had this matter in charge. It shows upon its face that there was collected for the purpose of carrying on this propaganda $96,661.71. As I have said, the claim now is that the actual amount collected by Beer and Osborne, the two men who were acting in the interests of the foreign fruit growers, was $140,000, instead of $96,000, and that in some way or other that money has vanished. I will ask, Mr. President, to have this statement read by the Secretary.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

[From Fruitman's Guide, New York, Apr. 1, 1916.]

FUSS AMONG IMPORTERS—BRINGS OUT TALE OF COSTLY LEMON LOBBY—FIGHT TO HAVE TARIFF ON SICILY FRUIT REDUCED SAID TO HAVE COST $140,000, WITH REPUBLICANS IN CHARGE OF MATTERS.

NEW YORK, *March 31.*

We reprint, with no apologies to our readers, and with a good deal of inward amusement the following story scare-headed on the front page of the New York Sun of Wednesday:

Internal dissensions in the Fruit Importers Union, an organization of importers of citrus fruits from Sicily, have brought forth the revelation that a fund—said by one side to be $140,000 and by the other to be little more than $100,000—was raised to obtain a reduction of the duty on Sicilian lemons in the Underwood Tariff Act.

The entire troubles to-day are a sequence to that successful campaign, through which the duty was lowered from $1.20 a box to about 35 cents.

Now, William C. Beer, a man of many activities, has brought suit for $75,000 balance due on his promotion contract, which led up to the reduction of the tariff, and various members of the union are demanding an accounting of the expenditures in the campaign. They are also calling for an annual meeting and election, when, they declare, a new set of officers will be elected and a thorough investigation made.

* * * * * * *

On the other hand, there is a hint that the California lemon growers are stirring up all the muss in order to have the Sicilian lemon duty restored. There is a bill for that purpose before Congress now.

* * * * * * *

The men engaged in the business of importing the citrus fruits of Sicily into the port of New York are banded together as the Fruit Importers Union. This body has been in existence about 35 years and is incorporated under the laws of the State of New York. Frank Zito is president; Carl Braun, first vice president; S. Amoroso, second vice president; and P. Sciortino, treasurer. The board of trustees consists of the officers, J. T. Cuccio, G. Calabrese, V. Porcasie, and G. Lauricelli.

BEER KNOWS PUBLIC MEN.

Mr. Beer, who lives in Yonkers, is a lawyer, with an office at 71 Broadway, but it is not as a lawyer that he has attracted the most attention. Years ago he was regarded as the confidential man of the president of a big insurance company specially charged with keeping a lookout on things at Washington and at Albany. Betimes he was reported as representing, also at Washington, various other men and institutions of large affairs.

* * * * * * *

On November 15, 1915, when Beer sued for the $75,000 he tried to attach property of the defendants, the two Sicilian companies, the Fruit Importers' Union, and Harrison Osborne, a lawyer. The two foreign associations were supposed to have on deposit with Kountze Bros. a letter of credit for $16,000. In an affidavit in the attachment proceedings Mr. Beer went a little more into detail.

TELLS OF PROMISED $60,000.

"It was provided," he said, "by the terms of the said agreement that the defendants were to pay the plaintiff and the said Osborne the sum of $15,000 as a retainer, together with all expenses incurred by the plaintiff and the said Osborne in endeavoring to obtain the aforesaid revision and general reduction of the said duty and an additional sum of $60,000 in the event that the duty on Italian lemons, either through act of Congress or any other function or instrumentality of the United States Government, was reduced to the rate equal to the rate of duty provided in the so-called Wilson Tariff Act."

Mention is made in the affidavit of a supplementary agreement made in October, 1913, that in case the tariff was cut from $1.20 a box to 35 cents they were to have the $60,000.

They went to work. The affidavit describing their labors says that they frequently appeared before the Ways and Means Committee and the Senate Committee on Finance, hired speakers, and sent out millions of pieces of "literature."

"We can only say about this suit of Mr. Beer that we are surprised," said S. Amoroso, second vice president of the Importers' Union yesterday. "Why should we be sued for $75,000 or $110,000? Why has it not been paid?

"We did raise a fund amounting in all to about $140,000 to have the tariff on Sicilian lemons reduced, and we did hire Mr. Beer to have it done. In the United States the importers, by paying 5 cents a box on lemons imported, raised $105,000, and the Sicilian societies raised $35,000 more. Now that it is all over we are asked for $75,000 more.

"What has become of the $140,000? We do not know. We have repeatedly asked for an accounting and have not received it. We have demanded it, and it has not been given to us. We are told to keep quiet, not to raise a row.

"We have gone at it now in another way. The election of officers is held at the annual meeting set down for January. This annual meeting was not called. On March 24 a dozen or more members served notice that according to the laws of the State they will call an annual meeting, and at that time we will endeavor to elect new officers, who will investigate everything."

President Zito would say little yesterday. "All has been fair and honorable," he said. "I can say nothing more."

Mr. Beer presented his interpretation of the situation last night. His suit, he said, will soon be settled by the Sicilian societies at Palermo.

"And I will be glad to get out of it," said Mr. Beer. "I do not want any more trouble like this."

He explained that he and Mr. Osborne were retained to engineer a campaign of education and to prevail upon Congress to reduce the duty. The agreement was well defined and the prices satisfactory.

"I do not mind saying that beginning with 1910 we accomplished some mighty effective work."

There are 2,000,000 voters of Italian blood in this country, he explained, and his first work was to get every one of them stirred up. Documents were sent to them favoring the Italian fruit growers, and letters, papers, "missionaries," speakers, and postal cards were used.

"In 1910," he said, "the effect of this movement was shown in the votes of close districts. All the Italians voted for the Democrats, and the Democrats realized it."

In the presidential campaign of 1912, Mr. Beer said, the Italians were in full swing for Woodrow Wilson. "We organized the Italian Democratic League," he said, "and had branches all over the country. We did nothing but preach Democracy to them.

"I am a Republican except where my client's interests are concerned, and I want to say that the effectiveness of our work was well known and recognized.

"No $140,000 ever came to me. As a matter of fact all that was raised was a little more than $100,000, and not all of that came to us. What we had, however, we spent like water, and we helped to elect Woodrow Wilson. We had a right to expect some gratitude."

The Italian societies wanted to quit contributing, and did so at the end of the 1912 campaign. Then Mr. Beer said he tried to show them that the fight was not over, but, failing in this, had to pay out money from his own pocket. He said that he had been trying to get back his money ever since.

"Mr. Amoroso is wrong when he says there has been no accounting of the fund," he concluded. "There has been a full accounting. Every dollar I spent was accounted for, and the accounting of the trustees was unanimously approved. Mr. Amoroso himself signed a paper approving all their actions."

Hays, Herschfield & Wolff, who are counsel for the defendants in Mr. Beer's suit, said yesterday that they did not know of a discontinuance of the suit. They expected to file their answer to it in April.

SANTI AMOROSO TALKS.

When interviewed by the Guide, Santi Amoroso, of Florita & Amorosa, 90 West Broadway—no connection with the other S. Amoroso, be it understood—had this to say:

"From the start I never approved of the expenditure of any money to work for the reduction of the lemon tariff, for the reason that when they proposed to collect a large sum of money to employ Beer, I argued that it was useless, because if the Democrats got in it was their main plank to reduce the tariff all along the line, and if the Republicans won their program was protection anyhow. So that to spend money to secure a cinch or throw away in a surely lost fight was, to my mind, useless either way."

"Why is it," went on Mr. Amoroso, "that Beer entered into a written contract with the Importers' Union that he was to get $110,000 if lemons were put on the free list, $75,000 if the duty was set at 25 cents a box, and $50,000 if the duty went above 25 cents but not over 50 cents? Why shouldn't he live up to the contract set forth in black and white, when under its very terms he and Osborne were entitled only to $50,000, seeing that the duty was put at 35 cents, and with a 15 per cent duty on shooks the total tariff per box became 40 cents?

"All told, despite my protests, there was collected $94,000, plus $10,000 that came from the Shippers' Association in Italy in response to a cable that not a penny of the original $94,000 was left. That makes $104,000. Besides this amount the Shippers' Association of Palermo, Sicily, remitted by cable through Kountze Bros. another $36,000, for which Beer, I am willing to go on record as stating, gave his receipt. So there you have a total of $140,000. And what I want to know is:

"How much was actually paid to Beer? What did the board of directors, at the time that G. Dominici was president and Frank Zito vice president, do with the balance?

"I have continually asked the members of this administration to give an accounting to the members of the union, and they have repeatedly answered me: 'Most of this money was paid to Beer.' They told me that Beer had made an accounting to them which was satisfactory, but they, on their part, were not in a position to give particulars. Strange that there should be reason for such sacredness of secrecy regarding some intimate details and strange that, if Beer's accounting with them was satisfactory, that he should have ultimately found it necessary to sue for $75,000.

"As soon as I heard of the Beer suit I told the administration that my lawyer had advised me the shoe was on the other foot, and the probability was that a refund was coming to the union from Beer, under the terms of his written contract, instead of a balance to Beer from the union. We were presented with letters from Beer to the board of directors intimating that he would withdraw his suit. But, as a matter of fact, all these suits and discontinuance are sheerest pantomime. What we want is an accounting made in a proper way to the board of directors and the membership. I and those with me will be completely satisfied the moment that Beer and the members of the administration responsible for his employment will give a full accounting with vouchers for the sum of $140,000, because, in any case, everything is bound to come out in the wash."

V. Porcasi, who is extremely level headed and conservative, does not agree with all Amoroso has to say and thinks that gentleman is too impulsive and aggressive. "The old administration owes it to its own dignity and self-respect," he said, "to cast all the light it can on this matter and clear up everything beyond all shadow of doubt. My own opinion is that while there may have been some injudicious expenditures and useless extravagances, the old administration will be found to have acted honestly and in the main for the best interests of the importers as they saw them. Any mistakes they have made will, I think, be found to be mistakes of judgment. And one of their biggest mistakes is hesitating so long from letting everyone know just what was done with every penny of the money—whether wisely or foolishly spent."

The Fruit Importers' Union, through President Zito, has submitted the following statement:

THEIR FINANCIAL STATEMENT.

"The following is a summary statement of the receipts and disbursements in connection with the campaign and general office and labor expenses. Accounts were rendered at every monthly meeting to the Fruit Importers' Union, showing the various expenditures and payments to all attorneys and agents in all possible detail, including traveling expenses, hotel bills, salaries, fees, printing, office rent, etc. The accounts as thus rendered were examined by a committee of the Fruit Importers' Union, consisting of Cappadonia, Zito, and Amoroso, in October, 1913, and approved. In September, 1913, the general assembly of the Fruit Importers' Union gave a vote of confidence to the trustees for their work in connection with the tariff reduction and authorized them to continue to collect money to pay the obligations incurred in connection with the same.

Cash received from July, 1910, to August, 1913.

Per tax of 5 cents per box collected by auctioneers, Sicilian lemons:	
Brown & Seccomb, from July, 1910, to March, 1911	$12,854.53
Connolly Auction Co., from July, 1910, to March, 1911	27,557.79
H. Harris & Co., from July, 1910, to March, 1911	663.29
Philadelphia Auction Co., from July, 1910, to March, 1911	1,583.08
N. O. Fruit Auction Co., from July, 1910, to March, 1911	1,494.54
	44,153.25
Per tax of 2 pence per box from Agenzie e Lega, Sicily:	
Lega Agrumaria, from May, 1911, to September, 1912	20,206.60
Simp. Spence & Y., from May, 1911, to September, 1912	3,502.94
Hirzel, Feltman & Co., from May, 1911, to September 1912	8,195.46
Lloyd Sabudo, from May, 1911, to September, 1912	2,104.58
Hamburg-American Line, from May, 1911, to September, 1912	488.17
White Star Line (Boston), February, 1912	697.40
White Star Line (New York), May, 1912	703.90
New York Fruit Exchange, one-half expenses tel. May, 1910, to July, 1913	303.27
Tax on boxes from several of Messina	1,284.38
	37,846.70
Per tax seven-eighths out of 100 from auctioneers and importers, Sicilian lemons:	
Connolly Auction Co., November, 1912, to August, 1913	$5,243.99
Fruit Auction Co., November, 1912, to August, 1913	2,213.49
Brown & Seccomb, November, 1912, to August, 1913	5,968.23
Connolly Auction Co., night permits	407.38
Brown & Seccomb, night permits	445.48
Fruit Auction Co., night permits	395.14
From importers p: seven-eighths of cent paid us directly	348.05
	15,021.76
Total	90,661.71
Cash received in general	90,661.71
Campaign expenses $77,622.23	
General expenses of Fruit Importers' Union, Aug. 13, 1913 15,076.87	
	92,699.10
Balance in bank	3,963.61

NEW YORK, *October 2, 1913.*

We, the undersigned members of the finance committee, have examined the books of the Fruit Importers' Union and have found accounting correct and to our entire satisfaction.

GIUSEPPE CAPPADONIA.
FRANK ZITO.
S. AMOROSO.

They also submit the following letter, dated September 15, 1913:

"Members of the general assembly of the Fruit Importers' Union in their meeting of to-day have voted on the motion of Mr. Fortunato Marciano D'Arsi as follows:

"Mr. D'Arsi moves that the members of the assembly give a vote of confidence to the board of trustees of the Fruit Importers' Union for having so wisely conducted the difficult negotiations for the reduction of the tariff on imported lemons, and at the same time to authorize them, the said board of trustees, to complete the possibility of the collection to pay the obligations assumed (at their own convenience) to the lawyers, collaborators who assumed to obtain the reduction of tax on imported lemons.

"G. Dominici, Frank Zito, G. Lasagna, B. Musacchia, P. Sciortino, Mannino & Manzella, G. Cirincione, A. Di Gristina, F. M. D'Arsi, A. Figano, G. Puccio, F. D'Anci, J. G. Cuccio, P. Tranmontana, G. Genova Pizzo, Filippo Maniscalco, S. Amoroso & Co., D. Landolfi, G. Calabrese, P. Castiglione, P. Brucato, agent; P. Maniscalco, Giuseppe Cappadonia, F. R. Florita, Santi Amoroso, S. Motisi, G. Saitta, F. Di Marco, C. Procita, Ciro Greco, L. C. Marino, Lemon Importing Co., Pietro Scoglio, F. Zito Musacchia, De Luccia & Co., B. Follina, S. Di Blasi, F. Antioco, Lorenzo Zerillo, V. Porcasi, G. De Lutio, S. Cangialosi, Carl Braun, G. Brandina, R. Moleti, A. Del Canto."

The S. S. Amoroso, whose signature is appended to these documents, is not to be confused with the Santi Amoroso.

Mr. WORKS. Mr. President, it is perfectly clear from the statement of facts contained in this article that however much or little effect it may have had upon the legislation, the fruit growers of my State were attempted to be made the victims of one of the worst and most widespread and corrupt propaganda that has ever taken place in an effort to control and influence legislation. I take it for granted that the tariff on lemons was reduced upon the theory that it was for the betterment of the consumer and upon the Democratic policy of a tariff for revenue only, and I am not raising any question of the good faith of anybody who had anything to do with the actual passage of the bill. No one can tell to what extent the misrepresentations—for there were misrepresentations, numbers of them—made by these paid lobbyists may have had upon Members of Congress who were acting conscientiously and upon a belief in the truth of those representations.

In fact, Mr. President, the reduction of the tariff on lemons was of absolutely no benefit to the consumers. It lost to the Government about $2,000,000 a year in revenue. If any advantage to anyone has resulted from it the money has gone into the pockets of the importers, who have raised this large sum of money, through the assessment upon the fruit as it came to this country, for the purpose of influencing legislation and reducing the tariff on lemons. The foreign lemon growers were always able to compete with the domestic growers even when there was a tariff of 1½ cents a pound upon lemons, and the Government was deriving large revenue from that source.

I have not asked in this amendment for a duty of 1½ cents a pound, but for a duty of 1 cent. I think I was able to show, in the remarks I made when the question was under consideration by the Senate before, that it cost the domestic grower upward of a dollar a box more to lay down the lemons in the eastern market than it cost the foreign grower to place them in the same market, resulting principally from the higher wages, but also from the higher freight rates and various other things that entered into the cost of the lemons as they were laid down in the market.

The proposition in this amendment of the committee is to place sugar upon the dutiable list. I suppose that is done for the purpose of increasing the revenues of the Government, which is very much needed, and not because the Democratic Members of the House or the Senate have changed their minds

as to the principle that should control the levying of these tariffs.

Now, lemons may be placed in the same list, Mr. President. There is no reason why lemons should not have the protection as an incident to the levying of the tariff for the purpose of raising the necessary revenue that is needed by the Government. Lemons and sugar often go together, and this is a time when they should not be separated. [Laughter.]

In connection with the information that I have already furnished, I want to include in my remarks an editorial from the Oakland Tribune bearing upon this same question, and also to submit a table showing the amount of revenue derived by the Government from the tax upon lemons from the year 1898 down to 1912, which will indicate the amount of money which has been derived by the Government from foreign lemons.

The matter referred to is as follows:

[From the Oakland Tribune, Thursday, Apr. 6, 1916.]

LEMON GROWERS VICTIMS OF LOBBY.

When the Underwood tariff bill was before Congress and the lemon growers of southern California, representing one of the many industries of the State singled out for attack in that Democratic measure, were desperately fighting to prevent a reduction of duty on citrus fruits, it was openly charged by the Republican Members of the California congressional delegation that the importers of Sicilian lemons were back of the demand. It was hinted that a large fund had been raised by these foreign importers. This was promptly and vehemently denied by the Democratic members of the Ways and Means Committee.

A suit recently filed in New York brings to light startling facts that are proving most disconcerting to the administration. The action was brought by William C. Beer, and is for $75,000, said to be the balance due on his "promotion contract" which led up to the reduction of duty on California lemons from 1½ cents to one-half cent.

Over $140,000 was raised to assist in writing into this bill, "in the interest of the consumer," a reduction in one single item among thousands. How much the others cost the foreign importers is not disclosed.

It likewise develops that these importers of lemons from Sicily carried on a successful propaganda whereby 2,000,000 Italian votes were turned to Woodrow Wilson in 1912.

S. S. Amorosa, second vice president of the Importers' Union, in an interview in the New York Sun, frankly admits the raising of $140,000, but declares he does not know what became of the money or how much went into the Democratic campaign fund. Says Mr. Amorosa:

"We did raise a fund, amounting in all to about $140,000, to have the tariff on Sicilian lemons reduced, and we did hire Mr. Beer to have it done. In the United States the importers, by paying 5 cents a box on lemons imported, raised $105,000, and the Sicilian societies raised $35,000 more. Now that it is all over, we are asked for $75,000 more.

What has become of the $140,000? We do not know. We have repeatedly asked for an accounting and have not received it. We have demanded it and it has not been given to us. We are told to keep quiet, not to raise a row."

Mr. Beer talks as freely as the officers of the Importers' Union:

"I do not mind saying that, beginning with 1910, we accomplished some mighty effective work.

"In the Presidential campaign of 1912 the Italians were in full swing for Woodrow Wilson. We organized the Italian Democratic League and had branches all over the country. We did nothing but preach Democracy to them."

The lemon growers of Southern California who are complaining bitterly of the effects of the reduction of duty at least have the satisfaction of learning how it was done and what it cost. They should be charitable, however, and remember that Wilson needed the 2,000,000 votes and Beer the money. After all, the joke is on the consumer, for the importer had to raise the price of lemons to get back the $140,000, and the "common people," in whose interest the Democratic orators spoke so eloquently and feelingly, are, as usual, paying the bill. In the meantime, what has become of the Democratic lobby investigating committee?

Imports of lemons entered for consumption in the United States during years ended June 30, 1898, to 1910, inclusive.

Year ended June 30—	Rate of duty.	Quantity (pounds).	Value.	Duty.
1898[1]	1 cent per pound	133,347,050	$2,521,985.32	$1,333,470.50
1899[1]	do	208,634,448	4,399,160.72	2,086,344.48
1900[1]	do	159,384,389	3,655,946.85	1,593,843.89
1901[1]	do	148,334,112	3,516,877.29	1,483,341.12
1902[1]	do	162,962,091½	3,318,908.82	1,629,63 .91
1903[1]	do	152,775,867	3,087,244.22	1,527,758.67
1904[1]	do	164,042,415	3,507,679.55	1,640,424.15
1905[1]	do	139,079,003	2,904,975.44	1,390,790.03
1906[1]	do	138,689,148	2,934,195.34	1,386,891.48
1907[1]	do	153,930,739	4,254,230.56	1,539,307.39
1908[2]	do	178,437,835	4,388,247.95	1,784,378.35
1909[2]	do	135,175,888	2,623,170.38	1,351,758.88
1910[2]	do	[3]34,921,762	729,336.85	349,217.62
	1½ cents per pound	[4]125,620,672	2,407,126.15	1,884,310.25
Total 1910.		160,542,434	3,136,463.00	2,233,527.87
1911	1½ cents per pound	134,957,306	2,985,393.47	2,024,356.48
1912	do	145,622,842	3,368,459.97	2,184,342.68

[1] Imports and Duties, 1894 to 1907, by W. W. Evans, compiled under the direction of the Committee on Ways and Means, from annual reports on Commerce and Navigation.

[2] Department of Commerce and Labor, Bureau of Statistics. Imported merchandise entered for consumption in the United States, and duties collected thereon, 1908, 1909, and 1910.

[3] July 1 to Aug. 5, 1909; act of 1897.

[4] Aug. 6, 1909, to June 30, 1910; act of 1909.

The VICE PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Ohio?

Mr. WORKS. I yield.

Mr. POMERENE. Is the Senator able to furnish us any information as to the dividends which have been paid by the lemon growers during the last five or six years?

Mr. WORKS. No, I am not; but I think there is an altogether exaggerated idea of the profits that are made by the lemon growers of California. That matter was very fully discussed when the subject was before the Senate before, and if the Senator desires to have my views upon the question he will find them in the address I delivered at that time. I did not intend to go into a discussion of the merits of that question now. I believe the Senator from Ohio was here, and I hope he heard what I said upon that subject when it was before the Senate upon the passage of the bill.

Mr. POMERENE. I am not sure I heard that, but I have in my possession—not here, but at my office—a letter which I received four or five years ago from one of the leading citizens of Columbus in which he reported to me a statement made by one of the lemon growers who was a guest at his home at that time. He stated that his company had a paid-up capital stock of 33⅓ per cent, and during the year previous they paid a dividend of 25 per cent on the authorized capital.

Mr. WORKS. Mr. President, I should doubt the correctness of that statement. Of course there are some lemon growers, just as there are some orange growers, in California who make large profits. The great majority of them do not. Lemons and oranges are sold through agencies of the growers. Usually they are not stock companies, as the Senator from Ohio says, who deal with this industry except in that way. Each grower of oranges or lemons, as the case may be, is accounted to for the amount of money that is coming to him. Sometimes the account is on the wrong side of the ledger—very frequently so.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of Maine in the chair). Does the Senator from California yield to the Senator from Colorado?

Mr. WORKS. I yield.

Mr. THOMAS. I should like to ask the Senator if he has made any investigation of the extent to which the lemon and orange growers of California and Arizona are protected by the transportation rates of the country.

Mr. WORKS. I do not think they are protected at all, Mr. President, but quite the contrary.

Mr. THOMAS. Unless changes have been made recently, the freight rate upon citrus fruits from the Pacific coast is 84 cents a box, as I recall, to Denver and common points, and that is the same rate for all the country east of Denver and common points, with the single exception of Florida; that is, the rate is the same from Los Angeles to Denver that it is from Los Angeles to Boston. The rate upon these fruits from New York and seaboard points to Denver and common points is $1.36. The consumer in my section of the country is, therefore, obliged to pay the freight that is actually a burden plus the freight rate from the seaboard to those points—84 cents plus $1.36. I do not know whether the growers of California receive that benefit or not, but I do know that the consumers in the great Middle Western portion of the country pay it to somebody, and there is a protection to somebody that is more effective and ought to be more profitable than the rate which the Senator asks in his amendment to this bill.

Mr. WORKS. Mr. President, I may say in reply to what is said by the Senator from Colorado that the shippers of fruit in California have had a great deal of trouble over this question of rates.

Mr. THOMAS. I am aware of that.

Mr. WORKS. There has been a good deal of litigation. The railroad companies imposed upon them rates which they regarded as unjust, and long litigation took place between the growers and the railroad companies which was finally determined in favor of the growers.

Mr. THOMAS. That had reference, did it not, to the fact that the railroad companies sought to absorb the increased tariff?

Mr. WORKS. It was suspected at the time that there was an attempt on the part of the railroad companies to take advantage of the increased rate of tariff that was imposed upon

foreign lemons, but whatever the motive was the court finally decided it against the railroad companies.

Mr. THOMAS. I am not aware of any litigation based upon the particular feature of the transportation considerations to which I directed the Senator's attention.

Mr. WORKS. But the Senator may be perfectly assured that there is no agreement between the railroad companies and the shipper, because they have been at war on the subject of rates for many years past.

Mr. President, I think I have said all that I desire to say.

Mr. LIPPITT. Mr. President, yesterday a vote was taken in the Senate upon the amendment to the sugar bill which had been proposed by the Senator from Massachusetts [Mr. LODGE] in regard to a duty upon dyestuffs. I had supposed that under the unanimous-consent agreement no vote would be taken upon that question until to-day. I was in the Senate yesterday at the time it was decided to take up the pension bill and inferred that that proceeding meant that further action upon the sugar bill would not be resumed until to-day. Therefore I was not aware that the dyestuffs amendment had been taken up for debate until I had notice by the announcement of the bells in the Office Building that a vote was being taken upon it. I had intended to make some remarks upon that question which I was unable to make for that reason. I therefore am going to take a few minutes to present to the Senate some facts in regard to that situation which were not brought out in the discussion yesterday, and which I think are of great moment in the consideration of it, and of vital importance to the industries of the United States.

I am not altogether sorry that circumstances were such that I was unable to speak yesterday upon this subject, because the vote which was taken upon that amendment would undoubtedly not have been influenced by any remarks that I might have been able to make. It was a strict party vote. It represented the different ideas and conceptions which the two great parties have in this country in regard to assisting American industry. By a solid vote of the Democrats in this body, called for in that language by the distinguished Senator from Alabama [Mr. UNDERWOOD], who during the time the Democrats have been in power has been their leader upon all tariff matters, they put themselves upon record as unwilling to do anything to meet one of the most remarkable industrial situations that has ever arisen in this or any other country. On the other hand, the Republicans of this body by a unanimous vote, with one single exception, put themselves upon record as being willing to take some action that would establish here a new industry and would take advantage of the only opportunity that has occurred to establish that industry in 40 years, and one which is not liable to reoccur after the termination of the present great European conflict.

Mr. President, this question of dyestuffs is a very technical question. It is one of chemistry, and the chemistry of dyestuffs particularly is probably as intricate a commercial question as exists. I am not going at this time to undertake an analysis of the technical situation or of the technical history of this subject. What I want to call attention to particularly is the strategic situation which exists, not only in America but in the other countries of the world, in regard to this product, and to show what some of those other countries are doing to take advantage of this great opportunity while America, under the control of the administration in power, although having admitted through its Secretaries and officials the great necessity for some action, allows this great opportunity to go by neglected.

Before I go into the particular phase of this subject which I want to discuss I should like to correct a statement which, probably inadvertently, was made by the Senator from Alabama [Mr. UNDERWOOD] yesterday. In the few remarks which he made he said that the duty upon dyestuffs was 30 per cent. The Senator from Alabama, of course, is perfectly familiar with that schedule. The facts of the case are that there is a duty of 30 per cent upon coal-tar products not otherwise provided for. That is a "catchall clause." As a matter of fact, the principal ingredients of which they are composed and the dyestuffs themselves are mostly either upon the free list or have a very small duty.

There are three chief colors, I would say, Mr. President, which constitute an enormously large percentage of the entire production of colored fabrics in the world. The one that ranks the highest is black. Then comes blue, and then the various shades of red. The foundation for the modern black dye is anilin oil, and the duty upon anilin oil under the present tariff is 10 per cent.

Blue, under present conditions, is produced by synthetic indigo, a substitute for the vegetable dye which was discovered and made a commercial product in Germany some years ago. Synthetic indigo is on the free list.

Red itself and many of the shades of red which pass under other names, is produced by alazarin. Alazarin is now and has been on the free list for many years.

So, as a matter of fact, the statement that there is a duty of 30 per cent on dyestuffs, while correct as applying to some small proportion of them, does not fairly represent the situation of that industry. The fact is that the great bulk of the modern high-grade dyestuffs either come into the country free or with a very small duty.

Mr. President, this question of dyestuffs is in itself a very small question. The total consumption of dyestuffs in the United States certainly does not exceed $20,000,000. It has frequently been estimated by some of the officials who have been writing and reporting upon this subject within the last year that the total consumption does not exceed $15,000,000, but even at the larger figure it is not a very large amount in comparison with the great industries of the United States.

Of that $20,000,000 or $15,000,000, whichever it may be, about $3,000,000 worth is produced in the United States and the balance is imported from Germany. But that $20,000,000 of dyestuffs applies to an enormous amount of American products. The three great textiles of cotton, silk, and wool, as measured in their values at the mill door, reach about a billion and a half of dollars annually, but the product as it comes from the mill door is not the form in which it is sold to the consumer. Woolens are manufactured into clothes and in a $25 suit of clothes there perhaps is not more than $4 or $5 worth of cloth.

Cotton is manufactured into a great variety of products. Your collar, for instance, which sells at 12½ cents does not contain more than 3 or 4 cents in value of cloth. Women's clothes, manufactured in large quantities sold over the retail counter, run into very large figures as compared with the value of the cloth they contain.

In the same way these dyestuffs also appertain to large values in the paint industry, in leather, in the paper industry, and in a great variety of minor products.

I believe, Mr. President, that I am not exaggerating, but, in fact, rather understating than otherwise the facts in the case when I say that this $20,000,000 of dyestuffs affects not less than $4,000,000,000 worth of the annual turnover of American business. The situation as it exists to-day is that that great business of four billion or more of dollars is hampered, is in distress, from the difficulty of supplying itself with this very minor article.

I will not delay the Senate by attempting to quote exhaustively the figures that are now being paid for dyestuffs, but I will say that the advances are not measured in hundreds of per cent, but in thousands. Barrels of dyestuffs that before the war cost less than $250 are now being sold in this country for from $6,000 to $7,000, and even at that it is impossible to get more than a few scattering pounds here and there as they come into the market from the changing requirements of those who are fortunate enough to have any at all. We are rapidly approaching a point where many of the industries of America will have to run short time from lack of this product, and it is extremely unfortunate that that situation should exist at a time when we have such great possibilities for foreign trade.

Under the conditions that now exist in foreign markets there is an opportunity for American manufacturers to get their goods introduced there that has never before existed. It is being taken advantage of in a very large way. As an indication of how great that field is, I may say that in the cotton industry, where England and France and Belgium and Germany have been in the habit of exporting annually about $700,000,000, their product has been so reduced that to-day they are exporting less than $400,000,000. In other words, during the last year there has arisen a scarcity of cotton goods alone in those markets amounting to more than $300,000,000, which in itself is some 40 per cent of the entire production of those fabrics in the United States. Our ability, however, to take advantage of that opening is materially reduced by the fact that we have not this minor constituent of dyestuffs.

Mr. President, this situation has been recognized, as I have said, by the representatives of the present administration. The Secretary of Commerce, Mr. Redfield, has made several public announcements in regard to it, recognizing its seriousness. He appointed a special investigator, Mr. Thomas H. Norton, who has made a report to the Department of Commerce and has written several articles in the papers in regard to it. Dr. Edward E. Pratt, Chief of the Bureau of Foreign and Domestic Commerce, under the Department of Commerce, has called attention to it in the most emphatic way. They have all of them insisted upon the necessity of America meeting this situation.

Dr. Pratt, in an article which he contributed to the magazines some time last summer—I have not the exact date—speaking almost in an official way, if I can judge from his language, says:

In Washington this matter has had serious attention because its importance merits the most careful and painstaking study. Action should not be based on impulse or sentiment, but on hard facts and experience wherever we can get them. Action should then be fast and certain. This matter has been thoroughly discussed by the officers of the Department of Commerce and the Federal Trade Commission, and they have agreed substantially on these points, namely:

1. That foreign concerns should be permitted to exercise no privileges in this country or against concerns in this country which are prohibited to domestic concerns. In other words, what we call unfair competition shall not be permitted any more to foreign concerns than to domestic concerns.

I want the gentlemen who are listening to me, if they will, to bear that statement in mind, for what I propose to show in a few minutes is that this dyestuff industry is controlled by the most complete and domineering and dictatorial monopoly that exists in the entire world. I venture to say, sir, that there has never been a monopoly in this country that in the slightest degree compared with it, and it is with reference to that fact that I presume that statement was made, and the foundation for it I shall shortly hope to present to the Senate.

2. That this or any new industry which aims to place us in an independent position industrially among the nations of the world shall be given a fair chance.

Recommendation will be made by the Department of Commerce that Congress, in whose hands this matter ultimately rests, shall pass such legislation as will, beyond peradventure of a doubt, accomplish these objects.

That was the Democratic promise that was made upon this question some nine months ago. Congress has now been in session for four months and a half. No such recommendations as that then promised have been made. No steps have been taken by any of the responsible members of this administration either in Congress or out of it to meet this very dangerous situation, and when steps looking toward a solution are taken by the Republicans they are voted down by the unanimous vote of the Democrats of the Senate—a situation whose importance has been set before the country in the strongest possible language by their own Democratic associates, and the Congress of the United States, under the control of the present administration, refuses to deal with, either on their initiative or on the initiative of their opponents.

Mr. President, I said a minute ago that the German dyestuff industry was a monopoly. I want to call attention to that situation as it is reported upon by Dr. Thomas H. Norton, special agent of the Department of Commerce. The same facts that he presents to Congress can be found in many other publications. He did not discover them. They have been well known in all the counting rooms of America that deal with the industries which they affect for many, many years. I doubt, however, if the Members of the Senate really appreciate the full meaning of the situation. Practically, as I have said, all the finer high-grade dyestuffs that are used in America come from Germany. The German dye industry, while it is nominally, I think, operated by several different corporations, is practically a unit.

That statement has been made by Dr. Norton in that very language. It has also been made by Mr. Pratt, who says:

Commercially, the coal-tar chemical industry of Germany is a unit. Prices, terms, and conditions of sale, market competition, export policies, are determined and fixed by the industry as a whole. In addition the industry received from the Government the most favorable treatment in the matter of regulation, taxation, tariff protection, and conventional arrangements with other countries.

I might add that, in addition to these items which Mr. Pratt has mentioned, the German Government has for years put in the service of this dyestuff industry a great force of Government chemists to conduct the numerous and exhaustive chemical experiments which are necessary to bring it to perfection.

The condition of this German industry is like this: Anyone who is interested in looking it up will find an account of it on page 34 of the report of Dr. Thomas H. Norton, entitled "Dyestuffs for American Textile and Other Industries." There are 22 German establishments. The combined capitalization of them is $36,700,000. They paid in 1913 $11,600,000 in dividends, or 21.74 per cent upon their nominal capital; but, in addition to paying those dividends and in addition to having their capital of over $36,000,000, these industries have been for years turning back into their plants an enormously large amount of earnings, which do not appear in their capital account, but which have built up their plants to such an extent that their real valuation, according to Dr. Norton's report, is $400,000,000, although their capital is only $36,700,000.

To get an idea of the size of those establishments without going into this report in all its details, I should like to call attention to what is said here about the Badische Anilin Co., the principal producer of these articles. Dr. Norton says that it covers about 500 acres of land, with a water front of one mile and a half on the Rhine. The buildings themselves cover 100 acres. Transportation between the several hundred buildings is effected by 42 miles of railway. Power is generated and transmitted by 158 boilers and 386 steam engines. They employ 8,000 operatives. That is one of the factories. These factories are combined into units. There are two groups of them of three units each, which work in complete harmony with each other and with the other independent and smaller factories that are not included in those particular organizations.

So far as foreign markets are concerned, they act as one single unit. Their prices are made in consultation with each other and with the approval of the German Government. To see how that operates and to what extent they are ready to go in order to meet competition, Dr. Pratt, in the address to which I have already referred, gives a statement of what has happened in this country during the two or three years before the war.

As I have said, there is a duty of 10 per cent upon aniline oil. That duty encouraged certain people to undertake the manufacture of that product. A company called the Benzol Products Co. was established in New York. They built their factory, produced an oil of merchantable quality, and started to distribute it among the consumers of this country. Immediately the price of aniline oil from Germany was dropped from the price at which it had been selling in this country of 10.9 cents per pound to 9.9 cents per pound; in other words, the instant competition appeared in this country in that article, the German manufacturers—the German monopoly, and a world monopoly, for it controls these articles and has controlled them up to this time not only in Germany and America but in England and France and Japan and in every other country of the world—the instant an attempt was made to manufacture one of their products in this country they put their prices down to meet the tariff that had been put on it; and, as the article goes on to state, a representative of their company notified the officers of the Benzol Products Co. that if they continued to manufacture aniline oil the price of it would be put at such a point that it would be impossible for them to continue. Rather than face that disastrous competition they abandoned its manufacture.

Mr. President, it is not necessary for me to go on and accumulate all the evidence that I might put into the RECORD in regard to this undenied fact. I could gather together a very large amount of testimony going to show the absolutely monopolistic character of this industry in Germany, and I could put into the RECORD many instances of a similar kind to the one I have stated, but one is enough to show the methods which have been pursued and the character of the monopolistic organization which the Democrats of the United States Senate yesterday voted to continue to have control of more than $4,000,000,000 of American industries.

What has been done here, the action that was taken yesterday, is very different from what is being done to-day by other nations equally interested in this question. The two great nations that so far as textiles go—that industry being the largest consumer of dyestuffs—are the particular competitors of America, so far as she is able to enter into foreign markets, and are the competitors with her, one of them for years in our own market and the other one a potential and threatening competitor for the future, are England and Germany. I want to call attention to what has been done in England in this matter.

England did not wait for a year and a half after this emergency presented itself and this opportunity began to open up to get relief from this situation. As long ago as the 7th of January, 1915, the American consul at Manchester reported the circumstances in regard to the formation of an English Government-aided company to manufacture dyestuffs. He states that the Government agreed to advance to such company £1,500,000—$7,500,000—bearing interest at the rate of 4 per cent, for the purpose of assisting private capital to meet and solve the situation.

A little later on, on February 18, 1915, he reports that, on further investigation, the Government decided that its proposition had not been liberal enough, and it made a new proposition in which it undertook to loan the company a large amount of capital, but with no provision in regard to a sinking fund, and with the right to pay a dividend of 6 per cent on the private capital that was invested in the company before the Government money was returned to it.

Later on still other arrangements were made. The result of it all was that on November 9, 1915, the consul at Huddersfield reports that in England they were then building new works that would eventually employ 10,000 operatives and would mean an addition to the population of the city in which the enterprise was situated of perhaps 35,000.

On March 28 the same gentleman reports that over 1,000 men are now engaged at work changing the form of the land and

erecting buildings of various kinds for this purpose. In other words, England, the moment that she saw the situation in which her great industries were going to be placed as a result of this war, took up the question energetically, prepared a plan for its solution, the Government interested itself in it, put the great force of her credit behind it, gave it every encouragement, and England to-day is in a fair way to be free forever from the dyestuff monopoly.

Japan, equally foresighted, equally interested in the situation, takes the same course. On March 3 the New York Times reported that—

> The Japanese Government has granted a subsidy to concerns manufacturing dyes, and a large company with a capital of $4,000,000 has been formed to engage at once in making dyes. The capital stock of this company, in view of the Government sanction, is oversubscribed 870 times, according to a dispatch received from Consul General Skidmore at the Bureau of Foreign and Domestic Relations.

This, then, is the situation in which we in America find ourselves: A great opportunity for the establishment of a subsidiary industry that would help to make an enormous volume of our business self-sustaining, repeated statements in recognition of that situation by representatives of the administration, conferences with people engaged in those industries in New York and elsewhere, and absolutely nothing done to take advantage of it.

In the situation in which we are the instant this war is over America will go back to the old thraldom. Other great Governments, such as England and Japan, more enlightened, not afraid of helping the industries of their countries, not afraid of seeing and knowing that a private industry makes a profit, have taken exactly the opposite course, and their subjection is over.

Mr. President, I wanted to present this phase of the situation to the Senate, and I wanted to have these facts in regard to this industry in the RECORD, and so I have taken this opportunity of presenting them to the attention of the Senate and to the country.

Mr. WILLIAMS. Mr. President, this is a very grave question, and one which in time will demand very serious consideration. The fore part of the speech made by the Senator from Rhode Island [Mr. LIPPITT] was totally useless. He seems to have thought that it was worth while to consume the time of the Senate and the country in proving that the Republicans were a protectionist party and that the Democrats were not. I should think almost everybody in the United States knew that by now, and that proof was totally unnecessary. The question of dyestuffs presents a great many facts. There is involved in it, not necessarily and alone, a question of protection or of revenue. The Democratic Party in its own time and at its own convenience, and after knowledge and not before knowledge, will solve it to the best of its ability.

The Democratic Party certainly is not going upon the theory that a permanent fiscal policy of the United States Government ought to be laid down in answer merely to a temporary war emergency condition, because almost any civilized nation may hope for about 20 years of peace while it has one year of war, and to mold a permanent fiscal system in accordance with the emergency of war times is to forget the interest of the people during times of peace—that is, during the normal and natural life of civilized man.

If German scientists and chemists can produce dyestuffs cheaper than we can, and can furnish them to our textile manufacturers cheaper, and if that increased cheapness can be carried on to our consumers, then, of course, every Democrat who believes in the principle that it is not the business of the Government to hothouse unfit competitors, would take the position that it was not necessary in peace times that there should be a duty upon dyestuffs, unless it was discovered that there was about it a monopolistic and unfair competition feature which it was necessary to face, totally independent of the question of protectionism and of revenue, but in the interest of our national industrial independence. If that shall be demonstrated, then I take it that the Democratic Party, which has produced more constructive legislation in 3 years than the Republican Party has ever produced in 15, will at the proper time undertake to meet the danger. Whether it shall meet it, Mr. President, by an increased duty, put on avowedly for the purpose of meeting unfair competition by a foreign monopoly, or whether it shall meet it by giving the Trade Commission extended power, so that it may deal with every unfairly competitive transaction on American soil by anybody, whether a domestic or a foreign concern, or whether it shall meet it by both methods, is a thing which we will decide after knowledge, and not before knowledge—and we are not apt to rely for our knowledge solely and entirely upon interested parties.

Mr. President, that the administration is already looking into the matter has been demonstrated by the Senator from Rhode Island. He has read from two reports of employees of this administration. Moreover, the Democratic members of the Finance Committee have already had one hearing, at which Dr. Pratt appeared, representing in a way the Government, at which the attorney of very many textile and dyestuffs concerns appeared, at which a man representing the great chemical industries of the country appeared, and at which very many interesting facts, or alleged facts, whichever they may be, were disclosed.

The Senator from California [Mr. WORKS] this morning illustrated the evils of the whole protectionist system without knowing it. He proved that there had been raised a slush fund in New York by importers to decrease the duties and to try to have certain commodities put upon the free list. If he had had the evidence and had been willing to do it, he could probably have disclosed also that there had been a slush fund raised by the producers of citrus fruit for the purpose of increasing or maintaining duties.

Mr. WORKS. Mr. President——

Mr. WILLIAMS. One word more. At any rate, I know, because I was chairman of the subcommittee dealing with this matter, that we received letters, telegrams, and literature, which must have cost money, on both sides, and that there was seemingly an organized propaganda upon both sides, behind which money had to be placed in order that it might have reached the magnitude which it did reach. Now, I yield to the Senator from California.

Mr. WORKS. Mr. President, I think if the Senator from Mississippi will inquire into the facts he will find that there was no slush fund raised to hire paid lobbyists to represent the interests of the fruit growers of California. They were represented here by one of their own number.

Mr. WILLIAMS. I do not know if "slush fund" is the proper term, or whether "paid lobbyists" were employed or not, or whether merely so-called attorneys and "representatives" were employed, or whether merely men had their passage paid here and their hotel bills paid while they were here; but I think the Senator will agree with me that the citrous-fruit industries were amply represented upon the ground.

Mr. WORKS. Mr. President, I think I know something of the matter about which the Senator is talking. I was myself trying to represent the fruit growers, I thought in a proper way, on the floor of the Senate.

Mr. WILLIAMS. I am not talking about that.

Mr. WORKS. I was aided in securing the necessary figures and information from just one gentleman, who was at the head of what is called the Fruit Exchange, and obtained my information from him. I know he was not here as the paid representative of anybody, and I think I know that nobody else was here under pay to represent the interest of the fruit growers.

Mr. WILLIAMS. Nor their expenses paid?

Mr. WORKS. Nor their expenses paid.

Mr. WILLIAMS. Nor any counsel employed?

Mr. WORKS. Nor any counsel employed; but the Senator is right in saying that there was a good deal of money wasted by the fruit growers of California in telegrams and things of that sort, which I tried to discourage.

Mr. WILLIAMS. Mr. President, I was not mentioning this for the purpose of arguing the citrous-fruit question; I was mentioning it for the purpose of showing that essentially and necessarily the system of having the Government hothouse private industries into profits which, without legislation, they would not enjoy, brings about two divergent interests—one that of the importer, who wants the stuff to come in with as little duty as possible, and the other that of the producer who wants it protected upon the statute books with as high a duty as possible; and that they too often raise immense amounts of money and send people here to Washington to "represent" them. Thank God, for the most part, they are robbed by the scoundrels whom they send! They may find out after a while that they are "paying too dear for their whistle."

Now, I do not know whether this man Beer came here or not. I was chairman of the subcommittee which dealt with agricultural products. The other two members of it were the late Senator from Indiana, my friend, Mr. Shively, and the Senator from Oklahoma [Mr. GORE]. I do not recall that Beer ever appeared before the subcommittee, and he never appeared before the entire committee. The Senator from Oklahoma, whom I have consulted, does not recall that he ever appeared before the subcommittee. I have been trying to get, if I could, an index of the men who did appear before the committee and the subcommittees, but I have not obtained it as yet.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from North Carolina?

Mr. WILLIAMS. Certainly.

Mr. SIMMONS. At the request of the Senator, I sent over and secured an index of those who appeared before the committee, and the name of the man he has mentioned does not appear to be on the list..

Mr. WORKS. Mr. President——

Mr. WILLIAMS. Mr. President, I will yield to the Senator in a moment. Now, what did you expect of this man? The Senator from California and I are the sort of men who can talk to one another, even here politically, with perfect candor. I should not be a bit surprised if they did raise a slush fund and if this fellow came down here and "gallivanted" and "sloshed" around Washington and pretended to his employers that he had been able to influence legislation. It happens nearly every time a tariff bill is up that men come here, representing manufacturers and importers, and "slosh" around Washington, and, I expect, afterwards blackmail the people who send them here for all that they can get. It just shows that there is essentially and necessarily accompanying a system of legislative hothousing of private industries into profits which they would not enjoy without legislation, a large degree of resultant corruption or attempt at, or more frequently pretenses of, successful corruption on both sides.

Mr. WORKS and Mr. LIPPITT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from California?

Mr. WILLIAMS. Yes; I yield.

Mr. WORKS. Mr. President, the Senator from Mississippi has had a long and varied experience in Congress. Would he expect a paid lobbyist like Mr. Beer to appear before his committee or any other committee of the Senate to be heard?

Mr. WILLIAMS. I would not expect him to do anything, except perhaps to get him an expensive room, and make out like he was dispensing various hospitalities to various people, and go on back to where he came from and collect what they promised him. That is about what he did, I reckon, and that is about what many another fellow representing some producer of some description, who has been able to persuade the producer that he possessed immense influence at Washington, also did. There have been investigations enough in the past to show that away back yonder, at any rate, this sort of thing went on pretty freely.

Mr. President, I think you will find before you are through with it that not only the Democratic but the Republican Party, having adopted the general principle that we must put an end to monopoly and to unfair competition by approximate monopolies, will find means to check even a foreign monopoly which resorts to unfair competition upon American soil; and when it comes to that, I am with the Senator from Rhode Island entirely. I may not be with him in thinking that the best way to do it is through a tariff; but I think when we undertake to stop unfair competition by American concerns we ought also to stop unfair competition by foreign concerns when the unfair competition occurs on American soil.

Mr. LIPPITT. Mr. President——

Mr. WILLIAMS. And I have no doubt that in the wisdom of Congress that can be worked out in the course of time.

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Rhode Island?

Mr. WILLIAMS. One word, and I will. But that is a different thing from making of this bill a vehicle for consideration of duties on dyestuffs and oranges and lemons and probably later shoe buckles and everything else in the world. This bill contains one simple proposition—to continue the present decreased sugar duties for four years longer. We decline to make it a vehicle for all other alleged reform measures. We have, rightly or wrongly—and we are in power and have the responsibility—taken the position that we were going to put through this particular bill without embarrassing it with other questions. If that be treason, we have committed it, and the supreme court that sits in judgment upon both of us—the people of the United States—can decide upon it. But if it be treason, it will not be the first time that sort of treason was ever tried in the United States, because I remember that several times when the Republicans wanted to put through special tariff legislation they never allowed us to put any other sort of tariff legislation upon the bill.

Now I yield to a question from the Senator from Rhode Island.

Mr. LIPPITT. I was only going to say that the Senator from Mississippi says that in due time, and some time, his party will attend to this matter. The conditions are that this situation has gone on already for more than a year and a half; that his party have been in power in this Congress, doing little or nothing, for four months and a half, and they have not shown the slightest inclination even to study the question. The committee to which he refers——

Mr. WILLIAMS. I yielded to the Senator for a question.

Mr. LIPPITT. I should like to ask the Senator, then, when this time is going to arrive?

Mr. WILLIAMS. I yielded to the Senator for a question, and the Senator has asked it in a very affirmative and assertive manner. The Senator knows as well as I do that no legislation that we could pass at this moment could cure this particular trouble until after the war in Europe is over.

Mr. LIPPITT. If I may be allowed, I will say to the Senator that I know just the contrary. These reports are full of testimony that if legislation——

Mr. WILLIAMS. The Senator's only proposition thus far propounded to this body is—what? It is, in an emergency, where we can not get dyestuffs at any reasonable price, or when we can not even get them at all, to do what? To raise the duty so that such few dyestuffs as we can get shall cost more. Now, that is all. The Senator knows that the only immediate effect of this sort of legislation for the next one or two or three or four years, until American dyestuff plants could be built up, would be to increase the present existing difficulty and not to remove it at all—to increase the cost and the scarcity of dyestuffs.

But I rose merely to say this: When you were in power you did things at your convenience, as your wisdom dictated convenience; and when we are in power, with less pretense of wisdom, we shall do things at the time we see fit, as our approximation to wisdom dictates to us. I say "approximation to wisdom" because we do not pretend to have perfect wisdom, and never have, and in that respect we have differed somewhat, as a party, from you. There is not one of you who in his heart does not know that you would be doing just the same thing. There is not one of you who does not know that that is what you did do when you were in power.

Mr. GALLINGER. Mr. President——

Mr. WILLIAMS. You never allowed us to dictate your bills. You never allowed us to dictate your tariff legislation. You never called us in to say: "Old fellow, do you think we are putting it too high?" I used to hear, day after day and day after day, from Thomas B. Reed and from David B. Henderson and from JOSEPH G. CANNON, in tones that were dictatorial—which are not what I am using now—the expression, "We are running this Government, and we know how to run it, and we do not ask your advice."

Mr. LIPPITT. Yes; but they said they knew how to run it.

Mr. WILLIAMS. Yes; that was a part of the unsuccessful egotism—later disapproved by the people. Now, we have never gone so far as to say that we did not ask your advice. We have only gone so far as to say that we shall not submit to your dictation.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. WILLIAMS. Yes; I yield to a question from the Senator.

Mr. GALLINGER. I want to ask my good friend the Senator from Mississippi a practical question. The Senator has denounced, as he so often denounces, protection. How does the Senator square that with the proposed action that he and his party are going to take continuing high-tariff rates on sugar for the next four years, when they have denounced it as a fraud upon the people of the United States?

Mr. WILLIAMS. Why, Mr. President, I answer it in two ways. In the first place, it is not a "high protective" rate; and if the Senator from New Hampshire asserts that in that assertion I am in error and it is a high protective rate, then my rejoinder to his reply would be that the rate which he and his party had fixed was 25 per cent higher, and that if this present rate be a protective rate then he and his party stand convicted of having given unnecessary protection, and even a Republican confesses that unnecessary protection is robbery.

Mr. GALLINGER. Mr. President, if the Senator will permit me, the retort "You are another" does not constitute much of an argument.

Mr. WILLIAMS. I did not retort that "you were another." I retorted that this was not "a high protective" duty.

Mr. GALLINGER. But the Senator and his party thought it was so high that it ought to be entirely dispensed with, and they legislated in that direction. Now they take the back track, and they admit that it is right to continue the duty on sugar for four years longer.

Mr. WILLIAMS. I had said that the answer was twofold. I gave the first part of it, and now I will give the second.

The reason why we are continuing the duty for the present is that we are convinced that for four years longer we will need the revenue that grows out of it. As far as I am concerned individually, I have always thought that sugar was an appropriate subject for a revenue duty—the least onerous of all consumption taxes. But if it is thought that any duty at all upon sugar is protection, and therefore that all duties should be wiped out, certainly that argument does not go to the extent that in a time of revenue emergency we can not tax for a limited time an article to get a needed revenue—the necessity being confessed upon that side of the Chamber as well as upon this—because there may go with it a modicum of incidental protection. Call it, like the stamp tax and the tax on perfumery, a "war tax"—that is, a tax rendered needful by decrease of normal revenue, due to the war in Europe.

Mr. GALLINGER. Mr. President, if the Senator will permit me further, the Senator argues that there is no protection in the duty on sugar.

Mr. WILLIAMS. I said it was not "a high protective" duty. That was the language the Senator used.

Mr. GALLINGER. Not high; but is it not a protective duty? If the Senator thinks otherwise, I would refer him to the Senators from Louisiana, who say that taking off the duty has absolutely ruined their industry.

Mr. WILLIAMS. Yes; the Senators from Louisiana went further than that, if the Senator will excuse me. They said when we put the duty down and reduced it that we reduced it so far below the revenue point that it would lay waste all the fields of Louisiana. If the Senator selects the Senators from Louisiana as his witnesses, they have testified that the present duty is not a protective duty, but a duty under which the sugar-cane planters must absolutely go to the cultivation of something else than sugar cane or bankrupt.

Mr. GALLINGER. And I will ask the Senator if he does not think that would have happened had it not been that the European war stopped the exportation of sugar from Germany?

Mr. WILLIAMS. I frankly do not know.

Mr. GALLINGER. The Senator ought to know.

Mr. WILLIAMS. I frankly do not know; but, if the Senator wants my opinion, I do not believe there is any protection for the Louisiana cane-sugar producers under the present rate of duty. I think there is protection for the beet-sugar man; but when the cane-sugar man must put a fourth of his crop under the ground in order to raise a new crop he stands at a disadvantage from the very jump of 25 per cent, and when he raises less sugar to the ton of cane than the man who raises his cane in the Tropics, then he stands also at that disadvantage; all of which goes to prove the statement which I made a moment ago, that this is a revenue duty. The Senator has proven it for me, and made me help him.

Mr. GALLINGER. Mr. President, I take issue with that statement. I have proved nothing for the Senator, because I think his mind is not in such shape to-day that anything could be proved to him that he has not preconceived. Now, I will ask the Senator why it was that the Senators from Louisiana appealed to this side of the Chamber to save them from the disaster that they said the Democratic Party was visiting upon them by putting sugar upon the free list?

Mr. WILLIAMS. Why, because they said that the reduction which we made, in the first place, left them no protection, that they could not compete with Cuba, and it would lay waste their fields; and they said, in the second place, that of course, a fortiori, the same result would follow after the expiration of three years when sugar went upon the free list. The Senator, of course, heard the Senators from Louisiana as well as I did.

Now then, we need the revenue. This is as little onerous a way of getting it as any other duty upon consumption. We feel that we may not need it for longer than four years, and therefore we extend the duty for four years. If we shall find that we then need it longer, we can then further extend the period. That seems to me to be a very simple proposition from my standpoint. Now, of course, I understand that from your standpoint, if the object sought were the protection of the sugar-cane planter, there ought to be a higher duty, if what the Louisiana Senators and their constituents say be well founded; and I confess that I am not a very good judge as to whether it is or is not. I rest absolutely satisfied, however, that the beet-sugar producer does not need this duty—not as high a duty as this, at any rate, and perhaps none at all—because there is no more reason why an American farmer can not raise sugar beets in competition with a German farmer than there is reason why he can not raise potatoes or Indian corn or wheat, or almost anything else that is purely an agricultural product and not an exotic. Sugar cane is an exotic, and that is the reason why it costs more; it does not even go to seed in this climate.

I did not get up for the purpose of talking about that, however. I got up just for the purpose of saying that I did not want the vote of yesterday on the dyestuff proposition to be misconstrued. The country all understands that we—the Democratic Party—undertook to pass this bill, and that we undertook to save ourselves from embarrassment and perhaps from mistake by shutting off all matters alien to it, and that if Senators upon this side yesterday had been in favor of the amendment offered by the Senator from Massachusetts [Mr. LODGE] they still would have voted it down as an amendment upon this bill. I do not mean by that that they were in favor of it. I do not think they were. For myself, I have not yet been convinced that the way of meeting this dyestuff difficulty is through increased tariff duties. I am rather of the opinion that we can meet it better by other legislation, though my mind is not closed. I do think there is one justification for a protective tariff now and then, and that is the national defense when a foreign monopoly, protected and legislatively fostered by a foreign government, is proven to be threatening American industrial independence. Even John C. Calhoun went that far.

Mr. SIMMONS. Mr. President, I rise to address myself to the amendment offered by the Senator from California [Mr. WORKS].

On yesterday, Mr. President, when an amendment was offered by the Senator from Massachusetts [Mr. LODGE], which was an identical copy of a House bill now pending before the Ways and Means Committee of the House and now under consideration by the committee, as I am advised, and the subject matter of which has received consideration already from certain majority members of the Finance Committee, I appealed to the Senate not to sustain the amendment, first, because on account of the importance of the matter it ought to be fully investigated and considered by the Finance Committee of the Senate and come before the Senate in the regular way. I gave this lack of opportunity for adequate investigation, either by the Finance Committee or by the individual Members of the Senate, of the rates which were proposed in the amendment as one good reason why this rider should not be adopted.

I think if the Senator from Rhode Island [Mr. LIPPITT] had been here yesterday and had heard the statements made by myself and other Senators on this side, especially the Senator from Missouri [Mr. STONE], with reference to this subject, he would not have reached the conclusion which he seems to have reached that by the vote yesterday this side of the Chamber had foreclosed all purpose to deal with this subject in a proper, regular, and prudent manner.

Mr. LIPPITT. Mr. President, if the Senator will allow me, I will ask the Senator if he does not think that by reading the printed RECORD I can find out what was said just as certainly as though I had been here? And I have read all the debate that occurred yesterday.

Mr. SIMMONS. I did not think, when I heard the Senator, that he had read the discussion here yesterday, because I thought if he had read it he would not have pursued the line of argument and made the statements which he did make. If the Senator has read the discussion, I confess I can not understand why he should have made such a broad statement as he has made.

Mr. President, I thought it was made very clear to the Senate on yesterday that this matter was being seriously investigated, and that we were conferring with the people who are interested both as the producers and as the consumers of these dyestuffs. Not only that, but I specified a conference held by three or four majority members of the committee with the representatives of a large committee of nine appointed, as I understood, three from the consumers and three from the manufacturers and three from other interests that are incidentally concerned. I stated that in that conference we were given to understand that neither the producers nor the consumers asked for what the Hill bill proposed.

Not only that, but I made it clear that in that conference these gentlemen did not think an increase of the tariff duties in the present law without further legislation would meet the requirements of that industry. The present rate is substantially the rate of the old bill—not altogether, but upon coal-tar dyestuffs and colors the present law prescribes substantially the same rates as those of the Payne-Aldrich law.

The industry did not flourish before the new tariff. It has not developed as rapidly as one would wish under the new tariff. However, on account of the conditions that have existed here during the last two years the production of dyestuff in this country, according to the Statement of Mr. Pratt, the Chief of the Bureau of Foreign and Domestic Commerce, has trebled in quantity, and new factories are constantly going up in different parts of the country.

These gentlemen claimed that other legislation than a change in tariff rates was needed to relieve them. They contended that under the conditions that existed anterior to the war this industry could not have flourished in this country if the tariff had been twice as high as it was. They said what the Senator has said, and what I referred to yesterday—that there had grown up in Europe, chiefly in Germany, a great international trust that had absolutely controlled the output and the price of dyestuffs throughout the world; that it was backed by such immense capital and such perfect organization and system in its method of control of world trade that whenever an industry started in this country they had, by the application of the well-known methods of the trusts—that of underselling and practically giving away, if it was necessary—destroyed every effort to build up the industry. These gentlemen said that as long as that monopoly continues and was permitted to practice these trust methods in this country there could be no permanent development of the dyestuff industry, without regard to the rates of tariff that may be placed upon it for protection against foreign competition.

What they desire more particularly, as I understood them, than an increase of the tariff rate was some effective legislation by which this Government could take hold of a foreign trust through the courts and through administration, just as it can now under the laws take hold of a domestic trust, and suppress and defeat its efforts and schemes for strangling and destroying competition.

Mr. President, they were accompanied by the representative of this great bureau in the Department of Commerce, and in consultation with him, I will say to the Senator from Rhode Island, I have now prepared a bill which I think will meet that phase of the situation, a bill which, if it is enacted into law, will subject this foreign monopoly to the same control, through the Department of Justice and the Federal Trade Commission, which is now given to them in dealing with domestic trusts.

Mr. LIPPITT. Mr. President——

The PRESIDING OFFICER (Mr. VARDAMAN in the chair). Will the Senator from North Carolina yield to the Senator from Rhode Island?

Mr. SIMMONS. Yes.

Mr. LIPPITT. I am very glad to hear the Senator's statement, and I should like to ask him, in view of the fact that this Congress is drawing toward its close, that it is crowded with work, why, with a situation which the Senator's own language now admits requires a remedy, it was not taken up and dealt with in the early days of this Congress and not left to a time when we know there will probably be no chance for legislation of the kind to be passed.

Mr. SIMMONS. The Senator knows perfectly well that Congress has before it many questions of the greatest urgency. The Senator knows that the shipping bill is one of the greatest urgency in connection with our international trade.

Mr. LIPPITT. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Rhode Island?

Mr. SIMMONS. We have not been able to reach that as yet.

Mr. LIPPITT. I can not allow that assertion to be put in my mouth. I consider the shipping bill far from being an emergency. I have no sympathy with it at all.

Mr. SIMMONS. The Senator is so abnormal in his views in the Senate that I probably did make a mistake when I classified him either with the Members on this side or with some Members on the other side. I think, without any reference to the character of the bill which we discussed at the last session, there is hardly anyone in the Senate, except the Senator from Rhode Island, who does not believe that it is of the greatest urgency and importance that there should be legislation by Congress to enable this country measurably to control its own ocean transportation and to protect itself against the condition of transportation upon the high seas which exists to-day.

I did not intend to get into this line of discussion, and I regret that I have been led into it, but I assure the Senator from Rhode Island, as I assured the Senate on yesterday when he was absent, that, so far as I am concerned and so far, I think, as Senators on this side of the Chamber are concerned, we are deeply interested in this question, and we desire in the best way our judgment dictates to meet the situation. But we are not going to meet it pell-mell, without consideration and without investigation. Certainly we are not going to be forced into voting for a bill introduced in the other House and not even referred to a committee of this body which does not meet our views as the proper method of dealing with the question, and does not, as I understand it, meet the views of the industries concerned.

Now, Mr. President, just a word about the amendment introduced by the Senator from California. The Senator has read a letter here, to which my friend the distinguished Senator from Mississippi [Mr. WILLIAMS] has alluded, with reference to some man coming up here from New York for the purpose of trying to improperly influence legislation. I do not desire to say anything more about that than to suggest to the Senator from California that it might be well, in view of the statements made in the document he has had read, for the Senator to bring that matter to the attention of the lobby committee of the Senate. If the statements of that document are true, it would be a proper subject for inquiry by that committee.

It is true, as the Senator says, that we changed in the present law both the rate and the method of taxing lemons and oranges and grapefruit and many other things that come under that same general category. We changed from the pound basis of taxing lemons to the package basis because of certain representations made to us by the department with reference to administration, and so on, favorable to a change in the method. But while it is taxed by the package, I think the rate fixed is substantially the pound rate; that it is a pound basis measured by the supposed capacity of the different packages.

Mr. WORKS. I wish to say to the Senator I was not complaining about the change in the way of levying the tax so much as I was of the reduction. It may be that there are sufficient reasons for changing the basis of fixing rates. I do not know about that.

Mr. SIMMONS. I will state to the Senator that the main reason was to avoid the necessity of weighing every package, in the first place, and to avoid claims for damage, which were constantly arising under the pound provision. There were administrative reasons. Our change of the method did not affect the rate we fixed; that is, we fixed substantially the pound rate. We determined about how many pounds of lemons a box of certain dimensions would contain, and we tried to fix the tariff upon that box upon the basis of half a cent a pound.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield further to the Senator from California?

Mr. SIMMONS. I do.

Mr. WORKS. I wish to ask the Senator from North Carolina whether it was true as reported that the purpose was to fix the rate at half a cent? It turned out afterwards that in taking the basis that was taken they really reduced it below that amount quite a little.

Mr. SIMMONS. I am not able to say whether that was the practical effect or not. I know that such was not intended.

The Senator complains that the rate we fixed was not sufficient, and he wants to have it increased. Mr. President, that raises the issue as to every one of the items in the present law that is not upon the free list. Senators on the other side who believe in protection want the duty raised above that fixed in the present act. I do not suppose I could name a single item that is now upon the dutiable list in regard to which Senators on the other side would not say the rate is too low and ought to be raised higher. They would be just as ready with reasons why increases should be made as the Senator from California is with reasons why the duty on lemons should be raised, and if we are to open the door to amendments to increase each rate a Senator on the other side thinks affords insufficient protection, may we not expect a general attempt by amendment to this bill intended to meet a particular situation to revise the whole tariff system?

Mr. WORKS. Mr. President, the Senator says that probably Senators on this side would desire to increase the rate on every item.

Mr. SIMMONS. I will say many; I will not say every one.

Mr. WORKS. I want to call the Senator's attention to the fact that in the amendment I have offered I have not included oranges. I have omitted them for two reasons. I try to be consistent about the matter. I do not believe the people of the orange counties of California need any such protection as the lemon growers, and I am satisfied that the Government would make very little revenue out of oranges if the rate were increased. So I omitted oranges from my amendment, although they are included in the rates as they were adopted under the old tariff act and under the act that is now in force.

Mr. SIMMONS. The point I intended to make was that if upon a bill of this character and purpose we begin to amend by adding something, if we begin to amend by raising the rate on one article, you open wide the doors to like amendments on other articles. For that reason both the Democratic and the Republican Parties have established the precedent in our tariff legislation that where it was necessary to make some change in the

tariff by reason of extraordinary conditions the doors would be closed so far as the majority party could close those doors to amendment, because amendments lead to revision, and revision of a tariff law, complicated as that subject is, ought never to be made by the process of sudden amendment in the consideration of a bill foreign to the subject of those amendments, without having an opportunity to have those matters investigated by the committees of the two Houses.

Mr. President, I do not think the Senator's constituents have fared so very badly in the matter of the duty on lemons as he thinks. According to the statistics, the importation of lemons during the calendar year 1914, the first year after the present law went into effect, was over a million dollars less than during 1913, the year before it went into effect.

Mr. President, without any reference to the amendment, but because I think it would be bad practice to open the doors in the way I have indicated, I hope that the amendment offered by the Senator from California will not prevail.

Mr. POMERENE. Mr. President, a few minutes ago, while the Senator from California [Mr. WORKS] was discussing his amendment, I made a statement to the effect that I had been informed several years ago that the profits in lemons in California were very great, and that in one particular company, about which I had been given some data, which had a paid-in capital of 33⅓ per cent of the subscribed capital, there had been a dividend of 25 per cent on the entire authorized capital stock. In other words, it was the equivalent of an earning of 75 per cent on the investment.

This matter of a tariff upon lemons was very thoroughly discussed some years ago in the Senate.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Will the Senator from Ohio yield to the Senator from California?

Mr. POMERENE. Yes.

Mr. WORKS. Is the Senator able to give the name of the company to which he refers?

Mr. POMERENE. I can not give it now, but I will be glad to furnish it to the Senator later on. I have it at my office.

Mr. WORKS. I do not know of any fruit company organized on that basis in California.

Mr. POMERENE. I have the information, and I will be very glad to give it to the Senator.

Mr. UNDERWOOD. If the Senator from Ohio will allow me——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Alabama?

Mr. POMERENE. I do.

Mr. UNDERWOOD. If the Senator will refer to Mr. Powell's testimony before the Ways and Means Committee a few years ago, I think he will find that Mr. Powell represented not a company but a shipping association made up of the lemon growers of seven counties of California who were engaged in the business.

Mr. POMERENE. Can the Senator give us some information as to the profits?

Mr. UNDERWOOD. No; I do not think I can. There were some statements made. The question which was before the Ways and Means Committee was as to whether Mr. Powell did not represent a monopoly. He denied the proposition that it existed. It was asserted by others.

Mr. POMERENE. My information came from such a source that I have no doubt about its correctness.

In the year 1909 this matter was being considered by the Senate. At that time the bill was before the Senate, and it provided for a duty of $1 per box on lemons. The Finance Committee of the Senate reported the bill out and recommended an increase to $1.20 per box. In other words, the duty before was 80 cents a box. The increase proposed in the Senate bill was 50 per cent. The duty under the McKinley Act was 25 cents a box; under the Wilson Act 30 cents a box; under the Dingley Act 1 cent a pound, which was the equivalent of about 80 cents per box.

Senator Flint, then representing the great State of California, was insisting upon the adoption of this increase. Senator Root, of New York, opposed it. He then made the statement before the Senate that it cost on an average $2.42 per box to deliver lemons in New York from foreign countries. At that time the lemon growers of California were delivering lemons in New York at $2.32 per box. For the information of the Senate, I desire to send to the desk the forty-fourth volume of the CONGRESSIONAL RECORD, and I ask the Secretary to read just a small extract from the discussion of that subject upon page 2570. I ask the Secretary to read the portion which I have marked.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Mr. ROOT. Will the Senator excuse me? I shall be through in a moment.

The foreign lemons are, the Senator from California will agree with me, inferior to the California lemons. Now, you have the lowest cost at which a box of foreign lemons has for the past 25 years been laid down in the city of New York, under the present duty, at $2.42; and the cost which the lemon growers of California declare themselves they can lay lemons down for is $2.32; that is to say, taking the lowest figures for the foreign lemons and their own figures for California lemons, those California lemons meet the foreign lemons at the water's edge on the Atlantic with the advantage of 10 cents a box. Then, when you go into the great markets of America, the moment you start to carry your foreign lemons into the towns and cities of America, you begin to add the freight from the seaboard to the interior.

Mr. President, the sworn testimony before the Committee on Ways and Means is that the average cost of foreign lemons in the city of New York during the year 1907 was $3.26 a box, against which the Californian could put his lemons there at $2.32 a box; and that the average cost of foreign lemons in the city of New York, laid down on the dock in New York, during the year 1908 was $2.86 a box, against which the Californian could put his lemons there at $2.32 a box.

Mr. FLINT. Mr. President——

Mr. ROOT. One moment, if you please.

There are here produced the invoices and the affidavits of purchasers of lemons within the present month, costing, laid down on the dock in New York, $2.59, against which the Californian puts his lemons there at $2.32——

Mr. FLINT. Mr. President——

Mr. ROOT (continuing). And still, with that advantage at the extreme eastern edge of the country, the lemon grower of California asks that a 50 per cent increase in duty be made.

Mr. FLINT. Does the Senator from New York believe that statement?

Mr. ROOT. I do.

Mr. FLINT. The Senator believes that the lemons from foreign countries cost—how much did he say?

Mr. ROOT. The minimum amount is $2.42 per box.

Mr. FLINT. And in this market they are now selling their lemons for a dollar and fifteen cents and a dollar and eighty cents a box.

Mr. ROOT. The foreign lemons are all sold at public auction upon their arrival. They come in different grades; I do not know the grades to which the Senator refers. The importers have to take their chances on the price going up or going down, the demand being greater than the supply, or the supply being greater than the demand, as their lemons come in. They put them up at auction and sell them for what they will bring. They are sometimes as high, as the Senator has just stated, as $9 a box, and sometimes as low as the Senator has just stated; but the evidence is uncontradicted that the lowest price for which lemons have ever been introduced into the port of New York during the existence of the Dingley rate was $2.42 a box. It stands to reason that unless, putting the high price at auction and the low price at auction together, the average return is more than $2.42 a box, the importers have got to go out of business and leave the market solely to the California fruit grower. (CONGRESSIONAL RECORD, May 31, 1909, Vol. 44, part 3, page 2570.)

Mr. POMERENE. Mr. President, the duty under the present act is one-half a cent per pound or 40 cents per box on the average, and I do not think it would be charged that Senator Root would look at this matter from a biased standpoint.

Mr. SMITH of Michigan. Mr. President, I desire to say a word about this bill before it becomes a law. I am very much surprised that the Senate Committee on Finance should change the form of this remedial legislation when the House of Representatives, which has the constitutional right to originate legislation of this character, has provided otherwise.

The feature in this controversy which most disturbs me is the well-known fact that immediately after the European war broke out England sought this hemisphere for her sugar supply. Coincident with her entry into the war she placed a six months' order in Cuba for her immediate sugar supply. That order greatly increased the price of sugar in Cuba to the consumer. If any one thing more than another has been calculated to warn us against the danger of depending upon a foreign country for any given article of necessity, the present sugar situation demonstrates this admirably. The moment England placed this order with Cuba the price increased by leaps and bounds, and I believe it is strictly within the bounds of truth to say that the excess price for sugar which England was then obliged to pay amounted to over $100,000,000.

It is a well-known fact that we produce only about 16 per cent of our beet sugar here; that Louisiana, Hawaii, and Porto Rico furnish us 20 per cent; and that we buy about 50 per cent of our sugar in Cuba; but if the world is to depend upon Cuba for sugar, from whom are we to get a reasonable and fair supply at a reasonable and fair cost?

There are 77 sugar factories in the United States that cost over $100,000,000. These sugar factories are the direct result of the protection of the Government. They would not have been built at all had it not been for the tariff. There is not a Senator on the other side of the Chamber who will gainsay that statement.

I am going to repeat what I said, and I am going to address myself directly to the chairman of the Senate Committee on Finance [Mr. SIMMONS]. I say that of the 77 sugar factories in the United States, costing upward of $100,000,000, there is not one of them that would have been built had it not been for the

duty on sugar prescribed by our law, and there is not a Senator on the other side who would have the temerity to rise in his place and dispute that statement.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Colorado?

Mr. SMITH of Michigan. I shall yield in a moment. They are all to be suspended on a thread and kept alive by Executive favor. Now, I cheerfully yield to the Senator.

Mr. THOMAS. Mr. President, is the Senator's enumeration confined to beet-sugar factories?

Mr. SMITH of Michigan. Yes.

Mr. THOMAS. The Senator says those factories cost $100,000,000.

Mr. SMITH of Michigan. I said these 77 factories cost $100,000,000. I think they cost more than $100,000,000.

Mr. THOMAS. I should be greatly interested if the Senator would give me the source of his information.

Mr. SMITH of Michigan. I will try to do that if the Senator from Colorado will listen.

Mr. SMOOT. Those factories cost more than that.

Mr. SMITH of Michigan. Yes; they cost considerably more. I was very moderate in my statement.

Fourteen sugar factories were put out of business when this law was passed in 1913, while 20 new factories were established in Cuba. If we are legislating against our own countrymen and in the interest of island sugar planters, then this is very good legislation; but otherwise it is very faulty legislation, and it ought not again to receive the sanction of the American Congress. Twenty sugar factories in Cuba have been built under the stimulus of this unwise law.

Mr. THOMAS. I understood the Senator from Michigan to say that these 77 factories were beet-sugar factories.

Mr. SMITH of Michigan. Yes.

Mr. THOMAS. There are no beet-sugar factories in Cuba.

Mr. SMITH of Michigan. The Senator is facetious.

Mr. THOMAS. Well, perhaps we did not understand each other.

Mr. SMITH of Michigan. We do not understand each other, I will say to my friend from Colorado. I said that as a result of your free-trade legislation you have increased the sugar factories of Cuba; you have closed 14 sugar factories in the United States; and if it was not for the domestic sugar industry the present price of imported sugar would be almost prohibitive to the American people. Sugar costs 9 cents a pound now in England, while in Germany, which produces its own sugar, pays less than 6 cents a pound.

Mr. THOMAS. The Senator made a statement a few moments ago, and it was to that statement my inquiry was directed. His statement was that 77 sugar factories had been constructed—and I understood him to say under the benign influence of the protection system—costing $100,000,000.

Mr. SMITH of Michigan. Yes; they cost over $100,000,000, I will say to the Senator.

Mr. THOMAS. My question was, whether the Senator's enumeration was confined to beet-sugar factories?

Mr. SMITH of Michigan. Certainly.

Mr. THOMAS. Then, do I understand that another consequence of the legislation which the Senator from Michigan is criticizing is the construction of 14 other sugar factories in Cuba?

Mr. SMITH of Michigan. No; I said 20 new sugar factories had been built in Cuba since your free-sugar law was passed.

Mr. THOMAS. Twenty-two factories, instead of 14.

Mr. SMITH of Michigan. Probably.

Mr. THOMAS. Well, I recall that two years ago the Senator from Michigan, in discussing this question, emphasized the fact that the wages of labor in Cuba were 10 cents a day.

Mr. SMITH of Michigan. No; I think not. Did I say 10 cents a day?

Mr. THOMAS. Oh, yes.

Mr. SMITH of Michigan. The Senator from Colorado said that wages in Colorado in the beet fields were twenty-odd cents a day.

Mr. THOMAS. Twenty-five cents.

Mr. SMITH of Michigan. Twenty-five cents a day; and I was very much shocked by that statement, as were my colleagues on this side of the Chamber.

Mr. THOMAS. My remark was prompted by the remark of the Senator from Michigan, which did not shock but which surprised me, that wages in Cuba were 10 cents a day. I immediately investigated my statement, and I found that I had understated the amount of wages in Colorado, but the Senator from Michigan has never corrected his statement.

Mr. SMITH of Michigan. No; because it was not necessary. I think I was correct, but my figures were based on an inspection made long before.

Mr. THOMAS. That may be; but the Senator made it just the same.

Mr. SMITH of Michigan. I am frank to say to the Senator——

Mr. THOMAS. I know, but——

Mr. SMITH of Michigan. Pardon me. I am frank to say to the Senator that while his statement was rather shocking to Senators coming from beet-sugar States, I never understood that the price of labor in our beet fields was anything like 25 cents a day. I can not understand such conditions in Colorado; but my own experience and observation in Cuba led me to believe that they were employing peon or semislave labor, very poorly paid, sometimes averaging not more than 10 or 20 cents a day. If that correction is any satisfaction to the Senator from Colorado, I am glad to make it.

Mr. THOMAS. Why, Mr. President, I am not asking for a correction. I might say, however, that a correction coming two years afterwards is an extremely belated one; but, even if it were necessary, I am not asking for any correction whatever.

Mr. SMITH of Michigan. Is there any doubt in the Senator's mind that sugar can be produced in Cuba at a less cost than it can be produced in any other part of the world?

Mr. THOMAS. Oh, the Senator misunderstands, perhaps, the purpose of my reference to it. That purpose was this—and I think I will be able to demonstrate it as soon as I get some memoranda on the subject—my purpose was to remind the Senator from Michigan of a statement he made two years ago in reference to the rate of wages. He is now making a statement that 77 beet-sugar mills in this country were erected at a cost of over $100,000,000.

Mr. SMITH of Michigan. Yes.

Mr. THOMAS. I think I shall show in a few moments that he is quite as much in error with regard to the actual capital invested in this business as he was with regard to the wages in Cuba two years ago.

Mr. SMITH of Michigan. Well, I should be very glad to be corrected by the Senator from Colorado, whose accuracy of speech is a matter of common knowledge to us all. I think, however, that I am well within the actual cost when I say that there is more than $100,000,000 invested in beet-sugar factories in the United States to-day. I say also that some of these factories were closed by reason of your free-trade legislation three years ago, while others were very seriously menaced. The stock of some of these companies dropped as low as 20 to 30 cents on the dollar, when the European war suddenly gave a great impetus to the sugar business and remedied the error into which you had consciously or unconsciously fallen.

I think now that if your courage were equal to your intelligence, and you were to act without any fear of criticism because of statements that were made when this legislation was passed, Senators upon the other side would take away the threat contained in this bill and give the sugar industry of the United States a little relief from the constantly irritating policy of our Government.

There is no doubt whatever of the capacity of Cuba to furnish all the sugar we will need; but if it had not been for our domestic sugar production, the price of sugar to the American consumer would have been much higher than it has been during the last two years, and the domestic producers have not taken advantage of the extraordinary opportunity to force the prices up as the result of the European war.

Cuba has a sugar productive capacity of more than 5,000,000 tons a year. Under the arrangement between the sugar-producing nations of the earth, there could not be a ton of Cuban sugar exported to any European country. The Brussels convention absolutely prevents the sale of that sugar into any European country. The almost limitless production of Cuba must be arrested if the United States is to produce her own sugar. You can not stimulate American production by holding the sword of Damocles over the sugar industry of America for four years more. You will by this law encourage the sugar industry in Cuba, and you will discourage the development of the sugar industry of the United States. Such a result would be deplorable in the extreme. Our laws should assist in the diversification of employment and production as far as possible, and if we would be truly independent we must produce on our own soil every article necessary to our comfort and happiness. To depend upon others for the necessaries of life lessens our freedom and independence as a Nation. The European war furnishes us ample object lessons.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Utah?

Mr. SMITH of Michigan. I do.

Mr. SUTHERLAND. Has the Senator from Michigan any doubt that immediately after the 4th of March next a Repub-

lican Congress and a Republican President will proceed to resolve this doubt in favor of American industries?

Mr. SMITH of Michigan. Well, Mr. President, the very confident way in which my honored friend from Utah presents that question carries with it an almost irresistible conclusion upon my part that after the 4th of March things will be different here.

Mr. THOMAS. Does the Senator from Michigan base his opinion upon the result of the recent Michigan primary? [Laughter.]

Mr. SMITH of Michigan. No, Mr. President; not wholly. I can not say that I do; that was not a party test. I had hoped the Senator would let that pass in silence [laughter], as I am very willing to do. But when one is so desperately driven as is the Senator from Colorado, to fortify a statement which he made two years ago in debate, I do not wonder that he is willing to hide his logic behind a little automobile incident in my State and imagines he is safely obscured from the rest of the world. I knew, however, the other side would not let that incident pass in silence. However, I still have a duty to perform, and in behalf of the people of Michigan I protest against this bill.

I think there is much in the suggestion of the Senator from Utah [Mr. SUTHERLAND]; in fact his observation does him credit, that a Republican Congress and a Republican President will rectify this error, and my State will contribute her full share in accomplishing that result; but the thing that interests me most is the courage and frankness displayed by the majority in the House of Representatives, which seems to have taken judicial notice of the tendency of the times, as contradistinguished from the brand of courage exhibited here.

The Democrats of the House of Representatives, who had upward of 190 majority in the last Congress, but whose majority has now been cut down to less than 25, have recognized the trend of American public opinion and have not hesitated to publicly acknowledge the defenseless position which they occupied two years ago on this question. Yes; I think a Republican Congress will rectify this error, but the Senate should abandon forever its un-American policy of free trade in sugar.

Mr. President, Senators now want a tariff commission. They did not want one very badly before they enacted the last revenue tariff law, but after placing that law on the statute books, then they wanted a tariff commission to hold it there. That tariff commission is to look at these questions judicially and without political bias; and yet the House of Representatives, which, under the Constitution, originates revenue legislation, has voted to repeal the sugar provision of the Underwood law, which would otherwise go into effect on the 1st of May, and the Senate, instead of falling in with the wholesome purpose and spirit of the House, now, by subterfuge and indirection, seeks to delay the final penalty of death for four years more.

Imagine, if you can, putting this industry in irons for four years and expecting it to thrive. Our rival will thrive under this legislation. The Cuban planter is happy; Cuba thrives, and from her we take 50 per cent of our supply; there is great activity there, and our producers are correspondingly depressed in contemplation of this legislation, and it ought not to pass.

If the countries now at war place the burden of their sugar supply upon Cuba for a very much longer period of time, Senators will realize the advantages of home production and the wisdom of protection to this industry.

I think England is paying 9 cents for sugar to-day, while under her flag she has vast possessions in Australia, New Zealand, South Africa, and the islands of the sea, from which she could draw her sugar supply if she would abandon her policy of free trade and look to the domestic welfare of her people. Her great difficulty to-day, in my judgment, in raising troops for the war in which she is engaged grows out of the fact that she has been so regardless of the individual rights and privileges of her citizenship. I tell you, Senators upon the other side and upon this side, that country gets the best enlistments and the most efficient service from her citizens which shows the most solicitude for its own people. Look at the war situation in Europe. The countries which have been solicitous about the individual welfare of their citizenship are the countries whose people spring like magic into the trenches and fight their battles, and that country gets the fewest enlistments and the least support in her time of trouble which shows the least solicitude for her people.

Take the country to the north of us, where every eighth man has enlisted in the war. Why? Because her Government is so helpful to the individual citizen, protecting its people in their employments and occupations.

Take Germany, with her marvelous industrial and commercial development, unequaled perhaps anywhere in the world, unless it be here in America—Germany is so solicitous about the welfare of her people that you find it difficult to buy a foreign product for personal wear anywhere in Germany. You will look over the shops of Berlin in vain for American goods. They protect their people in their employments, and they get in return for it a willingness and a desire to serve the Government in time of distress.

Great Britain will not long come to this hemisphere for her sugar supply, and the artificial development of the Cuban sugar industry due to the war will finally cease, the vast bulk of Cuban sugar production will be thrown back upon us, and if the bars are down, if our tariff shall have been repealed, if we have free trade in sugar, the vast sugar development of Cuba, which now only supplies us with about 50 per cent of our necessities, will in the years to come make such inroads upon our domestic production that our factories will not be able to survive. Senators know this, and yet blindly serve their party rather than their country. And when there has been taken away from domestic producers the markets which they have previously enjoyed, the price of sugar, as in the case of every other commodity, will be increased just in proportion to the desire of the industry which supplies us.

No, Mr. President; this is not a good policy. If you favor free sugar, then perhaps this is a good way to bring it about; but if you are in favor of the domestic industry, this is a very poor way to treat it. The millions of dollars which have been invested in the industry are entitled to the protection and solicitude of our Government, and if we can not get it from the party now in power we must, in the language of the Senator from Utah, look hopefully at least to the time when the party will be given power which believes in the doctrine of protection to American industry and American labor.

Mr. WEEKS. Mr. President, it is not my purpose to discuss the amendment which is pending, although I am glad to bear witness to the fact that I think it is entitled to the support of the Senate. I happened to be in southern California a year ago and had visual evidence of the condition of the lemon industry. For example, I visited one grove which had a productive capacity of about 15,000 boxes. Mostly the lemons were on the trees, and when I inquired the reason for it I was told that it hardly paid to pick them; that the last shipment of a thousand boxes from that grove to the Middle West netted but 18 cents a box. If that is the general condition of the lemon industry in California, the amendment which the Senator offers is entitled to the support of everyone.

But I want more particularly to speak, in a general way, about the pending bill, making some observations which apply to it, and in order that I may not take the time of other Senators unduly I have reduced what I desire to say to paper.

The 1912 platform of the Democratic Party included this declaration:

> We denounce the profligate waste of the money wrung from the people by oppressive taxation through the lavish appropriations of recent Republican Congresses. * * * We demand a return to that simplicity and economy which befits a democratic government.

The exigency which now confronts us, and which the provisions of the pending bill are to be used to overcome, illustrates how completely the Democratic Congresses during the last three years have failed to carry out this pledge. When the Government was turned over to the dominant party on March 3, 1913, there was $149,000,000 in cash in the Treasury. Three years later, the 4th of last March, figuring the daily reports as they were figured in 1913, this amount of cash had been reduced to $44,000,000. Whatever way the Treasury statement is figured, that is the exact result. If the bank-note retirement fund and balances in the hands of disbursing officers are transferred and carried as they were under the old method of making reports, the Government had available funds in the Treasury amounting to $58,000,000 on the 4th of March, 1913, and on that basis there would have been on the 4th of March of this year a deficit in the Treasury of nearly $6,000,000. Under present conditions, therefore, the Treasury is not in any degree prepared to meet the drain which will be made on it, and this legislation should be passed even if there were no other reason than the revenue requirements.

Let me call attention briefly to some of the financial acts of this administration which have caused this condition. The total appropriations for the last seven fiscal years are as follows:

1910	$1,028,506,570.94
1911	976,742,924.46
1912	979,382,852.53
1913	967,123,359.06
1914	1,053,542,981.41
1915	1,116,118,138.55
1916	1,114,937,012.02

In other words, instead of the economy which the Democratic Party promised the people, the appropriations have been increas-

ing at leaps and bounds and the appropriations for next year must be very materially greater than ever before, even in the years immediately preceding.

This deplorable condition of the Treasury to which I have called attention exists, notwithstanding the fact that there has been raised from an income tax during the last two years $69,298,696.94, none of which was available until the present administration came into power; $82,292,336.66 from a corporation tax, which is greatly in excess of any amount available from that source before the 4th of March, 1913; and $107,456,002.11 has been raised under the provisions of the war-revenue law between October 22, 1914, and the 1st of March, 1916. In other words, the internal-revenue taxes have very materially increased. They were for the eight months ending February 29, 1912, $195,000,000; for the eight months ending February 28, 1913, $207,000,000; for the eight months ending February 28, 1914, $210,000,000; for the eight months ending February 28, 1915, $216,000,000; and for the eight months ending February 29, 1916, $262,775,774. In other words, there has been a steady increase in the amount of revenue obtained from taxes levied directly against our people, which demonstrates the fact that if there has been any falling off in revenue due to the war or for any other reason the decline has resulted from loss of receipts at the customhouses.

Let us see what those receipts have been, and for that purpose, in order to bring them down to date, I will take the same periods for customs receipts that I have for internal-revenue receipts. For the eight months ending February 29, 1912, the customs receipts amounted to $202,000,000; for the eight months ending February 28, 1913, $222,000,000; for the eight months ending February 28, 1914, $199,000,000; for the eight months ending February 28, 1915, $138,000,000; and for the eight months ending February 29, 1916, $131,000,000. As a matter of fact, there has been a decrease in customs receipts in the last three years from those collected under the Republican law of about 35 per cent.

During the discussion of this bill, and, in fact, during the last two years, it has been charged that this falling off in receipts was due to the war; that is, the presumable decrease in importations. Let us see whether there is any basis for that contention. The value of imports for the calendar year 1912 were $1,818,000,000; in 1913, $1,792,000,000; in 1914, $1,789,000,000; and in 1915, $1,778,000,000; in other words, the imports for the last calendar year are 1½ per cent less than they were during the year 1913, the last calendar year a Republican tariff was on the statute books during the entire year, while customs receipts decreased over 39 per cent.

It is not difficult to find the cause for this decrease in receipts. It is not on account of lack of importations, but it is because the rates imposed by the present law have been so reduced that the receipts, even with the increased internal revenues, are insufficient to maintain the Government. To prove this statement let me give a few examples of the falling off in revenue over and above what it would have been if the rates imposed by the Payne-Aldrich tariff had been continued and the importations were the same. The losses in revenue for the six months ending December 31, 1915, on wool were $15,000,000; on sugar, six and a half millions; on live animals, three and a half millions; and on burlaps, three and a half millions—twenty-eight and a half million dollars loss of revenue receipts on these four articles which were put on the free list as the duty reduced by the Underwood bill, every one of which is selling at a higher price than they were when the tariff was reduced. If to these figures were added the loss of revenue on other articles which were put on the free list, it would be found that the total loss of revenue for the calendar year 1915 from the free-list source is about $70,000,000, and I think it will be difficult to find a single article on which the price has been reduced as a result of this reduction and loss of revenue.

The real trouble is that the average rate of duty on imports has been so greatly reduced by the Underwood bill that his law is not a good revenue producer. For example, the importations for the month of January, 1916, were $184,000,000—the largest volume of goods ever brought into this country in any January—and from these importations were collected $15,500,000, or an average rate of duty of only a little more than 8 per cent; whereas in January, 1913, three years ago, when the Payne-Aldrich bill was in effect, with only $163,000,000 of importations, we collected duties amounting to $29,000,000, or about 18 per cent of the total importations; so that if the same rate of duty had obtained in January, 1916, that was in force in January, 1913, the revenues collected, instead of being fifteen and a half millions, would have been about $34,000,000. If this rate were carried through this calendar year it would make a difference in the amount of revenue collected of substantially $185,000,000. Therefore, the troubles with which we have to deal are twofold—one, an unheard of extravagance and total volume of expenditures, and, the other, a totally inadequate revenue law.

Having in mind this unprecedented condition of the Treasury, in my judgment, no Senator can afford to vote against the bill which is now pending. The failure of this bill to pass would not only mean that nearly $50,000,000 of revenue would have to be raised from some other source, but it would mean the complete annihilation of the sugar-producing industry in the United States as soon as the war is over. I am not going into any very comprehensive discussion of the sugar industry and its necessities, because I wish to assume that without any regard to that phase of the subject this bill is going to become a law, so that temporarily, at least, these interests will be partially protected, although, of course, it is assumed that if the Democratic Party is to remain in power another period of four years it must, if it carries out its pledges—not a certainty, by any means—put sugar on the free list. Therefore, new capital is not going into the sugar-producing industry in the United States, and, as far as possible, we will see interests now so involved changing their activities to some other field.

The present war has been the best illustration which could be found to demonstrate the desirability of producing our own sugars. In 1914 there were planted in the United States 580,000 acres; in Germany, 1,317,000 acres; in Russia, 1,790,000 acres; in Austria, 1,065,000 acres; and in France, 534,000 acres. If Germany, Russia, and Austria had not developed their beet-sugar industries so that they could more than produce enough for their own needs, and as a result had to depend on foreign production, there would have been greater suffering from this cause than from the loss of any food product. The one great country in Europe which has produced substantially no sugar in the immediate past is Great Britain. The four countries, the acreage of which I have referred to, raised enough sugar before the outbreak of the war so that they had about three and a half million tons available for exportation. When the war came on it was necessary for Great Britain to obtain another than this usual source of supply, which greatly stimulated the sugar-raising industry in Cuba, where at least 10 additional sugar factories have been constructed and an enormous increased acreage has been planted, all of which will be in active competition with our producers at the end of the war.

I think I should call attention to the statement made by the Senator from Michigan [Mr. SMITH], that not producing its own sugar has resulted in sugar selling at this time at 9 cents a pound in Great Britain; while Germany, which does produce its own sugar, is supplying the needs of its people at 5 cents a pound.

Cuba has been the great foreign source of supply for the United States, in addition to which the production on United States territory is about as follows: Louisiana and Texas, 200,000 tons; beet-sugar production, 750,000 tons; Porto Rico, 350,000 tons; Hawaiian Islands, 575,000 tons; Philippine Islands, 120,000, or a total of 1,195,000 tons. The sugar consumed in the United States aggregates about 3,750,000 tons, which would necessitate our buying one and three-quarter millions of tons; but the great increase in the demand for Cuban sugars has made the price sufficiently high since the outbreak of the war to protect our home producers. It is for that reason, and solely for that reason, that there has been a recovery from the great depression which took place when the Underwood bill became a law.

It may not be out of place to call attention to the fact that sugar can be produced in Cuba for from 1½ to 2 cents a pound. The duty on Cuban sugars under the present law, deducting the 25 per cent preferential, is 1.01 cents per pound. Transportation from Cuba to this country costs about 0.15 cent per pound. Therefore, assuming that it costs 2 cents a pound to produce sugar in Cuba, Cuban sugars can be delivered in this country at not exceeding 3.16 cents per pound.

The cost of producing cane sugar in the United States, as shown by a report made in 1913 by the Department of Commerce in its Miscellaneous Series No. 9, averages 3.65 cents per pound for the years 1909 and 1910. It would therefore seem that the Cuban product, with the duty now imposed, has an average benefit of 0.49 cent per pound over the cane sugar produced in the United States, and under the best recent conditions, under the Payne-Aldrich bill, which carried a duty of 1.348 cents per pound on Cuban sugars, it had an advantage of 0.15 cent per pound over domestic cane sugars. This would seem to be a complete demonstration of the fact that if it were not for the war the producing of cane sugar in the United States would necessarily have to be discontinued.

To some degree—a varying degree, to be sure—these figures will apply to the beet-sugar production, and unless we wish to

put ourselves in the position of depending on foreign production, which may become unavailable at any time, we must give sufficient protection to our home industry to enable a continuance of the raising of enough sugar for our own needs. If this war has taught a single lesson which is of value, it is that all of our similar industries should have sufficient protection to enable us to become independent of the rest of the world. This would conform to the policy of protection for which the Republican Party stands.

A declaration which has frequently been made by those responsible for the conduct of the Government under the Democratic Party is that no American industry should be injured, and yet the course which that party has taken in the case of sugar would not only injure the industry but will under normal conditions destroy it. This is an industry which has been carried on for many years under many difficulties but its development has been of material benefit not only directly to those engaged in it but to the people of the country as well, for it has modified and will serve to make equitable the prices which may be charged for sugar in the United States.

It is true that the States where cane sugar has been produced have universally supported the Democratic Party and the theory which is governing that party in the course which has been taken relating to this great industry; but that does not affect me in the fealty which I have for the principle involved and its value to all of our people. I look with great apprehension on the methods which are being followed by the dominant party, which will result in the destruction of vested capital. The passage of the armor-plate bill, the threatened action of the Post Office Department relating to the tube service, and in many other ways it is being demonstrated from day to day that the party in power has no consideration for those who have been responsible for the building up of industries which are of importance to the capital and labor involved in them and to the country at large.

The raising of revenue from a duty on sugar is the most easily collectible and the least burdensome duty which can be imposed. Therefore, from the standpoint of protection of those engaged in it, from the standpoint of the Treasury, and from the standpoint of the users of sugar, it is essential that not only shall this bill pass but that a sufficient duty shall be imposed in the future to not only temporarily raise the revenue which the Government requires, but to put the sugar industry on a stable foundation so that there may be encouragement to invest capital in it, thereby increasing the production, developing the great areas which we have available for that purpose, and by the competition resulting give to our people a stable and reasonable price for the sugars which they need.

Mr. VARDAMAN. Mr. President, I wish we could have more patriotism and less partisan politics discussed upon the floor of this Chamber. That which is best for the American people is the best thing the Democratic Members of this Congress could do if they would serve well their party. A public office is a public trust and not a private perquisite or a partisan political asset. Its function is to serve, and to serve all the people, without regard to vocation, section, or geographical lines. The benefits of government should be distributed as nearly as possible equally among all the people, and its burdens should be borne by all the people in the proportion that they are able to bear them.

I can not vote for the amendment offered by the Senator from California [Mr. WORKS], and I expect to vote for the amendment proposed by the Finance Committee; but whether that amendment shall be adopted or defeated, Mr. President, I shall not be able to give my assent to this bill. I can not vote to tax the prime necessities of life for the purpose of raising revenue to be devoted to the building of battleships that are not needed, the organization and equipping of armies that are not necessary, and furnishing markets for the output of the mills manufacturing munitions of war, when the only beneficiaries will be the owners of the stock of the mills.

I have very little sympathy with the program of preparedness which a majority of my own party, and practically the entire membership of the Republican Party in this Chamber, have substantially agreed upon; but if I favored enlarging the Army and the Navy at this time, and agreed to all the details of the program for armament, I should be unwilling to raise the money for that purpose, or a portion thereof, by putting a tax upon the sugar that goes into the laboring man's coffee or sweetens the milk that feeds the famishing babe. I can not give my consent to have the strong hand of the Government take from the pockets of poverty the hard-earned pennies, under the guise of making preparations for defense against an imaginary foe, and use it to swell the coffers of the rich, the manufacturers of munitions of war, and enlarge the Army and Navy, which I do not believe are needed at this time.

If this extraordinary expense is to be incurred, I submit it ought to be met by levying tribute upon the luxuries of life, rather than upon the necessities of life, and especially not upon an article of such universal consumption as sugar. It should be met by an income tax upon the larger fortunes, by a tax upon inheritances, by doubling or quadrupling, if necessary, the tax upon fine cigars, wines, fermented and intoxicating liquors. The $43,000,000 to be raised by the tax on sugar could easily be supplied by taxing the luxuries, and thereby put the burden upon those best able to bear it, and in some instances upon those who will derive pecuniary profits from the purposes for which this tax is to be levied. Double the tax on fermented liquors alone and you could raise the great sum of $75,000,000, and nobody would be injured thereby. Really it would be a benefit. The drinker would get less beer, the dealer would get his profit, and the Government would get the revenue.

To vote for this bill would violate my sense of duty to my constituents, and would be nothing short of a betrayal of my interpretation of the Democratic platform; and, more than that, it would involve the repudiation of a very sacred obligation which I assumed when I became a Member of this body. The emergency to be met by this measure is not of such a character as to justify me in making that sacrifice. The bill ought to be defeated.

Mr. CUMMINS. Mr. President, I feel that it is my duty to say a word upon the amendment presented by the Senator from California [Mr. WORKS]. I had hoped to say it in the presence of the distinguished junior Senator from Alabama [Mr. UNDERWOOD], for I shall find it necessary to refer to him in the course of what I am about to say.

When the present tariff law was in course of consideration the Senator from Alabama, in a speech delivered, I think, in New York—although I am not sure with respect to the place, nor am I entirely certain with regard to the time—but wherever it was and whenever it was, he attempted to describe the tariff bill that was then about to be proposed by the administration. He described it as a "competitive tariff bill"; and, inasmuch as he is not here, I hope the Senator from North Carolina [Mr. SIMMONS], who, as I remember, practically adopted the phraseology, will give the subject attention.

I do not know precisely what the Senator from Alabama meant by the word "competitive," but I have always assumed that he intended to say to the people of the country that the tariff law then about to be passed was one which would permit the producers of the United States to enter the markets of the United States upon substantially even terms; that is to say, with regard to anything that our natural resources enabled us to make, that those who made the finished product in America should be able to enter the markets of America and fairly and substantially compete with their rivals or competitors in other countries.

Mr. UNDERWOOD. Mr. President, if the Senator from Iowa will yield——

Mr. CUMMINS. I yield to the Senator from Alabama, because I have just expressed my disappointment that the Senator from Alabama was not in the Chamber when I began, although I yield only for a question, under the rule.

Mr. UNDERWOOD. I do not wish to deprive the Senator from Iowa of the floor; but it will take me probably a few minutes to make a statement, if he desires me to do so, of what I understand is a competitive tariff.

Mr. CUMMINS. I should be delighted to hear the statement, but I can not so far yield as to lose the floor.

Mr. UNDERWOOD. If it interrupts the Senator, I will wait until he gets through, and then I will take the floor.

Mr. CUMMINS. It will not. If the Chair will assure me that I may retain the floor, I will yield for any statement or discussion.

The VICE PRESIDENT. The Chair is giving no assurances.

Mr. CUMMINS. But as the Chair remarked to me the other day—not the present occupant of the chair, but another—that it was not the business of the Chair to protect Senators in their rights in this respect, I shall be compelled to adhere to the rule. But I will repeat so much of what I have said as to inform the Senator from Alabama with respect to the point of my present suggestion.

I said that, about the time the bill which bears his distinguished name was on its passage, he, in a speech delivered, I think in New York, in describing what the Democratic Party was about to do in respect to the tariff, said that it was about to enact a competitive tariff, or a tariff of competitive characteristics, or some phrase of that sort. I was delighted to read

that description of the tariff law about to be passed, because it meant to me, whatever it may have meant to the people of the country, that the Democratic organization had abandoned the fallacy, the folly of a tariff for revenue alone and had taken on, though possibly mildly, the real purpose of an import duty. I feel sure that I have not misunderstood either the Senator from Alabama or the Senator from North Carolina, because throughout the entire discussion upon the tariff law of 1913—and I happened to bear some part in it myself—there was the constant claim upon the part of Democratic Senators that the duties that were attached to the various competitive commodities were duties that would equalize, here and abroad, conditions that have some relation to the cost of production.

The duty on lemons presents a rather familiar subject to me; and I am appealing now to the Senator from North Carolina and the Senator from Alabama, both experts in all the various and complicated subjects which are embraced within a tariff law, to stand by the oft-repeated assertion that it was intended to give to the country a competitive tariff, or in substance a competitive tariff; and from that standpoint I desire to say a word with regard to the duty on lemons.

I had something to do with the discussion or debate with regard to the duty on lemons in 1909. A group of Senators on this side of the Chamber believed that the proposed duty of a cent and a half a pound was too high, and they voted against the increase from a cent a pound under the Dingley law to a cent and a half a pound under the Payne-Aldrich bill. They voted against the increase because the members of this group had painstakingly entered upon an investigation with respect to the cost of producing lemons in this country as compared with the cost of producing lemons in the countries with which we must and do compete. The investigation was, I am sure, an unprejudiced one, and I know it was a careful one.

I rose simply for the purpose of reminding the Senate of the result of the investigation that was carried on in 1909 by those Senators who had much complaint to make and who, notwithstanding adverse criticisms that were poured upon them, did make complaint with regard to many of the duties of the Payne-Aldrich tariff law.

I, of course, have not the statistics of the investigation before me at this moment, because I had not the least idea of discussing the question. I did not know that my friend from California [Mr. WORKS] intended to introduce or offer an amendment of this sort until I reached the Chamber this morning. But I can tell Senators the result of the investigation. The result of it was that it cost the lemon growers in California, or in any part of the United States, more than a cent a pound in excess of the cost in Europe; but we did not believe, nor do I believe now, that it is fair to equalize these conditions as to the market of New York. I believe that the lemon growers of California must be content with the general market of the country and can not fairly ask to be insured entry into the market of New York upon the eastern seaboard as against the growers in Europe who have the advantage of a freight rate that is only a small proportion of the freight rate established between California and the Atlantic coast.

A cent a pound represents no more than the difference between the cost of production at the places of production. No one can question that proposition. If under normal conditions the lemon growers of California meet the lemon growers of Europe in the markets of New York on even terms as to price, the producers abroad will either reap a very large profit or the producers at home will reap no profit at all.

Now, that is not true with regard to some intermediate markets, probably. That particular subject is a little difficult to discuss, because the freight rate from the Pacific coast to the Atlantic and to intermediate points is the most illogical, absurd, and unjust arrangement of cost of transportation that the normal-mind can conceive. I do not intend to put my vote upon any duty on the hypothesis that the adjustment now existing will permanently remain. It is impossible that it shall remain. But there is no possibility that there can be any freight rate given to the producers in California that will put them upon a parity with the producers in Europe, so far as the market of New York is concerned, and when you have attached a duty of 1 cent per pound to the imports of lemons you have but fairly and reasonably equalized the difference between the cost of production in the great intermediate markets of America. If the law which we are now amending is intended to do what I understand the Senator from Alabama [Mr. UNDERWOOD] and the Senator from North Carolina [Mr. SIMMONS] to attempt, I can not conceive how they can conscientiously and logically repeal the duty of 1 cent per pound upon this article. If, of course, the Senators on the other side repudiate the whole element of equalization, if they discard now the word "competitive," which they formerly used to describe the tariff, then my argument, my appeal rather, I know will fall upon deaf ears.

I rose simply for the purpose of making it sure that 1 cent per pound is not too much to equalize these conditions. I voted for 1 cent per pound in 1909, whereas a majority of my associates voted for one cent and a half per pound. I have not changed my mind with regard to the subject, and I intend to vote for 1 cent per pound now. I sincerely hope the amendment will prevail.

Mr. SIMMONS. May I ask the Senator a question?

Mr. CUMMINS. I yield for a question.

Mr. SIMMONS. If the Senator believes the reduction of the duty from 1 cent a pound was such as to interfere with the California lemon producers holding and controlling the American market, how does the Senator reconcile that position with the actual results, as shown by the importations of 1913 and 1914, which I will now read. The importations in the calendar year 1913—that is, nine months under the Aldrich rate and three months under the new rate—were $6,413,847. In 1914, when the new rate of one-half cent a pound was in force, the importations were only $5,227,845. Would it not appear from these facts that certainly during the first year of the reduction they were not only able to hold the American market, as they had held it before under the old rate of 1 cent a pound, but that they were enabled to increase their hold on the American market?

Mr. CUMMINS. Mr. President, the question put to me by the Senator from North Carolina, while I am sure it is entirely sincere and in good faith, betrays the fallacy of many an argument against protection. I have heard the like asserted oftentimes, and my reply is that tariff duties are not the only factor in price. With any tariff duty the result suggested by the Senator from North Carolina might be seen. The tariff is but one element which enters into the cost of production, if I may use that term for a foreign producer, including his rate of transportation. I can easily conceive a situation in which the importations might have been practically nothing during the succeeding year. The lemon growers of Europe might have found better markets elsewhere. I do not know anything about the crop which resulted in the importations of 1914, either abroad or in California.

It seems to me that when the result of a particular tariff duty is considered, it must be considered over a reasonably long period of time in order that you may be able to observe just what effect that factor, namely, the tariff duty, has had in the amount of importations or in the market price, either one.

All that I know is that it costs more to produce lemons in California than it does in Europe. I do not believe the Senator from North Carolina will dispute that proposition. I know the freight rate from California to New York is greater than the freight rate from Spain or Sicily or any of the lemon-growing countries to New York. If the imports of 1914 were less than the imports of 1913, the latter year being under a lower tariff, all that I can say and all that I will say is that there were other conditions which governed the trade in lemons during that year. It might just as well be said that the reduction in the duty on sugar had no effect upon the price of sugar. That is no argument. You reduced the duty on sugar. You have not reduced the price of sugar, although I am frank enough to say that under normal conditions the reduction of the duty upon a given article ought to reduce the price.

Mr. HARDWICK. Will the Senator pardon just one suggestion?

Mr. CUMMINS. I yield for a question.

Mr. HARDWICK. I will put it in the form of a question, so as not to embarrass the Senator. The Senator knows, does he not, that before the European war the reduction we did make in sugar was reflected in the price?

Mr. CUMMINS. Precisely. That entirely overcame whatever effect the reduction in duty might otherwise have brought about. What the war did for sugar something else did for lemons in that particular year.

Mr. UNDERWOOD. Mr. President, the Senator from Iowa [Mr. CUMMINS] has asked me to explain what was meant when I stated in a speech some years ago that we intended to write a competitive tariff. I belong to that school who believe that it is wrong to levy a tax on the American people for any other purpose than the purpose of raising revenue to support the Government. I admit when you levy a tax at the customhouse you impede importations; to some extent, at least, you stop competition; and, no matter what the tax may be, in almost every case there is an incidental protection that grows out of it. But if the tax is levied for the sole purpose of raising revenue, it is not put on the statute books for the purpose of taxing dollars out of one man's pocket and putting them in the pocket of another

man. The strong arm of the Government is not used for making the few rich at the expense of the many.

I think that that is the position of my party, in the main. There may be some who belong to the same faith that I do who do not subscribe to this doctrine; but, as I understand the position of my party, its historic position is that it will not levy taxation on the American people except for the purpose of raising revenue to carry on the functions of the Government. As I understand the position of the party of the distinguished Senator from Iowa, it is that the Government of the United States has the inherent right to levy taxes, not merely for the purpose of raising revenue but for the purpose of protecting the profits of the producers in this country.

When the Democratic Party came into power and it became necessary for it to rewrite the tax laws of the country a mere cursory examination disclosed the fact, and subsequent careful analysis confirmed it, that there were a large number of taxes levied at the customhouse by the Republican Party that were so high that they prohibited the importation of foreign goods entirely. Well, in many instances there may have been a few dollars that crossed the customhouse. Great schedules, when you averaged them, showed that there was not 1 per cent of importations into the United States as compared to a hundred per cent of American consumption. Therefore, a tariff of that kind was like a mountain range with high peaks that were impossible to climb, impossible to pass, and low valleys through which your tides of importation flowed. It merely meant one thing, that a tariff of that kind was written for the purpose of favoritism, of building your tariff wall so high that in one favored industry there could be no competition, and raising your revenue from another source by leaving it low enough for the tide of importation to flow through and thus afford some revenue at the customhouse. In other words, you had built a sentiment in this country based on favoritism of the few, and that few of your selection.

Without intending to reflect in any way upon the members of your party or upon your party itself, it has always seemed to me that a system of favoritism of that kind, going into the pockets of the American people, using the power of the Government for the purpose of making rich a selected few, was but graft by the Government of the United States.

When we came to write a tariff bill there was no desire to tear this wall down in a night and to destroy or disrupt American industry. We deemed it far better to lower the house in which King Tariff lived with a jackscrew than to cut it down with an ax. Therefore we did not make radical reductions in schedules where there was a possibility of reasonable competition; but, when we said we would have a competitive tariff, that did not deny the principle that we would have a revenue tariff, but it sustained that principle, because, unless you allowed the flow of importations to come through the customhouse, there could be no collection of revenue at the customhouse. Where your tariff wall was built so high that by it you prohibited importations, there was no revenue; and when we said we proposed to have a competitive tariff, we declared in favor of lowering that wall which you had built so high as to prohibit importations to a point where reasonable importations could come over and the Government of the United States could have an opportunity to collect its revenue at the customhouse. In other words, our effort was not to lower the wall in one instance and to keep it high in other instances; it was not to build a wall for favoritism, but to allow reasonable importations all along the line, which meant reasonable competition and the collection of a reasonable amount of revenue at the customhouse. So I say again, that a competitive tariff means a tariff that will collect revenue.

I do not contend that in the first writing of this bill, although we did reduce the tariff wall at almost every point, with some few exceptions, that we made reductions in some articles that were sufficiently low to bring about competition. I think we made mistakes in some instances, although we did not reduce far enough to bring about competition; but that was a mistake of the head and not of the heart. It was a mistake because of the fact that we wanted to be careful in the progress we made toward the Democratic position, and not to injure any legitimate industry in reaching the final point at which we drove.

Now, as to the question before the Senate. It is as good an illustration of killing the goose that lays the golden egg, of greed destroying itself, or attempting to destroy itself, as ever was evidenced in writing tariff legislation in this country. Under the Wilson bill there was a tariff on lemons of half a cent a pound. This California industry was not driven out of existence; it was growing and developing, but not to the extent it did later, for it was comparatively new. There are only seven counties in the United States that are directly involved in this industry of growing lemons. I do not mean to say that lemons are not raised in some other counties. Possibly you might find a lemon tree in lower southern Alabama or in Florida, but there are but seven counties in California whose product constitutes the lemon industry of the United States. For those seven counties, when the Dingley bill was written, you raised the tax on the American people from a half cent to 1 cent a pound on lemons. It was not a languishing industry; it was not a destroyed industry; but to endeavor to give it an opportunity to monopolize the American market as far as it was possible to do so you raised the tax to every household in this land; aye, more, every hospital and sick bed was required to bear the burden of an additional half a cent a pound for the lemons of America in order that you might make prosperous—no, not prosperous, but that you might increase—the land values in seven counties in the United States and then capitalize those land values on a basis of a return that was derived from the taxing power of the Federal Government and claim that they could not prosper afterwards if they could not get the same return. But that condition existed for 16 years—a tax of a cent a pound on lemons. The industry developed; the orchards grew and expanded; the price of lands increased; but the greed of the producer was such that he did not want three-fourths of the American market absolutely his own, he wanted it all. He wanted to develop more land and more trees and make the American people pay the price of his development by increasing the tax laid at the customhouse.

I was a member of the Ways and Means Committee when the Payne tariff bill was written; and the testimony before that committee showed at that time that, under the duty of a cent a pound on lemons, the California lemon producer had the absolute control of the market from the Pacific Ocean to the Allegheny Mountains; that, because of the inland freight rates going back, the foreign lemon could not enter that territory at all; so that the California lemon grower had the sole right to exploit the American people.

But that is not all. If there had been competition in these seven counties whereby the American consumer would have had a competitive chance to buy this great necessity of life, it would not have been such a crime; but those seven counties were organized with a shipping association, so that every carload of lemons that went out of them, eastward bound or northern bound, went out under the direction of one agent, and, as the testimony showed, if the agent directed a carload of lemons to go to the market of Rochester, N. Y., because he thought that was the best market in which to sell that particular carload of lemons, that being the market where he thought he could get the best price, and it was demonstrated before the carload got to Chicago that lemons had come down in the Rochester market and lemons had gone up in the Pittsburgh market, by wire he diverted the car to the highest-priced lemon market.

Do not think that I say that the men who had this product to sell did not have the right to sell it in the highest market they could find; I am not complaining about that. What I complain about is that there are those who insist that the strong arm of the Government of the United States should be used for monopolistic purposes, to exploint the American people in a necessary food product. That was the condition—a practical monopoly of the American market to the Allegheny Mountains from California.

Then, when the Payne bill was written the price paid to California for its passage was that the tax on lemons should be raised from a cent to a cent and a half a pound. That rate was written into the law, and lemons thoughout this entire broad land at once went up and in some places lemons on the street were selling as high as 5 cents a piece. What was the result? The Payne bill remained on the statute books for four years; and at the end of those four years, when the Democratic Party came into power, it was flooded with petitions from all over the United States for a reduction of the tax on lemons; it was demanded that lemons should be placed on the free list, and that the American people should no longer be exploited in this way.

Examine the files of the Ways and Means Committee, as they may be found in the Capitol to-day, and you will find hundreds and hundreds of petitions from hospitals of this land protesting against this unjust tax that was imposed not for the purpose of giving the lemon growers a reasonable control of the American market but that the intention in levying the tax was to give them the exclusive control of the American market for their product, and to drive the foreign lemon entirely from this continent—and they mighty nearly did it—and to put that additional tax in the pockets of people who lived in but seven counties in the United States, allowing them to exploit 100,000,000 people.

I believe the question came before the Ways and Means Committee that a reasonable amount of revenue could be derived from a duty levied upon lemons. I opposed putting them on the free list, because I thought they were a legitimate subject of revenue, and I stood at that time for the tax, which had been the tax under the Wilson bill, a tax of half a cent a pound, and that is the law to-day; and there is no reason in the world, in my judgment, why special interests should be allowed to-day to exploit the American people in order to put additional profits in their own pockets.

Mr. WORKS. Mr. President, I offered my amendment with the hope that the Democratic Members of the Senate might do justice to one of the greatest enterprises in my State. The amendment is in entire harmony with the object and purpose of the amendment of the committee as it relates to sugar. There is no difference between the two as a matter of principle. The only difference is that in the case of the amendment offered by the committee the time when sugar shall remain on the dutiable list is limited to four years, while my amendment is unlimited in that way. It has been suggested by the Senator from North Carolina that the amendment was inappropriate coming at this time. I say this, because it seems to me it is entirely consistent with the object of the bill that is now before the Senate.

It has been said that the remedy might be obtained by direct legislation not connected with the legislation now before the Senate. Unfortunately for the lemon growers of California, that is absolutely impossible. Does anybody suppose that the Democratic Party is going to reopen the tariff controversy in any effort that may be made to do justice to one single industry? Certainly not.

So far as the tariff that was placed upon lemons by the Wilson bill is concerned, there were not enough lemons raised in California at that time to supply California alone, and there could in fact be no real competition between the lemon growers of California and the foreign importers. When the amount of the duty was increased to 1 cent, as has been mentioned by the Senator from Alabama, the competition that had been made from time to time had shown conclusively that that did not meet the additional cost of producing the lemons themselves, as has been said by the Senator from Iowa [Mr. CUMMINS]. The freight upon lemons from California to the eastern coast is more than twice as much as the amount necessary to be paid by foreign producers to lay them down at the same place, so it is a simple question as to whether the industry shall be or shall not be protected by a tariff.

The Senator from Alabama [Mr. UNDERWOOD], very consistently with his views on that subject, insists that it should not be done, because he does not believe in protecting industries. His idea is that the only object and purpose of levying a tariff is to produce revenue. The truth about it is, Mr. President, that the duty of one cent and a half levied upon lemons was not prohibitive. It did not prevent competition on the part of foreign importers. They continued to bring in their lemons just as they had before; and, so far as I know, there was no lessening of the amount of lemons produced by foreigners.

Mr. UNDERWOOD. Mr. President, if the Senator will allow me to interrupt him, I have not the figures at hand, but I can find them. If the Senator will examine the importations of lemons at the customhouse after the passage of the Payne bill, he will find that there was a very great reduction in the amount of importations.

Mr. WORKS. Like the Senator from Alabama, I am not as familiar with the figures now as I was when this matter was before the Senate before. At that time I made a very exhaustive examination of the whole situation, and produced here in the Senate the figures showing the conditions. The Senator may be right. I should not want to say that he is not, with my limited memory about what the conditions were at that time. But after the reduction in the tariff there was no reduction in the price of lemons to the consumer. Shortly after the tariff took effect, the lemon growers in California were almost put out of business by the most disastrous frost that we have ever had in that State. They were practically unable to supply any lemons for the eastern market; and the result was that lemons went up in the eastern market to $5 and $6 a box, and continued at that price until there was some competition as between the lemon growers in the State of California and the foreign producers. That shows us what would be the result if we were to reduce the tariff to such an extent as to put the lemon growers of California out of business so far as the eastern market is concerned. It would simply give that market to the foreign growers, and the result of it would be a price for lemons that never has been known heretofore.

With respect to the question of monopoly, that has been talked about a good deal in the Senate. There is not any monopoly in dealing with lemons or any other fruit in California—nothing like it. The organization known as the Fruit Exchange is simply the agent of the individual shippers of fruit. The shipper is allowed to fix his own price. He is allowed to designate at any stage where the oranges or lemons owned by him shall be marketed. It is not within the control of the organization that does the shipping of the fruit, but it is left entirely to the individual grower. If he shall determine the price at which the lemons shall be sold, that is binding upon the Fruit Exchange; and if he designates at any time where the lemons shall be marketed, even when they are in transit, under the contract that is made between the Fruit Exchange and the individual grower the fruit must be taken to the point designated by him. He has absolute control over the situation, and always has had.

Mr. UNDERWOOD. Mr. President, will the Senator allow me to ask him a question?

Mr. WORKS. Certainly.

Mr. UNDERWOOD. The Senator is correct about the contract, that it is optional with the shipper or grower as to whether he shall direct where the car shall go and the price at which it shall be sold, or whether he shall leave it to the agent of the association; but knowing that the agent of the association can control it in his interest, as I understand the testimony that came out, practically in every instance it is left to the agent of the association to direct where the car shall go and the price at which it shall be sold.

Mr. WORKS. Mr. President, I have not any doubt that where the grower is satisfied that his interests are being looked after by his agent he will not interfere, but there is no monopoly connected with it, because he has at all times the right to control not only the price but the market at which his goods shall be sold.

A good deal has been said, and it has been repeated by the Senator from Alabama [Mr. UNDERWOOD], and he has stated it a good many times, to the effect "that the result of it was to raise the price of lemons to the invalid in the hospital and to various other institutions." That information was furnished by this very lobby that I have been talking about; and I produced, in a speech which I made here in the Senate when that matter was up before, some of these communications that came from hospitals and which were procured by those very same gentlemen who were being paid as lobbyists to gather that information and produce it in the Senate. There is not any truth in it, Mr. President. The price of lemons was not increased to the consumers in the hospitals or anywhere else as a result of the legislation which took place at that time. That is simply one means of prejudicing the minds of Senators against this kind of legislation. The demonstration has been made here by the figures, as I have said before, showing conclusively that there can be no equal and fair competition as between the growers of lemons in California and those in Sicily, for example, unless some such rate of tariff as this is provided. It is simply a question of preserving the right of the shippers of California to sell their fruit in the eastern market. It may be true that they may ship their lemons part way between California and the East and sell them there, but that would leave the eastern market open to the foreign growers and would result in just the condition that I have mentioned—an enormous increase in the price of lemons to the consumers in that market.

I have no time further to discuss this question, and I am not disposed to do so. I have simply referred very briefly to different matters that have appealed to me, without any investigation into the details that were once very familiar to my mind, and I leave the matter to the consideration of the Senate.

Mr. SMOOT. Mr. President, I intended during the day to make a few remarks upon the sugar schedule, but I shall not do so at this time. I simply desire to refer to one or two statements made by the Senator from Alabama [Mr. UNDERWOOD].

The Senator stated that not more than 1 per cent of the importations under one of the great schedules of the Payne-Aldrich bill was allowed to enter this country, as compared with 100 per cent of the consumption of the country. I know of no such great schedule under the Payne-Aldrich bill, and I have been trying to think of the schedule to which the Senator referred, but I can not.

Mr. UNDERWOOD. Mr. President, I did not understand what the Senator said. Was he asking me a question?

Mr. SMOOT. No; I stated that I could not call to mind any great schedule under the Payne-Aldrich law which allowed but 1 per cent of importations as compared with 100 per cent of consumption.

Mr. UNDERWOOD. I can name it to the Senator, if he desires.

I do not know how it is this year, but at the time the bill was being written one such schedule was the iron and steel schedule, taken as a whole. Not in the separate items, but taken as a whole, it will show 1 per cent of importation as to the amount of consumption in this country.

Mr. SMOOT. Mr. President, I thought perhaps the Senator would refer to the iron schedule. I have not the time now to go into the details and give the reasons, but the Senator knows them as well as I do, and I think every Senator here is familiar with the reasons for the small per cent of importations under the iron and steel schedule, but they are more than 1 per cent.

Mr. UNDERWOOD. I will say——

Mr. SMOOT. But, Mr. President, I want just for the few moments that are left me to refer to the statement made by the Senator in defining the present tariff act—a tariff act for revenue—and the Republican belief in a tariff that prohibits importations. I say to the Senate that the rates in the Payne-Aldrich bill were such that they allowed goods to come into this country; the importations did come into competition with goods manufactured in this country, and in many cases very sharp competition at that; and not only did the rates act as a protection to American industry, but the bill raised a great part of the revenue to pay the expenses of the Government.

Now, I want to call the attention of the Senate to what the present tariff act is doing by way of raising revenue.

During the calendar year of 1912, under a Republican law, on $1,818,000,000 of imports we realized $326,340,000 of customs revenues, or an average rate of duty on all imports of but 18 per cent. During 1913, nine months under a Republican and three months under a Democratic law, on $1,792,600,000 of imports we realized customs revenues in the sum of $310,800,000, or an average rate of duty of 17.4 per cent. For 1914, five months of war, our imports totaled $1,789,250,000, and the duty collected upon those imports was only $241,250,000, or an average duty rate of but 13.5 per cent, while for 1915, the full war period, our imports amounted to $1,798,600,000, and the duty collected amounted to only $198,606,000, or an average duty rate of 11.1 per cent.

These figures indicate that while the imports fell off slightly over 2 per cent, comparing 1915 with 1912, the duties fell off 39 per cent; and compared with 1913, the imports fell about eight-tenths of 1 per cent, while the duties fell off 36 per cent. In this respect things are going from bad to worse. During the month of January last we imported goods to the value of $184,000,000, but the duty collected thereon was only $15,544,000, or an average rate of duty for the month of 8.4 per cent.

If the object in passing the Underwood-Simmons bill was to collect revenue, Mr. President, it has been a complete failure, not because the importations have not come into this country, for the importations are almost equal to those under the Payne-Aldrich bill, but ever since it became operative the average percentage of duty collected has been falling lower and lower, until in the month of January of this year the average rate of duty upon all goods imported into this country was but 8.4 per cent.

The Senator from California [Mr. WORKS] spoke of one matter which was referred to by the Senator from Alabama to which I wish to refer, and that was the high price of lemons immediately after the passage of the Payne-Aldrich bill. I thought every one in the United States knew the reason for the increase. I did not think the question would ever be raised again in this body, where it had been discussed upon two occasions that I remember since then. As the Senator from California [Mr. WORKS] says, there was nearly a total destruction of the California crop of lemons by the greatest frost that was ever known in the history of California; and as a result of loss of the lemon crop of California the importers dictated the price at which lemons should be sold.

As compared with the rate of half a cent under the Wilson bill, the increased rate of 1½ cents under the Payne-Aldrich bill was an increase of 1 cent, which I thought at the time was too high, and so stated; but at a cent a pound it would have amounted to only about 48 cents a case, and, with about 200 lemons to a case, the increase would have amounted to about a quarter of a cent on a lemon; and it was impossible to say that on account of that quarter of a cent increase lemons had increased 5 cents apiece.

Therefore, Mr. President, it seems to me that in presenting this amendment the Senator from California is doing nothing but what, as a representative of that great State and that industry within the State, he ought to do; for I have not heard a Senator upon the floor of this Chamber claim at any time that lemons could not be produced in Spain and other parts of the world cheaper than they can be produced in California.

As far as the valuations of lemon lands in California are concerned, every increase of price to the actual grower of lemons in that State means an additional tax upon him. It means an additional cost to him in raising his lemons. The grower is not the man who is asking for increased land values, and I do not for a moment believe that that was the object the California lemon growers had in asking for an increase in the tariff rate on lemons.

There may have been a few real estate speculators in California who had that idea, who wanted the increase, thinking that would result in an increase in land values; but the great body of lemon growers in the State of California was not particularly interested by an increased value of the lands.

The VICE PRESIDENT (at 5 o'clock p. m.). Under the unanimous-consent agreement the five-minutes rule is now in force.

Mr. SIMMONS. Mr. President, debate is limited to five minutes?

The VICE PRESIDENT. To five minutes under the agreement.

[Mr. SIMMONS addressed the Senate. See Appendix.]

Mr. SMOOT. Mr. President, in order that the Senate may know where some of the increased importations come from, whether they are from Europe or some other country, and from which we get our revenue, I want briefly to call attention to a few of them.

There was an increase in imports under the leather schedule of 55 per cent.

The cotton schedule increased from 36,735,303 square yards, with an import value of $6,712,274, in 1912–13 to 56,713,780 square yards, valued at $10,896,575, in 1913–14.

Cutlery imports advanced from $1,596,319 in 1912–13 to $2,594,511 in 1913–14, an increase of 62 per cent, dropping to $1,505,499 in 1914–15, nearly all of it coming from Great Britain.

The fish schedule increased 23 per cent.

I am not going to give the figures; I will just give the percentages.

The manufactures of wool rose from $8,870,101 in 1912–13 to $29,239,274 in 1913–14, an increase of 231 per cent.

The manufactures of silk increased 22 per cent, or from $22,473,237 in 1912–13 to $27,445,039 in 1913–14.

Print paper increased 72 per cent.

Manufactures of vegetable fibers, linen, hemp, and so forth, increased over 7 per cent.

I could go on and tell you of other increases, and also increases in the imports of the products of the farm, but I will just mention a few of them.

The imports of meat and dairy products increased from $12,460,501 in 1912–13 to $40,545,512 in 1913–14 and dropped to $30,431,210 in 1914–15.

Wool increased from $13,997,460 to $38,118,561 and to $54,240,425 for the three periods, respectively.

Cattle, hogs, sheep, fowls, and so forth, increased from $8,649,917 to $22,943,695, dropping to $17,981,670 for 1914–15.

Agricultural products, breadstuffs—including grains, oats, and so forth—vegetables, hay, seeds, and so forth, increased from $37,436,473 in 1912–13 to $71,924,646 in 1913–14. They were $45,918,050 in 1914–15.

Mr. President, the fact is, the items that I have mentioned here increased from $269,469,580 in 10 months of 1912–13 to $425,843,720 in 1913–14, an average increase of 58 per cent.

As far as the revenue is concerned upon these items, anyone can figure the rates provided for in the Payne-Aldrich law and the rates provided in the Underwood-Simmons law, and he will find where a great loss of revenue to the Government is accounted for.

I admit, Mr. President, that there has been a great increase in the articles under the free list, and necessarily so, because the free list was greatly extended in the Underwood Tariff Act. No matter whether the war continues or whether it does not continue, the importations under the free list will show an increase, and no revenue whatever is received from them in order to pay the expenses of maintaining the Government.

Mr. GALLINGER. Mr. President, I have been so anxious that the legislation should proceed as rapidly as possible that I have taken very little time in discussing any question before the Senate during this session, and I am not going to depart from the decision I reached in that regard.

I want simply to say, Mr. President, that I shall vote for the bill as it passed the House when it reaches that stage. I shall vote for the amendment the Senator from California [Mr.

WORKS] has submitted, because I believe the duty that is asked for lemons raised in this country is not an extravagant duty.

Mr. President, I simply want to add a request that some statistics which I have in printed form and very brief be inserted in connection with my remarks, and I shall occupy no further time if that request be granted.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

The difference between Republican and Democratic management of the Nation's finances is this: The Republicans made it a practice to put into the Treasury each month $2,000,000 more than they took out, while the Democratic practice is to take out each month $2,000,000 more than they put in.

These figures have been determined by a study of the official reports of the Secretary of the Treasury for the period beginning with August, 1897, when the Dingley law went into effect, down to the first day of the present year. During that time Republican revenue laws (the Dingley bill and the Payne bill) were in operation for 194 months and a Democratic revenue law (the Underwood bill) was in operation for 27 months.

The total ordinary receipts of the Treasury during the period of Republican management of the Nation's finances reached the colossal sum of $9,677,952,080—an average of $49,886,351 per month.

During the same time the total ordinary disbursements of the Government, as authorized by Republican legislation, amounted to $9,293,083,392—an average of $47,902,492 per month.

This average monthly surplus under Republican control, therefore, was $1,983,859.

During the 27 months while Democratic legislation has controlled the revenue and expenditure the total Treasury receipts have been $1,579,648,049—a monthly average of $58,505,483.

In the same time Democratic Congressmen have voted away $1,621,908,077—a monthly average of $60,070,670.

Accordingly, the average monthly deficit under Democratic control has been $1,565,187.

Moreover, the Republican revenue laws which produced these results were so drawn that $22,967,653 per month was customhouse receipts, and was paid by foreigners, while $22,534,842 per month came from internal-revenue receipts, and was paid by our own people. Under the Democratic system only $19,023,760 per month was taken from foreigners at the customhouses, while the enormous sum of $34,116,302 per month was wrung from our own people by vexatious and oppressive taxes upon incomes, vocations, enterprise, and thrift. Those American citizens who have recently been wrestling with the clumsy and confusing income-tax blanks or who have been constantly licking stamps for telegraph and telephone messages and for other necessary business transactions will be interested to know that under Democratic revenue legislation our own people contribute $1.79 to the National Treasury for every dollar that the foreigner pays, whereas under Republican revenue laws the foreigner paid $1.02 as against each dollar contributed by American citizens.

And yet there are those who think the tariff will not be an issue in the campaign of 1916.

Mr. PHELAN. Mr. President, I do not like any discussion respecting the interests of my State to pass without expressing at least a word. The Senator from Alabama [Mr. UNDERWOOD] has reminded the Senate that of all the States California is exclusively interested in the production of lemons, and that seven counties in that State produce all the lemons that are produced in the United States.

It seems to me that while it was inopportune to introduce this question at this time, yet the senior Senator from California in presenting his amendment touched the weakest feature of the Underwood tariff law when he undertook to make a change in the tariff affecting lemons. The reduction of the tariff from 1 cent to one-half cent affected the revenues of the Government by about $800,000, as I judge in looking over the figures on the desk of the chairman of the Finance Committee of this body. Therefore, lemons may be regarded as a source of revenue which should not be ignored.

In California during the last two years, on account of my position or changed position as a candidate before the people I investigated the subject of the tariff with respect to California products. I found that none of our horticultural products, neither raisins nor oranges nor prunes, required any higher tariff than they then enjoyed; but I did find and declared then that the lemon industry needed an additional tariff of a quarter or half a cent in order to enable the industry to thrive and supply the American market in part with lemons. I am still of that opinion.

Not anticipating this discussion to-day I have not come here nor have I risen until now under the five-minute rule to discuss in any detail the question; but I do know that lemons are productive of a very considerable tariff; that we have lost $700,000 or $800,000 by the reduction, and that the lemon is indeed a luxury and therefore not a necessity of life. The British orders in council but yesterday levied an embargo upon all our preserved fruits regarded as a luxury and denied them to the people of those countries now in a necessitous condition. Therefore, it would be no particular burden if the price of lemons were advanced a quarter or half a cent a pound, if indeed that were the result of the tariff.

The condition to-day in the markets of the world—aye, more particularly, in the markets of America, which is more serious—is that the price of lemons is at the lowest ebb, because they are dumped from Italy and Sicily upon the markets of New York. We are contemplating legislation to prevent dumping, which is a great injustice to legitimate industry; and there is no more effective way of preventing dumping in this country than to levy a slight additional tax. I would not say this of any other fruit.

Mr. President, I am committed in principle to the policy of my party in putting a low tariff upon the articles which are enumerated in the schedule. I am opposed to a high tariff, because it is a gross injustice to the consumers. But in this case the Democratic Party, as I understand it, has always considered in levying a revenue tariff that we should also take into consideration the incidental protection, so called, which may accrue. At any rate, that principle is not ignored. But in this case, by levying 1 cent instead of half a cent, we would derive revenue and possibly save what I declare to be a struggling and hardly now a thriving and self-supporting industry—the lemon industry—slender as it is in the State of California.

The VICE PRESIDENT. The question is on the amendment of the Senator from California [Mr. WORKS] to the amendment of the committee.

Mr. WORKS. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRYAN (when his name was called). I am paired with the junior Senator from Michigan [Mr. TOWNSEND]. I transfer that pair to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. That Senator is absent from the Chamber, and hence I will withhold my vote. If privileged to vote, I would vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Arkansas [Mr. CLARKE], who is absent. On that account I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Maryland [Mr. LEE] and vote "nay."

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from New Jersey [Mr. HUGHES], I vote "nay."

The roll call was concluded.

Mr. UNDERWOOD. I have a general pair with the junior Senator from Ohio [Mr. HARDING], who is absent to-day. I transfer that pair to the senior Senator from Tennessee [Mr. LEA] and vote "nay."

Mr. LEWIS. Mr. President, I wish to announce that the Senator from Maryland [Mr. LEE] is called away on official business, but he is paired with the Senator from West Virginia [Mr. GOFF].

The Senator from New York [Mr. O'GORMAN] is called away on official business, and he is paired with the Senator from New Hampshire [Mr. GALLINGER].

The junior Senator from Kentucky [Mr. BECKHAM] is called to his home on official business, and is paired with the Senator from Delaware [Mr. DU PONT].

This announcement may stand for the remainder of the day.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN], but I transfer that pair to the Senator from South Dakota [Mr. JOHNSON] and vote "nay."

Mr. KERN. I desire to announce the unavoidable absence of the Senator from West Virginia [Mr. CHILTON]. He is paired with the Senator from New Mexico [Mr. FALL]. If he were present, the Senator from West Virginia would vote "nay."

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Idaho [Mr. BRADY] with the Senator from Florida [Mr. FLETCHER].

The result was announced—yeas 29, nays 44, as follows:

YEAS—29.

Borah	Dillingham	Norris	Sterling
Brandegee	Gronna	Oliver	Wadsworth
Burleigh	Jones	Page	Warren
Clapp	Kenyon	Phelan	Weeks
Clark, Wyo.	Lippitt	Poindexter	Works
Colt	Lodge	Sherman	
Cummins	McCumber	Smith, Mich.	
Curtis	Nelson	Smoot	

NAYS—44.

Ashurst	Gore	Kern	Myers
Bankhead	Hardwick	La Follette	Overman
Broussard	Hollis	Lane	Pittman
Bryan	Husting	Lewis	Pomerene
Chamberlain	James	Martin, Va.	Ransdell
Culberson	Johnson, Me.	Martine, N. J.	Reed

Robinson	Simmons	Stone	Tillman
Saulsbury	Smith, Ariz.	Swanson	Underwood
Shafroth	Smith, Ga.	Taggart	Vardaman
Sheppard	Smith, Md.	Thomas	Walsh
Shields	Smith, S. C.	Thompson	Williams

NOT VOTING—23.

Beckham	Fall	Hughes	O'Gorman
Brady	Fletcher	Johnson, S. Dak.	Owen
Catron	Gallinger	Lea, Tenn.	Penrose
Chilton	Goff	Lee, Md.	Sutherland
Clarke, Ark.	Harding	McLean	Townsend
du Pont	Hitchcock	Newlands	

So the amendment of Mr. WORKS to the amendment of the committee was rejected.

The VICE PRESIDENT. The question now is on agreeing to the amendment reported to the bill by the Committee on Finance.

Mr. SIMMONS and Mr. SMOOT called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. BRYAN (when his name was called). Repeating the announcement as to pairs made on the previous roll call, I vote "yea."

Mr. CURTIS (when his name was called). I am paired with the junior Senator from Indiana [Mr. TAGGART]. If the Senator from Indiana were present, I should vote "nay."

Mr. GALLINGER (when his name was called). Repeating the announcement made by me a moment ago as to my pair, I will withhold my vote. If privileged to vote, I should vote "nay."

Mr. SUTHERLAND (when his name was called). Repeating the announcement with respect to my pair which I made on the previous vote, I withhold my vote.

Mr. KERN (when Mr. TAGGART'S name was called). I desire to announce the unavoidable absence of my colleague [Mr. TAGGART]. He is paired, as already stated, with the Senator from Kansas [Mr. CURTIS]. If my colleague were present, he would vote "yea."

Mr. TILLMAN (when his name was called). Repeating the announcement which I made a little while ago in regard to the transfer of my pair, I vote "yea."

Mr. UNDERWOOD (when his name was called). Repeating the announcement that I made in reference to my general pair on the last vote, I vote "yea."

Mr. WILLIAMS (when his name was called). Mr. President, repeating the announcement which I made upon the last roll call, I vote "yea."

The roll call was concluded.

Mr. CURTIS. I desire to announce the pair of the Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN,] and the Senator from Idaho [Mr. BRADY] with the Senator from Florida [Mr. FLETCHER].

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN]. I transfer that pair to the Senator from South Dakota [Mr. JOHNSON] and vote "yea."

Mr. KERN. I desire to announce the unavoidable absence of the Senator from Florida [Mr. FLETCHER], of the Senator from Maryland [Mr. LEE], and of the Senator from West Virginia [Mr. CHILTON], all of whom are paired, and all of whom, if present, would vote "yea."

Mr. SMITH of Michigan. I desire to announce the unavoidable absence of my colleague [Mr. TOWNSEND]. He is paired with the Senator from Florida [Mr. BRYAN]. If he were present, my colleague would vote "nay."

The result was announced—yeas 40, nays 32, as follows:

YEAS—40.

Ashurst	Johnson, Me.	Reed	Smith, S. C.
Bankhead	Kern	Robinson	Stone
Bryan	Lewis	Saulsbury	Swanson
Chamberlain	Martin, Va.	Shafroth	Thomas
Culberson	Martine, N. J.	Sheppard	Thompson
Gore	Myers	Shields	Tillman
Hardwick	Overman	Simmons	Underwood
Hollis	Phelan	Smith, Ariz.	Vardaman
Husting	Pittman	Smith, Ga.	Walsh
James	Pomerene	Smith, Md.	Williams

NAYS—32.

Borah	Dillingham	McCumber	Sherman
Brandegee	Gronna	Nelson	Smith, Mich.
Broussard	Jones	Newlands	Smoot
Burleigh	Kenyon	Norris	Sterling
Clapp	La Follette	Oliver	Wadsworth
Clark, Wyo.	Lane	Page	Warren
Colt	Lippitt	Poindexter	Weeks
Cummins	Lodge	Ransdell	Works

NOT VOTING—24.

Beckham	du Pont	Hitchcock	O'Gorman
Brady	Fall	Hughes	Owen
Catron	Fletcher	Johnson, S. Dak.	Penrose
Chilton	Gallinger	Lea, Tenn.	Sutherland
Clarke, Ark.	Goff	Lee, Md.	Taggart
Curtis	Harding	McLean	Townsend.

So the amendment of the Committee on Finance was agreed to.

Mr. GORE. Mr. President, I desire to say that I shall not occupy the five minutes allotted to me under the unanimous-consent agreement; but I am not convinced that the pending bill has been cast in the best possible form, either from the standpoint of the taxpayer or from the standpoint of the Treasury of the United States. Under the pending bill a duty of 1 cent a pound is continued on imported sugar for a period of four years. That means that under the pending bill the American people must part with $40,000,000 a year to the producers of domestic sugar; it means that the producers of sugar within the jurisdiction of the United States will continue to receive a bounty or a protection of $40,000,000 each and every year that this duty is continued.

The question arose in my mind as to which would be better from the standpoint of the taxpayer, since the taxpayer must in any event part with this $40,000,000, whether or not when he parts with this $40,000,000 it would be better for the $40,000,000 to go into the treasury of the sugar producers or into the Treasury of the United States. My own conclusion was that it would be better, infinitely better, for a famished Treasury and infinitely better for the American taxpayer that this $40,000,000, instead of passing from his pocket into the pockets of the sugar producers, should pass into the Treasury of the United States, for I know, as every Senator knows, that this $40,000,000, and $160,000,000 more, must be raised by this Congress in order to meet present deficiencies and prospective expenditures.

By levying an excise tax of 1 cent a pound on domestic sugar, corresponding with the customs duty on imported sugar, $40,000,000 would be passed into the Treasury of this country, and would not continue to be paid to the producers of sugar. This would have obviated the necessity of raising that $40,000,000 from some other source by a tax upon some other subject, upon some other article of taxation. Not only that, sir, but it would not have increased the price of sugar to the consumer in the slightest measure. The duty of 1 cent a pound is added to the price of sugar by the domestic producer; and a countervailing excise tax would not have added to that price a single tithe of a cent.

The question, and the only question, involved is this: Whether the Government of the United States or the producers of domestic sugar should realize this munificent sum of $40,000,000 when it is parted with by the consumer. Mark you, the $40,000,000 a year must be rendered up by the consumer in either event, and I venture to believe that it should have been rendered up to the Treasury, to the Government, to the people themselves, in the form of public revenue, rather than in the form of private revenue to the producers of sugar. The excise tax might have been temporary, if you please; it might have been limited to the period of the war; it might have been made to terminate when the interruption of our revenues resulting from the war had passed with the coming of peace. For the present the producers of sugar do not need protection; pending the war they will not need protection; for the present they are prosperous. No evil could have resulted from such an excise tax. It would have averted or diminished the evils of increasing taxation, and, by decreasing the burden, it would have assumed the character of a blessing to the taxpayers. Under the pending bill the burden of $40,000,000 is continued with no compensating advantage, with nothing that bears even the substance or the semblance of a blessing.

We must all deplore the necessity for increased revenues and increased taxation, coming in part at least from circumstances over which we can exert no sovereignty. The people will not wince beneath taxes and expenditures that are inevitable, but their burden should be made as easy to be borne as possible.

It seems to me that the principles of sound public finance, that the principles of justice, and that the exigencies of the times would have dictated the imposition of an excise tax of 1 cent per pound on domestic sugar to countervail the customs duty of 1 cent and allow this $40,000,000 to be covered into the Treasury of the United States, thus serving as a protection and as a benediction to the taxpayers of this country. A majority of my colleagues, however, differ from me upon this proposition, and I defer, at least for the present, to their collective wisdom; but I felt obliged to register my views upon this point at this time, and may take occasion at some future time to elaborate my views more fully upon this subject.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

The bill was passed.

The VICE PRESIDENT. The Secretary will state the proposed amendment to the title.

The SECRETARY. It is proposed to amend the title so as to read:

An act to amend sections 177 and 178 of an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, relating to the duty on sugar, molasses, and manufactures of sugar.

Mr. SIMMONS. Mr. President, I think that should read "paragraphs" instead of "sections." I will ask the Secretary to read it again.

The Secretary read as follows:

An act to amend sections 177 and 178 of an act entitled, etc.

Mr. SIMMONS. Now, I will ask the Secretary to read the body of the bill.

The Secretary read as follows:

That the third proviso of paragraph 177 of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes"——

The VICE PRESIDENT. The title seems to be sufficient. If it amends the paragraph, it amends the section. Without objection, the title as amended will stand.

Mr. SIMMONS. Very well. Now, I move that the Senate request a conference with the House of Representatives on the bill and amendment, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SIMMONS, Mr. STONE, and Mr. LODGE as the conferees on the part of the Senate.

Mr. SMOOT. Mr. President, I should like to call the attention of the Senator from North Carolina to the fact that I think the title of the bill ought to be changed. It should read "paragraphs 177 and 178 of section 1 of the tariff act."

Mr. STONE. What is the difference?

Mr. SMOOT. There are only two sections of the tariff act, one the dutiable-list section and the other the free-list section.

Mr. SIMMONS. I think it ought to be changed, and the title amended so as to read "paragraphs 177 and 178."

The VICE PRESIDENT. The change will be made, and the title as amended will stand.

The title was amended so as to read: "An act to amend paragraphs 177 and 178 of an act entitled 'An act to reduce tariff duties and to provide revenue for the Government, and for other purposes,' approved October 3, 1913, relating to the duty on sugar, molasses, and manufactures of sugar."

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 12, 1916, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 11, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., delivered the following prayer:

O Thou God and Father of us all, ever near to uphold, sustain, and guide those who put their trust and confidence in Thee, help us with high resolves and consecrated hearts to move on day by day in the grand eternal march of existence as individuals and as a nation to higher and nobler attainments under the spiritual leadership of the world's great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and approved.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from further consideration of the bill H. R. 10385, the Indian appropriation bill, disagree to all the Senate amendments, and ask for a conference.

Mr. FITZGERALD. It is already reported.

The SPEAKER. The gentleman from Oklahoma [Mr. CARTER] asks unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill H. R. 10385, the Indian appropriation bill, disagree to all the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The SPEAKER. Mr. STEPHENS of Texas, the chairman of this committee, is not physically able to attend the conference. He has the grippe, and because there are so many various things in the bill the Chair will appoint five conferees on the part of the House, whose names the Clerk will report.

The Clerk read as follows:

Mr. CARTER of Oklahoma, Mr. KONOP, Mr. HAYDEN, Mr. CAMPBELL, and Mr. NORTON.

PENSIONS.

Mr. RUSSELL of Missouri. Mr. Speaker, I ask to take up the bill (S. 3984) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of said soldiers and sailors, and agree to the conference report.

The SPEAKER. The Clerk will report the conference report.

The conference report was read as follows:

CONFERENCE REPORT (NO. 512).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 3984, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 6, 7, 10, 13, 14, 17, 18, 19, 20.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 5, 8, 9, 11, 12, 15, 16, 21, and agree to the same.

ISAAC R. SHERWOOD,
JOE J. RUSSELL,
JNO. W. LANGLEY,
Managers on the part of the House.

CHARLES F. JOHNSON,
WM. HUGHES,
Managers on the part of the Senate.

The statement is as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the House to the bill (S. 3984) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the said amendments, viz:

Amendment No. 1: Senate concurs. The rate proposed is justified by the evidence and soldier's rank.

Amendment No. 2: Senate concurs. The rate proposed is justified by the evidence and soldier's rank

Amendments Nos. 3 and 4: Senate concurs. The proposed beneficiaries being in soldiers' homes and properly cared for, no increase above present pensions is warranted.

Amendment No. 5: Senate concurs. Proposed pension is warranted by the evidence on file.

Amendment No. 6: House recedes. The evidence justifies proposed increase.

Amendment No. 7: House recedes. Claimant's physical and financial condition as shown by the evidence fully justify proposed increase.

Amendment No. 8: Senate concurs. The facts in the case do not warrant allowance of pension.

Amendment No. 9: Senate concurs. The rate proposed is justified by the evidence and soldier's rank.

Amendment No. 10: House recedes. The proposed increase is justified by the facts in the case.

Amendment No. 11: Senate concurs. Soldier's short service at close of war does not justify allowance.

Amendment No. 12: Senate concurs. The evidence in the case justifies the proposed increase.

Amendment No. 13: House recedes. The evidence in the case fully justifies the proposed pension.

Amendment No. 14: House recedes. The proposed increase is justified by the evidence in the case.

Amendment No. 15: Senate concurs. The rate proposed is justified by the evidence and soldier's rank.

Amendment No. 16: Senate concurs. The rate proposed is justified by the evidence in the case.

Amendment No. 17: House recedes. The increase of pension proposed is justified by the facts in the case.

Amendment No. 18: House recedes. The proposed increase of the soldier's pension is warranted by the evidence on file.

Amendment No. 19: House recedes. The circumstances of the case justify the increase proposed.

Amendment No. 20: House recedes. The increase in soldier's pension is justified by the evidence in the case.

Amendment No. 21: Senate concurs. The proposed increase is justified by soldier's long service and helpless physical condition.

ISAAC R. SHERWOOD,
JOE J. RUSSELL,
JNO. W. LANGLEY.
Managers on the part of the House.

The conference report was agreed to.

Mr. RUSSELL of Missouri. Mr. Speaker, I also ask for the same order on the bill S. 4399, with similar title.

The conference report was read as follows:

CONFERENCE REPORT (NO. 512).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 4399, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1, 2, 4, 5, 6, 7, 9, 12, 13, and 14.

That the Senate recede from its disagreement to the amendments of the House numbered 3, 8, 10, and 15, and agree to the same.

Amendment numbered 11: That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment as follows: Restore the matter stricken out by the amendment, and on page 12, line 24, after "month," insert "in lieu of that she is now receiving."

ISAAC R. SHERWOOD,
JOE J. RUSSELL,
JNO. W. LANGLEY,
Managers on the part of the House.

CHARLES F. JOHNSON,
WM. HUGHES,
Managers on the part of the Senate.

The conference report was agreed to.

RIVERS AND HARBORS.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12193, with Mr. SHERLEY in the chair.

The Clerk read as follows:

St. Francis River, Ark. and Mo., commencing at the head of what is known as the "sunk lands," at or near the town of St. Francis, in Clay County, Ark., and extending to the foot of said "sunk lands," at or near the town of Marked Tree, in Poinsett County, Ark.; and in making such examination and survey the engineer or engineers having the same in charge shall take into account and make report upon any proposition by local interests for participation in the expense of said project in connection with the reclamation of contiguous lands or other lands subject to overflow by said stream.

Mr. BURGESS. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BURGESS: Amend page 39 by striking out all of lines 1 to 7, inclusive, and insert in lieu thereof the following:

"St. Francis River, Ark. and Mo., commencing at the head of what is known as the 'sunk lands,' at or near the town of St. Francis, Clay County, Ark., and extending to the foot of said 'sunk lands,' at or near the town of Marked Tree, Poinsett County, Ark.; and in making such examination and survey, which shall be thorough and complete, the engineer or engineers having the same in charge shall also prepare plans, specifications, and make estimates of the cost of said improvement, and define the channel or course of said canal, and shall take"——

Mr. MANN. Mr. Chairman, I make the point of order on the amendment, which, by the way, is not properly presented. It is not in the form the gentleman wants, evidently. The amendment as reported reads to strike out lines 1 to 7. I suppose the gentleman means lines 1 to 11.

Mr. SPARKMAN. It should be "1 to 7, inclusive."

Mr. MANN. Does the gentleman mean to leave in lines 8, 9, 10, and 11?

Mr. BURGESS. Yes.

Mr. MANN. I tried to follow it and I thought it did not.

Mr. SPARKMAN. I suggest——

Mr. MANN. This is for a canal?

Mr. BURGESS. No.

Mr. MANN. Does it not use the word "canal" in there?

Mr. BURGESS. It does not.

Mr. GARNER. I will say to the gentleman from Illinois that this is prepared by the Engineer Corps of the Army.

Mr. MANN. I do not care who prepared it.

Mr. GARNER. I agree that the gentleman does not care whether the Engineer Corps of the Army prepared it or not, but they are supposed, at least, to know for what purpose they use the language in which the amendment is offered.

Mr. MANN. Let us have the amendment reported again.

Mr. BURGESS. Let the Clerk read the paragraph as it will read if amended.

The Clerk read as follows:

St. Francis River, Ark. and Mo., commencing at the head of what is known as the "sunk lands," at or near the town of St. Francis, Clay County, Ark., and extending to the foot of said "sunk lands," at or near the town of Marked Tree, Poinsett County, Ark., and in making such examination and survey, which shall be thorough and complete, the engineer or engineers having the same in charge shall also prepare plans, specifications, and make estimates of the cost of said improvement, and define the channel or course of said canal, and shall take into account and make report upon any proposition by local interests for participation in the expense of said project in connection with the reclamation of contiguous lands or other lands subject to overflow by said stream.

Mr. MANN. It apparently refers to a survey for a canal.

Mr. BURGESS. The word "canal" ought to be stricken out and the word "channel" put in.

Mr. MANN. The word "channel" is in there, and the word "canal," too.

Mr. BURGESS. Yes.

Mr. MANN. However, I withdraw the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BURGESS].

The question was taken, and the amendment was agreed to.

Mr. RUSSELL of Missouri. Mr. Chairman, I desire to ask unanimous consent to extend my remarks in the RECORD by inserting a statement that I made on this amendment, just adopted before the Committee on Rivers and Harbors.

The CHAIRMAN. The gentleman from Missouri desires to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

Following is the statement referred to:

STATEMENT OF HON. JOSEPH J. RUSSELL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MISSOURI.

Mr. RUSSELL. Mr. Chairman and gentleman of the committee, I will not abuse the courtesy of the committee by detaining you for any great length of time. I will be brief. I would not care to add anything, or attempt to do so, to the very clear statement that has been made by the gentleman from Arkansas, Mr. CARAWAY, if it was not for the fact that a very important constituency of mine and a very large constituency is very deeply interested in the matter that is now under consideration. Mr. CARAWAY and I held several joint meetings, three in my district, before we came here last fall, upon the invitation of people interested in this project, and they were very largely attended, showing a very deep interest of the people of that section in this proposed improvement. The improvement of the St. Francis River has been a matter agitated for a long time. It was always, however, heretofore asked as improvements usually are for navigable rivers, simply for money from the Government to improve the river. This is on a different plan. This was rather based upon a plan that was followed in the reclamation of the arid plains of the West. That was based upon the idea of improvement to be made upon Government lands, and was justified, I think, mainly upon the ground that it would be improving Government lands. So Mr. CARAWAY developed this thought that here are 52,000 acres of Government land that have never been surveyed and which, as I understand, belongs to the Government to-day. They are entirely waste lands that are a menace to the health of the people of that country.

Mr. BOOHER. Would not that land, after it is reclaimed, be known as swamp and overflow land?

Mr. RUSSELL. I do not know, but think perhaps it would.

Mr. BOOHER. Would it not then absolutely belong to the school fund of the State of Missouri?

Mr. RUSSELL. My understanding is that unsurveyed land in lakes like this still belongs to the Government. I am not sure about that point.

Mr. BOOHER. I wish you would look up that point, because the law in Missouri is that all swamp and overflow lands belong to the school fund.

Mr. RUSSELL. My understanding is that the Government conveyed to the State of Missouri only such lands as were surveyed.

The CHAIRMAN. Was that land granted to the State of Missouri upon the same terms that the land was granted in some other States, for internal improvement?

Mr. RUSSELL. No; I think not.

Mr. BOOHER. Swamp and overflow lands are given by the Government to the State of Missouri for the school fund.

The CHAIRMAN. Well, the reclaimed lands in Florida were given to the State for the purpose of internal improvements.

Mr. RUSSELL. The sixteenth section in the State of Missouri was given to the school fund and the swamp and overflow lands were conveyed in 1850 to the State of Missouri, and in turn they were conveyed to the counties for reclamation purposes.

Mr. BOOHER. I think you are mistaken about that. I think it was unconditional. There is a great deal of that land in my district in Missouri, and it was always understood that it was an unconditional conveyance by the Government to the State for school purposes.

Mr. RUSSELL. No; I differ with you.

Mr. BOOHER. And it was sold up there for from $1.25 to $2.50 an acre.

The CHAIRMAN. What is the nature of these lands? What kind of lands were they? Were they entirely overflowed?

Mr. RUSSELL. Entirely under water. A regular bog, if not covered with water. It is impenetrable. It is what they call the "spreads" of the river. It has above there a defined channel, and when it gets down to a certain part of the river it spreads. These lowlands were made, as I understand, by the earthquakes of 1811–12.

Mr. HUMPHREYS. The act of 1850, known as the swamp and overflow land act, conveyed all the wet lands to the States to be used by them for the purpose of constructing levees and drains.

Mr. RUSSELL. That was for reclamation purposes and not for schools.

Mr. HUMPHREYS. And what was wet land was afterwards determined upon a survey to be in a section where a majority of the land was wet.

Mr. RUSSELL. Do you understand that the lakes that were not surveyed were embraced in that transfer?

Mr. HUMPHREYS. That is my understanding, though I would not give it as an opinion.

The CHAIRMAN. Judge, if you will consult the Interior Department, they can tell you exactly how it stands.

Mr RUSSELL. Mr. CARAWAY investigated it, as I understand, and he says that it is claimed that it 's Government land. He said he got it from the Government authorities.

Mr. BOOHER. He said that the Supreme Court of the United States had decided it so far as the lands in Arkansas were concerned.

Mr. RUSSELL. Yes, sir. The Supreme Court of the United States determined that similar land in Arkansas is Government land.

The CHAIRMAN. This discussion pertains to the legal status of those lands and that can best be determined by the department.

Mr. RUSSELL. Well, they are certainly public lands. They certainly belong to the county or the State or the Government, and we understand that they belong to the Government. They are waste lands and of no benefit to anybody. We had some doubts when this bill was introduced, whether this committee would take jurisdiction of it, and the chairman suggested it was doubtful whether this committee had jurisdiction. We thought that probably the Committee on the Public Lands was the proper committee. The Speaker held it under consideration for several days and finally he said it was more a subject for this committee than any other committee of the House, because the St. Francis River is a navigable stream. The Arkansas end of this river is a navigable stream and you appropriate money every year to improve it. You formerly appropriated money for the improvement of the Missouri end of this river, and that is a navigable stream. At this session of Congress three bills have been passed authorizing the erection of bridges over this navigable stream. When you undertake to improve the channel between the two ends of a navigable stream, it is certainly a proposition of navigation of which this committee would have jurisdiction. Now, this is not asking, however, that the Government shall appropriate money for this improvement without any hope of its return, but the truth is, as we confidently believe, and it is so provided in this bill, that the Government shall be paid back every dollar it puts into it. Now, if the Government can improve this stream for navigation and can at the same time reclaim 50,000 acres of land for the benefit of the whole country, it looks like it is a splendid business proposition. I can state with perfect confidence that if it was possible for this land to be conveyed to a private company for the improvement here proposed, I could organize a company in that country in 10 days that would take the title to these lands and make this improvement and they would double their money upon the investment. These 52,000 acres of land, if they are drained—and they can be drained, because the engineers say they can—would be worth to-day, without any improvement whatever, at least $25 per acre, and that is approximately double the amount that it would cost to make the improvements. When drained they would be worth $100 per acre.

Mr. KENNEDY. Judge, would it require a pumping station for dredging purposes?

Mr. RUSSELL. Oh, no. There is a sufficient natural fall to drain these lands. You heard them speak of the sunken lands in New Madrid County. A private company took possession of some of the swamp lands and have begun to reclaim them, and out where I hunted ducks when I was a boy, where the water was 6 or 8 feet deep all the year around, is now growing corn. There is a sufficient natural fall to drain this entire body of lands, and by canalizing this river between the two navigable ends of it I have no doubt but that it will drain them.

Mr. SWITZER. What is the fall of the river between the two ends?

Mr. RUSSELL. My recollection is that the fall is about 18 inches to the mile.

Mr. KENNEDY. About how many miles?

Mr. RUSSELL. About 80 miles through the spreads of the St. Francis River, I understand.

The CHAIRMAN. Eighteen inches to the mile is a pretty good fall.

Mr. RUSSELL. Of course, I may be mistaken about that. I got that information from somewhere.

The CHAIRMAN. A foot a mile is a pretty good fall.

Mr. RUSSELL. I know that the sunken lands in New Madrid County are probably about the same as the sunken lands in Dunklin County. They have been reclaimed by canalizing the Little River. The St. Francis River is a fair-sized river, and will drain all these lands. What we are asking is that you give us this survey, not an ordinary survey going up and down the river to determine whether you are going to spend a large amount of money in the improvements, but a survey to ascertain whether it can be done, and what it will cost to do it, as a preliminary step to this improvement. I hope that this committee at least hold that it has the power to do that. If this committee has not got jurisdiction of this question, then there is no committee in the House that has. They say the Public Lands Committee can not do it, because they have no authority to appropriate any money to make a survey.

The CHAIRMAN. Oh, it is within our province to improve a stream, and I think incidentally to thus improve it in connection with drainage or reclamation schemes.

Mr. RUSSELL. I was just going to say that if this committee had no jurisdiction of it, then there ought to be some committee somewhere that will have jurisdiction. Not only these lands are under water, but thousands of acres of land adjacent to them, owned by private parties, are overflowed as a result of the clogging of this stream.

The question of flood prevention and the question of drainage are very important questions in our section of the country, but in this particular case you can base your action upon the fact that the St. Francis River is a navigable stream. Both ends are being navigated, and the Government claims ownership by not allowing us to build a bridge across the river without first obtaining permission from Congress. To show our good faith and our desire not to impose upon the Government the expenditure of a large amount of money, we guarantee that it will not cost you a cent, because it will pay for itself out of the lands reclaimed.

The CHAIRMAN. That is practically the same kind of a proposition that we put up to the engineers sometimes to determine whether an improvement of a river can be properly connected with water-power development. As a separate proposition, this committee has nothing to do with the development of water power, but when we can link it up with a stream for the purpose of navigation, we can do it, and have done it frequently.

Mr. RUSSELL. Well, the chairman of this committee has had so much experience that I do not need to say to him that this is a proposition of navigation. Here is a navigable stream, and we are simply asking to connect the upper and lower St. Francis River by canalizing that stream through these spreads, and I hope that this committee will find that they not only have jurisdiction but that they also have the disposition to help us to get this $25,000, which I understand the engineer states it will cost to make a thorough examination, investigation, and report. Let us know whether it can be done or not, what it will cost to do it, so that we may obtain further legislation necessary to enable us to proceed.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask the same privilege, not with respect to this item, but on the bill.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to extend his remarks in the RECORD on the bill. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Livingstone Channel, Detroit River, Mich., with a view to securing increased width.

Mr. SCOTT of Michigan. Mr. Chairman, right at that point I desire to offer three amendments. I will take them up separately.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Michigan [Mr. SCOTT].

The Clerk read as follows:

Amendment by Mr. SCOTT of Michigan: After line 2, page 40, insert: "Thunder Bay River, Mich., with a view of clearing the channel and providing suitable breakwater to protect the same."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The gentleman from Michigan offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amend by inserting the following:

"Harbor at Mackinac Island, Mich., with a view of extending the east breakwater a distance of 400 feet."

Mr. SPARKMAN. Mr. Chairman, where is that to come in?

The CHAIRMAN. As a new paragraph, right after the amendment which has just been adopted, which follows line 2, on page 40. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Amendment following the amendment just adopted:

"The Les Cheneaux Channels, Mich., with a view of deepening and widening the same on the northeast side of La Salle Island from a point opposite Reibers Point to Cedarville, thence south on the southwest side of La Salle Island to Rocky Reef; also the channel on the northeasterly side of Marquette Island between said island and the mainland; also the channel leading into Hessel between Grover and Wheeler Island and Haven Island."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. SPARKMAN. We have no objection to that, Mr. Chairman. In fact, we had in mind to offer that as a committee amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to discuss the amendment.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. MOORE of Pennsylvania. Mr. Chairman, I am heartily in favor of the amendment, and I desire to see it go into the bill. I think it is a proper thing to consider at this time, particularly in view of the freight congestion on the Great Lakes, and in my time I desire to have read by the Clerk as much of this article as he can read—an article from one of the newspapers this morning, bearing upon the question of freight congestion on the Great Lakes.

The Clerk read as follows:

[From the Philadelphia North American.]

HUNDRED MILLION TONS LAKE FREIGHT WAITING—CONGESTION WITHOUT A PARALLEL IN INLAND-WATER HISTORY—NAVIGATION BACKWARD.

CLEVELAND, OHIO, *April 10.*

Congestion of freight waiting to be moved on the Great Lakes has brought about a situation unparalleled in inland-water history, according to a statement issued to-day by the Lake Carriers' Association head-

quarters here. The volume of grain and iron ore freight under contract, says the statement, has now reached 100,000,000 tons.

The congestion has been caused partly because of a great increase in the demand and partly because of the backwardness in the opening of the navigation season. It will probably be May 1 before navigation is under way.

Ships that have been idle for years are being hurriedly made ready to enter trade again.

Employment will be given thousands of seamen who have been out of the service for years, and wages will be higher, it was announced.

Mr. MOORE of Pennsylvania. I want to show that there is a congestion of freight traffic on the Great Lakes, and that great business is anticipated. At the same time I wish to have the Clerk read this article, showing that there is also a congestion on the railroads of the country, and that some of them may not be able to carry the tremendous lake tonnage that is now organizing.

The Clerk read as follows:

[From the Public Ledger, Philadelphia, Pa.]

FREIGHT TIE-UP ALARMS ROADS—PRESIDENTS OF TRUNK LINES MEET TO DISCUSS EMERGENCY MEASURES—GENERAL EMBARGO MAY HAVE TO BE DECLARED—P. R. R. REPORTS 13,151 LOADED CARS STALLED ON VARIOUS SIDINGS

NEW YORK, *November 30.*

The presidents and vice presidents of railroads having freight terminals on the Atlantic seaboard met to-day in the executive offices of the Pennsylvania Railroad to consider what might be done by united action to relieve the present freight congestion in eastern ports. From the fact of this meeting and the results announced it was learned, first, that all of the Atlantic ports are threatened with more serious congestion than now exists, and, second, that a general embargo may be declared by all of the affected railroads upon certain commodities of export trade.

The railroads will do everything possible to avoid such an embargo, it was said after the conference of executives, but that it may be inevitable was admitted by C. C. McCain, chairman of the Trunk Line Association, of which each of the railroads represented in the meeting is a member. The means for deciding upon the definite steps to be taken by the railroads was provided at the conference in the appointment of a committee to meet daily to act upon the situation as immediate needs require.

Those present at the conference were: A. H. Smith, president of the New York Central; F. D. Underwood, president of the Erie; E. B. Thomas, president of the Lehigh Valley; William H. Truesdale, president of the Delaware, Lackawanna & Western; W. W. Atterbury, vice president of the Pennsylvania; William G. Besler, president of the Central Railroad of New Jersey; Daniel Willard, president of the Baltimore & Ohio; James H. Hustis, president of the Boston & Maine; and Carl R. Gray, president of the Western Maryland.

Each of the presidents will designate some operating official to serve on the committee, which will meet in the offices of the Trunk Line Association here. Similar committees will consider the situation in other ports.

Mr. MOORE of Pennsylvania. Now, it is evident, Mr. Chairman, that the railroads are in great distress as to whether they can carry the freight that is originating in various parts of the country. Enough has been shown in these two articles to demonstrate the wisdom of improving the waterways of this country in order to have reasonable facilities to carry the great freight that is now being created.

Mr. MADDEN. Does the gentleman from Pennsylvania certify to the correctness of those articles?

Mr. MOORE of Pennsylvania. I am going to ask for an extension of time, if the gentleman will not object to it, and then I may be able to inform him.

Mr. MADDEN. Well, I would like to be informed.

Mr. MOORE of Pennsylvania. Now, I send to the Clerk another article, showing the dangers of navigation around Cape Hatteras.

The Clerk read as follows:

BRAZILIAN STEAMER IN DANGER OFF CAPES—"GUAJARA" IN TOW OF UNITED FRUIT VESSEL, BUT MAY HAVE TO BE ABANDONED.

NORFOLK, VA., *April 9.*

In a water-logged condition and momentarily in danger of foundering, the Brazilian steamship *Guajara*, said to have passengers aboard, is foundering in rough seas off Hatteras in tow of the United Fruiter *Sixaola*. The fruiter is trying to make Hampton Roads with the disabled steamship and has asked for assistance. Tugs have been rushed south, but will be unable to reach the scene for hours.

The *Sixaola* reports the position of her tow 302 miles south of Scotland Light. This would place the two steamships somewhere off Cape Hatteras. The last message from the *Sixaola* at noon to-day reported the *Guajara* had 12 feet of water in her hold. She had removed all passengers and reported that there would be no loss of life, as the crew of the *Guajara* will be taken off when danger becomes imminent. The wireless has been unable to raise the *Sixaola* since noon.

The fruiter was within 10 miles of the distressed steamship when she heard and answered the distress calls sounded on the siren. The *Guajara's* wireless was out of commission, and she was being kept afloat by constant use of the pumps.

Mr. MOORE of Pennsylvania. That, Mr. Chairman, shows the harrowing conditions that at times prevail outside of Cape Hatteras. In the last few days we have had a very serious storm along the Atlantic seaboard, I advise my friend from Illinois [Mr. MADDEN], since it may not yet have penetrated into the interior country which he represents.

Mr. MADDEN. If the gentleman from Pennsylvania ever gets his inland-waterway project so constructed that it will carry off the fog from the sea, I will not object. [Laughter.]

Mr. MOORE of Pennsylvania. Some day when the gentleman or some member of his family on a voyage up or down the coast passing Hatteras escapes shipwreck by reason of the inland waterway he may have reason to thank God that some one in this House had the foresight to propose one of the most beneficial projects ever pending before the American Congress. It appears that this ship, crippled and water-logged, was rescued by a Government vessel off Cape Hatteras—the point that we are trying to avoid by an inland waterway which the gentleman opposes and which he will not understand. I want to see life and commerce go through this inland waterway safely and without danger.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection?

Mr. MADDEN. I shall be constrained to object.

Mr. MOORE of Pennsylvania. Mr. Chairman, if the gentleman objects, I shall avail myself of the privilege of speaking later.

Mr. FOSTER. Mr. Chairman, if this would be the last I would be in favor of giving the gentleman five minutes more now. [Laughter.]

Mr. MOORE of Pennsylvania. I appreciate the heartlessness of gentlemen from the interior. I ask unanimous consent to proceed for five minutes, Mr. Chairman.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. MADDEN. I object.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. SCOTT].

The amendment was agreed to.

Mr. SCOTT of Michigan. Mr. Chairman, I do not wish to take up the time of the House, but I desire to secure unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4856. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 171. Joint resolution to continue in effect the provisions of the act of March 9, 1906.

RIVERS AND HARBORS.

The committee resumed its session.

The Clerk read as follows:

Red Lake, Minn., and Red River from its outlet at Red Lake to its junction with the Red River of the North at Grand Forks, N. Dak., with a view to devising plans for regulating works whereby the level of said lake and the flow of said stream may be controlled in the interest of navigation and report to what extent the owners of land reclaimed thereby should contribute toward the improvement.

Mr. BLACK and Mr. BURGESS rose.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. BURGESS], a member of the committee.

Mr. BURGESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BURGESS: Page 40, amend, by striking out all of paragraph in lines 3 to 9, inclusive, and inserting in lieu thereof the following:

"Red Lake, Minn., and Red River from its outlet at Red Lake to its junction with the Red River of the North at Grand Forks, N. Dak., with a view to devising plans for regulating works whereby the level of said lake and the flow of said stream may be controlled in the interest of navigation, and in making such examination and survey any proposition by local interests for participation in the expense of said project shall be taken into consideration."

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to discuss this amendment. I think it is entirely proper. It may be that storms will arise upon this body of water sometimes and it may be that some members of the family of some Member of Congress who is opposing the improvement of inside waterways may be in distress on this lake in a vessel out of sight of land. This frequently happens on the Atlantic seaboard.

Mr. MADDEN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I do not yield. I desire to say in this connection, however, that the gentleman from Illinois [Mr. MADDEN], who has sought to interrupt me, has been more than persistent in his opposition to the improvement of our inside coastal waterways and seems to have an almost ghoulish delight in seeing human beings carried to the bottom.

Mr. MADDEN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I say that because the gentleman is not willing that a little money shall get away from his post-office building in Chicago for the improvement of waterways along the Atlantic coast line——

Mr. MADDEN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. MADDEN. I should like to know whether the gentleman is now talking in his capacity as a Representative from the State of Pennsylvania or in his capacity as president of the Atlantic Deeper Waterways Associations, or in his capacity as the editor of the magazine that advocates this inland waterway?

Mr. MOORE of Pennsylvania. The gentleman is just as jocular, now that lives are going to the bottom of the sea, as he is on other occasions. The gentleman seems to think that he makes a strong point when he reflects upon those who are endeavoring to improve the channels of the waterways of our country. What does the gentleman say about the free rural delivery magazine in which his handsome face often appears——

Mr. MADDEN. Never.

Mr. MOORE of Pennsylvania. He is the champion of the rural carriers of the country, who have taken away upward of $45,000,000, which no gentleman from the country dare speak about, due largely to the gentleman's influence in the Committee on the Post Office and Post Roads.

Mr. MADDEN. Will the gentleman yield again?

Mr. MOORE of Pennsylvania. No; I do not yield to the gentleman. He has plenty of time in which to answer. He refused to give me five minutes a little while ago, when I was discussing the advisability of the Government doing something to save life and save property along the Atlantic seaboard.

Mr. MADDEN. I thought the gentleman needed a little time for reflection.

Mr. MOORE of Pennsylvania. The gentleman is still desiring to send people to Davy Jones's locker. He likes to see poor sailors go down to the bottom of the sea. He likes to see the passengers on helpless ships carried out where they can not be recovered even by the revenue cutters of the Government.

I send to the Clerk's desk a paragraph from another paper that may have some influence on the hide of the gentleman from Illinois. [Laughter.]

The Clerk read as follows:

BARGE CREWS IN PERIL—STORMY SEAS ENDANGER CRAFT ON JERSEY COAST.

NEW YORK, *April 8.*

High seas to-day endangered the crews of five barges off the New Jersey coast. The Southern Pacific liner *Momus*, bound south, sighted three barges drifting shoreward off Barnegat. The tug that had been towing them, the *Defiance*, of Baltimore, put into Sandy Hook Bay for assistance. The crews, three men from each barge, were taken on board the *Momus*.

Later the Old Dominion liner *Madison* encountered two barges in distress off Long Branch. The crew of one was taken aboard, and the Coast Guard cutter *Mohawk* was summoned to the other's assistance. The *Madison*, meanwhile, was standing by.

Mr. MOORE of Pennsylvania. Mr. Chairman, 17 men went out of my section some time ago in barges that might have gone through the inside passage to Boston, if the gentleman from Illinois and others had been generous enough to vote a little money to cut those channels open. Those 17 men lost their lives. Somebody is maintaining the families of those 17 sailors now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent to continue for five minutes.

Mr. MADDEN. I object.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. The gentleman from Pennsylvania undertakes to lead the country to believe that he is the only man in the House, in fact, the only man in the country, who is anxious to conserve life and property and to advance the commercial interests of the Nation. He has taken up more time of the House to say nothing, during the consideration of this bill, than any man whom I have known during all the years of my membership in the House. The expense to the American people of the time occupied by the gentleman from Pennsylvania on the floor of the House during the consideration of this bill would almost build the inland waterway of which he seems to be the earnest advocate. [Laughter.] He assumes to make us believe that the construction of this canal would advance the interests of the Navy in case of war. I understand that the depth of the canal is to be only 9 feet. Most of the battleships in the Navy draw anywhere from 25 to 30 feet, hence it will be seen how absurd his statement is.

Mr. SHERWOOD. Twenty-six feet.

Mr. MADDEN. The only thing that this canal could be useful for would be to carry the fog from the sea, and that would not be of much commercial advantage. Now, the gentleman seems to be very much perturbed because, forsooth, the rural letter carriers get consideration from the House to do them the justice to which they are entitled. He says that my picture has been printed in the Rural Delivery Magazine as the champion of the rural carriers' cause. I am proud of my interest in the cause of the rural carriers. Why does he oppose them? If he can find a copy of the Rural Delivery Magazine with my picture in it, I wish he would bring it here, and I will give him a thousand dollars for every copy he brings. There is an opportunity for him to make money. He says we lose $45,000,000 a year on the Rural Delivery Service, and complains about it. I think it is better to pay 45,000 men the money that is necessary to deliver intelligence to the people of America at a loss of $45,000,000 than it would be to spend $45,000,000, or any other sum, for the construction of a waterway that would be of no use after it was constructed.

I do not think that anybody in the House takes the gentleman from Pennsylvania seriously except himself. He has no conception of fact, or ever attempts to state facts in connection with any discussion of a question. The membership of the House has learned to discount what he says before he gets halfway through. He made a statement the other day to the effect that when all the membership were in their seats an amendment was defeated, and was adopted only when the membership was in their offices. The truth of the matter is there were only 60 men in the House when the amendment was defeated and 140 in the House when adopted. In asking him the question whether 140 was more than 60, the gentleman was unable to calculate and did not reply.

All this flubdub and balderdash that the gentleman suggests for the consideration of the House has made it weary, and the time for consideration and proper discussion of questions is at hand.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to oppose the amendment.

The CHAIRMAN. The gentleman from Pennsylvania has been once recognized on this matter, and other gentlemen are claiming recognition.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in five minutes. Is there objection?

Mr. MOORE of Pennsylvania. I object.

Mr. SPARKMAN. Mr. Chairman, I move that all debate on the paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Florida moves that all debate on the paragraph and amendments thereto close in five minutes.

The motion was agreed to.

[Mr. SMITH of Minnesota addressed the committee. See Appendix.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The Clerk read as follows:

Harbor of refuge at Evanston, Ill.

Mr. MOORE of Pennsylvania. Mr. Chairman——

Mr. BURGESS. Mr. Chairman, I offer the following amendment to come in after the next paragraph.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. I rose in time, and was going to move to strike out the word "Illinois."

The CHAIRMAN. The Chair understands. The Chair properly gave recognition to the gentleman from Texas, a member of the committee; and it was not until the amendment was offered that the Chair was aware of the point to which the amendment was offered. If the gentleman from Pennsylvania desires recognition, he will be now recognized. The Chair has been more than considerate of the gentleman.

Mr. MOORE of Pennsylvania. Mr. Chairman, I have no prejudice against the State of Illinois, and have no desire to

strike out this State or any other State. It is a great State and is well represented by able gentlemen in this House.

Mr. MADDEN. The gentleman does not have to state that; we know it.

Mr. MOORE of Pennsylvania. The gentleman admits it; he is fond of admitting that which it is not necessary to prove. I am sorry the gentleman is about to leave the Chamber, although I do not expect to say very much about him.

Mr. MADDEN. I am here and shall remain here.

[At this point Mr. MOORE of Pennsylvania replied to Mr. MADDEN. His remarks were ordered stricken from the RECORD.]

Mr. MADDEN. Mr. Chairman, I ask that the words be taken down.

Mr. MOORE of Pennsylvania. I withdraw them.

Mr. MADDEN. I ask that the words be taken down.

The CHAIRMAN. The Clerk will report the words taken down.

The Clerk read the words.

Mr. MADDEN. Mr. Chairman, I object to the language that the gentleman uses, and I move that it be stricken from the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] will take his seat until the matter is disposed of.

Mr. MANN. Mr. Chairman, I suppose the Chair would be glad to be advised as to the proper procedure in the matter?

The CHAIRMAN. The Chair would be glad to hear the gentleman from Illinois.

Mr. MANN. If the Chair will look at page 327 of the Manual, at least that is the page of the copy which I hold in my hand, under paragraph 745, which relates to words being taken down, he will find a footnote, the third paragraph of it, to the effect that while the disorderly words are spoken in Committee of the Whole they are taken down as in the House and read at the Clerk's desk, whereupon the committee rises and reports them to the House.

The CHAIRMAN. The gentleman is quite right, and under the rule announced the committee will rise.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SHERLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12193, the river and harbor appropriation bill; that during the debate a question arose as to language used by the gentleman from Pennsylvania [Mr. MOORE] and a demand was made by the gentleman from Illinois [Mr. MADDEN] that the same be taken down; whereupon the words were taken down and read from the desk; and that he accordingly reported the fact to the House.

Mr. MADDEN. Mr. Speaker, I move that the language of the gentleman from Pennsylvania be stricken from the RECORD.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the language of the gentleman from Pennsylvania be stricken from the RECORD.

Mr. MOORE of Pennsylvania rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. MOORE of Pennsylvania. Simply to say that I am heartily in favor of the motion, and that the words were spoken facetiously.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the words be stricken from the RECORD.

The question was taken, and the motion was agreed to.

So the words were ordered to be stricken from the RECORD.

Mr. STEENERSON. Mr. Speaker, the words have not been reported, have they?

The SPEAKER. They were reported from the desk in the Committee of the Whole.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. The motion having been put, was it subject to debate?

The SPEAKER. Of course, it was subject to debate; but it is too late to debate it now.

Mr. MOORE of Pennsylvania. That is true; but I rose to make what I thought was a proper statement, and I observed that the Speaker immediately dropped his gavel.

The SPEAKER. As the Chair understood it, the gentleman from Pennsylvania said that he was heartily in favor of the motion.

Mr. MOORE of Pennsylvania. I am not sure that that was taken down, and I desire it to be known that I had no purpose—and I think I am entitled to say it now, if the Speaker will permit—to reflect in any manner whatever upon the gentleman from Illinois [Mr. MADDEN], who may have taken it in that way. He opened the discussion and led me to say what I did say in the same facetious manner in which he spoke. I want it understood that I had no desire to reflect upon the gentleman, and I thought I ought to have the chance to say that before the motion was put. [Applause.]

The SPEAKER. The Chair was merely trying to expedite business. The explanation is just as good after the motion as before. The committee will resume its sitting.

The committee resumed its sitting.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] is recognized for three minutes remaining.

Mr. MOORE of Pennsylvania. Mr. Chairman, I send to the Clerk's desk an extract from one of yesterday's papers which I desire to have read in my time.

The Clerk read as follows:

SEASICKNESS ON "MAYFLOWER"—SEVERE STORM CUTS SHORT WEEK-END TRIP OF PRESIDENTIAL PARTY.

President Wilson returned here late yesterday on the *Mayflower*, cutting short a week-end trip down the Potomac because of a snowstorm. The *Mayflower* docked at the navy yard here shortly after 4 o'clock.

The President's party had a very rough trip. A severe storm was encountered shortly after 2 o'clock yesterday morning in the Chesapeake, and the *Mayflower* soon began to rock. Several members of the party became seasick.

Mr. MOORE of Pennsylvania. Mr. Chairman, the reports in this morning's paper indicate that the President is better, and I am very glad that he is. I wanted this read for the benefit of the gentleman from Texas [Mr. CALLAWAY], who brought seasickness into this discussion a day or two ago. The gentleman may not clearly understand this inland waterway situation, but the President was sailing on an inland waterway, a part of this intracoastal chain about which so much has been said. There is so much water in parts of this intracoastal chain that it is possible even for the President of the United States to be a little perturbed on its surface, if a storm breaks loose. I want to say that there is much more at the bottom of this project than some gentlemen are willing to believe, and some day we hope to impress Congress with the truth of that fact.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last two words. The trouble with my friend from Pennsylvania [Mr. MOORE] is about the same as that with his inland-waterways proposition. He lacks terminal facilities, and if some one will provide in this bill something that will enable him to reach some definite point and stop debate, I think it will be unanimously approved by all those present. [Applause and laughter.]

The Clerk read as follows:

Missouri River from the city of Florence, Nebr., to the northern limits of Decatur, Nebr.

Mr. BURGESS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 40, after line 12, insert: "San Joaquin River and Stockton Channel, Cal."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The Clerk read as follows:

Black John Slough, Cal.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word, being the word "California." The gentleman from Iowa [Mr. GREEN] seems to have some trouble with the question of terminal facilities, and indulges in the same line of thought that the gentleman from Illinois [Mr. MADDEN] did a little while ago. He thinks I occupy a great deal of time on the floor of this House. I do not yield up my right to occupy time on the floor of the House whenever I think it necessary as a Representative of the people in my district and throughout the country. If I have something to say with respect to a great project like that of the Atlantic intracoastal waterway, I propose to say it, no matter how many votes there may be in the Middle West or other sections of the country against it. It is one of the things I came here to advocate, and I intend to stand by my guns. I do not propose that the gentleman from Iowa [Mr. GREEN], or the gentleman from Illinois [Mr. MADDEN] shall stop me when I am undertaking to properly represent the people who send me here.

Mr. HEFLIN. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. HEFLIN. I want to say to my friend from Pennsylvania that although he does speak frequently he always speaks well, and he has something to say when he does speak. [Applause.]

Mr. MOORE of Pennsylvania. I thank the gentleman from Alabama for that statement and I thank the House for its applause. I have never unduly wasted the time of this House, and whenever I have had a project I have come out into the open with it. I have not come into the House under cover with any project I may have deemed worthy.

I noticed yesterday that when the gentleman from Iowa [Mr. GREEN], who now follows the lead of the gentleman from Illinois in criticizing me about consuming time, had discovered that we were approaching a subject affecting appropriations for the State of Iowa he wanted my "terminal facilities" established immediately. He did not desire me to go into various districts of the State of Iowa to show how much the individual Members were asking for appropriations for public buildings.

I note also that the gentleman from Illinois [Mr. MADDEN] objects sometimes to our speaking with respect to matters that concern us, because it grates on his ears. I have not observed that the gentleman from Illinois has ever hesitated to take up the time of this House whenever he wanted to do so; yet there have been times when the gentleman from Illinois, who objected so much to my facetious references in debate a little while ago, and which I immediately withdrew when he objected, wants to say something he does not even wait to pay his respects to the Chair. He "butts in," and in an overbearing, domineering manner obtains the attention of the House and goes on with what he has to say. And I notice he never fails to say what he pleases about Chicago and the great State of Illinois. He has that right. I have the same right in respect to a State greater than Illinois, both in population and in wealth, and which has an interest in every kind of legislation that comes up. Gentlemen who occupy much time in behalf of their own States have no right to find fault with me for doing what I can for mine in this House. I am at least on the job to the extent of my ability. [Applause.]

Mr. GOOD. Is there anything about the State of Pennsylvania or the great city of Philadelphia that remains unsaid that the gentleman would like to say now?

Mr. MOORE of Pennsylvania. Yes; there is a great deal that remains to be said about that city. It has never received too much attention in the House. I have often told the gentleman, and I repeat it now, that if it had not been for the city of Philadelphia there would have been no State of Iowa.

The Clerk read as follows:

Siuslaw River, Oreg., from Acme to the entrance.

Mr. BURGESS. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 40, line 19, before the word "channel," insert "harbor at and."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Hoquarton Slough, Oreg., from Tillamook City to head of navigation on Tillamook Bay, to provide for a straight channel.

[Mr. SMITH of Minnesota addressed the committee. See Appendix.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Everett Harbor, Wash.

Mr. BURGESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 41, after line 3, insert:
"Lake River, Wash."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. That there shall be printed 1,500 copies of the index to the annual reports of the Chief of Engineers, United States Army, from 1866 to 1917, inclusive, to include the reprinting of House Document No. 740, Sixty-third Congress, second session, covering the period from 1866 to 1912, inclusive, authorized by section 6 of the river and harbor act approved July 25, 1912, the additional information covering the period from 1912 to 1917, inclusive, to be furnished by the Secretary of War.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN. This provides for printing 1,500 copies of an index. Who would get the copies?

Mr. SPARKMAN. I suppose they would take the usual course and go to the document room.

Mr. MANN. It does not provide for printing it as a House document. If it did it ought to come through the Committee on Printing. Out of what fund would the printing be paid for?

Mr. SPARKMAN. That I can not state myself. We have been passing similar provisions for some time past and I suppose it would be paid for in the usual way.

Mr. MANN. The gentleman remembers that in the river and harbor act of 1912 or 1913 there is a provision authorizing the printing to be paid out of the river and harbor appropriations. I take it that the department does not consider that they could print this index under that provision; otherwise, they would not be asking for this. Now, there is a printing allotment for the War Department and a printing allotment for Congress. If this is printed as a congressional document, of course it would be printed out of the congressional allotment. I suppose that the War Department wants this, not the Members of Congress.

Mr. SPARKMAN. I have a letter here or memorandum, I will say to the gentleman, from Col. Taylor, which explains the reason for the provision. He sent this amendment to the committee, and it was inserted at his request. I would like to have the memorandum read for the information of the House.

The CHAIRMAN. Without objection, the letter will be read.

The Clerk read as follows:

In view of the vast amount of work involved in revising the old index and collating the material for bringing it down to 1912, the date authorized by law, it is found that the index in question will be nearly four years out of date at the time of its final completion. This delay could have been much reduced had there been trained employees available for the duty. With a part of the force now employed it would be possible to make much more rapid progress on work of this character, and it has been estimated that the index could be brought down to date and completed to include the annual report for the year ending June 30, 1917, within a very limited time after the issue of the 1917 report. That would give within a year an index up to date of the latest report published at a minimum of labor and expense. In order that this may be done at the least possible expense authority therefor should be given at this time in order that the present document may be retained in type, and thus avoid resetting of the material involved, which constitutes a very large item of the expense of the publication.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington moves to strike out the last word.

Mr. HUMPHREY of Washington. Mr. Chairman, we have now finished the reading of this bill, and I am one Member that does not believe that this bill ought to be defeated. If we do that, there are a great many Government works that are going to be seriously damaged.

On the other hand, I realize the conditions of the country to-day. The gentlemen on this side of the aisle and gentlemen on the other side may not agree as to the reasons, but we all do agree to this one proposition, that we are facing an empty Treasury; that we have to do something to raise money to meet expenses of government. We do not agree, of course, as to the cause.

Now, in view of the facts, and speaking as one Member who has a great many projects in this bill in my own section of country on the Pacific coast, I do believe that we could well afford to do as we have done in the last two bills that have passed, and reduce the appropriations in this bill to an amount sufficient to prevent injury to existing projects. In view of the demand that is made in different parts of the country for preparedness, it does seem to me that there is not the necessity for continuing a good many of these projects that would justify us in making so great an appropriation at this time. As one member of the Committee on Rivers and Harbors I am going to favor a motion to recommit, reducing the amount to $20,000,000, which will be sufficient to care for all existing projects and prevent damage until we can have another river and harbor bill.

In that motion to recommit I want to call the attention of the committee to one or two provisions that have not heretofore been in either one of the bills we have passed. Here is one new provision:

For preservation and maintenance of existing river and harbor works and for the preservation of such projects heretofore authorized as may be most desirable, in the judgment of the Chief of Engineers,

in the interest of preparedness for national defense and in the interest of commerce and navigation.

Now, the words "in the interest of preparedness for national defense" are inserted for the first time.

Then I call attention to this provision also:

That the allotment from the amount herein appropriated shall be made by the Secretary of War upon the recommendation of the Chief of Engineers: *Provided further*, That the Chief of Engineers shall use his judgment as to which project he will recommend to be improved, and to what extent.

Now, heretofore there have been considerable criticisms in making these lump-sum appropriations that the Chief of Engineers distributed it pro rata, so that if there was a bad project it got its proportion the same as if it were a good project. In this motion to recommit we insert the language, "In the judgment of the Chief of Engineers as to which particular project shall be improved."

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield. Is the time limited?

Mr. HUMPHREY of Washington. Yes; but I may ask for five minutes more.

Mr. McLAUGHLIN. In one of these provisions, giving a lump sum to be used in the discretion of the Chief of Engineers, it was provided that all unusued appropriations could be used by them, with the idea that the engineers could use the unused portion upon the project for which the appropriation was definitely made; but they did not do that. They took all unused appropriations and diverted them and used them where they pleased, which would seem to me an improper course. Would this give them such authority?

Mr. HUMPHREY of Washington. No. That was in the last bill. The gentleman is right. But there is no such authority given in this bill.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HUMPHREY of Washington. I ask unanimous consent, Mr. Chairman, to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SHERWOOD. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. SHERWOOD. Is this to leave it to the Board of Engineers or to the Chief of Engineers?

Mr. HUMPHREY of Washington. It is really left to the Secretary of War, upon the recommendation of the Chief of Engineers; but that means the recommendation of the board, the Chief of Engineers acting finally. It places it with the Secretary of War, and the purpose of this motion to recommit is hereafter to let these expenditures be made in accordance with the recommendation of the Chief of Engineers, and then he is required at the next session of Congress to make a report and give his reasons why he recommended that certain of these projects be improved.

Mr. SPARKMAN. Mr. Chairman, there was so much confusion back there that I did not just catch the gentleman's amendment or motion to recommit.

Mr. HUMPHREY of Washington. If I may have the attention of the House I will read the part wherein it differs. First I will read:

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable, in the judgment of the Chief of Engineers, in the interest of preparedness for national defense and in the interest of commerce and navigation, and most economical and advantageous in the execution of the work: *Provided*, That allotments from the amount hereby appropriated shall be made by the Secretary of War upon the recommendation of the Chief of Engineers: *Provided, further*, That the Chief of Engineers shall use his judgment as to which projects he will recommend to be improved and to what extent.

That is the new part of it.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. HUMPHREYS of Mississippi. Under the language of the gentleman's motion the Mississippi River would get nothing whatever. Is that the gentleman's intention?

Mr. HUMPHREY of Washington. Oh, no; the Mississippi River is provided for. I did not read that part of it, but it is covered further down in the motion. I am reading the exception, the new part that we put in. It follows the language of the last bill, with the exception that I have read. The Mississippi River is taken care of.

Mr. HUMPHREYS of Mississippi. What the gentleman has just read omits all reference to the Mississippi River, and I wondered if he intended to leave that out.

Mr. HUMPHREY of Washington. Not at all.

Mr. SPARKMAN. Does the gentleman propose to reduce the total of the bill to $20,000,000?

Mr. HUMPHREY of Washington. Twenty million dollars.

Mr. HULBERT. Under the form of the motion as the gentleman has just read it, it would not make any recommendation whatever for the East River, because that is not a project heretofore provided for, is it?

Mr. HUMPHREY of Washington. It would make provision for the East River if the engineers thought it worthy of improvement.

Mr. HULBERT. Does not that motion provide that the engineer in his discretion may only apply this money to those projects which have heretofore been provided for?

Mr. HUMPHREY of Washington. Yes; it does.

Mr. HULBERT. Does not that exclude the East River, which it is claimed is a new project, now adopted for the first time?

Mr. HUMPHREY of Washington. It certainly would exclude it.

Mr. HULBERT. So that the effect of that motion, if adopted, would be to exclude the provision which the President wrote to Congress and asked to have included in the bill.

Mr. HUMPHREY of Washington. I refuse to yield further.

Mr. CULLOP. I would like to ask the gentleman from Washington a question.

Mr. HUMPHREY of Washington. I yield to the gentleman from Indiana.

Mr. CULLOP. Will the motion to recommit, which the gentleman has read, contain the provision of the gentleman from Iowa with reference to the letting of contracts to private contractors?

Mr. HUMPHREY of Washington. No; I understand the gentleman is going to offer that as an amendment to the bill.

Mr. CULLOP. But if the motion of the gentleman from Washington is adopted, it will strike out the bill, and therefore strike out that provision.

Mr. MANN. No; the motion to recommit covers only the first section.

Mr. HUMPHREY of Washington. It would not strike that out, because the motion to recommit only applies to striking out the first section, and would leave in the bill the language to which the gentleman refers.

Mr. CULLOP. I did not understand that it related only to the first section.

Mr. HUMPHREY of Washington. The balance of the bill would not be affected. Now, I simply want to say this, that I think under existing circumstances Congress can not afford at this time to appropriate more than is necessary to prevent loss to these river and harbor projects; and as one man who has always been in favor of river and harbor projects, who believes in them now, and as representing the Pacific coast, I am going to vote at this time for this motion to recommit. We have followed this course in the last two river and harbor bills, and I do not believe we can go before the country and justify an expenditure for continuing a good many of these projects, and I sincerely hope that the Republicans, at least, will let the responsibility rest upon the other side of the aisle, if they are going at this particular time, in the condition of the National Treasury, to vote $40,000,000 when $20,000,000 will prevent any damage to existing projects.

Mr. STEENERSON. What becomes of the surveys?

Mr. HUMPHREY of Washington. They are in the bill.

Mr. STEENERSON. This does not cut them out?

Mr. HUMPHREY of Washington. No.

Mr. SPARKMAN. Mr. Chairman, I have listened with surprise to the remarks of the gentleman from Washington. After the long service of the gentleman on the Committee on Rivers and Harbors, his distinguished career in this House, the opportunity thus afforded him for observing all the details of this class of legislation and of learning not only the importance of this great work to the country, but the necessity for even more than we are appropriating in this measure, I did not expect to see him supporting a motion to cut the aggregate of the bill in half or to any other sum below that fixed by the committee after nearly three months of the most painstaking care and deliberation, because the gentleman ought to know, as I can assure this House, that the estimates were cut as low by the committee as was practicable to carry on the work as it ought to be done. Not only that, but I am surprised he should favor a lump sum to be allotted by the War Department, thus taking from this House the right of selecting the projects to be improved and to turn that legislative function over to the engineers.

We accepted the provisions of the bills of 1914 and 1915, not from choice, but because we were compelled to do so or have

no bill. As a matter of fact, a majority of this House at that time was opposed to any such legislation, and only voted for the Senate provision because of the absolute necessity for prosecuting the work of river and harbor improvement, even though the sum was not sufficient to carry on the work as it should have been done. In my judgment, a majority of the House is now opposed to such legislation, and very properly so. If the Members here are not competent to select the projects to be improved and to fix the amount to be appropriated to be expended upon each during the next fiscal year, they had better resign and go home and let others be sent here to take their places.

Now, Mr. Chairman, I am not at all frightened by the condition of the United States Treasury, because it is only temporary and not indicative of our financial strength. This country, the richest, the most powerful, the greatest in the world, is certainly able not only to provide for any reasonable increase in the strength of the Army and Navy demanded by the necessity for national preparedness, but to furnish at the same time the necessary money to carry on this great work of river and harbor development, together with such other works of internal improvement as may be needed.

More than 40 years ago France, after having gone through a disastrous war, which cost her a large portion of her territory and enormous sums of money, including a war indemnity of $1,000,000,000, entered upon one of the greatest systems of waterway development she had ever undertaken, a system of improvements that has cost her almost one-half of what this country has expended on rivers and harbors during its entire history. If, then, France in the hour of her adversity and in the face of those great expenditures, could find the money to undertake and carry on works of improvement of such magnitude, how much more easily can this great country, with its wonderful resources, with more than twice the population, with more than fourteen times the continental area, and more than three times the national wealth of France, find money enough to carry on these great works of internal improvement and, at the same time, make every reasonable preparation for the defense of the country. [Applause.] It is idle to assume that we can not.

Why, Mr. Chairman, the wealth of this country exceeds that of Great Britain and Ireland, France, and Russia by more than $12,000,000,000, while the great resources of the American national banks exceed by $3,000,000,000 the aggregate resources of the banks of England, France, and Russia, the Reichsbank of Germany, the Bank of the Netherlands, the Swiss National Bank, and the Bank of Japan. This bill carries a little less than $40,000,000, about one twenty-fifth of what would be the normal Government expenditure for the coming fiscal year; but, of course, this amount will perhaps be increased quite largely by reason of the proposed enlargement of the Army and the Navy. Supposing $150,000,000 are thus added, then the amount for rivers and harbors for the same period will be about one-thirtieth of the whole outlay for all governmental purposes. This, however, is a small sum as compared even with the aggregate cost of the Army and Navy, pensions, and fortifications, and is an infinitesimally small amount when compared with the enormous wealth and wonderful resources of our country. Assuredly, out of the abundance of this great wealth we can find the comparatively small sum necessary to keep our river and harbor work going on until it is all completed. The growing commerce of the country requires it and the people demand it.

He makes an egregious mistake who thinks the people are not behind the agitation for the continued improvement of our rivers and harbors. The action of this House whenever one of these bills has come before it demonstrates that fact, and the Members who vote for it by such overwhelming majorities are, in doing so, but voicing the sentiments of their constituents.

And why do the people want these improvements? Not simply for the purpose of having money expended in their respective communities. They can only be benefited by the use of the improved waterways for the purposes of commerce and navigation, and the very fact that they ask for these improvements shows that they believe they would derive a benefit therefrom commensurate with the outlay. The critics, however, of this class of work say the people are deceived, or do not know what they want. But, being on the ground and familiar with the resources and the necessities of the locality, are they not more likely to be right than one coming from some section of the country remote from that where the improvement is demanded, as is the case with most of those who condemn river and harbor legislation? In fact, most of them either reside in localities where no navigable waterways exist or where that class of work has been practically completed. But in either case they are usually unacquainted with the localities and the necessities of the people in which the work they criticize is to be carried on.

If those who condemn legislation of this kind so unsparingly would visit the sections of our country where this work is required and witness the development going on in those regions they would change their views quite radically, or at least would become more tolerant of the efforts of those who believe in and are urging that class of improvement.

Mr. Chairman, I regret exceedingly the efforts being made either to kill this bill outright or to make it of as little use as possible by reducing the amount carried to a point that would make it of little value.

There is no justification for these efforts no matter what the motive behind them. This bill can not be wholly without merit, even assuming, which I do not admit, that some of it is bad. Aside from one or two who are seemingly opposed to all river improvement, and the wild and loose language used by a few others, only a few items have actually been subjected to criticism, and these the House has had the opportunity of eliminating, but without doing so. Each motion to that end has been voted down overwhelmingly and the committee's action sustained.

The trouble is that few Members have the time, or, at least, do not take the time to go over and study the reports upon projects for which appropriations are made so as to be able to judge each for himself as to the merits or demerits of a given proposition. Members are too prone to give heed to the loose language of some one who, though no doubt honest in his views, has also gained his information secondhand, or has merely made a superficial study of the items he would criticize. One Member, for instance, states that some river, without mentioning it, requires to be dredged 8 or 10 feet before water is reached. Another, that millions are wasted on shallow creeks with scarcely any commerce to show for these vast expenditures. Now, neither of these statements is correct. Nor do they even approximate correctness. There can be no such items found in any of the projects now on the books or in this bill, and the streams called "creeks," for which appropriations are made, are the most useful from the standpoint of tonnage and the value of the commerce accommodated by them, while the cost is relatively insignificant. There are, for instance, 16 so-called creeks appropriated for in this bill, costing to date $1,023,044, with appropriations in the pending measure aggregating $375,785, but accommodating a commerce of 5,189,912 tons, valued at $183,034,500. The total number of creeks treated to date by the Federal Government are 34 in all, costing only $2,141,820, but which accommodate a freight tonnage of 6,430,969, valued at $196,531,247.

Now, the consideration of these figures, if you can induce a critic to consider them, would dispel the illusion under which some gentlemen here and elsewhere are laboring. Certainly, a system of waterways, whether called creeks or sloughs, costing so little to improve, but of such great value to the commerce of the country, should not be used as illustrations to condemn a measure like this. But such is the case, nevertheless, and the future perhaps will show no improvement in that regard.

Mr. Chairman, it is a little early to discuss the proposed motion to recommit, but I do hope that when the House comes to act upon it the motion will be voted down, for if it should not be defeated we need not bring another river and harbor bill before this House. Two emasculated lump-sum bills have recently come back to us from the Senate, and the House has reluctantly accepted them, because a majority of the Members did not want to see the work on our rivers and harbors stop, but I think the limit of patience on the part of the people has about been reached. And if this amendment is adopted, I fear that the only thing Members here would feel encouraged to do hereafter would be to let some committee—that of the Appropriations, for instance—bring in a bill with a lump sum of a few millions for the engineers to allot as they may see fit. This might suit a few of the Members here, but not many, I hope and believe; at least I for one am opposed to such methods—not that I fear the engineers, but such a system would be un-American and partially at least an abandonment of our legislative functions.

Now, Mr. Chairman, to reduce the amount carried in the bill would result in great loss to the Government—a loss the magnitude of which would increase almost geometrically with the extent of the reduction. When the bill of 1914, with a lump sum of $20,000,000, was enacted early in October of that year, there was a large balance on hand, but even then a loss of nearly a million dollars resulted. Now, there is only a very small balance on hand at this time, and even this will perhaps be exhausted by the end of this fiscal year. If, therefore, a reduction should be

made, such as is suggested in the motion just read, the loss would be many times larger than that which resulted from the bill of 1914. Are gentlemen ready to assume any such responsibility? I trust not. [Applause.]

Mr. MANN. Mr. Chairman, I am not averse to river and harbor improvements or other internal improvements. The committee has brought in a bill covering a large number of individual items amounting to an appropriation in the neighborhood of $40,000,000. A motion to recommit will provide for striking out section 1, covering the individual items and proposing to appropriate $20,000,000 to be expended practically at the discretion of the Corps of Engineers. It seems to me that $20,000,000 at this time is a sufficient appropriation for us to make. Twenty million dollars is much more than the average appropriations which have been made, even in recent years, if we go back a few years. Twenty million dollars will take care of the active work that is going on so that the force will not become disorganized or disintegrated. Twenty million dollars will advance the river and harbor work. You can not finish all the river and harbor improvements to-morrow at best. If we appropriate the entire sum provided, and double it up, the work will not be completed when that sum has been expended. And just now, owing to conditions unnecessary to relate, we are a little short of revenue and have a great demand in addition to the ordinary expenditures. We might properly say that we do not endeavor to complete everything at once, but we will keep our force organized, we will keep the work going on, but we will not try to do it all in a year's time.

Twenty million dollars is no small sum. It is quite a bunch of money itself. I think we can afford to say to the country that we have taken fair care of the river and harbor improvements, we have provided $20,000,000, and in view of the condition of the Treasury we have not tried to spend all of our money which we will need for other purposes.

I hope that the substitute proposed in the motion to recommit may meet with approval on both sides of the House. We might as well do it now in the House as to do it when it comes back from the Senate, as we have done for two years in succession—abdicate and practically abandon our province of appropriation and yield to the Senate, because they were right.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MANN. Yes.

Mr. LONGWORTH. Does the gentleman recall the amount of the bill last year as it came from the Senate?

Mr. MANN. Twenty million dollars.

Mr. SPARKMAN. Twenty-five million dollars in cash, and the authority to the engineers to use $5,000,000 more.

Mr. MANN. It was $20,000,000 the year before that.

Mr. FESS. Will the gentleman yield?

Mr. MANN. Yes.

Mr. FESS. The gentleman has no doubt that the force will not be disorganized under this proposed appropriation?

Mr. MANN. The force will not be disorganized.

The CHAIRMAN. There were one or two paragraphs passed over by unanimous consent, and the Chair assumes that the committee would like to consider those now.

Mr. GOOD. Mr. Chairman, on line 17, page 12, I offered an amendment as a new paragraph, with the understanding that it was to be offered at some place in the bill that would be appropriate.

The CHAIRMAN. There is a provision in the bill passed over earlier than that that the gentleman refers to. His amendment will be considered when reached. Under the order of the committee the committee will return to page 7, line 9.

Mr. GOOD. Mr. Chairman, I had not concluded my parliamentary inquiry. I desire to offer this amendment at the close of the bill.

The CHAIRMAN. The gentleman will be given an opportunity to offer his amendment at the close of the bill. The gentleman from Florida [Mr. SPARKMAN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 7, after line 9, by inserting the following:

"That Alba B. Johnson and Samuel M. Vauclain and the Baldwin Locomotive Works, abutting property owners upon Crum River, where the same empties into the Delaware River, be, and they are hereby, authorized to change and divert the present course and channel of Crum River and to straighten same, under the direction and supervision of the Secretary of War, from the right of way of the Philadelphia & Reading Railway Co. to the low-water line in the Delaware River, and that the said river shall be of the width of not less than 100 feet at mean low water; and that hereafter the said Crum River, as so straightened, shall be a public navigable stream, and the present course and channel of the said river from the right of way of the Philadelphia & Reading Railway Co. to the low-water line in the Delaware River shall be abandoned and vacated when the above-mentioned new channel shall have been completed to a depth of 4 feet at mean low water, with a bottom width of 62 feet, and with a width of 100 feet at mean low-water level, and the Government shall have acquired such right, title, and interest in and to the bed of said new channel as will assure the public the right to the perpetual use of said channel for all the purposes of navigation and commerce."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Chair suggests that the next point for consideration in the bill is on page 12, at line 17.

Mr. HUMPHREYS of Mississippi rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I ask unanimous consent to address the committee for five minutes.

The CHAIRMAN. If the gentleman will permit us to finish the bill first, the Chair will entertain his request later.

Mr. HUMPHREYS of Mississippi. I thought the bill had been concluded.

The CHAIRMAN. Does the gentleman from Iowa desire now to offer his amendment?

Mr. GOOD. Mr. Chairman, there are two amendments pending, and I wish to offer another amendment, which is general in nature, which applies to all of the bill, at the end of the bill.

Mr. SWITZER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SWITZER. I would like to be recognized to speak in opposition to the proposed motion to recommit.

The CHAIRMAN. The motion to recommit is not before the committee.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman from Iowa [Mr. GOOD] be permitted to withdraw his two amendments pending and offer an amendment, which is of similar import, as a general amendment, as section 5 of the bill.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Iowa may withdraw his two amendments now pending and offer in lieu thereof a new section, section 5, of similar import. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, those amendments were passed, were they not? They are not pending.

Mr. MANN. They are pending. I am not speaking of the amendments which were passed.

Mr. MOORE of Pennsylvania. Very well.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 42, by inserting at the end of section 4 a new section, as follows:

"SEC. 5. That no part of the funds herein appropriated shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plants."

Mr. SPARKMAN. Mr. Chairman, since the gentleman from Iowa offered his amendment the other day, I have received a letter from the Chief of Engineers——

The CHAIRMAN. Does the gentleman from Iowa desire recognition at this time?

Mr. GOOD. Mr. Chairman, I am perfectly willing that the gentleman from Florida should proceed.

Mr. SPARKMAN. Mr. Chairman, I was going to suggest that I have a letter which I have received from the Chief of Engineers since the gentleman from Iowa offered his amendment the other day, and I ask unanimous consent that it now be read from the desk for the information of the House.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection.

The Clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, April 10, 1916.

Hon. S. M. SPARKMAN,
Chairman Committee on Rivers and Harbors,
House of Representatives.

SIR: 1. This is submitted in reply to your verbal request that I submit a statement of my views as to what will be the effect upon river and harbor works if an amendment should become a law, which has been proposed to the pending river and harbor bill, and which reads:

"That no part of the funds herein appropriated shall be used for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plant."

2. I beg to say that the question is a very complicated one and, with such consideration as I have been able to give to it, I am unable to advise you what the effect of the proposed provision would be, other than that it is certain to raise many questions which will be difficult to solve and to cause serious delay to the works.

3. The operation of Government plants for carrying on a portion of the river and harbor work has had a very beneficial effect in regulating contract prices; and, conversely, contractors working alongside of Government plants have had a beneficial effect upon the operation of these plants, in inducing a spirit of competition which it would be difficult to instill if Government plants alone were used. In many cases the

character of work is such that it can only be done advantageously by Government plant, and for those cases the practice of the Engineer Department has been always to provide sufficient plant. In general it may be said that the practice of the Engineer Department has been to provide as much Government plant for each district as was considered economical and as could be operated without so interfering with private contract work as to have a tendency to drive private contractors out of business.

4. The use of Government plant is economical only when the work is of exceptional character, which requires that a special plant be provided therefor of a kind that is not used by contractors generally, or where the work is of a nature which permits of the regular operation of the plant for a sufficient length of time to allow of the absorption of the first cost of the plant without unduly raising the unit price. An example of a special plant may be seen in snag boats. Snagging work, practically without exception, is done by Government plant. Work of this kind requires special plant, and it is difficult to estimate or specify with certainty what or how many snags must be removed. Experience demonstrates that the cost of a certain type of plant will be a given amount per month, and in that time, on the average, a certain amount of work will be done. From this can be deduced the average cost of snagging per mile of river under the conditions existing upon any particular stream, but conditions may so vary in different sections of the streams that the cost of clearing one mile may be many times that of clearing another mile, and under these circumstances it would be practically impossible for a contractor to eliminate enough doubts as to the work required to permit him to submit a reasonable bid. The only thing that he could safely do would be to make an estimate high enough to cover the worst possible conditions.

5. While contract prices on any particular improvement may be higher than the cost of doing a portion of the work by Government plant, it does not necessarily mean that that work could be carried on entirely by Government plant at reasonable speed at a less price than it could be done by contract, or that the contractors are making excessive profits. At the present time it is believed that contracts are let a prices which are as low as will permit the contractors to maintain their plant and make any profit whatever. This is due partly to the regulating effect which has been caused by Government plant and partly to the small amount of Government work which has been available for contractors in the past few years.

6. Contractors have many expenses which the Government does not have. For instance, whenever proposals are opened, there are usually several bidders. Only one gets the contract. The expenses which the others have undergone in making their investigations and in the preparation of the bids is an expense which must be considered by them and charged up against some other work if they are to maintain their establishments. Each bidder must take into consideration the cost of getting his plant on the work and getting it from the work to the place where it is regularly kept, or to some other contract job. The cost of the transfer of plant includes not only the cost of towage, but the cost of marine insurance, an item which the Government does not have to consider in its work. Also, in figuring the price to the contractor, the interest on the cost of the plant, its depreciation, and cost of maintenance while not employed, marine insurance, employer's liability, etc., must all be considered.

7. If a small amount of Government plant, such as can be continuously and hence economically operated, is provided, it may take years to finish a work which could be completed by contract very rapidly. Take as an example the inland waterway from Norfolk to Beaufort. Without increasing the Government plant which is now in use on that waterway, it would probably take 15 years to complete the improvement without provision for maintenance, and if an attempt be made to maintain it as well, the canal probably never could be finished, as the present plant will be fully occupied in maintenance work as the canal approaches completion. If it is partly done by contract, it could be completed in four years or less. To complete it in a reasonable time with Government plant would involve at least three times the plant which is now employed. The cost of this plant would be large, and there would be a long delay in procuring it, probably at least two years, unless second-hand plant be purchased. When the work is completed, there would be little or no use for the greater part of this plant on that improvement. If no additional work for this plant could be found, the cost of its maintenance would be a constant heavy charge against the improvement, or else it must be disposed of, and under the circumstances it would be of little, if any, value, and would probably be only worth the price of so much junk. It is doubtful if work for such plant could be found on other improvements, as it is assumed that, in order to complete other improvements, it would be necessary to have provided all of the plants required, and there would then be no further use for the plant which had been provided for the particular improvement mentioned. Therefore in order to obtain a comparison of the cost of doing the work by Government plant and contract it would be necessary to charge to the work the entire cost of all the new plant to be provided.

8. If the policy of doing all Government work by Government plant is to be followed, it is believed that the most economical and advantageous way of doing the work would be to provide a plant, not for each particular work but to provide a large plant which would be available to all Government work, this plant to be distributed as the needs of the various works demanded, even though the Government would then become involved in some of the expenses which are now borne by contractors, which, with the relatively small amount of plant now used, are not necessary. This would involve a very large initial expenditure and the organization of a large special force of employees to care for the maintenance and distribution of this plant as needed. The overhead charges for supervision of such a plant would be large, since the special organization would have to be maintained whether the plant be idle or at work. This organization at the present time is replaced by independent contractors, who, when not engaged on Government work, obtain much work from private parties. Being engaged upon both public and private work a large portion of the overhead charges for a contractor's plant is derived from private sources.

9. It is hoped that after consideration this amendment will be dropped out on its merits. Should it be deemed necessary to consider it more fully, it is suggested that instead of the amendment proposed provision be made for such a study of the problem as will enable Congress to have some data upon which to base action, and with this end in view I would suggest that instead of the proposed amendment an amendment along the following lines be substituted therefor:

That the Chief of Engineers shall at the next session of Congress report the amount and cost of the plant required for carrying on all river and harbor improvements by Government plant, and the rate at which the plant proposed would enable the work to be done.

Very respectfully,

W. M. BLACK,
Chief of Engineers, United States Army.

Mr. SPARKMAN. Mr. Chairman, I would like to see now if we can not agree as to the time necessary to discuss this item. I do not suppose much time will be required.

Mr. GOOD. I think we ought to conclude on this side in 20 minutes or half an hour.

Mr. SPARKMAN. Suppose we make it 20 minutes on a side.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that debate on this amendment and all amendments thereto may end in 40 minutes, 20 minutes to be controlled by the gentleman from Iowa and 20 minutes by himself. Is there objection?

Mr. SWITZER. Mr. Chairman, reserving the right to object, I desire to have five minutes in which to oppose the amendment.

Mr. SPARKMAN. I think I can take care of the gentleman.

Mr. HULBERT. Mr. Chairman, reserving the right to object, I desire to have five minutes.

Mr. HUMPHREYS of Mississippi. Will the debate be confined to this particular amendment, or to the motion to recommit?

Mr. SPARKMAN. On this amendment.

Mr. HUMPHREYS of Mississippi. I would like to have five minutes at least in which to discuss the motion to recommit.

Mr. SPARKMAN. That will come up later.

Mr. BARNHART. I would like to have five minutes.

Mr. MANN. I suggest that the gentleman from Florida make it 30 minutes on a side.

Mr. SPARKMAN. Then, Mr. Chairman, I will amend my request by making it one hour.

The CHAIRMAN. The gentleman modifies his request and asks unanimous consent that debate be limited to one hour, 30 minutes on a side. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, the long letter which was read from the Clerk's desk might have been made a very brief letter, and the whole story told, if Gen. Black had stopped with the following sentence:

> At the present time it is believed that contracts are let at prices which are as low as will permit the contractors to maintain their plants and make any profit whatever.

That is the meat in the coconut, as viewed from the standpoint of the engineers. What are the facts? Take the one case of the inland waterways. The cost to the Government to do this work at the Government plant is 4.3 cents per cubic yard, place measurement, but by far the larger part of the work is done by contract where it costs more than 7.5 cents per cubic yard, place measurement. Gen. Black says that that represents only a reasonable profit, yet it is almost 100 per cent more than the cost of doing the work by the Government plant. Is that what he calls reasonable profit? Every man who has studied this question knows that Government costs are nearly if not always more than private costs in the production of a given article. The amendment which will be offered as a substitute provides for an investigation to find out what the plants will cost to do the work by the Government. I am not asking that the Government go into this work. I do not believe that is necessary. I am only asking that the profits be reduced to about 40 per cent basis on actual cost. We know that these private contractors are in a combination to fix prices and divide the contracts. Who are the members of this association that meet and pass resolutions? They are the Dredge Owners' Protective Organization, with headquarters over here in Baltimore. Let us see what they do, and let us see whether or not you on that side can afford to throw open a bill carrying $40,000,000 for the unreasonable greed for gain of this kind of an organization.

Here is what they said:

> During the past year your board have especially taken up for consideration the question of its department for fixing prices on work and the allotment of work through the commissioners of that department, and have carefully studied the problems which present themselves in connection with that line of work.
>
> Starting, as it did, in the desire to combine against outsiders, it has ended in combining against itself; and instead of its members standing together to promote the business of dredging in all its general and important details, as above mentioned, we behold a spectacle of members quarreling one with another over the division of work.

Gen. Black says there is competition. They say there is no competition, but that in their dredgers' association they are quarreling over a division of the work—over a division of the spoils. They say in their annual convention by their resolutions that they want a pool established; that they want to quit

quarreling among themselves; that they want to promote river and harbor improvements, and to divide the contracts and fix the price. I can not take the time to read their resolutions, but that is their purport.

My amendment is aimed at putting a stop to that kind of vicious practice. Now, what do we start with? We start with the cost to the Government for doing the work by a Government plant. The Army engineers can estimate what it is going to cost the Government to do any work appropriated for in the bill with the Government plants. And every Government official and every Member of Congress who has investigated that question will tell you when it comes to the question of costs it costs the Government more than a private concern.

Now, we start with the cost. Here is the way it would be applied. Take the inland waterways for example. My proposition provides that if it would cost the Government $1,000,000 to do that work they could not pay to a private concern more than $1,250,000. Is not that profit enough? And then you add to that profit the difference the private manufacturer makes over the high cost to do the work by the Government. Hence, you will be giving the private contractor more than 35 per cent profit.

This is not the only bill that you gentlemen on that side of the House are going to vote for which will contain this provision. Here is the report made by the gentleman from Kentucky [Mr. SHERLEY] from the Committee on Appropriations reporting out the fortifications bill. Section 4 of that bill is as follows:

That except as expressly otherwise authorized herein no part of the sums appropriated by this act shall be expended in the purchase from private manufacturers of any material at a price in excess of 25 per cent more than the cost of manufacturing such material by the Government, or where such material is not or has not been manufactured by the Government at a price in excess of 25 per cent more than the estimated cost of manufacture by the Government.

My amendment follows that provision. I have been liberal. I did not provide in the amendment that where the Government had a plant it should not pay more than 25 per cent in excess of the cost to do the work by Government plant, but we provided it should not pay more in any case than the estimated cost to do the work. You are going to vote for that proposition.

Mr. MANN. If the gentleman's amendment goes in, it will be construed, I take it, by the same department of the Government as the amendment in the fortification bill?

Mr. GOOD. Absolutely. It goes to the War Department, and if we are going to put a limit on the small manufacturers, more than 700 of them in the United States manufacturing to-day some parts of munitions of war, I say to you we can not refrain from putting a limit on this secret organization that in its secret convention passes a resolution declaring that they must have a pool; that they must quit quarreling among themselves; that they must divide the contracts; that they must have a pool to fix the price.

Mr. SWITZER. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Iowa yield to the gentleman from Ohio?

Mr. GOOD. For a question only.

Mr. SWITZER. Does your amendment mean 25 per cent in excess of the estimated price at the time the project is adopted?

Mr. GOOD. The estimated cost to do the work at the time the contract is let. It could have no other construction, it seems to me. That will be the only reasonable way to construe it. But the War Department will make the estimate, the same department that will make the estimate for manufacturing munitions of war. If you turn down this amendment, you say to the dredge owners' organization that the members of that organization may go on with contracts for the Norfolk & Beaufort Canal and other projects in this bill, aggregating $40,000,000, with no limit placed on their profits on such work; that we favor their combination; that we favor this trust; that we favor this secret organization, that can by the bill reach its hand into the Public Treasury and extract therefrom many millions of dollars in excess of a reasonable price for doing Government work.

Mr. CRISP. Will the gentleman yield?

Mr. GOOD. I yield.

Mr. CRISP. Will the gentleman kindly state what provision of the bill his amendment applies to? Does it only apply where the Government has a plant?

Mr. GOOD. No; it would apply to all of the provisions carried in this bill.

Mr. CRISP. The small items in the bill, as well as the others?

Mr. GOOD. Yes; all the items in the bill.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr GOOD. For a question.

Mr. MOORE of Pennsylvania. Does the gentleman understand that his two amendments, one in respect to the Norfolk & Beaufort Canal and the other with respect to the Savannah Harbor, are eliminated?

Mr. GOOD. No; not at all. If this is adopted, it simply applies to all of the items in the bill on the same principle that we have applied to the inland waterways and Savannah Harbor.

Mr. MOORE of Pennsylvania. Does the gentleman remember the questions I put to the gentleman from Illinois [Mr. MANN] at the beginning of this bill?

Mr. GOOD. No; and I can not yield further.

Mr. MOORE of Pennsylvania. I want to know if he holds to his amendment to the Savannah Harbor item?

Mr. GOOD. I hold to both the amendments. I could not do otherwise. I could not take them out, even if I desired.

Mr. MOORE of Pennsylvania. If this general amendment is defeated, then the gentleman will insist on the two amendments we passed?

Mr. GOOD. Certainly.

Mr. MOORE of Pennsylvania. Then there was a misunderstanding.

Mr. GOOD. Mr. Chairman, how much time have I consumed?

The CHAIRMAN. Twelve minutes.

Mr. GOOD. I reserve the balance of my time.

The CHAIRMAN. The gentleman from Iowa reserves the balance of his time. The gentleman from Florida [Mr. SPARKMAN] is recognized for 30 minutes.

Mr. SPARKMAN. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. SWITZER].

Mr. SWITZER. Mr. Chairman, the proposition that has been discussed by the gentleman from Iowa [Mr. GOOD], who has just taken his seat, is exclusively an engineering one. It is very intricate. There is something involved in all of these projects throughout the entire country with which no doubt many or all Members on the floor of this House are wholly unacquainted. You have heard the statement of the Chief of Engineers, I believe. He says that it is not a workable proposition. So far as the Ohio River is concerned, I honestly believe, although I have no engineering knowledge, that the effect of adopting this provision will be to hold up the work on that river that is proposed to be done by the $5,000,000 appropriation to be carried on this bill for at least two years.

There are many things that this committee has not taken into consideration. Recollect that the contractor who puts a dam and a lock across the Ohio River has put from $100,000 to $200,000 into equipment. When he starts in to construct that dam, on account of frequent rises in the river his plant may be washed out and flooded, and weeks and weeks are consumed in pumping out the water. If the contractor has two or three good years he gets through with the work and makes some profit. If there are two or three years of high water he frequently goes into the hands of a receiver. Recollect that the elements of chance against him there are great.

Now, if you drive the engineers into a situation where they can not make an estimate but what some man can come on the floor of the House, if they make a liberal estimate, and criticize them, the effect will be that no contract will be let; and in the $5,000,000 project for the Ohio River in this bill, in order to start three or four locks and dams in the river, at least $1,000,000 will have to be invested in equipment. Recollect 15 dams are already constructed and 20 are in process of construction; and, when the few remaining dams are completed, what will become of this equipment? There will be nothing saved. Most of the equipment will practically have to be sold as junk.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. SWITZER. Yes.

Mr. GOOD. The same provision will apply to the procurement of all ammunition and supplies for the Army when we are just entering upon a big program for preparedness.

Mr. SWITZER. Mr. Chairman, the gentleman's illustration does not apply to the Ohio River. Read this report. The gentleman has some knowledge himself of these propositions, by which he undertakes to make comparisons, but, of course, in the main he relies upon the War Department. But it is upon things that you can easily estimate. Those plants are in operation in the country. You know what can be done. But when you go to a great river and start to go down into the bed of that stream you do not know when the rises are coming; you have an element to contend with that is wholly absent from the things and matters with which the gentleman compares it.

So far as making a profit down here on this Beaufort Canal is concerned, the gentleman says there is no competition. Why, there were three private contracts there last year. One was at 9.48 cents per cubic yard. Another was 6.9 cents per cubic yard,

and another was 5.9 cents per cubic yard. There must have been competition. Recollect, the composition of the soil and the material to be removed may differ in different parts of this canal. Also bear in mind that the dredging equipment necessary on these private contracts costs that contractor at least two or three hundred thousand dollars. He has to take that equipment to the work. There is a deterioration. His money is invested. If he has no contracts for a few months afterwards, his overhead charges go on. He has to remove his plant to some place else or sell it as second-hand or worn-out equipment.

Now, I am also informed by the same authority whence the letter came that it is not desirable, in the view of the engineers, for the Government to invest too many millions of dollars more in dredges and additional equipment of this kind. I think that the amendment that is suggested is the one that should be accepted. There should be some investigation made by these engineers who know about the proposition. I do not know about it, except as to the elements and conditions along the Ohio River. But there ought to be some investigation and some report made here for this body to consider before there is undertaken to be tacked onto this bill an amendment that may strangle for the next two years a great project like that on the Ohio River. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. MADDEN. Mr. Chairman, there ought not to be much trouble about understanding the importance of the adoption of this amendment. It is a simple business proposition, and the House ought to be in that frame of mind that would enable it to deal in a business way with a business question. Local conditions and local interests ought to be brushed aside, and the great general question given serious consideration. It is said to cost now 4.3 cents a cubic yard for the excavation of the material from the prism of the Beaufort Canal. Add to that the overhead charges, and you probably have about 5 cents a cubic yard as the cost to the Government for the work. Adopt the amendment suggested by the gentleman from Iowa [Mr. GOOD] and refuse to let contracts where the cost will be in excess of 25 per cent above the estimated cost to the Government, and the chances are that we would have contracts let for this class of work at about 6¼ cents a cubic yard. Six and a quarter cents a cubic yard for the excavation of material, such as is required to be excavated from the Beaufort Canal, would probably yield the contractor about 35 per cent profit; and no one will deny that 35 per cent is at least a reasonable profit. Why do I say 35 per cent? Because everybody knows that it will be less expensive for the contractor to do the excavating than it is to the Government.

Will this amendment embarrass any project? I apprehend not. If the conditions are such that the application of this amendment will be embarrassing, there can be some other remedy found; but in every case where it is possible to apply the provisions of this amendment, it is our duty to apply them. If we speak for the American people and speak justly in their behalf we can not fail to adopt this amendment, for it is a simple business proposition that every man in this House would apply, if he was applying it to his own business. And the conduct of the Government of the United States should be considered as our own business, because we are here speaking for 100,000,000 American people, every one of whom is a stockholder in this great business corporation of which we are directors.

If we fail to adopt protective measures when we enact appropriation bills, if we fail to conserve the moneys which we appropriate, by refusing to adopt amendments which will enable the Government to do the work at a reasonable cost, we have not spoken as true representatives of the stockholders in the great corporation of which we stand here as directors.

The CHAIRMAN. The gentleman's time has expired.

Mr. SPARKMAN. I yield five minutes to the gentleman from Pennsylvania [Mr. COSTELLO].

Mr. COSTELLO. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Iowa [Mr. GOOD], because I believe it impracticable and another way of restricting, if not defeating, the purpose of the bill. Conversing with the gentleman from Illinois [Mr. MADDEN] on these amendments as to its impracticability, he stated that he had been in the contracting business for many years.

Mr. MADDEN. But never took any Government work.

Mr. COSTELLO. Well, the same rule will apply as to a fair profit, you will admit, whether it is Government work or private work. There are no two projects in this river and harbor bill that are alike.

Mr. MADDEN. That is true.

Mr. COSTELLO. Therefore why not establish a rule that we may say that they, the contractors, should be satisfied with less than 25 per cent. For my part I do not believe there is any dredging company or others employed in this character of work that make 25 per cent. My friend from Iowa [Mr. GOOD] cited the case of the Beaufort Canal, wherein the contractor received an amount for the work performed by him which was about double the cost of work performed by the Government plant on this same canal. I remember when the engineer appeared before the committee on this project. He was questioned as to this particular case. I have endeavored to find the statement he made about this matter, but have been unable to do so. My recollection is that when the question was asked the engineer to explain the difference between the cost of work performed by the Government plant and that performed by the private contractor he stated that the contractor's work required the removal of sunken obstructions, old piling or revetment, or some work of that kind, which added to the cost of the work performed by the contractor.

Now, as to the comparison which the gentleman made as to the reason for the adoption of his amendment concerning work in munition plants. The Government plants making munitions is probably one of the best investments which the Government has made, because we are able by them to establish a standard of workmanship for the private contractor to comply with. It also establishes the cost by which we are able to judge whether the contractors make a fair or unfair profit. But in munition manufacturing, by a system of jigs and gauges and special machinery, the work goes on day by day making the same articles as nearly alike as is possible for any two things to be made. That is why we are able to say to the contractor who bids for Government work of this kind: "You shall not make more than 20 per cent." The difference in the propositions contained in the rivers and harbors bill, where there are probably no two alike, and where probably one-third are not capable of estimate, many of them, no doubt, are done on a basis of cost plus a certain per cent or on a per diem basis. How can we regulate the cost of work of that kind? If we start out with the presumption that our engineers are not fair with the Government, and if they are not fair, how are we going to stop them from estimating so that the contractor will not make 50 per cent? And how are we going to stop the contractors from combining with an amendment of this kind? This looks to me like an amendment to encourage a combination of contractors to enable them to make a profit of 25 per cent.

Mr. GOOD. I yield five minutes to the gentleman from Indiana [Mr. CULLOP].

Mr. CULLOP. Mr. Chairman, this amendment, as I understand it, is a limitation on the expenditure to private contractors, limiting the amount to 25 per cent above the estimate of what the Government could do the work for. Here is a latitude of 25 per cent between the private contractor and the Government in the construction of the work on rivers and harbors. Now, 25 per cent on any work, in any business, is a handsome profit, much larger than is usual, and larger than capital expects as an ordinary rule. If the legitimate business of this country could clear 25 per cent on its capital invested it would be an enormously profitable venture and would create great activity in business affairs. As a rule, it is content with much less. The purpose of this amendment is to prevent the dredging association from pooling the interests in bidding on public work and fixing a price to suit itself. Now, here is what the association says in its circular on this matter:

> The association should, on the other hand, favor the creation of pools in each district formed upon the lines of other successful business arrangements of like character.
>
> The association as a whole will then confine itself to legitimate business of acquiring work and promoting the resources of members for doing work, leaving to the separate pools the business of dividing up that work at good prices.

This is a splendid arrangement proposed by this association to control the price in the letting of public work. Pool the interests of all, determine in advance who should have the job, and arrange the bids accordingly. There would under such an arrangement be no opportunity for competition. The dredging association would profit and the public would suffer. Now, by the adoption of the amendment offered by the gentleman from Iowa [Mr. GOOD] this feature of contracting for the public work would be regulated and the public protected; not as much, however, as I would prefer, because I think a margin of 25 per cent profit is too large; it is much larger than usually made in legitimate business. The amendment is surely a step in the right

direction, because from a reading of the circular of the dredging association it is clear what its purpose is; it is clear its object is to pool the interests of all its members so it can fix the price to be paid for all work let to private contractors. By so doing it will avoid competition in bidding and regulate the price to suit its selfish desires. No other construction can be given the language and no other motive could be attributed to it. It clearly states the purpose. Under such circumstances the public is at the mercy of the association, and hence the public interests would necessarily suffer. The Government in making the estimates for which it could do the work necessarily would take into consideration every element of cost which could enter into it, and hence the interests of the private contractor would in no wise be endangered and the public would be protected. It is a fair and just proposition to the private contractors. In fact, a most liberal one. It is a worthy regulation.

This bill, if passed, carries for all the projects embraced in it appropriations aggregating $40,000,000. Now, if all this work was let to private contractors, the limitations placed on it by this amendment would make it possible for private contractors to get for work $40,000,000 which could be done by the Government for $30,000,000. This ought to be satisfactory, even to avaricious demands of this dredging association. Remember this is for, and will be expended during, the coming fiscal year if this bill becomes a law. Now, it would seem that this is liberal, and our river and harbor enthusiasts surely ought to accept it without much serious objection. It would appear reasonable that in order to carry out their plan they should want to have the work done as cheaply as possible in order to provoke as little objection as possible.

Now, I believe it is the common experience of all that private contractors do work at less cost than the Government does it. This, I think, as a general rule, is true, and why is the private contractor able to do so? The answer is, he is more economical in what he does, more diligent and industrious in order that his profits may be correspondingly increased. But if this amendment is rejected with this association pooling the interests of all its members, then the public is left without protection from its avaricious disposition to exploit the Public Treasury.

This is not the only bill proposing a limitation on the cost of public work done by private contractors. The fortifications bill, now pending on the calendar of the House for consideration, has incorporated in it a similar provision, which, in my judgment, is wise, for the protection of the rights of the public in the expenditure of their money. It is as follows:

SEC. 4. That except as expressly otherwise authorized herein no part of the sums appropriated by this act shall be expended in the purchase from private manufacturers of any material at a price in excess of 25 per cent more than the cost of manufacturing such material by the Government, or, where such material is not or has not been manufactured by the Government, at a price in excess of 25 per cent more than the estimated cost of manufacture by the Government.

Now, if the committee having the preparation of that important measure in charge deemed it advisable to incorporate such a provision for the protection of the public interest, why should the great River and Harbor Committee oppose the adoption of such a provision on the limitation of expenditures in this measure? It is not consistent procedure, in my judgment, on its part. Its adoption can do no harm, and will surely do much good. As the representatives of the people in both the levy of taxes and the expenditure of the same after they have been collected we should, in my judgment, make all reasonable safeguards for the protection of the public interests, and in so doing we will best promote the public welfare. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I yield five minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Chairman, after all, the criterion of successful work, whether it be public or private, depends upon the capacity and integrity of the men who perform it. I do not understand that any Member of the House will seriously question either the capacity or integrity of the Army engineers. I take it further that whatever statement may be made by the engineers regarding their experience in work is entitled to the confidence of the House.

Here is attempted to be set up a standard for the performance of certain public works by private contractors. If it is practical to set up that standard, and if as a result of setting it up economy will be effected, then it is a wise amendment and ought to be adopted; but if it is impracticable and not applicable to the public work in mind and economies will not be effected, then it ought not to be adopted.

Now, the Chief of Engineers says:

I beg to say that the question is a very complicated one, and with such consideration as I have been able to give to it, I am unable to advise you what the effect of the proposed provision would be other than that it is certain to raise many questions which will be difficult to solve and to cause serious delay to the work.

In a number of following paragraphs he endeavors to fortify that general statement he has made. If we give faith and credit to this expression of opinion upon the part of the Chief of Engineers, this is an unwise amendment. I can understand why a Member from the interior, who thinks his constituents are not interested in the river and harbor improvement, might favor it. I can understand how gentlemen who are seeking to get in the limelight by opposing river and harbor appropriations, if there are such, should favor this amendment. This amendment, in the opinion of the Chief of Engineers and of serious Members of the House who discussed it a few days ago, will militate against the administration of the river and harbor bill. If it will, it is an unwise amendment.

As the gentleman from Pennsylvania [Mr. COSTELLO] said, the difference between river and harbor improvements in the construction of fortifications with necessary munitions is that with fortifications materal to a certain extent is standardized, and the officials of the War Department may make specifications, but you can not standardize river and harbor work, because the work differs even in the same river and different parts of the same harbor. There are different kinds of work from snagging to excavation, and there are various kinds of excavation, and in attempting to fix the standard for the cost of this work by private contractors it is rendered impracticable simply by reason of the varying conditions in that class of work.

[The time of Mr. SMALL having expired, he was given two minutes more.]

Now, Mr. Chairman, I am sorry that just at this particular moment there is not a larger membership present, because this is a serious matter, and the amendment ought not to be adopted if it will injure the administration of the river and harbor improvement. The Chief of Engineers suggests, however—and as a whole it is a modest letter, recognizing fully the prerogative of the House in matters of legislation—that if the House should be in favor of experimenting with this idea to secure work by private contract that it might adopt some such amendment as this: "That the Chief of Engineers shall at the next session of Congress report the amount and cost of a plant required for carrying on river and harbor improvement by a Government plant, and the rate at which the plant proposed will enable the work to be done."

In a conference of several Members of the House who desire that this matter shall be decided wisely it is suggested that that amendment be considered by the committee as a substitute with this addition: "And he shall also report the advisability of establishing a standard for river and harbor improvement by private contract, and the relative cost of such work by Government plant and by private contract."

I shall at the proper time offer that as a substitute for the amendment offered by the gentleman from Iowa [Mr. GOOD]. That will give to the House at the next session full information upon which it can base its action intelligently with a view to the best and wisest course in harbor improvements. [Applause.]

Mr. GOOD. Mr. Chairman, I yield three minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Chairman, I am in one way opposed to this amendment. Public work done for the benefit of the Government, paid for out of the taxpayers' pockets, should yield no profit to anyone. What does the taxpayer get back for the money that we are paying for these river and harbor improvements? Nothing, except in an indirect way. There should be no more profit accruing out of Government contracts for this work than out of the Postal Service. I do not know whether or not this is a wise amendment, but I know that it looks in the right direction. We do not levy and collect taxes simply in order that other people who pay but little, if any, taxes may reap enormous profits out of the expenditure of the money. Why should the county own its own road-building machinery? Why not let the work of improving your county roads out at private contracts? There is just as much reason and common sense in one as in the other. The county pays the taxes with which to build and maintain its own highways, and buy and own their own machinery, to the end that the taxes shall go as far as possible. River and harbor improvements are going to last as long as the country lasts. Why not encourage the Government investment in machinery and equipment for the purpose of doing river and harbor work? We are going to keep on digging canals and dredging rivers and swamps for the rest of time, which will be paid for out of the public taxes, and it is done in order that privately owned transportation facilities may make more money out of their business than they can now.

Reduce the grades on a railroad so that one engine will do twice as much as it did before the grade was reduced, and increased profits follow. When we deepen the channel of a river and enable people to use a larger and greater draft vessel with the same crew and equipment we have simply enabled the owners of such vessels to make more money at Government expense than they could otherwise have made. Let the Government do this work and let the people get the most for the money they have to pay.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SPARKMAN rose.

Mr. SLAYDEN. Mr. Chairman, I would like to ask the gentleman from Florida [Mr. SPARKMAN], who has had long experience in these public works—and some of us have had experience and have had some observation with other classes of public works, notably the sort referred to by my friend from Tennessee [Mr. SIMS]—if he does not believe that if we can induce honest, competitive bidding, we can get public work of this kind done more cheaply than the Government itself can do it?

Mr. SPARKMAN. I would not like to say that it can be done by contract any more cheaply than the Government can do it, but I think the tendency is in the direction of having it done as cheaply. It is even now largely a question of competition between the bidders themselves and between them and the Government.

Mr. SLAYDEN. Is it not generally recognized, in fact has it not almost become a proverb, that such works done by the Government are more costly than when done privately by contract? A business man can conduct his business more cheaply than the Government, can build railroads and highways more cheaply.

Mr. SPARKMAN. That is true, I think, in many cases. Of course in some instances the Government does its work in the improvement of rivers and harbors more cheaply than it can be done by contract.

Mr. SLAYDEN. Mr. Chairman, it is not the question of whether they do it cheaply, but comparatively.

Mr. SPARKMAN. I have known of some cases where it was done more cheaply by private contract.

Mr. SLAYDEN. I think that is nearly always the case.

Mr. SPARKMAN. Mr. Chairman, as much as I sympathize with any and all efforts to reduce the cost of Government work, I really do not think this amendment ought to be adopted. We are too much in the dark, as was clearly shown by the reading of the letter from Gen. Black. Gen. Black made his statement as clear as it could be made. He is a man who has had a great deal of experience—more than 30 years of experience—in Government contracting and in doing river and harbor work with Government plants, and yet he is unable to say what the effect of this amendment would be, except that, in his judgment, it would not have a beneficial effect. I will tell you what, in my opinion, ought to be done, and I would vote for such a proposition. I would be willing to vote for the substitute suggested by Gen. Black with an addition such as shown me a while ago by the gentleman from North Carolina [Mr. SMALL], which would permit the engineers during the balance of this year to make an investigation and, having done so, to report to Congress what their opinion is as to what should be done in the matter of limiting the price of contract work. Then we will have something before us to go upon. We will have at least the opinion of the Engineer Department and the basis for that opinion, whatever it may be. We have not any such thing now, and we are traveling in the dark. I am not prepared to say that we have been paying more to contractors or are paying more now than we ought to pay. I know in days gone by we did, but the plants we have already constructed have had the effect of materially reducing the cost of that class of work, so that now the work is being done very cheaply.

Gen. Black calls attention to some of the elements that enter into the cost of doing such work by private contractors. One, for instance, is the cost of insurance, which is quite an item from which the Government is exempt, because it carries its own insurance and pays nothing to insurance companies to insure its plant. These private contractors not having unlimited means, as Uncle Sam practically has, so far as the work he undertakes to do is concerned, deem it wise to insure their plants, and that adds very materially to the cost and, of course, to the amount of a bid by one of them. Again, it would be very difficult under the amendment for the Government engineers to determine just what the cost is going to be in a given case, and, as Gen. Black says, it is going to interfere very materially with the engineers in their efforts to obtain contracts.

Mr. FESS. Mr. Chairman, before the gentleman takes his seat will he yield for a question?

Mr. SPARKMAN. For a question; yes.

Mr. FESS. I heard the letter read from Gen. Black, which rather impressed me. There is a general view that will spread over the country, if we refuse to accept the proposed amendment of the gentleman from Iowa [Mr. GOOD], which would make a differentiation of 25 per cent, that we are working in the interest of the private contractors.

And yet at the same time here we have an amendment suggested by Gen. Black which would certainly give an opportunity to make this investigation. I would vote for an amendment of that sort.

Mr. SPARKMAN. I think that ought to be adopted, or something like it.

Mr. GOOD. Will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. GOOD. I would suggest to the gentleman that, instead of offering it as a substitute, he offer it as an amendment to the amendment, so that during the current year they can not give the private contractors more than 25 per cent of the estimated cost of doing the work, and at the opening of another year we will have the information.

Mr. SPARKMAN. I want to reserve five minutes, Mr. Chairman, and I would like the Chair to inform me when I have consumed all but five minutes.

As I said a while ago, I sympathize with the gentleman in his efforts to reduce the cost of such work, and I will be glad to do anything I can in that direction, if I know just how to do it, but as yet I do not know just what to do; and I think some such provision as Gen. Black suggests ought to be adopted, so that we may have the opinions of the engineers on the subject after an investigation.

Mr. GOOD. If it was simply offered as an amendment to my amendment, would not that meet all the objections which the gentleman has to my amendment?

Mr. SPARKMAN. The trouble would be then, if there is any danger in what the gentleman is trying to do—I am not saying there is—the injury would be done before we would know whether we are right or wrong. It would be like hanging a fellow and trying him afterwards.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. SPARKMAN. I will.

Mr. COOPER of Wisconsin. On the 6th of this month—last Thursday—the gentleman from Iowa [Mr. GOOD] read what I thought amounted to an ironclad agreement of dredgers and a dredgers' association to hold up the Government and get the bids that they might make for Government work. Now, is there any such agreement as that made?

Mr. SPARKMAN. I do not know of any myself.

Mr. COOPER of Wisconsin. Have they denied it?

Mr. SPARKMAN. I do not know as to that. I could not say to my friend. I know nothing about it.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] has five minutes remaining.

Mr. GOOD. I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Chairman, if there was any partisanship in this matter, from a partisan standpoint, I might wish that this amendment that is now pending be rejected, because I know of no one thing that has come before the Congress this session that would do more to defeat a Member that votes against this amendment than that vote. But, Mr. Chairman, there is no partisanship in this, and I do not wish to discuss it from that standpoint. I do want to say this, however, with reference to the amendment suggested by the gentleman from North Carolina [Mr. SMALL] that I understand is to be offered as a substitute for this amendment.

Mr. Chairman, I have observed a great many times that when there is a proposition before a legislative body that certain Members do not desire to have a square vote upon, there always comes an offer of an amendment in the form of a substitute to investigate and report, and that accomplishes two purposes. It puts the main proposition asleep with a hypodermic injection, and, secondly, it affords Members an opportunity to sidestep, and duck, and dodge the question.

Now, in reference to this proposition, I do not know of any reason why this amendment that is now pending should not be voted upon. If this House desires to adopt it they should be permitted to do it, and the proposition of the gentleman from North Carolina, carrying out Gen. Black's suggestion, can be offered as an amendment afterwards and separately be adopted. Let this House have an opportunity to squarely vote upon the proposition, and do not give the Members an opportunity to sidestep, dodge, or duck on this proposition. That is fair.

I want to say, irrespective of this, you will have to vote on the roll call on two propositions when we get into the House. Now, Mr. Chairman, a curious situation has developed here—that most of those who spoke so earnestly against this amendment have upon other occasions opposed Government ownership because they have said it always costs the Government more than it does under private ownership. Here they oppose this amendment because they say if we give private owners a profit of 25 per cent more than the Government cost it will not give a fair return to the private operator. These gentlemen blow hot and they blow cold. I have agreed with them that in most instances it does cost the Government more, and when we say that a profit exceeding 25 per cent over the Government cost will not be allowed we are giving not only a fair profit but we are really giving an excessive profit to private individuals, and there can only be one justification for the defeat of this amendment, and that is that Members are more interested in the profits of dredging companies and private contractors than they are interested in the United States Treasury, which we are sworn here to protect.

Now, Mr. Chairman, the gentleman from Florida [Mr. SPARKMAN] and the committee have stood very properly in the past for a certain number of Government dredges in order to regulate this matter of private competition, and it has done much in that regard. But I want to call attention to this Beaufort Canal. We have a Government dredge there, and they can do $200,000 worth of work annually. We appropriate in this bill $1,000,000, that is proposed to be expended this year. Now, with that Government dredge only doing $200,000 worth it will have no effect whatever upon what the price of the dredging trust will be for the $800,000 worth of work to be done unless we have a limitation of this kind in this bill. And that will do it. But the presence of a Government dredge will not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPARKMAN. Mr. Chairman, I yield four minutes to the gentleman from New York [Mr. HULBERT].

Mr. HULBERT. Mr. Chairman, the proposed motion of the gentleman from Massachusetts to recommit is apparently offered with the view of conserving the resources of the Treasury in order that a greater amount may be applicable to the plan of the national defense.

It states that the money may be expended "under the direction of the Secretary of War and the supervision of the Chief of Engineers for the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the judgment of the Chief of Engineers in the interest of preparedness for national defense."

I asked the gentleman from Washington [Mr. HUMPHREY], when he was addressing the House upon this particular motion, whether or not it would preclude the improvement of the East River, which was impressed upon this House by a letter from the Secretary of the Navy and by a communication from the Commander in Chief of the Navy himself, and the gentleman from Washington replied that it would. Is not, therefore, the gentleman inconsistent? Does not his motion defeat the very purpose he would have you believe it would serve? Because, while he professes it to be in aid of preparedness, no one doubts that a large number of the projects to which this money will be allotted have nothing to do with preparedness, while the one item in the whole bill which most directly aids preparedness will be eliminated altogether. To "save" 50 per cent of the amount appropriated by this bill the gentlemen are willing to sacrifice the item to give at least one navy yard a free entrance for first-class ships the destruction of any one of which upon the reef to be removed would be equal to the amount "saved," and thus takes no account of the value of this improvement from a commercial standpoint. The present improvement of the East River was adopted in 1868, and so antiquated are the provisions of that project adopted in 1868 that as far back as 1912 the Chief of Engineers reported that it would be a waste of public funds to further improve the East River to the depth of 26 feet only, and recommended the adoption of a project to deepen the channel to 35 feet. And yet in spite of the great commercial advantage to be gained from this river transportation—$1,500,000,000 worth of commerce per annum—to say nothing of the necessity for national preparedness, from 1912 down to the present time, 1916, upon that great waterway, there has been one single Federal appropriation of $140,000 upon condition that the city of New York appropriate double that amount. I mentioned the fact the other day that the city of New York and local interests have appropriated over $40,000,000 for the improvement of the East River and $105,000,000 for the Hudson River. That is, we have spent $40 to every dollar contributed by the Federal Government for the East River and $100 to $1 for the Hudson River. Now we think it is time to give us a square deal.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HULBERT. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I yield one minute to the gentleman from North Carolina [Mr. SMALL].

The CHAIRMAN. The gentleman from North Carolina [Mr. SMALL] is recognized for one minute.

Mr. SMALL. Mr. Chairman, I offer this as a substitute, to which I ask the attention of the House; a substitute for the amendment offered by the gentleman from Iowa [Mr. GOOD]:

That the Chief of Engineers shall at the next session of Congress report the amount and cost of the plant required for carrying on all river and harbor improvements by Government plant and the rate at which the plant proposed would enable the work to be done; and he shall also report upon the advisability of establishing a standard for the cost of river and harbor improvements by private contract and also as to the relative cost of such work by Government plant and by private contract.

The purpose is to secure full information, in order that the House may act intelligently upon that proposition.

The CHAIRMAN. The time of the gentleman from North Carolina has expired. All time has expired. The Clerk will report the amendment offered by the gentleman from North Carolina [Mr. SMALL].

The Clerk read as follows:

Substitute offered by Mr. SMALL for amendment offered by Mr. GOOD: At the end of the bill insert as a new section the following:

"That the Chief of Engineers shall at the next session of Congress report the amount and cost of the plant required for carrying on all river and harbor improvements by Government plant and the rate at which the plant proposed would enable the work to be done; and he shall also report upon the advisability of establishing a standard for the cost of river and harbor improvements by private contract, and also as to the relative cost of such work by Government plant and by private contract."

Mr. LENROOT. Mr. Chairman, I make the point of order that the substitute offered is not germane to the amendment offered by the gentleman from Iowa. I would like to be heard, if the Chair desires it.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. LENROOT. Mr. Chairman, the point I make is that the amendment proposed by the gentleman from Iowa [Mr. GOOD] relates to, and is a limitation upon, the appropriations made in this bill. This substitute has nothing whatever to do with, and would not affect in the least degree, any of the matters to which the amendment proposed by the gentleman from Iowa relates. It calls for an investigation and report as to future action, but it can have no possible bearing upon matters covered in this bill.

The CHAIRMAN. The gentleman from North Carolina is recognized.

Mr. SMALL. Mr. Chairman, the amendment offered by the gentleman from Iowa [Mr. GOOD] seeks to fix a method or a standard of cost on certain classes of work done in the administration of the river and harbor act. This substitute directs an investigation by the Chief of Engineers, with a report to the next Congress, on the subject matter involved in the original amendment. The original amendment touches upon and embraces the manner of expenditure of the public moneys appropriated in this bill. The substitute directs the Chief of Engineers to make an investigation upon the same subject.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Certainly.

Mr. LENROOT. Is there anything in the substitute for the amendment that calls for any action with reference to the subject matter, namely, the items appropriated in this bill?

Mr. SMALL. It calls for an investigation and a report by an administrative officer of the Government.

Mr. LENROOT. As to future action of Congress, does it not?

Mr. SMALL. In order to enable Congress to base its future action.

Mr. LENROOT. Therefore it could not affect a single item in this bill.

Mr. SMALL. That is not necessary in order to make it germane. The point, as I understand it, governing the question of whether this substitute is germane or not is as to the subject covered by the amendment and by the substitute.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. SMALL. In one moment. As I said, the amendment seeks to direct the manner of the expenditure of the money. The substitute authorizes the investigation of the manner of the expenditure of the subject matter of this bill.

Mr. CULLOP. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Yes; I yield.

Mr. CULLOP. The amendment of the gentleman from Iowa applies only to the expenditure of the money appropriated in this bill, does it not?

Mr. SMALL. Certainly.

Mr. CULLOP. Then your substitute has no application. You would have to suspend all of the work for at least one year, would you not, and have no result whatever from this appropriation during the coming fiscal year?

Mr. SMALL. Mr. Chairman, unless I am incorrect, the gentleman commits the same error in thinking that this substitute, in order to be germane, must suspend or control or regulate in some way the expenditure of the money appropriated in this bill.

Mr. LENROOT. Mr. Chairman, will the gentleman yield there?

Mr. SMALL. It does not suspend, but it directs an investigation into the very question contemplated by the amendment itself.

Mr. LENROOT. If the gentleman will yield right there, my point was not that it was not germane to the bill, but that it was not germane to the amendment. Of course, the gentleman can offer it, and it will be in order as a separate proposition, but it is in no sense a substitute for the pending amendment. If an amendment is pending, I take it that it would not be in order to offer as a substitute something that related to an entirely different subject, while it might be offered independently as a separate amendment. Now, the amendment relates to items in this bill. The substitute has no relation to and does not refer to the items in this bill. Of course, a substitute is an amendment in the nature of a substitute.

Mr. SMALL. Mr. Chairman, the amendment is intended to affect the methods of the expenditure of the appropriations in this bill. The substitute directs an investigation of the methods of expenditure.

Mr. CULLOP. Not in this bill.

The CHAIRMAN. The amendment offered by the gentleman from Iowa [Mr. GOOD] is an amendment proposing to limit the expenditure of any moneys contained in the bill for work to be done by contract, where the price shall be in excess of 25 per cent of the estimated cost of doing the work by the Government. The substitute offered by the gentleman from North Carolina undertakes to have the Chief of Engineers report to the next session of Congress touching the general subject of work on river and harbor improvements, work done by the Government and work done by private contractors.

Mr. LENROOT. May I make one suggestion to the Chair?

The CHAIRMAN. Certainly.

Mr. LENROOT. If here was a section of the bill relating to one subject, and a substitute was offered relating to an entirely different subject, it seems very clear to me that the Chair would hold that that was not in order, and I suggest that this is exactly the same principle.

The CHAIRMAN. It does not occur to the Chair that the same principle is involved. Here are two amendments, both relating to the subject of contracts and Government work. They are in that sense dealing with the same particular subject. One undertakes to deal with it by fixing a limitation upon the moneys to be expended in this bill; the other undertakes to deal with the same subject matter by having a report made to Congress.

Mr. MANN. Mr. Chairman, I take it that the matter under consideration is the Good amendment. Rule XVI, page 343 of the Manual, provides:

> And no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

On page 343, under the note, it says:

> Under the later practice an amendment should be germane to the particular paragraph or section to which it is offered.

Of course that is a well-known proposition.

The CHAIRMAN. The amendment of the gentleman from Iowa [Mr. GOOD], in the form of a limitation, relates to the question of contracts and of Government work. To that an amendment in the nature of a substitute is offered by the gentleman from North Carolina [Mr. SMALL] calling for a report upon that subject matter. The Chair would be glad to have any authority to show that such a substitute is not in order.

Mr. MANN. The Chair desires authority for the proposition that a substitute should be germane to the amendment. Of course a substitute is an amendment. The subject under consideration is the Good amendment. Any amendment to that must be germane to that amendment. The fact that it may be germane to the bill is not sufficient.

The CHAIRMAN. The Chair would like to hear the gentleman as to its germaneness to the Good amendment.

Mr. MANN. I confess to the Chair that I have not given careful consideration to that question.

The CHAIRMAN. The Chair is ready to rule.

Mr. HARRISON. Mr. Chairman, I would like to call the attention of the Chair to the fact that in the Sixty-third Congress when the District of Columbia appropriation bill was under consideration, an amendment was offered, I think by the gentleman from Georgia [Mr. CRISP], relating to the half-and-half plan in the District of Columbia, placing a limitation on the appropriations carried in that bill, and the gentleman from Alabama [Mr. UNDERWOOD] offered a substitute, as I recall it, providing for the appointment of a commission to investigate the whole situation and report back on that proposition to a future Congress. It was then held that the substitute was in order.

Mr. LENROOT. Will the gentleman yield there?

Mr. HARRISON. Yes.

Mr. LENROOT. I should like to call attention to the distinction between that case and this. That related to a specific proposition, the half-and-half amendment, which was proposed to be acted upon in the original proposition. The amendment related to that very thing. This substitute does not relate at all to the amendment proposed by the gentleman from Iowa [Mr. GOOD], which relates to the items in this bill. The substitute relates only to the future course of Congress with reference to the general subject of contracts.

Mr. HARRISON. This question is on all fours with that question. Why? Because, instead of adopting the course suggested by the gentleman from Iowa [Mr. GOOD], which affects these appropriations immediately, the proposed substitute asks for a commission to consider and investigate and report on the question.

Mr. LENROOT. It is not on the same subject at all.

The CHAIRMAN. While not entirely clear in its mind on the point of order, the Chair thinks the substitute offered is sufficiently germane to the amendment to bring it within the rule, and overrules the point of order.

The question is on the substitute offered by the gentleman from North Carolina [Mr. SMALL].

The question being taken, the Chairman announced that the ayes appeared to have it.

Mr. LENROOT and Mr. GOOD demanded a division.

The committee divided; and there were—ayes 78, noes 88.

Mr. SPARKMAN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. GOOD and Mr. SPARKMAN.

The committee again divided; and the tellers reported that there were 98 ayes and 102 noes.

So the substitute was not agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. SPARKMAN) there were 113 ayes and 73 noes.

So the amendment of Mr. GOOD was agreed to.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I ask unanimous consent to address the House for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I want to speak in opposition to the amendment to be proposed by the gentleman from Washington [Mr. HUMPHREY]. That amendment proposes to strike out the section of the bill which carries appropriations for various items and substitutes a lump sum of $20,000,000.

Mr. Chairman, in my opinion, if this amendment is agreed to, it will be the end of river and harbor bills so far as they are made up by the Committee on Rivers and Harbors in this House. I think the House had just as well understand that when it votes. For the past two years the bill has been killed in the Senate and we have had only lump-sum appropriations. If this bill takes that same course, while I am not a prophet nor the son of a prophet, I have no doubt whatever that it is the end of river and harbor bills so far as they may be made up by a committee of this House.

Now, gentlemen, let us see what this proposition is going to do. I will give one illustration which will show just what would happen to all other projects of the country. Take the Ohio River, which, so far as the commerce is concerned, is the greatest river project carried in the bill. Last year, with a lump-sum appropriation of $30,000,000, the Ohio River received

an allotment of $3,000,000. With a lump-sum appropriation of $20,000,000, as proposed in this amendment, that river will receive $2,000,000. Five million dollars is carried in the bill. What is that project? It has been singled out by those who champion the defeat of river and harbor legislation as the worst in the bill. The Pittsburgh district, at the head of the Ohio River, creates more tonnage than any other district on the face of the earth—100,000,000 tons of freight go out to the seaboard annually. Much of that is of a heavy character such as would naturally and economically and inevitably seek transportation to the sea by river if that river were available for commerce.

This past winter we saw what could happen by failure of the river and harbor improvements. At one time there were congested in the port of New York 60,000 loaded box cars waiting to unload. The tonnage increases in the Ohio Valley annually, much of it heavy traffic that would go down the Ohio to the sea for export if the river were available. There is no busier valley on this continent.

[The time of Mr. HUMPHREYS of Mississippi having expired, by unanimous consent he was given five minutes more.]

Mr. HUMPHREYS of Mississippi. There are few busier valleys in the world than the Ohio Valley. The value of our exports from this country increases annually, and the proportion of these exports which originate in the Mississippi Valley increases annually. There were produced in that great valley last year $15,000,000,000 of manufactured and agricultural products, every pound affected in its value by the cost of transportation to the sea.

We have provided for the improvement of the Ohio River upon a plan that will require 10 or 12 years to complete. You gentlemen on this side had just as well make up your minds to this fact, that if this river and harbor bill fails—and the other two that you attempted to pass under this administration have failed—you may make up your mind to face this fall on the stump the assertion that the Democratic Party is incapable and incompetent to frame a river and harbor bill. [Applause.] That will be the effect of it.

Now, as I say, the annual value of the products of that great valley is $15,000,000,000. Every pound of it is affected in its value by the cost of transportation to the sea. Here we have undertaken to improve the Ohio River which would enable it to empty into the Mississippi River where a channel is already provided. This will delay that project many years. It has already been delayed over the original expectation and contemplation of the original project from two to four years—it has been delayed ever since the Democratic Party has been in power. I want you on this side of the Chamber to understand that. It has been delayed four years in ultimate completion, and if this motion prevails it will be delayed two years more. Every man who lives in that great valley is dependent on the transportation facilities by water to the sea. Seventy-five per cent of the freight that crosses the intermountain country and goes to the Pacific Ocean is produced in the northern States of the Mississippi Valley. Since the Panama Canal was completed steamships have reduced the rates from 20 to even 50 per cent from Atlantic ports through the canal to Pacific ports. What happened? The railroads refused to meet those rates. The result was an immediate falling off in the business from the States of the Mississippi Valley, and it will come to pass in the near future that instead of 25 per cent originating on the Atlantic seaboard there will be 75 per cent originate there and only 25 per cent in the States of the central valley. This is a proposition to destroy this bill, and that is all it means. Do not misunderstand it. And that will mean that the people of the Mississippi Valley who paid their share of the cost of the Panama Canal will not only be denied the blessings that ought to flow from its construction, but the fact will be that the canal will prove to have been a curse instead of a blessing, because it will put them out of business where they can not compete with the Atlantic seaboard. [Applause.]

But we of the valley are not alone to be affected. If this bill is defeated it will hamper and seriously injure the transportation facilities of all sections. Works which should be pushed to completion will be abandoned for another year. Harbors which are now too small to accommodate the demands of commerce will remain inadequate and many rivers which should be maintained in their present channel capacity will fill with logs and sand bars.

Think of the tonnage which is actually borne on the rivers and harbors under improvement now and provision for which is carried in this bill. Last year, in spite of the depression due to the war, the tonnage floated on the rivers provided for in this bill amounted to 337,000,000 tons, and on the harbors 533,000,000 tons. Compare this with the tonnage which it is estimated will pass through the Panama Canal in normal times—10,000,000 tons—and with that passing through the Suez Canal—20,000,000 tons—and you will appreciate what you are asked to do by this amendment.

The inland traffic of the United States exceeds in value the aggregate value of the international commerce of all other nations of the earth combined, and I do hope the Democratic Party can not truthfully be charged next fall with a deliberate failure to make adequate provisions for its transportation. [Applause.]

Mr. AYRES. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman form Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington rose.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MANN. Mr. Chairman, before the gentleman does that I ask unanimous consent that the gentleman from Washington may have three minutes in which to address the committee.

Mr. SWITZER. Mr. Chairman, I would like to have three minutes.

Mr. CALLAWAY. Mr. Chairman, I want five minutes.

Mr. MANN. Then I suggest to the gentleman from Florida that he proceed with his motion.

Mr. SPARKMAN. Mr. Chairman, I renew the motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SHERLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12193, the river and harbor appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SPARKMAN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them en gross. The question is on the amendments.

The amendments were agreed to.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the two so-called Good amendments, on pages 9 and 11, be reconsidered, and that they be considered as disagreed to.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Page 9, at the end of line 12, change the period to a colon and insert: "*Provided*, That no part thereof shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of the doing of the work by a Government plant."

Mr. MANN. Mr. Speaker, the other amendment is the same.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the two so-called Good amendments to the bill, on pages 9 and 11, which the Clerk has reported, be reconsidered, and that they be considered as disagreed to. Is there objection?

There was no objection, and it was so ordered.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. TREADWAY. Mr. Speaker, I move to recommit the bill with the following instructions, which I send to the desk and ask to have read.

The Clerk read as follows:

Mr. TREADWAY moves to recommit the bill to the Committee on Rivers and Harbors with instructions to report back forthwith with the following amendment: Strike out all of section 1 after the enacting clause and insert the following:

"That the sum of $20,000,000 be, and the same hereby is, appropriated out of any moneys in the Treasury not otherwise appropriated, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the judgment of the Chief of Engineers in the interest of preparedness for national defense and in the interest of commerce and navigation, and most economical and advantageous in the execution of the work: *Provided*, That allotments from the amount hereby appropriated shall be made by the Secretary of War upon the recommendation of the Chief of Engineers: *Provided further*, That the Chief of Engineers shall use his judgment as to which projects he will recommend to be improved and to what extent: *Provided further*, That allotments for the Mississippi River from the Head of Passes to the mouth of the Ohio River shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission as approved by the Chief of Engineers: *And provided further*,

That at the beginning of the next session of Congress a special report shall be made to Congress by the Secretary of War showing the amount allotted under this appropriation to each work of improvement and the reasons therefor."

Mr. TREADWAY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken.

Mr. CULLOP. Mr. Speaker, I demand the yeas and nays.

Mr. SPARKMAN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 148, nays 199, answered "present" 6, not voting 80, as follows:

YEAS—148.

Anderson	Evans	Kiess, Pa.	Roberts, Nev.
Anthony	Fess	King	Rogers
Ayres	Foss	Kinkaid	Russell, Ohio
Barnhart	Frear	La Follette	Sanford
Beakes	Fuller	Lehlbach	Scott, Mich.
Britt	Gard	Lenroot	Sells
Britten	Gardner	Liebel	Sherwood
Browne	Gillett	Lindbergh	Shouse
Burke	Glass	McArthur	Sinnott
Callaway	Glynn	McCulloch	Smith, Mich.
Campbell	Good	McKinley	Snell
Cannon	Gordon	McLaughlin	Stafford
Capstick	Gray, Ind.	Madden	Steele, Iowa
Carew	Gray, N. J.	Mann	Steenerson
Carter, Mass.	Green, Iowa	Mapes	Sterling
Cary	Greene, Vt.	Matthews	Stiness
Chilperfield	Hadley	Mays	Sullaway
Connelly	Hamilton, Mich.	Miller, Pa.	Sweet
Cooper, Ohio	Hamilton, N. Y.	Mondell	Taylor, Colo.
Copley	Haugen	Moores, Ind.	Temple
Cramton	Helgesen	Morgan, Okla.	Thompson
Crosser	Heivering	Moss, Ind.	Tilson
Cullop	Hernandez	Nelson	Timberlake
Dale, Vt.	Hollingsworth	Norton	Tinkham
Dallinger	Howell	Oakey	Towner
Danforth	Hull, Iowa	O'Shaunessy	Treadway
Davis, Minn.	Humphrey, Wash.	Paige, Mass.	Volstead
Dempsey	Husted	Parker, N. J.	Walsh
Dill	Hutchinson	Peters	Ward
Dillon	James	Phelan	Wason
Doolittle	Johnson, Ky.	Platt	Wheeler
Doremus	Johnson, Wash.	Pratt	Williams, T. S.
Dowell	Keating	Ramseyer	Williams, Ohio
Drukker	Keister	Rauch	Wilson, Ill.
Dunn	Kelley	Reavis	Winslow
Ellsworth	Kennedy, Iowa	Reilly	Woods, Iowa
Esch	Kennedy, R. I.	Ricketts	Young, N. Dak.

NAYS—199.

Abercrombie	Dickinson	Igoe	Roberts, Mass.
Adair	Dies	Jacoway	Rodenberg
Adamson	Dixon	Jones	Rouse
Aiken	Dooling	Kahn	Rowe
Alexander	Doughton	Kearns	Rowland
Allen	Driscoll	Kettner	Rubey
Almon	Dupré	Key, Ohio	Rucker
Austin	Eagle	Kincheloe	Russell, Mo.
Bacharach	Edmonds	Konop	Saunders
Bailey	Edwards	Lafean	Schall
Barchfeld	Elston	Lee	Scott, Pa.
Barkley	Estopinal	Lever	Sears
Bell	Farley	Lieb	Shackleford
Black	Ferris	Linthicum	Sherley
Blackmon	Fields	Littlepage	Siegel
Booher	Finley	Lloyd	Sims
Borland	Flood	London	Sisson
Browning	Fordney	Longworth	Slayden
Bruckner	Foster	Loud	Small
Brumbaugh	Gandy	McClintic	Smith, Idaho
Buchanan, Tex.	Garner	McCracken	Smith, Minn.
Burgess	Garrett	McGillicuddy	Smith, Tex.
Butler	Godwin, N. C.	McKellar	Sparkman
Byrnes, S. C.	Graham	McLemore	Steagall
Candler, Miss.	Gray, Ala.	Magee	Stedman
Cantrill	Greene, Mass.	Martin	Stephens, Cal.
Caraway	Gregg	Miller, Minn.	Stephens, Nebr.
Carlin	Griffin	Montague	Stephens, Tex.
Carter, Okla.	Hamill	Moon	Stone
Casey	Hamlin	Moore, Pa.	Stout
Chandler, N. Y.	Hardy	Morgan, La.	Sumners
Charles	Harrison	Mott	Switzer
Church	Hastings	Neely	Taggart
Clark, Fla.	Hawley	Nicholls, S. C.	Talbott
Cline	Hay	Nolan	Tavenner
Coady	Hayden	Oldfield	Taylor, Ark.
Collier	Heaton	Olney	Thomas
Conry	Heflin	Overmyer	Tillman
Cooper, W. Va.	Hensley	Padgett	Tribble
Cooper, Wis.	Hicks	Page, N. C.	Vare
Costello	Hinds	Park	Venable
Cox	Holland	Porter	Vinson
Crago	Hood	Pou	Watson, Pa.
Crisp	Hopwood	Price	Watson, Va.
Curry	Howard	Quin	Webb
Darrow	Huddleston	Ragsdale	Whaley
Davenport	Hughes	Rainey	Wingo
Davis, Tex.	Hulbert	Raker	Wise
Denison	Hull, Tenn.	Randall	Wood, Ind.
Dent	Humphreys, Miss.	Rayburn	

ANSWERED "PRESENT"—6.

Guernsey	Sloan	Swift	Tague
Kreider	Snyder		

NOT VOTING—80.

Ashbrook	Freeman	Lesher	Oliver
Aswell	Gallagher	Lewis	Parker, N. Y.
Beales	Gallivan	Lobeck	Patten
Bennet	Garland	Loft	Powers
Buchanan, Ill.	Goodwin, Ark.	McAndrews	Riordan
Burnett	Gould	McDermott	Sabath
Byrns, Tenn.	Griest	McFadden	Scully
Caldwell	Hart	McKenzie	Shallenberger
Coleman	Haskell	Maher	Slemp
Dale, N. Y.	Hayes	Mecker	Smith, N. Y.
Decker	Helm	Miller, Del.	Steele, Pa.
Dewalt	Henry	Mooney	Stephens, Miss.
Dyer	Hill	Morin	Sutherland
Eagan	Hilliard	Morrison	Van Dyke
Emerson	Houston	Moss, W. Va.	Walker
Fairchild	Johnson, S. Dak.	Mudd	Watkins
Farr	Kent	Murray	Williams, W. E.
Fitzgerald	Kitchin	Nichols, Mich.	Wilson, Fla.
Flynn	Langley	North	Wilson, La.
Focht	Lazaro	Oglesby	Young, Tex.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. ASHBROOK (for motion to recommit) with Mr. GOULD (against).

Mr. KREIDER (for motion to recommit) with Mr. COLEMAN (against).

Mr. TAGUE (for motion to recommit) with Mr. SCULLY (against).

Mr. HILLIARD (for motion to recommit) with Mr. EAGAN (against).

Mr. FOCHT (for motion to recommit) with Mr. GARLAND (against).

Mr. MCKENZIE (for motion to recommit) with Mr. FITZGERALD (against).

Mr. SLOAN (for motion to recommit) with Mr. LOBECK (against).

Mr. JOHNSON of South Dakota (for motion to recommit) with Mr. MILLER of Delaware (against).

Mr. FREEMAN (for motion to recommit) with Mr. OLIVER (against).

Mr. SHALLENBERGER (for motion to recommit) with Mr. BENNET (against).

For the session:

Mr. DEWALT with Mr. MCFADDEN.

For two weeks from March 30:

Mr. SABATH with Mr. NORTH.

From April 8 to April 15:

Mr. VAN DYKE with Mr. MUDD.

Until further notice:

Mr. HOUSTON with Mr. GUERNSEY.

Mr. WALKER with Mr. HASKELL.

Mr. HENRY with Mr. HAYES.

Mr. GALLAGHER with Mr. SNYDER.

Mr. PATTEN with Mr. FAIRCHILD.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. WM. ELZA WILLIAMS with Mr. GRIEST.

Mr. STEPHENS of Mississippi with Mr. SWIFT.

Mr. LIEBEL with Mr. SUTHERLAND.

Mr. MCANDREWS with Mr. HILL.

Mr. BYRNS of Tennessee with Mr. BEALES.

Mr. BURNETT with Mr. DYER.

Mr. CALDWELL with Mr. EMERSON.

Mr. DECKER with Mr. LANGLEY.

Mr. GOODWIN of Arkansas with Mr. MOONEY.

Mr. HART with Mr. MORIN.

Mr. KITCHIN with Mr. SLEMP.

Mr. LAZARO with Mr. PARKER of New York.

Mr. ASWELL with Mr. POWERS.

Mr. MCDERMOTT with Mr. NICHOLS of Michigan.

Mr. STEELE of Pennsylvania with Mr. MEEKER.

Mr. LEWIS with Mr. MOSS of West Virginia.

Mr. WILSON of Florida with Mr. BENNET.

Mr. YOUNG of Texas with Mr. FARR.

Mr. SUTHERLAND. Mr. Speaker, I wish to vote "nay."

The SPEAKER. Was the gentleman in the Hall listening?

Mr. SUTHERLAND. No; I was not in the Hall listening.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. HUMPHREY of Washington. Mr. Speaker, I am paired with the gentleman from Indiana [Mr. MORRISON]. I voted "present." I understand if he were present he would vote "yea," and I wish to change my vote to "yea."

The name of Mr. HUMPHREY of Washington was called, and he voted "Yea."

Mr. TAGUE. Mr. Speaker, I voted "yea." I am paired with the gentleman from New Jersey [Mr. SCULLY]. If he were here, he would vote "nay," and I desire to vote "present."

The name of Mr. TAGUE was called, and he voted "Present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. CULLOP. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. CULLOP. To demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 212, nays 133, answered "present" 10, not voting 78, as follows:

YEAS—212.

Abercrombie	Doremus	Kelley	Rouse
Adair	Doughton	Kettner	Rowe
Adamson	Driscoll	Key, Ohio	Rowland
Alexander	Dupré	Kluecheloe	Rubey
Allen	Eagle	Konop	Rucker
Almon	Edmonds	Lafean	Russell, Mo.
Anthony	Edwards	La Follette	Sanford
Austin	Estopinal	Lee	Saunders
Bacharach	Farley	Lever	Schall
Bailey	Fields	Lieb	Scott, Pa.
Barchfeld	Flood	Linthicum	Sears
Barkley	Fordney	Littlepage	Shackleford
Bell	Garner	Lloyd	Sherwood
Blackmon	Garrett	London	Siegel
Booher	Godwin, N. C.	Longworth	Sims
Borland	Graham	Loud	Sinnott
Browning	Gray, Ala.	McArthur	Slayden
Bruckner	Gray, N. J.	McCracken	Small
Buchanan, Tex.	Greene, Mass.	McGillicuddy	Smith, Idaho.
Burgess	Gregg	McKellar	Smith, Minn.
Butler	Griffin	McLaughlin	Smith, Tex.
Candler, Miss.	Hadley	McLemore	Snell
Cantrill	Hamill	Magee	Snyder
Capstick	Hamilton, Mich.	Martin	Sparkman
Careway	Hamlin	Matthews	Steagall
Carlin	Hardy	Mays	Stedman
Carter, Okla.	Harrison	Miller, Minn.	Steele, Iowa
Casey	Hastings	Montague	Steenerson
Chandler, N. Y.	Hawley	Moon	Stephens, Cal.
Charles	Hay	Moore, Pa.	Stephens, Nebr.
Church	Hayden	Morgan, La.	Stephens, Tex.
Clark, Fla.	Heaton	Mott	Stout
Coady	Heflin	Neely	Sumners
Collier	Hensley	Nicholls, S. C.	Sutherland
Conry	Hicks	Nolan	Switzer
Cooper, W. Va.	Hinds	Oldfield	Taggart
Cooper, Wis.	Holland	Olney	Talbott
Costello	Hood	O'Shaunessy	Tavenner
Cox	Hopwood	Overmyer	Taylor, Ark.
Crago	Howard	Padgett	Thomas
Crisp	Huddleston	Park	Tillman
Curry	Hughes	Phelan	Tribble
Darrow	Hulbert	Porter	Vare
Davenport	Hull, Iowa	Pou	Venable
Davis, Minn.	Hull, Tenn.	Price	Vinson
Davis, Tex.	Humphreys, Miss.	Quin	Volstead
Denison	Hutchinson	Ragsdale	Ward
Dent	Igoe	Rainey	Watson, Pa.
Dickinson	Jacoway	Raker	Watson, Va.
Dies	Johnson, Wash.	Randall	Whaley
Dill	Jones	Rayburn	Wingo
Dixon	Kahn	Roberts, Mass.	Wise
Dooling	Kearns	Rodenberg	Wood, Ind.

NAYS—133.

Aiken	Dunn	Kiess, Pa.	Scott, Mich.
Anderson	Ellsworth	King	Sells
Ayres	Esch	Kinkaid	Shallenberger
Barnhart	Evans	Lehlbach	Sherley
Beakes	Ferris	Lenroot	Shouse
Black	Fess	Lindbergh	Sisson
Britt	Finley	McClintic	Smith, Mich.
Britten	Foss	McCulloch	Stafford
Browne	Foster	McKinley	Sterling
Brumbaugh	Frear	Madden	Stiness
Burke	Fuller	Mann	Stone
Byrnes, S. C.	Gandy	Mapes	Sulloway
Callaway	Gardner	Miller, Pa.	Sweet
Campbell	Gillett	Mondell	Taylor, Colo.
Cannon	Glass	Moores, Ind.	Temple
Carew	Glynn	Morgan, Okla.	Thompson
Carter, Mass.	Good	Moss, Ind.	Tilson
Cary	Gray, Ind.	Nelson	Timberlake
Chiperfield	Green, Iowa	Norton	Tinkham
Cline	Greene, Vt.	Oakey	Towner
Connelly	Hamilton, N. Y.	Page, N. C.	Treadway
Cooper, Ohio	Haugen	Paige, Mass.	Walsh
Copley	Helgesen	Parker, N. J.	Wason
Cramton	Helvering	Peters	Webb
Crosser	Hernandez	Platt	Wheeler
Cullop	Hollingsworth	Pratt	Williams, T. S.
Dale, Vt.	Howell	Ramseyer	Williams, Ohio
Dallinger	Husted	Rauch	Wilson, Ill.
Danforth	James	Reavis	Winslow
Dempsey	Johnson, Ky.	Reilly	Woods, Iowa
Dillon	Keating	Ricketts	Young, N. Dak.
Doolittle	Keister	Roberts, Nev.	
Dowell	Kennedy, Iowa	Rogers	
Drukker	Kennedy, R. I.	Russell, Ohio	

ANSWERED "PRESENT"—10.

Focht	Gordon	Kreider	Tague
Freeman	Guernsey	Sloan	
Gard	Humphrey, Wash.	Swift	

NOT VOTING—78.

Ashbrook	Buchanan, Ill.	Coleman	Dyer
Aswell	Burnett	Dale, N. Y.	Eagan
Beales	Byrns, Tenn.	Decker	Elston
Bennet	Caldwell	Dewalt	Emerson
Fairchild	Hilliard	Maher	Riordan
Farr	Houston	Meeker	Sabath
Fitzgerald	Johnson, S. Dak.	Miller, Del.	Scully
Flynn	Kent	Mooney	Slemp
Gallagher	Kitchin	Morin	Smith, N. Y.
Gallivan	Langley	Morrison	Steele, Pa.
Garland	Lazaro	Moss, W. Va.	Stephens, Miss.
Goodwin, Ark.	Lesher	Mudd	Van Dyke
Gould	Lewis	Murray	Walker
Griest	Liebel	Nichols, Mich.	Watkins
Hart	Lobeck	North	Williams, W. E.
Haskell	Loft	Oglesby	Wilson, Fla.
Hayes	McAndrews	Oliver	Wilson, La.
Helm	McDermott	Parker, N. Y.	Young, Tex.
Henry	McFadden	Patten	
Hill	McKenzie	Powers	

So the bill was passed

The Clerk announced the following additional pairs:

On the vote:

Mr. COLEMAN (for) with Mr. KREIDER (against).

Mr. LOBECK (for) with Mr. SLOAN (against).

Mr. GOULD (for) with Mr. ASHBROOK (against).

Mr. MILLER of Delaware (for) with Mr. JOHNSON of South Dakota (against).

Mr. SCULLY (for) with Mr. TAGUE (against).

Mr. EAGAN (for) with Mr. HILLIARD (against).

Mr. FITZGERALD (for) with Mr. MCKENZIE (against).

Mr. GARLAND (for) with Mr. FOCHT (against).

Mr. LAZARO (for) with Mr. SMITH of New York (against).

Until further notice:

Mr. GALLAGHER with Mr. BENNET.

Mr. DALE of New York with Mr. ELSTON.

Mr. KREIDER. Mr. Speaker, I find I am paired with my colleague, Mr. COLEMAN, of Pennsylvania. I voted "no." I desire to change my vote to "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. KREIDER, and he answered "Present."

Mr. FOCHT. Mr. Speaker, I understand I am paired with Mr. GARLAND. I voted "no." I wish to withdraw that vote and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. FOCHT, and he answered "Present."

Mr. HUMPHREY of Washington. Mr. Speaker, I am paired with the gentleman from Indiana, Mr. MORRISON. I voted "aye." I wish to withdraw that vote and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. HUMPHREY of Washington, and he answered "Present."

Mr. TAGUE. Mr. Speaker, I voted "no." I am paired with the gentleman from New Jersey, Mr. SCULLY. I wish to withdraw that vote and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. TAGUE, and he answered "Present."

The result of the vote was announced as above recorded.

On motion of Mr. SPARKMAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the motion to recommit.

The SPEAKER. The gentleman from Florida asks unanimous consent to extend his remarks in the RECORD on the motion to recommit. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that Members may have the right to extend their remarks in the RECORD for the space of five legislative days on the river and harbor bill.

The SPEAKER. The gentleman from Florida asks unanimous consent that all gentlemen may have the right to extend their remarks on the river and harbor bill for five legislative days. Is there objection?

There was no objection.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend in the RECORD my remarks on the parcel post.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks on the parcel post. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12717, a bill making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917,

The SPEAKER. The gentleman from South Carolina [Mr. LEVER] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of House bill 12717.

Mr. LEVER. And pending that motion, Mr. Speaker, I would like to see if the gentleman from Iowa [Mr. HAUGEN] and myself could agree upon time for general debate. What suggestion has the gentleman?

Mr. HAUGEN. I have requests for 9 hours and 30 minutes on this side, and I would like to accommodate them as far as possible. What suggestion has the gentleman from South Carolina?

Mr. LEVER. Of course the gentleman from Iowa will agree that nine hours on a side would be entirely too long. I am going to suggest six hours for general debate, three hours to be controlled by the gentleman from Iowa and three by myself.

Mr. HAUGEN. Oh, Mr. Speaker, I am afraid that would not satisfy this side. I would like to accommodate these gentlemen as far as possible, and I take it that time is not so precious but that more liberal time can be allotted. I would suggest at least 12 hours, 6 hours on each side.

Mr. LEVER. That is entirely too much, I will say to the gentleman. What would the gentleman say to seven hours, to be equally divided?

Mr. MANN. Let me suggest this to the gentleman: Last year, the short session, there were seven hours allotted. Two years ago at the long session there were 12 hours' general debate on this bill, which is a bill that comes home to a great many Members of the House.

Mr. LEVER. I appreciate that fact, and I appreciate the fact that there is always a great demand for time on this bill; but this side has been extremely liberal in general debate during this session, and I thought we would probably make some time on this bill by limiting general debate.

Mr. MANN. I think that side of the House has been pretty fair, but I have not seen any extreme liberality. On the contrary, having started in with the idea of 20 hours on one bill, you cut it down to 10.

Mr. LEVER. I ask unanimous consent, Mr. Speaker, that general debate on this bill be limited to eight hours, four hours to be controlled by myself and four hours by the gentleman from Iowa [Mr. HAUGEN].

The SPEAKER. The gentleman from South Carolina asks unanimous consent that general debate on this bill be limited to eight hours, four hours to be controlled by himself and four by the gentleman from Iowa [Mr. HAUGEN]. Is there objection?

Mr. MANN. Reserving the right to object, I think if we met at 11 o'clock in the morning and ran to half past 5 or 6 we could afford to give a little more time than that.

Mr. LEVER. Let me make this suggestion to the gentleman from Illinois: If the House should continue in session until 7 o'clock this evening and meet to-morrow at 11 o'clock, I think we could agree upon 10 hours' debate.

Mr. MANN. There is no use in staying in session until 7 o'clock, and we ought not to meet at night without previous notice. We can run until 6 o'clock to-night and meet at 11 o'clock Thursday.

Mr. LEVER. Will the gentleman take kindly to the suggestion of suspending Calendar Wednesday?

Mr. MANN. No; we have a matter up to-morrow that a good many gentlemen really want to consider.

Mr. LEVER. I agree with the gentleman. I know what that proposition is.

Mr. BORLAND. Will the gentleman suggest a night session?

Mr. FOSTER. If there are to be 10 hours' general debate, would not the gentleman be willing to take a recess until 8 o'clock and then run until 11 o'clock this evening?

Mr. LEVER. I would be perfectly willing to do that.

Mr. SIMS. Debate to be limited to the bill.

Mr. MANN. I hardly think so. When we get to the point where we can accomplish things by having night sessions, I am willing to sit every night; but I do not think we ought to have a night session without previous notice.

Mr. FOSTER. Let me suggest to my colleague that under the five-minute rule it seems to me all the chairmen of committees have been very liberal in reference to debate, and many hours have been spent in discussing matters that did not particularly affect the items in the bill. That will probably be the case in the consideration of this bill. Many members get extensions of 5, 10, 15, or 20 minutes. Probably that will be the case here, although I hope not. If gentlemen were to confine their remarks entirely to the bill it might be different, but when they are going to discuss all manner of subjects, that is the way in which the time will be occupied. The gentleman realizes that under general debate there is usually not a very large attendance in the House.

Mr. SIMS. It is very unusual.

Mr. MANN. There is some truth in that, but here is the situation: My colleague Mr. FOSTER does not talk in the House as often as I do, but still he always gets the floor when he wants it. There are, however, some Members of the House who rarely speak, who desire at some time to make a connected speech upon some subject; and while that is not the only right they have, it is one right that comes home to a Member. I think they ought to be given some chance. However, we all know what the situation is. Suppose we agree now to have the House meet at 11 o'clock Thursday, with the understanding that we will run until 6 o'clock to-night.

Mr. FOSTER. Would the gentleman be willing to finish the debate Thursday when the House adjourns?

Mr. MANN. I would if I knew that nothing else was coming up, but I would not be willing without knowing what was coming up.

Mr. LEVER. Let me suggest to the gentleman from Illinois that we begin the general debate now and conclude it Thursday evening at 6 o'clock, running this afternoon until 6 o'clock.

Mr. MANN. There might be a dozen privileged things come in between now and then. Nobody would know about that.

Mr. FOSTER. Nobody knows of anything now, except that there is one on Friday.

Mr. MANN. Oh, yes; there is a special committee to report.

Mr. FOSTER. They do not report until Friday.

Mr. MANN. I do not know when they are going to report.

Mr. FOSTER. Not later than Friday.

Mr. MANN. And we have a bill or two to go to conference, and things of that sort. If the gentleman from Iowa will consent, I suggest that we agree on nine hours' general debate.

Mr. FOSTER. And then meet at 11 o'clock on Thursday and run until 6 o'clock or a little later.

Mr. MANN. Until half-past 5 or 6, depending on the temper of the House.

Mr. FOSTER. Make it 6 o'clock.

Mr. HAUGEN. I suggest that we agree on 10 hours for general debate, and begin the debate this afternoon with the understanding that we shall sit until 6 o'clock, and then we can try and finish up on Thursday probably, running until 6 o'clock or a little later.

Mr. LEVER. Let me make a counter suggestion to the gentleman and see if we can not agree on it by unanimous consent, that the general debate on this bill be limited to nine hours, the gentleman to control half the time, and I to control the other half.

Mr. HAUGEN. If the gentleman thinks that is all that can be given, of course I am not going to insist further, although I think we ought to have at least 10 hours.

The SPEAKER. The gentleman from South Carolina [Mr. LEVER] asks unanimous consent that the general debate on the Agricultural appropriation bill be limited to nine hours——

Mr. LEVER. And that the House meet on Thursday at 11 o'clock a. m.

Mr. MANN. That when the House adjourns to-morrow it adjourn to meet on Thursday at 11 o'clock.

Mr. LEVER. That when the House adjourns to-morrow it adjourn to meet on Thursday at 11 o'clock.

The SPEAKER. That when the House adjourns to-morrow it adjourn to meet on Thursday at 11 o'clock a. m., and that the gentleman from South Carolina [Mr. LEVER] control half the time and the gentleman from Iowa [Mr. HAUGEN] control the other half. Is there objection?

There was no objection.

AMERICAN NATIONAL RED CROSS.

The SPEAKER. The bill (H. R. 14426) to amend section 6 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905, was erroneously referred to the Committee on Military Affairs. It should be referred to the Committee on the Judiciary. Without objection, it will be so referred.

There was no objection.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4856. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 10139. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia; and

H. R. 9923. An act granting the consent of Congress to the county of Mitchell or to the county of Baker, both in the State of Georgia, acting jointly or separately, and their successors and assigns to construct a bridge across the Flint River.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 10385) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1917, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ASHURST, Mr. MYERS, and Mr. CLAPP as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to bills of the following titles:

S. 3984. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 4399. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

AGRICULTURAL APPROPRIATION BILL.

On motion of Mr. LEVER, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, with Mr. HAMLIN in the chair.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, on account of the fact that the Committee on Agriculture has held the most extensive hearings on the appropriation bill that have ever been held, and inasmuch as the report of the committee is probably the most comprehensive that has ever been filed with this bill, I shall not at this time discuss the particular features of it, preferring to do that under the five-minute rule.

I desire, however, at this time to discuss a bill which has been reported by the Committee on Agriculture and is now on the calendar of the House and is ready for consideration whenever it can be reached. I refer to what is known as the Federal warehouse bill, which passed the Senate and House in the last Congress but failed in conference.

Mr. Chairman, in the time at my disposal I shall discuss only the general purposes of this proposed legislation. The details of the bill will be explained as it is read by sections, although they are so simple as that a mere reading of them will suffice to bring out clearly their meaning and relationship to each other.

SOME LESSONS OF THE EUROPEAN WAR.

The European war has disclosed to this country weaknesses in its much-vaunted strength and superiority of such startling character as to be almost unbelievable. The most of us thought and acted upon the assumption that economically we were a self-sustaining people. The very fact of the bigness and variety of our natural resources led us to think that such resources were being developed and utilized to their fullest extent. If the assumption had been true we would to-day find ourselves in absolute economic independence of all other nations. But we have been lulled into false safety by assuming certain facts to exist which we find do not exist.

Events are forcing us to see ourselves as we are and not as we have imagined ourselves to be. We have been made to take stock, and the inventory has brought us little satisfaction with regard to certain fundamentals.

We find ourselves dependent wholly, or in large part, upon foreign nations for a number of essentials to a fully organized and efficient economic entity.

FOREIGN CONTROL OF OCEANIC TRANSPORTATION FACILITIES.

England controls the oceanic transportation facilities upon which we rely at this moment to get our export products into the markets of greatest demand and highest prices. For example, the rate on cotton from our ports to ports of England is almost prohibitive. Cotton is lying in great quantities at our exporting points ready for shipment at profitable prices while the manufacturing districts of Europe are facing a famine in cotton. They are willing to pay the price but the bulk of space on English ships has been commandeered for wheat, foodstuffs, and munitions of war. Cotton is given only limited space and that only at rates outrageously exorbitant, which the producer must bear in large part. The aggregate loss to the cotton farmer upon this one crop since the outbreak of the war on this account alone will reach into the hundreds of millions of dollars.

No great nation, especially an exporting nation, can afford to have its means of transportation upon the seas controlled by a foreign country. The neglect of Congress in this respect in years gone by is inexcusable, and further neglect, in the light of the teaching of the present experience, would be almost criminal.

An adequate merchant marine, under some method of Government control of rates, sufficient to meet the export needs of the country, must be provided if we are to attain a dominating influence in the commerce of the world. [Applause.]

THE FERTILIZER SITUATION.

Potash and nitrogen are essential ingredients of a commercial fertilizer, and fertilizers, in reasonable quantities, are necessary to the very existence of the agriculture of a large section of the country. Not only are these two substances important to the agriculture of the country, but they are absolutely necessary in the manufacture of explosives, munitions of war.

For potash we are dependent upon Germany, for nitrates, in part, upon Chile, although both of these are to be found in superabundance within our own domain. Potash is found in inexhaustible quantities in the alunites of Utah and in the kelps or giant seaweeds of the Pacific coast. Nitrogen fills the air about us and is easy of extraction by processes well known. The Atlantic Coast States will suffer severely this very year because in the past we have not had the foresight to guard against such a contingency as is upon us; but we have been content to allow other nations to supply us with things we should be supplying ourselves.

We can no longer justify a continuance of a policy of complacent self-satisfaction, amounting almost to lethargy, when experience is pointing so emphatically to the folly of such a course. Agriculture must suffer for the time being for a lack of these fertilizer ingredients, but agriculture will survive the suffering. But suppose the country were plunged suddenly into war, what would be the situation? Are we longer to depend upon others for these elements of preparedness for peace and war?

DYESTUFF SITUATION.

The gentleman from Connecticut [Mr. HILL] not long since very forcefully brought to your attention that this country is being compelled to buy from the German Government sufficient dyestuffs with which to print our money and make our postage and revenue stamps, and he pointed out that when we have received this consent of the German King, we must then go one step further and beg of an English King the privilege of transporting them into our own ports. Germany controls a monopoly of dyestuffs. England controls a monopoly of the seas, and as between the two it is estimated that the American users of dyestuffs and dyed wares are suffering a loss of not less than a million dollars a day, or a total loss up to date of $430,000,000 since the war began. Two million working men and women are employed in the industries which are directly dependent upon the use of artificial colors, and these are mostly engaged in the manufacture of cotton and wool. I know personally that a large number of the largest cotton-manufacturing establishments in the South are threatened with the necessity of closing down because of a lack of sufficient dyestuffs, and this situation is general in similar manufacturing industries of the country. Suppose these establishments shall be forced to close down, who can measure the loss and misery that must come as the result to the 2,000,000 people employed in them, and who can measure the effect of the closing down of the woolen and cotton mills of this country upon the price of wool and cotton to the producers thereof? It is a very serious problem.

Mr. BORLAND. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. BORLAND. The gentleman is discussing the provision in the agricultural bill for the investigation into dyestuffs. Does the gentleman know that an American firm has solved the making of aniline dyes, and is making them now?

Mr. LEVER. I know that some are making aniline dyes in this country. The purpose of the provision in the agricultural

bill is intended to permit an investigation of such agricultural plants as may give promise of furnishing dyes.

Mr. BORLAND. But the dyes used in textile goods and printing ink and paint are made from aniline which is derived from coal tar.

Mr. LEVER. That is true; but there are other sources from which dyes can be made, which the committee hope will be discovered by proper investigation.

Mr. BORLAND. Not long ago a gentleman connected with this firm came here and I took him to see the gentleman from Missouri [Mr. DICKINSON], of the Ways and Means Committee, and he explained to him that they were successfully making aniline dyes to-day for paint and could make them for printing and for textile goods, and that they were taking orders for that purpose; that they did not need any particular investigation; that they had procured scientists from Austria and Switzerland and were succeeding in making aniline dyes.

Mr. LEVER. Notwithstanding that, we are now dependent on Germany for dyestuffs and have been for years, and I trust that the small appropriation that we have in the Agricultural bill will be allowed to stay in, and that we may find a way of making ourselves independent of foreign nations in this regard.

Mr. BORLAND. I asked him whether the industry would be self-sustaining, and he said it would.

Mr. GORDON. Did not he want any protection?

Mr. BORLAND. No.

Mr. FESS. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. FESS. I understood that we were making a few varieties of aniline dyes in this country but not in comparison with the great number that were made in Germany, eighteen hundred, I think.

Mr. LEVER. That is true, but that is aside from the discussion.

THE LIST A LONG ONE.

Mr. Chairman, I could go on almost ad infinitum pointing out the weaknesses which the present world condition discloses in our economic system. The testimony would be cumulative only. Sufficient has been said to convince every patriotic man in this Congress of the productive inefficiency of the system. What I desire especially to do at this time and in this connection is to direct the attention of the House to what I conceive to be the most striking fact brought to light by the Old World cataclysm as touching our economic system, and it is this: The utter insufficiency and inadequacy of our method of marketing farm products.

Let me illustrate with what happened to cotton. This is the most nonperishable of all farm products. The machinery for its distribution is well constructed and finely adjusted. It is our most important export crop. But gentlemen will recall that, at the very first appearance of danger, almost contemporaneously with the first shot of the war, the machinery for marketing it collapsed entirely, carrying the price of cotton from around 13 cents per pound to 6 cents per pound. The market was for all practical purposes destroyed and the producer found himself at the mercy of the speculator and spinner.

This experience proved most decisively that cotton possesses neither credit value nor holding power under the existing system of distribution. The short-sightedness of State and National legislation to provide the machinery to guard against such a catastrophe cost the cotton farmer incalculably, and what was true of cotton then is more or less true of it now, and is more or less true of all agricultural products.

Mr. MADDEN. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. MADDEN. What is the gentleman's remedy; would he establish warehouses and give warehouse receipts?

Mr. LEVER. I am now leading up to that conclusion.

THE TEACHINGS ARE FINDING LODGMENT.

These are some of the more striking facts of supreme and far-reaching importance which the European war brings us. They show how completely in many essentials we are dependent upon our natural competitors and how far we are from being a self-sustaining people.

Mr. Chairman, the future of this country will depend upon the interpretation of and the use to which we put the teachings of these facts. I am confident that the lessons we shall draw from them are going to mean a new era in the economic life of the Nation; as it were, a declaration of agricultural and industrial independence.

The people are aroused to an appreciation of the situation as is evidenced by the suggestions and plans which come to us daily. The country has determined never again to allow itself to be found in such a condition of helpless defenselessness as is upon it.

THE WORD "PREPAREDNESS."

For the first time in our history the word "preparedness" has found a place in the vocabulary of all classes of people. It is upon the lips of all men of every shade of political opinion.

It is true the people are thinking largely of the more spectacular aspect of the preparedness program. The daily press, magazines, periodicals of every description, and platforms and pulpits are urging Congress to prepare our country for military and naval defense against foreign aggression and insult. The President is told to maintain the honor of the country and at the same time preserve the peace. To do this has come to mean in the minds of a large majority of people only an elaborate plan of military and naval preparedness. That thought of this character of preparedness should find lodgment first in the minds of men is but natural. The appeal to guard the flag, to maintain the rights and honor of the Nation on land and on sea, to protect its citizenship wherever found, reaches and arouses patriotic impulses and meets with a quick response. This phase of the preparedness program will continue to hold the spot light, and yet, Mr. Chairman, we must not, we can not, forget that the strength of our Army and Navy while it may be less, can never be greater than the strength of the economic forces sustaining them. Military and naval preparedness are bedrocked always in economic preparedness. [Applause.] The South fell because of her economic weakness; Germany stands to-day because of her economic strength. The blockade brought the South to defeat, shall it do likewise for the Nation?

AGRICULTURAL PREPAREDNESS.

Mr. Chairman, it is not my purpose to discuss the future military policy of the country. That duty is assigned especially to others. The committee of which I am chairman is charged with the more prosaic but none the less important duty of initiating fundamentally effective policies for the agricultural preparedness, both for defense and conquest.

The central dominating purpose of the warehouse bill is to aid in the mobilization of the agricultural resources of the people of the country to the end that the greatest degree of prosperity and happiness may be brought to those millions of our population who in the future must be relied upon to feed and clothe our armies, provide subsistence for our Navy, and, at the call, go forward themselves to defend the flag and protect the institutions which it represents.

PATRIOTISM AND OWNERSHIP.

Observation teaches us that individuals fight for that which they have a right to call their own. Intrinsic value does not determine the individual to risk the chances of combat.

Ownership determines that. History teaches that this principle is all the more true of nations, and that the spirit of proprietorship is the very essence and living spark of patriotism. Patriotism may exist apart from proprietorship but proprietorship can not exist inseparable from patriotism.

A man must have something to fight for if the best fighting of which he is capable is to be had. We fight and die for the flag because it symbolizes the conception of the proprietary right of each of us in our country. To some it may mean broad acres and stately mansions, to others only a small farm and a modest cottage, and to others still only an unmarked grave in a deserted family burial place, but to each and to all it embraces in its folds not only his ideal of his country but his claim of right to that ideal. [Applause.]

The spirit of ownership measures the degree of patriotism and men fight hardest in whom that spirit is most highly developed. And do not forget that it is axiomatic that the defensive strength of a nation can not be greater than the patriotism of its people.

Col. Ingersoll said that "It takes an unusual kind of patriotism that causes a man to shoulder a rifle in defense of a boarding house." Who will rise to deny the truth of this philosophy?

TENDENCIES.

And yet, Mr. Chairman, so long as the tendencies that have been going on for the last quarter of a century, and are now going on, shall remain unchecked, the time will come when the major part of our population will be crowded into the apartments and boarding houses of our cities and towns, and the strength, conservatism, peace-loving, and law-abiding rural life, of which we so proudly boast, will have passed from the face of the earth. I am not an alarmist nor am I given to vagaries, but I assert it as a fact, and no student of agricultural economics will deny it, that rural conditions in this country are such as to warrant the most serious thought of the highest order of statesmanship.

FARM TENANTRY INCREASING.

Farm tenantry is rapidly increasing. Each census period shows more farm tenants than was shown by the preceding census period.

Over one-third of our population is classed as tenants, and in some sections more than 60 per cent of the farmers fall within this classification. In my own State 43 per cent of our white farmers are tenants. The tendency throughout the country is from ownership to tenancy. Absentee landlordism is becoming the curse of the Nation and is gnawing at its very vitals. "Next to war, pestilence, and famine, the worst thing that could happen to a rural community is absentee landlordism," says Prof. Carver in his Principles of Rural Economics.

Mr. Chairman, no nation has or ever can reach its highest and best-balanced development whose rural population is largely made up of tenants and laborers. There is no more vital question than that of farm tenancy in this country, and to my mind the most pressing problem of the generation is the finding of ways and means of increasing home ownership in rural districts.

In the program of preparedness the conversion of one white farm tenant into a farm home owner is worth more, in my humble judgment, in the way of national defense than the addition of a company of well-trained Regulars to our standing Army or even the addition of a dreadnaught to our Navy.

FROM COUNTRY TO TOWN.

Again, Mr. Chairman, I direct attention to the drift of people from country to town. The deserted farm home stands out as a constant and tragic reminder that something is wrong, very wrong, in American rural life and conditions. People do not voluntarily relinquish the proud privilege of proprietorship nor turn their backs upon ancestral graves to become mere tenants at sufferance in a city boarding house. There must be a reason for this unrest, so evident among our rural people, as well as for the increase in tenantry.

THE CAUSE.

What is the cause? Broadly speaking, it lies in the fact that the farmer has not been afforded the facilities for capitalizing his brains and labor to the best advantage, as have other classes of people. The machinery for transforming his intelligence and energy into profit and comfort is crude and antiquated. The effect to be expected is precisely what the statistics show it to be. The farmers' profits are small. His educational advantages are by no means comparable with such advantages of towns and cities. His means of communication are inadequate and highly expensive. His social life, and especially that of his family, is meager, when not entirely barren.

Mr. GUERNSEY. Mr. Chairman, will the gentleman yield there?

Mr. LEVER. Yes.

Mr. GUERNSEY. Does the gentleman find the tendency to go from the farm increasing in the Northern States along the northern border?

Mr. LEVER. I am inclined to think so, although I do not have the figures before me. The tendency throughout the country is to go from the country to the town.

Mr. GUERNSEY. At any rate in the Southern States?

Mr. LEVER. Very largely in the Southern States.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. FESS. That is rather a striking tendency, I think, and is true.

Mr. LEVER. Undoubtedly.

Mr. FESS. Has the gentleman investigated to know any particular reason for that, with reference to what we might do in legislation?

Mr. LEVER. I am coming to that point immediately.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. MADDEN. And yet out of the 29,000,000 people living in the Southern States, including Oklahoma, there are 23,000,000 of them living in the rural districts, in territory with populations less than 2,000, whereas in the North, East, and West, with 71,000,000 people, there are 10,000,000 people more living in cities of over 2,000 inhabitants.

Mr. LEVER. That is very natural. The cities of the North have grown more rapidly than the cities in the South.

Mr. MADDEN. Mr. Chairman, will the gentleman yield further?

Mr. LEVER. Yes.

Mr. MADDEN. Does the gentleman know that over 95 per cent of men engaged in manufacturing, industrial, and mercantile pursuits in the United States fail, and that the opportunities afforded them are not anything like as stable or as lasting as the opportunities which are afforded to the farmers of the country?

Mr. LEVER. There may be more failures, I would say to the gentleman from Illinois, but the figures before the Committee on Agriculture show that the total earnings of the average farm in this country are only $402 a year, and as expressed by some of us in the committee, while the failures are not so constant or so spectacular, it is only a question of prolonging the agony.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. SMITH of Michigan. Did it develop before the committee in any way that the opportunities afforded the young man in the city greatly exceed those afforded the young man who stays on the farm?

Mr. LEVER. I will presently show the gentleman where I think the advantages in the city are largely greater than the facilities afforded the boy or the girl upon the farm, and this is a prime reason for parents moving into towns and cities.

Mr. SMITH of Michigan. And is it not true that the net income or profit of the farms, the good farms of Ohio, Indiana, Illinois, and Iowa, is only 3 per cent?

Mr. LEVER. I do not know that; I have not those figures in mind, but I have no doubt that the statement is correct.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. HAUGEN. If the gentleman will refer to the hearings before the Agriculture Committee, he will find that the average return is $402, and the average family 4.6 persons, making it a little less than $100 for each member of the family. That is the average throughout the United States. You will find that the average farm consists of about 75 acres, and the average investment of about $6,000. We are confronted with this proposition, that a farmer, with an average of 4.6 to his family, has an income, net, of only $402.

Mr. LEVER. The gentleman states the facts exactly as they appear in the hearings.

Mr. MOSS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. MOSS of Indiana. Does the gentleman believe that is true if you get to the farms in Indiana, Illinois, and Ohio and take the conditions in the year 1915 and the year 1916? Does the gentleman believe that those figures are true now?

Mr. HAUGEN. The figures were given only about three weeks ago.

Mr. MOSS of Indiana. I do not believe they are true of such States at the present time.

Mr. HAUGEN. That is the report that we have from the Department of Agriculture.

Mr. LEVER. They were the average of the entire country.

Mr. MOSS of Indiana. I am speaking of the conditions as they exist to-day in States like those I have named.

Mr. HAUGEN. In my statement I gave the average for the whole country; that is, the average return to the farmer and the average investment.

Mr. HARDY. Does that average of $402 net for the family of 4.6 people mean that that is the return to the family of renters or to the landlord on a $6,000 investment?

Mr. HAUGEN. That is the return to the landlord. The gross receipt is about $1,300.

Mr. HARDY. If that is what the man who owns the land gets, what does the fellow who does not own it, who is the tenant, get? What is his net income?

Mr. HAUGEN. It is often true that the renter gets more than the landlord. That, of course, depends upon the yield and also upon the price for which the crop is sold.

Mr. HARDY. Does the gentleman mean that the renter makes nothing?

Mr. HAUGEN. In many instances he makes more than the landlord.

Mr. LEVER. And in many instances he makes less than nothing.

Mr. HARDY. But if you have them separated, I would like to know what the renter's profits are?

Mr. HAUGEN. The department did not give an estimate as to the income of the renter or the landlord. It gave the average income of farmers of the United States, an average of $402, and out of that $260 for fuel, rent, butter, and cream consumed during the year should be deducted. Deducting $260 from the $402 gives the net income for 4.6 people.

Mr. HARDY. Just one more question along that line. My understanding is that in the Middle West the rent of such a farm would be over $400.

Mr. HAUGEN. That is true, but this is the average throughout the country. The average income of 75 acres, with an average net income of 4.6 people.

Mr. QUIN. In such a country as we have, where people work very hard, nobody makes $402 clear on a farm, especially a tenant.

Mr. HAUGEN. There is a variation. For instance, in my section of the country a year ago the returns were large, while this year they are small.

Mr. MOSS of Indiana. The question about making an average all over the United States is that it takes in so much of undeveloped territory. The United States is practically an undeveloped country.

Mr. FESS. I want to ask one more question.

Mr. LEVER. I will yield.

Mr. FESS. The chairman's statement is luminous and logical, I think. I wondered if you had made a comparison of those who would be without a home on the farm, the tenants, who I think are increasing in the country, with those in the city. Is the home owner in the city keeping pace with the home owner in the country?

Mr. LEVER. I have no figures on that, but my impression is this, I will say to the gentleman from Ohio, that home ownership in large cities is not increasing. Unfortunately, probably—and I am not so sure that I ought to say that—but in the city the tendency is for people to move out of their homes into apartments and places of that kind, where they do not have to have the expense and trouble to keep up the home. I feel sure that is true, especially of this city.

Mr. FESS. I am of the impression that tendency is growing in the country as well as in the city. I think it is unfortunate.

Mr. LEVER. The total population of the city is growing as compared with the total population of the country, but as to whether or not home ownership in the city is increasing, I am not able to say, though I fear it is not.

Mr. STEELE of Iowa. For the purpose of furnishing information to my friend from Indiana, I will state that Iowa's average is $552 for each and every farm in Iowa. That includes 4.9 people working upon each farm, and that does not include interest upon the farm. The average farm value in Iowa is $20,060, as reported by the agents of the Agricultural Department.

Mr. MADDEN. Is that gross or net?

Mr. STEELE of Iowa. That is so many farms minus. Your 5 per cent on that would make you minus on the farms of Iowa.

Mr. MADDEN. Does that include the accumulation of stock and accumulation of machinery, or does it include the net cash?

Mr. STEELE of Iowa. That makes the net, and when you allow 5 per cent for your investment on $20,000 you have a minus now.

Mr. LEVER. This is all very interesting, but it takes up too much of my time.

Mr. HAUGEN. Just one word. In keeping books in the department, everything consumed on the farm is charged to the farmer, including fuel and rent. Out of the $402 net you must deduct the $260 which is charged to and which is included in the gross receipts.

Mr. LEVER. While this is an interesting proposition, let me get back to what is the cause of this drift of population from country to town and this increase of farm tenantry we find in the country. Broadly speaking, it lies in the fact that the farmer has not been afforded facilities for capitalizing his brain and labor to the best advantage.

Mr. FESS. Are not the educational facilities in the country rapidly increasing?

Mr. LEVER. Fortunately; and I am optimistic enough to believe that the time is almost——

Mr. FESS. I know of some cases where the educational facilities are superior to those in the city, but those are exceptional.

Mr. HAUGEN. Is it not also true that the taxes increase correspondingly, and that the taxes at the present time nearly equal the profit from the farm? My recollections are that the gentleman from Indiana [Mr. Moss] indicated that in his section of the country the taxes amount to $1.50 an acre.

Mr. MOSS of Indiana. That is very true, but it is due to the inequality of the tax laws. While our real estate has increased 160 per cent in the last 10 years, it also shows that the personal property decreased. That shows a large amount of perjury is going on in Indiana; that is what that shows.

Mr. LEVER. Now, Mr. Chairman, to get back to my line of thought, the farmer's bank account does not permit him to surround and equip his home with the comforts of modern conveniences. His means of procuring credit are exceedingly limited, and when available at all it comes at exorbitant and ruinous prices. The conservative banker hesitates as to his security both with respect to land and to its products. The security is admittedly gilt-edged, but it is in such form as to be hard to realize upon and, of course, not easily negotiable. To the banker the best security is that which combines safety with quick convertibility into cash. Neither land nor the products of land under the present system of finance possess these highly desirable and necessary characteristics of a best security.

This situation results in the door of the bank being too often closed to the farmer. His only other source of credit too frequently lies with the usurer and the lien merchant, and he must at times have credit and hence must turn to these sources.

Some months ago the editor of the Progressive Farmer, the Hon. Clarence Poe, one of the profoundest students of farm economics in the country, printed in his paper a comparison of the average cash price with the average time price for eight staple necessities of the farm home in the South. I submit herewith that comparison, showing the increase per cent of time price over cash price for each article.

Article.	Average cash price.	Average time price.	Increase per cent.
Corn, bushel	$1.02	$1.235	21.08
Flour, sack	1.97	2.25	14.21
Hay, ton	20.50	25.50	24.39
Meal, bushel	1.0722	1.2944	20.72
Oats, bushel	.6436	.7936	23.31
Lard, pound	.1037	.1343	29.51
Sugar, pound	.0672	.0833	23.96
Molasses, gallon	.4364	.6020	38.16

He says:

Now, what does this mean? It means that the average difference between "time prices" and "cash prices" was 24 per cent, or if the average time-price account runs four months, interest was at the rate of 73 per cent per annum. Or if the average time-price account runs as long as six months, which I do not believe, the rate would still be over 48 per cent, or six times as high a rate charged the struggling poor as the State says bankers and money-lenders shall charge the rich.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. LEVER. I would be glad to yield, but I am pressed for time.

Mr. SMITH of Michigan. Then I will compress what I want to ask of the gentleman into one question.

Mr. LEVER. Very well.

Mr. SMITH of Michigan. I would like to inquire whether or not any other industry known to the gentleman owns as much bank deposits of the country as the farmer?

Mr. LEVER. That is not the case in my part of the country. It is probably true of the gentleman's country. Then Mr. Poe goes on to show that this condition is typical of a number of Southern States, and some personal investigation upon my own part demonstrates the accuracy of his information.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield there?

Mr. LEVER. Yes.

Mr. STAFFORD. Do I understand that in South Carolina you have a system of different prices based on cash and time payments?

Mr. LEVER. Certainly we have; and in most Southern States with which I am familiar.

Mr. STAFFORD. Then it is entirely different from the situation in the country where I live. There is one price, except in a few instances, where cut-price stores have been established.

Mr. LEVER. There is a time price and a cash price in practically every one of the Southern States.

Mr. STAFFORD. What is the time upon which these prices are based?

Mr. LEVER. Usually from four months to six months.

Where these conditions prevail you will see that the average farmer, in whose breast the spirit of home ownership beats as strongly as it does in yours, walks with the shackles of the private usurer and the rapacious lien merchant upon his ankles.

Gentlemen of the House, I ask in all solemnity if any profession anywhere can survive under such a deadening handicap? Is it strange that farm tenantry is increasing? Is it strange that the deserted farm home breaks so constantly upon the vision? Is it strange that the farmer cries out in revolt against these conditions? Now, what is the remedy?

Mr. HARDY. Mr. Chairman, will the gentleman yield there for a question?

Mr. LEVER. Yes.

Mr. HARDY. I agree with the gentleman's statement as to the conditions he speaks of and the tenant farmer. The fact that the merchant makes these charges is due, is it not, to the fact that the man who pays must make up for the man who does not pay?

Mr. LEVER. It is due to several causes. I think the gentleman will find, when I have finished my statement, that my remedy is broad enough to cover the situation.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. SHALLENBERGER. Along the line of the gentleman's statement, let me ask the gentleman a question.

Mr. LEVER. Yes.

Mr. SHALLENBERGER. Is it not a matter of record that the farmer pays the highest rate of interest of any man engaged in any line of industry in this country?

Mr. LEVER. Yes. That is the case.

Mr. STAFFORD. That is not the case, if the gentleman will permit me, in the district that I formerly represented, where the farmers of Waukesha paid 4 per cent less than what the people were paying in the city of Milwaukee,

Mr. LEVER. The gentleman comes from a section of country that has more wealth than some other sections of the country.

Mr. STAFFORD. Yes; no doubt the per capita of wealth is greater there.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman permit another question?

Mr. LEVER. Yes.

Mr. SMITH of Michigan. Is it not true that the average rate of interest paid by farmers is something less than 7 per cent?

Mr. LEVER. No. I think it is more than 8 per cent on farm land, and on short loans much higher. Some of the testimony before our joint committee showed that some short loans bore an interest rate of 2,000 per cent. Of course, that is exceptional.

THE FARMER MUST HAVE CHEAPER CREDIT.

Since the establishment of land-grant colleges more than half a century ago the Government has been aiding in teaching the farmer more profitable production. In this effort nearly $200,000,000 has been expended. The work has justified itself in the rich results which it has brought. But it is only recently that any effort has been made to aid the farmer in the economic distribution of that which he produces. I think I may be pardoned in the pride which I feel in the authorship of the original item in the annual appropriation bill which carries the funds and authority for this kind of work. If permitted to develop gradually and soundly, the time will come when our system of distributing farm products will be as efficient as is our system of producing them. [Applause.]

But, Mr. Chairman, agriculture may be described as a tripod. The first leg we call production, the second distribution, the third finance. Each of these are absolutely essential to a proper support of the system. We have done much, as I have pointed out, for production; something for distribution; but we have done nothing in the way of adequately providing for the support of the other leg of the tripod. We have left the farmer to do this, and the task is too big for him. He is entitled to the help of the Government in the undertaking. Money, it must be remembered, or credit, is as necessary in cheap production as is science. Likewise no system of economic distribution of farm products can be worked out which is not based upon the gradual distribution of such products as the demand requires them, and gradual distribution is an utter impossibility except as money or credit makes it possible.

To illustrate: The farmer who places a lien upon his crop before it is planted and obligates himself for the repayment of it at a fixed time in the fall by that very act denies himself any voice whatsoever in fixing the price of the crop, which represents the efforts of his brain and labor for the year. He is forced to sell by the nature of his obligation without regard to the market price prevailing. The products of his labor are undergoing consumption during 12 months of the year, but the process of distribution from the hands of the farmer into the channels of commerce covers a period only of from 3 to 5 months. Such a system, the outgrowth of the farmers' financial necessities, must inevitably result in weighing down the market during this period of forced sale, causing lower prices and tremendous aggregate losses. This bill undertakes to provide a means by which the period of distribution of farm products may be lengthened and the inevitable glut upon the market under the present system reduced to a minimum. We are trying to give to certain agricultural products a holding power, a borrowing character, which they do not and can never possess under the existing system of distribution. It is axiomatic that no great betterment in rural conditions can take place until some system is devised which gives to the farmer complete ownership of the products of his soil and assures him a voice in fixing the price at which he is willing to part with that which he labors to produce. Such a system must rest fundamentally upon the ability of the farmer to procure easier and cheaper credit at the critical marketing periods of a given crop.

LONG-TERM CREDITS.

Mr. Chairman, substantial progress is being made in this direction. The last Congress created a joint committee of the Senate and House—six Members from each body—to study the whole subject of rural credits and to report back to the two Houses of Congress a plan for the inauguration of a system of rural credits adapted to American needs and conditions. I had the honor to be one of the six to serve upon that committee from the House of Representatives. This committee early in January reported to the two Houses of Congress the results of its efforts, recommending a comprehensive system of land-mortgage credits, which will provide for amortization payments of principal on long-time loans at low rates of interest. We have furnished the framework upon which the two Banking and Currency Committees of the House and Senate will build their system. The Senate committee has already reported. The House committee will do so shortly, so that it is safe to say that a system of long-term credits is assured.

SHORT-TERM CREDITS.

The bill reported by the joint committee does not undertake to establish a system of personal, short-term credits. It deals only with long-term loans based upon farm mortgages. This is not sufficient to completely solve the problem. It will greatly help and means immeasurable good to the country.

But to reach the most comprehensive solution of the difficulty under which agriculture exists it is necessary that provision be made, probably in a series of substantive laws and amendments to existing laws, which will provide these short-time loans which must be available to the farmer to enable him to procure that easier and cheaper credit at those critical marketing periods, to which reference has been made already.

THE AVAILABILITY OF THE FEDERAL RESERVE SYSTEM.

Gentlemen, my studies of rural-credits systems in other countries and my understanding of conditions in this country have brought me to the conclusion that, for the present at least, we shall have to look largely to the provisions of the Federal Reserve System for the machinery for furnishing short-term credits to the farmer.

It will be recalled that in the consideration of the Federal reserve act the question of extending the privilege of rediscount to agricultural paper was for many weeks the chief point of discussion among Members of this body. It was at last agreed that the farmer was entitled to this privilege along with the commercial interests of the country, and section 13 of that act embodies the principle of this agreement. As the bill left the House, the rediscount privilege for farm paper was limited to 90-day paper. The Senate increased this to six months. I do not believe the country has yet realized the tremendous possibilities for good that lie in this section as the system affects agriculture. A liberal interpretation by the Federal Reserve Board of this section, if supplemented by wise action upon the part of the people themselves, will result, in my judgment, in revolutionizing the present system of the distribution of agricultural products, and for the first time put the farmer in position to be the master of the products of his brain and brawn.

Mr. SMITH of Michigan. The law also provides for loaning money on a farm mortgage, does it not?

Mr. LEVER. Yes; but that has not been availed of to any great extent, I understand.

Mr. SMITH of Michigan. And the term of credit to the farmer is six months, whereas to the ordinary business man it is only three months.

Mr. LEVER. Yes.

Mr. HUTCHINSON. Congress passed a law providing for Federal reserve banks, but is it not a fact that the Federal reserve banks will not discount papers for a farmer?

Mr. LEVER. If a farmer's note is secured by proper collateral, such as a terminal-warehouse receipt, the reserve banks will rediscount such notes.

Mr. SMITH of Michigan. The Federal reserve act itself does not provide that a farmer's note shall be secured by any collateral, does it?

Mr. LEVER. It does not. That is a ruling of the Federal Reserve Board. I will say to gentlemen of the committee that the time which I have allotted to myself is nearly exhausted, and I must hurry along.

Mr. HAUGEN. Is it not true that the restrictions placed on farmers' loans are largely due to the regulations of the Federal reserve banks?

Mr. LEVER. I am not sure about that.

Mr. HAUGEN. And that by more liberal construction of the provisions of the law the Federal Reserve Board could make it easier for the farmers and the banks in this respect?

Mr. MOSS of Indiana. The gentleman had reference to the Federal-reserve rate of 3 per cent.

Mr. LEVER. The commodity rate; yes.

Mr. HELGESEN. In regard to the clause in the Federal reserve act providing that they can take care of farmers' paper, our experience in the West is that these loans have to be obtained through the local banks.

Mr. LEVER. Yes.

Mr. HELGESEN. And the governor of the Federal reserve banks for Minneapolis explained in a long letter that while he was trying to give preference to farmers' paper, he said he had to make these loans to the local banks, and the local banks charge just as much as the local market will permit, regardless of the fact that the Federal reserve bank charges them a low rate.

Mr. LEVER. I was coming to that. Already the Federal Reserve Board has done much to vitalize this section. On the 3d of last September the board established a preferential rate on commodity paper and defined such paper as a note, draft, or bill of exchange secured by warehouse terminal receipts, or shipping documents covering approved and readily marketable nonperishable staples, properly insured. This especial privilege for agricultural paper was extended to the member banks only on condition that the rate of interest, including commissions charged the maker of the note, did not exceed 6 per cent per annum. Many of the banks accepted this privilege, and the farmer for the first time got a glimpse of 6 per cent money. It is the first time, Mr. Speaker, in the history of this country that the farmer's note, secured by definite collateral, is given a preference over commercial paper in the matter of interest rate, and to my mind herein lies the beginning of a new era in farm short-term credits in this country, with all that this must mean to the prosperity and happiness of rural communities.

Mr. HELGESEN rose.

Mr. LEVER. Now, in a moment I am sure I will come to the point which the gentleman from North Dakota has in mind.

Frederick A. Davenport, professor of law and politics in Hamilton College, after a journey through the South Atlantic States, has this to say in the Outlook about conditions as he found them:

> But no proof of the powerful helpfulness of the Government at Washington ever crossed the vision of the South like that which the Federal Reserve Bank System has afforded in the use of the national credit to stabilize the great cotton industry. No single event has done so much to quicken the sympathy of the South with the National Government. Cotton is no longer simply a commodity, but a basis of security. The cotton warehouse receipts represent an indestructible quality, and so highly important an article in the balance of international trade that as a basis of agricultural loans there is nothing superior. The lower rate of interest and the sense of relief and freedom which have come to countless plain homes in the South augurs well for their future devotion to the Nation. Everywhere I heard the Federal Reserve System praised. And this the South owes to the Federal Government.

Here we have the unbiased opinion of a student of economics, who says in powerful descriptive language what every southern Member of Congress knows to be the facts. It will be noted that "the powerful helpfulness" to which Prof. Davenport refers is afforded through the Federal Reserve System, which permits cotton to become for the first time not simply a commodity but a basis of security. The warehouse bill is intended to provide the machinery through which farm products may get the full benefit of the Federal reserve act. Without this great piece of constructive legislation we should have nothing to build upon. Elevator receipts, warehouse receipts for grain, cotton, and other nonperishable products would have no special value, because without the Federal reserve act they would have no properly regulated credit reservoirs with which to relate themselves.

Mr. SMITH of Michigan rose.

Mr. LEVER. My friend will pardon me. I must hurry through. But, Mr. Chairman, with the facilities for credit which this act affords the farmer it would be almost criminal if we did not provide the additional legislation necessary to enable him to reach them, and that is just what we are proposing to do in this bill. We are seeking in this legislation to agriculturalize somewhat the reserve system; and this bill, in fact, from the standpoint of agriculture, is but a necessary legitimate adjunct to and result of the reserve system.

AN AMENDMENT TO THE RESERVE ACT.

In issuing its commodity rate the reserve board has given as liberal interpretation as is probably possible to section 13, and while great good has come from this section already the fact remains that a great many banks in certain sections of the country, unwilling to educate the people to 6 per cent interest, refused to accept the privileges thus afforded them by the commodity rate. This situation, it seems to me, has made it necessary that the reserve act be amended in such a way as to allow reserve banks to discount directly such paper as is made eligible for the commodity rate. Such an amendment would allow a farm note secured by a proper warehouse receipt discount at a reserve bank, and the result would be that member banks which now refuse to discount such notes would be forced to do so or else run the risk of losing a large part of their patronage.

The gentleman from Texas [Mr. SMITH] has such a bill pending before the Banking and Currency Committee, and I trust we may have the opportunity to vote upon it at this session of Congress. If member banks are not farsighted enough to realize that the prosperity of agriculture is the basis of all other prosperity, I think the big-stick policy of knocking their eyes open to a fact which is as much to their interest as it is to the farmer himself is justified.

ADDITIONAL MACHINERY NECESSARY.

But for the farmer to be able to avail himself of the existing privileges of the reserve system and the larger and wider privileges accruing to him under such an amendment it is necessary that machinery shall be afforded him which automatically converts his perfectly safe but nonliquid security into an equally safe but at the same time negotiable credit asset. The chief difficulty with the security which the farmer has to offer as collateral for loans is to be found not in its inherent weakness but in its nonliquid and otherwise unattractive form. If Congress intends or desires to furnish to agriculture the same facility for credit which the reserve act now affords to commerce, ways and means must be devised which will give to agricultural security those same characteristics as have enabled the security of the merchant and other classes of people always to command credit. To meet this situation, to give negotiability to the paper of the farmer, we propose under the terms of the warehouse bill to set up a system of warehouses licensed and bonded under Federal authority for the storage of specified, nonperishable agricultural products. And upon such products, so stored, uniform receipts will issue, the grades and weights of the products specified therein having been determined previously by licensed weighers and graders in accordance with Government standards. The machinery is simple, and experience shows it to be effective.

What is it? It contemplates a warehouse, bonded and under the control of a bonded and licensed warehouseman, to safeguard the product or security. It provides for the licensed weigher and grader which guarantees impartial and competent judgment as to the quantity and quality of the product. The quality of the product is measured by the Government standard of grade, which assures both correctness and uniformity of measurement.

Each and all of these important and essential facts find expression in the face of the storage or warehouse receipt. The workability of the entire plan depends ultimately and necessarily upon the absolute integrity of this receipt and especial care has been taken to see to it that the receipt in all cases speaks the facts with unquestioned verity. To be certain that such a receipt is provided we have followed as closely as possible the form of receipt issued under the uniform warehouse receipts act, in force in 31 States of the Union, which has become more or less a standard form in the channels of commerce.

HARDING'S INDORSEMENT.

Mr. Chairman, if there is any one member of the Federal Reserve Board who more than any other understands agricultural conditions and needs, it is the Hon. W. P. G. Harding, who himself began life in a country village. He knows country people and sympathizes with them. His services to agriculture as a member of the board can never be appreciated fully, and his indorsement of any proposal touching agriculture must carry great weight. I have discussed with him the provisions of this bill and submitted it to him for his mature thought which he expresses in a letter to me which I wish to bring to your attention at this time.

The letter is as follows:

FEDERAL RESERVE BOARD,
Washington, February 1, 1916.

MY DEAR MR. LEVER: I have received your letter of January 25 inclosing copy of bill (H. R. 9419) known as the United States Warehouse Act, together with your analysis of it.

It is generally recognized by banks and other financial institutions that cotton, which when properly warehoused can be held without deterioration for many years, and which is always readily marketable at a price, affords more satisfactory security for loans than perhaps any other commodity, but the difficulty hitherto has been the lack of a satisfactory warehouse receipt. The physical conditions attached to the warehouse must be considered. It must be so constructed as to afford adequate protection from the elements for cotton stored in it and it should be built in such a manner and of such materials as to provide for its contents a low insurance rate. The ownership and management of the warehouse must be responsible so that holders of receipts for goods stored in it may feel assured that the commodities represented by the receipts will, under all circumstances, be in the warehouse awaiting the return of the receipts. Furthermore, the banks and others making loans against warehouse receipts for cotton must be protected against adverse liens, and must be satisfied that the pledgor of the commodities covered by the receipt has a good and legal title to such commodities. The bill seems to recognize all of these points and it provides for proper inspection of warehouses, for the exercise of reasonable care on the part of the owners of warehouses receiving goods for storage, and further protects holders of receipts by requiring that the warehouses be bonded. For some years past there has been no difficulty in arranging loans at reasonable interest rates, on cotton stored in large warehouses at the ports and other concentrating points, but there have been practically no facilities for getting loans, except through local agencies, on cotton stored in warehouses at the numerous interior towns throughout the cotton belt, although after making due allowance for the cost of transporting cotton to market, there is no reason why the cotton at small interior towns should not be just as good collateral as that stored in a warehouse at Houston, New Orleans, or Memphis.

The proposed Federal warehouse act will, in my opinion, tend to make cotton stored at interior points available as collateral for loans without the intermediation of local banks, and will broaden very materially the market for loans secured by warehouse receipts for cotton. The consumption of a cotton crop is a process which is going on through all of the 12 months of the year, but the marketing of the crop, as far as the producer is concerned, is, generally speaking, a matter that involves only 3 or 4 months. The result has been that a mass of cotton comes on the market within a short period when prices are depressed under the weight of the offerings, so that the producer does not get the benefit of the average price covering the full 12 months' period. Proper warehouse laws and adequate warehouse facilities will invite abundant offerings of money to be loaned on cotton, and will enable producers to become a factor in determining the price of cotton and to exercise some discretion in selling. Should the bill become a law, warehousemen will not be compelled to take a Federal license, but can use their own judgment, and there will be ample opportunity to test its practical workings without hardship to anyone. In my opinion warehouses having a Federal license will do more business throughout the year than will the nonlicensed warehouses, and I think the result will be that in the long run practically all warehousemen will comply with the requirements of the act in order to share in its benefits.

As requested, I inclose herewith a copy of the Federal Reserve Board's commodity loan regulation.

Very truly, yours, W. P. G. HARDING.

Hon. A. F. LEVER,
Chairman Committee on Agriculture,
House of Representatives, Washington, D. C.

The bill meets every condition laid down by Mr. Harding for insuring the integrity of the receipt. It sets up a credit instrument, which this great economist describes as sufficient to meet all the requirements.

Mr. SMITH of Michigan. The gentleman refers to the warehouse bill?

Mr. LEVER. The warehouse bill.

Mr. HAUGEN. I would like to ask if Mr. Harding indorsed the bill as it was recently amended by the committee, which eliminates the grading of grain except grain that enters into interstate commerce, which will do away with the grading, as practically none of the stored grain will be held to be in interstate commerce?

Mr. LEVER. I will say that the matter was submitted to him before the committee had passed upon that, so that he does not touch upon that subject.

UNIFORMITY OF RECEIPT.

It is a well-known principle in economics that standardized, uniform security always is most negotiable and always commands the lowest rate of interest. A Federal warehouse law insures beyond doubt uniformity in character of warehouses, uniformity in methods of inspection, uniformity in methods of weighing and grading, uniformity in the standard of measurement—grade—and above all, and more important than all, such a system provides for a uniform warehouse receipt, or credit instrument, for the same product in every State in the Union. Each receipt, whether issued from a warehouse in Texas or in South Carolina for a like product will carry on its face the same story and will be issued under the same rules and regulations and protected by the same law. Such a receipt must be of the highest collateral value and it is my belief that it would flow at once into the general system of securities and become realizable upon at any time in the general market of securities.

THE OPINION OF A LEVEL-HEADED AGRICULTURAL STUDENT.

Mr. Chairman, I am not alone in my judgment upon this point. I wish to quote from a statement of the Hon. Clarence Poe, editor of the Progressive Farmer, in commenting upon an article of mine appearing in his paper last October:

One of the most important articles that the Progressive Farmer has ever printed—that is our opinion of the letter from Congressman A. F. LEVER, on another page, explaining the provisions of the proposed Federal warehouse law, a measure to whose support all American farmers should quickly rally.

The advantages of the plan should be self-evident. It will standardize the cotton-warehouse receipt and make it literally "as good as gold" as collateral paper. It will insure scientific grading of all cotton stored in such warehouses and thereby save the farmers millions of dollars—millions now being lost, as Mr. LEVER points out, as a result of shrewd, unfair graders taking advantage of the grower's ignorance, and millions more lost as a result of incompetent buyers grading too low in order to protect themselves from their own ignorance.

We have already been urging farmers to establish State warehouse systems, and expect to continue to do so, for as Mr. LEVER points out, there will be plenty left for the States to do in warehousing and marketing after this national measure is passed. But the first great need, as we see it, is the passage of this national warehouse law. If each State has a separate system without responsibility to the National Government, one State might be lax in enforcing its rules, might be too careless in licensing graders, might be too negligent in safeguarding receipts, etc. And then, as Mr. LEVER says, the bad receipt might injure the credit of the good one. But with national supervision and control, and the reputation for thorough and scientific work, utterly free from politics, for which the national Department of Agricultural has a reputation, the warehouse receipt would be absolutely unquestioned as collateral, and money would be available in unlimited quantities not only through the Federal Reserve System, but from all the great financial centers where dollars are always seeking investment on safe security.

In a later editorial, Mr. Poe again calls attention very strikingly to the desirability of a Federal warehouse system for farm products and points out the greater advantages of such a system.

A NATIONAL WAREHOUSE LAW NEEDED.

Great as are the advantages resulting from the action of a single State, however, we are convinced that they will be doubled when we get a national warehouse law such as that advocated by Senator HOKE SMITH and Representative LEVER in the last session of Congress, and doubled again when all the States in the South join in passing warehouse laws.

The advantages of having a general national law need only be considered to be admitted. No State government in the South, so far as we know, has worked out any plan for civil service or for divorcing public office from the party "spoils system," and for this reason it is highly important that graders and warehouse inspectors be licensed and controlled by the Bureau of Markets of the National Department of Agriculture. It is still more necessary in order to insure uniformity of methods—uniformity in grading methods and uniformity of rules as to what constitutes a satisfactory warehouse.

What we are after is getting a system whereby a warehouse receipt will be as good collateral as a Government bond in New York and other money markets, and in order to effect this result it is necessary to have this national supervision. Otherwise there will be variations in standards and consequent confusion and uncertainty as to just what a warehouse receipt means, and there will be the danger that the warehouse system in some States will fall a prey to politics and inefficiency.

THE SYSTEM IS COOPERATIVE AND PERMISSIVE.

I wish to emphasize that the provisions of this bill are permissive and in no sense compulsory. No warehouse is forced to come into the system. That is left entirely to the individual wishes of each warehouseman. He will determine the advantages and disadvantages of the situation. We have deliberately made the bill permissive rather than compulsory.

I wish also to point out very distinctly that the system proposed here can not interfere with any system organized under State or local authority. I recognize the value of State and local systems of warehousing farm products and I would not in the least hamper them. I believe emphatically that there is ample work for both systems to do and that the two will quickly harmonize their efforts and aims.

AMBITIOUS PROGRAM.

This, Mr. Chairman, is the first step at this session of Congress in the direction of agricultural preparedness. It is a most important step in rural-credits legislation.

Immediately following it will come the grain-grading bill. A little later will follow the cotton-standards and cotton-futures bills. And soon, we understand, the Committee on Banking and Currency is to report the land-mortgage credit bill. All of these proposed measures aim at the very vitals of the country's agricultural problems and provide a fundamental basis of solution of them.

This is the most ambitious program of agricultural legislation ever proposed in this or any other law-making body, and if these suggestions shall be written into law we shall have given evidence of a spirit of willingness to do for our farmers what European countries have done for theirs. This is the most the farmer asks to be done. It is the least we can afford to do. [Applause.]

Mr. FESS. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. FESS. I recognize the argument for Federal legislation for a rural-credit system, but I am not fully persuaded that

the argument is just as strong for a Federal warehouse system. Would not the State take care of that?

Mr. LEVER. The same argument that is of force for the establishment of a national-bank system, in my judgment, would apply to a system for Federal warehouses. I think there is necessity for both. I feel certain in my own mind that a receipt issued from a federally supervised warehouse would possess a much higher credit value than if issued from a State-controlled warehouse.

Mr. MOSS of Indiana. The gentleman would not put the warehouse outside of the uniform standard of quality and condition.

Mr. LEVER. Not at all.

Mr. MOSS of Indiana. And inasmuch as your bill calls for a Federal grading and a Federal standard, that goes along with the Federal receipts, and gives it a much higher credit value than would a State-warehouse system.

Mr. LEVER. Undoubtedly.

Mr. SMITH of Michigan. Can the gentleman tell how many States have a warehouse system?

Mr. LEVER. There are 31 States that have adopted the uniform warehouse receipts act.

Mr. SMITH of Michigan. I should think that they might work together.

Mr. LEVER. They will.

Mr. PLATT. Does not the gentleman think that the State banks could give the necessary accommodation for this form of paper without asking the Federal reserve banks to do it?

Mr. LEVER. We face a fact and not a theory; they are not doing it. We might make them, but they are not doing it. Mr. Chairman, how much time have I used?

The CHAIRMAN. The gentleman has consumed 1 hour and 14 minutes.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. RUBEY having taken the chair as Speaker pro tempore, a message from the Senate by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4432. An act to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914; and

S. 5407. An act authorizing and directing the Secretary of the Treasury to extend the time of payment of the amount due the Government by the city of Augusta, Ga.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from South Dakota [Mr. DILLON].

COOPERATION IN DISTRIBUTION OF FARM PRODUCTS.

Mr. DILLON. Mr. Chairman, in order to obtain success in the farming industry the farmers must adopt cooperative methods. The big question is how to avoid waste in production and distribution. Every producer and every consumer is deeply interested in this vital question. The annual production of the American farm amounts to $13,000,000,000. In the distribution of these products the railroads receive 3.8 per cent, the selling expense is 9.2 per cent, waste in selling is 12 per cent, and the dealer's profit is 28.9 per cent, while the producers share is 46.1 per cent.

It will be seen that it costs more to distribute the products than it does to produce them. The burden of looking after distribution must largely be assumed by the producer. The consumer should aid the producer in an effort to protect the distribution from unfair charges from the time the products leave the farm until they reach the consumer. If the producer fails to look after his market the speculator will assume the functions of distribution and pocket the profits.

The farmer of to-day is violating the rules of modern business in the distribution of his crops. As soon as the crop is harvested he, too often, puts it on the market when it is not needed for consumption. The consumer does not want these overplus products when the market is oversupplied. It is then wanted by the speculator. The crop should go to the consumer only as fast as it is needed for consumption.

The farmers through cooperative organization ought to hold their products and sell them only as fast as the consuming public needs them. By so doing they would supply the market according to demand. The successful manufacturer does not rush his products to the consumer regardless of the demand, but holds them and thus feeds the demand. This is what every other business is doing except the farmer.

The farmer in protecting his own interest should not stop with production, but should follow his product to the end of distribution, because distribution for him is as important as production. For the want of cooperation the farmer is being forced to turn his product over to the speculator.

Local production for local consumption is no longer feasible. The local dealers will not buy the farmers' stock for local consumption for fear the packers will refuse to sell him supplies. The local dealers, therefore, recognize the fact that the farmers' sales do not make a continuous supply for the market. They turn to the packers because they furnish a regular supply for the consuming public.

The trusts that deal in coal, oil, coffee, sugar, beef, and lumber, and the manufacturing plants are all careful to follow their products to the consumer, and by so doing they are preventing waste and are crowding out the speculator. New oil fields do not lower the price of oil; new coal mines do not lower the price of coal; overproduction of manufactured articles seldom lowers the price to the consumer, because the supply is carefully regulated to meet the market at prices arbitrarily fixed.

Thus it has become a part of business methods to see that the supply does not exceed the demand. The railroads, the telephone, the telegraph, the bankers, the trust operators, the governmental patentees each reach the consumer without any real competition and without going through the speculative operators.

The farmer, however, unmindful of these methods continues doing business in the same old way. He gluts the market and forces a sale where there is no demand. He fails to enter into distribution, while the speculator takes charge of these activities for his own profit. Who has not seen the farmer with his load of hay or wood standing on the street corner waiting for a buyer? Such methods violate every rule of modern business.

The individual method of reaching the consumer is rapidly passing. The corporation method is giving way to the cooperative system which is now rapidly coming into common use.

Denmark has made great progress in the development of cooperative buying and selling agencies. These societies have experts who make tests of seeds for the farmers and give them advice in the improved and scientific methods of farming. The Danish farmer does not individually buy his supplies nor does he individually sell his products.

The cooperative societies engage in the distribution of the products of the farm and likewise in buying the supplies for the farmers. His grain, hogs, poultry, eggs, butter, and vegetables are all handled by the cooperative societies. It is said that 95 per cent of the Danish farmers are members of the cooperative dairies which are now selling about $1,000,000 worth of butter per week to the English customers. They have cooperative slaughterhouses, cooperative bakeries, and cooperative export associations as well as cooperative buying and selling agencies. In fact, in every line of trade cooperation exists.

This system has made Denmark rich in its agricultural development, and it is said that 89 per cent of the Danish farmers own their own homes. Germany has also made a great success in the development of her selling and buying agencies.

In this country we are rapidly developing this system of distribution, yet it must be conceded that the cooperative system in this country is in its infancy. The fruit growers of the country acting individually made a failure of marketing the crops. The California Orange Growers' Protective Union was established in 1885. For the want of loyalty among its members it was overtaken by failure.

In 1893 the task was again assumed, but the spirit of disloyalty carried it down in defeat. In 1895 it was reorganized and achieved partial success. In 1905 the California State Fruit Growers' Exchange was organized and has successfully established a stable and permanent market for the fruit growers of that State. It has its legal department, its insurance department, its box-manufacturing department, and is annually shipping 20,000 carloads of fruit.

Likewise the Florida citrus exchanges have reached a high stage of development. The walnut groves of California, the Georgia fruit exchanges, the apple growers of Oregon, all are examples of a successful business conducted under a cooperative system.

Wherever the cooperative associations have reached the highest stage of development they have forced loyalty among their members by contracts providing for annual delivery of the products and providing for damages for failure to comply with the contract. Such contractural provisions have played an important part in compelling loyalty, and have successfully withstood the attacks of the middlemen and speculators.

The by-laws of these institutions provide for a division of the profits resting on a basis of patronage, thus eliminating the

capitalists. These institutions have passed the experimental stages. Whenever the products of the farm can be handled through the cooperative channel we will no longer have the fluctuations that now exists in the prices. Distribution reduced to a scientific basis in the city of New York would save the consumers of that city $75,000,000 per year.

This bill carries an appropriation of $24,501,093 for the purpose of aiding the American farmer. A great part of these funds are to be used for investigating purposes. These investigations are going on every year, and are never finished. The bill is long on investigation and short on the diffusion of knowledge. We need everyday, practical, common-sense methods of imparting the results of these investigations to the farmers.

It is evident that the farmers have sustained great losses in their failure to engage in the distribution of their products, and the Agricultural Department is likewise failing to distribute the result of its investigations.

The farmer is not so much interested in the scientific phases of the investigations, but he is deeply interested in the practical things and wants to know how to get results. He knows how to raise good crops and is well educated in matters of production. He knows that he is raising great crops, but this does not assist him in getting a fair return for his labors. How does he know where and when to ship his products, how to avoid a glutted market, and how to obtain a good market?

At present the terminal market constitutes his greatest trouble. Here the speculator and trafficker gather, so that they may cast lots and barter on the products of his toil. Give him less investigation and more common-sense knowledge about markets and help him to get an honest, stable price for his product.

He needs help on transportation, help at the terminals, rather than investigations to be carried on under the terms of this bill. He knows the Shipping Trust, the Elevator Trust, and operators on boards of trade, dealing in futures, without intent to deliver, are all exacting from him undue profits.

As a part of my remarks I am inserting a scholarly discussion by former Congressman John E. Kelley, of Pierre, S. Dak., showing how the farmer is robbed by the Shipping Trust and market raiders:

Grain prices throughout the world have been the highest known for 40 years. Yet, owing to the Shipping Trust and the American Terminal Elevator Trust, the American farmers have been selling, in many instances, below the cost of production. Oats throughout the Northwest, for more than 100 days after the opening of the markets this year, sold for 25 to 26 cents per bushel, and in many instances even less. All of this time, with the exception of just a few days, American oats sold in Liverpool at 74½ to 75 cents for 32 pounds. "New clipped, American, Liverpool, 45 pounds, 4s. 4½d. to 4s. 5d." Thus, while American oats sold in Liverpool for 75 cents per bushel, and the American farmers were getting at the same time but an average of 25 cents, who got the remaining 50 cents per bushel? Here are the figures: The market raiders got 23 cents per bushel of it and the Shipping Trust took 16 cents per bushel, in addition often to the regular rates before the war. The other 11 cents per bushel were absorbed in local elevator rates, lake rates, insurance, over-seas and locally. The Government furnishes the insurance, which has averaged 1 cent to British ports down to one-half cent and one-fourth cent to nonbelligerent countries. So that insurance is low and within reach of all.

Accordingly, while the consumer in England paid an average of 75 cents per bushel for American oats, the American farmers got an average, for the first 100 days following the opening of the market this fall, of 25 cents per bushel, or but one-third of the real value on his crop.

Of the 50 cents per bushel taken from the farmers, from 11 to 13 cents only could by any possibility be fairly charged, even during war times, to legitimate expenses and legitimate profits. The remaining 37 cents per bushel represents clear plunder divided up between the American grain speculators and the foreign Shipping Trust, above indicated.

A short time before the war the Minneapolis Journal made a comment upon the fact that the spread between the price of wheat in Liverpool and Minneapolis was the exact cost of transportation and commission, and was given as 12 cents per bushel lake freight from Duluth.

On the 27th day of November the spread between Duluth and Liverpool was 71 cents per bushel, being worth in Liverpool $1.73, or 12s. In Duluth (same grade), $1.02; spread, 71 cents; fair cost of handling, 17 cents; difference, 54 cents.

A fair price for handling wheat between Duluth and Liverpool on that date, allowing big advances on account of the war, would be:

	Cents.
Lake rates	4
Elevator	1
Commission	1
Insurance, local and overseas	2
Emergencies	1
Ocean rates (double peace rate)	8
Total	17

Yet we find that 54 cents in addition to this sum was taken and was divided between the terminal market raiders and the foreign shipping trust as follows: The rate charged by the shipping trust that day from New York to British ports was 14d. per bushel—28 cents. Here was 20 cents clear plunder taken from farmers. But the American terminal market raiders distanced the foreign shipowners when it came to plunder to the extent of 69 per cent; for the raiders took on that day, over and above every known cost of handling, fixing the calculation on the price of wheat that day between Duluth and Liverpool, 34 cents per bushel. The price the farmers got on the 27th of November in Aberdeen, S. Dak., for No. 1 wheat was 85 cents; accordingly, the terminal market raiders took as a clear toll over all costs of handling 40 per cent of the price the South Dakota farmer got; and the raiders and the shipping trust together took as a clear toll, over all legitimate costs of handling, 63 per cent of the selling price the South Dakota farmers received, an unjustifiable loss of 54 cents per bushel.

But wheat and oats are getting well out of the hands of farmers now and into the hands of the market raiders. Accordingly, watch them between November 27 and December 18. In Liverpool the advance was but 6 cents per bushel, while the advance in price in Duluth, Chicago, or Minneapolis has been 26 cents per bushel.

AFTER THE CORN GROWER AND THE CONSUMER NOW.

Now, since wheat, oats, and barley have largely passed into the hands of speculators, they have advanced in price rapidly; but the corn grower—he is now marketing heavily—they are after him.

Corn, American, mixed, new, Liverpool, December 28, 9s. 8d.

Reduced to American money this means 56 pounds is worth $1.30.

Chicago, No. 6, mixed, December 8, 65 cents.

Spread between Chicago and Liverpool, 65 cents.

Ocean rate, 22 cents; railroad rate to Philadelphia or Baltimore, 7 cents; insurance, 1 cent; elevator at coast, 1 cent; total cost of handling, 31 cents.

Toll taken by speculator over all costs of handling, 34 cents.

Add to this the excessive ocean rates charged by the shipping trust, which is 16 cents, and we have a total of 50 cents.

If this isn't robbery, what is it? When farmers become sufficiently intelligent to organize, and place tried and true men at the head of their organizations—not mere puppets of market raiders and gamblers—they will put a stop to such robberies, but not till then.

From the above article it appears that the American farmer received 25 cents per bushel for his oats, which sold in Liverpool for 75 cents per bushel. He received for his wheat at Aberdeen, S. Dak., 85 cents per bushel, which sold in Liverpool for $1.73 per bushel. He received in Chicago 65 cents per bushel for his corn, which sold in Liverpool for $1.30.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. DILLON. Certainly.

Mr. SMITH of Michigan. I would like to inquire whether or not under your investigation you have observed that the farmer only receives 33⅓ per cent of the price paid by the ultimate consumer?

Mr. DILLON. I think it is more than that. I think it 46.1 per cent.

This article demonstrates that the Shipping Trust and terminal operators are levying upon the farmers a toll of 37 cents per bushel on oats, 54 cents per bushel on wheat, and 34 cents per bushel on corn above fair and reasonable charges.

Mr. Chairman, the American farmer will take care of the production of his crop with but little help from the Government, but he has sorely needed aid in the distribution of his crop and in obtaining a fair and honest market for his crop.

We would remind you that in the year 1905 the difference between the Minneapolis high and low May wheat was 65 cents per bushel, while the difference between high and low May wheat in Chicago the same year was 38½ cents per bushel. Also that frequently the sales of wheat on the Chicago Board of Trade amounted to 100,000,000 bushels per day, while the entire amount of wheat going to Chicago is only about 36,000,000 bushels per year.

These boards of trade are expensive mediums for the American farmer in the distribution of the products of the farm. These matters should have our attention if we would restore to the farmers an honest, open market for his products.

The remedies needed are: Prohibiting dealing in futures where no intent to deliver exists; conservation of the farm products through cooperation reaching from the producer to the consumer; Government-owned merchant marine; and Government control of warehouses at terminals. [Applause.]

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12717, the Agricultural bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BENNET, indefinitely, on account of illness.

To Mr. WALKER, for 10 days, on account of illness in his family.

ARMOR PLATE.

Mr. BUTLER. Mr. Speaker, on last Saturday the gentleman from Michigan [Mr. KELLEY] asked for three days to file views of the minority of the House Naval Affairs Committee on the bill S. 1417, the armor-plate bill. One of my colleagues, Mr. FARR, is absent on account of a death in the family, and I ask that the time be extended for three legislative days.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the time for filing minority views on the

armor-plate bill be extended for three legislative days. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, Wednesday, April 12, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Portsmouth Harbor, N. H. (H. Doc. No. 1010); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Shrewsbury River, N. J., with a view to constructing works to prevent the sea from breaking through and destroying the navigable channel, including consideration of any proposition for cooperation on the part of local or State interests (H. Doc. No. 1011); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Buffalo Harbor, N. Y., with a view to securing a width of 400 feet in the inner harbor entrance channel, including consideration of any proposition for cooperation on the part of local interests (H. Doc. No. 1012); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Pensauken Creek, N. J. (H. Doc. No. 1013); to the Committee on Rivers and Harbors and ordered to be printed.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Clinton River, Mich. (H. Doc. No. 1014); to the Committee on Rivers and Harbors and ordered to be printed.

6. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Port Arthur ship canal, Texas, with a view to making an entrance into Sabine Lake at or near the city of Port Arthur (H. Doc. No. 1015); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Sebethe River, Conn., from its mouth to a point at or near the city of Bristol, Conn., and canal from a suitable point on the Sebethe River to New Britain, Conn. (H. Doc. No. 1016); to the Committee on Rivers and Harbors and ordered to be printed.

8. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on reexamination of Depere Harbor, Wis. (H. Doc. No. 1017); to the Committee on Rivers and Harbors and ordered to be printed.

9. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on reexamination of Duluth-Superior Harbor, Minn. and Wis. (H. Doc. No. 1018); to the Committee on Rivers and Harbors and ordered to be printed.

10. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting list of claims that have been adjusted and settled by the Chief of Engineers and approved by the Secretary of War (H. Doc. No. 1019); to the Committee on Expenditures in the War Department and ordered to be printed.

11. A letter from the chairman of the Federal Trade Commission, transmitting a preliminary report concerning the investigation of gasoline prices by the Federal Trade Commission (S. Doc. No. 403); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 9134) to repeal certain sections and part of section of an act entitled "An act to provide for recognizing the services of certain officers of the Army, Navy, and Public Health Service for their services in connection with the construction of the Panama Canal, to extend to certain of such officers the thanks of Congress, and for other purposes," approved March 4, 1915, reported the same with amendment, accompanied by a report (No. 515), which said bill and report were referred to the House Calendar.

Mr. GREENE of Massachusetts, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 13831) to amend section 4464 of the Revised Statutes of the United States, relating to number of passengers to be stated in certificates of inspection of passenger vessels, and section 4465 of the Revised Statutes of the United States, prescribing penalty for carrying excessive number of passengers on passenger vessels, and section 4466 of the Revised Statutes of the United States, relating to special permits for excursions on passenger steamers, reported the same with amendment, accompanied by a report (No. 516), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12197) authorizing Ashley County, Ark., to construct a bridge across Bayou Bartholomew, reported the same with amendment, accompanied by a report (No. 517), which said bill and report were referred to the House Calendar.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12999) extending the time for the completion of the bridge across the Mississippi River at Memphis, Tenn., authorized by an act entitled "An act to authorize the Arkansas & Memphis Railway Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River at Memphis, Tenn.," approved August 23, 1912, reported the same with amendment, accompanied by a report (No. 518), which said bill and report were referred to the House Calendar.

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13475) granting the consent of Congress to the county commissioners of Warren County, Pa., to construct a bridge across the Allegheny River in the borough of Warren, county of Warren, in the State of Pennsylvania, reported the same without amendment, accompanied by a report (No. 519), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13715) granting the consent of Congress to C. M. Simpson, Z. T. Hedges, J. C. Hackney, and Mark Brown to construct a bridge across Bayou Bartholomew, Ashley County, Ark., reported the same without amendment, accompanied by a report (No. 520), which said bill and report were referred to the House Calendar.

Mr. SUTHERLAND, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4026) authorizing and directing the Secretary of War to abrogate a contract lease of land and water power on the Muskingum River, Ohio, reported the same with amendment, accompanied by a report (No. 521), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 10849) granting the consent of Congress to Ashley County, Ark., to construct a bridge across Bayou Bartholomew, reported the same without amendment, accompanied by a report (No. 522), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ADAIR, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 14484) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported the same without amendment, accompanied by a report (No. 523), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and a memorial were introduced and severally referred as follows:

By Mr. JAMES: A bill (H. R. 14469) providing that no officer or enlisted man who once deserted from an enlistment in the United States Army, Navy, or Marine Corps, and who was apprehended and by court-martial decision was dishonor-

ably discharged from said service, shall be entitled to receive a pension under any law; neither his widow, minor children, nor any other dependent relative; to the Committee on Pensions.

By Mr. HERNANDEZ: A bill (H. R. 14470) to construct a bridge in San Juan County, State of New Mexico; to the Committee on Interstate and Foreign Commerce.

By Mr. FERRIS: A bill (H. R. 14471) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary"; to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: A bill (H. R. 14472) to prevent and punish the desecration of the flag of the United States; to the Committee on the Judiciary.

By Mr. CARLIN: A bill (H. R. 14473) for the construction of a public building at Orange, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14474) for the construction of a public building at Culpeper, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14475) for the construction of a public building at Louisa, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14476) for the construction of an addition to the present post-office building and for the acquisition of additional real estate to enlarge the post-office grounds in the city of Alexandria, Va.; to the Committee on Public Buildings and Grounds.

By Mr. PARKER of New Jersey: A bill (H. R. 14477) further to increase the efficiency of the Military Establishment of the United States; to the Committee on Military Affairs.

By Mr. McCULLOCH: A bill (H. R. 14478) extending the franking privilege of the United States Postal Service to communications in relation to pending and proposed Federal legislation; to the Committee on the Post Office and Post Roads.

By Mr. JOHNSON of Kentucky (by request): A bill (H. R. 14479) to license operators of cinematographs, moving-picture machines, and similar apparatus, and for other purposes; to the Committee on the District of Columbia.

By Mr. NICHOLLS of South Carolina: A bill (H. R. 14480) for the erection of a public building at Woodruff, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14481) for the erection of a public building at Greer, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. GUERNSEY: A bill (H. R. 14482) to provide for enlarging the United States building at Houlton, Me.; to the Committee on Public Buildings and Grounds.

By Mr. NORTON: A bill (H. R. 14483) to authorize the construction of a bridge across the Missouri River at or near the city of Williston, N. Dak.; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: Joint resolution (H. J. Res. 198) providing for the appointment of a committee by Congress to assess the value of the Carlyle house, located in the city of Alexandria, Va.; to the Committee on Rules.

Also, resolution (H. Res. 199) directing the Commissioners of the District of Columbia to report by what authority the gaslight companies are furnishing gas to consumers outside of the District of Columbia; to the Committee on the District of Columbia.

By Mr. WARD: Memorial of the legislature of the State of New York urging Representatives in Congress to oppose any legislation tending to delay or interfere with the immediate preparation of our military and naval forces for a condition of proper and adequate defense; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 14484) granting pensions and increase of pensions for certain soldiers and sailors of the Civil War, etc.; to the Committee of the Whole House.

By Mr. AUSTIN: A bill (H. R. 14485) granting an increase of pension to James M. Minton; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 14486) granting a pension to Sarah A. Eddy; to the Committee on Invalid Pensions.

By Mr. CALLAWAY: A bill (H. R. 14487) for the relief of the estate of G. W. Hollingsworth; to the Committee on Claims.

By Mr. CARY: A bill (H. R. 14488) to carry out the findings of the Court of Claims in case of Albert G. Peabody; to the Committee on War Claims.

By Mr. COX: A bill (H. R. 14489) to correct the military record of George Payton; to the Committee on Military Affairs.

By Mr. DILLON: A bill (H. R. 14490) to correct the military record of Patrick Dwyer; to the Committee on Military Affairs.

By Mr. DRISCOLL: A bill (H. R. 14491) granting a pension to Max Marciniak; to the Committee on Pensions.

By Mr. EAGAN: A bill (H. R. 14492) granting an increase of pension to Mary F. Smart; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 14493) granting an increase of pension to William T. Brown; to the Committee on Invalid Pensions.

By Mr. GRAY of Indiana: A bill (H. R. 14494) granting an increase of pension to John Showalter; to the Committee on Invalid Pensions.

By Mr. GRAY of New Jersey: A bill (H. R. 14495) for the relief of Henry Von Der Heide; to the Committee on Claims.

By Mr. HASTINGS: A bill (H. R. 14496) granting an increase of pension to Robert M. Gilmore; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 14497) granting an increase of pension to Margaret A. Osborne; to the Committee on Pensions.

By Mr. KAHN: A bill (H. R. 14498) granting a pension to Mary A. Craig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14499) for the relief of Jacob Meyers; to the Committee on Claims.

By Mr. KENNEDY of Iowa: A bill (H. R. 14500) granting an increase of pension to William Sprouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14501) granting a pension to Peter McDoll; to the Committee on Invalid Pensions.

By Mr. KETTNER: (H. R. 14502) for the relief of Silver Gate Building and Loan Association; to the Committee on Claims.

By Mr. LAFEAN: A bill (H. R. 14503) granting an increase of pension to Mary S. Sweitzer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14504) granting an increase of pension to Susan Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14505) granting an increase of pension to Sarah C. Hikes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14506) granting an increase of pension to Maggie A. Meals; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14507) granting an increase of pension to Albert H. Holtzinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14508) granting an increase of pension to Jacob Haar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14509) granting an increase of pension to George N. Householder; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 14510) granting three months' pay proper to Henry C. Pearson; to the Committee on War Claims.

Also, a bill (H. R. 14511) granting an increase of pension to William Turner; to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 14512) granting an increase of pension to Otis Miller; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 14513) granting a pension to Howard M. Greenwald; to the Committee on Pensions.

By Mr. McKINLEY: A bill (H. R. 14514) to correct the military record of Richard Gulliford; to the Committee on Military Affairs.

By Mr. MOON: A bill (H. R. 14515) for the relief of Fannie Hoyl Blevins; to the Committee on War Claims.

Also, a bill (H. R. 14516) granting an increase of pension to James P. Griffin; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 14517) granting an increase of pension to Thomas Smeaton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14518) granting a pension to Frances W. Graves; to the Committee on Invalid Pensions.

By Mr. ROBERTS of Massachusetts: A bill (H. R. 14519) granting an increase of pension to Charles E. Gerrold; to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 14520) granting a pension to Mrs. L. B. Spence; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 14521) granting a pension to Mary E. Phillips; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 14522) for the relief of John W. Berry; to the Committee on Military Affairs.

By Mr. SWEET: A bill (H. R. 14523) to reimburse Mrs. Abbie J. Foster for safe destroyed by burglars; to the Committee on Claims.

By Mr. TAGGART: A bill (H. R. 14524) granting an increase of pension to Mary Hurry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14525) granting an increase of pension to John D. Patterson; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 14526) granting a pension to Carrie A. Stillions; to the Committee on Pensions.

By Mr. WILLIAMS of Ohio: A bill (H. R. 14527) granting a pension to William B. Spencer; to the Committee on Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 14528) for the relief of W. W. Finn; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAILEY: Petitions of Isaac Blackburn, of Springhope, and John A. Cuppett, of New Paris, both in the State of Pennsylvania, favoring preparedness; to the Committee on Military Affairs.

Also, petitions of Isaac Blackburn, Springhope, and John A. Cuppett, New Paris, both in the State of Pennsylvania, favoring Government monopoly of telegraph and telephone; to the Committee on the Post Office and Post Roads.

Also, petition of A. M. Warner, Johnstown, Pa., member of the Society of the Chagres, Balboa Heights, Canal Zone, favoring House bill 8828, relative to civilian employees of the Isthmian Canal Commission; to the Committee on Appropriations.

Also, protest of M. L. Varner, P. R. Ream, F. D. Rively, H. E. Murphy, John Griffith, J. S. Stutzman, David Berkey, L. E. Berkey, J. R. Frye, W. J. Thiele, E. J. Allenbaugh, Ephraim Ream, H. L. Richardson, E. O. Evans, Daniel Custer, J. H. Hinemeyer, Harry Smith, J. E. Manges, David Miller, H. M. Lamison, H. J. Baumgardner, Jacob Statler, M. E. Shaffer, B. F. Small, U. G. Custer, James Heiple, E. A. Swart, W. D. Miller, M. W. Cope, and A. L. Wagner, all of Johnstown, Pa., against House bills 491 and 6468, denying the use of the mails to certain publications; to the Committee on the Post Office and Post Roads.

By Mr. BEAKES: Petition of Bouldry & Tucker, Reynolds & Warner, J. H. Magel, F. G. Lincoln, Dr. M. L. Bacon, and Pratt & Snow, all of Concord, Mich., in support of House bills 712 and 270; to the Committee on Ways and Means.

Also, petitions of Jesse Wall and 74 citizens of Sand Creek, Mark Olmstead and 11 citizens of Bancroft, and James B. Ivey and 15 citizens of Saginaw County, all in the State of Michigan, protesting against the passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petitions of Sunday School and congregation of the Methodist Episcopal Church, Willis; H. C. Fry and 43 citizens of Willis; Lathrop Memorial Woman's Christian Temperance Union, Jackson; and Sunday School of the Friends Church, Rollin, all in the State of Michigan, in favor of national prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Petition of Bronx County Civic League, New York, favoring House bill 6915, relative to superannuated employees of the Postal Service; to the Committee on the Post Office and Post Roads.

Also, petition of Local Union No. 478, United Brotherhood of Carpenters and Joiners of America, relative to printing of report of Commission on Industrial Relations; to the Committee on Appropriations.

Also, petition of William A. Hartman, New York City, favoring motion-picture censorship; to the Committee on Education.

Also, petition of Richard E. Hyetberg, of New York, relative to ferryboat regulation; to the Committee on Interstate and Foreign Commerce.

Also, petition of McWilliams Bros., of New York, against House bill 8036, relative to eight hours, etc., for officers of towboats; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Andrew Itzla, New York, favoring passage of the Stevens-Ayres bill; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Florida: Petition of J. G. Baskin and many other citizens of Dunnellon, Fla., protesting against passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. COOPER of Wisconsin: Petition of 175 voters of Kenosha, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CURRY: Memorial of American River Grange, No. 172, of Sacramento County, Cal., against preparedness; to the Committee on Military Affairs.

Also, memorial of Silverado Grange, No. 370, of Calistoga, and American River Grange, No. 172, of Sacramento County, Cal., relative to postalizing the wires; to the Committee on the Post Office and Post Roads.

Also, petition of 125 citizens of Lodi, Cal., against passage of the Sunday-observance bill in the District of Columbia; to the Committee on the District of Columbia.

By Mr. DALE of New York: Memorial of Free Press Defense League, asking for an investigation of the activities of various persons and organizations in reference to our relations with Mexico; to the Committee on the Judiciary.

Also, memorial of Lawyers' Mortgage Co., of New York; sundry citizens of New York; and Olin J. Stephens, of New York, favoring adequate preparedness; to the Committee on Military Affairs.

Also, petition of Lumberman's Engineering Co., of Portland, Oreg., in re Oregon and Washington land grant; to the Committee on the Public Lands.

By Mr. DAVIS of Texas: Memorial of Southwestern Millers' League, favoring establishment of a merchant marine; to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of Mercedes, Tex., opposing House bill 652; to the Committee on the District of Columbia.

Also, petition of citizens of Gardiner, Me., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of El Paso Chamber of Commerce, favoring adequate military preparedness; to the Committee on Military Affairs.

By Mr. DILLON: Petition of sundry citizens and organizations of the State of South Dakota, favoring national prohibition; to the Committee on the Judiciary.

By Mr. EAGAN: Petition of Lumbermen's Engineering Co., Portland, Oreg., relative to timbered lands in the Oregon and California railroad land grant; to the Committee on the Public Lands.

By Mr. ELSTON: Petition of Elizabeth M. Hendry and other citizens of Alameda County, Cal., opposing House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. FLYNN: Memorial of Lawyers' Mortgage Co., of New York, and sundry citizens of New York, favoring adequate preparedness; to the Committee on Military Affairs.

By Mr. FULLER: Petition of United Brotherhood of Carpenters and Joiners, favoring the Smith-Hughes vocational bill, House bill 11250; to the Committee on Education.

Also, petition of the Washington State Grange, for the Morgan land credit bill, House bill 10310; to the Committee on Banking and Currency.

By Mr. GALLIVAN: Memorial of Major How Corps, No. 96, Woman's Relief Corps, indorsing the Ashbrook pension bill; to the Committee on Invalid Pensions.

By Mr. GOODWIN of Arkansas: Papers in support of House bill 10944, for the relief of Carrie Roland Burke; to the Committee on Indian Affairs.

By Mr. HASTINGS: Petition of Baptist Church, of Porum, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KAHN: Petition of residents of San Francisco and Oakland, Cal., protesting against the enactment of Senate bill 645, to provide for the closing of barber shops on Sunday; to the Committee on the District of Columbia.

Also, memorial of El Paso (Tex.) Chamber of Commerce, favoring immediate military preparedness; to the Committee on Military Affairs.

Also, memorial of Board of Supervisors of Alameda County, Cal., favoring the enactment of House bill 8352, to standardize the treatment of tuberculosis in the United States and to provide Federal aid in caring for indigent tuberculous persons; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Commonwealth Club, of San Francisco, Cal., favoring the peaceful settlement of all international disputes; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Iowa: Petition of City Council of Keokuk, Iowa, favoring the Penrose-Griffith bill; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of Danville, Burlington, and Van Buren County, Iowa, against bills to amend the postal law; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petition of citizens of Providence, R. I., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KONOP: Petition of H. C. Harrison, of Fence; L. K. Harrison, of Fence; and Anton Rople, of Fence, Wis., favoring embargo resolution; to the Committee on Foreign Affairs.

By Mr. LAFEAN: Memorial of the Western Oil Jobbers' Association, petitioning Congress to supplement the Sherman Act so as to provide the effectual dissolution of the Standard Oil Co.; to the Committee on the Judiciary.

Also, petition of Mrs. Charles Helland, of Philadelphia, Pa., against Senate bill 645, which provides for Sunday closing of

barber shops in the District of Columbia; to the Committee on the District of Columbia.

Also, petition protesting against the passage of House bills 6468 and 491, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, memorial of the Assembly of Porto Rico, requesting no prohibition on the manufacture or sale of alcoholic beverages; to the Committee on the Territories.

Also, memorial of New York Young Republican Club, against the Hay bill and favoring enlargement of the Army; to the Committee on Military Affairs.

Also, memorial of New York Young Republican Club, against the Clarke amendment fixing the date of withdrawal of the United States from the Philippine Islands; to the Committee on Insular Affairs.

By Mr. LEWIS: Memorial of labor unions of Utuado, P. R., signed by thousands of laborers and citizens, requesting a congressional investigation of conditions on the islands; to the Committee on Insular Affairs.

By Mr. LIEB: Petition of the following voters in Spencer County, Ind., opposing passage of House bills 491 and 6468: M. F. Oskins, Ed. Rose, John Patmore, J. J. Painter, B. H. Kerr, E. L. Kerr, F. T. Barker, F. L. Tabelman, G. H. Sutton, Richard Brown, A. S. Patmore, A. J. Burkhart, S. O. Burkhart, L. F. Tabelman, Dan Anderson, Lawrence Meese, John Howrey, R. S. Ferguson, Harry E. Crawford, Curtis Patmore, Charles Franzman, C. L. Davis, W. H. H. Taylor, L. E. Crandall, Lou Allen, Philip Heuser, J. A. Sandefur, Patrick Doyle, G. G. Lockyear, S. A. Bridges, C. Morton Pattee, W. J. Doyle, Pharaoh Chrisney, S. F. Tower, Fred Bergman, E. R. Lannam, J. W. Cockrell, Henry Pierson, G. O. Tilley, D. L. Johnson, J. P. Brown, R. H. Ayer, Henry A. Wenner, W. W. Bridges, J. Edwin Howe, Henry C. Grigsby, Charles Gerlach, Benjamin Hankins, James Adams; to the Committee on the Post Office and Post Roads.

By Mr. LITTLEPAGE: Memorial of Hon. John Chase, adjutant general of State of Colorado, favoring Volunteer officers' retired list legislation; to the Committee on Military Affairs.

By Mr. LOUD: Petition of E. C. Nolan and 29 other residents of Edenville, Midland County, Mich., opposing House bill 6468, to amend the postal laws, and also House bill 491, with the same title, or any other like measure; to the Committee on the Post Office and Post Roads.

By Mr. McARTHUR: Memorial of the Western Star Grange, No. 309, on prohibition; to the Committee on the Judiciary.

Also, memorial of the Western Star Grange, No. 309, on postalizing the wires; to the Committee on the Post Office and Post Roads.

Also, memorial of the Western Star Grange, No. 309, on preparedness; to the Committee on Military Affairs.

By Mr. MANN: Petition of citizens of Chicago, Ill., favoring permanent and adequate preparedness; to the Committee on Military Affairs.

Also, petition of the Western Efficiency Society, of Chicago, Ill., against the Tavenner bill, House bill 8665, to prohibit stop watch in Government departments; to the Committee on Labor.

Also, petitions of citizens of Chicago, Ill., against House bills 491 and 6468, to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. MAPES: Petition of the Sunday School Association of Walker, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MOON: Papers to accompany a bill for the relief of Fannie Hoye Blevins; to the Committee on War Claims.

Also, papers to accompany a bill for the relief of James P. Griffins; to the Committee on Invalid Pensions.

By Mr. MORIN: Petition of J. A. Atwood, George W. Nichols, J. C. Hobbs, Paul L. Hay, D. F. Monica, B. E. W. Luty, Dexter Edgar, C. W. Ridinger, George H. Laber, jr., Richard P. Irns, Frank Wilcox, B. S. Rederer, George L. Norris, C. S. Leet, Andrew Pinkerton, F. G. Cunningham, F. W. H. Clay, Hugh P. Tiernan, George P. Thomas, W. M. Juod, D. E. Jackman, Emil Swensson, E. D. Leland, W. F. Schell, M. P. Walton, H. R. Bluckle, and W. Edgar Reed, all of Pittsburgh, Pa., in favor of House bill 10845 and Senate bill 3946; to the Committee on Military Affairs.

Also, petition of E. J. Kent, of Pittsburgh, Pa., in favor of an export tax on gasoline; to the Committee on Ways and Means.

Also, petition of Biddle Arthurs, of Pittsburgh, Pa., in favor of an export tax on gasoline; to the Committee on Ways and Means.

Also, petition of Automobile Dealers' Associations of Pittsburgh, Pa., in favor of investigation of 37 Standard Oil companies; to the Committee on Ways and Means.

By Mr. NEELY: Petition of sundry citizens of Ohio and sundry citizens of West Virginia, protesting against House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens protesting against House bill 13048; to the Committee on the Judiciary.

By Mr. NOLAN: Resolution of Richter-McKinnon Camp, No. 2, United Spanish War Veterans, Department of California, indorsing the Nolan minimum wage bill, House bill 11876; to the Committee on Reform in the Civil Service.

Also, resolutions of the Commonwealth Club of California, San Francisco, Cal., favoring the settlement of international disputes by peaceful means; to the Committee on Foreign Affairs.

Also, petitions of California Federation of Woman's Clubs, Burlingame; California Associated Societies for the Conservation of Wild Life, Berkeley; Los Angeles City Teachers' Club, Los Angeles, all in the State of California, indorsing the bill providing for a national park service and an appropriation of at least $300,000 for Yosemite National Park; to the Committee on Appropriations.

Also, resolutions from the Board of Supervisors of Alameda and Health Officers' Association of Los Angeles County, Cal., indorsing House bill 8352, providing Federal aid in caring for indigent tubercular persons; to the Committee on Interstate and Foreign Commerce.

Also, petitions of T. I. McGrath and sundry other clerks of the Quartermaster Corps of the Army, serving in the office of the department quartermaster at San Francisco, Cal., indorsing House bill 13671, providing for the appropriate designation of, fixing the status of, and granting an increase in pay to, certain clerks employed with the Army at large; to the Committee on Military Affairs.

By Mr. OAKEY (by request): Petition of citizens of Hartford, Conn., favoring motion-picture censorship; to the Committee on Education.

By Mr. OLNEY: Petition of Rev. E. Stacy Harrison and citizens of Avon, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. PETERS: Petition of citizens of Augusta, Me., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Protest of H. G. Moody, of Redding, Cal., against the passage of House bill 652 and Senate bill 645; to the Committee on the District of Columbia.

Also, memorial of John Marlow, A. H. McCarty, W. McHeath, and other members of various posts of the Grand Army of the Republic at Philadelphia, Pa., asking for the enactment of House bill 386, for relief of certain Volunteer officers of the Civil War; to the Committee on Military Affairs.

Also, protest of H. L. Moody, of Redding, Cal., against House bills 6468 and 491, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Lodi, Cal., and vicinity, opposing the passage of House bill 652; to the Committee on the District of Columbia.

Also, protest by citizens of Lodi, Cal., and vicinity, against House bills 6468 and 491, amending the postal laws; to the Committee on the Post Office and Post Roads.

Also, memorial of P. H. Crow, brigadier general, adjutant, and general, of Idaho, for passage of House bill 386; to the Committee on Military Affairs.

By Mr. RANDALL: Petition of L. P. Eldwin and 12 citizens of Pasadena; Carl E. Engstrum and 24 citizens of Pasadena; Soloman Lindan and 14 citizens of Pasadena, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Sven No. 2 Lodge, International Order of Good Templars, of Pasadena, Cal., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROGERS: Petition of the Massachusetts Sunday School Association of Ayer, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROWE: Petition of C. E. Graff, of Brooklyn, N. Y., favoring House bill 13671, relative to headquarters and quartermasters clerks of the Army at large; to the Committee on Military Affairs.

Also, petition of Niagara Motor Boat Co., of New York State, against House bill 9411, to tag motor boats; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Railway Educational Association, relative to pensioning letter carriers; to the Committee on the Post Office and Post Roads.

Also, petition of members of Holy Name Society of Church of St. Benedict, Brooklyn, N. Y., favoring bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of New York City, favoring the Stevens standard price bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Tracy Towing Line of New York, against passage of House bill 8036, relative to tugboats; to the Committee on the Merchant Marine and Fisheries.

By Mr. SNELL: Petition of Maxfield & Needham, Horace N. Clark, Henry Wells Co., Smith & Smith, W. T. Hinman, R. J. Sanford, Duffy Rives & Co., and C. E. Haywood, of Potsdam; F. M. Strickland, Wiley & Burtrand, Mrs. William Paquette, Oliver La Fountaine, jr., and Milo Lewis, of Champlain; H. D. Creble, Josephson & Solomon, and Andrew Robinson Co., of Malone; G. W. Foster, H. C. Rodgers, G. S. Franklin, W. D. Ryan & Co., and Duffy Bros., of Chateaugay; J. W. & T. W. Fray, the F. W. Lawrence Co., the Hyde Drug Co., Mrs. H. A. Kane, Grimes Specialty Co., Malone Hardware Co., F. P. O'Connor, Guy C. Dewey, Dewey & Smith, H. D. Thompson & Co., Mullarney & Holland, Stockwell & Flanagam, Lansing Donaldson, and Ernest E. Muller, of Malone; E. E. Bullis and William J. Lawars, of Rouses Point; F. F. Woodruff and L. M. Deyo, of Moriah Center; John G. Hutchinson, F. H. Peck, F. L. Brust, S. A. Weaver, D. Rothschild, L. A. Clements, Holmes & Wilcox, and M. J. Wilcox, of Ticonderega; Colligan Bros., Foote Bros., W. H. Martin, J. T. Bradshaw, G. L. Merrihew, C. V. Dery, and Gilbo & Swartz, of Port Henry; O. F. Burno, H. W. Berry & Co., W. H. McIntyre, P. A. Deyo, Plattsburgh Furniture Co., Gilbert's Drug Store, Walker-Sherman Co., O. Larkin, Schiff, Quinette & Haley, F. E. Byrnes, A. Sharron, and R. O. Barber & Sons, of Plattsburgh; W. A. Bond, E. F. Stone, and J. B. Mace, of Keeseville; F. F. Woodruff, of Mineville; G. E. Evans, the Scofield, W. H. Gardner, and B. F. Kent, of Philadelphia; Fred A. Roper, G. S. Blackmon Co., Edward M. Wheeler, and C. A. Giltz, of Theresa; A. G. Franklin, G. H. Wyllis, W. T. Stiles, W. R. Wilson, and W. A. Laidlaw, of Hammond; J. L. Smith and J. V. Crawford, of Morristown; F G. Mann, S. J. Hosley & Co., Edwin Aitchison, E. E. McKnight, and E. B. Watson, of Madrid; J. L. Cumming, W. P. Warner, and Crabbe & Curry, of Norfolk; W. A. Daniels, J. E. McKee, George A. Martin, L. A. Cole, and H. D. Wilson, of Waddington; A. E. Pearson, J. C. Tolsom, and Haley & Capell, of Winthrop; W. N. Montross and A. L. Sayles, of Moira; L. G. Rice, B. F. Harris & Sons, and Conger Bros., of Brushton; Burt F. Kinney, M. E. Loveland, F. Erwin Cox, F. C. Mead, Harvey Smith, C. R. Rodger, George M. Frazier, Henry H. Ryan, W. R. Perrin, Hutton & Rutherford, F. W. Sprague, N. E. Marsh, G. C. Donald, and Freeman Bros., of Gouverneur; W. E. Dunn & Son, E. M. Kirkland, Canton Clothing Co., C. H. Goodmough, F. C. Heaton, and C. S. Cook, of Canton; L. C. Rice, John H. Gilmour, and E. M. Cole, of DeKalb Junction; H. H. Preston, of Heuvelton; L. McGillis Funiture Co., Herwell & Fraser, and Fleming & Sovie Co., of Ogdensburg; Gibbs & Phillips, Paul Lemieux, A. E. Cooley, Douglass & Southworth, and C. E. Forkey, of St. Regis Falls, all in the State of New York, in support of the Hinebaugh bill (House bill 5308); to the Committee on Ways and Means.

By Mr. TILSON: Petition of Floyd A. Beecher and 57 others, of New Haven, Conn., opposing House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. WINSLOW: Petition of citizens of Worcester, Mass., protesting against any bills to restrict activities on Sunday in the District of Columbia; to the Committee on the District of Columbia.

SENATE.

WEDNESDAY, *April 12, 1916.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee calling upon Thy name that the spirit of our counsel and the expression of our deliberation may be the result of the inflowing of Divine truth through the hearts and minds of men. In the higher range of life Thou dost rule us with Thy love. Thou dost appeal to the hearts of men. Thou that didst command the light to shine out of darkness, Thou hast shined in our hearts Thy truth to give the knowledge of Thy glory. May the vision of God's face never fade from our hearts. Grant us this day grace to do and to say as Thou wouldst have us, that we may glorify Thy name and help perpetuate the blessings of our free institutions. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

NATIONAL DEFENSE.

Mr. JONES. Mr. President, I gave notice that I would submit some remarks to-day on the preparedness issue. I am not quite ready to do that, and so I desire to give notice that to-morrow, upon the assembling of the Senate, if a recess is taken, or after the routine morning business, if there is an adjournment, I shall submit some remarks on the matter of preparedness.

NITROGEN FERTILIZERS.

Mr. SMITH of Georgia. I desire to present to the Senate and have printed in the RECORD a letter from Mr. Bower in which he discusses briefly the question of potash and nitrogen as it applies to agriculture.

In connection with the letter I have two or three memoranda prepared by the author of that letter with reference to the use of cyanamide or air nitrogen which I wish to have printed just below the letter in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD as follows:

THE FARMERS' EDUCATIONAL AND
COOPERATIVE UNION OF AMERICA,
NATIONAL UNION,
Washington, D. C., April 11, 1916.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

SENATOR: I write to you as a Senator from the cotton-growing Southern States.

The annual requirement and bill of the South for fertilizers amount in value to about $100,000,000. At the present time neither potash from Germany nor nitrates from Chile can be had by southern farmers at all, and we are paying for phosphoric acid about twice the price paid before the European war. Ocean freight rates on Chilean nitrates have increased since 1914 from $3.75 and $5 to $18.75 and $20 a ton.

German farmers have the advantage of having a supply of potash at home, and now Germany is producing within her own borders 600,000 tons of air nitrogen annually, whereas before the European war less than 60,000 tons were produced, and now German authorities boast that Germany is now independent of the Chilean nitrate monopoly, both for military and agricultural purposes, whereas the farmers of the United States are still dependent upon Germany for potash and still dependent upon Chile for nitrates.

We are told that we should depend upon private enterprise and capital for our air nitrate developments, but we press upon you as strongly as possible the fact that the farmers of the South can no more rely upon private capital to develop the necessary water power to provide our needed nitrogen fertilizers than the farmers in the arid States of the West could have relied upon private capital and enterprise to have developed the great irrigation projects of the West, to provide for which the United States Government has appropriated and spent more than $116,000,000. The Roosevelt Irrigation Dam in Arizona, costing nearly $13,000,000, and the Arrowrock Dam in Idaho, costing more than $5,000,000, never would have been built by private capital; and if they had been built by private capital, the cost of water for irrigation, owing to higher rates of interest that private enterprise would have had to pay, would have made the cost of irrigation so high the farmers could not have used the water.

Likewise, if the southern farmers are to depend upon private capital, the cost of air fertilizers will be so high they can no more use air-nitrogen fertilizers than they can to-day use Chilean nitrate fertilizers at the present exorbitant and prohibitive costs.

Suppose a dam costs $10,000,000, and that the power at this dam would produce 300,000 tons of nitrogen-phosporus fertilizers, and that 5 per cent is paid upon the $10,000,000. This would be $1 per ton fixed charge. If the interest was 6 per cent, it would be $2 per ton, and if 9 per cent it would be $3, and we are informed that few power companies can secure capital for less than 9 per cent, when all costs of capital are paid.

Therefore, the southern farmer is asking Congress to do for him what Congress has done for the farmers in the arid States of the West in providing water for irrigating western arid lands—the cost of water for irrigation measures, the cost of crop production in the arid States of the West, and the cost of fertilizer measures, the cost of food products and cotton products in the Southern States.

As an example of this will you please read the little pamphlet I am inclosing, showing the comparative use of cottonseed-meal nitrogen as a fertilizer against air nitrogen as a fertilizer.

If the Government builds dams for providing nitric acid for national defense, the power at these dams can be used for manufacturing cheap fertilizers in times of peace, and the little comparison I am inclosing you between cottonseed meal aid air-nitrogen fertilizers illustrates what cheap water power will do and how cheap electricity will contribute to decreasing the cost of southern cotton and food crops.

We appeal to you to do for the farmers of the South what you have done for the farmers of the West.

Yours, very truly. R. F. BOWER.

HOW CYANAMIDE OR AIR NITROGEN IS MADE.

The greatest heat and the greatest cold obtainable are utilized in making cyanamide. By the intense heat of the electric furnace—6,000° F.—lime and coke are fused together to make calcium carbide. This is powdered and placed in large drum-like ovens and again brought by electricity to a white heat.

In the meantime, wonderful machines are making liquid air by compressing and cooling over and over again clear, pure air until, at 380° below zero, the air liquefies. Air is four-fifths nitrogen and one-fifth oxygen. When the liquid air is warmed a little, only pure nitrogen gas is given off. Th's is pumped into the drum-shaped ovens containing the white hot carbide, by which it is absorbed, and in which it is permanently fixed, to be released only when in the soil, and for the feeding of the plants. This product, when cooled, ground, and processed with special machinery, is cyanamide.

Cyanamide is a bluish-black, odorless, powdered material. It contains from 20 per cent to 22 per cent ammonia, about 12 per cent carbon or lampblack, and the equivalent of about 70 pounds of slaked lime.

HOW AMMONIUM PHOSPHATE IS MADE.

Ammo-phos—pronounced am-mo-phos—is the registered trade name for a patented chemical compound consisting principally of phosphate of ammonia. This product is the result of several years of research to develop an ideal fertilizer material utilizing atmospheric nitrogen.

The cheapest method of fixing nitrogen from the air in unlimited amounts is the lime-nitrogen process. Lime nitrogen is a compound

made electrically from lime, coke, and liquid-air nitrogen. A plentiful supply of water power, at low cost, is an important factor in the operation of the process. It is quite easy to obtain ammonia gas from lime nitrogen by treatment with superheated steam in specially designed equipment. The ammonia gas so obtained is then fixed in highly concentrated phosphoric acid. The latter is obtained from phosphate rock by extraction with sulphuric acid, or by electric-furnace treatment. After the ammonia gas has been fixed in the phosphoric acid the moisture in the solution is evaporated and the residue is dried and ground. The resulting material, known as Ammo-phos, is a dry, granular substance, gray in color, and to all appearances very much like ordinary acid phosphate. Ammo-phos contains about 12 per cent ammonia and 48 per cent available phosphoric acid. Both constituents are almost entirely water soluble. The ammonia (nitrogen) content can be increased to 20 per cent and the phosphoric acid reduced to give any desired proportion of ammonia (nitrogen) to phosphoric acid. The product is perfectly neutral, pleasant to handle, and will keep indefinitely.

IMPORTANCE OF NITROGEN AND PHOSPHORIC ACID.

One hundred and seventy-seven million dollars was expended for commercial fertilizers in the United States during the year 1914. Of this amount $78,000,000 was paid for nitrogen and $65,000,000 for phosphoric acid, a total of $134,000,000 for both, or over 80 per cent of the entire bill. Only $43,000,000 was paid for potash. Germany is smaller than the State of Texas, yet she uses more fertilizer than the entire United States—about $200,000,000. Her crop yields are approximately 80 per cent greater per acre than the yields in this country. If the United States had available an adequate, cheap supply of fertilizer, and used it at the German rate per cultivated acre, and secured thereby the same increase in production credited to the use of fertilizer in Germany, there would be a net gain in crop yields to the United States, over and above the cost of the fertilizer, of $1,000,000,000 per year.

MERITS OF AMMO-PHOS.

Ammo-phos has been tested on 23 different farm crops in all parts of the United States. These tests have demonstrated that it is the equal or superior to ordinary fertilizers furnishing the same amount of plant food constituents. The material contains more than 60 per cent of plant foods, and is therefore three to five times as rich in fertilizing value as ordinary fertilizer mixtures, which usually contain only 12 per cent to 20 per cent plant foods. Hence, only one-third to one-fifth as much Ammo-phos need be applied to the crops as is generally applied in the form of mixed fertilizers.

A plant and equipment for making Ammo-phos would be available, in times of war, to furnish great quantities of nitric acid and sulphuric acid. The various kinds of gunpowder, explosives, and primers used in cartridges, grenades, shrapnels, bombs, torpedoes, and the like require for their production large amounts of both the acids named. In this respect the immediate establishment of one or more Ammo-phos factories in the United States would be an excellent preparedness measure.

Ammo-phos factories could be advantageously located near the large beds of phosphate rock in the United States, and thus assist in the development of this very important resource.

If Ammo-phos were made in sufficient quantities to furnish the farmers of the United States all the nitrogen and phosphoric acid necessary to fertilize their cultivated acreage at the same rate that the Germans fertilize, the total expenditure for fertilizers would be only $580,000,000 instead of $740,000,000, which would be the cost for the grades now obtainable. Whatever the amount used, Ammo-phos would effect a saving of more than 50 per cent on the present average cost of nitrogen, and fully 20 per cent on the phosphoric acid.

SOME IMPORTANT NITROGEN FACTS.

The problem of the cost of living must be solved by increasing the food-crop production per acre on our farm lands without increasing labor costs, and this can only be accomplished with cheap fertilizers.

NITROGEN.

EXPLOSIVES.

Air over each acre of ground contains 33,880 tons of nitrogen.

Two great dangers threaten the American people: (1) The introduction of new engines of destruction in war; (2) the high cost of living.

War has abandoned the isolated projectiles; has adopted streams of projectiles making a curtain of fire.

The necessary quantity of explosives has increased one hundredfold.

They require nitrogen universally in their manufacture as their chief constituent.

The chief sources of nitrogen supply are from the high plateaus of northern Chile and from the atmosphere.

SUPPLY OF NITROGEN FROM CHILE.

The first shipment of sodium nitrate from Chile was made in 1838.

Records of the Department of Commerce show the imports of sodium nitrate from Chile into the United States from the year 1867 to May, 1915, was 8,040,271 tons, costing $261,990,054.

The importations have been constantly increasing and amounted in the year 1913 to 589,136 tons, costing $20,718,968.

The Government of Chile levies an export tax on sodium nitrate that equals in our money $11.60 a ton, which would amount to $6,833,977 on the imports coming into the United States in 1913.

The Government of Chile has collected on sodium nitrate coming into the United States all told approximately $90,000,000.

Germany's present use of explosives is estimated to be $1,000,000 a day.

Germany had on hand at the beginning of the present European war approximately 680,000 tons of Chilean nitrate, valued at $30,000,000.

The United States has been endeavoring to accumulate a reserve supply of 65,000,000 pounds (32,500 tons) of sodium nitrate from Chile, which represents about 5 per cent of what Germany had on hand when the war began. The United States has a sufficient supply to conduct a war on the scale of this conflict in Europe from 8 o'clock in the morning to half past 10 the same day.

FOOD.

Cost of food in the United States increased from 1896 to 1912, 80 per cent. The advance in the general cost of living during this period was 59 per cent in the United States and approximately 40 per cent in Europe.

The Bureau of Labor has just reported that the cost of living is now 15 per cent higher than it was two years ago.

From 1900 to 1910 the population of the United States increased 21 per cent and the crop production only 10 per cent. The importation of foodstuffs and live animals doubled and the exportation of wheat and flour dropped from 31 per cent of their production to 13 per cent.

Cost of living and food crop yields per acre are the same problem.

Take Germany as an example of European agricultural practice.

She has increased in 20 years her grain crop 15 bushels to the acre; the United States, 3 bushels.

Potato crop increased 80 bushels; United States, 24 bushels.

Germany's acre yields 80 per cent more than for the corresponding crops in the United States. Germany uses four or five times as much fertilizer per acre cultivated as we use. If the farmers of the United States had a cheap fertilizer and used it over the cultivated area of the United States at the rate Germany uses fertilizer, there would be a net gain above the cost of the fertilizer of $1,000,000,000 a year.

The sure and safe way to obtain cheap fertilizer is to use the water power of America that is going to waste to make nitrogen out of the air.

QUOTATIONS FROM GERMAN AUTHORITIES.

If we needed any testimony to reconcile every misgiving or to repel distrust of all uncertainty as to the soundness of these conclusions, it would be found in the late utterances of some of the economists of Germany. Prof. Lemmermann, in his recommendations to the German Government at the outbreak of the war to take immediate steps for the erection of Government nitrogen factories, says:

"We are short 850,000 tons of nitrogen salts, compared with the usual consumption. * * * If one calculates this quantity to its grain equivalent, the resulting crop shortage will amount to 3,300,000 tons of grain."

This has a value of approximately $110,000,000.

And, further, he says:

"The nitrogen question and nitrogen demand is not only of significance from the standpoint of food production * * * but it also has great importance from the military standpoint."

The following is extracted from a letter written by senior professor of economics in the University of Berlin, Dr. Max Seering, dated July, 1915:

"The complete cutting off of the supply of Chile saltpeter during the war has been made good by our new nitrogen taken directly out of the air in large factories built during and before the war. With extraordinary rapidity the question has been solved how the enormous quantities of the needed ammunition were to be produced, a question which in England still meets with difficulties in spite of the help from America. It is, however, not only for the needed explosives that we take nitrogen from the air, but also for the nitrogen-containing fertilizers which we formerly imported in the form of Chile saltpeter."

The following is an article by Dr. Hugo Schweitzer appearing in the Review of Reviews, August, 1915:

"Nitric acid is generally prepared from Chile saltpeter and sulphuric acid, but in Norway, as described above, it is made from nitrogen of the air, and in Germany from ammonia and calcium cyanamide, which themselves are obtained from the nitrogen of the air. With this cheap power Germany has been able to produce new nitrogen compounds which threaten to revolutionize our present system of fertilization. This industry, to which the war has given the impetus, has assumed such dimensions and has given such unexpected results that the Government requested the German Parliament to grant an imperial nitrogen monopoly. From the official documents it appears that chemical compounds have been discovered which allow the production of a universal fertilizer."

The following is from an address of Prof. Gerlach before the German Agricultural Society on September 18, 1915:

"There was a great scarcity of nitrogent product at the beginning of the war, but cyanamide factories have been put into operation since then, and although a large part of the product has been needed for military purposes, still the worst of the famine has now been overcome."

It is estimated by the United States Department of Agriculture that fully 1,000,000 tons per annum of cottonseed meal is used for fertilizer purposes in the United States.

AIR NITROGEN AGAINST COTTONSEED NITROGEN—YIELDS PROVE AGRICULTURAL VALUE.

POUNDS SEED COTTON PER ACRE.

Air-nitrogen mixture.	Cottonseed mixture.
2,398	2,030
2,032	2,048
1,995	2,100
1,850	1,745
1,800	1,800
1,300	1,300
1,282	1,337
1,250	920
1,200	1,200
Average 1,679	Average 1,609

The mixtures used were identical in analysis, both containing 4 per cent ammonia, 8 per cent phosphoric acid, and 4 per cent potash. In the one case all the nitrogen was derived from air nitrogen; in the other all the nitrogen was derived from cottonseed meal. The air nitrogen mixture cost $33 per ton, while the cottonseed meal mixture cost $38.50 per ton. A thousand pounds per acre of each was applied. Hence the saving with the air nitrogen mixture was $2.75 per acre. The air nitrogen mixture produced 70 pounds more of seed cotton per acre, worth, at 10 cents for lint cotton and $28 per ton for seed, $2.95, or a total saving with the air nitrogen mixture of $5.70 per acre. Moreover, by the use of air nitrogen as a source of nitrogen the equivalent amount of cottonseed meal was released for use as a stock food, for which purpose it returns much better profits than when used as a fertilizer.

The cotton acreage in the United States for the year 1914 was estimated at 36,000,000 acres. Assume that one-half of this acreage, 18,000,000 acres, could save the farmers and the country $5.70 per acre by the use of air nitrogen mixture instead of cottonseed meal fertilizer mixture and the saving would have been to the southern farmers and to the country for the year 1914, $102,600,000. Even suppose that one-fourth the acreage, 9,000,000 acres, could have received air nitrogen as a fertilizer instead of cottonseed meal as a fertilizer, and the saving would have been $51,600,000.

"If these are not facts, if a ton of cottonseed meal fed on the farm to good cattle and the manure saved is not worth from $50 to $60 a ton, then we are paying too much for plant foods, or corn is not worth 50 cents to 65 cents a bushel to feed." (Mr. Tate Butler, editor Progressive Farmer.)

WORLD PRODUCTION OF AIR NITROGEN BY THE CYANAMIDE PROCESS.

BEFORE THE WAR (1914).	Net tons.
Norway	80,000
Sweden	17,500
Canada	64,000
Italy	30,800
France	21,450
Japan	17,600
Germany	57,000
Switzerland	16,500
Austria	23,100
Total	327,950
INCREASED SINCE THE WAR (1915–16) TO—	
Norway	200,000
Sweden	17,500
Canada	64,000
Italy	37,400
France	21,450
Japan	17,600
Germany	600,000
Switzerland	16,500
Austria	23,100
Total (equals 200,000 tons of nitrogen)	997,550

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

H. R. 9923. An act granting the consent of Congress to the county of Mitchell, or to the county of Baker, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River;

H. R. 10139. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia; and

H. J. Res. 171. Joint resolution to continue in effect the provisions of the act of March 9, 1906.

PETITIONS AND MEMORIALS.

Mr. SHAFROTH presented petitions of sundry citizens of Porto Rico, praying for prohibition in the island of Porto Rico, which were referred to the Committee on Pacific Islands and Porto Rico.

Mr. SMITH of South Carolina presented petitions of sundry citizens of South Carolina, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of 47 citizens of New Hampshire, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SHERMAN presented petitions of sundry citizens of Illinois, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. MYERS. I present a resolution adopted by the women voters of Silver Bow County, Mont., in favor of the Susan B. Anthony constitutional amendment. I ask that the resolution be printed in the RECORD, together with the signatures.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Resolution passed by women voters of Silver Bow County, Mont.:

"*Resolved*, That we, the women voters of Silver Bow County, assembled in a county conference at Butte, April 7, 1916, demand that the national administration give facilities for the passage of the Susan B. Anthony amendment during the present session of Congress; and be it further

"*Resolved*, That a copy of this resolution be sent to the administration leader in our National Capitol and the members of the Montana congressional delegation."

Unanimously adopted.

Mrs. JENNINGS,
113½ West Platinum, Butte, Mont.,
Mrs. HUGH MCLODE,
816 West Mercury, Butte, Mont.,
Mrs. J. C. PYLE,
1135 West Platinum, Butte, Mont.,
Mrs. J. S. CASEY,
1062 West Platinum, Butte, Mont.,
Officers of Silver Bow County Branch of the Congressional Union.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SAULSBURY presented petitions of sundry citizens of Delaware, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SHEPPARD presented memorials of sundry citizens of Dallas and Keene, in the State of Texas, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

Mr. LIPPITT presented petitions of sundry citizens of Rhode Island, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of the Washington Park Yacht Club, of Providence, R. I., remonstrating against certain proposed regulations for the operation of motor boats, which was referred to the Committee on Commerce.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry patriotic societies in the State of Pennsylvania, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Pittsburgh, Erie, and Greenville, all in the State of Pennsylvania, praying for the enactment of legislation to grant pensions to employees of the Postal Service, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of Local Grange No. 1569, Patrons of Husbandry, of Macungie; and of Pocono Grange, No. 1415, Patrons of Husbandry, of Farmersville, in the State of Pennsylvania, remonstrating against any change being made in the parcel-post law, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the New Century Club, of Philadelphia, Pa., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Pittsburgh, Pa., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a petition of the York County Lutheran Ministerial Association, of York, Pa., praying for prohibition in the District of Columbia, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry granges of Pennsylvania, praying for Government ownership of telephone and telegraph systems, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry granges of Pennsylvania, remonstrating against an increase in armaments, which were ordered to lie on the table.

Mr. PHELAN presented a petition of Local Branch, Bakers and Confectionery Workers' Union, of San Diego, Cal., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of the Friday Morning Club, of Los Angeles, Cal., praying for an appropriation for the improvement of the Yosemite National Park and for the creation of a national park service, which was referred to the Committee on Appropriations.

He also presented a petition of the executive council of the San Francisco Association for the Study and Prevention of Tuberculosis of California, praying for an investigation of conditions surrounding the marketing of dairy products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Alaska Fishermen's Union, affiliated with the Labor Council of San Francisco, Cal., praying for the enactment of legislation to regulate the mesh in gill nets in the catching of red salmon in the Bering Sea, which was referred to the Committee on Fisheries.

Mr. LANE presented petitions of sundry citizens of Oregon, praying for Federal censorship of motion pictures, which were referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. SMITH of South Carolina. From the Committee on Immigration I report back favorably with amendments the bill (H. R. 10384) to regulate the immigration of aliens to, and the residence of aliens in, the United States. With the consent of the Senate, I shall in a few days submit a report to accompany the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. HARDING, from the Committee on Commerce, to which was referred the bill (H. R. 449) to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10, reported it without amendment and submitted a report (No. 344) thereon.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to which was referred the bill (H. R. 177) authorizing the Secretary of the Interior to accept the relinquishment of the State of Wyoming to certain lands heretofore certified to said State, and the State of Wyoming to select other lands in lieu of the lands thus relinquished, reported it without amendment and submitted a report (No. 346) thereon.

DESERT-LAND ENTRIES IN NEVADA.

Mr. PITTMAN. I should like to present a report from the Committee on Public Lands and ask for its consideration. From the Committee on Public Lands I report back favorably, without amendment, the bill (S. 5466) to open abandoned military reservations in the State of Nevada to homestead entry and desert-land entry, and to amend an act entitled "An act to open abandoned military reservations in the State of Nevada to homestead entry," approved October 1, 1890, and I submit a report (No. 345) thereon. This is simply an amendment to existing law providing for desert-land entries in addition to homestead entries on abandoned military reservations in Nevada. It is very short, Mr. President, and I ask unanimous consent for the present consideration of the report and the bill.

Mr. SMOOT. Mr. President, yesterday I gave notice to the Senate that I would object to the consideration of any bills until the calendar under Rule VIII can be taken up. I think it is very unfair to the bills that are upon the calendar—18 pages of them now—to allow bills to be taken up in the morning hour and passed. There are only 18 pages of those bills, and it would not take more than two or three hours to pass them if the Senate would give that time to the calendar. I expressed the hope that there would be enough bills placed on the calendar to get enough Senators interested in them that we might have the calendar taken up for consideration. I still hope that. I wish the Senator from Nevada would not ask for the consideration of the bill, but help us to get up the calendar and have it considered at some time to-day.

Mr. PITTMAN. Mr. President, I agree entirely with the Senator from Utah, but I will state that this particular case is an emergency. It has been called to my attention by wire.

It is this: There was an attempt made to homestead some land on a military reservation in Nevada. It proved to be an utter failure by reason of the lack of water. These settlers have acquired water near the military reservation which will enable them to perfect desert-land entries, and it is an attempt to obtain the benefit of the spring flow which is starting that constitutes the emergency requiring immediate action.

That is the only reason for it; and if they are going to have the benefit of these water developments, the bill will have to pass now.

Mr. SMOOT. Is it a Senate bill or a House bill?

Mr. PITTMAN. It is a Senate bill.

Mr. SMOOT. I shall not object to this, it being an emergency matter; but I still believe the only way we can get the calendar considered is by objecting to the consideration of bills when reported.

The VICE PRESIDENT. Is there objection to the consideration of the bill reported by the Senator from Nevada?

There being no objection, the bill was considered as in Committee of the Whole. It provides that all the agricultural lands embraced within the military reservations in the State of Nevada which have been placed under the control of the Secretary of the Interior for disposition be disposed of under the homestead and desert-land laws, and not otherwise.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COURTS IN WASHINGTON.

Mr. OVERMAN. From the Committee on the Judiciary I report back favorably without amendment the bill (S. 3723) providing for the holding of terms of the district court for the southern division of the western district of the State of Washington at Aberdeen.

Mr. JONES. That is a very short bill, and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that hereafter terms of the district court for the southern division of the western district of the State of Washington shall be held at Aberdeen on the first Tuesdays in June and December, and the clerk for the western district shall maintain an office in charge of himself or deputy at that place.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PAGE (by request):

A bill (S. 5502) to establish courts of arbitration; to the Committee on the Judiciary.

By Mr. SAULSBURY:

A bill (S. 5503) to provide for the purchase of a site for the erection of a Federal building at Georgetown, Del.; to the Committee on Public Buildings and Grounds.

By Mr. WADSWORTH (for Mr. GRONNA):

A bill (S. 5504) for the relief of Louis Blanchette, alias Lewis Blanchard, alias Louis White (with accompanying papers); to the Committee on Military Affairs.

By Mr. OLIVER:

A bill (S. 5505) granting an increase of pension to Thomas J. McBride (with accompanying papers);

A bill (S. 5506) granting an increase of pension to Mary A. Goodsell (with accompanying papers); and

A bill (S. 5507) granting an increase of pension to Elizabeth S. Reess (with accompanying paper); to the Committee on Pensions.

By Mr. OLIVER (for Mr. PENROSE):

A bill (S. 5508) granting an increase of pension to Marion L. Wilson; to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 5509) granting a pension to John W. Erwin (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 5510) granting a pension to James Cunningham (with accompanying papers); to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 5511) granting an increase of pension to George Hinds (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 5512) for the relief of Hannah Nelson Lundegren; and

A bill (S. 5513) for the relief of Marion B. Patterson; to the Committee on Claims.

A bill (S. 5514) granting an increase of pension to Lucy Cole (with accompanying papers); to the Committee on Pensions.

By Mr. LANE:

A bill (S. 5515) to consolidate certain forest lands in the Oregon National Forest, in the State of Oregon; to the Committee on Agriculture and Forestry.

By Mr. SMITH of Maryland:

A bill (S. 5516) for the relief of the heirs of Richard Butt and Sarah A. Butt; to the Committee on Claims.

By Mr. GORE (by request):

A bill (S. 5517) to increase the efficiency of the United States Cavalry and Artillery; to the Committee on Agriculture and Forestry.

BLACK CANYON IRRIGATION PROJECT, IDAHO.

Mr. BORAH submitted an amendment proposing to appropriate $10,000 for the investigation and survey of what is known as the Black Canyon irrigation project, in the counties of Canyon, Gem, and Ada, Idaho, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

NATIONAL DEFENSE.

Mr. TILLMAN submitted an amendment, intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

Mr. LEWIS submitted an amendment, intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed.

THE NAVY.

Mr. LODGE submitted the following resolution (S. Res. 169), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy is hereby directed to send to the Senate of the United States the following documents:

1. A communication dated August 3, 1914, from the General Board of the Navy warning the Navy Department of the necessity of bringing the Navy to a state of preparedness.

2. A communication dated November 9, 1914, from Rear Admiral Bradley A. Fiske, senior adviser to the Secretary, warning the Navy Department of the unprepared state of the Navy.

HOUSE BILL REFERRED.

H. R. 12193. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

SALE OF ARMY RIFLES.

Mr. WORKS obtained the floor.

Mr. ASHURST. Will the Senator from California yield to me for three or four minutes?

Mr. WORKS. I yield to the Senator from Arizona.

Mr. ASHURST. Mr. President, I wish to take three or four minutes on a question of the state of the Union. I think Congress ought to know something about how its laws are being enforced. Congress is busily engaged and probably will be engaged for some time in making laws. Congress has a right to assume that its laws are executed by another branch of the Government. It is my duty, however painful it may be, to call attention this morning to one of the laws passed in 1905 and another one in 1914 which one of the departments arbitrarily refuses to execute, and I shall, although laboring under a severe stress of feeling preserve a calm exterior and shall briefly and accurately lay before the Senate and the country the arbitrary action of the present Secretary of War.

In chapter 1416, of an act approved March 3, 1905, it is provided:

Chapter 1416: An act to promote the efficiency of the reserve militia and to encourage rifle practice among the members thereof.

Be it enacted, etc., That the Secretary of War is hereby authorized to sell, at the prices at which they are listed for the Army, upon the request of the governors of the several States and Territories, such magazine rifles belonging to the United States as are not necessary for the equipment of the Army and the Organized Militia, for the use of rifle clubs formed under regulations prepared by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War.

SEC. 2. That the Secretary of War is hereby authorized in his discretion to sell to the several States and Territories, as prescribed in section 17 of the act approved January 21, 1903, for the use of said clubs, ammunition, ordnance stores, and equipments of the Government standard at the prices at which they are listed for the Army. The practice of the rifle clubs herein provided shall be carried on in conformity to regulations prescribed by the National Board for the Promotion of Rifle Practice, approved by the Secretary of War, and the results thereof shall be filed in the office of the Military Secretary of the Army.

Approved, March 3, 1905.

I will now read from chapters 72–74 of an act approved April 27, 1914:

* * * * * * * * *

Provided further, That the Secretary of War is hereby authorized to issue, without expense to the United States, for use in target practice, United States magazine rifles and appendages therefor not of the existing service model and not necessary for the maintenance of a proper reserve supply, together with 40 rounds of ball cartridges suitable to said arm, for each range at which target practice is had, not to exceed a total of 120 rounds per year per man participating in target practice, to rifle clubs organized under the rules of the National Board for the Promotion of Rifle Practice and to schools having a uniformed corps of cadets and carrying on military training, in sufficient number for the conduct of proper target practice. * * *

The National Board for the Promotion of Rifle Practice on the 8th of this month, under the direction, or, at least with the implied consent, of the Secretary of War, issued its pamphlets to the newspapers, to be released, it states, on or after April 10, 1915. It proceeds among other things to say:

From a national-defense standpoint the training in rifle practice of the unorganized militia is of as vital importance to our country as the training of the Regular Establishment and the Organized Militia. The volunteer who can hit what he shoots at is 80 per cent efficient as a soldier.

The United States Government has stored away in its arsenals approximately 300,000 Krag United States magazine rifles, model 1908, and 30,000,000 ball cartridges for same. Uncle Sam will issue these rifles and the ammunition free to organized rifle clubs affiliated with the National Rifle Association of America for use of members at small-arms practice.

During the first quarter of 1916 just ended the Ordnance Department issued to clubs 316 rifles and 1,438,974 ball cartridges.

President Woodrow Wilson must have had in mind the rifle-club movement when he wrote his message to Congress, in which he said: "We must depend in every time of national peril in the future as in the past, not upon a standing army, nor yet upon a reserve army, but upon a citizenry trained and accustomed to arms. It will be right enough, right American policy, based upon our accustomed principles and practices, to provide a system by which every citizen who will volunteer for the training, may be made familiar with the use of modern arms."

To teach the citizenry the use of the modern arm requires organization of rifle clubs and small-arms practice under capable instructors. Ten or more citizens of the United States in any town or county near which or in which a rifle range could be constructed, are eligible to organize a civilian rifle club and affiliate with the National Rifle Association of America. Blank forms and copy of by-laws prescribed by the National Board for Promotion of Rifle Practice in the United States and instructions how to form a rifle club may be secured from Maj. Fred H. Phillips, jr., assistant recorder National Board for Promotion of Rifle Practice and secretary National Rifle Association of America, Washington, D. C.

The object of the National Rifle Association is to encourage marksmanship throughout the United States, particularly in the direction of qualifying as finished marksmen those individuals who may be called upon to serve in time of war; to encourage competition in marksmanship between teams and individuals; to encourage legislation for the establishment and maintenance of ranges; to secure the issue of military rifles and ammunition to those practicing on these ranges; and to create a public sentiment in respect to the necessity of rifle practice as a means of national defense.

The association membership on December 31, 1915, as reported by the secretary, was: Twenty-three State rifle associations, 63 regiments, 47 separate military organizations, 639 civilian rifle clubs, 64 college and university rifle clubs, 129 school rifle clubs, 9 boys' rifle clubs, 549 life members, and 943 annual members.

During the past three months—January 1 to March 31, 1916, inclusive—the National Rifle Association has gained in membership as follows: One State association, 1 regiment, 170 civilian rifle clubs, 4 college and university rifle clubs, 19 school rifle clubs, 4 boys' rifle clubs, 24 life members, and 137 annual members.

The National Rifle Association was incorporated in 1871, and since that time has been the one active agent in promoting rifle practice in the United States.

Official from the National Board for Promotion of Rifle Practice in the United States.

F. H. PHILLIPS, Jr.,
Assistant Recorder.

The secretary of this National Rifle Association, under the implied supervision of the Secretary of War, issued the above statement to the newspaper editors in the United States in the following manner:

To the EDITOR:

Will you assist me in the organization of rifle clubs by telling your people the United States Government will issue free rifles and ammunition? We should have at least one rifle club in every town and county in the United States.

Since January 15, 1916, I have organized 38 rifle clubs, with a membership of 4,800, in Washington, D. C., alone. These clubs will start active outdoor rifle practice April 10 on the Marine Corps rifle range at Winthrop, Md.

F. H. PHILLIPS, Jr.,
Secretary National Rifle Association.

—

WAR DEPARTMENT,
NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE,
1108 Woodward Building, Washington, April 8, 1916.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

DEAR SIR: The inclosed news item, released April 10, 1916, no doubt will cause many of your constituents to make inquiry of you regarding the formation of civilian rifle clubs.

I will be pleased to forward the necessary literature to parties interested in the formation of rifle clubs upon receipt from you of names and addresses.

I herewith inclose a tabulation showing the development of interest in rifle practice among civilians.

Very truly, yours,

FRED H. PHILLIPS, Jr.,
Assistant Recorder National Board,
Secretary National Rifle Association.

—

WAR DEPARTMENT,
NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE,
Washington.

Tabulation showing growth of National Rifle Association since 1901.

Year ending Dec. 31—	State associations.	Regiments.	Military organizations.	Civilian rifle clubs.	Schools and boys' clubs.	Life members N. R. A.
1901	2	2	1	5	.....	60
1902	3	10	5	6	.....	65
1903	7	12	10	9	.....	77
1904	5	16	14	12	.....	96
1905	7	25	15	28	.....	109
1906	12	35	23	47	.....	139
1907	21	56	28	60	15	226
1908	29	79	39	72	29	290
1909	32	87	53	81	56	319
1910	30	94	57	98	76	383
1911	26	81	48	93	50	323
1912	25	85	58	130	67	414
1913	24	81	52	171	87	519
1914	22	80	50	270	93	533
1915	23	63	47	639	128	549
Mar. 31, 1916	24	64	47	799	151	572

FRED H. PHILLIPS, Jr.,
Assistant Recorder National Board,
Secretary National Rifle Association.

Mr. President, various rifle clubs in the State of Arizona have been formed, and the gentlemen composing the rifle clubs of Arizona will compare most favorably with the honorable Secretary of War in ability, patriotism, and resolution of character. Some citizens of the town of Bisbee, Ariz., composed of as reliable, as clear-headed citizens as any man who ever

held the office of Secretary of War, organized themselves into a rifle club. I will mention the names of but a very few of the members, to wit, Mr. I. C. E. Adams, the mayor of Bisbee, a prominent merchant; Mr. J. J. Bowen, a prominent merchant; Mr. Arthur Notman, a prominent officer of the Calumet & Arizona Mining Co.; Mr. M. J. Cunningham, cashier of the Bank of Bisbee; Mr. L. R. Bailey, the postmaster at Bisbee; Mr. M. J. Brophy, manager of the Copper Queen Store at Bisbee; Mr. M. Newman, formerly mayor of Bisbee and a prominent merchant; Mr. J. F. McDonald, a prominent citizen and deputy United States marshal; and Mr. V. W. Marshall, a reliable citizen, who is secretary of the club. These gentlemen complied with the law respecting the acquisition of arms and ammunition; this I know, first, because they have advised me that they have done so, and, secondly, because I telephoned to the War Department about 30 minutes ago to make sure of that fact, and was advised by an official in that department that this club had complied with the law, but that for reasons which the War Department thought were good unto itself, it would suspend the law and refuse to issue arms to this club. I wish in this connection to state that on last Saturday, the 8th of this month, I had a personal interview with the Secretary of War and Chief of Staff and urged them to comply with the law, but the Secretary stated he felt he would be obliged to suspend the law.

Mr. President, one of the Stuart Kings of England lost his head, and, I believe, another lost his crown because he was too much attached to the dispensing power. These monarchs dispensed or attempted to dispense with statutes which Parliament had made, and when any department of our Government declines to carry out any existing law, sets up its ipse dixit and says, in effect, "I am greater than the law," it is then the duty of a Senator to call attention to such arbitrary conduct, and impeachment proceedings sometimes teach arbitrary gentlemen in departments that they are executing and not making the laws.

The reason given by the honorable Secretary of War for declining to issue these arms is that he said he feared some damage might be done or some action might be taken by some hotheaded member of the club which would precipitate a great deal of trouble. Mr. President, I resent that statement. All the citizens whose names I have read, and the members of the club generally, are cool-headed, thoughtful, representative American citizens. They are not men who are likely to involve our country and her laws and institutions in any difficulty. They are citizens who wish to obey the letter and the spirit of the law.

Mr. SMITH of Georgia. Mr. President——

Mr. ASHURST. Just a moment, if the Senator please; I will yield to him in a moment. I desire at this point to read a letter from Brig. Gen. Crozier, Chief of Ordnance. It is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ORDNANCE,
Washington, April 8, 1916.

Hon. HENRY F. ASHURST,
United States Senate.

MY DEAR SENATOR: Referring to your personal call at this office and to your inquiry as to the possibility of issuing or selling to the Bisbee Rifle Club, in accordance with law, a number of rifles which, from previous correspondence, is assumed to be 200, I can answer you that a direct request came from this rifle club several weeks ago, and was answered by The Adjutant General of the Army to the effect that no more rifles could be sold than one for each member of the club, and that application should be made through the usual channel for the purchase. Since this letter was written, however, the subject of the issue or sale of rifles to parties near the Texas border has been more markedly brought to the attention of the War Department by additional applications for considerable numbers of rifles, and the Secretary of War has concluded that it would not be wise to place arms in the hands of citizens near the border who are not subject to strict military discipline, and that, in order to present some unfortunate incident which might precipitate trouble, which we all wish to avoid, it would be more prudent to suspend action for a time under the law which permits the sale or issue of rifles to clubs. It is for this reason that the request of the Bisbee Rifle Club has not been complied with.

Sincerely, yours,

WILLIAM CROZIER,
Brigadier General, Chief of Ordnance, U. S. A.

I wish to read at this point the following telegram signed by the gentlemen to whom I have already referred:

BISBEE, ARIZ., *April 7, 1916.*

Hon. HENRY F. ASHURST,
United States Congress, Washington, D. C.:

Bisbee Rifle Club made requisition through the regular channels for ordnance stores for bona fide members to the Benecia Arsenal. Order held up by order of Chief of Ordnance at Washington. Use your influence to have same approved; seeing President, if necessary, and have approval. Wire to the Benecia Arsenal. Following residents of district join in request:

V. W. Marshall, secretary Bisbee Rifle Club; I. C. E. Adams, mayor; J. J. Bowen; Arthur Notman; M. J. Cunningham; L. R. Bailey; M. J. Brophy; M. Newman; J. F. McDonald.

I will also read the following telegram from the secretary of the Bisbee Rifle Club, which, I think, ought to be read in this connection:

BISBEE, ARIZ., *April 11.*

Hon. HENRY ASHURST,
Washington, D. C.:

This club was organized under act of Congress governing rifle clubs and we have strictly complied with all regulations. This order, now being held up, is for both new and old members, and if unable to secure further arms and ammunition will have to close range and discontinue rifle practice. Other clubs are having requisitions honored, and any discrimination against our 475 members will have effect in November upon voters of this district in both State and National elections. Officials of club not interested in any movement to secure arms for home protection, our prime interest being in the furthering of rifle practice. Ascertain just what club may expect on further requisitions and write how and by whom this order was originally held.

V. W. MARSHALL.

It is very unfortunate that the secretary of the club should have seen fit to state in his dispatch that any member of the club would allow his vote to be influenced by the fact as to whether or not these rifles were secured. The members of the club would not allow the issuance to them or the nonissuance to them of a rifle to influence their votes. They are men of too high a class for that kind of conduct.

Mr. POMERENE. Mr. President——

Mr. ASHURST. I will yield in a moment, if the Senator please.

Mr. WORKS. Mr. President, I have the floor, but I am not willing to yield for general discussion.

Mr. ASHURST. I decline to yield to anybody. I want to finish. The Senator from California has yielded to me.

Mr. WORKS. I yielded to the Senator for three or four minutes. I am not objecting to the Senator concluding, but I see other Senators on their feet, indicating that a discussion is imminent. I want to avoid that.

Mr. ASHURST. I will finish in half a dozen sentences. Like a certain class of people in this country, I admire short sentences. [Laughter.]

I wish to make it clear here and now that these gentlemen wish these rifles simply, solely, and only for the purpose of rifle practice.

Mr. SMITH of Georgia. Mr. President, I only wanted to ask the Senator from Arizona one little, short question, which was this——

The VICE PRESIDENT. The Senator from California [Mr. WORKS] has the floor, and the Chair understands he declines to yield further.

Mr. SMITH of Georgia. If the Senator from California will allow me, I merely desire to ask the Senator from Arizona whether he thought the citizens of Arizona, if they had the guns and knew how to shoot, would not stand up as well as the citizens of any of the other States?

Mr. ASHURST. Mr. President, in the first place I want to make it clear to the Senate, if the Senator from California will pardon me for a moment——

Mr. WORKS. Oh, yes.

Mr. ASHURST. I want to repeat, because I want to make it clear, that these citizens are not arming themselves to invade Mexico, as the Secretary of War thinks they might do. The law permits them to organize rifle clubs for practice purposes, and that is the sole and only purpose for which they wish to organize themselves.

Mr. POMERENE. Will the Senator from Arizona yield to me merely for a question?

Mr. ASHURST. The Senator from California has the floor.

Mr. POMERENE. I desire to ask a question of the Senator from Arizona, if I may.

Mr. WORKS. If it is confined to a mere question, Mr. President, I shall yield for that purpose.

Mr. POMERENE. I understood the Senator from Arizona to say that he talked with the Secretary of War this morning.

Mr. ASHURST. I talked with the Secretary of War last Saturday. I said that I telephoned to the department this morning. I am not going to say to whom I telephoned; but I said I telephoned—and the reporters' notes will bear me out that the statement I made was that I telephoned to the department. I call upon Senators to remember that I did not say that I telephoned to the Secretary of War.

Mr. POMERENE. I understood the Senator to say that he had talked with the Secretary of War this morning. I evidently misunderstood him.

Mr. ASHURST. I said I telephoned to the department.

Mr. POMERENE. I knew the Secretary of War was not in the city to-day.

Mr. SMITH of Arizona. Mr. President, I can not refrain this morning from expressing my protest against the action as set

forth in a letter to me signed William Crozier, Brigadier General, Chief of Ordnance, United States Army, in which he says, in regard to rifle clubs on the coast:

The Secretary of War has concluded that it would be unwise to place arms in the hands of citizens near the border who are not subject to strict military discipline, and that, in order to prevent some unfortunate incident which might precipitate trouble, which we all wish to avoid, it would be more prudent to suspend action for a time under the law which permits the sale or issue of rifles to clubs. It is for this reason that the request of the Bisbee club has not been complied with.

Mr. President, I resent the imputation that there is any lawlessness among the citizens along the border between old Mexico and the State of Arizona, or that they can not be trusted with arms, as other citizens are. I speak only as to territory concerning which I have knowledge; but I imagine that my statement will apply equally to every other point on the border. There is a legally organized rifle club at Bisbee, Ariz. The citizens forming this club need arms and have a right to them as much as any like club in the country. No longer than yesterday a citizen of Nogales was here asking protection for that town, and as an evidence of the need of it pointed to the fact of a large number of Mexican soldiers were mobilized on the Mexican side; yet the Secretary of War refuses to furnish arms to a rifle club composed of the very best citizens of the State of Arizona, who at an instant should be in a position to protect themselves against invasion if it should come. All we have asked is to be treated as the people of New York, Missouri, the Carolinas, and Massachusetts, and all other States not on the Mexican border are treated. However patriotic others may be and however law-abiding the citizens of other States, I deny that they have any advantage in either particular over the people of the Western States, who are not afraid, but who want—and that is all they want—to be protected or to be allowed to protect themselves. Yet we find that we are singled out as the only people that can not have arms for defense and can not be allowed to indulge in the splendid practice of learning to defend themselves by familiarity with the use of arms.

I indulge the hope that the Secretary of War will reconsider his decision—ill advised as I am sure it is—and relieve the people of Arizona and all that brave citizenship along the international border of the undeserved and unjust suspicion—if not actual aspersion—cast on them by the letter an extract from which I have just read to the Senate. There is no reason to discriminate against the only people within our borders who live within the zone of any possible danger by reason of a groundless fear that they may break the Nation's peace. I feel assured that the rifle club at Bisbee will at an early day be treated with the same courtesy—and, I may add, decency—accorded to similar clubs in every other part of our common country.

I thank the Senator from California for his courtesy.

REPORT OF INDUSTRIAL RELATIONS COMMISSION.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. The Senator from Washington.

Mr. POINDEXTER. I ask unanimous consent for the present consideration of Calendar No. 134, being the resolution to print as a document the report of the Industrial Relations Commission.

Mr. SMOOT. Mr. President, I wish to say to the Senator that that matter will lead to some discussion—not on my part, because I am in favor of it—but there are a number of Senators who have said that they desired to speak upon it whenever it came up, and they asked me not to allow it to come up in their absence. I think the Senate ought to know that if it is to be discussed, it will take some time to do it.

The VICE PRESIDENT. That does not seem to come within the fair purview of morning business, and the Chair now declares the morning business closed and recognizes the Senator from California.

Mr. POINDEXTER. Of course, Mr. President, in view of the fact that the Senator from California desires to address the Senate, I will not insist on this matter if there is going to be any debate upon it; but I will make the remark that I think if the Senate by unanimous consent desires to take up a matter, it can do so.

The VICE PRESIDENT. The Chair understood that there would be discussion about it.

NATIONAL DEFENSE.

Mr. WORKS. Mr. President, up to this time I have taken but little part in this debate. But while others have been talking I have been doing a good deal of thinking. The course the debate has taken, the arraying of one self-seeking interest against another, the mere mention of politics in connection with the consideration of a question of such grave import, the injection into the controversy of outside opposing interests have excited in me, as I think it should in the mind of every patriotic American citizen, a mingled feeling of resentment and apprehension.

Mr. President, I love my country. I believe in its free institutions. I proclaim it to be the greatest and most beneficent government the ingenuity and patriotism of man has yet devised. It is a government that should command the respect not only of its own citizens, but of the peoples of all nations. It should be the pleasure, as well as the patriotic duty, of those who share in its protection and its benefits to protect and uphold it against its enemies within and without—from the dangers and encroachments of greed and avarice and self-seeking in all its forms within, as well as foreign aggression or invasion from without.

A few days ago, in an address to the Senate on preparedness for peace, I had occasion to say:

The dangers that threaten us are within, and not without.

I want now to reiterate and to emphasize what I then said and to point out some of the dangers that are confronting the country and threatening the perpetuity of its institutions. As I shall attempt to show, these dangers have been disclosed in great part by the debate on this bill. To me the greatest virtues of our Government, as manifested in the Declaration of Independence and the Constitution, are popular self-government, the preservation in the States of sovereign power over matters of local concern, and the establishment of independent departments of the Government, free from domination or dictation by any other department. The wisdom of our forefathers gave us, as parts of the Government, the executive, the legislative, and the judicial departments and made them independent of each other. They made the National Government one of enumerated and limited powers, leaving the powers not enumerated to the States. So jealous were the southern people of the rights of the States that they were willing to go to war to preserve them to an extent denied to them by the States of the North. And yet, sir, the tendency of legislation to-day is to surrender and barter away what were once regarded as the most sacred rights of the States and centralize all power in the Federal Government. And, strange as it may seem, the southern Members of the Congress of the United States are taking the lead and forcing through this kind of legislation so destructive of the sovereignty of their States and extending and enlarging by law and by construction the powers and influence of the departments and of the bureaus and commissions of the Federal Government.

And, sir, the saddest and most dangerous feature of this abandonment of State sovereignty and local self-government is that, in the main, it is done for purely commercial reasons. The States of this Union are selling their sovereignty for money appropriations for internal improvements and material benefits. So-called pork-barrel legislation is degrading our citizenship and destroying the freedom and independence of the States. The temptations that lead lawmakers to surrender the rights of the States are many and persuasive. Their course in making the surrender of these sovereign rights is generally approved by their unthinking constituents because it means prosperity to their States and money in their pockets. They want better roads, the improvement of their waterways, the establishment of vocational schools, better preservation of health, advancement of agricultural interests, conservation of natural resources, the manufacture of nitrogen at Government expense, and a hundred other things, most of which should be provided for them by their States and at their own expense. But they are more than willing to surrender their right to deal with these questions, falling clearly within the sovereign powers of the States, and to shift their duty and their responsibility to the National Government if only it will bear the burden of their cost. In defense of this unfortunate and unpatriotic course the claim is made that the Government is rich and powerful, and can do these things; and if it does not they will not be done at all, because the States are financially unable to do them. But, Mr. President, to me this seems the most dangerous feature of the whole matter. It is an abject surrender of the sovereign duties of the States because they are not able to perform them. It is an admission that our form of government is a failure, and means the downfall of the States as separate and independent parts of the Federal Government.

As a natural and inevitable result we are fast becoming a centralized and paternal Government. The States, instead of maintaining their independent sovereignties, are becoming—yes, they have to an alarming extent already become—the dependent wards of the Federal Government.

Not only this, which would seem to be bad enough, but this course has made us a bureaucratic Government. We have bureaus and commissions and divisions innumerable, costing the Government millions of dollars a year in doing the things that should be done by the States. The departments of government have by this means become great and powerful machines that dictate and control legislation.

The Congress of the United States has ceased in great measure to be an independent department of the Government. Hardly a bill is passed or even considered by a committee of either House of Congress until it is referred to and passed upon by one of the departments. And if reported against by the department it is generally looked upon as killed. This is not all, Mr. President. It has become a common thing for bills to be formulated by a department head, approved by the President and presented to Congress, not as a bill originated by either House of Congress, or a Member of it, but as an "administration measure." Thus does the executive branch of the Government inject its power and influence into the law-making branch, which should be wholly free and independent within its own jurisdiction and the performance of its functions. Even this is not all. The Executive head of the Government not only has formulated bills for passage, and let it be known that they are administration bills and must be passed, but he assumes to and does prepare and enforce a legislative program for Congress and dictates what bills shall be considered first and in preference to others and when, and after the passage of what bills Congress shall be permitted to adjourn. I have been told, and I have no doubt it is true, that Members of Congress, members of this body, go to the President to be told how they shall conduct the business of Congress and what bills shall be preferred over others. There is still more to come. It is an alarming fact, and one which is well known to everybody who keeps account of what is going on here, that Members of Congress accept the dictation of the President and do what he asks as a duty higher than their obligation to follow their own conscientious convictions. Mr. President, if half of the things I have mentioned be true, what can we expect for the future of our country?

The division of power between the several departments of the Government was intended to protect the people from the liberty-destroying effects of one-man power. The granting of separate sovereignty to the States was for the protection of their independence. The effort of the Executive branch of the Government to extend his power over the legislative branch is plain usurpation and a violation of the very spirit of the Constitution. Not only so, it is the unwarranted assumption of power that if persisted in will lead to despotism and finally result in a dictatorship. What I am saying is not directed at any one personality. This tendency to usurp power not belonging to it by the executive departments has been in evidence for some years past. But, as was inevitable, it has increased and become more arrogant and offensive to our institutions and form of government year by year. And unless Congress asserts and maintains its independence, it will continue to grow worse until the Congress will cease to have any independency. Such a result is a long step toward the destruction of free government.

Mr. President, one of the melancholy features of the situation is that the people generally do not understand or appreciate the dangers that confront them. They look upon the office of Chief Magistrate as the seat of all power and all departments as subservient to his will. The people of this country should be awakened to the danger of such sentiments. They are subversive of the principles upon which our Government is founded, and if this awakening comes it must be brought about by the assertion by Congress of its rights as an independent branch of the Government. If Congress bows submissively to the will power and dictation of the President within the sphere of its power and jurisdiction, it will deserve the contempt of all good citizens.

I can not take time now to enumerate the many acts and tendencies that are threatening the perpetuity of the free institutions of this Republic. Many of them are as plain as the light of day and are known to all observing men. But there is one that stands out fully revealed as the worst and most dangerous of them all. It is self-seeking partisan politics. Its dominating and sinister influences are found everywhere. I have been amazed to find, as a result of my service in this body, how extensive, far-reaching, and powerful its influence is. Even in the consideration of the bill now before the Senate, involving the future peace and safety of the country, the apprehension of outside political influences is felt and expressed on the floor of the Senate and the influence of outside selfish interests, as unpatriotic as they are offensive, have been used in support of and in opposition to certain provisions in the bill beyond any doubt. We breathe the polluted atmosphere of self-seeking influences at every turn in the performance of our duties as representatives of the people.

Partisan politics is ruthless in its demands and invades the most sacred precincts of the National Government. It is seeking place and pelf and power wherever and whenever it can find entrance. Just now it is attempting to invade the Supreme Court of the United States. It is presenting to a member of that body the greatest temptation that could be offered to an American citizen—to surrender his place on the bench and become a candidate for a political office. This attempt to bring the highest judicial tribunal of the country, or any member of it, into politics should be resented not only by the member to whom the tempting offer is made but by the whole country. To my mind it is of the gravest importance that that great tribunal should be separated absolutely and forever from politics, candidacy for office, or any interest in elections beyond that of the disinterested and patriotic private citizen. If any member of the Supreme Court is tempted by an offer of a nomination as a candidate for the Presidency of the United States and refuses the offer because he is a justice of the Supreme Court and for that reason can not conscientiously accept a nomination to a political office or engage in politics, he will have rendered his country a great and lasting service. If he does that one act of unselfish patriotism and devotion to the best interests of his country, that has so signally honored him, it will keep his memory green in the minds of his countrymen long after the politicians who thus tempted him are forgotten. The use of his name as a candidate is an offense to him and to the country.

Whether Justice Hughes is going to allow his name to be used as a candidate in a political convention is a matter of profound interest and grave importance to the American people. Whether one man or another shall be nominated by that convention for the office of President of the United States is of but little importance compared with the question whether a member of the Supreme Court can be used to advance the interests or secure the success of any political party. I commend to the Senate and the country the wise and patriotic sentiments expressed in the following editorial of the Providence Journal:

> Which path shall Justice Hughes choose? Shall he yield to the demand of the moment or be true to the larger demand? Shall he plunge into the maelstrom of politics again or once and for all buttress the tradition of isolation and sanctity with which the Supreme Court of the United States is raised above its coordinate branches of the Government?
>
> There can be no possible doubt that Mr. Hughes has it in his power to perform a greater public service by remaining where he is than he could possibly perform by heeding the call to party leadership. It is a service that would become historic; that would strengthen every wholesome principle on which our democracy rests. It would do more by one stroke of the pen to preserve our best traditions of free government and human liberties than Mr. Hughes could hope to do in four years or eight years by conscientious endeavor in the White House.
>
> That he himself is inclined to this view is altogether probable. We can easily believe that his feeling from the first has been that in the next few years of critical problems in the United States there will be work arduous and engrossing enough on the bench of our highest court for the most willing and intelligent patriot.
>
> In a spirit of entire friendship for Mr. Hughes, and in accordance with what we are convinced is his own honest judgment and desire, we would urge him to a frank and unequivocal renunciation of the call of politics in these unique circumstances. The country needs him where he is, not for his talents alone, great as they are, but for the example he would set for all time of our supreme Federal judiciary wholly beyond the ambitions of the political forum and the real or fancied requirements of the hour.

Mr. President, let me advert briefly to another of the conditions that is threatening the future peace and well-being of the country far beyond any danger of war. It is the division of capital and labor into hostile classes, and the tendency to divide the people of this country into classes of rich and poor, with all that it implies. Theoretically, and as a matter of law, all men are equal in this Republic. This doctrine of equality and like opportunities for all without regard to race, color, or station in life, is woven into the very fabric of our free institutions and is one of its greatest elements of strength. It is no crime in this country to be either rich or poor. It should be no mark of distinction to be rich, or a badge of inferiority or subserviency to be poor. So long as any American citizen keeps himself within the bounds of honesty, integrity, and fair dealing he can not be criticized for becoming rich beyond his fellows or even for amassing inordinate wealth that he does not need and can not use for his own good. On the other hand, the man who endeavors and fails is entitled to as much respect and consideration as the man who succeeds. The man who succeeds and amasses wealth has the greater responsibility. He becomes the trustee of his wealth for the common good. There is no reason why there should be hatred or envy or controversy between employer and employee, rich and poor, or the successful and unsuccessful.

And, sir, it is not because some are rich and others poor that discontent and controversies arise among men. It is because public sentiment divides men into classes, not because some are better than others as men and citizens, but because some are rich and some poor and one is considered, respected, and deferred to and the other looked down upon and his rights as a man and a citizen disregarded. As a necessary consequence, this has led to intolerance, arrogance, and oppression on the one side and unwilling and sullen submission and subservience on the other, which has led to hatred, discontent, and controversy, sometimes

even to violent destruction of property and the shedding of blood. It has brought about powerful organizations for the protection of one class against another. These organizations on both sides have attempted to accomplish their ends by force and oppression, and not by reason, justice, and peaceful means.

Mr. President, the harmonizing and bringing into friendly relation of these conflicting elements in the social and business affairs of this country is, I am firmly convinced, one of the greatest problems this Republic is called upon to solve, and solve righteously and justly, in order to live. It is a danger more imminent and more threatening, more inimical by far to our form of government and its continued existence, than foreign enemies.

Now, Mr. President, I might point to other sinister forces and influences that are in greater or lesser degree inimical to our institutions, but it is unnecessary. I have tried to point out what seems to me to be the worst and most dangerous of them.

Mr. President, let me now comment briefly and more directly on the pending bill. The distinguished Senator from Oregon, chairman of the Committee on Military Affairs, has said with the emphasis of sincerity that we should speak frankly in dealing with this important question, and he is right. No man in this body stands higher in the estimation of his colleagues on this floor than the Senator from Oregon. He has imposed upon him a most unpleasant task in his courageous efforts to uphold and sustain the bill reported by his committee. The bill is itself a sham and a delusion. In saying this I am not intending to criticise or reflect upon the chairman or any member of the committee. I know, and no one doubts the fact, that they have done the best they could under the most trying circumstances. The people in large numbers have been clamoring for preparedness for national defense. Defense against what? Defense against an invasion of our country by the forces of some foreign nation, of course. This has been understood by everybody from the beginning. There has not been, and will not be, any need of preparation for defense by military force against anything else. Does this bill prepare us for national defense in this sense? No one that I have yet heard pretends that it does. Of course it does not. In addressing the Senate a few days ago the Senator from Oregon expatiated at length and with great eloquence upon the dangers that were confronting us of war with one or more of the belligerents or some other nation.

When he had done I asked him if he thought the force provided by this bill would furnish a military force adequate to meet the dangers that he had been talking about, and he answered emphatically, "No, I do not. The bill is a compromise." A compromise, Mr. President! A compromise of what? Are we proposing to compromise with the peace and safety of the country in the face of the dangers that the Senator has so eloquently depicted as an excuse for passing any bill at all increasing our military strength? That is just what we are proposing to do. No Senator here believes that the force provided for by this bill will prepare us for defense against any of the nations that some people think might engage us in war. We are adding millions of dollars to the burdens of the people without providing what some of them are demanding, the means of national defense. I say again the bill is a sham and a delusion.

If this bill should pass and the force it provides for be raised what kind of defense would it provide for my own State or the Pacific coast? The portion that upon an equal division of the forces on the basis of area or population would be allotted to California would not furnish soldiers enough to defend one medium-sized city in the State. There are enough seasoned Japanese veterans in the State to kidnap and carry them off if we should have trouble with that country of which I have no more fear than I have of war with Germany or Great Britain or any other country.

Then we are not dealing fairly with the people of this country who must bear the heavy and practically useless burden of maintaining this increased military force. They think we are really preparing for national defense; we know we are not.

Why, Mr. President, preparation for national defense would call for an army of 2,000,000 instead of 200,000 men. But such an army is not provided for because the people of this country, even those of them who have been wildly demanding preparedness for national defense, would not submit to any such burden and face the danger of militarism that such an army implies. For myself I am not willing to join in this pretense of preparedness for national defense.

Mr. President, before I conclude I want to say a word about what I consider an unwarranted attempt to deprive the States of control over the State militia, now commonly called the National Guard. As I have said, one of the objects of the framers of the Constitution was to preserve and protect the independence and the sovereignty of the States in their proper spheres and limit the sovereignty of the Federal Government to national and interstate affairs. The provision of the Constitution relating to the militia, so often quoted in this debate, furnishes clear and convincing evidence of this intention. It provides that the militia shall be officered and trained by the States, which gives the States power and control over them.

Congress is given the power to "provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions."

For all other purposes the militia is a State organization under State control and may be used by the States for the protection of their own independence and the enforcement of their laws. The attempt in this bill to take over the militia to the National Government is only another effort to deprive the States of their sovereignty and powers and transfer them to the Federal Government that I have already commented upon. It is a part of the centralizing process to which I have referred. In their efforts to become a part of the Federal forces the National Guard are disloyal to their States, to whom their allegiance is due until called out by the Government in the cases specified in the Constitution.

To thus alienate the Nationad Guard from their States is to serve their selfish ambitions and to take over to the Federal Government the military force intended by the framers of the Constitution as primarily for the protection of the States and the enforcement of their laws. And for their services to the Government the compensation to be paid by the Government is fixed by the Constitution. Congress must "provide for organizing, arming, and disciplining the militia and for governing such part of them as may be employed in the service of the United States." The only interest the Federal Government has in the militia, miscalled the National Guard, is to see that when the emergency arises that warrants their call to the aid of the National Government they shall be armed and disciplined in such way as Congress may provide. There can be no escape from the fact that the militia is a State organization intended primarily and at all times for the protection of the States and the enforcement of their laws. And it follows necessarily that any attempt, such, for example, as we find in this bill, to make them a part of the Federal forces is a plain violation of the Constitution and a serious infringement on the rights of the States.

Mr. President, I am opposed to this bill as a whole, because I do not believe preparedness for national defense against a foreign foe is necessary, and, if it were, this bill does not begin to provide for any such defense; and for the further reason that no such increase as the bill provides for is necessary for the protection of the country and the enforcement of its laws in time of peace. I believe the regiments we have should be filled to their full complement and kept so, and that they should be adequately equipped, officered, and the men better paid and more humanely and liberally treated. I am not willing to go further than this at the present time. To go further and place upon our people the enormous burden of maintaining this unnecessary and inadequate military force is unjustifiable and unwise.

Mr. SMOOT. I move that the Senate proceed to the consideration of unobjected bills on the calendar under Rule VIII.

Mr. REED. Mr. President, I hope we can give the time between now and the time fixed for voting on the military bill to that bill. There are a great number of amendments.

Mr. SMOOT. I will say to the Senator that all I desire is to consider the bills on the calendar until 2 o'clock. The military bill will come up automatically at 2, and I thought between this time and 2 we could get rid of a great many bills upon the calendar to which there is no objection.

Mr. REED. Could not the Senator let that go until after the unanimous-consent agreement expires? I will then be very glad, so far as I am concerned—I only speak for myself—to cooperate with the Senator's desire and to take half a day, if necessary, to go through the bills on the calendar. I think they ought to be disposed of; but this military bill is here; we have fixed a time to vote upon it, and there are a great number of important amendments, some of which some of us are anxious to discuss. I wish the Senator would concede that, though, of course——

Mr. SMOOT. I would not interfere with the consideration and the passage of the military bill in any way; I recognize that it is of great importance; but I do not believe that if we give 40 or 50 minutes now to the calendar it would make very much difference to the bill, and it would get a lot of bills off the calendar to which there is no objection. I hope the Senator from Missouri will agree to that course.

Mr. REED. We are to vote on Friday.

Mr. SMOOT. No; not until Tuesday.

Mr. REED. But on Friday the 10-minute rule applies.

Mr. SMOOT. Not until Tuesday. The time was extended, I will say to the Senator.

The VICE PRESIDENT. The 10-minute rule begins on Friday at meridian.

Mr. SMOOT. Yes; the 10-minute rule begins then. I did not understand the Senator.

The VICE PRESIDENT. Under the unanimous-consent agreement the Senate is to vote upon the bill at 4 o'clock on Tuesday.

Mr. REED. That leaves only two afternoons practically for general discussion. There are many amendments that I know are pending; there are, I should say, 30 or 40 amendments here, and some of them are very important. I have said all I care to submit.

Mr. THOMAS. Mr. President——

Mr. SMOOT. I yield to the Senator from Colorado.

Mr. THOMAS. Mr. President, I was very much impressed with the remarks of the Senator from California [Mr. WORKS] just delivered, and particularly so with that portion of his address regarding the association of the name of one of our most distinguished members of the Supreme Bench with a Presidential nomination. I think, Mr. President, every comment of the Senator on that subject is unanswerable. And the lesson he would teach is one that should apply not only to the national but to the State courts.

I was reminded of the importance and the need of this, and by the Senator's discussion, that in one of the States of the Union, whose constitution declares that no occupant of the bench shall, during his term of office, be a candidate for any other than a judicial office, two members of its supreme bench, both of whom have sworn to support their constitution, one a Democrat and the other a Republican, are to-day active candidates for the nomination by their respective parties to a seat in this body.

The situation there presented is not an encouraging one, and when we reflect that the same court has exclusive jurisdiction of all political controversies. Hence the other candidates of the two parties for this position are incapacitated for even contesting the question whether that constitutional inhibition disqualifies these gentlemen from aspiring to the Senate while they occupy seats upon the supreme bench. They constitute two-thirds of the court, and are certainly disqualified by the most obvious principles from passing formal judgment upon themselves.

That spectacle, so unfortunate and so humiliating, and at the same time so illustrative of the extent to which the ambition, honorable ambition, if you please, of members of the bench will carry them if the rule for which the Senator contends is disregarded, that I could not avoid the temptation of calling attention to it at this opportune time.

Mr. SMOOT. Mr. President, at the request of the Senator from Oregon [Mr. CHAMBERLAIN], who has the military bill in charge, and at the solicitation of the Senator from Missouri [Mr. REED], I shall withdraw my motion to proceed to the consideration of the calendar under Rule VIII.

The VICE PRESIDENT. The calendar under Rule VIII is in order.

Mr. CHAMBERLAIN. I request that the unfinished business be laid before the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. BRANDEGEE. Mr. President, yesterday the Chair laid before the Senate a communication from the Secretary of War, transmitting there opinions of the Judge Advocate General of the Army bearing upon various legal questions involved in measures pending before the two branches of Congress for the reorganization of the Army. At that time I asked that the communication be printed in the RECORD when the Army reorganization bill was again taken up for consideration. The Senate so ordered. Pursuant to that order, I ask that the communication be printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

WAR DEPARTMENT,
Washington, April 10, 1916.

SIR: I have the honor to transmit herewith, in response to the resolution of the Senate of March 30 (calendar day April 7), 1916, three opinions of the Judge Advocate General of the Army. These opinions bear upon various phases of the legal knowledge involved in measures pending before the two branches of Congress for the reorganization of the Army:

1. Is a general opinion on the question of the constitutionality of certain proposals for the federalized militia, since somewhat modified by amendment in the House in which that bill originated.

2. An opinion bearing on the constitutionality of a provision for drafting members of the State militia into the National Army applicable to the draft provision added by amendment to the bill originating in the House and on the legality of a dual enlistment.

3. An opinion on the provisions of the pending militia pay bill respecting the exercise of the power to exempt from militia service and upon the question of the legality of the dual enlistment therein proposed.

It is understood that in transmitting these opinions they are sent strictly in response to the resolution of the Senate, and that, since I have not had the time adequately to examine the grounds upon which these opinions are expressed, they are the opinions of the Judge Advocate General and not otherwise of the department.

Respectfully submitted,

NEWTON D. BAKER,
Secretary of War.

The PRESIDENT OF THE SENATE.

(Inclosures.)

—

MEMORANDUM TO ACCOMPANY NO. 1.

Numbers indicate sections of the bill as introduced in the Senate. Numbers in parenthesis indicate sections of the bill as reported to the Senate.

No. 1.

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, March 9, 1916.

From: The Judge Advocate General.
To: The Secretary of War.
Subject: S. 4840, "A bill for making further and more effectual provision for the national defense, and for other purposes."

1. Instructions issued under date of March 6 with reference to S. 4840, "A bill for making further and more effectual provision for the national defense, and for other purposes," require me to submit not later than 9 a. m March 11 (a) a statement as to the effect of the bill upon the Judge Advocate General's Department and (b) a statement as to the legal aspects of the bill. This paper is designed to be responsive to requirement (b), the statement responsive to requirement (a) having been submitted in another paper.

2. For the purpose of discussion the 123 (120, H. R. 12766, Cal. 285) sections of the bill may conveniently be grouped in four subdivisions, viz:

(a) Those which relate mainly to the Regular Army, including the Regular Army Reserve and the Officers' Reserve Corps, sections 1 to 43 (1 to 41) and section 118 (115).

(b) Those which relate mainly to the reserve officers' training corps, sections 44 to 57 (42 to 55).

(c) One which relates to Volunteer forces, section 58 (56).

(d) Those which relate mainly to the militia, sections 59 to 117 (57 to 114) and 119 to 123 (116 to 120).

I have already submitted, in the form of detached memoranda, such observations and comments as I have to make respecting subdivisions (a) and (b). There remains to be discussed subdivision (c), volunteer forces, and subdivision (d), the militia, and these will be taken up and discussed in the order indicated.

(c) VOLUNTEER FORCES.

3. The subject of volunteer forces is dealt with in but a single section of the pending bill, reading as follows:

"SEC. 58 (56). The President is hereby authorized, at any time, to organize, maintain, and train, under the provisions of sections 3 to 12, both inclusive, of an act entitled 'An act to provide for raising the volunteer forces of the United States in time of actual or threatened war,' approved April 25, 1914, volunteer forces not exceeding an average of 600 officers and enlisted men for each congressional district. The term of enlistment, which shall in no event be greater than that of the Regular Army, the period of service with the colors and with the reserve, and the period of training shall be as the President may prescribe, those passing to the reserve to have the status and obligations prescribed for reserves of the Regular Army. Officers and enlisted men of the volunteer forces raised under the provisions of this section shall be entitled to the pay and allowances of officers and enlisted men of corresponding grades in the Regular Army during periods of training only.

"Temporary appointments and promotions of officers of the Regular Army arising from the operation of this section may be terminated at the discretion of the President.

"Officers of the Regular Army who receive commissions in the volunteer army herein authorized shall in time of peace receive the pay and allowances of their respective grades in the Regular Army, and no more."

The purpose here is to utilize the machinery of existing law for the raising of a citizen army for training. The existing law is the recently enacted volunteer act, approved April 25, 1914 (38 Stat., 347), a law prepared by the General Staff, approved by the War Department, and enacted by Congress in substantially the form in which submitted by the General Staff. By its express provisions it is operative "only during the existence of war, or while war is imminent, and only after Congress shall have authorized the President to raise such a force" (sec. 2). Proposed section 58 (56) adopts 10 of the sections of this law and makes them operative in time of peace for its purposes.

4. I have given careful consideration to these 10 adopted sections, as modified by proposed section 58 (56), and am of the opinion that they supply, in necessary detail, all the statutory direction which the department needs in raising and maintaining a volunteer army for training. Section 3 authorizes the embodiment of the National Guard with this force for adequate annual periods of training, and by virtue of muster in and muster out of the service of the United States, which will initiate and terminate the period of training, all constitutional questions respecting such a use of the militia are avoided, and the interruption of the State relations of the National Guard so embodied is reduced to a minimum. From a legal point of view these 10 sections appear to be well adapted to the purpose of proposed section 58 (56), save in the minor regards next to be noted.

5. Proposed section 58 (56) gives to the reserves of the citizen army for training raised under its provisions the status and obligations of reserves of the Regular Army. This provision is a proper one as the law relating to Regular Army reserves now stands, but as proposed to be adopted in sections 33 and 34 of the bill here under review, I doubt if we should completely assimilate the citizen army reserve to the Regular Army reserve. While it is important that they should have the same status and obligations in respect of mobilizing for training and for actual or imminent war, I doubt if it will be the final judgment of the War Department that they should have the pay status in time of peace which sections 33 and 34 give to the Regular Army reserve. When this question has received the attention of the General Staff and of the War Department and a decision reached, the language of section 58 (56) should be modified to express the departmental view.

The average strength of 600 per congressional district should, of course, be exclusive of National Guard organizations mustered only for periods of training.

6. It is, of course, not desirable that the forces raised under the authority of section 58 (56) should be available to the President for all purposes. A simple provision should be inserted to the effect that, except for periods of training as thereinafter provided for, the forces raised under the authority of this section shall not be called out for service except when authorized by Congress in the emergency of actual or imminent war. It is likewise desirable, I think, to vest in the President quite an extensive authority in the appointment of officers of such provisional forces as are here under consideration, and a provision to that effect should be inserted. Amended in these regards, reserving the amendments respecting the status and obligations of reserves, it would be necessary to insert after the word "exceeding," in the seventh line of the section, the words "exclusive of National Guard organizations mustered into the service of the United States for training under the provisions of this section," and to add the following paragraph:

"The President alone is authorized to appoint all officers of volunteer forces raised under the provisions of this section below the grade of brigadier general. Except for periods of training, said volunteer forces shall not be called out for service except when authorized by Congress in the emergency of actual or imminent war."

(D) THE ORGANIZED MILITIA.

7. The proposed militia legislation, particularly when viewed in the light of recent discussion of the problem of national defense, is understood as intended, first, to increase the existing participation of the Federal Government in the control and direction of the training of the militia with a view to rendering it more efficient as a possible arm of national defense; and, second, to assure to the Federal Government on demand the military service, unhampered by constitutional restrictions affecting the militia, of all individuals who shall become beneficiaries under the legislation.

(1) CONTROL OF TRAINING BY PURCHASE.

8. One group of provisions may be described as designed to secure to the United States control over the training of the Organized Militia by making compliance with Federal training statutes and regulations a condition precedent to the participation of the militia in Federal appropriations, examples of which are found in section 96 (93), providing for pay for camp and maneuver training service, and sections 111 and 112 (108, 109), providing for pay for home-station training service. These provisions may be dismissed with the remark that they do not serve to raise any question fundamentally different from those raised in provisions similar in nature, though, perhaps, different in degree, under the militia act of 1903 (Dick bill) and subsequent amendments thereto. I am of the opinion, however, that the general effect of the provisions here considered is not to vest in the Federal authorities a legal jurisdiction capable of being made effective by such authorities by means of legal measures, coercive in nature, but only to afford opportunity for voluntary compliance with Federal regulations designed to make training service more effective; and that essentially this compliance is not constrained in anywise and may cease at any moment, generally without penalty other than the interruption of the right to receive Federal compensation for training service.

(2) COMMAND.

9. Another group of provisions, designed to federalize the Organized Militia through the exercise of command, raises a new question, which must be examined with special reference to the constitutional distribution of powers over the militia. Of this group only the most representative will be discussed, section 66 (64), which reads as follows:

"For the purpose of maintaining appropriate organization and to assist in instruction and training, the President may assign the National Guard of the several States and Territories and the District of Columbia to divisions, brigades, and other tactical units, and may detail officers of appropriate grade either from the National Guard or the Regular Army to command such units: *Provided*, That where complete units are organized within a State, Territory, or the District of Columbia the commanding officers thereof shall not be displaced."

Has the Congress the power, under the Constitution, to establish command relations under which the President (a) may place officers of the Regular Army in command over any part of the militia not in the service of the United States, or (b) may place officers of militia in command over any part of the militia of another State also not in the service of the United States?

10. The assignment of an officer to command an organization involves an exercise of command over both the officer and the organization. The section here under consideration is manifestly intended to be operative when the militia is not in the service of the United States for the purpose of executing the laws of the Union, suppressing insurrections, or repelling invasions (clause 15, sec. 8, Art. I, Constitution of the United States), and those purposes are the only ones for which the militia may be called into the service of the United States. Section 2 of Article II of the Federal Constitution provides that "the President shall be the Commander in Chief * * * of the militia of the several States, when called into the actual service of the United States." There is no other constitutional grant of power to the President to command the militia. It follows that the President may not, either by himself or through others under his authority as Commander in Chief of the Army, exercise command over any part of the militia not called into the service of the United States for one of the three constitutional purposes above mentioned. It would seem clear, therefore, that the President, under the Constitution, may not be authorized to assume such command over a militia organization not in the service of the United States as would necessarily be involved in assigning to the command thereof either an officer of the Regular Army or an officer of the National Guard; and further, that the President may not be authorized to assume such command over an individual officer of the National Guard as would be involved in assigning the latter to duty in command of a National Guard organization, neither being in the service of the United States. This leads me to the conclusion that both branches of the question stated above must be answered in the negative and to express the opinion that section 66 (64), supra, is not in harmony with the Federal Constitution.

(3) COURTS-MARTIAL.

11. In another group of provisions designed to federalize the militia, the solution of the problem is sought to be promoted by establishing a system of courts-martial and by providing a military criminal code. Those provisions are found in sections 104 to 110 (101 to 107). Section 104 (101) establishes for the militia not in the service of the United States a system of courts-martial, general, special, and summary, the composition and jurisdiction of which, except in the matter of punishments, is to be the same as those of courts-martial provided for by the laws and regulations governing the Army. Sections 105 (102), 106 (103), 107 (104), and 108 (105) specify the authority or authorities by which each of the various courts may be appointed, and prescribe the limits of the punishing powers of such courts. Section 109 (106), provides that no sentence of dismissal or dishonorable discharge, except when in the service of the United States, shall be executed until approved by the governor of the State or Territory or the commanding general of the militia of the District of Columbia. Section 110 (107) deals with the powers of courts-martial in the matter of warrants, subpœnas, etc., and with the manner and means of executing sentences. The consideration of this group of sections raises a constitutional question which may be stated as follows: Has the Congress power, under the Constitution, to provide for the militia not called into the service of the United States in the constitutional sense not only a system of courts-martial but a military criminal code defining offenses and prescribing punishments and the manner of executing the latter?

12. While the language employed in this group of sections is such as to raise doubts in respect of certain details of some importance, the intent is clearly to create military courts, general, special, and summary, with jurisdiction to try officers and enlisted men of the National Guard for offenses defined, denounced, and made punishable by the Articles of War for the government of the Armies of the United States, whether such offenses be committed at encampments, maneuvers, or elsewhere, including the home stations of National Guard organizations, or while on duty under State authority in aid of the civil power of the State; in other words, to create a military judicial system with jurisdiction to try officers and enlisted men of the National Guard for offenses committed when such officers and enlisted men are not in the service of the United States in any constitutional sense.

13. If the enactment of those sections is to be regarded as warranted by the Constitution, it would seem to be necessary to justify the enactment as an exercise of the power to provide for organizing and disciplining the militia, for, under the terms of the Constitution, the power of the Congress to provide for governing the militia may be exercised only in respect of such part of the militia as may be employed in the service of the United States. (Cl. 16, sec. 8, Art. I, Constitution United States.)

14. To organize is to determine what elements shall compose an organic whole and to arrange and dispose of them as constituent parts of the same. Authority "to provide for organizing" the militia implies authority to prescribe the arrangement of the personnel comprising the militia into units and grades standing in the relation of coordination or subordination in respect of each other, to the end that each unit and grade may have a definite systemic relation to others. Such is the ordinary signification of the phrase and such has been the practical construction placed upon it by the Congress in the enactment of militia legislation under the Constitution. To discipline, in the broadest sense of the term, is to educate; to develop by instruction and exercise, to train, to accustom to regular and systematic action, to bring under control so as to act systematically, to train to act together under orders, to teach subordination, to form habits of obedience; or, more narrowly, to improve by corrective and penal methods, to chastise, to inflict penalties. In which of these two senses is the constitutional phrase "to provide * * * for disciplining the militia" to be construed? The immediate context suggests an answer to the query, for the clause conferring upon the Congress authority "to provide for * * * disciplining the militia" also confers upon the Congress the authority to provide "for governing such part of them as may be employed in the service of the United States," while expressly "reserving to the States, respectively, * * * the authority of training the militia according to the discipline prescribed by Congress."

Seeking the meaning of the words "disciplining" and "discipline" from the associated word "training" and the contrasted word "governing," it is clear that the former have reference to a system of prescribed rules, in accordance with which the military exercises, instruction, and organizational activities, which constitute the training, are to be conducted; but this training is under the authority of the States. Discipline, therefore, as employed in the constitutional clause under consideration, is the basic rule upon which the training proceeds, but not the training itself. The training and the power of conducting, accomplishing, and enforcing it are expressly left to the authority of the States consonantly with the general power of governing the militia, of which, indeed, that authority is but a necessary part. This construction squares with the practice for more than a century under the Constitution. To govern is to exercise a directing or restraining power over, to control or guide, to rule or regulate by right of authority, to control and restrain the actions of men. In the Constitution the term "governing" is evidently not employed as equivalent either to "organizing" or "disciplining," but as having reference to a separate and distinct power to be exercised by the Federal Government only in respect of such parts of the militia as may be employed in the service of the United States. Furthermore, the Constitution, after conferring upon the Congress power to "raise and support armies," conferred also the power "to make rules for the government and regulation of the land * * * forces"; and it is under the latter clause that the Congress has from time to time enacted Articles of War and other laws specifically providing for the institution of courts-martial (1 Winthrop's Military Law and Precedents, 52) for the purpose of exercising the restraining and punitive powers which, in the final analysis, are the means of governing the Army.

15. The foregoing considerations lead to the conclusion that the power to establish a system of courts-martial and prescribe a military criminal code for the militia is not to be deduced from the authority to provide for organizing and disciplining the militia but must be deduced from the power to provide for governing the militia. Inasmuch as the latter power is conferred upon the Congress only in respect of such part of the militia as may be employed in the service of the United States, it may not constitutionally be exercised in respect of the militia under any other conditions. If the view here expressed is sound, as I think it is, the constitutional question last stated must be answered in the negative, and for want of constitutional support the enactment of sections 104 (101) to 110 (107) of the bill in reference would be without mandatory legal effect.

(4) AVAILABILITY FOR FEDERAL MILITARY PURPOSES (DUAL ENLISTMENT).

16. Thus far the discussion has been confined to the more important of those provisions of the bill designed to increase Federal control over the Organized Militia when not in the service of the United States. We now come to the consideration of certain provisions that may be regarded as designed to extend the availability of the National Guard for Federal military purposes.

Section 73 (71) prescribes that in addition to including "an obligation to bear true faith and allegiance to the United States and support

the Constitution thereof and obey the orders of the President of the United States and the officers appointed over them," the contract of enlistment in the National Guard shall contain the following agreement:

"In the event that the President of the United States shall order the National Guard into active service because of actual or threatened war within three years from the date of my enlistment I agree to serve as a member of the National Guard in the service of the United States, within or without the continental limits of the United States, for the period of three years from the date of said order or until discharged by order of the President of the United States."

Section 75 (73) provides in substance that no person shall continue in office or enter upon the duties of an office in the National Guard until he shall have "taken the prescribed oath, which shall contain the same agreement as to service prescribed for enlisted men."

Section 115 (112) provides that—

"When Congress shall have authorized the use of the armed land forces of the United States requiring the use of troops in excess of those of the Regular Army, the officers and enlisted men of the National Guard, who have signed an enlistment or agreement to render military service to the United States and have received and accepted compensation for training for such service under the provisions of this act, and who have passed the required physical examination at the time of their enlistment, may be ordered into the service of the United States by the President to serve for a period of three years within or without the continental limits of the United States, unless sooner discharged by the President. Officers and enlisted men in the service of the United States under the terms of this section shall have the same pay and allowances as officers and enlisted men of the Regular Army."

Here arises the question: If these sections be enacted, is their enactment properly to be regarded (a) as an exercise of the constitutional power to raise and support armies, or (b) as an exercise of the constitutional power to provide for calling forth the militia? If the proposed legislation is legally sufficient to create or to authorize the creation of the status of Federal soldiers, the individuals concerned may become available for all Federal military purposes; but if the legislation is not legally sufficient to create or to authorize the creation of such status, then the individuals concerned will remain militiamen, available to the Federal Government only when called forth to execute the laws of the Union, suppress insurrection, or repel invasion, and for those purposes only.

17. It seems clear that there is no intention to make Federal soldiers out of the individual beneficiaries under the act at the moment they become such beneficiaries. In effect, sections 73 (71) and 75 (73) provide that the prospective recipient of pecuniary benefits under the proposed act shall, in presenti, agree to render military service to the Federal Government in future. Furthermore, it seems clear that a man can not voluntarily agree now to render voluntary service in the future so as to preclude him from refusing to render that service when it shall become due. On general legal principles and upon authority the prescribed agreement can ripen into the Federal military status only by some act of the promisor done with the purpose of consummating the status and sufficient for the purpose (Tyler *v.* Pomeroy, 8 Allen (Mass.), 481, 485, 503, 504, 505), unless the Congress shall prescribe that the happening of some event or contingency, although unrelated to the promisor, or some action taken by a designated Government official, shall serve to accomplish, irrespective of the will of the individual, the consummation of the Federal military relation. In this view the agreement has little or no value as a step toward creating the status of Federal soldier solely at the will of the Federal Government, except that if section 115 (112) may properly be viewed as draft legislation, the individuals who have entered into the agreement and have accepted the resultant pecuniary benefits may be regarded as a specially designated class upon which the draft shall first operate.

18. The power of Congress to raise armies is plenary. That this power may be exercised by forced draft was determined during the Civil War; and I think that it may be asserted, both upon principle and upon authority, that in the exercise of this power Congress may compel all of the militia, whether organized or not, into the Army of the United States. Would the proposed measure, if enacted, represent an exercise of this power? In this connection it is to be borne in mind that an act to compel the citizen into the military service of the United States can operate only in derogation of his usual constitutional rights, and therefore that the language of such an act, to be sufficient to achieve its purpose, should be clear and unquestionable.

19. Section 115 (112) provides in substance that when Congress shall have authorized the use of land forces of the United States in excess of those comprising the Regular Army, the officers and enlisted men of the National Guard, the beneficiaries of the legislation, "may be ordered into the service of the United States by the President to serve for a period of three years within or without the continental limits of the United States."

The section contains no language suggesting that a change of character and status from militiaman to Federal soldier is in contemplation, except as it may be inferred from the clause, "to serve * * * within or without the continental limits of the United States."

However, this suggestion is neither convincing nor forceful when the fact is taken into consideration that substantially the same language is employed in section 4 of the act of January 21, 1903, as amended by the act of May 27, 1908 (35 Stat., 400), legislation which in terms authorized the calling forth of the militia only for one or the other of the three purposes specifically mentioned in that connection in the Constitution. Another suggestion, rather persuasive, upon which it would be possible to base an argument that the militiamen ordered into the service of the United States pursuant to the authority conferred by section 115 (112) are to be regarded as Federal soldiers is to be found in section 78 (76), which reads as follows:

"All vacancies which exist or occur in the grade of second lieutenant of any portion of the National Guard in the active service of the United States shall be filled by the President, by and with the advice and consent of the Senate, from the enlisted men of the National Guard of the State, Territory, or District in which the vacancy occurs. All other appointments and promotions shall, under like circumstances, be made by the President, by and with the advice and consent of the Senate."

This section assumes to vest in the President, by and with the advice and consent of the Senate, the power to fill all vacancies in commissioned grades in "any portion of the National Guard in the active service of the United States," a power that may be exercised by the President only in respect of the Army, as distinguished from the militia in the service of the United States. But putting upon the proposed legislation the most favorable construction from a Federal point of view and accepting, for the purpose of further discussion, the view that it does contemplate the formation of a branch of the Army of the United States from the militia personnel ordered into the Federal service under section 115 (112), there still remains the question: Is the language of the bill legally sufficient to authorize the President to compel the militia beneficiaries to serve therein—i. e., as members of the Army of the United States?

20. The authority to make the necessary order is coupled with a reference to the prior agreement to serve the United States. In terms there is no provision for compelling a compliance with the order, except so far as the power to exercise such compulsion may be inferred from the use of the term "ordered" and from the provision appearing in section 103 (100) that:

"The militia when called into the service of the United States shall, from the time they are required by the terms of the call to respond thereto, be subject to the laws and regulations governing the Regular Army * * *."

The language employed in this latter section, "called into the service of the United States," when considered in connection with similar language employed in the Constitution and also in prior legislation authorizing Federal use of the militia as such, points quite strongly to the conclusion that the section is to be construed only as having reference to the militia when called into the Federal service as militia. This would remit us, then, to section 115 (112) in the search for authority to enforce the transfer from a militia status to the status of Federal soldier. That section, viewed as authority to create an additional branch of the Army, is open to two constructions. Under the first the section would do no more than to confer upon the President authority to embody in the Army officers and enlisted men of the militia if they consent, or at least do not object, to the transfer; and under the second the section would authorize the President to draft or compel the militiaman into the Army. However, the application of accepted rules of statutory construction would seem clearly to lead to the adoption of the construction first indicated and to the rejection of the second. Therefore, whatever may have been the intention of the framers of the bill, I can not avoid the conclusion that the language employed is not sufficiently clear and positive to abridge the usual civil rights of citizens, and, in the absence of a voluntary response to the order, subject them to Federal military control, even though they may have signed the agreement provided for in sections 73 (71) and 75 (73); or, in other words, that the project, if enacted, would not amount to a draft act.

RIGHT TO CALL THE MILITIA INTO THE SERVICE OF THE UNITED STATES FOR TRAINING.

21. Although in the bill under consideration it is not expressed in terms, various provisions serve to give the impression that reliance is placed upon the theory that, under the Constitution, the Congress may provide for calling the militia into the service of the United States solely for the purpose of training. This would appear to justify a brief reference to the military bill (H. R. 12766) now pending in the House of Representatives. Generally speaking, the provisions above reviewed are parallel in the House bill, but in the latter they are associated with a specific provision, which reads as follows:

"SEC. 54 (55). * * * The President may call into the service of the United States the National Guard or any part thereof to participate in encampments, maneuvers, or other exercises, including outdoor target practice and field or coast-defense instruction, for at least 15 days each year. * * * And he shall have power to call said National Guard or any part thereof into the service of the United States in connection with units of the Regular Army for the purposes aforesaid." * * *

Here in plain terms is a provision calling the militia into the service of the United States solely for the purpose of training. As I view it, this provision is in direct conflict with clause 15, section 8, Article I of the Constitution, which confers upon the Congress the power "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions."

This enumeration of the purpose for which Congress is empowered to call the militia into the service of the United States would be meaningless if its power extended to calling them forth for other purposes. I am unable to construe this constitutional provision in any other way than as limiting to the three purposes specified the power of Congress to authorize the calling forth of the militia. Such was the view of the Attorney General, who, in an opinion rendered to the Secretary of War on February 17, 1912, held as follows:

"It is certain that it is only upon one or more of these three occasions—when it is necessary to suppress insurrections, repel invasions, or to execute the laws of the United States—that even Congress can call this militia into the service of the United States or authorize it to be done." (29 Op. Atty. Gen., 323–324.)

Such also was the view taken by the House Committee on Militia in 1840, when it had before it a bill proposed by the then Secretary of War (Poinsett), substantially identical with the foregoing provision of the House bill. Secretary of War Poinsett was informed by the House committee, in substance, that the power of Congress did not extend to calling the militia into the service of the United States for such purpose, and upon further consideration he acceded in this view. And such, too, appears to have been the view of William Henry Harrison, who, on February 28, 1817, proposed a constitutional amendment in the form annexed to this statement for the purpose of conferring upon the Congress the very power which this legislation assumes to exist. Further reinforcing this view is the consideration that if the Congress may provide for calling the militia into the service of the United States for a period of 15 days each year of an enlistment therein for the purpose of training, a purpose not enumerated in the Constitution, it may also provide for calling the militia into such service for 365 days of each year of an enlistment, and for other purposes not constitutionally enumerated, and as this would result in placing the militia continuously under the command of the Federal Executive the substantial distinction between the militia and the Army would cease to exist.

SUMMARY.

22. Summarizing the powers over the militia sought to be exercised, either in express terms or by what appears to be necessary implication, in the pending legislation, they include:

(a) The power to provide for calling the militia into the service of the United States for the purpose of training—in conflict, as I view it, with clause 15, section 8, Article I, of the Constitution.

(b) The power to command the militia when not called into the service of the United States for a constitutionally enumerated purpose—in conflict, as I view it, with clause 16, section 8, Article I, and clause 1, section 2, Article II, of the Constitution.

(c) The power to establish courts-martial for the trial of officers and soldiers of the National Guard when not in the service of the

United States—in conflict, as I view it, with clause 16, section 8, Article I, of the Constitution.

23. I have already pointed out that sections 73 (71) and 75 (73) are ineffective to create the status of Federal soldiers in presenti, and the ineffectiveness of section 115 (112) as a draft to compel military service.

CONCLUSION.

24. For reasons hereinbefore outlined, I am led to the conclusion that so much of the bill here under consideration as relates to the militia would not serve in any large measure to accomplish the purpose of the bill, to make further and more effectual provision for the national defense: First, because certain material provisions contemplate no more than a Federal jurisdiction, if such it may properly be termed, based upon a consent that may be withdrawn at any time, generally, without penalty other than the interruption of the right to receive pecuniary benefits; second, because constitutional limitations upon the power of Congress to provide for calling the militia into the service of the United States and upon the power of Congress to legislate in respect of the militia not in the service of the United States would, in my opinion, render void certain basic portions of the proposed legislation and thus emasculate the same; and, third, because the provisions which contemplate the use of the organized militiaman for Federal military purposes would not, if enacted, represent such an unequivocal exercise of the undoubted right of the Congress to provide for drafting or compelling the manhood of the country into the Federal military service as to justify reliance upon them.

E. H. CROWDER,
Judge Advocate General.

—

AMENDMENT PROPOSED BY MR. W. H. HARRISON (AFTERWARDS PRESIDENT OF THE UNITED STATES) IN THE HOUSE OF REPRESENTATIVES, FEBRUARY 28, 1817, TO THE CONSTITUTION OF THE UNITED STATES.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of both Houses concurring therein), That the following amendment to the Constitution of the United States be proposed to the legislatures of the several States, which, when ratified by the legislatures of three-fourths of said States, shall be valid, to all intents and purposes, as a part of the said Constitution:

Congress shall, concurrently with the States, have power to provide for training the militia according to the discipline prescribed for that purpose, and whilst engaged in that service they shall be subject to the rules and regulations prescribed for the government of the militia, when in the military service of the United States, and also to provide for teaching in the primary schools and other seminaries of learning in the several States the system of discipline prescribed for the militia.

—

DISCUSSION OF THE MILITIA PAY BILL (H. R. 8141, 62D CONG., 1ST SESS.).

MEMORANDUM FOR THE SECRETARY OF WAR.

FEBRUARY —, 1913.

Subject: The militia-pay bill (H. R. 8141, 62d Cong., 1st sess.).

This study of the above bill has been undertaken in response to a desire expressed by the Secretary of War for a discussion of the constitutional features of the proposed measure.

On February 17, 1912, the Attorney General, responding to a question submitted to him by the Secretary of War, gave it as his opinion that the Constitution affords no warrant for the use of the militia by the General Government, except to suppress insurrections, repel invasions, or to execute the laws of the Union, and forbids such use for any other purpose. Notwithstanding the fact that the militia is a considerable body of land forces well equipped and to an effective degree trained and prepared for war, the General Government is denied the general power to use them as such in those exigencies jeopardizing the very life of the Nation. During such emergencies the military strength of the Nation would be vastly increased if the militia organizations could pass without break from the service of the several States to the service of the United States and be made available as Federal soldiers and organizations for general military purposes. The bill under discussion was designed to accomplish such transfer. Its whole purpose is to render the individual militiaman and his organization available for general military use in time of war or when war is imminent, or in other grave emergency, unrestricted by those limitations placed in the constitutional grant upon the Federal use of the Organized Militia; that is, it is the purpose of the bill to render the militiaman and his organization as available for general military use as is the Army of the United States.

This general purpose and the particular method of achieving it are clearly indicated and expressed in the following sections. Section 4 provides, among other things:

"That no money appropriated under the provisions of this act shall be paid to any person * * * who has not voluntarily, in addition to his oath as a member of the Organized Militia, also agreed to render military service to the United States, as hereinafter provided."

Section 5 provides:

"That the President, with the consent of Congress, in time of war or when war is imminent, or in other grave emergency requiring the use of troops in excess of the Regular Army beyond the limits of the United States, may by order transfer to the Army of the United States any portion of the Organized Militia receiving, or entitled to receive, the benefits of this act, to serve therein for the remainder of their respective terms of enlistment or commission, unless sooner released by the President. * * *"

And the same section continues:

"* * * and any Organized Militia so transferred shall, from the date specified in the order of such transfer, become for the time being a part of the Army of the United States, and subject to the same laws in so far as the same may be applicable to them during their service under such transfer. * * *"

Said section further provides that any Organized Militia so transferred "shall be available for any duty for which the Regular Army or Volunteer Army may be employed."

The bill also carries with it the following penalty clause:

"*Provided*, That any member of the Organized Militia who, having agreed to render military service to the United States under the provisions of this act, refuses or neglects to present himself for service when so transferred shall be subject to the trial therefor by a duly constituted court-martial, under such regulations as the President may prescribe."

And when, in the discretion of the President, the necessity for their further use no longer exists, this section provides:

"* * * He shall release said organizations and the members thereof from liability to render further service under said order of transfer, and said organizations and the members thereof, when so released, shall cease to be a part of the Army of the United States."

Section 6 of said bill also provides, in part:

"That whenever organizations * * * are transferred to the Army of the United States under the provisions of this act, those organizations only must be * * * transferred to such Army which have already received compensation under the provisions of this act, and, in addition thereto, such other organizations as have become entitled to receive compensation hereunder between the time of the last semiannual disbursements and the time when such transfer is made."

It is, then, the purpose of the bill to make a member of the Organized Militia, failing under and complying with its terms, a Federal soldier.

Congress can provide for a Federal soldiery only under its constitutional grant to "raise" armies, and it is self-evident that any army raised by Congress must consist of one or both of two classes only—those who volunteer under the law and those who are compelled by the law to enter the military service. Therefore the individual, whether a member of the Organized Militia or simply a citizen capable of bearing arms, becomes a Federal soldier by one or the other of these methods. Now, while the bill as drawn requires that no money appropriated thereunder shall be paid to any person who has not voluntarily, in addition to his oath as a member of the Organized Militia, also agreed to render military service to the United States when transferred by order of the President to the Army of the United States, nevertheless it is the evident purpose of the bill not to rely solely upon the virtue and binding force of such an agreement, the legal sufficiency of which will be hereafter noticed, but rather upon the positive power to be conferred by Congress upon the President to transfer, compulsorily if need be, the organizations and their members to the Army of the United States. Passing for the present, then, all question of the sufficiency of the language of the bill to empower the President to that end, the fundamental question which should be given first consideration is—

I.

IS IT COMPETENT FOR CONGRESS TO PROVIDE BY LAW FOR DRAFTING THE ORGANIZATIONS OF THE ORGANIZED MILITIA INTO THE ARMY OF THE UNITED STATES?

The power of Congress to raise armies is plenary and exclusive (Tarble's Case, 13 Wall., 397; Jacobson *v.* Massachusetts, 197 U. S., 11; and the cases hereinafter cited and discussed). That the power may be exercised by forced draft has not since the Civil War been open to question, for it was so determined in cases arising under the Federal and Confederate conscript laws of that period. The draft acts of the Federal Government were tested in the courts and sustained in the following leading cases: McCall's Case (5 Phila., 268 (1863)); Kneedler *v.* Lane (45 Pa. St., 238 (1863)).

The constitutionality of the conscript acts of the Confederate Government was much more vigorously contested, and was, without exception, sustained with corresponding firmness by the courts of last resort of all the States of that Government before which the question came, in opinions justly celebrated for having set at rest this constitutional question. The following well-considered opinions upon the various conscript acts of the Confederate States Government—whose constitution as regards this power was the same as ours—leave nothing to be questions:

Ex parte Coupland, 26 Texas Reports, 388; ex parte Tate, 39 Alabama Reports, 254; Fitzgerald *v.* Harris, 33 (Supplement) Georgia, 54; Jones *v.* Warren, 34 Georgia, 28; Jeffers *v.* Fair, 33 Georgia, 347; Burroughs *v.* Peyton, 16 Grattan (Virginia), 470.

The cases just cited sustain the following propositions:

(a) If there were no express grant "to raise and support armies," the right of the General Government could be sustained as a power inherent in national sovereignty.

(b) The power to "raise and support armies" is an express constitutional grant to the General Government; and there is no limitation as to the mode or manner of exercising it, by any other express provision, or by any necessary implication.

(c) The conscript laws do not violate any of the abstract or guaranteed rights of the citizen, nor assume over him any control not delegated by the Constitution.

(d) The grant of the power to make war and to raise armies carries with it by necessary implication, unless expressly withheld, the right to demand compulsory military service from the citizens; this express power, together with the implied power, is vested in the Congress of the National Government.

(e) The power to call out the militia, itself a compulsory service, does not limit the power to raise and support armies; nor is the right to raise and support armies to be taken in subordination to the power conferred over the militia.

(f) The General Government is not dependent upon the will either of the citizens or of the State, to carry into effect the power to raise and support armies.

Congress, then, has a general and plenary power to raise armies by draft or compulsion; and, at the outset, it will be informing to examine into the question whether a member of the Organized Militia is subject to the power of Congress in this regard like any other citizen, irrespective of his militia status. Legislative and judicial precedents show conclusively that his status in the militia affords him no constitutional exemption. Drafts of State troops were resorted to during the Revolutionary War (2 Jour. Cong., 458–459; 3 idem, 38), and the act of June 30, 1834, refers to "drafted militia" as in the service against Indians on our frontier. But the first instance in our history in which the Army of the United States has been recruited by conscription is that contained in provisions of the act of March 3, 1863 (12 Stat. 731), which was necessitated by the fact that owing to defects in the operation of the existing militia systems of the United States, the calling forth of the militia under the Constitution and the act of July 17, 1862, had proved quite inadequate to the emergencies of the period. The conscript act of 1863, supra, proved to be an effective measure, rendering liable to draft all able-bodied citizens of the United States and all aliens who had declared their intention to become citizens, between 21 and 45 years of age; but while the act provided for the acceptance of substitutes and for pecuniary commutation in lieu of service, it is a remarkable fact that the governors of the several States were the only officers of the State governments ex-

cepted from the provisions of the act and rendered exempt from liability to the Federal draft.

The present militia law defines the militia to consist of every able-bodied citizen of the several States, Territories, and the District of Columbia, and every male of foreign birth who has declared his intention to become a citizen, who is more than 18 and less than 45 years of age; it divides the militia into two classes—the Organized Militia, consisting of the regularly enlisted, organized, and uniformed active militia of the several States, etc., participating in the annual appropriations made by Congress, and the reserve militia, consisting of the remainder. The "militia" in the general and constitutional sense consists of the entire arms-bearing population of the several States, and it may be presumed that Congress in the present militia law has placed its own definition upon what is meant by the arms-bearing population in defining the militia of the several States. The only source from which armies may be raised is the arms-bearing population of the United States; the only source from which the militia may be organized is the arms-bearing population of the several States. These sources are one and the same. The unlimited power to carry on war and to raise armies is granted to the United States and denied generally to the States; as a common-sense proposition it can not be supposed that the enrollment and enlistment of a citizen in the Organized Militia of a State takes him, in and of itself, out of that source from which United States Armies must be raised. Though an Organized Militiaman of the State, he still remains a citizen of the United States and subject as such to the supreme power of the General Government to draft him in its armies. Such a proposition accords with the well-established theories that in the exercise of the war power the Union operates upon the individual citizen directly and not upon the States, nor upon the individual through the medium of the States; and that it is the effect of the Constitution to render the Federal Government supreme in all that pertains to war; it also accords with the theory that the power, exercised by the States under the confederation, of drafting their militia in response to a requisition made upon them by Congress for regular soldiers, was conferred by them on the General Government. So, too, the conscript acts of the Confederate States Government, and the draft act of the United States during the Civil War, evidently proceeded upon the proposition that enrollment in the militia or enlistment therein could not operate to place the citizen beyond the reach of the Federal power, as these acts made no exemption of enrolled and organized militia. And to the same effect are the judicial decisions.

None of the cases cited and quoted, supra, holding that Congress has the power to resort to draft, has excluded from the application of that power any of the Organized Militia; all of them, on the other hand, have affirmed the contrary view, in a general way, by the use of broad and emphatic language to that effect; while some of them, especially those decided by the courts of the Confederate States, where the point was specifically raised, have pointedly declared that the Organized Militia, as individuals, are subject to the compulsory power of Congress to raise armies. For instance in Ex parte Tate, supra, the Supreme Court of Alabama said:

"Until he (the citizen) ceases to be a citizen, with the rights and duties which pertain to a citizen, he can not exonerate himself or be excluded by the legislative power from the obligations which inherently attach to that relation. Protection is his right and allegiance his duty so long as he remains a citizen; and the highest duty of allegiance is to respond to the call of his country for soldiers when her liberty, including his own, is threatened and her existence endangered by an invading enemy."

In Fitzgerald *v.* Harris, supra, the Supreme Court of Georgia, after holding that Congress could not grant irrepealable exemption from draft, used the following significant language:

"Even in war, when it becomes necessary to send into the field a larger proportion of the population, it is greatly desirable that another portion be left at home. There are always men who can be more useful at home than others and more useful there than in the field. As, in the raising of armies, the course has not been to take the whole population, or even the whole of a class (where resort is had to classification), in the exercise of sound discretion exemptions may be granted as incidental to the general power, but they must be revocable at the will of Congress.

"No man or set of men can be placed without the pale of legislative control in this matter for a single day."

In Burroughs *v.* Peyton, supra, the Court of Appeals of Virginia said:

"It is true that the Constitution does recognize the militia and provides for using it, as well as the Regular Army, in the military service of the country. Well-regulated militia has (as it is stated in one of the amendments) always been regarded as necessary to the security of a free State. It was therefore proper that provision should be made in the Constitution for its organization, and for that authority to be exercised over it by the State government and Congress respectively. It was not probable that, in the exercise of the power to raise armies, Congress would, under ordinary circumstances, materially diminish the number of the militia. But it can not be true that, with a view to preserving the militia entire, it was intended to deny to Congress the right to take individuals belonging to it into the Regular Army. This construction would prevent Congress from obtaining from its ranks not only conscripts but volunteers also; but as the militia embraces the whole arms-bearing population, it would render it necessary that the Army should contain nothing but foreigners enlisted for the purpose and having no interest in common with the people of the country, nor can we imagine that such was the intention of the framers of the Constitution.

"The true interpretation of the Constitution with reference to this matter would seem to be that the power to use the whole military force of the country was conferred upon Congress, and it was left to their discretion to fix, as the varying interests of the country may require, the relative proportion of Regular troops and militia to be employed in the service. If it should appear at any time to be appropriate to increase the Army, it might be done by taking men from the militia, either as Volunteers or as conscripts, the action in either case being upon the individual citizen and not upon the militia as an organized body. As it is impossible to foresee how large an army the exigencies of the country might demand, the number of militiamen to be thus transferred to its ranks was wisely left to the discretion of Congress."

It will be noted that the court in this case expressed the view that the action of the General Government was upon the individual and not upon the militia as an organized body, which in a general sense is true; but later on in this discussion it will be shown that the court explained and modified its language to such an extent that this opinion may in fairness be quoted as authority for the proposition that the Government may also take the militia as organized bodies.

In Ex parte Coupland, supra, the Supreme Court of Texas, in answering the argument that the Organized Militia was not subject to draft into the Armies of the General Government, but could only be called forth as militia, as provided by the Constitution, said:

"The fallacy of the position seems to be manifest from the qualifications which they are forced to give it. For, as we have shown, the citizen has no right to exercise volition with regard to preference of military duty so as to impair or qualify the power of Congress to raise armies; and if the qualifications exist by reason of the rights of the State over the arms-bearing citizens as to militia, and to appoint their officers when in the service of the Confederate States, these rights can not be affected by the voluntary action of the citizen. Nor can the difficulty be gotten over by saying that it is further to be assumed that the State must be presumed to have consented to his voluntary enlistment, for it is as impotent as the citizen to destroy in this manner a constitutional right conferred upon Congress or thus to confer one not otherwise given. * * * The individual is equally an arms-bearing citizen whether he goes into the service voluntarily or otherwise. For surely the doctrine is not to be advanced that individuals, companies, or regiments of the 'well-regulated,' arms-bearing citizens 'necessary to the security of a free State,' which has been organized, armed, and disciplined as provided for by Congress, and for whom a call is made by the Confederate States in pursuance of the Constitution, cease to be integral parts of the arms-bearing citizens of the State because they preferred to volunteer their services directly to the Confederate Government and it is willing to accept them. It is said, however, that * * * the control of the State over its militia may be entirely destroyed, but would not the result be the same if an equal number of its militia were to volunteer into the service of the Confederate States? The truth of the matter is that when the citizen goes into the army raised by Congress, either voluntarily or in obedience to law requiring him to do so, he does this as a citizen and not as a militiaman. Congress has not the right to raise armies in either way beyond the necessities of the Government for carrying into effect its granted power, but in either case the citizen when placed in its service is temporarily withdrawn from the control of the State as a militiaman, and for the time being the right of the State—or, more properly speaking, the right of the State government over him—must yield to the more pressing and important demand for his services by the Federal Government to enable it to discharge the duties for which it has been authorized to raise and support armies."

It can not but be admitted that the reserve militiaman is subject to draft. If the Organized Militiaman is not it will aid to clarify the situation by asking why not, and seeking the possible objections to such a measure. If there be any constitutional objections they must be based upon only two possible grounds, namely, that such a measure would violate his constitutional rights as a citizen, or, would operate in derogation of the reserved rights of the State. The constitutional rights of the Organized Militiaman as a citizen are those of a citizen and of the reserve militiaman, nothing more or less, which statements is a sufficient dismissal of that ground. As to derogation of the reserve rights of the State, sufficient has already been said, it seems to me, to show that the State acquires only a subordinate power over him—as a matter of law, no power at all as against the supreme right and power of the United States.

Now, if it be conceded—and enough, I think, has already been shown or will be shown to cause the concession—that the individual militiaman may be compelled into the Army of the United States, then, as a general proposition, an aggregation of individuals in an organization may likewise be compelled, so far as the rights of the State are affected. If all the members of any organization, officers and men, may volunteer or be compelled to enter the Army of the United States as individuals, even to the last man, it is conceding to the State only a shadow of power to hold that she is entitled to the organization without the men composing it. Speaking practically, if indeed not legally, her rights are not adequately protected if she must yield the kernel though retaining the husk. The Constitution could hardly countenance such refinement, and the legislative and judicial precedents have not been derived from such close distinctions.

In any organization the composite parts are not independent but interdependent; they are not separate but bound together and regulated by established mutual relations. If the independent parts, as such, be taken with their interdependent relation, then are they taken as an organization. Those relations in military organization are marked by military hierarchy based on grades, with attendant rights and duties—officers, noncommissioned officers, and privates of various kinds and departments. The bill provides that the militia be taken as organizations—that is, with the relations and the grades to mark them. It is true that these military relations and officers, when once the organization becomes Federal, draw upon the United States and not the State as the source of authority. There may, indeed, be some question as to the sufficiency of the bill to reestablish or create anew these relations and offices as they must exist in the Army of the United States; but if the bill is defective in this regard it is because it does not go far enough in exercising the constitutional powers of the General Government. If the United States may draft an officer of the militia, not in his capacity as an officer of militia but as a citizen, without derogation from the right of the State, the latter may not complain if he be transferred, or drafted, to the Army of the United States with the corresponding office in that establishment. There is no question that the United States has the constitutional power to take the entire personnel of the Organized Militia as citizens and then establish among them the corresponding offices and relations previously existing in their organizations; and if the United States does so, or undertaking to do so, fails in its efforts because it does not exert the full power, that is a matter of Federal and not of State concern.

There is another consideration in point here: Under the Constitution Congress has the power "to provide for organizing, arming, and disciplining the militia," and even if this power is not exclusive, nevertheless, "when once Congress has carried its power into effect, its laws for the organization, arming, and disciplining of the militia are the supreme law of the land, and all interfering State regulations must necessarily be suspended in their operation." (Houston *v.* Moore, 5 Wheat., 51.)

Now, there is reserved to the States the right to appoint the officers of the militia, and at most the implied power to provide for the organization of the militia when the United States has not done so, or as regards matters not covered by Federal regulation, and no more. Not only may Congress determine who shall and who may not compose the militia; but, having done so, the State government has no legal authority to prescribe otherwise (14 Gray; — Mass., 619). Congress may also determine what part of the militia shall be organized and may appor-

tion the officers and men; it may determine what military officers there may be, although having so determined it is the right of the State, expressly reserved, to appoint the officers. Organization rests within the exclusive power of Congress, if it chooses to exert the power, although the State has the reserve power to appoint the officer it may not create the office nor define its place in the military hierarchy nor its relation to the organization, if Congress should choose to legislate to that effect. Relations, then, over which Congress may exert at its pleasure such an exclusive control are not relations based on and flowing from rights reserved to the State and necessary, within the intendment of the Constitution, to a State's indestructible character. The history, legislatively speaking, of raising United States armies, shows conclusively that the organizations of enrolled militia can be disposed of by the States to the General Government without affecting the indestructibility of the States. During the Government under the confederation the States maintained an active militia, and frequently used it to supply the requisitions made on them for regular soldiers in the Continental Army. In Burroughs v. Peyton, supra, the court cites many instances where Virginia made up the deficiencies in her quota by requiring drafts from the militia by legislation, which provided that "each man so drafted shall be considered to all intents and purposes as a regular soldier and shall serve as such for three years, if the war should so long continue." This power to compel the militia of the State into the Continental Army would appear to be one of the very powers relinquished by the States and conferred upon the General Government, the exercise of which is not subject to "interruption from a State or State authorities."

The States themselves have recognized the advisability of parting with their militia organizations when a national crisis has demanded it; nor have they ever hesitated to do so on the ground of destroying thereby a necessary State instrumentality. In the Civil War the several States parted first with their active militia and militia organizations in raising their quotas for the Army of the United States, and the State organizations, with their members, became, when mustered into the service, United States Volunteers. The same thing prevailed in the South during that period; and in the War with Spain the Volunteer Army was raised in the same manner. This is logical. A military organization already exists; the Federal Government has hitherto received the organization, or so much of it as has measured up to the required standard, and the State has not hesitated to give it up. But this has been accomplished, the State consenting, through a transmutation uncertain and troublesome from State militia to United States Volunteers. I do not mean to say that Congress has ever provided for taking such organizations; I only mean to say in all those instances the States have, as a matter of fact, relinquished control over their militia by offering them at once to supply their quotas as United States Volunteers, and usually no other militia has been organized instead. This long-continued course of conduct is some evidence of the correctness of the legal proposition that such organizations are not those necessary instrumentalities of the State which are placed by necessary implication beyond the power of the General Government.

Congress may provide for organizing the militia of the several States. If it may not also provide for taking the individuals thereof and such organizations as may have been prescribed by Congress or by the States, Congress silent and consenting, this one effective means for the "formation, direction, and support of the national forces"—the language used by the great publicists of that day in declaring that all such means for the common defense were necessarily conferred upon the General Government—is denied it. The Constitution puts no such limitation on the General Government. Intrusted with the common defense, it is vested with all the powers requisite to the complete execution of the trust. Any means for the formation of the national forces which, in the discretion of Congress, are adapted to the need and tend directly to the execution of the constitutional powers are in themselves constitutional. This was the view of our fathers. This view has become the law of the land through the authoritative decisions of the Supreme Court of the United States, followed by the courts of all jurisdictions without question. The decisions are a unit to the effect that in order to carry into execution the powers granted by the Constitution Congress may employ those means, in its judgment, the most advantageous. Where such means are really calculated to effect the object intrusted to Congress, the courts can not inquire into the degree of their necessity. Such is the rule laid down by the great Chief Justice Marshall in the celebrated case of McCullough v. Maryland (4 Wheat., 413), and the power to raise armies is construed in the light of this rule as being unqualified. (See Antrim's Case (1863), 1 Fed. Cases, 1063, and cases cited on page 4, supra.)

In Ex parte Coupland, supra (1862), the Supreme Court of Texas, in sustaining the validity of the Confederate conscript law, had occasion to examine into the extent to which Congress might go in the exercise of its power to raise armies without derogation of the reserve rights of the State. Though this court, as well as those of the several Southern States whose decisions are hereinafter discussed, was construing a constitution which, in its provisions under consideration, was the same as ours, it must be remembered, in view of the political conditions then obtaining, that the courts of the Confederate States were committed to a view of constitutional interpretation which, in determining the relative powers of the General Government under the several States, gave to the latter a latitude not conceded to them under the Union. In the Coupland case the court, after deciding that the law was not an unconstitutional limitation upon the rights of the citizen, proceeded to discuss thoroughly its effect upon the political rights of the States, in the course of which it said (p. 397):

"It is said, however, that unless this qualification is placed upon the power of Congress to raise armies, the control of the State over its militia may be entirely destroyed. But would not the result be the same if an equal number of its militia were to volunteer into the service of the Confederate States? The truth of the matter is that when the citizen goes into the army raised by Congress, either voluntarily or in obedience to the law requiring him to do so, he does this as a citizen and not as a militiaman. * * * In either case the citizen when placed in its service is temporarily withdrawn from the control of the State as a militiaman. For the time being the rights of the State, or, more properly speaking, the right of the State government over him, must yield to the more pressing and important demand for his services by the Confederate Government to enable it to discharge the duties for which it has been authorized to raise and support armies."

And further on the court said (p. 399):

"The origin of this grant of power to raise armies shows most conclusively that it was not intended to leave the Government dependent upon the will either of the citizen or of the State to carry it into effect. It is given in our constitution, as it was originally in the Constitution of the United States, and was placed in that for the purpose of correcting one of the leading defects in the Articles of Confederation, experience having proved it absolutely essential not only to the safety but to the very existence of the Confederacy."

Then, inquiring as to what disposition the sovereignty of the people had made of its right to military service from all citizens, between the two agencies by which they propose to administer their Government, the court said:

"We find that it has given to its Confederate agency, so to call it, the sole power to determine upon the question of peace and war, and that it has consequently made it the duty of their General Government to protect the State itself, and these local agents from the attacks of both domestic and foreign foes, and that it has clothed it with the power to do this by authorizing it to raise and support armies, and to provide and maintain a Navy, to the extent that, in its judgment, it should deem necessary. * * * These agencies, though possessing distinct powers, have to look for their performance to the citizens, and, consequently, as in many other grants of power to them, their action is concurrent over the same subject matter, and at times may themselves present seemingly conflicting grants is plain. The limited and subordinate must yield to the general and superior. Consequently, such as usually pertain to or are indices of sovereign power, must control, and be regarded as superior to those of local and domestic character. Ordinarily there should be no appreciable conflict between these grants of power, as the number of citizens the Confederate Government would require for its armies would be so inconsiderable with reference to the bulk of militia left under control of the local government, as to be, for practical purposes, unimportant in the latter. But great emergencies like that which now exists will sometimes arise when the Confederate Government is forced to exercise the entire military power that has been granted to it; and there is consequently a call for the great bulk of the arms-bearing citizens into its armies, and a corresponding diminution of those under the immediate control of the State government under the laws governing the militia" (p. 403).

In Burroughs v. Peyton, supra, the Court of Appeals of Virginia (1864), likewise sustaining the validity of the conscript act, after holding in a learned opinion that the power of Congress to raise armies is limited only to the extent that it might not rightfully take away the officers (evidently referring to civil officers), so as to destroy the government of the State, and that though such a transcendent power was liable to abuse the protection against abuse in any manner is to be found in the responsibility of Congress to the people, then proceeded to say (p. 483):

"If it should appear at any time to be proper to increase the Army, it might be done by taking men from the militia, either as volunteers or as conscripts—the action in either case being upon the individual citizen and not upon the militia as an organized body. As it was impossible to foresee how large an Army the exigencies of the country might demand, the number of militiamen to be thus transferred to its ranks was necessarily left to the discretion of Congress."

This case throughout recognizes the unqualified power of Congress to raise armies and that the discretion of that body as to the choice of means in doing so is limited only by their political responsibility. The guarded language in the opinion with reference to action upon the militia as a body is not to be construed as denying the rights of Congress to take the Organized Militia as organizations, but rather that the right to do so to some extent does indeed exist in Congress, for the court proceeded at once to qualify its former expression thus (p. 483):

"It may be difficult to say to what extent Congress has the right in the exercise of its discretion to affect the militia as an organized body. * * * It will be time enough when the case is brought before us, in which the organization of the militia is destroyed or impaired by Congress, to inquire what limits are fixed to their action in this respect."

The court's attention was not invited to, and since it was unnecessary to do so it did not discuss, the fact that the very organization of the militia itself is constitutionally within the control of Congress, if Congress sees fit to exercise its power.

In Barber v. Irwin (34 Ga., 37), another case in which the constitutionality of the Confederate conscript law was brought into question and again held valid, it was objected, among other things, that the unlimited power of Congress to place all citizens capable of bearing arms in the Army of the Confederate States is incompatible with State sovereignty and may be so exercised as to deprive them of their right to enforce their police power or to execute the mandates of their courts. To this argument the court replied that—

"Public exigencies, and especially military exigencies, require that the legislature be intrusted with ample powers. If the presumption that no power susceptible of abuse could have been intended to be given, is to govern in the construction of the Constitution, the palpable result is that our Government is too weak to accomplish the ends for which it was instituted. In the language of Gov. Troup, so understood, 'it is the weakest and most contemptible Government on earth; it is neither fit for war nor peace'" (p. 36).

The court said that it had been admitted in argument that in order to meet invasion Congress, by calling out the militia, had the power to place in actual military service all men capable of bearing arms, even to the last man, and, using this argument, the court reasoned as follows:

"Now, this done, what becomes of the sovereignty of the States, so jealously guarded in construing the other clause? Where would be their police force; where their sheriff's posse comitatus? Why is the presumption so vigorously wielded against one power allowed to slumber when the other is invoked?" (p. 37).

In Jeffers v. Fair (33 Ga., 348), it was argued that the proceeding by which the plaintiff in error was held in custody was of virtually calling forth the militia and violated the constitution in that it took from the State the right of appointing officers of the militia so called forth. The court replied that—

"This argument rests upon the fact that the men now being enrolled for service in the Army have been previously enrolled in the States as militiamen. The simple and obvious reply is that the status of the citizen is not merged in the militiaman; that the fact of enrollment with the militia does not exempt him from other duties and liabilities of citizenship" (p. 353).

In this case the further argument was advanced that the conscript law operated to interfere with the necessary instrumentalities of State government, and the question was asked of the court, If by any act of the Confederate Government such instrumentalities whilst in the exercise of their proper function, within any State, were forcibly withdrawn, would not that act violate the constitutional guaranty of a republican form of government? The court rather summarily dismissed the argument by concluding—

"That as to the use of means the power is unlimited, but clearly limited so as to exempt the civil officers of the several States" (p. 368).

Thus distinguishing between civil officers and officers of the militia.

It seems to me that in response to the above inquiry it might properly be said further that it is the duty of the General Government to guarantee to the States a republican form of government—that is, to protect it against itself—and the General Government may intervene for that purpose; in such a situation, so serious as to demand the execution of the guaranty upon the part of the Federal Government, it can hardly be conceived that the State government is putting its instrumentalities to a constitutional use. It would be inconsistent to contend that in such a situation the Federal Government has not the power to use the same instrumentalities for a constitutional purpose by placing them in the Army of the United States which is to restore republican functions.

In the exercise of the war power the General Government is supreme; this is true both as a practical proposition and a legal concept. Who, nowadays, thinks of a State repelling invasion and using all her men and means to do so, to the exclusion of the Federal Government? Who thinks of a State maintaining an army in time of war independently of the Army of the United States? The present improved condition of the militia is due to an increased interest on the part of the people; but that interest, even, has been inspired, not by a desire to render them more efficient as a State police force but by the appreciation of the necessity of a larger United States Army.

I think that, on the authorities and on general constitutional principles, it may be laid down as a general legal proposition that in the exercise of the power to raise armies the Federal Government is supreme and the State entirely subordinate; that there can be no conflict, for the State must yield; and, specifically, in the exercise of this power, that Congress may at its discretion, compel all the militia and militia organizations of the several States into the Army of the United States.

Assuming, then, that Congress has the power to compel the organizations, and the members thereof, of the Organized Militia into the Armies of the United States, and further assuming, as I shall hereinafter endeavor to show, that the voluntary agreement provided for by section 4 of the bill does not of itself create immediately or in the future the status of Federal soldier nor add to the sufficiency of the language of the act as a draft, it is pertinent to ask:

II.

IS THE LANGUAGE OF THE BILL LEGALLY SUFFICIENT TO AUTHORIZE THE PRESIDENT TO COMPEL THE MILITIA BENEFICIARIES TO SERVE IN THE ARMY OF THE UNITED STATES?

An act to compel a citizen into the military service can operate only in derogation of his usual constitutional rights, and, under the general rule, the language of such legislation, if sufficient to achieve its purpose, would have to be clear and unquestionable. Is the language of the bill of that character?

Section 5 of the bill, which section provides for the transfer, is, in relevant portion, as follows:

"That the President, with the consent of Congress, in time of war, when war is imminent, or in other grave emergency requiring the use of troops in excess of the Regular Army beyond the limits of the United States, may by order transfer to the Army of the United States any portion of the Organized Militia receiving or entitled to receive the benefits of this act, to serve therein for the balance of their respective terms of enlistment or commission, * * * and any Organized Militia so transferred shall, from the date specified in the order of transfer, become for the time being a part of the Army of the United States and subject to the same laws, in so far as the same may be applicable to them during their service under such transfer, * * * and shall be available for any duty for which the Regular or Volunteer Army may be employed."

And said section proceeds to penalize a neglect or refusal to obey the order of transfer in the following language:

"*Provided*, That any member of the Organized Militia who, having agreed to render military service to the United States under the provisions of this act, neglects or refuses to present himself for service when so transferred shall be subjected to trial therefor by a duly constituted court-martial, under such regulations as the President may prescribe."

So it is provided that the President may, by order, transfer the beneficiaries under the measure to the Army, to serve therein for the remainder of their terms; that any beneficiaries so transferred to the Army shall become a part of the Army and available for any duty as such "from the date specified in the order of transfer"; that they shall be subject to the same laws as are Federal soldiers "during their service under such transfer"; and there is further provided a trial by court-martial of any of them who neglects or refuses to "present himself for service when so transferred."

Now, unless the power is conferred by statute, the President can have no authority to transfer a militiaman to the Army of the United States, although he may enlist him therein on his voluntary application, or compel him to serve therein, if the legislation be sufficient to that end. In the absence of legislation to that effect the President can have no authority compulsory to transfer to, and embody in, the Army of the United States any militia organization. Can section 5 be construed as anything more than a grant of power to transfer to and embody in the Army organizations of the Organized Militia and individuals thereof, if such organizations and individuals consent, or do not object, to the transfer?

Whatever may have been the intention of the framers of the bill, I apprehend that the language is not sufficiently clear and positive to abridge usual civil rights and subject citizens to Federal military service by force. It seems to me that the mere order of transfer, even when coupled with the voluntary agreement, is not sufficient to put the militiaman in the Federal service. And I am fortified in this conclusion by the special provision subjecting to court-martial any who neglect or refuse to present themselves for service under the order of transfer. If the order of transfer itself, or notice thereof to the individual, were sufficient to convert the militiaman into a Federal soldier, there could be no necessity for this special jurisdiction, as Federal soldiers are generally subject to military law and jurisdiction, by reason of their status. But the bill here provides for trial by a peculiar kind of court-martial, which is not a court-martial under the Articles of War at all, but one specially provided, and the Articles of War, by the terms of the bill, are not applicable to the militiaman until he shall begin to serve. It may well be that if the provision for this special jurisdiction were omitted, there would be some tenable reasons for holding that the order of transfer is legally sufficient to place the militiaman in the service of the United States on the date fixed in said order; yet, as the language stands, speaking with reference to those provisions which strongly suggest that military jurisdiction does not attach by the order of transfer, it might, and probably would be, authoritatively held that the President will have exercised to the limit his power to compel entry into the Army when he shall have subjected the offender to trial by court-martial and that neglect or refusal to obey an order of transfer subjects the delinquent to military trial, but that trial does not place him in the service, nor give the President the power to draft him therein.

The question of the sufficiency of the bill to authorize compulsory Federal military service has been discussed, and it is proper now to inquire what substantial legal function may be assigned to the agreement provided for in section 4 of the bill. The purpose of the bill must be to convert a militiaman into a Federal soldier, either by compulsion or voluntary agreement. It becomes necessary, then, to consider the question:

III.

DOES THE AGREEMENT REQUIRED BY SECTION 4 CREATE THE STATUS OF FEDERAL SOLDIER EITHER—(A) PRESENTLY UPON ENTERING INTO IT OR (B) AT SOME FUTURE TIME?

The term "military status" has no magic in itself. I understand that it means a condition or fixed relation, usually founded on agreement, though not necessarily so, for the Government has an unquestionable right to the military service of all of its arms-bearing citizens without regard to their consent. The important and peculiar incidents of the status flow not from the terms and means whereby the status is created, but they result from the fact—a fundamental and jurisdictional fact—that the Government and its citizens assume to each other a new and important and substantially changed relation; the constitutional liberty of the citizens becomes greatly abridged and the authority and control of the Government greatly enlarged; these new and changed rights and relations are recognized and provided for by the Constitution itself. Under such a status many of the usual constitutional rights of the citizen, as such, no longer exist; the power of military command is established upon the one hand and the duty of obedience on the other. The Government acquires a jurisdiction to compel specific performance of personal service by the exercise, if need be, of physical force to coerce the citizen thus placed to the discharge of his military duty. Such are the usual incidents. My mind becomes confused and led away from first principles if it essays for the present discussion a conception of more than two conditions—an Army status and a non-Army status. Obligations are of various varieties; if the obligation does not create a military status, it has no place in this discussion, because no status short of that of Federal soldier can be useful in testing the efficacy of this bill. The bill provides, in effect, that the recipient of the pecuniary benefits under the proposed measure shall in presenti agree to render military service as a Federal soldier in futuro. It may be noted that no difficulty is encountered in locating the terminus ad quem, but that it is not so easy to determine from the language of the proposed measure the terminus a quo, when the soldier's status begins, his duties and obligations spring into being, the Government's military jurisdiction over him attaches, and he may be held to the specific performance of his service. The bill provides, in substance, that the Federal status of the officer or enlisted man of the Organized Militia become a part of the Army of the United States in accordance with the terms of its provisions ceases upon the expiration of the term of commission or enlistment, or upon the earlier release by the President, or upon the release by the President when necessity for their further use no longer exists; but no such definite point marks the beginning of the status.

A new status usually ensues as an immediate result of the change in legal relations, and the change in such relations is usually evidenced and made definite by a paper writing or ceremony. Such is the case in ordinary enlistments, articles of adoption, apprentice bonds, naturalization papers, and the ceremony of marriage. Present words of promise do not create a present status, and are not sufficient to create a future status unless following and consummated by some act of the promisor with that intention or perhaps unless made sufficient by law for that purpose. Such are the common-law rules governing contracts which change the status and their construction. Applying them to the language of the present bill, the conclusion follows that the agreement to render military service is not an agreement to render military service presently and immediately; it is not an agreement which, in and of itself, creates the status of Federal soldier, which is our only concern; and when compared to that standard it falls short of it and into the realms of ordinary agreement, where it must remain until consummated by some act of the promisor with the intention to consummate it or until made by law sufficient for that purpose.

And this conclusion is in evident agreement with the general purposes of the bill; it could not be intended to make Federal soldiers out of the militia beneficiaries under this bill at the moment they become beneficiaries, and thus retain in the body of citizenry a vast number of Federal soldiers, with all the difficult incidents attaching to that status, and in disregard of the established traditions of our people.

(B) DOES THE AGREEMENT PROVIDED FOR AND REQUIRED IN SECTION 4 CREATE THE STATUS OF FEDERAL SOLDIER AT SOME FUTURE TIME?

Here is a voluntary agreement for future service. It seems to me to be self-evident that a man can not voluntarily agree now to render voluntary service in the future so as to preclude him from refusing to render the service when it may become due. He may back out when the future time contemplated arrives and accept the legal consequences, but specific performance will not be one of these consequences, unless perhaps the law, in unquestionable terms, should make it so. Under the present state of the law, and as it would exist upon the passage and approval of this bill, a man may not agree now to waive his right to refuse future service, accepting the legal consequences of such refusal; nor may he now agree in advance to waive any of his constitutional and legal rights hereafter. Though the Government gives a consideration for the promise of waiver the situation is not changed, for no consideration is necessary to support a waiver, and the presence of a consideration will not render binding an advance agreement to be specifically enforced, so as to work a forfeiture of rights when the occasion is presented sometime in the future. Such a waiver or promise is something like a gift which can only be made to take effect in presenti (2 Blk. Com., 441), and the subject of the transaction must be something in esse at the time. To waive a right implies a present act. If I say to-day that I will waive my legal and constitutional rights next week, this can mean nothing more than that, when the time arrives, I will not insist on my rights. In Home Insurance Co. *v.* Morse (20 Wall., 445), a case, however, which presents no analogies to the present question except on general principle, the Supreme Court of the United States said:

"In these respects any citizen may, no doubt, waive the rights to which he may be entitled. He can not, however, bind himself in advance by any agreement which may be specifically enforced thus to forfeit his rights at all times and on all occasions whenever the case may be presented."

A case, however, which has always been regarded with the highest respect is that of Tyler v. Pomeroy (8 Allen, Mass., 481), which presents, in principle, the same or very nearly the same question as is presented here.

On the 29th of July, 1862, plaintiff, with others, signed a paper which was in the form commonly used in the Commonwealth as enlistment contracts, in terms as follows:

"We, the undersigned, by our signatures hereunto annexed, do severally agree to serve for a period of three years from the date of our being mustered into the United States service, unless sooner discharged, as volunteers from Massachusetts, in the force authorized by an act of Congress of the United States, approved the 22d day of July, A. D. 1861, entitled 'An act to authorize the employment of volunteers to aid in the enforcement of the laws and protecting public property.' In accordance with the provisions of said act, and other acts in addition thereto, and if ordered into camp our number is not filled to the maximum number of 101 on or before (a certain day) we severally agree to serve in such companies as the governor and commander in chief may designate."

The plaintiff, sometime after signing the enlistment paper, refused to go into camp upon the request of the chairman of the selectmen, and the selectmen thereupon gave directions for him to be taken to camp, and these directions were executed by one of the other two defendants—one of whom was a constable—who went to the plaintiff's house and arrested him and carried him to camp and delivered him, with the enlistment roll, to the camp commander, a commissioned officer of volunteers. The commanding officer ordered the plaintiff confined in the guard tent of the camp for several days, after which he was released, the regiment having received marching orders. Plaintiff brought his action for false arrest.

In an opinion in which he reviewed both the ancient and modern law of military status, Judge Gray (later United States Supreme Court Justice) said (p. 485):

"Was the plaintiff then, at the time of the acts he complains of, a soldier? The words 'enlist' and 'enlistment' in the law, as in common usage, may signify either the complete fact of entering into the military service or the first step taken by the recruit toward that end. If this ambiguity is not borne in mind, the consideration of this matter may degenerate into a dispute about words. The question before us is no ordinary one of the force, construction, or validity of a contract—whether the plaintiff has made an agreement and broken it and is liable in damages for the breach; but of a change of status—whether by signing a particular paper or by any other act the plaintiff has changed his condition, given up some of the rights of a private citizen, and become amenable to military discipline. It becomes necessary, therefore, to ascertain the boundary between the civil and military States, and to inquire what acts, by the principles of the common law or the American constitutions, or by express provision of statute, are required to change a citizen into a soldier."

After reviewing the development of the English law on the subject from the time of Edward I, and finding under that law that the agreement to render future service did not of itself create the military status, but subjected the violator of the agreement to indictment and prosecution, the learned judge continued (p. 500):

"Congress had authorized the enlistment of volunteers for no longer term than three years. (U. S. Stat., chap. 9.) The only act done by the plaintiff toward entering the service was to sign an agreement to serve for a period of three years from the date of being mustered into the service in accordance with the act just referred to. He never agreed to enter the service to become a soldier immediately. He never submitted himself to nor contracted any engagement with any military officer. He never received any money from any officer, military or civil, of the State or Nation, nor any rations, uniforms, arms, or equipments. He was never examined by a surgeon, nor took any oath, nor was mustered into the service. And he never actually served as a soldier * * *."

"After the fullest consideration we are unanimous in the opinion that the plaintiff was not a soldier, nor subject to any military authority or discipline as such. The statutes and orders already cited seem to assume the mustering of a recruit into the service as the point at which the right to exercise military restraint over him is intended to begin. We are not, however, prepared to say that actual submission as a soldier to a commissioned officer would not be of itself sufficient. Still less would we be understood as intimating that a recruit of full age who had actually served or received money from the Government could be allowed to dispute the regularity or completeness of his enlistment; but we can have no doubt that the mere signing of a paper in the hands of a municipal officer, containing a promise to serve from a future day, to be fixed only by the performance of a distinct act, is not sufficient to change the state of a citizen into that of a soldier" (p. 501).

The distinguished judge further said that:

"Soldiers must have received money and come under actual command of a leader to warrant their punishment as deserters under those (English) statutes. And Judge Jenkins says, 'it seems that these statutes are only a declaration of the common law.' Jenk. 271."

Turning again to the question before him, he continued (p. 503):

"The fact that other recruits who signed the same enlistment paper as the plaintiff reported at the camp of rendezvous, and were received into the service of the United States had no tendency to prove that he was in that service before he had been reported or been received there.

"The acts and declarations of the plaintiff in the meetings held for the purpose of raising the quota of the town were offered to show that by signing the said roll he intended to place himself in the military service of the United States, and also in reduction of damages. But intention will not make a man a soldier unless accompanied or followed by the acts necessary to constitute a change of his state from civil to military. The question before us is not what he intended to do, but how much he actually had done, how far his intention had been carried out when the defendants assumed to exercise military authority over him. If he was not then a soldier, his previous expressions of an intention to become one, or even his supposition that he was, would not make him one."

He also said further on (p. 504):

"Proof that an enlistment paper signed by the plaintiff was in the form commonly used in the Commonwealth could not aid defendants without showing that the plaintiff had done some further act to make him a soldier. Testimony as to the usual mode of enlisting volunteers or the actual holding in the service of persons enlisted on such papers, would have no bearing upon the question at what stage of the enlistment the right of forcible restraint begins, or by whom it may be exercised."

And the judge then concluded (p. 505):

"The plaintiff, not being a soldier, was at perfect liberty to decline to become one and guilty of no breach of military duty in so declining."

This opinion has been quoted with approval of many Federal courts, including the Supreme Court. The gist of the decision is that an agreement to enlist is not an enlistment, either presently or at some future time, but that some act done by the promisor in furtherance of his agreement is necessary to make him a soldier. Under the present state of the law, and as it will be after the passage of the proposed measure (unless, indeed, the latter does prescribe a different rule), some act of the promisor contemporaneously with the creation of the status is necessary to create the status.

In the matter of voluntary enlistment, the Supreme Court held in United States v. Grimley (137 U. S., 147) that under the present law the taking of the oath was the pivotal and final act in the matter of making an enlistment.

Upon this same point and to the same effect much enlightenment, in my opinion, may be had from a consideration of the status of marriage. The military status and that of matrimony are analogous legal concepts. It is elementary that a mere promise of future marriage does not in itself create the matrimonial status, and a breach of the premise results in an ordinary action for damage. The status of matrimony may be made in only one of two ways—per verba de presenti, with or without consummation, and per verba de futuro, followed by the act of consummation. The latter is an executory agreement becoming perfect upon the performance of an act that consummates it; the former is a presently executed contract taking effect immediately.

The agreement then prescribed in section 4, on general legal principles and unless the proposed bill itself provides otherwise, can ripen into the military status only by some act of the promisor done with the purpose of consummating the status and sufficient for the purpose. It may be, however, that Congress can, if it chooses, arbitrarily prescribe that the happening of some event or contingency even unrelated to the promisor, or some action taken by a designated Government official, shall serve to accomplish by fiat or law an equivalent consummation. Congress has not yet done so, and whether it will have done so if it pass this bill will be examined a moment later.

Obviously, that point of time specified in the bill when the promisor might naturally be expected to perform and may perform that act, which, in connection with his former agreement, will, without further ado, consummate into the status of enlistment, is that point when he voluntarily presents himself and submits to Federal jurisdiction, either in compliance with his moral obligation or in terrorem to avoid the liability of court-martial.

It would seem, then, that when the transfer is ordered and the individual voluntarily presents and submits himself to military jurisdiction in either manner just mentioned, he becomes by that very act and at that very moment a soldier in the service of the United States. But if he neglects or refuses to present himself for military service and submit to military jurisdiction, he may, it is true, be court-martialed and punished, without becoming thereby a Federal soldier.

What substantial legal function can be assigned, then, to this agreement as a voluntary step toward making the militiamen a Federal soldier? I doubt that any such function can be assigned it. The agreement creates a future moral, but no future legal, obligation. It is nothing under the law as it now exists or will exist after the passage of this bill, but an ordinary contract for future personal service, and enforceable only as such. It has been suggested that the agreement constitutes a contract upon which, though it be for personal service, specific performance may be had; it is clear to me, however, that the suggestion results from a misapprehension of the meaning of specific performance as that term is used in connection with the military status. A soldier can be compelled to perform his duty because of the power of command held by the superior over the services of the soldier who is made to obey. And this power is now, and has been since feudal times, an incident of the military relation. Such power to command is not limited to the exercise of compulsion through the agency of the military judicial machinery, but includes in a proper case the application of physical force, coercion, and restraint. Service thus compelled is commanded under the power incident to the status and, of course, is not in a legal sense specific performance at all. If the right to specific performance is based on the agreement, and not on the status and the power to command flowing from the status, it may be had only through the operation of a decree in equity; such specific performance involves the judicial and not the executive function; the judicial decree from the very nature of the thing—even if Congress should ever undertake to confer the power of making such a decree on any court (and the legislative competency in that regard may well be doubted)—can never command service except by operating in personam—that is, the decree is effective in so far only as it may compel performance by the imprisonment of him who disobeys it. I presume that neither the legislative nor executive authority will ever desire in the matter of the military relation to resort to a court of equity to obtain a decree which of itself can bring no service; and it should be noted that the bill itself, through the convenient agent of a court-martial, does at least as much. The specific performance which the military relation demands and which may be compelled through physical force, if need be, by officers of the Army and the military machinery, and not that decreed by a court of equity.

Although the agreement has little or no assignable value as a step toward creating the status of Federal soldier, nevertheless if the bill be viewed as a draft act, the agreement, under that view, has, to my mind, considerable significance. It might then be held respecting it that those who have entered into it constitute the class designated by Congress as the class upon whom the draft should operate.

E. H. CROWDER,
Judge Advocate General.

MEMORANDUM FOR THE ADJUTANT GENERAL.

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, January 29, 1916.

Subject: Pending militia pay bill (S. 1158).

1. I was directed by your letter of January 12, 1916, to give my immediate, concentrated consideration to an inclosed copy of S. 1158 (64th Cong., 1st sess.), "A bill to increase the efficiency of the Organized Militia, and for other purposes," introduced by Senator CHAMBERLAIN on December 10, 1915, particularly with reference to so much thereof as concerns the interests intrusted to my charge, in order that my views thereon may be placed before the department. I have interpreted

this reference to call for remarks from this office upon the legal effect of the various provisions of the inclosed bill as well as upon defects and conflicts in its provisions, and have prepared my report in accordance with that interpretation.

(Paragraph 2 of the opinion gives a history of militia pay bills considered by the Congress or its committees; paragraph 3 relates to the revision by this office of a draft of militia pay bill proposed by the Division of Militia Affairs.)

4. The words "and all persons who are exempted by the laws of the respective States and Territories" have been incorporated in section 3. Substantially similar provisions are found in the act of May 8, 1792, and in its substitute, the act of January 21, 1903 (the Dick bill). It has been questioned whether this is a Federal function, i. e., whether the power to declare exemptions is included in the power to provide for organizing, arming, and disciplining the militia. There is respectable authority on both sides of this question and no authoritative decision to govern us. Assuming that it is a Federal power, it is still an affirmative and not an exclusive power, so that it is competent for Congress to leave a part of that power unexercised, and thus invite the concurrent jurisdiction of the State. Congress has always legislated upon the theory that it had the power to determine who should compose the militia and who should be exempt, but has never exercised the power so completely as to deprive the States of the power to grant exemption. I am inclined to think that this power should be exercised in that complete way that would exclude the exercise of the same power by the States. An alternative to the existing provision would be to proceed by way of specific enumeration to exempt all officers, executive, legislative, and judicial, of any State, Territory, or the District of Columbia necessary for the operation of State, county, and municipal governments.

NOTE.—This recommendation has been carried into effect in section 59 of the pending bill (Calendar No. 285, H. R. 12766).—E. H. C.

(Paragraphs 5, 6, and 7 of the opinion relate to reserve corps for the militia as proposed in said bill; paragraph 8 to use of officers of reserve corps; paragraph 9 to indoor target practice; paragraph 10 to details; paragraph 11 to the right to utilize retired officers upon militia duty; paragraph 12 relates to appropriations; paragraph 13 to target ranges, encampments, and maneuvers; paragraph 14 to apportionment and expenditure of appropriations; paragraph 15 to disbursing officers; and paragraph 16 to the national militia board.)

FEDERAL STATUS IN PRESENTI.

17. As was provided in the January, 1914, draft, section 37 of this bill provides:

"That no money appropriated under the provisions of this act shall be paid to any person who has not, in addition to his obligation as a member of the Organized Militia of a State, Territory, or the District of Columbia, voluntarily subscribed an agreement to serve the United States in the manner provided in this act and in connection with such agreement taken an oath as a commissioned officer or enlisted man in the Army of the United States: *Provided*, That the obligation to serve in the Army of the United States shall be effective from the date of the agreement and oath herein prescribed to create the status of officer and enlisted man in the Army of the United States; but officers and enlisted men subscribing such agreement and oath shall not, without the consent of Congress, be ordered into the active military service of the United States as a part of the Army thereof, nor shall they be entitled to the pay and emoluments of officers and enlisted men in the Army of the United States except as otherwise provided in this act."

NOTE.—See sections 71 and 73 of pending bill (Calendar No. 285, H. R. 12766).—E. H. C.

I think this section has been accepted with a reservation by all who have studied it. It undertakes to bestow office in the United States Army without any exercise of the constitutional appointing power. The objection to it is, I think, a vital one. Assuming that the section has been amended so as to obviate this defect and made effective to bestow office in the Army upon an officer of the National Guard, so that at the same time he would be invested with the two military offices—one State and the other National—we have this further situation to deal with: The constitutions of Florida, Kentucky, Louisiana, Mississippi, Missouri, Utah, Wisconsin, and Wyoming prohibit persons who hold or exercise offices of trust, honor, or profit under the Government of the United States from holding or exercising offices of trust, honor, or profit under the State.

NOTE.—See attached list of State constitutional provisions.—E. H. C.

The provision is stated in varying forms in the constitutions of the States mentioned, but the substantial provision is as I have stated it. Office in the Organized Militia is clearly an office of trust and honor, and, when pay is attached, is one of profit. So, too, office in the Army of the United States, with which it is proposed to invest the officer of the Organized Militia, is likewise one of honor and trust. As I see the question, it would require amendments to the constitutions of the States named above in order that section 37, in so far as it deals with office, might have any execution in those States.

There is further question as to that provision of the section which undertakes to create dual military status for the enlisted men of the National Guard. The section assumes that a man may have two military allegiances to two commanders in chief, coexisting, but with the obligations of one deferred. I am not certain that these two relations can coexist.

All these objections are avoided in the form of bill now pending before the House Committee on Military Affairs. That bill relies solely upon the efficacy of a draft which reaches both officers and men of the Organized Militia as individuals. While the House committee draft contemplates a change of status for the Organized Militia from State troops to national troops, it deals with but one status at a time, and when the national status is assumed the State status is expressly canceled. Under the terms of the House bill the officer, having been drafted, is recommissioned by the President and is inducted into office, which he holds in the Federal service in the constitutional way.

I regard the question of what would be the ultimate construction of any law which would undertake to create dual military status to State and Nation as a matter of grave doubt, and therefore offer no substitute for section 37.

(Paragraph 18 of the opinion relates to period of service under draft.)

E. H. CROWDER,
Judge Advocate General.

PROVISIONS OF STATE CONSTITUTIONS RESPECTING DUAL OFFICEHOLDING (STATE AND FEDERAL).

Section 15, article 16, constitution of Florida, provides:

"No persons holding office or exercising the functions of any office under the Government of the United States shall hold any office of honor or profit under the government of this State."

Section 237, constitution of Kentucky, provides:

"No person holding any office of trust or profit under the United States shall be eligible to hold or exercise any office of trust or profit under this constitution or the laws made in pursuance thereof."

Article 164, constitution of Louisiana, provides:

"No person holding or exercising any office of trust or profit under the United States shall hold or exercise any office of trust or profit under the State."

Section 266, constitution of Mississippi, provides:

"No person holding office under the Government of the United States shall hold or exercise in any way the rights and powers of any office of honor or profit under the laws or authority of this State."

Section 4, article 14, constitution of Missouri, provides:

"No person holding any office of profit under the United States shall during the continuance of such office hold any office of profit under this State."

Section 23, article 7, constitution of Utah provides:

"No person holding any office under the United States Government shall hold any office under the State government of Utah."

Section 3, article 13, constitution of Wisconsin, provides:

"No person holding any office of profit or trust under the United States shall be eligible to any office of trust, profit, or honor under this State."

Section 19, article 6, constitution of Wyoming, provides:

"No person holding or exercising any office or appointment of trust or profit under the United States shall at the same time hold or exercise any office in this State to which a salary, fees, or perquisites shall be attached."

Mr. REED. I move the following amendment to the bill——

The VICE PRESIDENT. There is a pending amendment.

Mr. SMITH of South Carolina. Is not the pending amendment the one offered by myself?

The VICE PRESIDENT. There is an amendment pending to that amendment. It will be stated.

The SECRETARY. The Senator from Georgia [Mr. HARDWICK] proposes to amend the amendment offered by the Senator from South Carolina by striking out, on page 2 of the printed amendment, line 17, the words "and useful in the manufacture of fertilizers."

Mr. OVERMAN. Mr. President, we ought to have a quorum present if that amendment is coming up for action. The Senator from Georgia I know wants to address the Senate upon his amendment to the amendment.

The VICE PRESIDENT. Is that an intimation of the absence of a quorum?

Mr. OVERMAN. It is a suggestion to that effect.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Newlands	Smith, Ariz.
Borah	Hughes	Norris	Smith, Ga.
Brandegee	Husting	Oliver	Smith, Mich.
Bryan	Johnson, Me.	Overman	Smith, S. C.
Burleigh	Jones	Owen	Smoot
Chamberlain	Kenyon	Page	Sterling
Clapp	Kern	Phelan	Sutherland
Clark, Wyo.	La Follette	Pittman	Thomas
Colt	Lane	Poindexter	Thompson
Curtis	Lippitt	Pomerene	Tillman
Dillingham	Lodge	Ransdell	Underwood
Gallinger	McCumber	Reed	Wadsworth
Gore	Martin, Va.	Shafroth	Walsh
Gronna	Martine, N. J.	Sheppard	Warren
Harding	Myers	Sherman	Works
Hardwick	Nelson	Simmons	

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER], the junior Senator from Maryland [Mr. LEE], the senior Senator from West Virginia [Mr. CHILTON], and the junior Senator from Indiana [Mr. TAGGART], all of whom are paired. This announcement may stand for the day.

Mr. MYERS. The Senator from Mississippi [Mr. VARDAMAN] is necessarily detained from the Chamber by official business.

The VICE PRESIDENT. Sixty-three Senators have answered to the roll call. There is a quorum present. The pending amendment is the amendment offered by the Senator from Georgia [Mr. HARDWICK] to the amendment of the Senator from South Carolina [Mr. SMITH]. It will be again stated.

The SECRETARY. On line 17 of the printed amendment the Senator from Georgia proposes to strike out the words "and useful in the manufacture of fertilizers."

Mr. HARDWICK. Mr. President, I understand that the proposer of the amendment is willing to accept that suggestion; and, if so, there is no need of prolonging the discussion about it. Those words ought not to be in the amendment.

Mr. SMITH of South Carolina. Mr. President, I have no objection to the amendment of the Senator from Georgia [Mr. HARDWICK], because I think we can, with that amendment, pre-

serve the same purpose, and perhaps the provision will be in better language and in better form; but I want to state right here and now that I want it distinctly understood by the Senate that, along with the idea concerning which every one of us is fully agreed, it is absolutely essential for this country to provide itself with the chemicals the supply of which is sought to be anticipated in the amendment. They are absolutely essential, not alone for preparedness, but also for the continuance of the productiveness of our fields.

It is known to all of us that every great grain crop that is taken from the soil of America extracts just that much of the very chemicals provision for a supply of which is sought to be made by the amendment. Year by year our fields are being depleted; and this is an attempt right now, in the beginning of the process which has been developed for taking in unlimited quantities these ingredients from the air, to provide that the Government in supplying itself with the munitions of war, of which we stand so sadly in need, shall itself also make provision for the means of enriching our fields.

Mr. President, this is not a new subject. I want to take occasion in a moment or two to read a portion of an act passed in 1856 relative to an artificial fertilizer to be placed upon the fields of this country. From what I shall read it will become apparent that that was the object which the Government had in view in passing that act. Along about 1835 or 1840 it was discovered that on certain islands off the coast of South America there were certain deposits of guano, the application of which to the soil marvelously increased its yield. So wonderful was the effect upon the depleted soil of the Atlantic seaboard that Mr. Seward, of New York, at one time a Senator from that State and later Secretary of State under Mr. Lincoln, introduced and had passed a bill, section 2 of which I shall read. Before I read it, however, I want to call the attention of the Senate to the fact that the object was to furnish this country with an adequate supply of fertilizer. The United States exhausted every means in its power to reach the end, not only of providing us with an adequate supply but of controlling for the benefit of the agriculturists the price of the supply.

I understand that the act of 1856 to which I have referred was based upon the right of a Government to take possession of islands and lands not occupied by other Governments; but it sets forth clearly that the object in invoking that right on behalf of the United States was for the purpose of securing this fertilizer and controlling the price of it for the benefit of the agriculturists of this country.

There was something said here the other day about an attempt to control the price. I want to call the attention of the Senate to the parallel that exists between the purpose of the amendment which I have introduced and the act passed in 1856, which I am going to read. If the Government takes its own water power or uses steam power for the purpose of furnishing itself with the munitions of war, the surplus that it produces will be its own, produced by its own machinery, and this amendment attempts to have the Government dispose of that surplus for the very purpose for which the act of 1856 was passed. I read section 2 of the act of 1856:

SEC. 2. *And be it further enacted*, That the said discoverer or discoverers, or his or their assigns, being citizens of the United States, may be allowed, at the pleasure of Congress, the exclusive right of occupying said island, rocks, or keys for the purpose of obtaining said guano, and of selling and delivering the same to citizens of the United States for the purpose of being used therein, and may be allowed to charge and receive for every ton thereof delivered alongside a vessel, in proper tubs, within reach of ship's tackle, a sum not exceeding $8 per ton for the best quality or $4 per ton in its native place of deposit: *Provided, however*, That no guano shall be taken from said island, rock, or key except for the use of the citizens of the United States, or of persons resident therein, as aforesaid: *And provided also*, That said discoverer or discoverers, or his or their assigns, shall first enter into bonds, with such penalties or securities as may be required by the President, to deliver the said guano to citizens of the United States for the purpose of being used therein and to none others, and at the price aforesaid, and to provide all necessary facilities for that purpose within a time to be fixed in said bond; and any breach of the provisions thereof shall be taken and deemed a forfeiture of all rights accruing under and by virtue of this act.

In section 5 it is provided:

SEC. 5 *And be it further enacted*, That the President of the United States is hereby authorized, at his discretion, to employ the land and naval forces of the United States to protect the rights of the said discoverer or discoverers, or their assigns, as aforesaid.

Now, Mr. President, we are face to face with this issue. The necessity at the time of the passage of the act of 1856 for fertilizer for our soil has been increased in geometrical progression. It is true that the discovery of the vast phosphate beds in South Carolina, Tennessee, and Florida supplied a part of the necessity for soil enrichment; but we are to-day standing face to face with the problem of how we can support our population, which is rapidly increasing, while the fertility of our soil is decreasing.

The farmers have never come here and asked very much, and yet their contribution to the welfare of this country is the foundation upon which everything else is built. Scientists now declare that the process of extracting nitrogen from the air in unlimited quantities is a commercial success; and, in view of the fact that it is an essential ingredient for the enrichment of our soil, I think that Congress would be derelict in its duty unless some action were taken. I am not asking that the Government of the United States shall grant any special privilege, but I am asking that it shall develop, as far as may be, the opportunities of the farmers of this country, so that they may be put in the best possible position to feed and clothe the population of the United States.

Mr. HARDWICK. Mr. President——

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Georgia?

Mr. SMITH of South Carolina. I yield to the Senator.

Mr. HARDWICK. Mr. President, I did not intend to discuss this matter at all until the Senator from South Carolina made some observations that make it necessary for me to do so. There is nothing like what the Senator suggests necessarily involved in this proposition at all, and if the Senator will not strip it of its socialistic features he will get it overwhelmingly beaten in the Senate.

Mr. SMITH of South Carolina. Mr. President, I am not concerned about whether the question may seem socialistic or whether it may seem populistic. The main thing that I am concerned about is, how we can best provide for that great class of people who bear the burden of this Government.

Mr. HARDWICK. Mr. President——

Mr. SMITH of South Carolina. Now, Mr. President——

Mr. HARDWICK. Just a moment.

Mr. SMITH of South Carolina. Allow me——

Mr. HARDWICK. I have the floor, if the Senator will pardon me, and I want to make a short statement myself.

The VICE PRESIDENT. Senators must remember the rule.

Mr. SMITH of South Carolina. Mr. President, I was not aware that the Senator from Georgia had the floor when I took it.

Mr. HARDWICK. Oh, yes; I have the floor, I think.

The VICE PRESIDENT. The Senator from South Carolina had not concluded.

Mr. HARDWICK. I beg the Senator's pardon. I addressed the Chair, and was recognized, and I thought the Senator had concluded.

The VICE PRESIDENT. The Senator was recognized for the purpose of addressing an inquiry to the Senator from South Carolina.

Mr. SMITH of South Carolina. If the Senator wants to ask me a question, I will yield.

Mr. HARDWICK. No; I will take the floor in my own right when the Senator has concluded.

Mr. SMITH of South Carolina. Mr. President, I want to say to the Senator from Georgia that I readily acceded to his amendment, and do so yet, with the hope that the object that I have in view may be attained without, in letter at least, doing violence to the Constitution.

Mr. President, I want to ask the privilege to have printed in the RECORD a statement by Dr. Baekeland in reference to the production and use of this wonderful chemical.

The VICE PRESIDENT. In the absence of objection, permission to do so is granted.

The statement referred to is as follows:

INTERNATIONAL SCOPE OF CHEMICAL RESEARCH.

The development of some problems of industrial chemistry has enlisted the brilliant collaboration of men of so many different nationalities that the final success could not, with any measure of justice, be ascribed exclusively to one single race or nation; that is best illustrated by the invention of the different methods for the fixation of nitrogen from the air.

This extraordinary achievement, although scarcely a few years old, seems already an ordinary link in the chain of common, current events of our busy life; and yet, the facts connected with this recent conquest reveal a modern tale of great deeds of the race—an epos of applied science. Its story began the day when chemistry taught us how indispensable are the nitrogenous substances for the growth of all living beings.

DEFICIENCY OF NITROGEN FERTILIZERS IN AGRICULTURE.

Generally speaking, the most expensive foodstuffs are precisely those which contain most nitrogen, for the simple reason that there is, and always has been, at some time or another, a shortage of nitrogenous foods in the world. Agriculture furnishes us these proteid or nitrogen containing bodies, whether we eat them directly as vegetable products or indirectly as animals which have assimilated the proteids from plants. It so happens, however that by our ill-balanced methods of agriculture we take nitrogen from the soil much faster than it is supplied to the soil through natural agencies. We have tried to remedy this discrepancy by enriching the soil with manure or other fertilizers, but this has been found totally insufficient, especially with our methods of intensive culture—our fields want more nitrogen. So agriculture

has been looking anxiously around to find new sources of nitrogen fertilizer. For a short time, an excellent supply was found in the guano deposits of Peru; but this material was used up so eagerly that the supply lasted only a very few years. In the meantime the ammonium salts recovered from the by-products of the gas works have come into steady use as nitrogen fertilizer. But here again the supply is entirely insufficient, and during the later period our main reliance has been placed on the natural beds of sodium nitrate, which are found in the desert regions of Chile. This has been, of late, our principal source of nitrogen for agriculture, as well as for the many industries which require saltpeter or nitric acid.

CHILE SALTPETER AND ITS APPROACHING EXHAUSTION.

In 1898 Sir William Crookes, in his memorable presidential address before the British Association for the Advancement of Science, called our attention to the threatening fact that, at the increasing rate of consumption, the nitrate beds of Chile would be exhausted before the middle of this century. Here was a warning—an alarm call—raised to the human race by one of the deepest scientific thinkers of our generation. It meant no more nor less than that before long our race would be confronted with nitrogen starvation. In a given country, all other conditions being equal, the abundance or the lack of nitrogen available for nutrition is a paramount factor in the degree of general welfare or of physical decadence. The less nitrogen there is available as foodstuffs, the nearer the population is to starvation. The great famines in such nitrogen-deficient countries as India and China and Russia are sad examples of nitrogen starvation.

And yet nitrogen, as such, is so abundant in nature that it constitutes four-fifths of the air we breathe. Every square mile of our atmosphere contains nitrogen enough to satisfy our total present consumption for over half a century. However, this nitrogen is unavailable as long as we do not find means to make it enter into some suitable chemical combination. Moreover, nitrogen was generally considered inactive and inert, because it does not enter readily in chemical combination.

William Crookes's disquieting message of rapidly approaching nitrogen starvation did not cause much worry to politicians; they seldom look so far a head into the future. But to the men of science it rang like a reproach to the human race. Here, then, we were in possession of an inexhaustible store of nitrogen in the air, and yet, unless we found some practical means for tying some of it into a suitable chemical combination, we would soon be in a position similar to that of a shipwrecked sailor, drifting around on an immense ocean of brine, and yet slowly dying for lack of drinking water.

OXIDATION OF AIR NITROGEN.

The Priestley-Cavendish experiment: As a guiding beacon there was, however, that simple experiment, carried out in a little glass tube, as far back as 1785, by both Cavendish and Priestley, which showed that if electric sparks were passed through air the oxygen thereof was able to burn some of the nitrogen and to engender nitrous vapors.

Bradley and Lovejoy: This seemingly unimportant laboratory curiosity, so long dormant in the textbooks, was made a starting point by Charles S. Bradley and D. R. Lovejoy, in Niagara Falls, for creating the first industrial apparatus for converting the nitrogen of the air into nitric acid by means of the electric arc. As early as 1902 they published their results as well as the details of their apparatus. Although they operated only one full-sized unit, they demonstrated conclusively that nitric acid could thus be produced from the air in unlimited quantities. We shall examine later the reasons why this pioneer enterprise proved a commercial insuccess; but to these two American inventors belongs, undoubtedly, the credit of having furnished the first answer to the distress call of Sir William Crookes.

Birkeland and Eyde: In the meantime, many other investigators were at work at the same problem, and soon from Norway's abundant waterfalls came the news that Birkeland and Eyde had solved successfully, and on a commercial scale, the same problem by a differently constructed apparatus.

Pauling and Schoenherr: The Germans, too, were working on the same subject, and we heard that Schoenherr, also Pauling, had evolved still other methods, all, however, based on the Cavendish-Priestley principle of oxidation in nitrogen. In Norway alone the artificial saltpeter factories use now, day and night, over 200,000 electrical horsepower, which will soon be doubled; while a further addition is contemplated which will bring the volume of electric current consumed to about 500,000 horsepower. The capital invested at present in these works amounts to $27,000,000.

CYANAMIDE.

Frank and Caro, in Germany, succeeded in creating another profitable industrial process whereby nitrogen could be fixed by carbide of calcium, which converts it into calcium cyanamide, an excellent fertilizer by itself. By the action of steam on cyanamide, ammonia is produced, or it can be made the starting point of the manufacture of cyanides, so profusely used for the treatment of gold and silver ores.

Although the synthetic nitrates have found a field of their own, their utilization for fertilizers is smaller than that of the cyanamide; and the latter industry represents, to-day, an investment of about $30,000,000, with three factories in Germany, two in Norway, two in Sweden, one in France, one in Switzerland, two in Italy, one in Austria, one in Japan, one in Canada, but not any in the United States. The total output of cyanamide is valued at $15,000,000 yearly and employs 200,000 horsepower, and preparations are made at almost every existing plant for further extensions. An English company is contemplating the application of 1,000,000 horsepower to the production of cyanamide and its derivatives, 600,000 of which have been secured in Norway and 400,000 in Iceland.

NITRIDE PROCESSES.

But still other processes are being developed, based on the fact that certain metals or metalloids can absorb nitrogen, and can thus be converted into nitrides; the latter can either be used directly as fertilizers or they can be made to produce ammonia under suitable treatment.

Serpek process: The most important of these nitride processes seems to be that of Serpek, who in his experimental factory at Niedermorschweiler, succeeded in obtaining aluminum nitride in almost theoretical quantities, with the use of an amount of electrical energy eight times less than that needed for the Birkeland-Eyde process and one-half less than for the cyanamide process, the results being calculated for equal weights of "fixed" nitrogen. A French company has taken up the commercial application of this process which can furnish, besides ammonia, pure alumina for the manufacture of aluminum metal.

HABER'S PROCESS FOR AMMONIA.

An exceptionally ingenious process for the direct synthesis of ammonia, by the direct union of hydrogen with nitrogen, has been developed by Haber in conjunction with the chemists and engineers of the Badische Anilin & Soda Fabrik. The method has the advantage that it is not, like the other nitrogen-fixation processes, paramountly dependent upon cheap power; for this reason, if for no other, it seems to be destined to a more ready application. The fact that the group of the three German chemical companies which control the process have sold out their former holdings in the Norwegian enterprises to a Norwegian-French group, and are now devoting their energies to the commercial installation of the Haber process, has quite some significance as to expectations for the future.

THE FUTURE OF NITROGEN-FIXATION PROCESSES.

The question naturally arises: Will there be an overproduction and will these different rival processes not kill each other in slaughtering prices beyond remunerative production? Nitrogen fertilizers are already used at the rate of about $200,000,000 worth a year, and any decrease in price, and, more particularly, better education in farming, will probably lead to an enormously increased consumption. It is worth mentioning here that in 1825 the first shipload of Chile saltpeter which was sent to Europe could find no buyer, and was finally thrown into the sea as useless material. Then, again, processes for nitric acid and processes for ammonia, instead of interfering, are supplementary to each other, because the world needs ammonia and ammonium salts as well as nitric acid or nitrates. It should be pointed out also that, ultimately, the production of ammonium nitrate may prove the most desiraole method to minimize freight, for this salt contains much more nitrogen to the ton than does the more bulky calcium salt in which form synthetic nitrates are now marketed.

WHY DID BRADLEY AND LOVEJOY NOT SUCCEED?

Before leaving this subject, let us examine why Bradley and Lovejoy's efforts came to a standstill where others succeeded.

First of all, the cost of power at Niagara Falls is three to five times higher than in Norway; and although at the time this was not strictly prohibitive for the manufacture of nitric acid, it was entirely beyond hope for the production of fertilizers. The relatively high cost of power in our country is the reason why the cyanamide enterprise had to locate on the Canadian side of Niagara Falls, and why, up till now, outside of an experimental plant in the South (a 4,000-horsepower installation in North Carolina, using the Pauling process), the whole United States has not a single synthetic nitrogen fertilizer works.

The yields of the Bradley-Lovejoy apparatus were rather good. They succeeded in converting as much as 2½ per cent of the air, which is somewhat better than their successors are able to accomplish. But their units—12 kilowatts—were very much smaller than the 1,000 to 3,000 kilowatts now used in Norway, and they were also more delicate, all of which made installation and operation considerably more expensive. However, this was the natural phase through which any pioneer industrial development has to go, and it is more than probable that in the natural order of events these imperfections would have been eliminated. But the killing stroke came when financial support was suddenly withdrawn.

Mr. SIMMONS. Mr. President, will the Senator from South Carolina yield to me?

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from North Carolina?

Mr. SMITH of South Carolina. I yield for a question.

Mr. SIMMONS. I did not rise merely to ask a question, but I did wish to ask the Senator if he felt himself able to accept an amendment to his amendment which I gave notice a few days ago I would offer? I think, if the Senator finds himself able to accept this amendment, it might measurably remove the objection in the mind of the junior Senator from Georgia [Mr. HARDWICK]. If the Senator will permit me, I will read the amendment and ask if he can accept it?

Mr. SMITH of South Carolina. I will state to the Senator from North Carolina that the remarks I am making are for the purpose of submitting my views before the bill and amendments are acted upon. I wish to state that a few days ago the question arose here as to whether or not the processes for the production of nitrogen have been sufficiently developed to justify the Government in appropriating money for the purpose of its production by these processes. At that time I put into the RECORD certain facts, which it is not necessary for me to now repeat. The fact, however, remains that as to the two processes, namely, the arc process and the cyanamide process, all of the experts and scientists now consider them commercial facts. The war in Europe is testimony to their success. They have also stated that this ingredient, nitrogen, which is so essential in fertilizer, under these processes can be produced at one-half the cost of the Chile saltpeter at antebellum prices, not the prices now, for the prices now have been quadrupled, but that it could be furnished for agricultural purposes at one-half the former price. So that whatever amendments may be offered to the amendment, the one essential feature which I shall insist shall remain in the bill is that after the Government has supplied itself with munitions of war the farmers of this country may be the beneficiaries of the surplus. If it is in accordance with the wisdom of the Senate that this shall be done by virtue of the Government leasing its power or by the Government leasing its plants or selling its power and still conserving the object in view, an abundance of this all-important element for agricultural purposes, I shall be very glad to have it put in that shape; but I can not accept an amendment which, in its very nature, will preclude the pos-

sibility of the great agricultural interests of this country being denied the very thing which these processes produce and upon which they are dependent. I am not wedded to any particular means of doing it, so that it is done, and done for the benefit of the farmer.

Mr. SIMMONS. Mr. President, the amendment which I wish to propose to the amendment of the Senator from South Carolina will not, in my judgment, interfere in any way with the agriculturists of this country getting the benefit of the production of any plant that the Government may establish for the purpose of supplying itself with nitric acid. If the Senator will permit me, I should like to have the amendment read.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from South Carolina yield to the Senator from North Carolina?

Mr. SMITH of South Carolina. Mr. President, I think I have spoken in general terms on the bill; I think it has sufficiently been discussed for the amendment now to be offered in due order; but the first amendment is the amendment of the Senator from Georgia [Mr. HARDWICK], which I am perfectly willing to accept, in view of other amendments.

Mr. SIMMONS. I was under the impression that the Senator from South Carolina might be willing to accept the amendment which I propose, and, if the Senator from Georgia will permit me, I will now have it read.

Mr. HARDWICK. I yield to the Senator from North Carolina for that purpose, if I have the floor.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from North Carolina for a question?

Mr. HARDWICK. I yield for any purpose.

Mr. SMITH of South Carolina. Let the Senator from North Carolina have his amendment read.

Mr. SIMMONS. Let the Secretary read the amendment; and I ask that the Secretary read the paragraph in which the amendment is offered, so as to show the connection.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The SECRETARY. Beginning on page 3, commencing with the paragraph on line 12, the amendment of Mr. SMITH of South Carolina reads as follows:

That the plant or plants provided for under this act shall be constructed and operated solely by the Government and not in conjunction with any other industry or enterprise carried on by private capital.

Following the words "private capital," it is proposed to insert a colon and the following proviso:

Provided, That in time of peace and when not needed for the manufacture of nitric acid for governmental purposes and uses, the said plant or plants may be leased under such rules and regulations and upon such terms and conditions as may be prescribed by the Secretary of War for their use and operation and for the termination of such lease or leases when such plant or plants are required for the manufacture of nitric acid for governmental purposes.

Mr. HARDWICK. I think the amendment suggested by the Senator from North Carolina will help us solve this question, but I think it ought to be offered as a substitute for that part of the amendment embraced in lines 3 to 7, on page 3.

Mr. SIMMONS. I have no objection to that.

Mr. HARDWICK. That would be the proper place to put the amendment.

Mr. SIMMONS. That would be just as satisfactory to me as to have it inserted at the point I suggested.

Mr. HARDWICK. I suggest that change, if it be satisfactory to the Senator from South Carolina.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the junior Senator from Georgia yield to the senior Senator from Georgia?

Mr. HARDWICK. I yield to my colleague.

Mr. SMITH of Georgia. I understand that a substitute has been prepared which will strike out the language which the Senator from North Carolina [Mr. SIMMONS] is seeking to amend.

Mr. HARDWICK. And also the language which I read.

Mr. SMITH of Georgia. It is proposed to amend, on page 3, by striking out all of the paragraphs between line 8 and line 15, both inclusive, and inserting in lieu thereof the following:

That for the construction of the necessary dam, locks, substructure, power house, hydroelectric equipment, and all other necessary buildings or works, and for all expenditures necessary to carry out the terms of this act in accordance with the plans, specifications, and contracts made and prepared under the direction of the Secretary of War, the sum of $1,000,000 is hereby appropriated out of moneys in the Treasury not otherwise appropriated, to be immediately available: *Provided*, That a contract or contracts may be entered into by the Secretary of War for materials and work and for all other purposes necessary to carry out the terms of this act, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $30,000,000, exclusive of the amount herein and heretofore appropriated.

I read that in the absence of the Senator from Alabama. I understood from the Senator from South Carolina that this amendment had been prepared by the Senator from Alabama, and that he contemplated accepting it.

Mr. SMITH of South Carolina. Mr. President, I will state, in explanation of that, that as the question arose the other day as to the $15,000,000 perhaps not being sufficient as a lump sum, it might be better to authorize the expenditure of a sufficient amount to provide ourselves adequately for times of war, which the experts say would necessitate $30,000,000. For that reason I thought perhaps this amendment was better, and therefore I accepted it.

The PRESIDING OFFICER. The pending amendment is the amendment of the Senator from Georgia.

Mr. HARDWICK. Mr. President, I believe I have the floor. I only wanted to make a few observations on this proposition. I believe we can work this thing out——

Mr. KENYON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Iowa will state his inquiry.

Mr. KENYON. We could not hear the statement by the Chair of the pending amendment.

The PRESIDING OFFICER. The pending amendment is the amendment offered by the junior Senator from Georgia [Mr. HARDWICK].

Mr. GALLINGER. Let it be stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 2, line 17, it is proposed to strike out the words "and useful in the manufacture of fertilizers."

Mr. KENYON. Mr. President, I should like to make another parliamentary inquiry.

Mr. HARDWICK. I yield to the Senator. Is the Senator asking me a question?

The PRESIDING OFFICER. No; the Senator from Iowa is propounding a parliamentary inquiry to the Chair.

Mr. KENYON. I wish to propound a parliamentary inquiry which can be answered by the Senator from South Carolina.

Mr. HARDWICK. I do not see just how that can be done. However, I yield to the Senator.

The PRESIDING OFFICER. If the Senator from Iowa desires to make a parliamentary inquiry, he will address the Chair. The Senator will state his parliamentary inquiry.

Mr. KENYON. I was out of the Chamber, and I wanted to get the run of matters. I understood the Senator from Georgia to state that the Senator from South Carolina had accepted the amendment on page 3, proposed, I think, by the Senator from Alabama. I should like to inquire of the Senator from South Carolina if that is so. If so, I should like to inquire of the Chair if the Senator can accept an amendment of that kind?

The PRESIDING OFFICER. The Chair will state to the Senator from Iowa that the amendment to which he now refers has not been offered. The Chair, of course, has no knowledge of private agreements between Senators.

Mr. HARDWICK. Mr. President, just a word or two on the general question.

I believe this matter can be worked out into such shape that every Senator, no matter what his views are about Government ownership or Government participation in all sorts of private enterprises, can suppport it; but no Senator who has anything like my views on the question of Government participation in business can support it on any such theory or for any such reason as those suggested by the Senator from South Carolina. Nor do I think the case to which the Senator refers—that of the act of 1856, where the United States gave to the patentees or discoverers of certain guano islands certain rights, and put on them certain conditions in granting those rights as to how they should conduct their private business—has any relation, direct, remote, or otherwise, to the question as to whether the United States Government itself is going into the business of manufacturing fertilizer and selling it to the farmers of this country. That is the thing to which I am opposed.

It is not that I would not like to see the farmers benefited. I guess I am just as truly their friend, just as loyal to their interests, as my friend from South Carolina or any other Senator in this Chamber, although there are Senators in this Chamber who protest very much more on that subject than I do. But whether the proposition be to manufacture goods of the one kind or the other or to engage in the one sort of business or the other of a private character, it is utterly obnoxious to my own ideas of good government or sound policy. I believe that the one and only business in which the Government of the United States ought to engage is the governing business; and if it will attend to that job correctly it will have job enough at that, without going into all sorts of other enterprises.

Of course the language that I am moving to strike out, which I understand my friend from South Carolina is not particularly

opposing, is a proposition that the United States shall go into this improvement for the purpose of generating electrical or other power for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers. I have moved to strike out the words "and useful in the manufacture of fertilizers," because I think the governmental activities ought to be confined solely to governmental purposes. While I am quite willing to concede that it is a legitimate governmental function to provide the gunpowder which is necessary for the use of our Army and Navy in time of war, just as we provided armor-plate factories for the ships of our Navy the other day—I am not worried about that—I do not think, however, it is a legitimate governmental function to engage in the manufacture of fertilizer and the sale of it to the farmers, no matter how much we love them and no matter how often we protest that we do.

Mr. LANE. Mr. President, I should like to ask the Senator a question.

Mr. HARDWICK. I yield to the Senator from Oregon.

Mr. LANE. Does not the Senator think it would be as useful to the Government to increase the food supply, in case of war, as it would the gunpowder supply?

Mr. HARDWICK. Possibly.

Mr. LANE. Is it not actually just as useful?

Mr. HARDWICK. The Senator does not embarrass me by that question. There are a great many things that we do in time of actual war along that line that we would not think of doing in times of peace. For instance, during the Civil War almost every Southern State by statute limited the amount of cotton that could be planted. Of course, I would doubt the constitutionality of those statutes in times of peace, and I do not think they were ever upheld even in war times by any courts of last resort; but if they had come before the courts of last resort of the Southern States during the war I have no doubt they might have been upheld on the ground of military necessity.

Mr. LANE. Mr. President, I will ask the Senator, in connection with what I said before—premising the question with the statement that within the last 40 years the production of wheat in this country has gone down from an average of 30 bushels to an acre to 15, and we will say by way of comparison that in Germany it has increased from 15 to 40—whether it would not be just as wise and equally as much a governmental function to increase the food supply of the country as it would be to increase the gunpowder supply, and wherein lies the difference? Where does the Government's interest in its people stop? Does it exist only in time of war? Is it not its duty to prepare for war, and to feed its soldiers and to feed its population which is not at war, as much so as it would be to make nitric acid for explosives? And would it not be a better business for the Government to engage in, if you please?

Mr. HARDWICK. Answering the Senator's question, I want to say to him that it does not seem to me that there ought to be any division of sentiment or opinion on the question that the Government of the United States ought to do all that it properly and legitimately can to increase the yield of wheat in the United States under the circumstances as outlined. It ought to do all that the scientists and the experts in the Agricultural Department can find out and disseminate that knowledge among the people; but I do not think the Government ought to go into the business of farming in order to do it. That draws the line, I think.

Mr. LANE. I do not think it does quite draw the line.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Oregon?

Mr. HARDWICK. Yes, sir.

The PRESIDING OFFICER. The Chair admonishes the Senator from Georgia that——

Mr. LANE. For a question, Mr. President; nothing else. Would it not be better for the people and for the Government if it had a well-fed and prosperous people than to go into war with a people who do not raise a sufficient supply of food to keep them in good trim in times of peace? Would not that be a far-sighted policy on the part of the Government, so as to have more able-bodied soldiers, with an interest in the Government, in return for the interest which the Government has taken in their affairs? Would they not more cheerfully go to war and help burn up this nitric acid which we must have from the air?

Mr. HARDWICK. Yes; I presume the people would in many cases be fatter and sleeker and more prosperous if the Government should feed them, but I do not want to embark in that undertaking just yet, as far as I am concerned.

Mr. LANE. I am not asking to have the Government feed them.

Mr. HARDWICK. It might be better for the Government to feed them out of the public crib, but I am not yet prepared to go that far. I think, Mr. President, as far as I am concerned, that the Government will have fully enough to do if it will just attend to the governing business and not go into the business of manufacturing and selling goods of various kinds. "The United States (Ltd.), manufacturer of and dealer in agricultural fertilizers, boots, shoes, and clothing," might sound well enough to some Senators, but it does not to me. That is just exactly my position about that matter.

I think the Senator from North Carolina has suggested an amendment that ought to go in the amendment in lieu of lines 3 to 7, inclusive, on page 3. In that way it will correlate with the amendment that is to be proposed, we are informed, by the junior Senator from Alabama [Mr. UNDERWOOD]. I think possibly with those changes we may be justified in supporting a proposition like this, because not even the strictest constructionist could very well object to the proposition that if the Government finds it necessary to develop water power in order to make a munition of war, and it finds it necessary to keep that water power where it can be used to a maximum capacity in the event hostilities were to break out, then while it is not being used for that purpose we might very well lease it out or dispose of that power in some other way. That would not offend against the very ideas and arguments I have suggested, because you just simply let private capital use it and employ it in any way they see fit, under lease from the Government or under sale from the Government with a right of recapture.

I think that is the substance of the idea embraced in the amendments proposed by the Senators from Alabama and North Carolina. If the amendment that I have suggested is to be agreed to—as I understand it is—and their amendments are to make modifications along the lines I have suggested, then I will have no objection to this proposition, and will be willing to support it under these conditions, which I have just outlined.

Mr. MARTINE of New Jersey. Mr. President, as I understand, the Senator's amendment is to strike out the words "and useful in the manufacture of fertilizers."

This may not sound quite as esthetic as some other language in the bill; but aside from that fault, I ask, what earthly harm can come from the use of those words in this bill? To my mind, it will be infinitely more to the benefit of mankind to grow wheat and food generally than to make gunpowder. I stand by that proposition broadly, but we need them both.

I am told by the Senator from Georgia that it is not a governmental function to make nitrates for fertilizer. Your Government, however, appropriates the people's money to stamp out the cotton-boll weevil in Georgia, and I have never heard a word of protest——

Mr. HARDWICK. Mr. President, if the Senator will pardon me just a moment, I suppose the Senator is directing his remarks to me.

Mr. MARTINE of New Jersey. Aye; the Senator is the man to whom I referred.

Mr. HARDWICK. Never have I asked for a cent for that purpose, and never has one cent been spent for that purpose in my State. There is no boll weevil in Georgia.

Mr. MARTINE of New Jersey. Well, whether it is or not, money has been voted for it.

Mr. HARDWICK. Not for Georgia.

Mr. MARTINE of New Jersey. Not necessarily for Georgia, but generally for the South, to stamp out the cotton-boll weevil that has afflicted the Senator and his constituency in common with the rest.

Mr. HARDWICK. No. Will the Senator yield?

Mr. MARTINE of New Jersey. Well, if it did not affect his constituency directly——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Georgia for a question?

Mr. MARTINE of New Jersey. Certainly.

Mr. HARDWICK. The Senator, of course, does not want to misstate the facts.

Mr. MARTINE of New Jersey. I do not want to; but I say that if it has not affected the constituency of the Senator from Georgia directly, it has affected other sections of the South.

Mr. HARDWICK. The Senator is charging me with an inconsistency, and I do not propose to let it pass unnoticed. I have never done any such thing as he suggests.

Mr. MARTINE of New Jersey. Well——

Mr. HARDWICK. Wait a minute. I have never asked for such an appropriation, and, besides that, there has been no boll weevil in Georgia at all yet. The Senator ought to be sure of his facts before he makes suggestions of that kind.

Mr. MARTINE of New Jersey. I will accept the apology, as far as the Senator from Georgia is concerned.

Mr. HARDWICK. The apology?

Mr. MARTINE of New Jersey. But all the rest of the South that raises a sprig of cotton is daubed with this stick. You are all anxious to get public appropriations for stamping out the cotton-boll weevil. Now, I should like to be permitted to inquire whether the Senator voted against that measure?

Mr. HARDWICK. What measure?

Mr. MARTINE of New Jersey. The appropriation to stamp out the cotton-boll weevil in the South.

Mr. HARDWICK. I never heard of any issue being raised on it.

Mr. MARTINE of New Jersey. Then the Senator's ears have not been as acute as mine. I have heard it dingdonged in my ears from my fellow Senators over on this side of the Chamber very much.

Mr. HARDWICK. Not from the Senator from Georgia, however.

Mr. MARTINE of New Jersey. I am referring to the cotton interests of the South.

Mr. HARDWICK. Not from the Senator from Georgia, however, in spite of the Senator's intimations.

Mr. MARTINE of New Jersey. Well, I will except the Senator from Georgia. God knows he is a remarkable exception; but all the rest have been willing to take it. I want to say that Congress takes from the people's earnings, through a supposed legal process, their money to aid in the growing of sugar, putting on a tariff whereby the sugar interests may be subserved, and that seems to go without cavil or without the least of dissent. Now my distinguished friend the Senator from North Carolina comes along with an amendment, and the aim and purpose of his amendment is to take out the possible opportunity of the Government to engage in the business of manufacturing these nitrates for any purpose except for use in gunpowder. Whenever the Government shall not require the factory for the purpose of manufacturing nitrates for use in gunpowder, it may be leased to some other parties to proceed with the manufacture of fertilizers.

The one good provision in this whole amendment of the Senator from South Carolina to my mind is that it is the Government's right to manufacture in its own factory this necessary ingredient, nitrate. It is necessary in gunpowder and it is necessary in all fertilizers. That is the blessing of the Smith amendment to my mind over the proposition that was made by the Senator from Alabama. It is the fact that the Government is in this business, undisputed and alone, to manufacture this valuable ingredient for the purposes of the people, to manufacture it for use in gunpowder—and God knows I hope it will have occasion to manufacture but very little of it—and that the residue may go for the fertilization of the acres of our country.

This, to my mind, is the redeeming feature of the amendment. I can see no evil in the Government manufacturing a product that is vitally necessary to stimulate the growth of wheat, corn, and other foods. Certainly there can be no evil in that. The only objection is a sentimental objection upon the part of the Senator from Georgia, it seems to me.

I believe the adoption of the amendment proposed by the Senator from South Carolina will prove an infinite blessing to the country; and I shall vote against any proposition that would tend to limit or curtail the great results that must necessarily come, and the blessings that will follow, to the whole agricultural people of this country.

Mr. HUSTING. Mr. President, when this amendment was up the other day, I took occasion to say a few words in support of it upon the ground that it was to be a Government institution, not only for the manufacture of nitric acid for explosives but also for the manufacture of fertilizers to be used by the farmers. Now it is proposed to take out of this bill at least half of the purpose for which $15,000,000 is to be appropriated, upon the plea that it is socialistic.

As I said the other day, I think the time has gone by when by merely calling something by a name that any gentleman chooses to call a certain act or a certain piece of legislation it becomes so. That is merely expressing an individual opinion. Where a man applies an epithet to another person or to another act it is merely expressing his own private or public opinion. That is neither here nor there, in my humble judgment. The question is whether the proposed legislation is something that is going to inure to the benefit of the people of the country.

It is said here that the manufacture of fertilizers is not a governmental function. It has been stated by the Senator from New Jersey [Mr. MARTINE] that money has been voted for the cotton-boll weevil. I believe there is a bill before the Senate now, introduced by the Senator from Florida [Mr. BRYAN], to appropriate $500,000 for the eradication of the citrus canker, along that same line. But, Mr. President, the United States has not waited until this late day to vote money for the promotion of agriculture. We have an Agricultural Department that I know is costing a good many hundred thousands of dollars a year. I believe every Senator and Representative is taking his quota of seed and sending them all over the United States to his constituents at an expense, I presume, to the Government of hundreds of thousands if not millions of dollars. Money is being voted at every session of Congress that is not out of harmony at all with this purpose. This has become a well-defined policy on the part of the United States. If anyone wants to take the trouble of running through the statutes of the United States, he will find that hundreds of thousands and millions of dollars are being appropriated every year that have not the beneficent purpose that this bill seeks to accomplish. In election times we find that every Senator and every man, in fact, running for office is a good friend of the farmer and the farming industry. Here is an opportunity where this feeling can have a practical application.

Not only that, but here is an opportunity to do something of substantial value for the people of the United States. If the farmers of our country can get a cheap fertilizer, with the cheap land that we have, what country of the world can compete with us in the raising and the sale of our farm products? Everyone knows that what this Government has a primary dependence upon is the agricultural welfare of the country, and anything which tends to make two blades of grass grow where one grew before, in my judgment, is the best kind of a policy to adopt. The best thing in the world we can do is to advance this great industry, not for the purpose of enriching the farmer but for the purpose of enriching the future of the United States.

There is another reason why I do not want to see this amendment adopted, and that is because I can not understand why we should vote $15,000,000 to establish a plant that we are only going to use in time of war. When this matter first came up the Senator from Alabama [Mr. UNDERWOOD] expressed it as his idea that if this plant were built we would not use it all the time; that in times of peace the most natural thing in the world would be to lease it to somebody else for his use and only take it back in time of war to insure our supply of nitrates.

This country ought to adopt one plan or the other. It ought either to have a plant that is ready to any extent to manufacture what we need in time of war and use it for the purposes of the United States in the meantime or we ought to reserve the right to seize any water-power plant that we desire, and we can do it very easily by writing it into the permit, and use it in time of war.

But I can not understand why Senators want to vote $15,000,000 to build somebody else's plant. I am against the United States appropriating $15,000,000 to put somebody else in business and giving him the use of the plant so long as he wants to use it and only borrowing it of him when we must have it. That is the plain intent of this sort of an amendment.

It is proposed here that we should spend $15,000,000 to put up a water-power plant, and then if we are going to have a war once in a quarter of a century, and I hope hereafter we will have one only once in half a century or once in a century or never, we, after building that plant, will take somebody and invest him with property for his own private use until such time as we may hereafter need it, if the occasion should ever come that we must need it. Now, what is the object of doing that? If we are going to use it only in time of war, what is the use of having $15,000,000 invested in times of peace for somebody else to use?

It is to be done under the terms of the Shields bill, we will say. This is not a mere academic question as to what we may do in case we vote $15,000,000 to build somebody a dam or a water power. I think we have a right to take into consideration the provisions of a bill which passed the Senate and is now before the House of Representatives as declaring at least the idea, the sympathies, and the purposes of the men who voted for that bill and who fathered and helped to pass the bill. I for one will take it, and I do take it, as a fair understanding of what we should do with Government-owned property.

Now, what do we find in the Shields bill? What is to be done with Government-owned dams? The Shields bill provides that Government-owned dams—that is, dams built with Government money—shall be leased to private individuals or private interests upon the same terms as a privately owned plant. Not only that, but the provisions are that we can not recapture or take back our own Government-owned plant except under the like conditions that we can take over a private plant. What does that mean? It means that under the Shields bill, which passed the Senate, all dams built with United States money heretofore or hereafter known as Government-owned dams shall be leased to private

individuals under the identical terms and conditions that are imposed upon owners of privately owned dams. What does that mean? It specifically provides that section 6 shall apply as far as the term may be applicable. It provides that—

SEC. 6. That at any time after the expiration of said 50 years the United States may terminate the rights hereunder granted upon the giving to the grantee, either before or after the lapse of the period of the permit, of two years' notice in writing of such termination, and upon the taking over by the United States of all the property of the grantee which constitutes part of the plant of the grantee and dependent in whole or in part upon it for its usefulness and acquired, necessary, appurtenant, valuable, or serviceable in the distribution of water, or in the generation, transmission, and distribution of power, and upon paying to the grantee the fair value of said property, together with the cost to the grantee of the lock or locks, or other aids to navigation—

And so forth. Everything used and useful must be taken over by the United States in order to recapture its own property and its own water power.

Now, not only that, but it may be leased to anybody for a private business. If the Shields bill were in operation to-day and the amendment of the Senator from South Carolina were in effect, what would be the result? As I understand it, and I do not think there is any dispute about it, it would mean that the United States would take this money and go and build a hydroelectric plant, and that then, under the terms of the Shields bill, upon the mere application to the Secretary of War, the plant would be turned over to any private corporation—I do not care where it is, whether in the South or the North or the East or the West—upon the payment of money. I should say that the only compensation the United States would get out of that would be the money which would be used in the upkeep of the dam.

Any company—the Du Pont Powder Co. or the Cyanamid Co.—could come in here and take hold of this plant and could connect up its other business with this plant, and it would pay us only enough money for the upkeep of the dam or to increase the flowage of water, and then in time of war we would have to go and take it over, with their own plant, and pay them just damages, fair compensation, which would include, of course, consequential damages for prospective profit, and everything else the court could put into the meaning of the words "of fair value."

Now, $15,000,000 at 5 per cent amounts to something like $750,000 a year. We have not had a war since 1898. We may not have another until 1998. We will have to pay the interest on that money—$750,000 a year—with a chance of using it, with a chance of never using it, and at least with a chance of using it probably only 1 year in 25 or 30 years for the purpose of being able to take hold of that water power in case war should come.

I think if that is the object of the bill we had better let somebody else go into that business and manufacture nitrate and buy it and store it. Let them take their $15,000,000 and build this plant, and do not let us allow them to make us put $15,000,000 into their business, and then when we want to get it back have to buy them out.

I presume something would occur a good deal as did occur in the last war, when we had to go out and buy boats. I heard the Secretary of the Treasury speak at Madison about some of the figures then. We had no boats, and had to go out and buy them; and we bought them, I think, for $100,000, and sold them for something like $5,000 apiece, at least at about that ratio.

But here we would be in a position like that of building our boats and putting them in private hands, and running them, and then paying for their business when we wanted to borrow them. That is no business proposition. I am for one opposed to that bill and to this amendment. I say if we want to insure ourselves in the manufacture of nitrates for war purposes, that is all very well and good, let us manufacture them and store them at a place where they are safest, and then when we get through manufacturing nitrates instead of turning these plants over to private hands I say let them go on and manufacture something that will promote the welfare of this country.

I do not know why this idea of leasing these things comes up in all these discussions when the United States is attempting to do something for itself. The primary proposition, the primary idea, and primary object of this bill was to take care of the agricultural interests. The Agricultural Committee is certainly primarily concerned, I take it, in the promotion of agriculture. Why should they depart from the original idea, an agriculture idea, and in a preparedness bill the primary idea be abandoned and the secondary idea put into the bill, with an ultimate purpose it is evident, plainly stated here, that it is never to be used for agricultural purposes because perchance it might be considered socialistic by some one? In other words, the plain intent of the amendment of the Senator from Georgia is to destroy this amendment as an agricultural idea. It is plainly for the purpose of building a dam at the cost of $15,000,000 to be used only upon rare and very exceptional occasions, and, of course, in all the other years, in the other 99 per cent of the years, is going to put it in the hands of private interests under the terms of the Shields bill, if he would have his way, and if the other Senators who supported the Shields bill would have their way.

I say it is wrong, in my humble judgment, to go and invest money for the purpose of putting this investment into private hands. I would be glad to support most of this bill, if it carries out the object sought to be carried out in the start; but I for one absolutely refuse to support, and I shall vote against any bill which is going to invest the United States money for the interests of private individuals.

Mr. SHAFROTH. Mr. President, inasmuch as the Senator from Wisconsin [Mr. HUSTING] and I differ very materially as to the benefits of the Shields bill, it may seem somewhat strange that we should be in accord with relation to the amendment which is before the Senate—the amendment, I mean, of the Senator from South Carolina [Mr. SMITH]. The Senator from Wisconsin, I think, misconceives the Shields bill entirely. There is nothing in that bill which contemplates that the Federal Government shall undertake the construction of dams. It is purely at the expense of private individuals, and consequently whenever private individuals have built and invested their money—of course, if it is to be taken over by the Government it is right that they should be paid the amount which they have put in the same. Consequently, the allusion to the fact that certain things are similar in this case to the Shields bill is entirely, in my judgment, inappropriate, because they do not in any manner coincide.

I believe, Mr. President, that the bill as reported out of the Committee on Agriculture and Forestry is a good bill and should be passed. I recognize the fact the Senator from Georgia [Mr. HARDWICK] has so strongly emphasized, that the Federal Government has not under the Constitution the power to undertake a work purely for commercial purposes. But he can not deny, nor can anyone else deny, that if there is a governmental purpose to be served the Government has a right to undertake that thing which will produce the governmental purpose.

Under the amendment which is offered by the Senator from South Carolina we find that the purpose and the object as explained in the amendment itself is to erect a plant for a purely governmental purpose, namely, for the purpose of manufacturing nitric acid. Nitric acid, as everyone knows, is a most powerful explosive when it is mixed with certain other ingredients. It enters into the composition of a powder which is, perhaps, the most modern of all the violent explosives that are manufactured. That being the case, it is necessary, especially at a time when preparedness is supposed to be the order of the day, that we should fortify ourselves with something that will, in fact, make us prepared in the event that we have a war.

Mr. President, the importance of having a plant that can manufacture nitric acid, and will manufacture it both in times of peace and times of war, it seems to me, no one can deny. We are discharging our guns every day, even in times of peace. We are using powder; we are using explosives; we are experimenting and practicing with the guns of our Army and Navy. In my judgment the powder is something that should be manufactured by the Government, and I believe the Government should undertake the construction and operation of the plant itself. Improvements are always being made, new inventions are always being discovered. If the Government has a plant, its employees, while experimenting, will make important discoveries which the Government can keep secret and for its own use, and thereby have an advantage over an adversary in the event of war. For that reason I believe that munition factories ought to be run by the Government itself. Whatever inventions and whatever improvements in arms or in explosives are discovered by the employees belong to the Government. Our officers will utilize those inventions and will not give them to other nations, and by reason thereof we will have some advantage in case of conflict with another nation.

No one can deny that if the Government erects a plant for the purpose of manufacturing a product that is purely for a governmental purpose, and if by reason of the situation a surplus is manufactured or the plant is not needed all the time, the law authorizing the plant would be constitutional. It would be very foolish, indeed, for the Government not to utilize the plant, and utilize it for any purpose that could remunerate the Government in the way of getting a return for the investment which it has made.

There is no doubt but that in water-power plants themselves, the power generated is according to the flow in the stream.

The stream at one season of the year is only about one-fifth of the size of the stream in other portions of the year. Nay more, the capacity of the stream sometimes multiplies a hundredfold. Perhaps it may be that in three-fourths of the year the average of the stream is five times higher than it is at its lowest stage. Consequently, when you put up a plant it will not do to erect it with a capacity that will only utilize the water power for one-fourth of the time. It is economical to erect a plant with a reasonable regard to the flow of the water during three-fourths of the year. Especially is that true when nitric acid which is proposed to be manufactured is not a perishable product. It can be put up in carboys and kept for months and years. So the plant can run in the season when the water is high and thereby have the benefit of at least an average power.

Mr. HARDWICK. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Georgia.

Mr. HARDWICK. If that be true, if nitrate can be conserved, why could we not just manufacture all of it for governmental purposes and store it up against future needs instead of disposing of the surplus product?

Mr. SHAFROTH. You can somewhat, but I suppose deterioration takes place to a certain extent. However, for the ordinary uses of the Government in the practices which they have on the battleships and also at the Army posts there would have to be a substantially increasing manufacture every year. It may be that it would be impracticable, and I expect it would be, to manufacture and keep in store nitric acid for long periods of time, but perhaps it might be done for a year or two.

Mr. President, in my judgment the plant which is erected should be sufficiently large to utilize more than the minimum quantity of water that could be used. We know that in time of peace the quantity of nitric acid that would be manufactured would be much less than in time of war. Of course, in time of war it would be multiplied a thousandfold, probably a millionfold, and you must have a plant that will to a reasonable extent be ready to supply the quantity of nitric acid that may be needed in time of war. If you do not do that, it is not a preparedness proposition at all. That being the case, it is necessary to have a plant much larger than that which would supply the needs of the Army and Navy in ordinary times and in peaceful times. For that reason a plant, by reason of legislation of this kind, must of necessity be much larger than that which is demanded in time of peace.

Now, what is to be done with the surplus? The plant is evidently to be erected under the authority of the Constitution of the United States. It may be a plant excessively large when contrasted with the demands for its products in peaceful times. It is erected under the Constitution and sanctioned by the law. Is it possible that when you do not need it you must shut it down and let it deteriorate in value? That can not be the object or the purpose of legislation of this kind. Inasmuch as it serves the purpose of preparedness and can be made to serve another purpose that is useful, and we have no other immediate use for it, the Government ought to utilize it to repay it for the investment which it has made.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield?

Mr. SHAFROTH. I yield to the Senator from Utah.

Mr. SUTHERLAND. I wish to ask the Senator from Colorado a question. I think we have now a comparatively small amount of money invested in some small-arms manufacture, have we not?

Mr. SHAFROTH. I do not know what amount is invested.

Mr. SUTHERLAND. I think we have, but waiving that, in time of war we would need, or might need at any rate, a very large supply of small arms. Would the Senator from Colorado object to adding a provision to this bill appropriating $15,000,000 for the erection of small-arms manufactories and carrying a proviso that when not needed for the manufacture of small arms these factories should be utilized for the purpose of manufacturing farm implements?

Mr. SHAFROTH. Oh, Mr. President, I do not think that is a fair analogy to the question which is before us now. The factories for arms contain entirely different machinery for the purpose of constructing firearms from those necessary for farm implements—so entirely different that you would have to make a new plant entirely.

Mr. SUTHERLAND. This war has demonstrated that these various factories may be very quickly transformed into manufactories of war munitions, and the converse of that is true.

Mr. SHAFROTH. The buildings could be used. I have no doubt that so far as the machinery that is used in the manufacture of firearms is concerned, it would be largely of no use whatever in the construction of agricultural implements.

Mr. SUTHERLAND. The machinery undoubtedly could be turned to account in the manufacture of something for commercial purposes.

Mr. SHAFROTH. Some of it could be. Of course, a motor or something of that kind could be used. Inasmuch as holes are to be drilled, both in the construction of firearms and in the construction of agricultural implements, no doubt there is some analogy, but at the same time, it seems to me, that they are so far apart that there would be very little utility in providing for a thing of that kind.

I want to say, further, that a nitric-acid factory can not be changed to anything else; it is purely for the extraction of nitrogen from the air, and the machinery that would be used in such a factory could not be used in the manufacture of anything else.

Mr. SUTHERLAND. The Senator from Colorado, if I understand him, is in favor of these manufacturing plants, which are to be built for the purpose of making small arms, lying idle when they can not be utilized for that purpose?

Mr. SHAFROTH. No; not necessarily. I am not in favor of their lying idle all the time. Of course, I think that there is a growing demand, and that there will continue to be a growing demand, for the supply of arms. I believe their production is one of the things in which there should be preparedness, because we ought to have a large quantity of arms ready to be put into the hands of men who would enlist in time of war. The very fact that we have not any great number of such arms would show our unpreparedness in case there was a war.

But now, Mr. President, I want to go a little further with relation to this matter. It seems to me that as to the construction of the plant which is proposed to be authorized by the amendment offered by the Senator from South Carolina [Mr. SMITH] the plant ought to be large. If it is not to be large, it will not be a preparedness proposition at all. If it is only going to be large enough for the purpose of supplying nitrogen in times of peace for explosives that are made for target practice, for salutes which may be made, and things of that kind, of course it would not constitute any preparation at all. Consequently we have to construct such a plant with relation, at least to some extent, to a state of war which possibly may come. Inasmuch as such a plant has to be constructed with that end in view, for the purely governmental purpose of being prepared, there is a surplus both as to product and as to plant that ought to be utilized in some way; and, inasmuch as it can be utilized by the farmers, and the product can be sold by the Government for the purpose of obtaining a return to the Government and an interest of some kind upon its investment, it seems to me that it is but proper it should be operated with a view, first, of supplying the Nation with means of defense, and, second—which is a subordinate, but nevertheless important function—with a view of giving to those who need the product something which would be beneficial to them and at the same time remunerative to the Government.

Now, I want to say, in addition——

Mr. SUTHERLAND. Mr. President, before the Senator from Colorado passes from that point, I desire to ask him another question.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. SHAFROTH. Yes, sir.

Mr. SUTHERLAND. How large an expenditure does the Senator from Colorado think would be necessary to provide plants large enough to manufacture all the nitrates which will be required by the farmers of the United States?

Mr. SHAFROTH. Well, I must say that it would take probably hundreds of millions of dollars to erect such plants.

Mr. SUTHERLAND. Yes.

Mr. SHAFROTH. And I am not in favor of that.

Mr. SUTHERLAND. I thought the Senator would not be in favor of that. Now, let me ask the Senator this question: Does the Senator from Colorado believe for one moment if we once embark upon this socialistic scheme of manufacturing nitrates for the farmers that the farmers of this country, who cast at least one-third of the votes that are polled at every election, will ever rest content until the Government of the United States is manufacturing nitrates for all of them at a cost of many hundreds of millions of dollars?

Mr. SHAFROTH. I do not think that any such condition will ever arise. I am not a believer in the doctrine that the Government should supplant private enterprise. I do not believe it is wise; I do not believe it is to the best interest of the people; but whenever, as a part of a governmental function,

the Government undertakes the manufacture of something and has a surplus, it seems to me absolutely preposterous that it should not utilize that surplus in a way that will be of some benefit to somebody else and at the same time afford a return of some kind for its own investment.

Mr. President, I am not one of those who think that the Government can manufacture more cheaply than can individuals; I do not believe it. I am satisfied that that condition will never arise when the Government can afford to sell what it manufactures at as low a price as can the individual; but I do say that whenever we have limited conditions and a limited number of enterprises and those limited enterprises can control the market by reason of which they can charge exorbitant prices, either by combinations or by gentlemen's agreements—in such a case the Government can manufacture for a cheaper price than the price which such enterprises, for their own selfish interests, will put upon their products. It is for that reason also that I believe the Government, when it has a clear governmental function to perform, and as a result of that function has a surplus, has a right to let the people know by its own sales to them how much the product is worth and how much it costs to manufacture it, so that the private companies, by reason of gentlemen's agreements or combinations, can not set a price that is absolutely exorbitant to the farmer as well as to other people.

Mr. President, it seems to me that that purpose alone would be a strong reason for the erection of this plant—not the primary purpose, for the primary purpose is the performance of a governmental function; but when it is demonstrated that this article can be manufactured at a cost which is much less than the price which private companies might fix, it seems to me that, to prevent a monopoly, it is not a bad proposition as a part of this governmental function that the Government should assume the power and the privilege of letting the people know by its own sales how cheaply this product can be manufactured. Legitimate capital need not fear governmental undertakings of this kind, for I do not believe the Government can manufacture as cheaply as they can; but the Government can manufacture a good deal more cheaply than the combination price which a few corporations might make with relation to a product of this kind.

Mr. President, it seems to me that the amendment which has been proposed by the Senator from South Carolina [Mr. SMITH] is a good amendment; that it is wise. It can not be attacked on the ground of unconstitutionality, unless it be said that it is a mere subterfuge and that the real purpose and object, and all of the object practically, is for the purpose of entering into private business. That, however, can not properly be said to be the case, for everyone here recognizes that we would have no opportunity of getting nitrates if we should have a war with any nation that has a considerable navy. The only supply of nitrates which now exists in the world is that on the plains of Chile. Should that supply be seized or should that product be cut off by reason of submarines or otherwise, we would practically be left unarmed and subject to attack by other nations. That being the case, it seems to me it is imperative that we should do just as England has done, just as Germany has done—utilize the power which we shall take from the air, of which nobody can deprive us, and which consists of four-fifths nitrogen and one-fifth oxygen, and utilize that by converting it to our use under processes which are now well established, thereby keeping within the borders of our own country the power to prepare for an emergency, which might possibly be brought about, though we all hope it may never arise.

Mr. KENYON. Mr. President, I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. KENYON. The Committee on Military Affairs have reported a substitute for the House bill. The Senator from South Carolina [Mr. SMITH] proposes an amendment to that substitute. The Senator from Georgia [Mr. HARDWICK], as I understand, then proposes an amendment to the amendment to the substitute. I ask the Chair if the latter amendment is not out of order, as being an amendment in the third degree? I make the point of order that the amendment of the Senator from Georgia is not now in order.

The PRESIDING OFFICER. The Chair will read to the Senate a part of Rule XVIII, which provides:

> But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question; and motions to amend the part to be stricken out shall have precedence.

The Chair therefore thinks that the amendment offered by the Senator from Georgia is in order, and is but an amendment in the second degree.

Mr. JONES. Mr. President, I want to suggest to the Senator from South Carolina that I believe he would make time in the consideration of his amendment if he would withdraw it and frame it along the lines that he expressed himself as willing to accept a short time ago. I understand that quite a number of Senators have amendments which they desire to propose, which are more or less acceptable to the Senator, and yet we do not know what they are.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from South Carolina?

Mr. JONES. Certainly.

Mr. SMITH of South Carolina. I rise to clarify the atmosphere, so far as the position of the author of this amendment is concerned, in order that we may have no misunderstanding.

Since this debate has developed I have been anxious to conserve two purposes: One was to furnish munitions of war, which we are all agreed are absolutely essential—and I need not enlarge on that as the helplessness of this Government in case of war has been so forcibly stated heretofore—and, secondly, as the Senator from Colorado [Mr. SHAFROTH] has so ably pointed out, that as a result of the manufacture by the Government, there will be a surplus of nitrogen. It therefore seemed perfectly reasonable that as that happened to be——

Mr. JONES. Of course, I merely yielded to the Senator for a question.

Mr. SMITH of South Carolina. I thought perhaps the Senator from Washington wanted me to state——

Mr. JONES. I understood the Senator from South Carolina to state what he has just stated awhile ago. That is the reason why I made my suggestion.

Mr. SMITH of South Carolina. Then I will wait until the Senator gets through and state exactly what I am willing to do and what I am not willing to do.

Mr. JONES. I thought the Senator had stated—at least, I thought I so understood him pretty clearly awhile ago—what he was willing to do. It was because of that suggestion and because I know that there were different Senators offering amendments, some of which have been suggested, one being by the Senator from North Carolina [Mr. SIMMONS], that it occurred to me that it would be better if the Senator from South Carolina would get together with those who are interested, and whose views he knows, and frame his amendment in such a way that it would present a concrete proposition here. With that end in view, I want to suggest one or two matters which have occurred to me with reference to the Senator's amendment.

I do not know as yet whether or not I shall vote for the amendment. I see many important things which ought to be done, or, at least, which I think ought to be done; and when I contemplate how slowly they come along I begin to think I should like to see the Government take hold of them; but when I see how the Government does or tries to do things—or, rather, how it fails to do things that it has undertaken—I am discouraged at the outlook of Government ownership or Government construction or Government operation of these great enterprises. So I do not know whether or not I shall vote for this proposition. It came here as a purely agricultural proposition in the first place. It was reported by the Committee on Agriculture as a separate measure, and was designed purely for the purpose of furnishing fertilizer to the agriculturists of the country. I want to see them get fertilizer; I am just as anxious, I think, about that as is the Senator from South Carolina. I do not think that anybody is more interested in promoting the welfare of the farmers than I am, so far as that goes, and I received a long letter this morning from the representatives of some organizations in the South, appealing to me as a Senator from the West who had assisted in having the Government enter into the field of irrigation, to support this proposition. I do not think that the two are on a parity—I do not think they are similar at all—but that would not make any difference to me if I thought it was possible to go into the undertaking.

As I have said, this matter came up here first as an agriculture proposition, and now, because we have a military bill under consideration, it is proposed to convert it into a preparedness measure and get it on to the bill on that plea.

Now, I want to suggest one or two matters that I hope the Senator will consider; at any rate, they might help me to come to a favorable conclusion with reference to the amendment. I think the Senator from Colorado [Mr. SHAFROTH] touched upon both of the propositions. One is that whenever development is undertaken at any site that may be selected there ought to be the highest possible development at that point. The amend-

ment, I think, does not provide for that, and I have presented an amendment to the amendment, and had it printed, to substitute for the words proposed to be stricken out by the Senator from Georgia [Mr. HARDWICK] the language that we placed in the Shields bill as it passed the Senate. After the provision concerning the development of power for the making of munitions of war, nitrates, and so forth, I propose to add the words "and best adapted to conserve and utilize the water resources of the region in the interest of navigation, the needs of the Government, and the public welfare."

That is very broad language, and I think it would cover the idea which the Senator from South Carolina has in mind; but something of that kind ought to be added to his amendment. If the Government acquires a site and puts in a dam which will develop power simply for the purpose of making munitions of war, and stops there, it stops all further development at such point. There may be many other lines of industry that would be promoted by a higher development, and they would not be promoted in any other way. So, it seems to me, that if the Government is going to put in a dam at any point, on any stream, in order to develop water power for any purpose whatever, it ought to put in such a dam as will develop water power for all possible purposes in the immediate locality tributary to such development. I take it that the Senator would probably have no objection to a proposition of that kind, because I know he wants the highest possible development that we can get.

Another point: The Senator from North Carolina [Mr. SIMMONS] had an amendment read, which I understood to relate to the use of the proposed plant and water power in time of peace and which contemplated that the plant might be leased to private parties. Mr. President, I doubt the advisability of the Government leasing any plant that it may have constructed for the purpose of manufacturing ammunition and munitions of war. There is a constant improvement in the manufacture of powder, or, rather, in the kind of powder being manufactured. New processes are being developed, and new machinery probably would be needed for these different processes. So, it seems to me, that it would be very unwise for the Government in time of peace to turn its plant over to private parties to be used possibly for some purposes entirely different from the manufacture of powder or munitions of war. The Government ought to keep its plant, at least its ordinary plant, in time of peace as well as in time of war, for the purpose of keeping on hand at all times a trained force and also for the purpose of experimenting, in the hope of developing more effective powder and more efficient scientists, mechanics, and experts in the manufacture of powder and munitions of war. If you turn the proposed plant over to private parties in time of peace, you will not get the benefit of anything of that sort.

One of the principal arguments with reference to having work continued to be done in our navy yards is that the Government may maintain an efficient organization and an efficient force. That is a very strong argument; in fact, it seems to me it is almost unanswerable. So, if the Government is going to have a plant for the purpose contemplated, the Government must maintain it in peace as well as in war. It will not be efficient in time of war unless it has been kept efficient in time of peace. So, it seems to me, that there is much danger in the proposition suggested by the Senator from North Carolina. I am rather inclined to think that whatever the Government may deem necessary in time of peace, the manufacture of ammunition and munitions ought to be kept always in control, and that the plants ought to be operated by the Government itself.

As the Senator from Colorado has said, there is bound to be a surplus if we have the highest development. Now, what should be done with that surplus power? Of course it should not be wasted. I doubt the advisability of the Government going into the manufacture of fertilizer, even with that surplus power, and entering upon the construction of plants for that purpose. I do not see any constitutional objection to it, however, in connection with the plant that it may see fit to install for the manufacture of nitrates for powder or munitions of war, and I have suggested an amendment which I think covers that situation. The amendment is on page 3 of the amendment of the Senator from South Carolina to strike out lines 3, 4, 5, 6, and 7 and insert something like this:

> That the water power made available by such development and not needed for navigation and for the production of nitrates and other products needed for munitions of war shall be disposed of by the Secretary of War under such regulations as he may prescribe.

Mr. HARDWICK. Mr. President, will the Senator yield for a question?

Mr. JONES. Certainly.

Mr. HARDWICK. If the Senator's amendment were adopted, it would rob the pending amendment of its most objectionable feature, would it not?

Mr. JONES. I think it would remove the objection which the Senator has in mind. I do not know that I would oppose a proposition that would permit the Secretary of War even to use the surplus power for the development of outside industry if it were found to be advisable to do so.

Mr. CLAPP. Mr. President, I should like to make a suggestion to the Senator along that line. I quite agree with him in reference to his argument of a moment ago, that the Government should utilize any such plant as it may have in order to train an efficient force rather than to lease it; but still there might be a case when it would be advisable to lease. So, in reference to the point the Senator has just made, I think we should provide that the plant may either be disposed of or used directly by the Government. I think both methods might be provided.

Mr. JONES. I rather thank that that would be a good idea, because it will all rest with Congress, anyhow, as to what development can be carried on by the power of appropriating the money for it, and it might be found advisable even to use the surplus power by the Government itself, rather than to put it in the hands of somebody else or to lease it. Of course, I think that the Secretary of War, under the language which I have indicated, in disposing of the surplus power could do so by lease or by sale, with any condition that he saw fit to impose upon the purchaser or the lessee by means of which he could recapture this power if it were considered necessary for the benefit of the Government.

Mr. UNDERWOOD and Mr. CLAPP addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Alabama?

Mr. JONES. I think the Senator from Alabama rose first, and I yield to him.

Mr. UNDERWOOD. Mr. President, I see no objection in the world to the amendment the Senator from Washington proposes. I think the Government ought to have the right to dispose of power when it does not need it; but I do not think the Senator's suggestion goes to the point of the amendment which I expect to offer.

Mr. JONES. I do not know, of course, what is contained in the Senator's proposed amendment.

Mr. UNDERWOOD. I desire to call the Senator's attention to that portion of the amendment which I have suggested, and which was read from the desk to be offered by me, covering the idea I have in mind. So far as disposing of the water power is concerned, I think the Senator's proposition is entirely acceptable, but there is another end to the proposition. There is no provision in this bill whatever——

Mr. JONES. Mr. President, I hope I am not losing the floor.

Mr. UNDERWOOD. I do not intend that what I shall say shall have that effect; but I wish to call the Senator's attention to this proposition.

Mr. JONES. So far as I am concerned, of course, I am glad to yield to the Senator.

Mr. UNDERWOOD. There is no provision in this amendment by which the Government can acquire any of the processes for making air nitrogen—they are all patented and owned by private parties—except possibly through the general power of condemnation. It could condemn for war purposes, but it could not condemn for war purposes and then use the processes for agricultural purposes, and the object of the amendment that I intend to offer is to give some power to the Government to make a contract with the owners of the patents, to purchase them or lease them or acquire them in some way, so that when the Government acquires them for war purposes, to make powder, when it was not necessary to use the plant for making powder, the processes could be used for making fertilizer. There is no provision at all in this amendment as it stands for that purpose. You build the plant and build up the industry, and when you do not need the plant for making powder for the Government or for anybody else it may be used to manufacture fertilizer. That is the real purpose of the amendment I intend to suggest.

Mr. HARDWICK. Mr. President, does the Senator think the Government has the power to manufacture fertilizer?

Mr. UNDERWOOD. If the Government goes into this proposition for a war purpose, when it is not using the plant for a war purpose I think it has the entire right to lease the plant or to use the plant to make nitrogen and sell the nitrogen for fertilizer to help the farmers of this country. It is within the power of the Government, just exactly as we do every day down on the streets, or at our Army posts, where you can find the Government selling its surplus stock of rifles or its surplus

stock of clothing, because they are worn out or they have become discredited and there is no longer any use for them. Now, we build this plant for a war purpose, but when it is not employed for that purpose, why should we not give this Government the power to either purchase or lease one of these processes, so that it can use it for peaceful purposes as well as for war purposes; and I do not think the Senator's amendment goes to that point.

Mr. JONES. Mr. President, that may be true. I am not controverting the power that the Senator has suggested is in the Government; in fact, I stated a moment ago that I did believe there was no constitutional objection to the Government using any surplus power that it might develop at any of these points for any purpose for which it deemed wise to use it.

Of course, my amendment is a suggestion, and is intended only as a suggestion, to the Senator from South Carolina, with reference to the disposal of the surplus power. I did not know what was contained in the amendment intended to be suggested by the Senator from Alabama. I think that simply illustrates the advantage of the suggestion which I made to the Senator from South Carolina that he withdraw his amendment, and after this discussion pointing out these different propositions, confer with some of those Senators who are interested and frame an amendment which can be presented to us in concrete form, so that we may know what we are really considering.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES. Yes.

Mr. SUTHERLAND. I understand the Senator from Washington sees no constitutional difficulty in the way of our disposing of any surplus stock that we may have on hand, such as obsolete rifles and things of that sort; neither do I——

Mr. JONES. I will say to the Senator that I did not have anything of that kind in my mind. What I had in mind was the surplus power developed at one of these dams.

Mr. SUTHERLAND. I agree with what the Senator from Alabama has said, and what the Senator from Washington has either said or acquiesced in, to that effect; but I ask the Senator from Washington this question:

Does the Senator think that the Government of the United States could appropriate money to build a factory for the purpose of manufacturing clothing for its Army, and then, upon occasions when the operation of the factory was not necessary to produce clothing for the Army, that it might go into the manufacture of other clothing, to be sold in the market in competition with the dry-goods merchants of the country?

Mr. JONES. I think the principle is exactly the same as in this other case. I can not see any difference.

Mr. SUTHERLAND. Mr. President, if the Senator will permit me, I think the two things are utterly different.

Mr. JONES. I can not see it that way. If the Government deems it advisable to put up a plant for the manufacturing of uniforms for its soldiers, I think it has a right to do it. As I understand, the Senator concedes that.

Mr. SUTHERLAND. Yes.

Mr. JONES. Now then, after it has the plant constructed and the power available and all the facilities necessary, and it has on hand all the clothing that it wants, I do not think it is required to keep that plant idle. I do not think it is required to close it up. I believe that until it is again needed to supply uniforms it can go on and use the power and facilities that it has there for any purpose for which they are suitable, provided, of course, Congress appropriates the money. I do not believe there is any difference in principle between that case and the other.

Mr. SUTHERLAND. Let me suggest——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah for another question?

Mr. JONES. Yes; I do.

Mr. SUTHERLAND. Let me ask the Senator this question as an illustration of the point I am trying to make. It is necessary, however, to make a statement as a foundation for my question.

I have not any doubt and the Senator has not any doubt that we can appropriate money to buy a piece of land on which to erect a public building, and that if it afterwards turns out that we do not need the land for that purpose we can sell the land; Congress can authorize the sale of the land. But does the Senator think that we could appropriate a sum of money to purchase land, and then, before it was spent, having ascertained that we did not need that land, that we could authorize some department of the Government to go into the real-estate business with the money?

Mr. JONES. Oh, I do not think that is a parallel case at all.

Mr. SUTHERLAND. The difference between the Senator and myself is that I think it is a parallel case.

Mr. JONES. I do not think it is.

Mr. SUTHERLAND. I think we can sell anything that we have on hand and have no use for; but I think that is a very different thing from a case where we find ourselves unable to carry on the manufacturing enterprise that we are authorized to do, and divert it into carrying on an essentially private business in competition with our own citizens.

Mr. JONES. Oh, Mr. President, the first case which the Senator put did not contemplate going out of this business entirely. He suggested the proposition of a plant for the manufacture of uniforms, and so on. That is a continuous business. There may be interruptions in it from time to time. The mere fact that we have on hand all the uniforms that we want at one time does not prevent us from keeping the plant or holding it and maintaining it and using it, in view of the fact that at some time our supply of uniforms will be all gone, and we will have to use the plant for a new supply. In the meantime we can use the plant for any purpose for which it may be available.

I believe this, as suggested by the Senator from Minnesota [Mr. CLAPP]: We have to have flour for bread for our soldiers. We would have authority to appropriate money and use it in the construction of a flour mill for the purpose of supplying flour for our soldiers. I do not think the Senator would even question that. It might be very inadvisable to do it, but we would have the constitutional power to do it. When we get enough flour on hand to supply our soldiers for any particular time, we do not need to continue to operate our flour mill. We are not compelled to dispose of it, however, and I do not think we would be compelled to close it. I believe we could operate our flour mill during the time that we were not needing it to furnish flour for our soldiers, and dispose of the product in any way that we saw fit. Then, when our supply for our soldiers is exhausted, we can go back and use our plant for resupplying ourselves; and that is a sort of continuous process.

If we were to appropriate this money for the construction of a flour mill for that purpose, but before we began to construct it we decided that we did not want the flour mill, then I do not think we could use the money in the raising of wheat; and that is an illustration which I think is more nearly parallel with the real estate proposition that the Senator suggested.

If it were to come to a matter of constitutional construction, I would much sooner take the judgment of the Senator than my own; but when we agree upon a fundamental proposition, I think I am pretty safe in following that to its ultimate conclusion.

There is another suggestion that I want to make to the Senator from South Carolina with reference to his amendment. It is a minor one. I have not any doubt but that that can be fixed up, too. I think there ought to be a more definite provision in here with reference to the restoration of any sites that may be temporarily withdrawn than that which is provided in this amendment.

Mr. SMITH of South Carolina. Mr. President, in answer to that I will state that it was at the suggestion of a member of the committee that we limited it to five power sites. I am perfectly willing to have a provision——

The VICE PRESIDENT. Is the Senator from Washington yielding for this purpose?

Mr. JONES. Yes.

Mr. SMITH of South Carolina. I am perfectly willing to have a provision that such lands as the Government may not need to utilize immediately upon the withdrawal shall revert under the original law.

Mr. JONES. Of course I do not believe that it is necessary, as far as that is concerned, to empower the President here to withdraw these sites. These sites are all withdrawn until somebody is given authority to construct a dam. Even if we pass the legislation that is now pending no one can get permission to construct a dam at any site in a navigable stream without first getting the permit of the Secretary of War; so that I really see no necessity for any provision of this kind. Possibly it does not do any harm to have it in; probably not.

Mr. President, I just want to make a suggestion with reference to this matter of yielding and this fear that we are going to lose the floor or talk more than twice upon a bill or an amendment in a day. I think the proceedings to-day have illustrated the importance of the practice we have been following in the Senate, especially upon occasions of this kind. A question comes up with reference to an amendment that a brief statement may throw much light upon and may facilitiate the discussion and consideration of the measure. I believe we ought

not to be so very strict, especially in the consideration of amendments, with reference to these interruptions. I am merely suggesting that as my own view about it. I have seen many instances in connection with this and in connection with some other amendments during the last day or two where it seemed to me it was almost impossible to carry on really a profitable discussion without these interruptions—without not only interrogations, but brief statements.

Personally I hope the Chair will not insist too strongly upon the rule when the discussion is going on in this way unless somebody on the floor makes the point of order that such interruptions ought not to be permitted. I think it will help us in the consideration of these matters, in developing the facts, and in developing the reasons why this should be done or that should not be done.

Mr. HUSTING. Mr. President, I wish to reply to the Senator from Colorado [Mr. SHAFROTH] in regard to some of the provisions of the Shields bill, so called.

The Senator from Colorado, with whose conclusions I entirely agree, raised some question as to the statement I made with regard to the provisions of the Shields bill. I should like to read to the Senate the provisions of the Shields bill. In section 10 it provides that—

The Secretary of War may lease to any applicant having the capacity of grantee as herein defined, and having complied with the laws of the State in which a dam is constructed or to be constructed by the United States, the right to utilize the surplus water power over and above that required for navigation at any navigation dam—

Under the conditions there laid down.

I think the Senator from Colorado overlooked that provision, and I think he will agree with me that the statement I made with regard to the provisions of that bill was entirely accurate.

Mr. SHAFROTH. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. HUSTING. Certainly.

Mr. SHAFROTH. I will state to the Senator that in the discussion of the Shields bill hardly any discussion, at least so far as I was concerned, was had on section 10, because the bill primarily contemplates the development of water power by private individuals. There is a clause there which says that the Government may lease, but knowing that it takes a separate act and a special appropriation to authorize the construction by the Government, I never laid much stress upon section 10.

Mr. HUSTING. I should like to ask the Senator whether he agrees with me now that there is such a clause?

Mr. SHAFROTH. Oh, yes; there is a clause of that kind, which does not become operative, however, without Congress making an appropriation.

Mr. HUSTING. Mr. President, it may be that the Senator from Colorado does not take much stock in section 10 of the Shields bill. I will say that I do not take much stock in it, either, and that is the reason why I have been criticizing it. It is true that there has not been very much discussion of section 10, although I devoted, I think, in my humble way, about 30 minutes to pointing out the danger of this particular section; and I thought the Senator from Colorado, who had devoted so much time to the bill, would certainly know all the provisions in the bill, and especially section 10, because that was one of the sections that was amended on the next to the last day when the bill was under discussion. That section was amended by inserting the following:

The provisions of sections 3, 4, 5, 6, 7, 8, 9, 11, 12, and 13 of this act shall, in so far as applicable in each case, apply to structures erected, maintained, or operated under and in pursuance of the provisions of this section.

In other words, all of the provisions of the bill proper apply to Government-owned water powers.

There has been some talk here about leasing surplus power. That is not the idea of the bill—leasing surplus hydroelectric power under the Shields bill. It is leasing all of the water power not needed for navigation. Now, what does that mean? What water is needed for navigation that is consumed by the operation of a water-power plant?

Why, the only water that is needed for navigation is the water that flows down the stream, and the water power merely diverts it through the water wheel and back into the stream, so that, in fact, the surplus water power not needed for navigation is practically all the water that runs down the stream. In fact, it means the entire water power. The only waste of water not needed in a water power on a navigable river is the amount of water which is needed to fill the locks. That goes neither through the wheel nor down over the dam, but the locks are filled when the boats come down; and if there is sufficient water to fill the locks and pass the boats down or up, as the case may be, that is all the water that the Government, under this clause, would retain the right to have or to control. So that the primary object of the Shields bill is not to lease surplus hydroelectric power but it is to lease the water power not needed for navigation.

What does that mean? That means the dam itself; because if we are going to lease the water power, the lessee of that water power has to connect up his hydroelectric plant with the very dam itself, with the physical structure, and merge and combine his property with the property of the Government.

So, getting back to the primary idea that I tried to elucidate, it is that under the Shields bill the Government will lease its entire water power, will have to surrender the physical property itself, the dam, permit it to be combined with the property of the lessee, and can not get it back again unless it pays the same compensation that is required in the case of a privately owned hydroelectric power.

This specifically says that section 6 shall apply. Turning to section 6, it provides:

That at any time after the expiration of said 50 years—

And that applies to Government-owned dams—

the United States may terminate the rights hereunder granted upon the giving to the grantee, either before or after the lapse of the period of the permit, of two years' notice in writing of such termination, and upon the taking over by the United States of all the property of the grantee which constitutes part of the plant of the grantee and dependent in whole or in part upon it for its usefulness and acquired, necessary, appurtenant, valuable or serviceable in the distribution of water, or in the generation, transmission, and distribution of power, and upon paying to the grantee the fair value of said property, together with the cost to the grantee of the lock or locks, or other aids to navigation, and all other capital expenditures, required by the United States, and assuming all contracts—

And so forth.

The United States has reserved the power to terminate that permit; but if it does not terminate that permit, they retain the property and possession of the dam itself—the physical property—in perpetuity. So that when this water power once passes out of our hands we can not recapture it, under the terms of the Shields bill, except by taking over the property that is dependent upon or useful for the transmission of that power.

Under that bill, if any Government-owned dams have already been built—and we have been investing, as I have been told and understand, millions of dollars in some dams and water powers in the country—if we do that, we can not get it back. We part with possession of it in perpetuity unless we buy up all the property that comes within the designation of this clause. Now, if we put anybody in possession—private citizens or public-utility or private corporations—and they go into the business of selling power and transmitting power, and their lines ramify all over the United States, under my understanding of this section we would have to buy up the whole transmission system, lines and all, before we could get back our property. And what would we get in return for that? Nothing, except a sufficient amount of money to keep the dams in repair—our dams, the dams of the United States—and certain improvements of the stream, waterway improvements.

That is the idea of the Shields bill. I only injected this provision of that bill into this particular discussion for the reason that it is proposed to strike out of this amendment of the Senator from South Carolina something that will put this proposition squarely within the provisions of the Shields bill. When we do that we are simply investing $15,000,000, or whatever it costs, in order to put it into the possession of somebody else to use it forever under these terms, unless we want to use it in times of war, and then we can only do it upon paying the price laid down in this bill.

I say that if we build a dam, and want to use that dam for something that is useful in promoting the interests of the United States, I believe in keeping control of that dam and keeping control of the power. If hydroelectric power is developed by the Government of the United States, I have not any objection to the sale of power at so much a kilowatt. What I am objecting to is, not that they shall sell surplus power but that they shall turn over the object itself that they put in their money for and put it into private hands under such terms and conditions that we can not get our own property back without paying exorbitant prices. In other words, we use public money for private enterprises.

As I said before, this is not an academic discussion. It has been frankly stated here upon the floor by a number of Senators that we will not use this power except in time of war, because we want a power big enough to manufacture, I think they said, 160,000 tons of nitrates a year for a couple of years; and then in time of peace they say it is socialistic for us to use it for the purposes for which it was intended under this amendment. So it clearly indicates that unless we have a war immediately, we will simply put our money into this proposition to turn it over

immediately into the hands of somebody to run his private business.

They may say that this concern will do thus or so; that they will make nitrates. Under the provisions of the Shields bill this dam, if it were constructed by the United States, could be turned over to a private individual for absolutely his private use, with no strings at all to it, without any provision that he would have to use it for a certain purpose, without any provision the we could buy nitrates of him for a certain price. We would simply be turning over to him not only the land on which to build the dam and the water to use for this purpose, but a monopoly of the air, and furnish the money besides. It may be said that such strange things would not be done; but I pointed out here a little while ago what was done in the case of an institution in our State, whereby the United States now pays for the upkeep of the dam and gives private individuals not only their power free but the right to deprive others of their power.

There have been some questions asked here about whether this purpose of manufacturing fertilizer comes properly within a governmental function. The Senator from Utah asked a number of questions in regard to whether a plant for the purpose of making uniforms for the United States Army could be turned into a clothing factory in time of peace. I think that is entirely a different question. We have not gone into the uniform business yet, but we have gone into the business of taking care of agriculture; and, in fact, we have gone into the business of taking care of agriculture in a way very similar to that which is proposed here now. In States where some of the Senators appear to think it is populistic to do this now, we have irrigation dams, one of which, I understand, has cost $10,000,000 or $15,000,000—the Roosevelt Dam—and the Shoshone Dam has been built, and I understand that down in Texas a dam is being built into which the United States is putting millions of dollars. Now, what are these dams for? We understand that the primary object, whether it is so stated in the act or not, was for purposes of irrigation. They are irrigation dams. Irrigation dams for what? Why, for the purpose of furnishing water to make the lands fertile, to make the lands productive, to make the lands valuable.

It may be said that this is done on lands owned by the United States or for the purpose of serving or fertilizing lands owned by the United States. But these lands have all come from the United States. All the grantees have received their lands from the United States, and we have the same right to fertilize lands of the United States whether they are in present possession or whether they are in past possession.

If the United States has a right to construct a $15,000,000 dam for the purposes of irrigation to make lands productive, why have not we a right to build a dam and use the same water or lease the water held by the same dam further to fertilize and to make more productive the lands that the irrigation dam is going to serve? I can see no difference in principle or in the object the end sought. One does it by water and the other does it by air. One takes the water and runs it over the land and the other fixes the nitrogen from the atmosphere and applies it to the land—both by the same agency, both for the same governmental purpose, and that is to fertilize the land.

Not only that, but, as I said before, we have a Department of Agriculture that is engaged in business for this very purpose. Its existence is for this very purpose. Moneys are being appropriated, and we are appropriating money for other objects along the same line. There may be a little difference in practice, but at least they are the same in principle. Therefore there are abundant precedents not only to warrant but to justify the expenditure of money in this way.

Of course, as the Senator from Utah said, it might be rather alarming if the farmers got their nitrogen cheap, for, as he said, they constitute about one-third of our voters, and then there would be a clamor for the Government manufacture of all of the nitrogen or all of the fertilizer that they might need. Well, it would seem to me that while it is not necessary to pass upon what we ought to do in that instance, yet if the manufacture of fertilizers by the United States should become so popular after a trial in a small way like this and should prove so satisfactory that one-third of the industrial population of our country would clamor for it, I would consider that a vindication of the proposition, and I would think it would be worth very serious consideration as to whether or not under those circumstances the United States would be justified in providing one-third of our population with something that they can get better from the Government than they can get it from anybody else.

Not only that, but under the circumstances why should not the Government furnish it to them? Nobody else does it. As has been shown upon the floor, there is no other industry in the United States that is furnishing the people with these nitrates now. There is not one institution in the United States, as I understand, that is engaged now in the manufacture of nitrates for the purpose of fertilization. Here we need fertilizers. The Senators who have talked upon this subject have shown what fertilization means to the agricultural interests of this country. So I ask, when a great agricultural country like this has not in operation any plant for the purpose of providing this important and indispensable element to the agricultural interests, what is more proper than for the Government of the United States to go into this business and give them something that they are clamoring for, and that they ought to have, and that they must have if we are going to compete with other countries in our agricultural products?

So, from any point of view, I can not understand why something that is so obviously calculated for the general welfare and the public safety should not be properly linked with this measure, and one important link be kept inseparable in time of war, to have in our possession and immediate control something to manufacture our explosives and in time of peace to use the same instruments almost in the same identical manner for the purpose of promoting the interests of the country during times of peace.

So it would seem to me that from any point of view this amendment ought to be retained in the bill and passed as it has been proposed.

Mr. SUTHERLAND. Mr. President, I wish to say a word about this amendment.

The remarkable thing about it is that it comes from the Agricultural Committee. It never has received a moment's consideration at the hands of the Military Committee, which is charged with the responsibility of framing a bill for the public defense. So far as I know, no member of the Military Committee has spoken a word in favor of this proposition. I do not know what the opinion of the chairman of the Military Committee may be about it. I would very much like to know whether or not he has given it consideration, whether he believes it necessary, whether the subject matter has been investigated in such a way that it has been determined by that committee that an emergency exists which calls for this extraordinary legislation. I am not asking him to answer now, but I hope he will answer before this debate concludes.

Mr. President, I am not going to discuss the constitutional phase of this bill, although I believe the constitutionality of it is, at least, open to very grave doubt. But I realize from past experience in this body that when Senators have made up their minds to pass a certain piece of legislation constitutional arguments fall upon deaf ears.

However, I do call attention to the fact that all of this talk about it being constitutional to dispose of a surplus of any commodity that has been acquired under a constitutional power is quite aside from the question. I have no doubt that when the Government of the United States, in the legitimate exercise of a constitutional power, has acquired a certain commodity and it is found afterwards that it or some portion of it is not needed, it may, of course, be disposed of. But that is not what is contemplated here.

This bill contemplates from the beginning, as its principal purpose, that the surplus shall exist. It is not expected, it is not suggested, that this surplus shall arise fortuitously hereafter—accidentally hereafter—but it is contemplated in the bill itself that the Government shall manufacture the surplus.

The bill contemplates that we shall proceed to manufacture nitrates for two distinct purposes—first, in order to furnish powder to be used by the Government of the United States, which of course is a legitimate and a constitutional power; and, in addition to that, that we shall from the very beginning undertake to manufacture nitrates to sell to the farmers of the country.

Mr. GALLINGER. And continue to do it.

Mr. SUTHERLAND. And continue to do it. Indeed, that is the primary and principal purpose of the bill, as the Senator from South Carolina [Mr. SMITH] very frankly conceded.

Now, that is all I care to say with reference to that matter, except to suggest that the argument to which we have just listened from the Senator from Wisconsin [Mr. HUSTING], if it means anything at all, means that we may engage in any business or the manufacture of anything which may be for the benefit of the farmers of the country or that we may think is for the benefit of the farmers of the country. If we can engage in the business of manufacturing fertilizers to sell to the farmers of the country, then upon exactly the same sort of reasoning we can engage in the business of manufacturing farm implements for the farmers of the country.

Mr. REED. Mr. President——

Mr. SUTHERLAND. I yield to the Senator for a question. I am not permitted to yield for anything else.

Mr. REED. I intend only to ask a question. I simply wanted to get the Senator's view. Does the Senator see any distinction between erecting a factory manufacturing a product for the benefit of agriculture and buying seeds and raising seeds and distributing those seeds for the benefit of agriculture?

Mr. SUTHERLAND. Not one bit.

Mr. KENYON. Mr. President——

Mr. SUTHERLAND. I will yield in just a moment. In doing that, Mr. President, I have always believed we were doing something that we have not any right to do, but it is something that has been acquiesced in. It never has been presented, and it can not in the nature of things be presented, in any justiciable form so that the courts can pass upon it. I yield to the Senator from Iowa.

Mr. KENYON. Does not the Senator believe that in fairness if we continue to send out these seeds we ought to send fertilizers with them? [Laughter.]

Mr. SUTHERLAND. Perhaps so. I am not defending the seed proposition. I repeat, I think we have not any business to do that, and I think we have not any business to do this. I want to see this Government operated as a government. I do not want to see it degenerate into a business concern. I do not think it was in the contemplation of the framers of it that it was to go into business either to monopolize it or in competition with its own citizens. It is utterly unfair to do it.

What is the situation of the citizen who is compelled to operate business in competition with the Government of the United States? The Government can conduct its business, and very likely will conduct it, at a loss, and that loss it can recoup by taxation. The citizen who competes with the Government has no such power to recoup his losses. When he loses in business he faces bankruptcy; and not only is he compelled to do that, but when the Government competes with him he is compelled, as one of the citizens of the United States, to contribute his part of the taxes toward his own undoing.

If we go into the business of manufacturing nitrates for fertilizers, it will of itself constitute a discouragement to private capital. It will have a tendency to if will not entirely succeed in keeping private capital out of the business.

Mr. President, this is attempted to be justified upon the ground that it is for the purpose of meeting some future emergency; that if war shall be made upon this country a condition may exist which will require the Government of the United States to instantly begin the manufacture of this article in order that it may defend itself.

Mr. President, that is exactly what has happened in Europe during the present war, but they met the emergency by building their manufacturing establishments and operating them by steam. That, in case the emergency should arise, we could do. We all hope it will not arise. The chances greatly preponderate that it will not arise; but if it does, we can meet the emergency precisely as those countries across the sea have met it, and, in my judgment, it is far better to do that than to embark upon a socialistic experiment of this sort.

Now, I predict one thing about this measure if it becomes a law. If it becomes a law this manufacturing establishment will probably be built in Alabama. I have not any objection to that, if Alabama is the proper place for it. I am not speaking of it for the purpose of making an objection, but it will probably be erected there. Now, mind you, the prime purpose of this legislation is to make fertilizer for the farmer. The farmer will believe that is a governmental function. The Senator from Colorado [Mr. SHAFROTH] conceded, when I asked him the question, that the investment of $15,000,000 or double $15,000,000 would not produce enough of that material to furnish fertilizers for all the farmers of the United States. It will furnish the material for only a small proportion of the farmers, perhaps only for the farmers of the South or in the immediate neighborhood of the locality of the establishment. Does anybody believe that the farmers in the Middle West, the farmers of the far West, or the farmers of New England will be content to have an enterprise of this kind running in the South, manufacturing cheap fertilizers for the South which they can not obtain without paying a substantial addition to the cost which is paid in the South? The cost of transporting articles of this kind to the far West would be considerable, and so at once the demand will go up that additional plants shall be established in various parts of the country. I have no doubt in my own mind, if we embark upon this experiment at all it will mean the expenditure before we get through with it, and that within a very few years, of hundreds of millions of dollars.

It seems to me that we ought not to embark in that kind of a proposition without at least giving it more consideration than can be given to a thing of this kind upon the floor of the Senate. We do not know what is going to be the condition——

Mr. SHAFROTH. Mr. President——

Mr. SUTHERLAND. I will yield in just a moment. We do not know what is going to be the condition in the future with reference to this commodity. It may be that within two years, three years, or five years methods of production will have been developed and discovered by which this article can be manufactured at half the cost or one-tenth the present cost. We are only in the early stages of it. We have been manufacturing it, I understand, for only a very few years, yet in that time it has been greatly cheapened. Why not let private capital embark in this business? Why not leave the door open to private capital instead of closing it by this sort of legislation, and let the matter develop as other commercial and manufacturing matters develop? I yield to the Senator from Colorado.

Mr. SHAFROTH. Does not the Senator recognize, though, that if this plant is erected and furnishes all the nitric acid that is needed by the Government, and is of sufficient capacity to furnish it in case of war, then any other plant that might be attempted or bills introduced for the purpose might meet the objection he raises with force, because in that event it would not be a governmental function, but would simply be a commercial enterprise? But why does the Senator undertake to say that in this instance, where it is imperative, the Government should not have this means of defense? Why should he say the main object is the other instead of a governmental function?

Mr. SUTHERLAND. I say it because the Senator from South Carolina conceded it, and he is the author of the bill and chairman of the committee which reported the bill.

Mr. SHAFROTH. I will state to the Senator that I stated to the contrary, in my judgment, and I think I am entitled to my view just as well as the Senator from South Carolina is entitled to his view.

Mr. SUTHERLAND. I think the bill on the face of it shows that that is the principal object.

Mr. SMITH of South Carolina. Mr. President——

Mr. SUTHERLAND. I will yield in a moment. The fact that it was referred to the Agricultural Committee shows it. Does the Senator from Colorado think that if this was purely a military proposition it would have been referred to the Committee on Agriculture? You might as well refer a military question to the Committee on Fisheries.

Mr. SHAFROTH. Nevertheless, no matter to what committee it was referred, it recites in the body of the bill itself, as reported by the Agricultural Committee, that it is for the purpose of supplying this necessary ingredient in the manufacture of powder and explosives, which of itself is a matter of defense and preparedness against attack.

Mr. SUTHERLAND. The purpose of that is perfectly evident. It is a subterfuge. It is simply a pretext to attempt to tie it to some provision of the Constitution, when, as a matter of fact, the principal purpose of it is to put the Government into a business which it has not any right to engage in.

Mr. CHAMBERLAIN. Mr. President, I shall detain the Senate only a moment. The Senator from Utah [Mr. SUTHERLAND] desired to know the attitude of the chairman of the Military Affairs Committee with respect to this proposed amendment. I explained a few days ago that inasmuch as the bill which was originally introduced was referred to the Agricultural Committee and investigation was had by that committee covering the whole subject, the Military Affairs Committee did not consider it at all. The first suggestion that committee had of the pendency of any such legislation was the amendment offered by the Senator from Alabama [Mr. UNDERWOOD]. The investigation in the Agricultural Committee at that time had been about concluded, and therefore our committee did not feel that it would be justified in going into an investigation of a subject that had already occupied the attention of the Agricultural Committee for some days or possibly weeks.

Personally, Mr. President, I do not think that this measure ought to be attached to a bill which has for its purpose the reorganization of the Army. I concede the necessity for the manufacture of nitrates, for the fixation of atmospheric nitrogen for the manufacture of explosives, but the amendment proposes to appropriate a large sum of money that ought not to be saddled upon the Army proper. The matter was submitted to the committee and the committee did not see fit to act upon it. There was a division of sentiment with regard to the matter. It had not been investigated and the committee made no report upon either the Underwood amendment or the Smith bill.

So I think I am safe in speaking for the committee, although no action was had upon it, and speaking for the committee, I do not think the amendment ought to be attached to the pending measure.

Mr. SMITH of South Carolina. Mr. President, in reply to what the Senator from Utah [Mr. SUTHERLAND] said about this being a substitute, I introduced the bill because the Government had no provision for supplying itself, with an absolute necessity for munitions of war. Everything in our entire process for the defense of this country rests upon these ingredients, and I also saw that the very chemicals that were to be manufactured would be useful in agriculture. I have no apology to make, but I stand here to plead that wherever it can be done those upon whom the prosperity of this country rests shall be given the benefit of whatever we may legitimately do here.

I knew that in the manufacture of this process chemicals are used which are so costly in their nature that private individuals would have to combine their capital, and in the very nature of things it would become a monopoly, while the rank and file of the farmers can not combine, and yet we are all dependent upon them.

I thought if I could combine the two things, and there would be a benefit by enriching the soil upon which we are all dependent, it was a happy incident, and that every Senator on this floor ought to be happy to avail himself of the opportunity to help those who stand so much in need of it.

I do not think it is very becoming to us, under the obligation we are to this class of people, to quibble as to whether or not in the clear discharge of a governmental function in providing for the defense of the country there should be something which would help those who are supporting the life of the country.

It is for that reason that I introduced the bill and referred it to the Agricultural Committee. There is no man here who questions that we need a nitrate factory for the purposes of war. There is no one who questions the fact that we are standing here absolutely dependent upon Chile. No one questions the fact that we may be in war at any time. No one could predict the European war. For that reason we ought to agree, and I take it we are all agreed, that it is a reflection on the Government of the United States that we are dependent upon a strip of land on the coast of Chile for our supply of munitions of war when our own chemists come to us and tell us we have a process, which has passed the empirical or experimental stage, by which you can take the air and your wonderful water power and your chemical genius here and produce it as cheaply as or cheaper than in any other country.

In the process you necessarily will be manufacturing the very exact ingredient that the agriculturists of this country are so sorely in need of. I have no apologies to make for having carried to the committee that information, and I have no apologies to make for the bill as it now stands. If I am to be dubbed a Socialist or a Populist because I stand here and attempt to help the farmers of this country, I have no apology to make.

The Senator from Utah, I believe, from the position he has assumed in the Senate, would rather run a straight road down a constitutional question than to help the agriculturists of the country by some liberal interpretation of it which runs counter to his interpretation when we are dependent upon the depleted fields of the country.

I want to state another thing. When the hog cholera struck this country, being purely agricultural, and millions of hogs were being swept out, jeopardizing the food supply, a proposition was made here to appropriate money for the Government to manufacture hog-cholera serum in order to eradicate that disease. We have here right now a proposition for $500,000 to eradicate the citrus-fruit disease. For what purpose? Because it is jeopardizing the supply of citrus fruits. We have here a proposition for the Government to go into a process which will result in a distribution among farmers chiefly to do what? To eradicate that fatal disease in the land, the depletion of nitrates. If we have the power to do one, we have the power to do the other. It is not a question with us here as to whether or not this is going to be a constitutional provision. It is settled that the Government has the power to enter into the manufacture of munitions of war and to sell the surplus that results; and if it is not enough power for that, it at least gives us power to know the cost of production and to defend the agricultural interests of this country from the extortion of private capital.

Mr. President, I have offered this amendment to the bill because I do believe, and I think every Senator here will agree, that you may have your Army, you may have your greatest improved guns, you may have them at the highest standard of efficiency, and without an adequate supply of the material that is used in modern warfare, known as nitric acid, your Army is useless.

So far as I am concerned, if the Senate sees fit to amend the amendment, it may do it; but the bill in its original form, in my opinion, should be passed without amendment by this body.

Mr. SIMMONS. Mr. President, I do not rise for the purpose of discussing the bill but to address myself for a few minutes to the amendment which I gave notice I would offer to the amendment of the Senator from South Carolina. That amendment, I want it distinctly understood, was not drawn by me, nor is it proposed by me in any spirit of antagonism to the Senator from South Carolina. I think the Senator from South Carolina understands that I am in sympathy with the purposes of his amendment. I appreciate, as he does, the necessity of the Government providing some way to supply itself with nitric acid, and he recognizes, as I do, that the farmers are in a very embarrassing situation with reference to this necessary element in the fertilization of the soil. I did not prepare the amendment until I had conferred with the Senator from South Carolina, and I probably would not have introduced it if I had thought he was in any way antagonistic to it.

Mr. President, what I want is that the Government shall be independent as to this necessary ingredient, the manufacture of powder and explosives, and that the farmer shall not be wholly dependent for his supply of nitrogen on the Chilean nitrate mines.

Of course, I understand that a plant which would cost $15,000,000 would not, even if devoted entirely to the manufacture of nitrogen for fertilizers, supply the demand of the American farmers, but the supply would afford some relief to the farmers, and I want them to have it.

I do not believe, Mr. President, under the provisions of this bill the Government would manufacture more of this commodity than is needed for supplying military and naval needs. There is nothing in the bill that provides that the Government shall manufacture it for any other purpose. The amendment simply provides that power shall be generated for the production of nitrates and other products needed for munitions of war and useful in the manufacture of fertilizers. When it comes to the question of the operation of the plant and the disposition of the product it simply provides that the product of such plant shall be used for military and naval purposes, and that any surplus not so required may be sold.

I apprehend, unless there is provision to the effect that when it is not necessary to operate the plant for supplying the naval and military requirements it shall be operated for manufacturing fertilizers, we will find the Government would simply use it for the making of powder and explosives when needed.

My amendment does not require, but simply authorizes, the Government to lease the plant when it is not needed for governmental purposes; not to lease it with a right on the part of the lessee to use the plant for any purpose he may see fit to use it, but to lease it only on such terms and conditions and for such uses as may be prescribed by the Secretary of War. It also provides that the lease shall contain a provision for its termination whenever the Government shall again need the plant for the purpose of making material out of which powder and other explosives are manufactured.

As I repeat, I would probably not have offered this amendment if I had not thought it was satisfactory to the Senator from South Carolina, and I offered it because, hoping to strengthen his amendment and to more certainly accomplish its purpose, I believe, as a matter of public policy, the Government should provide against dependence upon the foreign supply of nitric acid, but I believe it would be better for the Government, if it could make suitable arrangements, when not needed to make powder and explosives, to lease the plant, with the express condition and requirement that it should be operated solely and exclusively for the purpose of manufacturing nitric acid for private use. I am as heartily in favor, as is any Senator here, of helping the farmers to get this necessary element for the fertilization of their lands, and I want to see that thing happen which will most certainly give them some part of the needed supply, through the operation of the plant that it is proposed to authorize by the amendment of the Senator from South Carolina. I fear they will not get it under this bill, while I am certain they would get it if my amendment were adopted. My only purpose in offering the amendment is to meet the situation I have suggested.

I understand the Senator from Alabama [Mr. UNDERWOOD] has drafted an amendment, which incorporates the amendment which I have offered along with some other things that meet my approval; and if the Senator from Alabama offers that amendment I shall not offer my amendment.

Mr. REED. Mr. President, I rise to express the hope that the discussion upon this amendment may be brought to a speedy termination. We have entered into a unanimous-consent agreement by which general debate will be cut off at 12 o'clock noon

on the day after to-morrow. Therefore, there remains only a few hours for general debate. There are a number of important amendments that ought not to be crowded into the period of time which is covered by the 10-minute rule. This question has been very thoroughly discussed. There are some observations I myself should like to make on it, particularly in reply to the claim that the provision is unconstitutional. I do not agree with that doctrine; but I do not intend to take the time of the Senate, because I think we have discussed this matter until every Member of the Senate understands it. I therefore hope we can now get a vote on the amendment of the Senator from South Carolina.

Mr. ROBINSON. Mr. President, when the Senator from Missouri [Mr. REED] announces himself as ready to conclude debate——

Mr. REED. I did not mean to shut any other Senator out.

Mr. ROBINSON. It is time to vote. His suggestion is always very forceful with me, as it is no doubt with all other Senators here, and I accept it, with the modification that I may be permitted to consume just a few minutes, not in discussing this amendment in detail but in giving some of the reasons why I shall vote for it.

It has been demonstrated clearly during the discussion of this amendment that our supply of saltpeter comes almost exclusively from Chile. In case of an interruption in our commerce with that country, which would be certain to occur in the event of war between this Nation and a great military and naval power, our supply would be entirely discontinued. Whatever might be the size of our Army and our Navy, they would both be ineffective and unavailing without we could procure this necessary constituent of high explosives, which are indispensable to the active operations of both the Army and the Navy. To state the matter is to argue it. It seems absurd to greatly increase the Army or the Navy, either, and at the same time permit conditions to continue which make doubtful our ability to use them in the event this country should be attacked.

The amendment authorizes the selection and reservation of water-power sites or navigable streams and the condemnation of private property necessary in the construction and operation of Government plants necessary and convenient for the generation of electrical or other power for the production of nitrates or other products needed for the manufacture of munitions of war and useful in the manufacture of fertilizers.

The amendment further provides that the products of such plants shall be used by the Secretary of War and the Secretary of the Navy for military and naval purposes, and any surplus not so required is to be disposed of by the Secretary of Agriculture under such rules and regulations as he may prescribe.

If we now had a domestic source from which might be obtained necessary nitrates in the manufacture of munitions of war, the necessity for this legislation might not be urgent; but it is admitted that there are now practically no plants in the United States engaged in the production of this indispensable element. It would therefore seem rather more important as an emergency measure than increasing the size of our present military organizations, for the inability to make or obtain munitions of war discloses glaring inefficiency in our defense system.

It is regrettable that the Committee on Military Affairs has not considered and reported this provision; but the measure has been carefully worked out by a great committee of the Senate, which has procured a large amount of information during the course of its consideration of the subject.

It is not always possible or practicable here to consider legislation under ideal conditions, or even under satisfactory circumstances, and one is often compelled to accept measures embracing principles he approves, even though the circumstances under which the subject is presented and surrounding the discussion and consideration of it are not calculated to develop a perfect measure.

The incidental benefits to agriculture resulting from the production of fertilizer, as contemplated by this amendment, can not in my judgment form the basis of a valid objection to the legislation. It is not only imperative that this Government provide an abundant and unfailing source from which to acquire nitric acid in order that its existing military organization may be efficient, but it is also true that if, in the accomplishment of this primary purpose, we can also promote the fundamental industry of agriculture and increase the prosperity of the millions who thrive by it, we should for these reasons be spurred on to enact the legislation.

The suggestion has been made and amendments have been discussed, but have not yet been offered in the Senate, contemplating the leasing to private individuals of the plant provided for in this amendment to be operated during periods of peace. In my judgment the Senator from Washington [Mr. JONES] suggested a very glaring vice in those amendments, and that is, restating his suggestion, that it is quite necessary that, if the Government is to have a plant capable of producing the elements which enter into the manufacture of munitions of war when we need them, we must, in advance of that time, organize a force which is capable of doing the work that will be required when the emergency arises. It would be futile, in my judgment, to expend millions of dollars for the construction of a plant, deliver it into the possession and control of individuals, and wait until the hour of peril arrives before taking control of it and beginning the operations which are necessary for the production of nitric acid; in other words, in order to make this a defense measure the Government must retain control of the plant and maintain an organization for its operation. It could not be an effective defense measure if the Government must wait until after war begins before it organizes the force to operate the plan.

For more than a half century this Government has recognized by legislation the necessity for obtaining and conserving the supplies of fertilizer. Unless this policy is vigorously pursued, the momentum which agriculture in the United States has acquired will be retarded, if not entirely stopped. In 1856 the Congress passed a law, as pointed out by the Senator from South Carolina this morning, authorizing citizens to occupy uninhabited islands rich in guano, and upon the condition that the citizens so occupying the islands should sell the fertilizer at not exceeding $8 per ton, this Government guaranteed protection to such citizens in the enjoyment of their possession of such islands, even to the extent of using the Army and Navy of the United States. So this can not be said to be a new proposition. The primary idea of the act of 1856 is not different from that which enters into the amendment offered by the Senator from South Carolina, and, in my judgment, it is not inconsistent with, and it can in no sense be regarded as a violation of the fundamental principles of this Government, to authorize the Government itself, while engaged in the necessary act of providing itself with munitions of war, to also afford the people of the country who are engaged in agriculture the opportunity to acquire the surplus product in the form of the fertilizer necessary for enriching their soil.

This, Mr. President, is all that I care now to say concerning the subject.

Mr. WALSH. Mr. President, I may be able to quiet some apprehensions which have been expressed during the course of this debate and to dispel some illusions that are harbored by submitting some information concerning the power sites which will be available to the Government for utilization in case the amendment offered by the Senator from South Carolina shall receive the sanction of Congress.

It was stated before the Committee on Agriculture, when considering the bill introduced by the Senator from South Carolina, and it has been repeatedly stated upon the floor, that, inasmuch as at least 100,000 horsepower are necessary in order to conduct the business of the fixation of atmospheric nitrogen upon an economical basis, there are but two power sites available, namely, the Muscle Shoals site on the Tennessee River and the Priest Rapids site on the Columbia River. Then, it was added that the northwestern power sites are to be entirely ignored because the freight rates are so high as to forbid their utilization, and therefore the Senator from Iowa has said to the Senate that the bill offered by the Senator from South Carolina as an amendment to the pending measure might as well be declared to be a bill for the establishment of a Government plant at the Muscle Shoals site on the Tennessee River, and the Senator from Utah has just expressed himself as entertaining the same view.

I have before me, Mr. President, a letter sent me on day before yesterday by the Director of the Geological Survey which conveys the information that within the State for which I am permitted to speak upon the floor of the Senate there are at least three power sites capable of producing all the power that is requisite for the operation of a plant such as the amendment contemplates, and that in the neighboring State of Idaho is another site having all the capacity that is requisite.

Mr. President, at one place on the Pend d'Oreille or Flathead River, which empties the Flathead Lake in the State of Montana, that lake being the largest body of fresh water between the Mississippi River and the Pacific Ocean, energy can be developed to the amount of 150,000 horsepower; and I would not have you understand that that is the amount that can be de-

veloped during periods of high water only. With respect to that matter, I read from the letter of the director, as follows:

In response to your telephone request of April 7, 1916, for data regarding undeveloped water powers in Montana:

It is understood that you desire particularly a list of the larger and most feasible individual power sites and their capacities. The following brief list has been very hastily prepared, and is not as complete as could be desired. The figures of capacities are, in some cases, rather rough estimates. All figures are for the continuous horsepower possible, the actual water-wheel capacity which may reasonably be installed at the sites being from one and one-half to three times the figures given, depending on the load factor, amount of auxiliary power, and various other conditions.

I ask, Mr. President, that the entire letter be printed in the RECORD as part of my remarks.

The VICE PRESIDENT. In the absence of objection, permission is granted.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
UNITED STATES GEOLOGICAL SURVEY,
Washington, April 8, 1916.

Hon. THOMAS J. WALSH,
United States Senate.

MY DEAR SENATOR WALSH: In response to your telephone request of April 7, 1916, for data regarding undeveloped water powers in Montana:

It is understood that you desire particularly a list of the larger and most feasible individual power sites and their capacities. The following brief list has been very hastily prepared and is not as complete as could be desired. The figures of capacities are in some cases rather rough estimates. All figures are for the continuous horsepower possible, the actual water-wheel capacity which may reasonably be installed at the sites being from one and one-half to three times the figures given, depending on the load factor, amount of auxiliary power, and various other conditions. The capacities of the sites on Flathead and Clark Fork Rivers are the capacities estimated with Flathead Lake fully utilized for storage purposes.

Undeveloped water-power sites in Montana.

Stream.	Locality.	Capacity in horsepower.
Madison River	T. 3 S., R. 1 E	12,000
Do	Ts. 3 and 4 S., R. 1 E	26,000
Do[1]		20,000
Do[1]		20,000
Do[1]		20,000
West Gallatin River[2]		20,000
Do[2]		20,000
Missouri River	T. 14 N., R. 3 W. (Holter site).	35,000
Do	T. 21 N., R. 5 E	20,000
Bighorn River	At mouth Bighorn Canyon	33,000
Do	Upper half of Bighorn Canyon.	30,000
Kootenai River	Kootenai Falls	16,000
Clark Fork	Rock Island Rapids, T. 26 N., R. 32 W.	90,000
Do	Cabinet Gorge (part in Idaho).	90,000
Flathead River	T. 22 N., R. 21 W., sec. 12	150,000
Do	T. 22 N., R. 21 W., sec. 22	38,000
Do	T. 21 N., R. 22 W., sec. 1	19,000
Do	T. 19 N., R. 22 W., sec. 1	70,000
Do	T. 19 N., R. 21 W., sec. 31	15,000

[1] Assuming upper Madison River will be developed in 3 units.
[2] Assuming development in 2 units.

Yours, very truly,

PHILIP S. SMITH,
Acting Director.

Mr. WALSH. In explanation of the letter I desire to add that on the Flathead River, within a distance of 7 miles of the place where energy can be developed to the extent of 150,000 horsepower, energy can be developed by successive dams aggregating 292,000 horsepower, and these can be easily connected by a transmission line; so that there is available there a site that will produce not only 100,000 horsepower necessary for the operation of a plant such as is contemplated, but will produce additional power to be disposed of for other purposes almost double that amount.

Mr. President, it is not necessary to have a single site capable of a development of a hundred thousand horsepower; you can develop a half dozen sites and connect them with a transmission line. That is a very simple problem for an engineer. In that way a half dozen sites upon the Gallatin and the Madison Rivers can be connected at which can be produced 118,000 horsepower. Another site in the State of Montana at one single place will develop 90,000 horsepower; and then across the line in the State of Idaho is another site on the same river which can be connected with a transmission line, not to exceed 10 miles in length, at which 90,000 more horsepower can be developed. So, there will be no difficulty encountered at all in finding available sites.

Mr. MARTINE of New Jersey. Mr. President, I want to ask whether the same difficulty to which reference has been made as to transportation will not present itself in the case of the sites the Senator has suggested?

Mr. WALSH. I am glad the Senator has asked about that, because I was going to pass to that very point. It has been urged that these sites are so remote from the regions in which the nitric acid would have to be used, at least for agricultural purposes, that they would be unavailable on account of excessive freight rates. I was informed that there was nothing at all to that contention; but, in order that I might have the matter in some shape to submit to the Senate, I addressed a telegram to Mr. Earling, president of the Chicago, Milwaukee & St. Paul Railroad, asking what the fact about that matter is, and I have from him the following telegram:

[Telegram.]

CHICAGO, *April 8.*

Hon. T. J. WALSH,
United States Senate, Washington:

Your wire this date. I know of only one specific instance where it was proposed to develop hydroelectric power for the purpose of manufacturing nitric acid. That was in the far West, and the rates that were quoted to the promoters by this company were entirely satisfactory. Development of this project still under consideration, with favorable prospects.

So that the difficulty of freight rate seems to be entirely obviated; and I may say, in this connection, that I have personal information about negotiations which have been going on for the past two years looking to the establishment in that region of two plants for the fixation of atmospheric nitrogen.

Mr. SMITH of Georgia. Will the Senator allow me to interrupt him?

Mr. WALSH. I will yield in a moment. And to-day I learn of a third enterprise that is under consideration for the utilization of a great power site near the line between the States of Nevada and Arizona. I now yield to the Senator from Georgia.

Mr. SMITH of Georgia. I wish to ask the Senator if, under existing laws, it is practicable for companies desiring to develop such plants to obtain the necessary concessions for their development, or is additional legislation required?

Mr. WALSH. I am glad the Senator asks that question, and I am obliged to state to him that it is not practicable; that all of these sites are upon the public domain; and I seize this opportunity to say that the bill which would make available to the country these power sites for the development of power for the operation of plants for the fixation of atmospheric nitrogen and for other industrial purposes has had some consideration here in the Senate, but has unfortunately been, in a way, pigeonholed. I am exceedingly glad that the discussion of this bill has served to bring home to the minds of Senators the enormous importance of that measure and the necessity of speedy action with reference to it; that is to say, the necessity for doing something to make available these power sites, whether or not that something conforms with the ideas expressed in the bill referred to.

Mr. SMITH of Arizona. Mr. President, will the Senator permit an interruption?

Mr. WALSH. Yes.

Mr. SMITH of Arizona. Preliminary to the question which I wish to ask I will state that the difference between the Senator and a good many other Senators from the West is as to whether or not the Government should be given control of these power sites, many of us believing that it would be better in States where nonnavigable streams are found to permit the States to get the revenue instead of the Federal Government, and to permit the States to make the regulations. If that were permitted by the Government, if the States were permitted to use these sites and to retain some power over them, which it is proposed to lodge in the Federal Government by the bill to which the Senator has referred, would not the bill pass?

Mr. WALSH. The Senate understands that the Senator from Arizona and myself do not agree as to the principles that should control in that bill. All I ask about the matter is that the bill have the consideration of the Senate. Let the Senator from Arizona, if he does not agree with the principles on which the bill is based, propose his amendment, let him argue it to the Senate as powerfully as he can—and we know how effective he is in persuasive argument—let us submit the two ideas to the Senate for determination, and let it adopt that one which conforms to its judgment as to what is wise in the premises and pass the bill in some shape.

Now, Mr. President, I want to say another word in that connection. I have a communication here, a very interesting one, received this morning from a gentleman by the name of R. F. Bower, who, from the letterhead, appears to be special legislative agent of the Farmers' Educational and Cooperative Union of America. I am going to ask that that letter be printed in the

RECORD as a part of my remarks, because it contains some information which is exceedingly valuable in this connection, although many of the ideas in the letter do not meet my approval at all. I will refer to those immediately. I want to invite your attention to these facts recited in the letter. It says:

The fertilizer farmers in the United States in the year 1914 paid a bill for fertilizers of $177,000,000. Of this amount, $78,000,000 was paid for nitrogen, $65,000,000 for phosphoric acid, and $43,000,000 for potash. The farmers in the cotton-growing States of the South pay a bill annually of about $100,000,000 for fertilizers.

Then the writer goes on to argue, Mr. President, that private capital will not engage in the business of establishing nitrate plants so that the farmer can be supplied with nitrogen for the production of fertilizer. With that statement, Mr. President, I do not at all agree; and I am unable to give any support whatever to those who argue the necessity of this legislation because private capital will not go into this industry. There need be no fear about that at all. Open the water-power sites and you will have plenty of capital immediately available for the development of factories of this character. I am, Mr. President, notwithstanding that, most earnestly in favor of the amendment proposed by the Senator from South Carolina.

The problem is a simple one of utilizing water power to take nitrogen from the air and holding it so that it shall be made available either for the manufacture or production of explosives or for fertilizing purposes. The air, as a matter of course, is entirely free, and the Government now owns the power and the power sites at which the essential element can be produced.

I submit, sirs, that it is a business proposition that could receive countenance nowhere, in any aggregation of business men, that when you have the very elements of the thing you should turn those elements over to some one else and allow him to utilize them and then buy the product from him. I do not think you can sustain the plan of turning over these great power sites, that are already owned by the Government, to private parties and allow them to develop nitric acid and then buy the nitric acid from them.

Furthermore, Mr. President, I am glad to vote for this amendment upon exactly the same principle as that upon which I voted for the erection of an armor-plate factory; and that is, sir, to take, so far as we reasonably can, the profit out of the business of war; as far as we can, to remove every temptation from anybody in this country to agitate for war, to argue in favor of great military and naval establishments, because there is a chance to make some money out of the proposition. I would have the Government go in and utilize these great power sites that it has available for the development of power necessary for the fixation of atmospheric nitrogen so that no one would be tempted to go into it in order to make money out of it.

Mr. President, I share none of the alarm that seems to trouble the Senator from Utah, for instance, that that means that private capital will not go into the business. Why, Mr. President, the Du Pont Powder Co. is here asking that the Government shall not go into this business but that we shall turn over to that company one of these great power sites in the West so that it may go into the business and utilize that power site in the production of nitric acid and in the manufacture of ammunition which it expects to sell to the Government. Why, Mr. President, we are in the business of manufacturing ammunition now. Has the Government factory driven the private maker of ammunition, of explosives used in war, out of business? Not at all.

Mr. SAULSBURY. Mr. President, will the Senator permit me to correct a statement that I think he made inadvertently?

Mr. WALSH. I shall be glad to have the Senator do so.

Mr. SAULSBURY. I noticed that in a letter which the Du Pont Powder Co., or the president of it, wrote to the Senator from Alabama [Mr. UNDERWOOD], they stated their position to be that they were not asking any exclusive privilege; and the bill which I introduced at their request certainly does not attempt to exclude the Government from the manufacture. It simply asks to use the power which may be necessary for it to do it, and, while not providing that the Government shall be compelled to take their product, stipulates that they shall agree to furnish to the Government, at a price fixed by the Secretary of War, whatever they make.

Mr. WALSH. That is exactly the point I wanted to impress upon the Senate in this connection. The Du Pont Powder Co. ask that they may have the privilege of developing these powers for the purpose of producing at them nitric acid; but they say that if the Government does establish a plant they want to have an opportunity also to establish a plant. In other words, they are quite willing to go into the business even though the Government does establish a plant; and why should not they be, Mr. President? There are abundant uses for nitric acid in addition to meeting the wants of the Government. Explosives of all kinds now depend upon this necessary element. It is used in mining, it is used in railroad building, it is used in a thousand ways. Then, as a matter of course, in the course of time the demand for fertilizer purposes will be great. It is not contemplated that any plant that the Government can build, or any number of plants that it can build, at an expense of $15,000,000, will meet the demand of the Government as well as supply the entire commercial demand. There will be a large field there for the operations of private capital, even though this policy is entered upon.

I think, therefore, we may safely adopt this amendment without in any way whatever imperiling the prospect of the development of many of these power sites by private capital and the fixation of atmospheric nitrogen in commercial quantities by them.

I now ask that the letter of Mr. Bower to which I have referred may be published entire in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

THE FARMERS' EDUCATIONAL AND
COOPERATIVE UNION OF AMERICA,
NATIONAL UNION,
Washington, D. C., April 11, 1916.

Hon. THOMAS J. WALSH,
United States Senate, Washington, D. C.

SENATOR: I write you as a Senator from the arid or irrigation States of the West.

Speaking for the farmers in the fertilizer-using States, we can not keep from hoping you will sympathize with us in respect to our present almost pitiable needs in regard to fertilizers, and we feel that you will sympathize with us, because you so well understand what water means to the arid lands in your State and what a contribution the irrigation projects of the West, carried forward at a cost to the Government of more than $116,000,000, have been to agriculture, and how fully justified the expenditure on the part of the Government in its reclamation policy in the arid States of the West has been.

The fertilizer farmers in the United States in the year 1914 paid a bill for fertilizers of $177,000,000. Of this amount $78,000,000 was paid for nitrogen, $65,000,000 for phosphoric acid, and $43,000,000 for potash. The farmers in the cotton-growing States of the South pay a bill annually of about $100,000,000 for fertilizers.

At the present time we can get neither potash from Germany nor nitrates from Chile, and we are paying for phosphoric acid about twice the price paid before the European war began. Ocean freight rates on Chilean nitrates have increased since 1914 from $3.75 and $5 to $18.75 and $20 a ton. German farmers have the advantage of having a supply of potash at home, and now Germany is producing within her own borders 600,000 tons of air nitrogen annually, where as before the European war she produced less than 60,000 tons, and now German authorities boast that Germany is independent of the Chilean nitrate monopoly, both for military and agricultural purposes, whereas the farmers of the United States are still dependent upon Germany for potash and still dependent upon Chile for nitrates.

We are told by some that we should depend upon private enterprise and capital for our nitrate developments, but we press upon you as strongly as possible the fact that the farmers in the fertilizer-using States can no more rely upon private capital to develop the necessary water power to provide our needed nitrogen fertilizers than the farmers in the arid States of the West could have relied upon private capital and enterprise to have developed the great irrigation projects of the arid West. Fertilizers are just as great a necessity for increased crop production on the farms in New England, the Middle States, and especially the South, as water is a necessity for crop production and fertility upon the lands in the arid States of the West.

The Roosevelt Irrigation Dam in Arizona, costing nearly $13,000,000, and the Arrowrock Dam in Idaho, costing over $5,000,000, never would have been built by private capital; and if they had been built by private capital the cost of water irrigation owing to the higher rates of interest that private capital would have had to pay, would have made the cost of irrigation so high the farmer could not have used the water.

Likewise if the farmers in the fertilizer using States are to depend upon private capital, the cost of air fertilizers will be so high that they no more could use air nitrogen fertilizers than they can to-day use Chilean fertilizers at the present exorbitant and prohibitive costs.

Suppose a dam cost $10,000,000 and that the power at this dam would produce 300,000 tons of nitrogen-phosphorous fertilizer and that 3 per cent is paid on the $10,000,000. This would be $1 per ton fixed charge. If the interest was 6 per cent it would be $2 per ton, and if 9 per cent it would be $3, and we are informed that few power companies can secure capital for less than 9 per cent when all interest costs for capital are paid.

Therefore the fertilizer-using farmers of this country are asking you to do for them just what Congress has done for the farmers of the arid States of the West in providing water for irrigating western lands. The cost of water irrigation measures the cost of crop production in the arid States of the West and the cost of fertilizer measures the cost of food products and cotton products in the Southern States.

As an example of this please read the little pamphlet I am inclosing, showing comparative use of cottonseed meal nitrogen as a fertilizer as against air nitrogen as a fertilizer. If the Government builds dams for producing nitric acid for national defense, the power at these dams can be used for manufacturing cheap fertilizers in times of peace, and the little comparison I am inclosing you between cottonseed meal and air nitrogen fertilizers illustrates what cheap water power will do and how cheap electricity will contribute to decreasing the cost of cotton and food crops in fertilizer-using States.

Our inclosures herewith will, we believe, support our contention that the Government itself should take steps to relieve the fertilizer situation and free the farmers of this country from the Chilean saltpeter monopoly, and if you will read the inclosed statistics and facts we can not doubt that you will assist us.

I call your attention to a copy of a letter herewith from a Florida grapefruit grower who has experimented successfully in using cyanamid, or lime nitrogen, in his grapefruit grove, and the day will come when nitrogen will be a necessity to the fruit grower of your State.

Yours, very truly,

R. F. BOWER.

Mr. WORKS. Mr. President, earlier in the day I had occasion to submit some observations on the present-day tendency to legislate all enterprise and all responsibility upon the National Government, and I called attention to the temptations that presented themselves to do just that thing.

We have before us right now a conspicuous example of that kind of legislation and what leads to it. The people in the South especially, and, of course, in other parts of the country, need fertilizer. They ought to have it. I shall be glad to see them have it; but why should the Government of the United States be called upon to go into the fertilizer business and supply this necessity to the people of the South or anywhere else?

I agree with the Senator from Montana [Mr. WALSH] that there is no necessity that the Government should go into the business if the Government itself gives the opportunity to improve these power sites and use them for the common good. The Senator from Montana and I disagree as to the manner in which this should be done. I think both of us desire that full opportunity should be given to private capital to improve these power sites and put them to beneficial use. I agree also with the Senator from Montana that the Government should manufacture for itself the nitrogen that it uses for national purposes, because I believe, as I think I have said before, that the Government should manufacture everything that is to be used in war, and not allow it to be speculated upon by private individuals.

But, Mr. President, as I suggested earlier in the day, we are going a long way in centralizing government. I do not know whether or not other Senators feel as seriously about that situation as I do, but I am beginning to believe that there is not a State rights Democrat left in the South. They may be in theory—they possibly think they are yet—but the course of legislation here proves absolutely to the contrary. I reiterate what I said this morning—that the Democratic Members of the Senate are leading in just this kind of legislation that is giving away the sovereignties of the States and imposing upon the Government the obligations that belong to the States.

Mr. HARDWICK. Mr. President, if the Senator will permit me, I hope he will except me from that statement.

Mr. WORKS. I beg the Senator's pardon. I very much approved of what he said on this question, and he seems to be one exception to what I have said.

The VICE PRESIDENT. The question is on the amendment of the Senator from Georgia [Mr. HARDWICK] to the amendment of the Senator from South Carolina [Mr. SMITH].

Mr. CURTIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hughes	Overman	Smith, S. C.
Brandegee	Husting	Owen	Sterling
Bryan	Johnson, Me.	Page	Sutherland
Chamberlain	Jones	Pittman	Swanson
Clapp	Kenyon	Ransdell	Thomas
Clark, Wyo.	Kern	Reed	Thompson
Culberson	La Follette	Robinson	Tillman
Cummins	Lane	Saulsbury	Underwood
Curtis	Lewis	Sheppard	Vardaman
Dillingham	Lodge	Sherman	Wadsworth
Gallinger	Martine, N. J.	Shields	Walsh
Gore	Nelson	Simmons	Warren
Gronna	Newlands	Smith, Ariz.	Williams
Hardwick	Norris	Smith, Ga.	Works
Hollis	Oliver	Smith, Md.	

Mr. LEWIS. I desire to announce that the senior Senator from New York [Mr. O'GORMAN] is absent on official business, and is paired with the senior Senator from New Hampshire [Mr. GALLINGER].

The junior Senator from Maryland [Mr. LEE] has been called to his State. He is paired by transfer with the junior Senator from West Virginia [Mr. GOFF].

The junior Senator from South Dakota [Mr. JOHNSON] has been called out on official business.

The junior Senator from Indiana [Mr. TAGGART] has been called to his State on official business.

Mr. WALSH. I wish to announce that my colleague [Mr. MYERS] is absent from the Chamber on account of official business.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present. The pending question is the amendment of the Senator from Georgia [Mr. HARDWICK] to the amendment of the Senator from South Carolina [Mr. SMITH].

Mr. KENYON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRYAN (when his name was called). I have a pair with the junior Senator from Michigan [Mr. TOWNSEND], and therefore withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN], but upon matters connected with this bill I am privileged to vote. I vote "yea."

Mr. MYERS (when his name was called). I have a pair with the junior Senator from Connecticut [Mr. MCLEAN], who is absent. I transfer that pair to the senior Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I inquire whether the senior Senator from Arkansas [Mr. CLARKE] has voted?

The VICE PRESIDENT. He has not.

Mr. SUTHERLAND. I have a pair with that Senator, and for that reason withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the junior Senator from Maryland [Mr. LEE] and will vote. I vote "nay."

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). I desire to announce the unavoidable absence of my colleague [Mr. TOWNSEND], on account of sickness in his family. He is paired on this matter with the senior Senator from Florida [Mr. FLETCHER].

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. As he is absent, I transfer that pair to the junior Senator from Indiana [Mr. TAGGART] and will vote. I vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. I transfer that pair to the senior Senator from Idaho [Mr. BORAH] and will vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Tennessee [Mr. LEA] and will vote. I vote "nay."

The roll call was concluded.

Mr. BECKHAM. I am paired with the senior Senator from Delaware [Mr. DU PONT]. As he is absent, I transfer that pair to the junior Senator from Louisiana [Mr. BROUSSARD] and will vote. I vote "nay."

Mr. OWEN. I transfer my pair with the junior Senator from New Mexico [Mr. CATRON] to the junior Senator from South Dakota [Mr. JOHNSON] and will vote. I vote "nay."

Mr. CURTIS. I have been requested to announce that the Senator from Idaho [Mr. BRADY] is paired with the Senator from Florida [Mr. FLETCHER], and that the Senator from New Mexico [Mr. FALL] is paired with the Senator from West Virginia [Mr. CHILTON].

The result was announced—yeas 24, nays 47, as follows:

YEAS—24.

Brandegee	Gallinger	Oliver	Smoot
Burleigh	Hardwick	Overman	Sterling
Clark, Wyo.	Jones	Page	Stone
Colt	Lippitt	Pomerene	Wadsworth
Curtis	Lodge	Smith, Ga.	Weeks
Dillingham	Nelson	Smith, Mich.	Works

NAYS—47.

Ashurst	Johnson, Me.	Owen	Smith, Ariz.
Bankhead	Kenyon	Pittman	Smith, Md.
Beckham	Kern	Poindexter	Smith, S. C.
Chamberlain	La Follette	Ransdell	Swanson
Clapp	Lane	Reed	Thomas
Culberson	Lewis	Robinson	Thompson
Cummins	McCumber	Saulsbury	Tillman
Gore	Martin, Va.	Shafroth	Underwood
Gronna	Martine, N. J.	Sheppard	Vardaman
Hollis	Myers	Sherman	Walsh
Hughes	Newlands	Shields	Williams
Husting	Norris	Simmons	

NOT VOTING—25.

Borah	du Pont	Johnson, S. Dak.	Sutherland
Brady	Fall	Lea, Tenn.	Taggart
Broussard	Fletcher	Lee, Md.	Townsend
Bryan	Goff	McLean	Warren
Catron	Harding	O'Gorman	
Chilton	Hitchcock	Penrose	
Clarke, Ark.	James	Phelan	

So Mr. HARDWICK's amendment to the amendment of Mr. SMITH of South Carolina was rejected.

Mr. GALLINGER. Mr. President, I have never yet been able to bring myself to believe that the Government ought to engage in business in competition with private parties; and for that reason I have, with some degree of consistency, I think, voted against all propositions looking to that end.

I voted against the bill to establish a Government armor-plate plant, believing that it was not good policy for us to engage in that business; and for the same reason I expect to vote against the amendment which is now under consideration, although I have tried to bring myself to the view that I might with some degree of consistency support it.

Recently I have been handed a letter written by an intelligent Englishman, printed in the New York Sun, on the armor-plate proposition, in which he, to my mind, conclusively shows that it is a very dangerous thing for any Government to establish a plant for the manufacture of munitions of war when it probably will drive out of existence the private plants; and he discusses the matter with so much intelligence and, to my mind, with so much conclusiveness that I desire to ask permission to print it in the RECORD. I would read it were it not for the fact that I am quite as anxious as any Member of this body to facilitate as much as possible the business of the session, so that we may in due time be able to return to our homes for a little rest and recreation.

I now ask that the article which I send to the desk may be printed as a part of my remarks.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

[From the New York Sun of Wednesday, Apr. 5, 1916.]

THE ARMOR-PLATE QUESTION—AN ENGLISHMAN'S IMPRESSIVE STATEMENT OF BRITISH EXPERIENCE.

To the EDITOR OF THE SUN.

SIR: An Englishman can wish nothing better for America than that she may profit by British experience in this war. If I might venture an opinion based on a 20-years' acquaintance with the United States I should say that both in what we have done and in what we have left undone during the past 18 months there are some lessons well worthy of American attention. One of those lessons, perhaps, indeed, the supreme lesson, is the vital importance of encouraging during the years of peace as many private manufacturers as possible to engage in the production of war material.

If that is really a desirable end, and all the belligerent nations have learned in a pretty hard school that it is the alpha and omega of preparedness, then I can not help thinking that the armor-plant bill now before Congress defeats it. I can not help thinking that instead of increasing it positively diminishes your industrial readiness for war.

Neither can I help giving thanks to Providence that the British Parliament was never tempted to act as the American Congress now apparently contemplates acting; that it never thought of legislating the private armor-making firms out of existence and of putting all its naval eggs in the basket of a Government plant; and that when the storm burst we were able to turn to immediate account the organization and the skill and the equipment and the unequaled practical knowledge of a host of firms that knew the armament business from top to bottom and that a wise public policy had induced to keep themselves in a state of instant efficiency and responsiveness.

Let me say without a moment's hesitation that we could not have built up the British fleet on any other policy; that it, and it alone, has enabled us to turn England into one vast arsenal of war; and that nothing but a disastrous confusion and delay could have ensued had we depended exclusively upon a Government plant for any of the indispensables of naval or military material.

Suppose that 5 or 10 years ago the British Admiralty had called together the heads of the armor-making firms in the United Kingdom and addressed them thus: "Look here, you are making too much money. You are not charging us a reasonable price. You form a ring among yourselves and you have ceased to compete with one another. We are not going to stand it any longer. We are going to put up a Government plant and make our own armor. The fact that we begged you to go into the business and encouraged you to persevere in it, to invest new capital and to build new shops to meet our requirements, no longer weighs with us. We are through with you; and so far as we are concerned you can dismantle your plants, disband your organization, turn all your skilled workmen adrift, and convert your shops into purely industrial establishments."

Suppose the British Admiralty had taken this stand, what would have been the result? The result would have been that in August, 1914, outside of a solitary Government plant, managed, of course, as negligently and inefficiently as all such bureaucratic enterprises must be, we should have had neither the men nor the machines to make even a single plate. All the skill and experience which our private firms had amassed would have been dispersed. All the plant that they had accumulated, plant that is useless for any other purpose, would have been scrapped or sold. Instead of half a dozen splendid organizations, on which to build and from which to expand, we should have had but one—and that one, by its very nature, wrapped in the comfortable stupor of officialdom, inelastic, unbusinesslike, totally incapable of rising to even half the height of so tremendous an emergency.

What would it then have profited us to have saved a few thousand pounds in time of peace if when the war came we had to squander millions of pounds in a vain effort to recover all we had thoughtlessly cast away? How should we have gained if in lopping off the profits of the armor makers we had imperiled the nation? Could any one conceive a more perfect example of the penny-wise and pound-foolish policy than one which, in the name of economy, weakened the navy, risked an irreparable defeat, and prevented us on the day of Armageddon from utilizing the country's industrial resources?

Of course, nothing of the kind occurred, or was ever even thought of. We have in Great Britain, I believe, five or six armor-making firms. The Admiralty experts consult with them continuously, apportion the work among them, arrange the price—Parliament very wisely never attempts to meddle with such details—and drive the best bargains they can in the interests of the nation. With common sense and a rational spirit of give and take on both sides the system works admirably.

Very possibly these private companies earn large and liberal profits on their Government contracts. If they do, what of it? Every Englishman is well content that they should, because every Englishman knows that by merely remaining in existence and in a condition to fill the Admiralty orders they are rendering the nation a supreme service. This war has taught us that there is no imaginable profit which it would not have been well worth our while to pay over to the armor-making firms simply to keep them in being, and that no saving to the treasury could ever have compensated us for having driven even one of them out of business.

As a matter of fact, I am very confident that the British armor-plate manufacturers, while always treated with a businesslike generosity, have never been allowed to reap extravagant or illegitimate rewards. My confidence is grounded in the fixed conditions of the case. People talk of the Government being at the mercy of the manufacturers. But the manufacturers are equally at the mercy of the Government. It is by far their largest, in most cases it is their only customer. It is in just as good a position to dictate the terms as they are. It depends on them, but not a bit more than they depend on it. With the merest modicum of honesty and business intelligence and diplomacy the situation becomes entirely manageable, and if Englishmen, under such circumstances, were to find a British Cabinet advocating a national armor plant as the only method of escaping the exactions of the manufacturers, they would say at once and unanimously, "This Government is convicting itself and its agents either of gross dishonesty or gross inefficiency."

It is with such reflections at the back of my head that I contemplate the bill that is now before Congress, the bill appropriating $11,000,000 to build an armor plant with a capacity of 20,000 tons a year. So far as I can make out the effect of this measure, if it passes in its present form, will be to force the private armor-making firms out of the business. I should probably seem exaggerating if I were to express the intense apprehension with which an Englishman and a friend of America, who has known something of the difficulties of his own country during the past 18 months of war, views such a prospect.

As an outsider, I have no call to discuss the details of the bill. But I have been very much struck with one point—that, except Italy, the United States pays less than any other naval power in the world for its armor, and very substantially less than we pay in England. It is surely a puzzling world. Here is America prepared to make the manufacture of armor plate a Government monopoly, because she can not buy it cheap enough. And here is England, which also is a business nation, and really does know something about naval administration, paying for her armor plate a considerably stiffer price, and yet perfectly satisfied with the arrangement on broad grounds of national security. Are we wrong, or are you?

It would be an impertinence on my part to answer that question dogmatically. But I may perhaps be allowed to summarize roughly the conclusions to which experience has led the British people. They find:

1. That no greater disservice can be done to a country than by discouraging its manufacturers in the production of the material of war.

2. That no matter what profits the manufacturers may make out of the Government in times of peace, they will all be returned to the nation multiplied one thousandfold in war.

3. That the problem of industrial preparedness for war is far more than a mere matter of finance, and that higgling over prices and profits, from any comprehensive standpoint of national defense, is the smallest and least relevant part of the whole issue.

SYDNEY BROOKS.

NEW YORK, *April 4.*

Mr. UNDERWOOD. Mr. President, I desire to offer as an amendment to the amendment offered by the Senator from South Carolina [Mr. SMITH] the matter which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 4, at the end of the proposed amendment, it is proposed to insert:

That the Secretary of War is authorized and directed, for the purpose of securing a suitable air-nitrogen process for the use of the Government of the United States, to make a contract or contracts with the owners thereof, for the use, rental, lease, or purchase of a suitable air-nitrogen process, and the Secretary of War is authorized to operate or lease the plant, hydroelectric power, or works provided for in this act for the making of nitrogen products for the manufacture of fertilizers in times of peace when the output of said plant is not needed for the manufacture of explosives.

Mr. UNDERWOOD. Mr. President, the purpose of this amendment is twofold. As I read the bill, there is no provision in it for the Government to acquire an air-nitrogen process. As I understand, all of the processes are owned by private parties and are patented. If we are going to pass this bill and build a great power plant to make air nitrogen, we must acquire a process.

It is possible that under the general power of condemnation in the Government we could, in times of peace, condemn a process for war purposes. I think undoubtedly we could in times of war. No power of condemnation is given in the bill. But if we can condemn, under the general power of the Government, an air-nitrogen process for war purposes, we certainly can not condemn it for any other purpose than war purposes.

If we are passing this bill to prepare the Government for a war emergency, we will have to develop a capacity for making nitrogen that would serve us if the possibility of war happened. It has been stated, I think, by those in authority that Germany to-day is using 270,000 tons of nitric acid, and that it is supposed this Government would need at least two-thirds of that quantity—at least 180,000 tons of nitric acid—in the event of war.

Mr. HARDWICK. How in the world can the Senator tell what sort of a war it is going to be?

Mr. UNDERWOOD. Certainly not.

Mr. HARDWICK. Does he figure that on a war of the very greatest magnitude?

Mr. UNDERWOOD. It is based on the supposition that we are preparing an army for the time of a world-power war. We build an air-nitrogen process on the same basis.

I will state to the Senator from Georgia that if it is proposed to build a plant to make nitric acid only for peace purposes there is no occasion for our building one at all, because we can get Chilean nitrate in time of peace to fill the requirements of the Government. It is only in the event that we became involved in war with a great war power that our Chilean nitrates might be cut off, and we would need a supply of nitric acid at home. Therefore, if we are going to build this plant for a preparedness purpose, it ought to be of sufficient capacity to meet that possible emergency. It is apparent that we will have no use whatever in times of peace of a plant that has a capacity to produce 180,000 tons of nitric acid.

Mr. TILLMAN. Except for the farmers.

Mr. UNDERWOOD. But I am talking about its use for war purposes. You will have no possible reason for the use of that amount in time of peace for war purposes. The practical question confronts the Senate: Are we going to build a plant of that kind, invest millions of dollars in it, and continue to send to Chile and pay a tax to the Chilean Government of $11.60 on every ton of Chilean saltpeter that comes from there, and have an idle plant in the United States that we have built to protect us in time of war and decline to use it? I take it that the common sense of the American people would repudiate any such proposition.

If we are going to use this plant in times of peace to make nitric acid, we have got to acquire the process by purchase or lease. I think it can be done. If it can not be done, then the whole proposition falls down, and the Government will spend no money. But there is no provision whatever in the bill to authorize the Secretary of War to make a contract for the purchase of any air-nitrogen process or for the lease or the use of it. My amendment merely gives the Secretary of War the authority to make a negotiation and purchase the right to use one of these processes.

Mr. WALSH. Mr. President——

Mr. UNDERWOOD. I yield to the Senator from Montana.

Mr. WALSH. Is it not the view of the Senator from Alabama that the power given by the act to construct and operate a plant necessarily implies the right to acquire any patented process?

Mr. UNDERWOOD. It is not, but why should we leave it in any doubt, I ask the Senator?

Mr. WALSH. I was wondering whether there could be any doubt.

Mr. UNDERWOOD. I think there is very serious doubt. If the Senator's contention is correct, that the statement to build a plant gives power to purchase a process, I have no desire to have this amendment adopted; but I think it is in serious doubt, and certainly there can be no harm in what I state here, "that the Secretary of War is authorized and directed, for the purpose of securing a suitable air-nitrogen process for the use of the Government of the United States, to make a contract or contracts with the owners thereof for the use, rental, lease, or purchase of a suitable air-nitrogen process." He might be able to lease it satisfactorily or he might be able to purchase it. I merely make the language broad enough so that the Secretary of War can properly exercise his discretion. If the bill is now broad enough itself, my amendment can do no harm. It is not in conflict with the purpose of the bill. If it is not broad enough to allow him to acquire this process, then the amendment certainly ought to come in or you negative the whole purpose of the bill.

Mr. WALSH. For information, I ask the Senator from Alabama if the patents are not upon the machines that are in use in the equipment of the plant, and you can not put them in the factory at all without permission to use these machines?

Mr. UNDERWOOD. I think this amendment will authorize the Secretary of War to make a contract with the men who own these patent rights. We can not go and take it away from them for peaceful purposes. I admit, of course, the Government of the United States in the stress of war could do it, but there is no power in the Government to take it away in time of peace. We have got to see if we can not negotiate a contract by which it can be done. If a satisfactory contract can not be made, then the whole bill goes down.

Mr. LIPPITT. Will the Senator from Alabama yield for a question?

Mr. UNDERWOOD. Yes.

Mr. LIPPITT. I wish to ask the Senator how large a proportion is the present use of nitrates. He spoke of 180,000 tons. Is that equal to the present peace consumption of nitrates in this country?

Mr. UNDERWOOD. Not of nitrates. I spoke of the concentrated nitric acid.

Mr. LIPPITT. It all depends upon nitrates.

Mr. UNDERWOOD. There are some differences; but of the concentrated nitric acid, of which I am speaking, I am informed the peace needs of our Army and Navy are about 20,000 tons, and that would leave about 160,000 tons that could be disposed of for commercial purposes. I am satisfied that that amount, or more than that amount, of nitric acid can be easily consumed in the country, although I have not the figures and can not state it definitely.

Mr. LIPPITT. Does the Senator know how large a proportion of nitrates used in this country are used in agriculture?

Mr. UNDERWOOD. Very much the larger proportion. I can not give the figures. I have not them here.

Mr. LIPPITT. I am informed that it does not exceed 25 per cent of the present consumption of nitrates.

Mr. UNDERWOOD. I am satisfied that the Senator's information is entirely wrong.

Mr. LIPPITT. It may be. I will give my information. My information is obtained from a very intelligent and able essay that was written by Mr. Cushman, of this city, upon the consumption of chemicals in the war. In that essay he states that not over 25 per cent of the total consumption of nitrates in the country are used for agricultural purposes—for fertilizers. The balance of it is used for explosives of various kinds for peace purposes, for digging, for blasting for subways, tunnels, and things of that sort, and for the general chemical uses of nitric acid.

Mr. UNDERWOOD. I will say to the Senator that I do not controvert his statement, because I am not informed; I have not the figures. I think he is mistaken. I will state also to the Senator that there is the possibility of a wonderful consumption of fertilizers in this country if they could be acquired at a cheap price, but the limitation on the consumption of fertilizers in this country to-day is the price that the farmer has to pay for them. The possibility exists in the development of this plant of cheap nitric acid, and that means cheap fertilizers.

Mr. LIPPITT. Of course the same thing applies to cotton. If the Government would establish cotton fields and sell cotton to American consumers at cost, as the amendment proposes to sell this article to agriculturists at cost, America would do a large part of the cotton manufacturing. However, I will speak about that. I just wanted the Senator's view.

Mr. UNDERWOOD. As I said, I would be glad to furnish the Senator the figures accurately if I could. I have not the figures and I can not give him accurate information.

The second clause of this amendment provides:

> And the Secretary of War is authorized to operate or lease the plant, hydroelectric power, or works provided for in this act for the making of nitrogen products for the manufacture of fertilizers in time of peace when the output of said plant is not needed for the manufacture of explosives.

In other words, the amendment leaves it discretionary with the Secretary of War in time of peace, when it is not necessary to use the plant to make explosives the Government needs, to either operate the plant and make the nitric acid that is to go into fertilizers to be sold for fertilizers or to lease the plant, the power, for somebody else to do it. I do not seek to ask the Congress to decide which way it shall be done. I think it would be unwise for us to write in the bill the question as to whether the Government shall operate or the Government shall lease. The Government will continue to own, the Government will continue to control the plant, the Government will have its hands on the plant, and I assume that the intelligence and patriotism of the Secretary of War will protect the rights of the American people and the Government when he determines whether he will operate the plant for the Government in times of peace or whether he will lease the plant to somebody else to operate in times of peace with a reversion in times of war.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. UNDERWOOD. I yield.

Mr. GALLINGER. Are we to understand that the amendment the Senator has now offered is to take the place of the printed amendment the Senator proposed?

Mr. UNDERWOOD. No; I merely offer this amendment as a new paragraph to the amendment of the Senator from South Carolina. I, myself, have an amendment to the bill that is entirely independent of this, but I am so anxious——

Mr. GALLINGER. Just one other question. I assume I am right in the supposition that the terms of the Senator's amendment now offered contemplate that the Government for an indefinite time, for all time, if you please, shall engage in this business in times of peace?

Mr. UNDERWOOD. Yes; I think that is a fair conclusion. My own proposition that I offered was to authorize the Secretary of War to investigate this whole question and make tentative contracts, or see what contracts could be made, and report that matter back to Congress; but I feel that this question is so important to the American people as a preparedness proposition, a Government proposition, and so important to the great agricultural interests of this country, that I do not propose to come in in conflict with the amendment offered by the Senator from South Carolina.

It has been charged on the floor that I had offered an amendment here for a particular purpose to carry a development somewhere else. I have no such purpose.

Mr. OVERMAN. Mr. President——

Mr. UNDERWOOD. Just allow me to answer this, please. I have no such purpose. It is my desire to put an amendment on this preparedness bill that will protect the Government in time of war and will relieve the people in time of peace, and if I can not have my way about it I am willing to have the way of the Senator from South Carolina. My amendment is not in conflict with his purpose. I think that the Senator from South Carolina will vote for the amendment that I offer. It is merely to perfect his amendment so that we can utilize this process for all purposes. I yield to the Senator from North Carolina.

Mr. OVERMAN. The only difference I see—and I will ask the Senator if I am right—between the first paragraph of the amendment of the Senator from South Carolina, on page 3, and the amendment of the Senator from Alabama is that the Senator from Alabama proposes to lease and there is no provision to lease in the paragraph named. The amendment of the Senator from South Carolina says:

> That the products of such plants shall be used by the Secretary of War or the Secretary of the Navy for military or naval purposes, and any surplus not so required may be sold and disposed of by the Secretary of Agriculture under such regulations as he may prescribe.

The difference between the amendments is as to leasing?

Mr. UNDERWOOD. The last part of the amendment I have offered merely adds to the powers of the amendment of the Senator from South Carolina, because it gives the power to lease the plant.

Mr. HARDWICK. Does not the Senator, however, authorize in express terms the Secretary of War to carry on a fertilizer business?

Mr. UNDERWOOD. The bill itself authorizes it.

Mr. HARDWICK. The Senator makes it plainer that he is also to embark in the fertilizer business.

Mr. UNDERWOOD. I expect to vote for the amendment offered by the Senator from South Carolina. This bill would be futile if it were intended to let the plant lie idle. I merely emphasize what I consider to be the purpose of the bill.

But, answering the junior Senator from North Carolina [Mr. OVERMAN], that is not the only purpose of my amendment. The other purpose is to give the Secretary of War the direct authority to make a contract to acquire one of these processes, which I think is the most important if we are going ahead with this business.

Mr. SAULSBURY. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Delaware?

Mr. UNDERWOOD. I yield.

Mr. SAULSBURY. I desire to ask the Senator from Alabama if it was intended—as I think the words necessarily mean in the latter part of his proposed amendment—that the operation or lease of the plant when not needed for the manufacture of munitions of war should be limited to nitrogen products for the manufacture of fertilizers alone, or if the suggestion of the senior Senator from Rhode Island [Mr. LIPPITT] is correct, that of the whole product of nitric acid made in this country 75 per cent is used for other purposes than fertilizers, whether the Senator from Alabama intended that the product of this plant should be used for the general purposes of the country?

Mr. UNDERWOOD. No; I intended just what it says. I am free to say to the junior Senator from Delaware my purpose is to limit the use of the nitrates coming from this plant to fertilizers in order that the agricultural interests of the country could get the benefit of it rather than the business interests.

Of course, if we strike out the word "fertilizers" they could use it for other purposes; but I am satisfied in my own mind that the agricultural interests can be benefited, and that they can consume in time of peace the entire production of this plant. It is my purpose to direct that the product of this plant in time of peace shall go to the promotion of agriculture. If that does not meet with the approval of the Senate it is very easy to strike out that word. I think it ought to stay in.

Mr. SAULSBURY. I ask the Senator whether that would not practically mean the cyanamide process?

Mr. UNDERWOOD. No; I do not think so, but whatever process is the best for agriculture I think ought to be adopted. If the cyanamide process is the only process that can be utilized both for war and for peace, for powder and for fertilizers, I say candidly I propose to vote for that process; that is the process for me.

Mr. HARDWICK obtained the floor.

Mr. WALSH. Mr. President——

Mr. HARDWICK. I will yield to the Senator from Montana, if I may do so without losing the floor.

Mr. WALSH. I wish to ask the Senator from Alabama how he justifies, either from the standpoint of governmental policy or the standpoint of law, his proposition that this excess of nitric acid may be sold for the use of farmers for fertilizer purposes but should not be sold to anybody else who desires to use it in any other line of business?

Mr. UNDERWOOD. I think if the Government has the power to sell it at all the Government has the power to direct to whom it shall be sold. If the Government has a surplus number of uniforms on hand that it is going to dispose of, not needed for the Army, I think the Government could say at what price they should be sold and to whom they should be sold. I do not think there is any constitutional trouble about that.

To the part of the Senator's question directed to me as to why we should discriminate in favor of agriculture and not discriminate in favor of other business, or why we should not put the business consumption of nitric acid upon the same basis as we do agriculture, the only answer I have to make is, that I think it is more important to the general benefit of the country that agriculture should be preferred with reference to acquiring nitrates for fertilizers than that general business should be favored.

Mr. WALSH. If the Senator from Georgia [Mr. HARDWICK] will pardon me for just a moment, I wish to say that we have two great industries in the State of Montana—agriculture and mining. Both of them need nitric acid; the mining interest for the purpose of supplying themselves with explosives to carry on their business; the agricultural interest with nitrogen for the purpose of supplying fertilizer. How could I go home to my State and justify myself in thus discriminating in favor of one class of my people as against the other?

Mr. UNDERWOOD. I will say that I represent a great business district, where probably—I would not say as much, but I would say probably—as much explosive is used as is used in the State of Montana, and that is the district where my home is; but when you come down to the disposal of the product, when you dispose of it to agriculture for fertilizers, it means cheaper food for the masses of this country; it means that preparedness of which nothing else can take the place; it means the preparedness that raises strong men for this Government.

Mr. HARDWICK. May I resume the floor, Mr. President?

Mr. LIPPITT. Mr. President, does the use of nitrates in the raising of cotton mean cheap food to the people?

Mr. UNDERWOOD. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Alabama?

Mr. HARDWICK. I do.

Mr. UNDERWOOD. Fertilizer is not used alone for cotton fertilization, but if it were it would be very useful to the Senator from Rhode Island.

Mr. LIPPITT. May I ask the Senator——

The VICE PRESIDENT. The Senator from Georgia [Mr. HARDWICK] was recognized about five minutes ago, and he still has the floor.

Mr. HARDWICK. Mr. President, I believe I will proceed myself just a little bit on this proposition. I have had the floor a long time, and I have not yet said a word.

Mr. President, not only is the amendment proposed by the Senator from Alabama [Mr. UNDERWOOD] remarkable, but his position is still more remarkable. His position is a position that no Democrat of his conspicuous ability and performance has ever before assumed in this country; and I regret it, because I love my friend from Alabama personally as well as any friend in this body, and few men anywhere hold a higher place in my regard. I therefore deeply regret that he should be the first conspicuous Democrat to take such a position.

The Senator from Alabama goes even further than the pending amendment in his repudiation of every Democratic tradition and in his violation of every Democratic principle that has ever been uttered by a sound Democrat since the foundation of this Government. He goes further, I say, in violation of those things than does even the Senator from South Carolina [Mr. SMITH]. The Senator from South Carolina at least, Mr. President, had

the modesty to cloak for a while his real design. The Senator from South Carolina insisted that this was purely and properly a governmental function that the Senate of the United States was called upon to authorize the Government to exercise, and that his amendment only proposed that we should manufacture or sell such surplus product as was necessarily produced in the proper performance of a governmental function, to wit, the manufacture of gunpowder for the Government of the United States; but now the Senator from Alabama, one of the most distinguished leaders of our party, and a so-called conservative—God save the mark!—comes into this Chamber with a proposition like this. He says: "I want to develop a power so great and I want to build a plant so large that it would supply the maximum requirements of this Government if it were engaged in war with all the balance of the world." That is not an event that we think is likely to happen; it is not an event that any of us desire; so that part of it is a mere prop upon which the rest of the Senator's proposition rests. Then the Senator from Alabama turns on us and says: "While this tremendous plant, geared to maximum capacity to produce all the powder and all the other explosives that this Government of ours could possibly use if we were engaged in war with the balance of mankind, is not being operated for the purpose of supplying our needs during a world-wide war we will operate it to the maximum capacity for the express purpose and for the sole purpose of making fertilizers to sell to the farmers of the United States."

The Senator from Alabama ought to apologize to Debs and to every other Socialist that he has ever criticized during his whole political career. I am grieved to see a Democratic Senator, nurtured in the faith of Thomas Jefferson, one of the most distinguished and able members of our party, and one of my best-beloved friends, make such a mistake. If Jefferson were here and could have heard this proposition of the distinguished Senator from Alabama, I think he would have left this Chamber in disgust; and if he could, although dead, hear it now, he would turn over in his grave in holy horror. Yet we belong, forsooth, to the party of Jefferson, and believe in the doctrine that Jefferson preached and believe in the faith that Jefferson professed!

Let me ask my friend from Alabama, if the Government is going to manufacture cheap fertilizers for the farmer, why not manufacture cheap clothes, cheap shoes, cheap food, and cheap everything else for the laboring man?

Mr. SMOOT. And agricultural implements?

Mr. HARDWICK. Why not manufacture agricultural implements, as is suggested by the Senator from Utah? Why not manufacture every necessity of life? Where will you stop, let me ask the Senator from Alabama, the business activities of this Government if the Senate and if the other House of Congress ever make the mistake of adopting so radical a proposition as that which he has presented? Can we discriminate along these lines? Can we differentiate between these things? Can we say to the farmer, "We will put up an enormous plant and manufacture and sell to you at cost all the fertilizer you need," and then turn around and say to the starving laboring men in the great centers of population—who suffer far more than our farmers, and at whose door want stands far more often than it does at the door of any farmer in this land, North, East, South, or West—"Your children can starve; you can go in rags, unemployed it may be, if hard times are on and the Republicans are in; but in spite of that, in spite of your condition, we will not give you food or clothing or shoes or hats or even bread at cost"?

Of course, my friends will understand my remarks about the Republicans were jocular. My own honest belief about that is that hard times come when Republicans are in power and when Democrats are in power, and neither party has very much to do with that, although we of both parties poke fun at each other across these aisles on this subject, and the country is occasionally treated to a lot of claptrap about it.

But I think, with the utmost good feeling and with the utmost friendship for my friend from Alabama, that, as bad as is the proposition of the Senator from South Carolina, as patent as is its purpose, and as plain as is the subterfuge about it, the pretense that what you are trying to do is really to furnish the Government with its gunpowder—in spite of all that, in principle the amendment suggested by the Senator from Alabama is infinitely worse. The Senator from New Hampshire [Mr. GALLINGER] caught it very quickly. He asked my friend from Alabama: "Does not this mean that you have embarked the Government of the United States permanently into the business of manufacturing and selling fertilizers?"

Mr. UNDERWOOD. No; manufacturing and selling nitric acid.

Mr. HARDWICK. Well, for use in manufacturing fertilizer. Nitric acid is one of the elements of fertilizer; it is one of the constituent elements from which fertilizers are made. I do not blame the Senator for being a little restless.

Mr. UNDERWOOD. I am not restless; and, if the Senator from Georgia will yield——

Mr. HARDWICK. I yield to my friend.

Mr. UNDERWOOD. I have not any doubt in the world about this. My friendship of nearly 20 years with my friend from Georgia is so great and our views usually so similar that I regret that the Senator from Georgia can not see that the proposition of using this idle factory to make nitric acid that may benefit the agricultural interests of this country is a mere incident to the war purpose, instead of having the plant lying idle; but I take, of course, with all good nature, the criticism of my friend from Georgia. I merely wanted the RECORD to show that my purpose is to make nitric acid, not fertilizer.

Mr. HARDWICK. What is the difference whether you make it in the raw state or in the second stage of manufacture? Is there any difference in the fundamental principle between the two? What is the difference between making and selling nitric acid of fertilizer to the farmer and making and selling shoes or boots or bread to the laboring man? What is the difference, and how are you going to deny the appeal of the laboring men when they turn on you, and say, "You furnish the farmers of this country with their fertilizer at cost; we are starving; give us our bread at cost; give us our food at cost; give us our shoes at cost; establish for us a great department store in every great center of population. The Government of the United States with its great capital"—you all remember the arguments during the progress of this debate—"with its superior business facilities, will be able to run a business of almost any kind more cheaply than private capital can do it. Now we count on you, and we make the same request of you that you have granted to them; give us all these things from the Government at cost."

Mr. President, it is a sad day for this body and for this country when distinguished and able Senators, who occupy the high place in the public regard and the warm place in the affections of their colleagues that the Senator from Alabama so justly holds, make a mistake like this. I am not here to lecture him; I am not trying to do that; I may be wrong; I may be absolutely in error; but if I am I have learned my Democracy at the wrong source, and I have got to unlearn all the Americanism I know. I was taught, Mr. President, at my mother's knee that individualism was the corner stone of this Republic and that the individual citizen was the edifice upon which was built American greatness and American glory; and yet I come to this body and find distinguished Senators, much older than I am, a great deal wiser than I am, far wiser, advocating before this body and before the American people such a socialistic proposition as this, that, under the guise and under the pretext of equipping a Government factory so big that it can supply this country with powder enough and explosives enough to war with all the balance of mankind, we are going really to equip a mammoth guano factory, to sell at cost to all the farmers of the United States the fertilizer they require, or as much of it as possible.

Mr. GALLINGER. Mr. President——

Mr. HARDWICK. I yield to my friend from New Hampshire.

Mr. GALLINGER. Does it not, after all, resolve itself into this, that the Government will go into the manufacture of a certain product that the farmers use and sell it to the farmers who own farms at cost, and do nothing for the men who do not own farms and can not possibly acquire farms?

Mr. HARDWICK. It may come to that; it is an endless circle, I will say to my friend. Once we embark on this sort of enterprise, what man can say where or when we will halt? Once we start on this course, who can tell whither it will lead or how long it will take us to arrive at utter destruction?

Mr. President, there may be, although I dislike to believe it, Senators in this body, distinguished and dignified as it is, who may think that it is necessary for them to make capital with their farmer friends at home by favoring all sorts of wild propositions and holding in terrorum over the Senate the threat that if you vote against this proposition the farmers of your State will know that you are not for them or not for their interests. I know that my distinguished friend from Alabama is not in such a category as that, if there are, in fact, any such Senators here.

Mr. STONE. Mr. President, will my friend yield?

Mr. HARDWICK. With pleasure.

Mr. STONE. I want to get a little clearer view of this subject than I have. I understand the proposal of the Senator

from Alabama to be that the Government shall interest itself in establishing a hydroelectric plant in order to extract nitrates from the air for powder making for public purposes. Does the Senator favor that?

Mr. HARDWICK. Undoubtedly; I am not opposed to that.

Mr. STONE. I am not opposed to that. I voted with the Senator to strike out the provision he moved to strike out, but now what I wish to ask the Senator is this: If he and I, cooperating with the Senator from Alabama, should succeed in erecting such a plant as I have indicated, with large amounts of Government money invested in it, and we should come to a point at a time of profound peace when that immense power is not needed and is not used for public purposes, would the Senator have it lie idle or would he be willing that some individual, some corporation, might come along and purchase that power, paying the Government for that power and utilizing it in making fertilizers or anything else?

Mr. HARDWICK. Has the Senator finished his question?

Mr. STONE. I wish to know what the Senator's position is.

Mr. HARDWICK. I will state it to the Senator frankly. I agree with the Senator, I think, if I get the drift of his mind, on this question. Of course, if we build a factory—and that is not necessarily involved in this proposition at all—one phase of it is that we should develop the water power necessary in order to make nitrogen, or to run the machinery of the factory that would make it, for gunpowder purposes; but whatever we did along that line for purely legitimate public purposes, whether we merely developed the water power or whether we constructed the factory, undoubtedly, if we did not use it or when we did not need to use it to make gunpowder, I would favor leasing it or selling it or disposing of it in some way, under competitive bidding, so as to give no one man or no one corporation an advantage over another, to private parties, firms, or corporations, to be used by them in any business in which they might desire to engage, and then to be retaken by the Government whenever it needed it to make still more powder for public purposes.

Mr. BRANDEGEE. Mr. President——

Mr. HARDWICK. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. What does the Senator think of the proposition to leave to the Secretary of War the decision of a governmental policy, as to whether the Government shall continue in this business or whether it shall lease the power?

Mr. HARDWICK. I thank the Senator for the suggestion. I was just coming to that. The Senator from Alabama [Mr. UNDERWOOD] now proposes an amendment. The part about the patents is unimportant. I think the Senator from Montana [Mr. WALSH] is right that in the general power to construct such a plant the power will be implied to acquire the patents. Be that as it may, the Senator's rejoinder that it will not do any harm to put it in is good; but the important point comes in the second paragraph of the Senator's amendment.

The Senator from Alabama proposes what? That the Secretary of War, while this country is at peace, after we have erected this mammoth factory—large enough to supply the needs of this Government for explosives if it were engaged in war with all the balance of the world—shall either lease it out or operate it himself in the manufacture of commercial fertilizer. The Secretary of War is to run a mammoth guano business; and, Mr. President, my friend the Senator from Alabama absolutely leaves to the determination of the Secretary of War, a Cabinet officer, the decision of the great governmental question as to whether or not the Government of the United States is going into the fertilizer business or is going to lease out its property to private persons who desire to engage in that business.

In other words, we have sunk so low that the Congress of the United States can no longer decide these great questions of governmental policy for itself, but it has got to put it in the disjunctive and let a mere Secretary, elected by nobody, responsible to nobody except his chief, say whether or not we shall embark on a socialistic business of this kind and character.

Mr. MARTINE of New Jersey. Mr. President, will the Senator yield to me for a question?

Mr. HARDWICK. Just for a brief question; yes.

Mr. MARTINE of New Jersey. I want to ask whether the Senator does not realize that fertilizers are of prime necessity to agriculture in the United States?

Mr. HARDWICK. Undoubtedly; and I want to say one thing——

Mr. MARTINE of New Jersey. Then I——

Mr. HARDWICK. I will not yield any further right now, because I catch the drift of the Senator's question.

Mr. MARTINE of New Jersey. I just want to ask another question.

Mr. HARDWICK. No; I want to answer one at a time. I am going to answer the Senator's question. Wait a while. I will yield to the Senator again directly.

Mr. MARTINE of New Jersey. I have another question I want to ask the Senator.

Mr. HARDWICK. All right.

I do not believe my friend from Alabama is any closer to the farmers of the South than I am. I was reared on a farm and I live in a small agricultural town of 2,000 people; not in a great manufacturing and industrial center, like that in which the Senator from Alabama resides. The people of my own town and county have no other industry than agriculture. I know fully as much about the needs and aspirations and the sufferings and privations of the agricultural masses of this country as either my friend from Alabama or my distinguished friend from New Jersey; and yet I am making no particular protestations of my undying love and extraordinary partiality for these people. My life has been spent among them, and I do not have to do it; and I have told them repeatedly, in private and in public, that I would do no more for them and no less for them than I would for any other class of people in this country. I do not believe in class legislation. Jefferson did not believe in it. Jefferson said, "Equal rights to all men; special privileges to none."

Mr. MARTINE of New Jersey. That was before the day of Standard Oil.

Mr. HARDWICK. What was the Senator's suggestion?

Mr. MARTINE of New Jersey. If the Senator will permit me, I said that was before the day of the Standard Oil Trust, when Jefferson made that announcement.

Mr. HARDWICK. And the Senator from New Jersey is not more opposed than is the Senator from Georgia to any special privileges that may have been given, by acts of either commission or omission, to the Standard Oil and other like monopolies. I neither cater to the great corporations of this country—who have received, I think, undue legislative privileges—nor do I attempt to make unsound appeals to the farmers of this country because there are so many of them. I do not have to do it, thank God, among the people among whom my life has been spent.

Mr. MARTINE of New Jersey. Now will the Senator yield to me?

Mr. HARDWICK. No; not for the present, Mr. President. I want to proceed. I have told them recently, repeatedly, "I shall not ask, and you ought not to expect, special favoritism before the law. It has been your motto always, as it was Jefferson's battle cry, that you did not want any special privileges; you did not require any special rights." And why on earth, Mr. President, any Senator should think that the great farming masses of this country, the men who live close to nature and who commune with her, and who keep their standards correct and their ideals pure, should expect or require of us any such treatment is more than I can understand. There may be walking delegates among them. There may be so-called leaders of unions and organizations among them who will advocate just such propositions as this, and who will condemn Senators or Members of the other body who do not support every proposition of this kind that they favor; but of those men I have not the slightest fear, and for them I have not the slightest regard. I do not propose to be dragooned by them into violating the fundamental principles not only of Democracy but of Americanism and of right and of justice between man and man. I do not think the farmers of my State require it, and, if they did, they would not get it at my hands, no matter how much they required it. I believe they are too just and too fair-minded people to require of me that I should vote special privileges to them. All they want me to do is to give them an equal chance with everybody else in the Republic and to see that nobody else puts his hands in their pockets. That I always try to do and am always willing to do.

As for the proposition that we must, forsooth, because the farmers or some of their officers tell us that they want it, insist upon establishing a mammoth guano factory, whether it is located at Muscle Shoals or in Georgia or anywhere else, I want to say to my friend from Alabama, in order that he shall not misunderstand me, that if this sort of thing is done over my protest I hope it will be established at Muscle Shoals, because I believe, from all I have heard, that at Muscle Shoals is located the greatest power in the South, and one of the greatest in the Republic. If this power is utilized it ought to be utilized upon correct governmental principles, and I agree that Muscle Shoals will not have to do anything but stand on its own merits in competition with all the water powers of the Republic; but that is neither here nor there. Because some men are saying—officers, it may be, of so-called farmers' organizations—that it is neces-

sary for the Government to go into the business of manufacturing fertilizers in order to serve the farmers of this Republic, I do not believe my people will expect or require me to yield to any such demand as that. I do not think we ought to go into such a business, either for the farmers or for the laboring men, for the lawyers, or the doctors, or the merchants, or the business men, or anybody else.

As I said this morning, I think the Government of the United States will have fully enough to do if it will not engage in any other sort of business except the governing business. It seems to me like its hands will be full if it will do that, because multitudinous and vexatious problems are already pressing on us from that standpoint alone. But this proposition that the Government of the United States is to embark first in this business and then in that business and then in the other business, on land and on sea, and it may be after a while in the air, is far too much for an old-fashioned Democrat like myself.

Mr. MARTINE of New Jersey. Mr. President, will the Senator yield to me for one second?

Mr. HARDWICK. I will; yes.

Mr. MARTINE of New Jersey. I have no purpose of making any speech, but I only want to impress one fact upon the Senator from Georgia. I think he is not aware of the fact. He admits that fertilizer is a necessity. I want to impress upon him the fact that all the great fertilizer plants in this country are owned and controlled by one corporation, and that is the Standard Oil Co. The Mapes and the Bokers, the Millers and the Listers—you can sail along the Kill Van Kull, in the State of New Jersey and see these great, ponderous plants presenting their frontage to the water, and you will find each one of them says: "Principal office, Standard Oil Building, 26 Broadway"—"Standard Oil Building, 26 Broadway." So I say to the Senator from Georgia that the farmers of this country are in a dire situation so far as that is concerned, and it illy becomes the Senator to characterize as being special pleaders for buncombe effect to the farmers those who advocate some system whereby fertilizers may be made cheaper.

Mr. HARDWICK. Mr. President, I am glad the distinguished Senator from New Jersey has given me that information. He seems to be better acquainted with what the Standard Oil Co. is doing than I am. But I can say to him that so far as Georgia is concerned, the Standard Oil Co. has no hold there that I know of on our fertilizers. The Virginia-Carolina Chemical Co. is supposed to have some. Be that as it may, have we not got laws on our statute books, put there by a Democratic administration, broad enough and strong enough to meet that situation? Have we a Republican Attorney General, or a Democratic Attorney General? Are we obliged to embark on all sorts of socialism because we can not get the laws that we have on the statute books enforced with our own administration in power? Is that what the Senator means?

Mr. MARTINE of New Jersey. Well, I have heard it stated that the process of the law is eternally slow.

Mr. HARDWICK. Yes; it is eternally slow. It is not as fast as the rate at which you would send this country to perdition if you could embark it on all such schemes as this.

Mr. MARTINE of New Jersey. What constitutes a scheme in the Senator's eyes would not constitute it in mine.

Mr. HARDWICK. That is all right. The Senator and I—I am happy to say—disagree about many things. But I do not think the suggestion of the Senator that because fertilizer is a necessity of life the Government ought, therefore, to engage in its manufacture and sale, will appeal to the reason of the Senate. It does seem to me that the suggestion of the Senator that because fertilizer is a necessity of life, therefore the Government ought to manufacture it and sell it to its people, answers itself.

Mr. President, I know not what course any other Senator in this body, Democrat or Republican, may take, but as far as I am concerned my decision is irrevocable on this question. I can not and will not embark on enterprises of this sort to please anybody in this Republic, in my own State, or anybody else's State, be he farmer, laborer, workingman, or what not.

Mr. OWEN. Mr. President, the issues which appear to be drawn in the discussion which has taken place would seem to be as to whether or not, under any circumstances, the Government of the United States should use the powers of nature now going to waste in the water powers of this country for the manufacture of fertilizers or explosives or other uses to which nitric acid may be properly put.

I do not feel willing to allow the occasion to pass without saying that, for one Democrat, I am in favor of using the combined powers of the people of this country in using these water powers and turning them, not in a slight way, as this amendment proposes, but on a large scale, into the service of mankind. I want to see in this country, as a measure of proper preparedness for the future, abundant and cheap food, abundant and cheap raw materials, abundant and cheap explosives for protective purposes and for internal purposes. I should like to see the Government harness these water powers, which it owns with money costing the Government 2 per cent, and I should like to see these nitrates furnished to whoever wants them to increase the productive capacity of the land of this country. I do not, as a Democrat, apologize for that position, nor do I sympathize with the condemnation of the Senator from Alabama [Mr. UNDERWOOD] because he wished to use in a small way these powers.

Thomas Jefferson taught good doctrine for his day, but Thomas Jefferson had no conception of the combined powers that exist now in the hands of a few men to control, as the Senator from New Jersey [Mr. MARTINE] pointed out, the entire output and delivery and use of fertilizing agents. Thomas Jefferson had no conception of the modern monopoly. Thomas Jefferson strongly and violently opposed monopolies of every character; but here is one place where the Government of the United States can use the cheap water powers now going to waste. Here is one place where the people of the United States, acting through their representatives on this floor and in the other Chamber, can use their combined powers for the common welfare and the general good. I do not feel willing to hear that doctrine denounced here by the Senator from Georgia, and I have no sympathy whatever with his views upon that subject.

RECESS.

Mr. CHAMBERLAIN. Mr. President, I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 5 o'clock and 58 minutes p. m.) the Senate took a recess until to-morrow, Thursday, April 13, 1916, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 12, 1916.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord our Lord, how excellent is Thy name in all the earth! who hast set Thy glory above the heavens.

Look down, we beseech Thee, from Thy purity with compassion upon our infirmities, our weaknesses, and our sins which doth so easily beset us. Inspire us with pure thoughts, high ideals, and noble purposes, that we may meet the conditions of life with brave and manly hearts and fulfill every obligation Thou hast laid upon us with patriotic zeal and fervor; that under Thy guidance we may further every good and render unto the people valiant service with patience and perseverence, that our Republic may fulfill its purpose to the good of mankind and to the glory and honor of Thy holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. FAIRCHILD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Agricultural appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed bills and concurrent resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5229. An act granting the consent of Congress to the county commissioners of Warren County, Pa., to construct a bridge across the Allegheny River in the borough of Warren, County of Warren, in the State of Pennsylvania;

S. 3606. An act for the relief of contributors of the Ellen M. Stone ransom fund; and

Senate concurrent resolution 20.

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is hereby authorized and requested to appoint a representative of this Government to appear at the celebration of the landing of Sir Francis Drake on the shores of Marin County, Cal., on the dates of May 19, 20, and 21, 1916: *Provided*, That the expenses of such representative shall be paid by those in charge of the celebration, and that no expense whatever shall be required of the Federal Government.

The message also announced that the Senate had passed with amendments the bill (H. R. 11471) to amend an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, in which the concurrence of the House of Representatives was requested.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committee, as indicated below:

S. 4014. An act to supplement existing legislation relative to the United States Court for China and to increase the serviceability thereof; to the Committee on Foreign Affairs.

S. 4432. An act to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914; to the Committee on Banking and Currency.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that for the present the bill just referred to in the message from the Senate, the sugar bill, remain on the Speaker's desk, without prejudice, until the return of the gentleman from North Caroline [Mr. KITCHIN].

The SPEAKER. It does not take unanimous consent to have that done, unless there is a desire to have it printed for the information of the House.

Mr. GARNER. I do not know but that it might be advisable to do that.

The SPEAKER. It will be held on the Speaker's table.

DEED TO HOMESTEAD OF ABRAHAM LINCOLN.

The SPEAKER. This is Calendar Wednesday, and the unfinished business is the bill (H. R. 8351) to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further, to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that in addition to the time allowed under the rule for general debate, one hour be added, one half to be controlled by the gentleman from Illinois [Mr. MCKINLEY] and the other half by myself.

The SPEAKER. The gentleman from Florida asks unanimous consent that the general debate on the bill H. R. 8351 be extended to three hours, one half to be controlled by himself and the other half by the gentleman from Illinois [Mr. MCKINLEY]. Is there objection?

There was no objection.

The SPEAKER. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8351, with Mr. BARNHART in the chair.

Mr. CLARK of Florida. Mr. Chairman, I believe when the committee rose on last Wednesday I had 15 minutes remaining?

The CHAIRMAN. The gentleman had 18 minutes remaining.

Mr. CLARK of Florida. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Chairman, I am very glad to support this bill, which provides for the acquiring by the Federal Government the birthplace of Abraham Lincoln. If this bill becomes a law, it will forever preserve to the people of the United States the birthplace of this illustrious and greatly beloved man who stood not only for the preservation of the free institutions of our own country but was an example for all the world. His birthplace was a log cabin and his parents were humble though respectable people. His useful and honorable life well demonstrates to the world what a man may accomplish for himself in this country by building up character, integrity, and unselfish work in the interests of the people. Mr. Lincoln did not have the opportunity of an education in any great college or university, but he did learn the value of character, the principle of fair dealing, and recognized the rights of humanity. He came from Kentucky to Indiana and then to Illinois at an early age and followed surveying, was postmaster and a village merchant in New Salem, Menard County. He studied law, was admitted to the bar, and practiced his chosen profession, going from court to court, or, as it was known in that early day, by riding the circuit. Many of those with whom he was associated in early life and practiced law with him became famous as lawyers and occupied responsible places, not only in Illinois but in the Nation. Nearly all of the associates of Abraham Lincoln in Illinois at that early time have passed away. There is, however, in this House one who knew Lincoln, practiced law with him as a young man on the circuit in the eastern part of the State along the Wabash River. I refer to Hon. JOSEPH G. CANNON, ex-Speaker and at present a Member of this House. Mr. CANNON also had the distinction of being present at one of the great joint debates which took place between Lincoln and Douglas, at Charleston, Ill., in 1858. These debates between these intellectual giants will never be forgotten by the people of Illinois, and each spot where these men met to discuss the great issues then before the people has been carefully marked, that they might be preserved throughout all time. Mr. Lincoln was a member of the Illinois Legislature in 1836 and 1837, which met in the city of Vandalia. The old statehouse is still there and now used as a courthouse. Among those who served with him in that legislature and afterwards became distinguished were Stephen A. Douglas, James Shields, Archy Williams, Ninian Edwards, John J. Hardin, Jesse K. Dubois, John A. McClernand, and Usher F. Linder, and others that might be mentioned. He also served in the legislature of 1838–1840. Mr. Lincoln did not specially distinguish himself during his term of service in the legislature, but did take an active interest in local affairs in the State. He afterwards became a Member of Congress, serving one term in the House of Representatives.

The stirring times which brought on the Lincoln-Douglas debates in 1858 throughout the State of Illinois, in which they held joint discussions in every congressional district of the State, developed great interest in the questions of that time, which then divided the North and South, and made Mr. Lincoln famous throughout the Nation and had much to do with making him President of the United States. Mr. Lincoln was a remarkable man in the fact that he never seemed to hold revenge or resentment against a man in the world. His kindly disposition toward those who differed with him in what he believed to be right was one of the strong characteristics of his nature. Many harsh and unkind things were said about Mr. Lincoln as a public man, and he was severely criticized in his public acts as President, but with all the abuse which was heaped upon him it did not cause him to return this ill treatment or say any unkind things. No President of our country ever suffered more anxiety in regard to the welfare of the Nation than he, and no one ever bore it with greater fortitude. When we read of his life and the many slanderous things said of him one sometimes wonders how he was ever able to bear up under it all. It seems that our Presidents must many times remain silent during severe criticism. Theirs is the welfare of the Nation, and they have a duty to perform as its Chief Executive and must not turn from the right as they see it, however much they may be criticized. People are often too prone to criticize a President for partisan purposes; not only was this the case in Lincoln's time but down to the present. Lincoln did not hesitate to change his mind whenever he was convinced it was for the best interest of the country to do so, but every time he did so he was abused for it. He was personally abused, yet all this criticism failed to change his nature, but he went forward determined to perform his duty as he saw it. He did not spend his time abusing those who indulged in abuse of him, but went about his work determined, as he said—

With malice toward none and charity for all to do the right as God gives us the power to see the right.

His chief desire was to preserve the Union, that our country might be united and the flag once more be the emblem of liberty for all the people in every part of this Republic. His solicitude for the welfare of the individual soldier was many times demonstrated during those long four years by his kindness, and his sympathy and encouragement to those who were unfortunate in losing their relatives and friends in the Army was well known to all. His memorable speech at Gettysburg will live as long as time lasts as one of the greatest ever delivered in all the history of the world. His second inaugural address showed in every word his determination to prosecute the war to a successful conclusion and save the Union, and our duty when the battle was over to care for those who fought for our country, but to forgive those who fought on the other side. He recognized they were our brothers and our own people, and if this country was to again be united we must treat them as such. They fought for what they believed right, and when the surrender at Appomattox took place the Old Flag was again acknowledged as the emblem of peace and liberty, and we can all say—

Your flag and our flag,
And now it floats to-day
O'er your land and my land
And half the world away.

Blood red and rose red,
Its stripes forever gleam;
Snow white and soul white,
The good forefathers' dream.

Sky blue and true blue,
With stars that beam aright;
A gloried guidon of the day,
A shelter through the night.

Your flag and my flag—
Oh, how much it holds
Your heart and my heart
Secure within its folds.

Your heart and my heart
Beat quicker at the sight;
Sun kissed and wind tossed,
The red and blue and white.

The one flag! The great flag!
The flag for me and you!
Glorified, all else beside,
The red and white and blue.

It was unfortunate for the North, but more especially for the South, that he should have been taken away at a time when his service was so much needed in reconstructing that devastated portion of our country which had suffered the ravages of war. Had he lived, it is believed that the unfortunate condition which resulted after the close of the war would never have taken place. He held no enmity to the South, but it was believed his love and solicitude for the people there was such that the outrages committed after peace was declared would never have taken place had he been permitted to serve out his term and give his assistance to the people in rebuilding their homes and country. To-day our country is happy, indeed, in the knowledge that we had an Abraham Lincoln during those trying times. The people of Illinois are proud that they furnished to this country and to all the world an Abraham Lincoln who preserved this Union that they who follow after him might enjoy these blessings of a happy and a united country and that our country will be a beacon light to all the world as a land of liberty. Let us preserve these blessings to all our people. We can not be true to the flag unless we are true to the principles for which the flag stands. We are all thankful that there is no sectional feeling within our borders and the bitterness of 1861 and 1865 is gone, and that men meet without sectional quarrel and only with kindly feeling to each other. We thank God that upon this floor those from the South are here to speak in praise of Lincoln. They had their heroes in battle, whom they praise. Why should they not? Shall they be criticized for doing so? Their loved ones fought for the cause they believed just, and many lost their lives on the battle field. The example of the life and character of Abraham Lincoln is an inspiration to every individual to put forth his best efforts for his country. Times may come when people take sides upon great questions and contend for what they conceive to be the best, and it is right that such should be the case with every true American. With such questions settled by the majority, they acquiesce in what is best for the greatest number. In no other way can our Republic be preserved. We should emulate the life and character of this illustrious martyr that we, too, may render some valuable service to our country. Let us not endeavor to take from society in this world without giving something in return. With rights and privileges come responsibility. We should do our part. Let us perform our work so that it may be said of us, "We have fought a good fight and have kept the faith."

Abraham Lincoln is gone, but the inspiration of his life will live forever. [Applause.]

Mr. RAINEY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McKINLEY. Mr. Chairman, I yield such time as he desires to the gentleman from Illinois [Mr. CANNON]. [Applause.]

Mr. CANNON. Mr. Chairman, Lincoln was born in Kentucky, if I recollect right, on the 12th day of February, 1809. No one could have dreamed what his future would be. They have found the log cabin where he was born, the place upon which it stood, the farm upon which his father failed to make a living, and it has been purchased and endowed with $50,000 and is now tendered to the Government of the United States. It is meet and proper, in my judgment, that this bill should pass. We are building a great memorial here in the city of Washington to Lincoln, and I am glad of it, as is everyone, but that memorial, located just beyond the Washington Monument, marks his service as a lawyer, as a statesman, as President. That memorial is not so high as the Washington Monument, but it is broader and longer; it is not dwarfed by the Washington Monument, nor by the Capitol, nor should it be. But, after all, if he had not been born he would not have been President. I am not a believer in special providences, but if I were I would say that he was born with a mission. Mr. Chairman, there is an old Greek myth that one of the tasks of Hercules was to meet and overcome Antaeus.

He ascertained that the secret of Antaeus's strength was that every time he touched the earth his strength was renewed. So, placing his arms about him, he held him up in the air until he died for the want of sustenance. The Greek myths, many of them, tell the story of strength renewed by touching the earth. We all understand that in this country, and, in fact, in all countries, in the main the men who lead in achievements are of the generation or near to a generation that has touched the earth. [Applause.]

The genesis of Lincoln was a happy one. The family moved over into Indiana on the way to Illinois. They halted first in Indiana, and then settled in Illinois, in the county of Coles, and then over in the county of Menard. He was a boatman, then a surveyor, a merchant, soon became a lawyer, and a successful one, and went to the legislature. He had everything in common with the people of the borderland. Politician as well as lawyer, though not a reformer, he was a partisan. He was a member of the Whig Party, and one of his principal opponents at the bar in the early days was Mr. Douglas. Douglas forged ahead, came to the House of Representatives, was elected and reelected to the Senate of the United States, and became the leader of his party, being a wonderfully strong man.

Lincoln was ambitious. He possessed a law practice that would not be counted lucrative now, although it abounded in a large number of cases. If fees had been paid then of the size of the fees now, with the amount now involved, he would have had a wonderful income. Judge Davis, upon whose circuit he practiced, told me that the largest fee which Mr. Lincoln ever received was $5,000, in a litigation for the Illinois Central Railway, touching the 7 per cent of the gross earnings that went into the treasury of the State and freeing the railway from taxation. Mr. Lincoln was successful for his client, and held his breath, and charged $5,000, but had to sue the corporation to make it pay. Mr. Davis, afterwards Justice of the Supreme Court of the United States, told me that Mr. Lincoln never before had received such a fee, and rarely as much in the aggregate as $5,000 a year.

He had this equipment for his afterlife work. Born in Kentucky, he came to Illinois, which was settled in the central and southern portions from Kentucky, Tennessee, North Carolina, and Virginia principally. For a long time settlements were sparse in the northern part of the State, although there was a considerable settlement there from the East. But the early settlements were mostly from the Southland. There came some Democrats and some Whigs, about evenly divided in politics, and they used to say when they spoke of the Kentuckians—Whigs, Democrats, strong partisans—that the Kentuckian took his politics like he did his whisky, namely, straight. And so it was.

Mr. Lincoln became a candidate for the Senate after the passage of the Kansas-Nebraska bill. In 1858, Mr. Douglas being a candidate to succeed himself, he was Mr. Lincoln's opponent; and this was the issue, in substance: Lincoln was not an abolitionist; nor was Douglas, for that matter. Douglas was for squatter sovereignty; that is to say, Lincoln took the position that slavery was not national; that it was sectional, and that a State when it came in, or even after it came in, could legalize slavery, but that in the national domain there was no law to protect the property where it was invested in the slave, the South taking the position that it was property, and therefore it was entitled to protection in the national domain.

Mr. Douglas said that he would be, to a certain extent, neutral. Said he, "We will let the Territorial legislature, the people of the Territory, determine whether slavery shall exist in that Territory or not, prior to its admission as a State, if it be admitted as a State afterwards. And the contest was a fierce one. The Whig Party was divided in twain; the Democratic Party in the North was divided in twain; and there never was, I dare say, in all the history of the country such a campaign as was made by Mr. Lincoln and Mr. Douglas. Lincoln held his own, but Douglas had a national reputation. Lincoln's reputation was as a lawyer in the Middle West, north of the Ohio River. This campaign brought him to public notice because he could hold his own with the "Little Giant." It was the foundation which made him a candidate for the Presidency and which resulted in his election. Of all men living, in my judgment there was no man in the United States who was so well equipped from his early life to be President as Abraham Lincoln. [Applause.]

My colleague, Dr. FOSTER, said that I had known Lincoln and attended the Lincoln-Douglas debates in 1858. That is true in a measure. As a young man I met Lincoln on a number of

occasions—on the ninth judicial circuit of Illinois, at the Illinois convention which made him the candidate of the State for President, and during that memorable campaign in 1860. I attended the debate between Lincoln and Douglas at Charleston, Ill., in September, 1858. The prairies of central Illinois were vacant that day, for all the people went to Charleston to hear the two champions in the fourth debate. They were pretty equally divided in their loyalty to the two men, and in that section at that time men were virile in their partisanship. There were banners and bands, and the little town was overrun with people from far and near. The meeting was held on the fair grounds, and each party had its chairman to welcome its leader and preside together.

It was at that meeting that Lincoln took advantage of Douglas to make the Democratic chairman testify against him. The Hon. O. B. Ficklin, a former Representative in Congress, was the Democratic chairman and had welcomed Douglas and introduced him to the audience. In that speech Douglas repeated his charge that Lincoln had refused to support the administration's conduct of the War with Mexico. Lincoln had denied this charge at Freeport and at Jonesboro, but when it was repeated at Charleston he showed that old human trait of "getting even." When he referred to the charge and his former denials, he whirled about, reached out his long left arm, and, taking Chairman Ficklin by the collar, yanked him out of his chair and to the front of the platform, much as an old-fashioned schoolmaster brought out a bad boy to be trounced. The crowd, anticipating a fight, became excited, but Lincoln remarked: "I am not going to hurt Col. Ficklin; I only call him as a witness. Now, the colonel and I were in Congress together, and I want him to tell the whole truth about this Mexican business." Col. Ficklin was in an embarrassing place; he told the audience that he was the friend of both Douglas and Lincoln and did not want to be a party to the dispute, but that Lincoln had voted just as he did for the supplies for the Army in Mexico, though Lincoln had voted for the Ashmun amendment, declaring that the President had exercised unconstitutional powers in beginning the war. It was Lincoln, the lawyer on the circuit, compelling the witness for the prosecution to testify for the defense.

The Republicans were wild with enthusiasm and the Democrats disappointed over the incident; but there was no further disturbance, and the adroitness of Lincoln disposed of the charge that he had been disloyal to the Army in refusing to vote the necessary supplies to the troops in Mexico. Lincoln lost in that senatorial contest, but it made him the Republican leader in 1860, as it made impossible the election of Douglas to the Presidency by dividing his party on the slavery question.

Lincoln did not suit the extreme North, because in the main it was extremely radical, with the Garrisons and the Phillipses, and many others. Of course, he did not suit the extreme South, because there too was radicalism; but when you came to Missouri and Kentucky and portions of Tennessee, Pennsylvania, Ohio, Indiana, Illinois, and Maryland, there was a division almost half-and-half. They were virile men. The Caucasian race is virile, and where they honestly have convictions you know that they are ready to fight for them. Lincoln knew how far he could go in that great contest with our arms, and whether he could succeed or not, by being able to keep his hand upon the public pulse on the very stage where the war was principally conducted, namely, in the borderland. He could place his hand upon his heart beats, shut his eyes, put the question to himself, and determine what it was necessary to do and say, and receive the support not only of the Republicans, but the Democrats in the main, strong partisans as they were. And it was necessary to have a substantial vote. We all know what happened in Missouri. In Kentucky the Kentuckians boast that their quota was full in both armies, which was true, and so on along the borderland. There were specks of war at times in Illinois and in Indiana. Battles were fought, one or two in the district that I now represent, in the circuit upon which Lincoln traveled, between men, our kind of men, our blood—Americans.

In the meantime the radicals in the North were not satisfied. They said he went too slow. Ministers in the pulpit, many of them, openly said he was not performing his duty. There was an abolition sentiment in the North; the farther north you got the stronger the abolition sentiment. It was not so strong in the borderland as it was in New England and in New York and in northern Pennsylvania and northern Ohio. Delegations of preachers came to see him and put it up to him: "Why don't you free the slaves?" They said the Lord had sent them. He gave them this answer, in substance: "It seems to me if the Lord had a communication to make to me, I being chiefly responsible as leader, He would give it to me direct." [Laughter.]

Friends of his grew lukewarm. I read the weekly New York Tribune, the only real newspaper we had in our township. It came in—two or three hundred copies—at a dollar a year. When I was a boy it was a great champion of protection and bore testimony against slavery—a radical. And yet when the real trouble came Horace Greeley in the Tribune said, "Let the erring sisters go in peace," and quarreled with Lincoln, because Lincoln would not help contribute to that end. And so it was all along the line.

By the by, will you bear with me? I do not want to weary you——

SEVERAL MEMBERS. Go on!

Mr. CANNON. For the first two years of the war the Union Army did not have great success. In the fullness of time came Vicksburg and Gettysburg and victory. People took heart. Two million two hundred thousand men, most of them enlisted, by that time were trained. We had in our Army more than were in the Confederate Army. We greatly exceeded them in number. We were much better off. We had more of railways than they had. But they were fighting, do not you see, upon their own ground, as France is now fighting. It is easier to defend the hearthstone than it is to conquer the hearthstone. Well, there was much of trouble. People in the North wanted to compromise. In the South they did not want, in considerable number, to compromise. They were fighting for what they conceived to be their rights under the Constitution. [Applause.] Lincoln, you recollect, in answering one of his letters in 1862, said to Greeley:

> If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that.

Strange—he was criticized, especially in the Northland as well as in the Southland. He was reminded that the Constitution guaranteed property in the slaves. He acknowledged it. He said:

> I have taken an oath to defend the Constitution—but he added in his homely way—was it possible to lose the Nation and yet preserve the Constitution? By general law, life and limb must be protected, yet often a limb must be amputated to save a life; but a life is never wisely given to save a limb.

And in the time of war for the preservation of the Union and the preservation of the Constitution, when it became necessary, laws were silent, and in three weeks after the preachers had visited him he gave notice by proclamation, if the States of the South did not return to their allegiance by the 1st of January, as a war measure he would declare the slaves free, and he did.

Now, the partisan papers of the North, including the New York World and the New York Herald and Greeley in the New York Tribune, were firing into him. Greeley was not pleased—and I will tell you about that a little later on, if you will indulge me. Those partisan newspapers did not want to see him reelected. They attacked him from every angle, fiercely and vigorously, not striking above the belt, but below the belt. No man in my time was abused as he was by the press. But it did not seem to bother him. He did not complain. It was wonderful how the papers commended and patted on the back Fremont, who was our first leader in 1856, and took him up when the radicals, you know, held a convention at Cleveland. The newspapers were full of Fremont's candidacy, and the radicals who were to nominate him did not say much about Lincoln's political prospects. I sometimes think that history repeats itself when I recollect the action of the newspapers of that time. Well, I will not come nearer speaking of more recent history. [Applause.]

Greeley, editor of the greatest Republican paper of the country up until the beginning of the war for the Union, had a personal grievance against Lincoln. When the convention met at Chicago, with factional troubles in New York, Thurlow Weed and Seward and that faction prevailed over Greeley, and he could not go to the convention as an original delegate, but he got a proxy from a delegate for Oregon, and he was in the convention and worked for the nomination of Lincoln. Lincoln elected, Greeley had the right to believe that he ought to have been in his Cabinet. He began to fight and find fault. The situation grew worse and worse. Lincoln picked Chase and those who had opposed him in the convention for nomination, including Seward, and put those two in his Cabinet. The great trouble was upon Seward, his Secretary of State, and Lincoln said to Greeley's friends: "We can not take two men from New York; I am pursuing this policy." The politicians did not see as well as the statesmen. Greeley became aggrieved, and they fought all through until 1864 came. I will not take time to tell what he said and what Lincoln said in reply. It is good

reading. You will find it in McPherson's History of the Rebellion.

A MEMBER. Tell that story.

Mr. CANNON. The gentleman says, "Tell that story." The surroundings are not as good as they could be for telling that story (the surroundings are good, you know, but we are all prohibitionists now). [Laughter.] But I will tell that story, if you will indulge me, because it throws a strong light upon Lincoln's character. Lincoln was nominated; McClellan was nominated; Lincoln for the preservation of the Union and the prosecution of the war. And, mind you, you did not, down South, have anything to do with McClellan's nomination. He was nominated by the Democratic North, upon a platform declaring the war a failure and advocating an armistice, that we might preserve the Union by compromise. Lincoln, in his characteristic way, said, referring to it as reported in conversation, "Suppose we were to try to compromise. We talked about that, and many people tried it before the war began. But can one man make a bargain?"

Well, it looked as if Lincoln was to have a hard time for reelection. He believed that he ought to be reelected. The Republicans believed that he ought to be. Many Democrats in the North believed that he ought to be; but the campaign was hot.

For four or six years, along about 1878, 1879, and 1880, I had a colleague in the House here by the name of Waldo Hutchins. He was a Democrat at that time, although prior to Greeley's candidacy for the Presidency he had been a Republican. In the Greeley campaign he became a Democrat, voted for Greeley, and then later was elected to Congress as a Democrat. He was a strong, honest, square man, and a truthful man, I have no doubt. He knew Mr. Lincoln very well. Mr. Hutchins told me that one evening he climbed the long stairway in the Tribune Building, then, I believe, the highest building in New York, and found Greeley in his office, and said, "Mr. Greeley, what's the news?"

"Oh, nothing, nothing," said Greeley.

After a little conversation Greeley said to Hutchins, "There is a letter I received."

Hutchins said he took the letter and read it, and it was from Mr. Lincoln's secretary, addressed to Greeley, and it said, "The President instructs me to say that he would like to have an interview with you, and as matters are at present he finds it impossible to get away from Washington. Is it asking too much to ask you to come to Washington?"

The letter was two days old. Said Hutchins to Greeley, "Have you answered the letter? Have you been to Washington?" "No," said Greeley.

"Why don't you answer it?"

"Oh, I don't care to."

Hutchins told me that he grabbed the letter and said, "I will take it."

Greeley said, "As you choose."

Mr. Hutchins said he rushed down the stairway and found a hack, and said to the driver, "I will give you three times your fare if you will catch the last boat to Jersey City."

The driver laid on the whip, and Hutchins caught the last boat and caught the train, although it was in motion when he got on board for Washington. Hutchins came to Washington and went to breakfast at the Willard Hotel. Then he went to the White House. The messenger said, "Why, Mr. Lincoln can not see you now. He is just getting up."

Said Mr. Hutchins, "I must see him."

"Oh, well, you can not see him now. It is impossible."

Said Hutchins, "Take this card to the President"; and he told me, "I scribbled upon my card that I had come in consequence of that letter that his secretary had written to Mr. Greeley."

The messenger came back and said, "The President says to show you up."

"He was dressing, and we talked, and I told him what Greeley had said. Lincoln said, 'I am glad you came. Greeley has a just grievance from his standpoint against me. He voted for my nomination and advocated my election. He had a right to believe that he would be recognized, and he would have been under ordinary conditions, but under the conditions as they then were and now are I could not, performing my duty as President, ask him to be a member of my Cabinet. I believe I shall be reelected. I believe I ought to be. God knows if it were not for the sense of duty that I owe to the people and to civilization I could not be hired to be President. If I am reelected, I believe it will be but a short time until this great struggle will close. Seward is a great man, but of a different faction from Greeley. When this war closes we will have great need for a diplomat at the Court of St. James. We have a long account to settle with Great Britain. Seward has performed great service as Secretary of State. I believe he could perform better service as ambassador to the Court of St. James. By the by, Franklin perhaps was the greatest man that ever lived in this country—philosopher, statesman, scientist. He was Postmaster General under the confederation.'"

Hutchins said, "Yes; so he was."

Lincoln said, "Franklin was a printer. Greeley is a printer. Do you know I believe Greeley would make a good Postmaster General. I think I am right in saying that is the position he would rather occupy than any other."

Hutchins said, "Am I at liberty to say that to Mr. Greeley?"

"Oh, you can say it, but, mind you, I am not making a promise to bind me in the constitution of my Cabinet. I am telling you how I feel toward him personally. I am honest about it."

Hutchins departed, went to New York on the next train, climbed the stairway again, and repeated the conversation to Mr. Greeley. Greeley said, "Did Lincoln say that?"

"Yes."

Without another word Greeley wheeled in his chair, sat at his desk, and for 20 minutes wrote, and then read to Hutchins that greatest of all bugle calls published in the New York Tribune, which I think did much, perhaps more than all the other papers put together, to reelect Lincoln, lining up the Republican Party from the standpoint of patriotism, and the salvation and preservation of the Union.

Sequel: Said Mr. Hutchins, "The day before Mr. Lincoln was assassinated I got another letter from his secretary stating that the President desired to meet me, and asking me if I would come to Washington. I left on the next train, the same train that I had taken in September or October before. I arrived in Washington in the morning, and when I got off the train the newsboys were crying that the President was assassinated. I have no doubt on earth but that he called me to Washington to tender through me the Postmaster Generalship to Mr. Greeley."

So Mr. Lincoln was a politician. He was a partisan, but he had that great common sense as a leader which led him up to the preservation of the Union. Greeley and some of Lincoln's generals and some members of Lincoln's Cabinet criticized him. Some members of his Cabinet were perfectly willing to take the whole thing out of his hands and run the Government. He just let them stay. You know they were useful. He went on in the even tenor of his way. I will not go into that further. You all recollect about it who are old enough, and the rest of you have read about it. Nobody regarded Lincoln as a hero during that great contest. His recognition as of heroic mold came after his death. You know heroes are great fellows. Sometimes the people regard them as heroes, and sometimes they proclaim themselves as heroes. [Laughter.] Let me say to you that that does not apply to one party alone. There are other pebbles on the beach. [Laughter.] With his great good sense, with his feet in the soil, with no collegiate course, God made him, and his associations in youth and manhood had been such that he was enabled to lead and lead successfully.

You remember what George William Curtis said in notifying Lincoln of his second nomination:

> Amid the bitter taunts of eager friends and the fierce denunciation of enemies, now moving too fast for some, now too slow for others, they have seen you throughout this tremendous contest patient, sagacious, faithful, just, leaning upon the heart of the great mass of the people and satisfied to be moved by its mighty pulsations.

By the by, I am reminded of the Gettysburg speech. Edward Everett made a great speech there. Everybody was listening to Everett. Nobody knew that Lincoln's little three-minute speech was a jewel. It was not said to be a jewel until long after he was dead. After it was made the partisan press attacked it. Some of them said it was ridiculous and vulgar. Well, you know how it was in a hot campaign, and the campaign was very hot in 1864 in the Northland. Yet there is not one school boy in a hundred in the United States in a high school who knows that Edward Everett made the principal address on that occasion, but I dare say that ninety out of a hundred of the bright-faced boys and girls can repeat Lincoln's three-minute Gettysburg speech. It is a classic, and will live when you and I are dead and gone and forgotten.

Then take the letter that he wrote to the Irish woman in Boston, who lost four or five sons in defense of the flag. That was a wonderful letter. I had rather have the capacity to write that letter, or to make such a speech if the occasion arose, than to have all the property of all the earth. [Applause.]

Now, I have catch heads here enough to last me a long time, but I have talked too long. [Go on! Go on!] Well, not much.

Listen to one of the radicals during the campaign of 1864. Wendell Phillips was an extreme radical of the North. He said:

If William Lloyd Garrison stood in the President's place I should have no fears. Can I put the same trust in Abraham Lincoln? In the first place, remember he is a politician, not like Mr. Garrison, a reformer. Politicians are like the foreleg and shoulder of a horse, not an upright bone in the whole column.

[Laughter.]

That which is not itself crooked stands crooked—

[Laughter.]

and but for the beast, could not move. Reformers are like Doric columns. Might may crush them, but can neither bend nor break.

I suppose a reformer has his place. I sometimes think they get pretty thick. They say that their province is to fight with the Almighty, that the Almighty and one are a majority. Well, they have their place. I am not here to abuse them. Nearly all of them are honest, but once in a while one of them is a hypocrite, makes his living by being a reformer, but who would think of one of them for a Member of Congress, or Senator, or President. For those offices we want a politician, a man of affairs, a man whose range of vision can cover the whole country, and if necessary the whole world.

Lincoln was assassinated by a crazy man. Later on Garfield was assassinated, and later on McKinley; and when Lincoln was assassinated it was the saddest day for the Southland and the Northland. [Applause.] There would have been no mistake made, in my judgment, if Lincoln had not been assassinated. When the proposition was made to put South Carolina and Virginia together in one military district he said, "No; I want to keep the States separate so far as I can to preserve their autonomy and to help strengthen the Union." [Applause.] But he was assassinated. If he had remained President when your State governments were being formed you would not have had reorganizations that made peons practically of the late slaves, and when that happened then came reconstruction with all the hardships that followed. It was a great loss to the North and a great loss to the South.

I believe the hand that used the weapon to take the life of Lincoln was inspired by the press, North and South, that denounced Mr. Lincoln. I believe the same thing is true of Garfield, and the same thing is true of McKinley. I believe in the freedom of the press, but, oh, at times a terrible effort is required to guarantee that freedom when the liberty of the press gets to be the license of the press.

Now, one further word and I will sit down. When I get to talking about Lincoln in common conversation, I suppose I could talk all day, as many of you and millions of others could throughout the country. Who are the men that have effected civilization in all the days from the Master born in a manger? Who were His disciples, the fishermen. And from the time of His crucifixion down to this time He has grown and grown, and His teachings, notwithstanding the great struggle we are having now among three hundred millions on the other side—His teachings grow more powerful and useful to the human family.

The men that have been the strongest leaders of the world are men born in the cabins, in humble life, and of humble parentage. A Member referred to Napoleon the other day. Napoleon was of the first generation that we know anything about, and substantially when he died that was the end of the generation, although there is one man who is respectable in ability and a citizen of the United States.

And so you run along. Take it in poetry. Robert Burns, a son of the soil. Robert Burns speaks of the people in his wonderful songs, and, in my judgment, has done more for civil and religious liberty than any man for many, many generations—and I was going to say centuries. [Applause.]

Who was the father of Shakespeare? He had no descendants, so far as I know, and yet his plays will live through all time. And then there were Goldsmith, Whittier, Dickens, Thackeray, Tolstoi, Andrew Jackson, Garfield, Morton, Sherman, Grant, Carnegie, Bell—and I could stand, if you had the patience to listen, and read a list by the hour. The old saying on the Wabash, homely as it was, is true, "It is three generations from shirt sleeves to shirt sleeves." It was true then and true now, and has been true substantially in the whole history of the world.

You know that if you go into New York or into Chicago or the great centers you will find that three out of four men in business who direct the affairs of men were sons of farmers or others who lived in the sweat of their faces, who worked in early life and have become qualified for their subsequent career. Once in a while one of them makes a very great fortune, and if he gets too strong somebody tries to take it away from him, and sometimes succeeds, and we call him a plutocrat; he commenced as a democrat and became a plutocrat. [Laughter.]

By the way, I have for the first time in my life been reading Emerson a little bit, and in his essay on Napoleon he winds up near the close with this statement. Napoleon, you know, became first consul, overrun Europe substantially, was then Emperor, then came St. Helena. He was a democrat and ran through all of the stages before he died, but Emerson uses this sentence, "The democrat is a young conservative; the conservative is an old democrat; the aristocrat is a democrat ripe and gone to seed." [Laughter.] The first part of this definition applied to Lincoln, who was thoroughly democratic and also conservative, but never aristocratic. Emerson said of him, "He stood, a heroic figure, in the center of a heroic epoch. He is the true history of the American people in his time." [Great applause.]

Mr. CLARK of Florida. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. SHERWOOD].

Mr. SHERWOOD. Mr. Chairman, sitting here to-day in this presence I could not help but grow reminiscent listening to the splendid tribute to Abraham Lincoln by my old friend, Mr. CANNON. That vital historical recital reminded me of the time when we came into the Forty-third Congress together on the first Monday of December, 1873. [Applause.] I believe that Mr. CANNON and myself are the only Members in either branch of Congress now in public life who were Members of that Congress. There were historical characters in that Congress, men called to deal with both ethical and fundamental questions growing out of the Civil War, questions that stirred the blood and commanded the most potent mental endeavor. Just across this aisle sat two intellectual athletes—Gen. Benjamin F. Butler, of Massachusetts, and S. S. Cox, of Ohio and New York—who continuously measured the strength and potency of their rasping scimitars at close range. Near the seat where now sits our able and alert leader of the minority [Mr. MANN] sat my old Army comrade, James A. Garfield, then chairman of the Appropriations Committee, afterwards President of the United States. Right in front of the Speaker's desk, in his wheeled chair, was Alexander H. Stephens, of Georgia, late vice president of the Confederate States, a man of intense and powerful intellectuality, a true type of that array of intellectual giants that made both the House and the Senate great forums of debate during and after the war.

James G. Blaine, the idol of his party, was Speaker of the House and the recognized leader. On the Republican side sat 6 representatives of the negro race, just enfranchised, and on the Democratic side 10 or 12 of the battle-scarred veterans of the Confederate Army. I had the honor of a seat between Gen. "Joe" Hawley, of Connecticut, and George Frisbie Hoar, of Massachusetts, the former then famous as a soldier, the latter as the exponent of the highest culture in the domain of civics. But lest I be classed as a reminiscent, I will not indulge in reminiscences further. I am not a pessimist. I believe in to-day, I believe in the future, I believe in the better day to come. And if the debates I have listened to in this Congress seem tame and commonplace, it is because no vital questions to stir men's blood have been under consideration, questions to waken the full force of high intellectual effort. Should a great crisis confront this Congress, I sincerely believe that there is material on this floor on both sides of this historic Chamber to equal in forensic power the record of the past. Such a crisis may not be far off. I remember also the first speech of my colleague, Mr. CANNON, made 43 years ago on the floor of this House, and then, as to-day, we all sat up and took notice. [Applause.]

THE LOG-CABIN MEMORIAL TO LINCOLN.

You will all concede that nothing new can be said of Abraham Lincoln. History and biography and the muse of poetry have been busy with his name and fame for over a half a century, and history has said its last word. It was that crash of cannon shot against the walls of Fort Sumter which started the movement that made the name of Abraham Lincoln the most sacred heritage of the redeemed Nation. Without the titanic conflict that followed the name and fame of Abraham Lincoln might never have inspired a national lyric.

It is not great men who make great epochs of history. It is great epochs that make great men. Had there been no Trojan War there would have been no Homer. Had there been no conflict of the kings in the formative period of English literature there would have been no Shakespeare. Had there been no War of the American Revolution, there would have been no George Washington, and had there been no Civil War from 1861 to 1865, there would have been no Abraham Lincoln.

The American people were leading a dull and melancholy life before that awful struggle of arms, but with that crash of cannon shot against the walls of Sumter came a new and in-

spired life. When the storm burst, the finger of God dropped the plummet into the Dead Sea, and with the overflow came new hopes, new ambitions, and new inspirations. And throughout that four years' struggle, the most desperate and long continued of modern wars, the leading hand, the guiding spirit in the camps and courts and capitols of the Nation was Abraham Lincoln, the President and Commander in Chief.

I remember on the 4th of November, 1864, we were on a march in Tennessee, a forced march, toward the battle field of Franklin. The Ohio Legislature had passed a law (they had the old ballot system then before we had imported the system from Australia) that the soldiers in the field should vote. The Ohio presidential tickets had been sent to me for my regiment, the One hundred and eleventh Ohio. We were on a forced march the day of the election for President of the United States. We were to start at daylight. Just before daylight I had my horse saddled and rode back 3 miles to the rear and borrowed from our brigade surgeon, Dr. Brewer, an ambulance and a camp kettle. Whenever we rested that day, on that rapid march the soldiers of my regiment voted in that old camp kettle in the ambulance. We counted the votes at night by the light of the bivouac fires. One-third of my regiment were Democrats and yet there were only seven votes against Abraham Lincoln in the whole regiment.

I remember also after the Battles of Franklin and Nashville, and after we had driven Gen. Hood and his army across the Tennessee River, we were placed on transports and carried up the Tennessee and the Ohio to Cincinnati; then across Ohio and Virginia on the Baltimore & Ohio Railroad to Washington. We reached this city March 3, consigned to an ocean voyage to some point in North Carolina to meet the army of Gen. Sherman coming up the coast from Savannah. Abraham Lincoln was to be inaugurated the following day, March 4, 1865. I was looking for a war horse in Washington, as my last horse was shot at the Battle of Franklin, but I was determined to see Lincoln and hear his second inaugural address. I had never seen Abraham Lincoln. There was a vast crowd on the east front of the Capitol. It seems to me there must have been 20,000, with many hundred boys in blue, and officers in full uniform, including Gen. Joe Hooker. I had on my old war-worn uniform, once a blue uniform, now tarnished with grime from the red clay roads of northern Georgia and the sticky mud of west Tennessee. My old slouch hat with a hole burned in the crown, caused by sleeping with my head too close to a bivouac fire, was not a fitting crown for inauguration day, but I worked my way through that vast throng to within 6 feet of Abraham Lincoln, and I heard him deliver his last oration on earth. I heard him say:

> Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle and for his widow and his orphan.

[Applause.]

Over a half century has passed since that eventful day. I can see Lincoln now as I saw him then—a tall, gaunt man, with deep lines of care furrowing his cheeks, with inexpressible sadness in his face, the face of a man of many sorrows. A sad face, a strong face, a face radiant with the inspiration of a great soul, as he voiced in prophecy the ultimate destiny of this Nation. As a soldier of the Republic I heard Abraham Lincoln voice his national ideals in his last message to the American people.

Two million soldiers fought under Abraham Lincoln, the revered President and Commander in Chief, in the most desperate and longest enduring war of modern times. Over and above the 2,000,000 soldier graves that are, or soon will be, there rises triumphant in the radiant glory of a world-wide beneficence, the prescient prophet of emancipation, the leader in the grandest epoch-making era of all civilization. [Applause.]

Then I recall another scene that I shall never forget. It was the day after the surrender of Lee's army at Appomattox. Our Army was marching up the right bank of the Neuse River, in North Carolina. I saw in the distance a man on horseback, riding a splendid horse—riding like mad—and as he approached the head of our column it was plainly to be seen that he must have been riding hard, for his horse's flanks were white with foam, his eyes flashed fire, his nostrils red as blood. As he neared our front he shouted at the top of his voice, "Lee's whole army has surrendered." Every marching soldier behind a gun voiced the gladness of his heart. The whole Army went wild. That line of march was about 10 miles long, and I could almost hear the last shout of joy away down to the end of the line. That officer was Lieut. Riggs, on the staff of Gen. Schofield, the commander of our Army corps. We were all tired of war, and that was the gladdest day that Army ever saw. It was the proudest day any Army ever saw since God created the world. We had fought the good fight, we had kept the faith, and we knew that the war was nearing its end, and that we could again go to our homes and clasp again the angels of our own household. And what a terrible change from universal joy to the deepest gloom followed this gala day. On the 15th of April, 1865, after we had reached the environs of Raleigh, I saddled up my horse to ride into the city. I had to pass through the camps of about 60,000 soldiers. Camps are always noisy. There are always some soldiers who are singing songs, and our Army was always buzzing with cheerful voices. They were all cheerful then, because we were seeing the end of the war. But that morning the camps were as still as the grave. I met a staff officer and inquired, "Why this silence in the camps?" He replied, "President Lincoln has been assassinated." There was universal mourning in the Army. Every soldier loved and revered Abraham Lincoln, and that whole camp was as silent as this House in the midst of the prayer of the chaplain. That is how the Army regarded Abraham Lincoln. Every soldier loved him as a brother.

Now, as to this log-cabin tribute: We have built many monuments to Lincoln. We have dedicated many statues in bronze and marble; we have four in the city of Washington. I was under the great dome this morning. I saw Vinnie Ream's marble statue of Lincoln in the plain clothes of an American citizen; I saw Borglum's representation of the face of Lincoln, double heroic size. In Judiciary Square there is another figure in marble of Lincoln, and in Lincoln Park there is a true-to-life figure of Lincoln in bronze in the act of unshackling a slave. We are building a splendid temple to him on the banks of the Potomac. That is all right. But monuments and temples and statues have no emotion, no human sympathy, no voice. But here is Lincoln's old Kentucky home. Here is the log cabin where he was born. Here is a silent monitor teaching a vital lesson in patriotism. Here is a symbol of hope and cheer to every poor boy struggling against poverty for an honorable career. Here is a Mecca where all the children of the Nation can gather and take courage in the story of a man, born in a rude log cabin, who learned to read books at night in the silent woods by the light of a pine-knot fire, and who became the guiding hand—the leading spirit—in one of the greatest epochs of all history. [Continued applause.]

Mr. CLARK of Florida. Mr. Chairman, I would like to inquire how much time there is remaining on this side.

The CHAIRMAN. The gentleman from Florida has 21 minutes remaining and the gentleman from Illinois [Mr. McKINLEY] 35 minutes.

Mr. McKINLEY. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. SMITH].

Mr. SMITH of Minnesota. Mr. Chairman, under ordinary circumstances, after hearing the able and exceedingly interesting speeches of Hon. JOSEPH G. CANNON and the Hon. ISAAC R. SHERWOOD and others upon the life and deeds of Abraham Lincoln, I would not be so presumptuous as to attempt to add anything to what has already been said about "the greatest memory of our earth."

The transfer by the patriotic Commonwealth of Kentucky of the log cabin in which Lincoln was born to the gentle care and protection of the United States is no ordinary occasion.

I never expect to witness a more patriotic and inspiring scene. It is an event that arouses in every American heart a desire to give expression to the love and veneration in which he not only holds the great emancipator but everything connected with his life from childhood to the grave.

From the fullness of the American heart the mouth speaketh of the things that make life worth living; of the things that ennoble and sanctify God's heritage to man.

Would that I had the ability to depict for you my heart's image of Abraham Lincoln; it would fill you with thanksgiving to Almighty God for having sent in the hour of our country's direst need Abraham Lincoln—the greatest power for good and the greatest leader of men since Christ—"a Christ in miniature," said Tolstoy.

Filled with such emotions, I know that my generous and patriotic colleagues will bear with me while I in my humble way on this historic day lay a sprig of laurel on the tomb of one of our own kind and generation—the immortal Lincoln—the friend of man.

Born of humble and illiterate parentage, on Nolan Creek, in a wild and unsettled hickory forest of Kentucky, in this rude cabin—a very strange and unlikely place for the birth of the Nation's saviour. From this lonely home in the wilderness, devoid of books, schools, and churches, and even of the stimulus of educated companions, this incomparable child of the forest by

sheer force of character advanced step by step in knowledge and statecraft until he reached the highest position in the gift of the greatest Nation on earth. And this, too, at a time when that Nation needed its greatest genius to save it from self-destruction.

These inspiring exercises testify more eloquently than any words of mine how completely he restored the Union as it was before the mighty rebellion, in which he was the matchless leader. To-day the Southland is vying with the Northland in paying homage to the memory of the preserver of our Commonwealth, its flag and free institutions. If the shades of the venerated and martyred Lincoln could witness this scene of a reunited and happy people, its cup of joy would overflow.

His was a life filled with greatness and sadness—free from malice, jealousy, and revenge.

His solicitude for the welfare of the South after the fall of the Confederacy was beautifully expressed in these words:

I want the people of the South to come back to the old home, to sit down at the old fireside, to sleep under the old roof, and to labor and rest and worship God under the old flag. For four years I have seen the flag of our Union riddled with bullets and torn with shell and trailed in the dust before the eyes of all the nations, and now I am hoping that it will please God to let me live until I shall see that same flag unsullied and untorn waiving over the greatest and most powerful Nation of the earth—over a nation of freemen—over no master and over no slave.

When Lincoln gave expression to these noble sentiments his heart was filled with solemn joy over the close of the war, and his mind was occupied with hopes for the future welfare of his country and his countrymen. For some time he had been laying plans by which the States could be reunited, and the brave men who had fought on both sides of the mighty struggle could live in peace and happiness ever after. Events followed each other in such quick succession the great President did not have an opportunity to impart to his associates his plans of reconstruction before he was removed from this earth by an assassin's bullet, and the earthly career of the "best-loved man that ever trod this continent was translated by a bloody martyrdom to his crown of glory."

Though the soul of Lincoln had returned to its God as white as it came it left behind a grief-stricken Nation—a Nation in tears. He had won for himself a place in the hearts of his countrymen that will endure until the end of time. While we love our great benefactor as an individual, he loved us as individuals and collectively. The secret of his remarkable life was his intense love not only of man and mankind but of all nature. He was so constituted that he grieved at the pains and rejoiced at the pleasures of his fellows. His sympathy knew no bounds, going so far as to forget himself in his desire to be useful to mankind. It was his strongest instinct, inherited from his refined, gentle, and sensitive mother and wonderfully developed through his childhood association with nature.

Lincoln's lowly birth served to develop him to the fullest perfection and endowed him with the highest and noblest qualities in man.

His childhood association with running brooks, vine-clad rocks, and hickory forests teeming with song birds, and overrun with wild flowers, had much to do with forming his simple, earnest, and truthful character.

He grew to man's estate with a heart in full sympathy with every phase of life, capable of consorting and sympathizing with all things. In this respect he differed from his associates, for they were only capable of sympathizing with a few things. Though many of them were intellectual giants, they lacked the power to develop a broad human outlook; they were limited to their particular point of view, the political, the social, the commercial, and the religious, and judged life accordingly. Hence, anything outside their contracted sympathies, they condemned as a thing of evil, and spent their energy trying to save it from damnation.

What was true of Lincoln's associates applies with equal force to the men of this day and age. Prejudices and antipathies originating in birth are seldom eradicated, and never if the child is brought up in a narrow groove.

Our environment exerts upon us a strong incentive to think, act, and judge as others do.

Lincoln's success in life and his usefulness to mankind was his ability to rise above this parrot-like existence and to place himself in the position of others in order that he might understand them and be of use and service to them. Because of his broad, human, educated sympathies he was enabled to do this to a greater extent than any other historic personage of the world. There was no misguided sentiments in his make-up. Is it any wonder that constituted as he was he became the matchless leader of men? While an idealist in the truest sense, he was, at the same time, unusually practical and sound on all questions that affected man's relation to society.

That Abraham Lincoln was in fuller sympathy with mankind than any other man is evidenced by what he said and what he did for mankind during his earthly existence.

When a man said to him, "The people will go wrong on this subject," he replied, "Intellectually, probably they may; morally, never. In the multitude of counsel there is safety," said he, quoting from the Bible. Expressions of this kind flowed from his lips in countless number:

God must have loved the common people, for he made so many of them.

You can fool all of the people some of the time, some of the people all of the time, but you can not fool all of the people all of the time

He always saw the distinction between an attempt to suppress public opinion and direct public opinion.

Our duty is to direct public opinion in the right channels; never to attempt to suppress it. That was Lincoln's philosophy, and his life and works are an exemplification of that philosophy.

Under Lincoln the Nation had a new birth of freedom, and it is for us, the living, to dedicate ourselves to the preservation of that Nation to sustain which he gave the last full measure of devotion.

Mr. McKINLEY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Speaker, it is not for me to review the story of Lincoln's life or relate the memories and traditions which cluster around his name. That story, with its pathos and trials, its tragedies and triumphs, its humor and its sadness, has been told so often that it is impossible to illuminate the picture or add to the reverence and the homage which the world pays to Abraham Lincoln.

Born in obscurity, nurtured in abject poverty, he closed life's fitful course the grandest figure of his generation, the noblest contribution of America to an enlightened civilization.

For many and many an age proclaim,
At civic revel and pomp and game,
With honor, honor, honor to him,
Eternal honor to his name.

The life of Lincoln, with its contrasts and contradictions, defies analysis and refutes the theory of heredity. The environment in which he was reared is in direct antithesis to the inspiring significance of his life. Misjudged, maligned, ridiculed, yet undaunted and undismayed, sustained by the unseen Hand that guides the destinies of men, he trod the weary path alone.

In the mysterious laboratory of Nature he was touched with the magic wand. In the murky night of his early years there glowed that invisible flame within. In the quiet of the nighttime, through the silence that is in the starry sky, there came to him that long, far call.

In Lincoln were combined the noblest attributes of the mind, the heart, the soul. The stones in the foundation upon which was reared the structure of his life were simplicity, honesty, sincerity, and sympathy, bound together in enduring strength by his faith in his fellow men, his faith in his country, and his faith in his God. Where was the touch that raised him to such heights? What was the loadstone of his power? Wherein lay the secret whereby he stands forth the embodiment of the ideals and the personification of the spirit of the Nation? We ask, but we ask in vain. No positive, final answer has yet been given to the query.

In the crisis through which the Nation is passing let us keep constantly before us the memory and deeds of Lincoln; let his unswerving courage and lofty patriotism be our guide in this hour of trial and tribulation. We may be divided upon issues affecting our domestic policy, but upon the preservation of the rights and dignity of the Nation there can be no division. Upon that subject, Mr. Speaker, we stand united as Americans, and our determination to maintain absolute and inviolate the honor of the flag must rise supreme to all prejudice for or against any of the contending powers; superior now and always to the selfish interests of other nations. Let the spirit of Lincoln the patriot, Lincoln the American, strengthen our hands and give courage to our hearts, and so enable us to face the problems of the present as he met those of the past, with the full measure of devotion to our country.

The acclaim of loyalty and patriotism which wells from the hearts of the Nation's representatives on the floor of Congress upon every allusion to the name of Lincoln is a benediction of the past and an inspiration for the future. Forgetting sectional animosities, rising above political prejudices, every State offers its tribute of affection and veneration to the memory of the martyred President and proclaims its loyalty and devotion to a great united country. The honor of that name is the heritage of all, North and South. The bitterness and the anguish engendered by the mighty conflict of a half century ago have faded away; the dark clouds of hate and jealousy which hardened the hearts of men on both sides of that struggle have given

place to the sunshine of respect and confidence. Under the softening influence of that noble sentiment of Lincoln, "With malice toward none and with charity toward all," the line of Mason and Dixon has been obliterated. Across the chasm once drenched with the blood of heroes are extended the hands of brothers, brothers who like—

The mighty mother turns in tears
The pages of her battle years,
Lamenting all her fallen sons.

To you gentlemen of the Southland in whose veins flow the blood of the soldiers in gray, who in your magnanimity claim that Lincoln is yours as well as ours, let me answer, as one from the North, Yes; Lincoln is yours as well as ours, and Lee is ours as well as yours. [Applause.] But in revivifying the memories of the past I would rather forget that there are any yours. I prefer to remember only that it is all ours; that American greatness and American heroism knows no section and belongs to no generation; that in our nationalism we are all Americans united in a common cause, possessed of a common love for country and for flag. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HICKS. Mr. Chairman, I ask permission to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CLARK of Florida. Mr. Chairman, I yield two minutes to the gentleman from Missouri [Mr. RUSSELL].

The CHAIRMAN. The gentleman from Missouri [Mr. RUSSELL] is recognized for two minutes.

Mr. RUSSELL of Missouri. Mr. Chairman, I have no prepared speech, and will not in the short time I have make any extended remarks, but I want simply to express my favorable consideration and my approval of this bill, the purpose of which is to accept for the Government the cabin home and birthplace of Abraham Lincoln as a donation from the present owners, the Lincoln Farm Association of the State of Kentucky. I believe that is a patriotic and a proper thing to do, both because we owe it to the memory of this great man to accept this donation of his birthplace and because I believe it is important as an inspiration and encouragement to other boys of our country who have been or who may hereafter be born in humble homes and of humble parentage. It helps to impress upon the minds of all American boys that the humblest in birth or station among them may aspire to places of the highest distinction and honor.

I knew of Lincoln when I was a boy. I remember the Civil War very distinctly, and when the war began, and when my eldest brother went to fight on the side of the South for four years. I as a child was prejudiced against Abraham Lincoln. I was taught to believe he was an enemy of the South; but before that war was over we took a different view of it, and our people got to believe that he was our friend, a patriotic man in the discharge of a great duty to humanity and to his Government. I was, as an 11-year-old farmer's boy, in the cornfield dropping corn on the 15th day of April, 1865. My father went to town to get his mail, and when he came back he told us that Abraham Lincoln had been assassinated. There was no man in this Union more deeply grieved than my father, and all of his family shared in his genuine grief.

I overheard the minority leader of this House [Mr. MANN] about five years ago say one day when Washington's Farewell Address was being read that he hoped the time would some time come when some Democrat would have the patriotism to read in this House Abraham Lincoln's Gettysburg speech. I accepted the suggestion, and four times on Lincoln's birthday I have read that great and masterful speech, and, with the permission of the Speaker of this House, I intend to read it every year on Lincoln's birthday as long as I remain a Member of this House. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. McKINLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. SLOAN].

The CHAIRMAN. The gentleman from Nebraska [Mr. SLOAN] is recognized for 10 minutes.

Mr. SLOAN. Mr. Chairman, I can not hope to bring a new message on Abraham Lincoln to the House of Representatives. It is a tribute to the general intelligence of the American people that few men, either of learning or of experience, can bring any new message to the American people with reference to this primal American character.

I talked a short time ago with the author of this bill. He expressed the thought that seemed specially pertinent, that the discussion on this floor at this time should be related largely to the nativity, rather than to the achievements of America's statesman and martyr. I was pleased that in the preparation of the few remarks I shall submit I confined myself to facts touching his nativity rather than his achievements or death.

The devotees of Christianity have among their finest pictures, upon which has been expended the genius of many artists in all the ages, the "Nativity." The "Nativity" graces the walls of all the great art galleries where the divine touch of the artist has been made imperishable for the view and admiration of men. I trust that some American artist in the years to come will make classic the American "Nativity"; and that the subject will be the birthplace of Abraham Lincoln.

The Lincoln homestead of which we speak has a record running first from the Crown of England to the colony of Virginia. Then resting in the State of Virginia, and finally through private conveyances it reached the name of Thomas Lincoln, the father of the martyred President. What a strange train of events has passed since the title granted by the crown to the title now granted to the Republic. During that time, of course, there has been much added value. The acreage has been reduced and the wildwood has been removed. Spacious and imposing buildings have been erected thereon. There is carried, in addition to the value of realty, valuable personal property amounting to $50,000. But how insignificant is that added value when we consider the value that the name, fame, and achievements of Abraham Lincoln have contributed to the American Republic.

Clustering around Lincoln's natal year are grouped the birth of many characters far-famed for their achievements.

Charles Robert Darwin, whose study and communion with nature passed its artificial bounds, was born the same day as Lincoln. He saw demonstrated far-reaching and progressive laws which, now indorsed by the scientific world, has advanced scientific research further than had been accomplished since Lord Bacon's inductive philosophy overthrew the system of Aristotle 300 years before. February 3, 1809, over in Germany, Mendelssohn, whose divine touch, combined with creative genius, made him one of the world's princes of harmony, was born.

January 19, 1809, came Edgar Allan Poe, that weird poet of the night and storm, whose eccentric genius, both assailed and defended by critics, has left its impress on American verse, furnishing that rare accomplishment—a distinctive style.

In the same year Lord Tennyson, Britain's greatest laureate, was born in England. He said "Better fifty years of Europe than a cycle of Cathay." Well might it now be written: "Better a century of America than a millennium of Europe."

In that same year Gladstone, Britain's greatest statesman since the day of Pitt and Peel, first saw the light.

In America that year gave us Oliver Wendell Holmes, wit, humorist, poet, and philosopher, to lighten the hearts and instruct the minds of his countrymen.

That year also gave us Cyrus McCormick, who invented the American reaper, which has contributed so largely to our agricultural production.

In the Hall of Fame, based upon the world's general estimate, all of these occupy commanding positions, but easily towering above them all stands Lincoln.

He first looked upon the sun from a lonely environment, the wildwood cabin in the then county of Hardin (now county of Larue) in the new State of Kentucky, which had at that time, through the chronicles of Boone and his contemporaries, earned the sanguinary appellation of "Dark and bloody ground." Christ was born, not in a walled city, nor yet in the contending capitals of Samaria or Jerusalem. His nativity was humble Bethlehem. The nativity of Lincoln was not in intellectual Massachusetts, commercial New York, or chivalric Virginia. His parents were as unambitious as their forest home would indicate. What ancestral strain of purpose, character, and mind with which he was endowed came from his mother. One of those mothers who, suppressed by her position and burdened by her cares, can seldom command the recognition due, except it be in the generation delayed, when the plaudits are given to the words and deeds of a wise or successful son. And in this way will the American people remember Nancy Hanks Lincoln.

At this time Thomas Jefferson, the inspired author of the Declaration of Independence and the strict constructionist of the American Constitution, was just closing his second presidential term. Napoleon had but recently strengthened America and weakened Europe by the sale of the Louisiana Territory to the United States. He was at that time walking on the writhing forms of European kings. The sun of Austerlitz had risen, Jena and Friedland had been won, and Europe rocked at his feet as he stood at the zenith of his power, while kings

became his subjects, and emperors, to no purpose, were combining against him. When Lincoln was born there was yet to come the conflagration of Moscow, the snows of the north, Waterloo, St. Helena, and a rocky tomb. Such was the setting surrounding the date which ushered Abraham Lincoln into the world.

Nor would this setting be complete if it were not noted that in the same dark and bloody realm, in a community now part of the county of Todd, within less than a year of Lincoln's birth, Jefferson Davis was born. Less than a hundred miles separated their birthplaces, but throughout their momentous careers there was little convergence, yet had a strange relation.

Two companion snow drops, pure, clear and crystalline, as they fall touch the loftiest peak of the mountain chain. They freeze into a mighty mass which yields to nothing except the wooing of the summer sun; and while they lie but a few inches apart, in their melting mass each moves down a different slope; each finds its mountain torrent conveying it to flooded river, and that swollen river to the sea. One reaches the turbulent Atlantic, the other the peaceful Pacific. Davis moved southwardly to Mississippi, the then great cotton State, where slavery thrived. Lincoln found his way through Indiana to the prairies of Illinois, where labor was free.

One year's schooling was the measure of Lincoln's scholastic opportunity. Jefferson Davis, well taught, was later educated at West Point.

Each presided during four years of tragedy over a Republic. The one Republic struggled for an existence, the other battled to maintain its integrity undiminished. There was citizenship sufficient for the two greatest Republics on earth, but I rejoice to hear from either side of this hall the satisfaction that but one remains.

The cabin home this afternoon being considered was in the State which produced these two great characters. In that great struggle it seemed, as it were, that that State could not decide between the fortunes of her two matchless sons. It presented a divided allegiance. This measure furnishes to-day a fitting text for fraternal, patriotic sentiment from every part of this expanded Union.

Above his body at the Springfield home stands a monument viewed annually by tens of thousands. At the entrance to the great park at Chicago which bears his name, in heroic mold stands in imperishable bronze one of the most imposing statues of America. It was a triumph of the genius of St. Gaudens, America's premier sculptor. Hundreds of thousands who visit the great metropolis by the lake view it annually, departing with inspiration of renewed patriotism. At the National Capital, soon to be completed near the scene of his activities, is a magnificent Greek temple erected to the memory of Lincoln. Few out of the multitudes annually visiting Washington will fail to visit it and render tribute to Lincoln's memory. But down in Kentucky is the fourth Lincoln shrine. In point of reference and sequence it should be first, because it points to origin as the others call our attention to achievement, fame, mortality. Collectively they evidence to all the ages the miracle of the Republic. Humility of origin with greatness of soul are the stepping stones to primacy among men. [Applause.]

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SLOAN. I would like to have about three minutes more.

Mr. SLAYDEN. Mr. Chairman, how much time is left altogether? I understand 13 minutes on this side.

The CHAIRMAN. Nineteen minutes. The gentleman from Florida [Mr. CLARK] has 19 minutes remaining, and the gentleman from Illinois [Mr. MCKINLEY] has 15 minutes.

Mr. SLOAN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MCKINLEY. Mr. Chairman, I yield one-half a minute to the gentleman from Ohio [Mr. FESS].

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is recognized for half a minute.

Mr. FESS. Mr. Chairman, listening to the address of Gen. SHERWOOD, a reference to a certain event—the bombardment of Fort Sumter—indicated to me that the significance of the vote to-day will be intensified when we recall that this is the anniversary of the opening of the Civil War.

Fifty-five years ago to-day Edwin Ruffin fired the first gun at Fort Sumter, and I thought that it would be significant just to remind Congress of that incident.

And 51 years ago day after to-morrow will be the anniversary of the assassination or of the shot that eventuated in the death of Abraham Lincoln, so that these two incidents give intensity to the vote upon this occasion to-day. I wanted by recalling those incidents of that particular time to refresh the memory of the House.

Mr. MCKINLEY. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. SWITZER].

Mr. SWITZER. Mr. Chairman, it will always be to me a fond remembrance to recall that as a Member of the American Congress I not only had the opportunity but that I availed myself of the privilege to vote for the appropriations made for the construction of that magnificent memorial, now nearing completion, in the Capital of the Nation to the memory of the great Civil War President, "God's grandest gift of man to men"—Abraham Lincoln. From the ranks of the frontiersmen he rose to the Presidency of the Nation. This obscure country lawyer did not believe that the Nation could survive half slave and half free. He was firmly convinced that "a house divided against itself could not stand." Regardless of the contention that it would be unconstitutional so to do, he found a way to liberate 4,000,000 bondsmen and still preserve the Union.

Charged with the commission of all manner of high crimes and misdemeanors and unconstitutional acts while in office, no man was more reviled than he; yet to-day no name is more lauded and revered than his. All sects, creeds, and parties vie with one another in loud protestation of their great loyalty and high respect for the opinions held and for the principles and policies advocated by Abraham Lincoln. Time has vindicated the absolute justice of his course, and silenced the carping criticisms of his enemies beyond the peradventure of a murmur.

In dedicating to the Nation the birthplace of this illustrious American, there is given to Kentucky renewed luster and added fame. The Nation through its Congress accepts this token of high respect to the memory of our martyred President as the most magnanimous of the many generous and noble deeds for which the people of the great State of Kentucky are so famed. The dark and bloody ground, the home of Daniel Boone and other noted pioneers, by this patriotic act is consecrated anew to that Jeffersonian idea of liberty, the equality of all men before the law, which was ever so near and dear to the heart of Abraham Lincoln. As the generations come and go, we trust that they may not only travel to the last resting place of this great man and visit the Nation's memorial to his name, but that they may also journey to the scenes of his childhood, and at the fountain head of his noble life drink deep the holy inspiration which has animated this tribute of patriotic citizens to the crowning glory of the Nation—the final memorialization of the birthplace, the life, and the last resting place of Lincoln. [Applause.]

Mr. MANN. I yield five minutes to the gentleman from Vermont [Mr. DALE].

Mr. DALE of Vermont. Mr. Chairman, a new Member finds it interesting to watch a bill on its way through this House and to observe the statements that carry effect in its passage.

During the past week there have been indications that sectional and conflicting interests will continue as long as there is water in rivers and harbors; but, Mr. Chairman, to one coming from the far North and meeting in this forum the generous, loyal men of the South it is pleasant to quickly perceive that the time is past when argument can gain force here from those old war issues that lie buried under principles that we now all welcome as immortal. [Applause.]

When we speak here of the leaders of that period of strife that was we summon quickest response at mention of the human sympathy in each for all the embattled hosts. In the final judgment of mankind upon the great men of history it is kindliness which survives the brightest. It is that which ennobles the manner in which the heavy obligations of the South were assumed when they were laid on the well-nigh breaking heart of Robert E. Lee. Because the man of whom we speak to-day was, in his high position, distinctly gentle and considerate, Members from the Southland give cordial support to this pending measure. For this reason they express tender and heroic sentiments that are tributes of the finest nature to the character of Abraham Lincoln. Artistic skill may well exhaust itself in memory of the kindliness of this supreme man; but the substance of the expression of that quality is elusive, and it may leave the marble hall for the log cabin, its natural home. There we find the best expression of that broad sympathy that went out through all the cabins of the North and of the West and awakened heroic impulse in the youth of the common people.

When the Third Regiment from the State of Vermont was formed it included many men who were born in log cabins. In that regiment as it camped up here on the Potomac 10 miles

away was a boy, William Scott, who, while doing double service for his comrades, fell asleep on picket, was court-martialed, and condemned to be shot. Then in the darkness of the night the President of this great Nation at war, wearied as he must have been, ordered his horse and carriage and rode out to save the life of that young boy. In the pitiful affair at Lees Mill he fell, whispering a prayer for Abraham Lincoln. Enlisted with him were three Stevens brothers, sons of a widowed mother in my home. One of those boys fell at Lees Mill, one was the first to be shot out here on the Rockville Pike in the battle for the defense of this Capital, and one went home disabled for life. These boys and all those like them felt the inspiration of this great man, and it enabled them to face danger more easily, and it took away from them the sting of death.

Incomparable man that he was, where do we find the source of his inspiration?

In that humble home there came to him, earlier than memory, the consciousness of one who was the very substance of patience and tenderness and mercy, and was to him the origin of justice. In her face he beheld first the expression of the infinite qualities that made his own character sublime. In that there is reason enough to save the old log cabin.

All his life was unnatural in that it forced ill causes to good effects. In form and feature he was rough shapen and plain, but through relief of agony to many he became the handsomest man in all the world. The legislature rejected him for the Senate, and out of disappointment he made humor by saying that he felt like the boy who stumped his toe—too hurt to laugh and too big to cry.

He came to his inauguration in a guarded train along a line where the telegraph wires had been cut that men might not shoot him, and above the cloud of threatened intent rose the spirit that impelled him to drive all night to save a boy from being shot.

The multitude beseiged him to dull weariness, and it made sensitive a tone in his nature that felt response to the cry of an infant in the throng, and he said, "Send in next that woman with a baby." He was called a countryman, unfit for official place, but when the telegram came from the man in command of the Armies in the great crisis of the war indicating the fearful loss of life that must follow, Dr Edward Everett Hale, observing him as he moved among and counseled with the polished and able gentlemen of his Cabinet, said that his grace of manner and wisdom of expression were superb. When at last that group of eminent statesmen who had concurred in the opinion that he lacked the ability to be President stood over him, and it was said "now he belongs to the ages," his life closed in a splendor of blending contrasts.

In that rude shelter of his childhood there dwells more than in statue or memorial the emotion of that process by which his own want increased his sense of human need and made him generous.

The common comforts of life, the just estimate of men, and all the elements of equity, he knew only through the giving of them to others.

Out of longing that grew intense by denial the very passion of his humor and tenderness and mercy became supreme. That which he found not for himself he gave in abundance to others, and his whole life was passed in bringing from resisting conditions marvelous results.

Nothing indicates so well the life that was itself a contrast, a paradox, the meager compensation that came to him and his rich bestowment to the Nation as the log cabin and the marble hall by which it is inclosed.

Ah, Mr. Chairman, let us preserve this old log cabin, that generations may learn from it the qualities that there had birth and are changeless and deathless forever. [Applause.]

Mr. CLARK of Florida. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Chairman, if it were necessary to apologize to the House on this occasion for occupying its time for a few moments, I feel that it would be sufficient to say that my reason for speaking is not only the fact that I, in part, represent the State in which Lincoln was born, but also from boyhood I have been tremendously interested in his character and career.

It is very appropriate that during this year the Lincoln farm should be donated to and accepted by the Government of the United States, for it is the one hundredth anniversary of the removal of Abraham Lincoln from Kentucky to Indiana, he having crossed with his family the Ohio River in 1816, never thereafter having returned, so far as I know, to the place of his birth.

If time were afforded I should like to recount the names of those men who, during the history of this Nation, have gone out from Kentucky to bless the civilization of every State in the Union and the Nation itself as a whole. If I could recount the names of the governors and Senators and Members of this House, the ambassadors to foreign nations, the ministers of the Gospel, the teachers of men, and the long list of worthy sons in every walk of life, whose birthplaces were in the same State in which is located this remarkable home which gave Lincoln to the Nation, I am sure I might be able to enlist your admiration for the product of that great State on whose soil Lincoln himself was born. To Kentucky has frequently been ascribed the honor of producing a variety of things for the benefit of humanity, but I think we may properly, on this occasion, refer to the great men, as well as the great women, who have gone out from that State and mingled with the people of every section, all with honor to themselves and credit to their native State.

In all this list two names stand out preeminent. One is the name of Jefferson Davis and the other is the name of Abraham Lincoln. We frequently marvel at the peculiar and fortuitous circumstances by which the careers of men are hedged about. But who can explain on any other theory than the guidance of a providential hand, the fact that both Jefferson Davis and Abraham Lincoln, rival leaders in the great Civil War, were born under Kentucky's sun, and were nestled to the bosom of two of her noble women?

I shall not attempt in this brief address to refer, except incidentally, to the statesmanship or to the achievements of Lincoln in public life, because, after all, these are not the things that grip our hearts; these are not the things that cause us to shed a tear to-day over the grave of Abraham Lincoln. I prefer, on this occasion, to let my mind run back to the little humble cabin in Kentucky, where Lincoln, in 1809, first looked upon a world of wonders. I prefer to think of him "cooning" a log across Knob Creek at the age of 5 and falling into its waters and having to be pulled out by a companion just in time to prevent him from drowning. I prefer to think of him at the age of 7, holding to his mother's hand, as he and she performed their last duty before leaving Kentucky by visiting the little grave of the baby boy, who was born and died in those lonely hills, from which, so far as I am aware, he was never removed. I prefer to think of Lincoln to-day reading the Holy Scriptures to his mother night after night as she lay upon her deathbed in that lonely home in Indiana.

I prefer to think of him as he wrote his first letter, at the age of 10 or 11, asking an old Kentucky preacher, whom he had known before his removal to Indiana, to come over and preach his mother's funeral, a service which could not be performed for lack of a minister at the time of her burial. I prefer to think of Lincoln to-day as he wept over the grave of beloved Ann Rutledge, his heart bleeding as no other heart could bleed, and exclaiming as he fell upon the new-made mound: "Here lies the body of Ann Rutledge and the heart of Abe Lincoln."

These are the things that endear Lincoln to us and to our memory, because these are the things that touch our sympathy, these are the incidents which appeal to us most strongly in the early life of him whose whole career comprises the greatest individual tragedy which has been enacted upon the stage of American national life. These touch the tender cords and the wellsprings of the human heart, and we forget the Gettysburg speech and the second inaugural address and the Douglas debates. We forget his struggle with his Cabinet and with the tremendous problems with which he was surrounded and confronted. All these things for the day are put aside, and we remember the lonely, tragic boyhood of this wonderful man and faintly realize the moral foundation, formed as he passed through these crucibles of the human heart, which enabled him to give expression in the heat of a great political campaign to the sublime sentiment, "I am not bound to win, but I am bound to be right," a sentiment whose meaning ought to be applied with double force in the perilous times in which we live both to public problems and to public men.

As we think of this great character, coming as he did from Kentucky, we remember with great pride that in his veins was infused the same blood and in his heart the same spirit that emboldened Daniel Boone, the Kentucky pioneer, to cut and fight his way into a wilderness and help to carve out of it one of the greatest Commonwealths of this Nation, for Lincoln himself was a relative of Daniel Boone, his grandfather having been a cousin of the great pioneer. And I am glad to say in passing that this rugged courage which guided the life of Lincoln and of Boone is still to be found among the sons of old Kentucky, for we have it typified in the rugged honesty and sterling character of our own Speaker of the House, CHAMP CLARK, of Missouri, who himself was born and reared in Kentucky, and also in the leader of the minority, Mr. MANN, who although not having been born in that State itself, yet boasts that his for-

bears came from that soil which gave to the Nation and to the world Jefferson Davis and Abraham Lincoln. [Applause.]

We have heard many stories of Lincoln, and I confess that I never tire of reading or hearing the stories about him. These stories which illustrate the humanity of Lincoln are not confined to his boyhood, nor to his young manhood, but are found all through his mature manhood, when the burdens of public duties were heaviest upon his shoulders. The other day I read a very pathetic story which touched my heart, and which illustrates forcibly the truth of the quotation, "He who stoops to lift the fallen, does not stoop but stands erect." There was a schoolhouse somewhere near the back yard of the White House, and as the boys played across the fence, from day to day, Lincoln frequently went out to watch them. One day the teacher decided to give the boys a lesson in neatness, and commanded them that they should have their shoes fresh shined before coming to school the following day. The next day the boys came to school with their faces and hands clean, with clean clothes upon themselves, and with their shoes all shined. There was one little one-armed boy, however, the son of a dead soldier who had given his life in the Civil War, whose mother made her living here in Washington as a washwoman, who had no blacking in the house, and consequently he undertook to shine his shoes with stove polish. When he reached the school, his shoes shined with stove polish, the other pupils began to ridicule him, and his little heart was filled with sorrow and humiliation. Mr. Lincoln, hearing the gibes at the little one-armed fellow, made a detailed inquiry and ascertained the cause of the trouble. The next day Mr. Lincoln took this little boy and bought him two new pairs of shoes, two suits of clothes, and bought for his sisters new linen and dresses, and sent groceries and clothes to the home of his mother. He then put in the boy's hands a note to the teacher, in which he asked her to place upon the blackboard the following words: "Inasmuch as ye have done it unto one of the least of these, my brethren, ye have done it also unto Me." A few days later he took occasion to visit the schoolhouse in person, and finding the quotation still on the board, he asked for a piece of crayon, and going to the board he said, "Boys, I have another quotation from the Bible in my mind that I want to put under this other one, that you may observe it and apply it to your future lives." And then he wrote, "It is more blessed to give than to receive," and wrote under it his simple signature, "A. Lincoln."

Mr. Chairman, in the turmoil of our modern-day politics, in the confusion of our political rivalry, and in the narrowness and bitterness of our partisan fights in Congress, let us to-day rekindle our hope and faith in the destiny of that Nation to which Lincoln gave his life, and let us hope that in the years that are to come we and our children and our children's children, for a thousand generations may more and more appreciate the simplicity and sublimity of Lincoln's character, to the end that we may contribute to the consummation of that spirit of public devotion and common well-being, which will enable us to say with him, "I am not bound to win, but I am bound to be right." [Applause.]

The State of Kentucky is glad to give to the Nation this humble, yet sacred little farm, whose one great product is to-day the admiration of the world, and when future generations shall view this little home, this log cabin in the hills of Kentucky, may they be inspired with the hope that the flag which hangs above your head, for which Lincoln, as well as countless others before and after him, gave all that they had—their lives—and the Union for which it stands, may always mean what he thought it ought to mean, the equality of man before the law, and the equality to pursue the legitimate objects of happiness and of service without regard to clime or creed or section. [Applause.]

As the Nation will this day accept the gift of the Lincoln farm, may we not hope that at a day not long postponed a similar acceptance may be registered of the Davis home, and that these two spots, not far from each other in the soil of Kentucky, may be enshrined in the love and imagination of patriots everywhere, typifying the reunion of heart and hope and hand through which our common country shall more and more become the land of opportunity and the beacon light of liberty for us and all who shall follow us, which shall become brighter and brighter unto the perfect day. [Applause.]

Mr. CLARK of Florida. Mr. Chairman, I ask that the bill be read for amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the United States of America hereby accepts title to the lands mentioned in the deed of gift or conveyance now in possession of the President of the United States of America, together with all the buildings and appurtenances thereon, especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, which deed or conveyance was executed on the —— day of ——, 1913, by the Lincoln Farm Association, a corporation, to the United States of America, describing certain lands situated near the town of Hodgenville, county of Larue, State of Kentucky, which lands are more particularly identified and described in said deed or conveyance. The title to such lands, buildings, and appurtenances is accepted upon the terms and conditions stated in said deed or conveyance, namely: That the land therein described, together with the buildings and appurtenances thereon, shall be forever dedicated to the purposes of a national park or reservation, the United States of America agreeing to protect and preserve the said lands, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation, destruction, and further disintegration, to the end that they may be preserved for all time, so far as may be; and further agreeing that there shall never be any charge or fee made to or asked from the public for admission to the said park or reservation.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the word "apurtenances" be correctly spelled, in line 9, page 2.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

The Clerk read as follows:

SEC. 2. That the United States of America hereby also accepts title to the endowment fund of $50,000 mentioned in the assignment and transfer, now in the possession of the President of the United States of America, which assignment and transfer was executed on the —— day of ——, 1913, by the Lincoln Farm Association, a corporation, to the United States of America, transferring and turning over all its right, title, and interest in and to said endowment fund, heretofore invested in certain stocks, bonds, and securities held and owned by the Lincoln Farm Association, and more particularly identified and described in said assignment and transfer. The title to said endowment fund is accepted upon the terms and conditions stated in said assignment and transfer, namely, that the United States of America shall forever keep the said tract of land described in said deed, together with the buildings and appurtenances thereunto belonging, dedicated to the purpose of a national park or reservation, and that there shall never be any charge or fee made to or asked from the public for admission to the said park or reservation; and, further, shall forever protect, preserve, and maintain said land, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation, destruction, and further disintegration, to the end that they may be preserved for all time, as far as may be, as a national park or reservation.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I assume there is a purpose in withholding inserting the dates of the conveyance.

Mr. CLARK of Florida. Yes; those dates are left blank to be filled in later. I think the deeds have not been executed as yet.

Mr. MANN. That is not a very good reason, because the date is 1913.

Mr. CLARK of Florida. That can be arranged later.

Mr. STAFFORD. As I understand the bill, the deed has already been tendered.

Mr. CLARK of Florida. That is what I thought.

Mr. JOHNSON of Kentucky. It is at the White House.

Mr. CLARK of Florida. The gentleman from Kentucky is looking for a copy so that we can put in the dates if we find it.

Mr. STAFFORD. It is better to have the dates inserted or else to describe the deed generally.

Mr. JOHNSON of Kentucky. This bill was introduced in a former Congress, when Mr. Taft was President, and the papers were left there.

Mr. STAFFORD. So the deed is already executed and is being held in escrow awaiting acceptance by the Government?

Mr. JOHNSON of Kentucky. That is my information.

The Clerk read as follows:

SEC. 3. That the President of the United States of America and the Secretary of State are hereby authorized to execute, in the name of the United States of America, such instrument or instruments as may be or may become necessary to comply with or carry out the terms and conditions of such gift or gifts and to secure the full benefit therefrom.

Mr. CLARK of Florida. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 3, line 25, by striking out the word "State" and inserting the word "War."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CLARK of Florida. I also offer the following amendment.

The Clerk read as follows:

Amend, page 4, by adding the following section:

"SEC. 4. That upon the passage of this act and the vesting of the title to the property accepted thereunder in the United States it shall be under the control of the Secretary of War and administered under such regulations, not inconsistent with the law, as he may from time to time prescribe."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CLARK of Florida. Mr. Chairman, I move that the committee now rise and report the bill with amendments to the

House with a recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BARNHART, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8351 and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is now on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. JOHNSON of Kentucky. Since there was no objecting vote, I think, on account of history, it ought to be announced by the Chair that the bill was unanimously passed.

The SPEAKER. The Chair announces that the bill was passed unanimously.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. CLARK of Florida. Mr. Speaker, I ask for the present consideration of the resolution which I send to the Clerk's desk. I think there will be no possible objection to it.

The SPEAKER. The gentleman from Florida asks unanimous consent for the present consideration of the resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 200.

Resolved, That the speeches delivered on H. R. 8351, accepting from the Lincoln Farm Association title of the farm on which Abraham Lincoln was born, be printed as a House document, 10,000 copies to be distributed among the Members equally through the folding room.

Mr. MANN. I have no objection if it is to come within the limit of cost. If it does not, I suppose it will not be done.

The SPEAKER. Is it 10,000 or 15,000?

Mr. CLARK of Florida. Ten thousand.

Mr. MANN. If it is going to be printed, it ought to include the bill, too.

Mr. CLARK of Florida. I will make it include the bill—that the bill and speeches be included in the House document.

The SPEAKER. The Clerk will report the resolution as amended.

The Clerk read as follows:

Resolved, That the speeches delivered on H. R. 8351 and the bill in relation thereto, accepting from the Lincoln Farm Association title of the farm on which Abraham Lincoln was born, be printed as a House document, 10,000 copies to be distributed among the Members equally through the folding room.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

Mr. CLARK of Florida. Mr. Speaker, I make also the request that all gentlemen who have spoken on the bill be allowed to extend their remarks in the RECORD for five legislative days.

The SPEAKER. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent to extend his remarks on the bill just passed. Is there objection?

There was no objection.

ORIGINAL MANUSCRIPT OF RECORD.

Mr. SLAYDEN. Mr. Speaker, I move to call up the bill H. R. 4678——

Mr. MANN. Before the gentleman does that, can not we pass the Senate joint resolution No. 24 in a minute?

Mr. SLAYDEN. I am afraid to begin it, I will say to the gentleman frankly.

Mr. MANN. I do not think there will be any objection.

Mr. STAFFORD. There is not any serious objection.

Mr. MANN. Try unanimous consent.

Mr. SLAYDEN. Before the gentleman puts that, I can not afford to do it, I will say to the gentleman frankly. I expect to call that up immediately——

Mr. MANN. I was going to ask unanimous consent that as it is on call it be brought up and that it be read and considered as passed.

Mr. SLAYDEN. That is certainly very brief.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the Librarian of Congress is hereby authorized and directed to return to Williamsburg Lodge, No. 6, Ancient Free and Accepted Masons, of Virginia, the original manuscript of the record of the proceedings of said lodge, which is contained in one bound volume now in the Manuscript Division of the Library of Congress, marked "Williamsburg Lodge, 5775," and which manuscript was taken from the files of said lodge during the Civil War by some party or parties unknown.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that this resolution be considered as passed. Is there objection? [After a pause.] The Chair hears none.

AMERICAN ACADEMY OF ARTS AND LETTERS.

Mr. SLAYDEN. Now, Mr. Speaker, I was suggesting that on the Speaker's table is the bill S. 1424, which is identical in phrasing with the bill I have just moved to take up. Therefore I move to substitute that for the House bill.

The SPEAKER. The gentleman from Texas moves to substitute the Senate bill S. 1424 in lieu of the House bill of similar tenor called up on Calendar Wednesday. Is there objection?

Mr. DIES. Reserving the right to object, would that in any way interfere with the consideration of this resolution?

The SPEAKER. Not a particle. All there is to it is that the Senate passed a bill, and the House has one on the calendar exactly like that. He asks to have the Senate bill considered in lieu of the House bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 1424) incorporating the American Academy of Arts and Letters.

Be it enacted, etc., That William Dean Howells, of Maine; Henry Adams, of the District of Columbia; Theodore Roosevelt, of New York; John Singer Sargent, of Massachusetts; Daniel Chester French, of New York; John Burroughs, of New York; James Ford Rhodes, of Massachusetts; Horatio William Parker, of Connecticut; William Milligan Sloane, of New Jersey; Robert Underwood Johnson, of New York; George Washington Cable, of Massachusetts; Andrew Dickson White, of New York; Henry van Dyke, of New Jersey; William Crary Brownell, of New York; Basil Lanneau Gildersleeve, of Maryland; Woodrow Wilson, of New Jersey; Arthur Twining Hadley, of Connecticut; Henry Cabot Lodge, of Massachusetts; Edwin Howland Blashfield, of New York; William Merritt Chase, of New York; Thomas Hastings, of New York; Hamilton Wright Mabie, of New Jersey; Brander Matthews, of New York; Thomas Nelson Page, of the District of Columbia; Elihu Vedder, of Massachusetts; George Edward Woodberry, of Massachusetts; Kenyon Cox, of New York; George Whitefield Chadwick, of Massachusetts; Abbott Handerson Thayer, of New Hampshire; Henry Mills Alden, of New Jersey; George de Forest Brush, of New Hampshire; William Rutherford Mead, of New York; Bliss Perry, of Massachusetts; Abbott Lawrence Lowell, of Massachusetts; James Whitcomb Riley, of Indiana; Nicholas Murray Butler, of New York; Paul Wayland Bartlett, of New York; Owen Wister, of Pennsylvania; Herbert Adams, of New Hampshire; Augustus Thomas, of New York; Timothy Cole, of New York; Cass Gilbert, of New York; William Roscoe Thayer, of Massachusetts, Robert Grant, of Massachusetts; Frederick Macmonnies, of New York; Julian Alden Weir, of Connecticut; William Gillette, of Connecticut; Paul Elmer More, of New Jersey; George Lockhart Rives, of New York, and their successors, duly chosen, are hereby incorporated, constituted, and declared to be a body corporate of the District of Columbia, by the name of the American Academy of Arts and Letters.

SEC. 2. That the purposes of this corporation are and shall be the furtherance of the interests of literature and the fine arts.

SEC. 3. That the American Academy of Arts and Letters shall consist of not more than 50 regular members, and the said corporation hereby constituted shall have power to make by-laws and rules and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the election of foreign, domestic, or honorary associate members, and the division of such members into classes, and to do all other matters needful or usual in such institutions.

SEC. 4. That the American Academy of Arts and Letters shall hold an annual meeting at such place in the United States as may be designated and shall make an annual report to the Congress, to be filed with the Librarian of Congress.

SEC. 5. That the American Academy of Arts and Letters be, and the same is hereby, authorized and empowered to receive bequests and donations of real or personal property and to hold the same in trust, and to invest and reinvest the same for the purpose of furthering the interests of literature and the fine arts.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. SLAYDEN. Mr. Speaker, I ask that this bill be considered in the House as in the Committee of the Whole.

The SPEAKER. This is on the House Calendar.

Mr. SLAYDEN. My colleague from Texas [Mr. DIES] was making some request for information now as to debate on the bill.

Mr. DIES. There are a number of gentlemen who want some time on the bill under discussion.

Mr. SLAYDEN. We have reached it now. How much time does the gentleman want to use?

Mr. DIES. I can not speak for other gentlemen, but I would like about 20 minutes myself.

Mr. SLAYDEN. There will be only two hours, I will say to the gentleman.

Mr. MANN. If the gentleman will yield——

Mr. SLAYDEN. Yes, sir.

Mr. MANN. The gentleman from Nebraska [Mr. SLOAN] will ask for recognition in opposition to the bill.

Mr. DIES. That is precisely, Mr. Speaker, what I propose to do—to ask for recognition in opposition to the bill.

Mr. SLAYDEN. Mr. Speaker, I will say to the gentleman from Illinois, the reason I waited a perceptible length of time was that no one rose.

Mr. MANN. No one had occasion to rise. There was no chance for anybody to rise. Nobody had the floor.

Mr. SLAYDEN. But I asked the question, I will say to the gentleman from Illinois, and was trying to find out whether or not there was to be opposition on that side, and then I turned to my colleague, Mr. DIES.

Mr. MANN. The gentleman from Nebraska [Mr. SLOAN] will probably be able to give the gentleman from Texas [Mr. DIES] some time.

Mr. DIES. Oh, the gentleman from Texas probably will be able to give the gentleman from Nebraska some time.

Mr. MANN. The gentleman will not get time on that basis.

Mr. SLAYDEN. I was endeavoring to ascertain if we could not agree upon a time for debate, perhaps short of that provided by the rule.

Mr. MANN. The rules provide for the limitation of debate.

Mr. SLAYDEN. I said "short of that provided by the rule."

Mr. CLARK of Florida. Mr. Speaker, if the gentleman from Texas will yield to me for a moment, I suggest we take an hour for debate and divide it equally between the opponents and proponents.

Mr. MANN. Personally I am in favor of the bill, but if the gentleman from Texas and other gentlemen in opposition want time, I do not think you can limit it to 30 minutes to a side.

Mr. DIES. If the gentleman from Texas [Mr. SLAYDEN] controls half the time and the gentleman from Illinois controls half the time——

Mr. MANN. The gentleman from Texas [Mr. DIES] is not as bright as he usually is, because I specifically stated that the gentleman from Nebraska [Mr. SLOAN], who was opposed to the bill, was willing to yield to the gentleman 20 minutes, but that did not seem to satisfy the gentleman from Texas.

The SPEAKER. The recognition naturally goes under the practice of the House to the minority side, and the Calendar Wednesday rule fixes two hours for general debate on one of these bills unless it is changed by a vote of the House.

Mr. SLAYDEN. Then, it is understood, Mr. Speaker, that the gentleman from Nebraska [Mr. SLOAN] controls the time in opposition to the bill. I understood the gentleman's position, and I was trying to see if I could reduce the time to less than two hours.

The SPEAKER. The Chair will recognize the gentleman from Texas for an hour and the gentleman from Nebraska for an hour.

Mr. SLAYDEN. Does the gentleman from Nebraska desire to use his time now? I will ask him to consume part of his time now.

The SPEAKER. The gentleman from Nebraska [Mr. SLOAN] is recognized.

Mr. SLOAN. Mr. Speaker and gentlemen, this same measure having been before the House at a former session I opposed it. As I saw it coming up on this day I sought some way to meet the courtly suggestion of the gentleman from Texas [Mr. SLAYDEN] to aid in its passage. I should have been glad to have seen my way clear to do so. I find it difficult to resist the wishes of the gentleman from Texas, whose good fellowship and courtesy are proverbial in this House. His devotion to the public interests, and especially the artistic and æsthetic features of our National Government, the Members of Congress have long known and recognized.

But I find that the title to the bill at this time is "American Academy of Arts and Letters." We should note particularly what we propose to do in the passage of this bill. We authorize the organization of a national corporation under the name of "American Academy of Arts and Letters," and thereby establish in America an organization that will from its name and from location constitute itself a standard for literary and artistic productions in this country.

We must, however, not blind ourselves to the fact that by granting the proposed charter to the eminent gentlemen named in this bill, with its imposing name, we place in the hands of a body of very distinguished men not only the power to standardize literary and artistic achievements and say yea and nay to the ambition of all aspirants outside its pale but we give the membership the power to perpetuate itself through coming generations.

Now, if Congress will amend this bill so that it will be fairly representative, so that it will include the men and women of America, the novelists and historians, poets and philosophers, artists and sculptors, the native born and the naturalized, in every section of this country, and not be open to the charge of provincialism or favoritism, then we ought to favor it. Until that is done we should not grant the power that is evidently included in this bill.

A grant of this power should have such a broad and well-defined purpose and such a fairly distributed personnel as to constitute a guaranty that an artistic and literary aristocracy might not be established which would give mayhap unwarranted advantage to its membership and throw serious obstacles in the way to preferment and advancement of aspiring and deserving outsiders.

I want to call your attention, gentlemen, to the peculiar fact that residences of the 50 names given in the bill, candidates to become the immortals of America, are confined to Maine, New Hampshire, Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, Maryland, and the District of Columbia. But as if to take the curse of provincialism from it, they have reached to far-off Indiana and named one, James Whitcomb Riley.

Now, then, this district or province within which these men come is less than one-sixteenth of the area of the United States; less than four-fifths of the area of the State of Texas. It seems to me that this great Nation of ours, expanded as it has from its early history, not only in area but population, wealth, and education—it is remarkable that all these have followed the course of the sun. It is peculiar that genius in art and literature is confined to the colonial area. This bill would forever confine it to the colonial area by leaving it in the power of these 50 men to appropriate the name of the "American Academy of Arts and Letters," and having the membership, self-selected, continue to confine it within these narrow limits. I am in favor, if you organize an association of this kind, of its being so broad that it will include all the genius of America, as well on the Atlantic as on the Pacific coast, in the North and in the South. [Applause.]

Mr. RAINEY. Mr. Speaker, will the gentlemar yield there?

The SPEAKER. Does the gentleman from Nebraska yield to the gentleman from Illinois?

Mr. SLOAN. Yes.

Mr. RAINEY. Does the gentleman think of anybody in Nebraska that he thinks ought to be in the organization?

Mr. SLOAN. Mr. Speaker, I do. Out in the State of Nebraska to-day, if oratory is not a lost art, there lives as a resident of that State a member of the party of the gentleman from Illinois, a man who has talked to more people in this world, to more audiences, up and down more parallels of latitude and along more meridians of longitude than any of the orators among the 50 candidates for immortality named in this bill. [Applause.] What I say of Mr. Bryan has no relation to his political beliefs or practice, and is wholly without regard to whether his political fortunes are now at flood or ebb. More than that, the poet-philosopher of Lincoln—Bixby—is read by more for his quaint humor and his philosophy than is any of the poets or philosophers named in this list of 50 of the "immortals." He should be entitled to that man-made immortality. And, answering the gentleman further, since he has challenged it, we have a companion State out there—Kansas—which together with Nebraska have a greater area than this province of the immortals.

Mr. MONTAGUE. Mr. Speaker, will the gentleman from Massachusetts permit me to ask him a question?

Mr. SLOAN. From Nebraska.

Mr. MONTAGUE. I mean Nebraska.

The SPEAKER. Does the gentleman yield?

Mr. SLOAN. Yes.

Mr. MONTAGUE. Does the gentleman think the distinguished gentlemen he mentions desire to be of the incorporators of this academy?

Mr. SLOAN. I do not know whether they do or not. I speak of them, not for them. But I do not propose, where we have ability such as these men have, that we shall vote away to a province the right not only to be and to represent the American Academy of Arts and Letters, but to put it within the power of these 50 self-selected men to say who their successors shall be.

Let me say further that we have in our twin State—Kansas—Ed Howe, the editor-philosopher of the plains, whose quaint sayings, both in practical and profound philosophy, are distributed in nuggets throughout the United States. He is entitled to be one of a body whom we might call the elect.

Mr. MADDEN. Will the gentleman yield?

Mr. SLOAN. I yield to the gentleman from Illinois.

Mr. MADDEN. Does not the gentleman think that the establishment of an organization such as is here proposed would have a tendency to create a body of able critics, who would encourage men to rise to a higher standard of excellence in letters and art?

Mr. SLOAN. I presume they would in the little province that they represent, but they have not been able thus far to take over, and I do not want to trust to them the custodianship of the standard of arts and letters of America for the centuries to come. Now, I want to finish in reference to Nebraska and Kansas, and then I will yield to the gentleman from Ohio [Mr. LONGWORTH] and deal with that great State, which has been left without representation among the immortals. Let me also speak of the poet who comes from my own district, loaned temporarily to the State of Kansas, the poet who is read in every community where the English language is presented in print, the poet whose wit and humor appeal to more of the English-speaking people of the world than all the poets named among the proposed 50 immortals. His works are read more than any other poet of any language, living or dead, outside the sacred writings. He is, moreover, the best-paid poet in the world; and yet Walt Mason, whose homely rhymes, breathing rhythmic wit, piquant humor, and quaint philosophy, is not here even suggested for a place among the immortals——

Mr. CLINE. Will the gentleman yield?

Mr. SLOAN. I yield to the gentleman.

Mr. CLINE. I want to ask, just for information, how did the number come to be limited to 50, and who prescribed the rules and qualifications for getting into this body?

Mr. SLOAN. The 50 eminent gentlemen who expect to constitute this body, and by power granted in this bill perpetuate themselves and their neighbors under the broad name of America and the narrow limits of their membership.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SLOAN. I do.

Mr. LONGWORTH. To what tribunal would the gentleman propose that it be left to determine whether proposed members have attained to such a condition of literary excellence?

Mr. SLOAN. This is how I would dispose of it: I propose to introduce an amendment that these people, to whom this bill attributes all the brains of America, and who have seen fit to reside in this little province in the northeast, let it be called the Academy of Northeastern America. [Laughter.]

Mr. HICKS. Will the gentleman permit an interruption?

Mr. SLOAN. Briefly.

Mr. HICKS. I would like to ask the gentleman what relationship there is between State lines and literary ability?

Mr. SLOAN. There should not be any relation, but I do not propose to allow without objection an aristocracy to be established by men many of whom do not seem to know that there is anything or anybody west of the Allegheny Mountains or south of Washington. [Applause.]

Mr. LONGWORTH. Will the gentleman yield?

Mr. SLOAN. I yield to the distinguished gentleman from Ohio.

Mr. LONGWORTH. The remarks of the gentleman [Mr. SLOAN] a moment ago might seem to indicate that I was averse to this bill because I did not see in this list the name of anybody from my State. Even if that were true, Mr. Chairman, I do not see that this bill can be regarded in any sense as a pork measure. [Laughter.]

Mr. SLOAN. The gentleman may support the measure. He occupies an important position. I do not like to go into private affairs, but his position has become important in this country. He is the son-in-law of one of the proposed immortals, Theodore Roosevelt, who, of course, regardless of his splendid career as President of the United States, as historian and author is entitled to be one of the American immortals. In fact, I do not challenge the standing or ability of any of the distinguished men who make up the 50. We do object to their viewpoint that there are no others and that there is no other source. I believe it is an unsound theory that intellect can only thrive where soils are barren.

Mr. ADAMSON and Mr. SLAYDEN rose.

The SPEAKER. To whom does the gentleman yield?

Mr. SLOAN. I yield to Admiral ADAMSON, or, as some one has called him, A-DAM-SON of Georgia. [Laughter.]

Mr. ADAMSON. I wish to inquire if the admirable and facetious gentleman from Nebraska realizes that no mere act of Congress could make these "high brows" as smart as we are. [Laughter.]

Mr. SLOAN. It could not make the "high brows" as smart as the gentleman is. Of course, as to the use of the word "we," my modesty forbids. [Laughter.]

Mr. SLAYDEN. Will the gentleman yield?

Mr. SLOAN. I yield to the gentleman from Texas, who, I desire to say, Mr. Speaker, is one of my candidates for the list of immortals of the United States.

Mr. SLAYDEN. The gentleman from Texas never hopes to achieve such distinction as that.

Mr. SLOAN. Yes; but the gentleman knows that some are born great, while others will have greatness thrust upon them. Of the latter class is my distinguished friend.

Mr. SLAYDEN. Mr. Speaker, some targets are so small that they could not possibly be hit by the lightning of "high-brow" fame. But, Mr. Speaker, I want to call the gentleman's attention to the facts with regard to the birthplaces of these 50 men. Of course, the personnel of this association changes from time to time, because it is composed mostly of elderly men, and they die. A very distinguished member of that body died in Washington last year, Charles Francis Adams. At the time this list was made up there were 17 members whose birthplaces were in New England, 14 were born in New York, New Jersey, and Pennsylvania, 9 were born in the South, 7 in Ohio and Indiana. One was born in England——

Mr. SLOAN. I can not yield further, and I can not agree to pay the price for desertion of the South and going up into the northeast province.

Mr. SLAYDEN. I thought the gentleman would like to know the fact about that.

Mr. SLOAN. I want to call attention further to the fact, as an evidence of its provincialism and exclusiveness, that in this list of immortals who would perpetuate themselves there is not included the name of one American woman. You can not write American history and leave out American womanhood. You can not have a fair representation of American literary and artistic genius and leave out American womanhood. Even out in yonder hall of fame, Statuary Hall, there is a statue erected to a noble woman, Frances Willard, and she seems to get along very well with her cold and silent companions. But there was no room among these 50 American immortals for American womanhood to be represented.

The President of the United States is one of this list, and he is entitled to it, unaided by his proud position as the head of this Government, because of his achievements in the line of letters, as an author, historian, and orator.

Mr. LONGWORTH. I will remind the gentleman that he also has a son-in-law.

Mr. SLOAN. Yes; he has a son-in-law; but you should not make ado (McAdoo) about that. [Laughter.]

More than that, gentlemen, in the Senate of the United States the great HENRY CABOT LODGE, orator, statesman, diplomat, is one of the immortals, and he is entitled to be there. It is suggested that he has a son-in-law, but he is in Massachusetts and he is within the province.

Now, I fail to find an immortal among the 435 distinguished Members of this body. From this body I would have the courtly cavalier from Texas as my first choice [applause], because, in the early days when knighthood was in flower, on the field of battle he would have been known as the "Knight Courageous." In hall of council or on jousting field he would have been called the "Knight Courteous." And on ladies' carpet among the stately dames and damsels fair he would have been known as the "Knight Irresistible." [Laughter and applause.]

I have also read the Sacred Writings; have studied Wordsworth's Intimations of Immortality, and further dwelt upon that deathless soliloquy placed in the mouth of Cato by Addison; and I have come to the conclusion that man is immortal. So I have sat five long years on the side of this aisle content with being a friend to MANN. And then I look up yonder, to that seat of power, where by the side of the eagle and under the flag sits the Speaker. Of him I must say, paraphrasing the old kingly salute, "O Speaker! live forever." [Applause.] But this corporation, if organized, would bar the way, because the Speaker, regardless of his genius, is from Missouri, a part of the proscribed district.

I am in favor of all advancement that may be made. But I am not in favor of giving away to any section or sex of this country, or to any unfairly representative body of men in this country, the right to call itself the American Academy of Arts and Letters, with the power to perpetuate itself, and say to artistic or literary genius in every part of the United States you may or may not have the opportunity of becoming one of the immortals.

Of course, I might be expected to vote for this because one of my name is in the list. That is probably on the same theory that the river and harbor and public-buildings bills are worked, because I, apparently, have a project in William Milligan Sloane. He is a great historian, but a remarkably poor speller. He seems

unable to dispense with that final "e." Darwin's doctrine of elimination of unnecessary finals should be invoked.

Mr. SLAYDEN. Will the gentleman yield?

Mr. SLOAN. Yes.

Mr. SLAYDEN. I want to suggest that already this Congress has chartered seven associations and conferred upon them the right to call themselves the American Historical Association, the American National Red Cross Association, the American Numismatic Association, and the American Academy of Science, and so on. So Congress has set the precedent or adopted the custom.

Mr. SLOAN. The first followed by the second may have been a precedent. As the gentleman suggests, the others added may have grown into a custom, but I do not propose that it shall now by this addition become a disease without a protest.

Yet neither the American Historical Society nor the National Academy of Science are valid precedents for the action proposed here.

The American Historical Society started in with few members, but without limitation. Yet with less charter members it was more representative of the body of the country than is the list proposed in this bill. Any proper person may become a member of that society upon being approved by the executive council, and may continue by the payment of reasonable dues. Further, that society must make periodical reports to Congress and to the Smithsonian Institute.

The National Academy of Science was chartered in 1863, during the Civil War, with special purpose and duty, to serve the country in its stress. Its charter membership, then limited to 50, came from the following:

Maine, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Virginia, Ohio, Indiana, Illinois, Kentucky, Missouri, and California; also the District of Columbia.

It will be recalled that the Southern States were then in secession, and California was the only Northern State then in the Union west of the Missouri River except Kansas. Later, in 1870, Congress passed an amendatory act to that organization's charter, removing the limit on number of members. So that so far as the important and essential objections raised to this bill are concerned, the proceeding is without precedent or parallel.

Mr. PLATT. Will the gentleman yield?

Mr. SLOAN. Yes.

Mr. PLATT. Does not the gentleman think he could accomplish his purpose by introducing a bill to prevent Members from further flocking together?

Mr. SLOAN. No; I could not do that. That is the difficulty here. Men seek to obtain this exclusive name, American Academy of Arts and Letters, giving them the power to hold themselves before the American people as the artistic and literary censors; to say what poem should be authoritatively approved and what pictures may be hung. We want no aristocracy in letters any more than we do politically.

Mr. PLATT. Will the gentleman yield again?

Mr. SLOAN. Yes.

Mr. PLATT. If William Jennings Bryan was elected a member of this society, would he naturally move to New York?

Mr. SLOAN. He might. Mahomet went to the mountain. It was merely a place to be walked on. What I have said of Mr. Bryan relates to his matchless art. Of course, New York would like to get all of our literary talent. They need it. It might raise the general average of the little old town. I challenge the gentleman to say that these 50 men or anyone through their authority have asked any of these western gentlemen to become members of this exclusive body. Rather than establish this organization by congressional authority in this manner, we should wait until America's votaries of letters and arts, after discussion and full deliberation, give in crystallized expression a broad, sound, and liberal basis for an organization representing all America. It should have a basis coextensive with America's boundaries, worthy of her genius, and as varied as the excellence of her brilliant sons and daughters. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. SLAYDEN. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. RAINEY].

Mr. RAINEY. Mr. Speaker, I understand from the argument of the gentleman who has just taken his seat that his principal objection to the bill we are considering is that it provides for the incorporation of a self-constituted body of men who shall proceed to perpetuate themselves indefinitely. Now, if that is the objection the gentleman makes to the proposition of incorporating the American Institute of Arts and Letters, there is nothing in his position.

I want to tell the gentleman how these 50 names were selected. They did not select themselves. The American Academy of Arts and Letters was founded in 1904. It was a branch or an interior organization of the National Institute of Arts and Letters, and the National Institute of Arts and Letters was in its turn founded in 1898 by the American Social Science Association. The American Social Science Association was incorporated by Congress. So this proposed organization traces its origin back to the American Social Science Association, and the authorization of the incorporation of that association was made by this body.

This is the way in which these 50 gentlemen were selected: In the first place, 7 members were selected by ballot as the first members of the academy, and this selection was made by the members of the National Institute of Arts and Letters. These 7 members selected 8 others. Those 15 members selected 5 others, and the 20 members thus chosen selected 10 other members, and these 30 members constituted the original American Academy of Arts and Sciences. Many of them are not now living, but here are the first 7 members, selected as I have indicated, who formed the nucleus of this organization: William Dean Howells, editor of magazines; Augustus Saint Gaudens, sculptor; Edmund Clarence Stedman, author; John La Farge, mural painter and decorator; Samuel Langhorn Clemens, man of letters—and of Missouri, as somebody has suggested—born in Missouri, on the banks of the Mississippi River; John Hay, man of letters; Edward McDowell, the greatest musical composer this country has yet produced. These were the 7 original members. These members selected the next 8 and the 15 selected the next 5, and the 20 so chosen selected the next 10.

Now, can even the gentleman from Nebraska [Mr. SLOAN] suggest any substitute for any one of these original seven members of the American Academy of Arts and Sciences? William Dean Howells is the only one who is now living. It is proposed to incorporate the American Academy of Arts and Sciences, and the object of incorporating it is to enable it in a more effective way to further the interests of literature and of the fine arts.

That is not a sectional matter. In the old days of the literary supremacy of Athens, if they had been organizing an academy similar to this, they would have found no qualified members anywhere in the world except in Athens, an exceedingly small part of the earth's territory, and yet, if the gentleman from Nebraska [Mr. SLOAN] had been living in Athens in those days, with his ideas of arts and literature, and methods in which these matters ought to be promoted, he would have insisted on selecting some member from the middle of Asia and some one else from Siberia. According to his theory, if an organization of this kind were being effected in the days of the literary and military supremacy of the Roman Empire, he would have insisted that the biggest part of that Empire was the Desert of Sahara, and that they ought to go somewhere out into the Desert of Sahara and find some savage Arab chieftain and put him on the list, in order that the Desert of Sahara might be properly represented. [Laughter.]

I am not aware of the fact that we do much here in this body to perpetuate the arts and literature. We make speeches here, and we print them in the CONGRESSIONAL RECORD, but even the speech which was just made by the gentleman from Nebraska [Mr. SLOAN] is not much of a contribution to the literature of the world, and I doubt whether it will be read to any considerable extent outside of his district, and it will not be read there unless he sends a copy of it to every home in his district, to show how anxious he is that the wheat fields of Nebraska and the sand dunes of the western section of his district shall have the opportunity of having a member on this original board, so that somewhere out amid the wind-blown barrens of Nebraska a St. Gaudens may be developed.

Mr. CARAWAY. And what is the gentleman going to do with his speech?

Mr. RAINEY. It will be printed in the RECORD to-morrow morning. It is not my present intention to send it out. I will say to the gentleman, I have the right to send it out, but the gentleman need not worry about that. I am not pretending to make any contributions to either literature or art, though I believe I can make as valuable a contribution as the gentleman who is now interrupting me can make, and it will live just as long, and that would not be very long.

Mr. CARAWAY. And the gentleman has taken ten times more time to make it than I would, though it would not last ten times as long.

Mr. RAINEY. Mr. Speaker, this organization is to be empowered to receive bequests and donations and to hold the same in trust and to invest and reinvest these funds for the purpose of furthering literature and the fine arts. Can there be any possible objection to that? A nation makes a place in history proportionate to the place it attains in literature and the arts.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. SLAYDEN. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. RAINEY. Here in this body we occupy much time inventing methods of getting money into the Treasury, and then we occupy the rest of the time in inventing methods of getting money out of the Treasury; about the only contribution we make to the arts is to frequently authorize for some sixty or seventy thousand dollars some one to manufacture representations of soldiers with dangling swords and cocket hat, mounted on impossible prancing horses, and we put them on every corner of this Capitol until we have now almost as many statues of that kind as they have in all the rest of the world—every one of them offending and violating all of the ideals of beauty and art that have prevailed in the world since the days of the literary and artistic supremacy of the Grecian States. It is not going to hurt this country or its Capital, and it is not going to hurt Members of Congress to authorize the incorporation of an association which shall have for its object, and its sole purpose, the furtherance of literature and of fine arts.

New York and New England have a way of attracting men who become prominent in literature and in the arts. The great publishing houses are there, the great magazines are published there, the great centers of population are there, the great contributions to art and to the beauty of our present civilization are there, and of course these men who love art and literature and beauty flock to that section of the country. Why, Mark Twain, one of the original seven, came to New York from Missouri; and if any of these men mentioned by the gentleman from Nebraska [Mr. SLOAN] as being entitled to consideration really do anything that establishes for them the reputation of being great artists, or contributing something to the literature of the country which is going to last throughout the ages, we will find them coming to the northeastern section of this country.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. RAINEY. Certainly.

Mr. LONGWORTH. May I suggest to the gentleman that the criticism of my very good and distinguished friend from Nebraska [Mr. SLOAN] carries with it an implied criticism upon the activities of the two gentlemen who represent his State in another body because they did not lift their voices against this bill—in fact, no Member of that other body did, as it passed unanimously?

Mr. RAINEY. That is true.

Mr. MADDEN. Perhaps the gentleman is jealous because the distinguished orator from Nebraska, Mr. Bryan, is not one of the 50.

Mr. RAINEY. Mr. Speaker, I have never heard from that side so many compliments for Mr. Bryan. [Laughter.] And I never heard that Mr. Bryan claims a place in any organization of this kind.

Mr. SLOAN. And, Mr. Speaker, I never have heard such a lack of defense of the peerless leader as I am observing now upon that side. [Laughter.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. SLAYDEN. I will ask the gentleman from Nebraska [Mr. SLOAN] to use some of his time now.

Mr. SLOAN. I yield 20 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Speaker, we have in the past killed this bill. Is it two or three times? Somebody tell me how many times we have killed it?

Mr. SLAYDEN. Does the gentleman want information in reference to that?

Mr. DIES. Yes; I will be glad to have it.

Mr. SLAYDEN. The only time the bill came up for consideration before was on a motion to suspend the rules, and a clean, effective, satisfactory majority voted for it, but not quite the two-thirds.

Mr. DIES. My recollection is that I have spoken against it twice myself.

There never was any old reason offered in the House for the passage of this bill. It has been up a number of times. Not one real reason has ever been offered for its introduction here, or any reason offered why we should pass it and make it a law. I have heard no new reason offered to-day for its passage.

There is a reason why you gentlemen ought not to deal with this question. Now, these 50 persons are perfect strangers to you, most of the time. Of course, my friend RAINEY and my friend SLAYDEN and myself understand their writings and paintings perfectly well; but most of you gentlemen—"honest injun" now—you are about to put your provincial hands to the stamping of 50 immortals, when there are not 50 men in the House who have ever read a book or seen a painting written or painted by any one of these persons, except it was written by Mr. Roosevelt about that bewhiskered bird that cracks nuts in the middle of the night. [Laughter.] And some of us have read The New Freedom. [Laughter.] The Members of Congress, most of you, come from States which have no person within the limits of the State sufficiently erudite to be in this list of immortals, from Nebraska, from Texas, from Illinois, from Ohio, from Michigan—from Detroit—and also, we are going to put our——

Mr. MADDEN. What about Ford?

Mr. DIES (continuing). Novitiate hands to the task of placing the stamp of immortality on others.

Do you know, if these gentlemen came in here now, Mr. Sloan and Mr. Underwood Johnson—I believe the latter is better known than the rest, having lobbied for the bill—unless somebody told us they were coming, I would not know them. [Laughter.] Of course, my friends RAINEY and SLAYDEN understand the question. They have had three years to look it up. They have read Who is Who in America, and they know these gentlemen. You see when a man puts himself in Who is Who, he writes it himself, and that is about the only literary product of any of these 50 outside of The New Freedom and the bewhiskered bird incident that the gentlemen are familiar with.

There are some provisions in this bill that have a funny sound to me, or rather would have had a funny sound to me before I came to Congress. I have learned to accustom myself to all sorts of sounds since I have come here. This says:

> The American Academy of Arts and Letters shall consist of not more than 50 regular members, and the said corporation hereby constituted shall have power to make by-laws and rules and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the election of foreign, domestic, or honorary associate members, and the division of such members into classes, and to do all other matters needful or usual in such institutions.

Of course, the thing would not be entirely what the toadies want it to be, unless we can get a scorbutic duke or ramrodded count from across the way, and when they bring the aforesaid Italian or Frenchman, or whoever they bring over to give added respect to the nobility here, they set in to make classes. I can see now class No. 1, with Prince So-and-So, or Baron Astor, or Sir Hiram Maxim. If they get the Maxims, they ought to put Hudson in. He wrote a book called Defenseless America. He is an employee of the Du Pont Powder Co. and author of the Battle Cry of Peace, that has made more ignorant women and little children shudder in this country than anything else.

Now, right along with that bewhiskered bird, Hudson Maxim, with his defenseless America and smokeless powder, ought to be nobility. It would be an oversight on the part of gentlemen not to put him in there. When they start with these classes, of course, first having shown the courtesy to the foreign gentlemen to arrange them into class 1, then there should be a different distribution of classes.

Of course if Confucius were living now he would not be in it, because he said a man who would not live upon rice and use his bended arm for a pillow, that he might apply himself to study, was not worthy the name of a scholar. They kicked him out in his day, and so they would in this country. If Shakespeare were living now, well—he committed several unpardonable sins, so far as this Congress is concerned, anyway. I recall one thing he said:

> Get thee glass eyes, and like a scurvy politician seem to see things thou dost not.

That would debar Shakespeare. [Laughter.] If Robert Burns were living now—I am told they have practically nothing in the library now to remind one of Robert Burns. He certainly was so uncouth a man that he, the author of Tam O'Shanter, would not be allowed in these 50 immortals.

You remember he says:

> Kings may be blest, but Tam was glorious,
> O'er a' the ills o' life victorious.

[Applause.]

> As bees flee hame wi' lades o' treasure,
> The minutes wing'd their way wi' pleasure.
> But pleasures are like poppies spread,
> You seize the flow'r, its bloom is shed;
> Or, like the snow falls in the river,
> A moment white—then melts forever.
> Or like the borealis race,
> That flit ere you can point their place.

Tied, the tenant of a landlord, to his plow, too poor, too neglected by the literary men of his time even to be given a place of decency; not the President of the United States, ex or present, not the discoverer of unknown and whiskered birds, not the author of the Battle Cry of Peace, but an excise man, whose job it was to test the strength and gravity and purity of the liquors they drank in merry old Scotland. [Applause.]

I do not know; I have been a great reader of books in my time, but I confess I have never read anything that has been written by any of this aggregation, except the President and the ex-President. [Laughter.]

Now, there was Samuel Johnson, the author of Rasselas and other publications that now escape me——

A MEMBER. The dictionary!

Mr. DIES. Yes; he wrote the dictionary, but his Rambler was his best work. He said a book was not fit to be read until after it had been written more than seven years. The great philosopher of France—his name has escaped me; not Montesquieu, but Miguel Montaigne, the great philosopher—said it was never safe to pronounce greatness upon any man until he was dead.

Now, gentlemen, I could not understand or fully appreciate a painting when I see it, or know whether it had been gotten up by the O. N. T. Thread Co. or one of these immortals. [Laughter.] Here we sit, taking up the time—and I am taking up the time—of the American Congress, imitating and toadying to foreign institutions, and wanting to reach out and connect Americanism with something that is un-American. [Applause.] John Randolph of Roanoke, whose liver was somewhat out of fix, never said a truer thing than when he said there is a universal frailty in human nature, a desire to connect yourself with somebody that is great.

There is a spirit of toadyism about this bill. Let these 50 men elect themselves to immortality as Shakespeare did; as Confucius, the Chinese philosopher, did; as Burns, the Scotch poet, did, and Gray, the English poet, did, when he wrote his Elegy. Let them elect themselves to immortality by writing themselves into worthiness of immortality. [Applause.]

If I were going to put the stamp of my approval on Mr. Roosevelt and on Mr. Wilson—two excellent gentlemen [laughter]—I would include the entire Cabinet of each one of them. What can a President do without his Cabinet? [Laughter.] I would get GARNER, of my State, on it. He is on the Committee on Ways and Means, that appoints committee assignments here. [Laughter.] I would like to have the Speaker on it. And I regard the ex-Speaker of this House [Mr. CANNON] as one of the keenest intellectual blades I have ever known in my life. [Applause.] I do not know that anybody can say I am toadying to him. [Laughter.] If he does, it would be the first time. I regard him as the brightest intellect I have known since I have been in Washington, I will say. Why not put him in there? You have put in alleged statesmen and politicians and people who have painted pictures that you never saw and which you would not understand if you did see them; men who have discovered birds with whiskers, that crack nuts all through the night, birds that were seen and commented upon a hundred years ago by Von Humboldt, of which he has left a record for our memory.

I understand that some of the men who have written books and articles in this list have retracted some of their works. [Laughter.] I ask, Is the immortality based on the books themselves or on the retractions thereof? [Laughter.] Sometimes recantations possess more literary value than the things recanted. I remember Andrew Carnegie protested there was no such thing as a trust, but later on he retracted that and organized a trust, and now he says there ought not to be such a thing as a trust. [Laughter.]

This House is a fine body to make laws, to get what is coming to us in the various bills that have been passed, to see that our relatives in the Army and in the Navy are properly taken care of, to see that we get what is coming to us for our streams and waterways in river and harbor bills, to see to it that the people's money is voted away for this, and that, and the other thing. That is our business. We are hard-headed, practical men, but we are not judges of what constitutes literary or artistic merit. I have not met any literary men in this Congress since I have been here. [Laughter.] I have met nobody except, perhaps, Mr. RAINEY and Mr. SLAYDEN who are competent to put the stamp of their approval on those who shall go down through the ages as "immortals," whose works should not be allowed to die. There are some practical politicians here, but no profound literary critics. Some of us read the headlines, some of us read the large print in the CONGRESSIONAL RECORD; but this House is not what I should call a literary body. [Laughter and applause.] I would not submit to the Congress for its approval an article that I expected would make my name immortal. [Laughter.]

Of course, there have been some very unfortunate things along that line. The French philosopher, Montesquieu, submitted his two volumes, from which our existing Government is in a large measure taken, the Spirit of the Laws, to three friends, and what about it? The whole three agreed unanimously that if he published it he would make an ass of himself for all time. [Laughter.] But his egotism, Mr. Speaker, was such that he published that work in spite of the unanimous verdict of his three friends that it was worthless, and it is the only thing that he is now remembered by. There are critics in the world that could pass upon those who should be immortals; but we, gentlemen, who are almost perfect strangers to their works and arts, should not attempt to pass upon them. I do not think this type of bill should be brought in here. Let these gentlemen, taken from three or four States—let Massachusetts, Pennsylvania, and New York stamp them as immortals. Why come down here and get provincial persons like myself or provincial persons like my friend GARNER and my friend SLOAN and MARTIN MADDEN, or anybody else nearly, to attempt to do it? [Laughter and applause.]

Why do not they get the State that has produced this wonderful crop to stamp them? [Laughter.] It seems that the 48 States did not do it. The United States did not do it. These rare plants of literary genius and works of art; this wonderful aggregation were produced in three or four States. Let those States under their State laws incorporate them and stamp them. But if I, as a Member of Congress, am to vote upon a work of art, be it poetry or history or painting, rough though I am, uneducated, untutored, and provincial as I am, you must trot out your poetry and let me hear it read. [Laughter.] Let the men who want this bill bring in a painting and let us see it, and we will pass upon it. Of course we are not capable of doing it. We would not know whether it was one of GUSSY GARDNER's preparedness maps or a painting by one of the distinguished Members of this organization. [Laughter.]

But before I vote for it, not knowing a person in this list and never having read anything written by one of them that is worthy to be perpetuated as a work of literature—I say that advisedly; I do not know a thing written by a man in this list that will go ringing down the corridors of time as great literature. As long as they print the Bible, the works of Shakespeare and Bunyan, and Æsop's Fables men will never stop to read much of the writings written by those who constitute these 50 so-called immortals. [Applause.] I suppose when we become sufficiently effete, if they will print some of this stuff in large headlines and run it in the current daily papers we will read the headlines in regard to it, but never unless something of that kind occurs; and I say it, meaning just what I say, I am not competent to pass upon the literary merits of any man. I would take Burns and Æsop's Fables and Shakespeare and the Bible and I would stop there, and if I were a hermit and going to live in a cell, as sometimes I wish I was, I would not want much else than the Bible and Shakespeare and Burns and Æsop's Fables to make my shelf a library. I am not competent to pass on the works of these gentlemen. I do not know them. I do not know their works. I do not know anybody who knows enough to do so, unless it is my friend RAINEY or my friend SLAYDEN, and if they know anything about it they do you wrong not to tell you what they know about it. [Laughter.]

Of course, if we are going to put in the names of any politicians, why, I would select three men who I think have done more useful work here since I have been a Member of Congress than any other three men in the House, barring the Speaker. You always want to take consideration of the men in power, of course. But BEN JOHNSON, of Kentucky, saved about $2,000,000 to the Federal Government. CLYDE TAVENNER showed that the greedy hands of the men who would profit by it were behind the preparedness movement. The other gentleman's name will come to me in a moment. Oh, yes; Judge Witherspoon, now deceased, who proved that the American Navy was second in the world. [Applause.] Put their names in. Put in the names of men who stand here in an unpopular cause and who are the champions of what they conceive to be right. Do not wait until such a man gets elected to some big office to put in his name.

Now, with all due respect to Mr. Roosevelt and Mr. Wilson, it takes the very best that is in any man to read anything that either one of them ever wrote. Their works are tremendously profound, punctuated with erudition. They tell us of great makers of States and the destinies of nations, but a man has got to drink coffee every 15 minutes if he sits up at night to read them, I will tell you that. [Laughter.] Moreover, they are both young men, in their prime. They are seeing things differently now than they saw them when they wrote those books. I am afraid we ought to hesitate in writing them down as immortals, for they may retract the balance of what they have said before this bill finally passes. [Laughter.] Think of putting the stamp of the American Nation on men and calling them immortals while they are holding office and alive and kicking around. Why, they may disgrace themselves utterly before they die. We all have self-respect. We know that we do not

know scarcely anything about a majority of these men. We are offering here to put the stamp of our approval by our vote "aye" on men whom we know nothing about, who have written articles in uplift magazines that we have never read, or who have painted paintings that we never see, and whose meed, whose equipment for immortality is utterly and absolutely unknown to us, and I suspect is unknown to a great many other people; in fact, all other people. I am not making this speech for distribution. I am not making this speech to be funny. I am not making this speech in order to parade myself as a plebeian, as a Democrat, as an American. I make it because I get sick and tired of this spirit of toadyism that asks the American Congress to put the brand of immortality on men whom we know nothing about. You might as well select a committee of pork packers to pass on the works of art of ancient Greece and Rome. [Laughter.]

Mr. SLAYDEN. Mr. Speaker, I yield 20 minutes to the gentleman from Illinois [Mr. CANNON]. [Applause.]

Mr. CANNON. Mr. Speaker, I have been very much interested in the remarks of my friend the gentleman from Texas [Mr. DIES] and my other friend the gentleman from Nebraska [Mr. SLOAN]. I do not know but they have ridiculed this bill out of the House. I wish I had one-hundredth part of the power that either of the gentlemen has on that line, because perhaps I might be able at least to bruise their heels while they would bruise my head. But, all said and done, what is this bill? The names have been read. Here is one power that is given:

SEC. 2. That the purposes of this corporation are and shall be the furtherance of the interests of literature and the fine arts.

Then they have the power to receive bequests, if anybody is wise enough or foolish enough to make any bequests to them.

"There is no world but this in the vast universe. Men may talk about suns and planets and comets and all that kind of thing, but there is no world but this." "How do you know?" "I have never been on any of them." Gentlemen have ridiculed the names of men here. Well, there are many of them whom I never met. I have had much pleasure, however, in reading the productions of William Dean Howells. I have had much pleasure in reading the graphic and virile descriptions in the Winning of the West, by our late President. I have had much pleasure in reading the works of Mark Twain. Ah, the gentleman from Texas and the gentleman from Nebraska never heard tell of Mark Twain.

Mr. DIES. Is the name of Mark Twain or Samuel Clemens in that list?

Mr. CANNON. I thought he was a member of it.

Mr. DIES. He is dead.

Mr. CANNON. Yes; but was he not one of them?

Mr. SLAYDEN. He was a member of this organization.

Mr. CANNON. Yes.

Mr. SLOAN. If this organization was in full swing when Mark Twain was on earth, why do you want to give it a new lease of life? Let it go on the life that Mark gave it.

Mr. CANNON. You indorse Mark Twain, do you not?

Mr. SLOAN. Yes; I indorse any good man after he is dead. [Laughter.]

Mr. CANNON. Precisely. I indorsed the gentleman both times while he was living, and that is the difference. [Laughter and applause.]

Now, you go along further. Hamilton Mabie, of New Jersey; Thomas Nelson Page, of the District of Columbia, now our diplomatic representative abroad. I like Thomas Nelson Page and I believe I have read everything he has ever written, to my entertainment. HENRY CABOT LODGE, Senator LODGE, one of the most virile writers of biography of great men and of history that has lived upon this continent. So, after all, there is here and there a grain of wheat. I might read further. Andrew Dickson White—Dr. White, of Cornell—eminent in diplomacy and scientific attainments, eminent from every standpoint.

Most of these people, if they do not trot in that class—and I can not say how many do have the right to trot in that class—shall they be ridiculed because, as I look through my gimlet hole at the universe, whether it be of literature or art, the size of it is according to the range of my vision. [Applause.]

Now, I have the highest respect for these gentlemen; but, gentlemen, take the National Academy of Science. Great Heavens! I can appreciate it, although what I do not know about science and literature would make a book. Let us be honest and square. My primary education was gotten before I was 13 in a little log schoolhouse. If I am educated at all, it is by virtue of my experience in reading since I arrived at the age of 21. I am not educated greatly. I can prove that by these reporters here when I revise my remarks, or, if not, by the typesetters at the Government Printing Office, for I can not correctly punctuate a half a dozen sentences to save my life. Oh, yes; I know what a comma is, and I know what a period is, and I know what a dash is, and I know what an interrogation point is, and there it ceases. That interrogation point is very useful to me in punctuation, and I would like to put it in the brain of gentlemen in these two magnificent speeches, so full of wit and ridicule. Why? Oh, gentlemen, we have got to take something on trust; we have got to admit that somebody in the wide world is wise besides ourselves. We would not get along very well if we did not. Let me give you some of my experience with these men. Did gentlemen here ever know Prof. Langley, late head of the Smithsonian Institution, who was succeeded by Mr. Walcott? He was an old bachelor and college professor, although I do not know what college he was connected with. I had the honor at that time to be at the head of the Committee on Appropriations, and when the estimates would come up Prof. Langley would come in to explain them. Let me give you a little thing that happened in the appropriation room. He had gone through the estimates, and then I said, "Professor, is there anything else you want to say?" I had learned to have a very high respect for his scientific attainments, his industry, and his ability. He said, "Yes, Mr. CANNON; I would like $10,000." I said, "What for?" He said, "To experiment in inventing a flying machine." "Great Heavens," I said, "a flying machine, to ride up in the air." He said, "Now, Mr. CANNON, look here. I don't wonder at that, because you have not given the subject any investigation. Is not a bird heavier than the air? Is not the eagle who soars above in the sunlight heavier than the air?" "Yes," I said. "Don't you think we could devise a machine by which the human animal can navigate the air?" He did not have to make any more speeches, but the subcommittee agreed to it and the full committee agreed to it. Then he said further, "I want $5,000 to found an astrophysical laboratory." I said, "What is that?" He said, "You know what physical is?" I said, "Yes." "You know what astral is?" I said, "Somebody told me once it was something about the stars." He said, "Mr. CANNON, through all the ages we have had people who have studied the heavens, and we want to study the influence of the sun on the earth's atmosphere and upon the earth." I said, "Five thousand dollars isn't much. You want to make a little laboratory?" He said, "Yes." I said, "Is that all?" He said, "No; there is another very important thing, and that is the study of the rays of light beyond the red." I said, "Great Heavens." [Laughter.] "Are there any rays of light beyond the red?" I knew about orange and green and blue and the other colors of the spectrum. "Well," he said, "there are. I do not know how many, but in the future—I may not live to see it—but it may revolutionize the world."

Well, that went in, and you ought to have seen the magazines and the newspapers, and some of them had almost as much power as the gentleman from Nebraska and the gentleman from Texas: "An astrophysical laboratory." "Going to fly like a bird." Well it did not deter me. I had been ridiculed and cartooned, and I rather liked it, because it gave me a notoriety for profanity and wickedness. [Laughter and applause.]

Well, you know that man did construct a machine, put it on a scow, and went down the Potomac River. It did fly for a minute; it did fly, but the engine was imperfect. He was the discoverer; and then the Yankee Wrights caught on to it a little later and improved the engine, and you now have the aeroplane. It is the same plan exactly. But, gentlemen, after all, if we are to legislate upon what we know absolutely, each man giving advice—and there are 425 of us—if we have to get around and can not take anything from anyone but from each other, we would not have much legislation.

Now, you talk about art. I do not know much about art; and you talk about literature, and I do not know much about that; but I want to tell you that when we are dead and gone, most of us—and that especially applies to me—Indiana's favorite poet, James Whitcomb Riley, will live. [Applause.] Mr. Speaker, once when the Clover Club, during the days of the World's Fair, came to Chicago a man who is now dead, then the head of the Chicago Record-Herald, entertained the club, and I had the honor of being present. There was present also Oglesby, Henry Watterson, George F. Root, the man who composed the music for the songs during the war and since, and a great many others. We had a great time. While we were drinking water—it was colored a little bit—Mr. Sol Smith Russell, the actor, who was there, got up, with his swallow-tail coat on—and he looked just as he always did on the stage—and he gave just a little twist to his hair and then recited, "Good-by, Jim; take keer o' yourself." And when he had finished that recital Henry Watterson jumped up from his seat and ran to him and put his arms around his neck and, with tears streaming out of his eyes, said, "My God, say it again, say it again; say it all night!" [Applause and laughter.] They put every-

body down who was called on; but finally, just after the incident closed, I was called on, and I had sense enough not to try to talk long, but they let me talk long enough to say one sentence. I said, "I have paid many, many dollars to listen to you, Mr. Sol Smith Russell, and I never knew before how you were made up. God made you up." [Applause.]

Now, then, take art. I do not know how many of you gentlemen have gone out to the western end of this Capitol and seen on the wall that picture entitled "Westward the Star of Empire Takes its Way." A great artist, I do not now recall his name—I am like my friend, I can not call his name—painted that picture on the wall. There it is. It represents the pioneer from the Atlantic coast on his way westward. There are the steer and the mule hitched up together; there is the woman with the babe in her arms, sitting in the wagon; there is the little grave by the side of the road; and there is the pioneer with his coon-skin cap and the little boy with his coon-skin cap, the grandson or the son, carrying a rifle, followed by the faithful dog; another stands upon the mountain and looks to the westward. Ah, Mr. Speaker, I was a part of that picture in a way, and by that I mean that I experienced most that it represented in the pioneer days, and as I looked upon that picture the first time, though I am not given much to tears, I caught myself crying, and during all the years since I have never glanced toward it without saying to myself, "God bless the man who painted that picture." [Applause.]

Take the statue by French of the Minute Man at Concord. Who is French? Why, since Saint Gaudens, French is, in my judgment, the greatest living sculptor. He is a great man; Saint Gaudens was a great man. Take Saint Gaudens's statue of Lincoln as it stands in Lincoln Park at Chicago, in all its majesty. No American can look upon it without being a better man, a more patriotic man. Then, you have great architects. "Well," you say, "are not some of them fools?" Yes; but I will tell you what is a fact. These architects and "literorians," as a constituent of mine called them once, have not any monopoly on foolishness. [Applause and laughter.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. SLAYDEN. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, two great speeches—there have been more than that—but, at least, two great speeches were made to-day, both by one man. It has been really a great day for the individual membership of this House. Through the versatility of the Member from Illinois [Mr. CANNON] we have had a fresh view of the great Lincoln. Among the many fine things said by him in the address on this bill now before us I think the most significant was that reference to Sol Smith Russell. It reminded me of Mathew Arnold, the great English writer, the son of the great Dr. Thomas Arnold, when he visited this country, made a trip to Chicago and was there given a dinner. Among other things he said on that occasion was the following: "I have not come to see the great acres of the West, nor the skyscrapers of your great cities; I have come to see the author of 'Little Boy Blue.'" [Applause.] That is an expression of the estimate of a great mind upon the value of letters. It was the same Mathew Arnold who in that masterful essay, "Culture and anarchy," made the statement that the greatness of a nation is not a marketable quantity, that it can not be bought and sold, that it has no commercial value put upon it. The greatness of a nation must consist in a spiritual condition of that nation as expressed in art and letters. [Applause.] He also added that if a nation would prove that it is great it will show its appreciation of that element of greatness. It is now pertinent to ask what is our attitude as a Nation toward these higher qualities. I had hoped that the opposition that has developed here would not develop, not because there is any reason for me to say that men ought not to take a position as they have, but because it might classify the Nation before the world as not appreciating these things that are worth while.

Mr. SHERLEY. Mr. Speaker, will the gentleman yield?

Mr. FESS. I appreciate the situation of the opposition. I yield to the gentleman.

Mr. SHERLEY. Might not some of us so appreciate art and letters as not to be willing to undertake to incorporate the greatness of it?

Mr. FESS. The purpose of this bill is to give a legal entity to a group that can promulgate the interests of art and literature.

Mr. MONTAGUE. Mr. Speaker, will the gentleman yield to me in order to ask him a question?

Mr. FESS. Yes.

Mr. MONTAGUE. As suggested by the gentleman from Kentucky [Mr. SHERLEY], might not some of us appreciate education so greatly as to refuse to incorporate an educational institution?

Mr. FESS. I think it is a very apt question and a complete answer. What I had in mind was this: That if we desire to promulgate letters and art we ought not to refuse to give this purpose a legal entity by which this sort of interest in our country can be furthered.

When you charge that it is trying to make 50 men immortal, certainly that is an unfair statement. You can not incorporate without having incorporators, and this is purely an arbitrary number, and it is not to be a fixed number except as to regular members. There is a provision here to increase the membership by adding associate members to any limit, and the question that we have to answer is, Do we, as a Nation, favor promulgating the interests in literature and in art? If we do, this is one way it must be done. A famous English writer sneeringly asked back in the twenties, "Who reads an American book?" He meant to make sport of American literature. The inference was that we were nothing but money grabbers. We have so been held by the old countries.

The SPEAKER. The time of the gentleman has expired.

Mr. FESS. May I have just a minute more?

Mr. SLAYDEN. I will extend the time of the gentleman two minutes more.

Mr. FESS. When the question was asked, "Who reads an American book?" that was a suggestion, as I just said, that we had no interest in letters, and it was an English criticism which from a literary standpoint was hurtful. That question was at last answered by Ralph Waldo Emerson in that famous address of his entitled "The American Scholar." And I wish that the friends of the opposition to this proposal would refresh their memories by reading that great treatise on the proper appreciation of what American letters and art should be in the country. Ralph Waldo Emerson's "American Scholar," which was our declaration of independence in the matter of literature compelled foreign recognition.

Mr. LONGWORTH. Will my colleague yield?

Mr. FESS. I will.

Mr. LONGWORTH. My colleague has been on the faculty of a college which has granted honorary degrees. Was the question of the geographical residence of a man upon whom those degrees were conferred ever considered?

Mr. FESS. I will answer my friend, that would be totally out of place, because honors are not granted in that way. They know neither geography nor sectionalism—only achievement in their particular field of activity.

Mr. SLOAN. Will the gentleman yield?

Mr. FESS. I will.

Mr. SLOAN. Was not your institution, referred to by the gentleman from Ohio, a coeducational institution?

Mr. FESS. It is a coeducational institution. The pioneer in eliminating all discrimination in education.

Mr. SLOAN. Why do you not make the society a coeducational one?

Mr. FESS. This is not to exclude any particular people. The gentleman spoke of Miss Willard, whose statue graces the hall out here. That was after she was gone. And the gentleman asks why certain other persons are not here. This group is not to exclude so much as to include. No particular person or persons are excluded. It is simply to meet necessary conditions to give a group of people interested in letters and art a legal entity.

The SPEAKER. The time of the gentleman has expired.

Mr. SLOAN. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. QUIN].

[Mr. QUIN addressed the House. See Appendix.]

Mr. SLAYDEN. Mr. Speaker, I will ask the gentleman from Illinois [Mr. MANN] if he is ready to take advantage of the five minutes? I yield five minutes to the gentleman from Illinois.

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized for five minutes.

Mr. MANN. Mr. Speaker, I had not expected to have time yielded to me, although I am in favor of the bill. I think gentlemen misapprehend a little bit what the bill is. This is not a selection by Congress of 50 gentlemen, celebrated in either art or literature, for the purpose of organizing them into a body corporate. The selection was made by the society growing up as a voluntary organization. They do not ask to have themselves called "immortals." They only ask to have this society incorporated under the name which they now have, and gentlemen on the floor and elsewhere have pointed ridicule at them as "immortals," because these gentlemen recognize the fact—not claimed by the persons themselves, but recognized by their critics—that this body does constitute the cream in America of art and literature of living men. [Applause.]

And, after all, we are a young country. We have not yet attained the heights either in art or literature; we have not yet developed as have the older countries; but we are due to make the development and reach the highest crest that the world has ever seen both in art and literature. [Applause.] And we ought to do everything within our power to excite the ambition of men to do well; to excite the ambition of those who seek to excel either in art or in writing. And we can do it probably no better, so far as the General Government is concerned, than in permitting the creation of an organization which every young writer, which every young artist, will see before him all the time in the determination that, if possible, he shall reach the goal of his ambition by being admitted to membership, not because of wealth, not because of influence, but because of deeds done, works well executed. [Applause.]

Mr. SLAYDEN. Mr. Speaker, how much time did the gentleman use?

The SPEAKER. Four minutes.

Mr. SLAYDEN. The gentleman yields back one minute?

Mr. MANN. Yes.

Mr. CALDWELL rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. CALDWELL. I would like to ask the gentleman from Texas [Mr. SLAYDEN] a question.

Mr. SLAYDEN. Very well.

Mr. CALDWELL. I would like to know what scheme was used in placing in order the names of these gentlemen?

Mr. SLAYDEN. I will say to the gentleman that there seems to be a misconception in regard to the bill. We are not passing upon the relative merits of any painter, sculptor, or literary man. This is already an organization of the most distinguished living artists and writers. All that they ask of the American Congress is that they be incorporated; that they be granted a charter coming from the National Government. The association has been in existence for a number of years, and it is one of many institutions of like nature which have asked for charters from the Government.

I have here a list of 21 learned and scientific associations chartered by Congress, some of them—three of them—chartered within the last three years. I never heard the question of membership raised in regard to it, or the question of its succession. And I want to say in this connection that there is not a man of any literary or artistic worth who would accept membership of this kind if he were forced upon that body by an act of Congress.

Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman has used two minutes.

Mr. SLAYDEN. Will the gentleman from Nebraska [Mr. SLOAN] use some of his time?

Mr. SLOAN. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. CARAWAY].

The SPEAKER. The gentleman from Arkansas [Mr. CARAWAY] is recognized for five minutes.

[Mr. CARAWAY addressed the House. See Appendix.]

Mr. SLAYDEN. Mr. Speaker, I yield three minutes to the gentleman from Virginia [Mr. MONTAGUE].

Mr. MONTAGUE. Mr. Speaker, I did not anticipate saying anything upon this bill. I regret that some arguments have been advanced and have receive some applause in the House. The first argument advanced is of a sectional character—that some States have no incorporators and others have them in too great numbers. Talent and distinction can not be determined by State or geographical lines.

The next argument is rather arbitrary—that the incorporators and their successors are a body of "immortals." That is purely an arbitrary characterization. There are no facts to sustain any such argument or to support any such fanciful description. I shall support this bill for the reason that I believe the people of a Republic are entitled to all the agencies that make for art and literature that the subjects of an empire are entitled to. [Applause.] I believe that a democracy should have all the opportunities and benefits afforded by a monarchy; that no opportunities and facilities of culture are too good for the American people. [Applause.]

I may not know all of the incorporators, but this confession is rather a reflection upon my intelligence than upon the ability and fitness of the incorporators. [Applause.]

I should hope, gentlemen of the House, that our Republic in its development might stimulate art more than it has done. I would like much to see an appropriation made by Congress at some opportune time, not exceeding annually a certain sum, for the purchase of art for the benefit of all the people of this country who may visit this great Capital. All capitals of the world are doing it for their people; why should not we do it for our people?

Mr. CLINE. Will the gentleman yield?

Mr. MONTAGUE. I have only three minutes.

Mr. CLINE. They do not limit it to 50, do they; it is an open contest for everybody?

Mr. MONTAGUE. Of course, and I will say to the gentleman that I do not think this is limited to 50 incorporators. The associate members are not limited. I will say further that if any worthy man is rejected, his name will survive nevertheless. Some gentleman has suggested a similar organization in France. Some who have been rejected by that organization have written themselves high on the scroll of fame, and this Congress can make no incorporation capable of limiting the achievements of genius. [Applause.]

Mr. SLOAN. Mr. Speaker, how many more speeches has the gentleman from Texas?

Mr. SLAYDEN. I have 10 minutes remaining, and I expect to yield 3 to the gentleman from Iowa [Mr. GREEN] and use 7 myself.

The SPEAKER. The gentleman from Texas has 9 minutes and the gentleman from Nebraska 7 minutes.

Mr. SLOAN. I have only one speech.

Mr. SLAYDEN. Then I yield 3 minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Speaker, after what has been already said on this bill, and especially the remarkable speech made by the most distinguished and venerable gentleman from Illinois, who so long presided over this House, I feel as if I ought not to ask the indulgence of the House even for three minutes, and yet I can not forego it because I have considerable interest in this bill. I profess to no special knowledge in art, and certainly I do not set myself up as having special qualification in literature. At the same time, I think the bill ought to be considered on its merits in all seriousness. When I listened to what was said by the gentleman from Texas [Mr. DIES] and the gentleman from Arkansas [Mr. CARAWAY] I could not but feel that if I attributed to them the ignorance that they profess with reference to the merits of the gentlemen who are named in this bill, I would have their delegations down on me at once as offering an insult to their States. If the Members of this House do not know the most of the men named in this bill it is time that they retired and went back to school. I do not believe it; I do not think it for a moment. These gentlemen have not been selected by themselves and they will not be selected by this House, but they have been selected temporarily by the men who work along with them in this particular line.

Mr. SLOAN. Will the gentleman yield?

Mr. GREEN of Iowa. No; I can not yield, I have only three minutes. I do not wish to yield to my facetious friend from Nebraska, for I want to say something serious about this matter. We may or may not incorporate this association, but we can not stifle their existence entirely. We can hinder them in the progress of arts and letters by preventing their association and preventing their receiving the funds for the promotion of arts and literature, but we can not stamp out of existence entirely their organization. They have asked simply for the privilege of being recognized as an American institution, an American organization, and this small boon ought to be granted.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. ADAMSON. Mr. Speaker, will the gentleman from Nebraska [Mr. SLOAN] yield half a minute to answer a question, so as to give me a little information?

Mr. SLOAN. Yes; I yield.

Mr. ADAMSON. I have heard objections to this bill upon the ground of limitation to the number of immortals, and I want to ask the gentleman from Nebraska if the terms of the bill will not permit these immortal incorporators to establish branch offices in different parts of the country and thus meet that objection?

Mr. SLOAN. Mr. Speaker, I regret to answer the gentleman by saying that the bill does not allow the establishment of any branch offices. It is exclusive; it applies to the northeastern section of the United States, to 50 members, and no more. I regret the fact that gentleman pleading for art and literature here have come before this body and said this bill does not confine the membership to 50. It plainly does.

Mr. TILSON. Mr. Speaker, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. TILSON. Is there anything to hinder 50 other gentlemen celebrated in art and letters from forming themselves into an association and asking for incorporation? Is there anything to prevent them from doing that?

Mr. SLOAN. I want to read what the bill says about how many members shall be selected. Section 3 says:

That the American Academy of Arts and Letters shall consist of not more than 50 regular members.

Yet gentlemen come before you and have said that it is not limited to 50 members. True, it does say something about associate members, but I trust that the gentlemen who talked about associate members will not attempt to insult the intelligence of anybody in this House by saying that an associate member is a member who enters on full equality, with power to vote and power to aid in filling vacanies, such as regular members have.

Now, then, I want to answer the gentleman from Connecticut [Mr. TILSON]. There is no reason why any body of men throughout the United States, or of women, or of men and women, if arts and letters are concerned, would not have the right to associate themselves together and call themselves any name they see fit, and any State in this Union could permit them to become incorporated. But if this Congress gives to these 50 men the right to the name "American Academy of Arts and Letters," then no other body of men in the North, in the East, the South, or the West, or in the Northeast, can establish an academy under that name. It gives the exclusive right to these people in one-sixteenth part of the area of this great Nation, and less than one-third of the population, to the sole use and control of the designation "American." If opportunity presents, I shall submit an amendment to call this "An Academy of Northeastern Americans."

Mr. TILSON. Could not a new group call themselves the American Institute of Arts and Letters?

Mr. SLOAN. They might say that, but I think a great deal of that word "American," and I think I am broad enough to understand that it covers everything from the Atlantic to the Pacific, that it includes not only Nebraska and California, but the nutmeg State, but that it should not be confined to a nutmeg community.

Mr. PLATT. Mr. Speaker, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. PLATT. Does the gentleman think this bill ought to be founded on the principle of the Federal reserve act, and the country divided into 12 districts?

Mr. SLOAN. I do not, but I want it to be American. I want it to be open to men and women from every State in this Union. I should regret if the gentleman from Ohio [Mr. FESS] saw fit to say that the only woman entitled to be an immortal is dead, in view of the many living splendid intellectual genuises among the American womanhood of to-day, or that there is not one fit to associate herself with these 50.

Mr. MILLER of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. SLAYDEN. Mr. Speaker, will the gentleman yield?

Mr. SLOAN. I yield to the gentleman from Minnesota.

Mr. MILLER of Minnesota. Mr. Speaker, the gentleman will admit that it is necessary to specify the names of some individuals if you are going to incorporate the society at all.

Mr. SLOAN. Yes.

Mr. MILLER of Minnesota. The same as it is necessary in the incorporation of any company to name certain specific incorporators.

Mr. SLOAN. Oh, yes; that is elementary.

Mr. MILLER of Minnesota. That seems to be the only objection the gentleman has to this.

Mr. SLOAN. Oh, no; I have been giving my objections during the afternoon. The gentleman evidently was not present all the time. I object principally to the fact that here are 50 men named in one-sixteenth part of the United States, representing less than one-third of the population of the United States, who ask us to give our sanction to their exclusive appropriation and control for all time of the name "American Academy of Arts and Letters."

Mr. SLAYDEN. Mr. Speaker, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. SLAYDEN. The gentleman has just made a statement that they have never found a woman worthy to associate with this organization?

Mr. SLOAN. Oh, I made no such statement as that.

Mr. SLAYDEN. Well, that they had not associated one with it.

Mr. SLOAN. They have not associated any woman in the list embodied in this bill.

Mr. SLAYDEN. While living, Julia Ward Howe was a member.

Mr. SLOAN. She was, but is not now.

Mr. SLAYDEN. No; she is not. She is now in the choir of "Immortelles," as I have heard some one say.

Mr. SLOAN. And is it not a reflection upon the womanhood of America that Julia Ward Howe is left, so far as this list is concerned, without one successor in all the broad expanse of this country from the Atlantic to the Pacific?

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. SLAYDEN. Mr. Speaker, how much time have I remaining?

The SPEAKER. Six minutes.

Mr. SLAYDEN. Mr. Speaker, in six minutes it is quite impossible for me to say what I had hoped to say.

Mr. FESS. Will the gentleman permit me to suggest to him that we have an American Academy of Sciences?

Mr. SLAYDEN. I have a list of all such chartered bodies, and I am going to call attention to that list. Mr. Speaker, I will say now in reply to the suggestion of the gentleman from Ohio, and I wish the gentleman from Nebraska [Mr. SLOAN] would give his attention to it, that Congress has chartered a number of bodies of scientific and learned men upon whom it has conferred the privilege of writing themselves down as of this or that American Society. There is, for example, the American Academy of Rome, the American Cross of Honor, the American Historical Association, and the American Numismatic Association——

Mr. MANN. We just incorporated a few years ago a sister association to this.

Mr. SLAYDEN. Exactly so.

Mr. CANNON. Will the gentleman permit me right there? Would it be possible to incorporate a society and suit these gentlemen with a similar bill to this without putting a hundred million names in it?

Mr. SLAYDEN. I think not.

The sectional idea as advanced here is not only absurd but untrue. Many of these gentlemen named in this bill had their birthplaces and former residences in the South, and some were born in the West. They came from across the continent—California, clean across, embracing Louisiana and Missouri and other States. They were not rich. Few artists and authors are; and so, when they had to make their living in the trade for which they were best suited, in which they had shown skill, they naturally went to the market for their services. Now, we may inveigh against the conditions as much as we please, but we know, as a matter of fact, that the bulk of the population is in the Northeast, that the publishers are there, that the market for the work that these gentlemen have to sell is to be found there. And the charge that it is an aristocratic body is too ridiculous to endure for a moment.

I believe, Mr. Speaker, that in the county of your residence was born one of the most eminent literary men ever produced, one of the strongest and ablest and most robustly American, Mr. Samuel Clemens, better known as "Mark Twain." [Applause.] William Dean Howells, the dean of this corps of literary men, was born the son of a country editor, in humble circumstances, in the State of Ohio, and never had the privilege of a college, never, perhaps, had the money to go to college to get the advantages of a thorough and systematic training. And yet, having genius, he has worked his way to the head of the profession. Augustus Thomas, also of Missouri, born in rather humble circumstances, once a page in the Senate, is perhaps the most distinguished dramatist in this country. St. Gaudens, the great sculptor, was the son of an Irish shoemaker in the city of New York. Aristocracy? Have gentlemen reached the conclusion deliberately that our democracy is to be obscured and that to be a democrat is to be denied the right to achieve greatness and acquire eminence? If so, gentlemen, then your democracy is not what I thought it to be; it is not the opportunity of the people born in humble walks of life. That is not democratic. That would be exclusive. That is intended to exclude some people and is most undemocratic. If the arguments of gentlemen against this bill mean anything, it means that one may be a democrat while ignorant and obscure, but that he becomes an aristocrat the moment he does a great work and his genius is recognized.

Mr. Speaker, there is a curious misconception in the mind of the gentleman from Nebraska [Mr. SLOAN] and my colleague [Mr. DIES] as to what the purpose of the bill is. They speak as if we were passing upon the relative merits of the painters, sculptors, architects, and book writers who are members of the academy. We are doing nothing of the sort. The only question we are called upon to consider is whether we shall grant this association, already in existence, composed of distinguished citizens, the right to be incorporated in this way.

These members of the Academy of Arts and Letters are workmen. They are creative artists. They serve the people as well and more enduringly, no doubt, than any Member of this House.

They are put in this position because of their distinction. They are not distinguished because they belong to this association, but they are in it because they were previously distinguished. They are, I repeat, workmen, the very greatest in their lines, and membership in this association is an inspiration to greater effort. [Applause.]

St. Gaudens, the genius of obscure origin, wrought wonderfully, but did not live long enough to enjoy the fruits of his fame. Yet, Mr. Speaker, he had recognition, for men of genius are not controlled by mean jealousies. They are not ungrateful to their fellow workmen, who, in the language of Dr. Henry Van Dyke, now minister from the United States to the Netherlands, "enrich the world by giving an enduring life to thoughts, emotions, ideals, characters, which are in themselves strong and clear and beautiful enough to be immortalized by art's immortal praise."

When Van Dyke uttered these eloquent words he was acting as spokesman for the National Institute of Arts and Letters, an association of men like unto those who ask a charter for the American Academy of Arts and Letters, and who are in some cases the same men.

St. Gaudens was dead, but his memory lived, and these gentlemen, who have been sneered at as "aristocrats," were honoring the son of the shoemaker by handing to his son their great medal.

Nothing can be so absurd as the talk of aristocracy about a body which is not sectional or partisan and which has no classes except those of brains and capacity for work. They propose to serve the people and will go on serving them, whether you grant or withhold the charter they ask.

The SPEAKER. The time of the gentleman has expired.

Mr. MANN. Debate is exhausted. The only question is on agreeing to amendments. Of course, they have a right to offer amendments, but not discuss them.

Mr. HUDDLESTON. Mr. Speaker, I have an amendment.

Mr. MANN. I suppose there is no objection to formal committee amendments.

Mr. SLAYDEN. The motion was to substitute a former Senate bill.

Mr. MANN. That is right.

The SPEAKER. The gentleman from Alabama [Mr. HUDDLESTON] will send his amendment up, and the Clerk will report the same.

The Clerk read as follows:

Page 1, line 3——

The SPEAKER. The Clerk says that the amendment ought read "line 2."

Mr. SLAYDEN. What is the amendment proposed?

The SPEAKER. The Clerk will report the amendment. We shall then find out where it belongs.

The Clerk read as follows:

Page 1, line 3, after the word "assembled," strike out all the remainder of said paragraph down to and including the word "Letters," on line 3 of page 3, being all the remainder of section 1 of the bill, and insert in lieu thereof the following: "That the American Academy of Arts and Letters is hereby incorporated; that the governor of each of the States of the United States shall be authorized to appoint one member on a board of control of said corporation, and his successor and successors."

The SPEAKER. The trouble probably is that the gentleman has one print of this bill, while we have got another here. Does this come in where the gentleman from Alabama wants it?

Mr. HUDDLESTON. Yes; that is correct.

Mr. HARRISON. Mr. Speaker, I move to lay that amendment on the table.

Mr. MANN. Oh, no.

Mr. HARRISON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARRISON. If that amendment is laid on the table, that carries the bill with it?

The SPEAKER. Yes.

Mr. HUDDLESTON. Mr. Speaker, is the amendment not debatable?

Mr. MANN. The debate is exhausted on the bill.

The SPEAKER. The debate is exhausted, and the motion of the gentleman from Mississippi [Mr. HARRISON] is not debatable.

Mr. SLAYDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SLAYDEN. I was engaged in conversation here and did not catch the character of the amendment. What is the status if the amendment is laid on the table?

The SPEAKER. It kills the bill. The motion to table, if it carries, kills the bill. The question is on agreeing to the motion to lay on the table.

The question was taken, and the Speaker announced that the "noes" seemed to have it.

Mr. HUDDLESTON. I call for a division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 39, noes 78.

Mr. HUDDLESTON. Mr. Speaker, I make the point that a quorum is not present.

The SPEAKER. The gentleman will wait until the Chair has announced the result. The ayes are 39 on the motion to table and the noes are 78.

Mr. HUDDLESTON. I make the point, Mr. Speaker, that there is no quorum present.

The SPEAKER. The gentleman from Alabama [Mr. HUDDLESTON] makes the point that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

Mr. SLAYDEN. Mr. Speaker, does this vote now occur on the passage of the bill?

The SPEAKER. No; on the motion of the gentleman from Mississippi [Mr. HARRISON] to table the amendment offered by the gentleman from Alabama [Mr. HUDDLESTON], which is practically a vote on the bill—that is, it has the same effect if it carries.

Mr. MANN. It is a motion practically to put it to sleep forever.

The SPEAKER. The question is on agreeing to the motion made by the gentleman from Mississippi [Mr. HARRISON] to lay the amendment offered by the gentleman from Alabama [Mr. HUDDLESTON] on the table. The Clerk will call the roll.

The question was taken; and there were—yeas 82, nays 179, answered "present" 5, not voting 167, as follows:

YEAS—82.

Abercrombie	Finley	Jacoway	Rubey
Aiken	Garner	Keating	Rucker
Almon	Garrett	Kincheloe	Russell, Mo.
Bailey	Glass	King	Shackleford
Bell	Godwin, N. C.	Lee	Shallenberger
Blackmon	Gordon	Lenroot	Sisson
Booher	Gray, Ala.	Lloyd	Sloan
Buchanan, Tex.	Gray, Ind.	McClintic	Stafford
Burke	Hardy	McLemore	Steagall
Callaway	Harrison	Mays	Steele, Iowa
Caraway	Hastings	Moon	Tavenner
Cline	Hayden	Moss, Ind.	Taylor, Ark.
Connelly	Heflin	Nicholls, S. C.	Thomas
Cramton	Helgesen	Nolan	Thompson
Crisp	Helm	Park	Tribble
Curry	Hensley	Quin	Venable
Davis, Tex.	Holland	Ramseyer	Vinson
Dies	Howard	Rayburn	Wingo
Doughton	Howell	Reavis	Wise
Edwards	Huddleston	Reilly	
Ellsworth	Hull, Tenn.	Rouse	

NAYS—179.

Adair	Estopinal	Konop	Riordan
Adamson	Evans	Kreider	Rodenberg
Alexander	Farley	Lafean	Rogers
Austin	Ferris	La Follette	Schall
Barkley	Fess	Lesher	Scott, Mich.
Barnhart	Focht	Lieb	Sherwood
Beakes	Fordney	Lindbergh	Shouse
Britt	Foss	Linthicum	Siegel
Britten	Foster	London	Sims
Browne	Fuller	Longworth	Sinnott
Browning	Gallagher	Loud	Slayden
Buchanan, Ill.	Gandy	McArthur	Smith, Idaho
Burgess	Gard	McCulloch	Smith, Mich.
Caldwell	Glynn	McGillicuddy	Smith, Minn.
Cannon	Graham	McKellar	Smith, Tex.
Capstick	Green, Iowa	McKinley	Steenerson
Carew	Greene, Mass.	McLaughlin	Stephens, Cal.
Carlin	Greene, Vt.	Madden	Stephens, Nebr.
Cary	Gregg	Mann	Sterling
Charles	Hadley	Mapes	Stone
Church	Hamill	Martin	Sulloway
Clark, Fla.	Haugen	Matthews	Sumners
Conry	Hawley	Miller, Del.	Sutherland
Cooper, Ohio	Helvering	Miller, Minn.	Sweet
Cooper, Wis.	Hernandez	Mondell	Switzer
Copley	Hicks	Montague	Taggart
Costello	Hinds	Moores, Ind.	Tague
Cox	Hollingsworth	Morgan, Okla.	Temple
Crosser	Hood	Mott	Tillman
Dale, Vt.	Hughes	Neely	Tilson
Dallinger	Hull, Iowa	Norton	Tinkham
Danforth	Humphreys, Miss.	Oldfield	Towner
Darrow	Hutchinson	Olney	Treadway
Davis, Minn.	Igoe	Overmyer	Volstead
Dempsey	James	Padgett	Walsh
Denison	Johnson, Ky.	Paige, Mass.	Wason
Dill	Johnson, S. Dak.	Peters	Watson, Pa.
Dillon	Johnson, Wash.	Phelan	Watson, Va.
Dixon	Kahn	Platt	Wheeler
Doolittle	Kearns	Porter	Williams, T. S.
Doremus	Keister	Pratt	Williams, Ohio
Dowell	Kennedy, Iowa	Rainey	Winslow
Dyer	Kennedy, R. I.	Raker	Woods, Iowa
Elston	Kettner	Randall	Young, N. Dak.
Esch	Key, Ohio	Ricketts	

ANSWERED "PRESENT"—5.

Fields	Humphrey, Wash.	Mudd	Swift
Guernsey			

NOT VOTING—167.

Allen	Dupré	Kitchin	Roberts, Mass.
Anderson	Eagan	Langley	Roberts, Nev.
Anthony	Eagle	Lazaro	Rowe
Ashbrook	Edmonds	Lehlbach	Rowland
Aswell	Emerson	Lever	Russell, Ohio
Ayres	Fairchild	Lewis	Sabath
Bacharach	Farr	Liebel	Sanford
Barchfeld	Fitzgerald	Littlepage	Saunders
Beales	Flood	Lobeck	Scott, Pa.
Bennet	Flynn	Loft	Scully
Black	Frear	McAndrews	Sears
Borland	Freeman	McCracken	Sells
Bruckner	Gallivan	McDermott	Sherley
Brumbaugh	Gardner	McFadden	Slemp
Burnett	Garland	McKenzie	Small
Butler	Gillett	Magee	Smith, N. Y.
Byrnes, S. C.	Good	Maher	Snell
Byrns, Tenn.	Goodwin, Ark.	Meeker	Snyder
Campbell	Gould	Miller, Pa.	Sparkman
Candler, Miss.	Gray, N. J.	Mooney	Stedman
Cantrill	Griest	Moore, Pa.	Steele, Pa.
Carter, Mass.	Griffin	Morgan, La.	Stephens, Miss.
Carter, Okla.	Hamilton, Mich.	Morin	Stephens, Tex.
Casey	Hamilton, N. Y.	Morrison	Stiness
Chandler, N. Y.	Hamlin	Moss, W. Va.	Stout
Chiperfield	Hart	Murray	Talbott
Coady	Haskell	Nelson	Taylor, Colo.
Coleman	Hay	Nichols, Mich.	Timberlake
Collier	Hayes	North	Van Dyke
Cooper, W. Va.	Heaton	Oakey	Vare
Crago	Henry	Oglesby	Walker
Cullop	Hill	Oliver	Ward
Dale, N. Y.	Hilliard	O'Shaunessy	Watkins
Davenport	Hopwood	Page, N. C.	Webb
Decker	Houston	Parker, N. J.	Whaley
Dent	Hulbert	Parker, N. Y.	Williams, W. E.
Dewalt	Husted	Patten	Wilson, Fla.
Dickinson	Jones	Pou	Wilson, Ill.
Dooling	Kelley	Powers	Wilson, La.
Driscoll	Kent	Price	Wood, Ind.
Drukker	Kiess, Pa.	Ragsdale	Young, Tex.
Dunn	Kinkaid	Rauch	

So the motion to lay the amendment on the table was rejected.

The Clerk announced the following pairs:

For the session:

Mr. LIEBEL with Mr. ROWLAND.

Mr. DEWALT with Mr. MCFADDEN.

Mr. FIELDS with Mr. LANGLEY.

Until further notice:

Mr. HAMLIN with Mr. SNYDER.

Mr. O'SHAUNESSY with Mr. STINESS.

Mr. CASEY with Mr. ROBERTS of Nevada.

Mr. DALE of New York with Mr. MCKENZIE.

Mr. HOUSTON with Mr. GUERNSEY.

Mr. HENRY with Mr. HAYES.

Mr. PATTEN with Mr. FAIRCHILD.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. WM. ELZA WILLIAMS with Mr. GRIEST.

Mr. STEPHENS of Mississippi with Mr. SWIFT.

Mr. HILLIARD with Mr. EMERSON.

Mr. MCANDREWS with Mr. HILL.

Mr. BYRNS of Tennessee with Mr. KINKAID.

Mr. YOUNG of Texas with Mr. FARR.

Mr. WALKER with Mr. HASKELL.

Mr. GALLIVAN with Mr. ROBERTS of Massachusetts.

Mr. DENT with Mr. GOULD.

Mr. DUPRÉ with Mr. BACHARACH.

Mr. MAHER with Mr. MEEKER.

Mr. LEWIS with Mr. Moss of West Virginia.

Mr. EAGAN with Mr. DUNN.

Mr. SCULLY with Mr. HAMILTON of New York.

Mr. MCDERMOTT with Mr. NICHOLS of Michigan.

Mr. ASWELL with Mr. POWERS.

Mr. LAZARO with Mr. PARKER of New York.

Mr. KITCHIN with Mr. SLEMP.

Mr. HART with Mr. MORIN.

Mr. WILSON of Florida with Mr. BENNET.

Mr. FITZGERALD with Mr. GARLAND.

Mr. GOODWIN of Arkansas with Mr. MOONEY.

Mr. WILSON of Louisiana with Mr. FREEMAN.

Mr. SMITH of New York with Mr. SCOTT of Pennsylvania.

Mr. STEDMAN with Mr. SELLS.

Mr. STEELE of Pennsylvania with Mr. SNELL.

Mr. STOUT with Mr. TIMBERLAKE.

Mr. TALBOTT with Mr. VARE.

Mr. TAYLOR of Colorado with Mr. WARD.

Mr. WATKINS with Mr. WILSON of Illinois.

Mr. WEBB with Mr. WOOD of Indiana.

Mr. SHERLEY with Mr. RUSSELL of Ohio.

Mr. SEARS with Mr. ROWE.

Mr. SAUNDERS with Mr. PARKER of New Jersey.

Mr. RAUCH with Mr. OAKEY.

Mr. RAGSDALE with Mr. NELSON.

Mr. PRICE with Mr. MOORE of Pennsylvania.

Mr. POU with Mr. MILLER of Pennsylvania.

Mr. OLIVER with Mr. MAGEE.

Mr. OGLESBY with Mr. MCCRACKEN.

Mr. MURRAY with Mr. LEHLBACH.

Mr. MORGAN of Louisiana with Mr. KIESS of Pennsylvania.

Mr. LOBECK with Mr. KELLEY.

Mr. LITTLEPAGE with Mr. HUSTED.

Mr. LEVER with Mr. HOPWOOD.

Mr. HAY with Mr. HEATON.

Mr. FLOOD with Mr. HAMILTON of Michigan.

Mr. EAGLE with Mr. GRAY of New Jersey.

Mr. DRISCOLL with Mr. GOOD.

Mr. DOOLING with Mr. GILLETT.

Mr. DECKER with Mr. FREAR.

Mr. DAVENPORT with Mr. FARR.

Mr. CULLOP with Mr. EDMONDS.

Mr. COLLIER with Mr. DRUKKER.

Mr. COADY with Mr. CRAGO.

Mr. CARTER of Oklahoma with Mr. COOPER of West Virginia.

Mr. CANTRILL with Mr. CHIPERFIELD.

Mr. CANDLER of Mississippi with Mr. CHANDLER of New York.

Mr. BYRNES of South Carolina with Mr. CARTER of Massachusetts.

Mr. BRUMBAUGH with Mr. CAMPBELL.

Mr. BRUCKNER with Mr. BUTLER.

Mr. BORLAND with Mr. BARCHFELD.

Mr. AYRES with Mr. ANTHONY.

Mr. ALLEN with Mr. ANDERSON.

Mr. BURNETT with Mr. COLEMAN.

Mr. SMALL with Mr. SANFORD.

Mr. JONES with Mr. BEALES.

Until April 15:

Mr. VAN DYKE with Mr. MUDD.

For two weeks:

Mr. SABATH with Mr. NORTH.

Mr. HUMPHREY of Washington. Mr. Speaker, I am paired with the gentleman from Indiana, Mr. MORRISON. I voted "nay," and I desire to change my vote to "present."

Mr. FIELDS. Mr. Speaker, I voted "nay," but I am paired with my colleague Mr. LANGLEY. I therefore desire to withdraw my vote and to answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

Mr. SLAYDEN. Mr. Speaker, I move the previous question on the bill and amendments to the final passage.

Mr. HARRISON. I move to lay the bill on the table, and pending that I move that the House do now adjourn.

Mr. SLAYDEN. Mr. Speaker, was I not recognized in due form?

The SPEAKER. The Chair will read the section of the rule that applies.

Mr. HARRISON. The rule is section 765, on page 327, of the Manual.

The SPEAKER. The rule is:

When a question is under debate no motion shall be received but to adjourn, to lay on the table, for the previous question (which motions shall be decided without debate), to postpone to a day certain, to refer, or to amend, or postpone indefinitely, which several motions shall have precedence in the foregoing order.

The gentleman from Mississippi moves to table the bill.

Mr. HARRISON. And pending that I move that the House do now adjourn.

The SPEAKER. And pending that he moves that the House do now adjourn. The question is on the latter motion.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. HARRISON. Mr. Speaker, I ask for a division.

The House divided, and there were 63 ayes and 133 noes.

Mr. HARRISON. Mr. Speaker, I ask for tellers.

Mr. SLAYDEN and Mr. CANNON demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 81, nays 174, answered "present" 3, not voting 175, as follows:

YEAS—81.

Aiken	Caraway	Ellsworth	Hayden
Almon	Cline	Finley	Heflin
Bailey	Collier	Garner	Helm
Bell	Cramton	Garrett	Hensley
Blackmon	Crisp	Godwin, N. C.	Hood
Booher	Crosser	Gordon	Howard
Buchanan, Tex.	Curry	Gray, Ala.	Howell
Burke	Davis, Tex.	Gray, Ind.	Huddleston
Byrnes, S. C.	Dies	Harrison	Hull, Tenn.
Callaway	Edwards	Hastings	Jacoway

James	Moss, Ind.	Shackleford	Thomas
Keating	Nicholls, S. C.	Shallenberger	Thompson
King	Park	Sisson	Tribble
Lenroot	Quin	Sloan	Venable
Lloyd	Ramseyer	Stafford	Vinson
McClintic	Rayburn	Steagall	Wingo
McLemore	Reavis	Steele, Iowa	Wise
Maher	Reilly	Sumners	Woods, Iowa
Mays	Rouse	Tavenner	
Moon	Rubey	Taylor, Ark.	
Morgan, Okla.	Russell, Mo.	Taylor, Colo.	

NAYS—174.

Abercrombie	Esch	Kennedy, Iowa	Rodenberg
Adair	Estopinal	Kennedy, R. I.	Rogers
Adamson	Evans	Kettner	Schall
Alexander	Farley	Kreider	Scott, Mich.
Ashbrook	Ferris	La Follette	Sherwood
Austin	Fess	Lesher	Shouse
Barkley	Flood	Lieb	Siegel
Barnhart	Focht	Lindbergh	Sims
Britt	Fordney	Linthicum	Sinnott
Britten	Foss	London	Slayden
Browne	Foster	Longworth	Smith, Mich.
Browning	Fuller	McArthur	Smith, Minn.
Buchanan, Ill.	Gallagher	McCulloch	Smith, Tex.
Burgess	Gandy	McGillicuddy	Snyder
Caldwell	Gard	McKellar	Stephens, Cal.
Cannon	Glass	McKinley	Stephens, Nebr.
Capstick	Glynn	McLaughlin	Sterling
Carew	Graham	Madden	Stone
Carlin	Green, Iowa	Mann	Sulloway
Cary	Greene, Mass.	Mapes	Sutherland
Charles	Greene, Vt.	Martin	Sweet
Church	Gregg	Matthews	Switzer
Clark, Fla.	Hadley	Miller, Del.	Taggart
Coury	Hamill	Miller, Minn.	Tague
Cooper, Ohio	Haugen	Montague	Temple
Cooper, W. Va.	Helgesen	Moores, Ind.	Tillman
Cooper, Wis.	Helvering	Mott	Tilson
Copley	Hernandez	Neely	Timberlake
Costello	Hicks	Nolan	Tinkham
Cox	Hinds	Norton	Towner
Dale, Vt.	Holland	Oldfield	Treadway
Dallinger	Hollingsworth	Olney	Volstead
Danforth	Hughes	Overmyer	Walsh
Darrow	Hull, Iowa	Paige, Mass.	Wason
Decker	Humphrey, Wash.	Peters	Watson, Pa.
Denison	Humphreys, Miss.	Phelan	Watson, Va.
Dill	Hutchinson	Platt	Wheeler
Dillon	Igoe	Pratt	Williams, T. S.
Dixon	Johnson, Ky.	Rainey	Williams, Ohio
Doolittle	Johnson, S. Dak.	Raker	Winslow
Doremus	Johnson, Wash.	Randall	Wood, Ind.
Dowell	Kahn	Ricketts	Young, N. Dak.
Dyer	Kearns	Riordan	
Elston	Keister	Roberts, Nev.	

ANSWERED "PRESENT"—3.

Fields	Kinkaid	Swift

NOT VOTING—175.

Allen	Eagle	Konop	Powers
Anderson	Edmonds	Lafean	Price
Anthony	Emerson	Langley	Ragsdale
Aswell	Fairchild	Lazaro	Rauch
Ayres	Farr	Lee	Roberts, Mass.
Bacharach	Fitzgerald	Lehlbach	Rowe
Barchfeld	Flynn	Lever	Rowland
Beakes	Frear	Lewis	Rucker
Beales	Freeman	Liebel	Russell, Ohio
Bennet	Gallivan	Littlepage	Sabath
Black	Gardner	Lobeck	Sanford
Borland	Garland	Loft	Saunders
Brückner	Gillett	Loud	Scott, Pa.
Brumbaugh	Good	McAndrews	Scully
Burnett	Goodwin, Ark.	McCracken	Sears
Butler	Gould	McDermott	Sells
Byrns, Tenn.	Gray, N. J.	McFadden	Sherley
Campbell	Griest	McKenzie	Slemp
Candler, Miss.	Griffin	Magee	Small
Cantrill	Guernsey	Meeker	Smith, Idaho
Carter, Mass.	Hamilton, Mich.	Miller, Pa.	Smith, N. Y.
Carter, Okla.	Hamilton, N. Y.	Mondell	Snell
Casey	Hamlin	Mooney	Sparkman
Chandler, N. Y.	Hardy	Moore, Pa.	Stedman
Chiperfield	Hart	Morgan, La.	Steele, Pa.
Coady	Haskell	Morin	Steenerson
Coleman	Hawley	Morrison	Stephens, Miss.
Connelly	Hay	Moss, W. Va.	Stephens, Tex.
Crago	Hayes	Mudd	Stiness
Cullop	Heaton	Murray	Stout
Dale, N. Y.	Henry	Nelson	Talbott
Davenport	Hill	Nichols, Mich.	Van Dyke
Davis, Minn.	Hilliard	North	Vare
Dempsey	Hopwood	Oakey	Walker
Dent	Houston	Ogiesby	Ward
Dewalt	Hulbert	Oliver	Watkins
Dickinson	Husted	O'Shaunessy	Webb
Dooling	Jones	Padgett	Whaley
Doughton	Kelley	Page, N. C.	Williams, W. E.
Driscoll	Kent	Parker, N. J.	Wilson, Fla.
Drukker	Key, Ohio	Parker, N. Y.	Wilson, Ill.
Dunn	Kiess, Pa.	Patten	Wilson, La.
Dupré	Kincheloe	Porter	Young, Tex.
Eagan	Kitchin	Pou	

So the motion to adjourn was lost.

The following additional pairs were announced:

Until further notice:

Mr. KONOP with Mr. DRUKKER.

Mr. CARTER of Oklahoma with Mr. FREAR.

Mr. CASEY with Mr. HAWLEY.

Mr. CONNELLY with Mr. LAFEAN.

Mr. HULBERT with Mr. LOUD.

Mr. KEY of Ohio with Mr. MONDELL.

Mr. LEE with Mr. MEEKER.

Mr. PADGETT with Mr. NORTON.

Mr. PAGE of North Carolina with Mr. PORTER.

Mr. RUCKER with Mr. SMITH of Idaho.

Mr. STOUT with Mr. STEENERSON.

Mr. WEBB with Mr. WARD.

Mr. BEAKES with Mr. CARTER of Massachusetts.

The result of the vote was then announced, as above recorded.

Mr. HARRISON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HARRISON. As I understood, the motion of the gentleman from Texas [Mr. SLAYDEN] was for the previous question on the bill and amendments to final passage.

The SPEAKER. Yes.

Mr. HARRISON. Is it permissible to ask for the previous question on the bill and all amendments thereto to final passage while an amendment is pending and when the amendment has not been separately considered?

The SPEAKER. The rule provides for it.

Mr. HARRISON. Mr. Speaker, I move to table the bill.

Mr. MANN. Mr. Speaker, I make the point of order that that motion is dilatory.

Mr. HARRISON. That point comes too late after a roll call.

The SPEAKER. We have not come to that yet, and we do not cross the bridge until we come to it.

Mr. MANN. Mr. Speaker, there has been no change whatever in the status of the bill since the House voted upon the question of laying the amendment on the table, which, under the parliamentary practice of the House, would have carried the bill with it, and precisely the same object would have been accomplished if the motion had prevailed as would be accomplished by the present motion. Hence the motion is dilatory.

The SPEAKER. Does the gentleman from Mississippi [Mr. HARRISON] desire to be heard?

Mr. HARRISON. I certainly do. This motion can not be construed as being dilatory. The motion just voted for is for adjournment, a separate and distinct proposition from the motion to table.

Mr. MANN. But I am not speaking of that motion to adjourn.

Mr. HARRISON. But I was getting to the other proposition, to answer the gentleman in a moment. There may be many gentlemen here who would vote for adjournment and vote against the motion to table. There may be other gentlemen who would vote against adjournment and yet vote to table the bill. They are clearly two distinct propositions.

The SPEAKER. The Chair will ask the gentleman from Mississippi a question. A few moments ago, an hour or so, the gentleman from Mississippi made the motion to table the amendment of the gentleman from Alabama [Mr. HUDDLESTON], and the parliamentary inquiry was made as to what would happen if that motion to table prevailed. The Chair answered, and answered correctly, that the tabling of the amendment carried with it the bill, and that it was the end of the whole matter. That motion was to table an amendment, but the effect of it was to kill the bill, if it carried. Now comes the gentleman from Mississippi [Mr. HARRISON] and moves to table the bill itself, which has precisely the same effect. There can not be any two opinions about that. Therefore the Chair holds this motion——

Mr. HARRISON. Mr. Speaker, before the Chair rules, while the effect of the two motions might be the same, because if the House had adjourned it is true the bill would be killed, and if the motion to table the amendment and the bill prevailed it would be killed——

The SPEAKER. It would not have killed the bill if the House had adjourned.

Mr. HARRISON. Oh, if the House had adjourned, this being the last day on which this committee could consider bills, the bill would have failed.

The SPEAKER. But the wheel goes around again, and this would be the unfinished business, if the House had adjourned before the previous question was ordered, when the call to the Committee on the Library came around again on Calendar Wednesday.

Mr. HARRISON. But that may not be, and probably will not be, during this session of Congress.

The SPEAKER. That is true.

Mr. MANN. But it may be in a very short time; next week, in fact.

The SPEAKER. The probabilities are that it will be this session the way we are going now.

Mr. HARRISON. If what the Speaker says is true, there may be gentlemen who would prefer to give this bill a decent burial in that way, who might not in the other way; that is, by a vote to table it.

Mr. MANN. But the gentleman is confusing the motion to adjourn with the motion to lay on the table.

The SPEAKER. The question the Chair has to decide is whether this motion the gentleman made to table the bill is practically the same motion he made a short time ago to table the amendment.

Mr. MANN. It is the same thing.

The SPEAKER. If the gentleman desires to be heard further, the Chair will hear him. If he does not, the Chair will rule.

Mr. HARRISON. If the Chair thinks the House would vote the same way on the two propositions, I have nothing further to say.

The SPEAKER. Then the Chair holds that the motion to table is dilatory. The question is on the motion for the previous question on the bill and amendments to final passage.

Mr. HARRISON. Mr. Speaker, is it permissible to get a separate vote on that amendment which is pending?

The SPEAKER. After the previous question is ordered, then the vote comes upon the amendment. The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. HARRISON) there were—ayes 141, noes 61.

Mr. HARRISON. Mr. Speaker, I make the point of order that there is no quorum present. [Cries of "Yeas and nays!"] Very well, I will ask for the yeas and nays.

The SPEAKER. Does the gentleman withdraw his point of order of no quorum?

Mr. HARRISON. Yes, temporarily; and I ask for the yeas and nays.

The SPEAKER. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Fifty-seven Members, a sufficient number; and the yeas and nays are ordered. The question is on ordering the previous question on the bill and amendments to final passage.

The question was taken; and there were—yeas 174, nays 75, answered "present" 5, not voting 179, as follows:

YEAS—174.

Abercrombie	Ferris	King	Rogers
Adair	Fess	Kreider	Saunders
Alexander	Flood	La Follette	Schall
Ashbrook	Focht	Lenroot	Scott, Mich.
Ayres	Fordney	Lesher	Shallenberger
Barkley	Foss	Lieb	Sherwood
Barnhart	Foster	Lindbergh	Shouse
Britt	Fuller	Linthicum	Siegel
Britten	Gallagher	London	Sims
Browne	Gandy	Longworth	Sinnott
Browning	Gard	McArthur	Slayden
Buchanan, Tex.	Glass	McCulloch	Smith, Mich.
Caldwell	Glynn	McGillicuddy	Smith, Minn.
Cannon	Graham	McKellar	Smith, Tex.
Capstick	Green, Iowa	McKinley	Snyder
Carew	Greene, Mass.	McLaughlin	Stephens, Cal.
Carlin	Greene, Vt.	Madden	Sterling
Cary	Gregg	Mann	Stone
Charles	Hadley	Mapes	Sulloway
Clark, Fla.	Hamill	Martin	Sutherland
Conry	Hamilton, Mich.	Matthews	Sweet
Cooper, Ohio	Haugen	Miller, Del.	Switzer
Cooper, Wis.	Hawley	Miller, Minn.	Tague
Copley	Helgesen	Montague	Temple
Costello	Helvering	Moores, Ind.	Tillman
Cox	Hernandez	Morgan, Okla.	Tilson
Dale, Vt.	Hicks	Mott	Timberlake
Dallinger	Hinds	Neely	Tinkham
Danforth	Holland	Norton	Towner
Darrow	Hollingsworth	Oldfield	Treadway
Dempsey	Hood	Olney	Volstead
Denison	Hughes	Overmyer	Walsh
Dill	Hull, Iowa	Paige, Mass.	Wason
Dillon	Humphreys, Miss.	Peters	Watson, Pa.
Dixon	Hutchinson	Phelan	Watson, Va.
Doolittle	Igoe	Platt	Wheeler
Dowell	Johnson, Ky.	Pratt	Williams, Ohio
Dyer	Johnson, S. Dak.	Ragsdale	Williams, T. S.
Edwards	Johnson, Wash.	Rainey	Winslow
Elston	Kearns	Raker	Wood, Ind.
Esch	Keister	Randall	Woods, Iowa
Estopinal	Kennedy, Iowa	Ricketts	Young, N. Dak.
Evans	Kennedy, R. I.	Roberts, Nev.	
Farley	Kettner	Rodenberg	

NAYS—75.

Aiken	Byrnes, S. C.	Curry	Garrett
Almon	Callaway	Davis, Tex.	Godwin, N. C.
Bailey	Caraway	Dies	Gordon
Bell	Cline	Doughton	Gray, Ala.
Blackmon	Collier	Eagle	Gray, Ind.
Buchanan, Ill.	Cramton	Ellsworth	Harrison
Burgess	Crisp	Finley	Hastings
Burke	Crosser	Garner	Hayden
Helm	Lloyd	Reavis	Taylor, Ark.
Hensley	McClintic	Reilly	Taylor, Colo.
Howard	McLemore	Rouse	Thomas
Howell	Moon	Rubey	Thompson
Huddleston	Moss, Ind.	Russell, Mo.	Tribble
Hull, Tenn.	Nicholls, S. C.	Sloan	Venable
Jacoway	Nolan	Stafford	Vinson
James	Park	Steagall	Whaley
Keating	Quin	Steele, Iowa	Wingo
Kincheloe	Ramseyer	Sumners	Wise
Lever	Rayburn	Tavenner	

ANSWERED "PRESENT"—5.

Church	Humphrey, Wash.	Kinkaid	Swift
Fields			

NOT VOTING—179.

Adamson	Dupré	Lafean	Price
Allen	Eagan	Langley	Rauch
Anderson	Edmonds	Lazaro	Riordan
Anthony	Emerson	Lee	Roberts, Mass.
Aswell	Fairchild	Lehlbach	Rowe
Austin	Farr	Lewis	Rowland
Bacharach	Fitzgerald	Liebel	Rucker
Barchfeld	Flynn	Littlepage	Russell, Ohio
Beakes	Frear	Lobeck	Sabath
Beales	Freeman	Loft	Sanford
Bennet	Gallivan	Loud	Scott, Pa.
Black	Gardner	McAndrews	Scully
Booher	Garland	McCracken	Sears
Borland	Gillett	McDermott	Sells
Bruckner	Good	McFadden	Shackleford
Brumbaugh	Goodwin, Ark.	McKenzie	Sherley
Burnett	Gould	Magee	Sisson
Butler	Gray, N. J.	Maher	Slemp
Byrns, Tenn.	Griest	Mays	Small
Campbell	Griffin	Meeker	Smith, Idaho
Candler, Miss.	Guernsey	Miller, Pa.	Smith, N. Y.
Cantrill	Hamilton, N. Y.	Mondell	Snell
Carter, Mass.	Hamlin	Mooney	Sparkman
Carter, Okla.	Hardy	Moore, Pa.	Stedman
Casey	Hart	Morgan, La.	Steele, Pa.
Chandler, N. Y.	Haskell	Morin	Steenerson
Chiperfield	Hay	Morrison	Stephens, Miss.
Coady	Hayes	Moss, W. Va.	Stephens, Nebr.
Coleman	Heaton	Mudd	Stephens, Tex.
Connelly	Heflin	Murray	Stiness
Cooper, W. Va.	Henry	Nelson	Stout
Crago	Hill	Nichols, Mich.	Taggart
Cullop	Hilliard	North	Talbott
Dale, N. Y.	Hopwood	Oakey	Van Dyke
Davenport	Houston	Oglesby	Vare
Davis, Minn.	Hulbert	Oliver	Walker
Decker	Husted	O'Shaunessy	Ward
Dent	Jones	Padgett	Watkins
Dewalt	Kahn	Page, N. C.	Webb
Dickinson	Kelley	Parker, N. J.	Williams, W. E.
Dooling	Kent	Parker, N. Y.	Wilson, Fla.
Doremus	Key, Ohio	Patten	Wilson, Ill.
Driscoll	Kiess, Pa.	Porter	Wilson, La.
Drukker	Kitchin	Pou	Young, Tex.
Dunn	Konop	Powers	

So the previous question was ordered.

The Clerk announced the following additional pairs:

Until further notice:

Mr. TAGGART with Mr. KAHN.

Mr. SISSON with Mr. ADAMSON.

Mr. CHURCH with Mr. SHACKLEFORD.

Mr. BOOHER with Mr. AUSTIN.

Mr. HEFLIN with Mr. DAVIS of Minnesota.

Mr. STEPHENS of Nebraska with Mr. NELSON.

Mr. FLYNN with Mr. COOPER of West Virginia.

Mr. CASEY with Mr. ANTHONY.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 9923. An act granting the consent of Congress to the county of Mitchell, or to the county of Baker, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River;

H. R. 10139. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia; and

H. J. Res. 171. Joint resolution to continue in effect the provisions of the act of March 9, 1906.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SEARS, for 10 days, on account of important business.

To Mr. GOOD, for 10 days, on account of sickness of his father.

To Mr. DUPRÉ, for 10 days, on account of important business.

To Mr. KENT, for 5 days, on account of illness.

To Mr. MOONEY, for 1 week, on account of the death of his father.

ADJOURNMENT.

Mr. SLAYDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 42 minutes p. m.) the House, under its previous order, adjourned until Thursday, April 13, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Withlacoochee River, Fla., including channel from Port Inglis to the anchorage in the Gulf of Mexico, and between Stokes Ferry and Panasoffkee (H. Doc. No. 1020); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary E. Cowell, daughter and sole heir of William Glenny, deceased, v. The United States (H. Doc. No. 1021); to the Committee on War Claims and ordered to be printed.

3. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Louisa Y. Rhea, widow (remarried) of Henry Yates, deceased, v. The United States (H. Doc. No. 1022); to the Committee on War Claims and ordered to be printed.

4. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John W. Taylor v. The United States (H. Doc. No. 1023); to the Committee on War Claims and ordered to be printed.

5. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Samuel H. Hanway v. The United States (H. Doc. No. 1024); to the Committee on War Claims and ordered to be printed.

6. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Jackson Elmer v. The United States (H. Doc. No. 1025); to the Committee on War Claims and ordered to be printed.

7. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John H. Davis v. The United States (H. Doc. No. 1026); to the Committee on War Claims and ordered to be printed.

8. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Celso Pierucci v. The United States (H. Doc. No. 1027); to the Committee on War Claims and ordered to be printed.

9. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Libbie M. Nichols, widow of Horatio Nichols, deceased, v. The United States (H. Doc. No. 1028); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. OGLESBY, from the Committee on Patents, to which was referred the bill (H. R. 13618) to amend section 4931 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 524), which said bill and report were referred to the House Calendar.

Mr. HERNANDEZ, from the Committee on Irrigation of Arid Lands, to which was referred the bill (S. 1843) to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex., reported the same with amendment, accompanied by a report (No. 525), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAYDEN, from the Committee on Indian Affairs, to which was referred the bill (H. R. 12426) to authorize mining for metalliferous minerals on Indian reservations in the State of Arizona, reported the same with amendment, accompanied by a report (No. 533), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FOSTER, from the Committee on Claims, to which was referred the bill (H. R. 3238) for the relief of Sarah E. Elliott, reported the same without amendment, accompanied by a report (No. 526), which said bill and report were referred to the Private Calendar.

Mr. RUSSELL of Ohio, from the Committee on Claims, to which was referred the bill (H. R. 11984) for the relief of William E. Heffner, reported the same with amendment, accompanied by a report (No. 527), which said bill and report were referred to the Private Calendar.

Mr. CAPSTICK, from the Committee on Claims, to which was referred the bill (H. R. 6406) granting the sum of $480 to Clara Kane, dependent parent, by reason of the death of William A. Yenser, late civil employee, killed as a result of an accident at Philadelphia Navy Yard, reported the same with amendment, accompanied by a report (No. 528), which said bill and report were referred to the Private Calendar.

Mr. MILLER of Delaware, from the Committee on Claims, to which was referred the bill (H. R. 10858) for the relief of William A. Hutson, reported the same with amendment, accompanied by a report (No. 529), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13027) authorizing and directing the Secretary of the Treasury to credit the stamp account of Isaac R. Strouse, collector for the seventh internal-revenue district, in the sum of $14,570.42, reported the same without amendment, accompanied by a report (No. 530), which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. CAPSTICK, from the Committee on Claims, to which was referred the bill (H. R. 7757) for the relief of Frederick J. Fadner, reported the same adversely, accompanied by a report (No. 531), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill (H. R. 10426) for the relief of B. S. Pearsall, reported the same adversely, accompanied by a report (No. 532), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 14446) granting a pension to John L. Johnson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12877) granting an increase of pension to Jacob E. Keister; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills were introduced and severally referred as follows:

By Mr. CAREW: A bill (H. R. 14529) to extend to certain publications the privileges of third-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. CARY: A bill (H. R. 14530) to amend section 2 of an act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14531) permitting persons whose employment or business necessitates their absence from their respective States at presidential elections to vote for presidential electors in such other State as they may be on election day; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, a bill (H. R. 14532) to provide for the retirement of employees in the civil service; to the Committee on Reform in the Civil Service.

By Mr. STEENERSON: A bill (H. R. 14533) to authorize the Secretary of the Interior to issue a patent in fee simple to the District School Board, No. 112, of White Earth Village, Becker County, Minn., for a certain tract of land, upon payment therefor to the United States in trust for the Chippewa Indians of Minnesota; to the Committee on Indian Affairs.

By Mr. STOUT: A bill (H. R. 14534) permitting the Missouri River Transportation Co. to construct, maintain, and operate a bridge across the Missouri River, in the State of Montana; to the Committee on Interstate and Foreign Commerce.

By Mr. JAMES: A bill (H. R. 14535) requiring all public-building bills to be submitted to the Secretary of the Treasury

for investigation and report as to whether proposed buildings and sites are needed and the expenditure justified, and as to the lowest cost at which buildings found necessary may be erected with economy and efficiency; to the Committee on Public Buildings and Grounds.

By Mr. SCULLY: A bill (H. R. 14536) for the extension of the Army remount system by the purchase of pure-bred stallions of a type and breed adaptable to military uses; to the Committee on Military Affairs.

By Mr. FAIRCHILD: A bill (H. R. 14537) authorizing the Secretary of War to donate to the New York State Women's Relief Corps Home, Oxford, Chenango County, N. Y., two bronze or brass cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14538) to amend paragraph 207 of the act approved October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes"; to the Committee on Ways and Means.

By Mr. DOWELL: A bill (H. R. 14539) requiring the custodian of all public buildings of the United States and all buildings in which post offices are located to raise the American flag on all secular days; to the Committee on Public Buildings and Grounds.

By Mr. MILLER of Minnesota: A bill (H. R. 14575) for the relief of the Pillager Bands of the Chippewa Indians of Minnesota, and for other purposes; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. BARNHART: A bill (H. R. 14540) granting an increase of pension to Daniel W. Nye; to the Committee on Invalid Pensions.

By Mr. BEALES: A bill (H. R. 14541) granting a pension to Samuel M. Pitzer; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 14542) granting an increase of pension to Frederick M. Chamberlain; to the Committee on Invalid Pensions.

By Mr. COLLIER: A bill (H. R. 14543) for the relief of the estate of Jacob Ries; to the Committee on Claims.

By Mr. COOPER of Ohio: A bill (H. R. 14544) granting a pension to Mrs. Alice A. Ward; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 14545) granting an increase of pension to Emergene J. Mitchell; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 14546) granting a pension to Mary F. Buckles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14547) granting an increase of pension to William Norman; to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 14548) granting an increase of pension to William J. Culp; to the Committee on Invalid Pensions.

By Mr. DAVIS of Texas: A bill (H. R. 14549) granting a pension to John I. Temple; to the Committee on Pensions.

By Mr. DOWELL: A bill (H. R. 14550) granting an increase of pension to Julia P. Miller; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 14551) granting an increase of pension to David H. Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14552) granting a pension to Margaret Tyhurst McAlvey; to the Committee on Invalid Pensions.

By Mr. GRAHAM: A bill (H. R. 14553) for the relief of John S. Winslow; to the Committee on Naval Affairs.

By Mr. HASTINGS: A bill (H. R. 14554) granting a pension to Grover C. Montgomery; to the Committee on Pensions.

By Mr. HELM: A bill (H. R. 14555) granting an increase of pension to Eliza J. Minks; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 14556) granting an increase of pension to Joseph Wigger; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 14557) for the relief of the estate of Jeremiah Cockrell, late of White Oak, Fairfield County, S. C.; to the Committee on War Claims.

By Mr. LAFEAN: A bill (H. R. 14558) granting an increase of pension to Louisa J. Kottcamp; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 14559) granting an increase of pension to Pauline Williams; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 14560) granting an increase of pension to William H. Williams; to the Committee on Pensions.

By Mr. PORTER: A bill (H. R. 14561) granting an increase of pension to James Horton; to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 14562) to remove the charge of desertion from the record of John D. Humphrey; to the Committee on Naval Affairs.

By Mr. SHOUSE: A bill (H. R. 14563) granting a pension to Eugene A. Gooden; to the Committee on Pensions.

Also, a bill (H. R. 14564) granting a pension to Herman R. Anthony; to the Committee on Pensions.

Also, a bill (H. R. 14565) granting a pension to Edward B. Williams; to the Committee on Pensions.

Also, a bill (H. R. 14566) granting an increase of pension to Joseph A. Hessler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14567) granting an increase of pension to Henry Startzell; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 14568) granting a pension to Benjamin Burkett, Rural Retreat, Va.; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14569) for the relief of William L. Best; to the Committee on Claims.

By Mr. STEENERSON: A bill (H. R. 14570) for the relief of Cathrine Grace; to the Committee on Claims.

By Mr. STAFFORD: A bill (H. R. 14571) for the relief of the Milwaukee Bridge Co.; to the Committee on Claims.

Also, a bill (H. R. 14572) for the relief of Gertie Foss; to the Committee on Claims.

By Mr. TOWNER: A bill (H. R. 14573) granting an increase of pension to James Wilkins; to the Committee on Invalid Pensions.

By Mr. VARE: A bill (H. R. 14574) granting an increase of pension to James J. Scally; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Japanese Association of Hawaii, against Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also (by request), memoral of Military Order of the Loyal Legion of the United States, Commandery of the District of Columbia, against the power plant near center of the park system in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BAILEY: Petition of citizens of Portage, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Altoona Real Estate Exchange, relative to location of Government power plant; to the Committee on the District of Columbia.

Also, protest of Roy Gaston, John E. S. Clinger, Harry Harbaugh, William Studebaker, Milton Himes, W. A. Netter, Walter E. Hampton, Lloyd Custer, Garfield Small, Milton H. Barley, O. C. Emerick, Moodey Paul, William E. Replogle, Humphrey F. Miller, and S. L. Gorden, all of Johnstown, Pa., against the passage of House bills 491 and 6468, denying the use of the mails to certain publications; to the Committee on the Post Office and Post Roads.

By Mr. BEAKES: Petition of A. F. Peters and 23 citizens of Pierson, Mich., protesting against the passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petition of 226 members of the Methodist Episcopal Church of Tecumseh; 200 members of the Congregational Church of Hudson; 80 members of the United Brethren Sunday school of Jasper; and 65 members of Hudson Center Grange, of Hudson, all of the State of Michigan, in favor of national prohibition; to the Committee on the Judiciary.

By Mr. BEALES: Memorial of Cigar Makers' Union No. 316, of McSherrystown, Pa., against preparedness, etc.; to the Committee on Military Affairs.

Also, evidence in support of House bill 13352, granting a pension to Charles C. Cooper; to the Committee on Invalid Pensions.

By Mr. CHARLES: Memorial of Women's Congressional Union of Schenectady, N. Y., favoring a report on the Anthony suffrage amendment; to the Committee on the Judiciary.

Also, petition of sundry citizens of Schenectady, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CURRY: Petition of 63 business firms of the third California district, favoring tax on mail-order houses; to the Committee on Ways and Means.

By Mr. DANFORTH: Petition of Mr. O. J. Kane and 15 others, of Rochester, N. Y., against House bills 491 and 6468, to

amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. ELSTON: Memorial of California State Retail Hardware Association, in re certain measures; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Alameda County, Cal., protesting against House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of Alameda County, Cal., protesting against House bill 652; to the Committee on the District of Columbia.

Also, petition of A. F. Baxter and other citizens of Alameda County, Cal., protesting against Senate bill 645, to provide for the closing of barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

By Mr. ESCH: Petition of New York Young Republican Club, against withdrawal of the United States from Philippine Islands; to the Committee on Insular Affairs.

Also, petition of New York Young Republican Club, against the Hay bill and favoring larger Army; to the Committee on Military Affairs.

Also, petition of Robert Crowley, T. D. Amidon, and 94 others, of Melrose, Wis., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. FOCHT: Evidence in support of House bill 7078, for the relief of John H. Martin; to the Committee on Invalid Pensions.

By Mr. GRAHAM: Petition of University of Pennsylvania Club of the District of Columbia, against placing power plant in Potomac Park; to the Committee on the District of Columbia.

By Mr. HADLEY: Petition of sundry citizens of the State of Washington, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of the State of Washington, against Sunday-observance bill in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HAMILTON of New York: Papers to accompany House bill 13942, granting a pension to Josephus Gorton; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 14098, granting a pension to Emma A. Ball; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 13303, granting an increase of pension to Samuel Massey; to the Committee on Invalid Pensions.

By Mr. HENSLEY: Petition of Rev. Herman Hallerberg and others, of Farmington, Mo., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. HOOD: Petition of sundry citizens of Wallace, N. C., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the North Carolina Soldiers' Home, favoring bill to return moneys levied and collected as tax on raw cotton; to the Committee on Claims.

Also, petition of sundry citizens of Kenansville Township, N. C., opposing House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. KEISTER: Petitions of sundry citizens and organizations of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Butler County, Pa., favoring a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. LOUD: Petitions of John McLean, Adolph Cataline, and 34 others, of Whittemore, and Jennie Mills and 28 others, of Hope, both in the State of Michigan, favoring national prohibition; to the Committee on the Judiciary.

By Mr. McFADDEN: Petition of sundry citizens of Thompson, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAGEE: Petition of the Good Will Congregational Church, of Syracuse, and the Woman's Christian Temperance Union of Onondaga, both in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAPES: Petition of Grand River Union of Christian Endeavor, of Grand Rapids, Mich., favoring censorship of motion pictures; to the Committee on Education.

Also, petition of 22 citizens of Pierson, Mich., urging the House of Representatives not to pass House bill 652, to provide for the closing of barber shops in the District of Columbia on Sunday, or any other like religious measure; to the Committee on the District of Columbia.

By Mr. MOTT: Memorial of New York Young Republican Club, against the proposed withdrawal of the United States from the Philippine Islands; to the Committee on Insular Affairs.

Also, memorial of New York Republican Club, favoring adequate preparedness; to the Committee on Military Affairs.

By Mr. NOLAN: Petition of Alice Brown and sundry citizens of San Francisco, Cal., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. O'SHAUNESSY: Petition of L. H. Gage Lumber Co., of Providence, R. I., indorsing House bill 681; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Rhode Island Antituberculosis Association, indorsing House bill 8552; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Washington Park Yacht Club, of Providence, R. I., opposing House bills 5795, 6801, 9412, 11715, and 9411; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of American Association of Woolen and Worsted Manufacturers, indorsing House bill 10496; to the Committee on Interstate and Foreign Commerce.

Also, memorial of United States Gutta Percha Paint Co., of Providence, R. I., in re the Kenyon bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of International Council for Patriotic Service, asking for amendment to the Constitution regulating polygamy; to the Committee on the Judiciary.

Also, memorial of governors of India House, New York, favoring preparedness; to the Committee on Military Affairs.

Also, memorial of American Woolen Co., of Boston, in re sheep raising; to the Committee on Agriculture.

Also, memorial of Providence Chamber of Commerce, in re increased appropriation; to the Committee on Appropriations.

Also, memorial of Branch 5, Amalgamated Lace Operatives of America, favoring inspection of dairies; to the Committee on Rules.

Also, memorial of sundry citizens and organizations of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Rhode Island, favoring House bill 5757; to the Committee on Reform in the Civil Service.

By Mr. RANDALL: Petition of 400 people of Pasadena, 100 people of Downey, and citizens of Lawndale, all in the State of California, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROBERTS: Evidence in support of the bill granting an increase of pension to Charles E. Gerrold; to the Committee on Invalid Pensions.

By Mr. ROWE: Petition of Dr. R. S. Robertson, of Brooklyn, in re Ashbrook widows' pension bill; to the Committee on Invalid Pensions.

Also, petition of sundry citizens, indorsing the Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Raymond W. Bristol, of New York, indorsing House bill 13838; to the Committee on Military Affairs.

Also, petition of Merritt & Chapman, of New York, opposing House bill 8036; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Mr. and Mrs. Sheldon C. Raymond, of Brooklyn, N. Y., in re amendment to the Constitution relating to polygamy; to the Committee on the Judiciary.

By Mr. SINNOTT: Protest of 36 settlers on the Oregon & California Railroad Co. grant in Oregon against any additional legislation disposing of said lands, and petitioning that said lands be disposed of through the United States district court to actual settlers at $2.50 per acre; to the Committee on the Public Lands.

Also, petition of 149 residents of the State of Oregon against any new legislation concerning the Oregon & California Railroad land grant, and for the enforcement of the original grant, under the present decree of the Supreme Court of the United States; to the Committee on the Public Lands.

By Mr. SNELL: Resolution of the Senate and Assembly of the State of New York, urging the passage of any bills looking toward national preparedness; to the Committee on Military Affairs.

Also, petition of Mrs. C. S. Mason, May C. Bidwell, Miss B. Stafford, and Mrs. O. K. Smith, of Peru, N. Y., in favor of the question of preserving peace through national preparedness; to the Committee on Military Affairs.

Also, resolution of Sarah Weaver in behalf of the Clio Club, of Plattsburgh, N. Y., favoring national preparedness; to the Committee on Military Affairs.

Also, petition of Ada H. Rogers, Winnie J. Stockwell, Irma B. Pine, and Mrs. Robert Caldwell, of Ausable Forks, N. Y., in favor of national preparedness; to the Committee on Military Affairs.

Also, resolution of Le Consell St. Cecile, of Plattsburgh, N. Y., in favor of national preparedness; to the Committee on Military Affairs.

Also, resolution of Mrs. W. R. Stults in behalf of the Ladies' Aid Society of Trinity Church, Plattsburgh, N. Y., in favor of the question of preserving peace through national preparedness; to the Committee on Military Affairs.

Also, resolution of Woman's Christian Temperance Union of Plattsburgh, N. Y., in favor of national preparedness; to the Committee on Military Affairs.

Also, petition of John A. Cassidy, William Palmer, J. E. Seaker, Roscoe C. Davis, A. E. Mosher, E. C. Fortune, H. F. Payne, and L. A. Callahan, all of Gouverneur, N. Y., in favor of the Griffin bill, H R. 6915; to the Committee on the Post Offices and Post Roads.

By Mr. STEENERSON: Petition of Shelly Lodge, International Order of Good Templars, of Shelly, and 25 citizens of Pennington County, Minn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: Memorial of Sunday school of Presbyterian Church of Canyon, Tex., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Seymour, Tex., favoring the elimination of sections 11 and 11A from the Smith-Lever cotton futures act; to the Committee on Agriculture.

By Mr. STINESS: Petition of sundry citizens of Wakefield and Narragansett, R. I., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TEMPLE: Petition of Mr. Raymond E. Whitfield in behalf of the Ginger Hill (Pa.) Grange, in support of Government ownership of the telephone and telegraph system; to the Committee on the Post Office and Post Roads.

Also, petition signed by J. A. Campbell in behalf of the members of the grange at New Sheffield, Pa., on postalizing the wires; to the Committee on the Post Office and Post Roads.

By Mr. TIMBERLAKE: Petitions of sundry citizens of Yuma, Boulder, Colo., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. TOWNER: Petition of N. R. Wood and other citizens of Creston, Iowa, against the passage of House bills 491 and 6468, being bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. VARE: Memorial of the Pennsylvania Commandery, Naval Order of the United States, favoring preparedness; to the Committee on Military Affairs.

SENATE.

THURSDAY, *April 13, 1916.*

(Legislative day of Wednesday, April 12, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

REPORTS FROM COMMITTEE ON PUBLIC LANDS.

Mr. MYERS. Mr. President, I ask leave to submit two reports from the Committee on Public Lands.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes, reported it with amendments and submitted a report (No. 348) thereon.

He also, from the same committee, to which was referred the bill (S. 3646) to amend the act of February 11, 1915 (38 Stat. L., p. 807), providing for the opening of the Fort Assiniboine Military Reservation, reported it with amendments and submitted a report (No. 347) thereon.

A WATERWAYS SYSTEM.

Mr. JAMES. Mr. President, I ask to have printed in the RECORD an open letter to Congress on the subject of a waterways system, by Charles C. Grassham, of Paducah, Ky., a very able lawyer and an expert on waterway problems.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

WANTED—A WATERWAYS SYSTEM.

[By Charles C. Grassham, Paducah, Ky., Mar. 8, 1916.]

(An open letter to the United States Congress.)

In the January Munsey, Hon. Theodore E. Burton, under "The truth about our waterways," made a most vigorous assault upon the indiscriminate method of their improvement. It is apparent that his attitude not only is, but has for some time been, adverse to waterways improvement and development. Among other things he says:

"The other method of carriage is more convenient, more prompt, less dangerous, and is rapidly becoming more economical."

The main facts of his article are those depended upon and asserted by Hon. JAMES A. FREAR, of Wisconsin, in the House of Representatives Monday, January 10.

In order that it may be understood that I do not wholly disagree with the position taken by Mr. FREAR and ex-Senator Burton, I wish to say that I agree that we should have an impartial commission and a well-defined system marked out by Congress for its procedure.

THERE HAS BEEN EXTRAVAGANCE.

I am further satisfied from the evidence offered that there has been extravagance in appropriations and waste in expenditures unnecessary and inexcusable in the improvement of the rivers of this country for the last quarter of a century. I further agree, and think any reasonable-minded man would, that there is too much authority for the apportionment of these moneys reposed in the Chief Engineer. I also agree that the indications are that there has been much logrolling and too much "help for help" policy employed by some of the country's representatives in order to give them a strong pull "back home."

I will also agree that the tonnage shown by the statistics offered is not very encouraging to those who would favor any particular river in asking for its improvement, if the particular river alone is to be looked to for returns upon the money invested; but I do not agree with the able Representative from Wisconsin, Mr. FREAR, in some of his inferences set forth in his speech; and because of this, and for the sake of full discussion, I have concluded to express my views and make some suggestions in order that the public may read some reasons why river development should not be discontinued.

I have no doubt that Mr. FREAR would say that this is not his position or the position of Mr. Burton, for on page 1118 of the CONGRESSIONAL RECORD he says:

"It is needless to repeat what was stated last session—that I have no conscious prejudice against any individual nor against any waterway project other than may be justified by the official engineer's report."

Despite the fact that Mr. Burton used the language first above credited to him, I am of the opinion that he entertains less prejudice, conscious or unconscious, about the subject than Mr. FREAR, though his disavowals as to prejudice were not so explicitly stated as Mr. FREAR has set forth in the language last quoted above.

FREAR OPPOSES ALL WATERWAYS.

I can find nothing in the speech of the Congressman from Wisconsin that would indicate his favor or friendship in any way for any sort of an inland stream. I am inclined to believe that since he and Mr. Burton and Senator KENYON voted together for the defeat of the $92,000,000 bill at the last session of Congress that he, too, really feels that "the reason for the recent decadence of waterway traffic is that the other method of carriage is more convenient, more prompt, less dangerous, and is rapidly becoming more economical."

However, Mr. Burton says:

"There are, moreover, two inland waterways in the United States that should have a thorough trial; one of these is the Ohio River, which is so situated that it ought to develop the commerce to enormous magnitude if conditions in this country warrant it; the other is the Barge Canal, now under construction by the State of New York, to connect the Great Lakes with the Hudson River and New York City."

This is the feature of waterways improvement to which I wish to call attention. I would not assume to enter this discussion were it not that I am of the earnest conviction that because a basket of eggs contains a few rotten ones, is no good reason for destroying all the eggs without trying them out. If money has been uselessly appropriated and wastefully spent, and it can be ascertained where, then this should be stopped. Find the portion of the limb that should be removed, and remove it; but this is no excuse for intentionally destroying the entire body.

MR. BURTON'S SUGGESTION SOUND.

Therefore, I think the suggestion of Mr. Burton should be emphasized, and if we should agree with Mr. FREAR that all other projects should stand still or be for the present abandoned, we should at least for the purpose of experiment and for the purpose of determining fully and finally whether the country should expend its money in this way, advocate the suggestion made by Mr. Burton and help the 13,000,000 of people in the great Ohio Valley demonstrate, if possible, that this great river and this great canal to be can be made, and will be, one of the greatest inland watercourses of the world.

It is not a sectional question; it is a national one. And while our friends, especially Mr. FREAR, endeavor to show that the Northern States, of the $34,000,000 bill that passed the House in 1915, had appropriated to them $997,120 less than the Southern States, and while he continually insists that the Northern States pay or contribute approximately 95 per cent of all taxes and Government revenues, compared with the Southern States, he nevertheless says, on page 1119 of CONGRESSIONAL RECORD:

"If any river or canal enjoys State or interstate traffic sufficient to make it a real artery of commerce instead of a shriveled useless vein, it surely is equally entitled to Government aid, whether situated among Southern or Northern States, because a broad policy of internal improvements is of national benefit when of national importance."

In spite of this admission, on the same page of the RECORD he quotes 13 Southern States by which he shows a total corporation and individual income tax collected of $5,359,982.93 and 5 Northern States which pay a total of $51,224,119.89. On page 1120 he further says—referring to the $20,000,000 substitute amendment passed in place of the 1914 bill defeated in the Senate—as follows:

"It is also familiar history that most of that amount, according to statements on the floor by members of the Rivers and Harbors Committee, was given to Southern States that boasted little actual waterway commerce."

Thus keeping to the forefront all the while that southern Congressmen are seeking local benefits for useless projects at the expense and to the detriment of the Northern States and the Federal Treasury.

NORTH SHARES BENEFITS, TOO.

I should here call attention to the fact that in the 5 Northern States named as furnishing the excess of revenue over the 13 Southern States named, that Mr. FREAR includes the States of New York, Illinois, Pennsylvania, and Ohio. Now, if Mr. Burton is correct in his position that the two projects mentioned should be developed by the Government, then the argument of Mr. FREAR would not apply, for these four States and

their commerce and their resources and their great citizenry would all be benefited, leaving only Massachusetts of the five States named, and it is probable that it would also be benefited thereby. But Mr. FREAR differs with his compeer, Mr. Burton, in his opinion. Quoting him:

"The chairman of Southern States, sitting in judgment over the deliberations of 27 of the most important committees of the House, with a large majority of the Democratic majority that controls national legislation hailing from the Southern States" suggests to his mind that the appropriations of Congress are squandered on private projects, and he takes to task Mr. SWITZER, of Ohio, and declares, on page 1151, as follows:

"Let me say in response to that, the Army engineers have recomended what purports to be $100,000,000 for the Ohio River project, which is one of the most wasteful projects of all."

I do not care to discuss the proposition in this paper as to whether the integrity of southern Congressmen and southern Senators and southern officials generally is of the weak and vacillating sort that is indicated, if not expressly charged against them. I think it is sufficient to state generally, and I take pleasure in so doing, that the history of the Army and Navy, as well as the councils and courts of the Nation, from an unknown ensign who gave his life for his country, to the great Chief Justice of the greatest court in the country, will forever show that southern gentlemen give life and service in an honorable cause with the same unimpeachable motives as their northern brothers, whose honor they have no desire to question.

OHIO SHOULD BE DEVELOPED.

This is not a question for bickerings or criticisms of individuals. It is apparent that the two great opponents of waterways improvement do not agree and that the greater of them, if not the greatest in the country, Mr. Burton, believes it feasible and proper that the Ohio River and the canal spoken of be satisfactorily and properly developed and improved.

If it is admitted that the project is worthy of undertaking, then it must follow that in spite of the statistics quoted by Mr. FREAR it has not yet been proven that waterways or inland rivers are failures as highways for commerce. If they have not been that success that business men have the right to expect, following the expenditures made upon them, then there is some reason therefor.

The intimations by both Mr. FEAR and Mr. Burton are that highways and waterways have virtually been abandoned for railways. If I misconceive their meaning, then I will say that their statement is that waterways have virtually been abandoned for railways, and they rightfully charge that certain harbors where the ships land and where the railroads have their terminals show wonderful excess of tonnage over the commerce of those inland waterways; but if they intend to intimate that the highways are abandoned, they are in error as to this, for the highways of the country, in spite of the great billions of tonnage handled by the railways, handle fully 85 per cent of the products going from forests, field, and mine and returning from the great factories thereof; and, therefore, as great as the railways may be or become, the highway will never lose its importance. It is true the railways traverse the country and go from place to place as directed or desired, but why is it that the railway is such a factor in transportation? It is certainly not because of the reasonable charge or its willingness to fix satisfactory rates without compulsion, for it is admitted by both of these distinguished gentlemen that railroad commissions are necessary and desirable for controlling intrastate and interstate freight rates. It must be because of their great systems connecting and reaching forth wherever commerce or trade invites them.

Now, if the rivers have not been the success expected, is it not because they have not yet been improved to the point that they can be considered as a system of waterways?

EUROPEAN COUNTRIES SET EXAMPLE.

Suppose the Federal Government would take the interest in waterways development that Germany and France and Austria-Hungary and Belgium have done; what would it mean, if anything, in the reduction of freight rates? Facilities for transportation not only increase commerce, but they develop the resources of a country in order that commerce may be increased. If inland waterways are justified as a means of transportation, then to the admitted advantage of competition with railways, may be added the further advantage attributed to railways, of developing resources and creating wealth.

Germany, through Prince Bismarck, undertook the modernizing and extension of the German waterway system following the German-Franco war, and has highly developed the Rhine, Weser, Elbe, Oder and Fistual, and they each carry an enormus and constantly increasing tonnage. The German Rhine is said to be commercially the most important stream in the world; it is only surpassed by the Great Lakes in the United States in its volume of traffic; because of it and the other natural and artificial water courses constituting a system, Berlin with its 2,000,000 of inhabitants and vast industries has become the great city it is. Without this it would have been denied the easy and cheap transportation for fuel, building and other raw materials.

The French Government is said to have spent $25,000,000 on the Seine alone. The river Loire, between Havre and Paris, a distance of 231 miles, connects the fertile portions of interior France as well as Paris, giving the advantage of combination river and canal. The Rhone in southern France, originally nonnavigable, has been converted by waterways engineers, in spite of its rapid and swift currents, into an improved waterway.

Austria-Hungary in the last 50 years has spent something like $100,000,000 on waterways improvements, and has by creating a waterway system succeeded in doubling its water tonnage.

Belgium has 2,600 miles of railroad, mostly owned by the Government, yet the principal means of transportation in Belgium is its canal system, the total length of which together with the navigable waterways amounts to 1,370 miles, 85 per cent of which is owned by the State. It is said to have the most complete natural and artificial waterway system in the world. It has seven water routes by which commerce can be transported from Belgium to France, and traffic is mainly carried on barges without transshipment into the interior of France and Germany. It has connected the rivers Scheldt, Sambre, Meuse, and Lys by a system of canals, having direct touch with the seaboard, thereby giving to Belgium an international as well as a national importance.

FOREIGNERS PROTECT THEIR WATERWAYS.

Germany has sought to parallel its waterways and railways.

The thought, effort, and experience of these countries has justified the establishment of waterways systems, yet it is doubtful whether the location of their waterways is nearly so good as that of ours for the purpose of creating a great waterways system.

It may be that their Governments have judiciously protected their waterways system against unreasonable competition of railways. If necessary to do, it should be done not only in those countries but in ours. There is no complaint against the lawful and proper operation of railways, but they are matters of private investment while the waterways of the country are of common interest, open for profit to the rightful use of every citizen.

Mr. Herbert Knox Smith, commissioner of corporations, in the August Outlook, 1909, volume 92, said there are 290 streams in this country used to a substantial degree for navigation, with an approximate navigable length of 26,400 miles. He further represents that we transport in bulk an overwhelming amount of coal, ore, wheat, corn, and oil, and that neither swiftness or very special care is necessary in the proper handling of these commodities.

There are in the United States 5,000 miles of canals, with these waterways and canals created into a great waterway system we would have something like thirty-odd thousand miles of waterway navigation—a very small mileage compared to the great railway mileage of the country—but since these railways are interstate and far-reaching with their great systems, it is not reasonable to suppose that they or their connecting lines would be directly affected with such a competitor as the waterway system would make if developed as has been done in the European countries.

IMPROVE RIVERS TO DEVELOP TRAFFIC.

How can we expect a river only partly improved, tributary to another river that is not at all improved and then another that is poorly and partly improved to be of any force or efficacy as a highway in competition with well-developed, well-connected railway systems? Of what use is it, except locally, to improve the upper Cumberland if the lower is to remain unimproved, or if the mouth of the Ohio River, into which it flows, is to be closed for want of development five months each year? And so is this true of the Tennessee River, Green River, and the Wabash, all within very close distance of the Ohio's mouth.

Much money has been spent upon the Cumberland River; more, perhaps, upon the Tennessee; a considerable sum upon the Green, and quite a little, no doubt, on the Wabash. Great sums of money have been spent upon the Ohio River, and even more upon the Mississippi and Missouri Rivers, but what does all this mean when it has not yet been perfected or developed into a system of waterways transportation that would insure to the shipper or the buyer prompt, certain, cheap, speedy, and safe delivery?

Suppose the Cumberland is completed and the Wabash, Green, and Tennessee are completed, but the mouth of the Ohio River, into which they flow, is closed; of what use are the rivers as highways for transportation except perhaps seven months in the year? But with all these waterways developed, who is it that can say that those who buy and sell would not seek out this means of transportation for the coarse and heavy traffic, and when once found that the waterway system of the country could handle the 40 per cent or more, or at least the coarse and heavy part of it, of the traffic that the railroads are really not provided for handling without delay and congestion of cars upon their lines, would not give to it this tonnage, because of its cheapness and desirability, for in the end it is not the distance that counts, but it is the cost of carriage.

I do not wish to unnecessarily prolong this article, but wish to emphasize the fact that with the improvement of the Ohio River and the Barge Canal suggested by Mr. Burton, we would have the beginning of the greatest waterway system in the world, according to my best judgment. The Barge Canal reaching out across New York, connecting the Great Lakes with the Hudson and New York City, and the improvement of the Ohio River to its mouth would simply mean that the States of New York, Ohio, and West Virginia, Indiana, Illinois, and Kentucky would be directly benefited, and this would mean that four of the five States that are said to pay 95 per cent of the Federal tax, to wit, New York, Illinois, Pennsylvania, and Ohio, would get four-fifths of the benefit of this project, while the 13,000,000 of people in the Ohio Valley would all likewise be directly benefited; and surely if it is of national concern to build such great dams as the Arrow Rock and Roosevelt, it is of equal concern to benefit such a great number of people and so many rich and imperial Commonwealths.

WHY OHIO MAKES POOR SHOWING.

Why is it that the Ohio River with all the expenditure of money along its way has not made a better showing? Five months of the year it is not susceptible to ordinary navigation. All of the money that has been spent upon it has been spent from near Evansville, Ind., north to Pittsburgh; most of the money that has ever been spent upon it has been spent from Cincinnati to Pittsburgh, and most of that nearest unto Pittsburgh.

Wherever the Ohio has been properly improved with locks and dams it has not only been a conserver of wealth but a creator of wealth. Where it is most improved mills and factories line its banks, and if it were improved throughout its length not only would it be an invitation to capital to cast its lot but it would develop usable ores and other things susceptible of production and development that are absolutely idle and worthless, possessing no present value because inaccessible, and the marketing of which is prohibitive because of excessive freight rates.

The Ohio River has not been so, and is not so, it can say to the shipper of coal, grain, lead, zinc or flourspar, iron ore, tobacco, or other commodities that we can offer to you sure and certain transportation when asked for. It is, as presently constituted, nothing more than a poor partial canal for five months in the year; but suppose, for instance, that it is developed—New York, Pittsburgh, Cincinnati, Louisville, Evansville, Paducah, Cairo, Memphis, and New Orleans would have a direct and unequaled transportation through a territory possessing the greatest number of diversified products to be found in any other section of the country. It is admitted that there is a 9-foot stage of water from Cairo to New Orleans; why not have the 9-foot stage of water from New York to New Orleans by the way of Pittsburgh along the route named?

With this greatest highway and its tributaries offering a transportation of the kind desired, not only would commerce seek that way to the Gulf but it would seek the markets of the world along this route, and capital would seize the opportunity offered for new enterprises, and then the coal from the coal fields of southern Illinois that now have no outlet, and lead, zinc, coal, and fluorspar of Kentucky would be marketable, and not less than 150,000,000 pounds of tobacco from the Black Patch, or 100,000 hogsheads yearly, now crossing the country by rail, would remain in storage and seek this route to New Orleans for export, for most of this tobacco goes to Italy, and is generally shipped in June in order to get the benefit of the southern sea sweat.

Most of the export products used by the 10 leading export nations of the world are produced along the Ohio Valley, or can be; it does or can lead in the production and transportation of tobacco, coal, iron, steel, mineral oils, hardwood timber, zinc, fluorspar, etc.

Pennsylvania, Ohio, and Illinois, three of the leading manufacturing States of the country, could not help but feel the direct benefits resulting therefrom. These States are also the three leading pig-iron States, and with the State of New York lead in the manufacture of iron. They are alike three of the wealthiest States in the Union.

Everything that goes to the building of a country is offered in the improvement of the Ohio River; for this reason is it not only practical but desirable that it be used as a model stream for determining whether the Government should spend its money in this way. It will afford the best test for the very reasons that the wealthiest States, the manufacturing States, the coal and ore producing States named are all directly involved, and it will likewise better serve as a test, because it accommodates the other rivers of Green, Cumberland, and Tennessee, upon which the Government has spent so much money.

Why not then urge upon Congress that when it creates its commission and marks out its plan of development that it keep in mind that it is not so much a river, a waterway, as a waterway system, that is needed; and that no man can quit the race before it is finished and say whether it is worth while; and why not urge that Congress and the commission fix its eye upon these projects mentioned by Mr. Burton—the New York Canal and the Ohio River—as the important ones for early undertaking; and why not insist that before a river is condemned for not bearing upon its bosom the desired or expected tonnage; that it be made more than a pond or unfinished canal; that it be made a river; and that some of the money that goes to the Ohio River be applied by engineers or those in charge of apportionment and expenditure to the immediate building of Locks and Dams Nos. 54, 53, and 52, which were long ago recommended to the Government as necessary, and all of which are near its mouth, and without which, complete and in use, the mouth of the Ohio River is and will continue to be closed five months in the year.

THE SECRETARY OF THE NAVY.

Mr. THOMAS. Mr. President, the proceedings of the recent meeting of the Navy League in this city were chiefly devoted to manifestations of hostility toward the Secretary of the Navy. I therefore ask leave to have printed in the RECORD an article appearing in the New York World of the 26th ultimo from the pen of George Creel, giving an account of the Secretary's work, together with an approving letter from John R. Dunlap, editor of the Engineering Magazine.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

SECRETARY OF THE NAVY DANIELS TAKES THE FIELD AGAINST HIS ENEMIES—HOW HE HAS SMASHED RINGS AND DEFEATED GRAFTERS TOLD IN A FRANK AND ENLIGHTENING INTERVIEW.

(George Creel's name is familiar to readers of periodicals and newspapers as that of a writer who devotes himself to causes that need assistance. With fights for good government in various parts of the country he has identified himself as a type of journalistic knight errant. His valiant support of Judge Ben Lindsey and his defense of the miners made him a conspicuous figure in Colorado. Mr. Creel had never met Secretary Daniels up to the time he secured this interview.)

[By George Creel.]

Josephus Daniels, Secretary of the Navy, is at once the most maligned and most misunderstood man in the United States to-day. To wade through the lies that have been told about him, to discover the truths that have been hidden or distorted, is to come to a new loathing of the greed that poisons when thwarted and to an added contempt for the public that takes no larger interest in a public servant than to swallow every slander circulated about him.

Ask the average citizen about Josephus Daniels and he'll wag his head and mouth something about mountebank and demagogue. Press him for details and he can cite none more definite than vague generalizations that Daniels has "let the Navy run down" and has "made us a laughingstock."

This derision is the price that Josephus Daniels has been made to pay for saving millions of the people's money from the traffickers in armor plate and munitions; for breaking up the armchair clique that ruled the Navy for years; for making merit the test of promotion rather than "social pull"; for opening the doors of advancement to the enlisted man. He has given us a Navy that, according to Admiral George Dewey, "is not excelled, except in size, by the fleet of any nation in the world." Facts and figures entitle him to rank with the greatest Secretaries of history, and yet so well have his enemies wrought that many of the people for whom he has labored grin at his name.

Practically all of this ridicule has flowed from his abolition of the wine mess. Back in 1899 Secretary Long issued an order forbidding the sale or issue of liquor to enlisted men on board ship, and all that Mr. Daniels did was to extend the rule to officers, taking the step upon the official recommendation of the Surgeon General of the Navy. This policy, that was to make the United States the "laughingstock" of the nations, was followed within the year by all other world powers. Russia and France first, then Lord Charles Beresford scored the use of liquor in the British Navy, and after that Emperor Wilhelm, addressing the German naval cadets, uttered these words:

HOW HE HAS EARNED HATRED.

"The next war and the next sea battle demand sound nerves of you. Nerves will decide. These become undermined through alcohol. * * * The nation which consumes the least alcohol wins, and that should be you, my gentlemen, and through you an example should be given the crews. And in consequence of this I expect of you * * * that you take heed thereto and provide that indulgence in alcohol be not counted as belonging to your privileges."

In the Hearst papers, most active in ridiculing the "grape-juice" order, pages are devoted to proving that all of the great businesses of the country are refusing to employ men who drink. Yet for the foresight that enabled Josephus Daniels to point a way to the nations he is denounced.

Such attacks, of course, are mere blinds. The real causes of the campaign of hatred against Secretary Daniels are not to be found on the surface, but deep down in the mud of human greed. The Powder Trust hates him because he is manufacturing smokeless powder for 34 cents a pound as against the 50 to 80 cents that used to be paid to the monopoly. In 1915 alone $1,115,703 was saved, and this year the capacity is doubled. The projectile makers hate him because he cut out $1,077,210 on one bid alone and is asking Congress for money to build his own plant. The grafters hate him because his economies have effected a reduction of fifteen-odd millions on public works at shore stations. The armor-plate monopoly hates him because he made them lop off $1,110,084 that was headed for its pockets, and has caused a bill to be introduced for a Government plant where armor can be manufactured for $250 a ton as against the $440 exacted by the trust. Back in 1900 Congress appropriated $4,000,000 for a Government armor plant unless contracts could be made at "a reasonable and equitable figure," but Secretaries Moody, Morton, Bonaparte, and Meyer closed their eyes to the expert reports that proved the gross extortions of the monopoly and paid out over $76,000,000 in high prices.

When Josephus Daniels took office he found an investment of millions in navy yards going to waste. Many stations were closed, and the others were used for petty repairing, so as not to infringe upon the profits of private companies. Secretary Daniels opened them up for real business, and to-day every one is aiding naval construction and saving millions. Two dreadnaughts are building at New York, and the keel of a third will be laid this summer; manufacture of torpedoes has reduced the cost over $1,000 per torpedo; airships are building at Washington; Charleston is manufacturing clothing stores and torpedo-boat destroyers; mines are being turned out at Norfolk at a saving of $170 per mine; submarines are under construction at Portsmouth, N. H., and at Puget Sound; a transport at League Island; a supply ship at Boston; a battleship, two fuel ships, and a destroyer at San Francisco; and the $7,000,000 investment at Pensacola, abandoned by Meyer, is being used as an all-year-around aviation school.

Everything that is being manufactured by the Government is produced at from 20 to 60 per cent less than the old private purchase price. Every dollar saved has been an addition to the hate felt for Josephus Daniels; but since these thwarted traffickers do not dare to come out in the open, they make their appeal to the laughter of fools by "grape-juice" witticisms and a multitude of silly lies.

The first sight of Joseph Daniels makes many things quite clear. He is not a large man, and the average person finds it difficult to conceive brains without beef. Also he keeps no one waiting in his antechamber, and his extreme simplicity and courtesy convey an impression of humility. The average person loves affectation, and gains no large appreciation of power unless he is made to wait or is treated rudely. For the larger part of his life Abraham Lincoln was regarded by many as a bumpkin advanced by lucky accidents.

For an hour Josephus Daniels sat at his desk and answered questions, rarely pausing for answers, revealing the most amazing grasp of his position, never evading, refusing to disparage, and defending at every point the honor of the Navy, although he must have known in his own heart that much of the malicious gossip was due to the venom of disappointed officers.

EIGHTY-FIVE PER CENT REENLISTING.

"They charge that the Navy is going down hill, that enlisted men hate the service, and that my brand of democratization has spelled the demoralization of the service. What is my brand of democratization? I have established schools on board ship, attempting to let every enlisted man have an opportunity for academic and technical education, and I have opened certain doors of promotion to these men. What demoralization has resulted? When I took office only 52 per cent of the men discharged in good standing were reenlisting, while to-day the percentage is 85 per cent.

"I found a Navy 5,000 men short of the number allowed by law. In my three years 6,365 men have been added. There was an average of 1,800 men in prison, while to-day there are less than 700, permitting us to restore two prison ships and two disciplinary barracks to normal uses. During the Taft administration there were over 10,000 desertions. A decrease of 17 per cent has been achieved already, and every day sees the number lessening. Do these figures indicate discontent, hatred of the service, and destroyed discipline?

"I stand by my schools, and, if necessary, I am willing to fall with them. No man believes more firmly in discipline than I do; never in spoken speech or written have I questioned the absolute necessity in all military service of instant and implicit obedience to a superior; I will have no mercy on insolence or insubordination, be it from seaman to his petty officer or junior lieutenant to his captain, but I do not hold that discipline is dependent upon ignorance or the denial of an American's right to rise as high as his ability will carry him.

"Time and again it has been declared to me that education does not better fit a man for deck washing or coal heaving, and the contemptuous snobbery of it has never failed to offend. If 85 per cent of discharged men are reenlisting, and if more than 6,000 men, that the Navy called for in vain until 1912, have entered the Navy, may it not be that the cause is to be found in a policy that holds out the bright prospects of education and advancement? If sensitive feelings are being hurt by simple recognition of plain democratic principles it is a matter for their shame, not mine.

"Of course there is a shortage of officers, but it must be remembered that it takes 10 years to educate and train an officer. I secured a six years' extension of the law permitting each Congressman to appoint 2 midshipmen to Annapolis, and followed that up with the law that raised the number to 3, which will mean an increase of 531 appointees. Aside from this, I have gained the right to appoint 15 each year from the ranks of enlisted men, with the understanding, to be sure, that they pass the usual examinations. Last year 8 of the 15 went in as the result of the ship schools.

THE NEW NAVY PROGRAM.

"If the Navy itself is not as large as the experts recommend, it should be borne in mind that navies are not built in a day. For the first time in history I have caused the reports of the general board to be made public, and any citizen may see for himself the Navy's growth from year to year. From 1903 to 1912 the recommendations of the general board, with Admiral Dewey at its head, were disregarded steadily, and it was as a consequence of this continued disregard that Germany passed us as a naval power in 1909, several years before I became Secretary of the Navy.

"Throughout those years the general board urged a program of continuous building rather than a slipshod, annual affair, and had their advice been heeded there would have been no excuse for the hysterical activities of to-day. Of the 34 dreadnaughts recommended, 15 were authorized; 40 cruisers were recommended and 5 were built. I found the Navy without a single sea-going submarine and just four aviators;

one mine-laying ship, an inadequate and outworn system of wireless, and on every hand a variety of lacks.

"I say this in no spirit of criticism. With the world at war to-day we are bending a new and more enthusiastic eye upon our Navy, while in years gone by peace seemed such a permanence that every Navy increase was attended by outcry. I mention it merely to show that this administration has been called upon to face tremendous naval problems and tremendous naval tasks.

"An appropriation of $1,000,000 has already been made for aviation, we have 15 machines on hand, 15 are being constructed, 18 aviators are in the service, and the Pensacola school is turning out new batches as fast as the courses can be completed.

"Three new seagoing submarines, of the latest and largest model, have been authorized. A separate submarine flotilla has been organized, and assigned to the command of a rear admiral, and the establishment of submarine shore bases has changed the absurd condition that necessitated 1,928 men on 14 ships to care for 29 submarines carrying 831 men.

"We have had to design antiaircraft guns and manufacture them, and the same course has had to be followed with nets and mines and entanglements. Radio has been installed on every submarine and 75 ships, and 3 new shore stations have been added to our chain; we now have three mine-laying ships, with more in view, and until construction can catch up I have equipped a fleet of seagoing tugs and a fleet of torpedo boats with mine-sweeping equipment.

"We have 31 mines to-day for every mine possessed two years ago; the supply of torpedoes has been more than doubled, and manufacture continues steadily; and my adoption of a continuous building program for the next five years, if authorized by Congress, will give the United States a strong, well-balanced Navy.

"It is true enough that gunnery efficiency had decreased, but under date of October, 1915, Admiral Fletcher made the cheering report that the scores made at long-range practice were the highest ever made in the open sea. Ninety per cent of the shots, at longest range, would have hit an enemy ship. Yet in spite of this report, that upholds the best traditions of the American Navy, the report persists that our men are less than eager, less than able.

"I can understand the spirit of honest criticism, but I can not understand the vileness that revels in the slime of a base un-American detraction. In order to enlist the best thought of the Nation in science and invention, I asked Thomas A. Edison to serve as the head of an advisory board composed of two representatives from each of the 11 great engineering and scientific societies of the United States. Germany, France, and England place major reliance upon such boards and provide great laboratories for their use. Mr. Edison and his associates serve without salary, paying their own expenses, yet even this devotion has not been able to protect them against slander. It has been charged in open print that Mr. Edison and his associates have no higher motive than a mean hope of selling something to the Government.

"It has been said repeatedly that I made an order for officers and men to mess together, and that I gave up the idea only when informed that black men and white might be brought together at the same table. There was never a more infamous falsehood. No such order was ever made or contemplated. Some snapshots were being taken on board ship, and as I had left my hat below an officer loaned me his cap. I made some laughing remark about its shape, and this has been twisted into personal derision of the naval uniform. Once I spoke at a Young Men's Christian Association meeting of the men, and at its close I was asked to have my picture taken with two of the youngsters. It is this picture that has since been used to show my passion for posing as a friend of the bluejacket.

NO LIE TOO MALICIOUS.

"It is asserted that I have deprived the kin of an enlisted man of the customary death gratuity should he lose his life while on liberty. The law on this subject was passed in 1912, and states specifically that the only cause for withholding payment shall be when death is due to the misconduct of the deceased. We bought eight searchlights from a German inventor and tendered him a second order for 12 more at $3,960 apiece, as set down in his bid. The manufacturers did not desire the contract, requesting a new award at $5,200 apiece, but I awarded the contract to the inventor, who, by reason of getting it, will be paid $25,000 under his contract with the manufacturers. This transaction constitutes the base of the charge that the United States Navy robbed a stranger and took advantage of him. Nothing seems to be too low, too mean, or too vicious to be said, and the attacks do not stop at me, but soil Nation, Navy, and officials.

"I do not care about these pettinesses as far as I personally am concerned, but I do resent the extension of this enmity to others. The people are asked to believe, for instance, that I appointed some inefficient underling to be Chief of the Bureau of Navigation. Victor Blue, the man attacked by inference, has his name in the Naval Register with the notation 'advanced for extraordinary heroism during the War with Spain.' His daring expeditions to locate the Spanish fleet at Santiago, however, were no less brilliant than his action in penetrating the Spanish gunboat blockade in an armed ship's boat, meeting Gen. Gomez, and then capturing two Spanish patrol sloops as he ran out of the harbor. He has filled every office on a modern man-of-war, served on Admiral Kempff's staff during the Philippine insurrection, and was a member of the first relief expedition which marched from the sea to Tientsin. After that he was chief of staff of the Pacific Fleet, was appointed by Secretary Meyer to the General Board, and it was there I found him.

"The same malice has attempted to discredit the splendid men gathered about me as heads of the various bureaus. Rear Admiral Griffin, Chief of the Bureau of Steam Engineering; Rear Admiral Strauss, of the Bureau of Ordnance; David Watson Taylor, of the Bureau of Construction and Repair; and Rear Admiral Benson, Chief of the Bureau of Naval Operations, were chosen for their preeminent ability, and their records should constitute an answer to base insinuation.

NO ONE HAS BEEN MUZZLED.

"When I came into office I found a system of aids, each one standing as a buffer between the Secretary and his bureaus, a plan that resulted in delay, confusion, red tape, and a tremendous amount of correspondence carried on between men in adjoining rooms. This system had been refused sanction by Congress time and again.

"I ended the system, because it had no legal status and because I desired direct contact with my bureaus. No doubt this aroused personal resentment, and likely enough the irritation has been fanned by my insistent recommendations to Congress that promotion by seniority be discarded in favor of promotion by merit.

"I have been criticized also for refusing to permit naval officers to deliver public addresses and otherwise seek to influence legislation. This has been the unbroken policy of the Navy from time immemorial; and President Roosevelt, in 1902 and President Taft, in 1909, reenforced the rule by Executive orders that established dismissal as a penalty for violation. But even while I did not make this regulation, I gave it the usual enforcement. Congress has called before it many officers of the Navy regarded as authorities, and the testimony of these gentlemen has been available to the press, and, to supplement publicity, I have made public the reports of the General Board. No one has been muzzled; simply the law has been enforced that forbids officers from running about the country for purposes of propaganda, a practice in which 99 per cent had no desire to indulge.

"The people of the United States have never had cause to be ashamed of their Navy, and never more than to-day has there been cause for pride. Testifying before the House committee the other day Capt. J. S. McKean said that we had made more progress in the last two years than in any previous five-year period, and that he had never known a time when everybody in the service was working as hard with their heads and hands.

"Two Hospital Corps training schools have been established, the Naval Pay Officers' School has been reopened, likewise the Fuel Oil School, where firemen, oilers, and water tenders are prepared for service on board the oil-burning vessels of the Navy. On every hand, in every department of the Navy, there is a generous enthusiasm that is finding effective expression in efficient and devoted service; and I say to you, and I say to the people of the United States, that even while we are urging the expenditure of $500,000,000 in construction during the next five years, the Navy to-day is a finer, better balanced, and more effective first arm of defense than ever before in its history."

ONE MORE CAUSE OF HATE.

There is another matter that may be mentioned in explanation of the campaign of hate that is being waged against Josephus Daniels. In alliance with Secretary of the Treasury McAdoo he is urging upon Congress a plan to build ships for commercial purposes so constructed and manned as to constitute auxiliary craft for the Navy in time of war. During the War with Spain the United States paid out over $21,000,000 for auxiliary craft and had to sell them afterwards at an 80 per cent loss. The Daniels-McAdoo plan contemplates the formation of a private company, with the Government holding 51 per cent of the stock, or all of it, if necessary, and the leasing of the ships for commercial purposes, or else Government operation of them. A twofold benefit would be secured by the commencement of a merchant marine and the provision of the Navy with the auxiliary craft that are absolutely indispensable in time of war.

Taken from his entrance into office, viewed from every angle, and subjected to every scrutiny, Josephus Daniels shows bigger than any Secretary of the Navy in past years. He has not been content to be a rubber stamp for the use of any Navy clique or coterie; he has kept greedy hands out of the people's money. Wherever he has violated tradition it has been in the interests of common sense and greater efficiency; he has fought for justice; and he has given the United States a great Navy and the high promise of a greater.

It is not our naval preparedness that is being attacked, but the honesty, sincerity, keen intelligence, splendid vision, and unfaltering courage that have enabled Josephus Daniels to smash rings and defeat graft and rapacity.

"I REGARD THE PUBLICATION OF THIS INTERVIEW AS NOTHING SHORT OF A PATRIOTIC PUBLIC SERVICE."

[John R. Dunlap, editor of the Engineering Magazine.]

NEW YORK, *March 22, 1916.*

TO THE EDITOR OF THE WORLD:

Thank you very much for submitting the proofs of Mr. Creel's stirring interview with Secretary Daniels; and let me say at once that I regard the publication as nothing short of a timely, needed, and patriotic public service.

As an engineering editor it has recently become necessary for me to thoroughly investigate precisely what is happening in the Navy Department, and the information I have gathered from the lips of the highest commissioned officers in charge of the Navy and also from the individual members of the Naval Consulting Board enables me to unqualifiedly indorse every word Mr. Creel has written in his strong introductory and every statement he has attributed to Secretary Daniels.

Indeed, I have been both surprised and gratified to discover how much Secretary Daniels has actually accomplished for the Navy, especially because of his potent personal influence with radical and unreasoning little-navy men of his own party in Congress. Thus during the first two years of his administration he secured appropriations for the chief fighting force of the Navy amounting to $70,000,000, as against $26,000,000 during the last two years of the Meyer administration; and thereby he got what Navy officers have been striving to get ever since the fleet sailed around the world in 1906, when President Roosevelt reversed and halted our progressive naval program by boastfully announcing in his message to Congress: "I do not ask that we continue to increase our Navy."

Secretary Daniel's master stroke in technical efficiency was the creation and appointment of the Naval Consulting Board, a body of distinguished engineers and inventors who represent the best brains and organized capacity of all our great engineering, chemical, and mechanical professions. I could write a page telling of the activities and potentialities of this great body of professional experts who have volunteered for public service without pay; but it will suffice to say here that they already have 15 different committees, all actively at work in their special fields, and they have summoned no less than 240 of their engineering associates (5 for each State), who are cooperating in the fundamentally important work of tabulating the equipment and resources of all our vast mechanical industries, so that they can be instantly mobilized in aid of both the Army and Navy should occasion call.

In the light of this record of actual achievement, is it not about time to call upon Secretary Daniels's busy critics for facts, rather than the partisan, puerile, and grossly unjust merely personal abuse which they have been handing out?

JOHN R. DUNLAP,
Editor of the Engineering Magazine.

Mr. THOMAS. Mr. President, when the naval appropriation bill comes from the House for consideration I shall avail myself of the opportunity to pay my respects to some of the men-

bers of this league and some of the proceedings of its recent sessions.

FRED WHITE.

Mr. BRADY. On March 11 I introduced a joint resolution (S. J. Res. 113) for the relief of Fred White, which was referred to the Committee on Claims. The Committee on Public Lands considered a similar bill a year ago, and I ask unanimous consent that the Committee on Claims be discharged from the further consideration of the joint resolution and that it be referred to the Committee on Public Lands.

The VICE PRESIDENT. Without objection, the change of reference will be made.

CONDITION OF NATIONAL BANKS.

Mr. MARTINE of New Jersey. I ask to have printed a letter from the Comptroller of the Currency stating a most phenomenal condition and one that makes our Nation almost impregnable.

There being no objection, the letter referred to was ordered to be printed in the RECORD, as follows:

The Comptroller of the Currency, in making public to-day the figures relating to the condition of all national banks on the date of the last call, March 7, 1916, said:

"The total resources of the national banks of the United States on March 7, 1916, amounted to $13,838,000,000, exceeding by $370,000,000 the greatest resources ever shown in the history of the national-banking system, and exceeded by $2,271,000,000 the resources of these banks as shown in the March 4 statement a year ago.

"The increase which has taken place in the resources of the national banks of this country in the past 12 months exceeds in amount the entire resources of the Reichsbank of Germany as reported in its statement of February 15, 1916. The aggregate resources of the national banks of the United States at this time exceed by approximately $3,000,000,000 the aggregate resources of the Bank of England, the Bank of France, the Bank of Russia, the Reichsbank of Germany, the Bank of the Netherlands, the Swiss National Bank, and the Bank of Japan.

"The increase in the loans and discounts of our national banks March 7, 1916, was $132,000,000 as compared with December 31, 1915, and $990,000,000 as compared with March 4 a year ago.

"The total deposits on March 7, 1916, amounted to $10,790,000,000, an increase since December 31, 1915, of $411,000,000, and an increase of $2,198,000,000 as compared with March 4 a year ago.

"Of the $411,000,000 increase in deposits since December 31, 1915, $335,000,000 were from banks and bankers, and $78,000,000 were reported as time deposits, while demand deposits for this period showed a decrease of $2,000,000. Of the $2,198,000,000 increase in total deposits since March 4, 1915, however, the principal increase was in demand deposits, which increased $1,072,000,000, against an increase in time deposits of $296,000,000, and an increase in the balances due to banks and bankers of $830,000,000.

"Bills payable and rediscounts amounted, March 7, 1916, to only $61,956,000, a decrease since December 31, 1915, of $36,460,000, and a reduction as compared with March 4 a year ago of $33,704,000.

"Specie holdings amounted on March 1, 1916, to $708,780,000, an increase since December 31, 1915, of $19,018,000, and an increase as compared with March 4, 1915, of $116,928,000.

"The holdings of United States bonds amounted March 7, 1916, to $754,000,000, a decrease of $20,000,000 as compared with December 31, 1915, and of $27,000,000 as compared with March 4, 1915.

"The holdings of bonds, securities, etc., other than United States Government bonds, amounted on March 7, 1916, to $1,464,000,000, an increase since December 31, 1915, of $89,638,000, and an increase as compared with March 4, 1915, of $364,000,000.

"It should be noted that while the national banks of the country reduced their holdings of Government bonds between March 4, 1915, and March 7, 1916, to the extent of $27,000,000, the Federal reserve banks have, between March 5, 1915, and March 10, 1916, increased their holdings of Government bonds from $5,000,000 to $34,000,000. In the past 30 days the Government bonds held by the Federal reserve banks have increased approximately $11,000,000 more. The Federal reserve banks now own over $45,000,000 of Government bonds.

"The 12 Federal reserve banks get the same returns from their holdings of Government twos as are obtained by the national banks. Federal reserve banks as well as national banks are permitted to issue circulation against Government twos, and upon this circulation they are subject to a tax of one-half of 1 per cent; so that any bank, whether national or Federal reserve, investing in Government twos and then reimbursing itself for the outlay by issuing circulation against its bonds, gets a net profit of approximately 1½ per cent without reducing its cash resources except as to the 5 per cent redemption fund deposited with the United States Treasurer.

"The circulation of national banks March 7, 1916, was $695,000,000, a decrease of $17,000,000 since December 31, 1915, and a reduction of $50,000,000 since March 4, 1915, but this reduction of $50,000,000 since March 4, 1915, included $29,000,000 of emergency currency retired subsequent to the latter date.

"On March 7, 1916, there were 7,586 national banks with a capital of $1,067,289,000, as compared with 7,599 national banks on March 4, 1915, with a capital of $1,066,589,000, an increase for the year of $700,000. This slight reduction in the number of national banks was due to the liquidation of a number of national banks for the purpose of consolidating with other national banks. The new national banks chartered during the past 12 months largely exceeded the number of banks going into voluntary liquidation for purposes other than consolidation with other national banks.

"The surplus and undivided profits of national banks March 7, 1916, amounted to $1,031,278,000, an increase as compared with the previous year of $18,288,000."

NATIONAL-BANK RESERVES.

The total reserve held by all national banks on March 7, 1916, was $2,287,000,000, making a surplus of $993,000,000 over and above the amount legally required. This exceeds by more than $100,000,000 the greatest surplus reserve ever shown in any previous statement.

Of the above reserve, the national banks in the central reserve cities held $631,000,000, or 22.88 per cent of their deposits, the reserve they are required to hold being 18 per cent of demand and 5 per cent of time deposits; the national banks in the 52 reserve cities held a legal reserve of $693,000,000, or 27.84 per cent of deposits, against a requirement of 15 per cent on demand and 5 per cent on time deposits, while the country banks, which under the provisions of the Federal reserve act need hold only 12 per cent of demand and 5 per cent of time deposits, held on March 7, 1916, a reserve of 27.24 per cent of all deposits, or $962,000,000.

The reserve held by national banks October 31, 1914, the time of the last statement prior to the inauguration of the Federal reserve system, amounted to $1,559,000,000, against a required reserve of $1,433,000,000, making the surplus reserve at that time $126,000,000. It is thus seen that the surplus reserve of the national banks of the country has increased during the operation of the Federal reserve system from $126,000,000 on October 31, 1914, to nearly $1,000,000,000 at the present time.

It is conservatively estimated that the surplus reserve now held by the national banks would be sufficient to give a further loaning power of $3,000,000,000 or $4,000,000,000, should the growth and development of commerce, agriculture, or industry call for so huge an enlargement of credit.

Notwithstanding the Anglo-French loan of $500,000,000 and the loans made to other foreign powers, amounting to several hundred million dollars additional, in which our banks have to a greater or less extent participated, directly or indirectly, there are no indications of unsound inflation or excessive loans, and the national banks of the country have never been in a stronger position than they are at this time.

EXTRAORDINARY GROWTH OF NATIONAL-BANK DEPOSITS.

Perhaps the most striking feature of this bank statement is the fact that this increase which has taken place in deposits in the past 12 months amounts to more than the sum total of all deposits in all the national banks of the country as late as the year 1896, just 20 years ago. The deposits of national banks of the United States have, as these figures show, increased since February 28, 1896, over 500 per cent, against an increase in the number of banks of 100 per cent.

As indicative of the prosperity of our national banks, attention is called to figures which show that during this same 20-year period the capital of the national banks increased $413,000,000, or 63 per cent, while their surplus and undivided profits for the same period increased $697,000,000, or 210 per cent, after distributing over $1,650,000,000 in cash dividends to shareholders.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. BRANDEGEE. Mr. President, I suggest the absence of a quorum.

Mr. JONES. I hope the Senator will not do that.

Mr. BRANDEGEE. I do. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hardwick	Norris	Smith, Mich.
Beckham	Hollis	Oliver	Smith, S. C.
Borah	Hughes	Overman	Sterling
Brady	Husting	Page	Stone
Brandegee	James	Pittman	Sutherland
Broussard	Johnson, Me.	Poindexter	Swanson
Bryan	Jones	Pomerene	Thomas
Burleigh	Kenyon	Ransdell	Tillman
Chamberlain	Kern	Saulsbury	Underwood
Clark, Wyo.	La Follette	Shafroth	Vardaman
Culberson	Lane	Sheppard	Wadsworth
Cummins	Lippitt	Sherman	Warren
Curtis	Lodge	Simmons	Weeks
Dillingham	Martin, Va.	Smith, Ariz.	Williams
Gallinger	Myers	Smith, Ga.	Works
Gronna	Nelson	Smith, Md.	

Mr. KERN. I wish to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER], the junior Senator from Maryland [Mr. LEE], the junior Senator from Indiana [Mr. TAGGART], and the senior Senator from West Virginia [Mr. CHILTON], all of whom are paired. This announcement may stand for the day.

The VICE PRESIDENT. Sixty-three Senators have answered to the roll call. A quorum is present.

Mr. JONES. Mr. President, I regret that the call for a quorum was made. I desire to say to Senators who are here and who I know are very busy, those especially who are interested in the amendment pending, that I shall probably take the time of the Senate for an hour and a half, and Senators can govern themselves accordingly.

Mr. UNDERWOOD. Mr. President, I should like to have a vote on the pending amendment, if it can be done, as I understand the Senator from Washington does not expect to address his remarks to that amendment.

Mr. JONES. I do not; and, of course, if the Senate is ready to vote upon it, I would be perfectly willing to yield for that purpose, but I anticipate that there will be considerable debate on that amendment even yet.

Mr. UNDERWOOD. I have no desire to debate the amendment, and would like to ask for a vote upon the amendment that I had pending yesterday afternoon, if no other Senator desires to speak upon it.

Mr. JONES. Of course, there can be no assurance that there will not be further debate upon it, and I think probably I had better go on and get through with what I have to say, and then the Senator can proceed with his amendment.

Mr. UNDERWOOD. Very well.

Mr. JONES. Mr. President, the world seems to be very much out of joint. Public and personal sentiment are in an abnormal condition. Men's minds seem to be warped and distorted. We are intolerant of views not in accord with our own. The patriotism of those who antagonize us is questioned. Those who most loudly proclaim their loyalty to the country most vehemently charge disloyalty to those who differ from them in the interest of their country's peace.

A day or two ago I received a letter from a friend of mine in my State inclosing a letter which he had received from some one in the East who, I am informed, is the treasurer of the Houghton Mifflin Co., 4 Park Street, Boston, Mass. I desire to read this letter without putting in the RECORD the name of the party to whom it was sent. He says:

> No doubt you have already seen the attitude which Senator JONES, of Washington, has taken on the question of preparedness and the maintenance of our national prestige abroad. I might say quite frankly that his remarks in Congress a few weeks ago annoyed me almost more than anything else that has been said, and if you felt the same way about it I hope that you may take steps to call his attention to the matter. The East wants full preparation made for any trouble that may occur, and it will not help appropriations for Alaska and other things which the Northwest may be interested in to have Mr. JONES take the position which he does. Lowman and Hanford wrote us recently urging the Alaskan appropriation. I replied that Alaska was an important issue which ought to be promoted, but that I thought that it would help to muzzle JONES.
>
> Trusting that you are having a pleasant winter, I am,
>
> Yours, very truly,
>
> JAMES DUNN PHILLIPS.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Colorado?

Mr. JONES. For a question.

Mr. THOMAS. That is all I wish to ask the Senator. From what place was the letter mailed to the Senator?

Mr. JONES. From Boston, Mass.

Mr. THOMAS. Not from the State of Washington?

Mr. JONES. No. I dictated a letter to my secretary concerning this communication and then tore it up. I thought of some pretty sharp things to say concerning Mr. Phillips, but have decided not to do so. He is no doubt a pretty good man. He is probably as patriotic as I am. On reflection he will conceive the littleness of his statements and his position. Surely the cause of preparedness is not so lacking in merit that Senators must be browbeaten to support it. Questions affecting Alaska and my State rest upon their own merits, and my people do not favor the "you tickle me and I will tickle you" pork-barrel method which Mr. Phillips seems to favor but which, I am glad to say, the Senators from Massachusetts are not controlled by.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Colorado?

Mr. JONES. For a question.

Mr. THOMAS. I merely wish to remind the Senator that I am his companion in misfortune, because I received a letter some time ago threatening the country with the Presidency of Mr. Roosevelt if an ammunition plant was not established in his city.

Mr. JONES. I expect a great many Senators will be threatened in different ways if they express their real sentiments with reference to this matter.

Mr. THOMAS. The letter to which I referred was not from my State.

Mr. JONES. Neither is the man who wrote the letter I read from my State.

Mr. REED. Mr. President, I desire to inquire whether, under the rule, the Senator from Washington has not now forfeited the floor.

Mr. JONES. I did not yield to the Senator from Missouri, and I will ask the Chair not to recognize anyone to interrupt me hereafter. I have a few things that I want to say. I myself am always glad to yield, but I do not want to consume unnecessary time. I have some things that I wish to say, and so I do not want to be taken from the floor.

Mr. REED (to Mr. JONES). I did not say it seriously.

Mr. JONES. Some things not said seriously might be taken seriously.

As we look at it, the East is no more interested in preparedness than the West. Any attack upon or danger to one section of the country we consider an attack upon and a danger to all sections of the country. We consider patriotism national, not sectional. The farmer, the laborer, the clerk, and the business man of every section of the country can be depended upon to respond with equal patriotism at the call of the country.

I am sorry that any words of mine should have ruffled the sensitive and esthetic feelings of Mr. Phillips. What they were, I do not know. I have not spoken in this body on preparedness. I have appealed to Americans to refrain from traveling on armed belligerent ships in these times of international conflict and danger in the interest of our own country and its peace. I hope Mr. Phillips is not one of those careless, reckless, selfish, inconsiderate Americans who are so lacking in patriotism as to be unwilling to refrain from gratifying their desires for pleasure or profit that their country may have peace. I wonder if he is so unpatriotic as to endanger the peace of a hundred million people to gratify the desire for the thrill that comes through danger? I hope he is not one of those who would denounce as cowardly and unpatriotic the man who refuses to offer his life in defense of his country in case of war, and yet himself is not patriotic enough to be willing to waive the exercise of a doubtful right to travel on armed belligerent ships that his country may continue in peace.

Would it ruffle Mr. Phillips's feelings, Mr. President, to suggest to him that one of the best preparations for peace is to take into account the world conditions of to-day, and instead of going around with a chip on our shoulder each individual citizen should be willing to show his patriotism by making personal sacrifices? I do not know what Mr. Phillips thinks about it, but my conviction is that the honor of our country rests in the keeping of those peace-loving but truly patriotic citizens who stay at home rather than in the keeping of those reckless and inconsiderate bravados who insist upon traveling regardless of their country's interests. I do not know whether he is one of those who places his country's peace above the pelf and pleasure of self, or whether he belongs to that class of whom the leader of the majority on this floor, immediately after the country thought he had voted to sustain the President in his contention that the honor of the country rests in the keeping of these bravados, said what I shall now read. I read from the CONGRESSIONAL RECORD of this session, at page 3482, from the remarks of the senior Senator from Indiana [Mr. KERN], made just after the vote to table the resolution over which such excitement occurred. The Senator from Indiana spoke as follows:

> I have said, and I repeat, that I favored such official warning, principally for the protection of the thoughtless and weak-minded, who might not appreciate the danger, and to the end that a hundred millions of peaceful and peace-loving people might not be plunged into war as the price of the stupendous folly of a handful of travelers. I had no thought for the personal safety of intelligent men who, out of a spirit of bravado or foolhardiness or to promote their own selfish interests, would risk their lives on such vessels; for, in my judgment, such a man, with such a treasonable bent of mind as to be indifferent to the danger of involving his country in war and wrecking the happiness of hundreds of thousands of American homes, has a life so valueless to his country as to be scarcely worth the saving.

Mr. President, if this ruffles Mr. Phillips's sensitive nature, I am sorry.

For a year and a half preparedness has been dinned into our ears day and night. Men have not been able to address any sort of a meeting anywhere, upon any occasion, without urging preparedness. Newspaper columns have been filled with it and editorials have appeared almost daily urging it. Magazine pages have been devoted to it and Army and Navy journals have helped to swell the cry for greater armies and navies. Lurid, blood-curdling, awe-inspiring picture films have been used to show foreign armies of blood-thirsty soldiers marching down our streets, breaking into our houses, ravishing our women, and laying waste our cities. Our navies have been destroyed, our armies dispersed, and our people enslaved.

The people have been threatened with subjugation and their Government with disruption unless immediate military preparation should be begun. Conventions have been held, orations delivered, and resolutions passed to arouse the people to their danger. Campaigns have been inaugurated and multitudes of speeches sent out, and Congress has been told that the people are demanding preparedness in order that they may be able to repel attack from abroad.

I noticed in one of the newspapers of Philadelphia the other morning a statement that a great wave of sentiment was coming up from the people for preparedness and that they were going to send out from Philadelphia the next day 150 speakers to different parts and sections to tell the people of the country of the great necessity for preparedness. That is where the wave has been coming from.

The President of the United States has been apparently converted and has gone to and fro telling the people that conflagrations are raging, that sparks are flying, that our house is not

fireproof, that no one knows what a day may bring forth, and that the danger to our country is real and immediate. Our military experts have gotten together and assumed that our Navy is at the bottom of the sea; that our coast defenses are worthless; that the men who have passed through the Army, the militia, the training of our military schools, and the War with Spain would refuse to volunteer if their country should be in danger and called for them, and, therefore, they have said that we need a standing army of 500,000 men trained and ready for immediate conflict, with 500,000 more to back them up in three months, and with another 500,000 to be called for soon. They have figured the expense of this to be too great, and, although they think we ought to have it, they do not think we are willing to pay for it.

Mr. President, a sufficient army and navy is not a matter of dollars and cents. Any increase that is necessary for the safety of the Nation and the peace of the Nation the people will cheerfully pay for. An unnecessary burden, however, they are not willing to bear.

Do we need a large increase in our military forces? If we do, there can be no difference of opinion as to having it. Should we prepare now; and if so, for what? These are the questions that we ought to decide before any so-called preparedness increase is begun.

If there is immediate danger or reasonable probability of immediate danger, prompt preparation should be made to meet it in a sufficient way. If there is no reasonable probability of immediate danger, why should we proceed in fear and haste? Why not act calmly, deliberately, and with a full knowledge of all the conditions that are to be met? If we are to be attacked upon the close of this war, or soon thereafter, we can not begin our preparation too soon. If there is no reasonable probability of being attacked, then there can be no excuse for not waiting until the close of the war to formulate a permanent system of defense and act upon the conditions then existing.

On December 8, 1914, after the war in Europe had been raging for several months, the President of the United States appeared in person before Congress and delivered his annual message. After discussing various matters he said he desired to say a few words upon two topics "much discussed out of doors, upon which it is highly important that our judgments should be clear, definite, and steadfast." One of these subjects was that of national defense, and upon this the President said:

> Allow me to speak with great plainness and directness upon this great matter and to avow my convictions with deep earnestness. * * *
>
> We are at peace with all the world. No one who speaks counsel based on fact or drawn from a just and candid interpretation of realities can say there is reason to fear that from any quarter our independence or the integrity of our territory is threatened. Dread of the power of other nations we are incapable of. * * * This is the time above all others when we should wish and resolve to keep our strength by self-possession, our influence by preserving our ancient principles of action. * * *
>
> If asked, Are you ready to defend yourselves, we reply, Most assuredly, to the utmost; * * *. And especially when half the world is on fire we shall be careful to make our moral insurance against the spread of conflagration very definite and certain and adequate, indeed.

After reminding us that our dependence in the past had not been in our standing army but upon the National Guard and Volunteers, he said:

> More than this carries with it a reversal of the whole history and character of our policy. More than this, proposed at this time, permit me to say, would mean that we had lost our self-possession, that we had been thrown off our balance by a war with which we have nothing to do, whose causes can not touch us, whose very existence affords us opportunities of friendship and disinterested service which should make us ashamed of any thought of hostility or fearful preparation for trouble. This is assuredly the opportunity for which a people and a Government like ours were raised up, the opportunity not only to speak but actually to embody and exemplify the counsels of peace and amity and the lasting concord which is based on justice and fair and generous dealing.

This was said under conditions no different from what they are now and if it was true then it is all the more true now.

But—

Said the President—

> I turn away from the subject. It is not new; there is no need to discuss it.

And here those of you who care to look back at the newspapers of the next day will see the suggestion that the President turned his face toward one side of the Joint Assembly especially to where sat the gentleman from Massachusetts who had been as "a voice crying in the wilderness" in behalf of preparation, and that laughter spread over the assembly, because everybody seemed to recognize to whom the President was looking, and what he had in mind. Then the President continued:

> There is no new need to discuss it. We shall not alter our attitude toward it because some amongst us are nervous and excited. We shall easily and sensibly agree upon a policy of defense. The question has not changed its aspects because the times are not normal. Our policy will not be for an occasion. It will be conceived as a permanent and settled thing, which we shall pursue at all seasons, without haste and after a fashion perfectly consistent with the peace of the world, the abiding friendship of States and the unhampered freedom of all with whom we deal. Let there be no misconception. The country has been misinformed. We have not been negligent of national defense. We are not unmindful of the great responsibility resting upon us. We shall learn and profit by the lesson of every experience and every new circumstance; and what is needed will be adequately done.

These were high and lofty sentiments, beautifully expressed, and were greeted with loud applause, especially on the Democratic side.

Congress continued in session until March, 1915. No suggestion of danger was made, although the European war continued with increased intensity.

On December 7, 1915, the President again appeared in person before Congress. His theme this time was national preparedness. He seemed to think that we are in danger and that immediate steps should be taken to prepare for such danger, and after suggesting what should be done he said that such preparation for defense seemed to him "to be absolutely imperative now." The President was heralded everywhere as a convert to preparedness. He joined the ranks of those who he said in his message of December 8, 1914, were "nervous and excited." The President himself in a speech some time ago admitted that he had changed his mind and placed himself in the ranks of the "nervous and excited" people.

Mr. REED. Mr. President, will the Senator yield for a question?

Mr. JONES. I think I shall have to decline to yield.

The VICE PRESIDENT. The Senator has requested not to be interrupted.

Mr. REED. Oh, I did not understand that.

Mr. JONES. I am sorry; I should like to yield, but I am afraid that by doing so I might lose the floor, and I am not quite through as yet.

After the President's message the cry for preparation became louder; our danger seemed more imminent. Some of my good newspaper friends saw visions of armies invading our shores, our cities laid waste, and our people enslaved. Letters began to come in urging preparedness and urging support of the President and his program. In all these urgings there was a dearth of reasons given or dangers pointed out. They were all like the President's message—lacking in any reason for special haste. The President's program seemed to me to mean very little. He had apparently placed himself in the ranks of those who feared immediate danger and who sought to prepare for it, while the plan he proposed amounted to nothing and would meet no immediate emergency and go but a little way toward preparing for the future.

Most of the expressions in the papers, whether editorially or through interviews, and most of the letters which came to me were general in character. No particular danger was pointed out. No particular preparation was suggested. It seemed to be enough to say that we should prepare, and prepare without limit. Everybody seemed to think that the President had joined the ranks of the "nervous and excited," and therefore we should prepare for something in a large and indefinite way. When I was home in the summer and fall I had found no great fears among our people. No special preparation was urged upon me. I met all classes of people; they talked of the situation and were all for peace, but few of them feared any trouble, and there was little demand for increases in the Army. In view of the increased agitation and the general indefinite, though excited, character of the letters that began to come in, it occurred to me that it might be instructive and helpful to get the views of my constituents upon some particular propositions, and especially get their reasons as to why they thought we should prepare and their views as to what we should prepare to meet. This would give me a good idea as to what kind of preparation they wanted and would help me in reaching a conclusion upon this question which had become of such importance. Certain questions had arisen in my mind upon the answers to which it seemed to me rested largely the determination of what action we should take for the present and what action should be taken for the future. Some of these were suggested by the recommendations of the President in his message. I had reached certain tentative conclusions upon them myself, but I knew I was not infallible. My judgment might be at fault. I wanted to know how my constituents looked at them. This would enable me to represent them more fully and more intelligently. If my judgment was a mistaken one, it might be corrected. Editorial expressions, I knew, represented very largely the views of the individuals writing them rather than the thoughtful views of the people generally. There was no way to get the people's views

except to ask for them. So I decided to ask the people for their views as directly as I could. I prepared a letter submitting certain questions which I sent to every paper in the State, daily and weekly, and asked that it be published. I think every paper kindly did so. In this letter every man and woman was asked to read carefully the questions and "after considering them from every angle sit down and write me his or her views thereon." At the same time my own personal views were frankly stated.

Mr. President, I ask leave at this point to insert that letter in my remarks. I will not take the time to read it.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

AN OPEN LETTER OF INQUIRY TO THE PEOPLE OF THE STATE.

To each individual in the State of Washington:

I earnestly ask that every man and woman will read carefully the questions below and, after considering them from every angle, sit down and write me his or her views thereon. I have frankly stated my personal views, but as the representative of our people I desire in a matter of this kind to reflect their views as nearly as I can ascertain what they are, and it is to get this information that I am submitting these inquiries.

Do we need a larger standing army than we now have for purely peace purposes and domestic duties? I think not.

Whatever may be the final outcome of the present war in Europe, do you think that any of the countries involved will want to go to war with us at once or very soon after it comes to a close? I do not think so.

If you think any country now involved will desire to go immediately or very soon into war with us, kindly say why you think so.

Do you think it most probable that there will be at least several years of general peace when the war closes? I do.

If we are likely to be attacked by a strong power, do you think that an increase in our standing army by 40,000 men will enable us to make an effective defense? I do not.

If we should prepare now to meet an attack by a strong power in the near future, don't you think we should make adequate and prompt preparations by organizing a standing army of 250,000 or 500,000 men, as urged by the war experts? I do.

If trouble is to come soon, should we take four or five years to prepare to meet it, either in military or naval preparation? I think not.

If early trouble is not probable, would it not be wiser to wait until the war closes and determine our policies by the conditions then existing? I do.

Don't you think the wisest preparedness now would be the construction of interstate highways along our coast lines, so that in case of the landing of a hostile force we could mobilize quickly our defense where needed? I think so.

We are excited over preparedness. There is a disposition to rush immediately into some scheme or plan for increasing our military and naval power, regardless of the cost and without waiting to see what the conditions may be that will confront us at the close of this war. If we conduct ourselves in a neutral way none of the countries engaged in it will want to get into a contest with us. Conditions resulting from the final treaty of peace may make the future actions of nations in regard to military armaments entirely different from what they are now. Because of the very great importance of this subject and of what increased military and naval armaments mean in the way of increased taxes, I am anxious to know the individual views of as many of our people as I can secure on the questions submitted. To me it looks like we are unduly excited and that the wise course to take would be to give our attention to preparing to meet the commercial contest that we are sure to face, and when war closes determine our military and naval policy upon conditions then existing among the great nations of the world.

Most respectfully, W. L. JONES.

Mr. JONES. Mr. President, my experience has been most interesting and instructive. My action was construed in all sorts of ways. Some said I would be pleased to receive only answers in accord with my own. Some thought those who were in accord with me would be the only ones to write. Others suggested that those who were in accord with me would not think it necessary to write, and that only those who were against my views would take the trouble to write. Some expressed the belief that those only would write who were strongly for preparedness, and others expressed just the opposite view. Some thought people would write me agreeing with me in order to get my good will. Some thought it was unfair that I had stated my own views, while others thought this was a very fair thing to do. Some seemed to think that a representative of the people should conceal from them his views and opinions, while it always seemed to me that of all men he should be frank and open with his constituents and let them know his views and opinions. If wrong, they might be corrected; and if not corrected a new representative might be gotten. Some at once saw politics in it, though this had never entered my mind. Some seemed to think it impossible for a Senator or Representative to seek advice from his constituents without having some political advantage in mind. I note this morning in a great newspaper in the city of New York an editorial which suggests that people who do not agree with its views have formulated their views by taking into consideration what they might gain by getting the votes of this or that class or nationality throughout the country. It is an unfortunate state of affairs, Mr. President, when questions of patriotism, questions of great national import, must be discussed or considered on that low plane. The question of preparedness is, and should be, above and beyond politics. It is an American question solely, and what I could hope to gain politically I do not know. Nevertheless, some very intelligent men could see only politics in my action. Some also thought others would not write because they were too busy; others thought some would not write because "JONES ought to do as he pleases"; others said that their letter was the first they had ever written to a public official, and especially to a Senator or Representative, and thought it commendable in a Senator to ask the views of his constituents. A surprising number expressed the view that the people ought not to be asked their views, because they are not competent to say what should be done, and that they should not be consulted. I can not agree with such suggestions, and believe that upon the fundamentals of this question the aggregate judgment of the people will be the best criterion to follow. Others expressed surprise that I should ask the advice of the people rather than the opinion of the experts, overlooking the fact that very seldom do two experts agree upon any question, and also that the basis of any system of preparedness is not a question for the experts at all, but one that must be determined by their Senators and Representatives.

Some of my good newspaper friends who were advocating a very radical program of preparedness entirely misconstrued my letter, and at once charged me with being for peace at any price, and declared I was wholly opposed to any preparedness whatever; some of them seemed to think that it was an overpowering argument to say "JONES has joined with Bryan." I can not believe that they intentionally did this; but nevertheless, by glaring headlines, editorial miscomment, and putting in my mouth statements which I never made and never thought of, they conveyed this idea, and a great campaign to impress me with the fact that the people of the State of Washington are strongly for preparedness was inaugurated.

One of the papers printed a coupon (see coupon) addressed to me, saying "Washington is for preparedness. Vote for it," with a place for signature and a request to "send to JONES."

I have a copy of one of the coupons here, which I will ask leave to insert in the RECORD. It happens to be that on this coupon the person who signed it wrote the word "not" three times, where it was not expected.

The VICE PRESIDENT. Without objection, it is so ordered.

The coupon referred to is as follows:

SEND IT TO JONES.

Senator WESLEY L. JONES, of Washington, has announced himself as opposed to preparedness, and recently urged his constituents to write him their views on the subject. Now, he is being "deluged with letters in support of his attitude," according to word from Washington, D. C.

This is what he expected, for, being a good politician, he knows the "crank" is the busiest little letter writer in the world, while the man of affairs doesn't take the time to be.

But because the "crank" is so very busy assuring Senator JONES that he is right, it is absolutely necessary for the man (or woman) of affairs to get busy. The "crank" doesn't believe in insurance; the men and women of affairs do.

Therefore, if you are in favor of preparedness, clip out this blank and sign your name. Then, leave it at the Times office, or put it in the mail and send it to JONES.

SEATTLE, WASH., *January 15, 1916.*

Senator WESLEY L. JONES,
Care United States Senate, Washington, D. C.

DEAR SIR: Washington is for preparedness. Vote for it!

Name ——— ———.
Address ——— ———.

Mr. JONES. Persons were hired to stand at the entrances of theaters where "The Battle Cry of Peace" was being shown, to urge the people who came out to sign these coupons and send them to me. Advertisements were placed in the paper urging the people to come in and sign a petition to me urging preparedness, and get a beautiful flag in the form of a bow, and another advertisement offered a badge pin if they would sign a petition to this effect. This was kept up for weeks. Some of the smaller papers also prepared coupons, which their readers were asked to sign and send to me. What was the result?

There seems to be a feeling among Senators and Representatives that the people of this country are very much excited over this preparedness proposition; that they are getting worked up over it. What was the result of this campaign and the result of my writing these letters and asking for opinions and expressions from the people and having them published in every paper, big and little, in the State?

We have almost a million and a half of people in our State; 4,300 coupons were sent to me, of which 68 were changed to read against preparedness instead of for it. Petitions were sent in with 2,884 names. This was the result of this feverish campaign for preparedness in a State which, of all States, should be interested in it. Not much evidence that the people are excited or that any special wave of sentiment for special preparation is sweeping over the country. I admit I was mistaken in my letter when I suggested that the people are excited. They are not, but some are.

My letter, which was printed in all of the papers, inviting the people to write me their views brought me 665 letters for preparedness and 1,093 letters against any unusual preparation. Quite a good many were opposed to any preparation at all. I wrote a general letter to all those who sent in printed coupons or signed petitions asking them for their particular views. Remember, they simply sent in this coupon, "Washington is for preparedness; vote for it"; that is all. I wrote a general letter to all those who sent in printed coupons or signed petitions asking them for their particular views as to what sort of preparedness they were in favor of, stating my own views, and suggesting that if they wanted anything different I would be glad to hear from them. To these 7,184 letters I received 109 answers, and there were returned, uncalled for, 295. The rest of these people either agreed with me in my suggestions as to what preparation we ought to make or else they were so indifferent to it—they probably had gotten their bows; they had probably gotten their pins—that they took no further interest in it.

In my letter to those sending me coupons saying the State of Washington "is for preparedness" I stated that this expression meant nothing; that I assumed that everybody was for preparedness of some kind, and I asked them to tell me what kind of preparedness they were in favor of, and preparedness for what. Mr. President, I have that letter here and I ask to insert it in the RECORD, as a part of my remarks, at this point.

The VICE PRESIDENT. Without objection, it will be so ordered.

The letter referred to is as follows:

DEAR SIR (or MADAM): I have a coupon taken from the Seattle Times, or a petition, signed by you, saying, "Washington is for preparedness. Vote for it." That is all. With the greatest respect, I will say that this means nothing to me. It gives me no facts and no information I did not already have. I am for preparedness, and I assume that everybody is for preparedness; but what kind of preparedness? How much preparedness, and what are the facts and conditions upon which you would have preparedness? Do you think we are not prepared now? Many seem to think we are wholly unprepared. That is not so. During the last 16 years we have spent over four billion of dollars for naval, military, and coast defenses. It has not been wasted, as some seem to think. We have a Navy which, according to the experts, is not surpassed, if equaled, by the navy of any other nation except one. Assuming that the English fleet will be intact at the end of this war, the English nation is the only one that would dare attack us, because no nation would be so foolish as to try to transport a large army across the ocean in the face of a superior or an equal fleet.

From my viewpoint I am in favor of about the following preparedness in addition to what we have now: Largely increase the number of trained officers, so that in case of emergency we will have the men to drill those we will call to the colors; encourage military training in the schools and insist upon it in the land-grant colleges; increase largely the number and efficiency of our National Guard; keep on hand a large supply of ammunition and guns, although that is largely taken care of by the tremendous plants that have developed since the beginning of the present war, and the question of the Government taking over their manufacture is a matter of detail to be worked out later; encourage by liberal appropriation the development of the flying machine and the training of more men to operate them; construct without delay a large flotilla of submarines, swift torpedo boats, and torpedo-boat destroyers, and some of the swiftest scout cruisers; put our navy yards in good shape; some additions may be needed to our coast defenses, although, in my judgment, the submarine is the most effective coast defense we can have. I believe this will amply and safely take care of the situation to the close of this war, and then we can determine what further preparation we need.

If you can add to this plan, I would be very glad if you would tell me what additions you would make to it and the reasons therefor. My views are not unchangeable, and I want to consider all phases of the situation and take the action that will best promote the safety of our country and the welfare of our people.

With very highest esteem, I am,

Very sincerely, yours, W. L. JONES.

Mr. JONES. Also, at this point, I desire to insert a letter which I wrote to my friend Mr. Blethen, the editor of the paper in Seattle that had taken such an active part in this campaign, because that letter will show some things with reference to my position that I am not going to take the time to say here. I ask that that may be printed at this point as a part of my remarks.

The VICE PRESIDENT. Without objection, it will be so ordered.

The letter referred to is as follows:

JANUARY 12, 1916.

Hon. C. B. BLETHEN,
Editor The Seattle Times, Seattle, Wash.

DEAR MR. BLETHEN: You have asked your readers to clip a coupon from your paper and send to me with reference to preparedness. You state that I have announced myself as opposed to preparedness. I know you do not intend to misrepresent my position. I have never made any such announcement. I have, in fact, stated frequently what I am in favor of in the way of additional preparedness, and I will state it again in this letter.

What I have done is to ask the individuals of my State not for their views with reference to preparedness but for their ideas of what the facts are upon which an opinion relative to preparedness should be based. You state that I expect to be flooded with letters in support of my attitude, "because he is a good politician and knows that cranks are the busiest little letter writers in the world."

It is strange that a man in public life can not ask his constituents for an honest expression of their views upon matters in which they are interested without being charged with doing it for political purposes. I never thought of such a thing when I sent this letter. This is a nonpartisan question and ought to be considered entirely free from politics, and that is the way I propose to consider it. Nor shall I be influenced by the number on one side or another, but by which appeals to me as best. My views now are not unchangeable, and if I am convinced I am wrong, they will be changed.

I have received many letters urging preparedness. I have seen many statements in favor of preparedness, but few of them give the reasons for it or just what preparedness they were in favor of. I thought by submitting these inquiries I would get some information that would give me an idea as to the character of preparedness that our people might be in favor of. I hardly think you would characterize as cranks those from whom I have received letters answering my inquiries in detail.

You ask your readers to write me that Washington is for preparedness. That means nothing, and I say this most respectfully. Everybody is for preparedness. I have always assumed that, but what kind of preparedness? How much preparedness? Preparedness along what lines? How much more preparedness than we now have? What is reasonable and adequate preparedness? Why more preparedness? These are the questions that I want to get answers to, and the sending to me of clipped-out coupons simply saying that "I am for preparedness" does not assist me in determining the proper course to take with reference to the question now confronting us.

We are already prepared to a certain extent; in fact, to a very large extent. During the last 16 years we have spent $4,000,000,000 in the way of military, naval, and coast defense preparation. This money has not been wasted either, as some persons think. To-day we have a Navy equal to, if not superior to that of any navy in the world, except one, if our naval experts can be believed. We have coast defenses which were thought a short while ago to be adequate. We have a Military Establishment that has proved itself entirely capable of taking care of peace conditions, and has already taken care of the troublous situation with reference to Mexico.

When the war closes in Europe there will be only one nation prepared to attack us with any prospect of success, assuming that her navy suffered no serious loss, and that is England. Does anyone think that she is going to seek a quarrel and attack us? No other nation would dare do it, because she could not risk the destruction of her fleet by an equal, if not superior, fleet, which would at the same time involve the loss of any army it might be convoying to our shores.

This, in brief, is my view of the situation, and I think it is sustained by the views of the experts. Let me say here that many say follow the views of the Army and Navy experts as to what should be done. That is all right when we arrive at the facts upon which we should prepare. Our Army and Navy experts do not pretend to say that we are in danger of attack, that we will be attacked, or that this country or that country will attack us. They simply assume facts, saying what we should do if certain facts and conditions exist. That is all right, but we want to first determine the facts upon which to get the experts' opinion, and that is what I am trying to do.

Now, what additional preparedness do I believe in from my viewpoint? We should provide, as soon as possible, for a large increase in our force of trained officers, so that in case of emergency we will have men who can drill men that are called to the colors. We should increase largely the number and efficiency of our National Guard. We should encourage military training and instruction in our schools and insist upon it in our land-grant colleges and universities.

This not only for the military preparation that it would give us, but also for the benefit that it would surely bring to our young men. A large supply of ammunition and guns should be kept on hand. This condition to a great extent is met by the tremendous ammunition plants that have been developed since the war began. Many urge that the manufacture of ammunition and guns should be taken charge of entirely by the Government. That is a matter of detail that can be worked out later.

The development of the flying machine and the training of men to operate it should be greatly encouraged. The development of the submarine should be encouraged and a large flotilla of submarines should be constructed without delay. Several swift torpedo boats and torpedo-boat destroyers should be provided, as well as several of the swiftest scout cruisers. Our navy yards should be put in ample condition, especially by way of the construction of dry docks, to care for any possible or probable fleet that we may provide. Some additions should probably be made in our coast defenses by placing at some points more modern and up-to-date guns, although, in my judgment, the submarine is the most efficient instrument for coast defense.

With these additions to the existing preparedness I believe that we will have made ample provision for any emergency that may arise prior to or soon after the close of the present war. When the war closes we should then survey the situation promptly and decide what, if any, further preparation should be made that the conditions demand. It does not seem to me that this is such a modest program of additional preparedness, and yet I think it can be carried out without adding very much to the annual appropriations for our naval and military establishments.

In addition to these naval and military preparations, the greatest military preparation that we can make is to prepare for the commercial contests that are to come after this war closes. We should revise our tariff and insure protection to our labor and industries and in some way begin the development of a merchant marine of our own.

I have thus written frankly my views as they are now formed with reference to this matter. I am getting many valuable suggestions from the letters that I have received discussing preparedness from both standpoints. I am not trying to find out how many are for preparedness or how many are against it, but I am trying to ascertain the facts upon which action can be taken and action that will promote the safety of our country and the well-being of our people.

Will it be asking too much of you to publish this letter in your valuable paper in order that your readers may know in detail my position? And if there is anyone who has fault to find or has any suggestion that he desires to make I shall be very glad to hear from him.

With highest esteem, believe me to be,

Most sincerely, yours, W. L. JONES.

P. S.—I have taken the liberty of sending a copy of this letter to some of the papers of the State.

W. L. J.

Mr. JONES. This suggestion seemed to be surprising to some of my good friends. They seemed to think that only one meaning could be put to the word "preparedness." For the benefit of those who think the word "preparedness" may mean only one thing I will give the words of some of the experts:

Gen. Bliss says—and I quote him in full, because he discusses this matter so clearly and succinctly from almost every angle and suggests the various questions that come to a man who is trying to consider this question fully and arrive at a wise conclusion:

Finally, there is one other matter on which I do not think too much light can be thrown—it is a blind subject at the best—with a view to clearing the approaches to the determination of the question, as far as they can be cleared, of what constitutes adequacy in any policy or plan that may be proposed to you. The question has already been asked in this committee, "Do you believe that this or that plan is adequate?" I do not know of any more difficult question to accurately answer. It is not susceptible of mathematical demonstration. It is a matter of opinion, and the most that can be said in advance of the event is that that opinion is probably the soundest which is supported by apparently the soundest reasons. Every day in the war now going on in Europe the lives and limbs of thousands of men are staked, as though on the throw of dice, on this question. Every day at some place or another the commander of some force, large or small, advances to an attack in the execution of a plan which he must be supposed to believe to be adequate for his ultimate purpose. He determines as accurately as he can the number of his opponents, the strength of their position, the power of their artillery, and other adjuncts of the defense, the probable amount of their ammunition, the courage and tenacity of their men as previously demonstrated in his own experience or in that of others communicated to him. With all of these assumptions in mind he gathers what he believes to be the necessary force of his own; he brings up his reserves; he perhaps borrows artillery and reserve ammunition from troops on his right and left. Meanwhile the commander of the defense, with more or less knowledge of what his opponent is contemplating, makes his own assumptions and corresponding plans. The commanders are of equal intelligence. They are assisted by equally intelligent staffs. Each knows that the lives of his men, his own reputation, possibly the very life of his nation, depends upon the adequacy of his plans. Every human available agency has been employed to guarantee that adequacy. You and I, with the complete foreknowledge of these plans and of the means for executing them, may be unable to pick a flaw in either of them; each plan is apparently perfect. Yet it is a foregone conclusion that the event can not be a draw. Either the attack or the defense must win. And a few hours after the execution of the two plans has begun the event, with its terrible loss to both sides, will prove that one plan is adequate and the other inadequate.

Whenever, at the present time, you hear a group of men hotly discussing the question as to whether a certain proposed plan for national defense is adequate or inadequate, you will find latent in the mind of each one a different idea as to what the plan is intended to accomplish. Perhaps the plan calls for 500,000 trained men to be available at the end of three years. Another attacks it, and you will find perhaps that his underlying reason is that he does not believe we can await three years for such a force. Another, who attacks it on the ground of inadequacy, does so because he believes a force of 350,000 or 400,000 fully equipped enemy troops may be landed at some point on either of our coasts within 15 days from an unknown initial point of time, and that therefore our proposed force can not be assembled for resistance in time. The one who proposes the plan assumes that such a force would not attempt to leave the enemy's country until our naval force was driven from the seas and that this, even if possible, would require a minimum of six months. One man attacks the plan because he assumes that the enemy can not be held off long enough to permit us to raise and train the great citizen army which he assumes to be necessary for final success; another man defends it because he believes that the enemy, which he assumes, could be held off for a sufficient time for that purpose. One man proposes a plan and maintains its adequacy because he assumes that we will be attacked by only one certain enemy; another attacks it for its inadequacy because he assumes a coalition against us of several powers. One man assumes an attack by a great naval power with a small army, and another assumes an attack for a great military power with a small navy. One man makes a plan believed to be adequate for the defense of an important outlying possession on the assumption that our Navy will arrive within six weeks to drive away the attacking naval force; another assumes that our Navy can not arrive till the lapse of six months, and declares the plan inadequate. The best any nation can do and the most nearly it can come to guaranteeing the adequacy of its plans for defense would be to prepare to the extent of its ability for any contingency. Nothing but the most rare physical combination of circumstances, as shown in the geographical relation of such a nation to not only its possible but its probable and even almost certain enemies on all sides of it, would justify such a course. Nothing would justify it except the certainty that its very life depends upon it and that it must take its choice between that course or voluntary suicide. As for us, I think we are justified in accepting the adequacy of any plan, to be carried out in time of peace, which gives reasonable hope that it will hold off whatever enemy we assume as probable and as the most probable long enough for us to organize the resources of the country, after war threatens, to such a degree as will reasonably assure our ultimate success. In other words, it is a plan which confines, as far as possible, the burden of war to the time of war. In such a plan the Regular Army and the Organized Militia and the trained citizen army will have well, and equally well, performed their part if they loyally work together to bring about this result.

Congressman KAHN, a member of the Military Affairs Committee of the House, and who may be considered an expert, said while Miss Jane Addams was discussing the question of preparation before that committee:

Mark you, I have a great deal of respect for what you have said, and while I hope we may never have any war, I do believe that this country ought to be prepared. How far it ought to be prepared is a question. How far we ought to go is a matter of discussion.

Gen. Miles's qualifications as an expert can not be questioned by anybody. Gen. Miles says:

The word "preparedness," which is heralded from one end of the country to the other, implies nothing. It may be extravagant or inefficient.

This testimony was given February 8th and long after I wrote my letter in which I said substantially the same thing, and I congratulate myself that my ideas are so much in line with those of real expert knowledge.

The President recommended an increase in the standing army. Why? To meet an immediate danger or an emergency likely to be met at the close of the war? No. This increase is solely for peace and peace duties. In his message of December 7, 1915, he said:

We will not maintain a standing army except for uses which are as necessary in times of peace as in times of war.

Referring to the additions which he proposed, said:

These are the additions necessary to render the Army adequate for its present duties.

Mr. SMITH of Michigan. From what is the Senator quoting?

Mr. JONES. From the President's message of December 7, 1915, when he got nervous and excited.

It is perfectly clear that the President did not recommend any additions to the standing army for the purposes of war. It is recommended as a permanent increase and as necessary solely in times of peace. He reiterated this in many of his speeches on the famous trip he made some time ago. At Pittsburgh he said:

We do not intend—we never intend—to have a standing army greater than is necessary for the ordinary uses of peace.

At Chicago he said:

The increase in the Regular Army that is being proposed to the present Congress is intended only to bring the Regular Army up to an adequate peace establishment.

It is not to meet an emergency. It is not to meet a sudden danger. It is not to meet an attack. It is a permanent system for peace duties.

In Kansas City he said:

And now, if you please, because I am asking the Congress to give the Government an army adequate to the uses of peace, to the uses of the moment, some gentlemen go about and prate of Military Establishment.

I am sure the people did not understand the President's position. They thought the President was urging preparation to meet danger rather than to discharge the duties of peace. Nothing had appeared showing needed enlargement of our Regular Army for purely peace purposes and domestic duties. We have maintained order in the Philippines, guarded the Panama Canal, maintained details at Nicaragua and over in Haiti, and for three years maintained a patrol along the border between this country and Mexico without any increase in the standing army and without any request from the President for any such increase. Why, then, do we need an increase for purely peace purposes? We are not a troublous, riotous people, and if we do not need a standing army for any other than peace purposes we do not need any very great increase for peace purposes. I am, however, willing to accept the judgment of our experts as to our needs for peace, and if they deem an increase necessary I am willing to vote for it. I am sure we should have some increase to man our coast defenses, and the Mexican situation justifies the increase proposed in this bill. I shall refer to that a little bit later.

The President has been heralded as a convert to preparedness. He admitted it himself, and yet the plan which he submitted and urges is not a preparedness program at all which will meet any entanglement or emergency at the same time arising out of the present war. He has again shown his wonderful facility in riding two horses going in opposite directions. He leads the shouting hosts of preparedness and at the same time stands upon a program of peace. He is simply taking advantage of the excitement to secure what the military authorities have not been able to secure in times past. Secretary Garrison frankly expressed the real purpose of this program now and the reasons why there is hope of success. He was asked by Senator SHEPPARD a few questions, to which he gave very frank answers:

Senator SHEPPARD. If there had been no European war, would these suggestions which you have just gone through with have been made at all?

Secretary GARRISON. Oh, my, yes. They have been made from Gen. Washington on down. There never has been any student of military affairs in this country, who has not tried to get a national military system based upon national force. They have all realized that we are building and continuing a situation founded upon quicksand.

Senator SHEPPARD. Has not the European war created a public sentiment in this country?

Secretary GARRISON. Oh, yes; that is the valuable thing that has happened to this country, if anything valuable has come out of that tragedy.

Senator SHEPPARD. That is what I want to get at. What is the relation of the European war to the question of preparedness?

Secretary GARRISON. The relation is that it has concentrated public opinion for the first time almost in the lifetime of those who are now living so that the public will accept and will listen and will be gratified by any wise, sensible settlement of the subject, because they are thinking about it.

Senator SHEPPARD. Has not the fact that nothing has been done in that direction up to date been due to the fact that public opinion had not been sufficiently awakened?

Secretary GARRISON. I think there is no doubt of that. I do not think you will find, Senator SHEPPARD, enough disagreement to make it worth while considering between the treatment of this subject from the military standpoint at any time in our history by the people who have studied it, mutatus matandis, the changed situation of the country as to population, and things of that sort, which are necessary changes; but, excepting for that, the conclusions are singularly identical. Of course the state of the public mind has everything to do with what was accomplished, and the opportunity that this Congress has to accomplish something is just because of what we are speaking of, namely, that public attention is absolutely concentrated upon this and that the President of the United States, voicing the sentiment of the Nation, has laid it before Congress as the one primary, exclusive subject for their immediate consideration.

In other words, Mr. President, the military authorities and the administration are taking advantage of the war and the excitement and fear produced by it to establish a military system, not to meet any emergency or danger growing out of present conditions but to meet a possible contingency that may arise some time, somehow, in the future. They are taking advantage of this excitement to fasten a system and a burden upon the people which they would not assume under ordinary normal conditions. It is for this purpose the President has forsaken the "clear, definite, and steadfast" judgment which he had in 1914 upon the question of national defense. It is for this purpose that he left Washington City while Congress was in session and made a tour throughout the East and out to the Middle West, exciting the people and filling them with fears of national conflagrations and disturbances. If we work it out well, well and good, but the people should not understand that we are preparing to meet an emergency or a danger that is likely to confront us at the close of this war.

I am not saying that we ought not to overhaul our military system. I am not saying that we ought not to have a reorganization of our military force. I am not saying that we ought not to have an increase in it; but I am simply calling attention to the fact that what is proposed is not proposed as an emergency proposition or to meet any feared danger, but is a permanent system, and intended to be such, and not being inaugurated under the influence of fear and "war's alarms."

The action of the President is peculiar, strange, unusual, and unprecedented. Never before has a President gone out while Congress was in session in a campaign in behalf of a public sentiment for proposed legislation.

After declaring to Congress on December 8, 1914, that there were some people who were "nervous and excited," but that there were very few of such people, and that we expected to go on in the even tenor of our ways, the President himself finally became "nervous and excited." He in effect admitted this himself. After his message of December 7, 1915, he watched to see if the people became duly excited or not. They did not seem to come up to his expectations, and, with the fervor and zeal of a new convert, he left his duties at Washington City and took a tour through the East and away out through the Middle West in order to impress the people with the new cause which he had so suddenly espoused. While telling the people that he did not wish to excite them, but that it was his desire to quiet their judgment. He said in his speech at Kansas City:

I do not wish you to be any more excited than I am.

That is it. He became excited and nervous, and he simply wanted the rest of the people to become excited and nervous also.

These speeches are wonderful productions. The more they are studied the more remarkable they appear. They are inconsistent from beginning to end. Professing to be nonpartisan, the spirit of partisanship appears all through them, and the constant reference to nonpartisanship shows the President to be fully conscious of the partisan spirit of the trip and the speeches. Self-gratification and self-glorification are so apparent as to be repellant. He seems to fear that the people would not appreciate him, and he wants to show them that they ought to do so. He fears that they will not realize the tremendous burden that he is bearing, and so he must call them to their attention over and over again. He fears that they will not sympathize with his anxiety, and so he must seek their pity. In one sentence he urges them to peace and in the next he excites to war. In one breath he tells them there is no danger, in the next he warns of terrible conflagrations which may come immediately. He points out the necessity for immediate preparation and then proposes a plan which will take years to bring to any state of perfection. These speeches show the visionary, uncertain, hesitating, vacillating, hit-or-miss policy of the entire administration and its Micawberlike way of looking and hoping for something to turn up to help us out of difficulties. Above all, however, he wanted to impress upon the people that "I have kept you out of war," when they have not been trying to get into war, and their only fear is that they may be led into war.

In his speech at New York City before the Railway Business Association, he said:

Nobody seriously supposes generally that the United States needs to fear an invasion of its own territory.

This must have sounded strangely to those who have hailed the President as a convert to and a leader of the cause of preparedness as generally understood. I commend this statement to the thoughtful consideration of those who see navies demolishing our cities and armies quartered upon our homes. The President surely did not make that statement without knowledge. He surely did not make that statement without considering the expert advice which he has. It is all available to him, both naval and military, and that must be the final conclusion reached by them, or the President would not have made this statement. Keep it in mind when you hear his pleadings for armies of trained men. If we are not to be invaded what use are we to put these men to? Are we to invade other countries? Is that what our military training is to be for? The people of this country may be for military training; they may be for military preparation, but they are not for offensive warfare. Of course, if we were to get into war with Mexico, we would expect to invade her territory. Is that what the President has in mind? If we are to get into war with South American countries we would invade their territory. Is that what the President has in mind? If we should war with Great Britain, of course we would promptly invade her territory. Is that what the President has in mind? I think not. I believe that he, in this sentence, states exactly what he believes and what the great majority of the experts believe, and that is that the United States need have no fear of an invasion of its own territory by any power on earth. In this address he said:

What I am trying to impress upon you now is that the circumstances of the world to-day are not what they were yesterday, or even were in any of our yesterdays, and it is not certain what they will be to-morrow. I can not tell you what the international relations of this country will be to-morrow, and I use the word literally; and I would not dare keep silent and let the country suppose that to-morrow was certain to be as bright as to-day.

There is no information given here except what everybody already knows, but coming from the President under the circumstances, it was very suggestive of danger. And it is suggested that this danger is becoming more imminent each day, but what does the President propose to do? He says:

We ought to have in this country a great system of industrial and vocational education under Federal guidance, and with Federal aid from which a very large percentage of the youth of this country will be given training in the skillful use and application of the principles of science in manufacture and business, and it will be perfectly feasible and highly desirable to add to that and combine with it such a training in the mechanism and care and use of arms, in the sanitation of camps in the simpler forms of maneuver and organization as will make these same men at one and the same time industrially efficient and immediately serviceable for national defense.

That this is very desirable legislation no one doubts; it is wise preparation, but it is not a preparation adequate to meet an immediate situation in the country which is getting darker every day. It will take years to accomplish in any measurable degree these things, and surely will not meet an emergency. This is legislation which we have been urging for some time and should have regardless of threatened dangers, and what a Republican Senate and a Republican President sought to pass, but which was defeated by a Democratic House. In this same speech the President said:

What I am after, and what every American ought to insist upon, is a body of at least a half million trained citizens, who will serve under conditions of danger as an immediately available national reserve.

I will show later on how he expects them to become immediately available and what he means by this suggestion. If he means what he actually says, he should ask Congress for authority to call for 500,000 volunteers at once to serve until the dangers which he has in mind pass away. Let us enlist them immediately, begin their training, that they will be ready and available in case a dark day comes while this contest is on when they are needed. If there is the danger which he hints at, this is the only way to meet it and the only way to prepare for it, and if the President should say to Congress that he believes such a danger is imminent and such a force needed, Congress would respond unanimously.

In his speech at Pittsburgh he said:

We are not going to be stalked and daunted by ghosts or fancies.

He was then referring to the fears expressed by some with reference to the plan which he proposes, fears which I do not

entertain, because if there ever was a harmless, inefficient, inadequate, and useless proposal suggested to prepare us to meet an emergency or an absolutely inefficient means of defense or offense, none could compare with that proposed by the President. He recognizes the delay and inefficiency of the suggestion made with reference to education, and he says:

But we have to create the schools and develop the schools to do these things.

And now he gives hint that it is necessary for a more urgent preparation by saying:

And we can not at present wait for this slow process. We must get at once to the task of training a very considerable body of men to the use of arms and the life of camps.

That must have suggested to his hearers the presence of danger and the necessity of prompt preparation to meet it. He did not suggest, however, that these men were to be called on immediately. He suggested that this would be done by having the young men who are employed throughout the country volunteer to take up training, and that their volunteering would depend largely upon the willingness of their employers to see that no obstacle was put in their way—a very uncertain method, to say the least, of securing a well-trained fighting force which must be had "at once." Again he said:

I want you to realize just what is happening, not in America but in the rest of the world. It is very hard to describe it briefly. It is very hard to describe it in quiet phrases. The world is on fire and there is tinder everywhere, and sparks are liable to drop anywhere and somewhere there may be material which we can not prevent from bursting into flame.

These are significant words. Coming from the President they are doubly significant. They could have but one effect upon his hearers. They signify immediate, probable, and great danger. They would excite fear and arouse apprehension. What would be the natural impulse under such a condition of things? Immediate preparation to meet an immediate and impelling danger. If your house were threatened in this way, you would not talk for days and weeks and years of getting ready to meet it. You would begin immediately to form bucket brigades and station them at danger points and be ready to extinguish any spark that might threaten. Again he says:

I must tell you that the dangers are infinite and constant. I should feel that I was guilty of an unpardonable omission if I did not go out and tell my fellow countrymen that new circumstances have arisen which make it absolutely necessary that this country should prepare herself, not for war, not for anything that smacks in the least of aggression, but for adequate national defense.

What does he mean? Are we to be embroiled in this conflict? If so, does not that mean war, and is not that what any immediate preparation is for? Are we threatened with attack? If not, are we going to attack some one? Not at all. He has no real danger in mind. He just wants to get the people to do this, and this is what he is really out for:

I want you to make yourselves vocal. I want you to feel that everyone who comes within earshot of it knows that you are a partisan for the adequate preparation of the United States for national defense. I come to ask you not merely to go home and say, "The President seems to be a good fellow and to mean what he says"; I want you to go home determined that within the whole circle of your influence the President, not as a partisan but as a representative of the national honor, shall be backed up by the whole force that is in the Nation.

In his speech at Pittsburgh, at the overflow meeting at the Soldiers' Memorial Hall, the President said:

Nobody doubts, given time enough, we can assert any amount of force that may be necessary, but when the world is on fire how much time can you afford to take to be ready? When you know that there is combustible materials in the life of the world and in your own national life, and that the sky is full of floating sparks from a great conflagration, are you going to sit down and say it will be time when the fire begins to do something about it? I do not believe that the fire is going to begin, but I would be surer of it if we were ready for the fire. And I want to come as your responsible servant and tell you this, that we do not control the fire. We are under the influences of it, but we are not at the sources of it. We are where it, at any time, may affect us, and yet we can not govern its spread and progress.

Then he says:

If I am to maintain the honor of the United States, and it should be necessary to exert the force of the United States in order to do it, have you made the force ready? You know that you have not. * * * I want every man and woman of you to stand behind me in pressing a reasonable plan for national defense.

The President does not maintain the honor of the United States. He may assert its rights and the rights of its citizens, but the people themselves must maintain its honor. They are the final judges as to when its honor is impeached, and they must bear the burdens, suffer the sacrifices, and fight the battles necessary to maintain its honor. There need be no fear but that the people of this country will maintain the honor of the Nation with every drop of blood that flows in their veins; but they have reserved to themselves the right to determine when that honor is invaded, and they will not permit the national honor to be the shield of greed, commercialism, or individual self-gratification. If the honor of the Nation is threatened, if there is immediate danger to it, let the President say so and tell us what it is and what is needed, and the people will respond promptly. The President says that he is not going to expound any particular plan, but—

The important part is that it is imperatively necessary that we should have a plan, have it early, and put it into execution at the earliest possible moment, by which we will have a great reserve of men sufficiently trained for any kind of military service and ready when they are called on.

Then he says:

And the facts of the world are such that it is my duty to counsel my fellow citizens that preparation for defense can not any longer be postponed.

How does this suggestion and this language compare with the plan which he proposes, which, as will appear a little later, is to take a hundred thousand, or a little more, men a year and train them two or three months of each year for about three years? How can such a plan, even if it could be carried out, prepare us to meet the conflagration, or put out the sparks, or face the immediate dangers that confront us in connection with this world conflagration? Does not it look like the President is trying to scare the people into doing something that they could not be gotten to do in a normal state? Does not it look like the President is trying to do just what Secretary Garrison frankly said is necessary? Then he said:

And so, my fellow citizens, what I am pleading for with the utmost confidence is the revival of that great spirit of patriotism for which a hall like this stands as a symbol.

Mr. President, there need be no fear about the spirit of patriotism dying in the hearts of our people. If that is what the President fears, he does not understand our people as he ought to understand them. If that is the danger that he fears; if that is what is making the days get darker and darker, then he should cease worrying.

In his speech at Cleveland, Ohio, the President said:

All the world outside of America is on fire.

That must have had anything but a calming effect upon the minds of the people of Cleveland. Referring to America, he said:

She not only, therefore, must play her part in keeping this conflagration from spreading to the people of the United States, she must also keep this conflagration from spreading on this side of the sea.

He followed this fear-inspiring statement with this suggestion as to how it should be met:

What we want is to associate in the training with the Army of the United States men who will volunteer for a sufficient length of time every year to get a rudimentary acquaintance with arms, a rudimentary skill in handling them, a rudimentary acquainance with camp life, a rudimentary acquaintance with military drill and discipline, and we ought to see to it that we have men of that sort in sufficient number to constitute an initial army when we need an army for the defense of the country.

This suggestion would have rather a sedative effect; no suggestion as to there being any immediate need for these men, and it is further suggested that they start out only with a rudimentary acquaintance of arms, rudimentary skill in handling them, and rudimentary acquaintance of camp life. This certainly would not be a force of the character to meet a conflagration started on this side of the sea from that now going on in Europe, or to meet the trained veterans of any nation.

After referring to the National Guard, and apparently thinking that the minds of his hearers had calmed a little bit, he said:

We are interested in making certain that there are men all over the United States prepared, equipped, and ready to go out at the call of the National Government upon the shortest possible notice.

This is a little different from the suggestion above.

He then continues:

You will ask me, "Why do you say the shortest possible notice?" Because, gentlemen, let me tell you very solemnly you can not afford to postpone this thing. I do not know what a single day may bring forth. I do not wish to leave you with the impression that I am thinking of some particular danger; I merely want to leave you with this solemn impression, that I know we are daily treading amidst the most intricate dangers, and that the dangers we are treading amongst are not of our making and are not under our control, and that no man in the United States knows what a single week or a single day or a single hour may bring forth. These are solemn things to say to you, but I would be unworthy of my office if I did not come out and tell you with absolute frankness just what I understand the situation to be.

Mr. President, if the President of the United States meant what he said and meant to convey the impression which his words would necessarily convey, he does not do his duty if he does not come to Congress and tell us that any day may bring to us tremendous dangers and involve us in the conflagration which is now raging across the sea, and urge us to prepare immediately to meet such a danger. He does not. He only refers in a general way in this address to the Cleveland people to his desire for men drilled only a sufficient length of time

during the year to give them a rudimentary acquaintance with arms, camp life, military drill, and discipline. The whole purpose of the speech seemed to be to arouse them to bring influence to bear upon Congress not for immediate preparation, not for effective preparation, not for preparation to meet an immediate danger, but to enact into law the suggestion which he has made for a permanent system for the future, and to do something that the people of the United States would not do under normal times and would not have thought of doing except for this war in Europe, and which is not intended, in fact, to meet any crisis growing out of the war in Europe, but which he hopes may cause those urging preparedness to think that their demands have been met.

In his speech at Milwaukee he said to his audience:

I want at the outset to remove a misapprehension that I fear may exist in your mind. There is no sudden crisis; nothing new has happened; I am not out upon this errand because of any unexpected situation.

He ended by saying that they must not think that something extraordinary had happened, or was about to happen, to compel him to leave his position in Washington City while Congress was in session. He no doubt knew that they had read his statement made at previous meetings, and he seemed to want to calm their minds: but when he has about brought peace to them, note this disquieting suggestion:

I have come to confer with you upon a matter upon which it would, in any circumstances, be necessary for us to confer when all the rest of the world is on fire and our own house is not fireproof. Everywhere the atmosphere of the world is thrilling with a passion of the disturbance such as the world has never seen before, and it is wise, in the words just uttered by your chairman, that we should see that our own house is set in order and that everything is done to make certain that we shall not suffer by the general conflagration.

It is easily understood what effect such a suggestion would have upon his hearers. There would be no thought of delay in setting our house in order. They would want prompt and immediate action and they would naturally think that was what the President wanted. Did he proceed to tell them that he proposed to call out at once a sufficient force and prepare it to put our house in order and make it fireproof, in order that we might not suffer from this conflagration? Not at all.

After some beautiful expressions calculated to do away with the sharp attack made in his annual message upon hyphenated Americans, and after calling attention to the fact that the honor of the United States must be maintained, and feeling, perhaps, that they had gotten into a little too peaceful frame of mind, he said:

Therefore there may at any moment come a time when I can not preserve both the honor and the peace of the United States. Do not expect of me an impossible and contradictory thing, but stand ready and insistent that everybody who represents you should stand ready to provide the necessary means for maintaining the honor of the United States.

Of course, they would do that. Everybody is in favor of maintaining the national honor, and he may have no fear that our people would not do it, and they are ready to furnish him any time anything necessary to do it. He says this may be necessary "at any moment." If so, why delay? Why spread preparation over three, four, or five years? He then very beautifully expresses his confidence in our people and his desires to have competent men to protect us, and points out what a small thing he is asking of our people. He probably thinks he has the people in too quiet a frame of mind to leave them, so he says:

We are working out American principles a little faster, because American pulses are beating a little faster, because the world is in a whirl, because there are incalculable elements of trouble abroad which we can not control or alter. I would be a derelict to the duty which you have laid upon me if I did not tell you that it was absolutely necessary to carry out our principles in this matter now and at once.

At Chicago he said:

Another year has been added and now no man can confidently say whether the United States will be drawn into the struggle or not.

Contrast this with his statement of only a short time before:

No one seriously thinks that the United States is to be invaded.

If that is true and we are likely to be drawn into this struggle, how is it to be? None of these nations now at war will come over here. Are we to go over there? Must we prepare to invade them? Is that what we are preparing for? Must we send our soldiers to die in the trenches and on the battle fields of Europe? Must our naval ships act as convoys for foreign merchantmen? Our people will not volunteer with any alacrity to do that. Neither our safety nor our honor can be involved in any undertaking of this character. If, however, we are in danger of being drawn in by no preparation and can avoid it, let us make whatever preparation is necessary to accomplish that very desirable end. It will be money well spent.

After discussing in a very beautiful way the high ideals of our people and our Government and the means which we have to protect ourselves, and of the pledges which we have made back of the Monroe doctrine, and of the drawing together of the Americas upon the handsome principle of reciprocal response and reciprocal defense, he says:

When I speak of preparation for national defense I am speaking of something intangible and visionary; I am looking at a vision of the mind.

What do the people think he means? This is what he says he means:

When I speak of preparation for national defense I am speaking of something intangible and visionary; I am looking at a vision of the mind.

Is it possible that all his warnings of conflagrations and dangers from across the sea and all the suggestions that we should have not only an increase in the standing Army and added efficiency to the National Guards, but that we should have an additional force of four or five hundred thousand men with rudimentary training is all intangible and visionary? Is all this a mere vision of his mind? That seems to be his idea of it. What kind of people did he think he was talking to in Chicago? He seemed to think they required a different sort of treatment from those in Cleveland and the other places that he had visited. What is the danger that he has been looking at? What is the danger that he expects to come to our people and to our country? He says, referring to America:

There is no immediate prospect that her material interests may be seriously affected, but there is constant danger, every day of the week, that her spiritual interests may suffer serious affront, and it is in order that they may be safeguarded, in order that America may show that the old conceptions of liberty are ready to translate themselves in her hands into conceptions and manifestations of power at any time that it is necessary so to transform them, that we must make ourselves ready. * * * I came merely in order that you might understand the spirit in which they are proposed, and also receive from my lips the assurance of the absolute necessity that they should be done thoroughly and done very soon.

That seemed to be all that he thought necessary to suggest to the people of Chicago.

At Des Moines he was very careful on the start to caution the people against excitement, and assured them that—

* * * It would be easy, if I permitted myself to do so, to draw a picture of the present situation of the world which would deeply stir your feelings and perhaps deeply excite your apprehension, but I would not think that it was right for your Chief Magistrate to speak any word of excitement whatever.

Having thus calmed them in an up-to-date Mark Antony way, and after referring to those preaching the doctrine of peace and the mistakes of out-and-out pacifists, he says:

I have come to tell you that there is danger to our national life from what other nations may do. * * * My fellow citizens, you may be called upon any day to stand behind me to maintain the honor of the United States.

What a shock this must have been to their pacified feelings and in what a bewildered state of mind these people must have gone away from the meeting. They must have wondered what their President meant, and it must have been difficult for them to reconcile his statements. I shall not try to do it, but I ask you to compare his statement at Des Moines with his statement at Topeka.

Among his first sentences were these:

You will ask me, "Is there some new crisis that has arisen?" I answer, "No; there is no special, new, critical situation which I have to discuss with you; but I want you to understand that the situation every day of the year is critical while this great contest continues in Europe."

And again:

It is easy to take fire where everything is hot. It is easy to start a flame when the air is full of floating sparks of a great conflagration. We have got to be on our guard, and it has been our hourly and daily anxiety in Washington to see that the exposed tinder was covered up and sparks were prevented from falling where there were magazines.

That looks serious; that could have but one meaning to the people to whom he was speaking, and their thoughts at once would go to war and the dangers of war, and the necessity of immediate and adequate preparedness to meet these hourly and daily threatening dangers. He evidently feared that they would get the idea that he wanted adequate preparation in the way of forces, either artillery or naval, to meet such a situation, and so to disabuse their minds of any such idea as that he says:

Why, of course, there are some men going about proposing great military establishments for America, but you have not heard anybody connected with the administration who did. You have not heard anybody in a responsible position who could carry his plan out who did. * * * Nobody in authority, nobody in a position to lead the policy of the country, has proposed great military armaments. * * *

If the dangers, however, are such as he would apparently have the people believe, the only adequate preparation would be an immediate great military force.

At Kansas City, after referring to what he had been doing, and what he thought the people expected him to do, and after referring to what force might be behind him, he says:

There may come a time—I pray God it may never come, but it may, in spite of everything we do, come upon us and come of a sudden—when I shall have to ask: "I have had my say; who stands back of me? Where is the force by which the majesty and right of the United States are to be maintained and asserted?" I take it that there may in your own conviction come a time when that might and force must be vindicated and asserted. You are not willing that what your Government says should be ignored.

If he thinks this, why does he not call for a force that will be ready and trained? Why does he not begin to train men to answer the call that he may protect us at any time? If those dangers confront us, this country can not afford to delay. From whence does he expect danger? There is no source except from the conflagration in Europe. Any force he may call for would be furnished. He must not forget that he is not all the Government of the United States. While our people are not willing that the decisions of our Government and its demands should be ignored, they want these decisions and these demands to be made by the Government and not by any one individual. After referring to the condition of our Navy and our Army for the first time does he say definitely what he is asking for in order to meet the great dangers which he has pointed out and suggested. No wonder he said that it is but a small thing that is proposed. No wonder he says that "It seems almost ridiculous to state how little the present administration is asking for." This is what he proposes to maintain the honor of the United States, to meet the trained armies of Europe, and to make fireproof our Nation against the sparks of the conflagration across the water:

It is asking that 500,000 men be asked to volunteer to take a little training every year for three years, not more than two or three months out of the year. * * * That is all that we are asking for at the present time. * * *

And that is all he is trying to scare the people into forcing Congress to enact.

Mr. SMITH of Michigan. And with the sparks flying all around.

Mr. JONES. Surely; and with tinder exposed, and our houses not fireproof.

Mr. President, if there is the danger which the President would have us think exists, that plan of defense which he suggests is absolutely ridiculous, and if there is no danger it is wholly unnecessary. What would he have us really believe? Does he really think there is any danger, or is he in fact having "visions"? After suggesting to these people this ridiculous plan of preparation and after pointing out to them the necessity for coordinating our material resources, and apparently thinking they will not be very much worked up and not very much interested in his plan, he says:

Did you ever hear more momentous things spoken of than these? * * * But suppose some morning I would have to turn to you and say: "Fellow citizens, I have done as much as I can; now I must ask you to back me up with the force of the Nation."

Of course there would be but one response to that request. We would have the whole Nation back of him; but he would not have very much of his prepared force through the plan which he suggests, and now he really discloses for the first time what he has really made his trip for. What is it? It has been to create a sentiment to compel Congress to enact legislation which he proposes, however inadequate or inefficient it may be. This is why he made the trip:

But there are times when I must come out and say, "Do not let the voice be too small and too still," when I must come out and say, "Fellow citizens, get up on your hind legs and talk and tell the people who represent you, wherever they are—in your State capital or in your National Capital—what it is the Nation desires and demands."

Thus in classic language does the President of the United States disclose the real purpose of his trip. He is "excited and nervous," and he wants to excite them:

I am anxious, my fellow citizens, that you should look at the hot stuff of war before you touch it; that you should be cool; that you should apply your hard business sense to the proposition, "Shall we be caught unawares and do a scientific job like tyros and ignoramuses or shall we be ready? Shall we know how to do it and when it is necessary to do it? Shall we do it to the queen's taste?" I know what the answer of America is, but I want it to be unmistakably uttered and I want it to be uttered now. Because, speaking with all solemnity, I assure you that there is not a day to be lost; not, understand me, because of any new or specially critical matter, but because I can not tell 24 hours at a time whether there is going to be trouble or not. * * * This month must not go by without something decisive done by the people of the United States by way of the preparation of the arms of self-vindication and defense.

And yet he proposes as a means of doing this the inadequate plan above outlined. For fear that he has gotten the people worked up a little bit too much he says:

I would be ashamed of myself if I tried to do anything but quiet your judgments. I do not wish you to be any more excited than I am.

At St. Louis, when he had about reached the close of his journey, and after assuring the people that he is one of the disciples of peace, he said:

But suppose that my neighbor's house was on fire and my roof is of combustible shingles, is it my fault if the fire eats into the wood, if the flame leaps from timber to timber? Is it my fault because I love peace and security that my doors are battered in and reckless men make light of the peace and security of my house? The danger is not from within, gentlemen, it is from without, and I am bound to tell you that that danger is constant and immediate.

If this is the situation, if this language properly conveys to us the conditions about us, how inadequate is his suggestion of preparation, and how can anyone reach any other conclusion than that the President is simply trying to arouse the people and bring a sentiment to bear upon Congress in favor of something under the guise of preparedness that is, in fact, no preparedness at all? It is hard to express what one really thinks of these various speeches of the President and of the many wholly inconsistent utterances and positions taken. They are hard to explain upon any theory whatever. I am inclined to think that he has given the best explanation himself when he says in the last speech which he made at St. Louis, when reference had been made to a speech which he had made there before. He says:

I was in hopes that you had forgotten it, because I had forgotten it myself until somebody unexpectedly produced a copy of it and cited opinions in it from some of which I had departed.

And here possibly is the explanation of the various inconsistencies in those different speeches, and now here possibly is the explanation of the various reasons why the President fell into these inconsistencies in these different speeches. He said:

It is just as well to shed your speeches as you go.

If anyone can find a series of speeches more inconsistent than those delivered by the President on this celebrated trip, it would be rare curiosity. If the subject were not so serious and momentous, his intellectual antics would be comical. He said he wanted to tell the people the facts, but he told them only two things which they did not know already. One was that he got his information about Mexico through talking with liars. He had talked with STONE, Lind, Hale, Bryan, and other Members of the House and Senate. All the other speeches were printed as a House Document, but this speech that was delivered in New York was not printed. I simply want to quote a little from it, so that it may be in the RECORD:

I found out what was going on in Mexico in a very singular way—by hearing a sufficiently large number of liars talk about it.

It is very tedious to hear men lie, particularly when you know they are lying. You feel like reminding them that really your time is important to you, and that you wish they would get down to business and tell you what is really so. But they don't. They want this adventure of their invention, they want to give an excursion to their minds before they get down to business. And what I particularly object to is a very able man with a lot of invention coming to me and lying to me, because then the interview is very tedious and long before we get down to business.

Mr. President, I never talked with the President about Mexico. [Laughter.] The other fact is that he deems it just as well to shed his speeches as he goes.

Now, Mr. President, I wish to return to the letter which I wrote my constituents, and I desire to notice some of the suggestions made in the answers received from them. In this connection I have some samples of those letters. I have, I think, three of each class, those for preparedness and those against; and I wish to print these letters in the RECORD as a part of my remarks, without the signatures. I know some of the men who wrote them; they are very high-class men on both sides of the question. One of them is a prominent engineer; another is one of the leading business men of Seattle; some of them are lawyers. There is nothing in the letters that reflects upon anybody, so far as that is concerned, and I ask that I may print these letters at the close of my remarks.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Without objection, it will be so ordered.

[The letters referred to will be found as an appendix to the remarks by Mr. JONES].

Mr. JONES. The answers which I received to my letters were very interesting and very instructive. Many valuable suggestions were made and much information given. They showed the viewpoint from which our citizens looked at the important question which is now pressed upon us, and I want to notice briefly some of the suggestions made by those who urged special and additional preparedness.

Many express the fear that some of the countries now at war would seek to attack us after peace has been arranged. They seem to think that these countries, or some of them, would start out as national outlaws or bandits to pillage, rob, and conquer us in order that they might recoup themselves for their losses in the war and that they would do this with the tacit approval or

understanding of their late antagonists. This is inconceivable to me.

I have heard the suggestion on this floor, coming from the honorable Senator from Mississippi [Mr. WILLIAMS], for whom I have the highest respect and regard, that after this war there will be a bullying of us by these nations, and that we should prepare for that. Well, if that is true, then we should make the most adequate preparation possible, and make it just as promptly as possible, because this war is going to close; it is not going to last forever; and if we are going to be bullied by these nations, if we have to meet a bullying nation, why, then, the sooner we begin to prepare for it effectively the better. I doubt that myself. In the ordinary acceptation the verb "to bully" means to go around and assert yourself without any justice or regard for anybody else. I do not think these nations are going to do that. That we shall have controversies with them there is not any question; but that they are going purposely to assert unjust and unfair claims I do not believe. They will have to be treated considerately, fairly, and justly. I believe that there is not a question that can arise between us and any of these countries after the war is closed that can not be settled upon the principles of justice and international morality; but if we are going to meet that situation, then we should prepare to meet it in an adequate and efficient way; and if the majority of the Senate believe that that is what is going to confront us, I will join in any preparation which is deemed essential to repel the bullying of any nation on the face of the earth.

No matter what we may think of this terrific struggle, the people engaged in it have been and are at the very forefront of the world's civilization. They may not have much regard now for the principles of national or international morality, but when peace comes they will plant themselves upon the fundamental principles of justice and morality. The worst in men and nations comes to the surface in war, but in peace the best will show itself again. These people, saddened, purified, chastened, and exhausted by the terrible ordeal through which they have passed, will take up the duties and responsibilities of peace gladly and again resume their place in the line of advancement of the world's civilization. They will have had enough of war, slaughter, and suffering, and least of all will they think of entering into a contest with a nation like this, from which they can not hope to emerge as conquerors. The idea that the winners of this contest would look with favor upon recoupment by the defeated from us, it seems to me, is contrary to experience and common sense. They would only endanger their own future peace and safety.

To the suggestion that it is probable that there will be several years of general peace after the close of the war those for preparedness said "No one can tell; why run any risk?" That is true; no one can tell for a certainty. We must act upon the probabilities or else assume that we should prepare for everything and for any possible emergency. This carried to its necessary conclusion would mean the turning of this country immediately into an armed camp; and this even is not urged by the experts, and those who suggest it do not appreciate what it means. If we are to act upon the proposition to meet any possible attack, then we would have to prepare to meet any possible combination of nations, and some even suggest that nations are apt to combine against us. England, France, Russia, Italy, Japan, and Portugal are now fighting together. Are they likely to attack us when the war is over? No one can be assured they will not. They may do it. Shall we prepare to meet such an attack? If so, what should we do? What would be needed? Millions and millions of men and hundreds of thousands of tons of battleships, submarines, torpedo boats, and battle cruisers would be necessary. Billions of dollars should be expended, and that as quickly as possible. Surely there is no one, however, who would think we would be justified in acting upon any such a suggestion. It would be ridiculous; but, when you begin to limit, where will you end? Should we prepare to meet an attack by England and Russia acting together? If so, we would have to prepare to whip England's Navy or expect Russia's millions to be landed on our shores and again have to expend billions for navies and armies.

They say the largest navy and a great standing army is an insurance against war and we should have that insurance, just as the wise man insures his house. No one insures against every possible contingency. Men have been killed and houses have been burned by lightning in my State, and yet the lightning-rod vendor would starve to death there and none of these people has any protection against lightning. Houses have been unroofed by storms, and yet no one has a cyclone cellar. We must take into account as a Nation as well as individually the probable course of events and govern ourselves as best we may thereby. There can be honest and patriotic differences of opinion as to the course to be pursued.

Some think that we should join with the allies. If that is desirable, we should do it openly, but as long as we pretend to be neutral we should be neutral in fact as well as in law. Our citizens have furnished supplies, ammunition, guns, flying machines, submarines, and everything else that is necessary to carry on war, including the loan of millions of our capital, to assist the allies. We have furnished them everything except men to fight with and we are even insisting that our citizens should furnish bulwarks for their ships against submarine attacks. Supplies are furnished by our producers under an agreement prohibiting them from selling to Germany and her allies and those seeking to trade with Germany, although they may be neutrals and have a right to do so, are to be treated as enemies and boycotted. No wonder it is given out that Secretary Lansing is going to insist on a more nearly impartial treatment of all belligerents.

Many urge compulsory military service. Much can be said in favor of this, which is more properly universal service. The military authorities are practically all for it, and the burdens of the proposed system will be so great as to cause the people to consider it seriously. The people of this country, however, are generally strongly against it, and it is useless to consider any such proposition now. Many suggest military training in our schools, while some oppose it. It seems to me great good would come from it, not only in the way of a rudimentary preparation to meet any emergency that might come upon us but also for the good that it would bring individually in the way of exercise, physical development, and training in obedience and of all those elements of character which not only make a good soldier but also make a good citizen.

Some fear that Japan will attack us. I am not one of those. Japan is not seeking trouble with us. She prides herself on her standing amongst the advanced nations of the world and is seeking a reputation for fair dealing and honorable conduct. The constant talk in this country of probable trouble with Japan is more conducive to trouble than anything else. The constant suggestions of war and of attack can have no other result than mistrust and suspicion, and if we keep on showing our fears they may conclude some of these days that we are afraid of them, and if we keep up our hinting of trouble and our intimation of treachery on their part they may conclude that we might just as well have it out as to be constantly confronted with the specter which some of our people are holding up. They have not done anything to show enmity or insincerity. We can point to no act of theirs which indicates that they are seeking trouble. They have most scrupulously kept the informal agreement made between the two Governments respecting immigration to this country—something that we could not expect of any civilized nation of Europe. If we treat them fairly, justly, and considerately, there is nothing in her conduct to warrant the belief that they will not respond in kind.

Controversies may come up between the two governments. They should be settled amicably. The controversies arising on the Pacific coast can be settled by the two countries with justice to each, and they will be settled if approached in the right spirit. If we make our war preparation on the theory of forcing demands upon Japan, we may expect her to resent it. If we enter into a race with her in military armaments we may expect her to strike at the most favorable opportunity, because she will know that in the end she can not keep up the race. It is ridiculous to contemplate war between this country with all its strength and power and a nation like Japan, 7,000 miles away. She knows what the outcome would be. All she asks of us is open dealing and honorable confidence. If we do not give it to her she will assert her sovereignty and her self-respect regardless of the consequences. Any nation, no matter how weak, no matter how small, will resent encroachments upon its sovereignty and its national integrity, even though it knows that defeat must come to it in the end. Let us keep our professions of good faith, meet her openly and considerately upon any question of difference that may arise and go on in our accustomed way, making such increase in our Army and Navy as we deem necessary under normal conditions, and as the leader of the world's nations in behalf of peace among men and depend upon the justice of our position for the consideration which one nation owes another, and which our potential greatness necessarily will bring to us and continue true to the ideals of the past and the traditions of the fathers.

Some fear that Germany will attack us when the war is over, whether she wins or loses. Some men of great education and learning are so warped in their predictions and so inflamed in mind that they see Germany defeated and becoming an outlaw nation, with the tacit approval of her conquerors coming over

against us to recoup herself out of our wealth for the losses which they have inflicted upon her. Why they should permit Germany to strengthen herself in this way is not explained. Such suggestions as these are almost unbelievable and are contrary to all human experience except under conditions of savagery. They are no more reasonable than to suppose that England is sinking some of her ships and laying the act onto Germany in order to involve us on the side of the allies.

The German people are as highly civilized, as purely motived, and have as lofty aspirations and ideals as any people on earth. They have made an advancement in the science of governmental cooperation for the benefit, improvement, and happiness of their people which is the admiration of the world and the model for other governments and peoples.

Their so-called militarism is largely the acme of perfection of those principles of thoroughness and cooperation which they have applied in every business and avocation and largely made necessary by the conditions surrounding them. There is nothing in the conduct of Germany in the past or in the present to warrant the opinion that she desires or will desire trouble with us. She has never before warred beyond Europe. Historically she has been our friend in every hour of need. Her sons led our warriors to victory in behalf of independence, and Herkimer, Von Steuben, Barth von Heer, and De Kalb live in song and story. In the hours of our greatest peril Sigel, Schurz, Rosecrans, Osterhaus, Heinzelman, and many others, with the thousands they led, shed luster upon our Army and reflected glory upon German bravery in behalf of the Union, when others were seeking to destroy it; and to-day from hundreds of thousands of hearthstones there is going out to German homes mystic chords of love and sympathy to hold to us the ancient friendship of that great country and people.

In the terrific contest now raging, in which she is fighting for her very existence, surrounded upon all sides by great and powerful enemies, she has shown in a most unmistakable way her desire to be at peace with us. We have treated her in a most harsh and arbitrary way. She has not insulted us. She has shown no disrespect for our flag; she has not knowingly attacked our citizens; she has not sought trouble with us; she has shown no disrespect for us. On the contrary, she has yielded to our demands almost to the extent of humiliation, and has greatly diminished the effectiveness of her one available instrument of naval warfare in order to meet the demands and respect an alleged international law based upon conditions and principles long since obsolete and wholly inapplicable to present methods and instruments of warfare; and if our contention regarding the use of the submarine is effectually maintained, we have deprived ourselves of the most effective instrument of warfare in our hands and in our defense that we have or can ever hope to have. Why do people fear that Germany will want to attack us? Some do not fear this so much, but they rather want us to join the allies in the attack on Germany. Some fear it because of an accusing conscience, realizing, as they do, the unneutrality, in fact, of the shipment of ammunition and the curtailment of submarine effectiveness. Germany, however, does not seriously deny the right of our citizens to sell munitions of war to the allies, and will not and can not make it a cause of difference between the two Governments. Our punishment will come through the impairment of our ideals of justice and real neutrality, which we know we have plainly violated in the interest of gain and profit. That such a course would cause resentment on the part of some of our own people as well as upon theirs is not strange. Under the actual circumstances their forbearance has been remarkable.

I do not say this as a friend of Germany. I have simply stated a fact which all of our people in after years will admit. We have reached a strange position in our public opinion. One can not take an absolutely neutral position without being charged with being a friend of Germany. Now, Mr. President, I am not for Germany in this contest; I am not for the allies in this contest; I am for the United States, and every act that I have done and every word that I have uttered, and every vote that I have cast has been solely in the interest of the United States. I may be mistaken in my judgment, but I want to do everything that I can to insure the safety and promote the welfare of the United States. I want to see her kept out of this great conflagration, not only in our own interest and the interest of our people, but also in the hope that she may not only assist in an honorable and lasting peace, but that she may take the lead in the world's civilization and in the promotion of happiness for all mankind when peace does come.

No, Mr. President; neither Germany nor Japan desires anything but peace and friendship with us. Neither can gain anything by war with us, but will lose much. Let us enter into no race with them for naval supremacy. What we do let us do in a normal, reasonable way, commensurate with our needs of defense, the assertion of our just rights, and the maintenance of our honor and dignity. I appeal, however, to our own citizens, to our own people here at home, to assist our Government and our administration in keeping out of this trouble. I appeal to individual citizens to keep themselves away from danger and away from danger zones that involve not only danger to them but danger to their country. If they have no regard for their own lives and for their own safety, I appeal to them to have some regard for the safety of our country. Granting that they have the right to do what some of them insist upon doing, I appeal to them not to exercise this right when to do so might involve the country in such terrible consequences.

These two great nations, however, are going to contest with us in the battle for the world's trade and for our own markets. In this contest they will tax to the utmost our ingenuity, our energy, our skill, our resources, and our commercial power. Governmental power will join with individual initiative and energy, unhampered by written constitutional restrictions, and meet us with the mobile resources of individual and Nation in every market place in the world. That is the contest we should be preparing for with every means at our command. This is the time to do it. It is worth while to awaken the people to this need; this is something to which Congress should give its most thoughtful attention at once.

Some of those who write me say that we should have greatly increased military preparation, so as to not have a repetition of our course toward Mexico, which they designate as disgraceful, vacillating, and fearful. Our course regarding Mexico has been one of colossal blunders since this administration came into power. I say this administration, because the preceding one recognized the de facto government, in accordance with international law, and although it is criticized for not recognizing Huerta, in my judgment it did the only proper thing under the circumstances. Huerta became the President of Mexico only about 10 days before Taft's term expired, and it was the proper and patriotic course for him to take to leave the determination of the course to be followed to the incoming administration, which would have to deal with any situation arising by virtue of the circumstances under which he was elevated to the Presidency, and it was proper to leave it to adopt its own policy. I am not excusing what may have been done under the preceding administration; but that, in my judgment, was the wise course to take, so far as that situation is concerned.

Our course since then has been fearful, vacillating, blundering, and ridiculous. This has not been, however, because of a lack of preparedness. It has not been because of a lack of an Army or a Navy. We made war on Mexico—or, rather, we made war on a man. Our Navy and our Army were sent to Mexico to secure a salute to our flag by a man whom we considered a reprobate and an assassin. His salute would have disgraced the flag; and yet we killed the citizens of Mexico, lost the lives of our own, bombarded their cities, and took possession of their territory. We seemed to be amply prepared to do this. No increase was needed, none was asked. No, Mr. President, our policy toward Mexico has not been the result of nonpreparedness. If we had had a million men trained to arms and a thousand battleships manned to the guards, our policy toward Mexico would have been the same. Again our armies are called out, our ammunition trains are started, all our supply facilities are put in operation, our standing Army is increased by 20,000 men and recruits are being sought all over the country, war drums are beating, munitions of war are being rushed to the front, aeroplanes are scouting here and there and yonder—all for what? To get another man, our erstwhile friend, in Mexico. In seeking Villa we have abandoned all the methods of civilized warfare and have returned to extreme savagery. We are shooting men indiscriminately. We are killing Mexicans, regardless of whether they belonged to the party that raided Columbus or not. We are not stopping to inquire whether any bandit we come upon was engaged in the slaughter at Columbus; we shoot them down, regardless of whether they were part of that band or not. This is one page in our country's history which hereafter we will wish to conceal. Chaos, anarchy, and lawlessness have existed in Mexico for three years. There has been no respect for property, person, or life.

The cries of humanity have come to us from millions of people suffering more than the people of Cuba did under Spanish rule. We did not heed the cries. We said, let them fight it out; it is no concern of ours how much Mexican blood they spill. It is no business of ours if helpless women and children are robbed, ravished, and murdered. Bands of Mexicans have been and are

roving about over Mexico at will without punishment or restraint from the alleged government which we have recognized. Constant firing across our border, the killing of American citizens, caused no action by our Government. One night one of these bands, apparently under the leadership of the man who we at one time took to our bosom and treated as the savior of Mexico and as our beloved ally against Huerta, raided one of our towns and burned its buildings and killed its citizens without restraint by the de facto government of Mexico. We did not say we would hold the recognized government responsible. And now, Mr. President, our armies are marching down through Mexico seeking this man. We have apparently no cooperation on the part of the local or recognized government there. I am told that when our soldiers are sick and dying they can not be brought back to this country over the railroad, but must be carried over, the best way they may, through sandy plains and through that parching climate. There is no cooperation on the part of the local government, so far as anybody can see. They are watching and laughing at us.

Now, Mr. President, was the time for action. This raid on Columbus was the culmination of the years of anarchy in Mexico. Then, in my judgment, it was that forbearance should have ceased; then we should have said that these things must stop and the condition of anarchy must be brought to an end. We should have stated plainly that we did not want any territory, but that we were going to see to it that order was established in Mexico and a government set up and then withdraw.

The National Guard should have been called out and 500,000 volunteers put into training. Instead of this, we again started our Army after a man. If we were determined not to establish law and order in Mexico, if all that was necessary to get Villa, instead of calling our Army and sending it on this wild-goose chase over the plains and through the mountains of Mexico to catch a murderer and bandit, at the cost of millions of dollars and hundreds of lives, and eventually intervention, we should have set some detective agency to work. They would have gotten him soon and get him more quickly and well. My judgment is that at that time we should have intervened in Mexico. We should have called out the necessary volunteer force to establish order, and this also would be the best national defense we could make against any possible danger from the conflagration across the sea. It would provide an ample trained force for any emergency that might arise at the close of this war, and it would also do away with the great danger of trouble for us with any of the European countries, and it would show to the countries of this continent that disorder and anarchy can not go on indefinitely, and also that we have no designs whatever on their territory. We are going to have to do this in the end. I have become convinced of it.

Our waiting has been beyond endurance and the time for temporizing is over. The sooner we recognize this the better for us and the better for Mexico. This would be the greatest guard against trouble, too, with European countries. The great danger of our getting embroiled with them at the close of this war comes from the situation in Mexico rather than from anywhere else. When they are at peace with each other they will insist upon protection in Mexico to their citizens, and if we do not afford it they will take it upon themselves to have it; and how can we object? We will have to bring order ourselves, or else abandon the Monroe doctrine and say to these nations we will not interfere with your action in behalf of your own people.

Another chapter has lately been added to our vacillating policy in Mexico and to the uncertainty of our position. It was heralded abroad when we increased our Army by 20,000 men in order that they might go into Mexico that our Army would go into Mexico to get Villa, that it would never come back until he was gotten.

The President said:

> An adequate force will be sent at once in pursuit of Villa with the single object of capturing him and putting a stop to his forays.
> This can and will be done in entirely friendly aid of the constituted authorities in Mexico and with scrupulous respect for the sovereignty of that Republic. (President Wilson's statement when troops were ordered into Mexico.)

What were the orders sent to our troops? These were the orders:

> These troops will be withdrawn to American territory as soon as the de facto government of Mexico is able to relieve them of this work.
> In any event, the work of these troops will be regarded as finished as soon as Villa's band or bands are known to be broken up. (Extract from orders sent Gen. Funston as officially announced to-day.)

The de facto government now claims that the bands are dispersed, and, according to the papers this morning, the de facto government of Mexico has demanded that our Army and our troops shall come out of Mexico. They claim that they are now ready to take care of the situation. Yet they are no more able to do it now than they were one, two, or three years ago.

Many say that we are not prepared to maintain the Monroe doctrine. The Monroe doctrine is not international law, but it is engrained in the spirit and ideals of this Republic. While the early basis for it has disappeared the people of the country would not consent to its abandonment. The President, however, practically repudiated it in his message of December 7, 1915, but because of the necessity of the cause which he now espouses with so much zeal he considers its maintenance supremely important. The basis of the Monroe doctrine is the safety of this country and its institutions. It was asserted in behalf of our self-interest and because of our self-interest, but the President said in his message of December 7, 1915:

> There was a time in the early days of our own great Nation and of the Republic fighting their way to independence in Central and South America when the Government of the United States looked upon itself as in some sort the guardian of the Republics to the south of her as against any encroachments or efforts at political control from the other side of the water * * *. But it was always difficult to maintain such a rôle without offense to the pride of the peoples whose freedom of action we sought to protect, and without provoking serious misconceptions of our motives, and every thoughtful man of affairs must welcome the altered circumstances of the new day in whose light we now stand, when there is no claim of guardianship or thought of wards, but instead a full and honorable association as of partners between ourselves and our neighbors in the interests of all America, North and South. * * * We still mean always to make a common cause of national independence and of political liberty in America. But that purpose is now better understood so far as it concerns ourselves. It is known not to be a selfish purpose.

He now wants us to become a great brother to the South American countries, not in our interest but in their interest, for their protection. We want the good will of the South American countries; we want them to maintain such a government as they may desire, and while our people would not consent to any action by any power looking to territorial aggression on this continent that would endanger our safety, I doubt if they would assume the rôle of a big brother to the supposedly independent nations of South America, and especially without any assistance from them. Must we go to the expense of a great Navy and a large Army, not for our protection but for their defense, without their maintaining any navy or army to cooperate with us? But even if we are to do this, no nation in many, many years has threatened any South American country, and no nation threatens any now, and there is no suggestion of any danger in this respect. At any rate one of the most effective steps to prepare for such an eventuality would be to induce each nation of South America to acquire a battleship or two to be used for the common defense of all.

We have a statement made by the chancellor of Germany regarding their intentions, and Germany is pointed to as a country that is likely to attack these South American countries. We have a right to assume, when the chancellor of a great country like Germany makes a statement like this, that he expresses the views of his Government. He said:

> The latest offspring of the calumniating campaign directed against us is a report that we, after the end of this war, shall rush against the American continent and that we shall attempt to conquer Canada.
>
> IS A SILLY CHARGE.
>
> This is the silliest of all the imputations invented against us. Equally silly are the reports that we contemplate the acquisition of any territory on American soil, as in Brazil, or in any American country whatsoever.

Many say, "Leave the whole matter to the military and naval experts." Some say, "You don't know anything about what we need in a military and naval sense." Others say, "We don't know what is needed and you are not an expert." Some say, "Consult the experts and follow their advice." It was surprising to me how many men of wide business experience and how many lawyers said, "Leave this matter entirely to the military experts." I need only call to the attention of these good citizens the assinine and puerile opinion of the expert, Admiral Benson, who denounced the Puget Sound Navy Yard location as unsuitable for a great navy yard, and the equally assinine and puerile opinion of the military expert, Col. Glenn, that a million and a half men could be landed on our shores within 60 days. Experts are all right in their place, but they seldom agree among themselves. There never was a case in court where experts were used that did not have one expert saying one thing and another expert saying just the opposite. That is true as to the military experts, as I will show directly. But what do experts do? They do not pass upon the facts or the policies. They give their opinions upon an assumed state of facts or upon established or agreed upon policies. There are two parts of this preparedness problem. One is, What is our danger? Against what country must we prepare? What force are we likely to face? Must we prepare for offense or defense?

Having determined these things, there is then to be determined, How shall we meet these things and what force is necessary to do what we want done?

The first proposition is not one for the experts; the latter is what can very properly be left to experts.

The Congress is the proper body to determine the first, the military experts should largely control on the other. The military experts are unfitted by their study and learning to determine what the policies should be. Their opinion on such questions is no better than that of anyone else, and in fact not so good. These are matters within the common knowledge of any citizen in the country, and it was upon these things that I asked the views of my constituents. I would have more confidence in the ultimate aggregate judgment of the people of the country upon these questions than in the judgment of all the experts in the United States. If we are to continue a republic, if we are to continue a representative democracy, these questions must be determined by the people.

No man who wants to build a house goes to an architect and says, "Build me a house." He first determines what kind of house he wants, how many rooms he needs, and about what the cost is to be. He tells the architect these things, and then says, "Prepare plans and specifications to do what I want done." I wanted a house remodeled. I called in an architect. If I had said to him, "I want my house remodeled," and then gone about my business, could he have known what I wanted? Would he have known what to do? No. He would have immediately said, "What do you want done?" He would have thought I was foolish if I said, "Why, you are an expert. You are an architect and you ought to know what to do." He would have said, "Well, you tell me what you want done and I will tell you how to do it." That is what we have to do now. This is my responsibility as a part of the legislative body. It is a responsibility I can not shirk if I wanted to shirk it. I believe I am more competent to determine these things than the expert, but I am not infallible. I wanted the views of my constituents on these questions. I did not want their views on preparedness, but I wanted their views as to the basis upon which a system of preparedness should be built.

That there is a policy to be determined before a definite plan is entered upon is also the opinion of the experts. In a statement of a proper military policy for the United States prepared by the War College Division, General Staff Corps, March, 1915, it is said:

> 4. Coordinate relationship of statesman and soldier: In our country public opinion estimates the situation, statecraft shapes the policy, while the duty of the executing falls upon the military and naval departments. * * * In order that the American people can intelligently decide on a doctrine of preparedness which should constitute the military policy of the United States, and that Congress and the Executive may be able to carry out their decision, information concerning the military strength of other great nations and ships available for transport purposes must be clearly set forth. The work of the statesman and of the soldier and sailor are therefore coordinate; where the first leaves off the other takes hold.

Secretary of War Garrison stated the situation this way:

> Before the question can be taken up of the wise solution of the problem we must first determine exactly what the problem is that we are seeking to solve. There is a disposition on the part of some to assume that we are facing a crisis and must immediately set about meeting it. Their disposition is to ask that all those measures should be taken which would tend to the immediate preparation of this country for immediate warfare. If their assumption is correct, then, of course, their conclusion is correct also. The personnel and matériel needed for military purposes should be immediately mobilized. Every nerve should be strained and every resource drawn upon and nothing overlooked necessary to preserve and defend us. Nothing would be proper in this view short of immediate measures vesting the full authority in the executive departments to proceed regardless of cost and of other considerations.

This is one kind of preparedness. This suggests an adequate preparedness under certain conditions. Is this the kind of preparedness that we should have now? The Secretary says:

> This, however, in my judgment, is not the proper view to take nor the proper procedure to be followed.

Some say that this war was unexpected; that no one had any idea that such a contest could come on, and that it should be a warning to us to be prepared and should convince us that we are not too far from the danger of conflict. The unthinking may accept this as true. Those who comprehend the conditions existing in Europe know that it is not true. This war is the inevitable result of the so-called "preparedness" system and of the treaties existing among the different nations. Those nations were like men standing facing each other with cocked revolvers in their hands. The shooting of one would involve all, and that this shooting would begin before any disarmament was absolutely certain.

The Russian Minister of Foreign Affairs said, three months before the war began, that if any one country mobilized war would be inevitable. Russia was the first to begin mobilizing when trouble threatened between Austria and Servia. Germany was bound to Austria by treaty, and when Russia mobilized Germany felt she was compelled to mobilize. France was bound by treaty to Russia, and when Germany threatened an attack upon Russia, France had to mobilize and Germany had to mobilize against France. England was bound to France by treaty and she had to begin to mobilize.

We need fear no sudden attack, but we should avoid any such entangling alliances.

Mr. President, I believe the President was right in 1914 when he said:

> The country has been misinformed. We have not been negligent of national defense. This is assuredly the opportunity for which a people and a Government like ours were raised up, the opportunity not only to speak but actually to embody and exemplify the counsels of peace and amity and the lasting concord which is based on justice and fair and generous dealing.

He was right at Columbus on December 11, 1915, when he said:

> For America now may make peaceful conquest of the world, and I say that with all the greater confidence, gentlemen, because I believe, and hope the belief does not spring merely from the hope, that when the present great conflict in Europe is over the world is going to wear a different aspect.
>
> I do not believe that there is going to be any patched-up peace. I believe that thoughtful men of every country and of every sort will insist that when we get peace again we shall have guarantees that it will remain and that the instrumentalities of justice will be exalted above the instrumentalities of force.

He was right when he said at New York this spring:

> Nobody seriously supposes generally that the United States need to fear an invasion of its own territory.

We should give no occasion for statements like this, by Lord Roseberry, of England:

> I know nothing more disheartening than the announcement recently made that the United States, the one great country left in the world free from the hideous, bloody burden of war, is about to embark on the building of a huge armada. It means that the burden will continue upon the other nations and be increased exactly in proportion to the fleet of the United States.

Before adopting a general military or naval system requiring many years for its development it would be much wiser to make such immediate preparation as may be necessary to meet any sudden or probable danger, and when peace comes abroad to survey the whole situation carefully and then adopt such a policy as may be deemed wisest for our protection and the country's welfare consistent with the world's condition. This course does not seem wise to those having charge of legislation. The committees having special charge of this legislation do not agree to this course and have submitted their views in this bill. They do not think there is any immediate emergency and probable danger to be met in the near future. The system proposed is not a radical one. It has been most carefully considered by those who are more expert than I and just as patriotic. They have not been carried away by the clamor or the fear of the extremists of either side of the preparedness controversy.

This is intended as a permanent system, and is probably as good as any that could be prepared at this time, although I would rather have it under consideration under normal conditions, taking everything into account then. I think probably we could then frame a policy that would even be better than this. It seems to me that we go at this wrong, and that the suggestion of the Senator from Nevada [Mr. NEWLANDS] is a very wise one with reference to this subject. We are framing this military bill without taking into any account whatever, it seems to me, what we are going to do in the Navy. In the Navy they are going to frame their bill without taking into account in any way what has been done in a military sense. The two ought to be coordinated in some way, and there ought to be some national body or council, whatever you may call it, that will be at the head of both the Army and the Navy, and coordinate our different lines of defense.

In my judgment, if we would take the extra increases that are made in this military bill and put those increases into additions to the Navy in the construction of submarines, in the construction of torpedo boats, in the construction of fast cruisers and scout cruisers and possibly battleship cruisers, and in naval personnel and well-developed navy yards, we would get more for our money and more in the way of defense and security than we can possibly get out of this proposition. But that course will not be followed. I believe it would be much wiser and much more economical.

This is intended as a permanent system and is probably as good as any we would prepare, even in normal times. If conditions at the close of the war warrant its modification, this can and will be done.

My recollection of one of the provisions of the bill is that only one-fifth of the men provided for the increase of the Regular Army

shall be enlisted each year. After this bill is in force for a year we will have increased our Army only about fifteen or twenty thousand men, and if when conditions are normal we think it wise not to go on and increase it to the 180,000 provided we can very easily change it. So, while I think this is wholly inadequate to meet any emergency, I do not think it is extreme for peace conditions, and especially not extreme now in view of the conditions in Mexico—and that I think is likely to develop much more seriously—and I can vote for this bill without any serious compunction because of this situation.

The situation in Mexico warrants a greater immediate increase in our military forces than will come about under this bill. There is great doubt even whether the increase provided in this bill can be secured.

It was stated on the floor here the other day that we have gotten only two or three thousand men under the increase we provided for of 20,000 men. The other day when we were asked to increase the Army by 20,000 men there was not a dissenting vote. Mr. President, failure to make proper provision for any danger that may be threatening us can not be laid to Congress. Whenever the President says to us that the danger is imminent and that he needs a certain force and certain help he will get it without any discussion, debate, or division in this body or in either body of Congress.

Everybody, Mr. President, is for such preparedness as may be necessary to insure the safety of the United States and promote the welfare of our people. If danger should threaten before this bill would make provision to meet it, a call from the President will be responded to without any delay. If the President, with all the expert advice of the Army and Navy at his command and with the secret information that no one else can have, says to us that an emergency threatens which requires a large force of men to meet, he will be given authority to call them out immediately and without division in Congress. If the time should come when he thinks special preparation should be made to insure peace at the close of the war, all he has to do is to let Congress know the need. If certain danger should threaten and appear to be probable, the only adequate way to meet it would be to call for volunteers and begin to train and equip them at once. There will be no trouble in getting men to respond for such duty. Men may not tie themselves up for six or seven years to come out during their vacations and drill for a month or two to prepare for some fancied danger. I do not believe they will. Men will volunteer, however, if danger threatens and their services are needed.

No men are more reluctant to join the Army when there is no apparent demand for it than the American, and no one will respond more quickly and cheerfully to the call of danger than he. No one can be converted more quickly into an efficient soldier than the American citizen. He is brave, intelligent, self-reliant, and, though independent, recognizes the importance of obedience; and although it may take years to make an efficient soldier out of citizens of other countries, Americans, with the intensive training given in the face of danger, can be converted into efficient soldiers within a very short time.

I believe the people and the country are to be congratulated that Congress has not been swept off its feet by the demands which have been expressed through the press and by the fears and alarms sounded by the President of the United States, but has responded more nearly to the sober judgment of the American people and to the maturer judgment of the President uttered without the influence of the cheering multitudes.

Mr. President, I can not believe that the statement made by the chairman of the committee the other day, and made in the utmost good faith, that we have not asserted our demands and rights because we are not prepared is correct. If that is correct, the President of the United States has neglected his duty in not calling upon us for the proper forces to assert our demands. If that statement is correct, the President should tell us at once what he needs. No matter what the cost may be, the Congress will provide him a force that will enable us to support and maintain all just, honorable, and proper demands. But I do not believe that is the case. I do not believe that the President has neglected his duty in that respect. I do not believe that he has failed to assert the rights of this Government because he did not have the military or the naval force behind him, because he knows he has the whole Nation behind him and all its power and all its wealth. I regret, however, that if the fears he has expressed and the alarms he has sounded elsewhere are well founded and justified, he has not asked us to make adequate and immediate preparation to meet or prevent such dangers and leave to normal conditions the preparation of a system suited to normal and peace conditions. He does not sound these alarms here, however. He doesn't tell us that danger is imminent or that he needs any force to meet any emergency, and we have a right to assume that there is no imminent danger and that there is no need of an emergency force.

APPENDIX.

SEATTLE, *January 13, 1916.*

HON. WESLEY L. JONES,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have been requested to write you my views upon the subject of preparedness, and will do so by replying to the questions attached. For convenience of reference, I have numbered these questions from 1 to 9, inclusive.

1. I do not think we need a larger standing army than we now have for purely peace purposes and domestic duties.

2. I do not think any of the European countries now involved in war will want to go to war with us in the near future unless war with them should be provoked by some of the violations of the rights of neutral countries that have been occurring since the European war begun.

3. I doubt that any of the European countries "will desire" to go immediately, or very soon, into war with us.

4. I hope there will be several years of general peace after the present war closes, but whether there will or not is something I think very difficult for anyone at present to foretell.

5. I do not think an increase of 40,000 men in our present Standing Army would enable us to make an effective defense if attacked by a strong power.

6. I do not feel that I am qualified to pass an opinion upon the subject as to how large a standing army we should have. Generally speaking, I am not in favor of a large standing army.

7. I do not think trouble is likely to come soon, at least, I hope not; but I am strongly of the opinion that we should begin at once to put this country in condition to protect itself in case trouble should occur between us and any strong foreign power.

8 I do not think it would be wise for us to wait until the close of the war in order to determine what we are going to do to put our country in shape to protect itself in case of trouble.

9. I think it would be a wise thing for us to do, to construct first-class highways along our coast lines, as well as from coast to coast.

In my judgment Congress should pass a law that will require that a part of the education of young men of this country will be military training. I think we should begin at once to provide military training in all our public high schools and colleges, so as to insure that within a few years we will have in this country a large number of citizens who are thoroughly trained in military drills and who know how to march, camp, and shoot. By this method we will within a few years have a large number of young and well-drilled men in this country, who can be called upon in cases of emergency. The Government should provide and equip arsenals at various points through the country where guns and accouterments may be kept to equip these men sh uld they be called into action. The guns and equipment could be used in times of peace in drilling the young men in Army maneuvers and camp life. I think such an education would be of great benefit to the young men, and the young men would be of great benefit and protection to this country in case of need.

Yours, very truly, ——— ———.

SEATTLE, WASH., *January 28, 1916.*

HON. WESLEY L. JONES,
United States Senate, Washington, D. C.

DEAR SIR: Your circular letter of the 13th received, and in reply will say that if you are really sincere in your efforts toward acquiring knowledge on the attitude of the people of Washington on the subject of preparedness it will only be necessary to read the comments of the leading papers of the State, as they cover the ground very fully.

As far as I am personally concerned, I am for a Navy second to none in the world, a coast defense which will protect all vulnerable points likely to be subject to attack by an invading army. A Regular Army of at least 750,000 men, with adequate provisions for training anyone who would care to serve during the summer maneuvers. Or better yet, I am for the program of preparedness as outlined by both the Army and Navy experts.

As far as my personal observation can reach, all of the persons with whom I have conversed on the subject hold the same opinion. They also believe that any patriot who has the love of his country at heart is for the utmost preparedness, and most of them question the possibility of anyone possessing that love and yet having to seek views on the subject.

History has proven, and all of the naval experts of the country have testified to the fact, that it is not impossible nor foolish for a first-class nation to transport a large body of troops across the ocean and lay waste the richer portions of this country. What facts can you advance which will controvert these facts and opinions?

Either you are misinformed or else the testimony of all naval men is false when you state that the Navy of the United States is second in the world. It was at one time, but has been slipping rapidly of late, and expert testimony now shows it to be a poor fourth. The only available testimony controverting my statement is that of the Secretary of the Navy, and his opinion is obtained from his fertile brain, and not from facts.

Another important item in the preparedness program is the immediate beginning of an auxiliary Navy. This should be given especial and immediate attention.

All of the above is advanced not only as a personal opinion but as one which seems widespread. The temper of the people as a whole is for immediate action, and they will not stand for temporizing nor for any dilatory methods on the part of Congress. And the preparedness program must be one which is approved by experts who know their business, and not by civilian bureau heads.

Finally, I will say that I trust the latent love of country which every every true American must possess will take such hold of you so that you will not waste precious moments in attempting to discover a sentiment which is actually forcing itself upon you, but that you will raise your voice for true preparedness, which means an increase in every branch of the Army and Navy, and that you will not let the call of politics cause you to delay this program for one moment.

Thanking you for your attention, I beg to remain,

Yours, very truly, ——— ———

SEATTLE, WASH., *January 28, 1916.*

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

DEAR SIR: Yours of the 22d received. You say that you would be "glad to hear from me on the subject of 'preparedness.'" I thought that the preamble at the head of the letter that I sent you gave a very lucid idea of what "kind of preparedness" we wanted.

Boiling it all down, we want to be prepared to repulse an attack from the most powerful nation on earth, and then if a smaller one comes along we will be all right and no harm done that we are some better prepared than we need to have been for the little fellow.

I have read your circular that you are sending over the State, and do not agree at all with your views in regard to what might happen at the close of the European war. You appear to think that Great Britain would under no circumstances attack us. Personally I do not think she would, but she might, and this Nation can not afford to take chances. Again, suppose that Germany should win the war. With her greatly strengthened fleet and army and wealth, as we are situated now, she would take all of our important seaports in three months. When was the United States best prepared for war? At the close of the Rebellion. Would not other nations be the same? The first two years of the Rebellion there was no army on either side. There were simply two mobs. Now we have a hundred times the strength in men, money, and developed resources, but the Union Army as disbanded armed with our present equipment could conquer our land forces to-day.

Your views as expressed in your circular are all right as far as they go. However, on the last of the circular you say, "I believe that this will amply and safely take care of the situation till the close of this war and then we can determine what further preparations are needed." I believe that you are all wrong in this view. In my judgment if we are attacked it will be within three months after the war closes.

They would not be accommodating enough to wait a few years for us to prepare. The winner will then be the most powerful nation on earth, with unlimited means and resources, and why should they not reach out and grasp so easily such a prize as we would be? Don't think for a moment that any feeling of friendship or justice would be considered at all in the matter. It would be done as it always has been done, and the sword would be supreme.

Respectfully, yours, ——— ———

CHEHALIS, WASH., *January 12, 1916.*

Senator W. L. JONES,
Washington, D. C.

DEAR SENATOR: This is the first time in all the years since 1898, when you ran your first (seemingly hopeless) race for Congress, that I have been impelled to "take my pen in hand" and write you an objection to your course as a public officer. With few exceptions, I have favored the ideas you have advanced and the work you have done in the House and Senate, and it is with sincere regret that I am compelled to differ with you in the course you have apparently determined to pursue in the matter of preparedness by this country to resist possible foreign invasion and to stand for our rights in every part of the world.

In reply to your published letter, I take the liberty of answering your nine questions:

1. No.
2. There is danger that they will. We are not on good terms with Germany and Austria. If they win, it is reasonable to suppose that they will find ground to pick a quarrel with this great, rich, unprepared country. We have not been as firm in all cases with the allies as we should have been. If the administration finally talks "real sassy" to them and they win, there is grave danger that they will find cause to make us trouble.
3. Covered by 2, and the further reason that this is a very rich country, from which billions of war indemnity could be levied by merely taking our big seacoast cities.
4. Yes.
5. No.
6. Yes.
7. We should prepare promptly by rapidly strengthening our Navy, by building up our coast defenses, by a large increase of the Army, by establishing ammunition manufacturing plants in the interior, by laying up large supplies of ammunition and military equipment that can not be rapidly gathered.
8. I can not assume, I regret to say, that early trouble is not probable, and do not believe it wise to wait until trouble comes.
9. It would be wise to establish and maintain good roads and railroads along our coast lines, but these would be useless to us if we did not have the Army ready to move rapidly to the point where the landing of a foreign enemy was threatened.

It is very pleasant to think that if we conduct ourselves in a neutral way none of the foreign nations will want to get into trouble with us. I notice some distinguished citizens of this country think that in order to be neutral we should not allow munitions and supplies to be furnished the allies, while others are as positive that to forbid the furnishing of war materials to either side would be a distinctly unneutral act. The path of the neutral is not a bed of roses.

Our troubles will not necessarily come from things of our own doing. Many European countries, for instance, have grievances against Mexico which, in the opinion of the warring world, would justify military expeditions against that country. Shall we permit such expeditions? If not, how will we help ourselves without an adequate Army and Navy and advance preparation? And will not the fact that we have the force large in numbers, trained and equipped for any emergency, tend greatly to discourage military operations by European countries against the smaller countries of this hemisphere?

We can not always bluff and bluster successfully, and we are only in a position to-day to back down ignominiously if any first-class power should at the close of the war choose to call us to account for fancied wrongs. Let us try to conduct ourselves so no country will have any just cause for trouble with us, but let us be on the safe side by being decently prepared.

Our people have been fed with the idea that we can gather together a mighty Volunteer Army in a limited time and hurl back the world from our shores. In a way this was true when every citizen was a backwoodsman who knew how to use a rifle, but even in the time of Gen. Washington it was a very disheartening thing to the American leaders to put their untrained men against trained soldiers from Europe, and to-day it would be suicidal. Wars are won now with big guns. We have not enough of the big guns, and probably not one citizen in ten thousand knows how to handle such guns.

As a permanent national policy, I think we should require military training from all able-bodied young men. A certain proportion of men might serve a year in the Regular Army, with the privilege of discharge at the end of that time, but subject to recall in case of war. Others could serve their time in the National Guard, in the proposed "continental" army, or in cadet corps in the schools. In other words, we should not only have a big Navy of the highest class, an efficient Army of 500,000 to 1,000,000 men, coast defenses, arsenals, and military stores in the interior, far away from the coast, but we should have millions of men ready trained for war if war ever comes to us.

You may call this "excited over preparedness," but I assure you it has long been my sentiment, and the suddenness and violence of the European war only add to my conviction, that while we have been wonderfully fortunate in being placed between the two big oceans, so far away from the great powers, we may not always be as fortunate as we have been in the past, and our safe course will be to prepare to protect ourselves.

Respectfully, ——— ———.

MONTESANO, WASH., *January 10, 1916.*

Hon. WESLEY L. JONES, M. C.,
Washington, D. C.

MY DEAR SENATOR: For the past week I have been thinking over the context of your open letter to the people of the State, re national preparedness for the defense of our country in case it is attacked by a foreign power or powers, and while not attempting to answer your questions, already answered by you, I deem it my duty as a citizen of our great Republic and as a friend and admirer of yours to accept your invitation and write you my views thereon.

Before giving you my opinion of the matter, I venture to say that you have already received hundreds of letters protesting against preparedness, for all of us abhor war and desire to do nothing that will in any way aid such a disaster to befall us. Many consider that any preparation is unnecessary, as no possible contingency could ever arise which would cause a nation of such enlightened and peace-loving and war-abhorring a people to allow themselves to become embroiled in such a relic of barbarism. You will hear from many of these.

On the other hand, there will be many who think we should prepare and keep prepared for the defense of our sovereignty and integrity as a nation who will not write you for the reason they consider thousands will be on hand to urge Congress to provide for an adequate defense in all particulars. Thus does the average business man neglect his duty as a citizen and content himself with letting well enough alone as long as everything is moving along smoothly.

No matter how great our efforts may be to justly and impartially preserve our neutrality during this great European struggle, the war passions and Governments of some of the nations involved will cause them to be hostile to this Government at the close of hostilities; in fact, even now there are many in each of the principal nations involved who resent in various particulars the policy we are pursuing. The victor will say it won in spite of the attitude of the United States and the loser will attribute its loss to our policy.

Why should this country be signaled out over any other for blame? Because we are the greatest of the nations not engaged in the war, and it is from us principally that those involved are purchasing supplies. The spirit of envy, particularly as to our wealth and prosperity, resultant from the war, is likely to engender hatred against us, at least to an extent such as to affect the friendship of all the warring nations toward us.

It may be, after the conclusion of the war, all the great nations involved will be so depleted as to men and money that they would hesitate about picking a quarrel with us, for some time at least. All the more reason why we should be prepared for defense. One would desist jumping upon a man whom he knew was armed with a pistol. But if we are not prepared there will be those who will look upon this as a land of plenty, which, if conquered, would fill their depleted coffers to overflowing. Other nations would be as slow as we are at this time to break their neutrality in such a contingency, even though possibly sympathizing with us.

The Monroe doctrine is something that from now on, more than ever, may involve us in a mighty war. In my opinion it has fulfilled its purpose and for it should be substituted a Pan American doctrine, whereby all the Republics of North and South America agree to stand by each other in the event of an attack on any by a foreign foe. This has been suggested by Mr. John Barrett, director general of the Pan American Union. An alliance between nations is the cheapest kind of preparedness, materially lessening the burden on each. Without such an alliance where would either France, Russia, or England have been to-day? It might be said that if any one of them had not been a party to such an alliance it would not to-day be involved. Maybe so, but our Nation is already and has been for years upholding the Monroe doctrine, and this without any reciprocal agreement. Well enough as to the past, but now it is time to substitute something else.

In times of peace many are ready to censure and kill any talk or policy of preparation for defense, bringing arguments against it of the enormous cost, and of the impossibility (improbability) of an attack upon us. This is the same policy which 90 per cent of our population follows through life, for very few constantly keep before them the advisability of laying up for a rainy day. We have spent hundreds of millions in digging a canal across the Isthmus of Panama, through which the ships of all nations will pass, which may in itself cause disputes. We must be prepared to protect this investment—if not by fortifications and a Navy and aeroplanes and an Army, then by an agreement with the principal powers to resist any attack against it. Even then it should be well protected to guard against possible emergencies. We have a rich country in Alaska, with many miles of coast line and fine, deep harbors. It could be easily taken, and we should be in a position to protect it. Even the United States proper are far from being invulnerable—for instance our own great State could easily be taken and devastated, and once in the possession of an enemy it would cost millions to ever get it back. Not even a mine or a fortification on either Grays or Willapa Harbors, for instance, and millions of dollars invested, all of which would be destroyed if we were to become involved in a great war.

For my part, I believe money spent in preparedness for defense is more likely to keep us out of war than anything else. I believe in time of peace we should prepare not for war but for defense against attack. Too late after we become involved! Then millions are spent every day, and thousands of lives are lost. "An ounce of precaution is worth a pound of cure." How our Congress would be criticized if we were to be embroiled in a war and found ourselves unprepared! In preparing for defense we do not invite attack, for, located as we are

and with no desire of conquest and further possessions of territory, we can mind our own business and be prepared to protect it.

For years the word "statesman" has been much less used than that of "politician." I believe there is now the opportunity of a lifetime to develop a few statesmen, and you are in a position to do and are capable of doing a great service to your country. I would say this session of Congress should further a policy of preparation without regard to political affiliations, and should also immediately take action to enter a pan-American union by the adoption with the other nations of America of a pan-American doctrine to take the place of the Monroe doctrine. Why could you not be known as the father of the act as far as this country is concerned, thus bringing lasting credit to the great State you have the honor to represent?

Were we living in an ideal Christian world, preparation would be unnecessary, but until the world grows better, or until we have an international court to settle finally all disputes, with an international police force to back it up, we should keep prepared, at the same time hastening the day when preparation shall be unnecessary.

With my very best wishes, I remain,

Sincerely, your friend, ——— ———.

SEATTLE, WASH., *January 10, 1916.*

Senator WESLEY L. JONES,
Washington, D. C.

DEAR SIR: I never had the pleasure of meeting you, although I have lived in the State of Washington for several years.

I understand that you are opposed to a policy increasing the Army and Navy and general preparedness of the country for war or peace, as the case may be, and being a citizen and taxpayer of the State I am interested to a greater or less extent in regard to your stand upon these matters.

I wish to say further that I was a Volunteer in the Spanish-American War, being a member of Company G, Third Nebraska Volunteers, and while I have no first-hand knowledge of actual battle conditions, I certainly have of the mobilizing and training of volunteers to meet the war conditions. You will, no doubt, remember the amount of sickness among the men who enlisted and the number of deaths resulting. It would have, in my opinion, been a much smaller per cent had these men received a certain amount of instruction and training before they were sent to the various camps at which the various corps were mobilized.

Then again, the department was not prepared to mobilize, transport, and equip the amount of men called and who responded to the call, and there is no question in my mind but what if Spain had been a first-class power the story they now tell of this war would have been entirely different.

It was my opinion after my enlistment and discharge from the Volunteers, and has been my opinion ever since, that the deaths of most of the men in Chickamauga, Jacksonville, and various camps at which the men were mobilized and the regiments assigned to the various corps were directly chargeable to the neglect of the Members of Congress, who were representing the people, to see that a proper policy had not been pursued in the Army department in particular.

It is a shame to call volunteers to the colors who do not understand the first principles of taking care of themselves in camp or under field conditions and put them into battle without any training. While the regiment in which I was enlisted, and the corps to which that regiment was assigned, were not called upon to enter battle, there is no question in my mind but what the men can thank their lucky stars that they were not called upon to do so. I do not say this out of regard for the hazard a man would naturally take upon the battle field, but out of consideration for the fact that the regiments as a whole were not properly officered, and the men and the officers could not go through the drills upon the parade ground and execute the maneuvers properly; that if these men had been put upon the battle line the officers would not have known how to give the commands, and the men, if the commands were given properly, would not have known how to execute them. The men and the officers both undoubtedly would have been perfectly willing to do all they could, but they would simply have been at the mercy of the enemy. I realized this at the time, and as I grow older I am more impressed with the fact that it was this country's good fortune that it entered a war with no stronger power than Spain, for undoubtedly the result would have been entirely different. We were unprepared with ammunition, supplies, and everything necessary for the soldier. The private soldier was willing enough, but he had no idea of what he was required to do or how to take care of himself. I am against war if it can possibly be avoided with honor, but if it can not be avoided, we certainly must fight, and it does not make any difference how remote the contingency may be, we should be prepared to meet it and not make a useless sacrifice of lives if it does come.

I for one am certainly in favor of preparedness both in the Army and the Navy, and that a sufficient fighting force be maintained upon land and sea so that in the event we are forced to enter a war we can enter one with at least some degree of safety so far as the personnel of the Army and the Navy are concerned. It is a shame to call for volunteers who do not know the first principles to enlist to defend their country and be unable to supply them with the necessary transportation facilities, arms, ammunition, food supplies, and the knowledge necessary to properly take care of themselves in camp or in the field, and there is no question but what any first-class foreign nation could land a force upon our shores as easily as we landed forces in Cuba.

I hope the time will never come when we will need to use either the Army or the Navy to repel a foe, but we certainly should be prepared to meet and repel any foe just as long as there is any other country remaining under arms or maintaining a fighting force.

I am writing this letter, taking it for granted that you would like to know the stand of the citizens of the State of Washington upon this question, and while I for one do not take off my hat and shout every time the American flag is displayed, I certainly am in favor of the country being prepared to repel a foe from any quarter and enforcing the rights of American citizens the world over.

Yours, very truly, ——— ———.

PENDLETON, OREG., *January 16, 1916.*

Senator W. L. JONES,
Washington, D. C.

MY DEAR SENATOR: I have noted your request in the press for expressions of opinion upon the subject of "preparedness," and as a citizen of Washington beg to submit the following:

1. Our present standing army answers all requirements during peace times. There has been no domestic emergency during the past 25 years or more that has not been promptly met. Why add a further burden by increasing the number of Regular troops?

A large standing army unquestionably exerts a home influence adverse to the amicable settlement of national differences through diplomatic channels. This, I believe, is greater than the coercive influence upon the opposing side, and to the extent of this difference is a menace rather than a protection.

2. The European war has reached a stage rendering certain—at least, the partial exhaustion—before its close, of all of the powers engaged in it. In the first place, the people of Europe have, even now, had quite enough of war and would gladly stop it if the great property losses already incurred could be even partially shouldered upon the other fellow; and, more important still, if there was assurance that a lasting instead of a temporary peace would follow. No; none of the European countries, belligerent or neutral, will want to go to war with us so long as the present struggle is within memory of the mass of the inhabitants. Not unless we ourselves are the aggressors, and in that case unpreparedness should be our deserts.

3. If the war were to end in the immediate future, the nations engaged would find themselves in a condition requiring many years—20 to 40 or more—to regain the position in property and financial resources which they had at the opening of hostilities. Moreover, they will want even better preparation for any aggressive war in the future than they have ever had before. Preparation by us now against European nations would be premature and a waste. Japan is our only menace, and her successful aggression could not extend beyond the Philippines. Our possession of these islands for many reasons would better end as soon as possible. And as a gratuitous suggestion I would propose that all of the territory on the south of us to the Panama Canal Zone should be acquired as soon as the same can be done by any peaceful means.

4. The contention that six months or a year is required to transform civilians into soldiers I believe greatly overdrawn. After two or three months' strenuous instruction and drill by competent officers, Americans, I venture to say, will put up a pretty good fight. Competent officers—that is the essential thing. Increase the output of the military schools not for pursuits of war, but combine military with a business or professional training. Every State institution should include military drill and tactics as a compulsory part of all its courses of study. The ablest men of the country are college trained, and this is the source upon which to depend for officers in time of need. If necessary, put a premium upon a military diploma and in this way aid many otherwise unable to obtain a college education.

Forty thousand additional soldiers would be hopelessly inadequate for defense if we should be attacked by a strong power, hence, after all, our safety would depend upon the civilian soldier. Two hundred and fifty thousand or 500,000 would be better than 40,000, but even then if serious trouble comes we must scramble for the next two or three million men who will constitute our real protection.

5. Preparation on rather a liberal scale in machinery and factory facilities, in naval craft of all kinds, aeroplanes, artillery, machine guns, small arms, munitions, etc., I would regard as wise. We should keep abreast of the times in such matters, notwithstanding the inevitable loss resulting from obsolescence. If we are prepared in these respects we can, I believe, muster the men and complete a program of defense in a few months—not five years—or rapidly enough to protect ourselves from serious invasion.

6. A system of interstate highways along our coast lines—and I would say along our other national boundary lines also—suitable for mobilization, is worthy of enthusiastic support. The present war has proven the very great usefulness of the motor vehicle for all short-distance war transportation, wherever the roads would permit. These interstate roads should therefore be designed and constructed for the special use of such vehicles and, as I believe, for their exclusive use. An exclusive motor road can be built at comparatively moderate cost, which will double loads and again double speeds of heavy tonnage haul. And more important still, a roadway of this kind, with the restriction named, will be really permanent—that is, good for a hundred years or more, as against a life of from 10 to 25 years of the so-called permanent roads for general traffic of the present day. I profess to be an expert in road matters, and trust you will call upon me at any time I can serve you.

The roads which you propose will be as useful in peace as they are necessary in war. I do not believe you could render a greater service to the country at large than to open the way for the construction of the interstate highways which you propose.

In connection with preparedness, it should be remembered that financial strength plays quite as important a part in national warfare as does any other factor, or, possibly, all others combined; hence any policy which will draw heavily upon the country's resources—such as the maintenance of a large standing army—either through its credit or by taxation, should be avoided in times of peace. The conservation of our financial strength is preparation both consistent and economical.

You have very properly invited attention to the disposition to rush into some scheme or plan of increasing our military power, regardless of cost and without means of forecasting what will be the greatly changed conditions which the present war will impose. We would much better concentrate our efforts upon a preparation for the commercial contest or activity which will surely and closely follow the cessation of hostilities.

Very sincerely, ——— ———.

SEATTLE, *January 5, 1916.*

HON. W. L. JONES,
United States Senate, Washington, D. C.

DEAR SIR: Respecting your request for expressions of opinion on the matter of preparedness, I desire to submit the following:

It is well, it is true, for nations as well as individuals to be prepared for ordinary contingencies and emergencies, but the greatest care should be taken and many things taken into consideration.

It is a well-known fact that when a youngster arms himself and starts out he begins to feel his importance and begins first daring some one, and then insults, and the first thing he knows he is on the warpath and kills some one. Grown-up people are the same way, and nations are made up of grown-up people.

Again, as it was with Goliath, so it is with nations: When one nation suddenly begins warlike preparations others begin to wonder why and begin to reason that it may be for the purpose of attack and offensiveness, and they also begin; and then a struggle is on for which can be the best prepared when the storm breaks, as break they consider it must. One has but to study the present situation in Europe to realize what this means.

The one great thing I fear in this mad scramble for preparedness is that we may by our own actions precipitate trouble with other

nations. This is the great danger, and one that should not be lost sight of, regardless of politics. Politics should be left entirely out of this matter and as little criticism made as possible for this again often brings trouble, and that uselessly.

But, after all, we want to be able to protect our rights under any and all circumstances; but there should be a limit to the expenditures of money and men in the preparation.

I note that some men and papers, even in our own city, seem to have lost all sight of economy, the possibility of precipitating trouble ourselves, or of anything except that we must have the greatest Army and Navy on the earth. That very same disposition is largely responsible for the present conditions in the warring nations. Again I would say let us be careful.

With best wishes for your success and the security of our beloved Nation,

I am, very truly,

———— ————.

W. L. JONES, United States Senator,
Washington, D. C.

DEAR SIR: In response to your invitation which I read in the Everett Herald, I take pleasure in expressing my views on preparedness: In answer to your questions, I would say:

1. The Army at present is large enough.
2. I do not think they will, as the people will want to settle down to their industrial and agricultural pursuits. Furthermore, it is my impression that soon after the present controversy ceases there will be a number of changes in the political and economic situation; that debts now being incurred will be repudiated, as the people will not assume the burden. You know the number of people who have contributed financially are only a small minority, and when the vast majority meet and compare notes they will say they have paid enough already. For lives lost there can be no recompense. Of course, indemnity or pensions may meet financial needs, but they can not fill the vacant places at the table.
3. I do not think so.
4. As to aggressive war, yes; but internal, no.
5. We would need 40,000 officers.
6. I am against any increase in the military organization, as it would be used as a bully. You see the result in Europe, and if the debts are repudiated over there you see what an incentive there would be to use the fighting force.
7. Your answer suits me.
8. I agree with you.
9. Highways are always useful and an asset to the world, and the building of same should be commenced as early as possible. Of course, that sinister gentleman who has always been in the offing of the river and harbor bill will have to be hobbled. You will find him not more than 500 miles from the border, whichever way you look.
10. I think you are mistaken in regard to the excitement. Of course, there are a few who are honest in their fright, but you could appease their fears with a few sentences. They read articles sent out by the National Security League and others, then in time start the ball rolling themselves, often enlarging on same. I have read Mr. TAVENNER'S articles as to who compose the National Security League. While I have respect for their movement, to me it is very selfish and pernicious. It would be better for the people to give them outright the profit they expect in the next 10 years than undertake the program they suggest. The commercial interest is the crux around which all must merge, and it will have to be met with logic and justice. If we are to carry on international relations, we can not put up tariff barriers that are prohibitive, for the other fellow can retaliate. There is where I am sure the military organization would be used, if we had such.

Thanking you for inviting the public to express its views, I am,

Yours, truly,

———— ————.

MABTON, WASH., *January 6, 1916.*

Hon. WESLEY C. JONES,
Washington, D. C.

HONORABLE SIR: I have read with much interest your questions and answers on the preparedness issue. I am very much gratified at your method and evident desire to be a real representative of the people. The belief is held by a considerable number of our politicians that the people are competent to select men to represent them in legislation but are not competent to advise or direct in that matter. Your desire to get an expression of the people on this, in my opinion, the paramount question before the people to-day convinces me that you consider it as one of vital interest to their future welfare. We have been spending enormous sums for military affairs for a number of years—as much as most any of the European countries—yet our advocates of so-called preparedness tell us we are utterly unprepared to meet any nation of any consequence. If I remember aright, a few short years ago when our ex-President Roosevelt occupied the chair our fleet made a trip around the world. This feat was heralded far and wide and we were told what splendid fighting machines they were and what crack shots, and I used to get somewhat puffed up when I read these descriptions in the big dailies; and I thought if anyone bumps Uncle they will get a surprise. Since that time we have been continuing to spend enormous sums for the Navy, but our advocates of so-called preparedness tell us we are helpless. The important question is, Why are we not prepared? Evidently there has been gross inefficiency and mismanagement in our military affairs. In other words, we have come far from getting a dollar's worth of preparedness for a dollar spent.

If the deficiency between what we get and what we pay for was brought together, there would be no need to bond the country or levy additional taxes on the people, and yet we would be amply able to defend ourselves against any probable crisis. The ominous part of the campaign to educate the people to the militaristic viewpoint is the fact that they are saying so little about the waste and inefficiency in our present military affairs.

It has been stated upon reliable authority that President Wilson's program will mean a profit of $250,000,000 to certain interests. Is it any wonder they are enthusiastic for it. Wall Street patriotism is measured by dollars and cents, and we are suspicious of their campaign to educate the people. Some great man, I have forgotten whom, said "Patriotism is the last refuge of scoundrels." The aim, as I understand it, is to build up a large Army and Navy permanently.

Every citizen should consider well before embarking on a militaristic career such as we have seen exemplified in Europe. President Wilson's plan is estimated to cost $1,000,000,000. It will cost more. Some are advocating a much larger expenditure. It costs us about two hundred and fifty million to maintain what we have now. What is it going to cost to create and maintain what our advocates of so-called preparedness want? I can not understand why some people should be so terror stricken for fear of this country being attacked. The leading nations are going to be rather exhausted when this war is over. Is it probable, after they fight to the point of exhaustion, they will all shake hands and say now let us all whip Uncle Sam? I do not think so. They will not be the best of friends for some time after the war. Is it not probable some of the nations are going to look with suspicion on our vast increase in military affairs? We remember England's answer when Germany built one battleship was for England to build two.

The argument that a powerful military organization makes for peace is without foundation. The papers have quoted Emperor William as saying he kept the peace of Europe for 40 years. In view of recent occurrences, does anyone say his vast military organization kept the peace? There can be no disguising the fact that the proposal of a large Army and Navy is a threat against some one. The people may not be informed of the real danger, if such exists, but I concur in your view if such danger does exist we should prepare at once, as the proposal to spread it over a period of years looks like we were going into militarism permanently.

I can say I heartily approve of your views and will use my influence in supporting you in that respect.

Thanking you very much for your interest and desire to ascertain the wishes of your constituents, I am,

Yours, very respectfully,

———— ————.

Hon. WESLEY L. JONES,
Washington, D. C.:

We, the undersigned voters of Yakima County, indorse the above communication and heartily concur in your views on preparedness.

————, ————,
(And many others).

Mr. STONE. Mr. President, I understand the pending amendment is that offered by the junior Senator from Alabama [Mr. UNDERWOOD]. I will say just a word about that preliminary to what I have in mind to say. This amendment proposes to have the Board of Engineers for Rivers and Harbors make an investigation——

Mr. UNDERWOOD. No; I will say to the Senator from Missouri that I submitted an amendment to the bill seeking to have an investigation of the nitric question, a copy of which the Senator has in his hand; but yesterday afternoon I offered an amendment to the amendment of the Senator from South Carolina [Mr. SMITH], and that is the amendment pending.

Mr. STONE. Then I shall not make the observations I had in mind to make on the amendment I hold in my hand. I called for the amendment of the Senator from Alabama, and this is what was brought me. But since it has been changed I will pass that by for the present. I shall take opportunity to examine the amendment as it now stands when it comes before the Senate for action; I can not stop to examine it now.

Mr. President, the truth is that for some weeks my time has been so occupied with other matters that I have not been able to devote that careful attention to the Army bills before the Congress that should be given them to enable one to satisfactorily discuss their various particular provisions. Therefore, it is not my purpose at this time to discuss either the Senate bill or the House bill in a critical way. I wish merely to express briefly some general observations on the subject of preparedness—preparedness in more ways than one. On that subject, as I see it, there are at least three kinds of preparedness immediately pressing upon our consideration, namely, military preparedness, Navy preparedness, and maritime commercial preparedness—and, in my opinion, the least of these three is military preparedness. I do not wish especially to disparage the idea of military preparedness, for I think that is very important up to a certain degree, but beyond that degree I regard it as being of infinitely less importance than either of the other two forms of preparedness to which I refer.

On the subject of military preparedness I wish to say this as expressive of my views: I think it of the highest importance that ample means should be provided for training men in all things requisite for an intelligent and competent command of organized military forces. We ought to have a large number of young men trained every year in military science, and by that I mean trained in everything connected with organized military service. Especially ought we to have a large number of strong, selected men trained as engineers and in the command of the artillery. The experiences of the European war demonstrate the value of trained engineers in developing and executing the work necessary both for defense and offense in a period of war as war is now conducted, and we have only to read the accounts of the great battles of this war to appreciate the importance of the artillery arm of the service. Perhaps next to this should rank a well-trained and adequate force in military aeronautics. After these, and relatively of great importance, is an adequate force of officers trained in all the other lines of service. I regard special training in all lines as of high and urgent importance, although some lines of service are doubtless of more importance than others. Along all these lines I am profoundly solicitous that everything possible should be done. As to the best way of promoting this training work I speak

with hesitancy and would gladly defer to the judgment of men who have given the subject greater thought and who are therefore better qualified than I to develop the work. I speak only of its importance. I have a notion that it would be a wise plan to educate and train as many young men at West Point as could be sent to that school within the limits of its capacity. Those who go to West Point presumably go to make service in the Army a life career. If any go to this national school with any other purpose, I would regard them as unfit. But, aside from West Point, the Government should have other means of educating young men along substantially the same lines of instruction and training followed at West Point. I have been inclined to favor the notion of establishing at least two Government schools, one in the Middle West and one nearer the Pacific coast, where young men could be educated by the Government, having substantially the same curriculum as that at West Point. Those attending these schools would not go with the expectation of making service in the Army a life career. The plan would be merely to educate and train them, and at the close of their school work they would go into civil life in the same way that boys educated at our universities go into civil life, with this exception: That, having been educated by the Government, they should become a sort of national reserve force and rest under an obligation to respond to the call of the Government for active service. In this way the Government would send out every year many hundreds of young men trained and well equipped for command and under obligations to obey the call of the Government. Perhaps some other and better plan for training young men on military lines can be devised, but I am strong in the belief that some plan of this general nature should be adopted, and adopted now.

Mr. President, what I have so far said concerns the training of men for service as officers. I turn now to say a few words about military preparedness in other ways. I confess that I am not favorably impressed with the idea of a big standing army, or of any kind of big, expensive National Military Establishment. I have no objection to a comparatively small increase in the Regular Army—say, up to 140,000 or even 150,000 men, all told. I can not bring myself to favor this continental-army scheme embraced in the pending bill. I dislike to say this, because the bill has been presented and is so earnestly advocated by Senators I hold in such high esteem as I do the chairman and other members of the Military Committee. But the proposal is absolutely contrary to my judgment. Aside from the possible effect of this proposed organization on the National Guard, aside from the confusion it is said would result from having too many different kinds of organizations, aside from all other objections I have heard to it, it seems to me that if we should establish such a reserve force as a part of the Federal Military Establishment the importance and status of the militia would not only be so changed and diminished as to make it a negligible quantity but, more to the point, in a short while this reserve force would, I fear, be in some way almost certainly merged into the Regular Army. This continental-army scheme would be the first step in that direction. It would not be long until the Regular Army would be augmented by the addition of the reserves, possibly with other reserves to follow in their place. The pressure toward that end would be constant and intense. I am opposed to that, or to any step leading to that, because I regard this manufactured clamor for a large standing army to be utterly without reason. It would result in imposing a very heavy and useless tax burden on the people. It would be of immediate benefit to a few perhaps—that is, to those who would supply the Government with the vast accumulation of things needed for such an army. Moreover, it would put an argument in the mouths of people who might favor particular measures of revenue legislation—high-tariff legislation, for example—as a means of raising the money necessary to meet the enormous increases in our public burdens. We have no need for a great standing army. This proposal would be a reversal of the traditional policy of the Republic. What need, indeed, have we for a great standing army, or for any kind of great permanent Military Establishment? A lot of people have sought to excite us with the foolish apprehension that at the close of the European war this country will be in danger of attack by some of the powers now involved in that conflict. To my thinking such a suggestion is hardly entitled to respectful consideration. Every one of these warring nations will come out of that conflict staggering on the brink of bankruptcy and economic ruin. It is the acme of foolishness to speak of any of these nations undertaking to send an invading army into the United States. I refuse to be frightened by such nonsense. Still there are things we ought to do, and do with liberal hand at once. The United States should put itself in position to supply on the shortest possible notice the very best equipment in arms and ammunition to the Regular Army, to the militia, and to a volunteer army.

If a real danger of invasion should arise—a contingency very remote—and the President and Congress should call for a defensive force, we could marshal millions of men, if necessary, within a brief period of time. With 150,000 Regulars, or even 100,000 Regulars, backed by approximately the 250,000 members of the National Guard and many thousands of other men with more or less military training, all or most of whom would instantly respond to the Nation's call, we would be able at the outstart to meet any force that might undertake to invade our soil. With this organized force already at our command, or at least available, we could begin almost immediately to support them by volunteers, if only we should have the means of properly arming and equipping them. Hence I believe that the Government itself should at once put itself in position to make sure of its ability to supply an army of any size with the very best arms and munitions known and in use among the nations of the world, and in all manner of improvements we should keep fully abreast of the world. The Government must be prepared to make the best guns, both artillery and small arms, and the best possible munitions promptly and to any extent. In line with this thought I have been greatly impressed with the argument made by the Senator from Alabama [Mr. UNDERWOOD] for a Government power plant for powder making. For all kinds of preparedness along these lines I am willing to go to any reasonable length, but beyond that I halt. I shall vote to perfect a bill as nearly in accord with this general policy as possible.

Mr. President, as to naval preparedness and coast defenses I am ready and willing to go to a much greater length. I want to defend our coasts with the most formidable and effective weapons known of men. I am willing to organize coast batteries—stationary or movable or both—according to the matured plans of those upon whose judgment we must depend. Not for the love of it, but because of the necessity of it under world conditions as they exist now and have existed for a long time, I have been, and am, an ardent advocate of a large Navy. Always with the greatest favor I have looked upon, and still with favor look upon, any well-considered movement to increase our naval strength sufficiently to make it not only a safe arm for defense, but strong enough to go upon the seas, offensively, if need be, to protect American interests anywhere in the world. That is one kind of preparedness I am ready to go a long ways to promote and to perfect, and I shall stand for that policy as long as there is need for it.

Mr. President, of late a great deal has been said about militarism in Germany and navalism in Great Britain. I want to talk about that. I think it pertinent and proper at this juncture to direct the attention of the Senate to some phases of this subject which I regard as of special moment to this country. I look with the utmost disapprobation, amounting almost to abhorrence, upon both German militarism and English navalism. I couple them because they are two things of the same kind. For a great nation like Germany, which has made itself conspicuous in so many lines of human advancement, to persist in standing committed to its policy of militarism—which I consider as a blot upon its supreme example of national progress—is something that chills my heart and puts a shadow on my admiration of the achievements of that great Empire. The same feeling of repulsion moves me when I reflect upon what England, the proud home of my ancestors, has done and is doing so persistently in promoting what the world calls navalism. I can not escape the conviction that in these respects both have been guilty, equally guilty, of offense against the peace and well-being of mankind. Not long ago there was what might be called a world movement for disarmament. Germany stood in the way of military disarmament and England stood in the way of naval disarmament. Let me be somewhat more accurate; the movement to which I refer was not to bring about complete army or navy disarmament, but only partial disarmament. In other words, that the military policy of Germany and the naval policy of Great Britain, including likewise the military and naval policies of all nations, should lead toward lessening instead of increasing their armaments, so as to put all of them upon a peace footing. The movement was to promote world peace, as against the prevailing policies, which tended to provoke world war. Blocking the path of this forward movement, Germany stood immovable for her military program and England stood immovable for her naval program. These two great European nations pointed at each other and each sought to justify or excuse its policy because of the attitude of the other. And so nothing was accomplished. Germany went on increasing her military establishment, and incidentally her naval establishment, while England went on increasing her naval establish-

ment. As a matter of public policy, both national and international, I have looked upon these great military and naval programs with positive abhorrence. But, Mr. President, as a Senator and citizen of the United States, I must view these German and British programs from two viewpoints—first, from their several national standpoints, and secondly, from the standpoint of the particular interests of the United States. However I may regard the German military program, it is something in which we are only distantly interested. As an American citizen, my interest in the military program of Germany is different from the interest I would have in that program if I were a citizen of France or the subject of some other contiguous European country.

If I lived in France I would feel differently about the military policy of Germany than I now feel about it as a citizen of the United States. The reasons for this are so manifest that they need only to be adverted to. France could not disarm while Germany was arming. What a wonderful and glorious thing it would have been, and what a blessing to the people of all these lands, if all had scattered their martial organizations into their multiplied industrial pursuits and honestly sought to live in amity and peace with each other. But Germany would not disarm on the land unless England would disarm on the sea. And England would not disarm on the sea unless Germany would disarm on the land. As a consequence all Europe has been for years one vast field of activity in military and naval preparation for war. Still I say that the people of the United States, considering the circumstances of their environment, are less concerned about the military programs of European nations than about their naval programs. We are separated by thousands of miles of sea from European armies, and there are other considerations that minimize the possibility of danger to us from that source. But the seas that wash the shores of Europe also wash the shores of the United States. The Atlantic Ocean is a common field, so to speak, for exploitation by both Europe and the United States. Therefore, I hold that we are directly and infinitely more concerned about the war navies of Europe than about the armies of Europe. A European power sufficiently strong to be supreme on the seas is of greater possible danger to our welfare, whether in times of war or peace, than any mere military power, however formidable, thousands of miles away. The navy of Great Britain is to-day the most potential force opposing Germany—more potential indeed than all her armies. If we could be assured of a permanent peace with all these great powers, we could then well afford to regard their military and naval policies more from an academic standpoint; we would have no direct interest in them. But contemplating the possibility of war, and likewise contemplating the possible influence of these several establishments on our industrial life at home and abroad, it seems to me that we would have greater reason to dread a world dominance by a single power over the seas, which are the world's highways of commerce, than we would have to dread a mere military establishment of any country far away, however stupendous. While I look upon militaty supremacy of any particular European power with the greatest aversion, we of America would have no particular reason to dread it; but a supreme dominance of the seas by any single power on earth is something which comes immediately home to us.

I have said this because I want to have this thought impressed upon the Congress, the administration, and the country. If ever we are attacked and threatened with serious danger from abroad, it will not be from an invading army but from some naval power so superior to our own as to make us helpless and our condition pitiful. Therefore, until the world agrees to a substantial disarmament on both land and sea—especially on the sea—I shall insist with all the earnestness of which I am capable that this Nation—so powerful and yet so weak, so opulent and yet so poor—shall utilize its great resources in developing a plan of preparedness that will secure protection to our people at home and make the honor of our Nation safe beyond peradventure anywhere in the world.

Mr. WARREN. Mr. President, may I ask the Senator a question?

Mr. STONE. Certainly.

Mr. WARREN. Does the Senator consider that our relations with Mexico are entirely satisfactory, and that if unpleasant occurrences should follow we have a sufficient enlisted Army at present to properly care for the citizens of our own country and our citizens now in that country?

Mr. STONE. Mr. President, of course our relations with Mexico are not satisfactory. They never can be satisfactory until a stable and orderly government is established there. Does the Senator question me to provoke me to discuss what we ought to do in Mexico?

Mr. WARREN. Not at all. I simply wished to know if the Senator believes we have a sufficient force at hand to carry out what may be the exigencies and demands upon us with relation to conditions in the Republic which adjoins us on the south, and I asked the question in good faith.

Mr. STONE. In answer to that I would say that within a very brief time we could get even more men than we would need for any emergency that might arise in that direction. The difficulty with us would be just what I was talking about a moment ago—the difficulty of supplying our troops with what they would need to prosecute a war.

Mr. WARREN. Does not the Senator believe that so far as supplies are concerned we are now far ahead of the number of men that are under command in the Army? I agree with the Senator that we ought to have very large and increased supplies of arms, armament, and explosives; but the Senator must know that we are a long way ahead of the troops now under command with the necessary arms and accouterments for them.

Mr. STONE. Mr. President, the Senator from Wyoming is so much better advised about military affairs than I, he knows so much more than I about the actual force at our command and our means of supplying them in case of emergency with the things needed to prosecute a war, that I should very readily accept any statement he might make. If it be true that we now have the means necessary to arm and equip an adequate force to meet such an emergency as the Senator presupposes might arise, and which all of us hope may not arise, then, of course, we are ready for that particular emergency; but in any event, if we are to be precipitated into this emergency, we can not depend upon this bill to help us out. It would come too late.

Mr. WARREN. We have not material enough; but, as I said before, we can arm many more men than we have under enlistment. This armament is worth nothing except in the hands of men, and it ought to be to a great extent in the hands of experienced men.

Mr. STONE. That is what I said and say.

Mr. WARREN. We do not want to take men from the plow fields and the factories and shove them into the midst of war against a nation that has been continually in war, and has educated soldiers, without some preparation on the part of our men.

Mr. STONE. Mr. President, I do not want to get into a discussion about Mexico at this time.

Mr. WARREN. I do not, either.

Mr. STONE. But I have a suspicion that a farmer boy or factory boy from Nebraska, Michigan, or Wyoming, with proper equipment, would make a very capable antagonist for anything he would likely meet on the other side of the Rio Grande.

Mr. WARREN. A most excellent one; but still better if he had had a couple of months' or more training.

Mr. STONE. He would get that in a very short time; but I do not care to proceed further on that line.

Mr. President, I shall take only a few moments more of the Senate's time.

I wish now to speak briefly of another kind of preparedness which in importance I consider the equivalent and the counterpart of naval preparedness. I refer to the merchant marine. We talk of spending something like four hundred millions on military preparedness within the next four years. To my thinking that would be wild extravagance, without any possible corresponding public benefit; on the contrary, it would result in a positive public evil. With half that sum we could put a merchant marine afloat that would make our producers and shippers of all kinds independent of the world. There is scarcely a possible danger of any European power or powers invading the United States with an army. That is not the kind of war we need to fear or to prepare against. I do not know, nor do you, what the outcome of this struggle in Europe will be. We know this, however, that if the Germanic powers are crushed Great Britain, commercially speaking, would under present conditions absolutely dominate the seas more than ever before. With her great navy and her great merchant marine she would be practically omnipotent. Those of you who have kept track of the British orders in council, of the declared policies of the board of trade, and the commercial conferences being held even in the midst of war between the entente allies, under the leadership of Great Britain, should pause to inquire where our manufacturers, merchants, and producers would find themselves if Great Britain, coming forth a victor from the war, the most dominant power in Europe and supreme on the sea, should undertake to recoup her war losses and rebuild her shattered fortunes by taking control of the world's commerce in her own interest. We would find ourselves almost entirely, or chiefly, at least, dependent upon British ships for transportation. On the other hand, should

the Germanic powers come forth as victors our situation would be relatively the same—perhaps not quite so bad, but nearly so. If in the end there should be a drawn battle and the antagonists should make a peace leaving them in a relative way as they were at the beginning of the war, would it not follow that there would be a sufficient mutuality of interests to press them into some large measure of accord in dealing with commercial questions so as to recuperate and rebuild at the expense of neutral nations, and especially of the United States? This is the kind of preparedness we must deal with at once unless we are blind and fatuous. As soon as we are through with the Army bill and through with the Navy bill, which I hope will be pressed with the greatest energy to the speediest conclusion, I want to see the ship bill—the merchant-marine measures—brought to the front and kept there until some great policy of commercial preparedness is definitely entered upon.

Mr. President, I have spoken thus in the hope of impressing upon the Senate the supreme importance of the great work of preparedness we still have before us, and to stimulate the Congress to press forward with the task. If these suggestions are in accord with your view, Senators, as I believe they are, at least in the main, then ought we not to arrange our program accordingly and carry it forward with all the energy we can put into the work? Time is fast slipping by, and already we can feel the summer's breath.

Mr. CHAMBERLAIN. Mr. President, I did not intend to say anything on this subject at this time; but in view of one statement the Senator has made, I feel that I ought to have go in the RECORD one or two facts in connection with the Senator's discussion.

I am not at variance with the Senator as to a large standing army. I am, and have always been, opposed to a large standing army. I have repeated that more than once, and in advocating a reorganization of the Military Establishment I have never at any time insisted upon a large standing army, and the pending bill does not provide for one. But the Senator lays stress upon the so-called continental army, which he says he opposes. Mr. President, this measure does not carry the continental-army scheme. It is true that it provides for a volunteer army, but it utilizes a statute that is already in force, and which was passed by the Congress of the United States in 1914. An examination of the continental-army scheme, as submitted by the distinguished ex-Secretary of War, Mr. Garrison, will disclose very quickly that the plan now proposed and contained in this bill is not the continental-army scheme by any manner of means.

I am not going to analyze the two plans, but I do want to call the attention of the Senator to the fact that he differs radically from the President of the United States and the Committee on Military Affairs on this subject of a volunteer army. Notwithstanding the fact that no political dicussion ever entered into its consideration, notwithstanding the fact that at no time were the policies of any President discussed, the pending bill conforms more nearly to the wishes of the President of the United States than does the Senator in his discussion of the Military Establishment. I am just going to call attention to two utterances of the President on the subject, to show that the committee has pretty nearly followed the suggestions of the President as to our needs.

It is true that the Senator from Missouri is more nearly in accord with the President of the United States as to the size of the standing army. The Senator says that he favors something like 140,000 men. The President of the United States said substantially the same thing; but the Senator opposes a system which the President very strenuously advocated on two occasions—first in his message to Congress, December 7 last, and second in his New York speech to the Railway Business Association in New York, January 27, 1916—on both of which occasions he urged the organization of volunteer forces for the purpose of meeting any contingency that might hereafter arise. To both these I want to call the attention of the Senate.

Mr. STONE. Mr. President, if my friend will permit me, he discussed the attitude of the President. What was the difference of opinion that arose between the President and Secretary Garrison?

Mr. CHAMBERLAIN. I think, though I do not know certainly, that possibly the question of a continental army had something to do with it; but we have not followed the continental army scheme. I differed from Mr. Garrison in reference to that, and I have so stated publicly on more than one occasion; but our committee followed really the suggestion of the President——

Mr. WARREN. May I ask the Senator from Oregon if he does not think there was a very wide difference between the Executive and the ex-Secretary of War over the Philippine measure?

Mr. CHAMBERLAIN. Yes; that, I believe, was one serious question; but I assumed that the Senator wanted to know more particularly about the Army reorganization.

Mr. STONE. Oh, to be sure.

Mr. CHAMBERLAIN. The President, in his message to Congress on the 7th of December, 1915, after discussing the militia of the country and the rôle they must play, said:

> It is with these ideals in mind that the plans of the Department of War for more adequate national defense were conceived which will be laid before you, and which I urge you to sanction and put into effect as soon as they can be properly scrutinized and discussed. They seem to me the essential first steps, and they seem to me for the present sufficient.

Then he states what he thinks ought to be done in reference to increasing the Regular Establishment. After that he says:

> By way of making the country ready to assert some part of its real power promptly and upon a larger scale, should occasion arise, the plan also contemplates supplementing the Army by a force of 400,000 disciplined citizens, raised in increments of 133,000 a year throughout a period of three years.

There the committee differed from the President. The committee has undertaken to provide, not for such a large volunteer force as the President suggested, but only 261,000, raised in increments and covering a period of four years; so that the committee did not go so far as the President suggested. Now says the President in his message:

> This it is proposed to do by a process of enlistment under which the serviceable men of the country would be asked to bind themselves to serve with the colors for purposes of training for short periods throughout three years, and to come to the colors at call at any time throughout an additional "furlough" period of three years. This force of 400,000 men would be provided with personal accoutrements as fast as enlisted and their equipment for the field made ready to be supplied at any time.

I call the attention of the Senator to this because our bill has followed the suggestions of the President.

> They would be assembled for training at stated intervals at convenient places in association with suitable units of the Regular Army. Their period of annual training would not necessarily exceed two months in the year.
>
> It would depend upon the patriotic feeling of the younger men of the country whether they responded to such a call to service or not. It would depend upon the patriotic spirit of the employers of the country whether they made it possible for the younger men in their employ to respond under favorable conditions or not. I, for one, do not doubt the patriotic devotion either of our young men or of those who give them employment—those for whose benefit and protection they would in fact enlist. I would look forward to the success of such an experiment with entire confidence.
>
> At least so much by way of preparation for defense seems to me to be absolutely imperative now. We can not do less.

The committee went into this question fully, and some members of the committee discussed it with young men of different walks in life, hoping that we might elicit from these people what the disposition of men was.

In his address on the 27th day of January, 1916, delivered in New York at the seventh annual dinner of the Railway Business Association at the Waldorf-Astoria, the President said what I am about to read amongst other things, in discussing this very subject; and I am sorry to see the distinguished Senator from Missouri differing from the views of the President, because, without intending to follow out any particular policy, our committee is more nearly in accord with the administration than is the Senator from Missouri.

Mr. STONE. I did not say I was undertaking to voice the attitude of the administration.

Mr. CHAMBERLAIN. No; I rather thought the Senator was against the administration, and the Senator is not usually at variance with the administration.

Mr. STONE. I am not.

Mr. CHAMBERLAIN. That was what surprised me here.

Mr. SMITH of Michigan. The Senator from Missouri is very independent.

Mr. CHAMBERLAIN. Yes; I am not criticizing the Senator on that account. I think it is pretty good Democratic doctrine to stand together if we have to hang separately.

In discussing this matter, the President said:

> But, gentlemen, you can not create such a system overnight—

That is, a body of troops sufficient to handle a difficult situation—

> You can not create such a system rapidly. It has got to be built up, and I hope it will be built up, by slow and effective stages; and there is much to be done in the meantime. We must see to it that a sufficient body of citizens is given the kind of training which will make them efficient now if called into the field in case of necessity. It is discreditable to this country, gentlemen, for this is a country full of intelligent men, that we should have exhibited to the world the example we have sometimes exhibited to it, of stupid and brutal waste of force. Think of asking men who can be easily trained to come into the field—crude, ignorant, inexperienced, and merely furnishing the stuff for camp fever and the bullets of the enemy.

That is what this committee has attempted to do; not to establish a large volunteer force that can be used for invasion or any other offensive purpose, but to place young men in this country in a position where they will not be led to the slaughter if an emergency for defense ever comes—young men, taken from every walk of life, fitted and prepared not only to avoid the fevers of camp life, understanding sanitary rules and regulations, but young men who know how to handle a gun.

The sanitary experience of our Army in the Spanish-American War was merely an indictment of America's indifference to the manifest lessons of experience in the matter of ordinary, careful preparation. We have got the men to waste, but God forbid that we should waste them. Men who go as efficient instruments of national honor into the field afford a very handsome spectacle indeed. Men who go in crude and ignorant boys only indict those in authority for stupidity and neglect. So it seems to me that it is our manifest duty to have a proper citizen reserve.

Mr. President, to show you that the President did not have in mind the National Guard in reference to this matter, he differentiates between the National Guard and the Volunteers of which he speaks. The very next paragraph is devoted to the National Guard plan. He does not overlook it. He advocated doing more for the National Guard than has heretofore been done, just exactly what the committee does in this bill, so as to make it a more effective and more dependable force. The President says:

I am not forgetting our National Guard. I have had the privilege of being governor of one of our great States, and there I was brought into association with what I am glad to believe is one of the most efficient portions of the National Guard of the Nation. I learned to admire the men, to respect the officers, and to believe in the National Guard; and I believe that it is the duty of Congress to do very much more for the National Guard than it has ever done heretofore. I believe that that great arm of our national defense should be built up and encouraged to the utmost; but, you know, gentlemen, that under the Constitution of the United States the National Guard is under the direction of more than twoscore States; that it is not permitted to the National Government directly to have a voice in its development and organization; and that only upon occasion of actual invasion has the President of the United States the right to ask those men to leave their respective States. I, for my part, am afraid, though some gentlemen differ with me, that there is no way in which that force can be made a direct resource as a national reserve under national authority.

Now, notice:

What we need is a body of men trained in association with units of the Army, a body of men organized under the immediate direction of the national authority, a body of men subject to the immediate call to arms of the national authority, and yet men not put into the ranks of the Regular Army.

That is exactly what we have proposed in this bill; and going further in regard to this provision with reference to volunteers in connection with the act of 1914:

Men—

Says the President—

left to their tasks of civil life, men supplied with equipment and training, but not drawn away from the peaceful pursuits which have made America great and must keep her great. I am not a partisan of any one plan. I have had too much experience to think that it is right to say that the plan that I propose is the only plan that will work, because I have a shrewd suspicion that there may be other plans that will work. What I am after, and what every American ought to insist upon, is a body of at least half a million trained citizens who will serve under conditions of danger as an immediately available national reserve.

That is exactly what this committee has done, only we have not gone as far as the President advised. We have only gone to the extent of creating these reserve units to be trained in connection with the Regular Army to the extent of 265,000 men.

I felt it my duty to say this because I do not want the Senate to get that continental-idea scheme mixed with the plan embodied in the pending bill.

Mr. GALLINGER. Mr. President, I listened with a great deal of interest to the speech of the distinguished Senator from Missouri [Mr. STONE], who always entertains and usually instructs the Senate when he speaks. I am in very earnest accord with him in the naval program that he outlines, but I go beyond him in the military program that he suggested.

What particularly attracted my attention was the zeal the Senator from Missouri displayed in reference to the rehabilitation of the American merchant marine. Mr. President, I am not going to discuss that subject at any considerable length to-day. The time will come in the near future, as the Senator predicts, when we will have that subject directly before us, when we come to consider a bill which has that end in view.

What I want to say now—and I shall take but a few minutes in saying it—is that the Republican Party has not been indifferent to the necessity for the rehabilitation of the American merchant marine, and the attitude of the Democratic Party in the past on that subject is well understood. Some of us who have been here a long time remember with a great deal of interest the efforts which the late Senator from Maine, Mr. Frye, made along that line. We remember the fate that befell the bill that that great Senator advocated with so much zeal and so much earnestness and so much ability. The Republican Party represented in this body and in the other House as a whole were in sympathy with the efforts that Senator Frye made along that line, and the Democratic Party were a unit against it. It is true that a few Republicans in both Houses of Congress joined with the Democratic Party in defeating those efforts.

Later on a commission, known as the Merchant Marine Commission, was authorized by Congress in the year 1904, consisting of five Members of this body and five Members of the other House. That commission made an exhaustive inquiry covering the entire country. When they returned to Washington they framed a bill which I had the honor of presenting to the Senate. The Republican Members of this body practically as a whole were in favor of that bill. It was debated at great length. That was 11 years ago. The bill passed the Senate, but, because of the fact that a few Republicans in the other House joined with the Democrats, the bill failed to become a law.

Subsequent bills were offered and were debated and voted upon. One bill which, in my opinion and in the opinion of my associates on this side of the Chamber, would have done very much to restore the American flag to the high seas was filibustered to death in this Chamber, and the Senator from Missouri was a very active participant in the work of defeating that bill.

Mr. President, there are different opinions on this subject. That we have needed a merchant marine goes without the saying. I never have attempted to enter the realm of prophecy, but I said in a debate in this body on a certain occasion that if the great maritime nations of the world should ever engage in a war between themselves this country would be absolutely at their mercy so far as transportation was concerned. That suggestion has come true to the letter.

On that same occasion I said that if the United States was engaged in a war with a single great maritime country of the world we would be at the mercy of foreign countries for transportation on the high seas, and if that event ever occurs we will be in just as deplorable a condition as we are at the present time.

Mr. President, I think I speak for my political associates in this Chamber when I say that we are just as anxious to have the American merchant marine rehabilitated now as we were in the days of Senator Frye 20 years ago or in the efforts that were made by Republican Senators and Republican Members of the House of Representatives covering the period from that time to the present hour. There have been differences of opinion, and likely there will be differences of opinion in the future on the subject. The Democratic Party has taken the position that no help shall be given to the maritime interests of this country in its unequal contest with the other great maritime countries of the world; that operating ships at a much higher cost than England and Germany and France and Japan, subsidized as their ships have been for a great many years, unaided and alone we shall engage in a contest to put our flag again upon the seas of the world, while the Republican Party has insisted, in season and out of season, that the Government should render aid that would equalize conditions.

Our Democratic friends, who have strenuously opposed any governmental aid to the shipping interests of the country, have now come to the conclusion that not only must the Government go into the manufacture of armor plate and of fertilizers, but that we must also go into the businesses of shipbuilding and ship operation. Some of us do not agree with that proposition. While the Democratic Party had a right to oppose the proposition of subsidizing our American shipping or giving a subvention in the shape of an appropriation to aid in carrying our mails to foreign countries, we have a much better right to oppose the proposition that they presented to us last year and which in some modified form is to be presented to us again, inasmuch as it involves the broad and indefensible proposition of Government ownership.

I do not know, Mr. President, what the fate of the bill the Senator from Missouri alludes to will be; but for one I express it as my opinion that if this great Government of ours desires to establish a merchant marine and again put our flag upon American ships, where it will be seen in every port of the known world, it is the duty of the Government to render that great interest some substantial aid, as other nations are rendering substantial aid to their shipping.

Mr. President, this is all I care to say to-day. I am unwilling that the Senator from Missouri should at this late hour stand in this body and advertise to the world the fact that it is necessary now for the Democratic Party to do something toward rehabilitating the American merchant marine, when they have

stood as a solid phalanx against every effort that the Republican Party has made looking to that end during a period covering at least 20 years. It is too late for the Democratic Party to become the champions of legislation such as they have bitterly opposed whenever it has been advocated by the Republican Party. The country will not be deceived on the subject.

Mr. WILLIAMS. Mr. President, the other day while speaking I mentioned the fact that I proposed at the proper time to offer an amendment so that it would be pending, to be voted upon at the proper time. I now offer it, and ask that it be read for the information of the Senate.

The VICE PRESIDENT. The proposed amendment will be read.

The SECRETARY. On page 161, in the proviso agreed to and following the word "only," in line 2, strike out the word "thirty" and insert in lieu thereof the word "ninety," so that the proviso will read:

Provided, That without the consent of Congress such volunteer forces shall not be called for field service for more than a total period exceeding 90 days in any one year.

Mr. WILLIAMS. For the information of the Senate, I will only say that a Senate amendment was adopted, you remember, saying that this volunteer force should not be called out for a period exceeding 30 days in any one year. I have offered to strike out "thirty" and insert "ninety," so as to give three months' instead of one month's training to these men.

Mr. HUGHES. Mr. President, I was interested in the statement made by the Senator from New Hampshire [Mr. GALLINGER], in reference to the responsibility the party of which I am a member will have to take in connection with the present condition of the American merchant marine. I can not for the life of me see how he can escape the fact that for 16 years his party was in absolute control and charge of this Government in both bodies of Congress and the President of the United States, and yet it was unable to work out a satisfactory method of rehabilitating the American merchant marine.

Mr. GALLINGER. Will the Senator yield for a question?

Mr. HUGHES. Certainly.

Mr. GALLINGER. I will ask the Senator if I did not state accurately the historical fact when I said the Democratic Party were unanimously opposed to the legislation and were aided by a few Republicans? Is not that the reason why the legislation failed?

Mr. HUGHES. The Democratic Party was unanimously opposed to enabling a certain interest to plunge its hands into the Treasury of the United States, which it has always seemed to me is the only method the Senator from New Hampshire has been able to see for the restoration of the American merchant marine.

Mr. GALLINGER. May I ask the Senator another question?

Mr. HUGHES. Certainly.

Mr. GALLINGER. That sounds familiar; but did any member of the Democratic Party in either House during those 20 years offer a bill on that subject?

Mr. HUGHES. Dozens have been offered on the subject—bills to permit Americans to purchase ships abroad and to bring them in duty free, and bills to permit shipping materials to be brought in free. I can state to the Senator a long list of bills, all of which met with the almost united opposition of the Republican Party in this body. But I can come down to a later period.

Mr. WILLIAMS. To the Alexander amendment to the Panama Canal bill.

Mr. HUGHES. The Senator is as familiar with those things as I am. I do not know what his object was in asking the question. Of course, he knows that this subject has been a controversial subject between the two parties. But both parties, I believe, sincerely desire to restore the American merchant marine to the sea. The Democratic Party believes it ought to be restored without enabling those gentlemen to get connected with the United States Treasury on the false plea that they are seeking that connection in order to pay a high rate of wages to the seamen whom they employ.

Mr. GALLINGER. May I ask the Senator another question?

Mr. HUGHES. Certainly.

Mr. GALLINGER. Did not the bill that was advocated by the Democratic Party in the last Congress, and which is to be reintroduced in this Congress, connect itself with the Public Treasury to the tune of $30,000,000?

Mr. HUGHES. Yes; for the benefit of the public and the Government itself. Of course the Senator knows that absolutely there is no analogy between what I said and the statement he makes. The proposition was to have the Government operate the ships for the benefit of the people.

But I want to call the attention of the Senator to another material matter in this controversy which I think he will have no difficulty in recollecting. A year or so ago an effort was made to enable ships flying the American flag and having foreign registry to participate in coastwise commerce; that, in my judgment, would have been the greatest measure of relief, the most substantial progress which could possibly be made in the way of restoring the American flag to the ocean.

Mr. GALLINGER. May I ask the Senator another question?

Mr. HUGHES. Certainly.

Mr. GALLINGER. Does the Senator seriously think that allowing foreign ships to invade our coastwise commerce would have done anything for overseas trade?

Mr. HUGHES. Yes, I seriously think so; and I have it on the opinion of one of the biggest men in the coastwise traffic, who said that but for the idiotic laws which are now on the statute books—and they were left on the statute books by the Republican Party, the party to which the Senator belongs—men like him who are in the coastwise trade would also be in the overseas trade and operating ships under the American flag.

I do not suppose the average American citizen knows that the navigation laws are of such a character that an American ship flying the American flag can not go from one port to another port in the United States. I can not see how Senators can seriously wonder at the fact that the American flag is not upon the seven seas in view of that fact; and when the effort was made to change that legislation, to amend a shipping bill which was pending before this body, so that American ships, under the American flag, owned by American citizens, and operating in the overseas trade should have the right to go from port to port in the United States, the Senator was responsible, in my opinion, for the opposition which brought about the defeat of that conference report.

Mr. GALLINGER. May I be permitted to ask the Senator another question?

Mr. HUGHES. Certainly.

Mr. GALLINGER. Would we not have to abandon all American ships in the coastwise trade if we should allow foreign ships to invade that trade and displace American ships?

Mr. HUGHES. We wanted to permit American ships to go into the coastwise trade and the Senator would not agree to that proposition. The Senator stands for the proposition that an American ship, under the American flag, owned by American citizens, can not go from port to port in the United States, and it is idle to shed crocodile tears over the disappearance of the American flag from the seven seas so long as those navigation laws are permitted to remain upon the books.

Mr. GALLINGER. The Senator alludes to the navigation laws, and charges the responsibility for certain laws upon the Republican Party. I assume that the Senator from New Jersey is ignorant of the fact that the law to which he alludes was placed on the statute book in the year 1793, 63 years before the Republican Party was born.

Mr. BORAH. Mr. President, I have no intention of engaging in the discussion of the subject that is now immediately before the Senate, to wit, the building of a merchant marine, but I wish to put in a few moments in the discussion of a subject which ought to be before the Senate more directly, and that is the Army bill proper.

I think the Senate is very generally of the opinion that the committee which reported the bill had a very difficult task upon its hands. Even those who may differ as to the details of the bill recognize the splendid effort which the committee has made, and also the progress which it has made in bringing order out of chaos with reference to this program of preparation.

It devolved upon the committee to formulate a program for which there was practically no precedent in this country, because it was in a large measure initiating a new policy. The fact, therefore, that it has brought a bill forward which meets with opposition and evokes differences of opinion is not at all surprising. It was almost inevitable. I am of the opinion if the committee had not felt that as a practical question of legislation it would be compelled to reckon with politics, it would have left out of the bill some things which are now in it.

Mr. President, I regret that the naval bill did not come to this body and receive consideration here prior to the time when we should address our attention to the Army. I believe if we could have had the naval program we would have had a saner and more wholesome view of the entire program of preparation than we get by beginning at this end of the controversy.

Instead of beginning with the last line of defense we ought to have begun with the first line of defense in the making of our program.

It is well understood, of course, that the Navy is the first line of defense, but it is not generally recognized as being what, in

my judgment, it is, in a practical way, very largely the last line of defense. I do not mean to say, of course, that if the first line of defense should break down or prove inadequate and insufficient there should be no second and third line of defense. What I mean to suggest is that, with our first line of defense what it should be, there would be only the remotest chance of ever needing the second and third line of defense. Viewing our situation as a whole, our geographic situation, and the physical conditions which obtain, the Navy will always be not only the first line but in a very large measure the last line of defense of this country. I am exceedingly glad that it is so, because no form of militarism menacing free institutions or free government has ever arisen from a large navy. The American people have some hereditary prejudices against a large standing army, and wisely so. If we make our Navy what it should be, there will be no necessity for a large standing army. We should have begun with the Navy, strengthened it, and made it efficient, and built our Army program in the light of what we should do for the Navy.

Mr. President, what is the condition of the first line of defense, and what are we proposing to do with reference to it, and what are we doing here? I am calling attention to this now because I think we ought to keep before us real preparation and divert our attention for a time from so much political preparation. We have, I understand, 21 battleships, 15 of which only have a full complement of officers and men. We have some 22 or 23 destroyers, some 17 aeroplanes corralled somewhere in Florida, no submarines in commission or in condition for service, no airships, no fit cruisers. These practically constitute our first line of defense.

Now, look at the geography of this country and the physical conditions which obtain and reflect for a moment upon the situation if we were attacked. The attack would necessarily come through the instrumentality of some naval power. There will be no invasion until our coast cities are hammered down through some foreign navy. It must necessarily come from some Government that is pretty well equipped as a naval power. What have we to defend? We have upon the Atlantic that long line of seacoast stretching for hundreds of miles, with vast cities and incalculable wealth at the water's edge. We have the Panama Canal. We have the long line of the Pacific coast, with its large cities and its great wealth at the water's edge. Not only does the Navy constitute our first line of defense, but unless it is sufficient and efficient as a defense any power having a reasonably strong Navy could inflict injury upon us incalculable in the loss of property and of life without landing a single soldier upon our shores or placing themselves in a position where we could use a soldier in defense. The work which we are doing here under this bill might never be effective for defense against such injuries, as it would be almost impossible to calculate. And while this work is not to be wholly neglected, it should follow the perfecting of the work which would be needed first and most.

Therefore it seems to me if we could have done it it would have been well for us to have strengthened sufficiently and efficiently to the full satisfaction of the judgment of the American people this first line of defense before taking up the second proposition. I am a believer in a strong, efficient Navy. I am not a believer in a large standing army. I am especially opposed to this thing of incurring great burdens in the way of expense as we are doing in this bill under the guise of preparation when there is no real substantial preparation as to those features of the bill at all. When all things are considered the burdens which must be legitimately laid and necessarily incurred, the taxes which must be raised, it stops only on this side of a crime to impose upon the people great obligations which are wholly unnecessary and wholly fallacious as real preparation.

That brings me to this proposition. I voted, Mr. President, a few days ago to retain section 56 in the bill which provides for what is called the Volunteer Army. I did so because of the manner in which the issue was framed, to wit, practically a controversy between the National Guard and the Volunteer Army. If the controversy remains in that condition I shall unhesitatingly continue to support the Volunteer Army, section 56, in preference to the National Guard. I think it far the better of the two propositions.

But I want to take time now to say that it would be extremely wise, it would be economical, it would be better defense if we should take the amount which we are putting into the Volunteer Army and the tremendous amount which we are putting into the National Guard and attach that amount to any naval program which would come to the Senate. We are putting into these propositions practically $100,000,000 a year. In my humble judgment it will never be less, and it will continue to be greater; but, say, it is $75,000,000 a year, in the next 10 years that will amount to some $750,000,000, which would give us in and of itself a most complete and efficient naval protection for the Pacific coast where, my friends, we will need it first if there is any real menace nestling anywhere against this Government. If perchance the naval program should come to the Senate fully adequate, which I doubt, then let us save this $75,000,000 a year to the taxpayers.

I call your attention to the fact that while we are discussing and considering the proposition of expending this large sum of money for these two purposes there is not a battleship anywhere upon the Pacific coast for its protection. This long line of seacoast, with its great cities and its great wealth, is an invitation to any nation which might feel disposed to attack us. It is practically without any defense whatever at this hour, and we are proposing to do that which, in my judgment, will greatly handicap and greatly embarrass us in getting that real defense which we need. If we spend money so lavishly upon these political features of the bill the real defense program in which there is no politics will be curtailed proportionately.

What possible advantage, what possible benefit, would either one of these forces, the Volunteer Army and the National Guard, be after the first line of defense was broken through upon the Pacific coast? The battleships of some foreign power could remain sufficiently far away to be out of the reach of the aggressive action of the Volunteer Army or the National Guard and still do incalculable injury to the property and the people of the United States.

Mr. President, Great Britain has had in the last 250 years five great wars, and they have been determined, not through her land forces or the land forces of her allies, but through and by the strength of her navy. When Great Britain has relied upon her navy and not upon the land contest she has invariably won. Whenever she has been lured to the proposition of relying upon land forces rather than upon naval forces she has lost.

The first great contest was that of 1701 to 1713, known as the War of the Spanish Succession. It is true that there were great land battles fought during that time. Nevertheless it was the slow, sapping, undermining, wasting, exhausting power of the English Navy which finally settled the great conflict and determined once and for all the supremacy of England upon the sea. While other nations could succeed upon land they could not succeed against that power which cut off the supply from other nations, which destroyed their commerce, which spread want and hunger among the enemy, and which kept prosperity and protection at home, which exhausted the means of support of other powers, but which fully protected its own.

England learned from that hour, and with one single exception has adhered to the program, that her strength lay not in armies or land forces, but in her navy, and it is a lesson which the United States may well learn not only for its safety and its protection, but for the benefit of its free institutions.

The second great contest was that of 1756 to 1763, in which Frederick the Great first rose to power in Europe. We study the history of that war and credit its success largely to the genius of Frederick the Great; but the final determination of the war rested at last upon the power of the English nation through its navy to protect her allies, to furnish subsidies, to exhaust the resources of the other nation, and to protect the resources of itself and its allies.

The third war was the one in which England was lured away from her reliance upon the navy and undertook to settle her difficulties principally by land, and in just so far as England undertook to settle her difficulties by land she lost. The greatest sacrifice that a nation ever made, the 13 American colonies, were the result of England sheering away for a time from her naval power and relying upon her land forces for conquest. France in this instance made her influence felt mostly upon the sea.

The next great war was that from 1793 to 1813, the contest between France upon one side and England upon the other, which finally merged into the Napoleonic wars. The first seven years of that great contest was one unbroken story of disaster to the English land forces and those of her allies. Everywhere upon land she was defeated. Lord Rosebery has said the year 1797 was the darkest year that ever confronted an English ministry. But, notwithstanding the fact that there was Eylau and Marengo and Austerlitz and other great battles which had been lost by England and her allies, there was the great naval power of England, still master of the sea and thereby master of the situation. Out there upon the sea cutting off the resources of the other nations, draining them of their strength, was the force which the genius of Napoleon could not successfully com-

bat. One writer upon the subject declared that that 20-years' contest was finally determined by those ships which through long, weary months were fighting the storms of the Bay of Biscay and resting off Toulon, where Nelson spent the last two years of his suffering life and upon which the grand army of Napoleon never looked. Napoleon declared at St. Helena it was within his power to accomplish everything he set out to accomplish except the destruction of the English navy, and that without the destruction of the English navy it was impossible for him ultimately and finally to succeed.

So, Mr. President, let us reflect upon this history and make the Navy of this country not only the first line of defense, but regard it for all practical purposes largely the last line of defense. If I had my way about it, Mr. President, I would strengthen to full adequacy and completeness the American Navy. I would make it so powerful that there could be no reasonable doubt, in the minds of those who are capable of judging, as to its efficiency in taking care of this country in case of threatened danger. Then I would provide for a reasonable standing army, such as is provided for in this bill, which I think a very reasonable one.

After that I would cut out the politics of this situation—the portion of the bill which represents 95 per cent of appropriations and 5 per cent of preparation. I would take out the Volunteer Army and the National Guard, and take those millions of dollars and either reserve them and save them to the American people, or I would put them in the first line of defense, where there could be no question about their furnishing a return to those who must pay the bill in the form of taxes.

Then I would take any step that is practicable for the training of the young men of this country; I would go into the schools and colleges and universities and give them that military training which would remain with them through life. Lord Roberts said that a young man trained for 6 months during his college days, during his educational days, would carry with him through life more military capacity than an adult called from business life with a training of 18 months or 2 years. That is the educational period; it is the time when training is imbedded in the young man and becomes a part of him. Teach him how to shoot, how to ride a horse, how to use a gun, how to conduct himself. It is not only well in case we have trouble with another country, but it is well for him in every walk of life. It fits him for that kind of preparation which is second only to the preparation for national defense. It gives him health and sturdiness for the ordeals of the battle of life, in his profession and business. Instead of undertaking to build up what, in my judgment, will prove inefficient in the hour of peril, and at a great cost, I would put effort into the training of the young men in the colleges and schools of the country. We could not at this time make such training compulsory, but we could nevertheless make it so that practically all young men would voluntarily take the work and be glad to do so.

Then, sir, if the hour of danger comes, if there is a real peril, I would enforce compulsory service, the only kind of service that a democracy ought ever to rely upon. A democratic form of government ought to be not only self-governing, but it ought to be self-protecting and self-defending; it ought not only be one which has the capacity to administer its laws according to their making by those who are governed by them, but it ought to be a country which is defended by those who enjoy its political advantages and its protection.

Under a democratic form of government, a republican form of government, service in the defense of the country should go hand in hand with the privileges and the opportunities which are enjoyed in such a country. It is idle, perfectly idle, to talk about defending a republic by hired soldiers; it is idle, perfectly idle, to assume that we shall ever build up in this country anything like a defense in real peril by paying men for that purpose. The real defense, when it is needed, will be made by those who have been trained, if we attend to our duty and make the proper provision, in the colleges and schools and universities of the country, and it should come under such conditions that the rich and the poor, the great and the small, will stand upon precisely the same level in service to their country. Universal military training, with the knowledge that in case of war every able-bodied man will have to serve, is not only sound for defense but it is the surest and safest preventive of war. If the people understand that any war that comes must be fought by all who enjoy citizenship, they will guard vigilantly against all unjust wars.

Mr. President, I do not know how the contest will finally come upon section 56. As between section 56 and the provision for the National Guard, I have no doubt as to the preference of section 56; but I should like to see that part of this bill taken out in its entirety, with both of the appropriations eliminated; and, if you will, expend that amount of money either upon the Navy or upon some intelligent program to educate the young men in the colleges of the United States; or, if not needed for this, then relieve the taxpayers of these expenditures.

Mr. OWEN and Mr. NELSON addressed the Chair.

The VICE PRESIDENT. The Senator from Oklahoma.

Mr. OWEN. Mr. President, can I yield to the Senator from Minnesota for any purpose?

Mr. NELSON. I wanted to speak for about 10 or 15 minutes; that is all.

Mr. OWEN. Mr. President, the pending amendment of the Senator from Alabama [Mr. UNDERWOOD] contains two proposals, the first authorizing the Secretary of War to acquire patents, which is already, by necessary implication, involved in the amendment of the Senator from South Carolina [Mr. SMITH] in the authority to the Secretary of War to erect, construct, and operate, which could not be done without controlling the processes which are necessary. The only thing in the amendment of the Senator from Alabama which is new is the right, in case these plants are not needed for making nitric acid for powder, to lease them for the making of nitric acid for agricultural fertilizers.

I am opposed to having the Government of the United States expend $15,000,000 for the erection of nitric-acid plants and then, after the Government has manned these plants, has put them into operation, with a large force of experts charged with the duty of making nitric acid, to have those men dismissed and to lease the plants to private persons. I object to it because I think it would lead to private companies seeking to take advantage of the Government and obtain these plants. I think it would subject the Government to the continued solicitation and the active manipulation of those who may desire to take over this property after the Government had expended many millions of dollars therefor. For that reason I do not find myself able to support the proposed amendment to the amendment offered by the Senator from Alabama.

The amendment of the Senator from South Carolina to erect these plants I am glad to support.

The economic advantages are very great. The Government of the United States can obtain money at 2 per cent. The water powers of this country are gigantic; they are going to waste; they are very largely serving no useful purpose. Instead of having the painful and expensive labor of men engaged in the onerous work of the world, so far as the labor of falling water can be substituted, it is a wise economic policy to have that done.

I should like to see this bill greatly enlarged, but I shall not ask that it may be done, because I do not think it would be a practicable request at this time.

There is certainly political propriety in the proposed amendment of the Senator from South Carolina. This Government has been compelled in the past to pay $1 a pound for powder. The Secretary of the Navy is now manufacturing powder at approximately a cost of 25 cents a pound, and that, too, under conditions where the Government has to pay a high cost for nitric acid.

The Senator from Georgia [Mr. HARDWICK] protests against this policy on the ground that it is not good Democratic doctrine. The fundamental Democratic doctrine of America finds itself recorded in the 48 State constitutions in the broad declaration of the right of the people to exercise the full powers of self-government for the protection and promotion of their interests and happiness. That is the meaning of Democratic doctrine. It is the right of the people to govern themselves for their own welfare and not be governed by a monarchy, by an aristocracy, or by a plutocracy .

Thomas Jefferson's declaration of "Equal rights to all and special privileges to none" is a just doctrine, when fairly and justly interpreted; but, Mr. President, it is not a denial of this wise doctrine when we spend large amounts of money to control the boll weevil in the South. According to the doctrine of the Senator from Georgia [Mr. HARDWICK] we would have no right to spend a single dollar in the control of the boll weevil, because it is a special appropriation for a special purpose and for a special class of people. I think his doctrine is not sound; I think we have a perfect right to expend money for the control of the boll weevil. Such an expenditure relates not only to the farmers who are in Georgia and in the other Southern States, but it relates to the furnishing of the cotton fiber to the mills of New England and to the mills of the world, for that matter; it relates to the economic furnishing of the raw materials for giving clothing to the whole world, including all of our own people, because there is not a citizen of the United States who does not wear cotton in some form.

But, Mr. President, the activities of the United States are not confined to appropriations for controlling the boll weevil and other destructive insects as the San Jose scale, the Texas tick, and gispy moth. We have the agricultural extension act, under which instruction is being given all over this country, including almost every county in the whole country, by demonstration farmers. That is a wise and just expenditure of public money.

Mr. HARDWICK. Mr. President, will the Senator yield?

Mr. OWEN. I yield to the Senator; yes.

Mr. HARDWICK. Does not the Senator find himself able to draw some distinction between that sort of educational and experimental work and the proposal to go into a business enterprise?

Mr. OWEN. There are distinctions which may be drawn, but the principle which underlies those governmental activities and the expenditure of public money for the general good in the two cases is identical.

Mr. HARDWICK. The Senator regards the Government's educational activities as identical in principle with it engaging in a private business enterprise?

Mr. OWEN. The Senator chooses to call this a "private business enterprise," when it relates to the manufacture of nitric acid for the use of the public, but would say that it is not a private enterprise when the Government is instructing private individuals throughout the country how to raise plants.

Mr. HARDWICK. Of course, if the Senator will modify his proposition and confine it to public purposes, none of the objections that I raise to this proposition could be justly urged against it.

Mr. OWEN. Mr. President, when you establish the agricultural extension system in this country, you benefit private individuals primarily, but secondarily you benefit the whole of this country by enlarging the food supply and enlarging the raw-material supply of the country—the very best form of preparation, if you please; and when you make nitrates, when you make fertilizers, if you choose to go that far—and I would not say that it would be judicious to go that far—but when you make nitric acid out of the air by the power of falling water, which costs nothing except the primary plant, and furnish nitrates to enrich our soil—according to one of the estimates placed before me by one of the experts, the water power of Niagara would make 3,000,000 bushels of wheat a day more for the agriculture of this country if it were properly applied—is it a matter of no public consequence? Is that merely a private concern? Shall we view it as narrow class legislation, or shall we deal with it as a broad matter of internal development of the highest importance to this Nation as a Nation?

Why, Mr. President, the governmental activities under our modern construction of what is the Government's duty, have extended already to a very large field, which more than furnishes all the precedents which are necessary for the establishment of this nitric-acid plant. Why, we are running railroads and steamship lines and factories and farms; we are building a railroad in Alaska for the purpose of bringing out fuel from that great storehouse; we are operating a railroad across Panama to furnish convenient means of transportation across the Isthmus for the commerce of our own people and of all the world, at one-fifth the cost to passengers which was charged by previous private owners.

Mr. HARDWICK. Mr. President, will the Senator yield again?

Mr. OWEN. I yield; certainly.

Mr. HARDWICK. When we embarked on the enterprise to which the Senator last referred, to wit, the railroad enterprise in Panama, it was advocated by Democrats in both Houses of Congress on the theory that it was necessary for the Government to use it for the transportation of its own supplies and for the prosecution of its own business. So far, of course, as the instance is concerned to which the Senator first referred, to wit, the Alaskan Railroad project, the Senator undertakes to justify a still further excursion into this sort of enterprise by a project that he, and other Senators who felt as he did, voted for and Senators who did not feel as he did voted against.

Mr. OWEN. I shall hope to see the Senator himself progress later on. This country is progressing. I call attention to the fact that we have spent $400,000,000 to make an interoceanic waterway in Panama. Is that to be condemned because some ships will find it more convenient and cheaper than to go through the dangerous Straits of Magellan? Oh, yes, we built it, and private persons will benefit by it; but it is a national enterprise of vast importance to this people—of vast importance to our own protection—doubling, as it does, the power of our Navy and giving more convenient access for our commerce, and thus benefiting our people broadly. Shall we say that we shall not develop the harbors and rivers because spending millions of dollars in New York Harbor will benefit New York and make property on Fifth Avenue more valuable? Oh, I think not.

Mr. HARDWICK. Mr. President, if the Senator will pardon me, of course the Senator may put up as many men of straw as he likes. It is a very useful and never a harmful occupation.

Mr. OWEN. I am calling attention to the various precedents where public money has been spent upon a local matter and benefiting private persons but justified because of its public service and because of its public benefit.

Now, I will refer to the Post Office Department, as the Senator from Alabama [Mr. BANKHEAD], chairman of the Senate Post Office Committee, is conveniently near and seems to be a willing witness. In connection with the Post Office Department—you can refer to it as socialism if you please. The term "socialism" has been one of reproach; but I want to say to the Senator from Georgia that the doctrine which finds its lodgment in the minds of the people of the world of having the powers of the people combined and used in their own service is a wise one and is justified in common sense and on sound principles of government, and no man need be frightened by having the Post Office Department charged with being socialistic, nor the public schools as socialistic, if you please, nor the paving of streets as socialistic. They are all socialistic in one sense—they involve the use of the combined powers of the people for the common benefit of all the people—but here is a case where we take nitrogen out of the air, of which there is an endless supply, through the use of water power, which is also in endless supply, because the water powers of this country can hardly be measured. We talk about the water power of Muscle Shoals. Yes; it is valuable, magnificent, splendid; but it is a trifle by the side of the water powers that flow in endless procession down the mountain sides of this country, which have not been used, but which are waiting as a treasury from which to feed the people of this Nation.

The Senator from Georgia says if you give this service to the farmer, will you not be obliged to give cheap food to all sorts of men? He says:

> If we are going to manufacture cheap fertilizers for the farmer, why not manufacture cheap clothes, cheap shoes, cheap food?

Why, Mr. President, when you take nitric acid out of the air you furnish the basis of all those things; you furnish cheap food, you furnish cheap clothes, and you furnish cheap shoes, because I remind Senators that the use of water power is not confined to nitric acid alone; it can run a shoe factory after it has fertilized the ground and raised the cattle from which the shoes can be made. The values are without end.

The Government of the United States has been long enough the victim of its own inactivity in being compelled to pay prohibitive prices on the things the Government and the people require, and it is high time that the people of the United States should use their combined powers in the public interest for the public welfare; and I want to say that, in my judgment, it is good, sound Democratic doctrine.

Mr. HARDWICK. Will the Senator yield for just one more interruption, and then I will not bother him any more?

Mr. OWEN. I yield.

Mr. HARDWICK. Does the Senator believe that the Government can prosecute the business enterprises of the various kinds he suggests as successfully, as cheaply, and as economically as private capital can and does? And does not the Senator believe that all the experiments which we have with Government ownership and Government participation in business so far have shown that the Government can not do these things as cheaply and can not do them as adequately as private capital does, and that the employees of the Government combine always to get higher wages and shorter hours, and all that sort of thing?

Mr. OWEN. If the Senator has asked his question, I will be glad to answer it.

Mr. HARDWICK. I have amplified it a little, so that the Senator could see all the items I had in mind.

Mr. OWEN. I am in entire accord with the Senator in the idea that individual initiative ought to be encouraged in this country; that individual initiative ought not to be suppressed in this country; but, perfectly consistent with that, I also favor the Government of the United States laying its strong hand upon the water powers of this country and not giving them away to those who have monopolized them and those who can refuse credit to men who desire to make use of the water powers and put them into operation.

I understand something about the organization of the financial forces which are controlling the water powers of this country, and I think it is high time the Government of the United States puts its hand upon these water powers and took a position where they shall not be appropriated for private profit

alone. The Government can and does run its enterprises better and cheaper by far than the average individual, and, I am glad to say, pays better salaries and gives better hours.

I am in favor of going further than has been proposed in this bill. We talk about preparedness. Mr. President, the power of the German people depends upon the efficiency of those people, developed under the guidance of their Government. In Germany the powers of government go very far in utilizing for the people the powers which properly belong to them. They go so far that I recall that in Munich they even have a municipal slaughterhouse, where a small operator can go with a single steer and have that animal killed at cost, put in cold storage, the waste part being bought by the Government, and credit given for it, and that butcher can take that carcass from the cold storage and peddle it out after it has been certified by the city authorities. Will you say that that is socialism? It is using the powers of the people of the city of Munich to give an opportunity to the farmers who raise their cattle to find a competitive market among the butchers who peddle the carcass after it has been killed, and in that way the farmer who raises the cattle is benefited by a competitive market, which we have not properly had in this country, as every man appreciates who knows how we have had affairs administered through the great corporations known collectively as the Beef Trust.

More than that, it promotes the individuality of the butchers, and they are not converted merely into distributive clerks for a gigantic corporation. You talk about individuality! That system promotes the individual development of the farmer and of the butcher; and, more than that, because it gives a competitive market in the selling of beef, it gives cheap food to every citizen, and promotes his right as an individual to live and enjoy the fruits of his own labor. I am in favor of individual initiative, but I do not propose to apologize for being in favor of using the powers of this Government for the purpose of promoting the general welfare; on the contrary, I glory in it. It is true democracy. Even the Senator from New Hampshire [Mr. GALLINGER], who is so ardent an advocate of a ship subsidy, I take it is not unwilling to furnish to private individuals benefits from the governmental Treasury in order to excite their activities. I do not go quite that far. The Senator from New Hampshire goes somewhat further in that direction than I feel willing to go. I should prefer to have the Government own its own ships, and, when it takes money from the Public Treasury, do it for the benefit of the whole people rather than for the benefit of special shipowners, even of the poverty-stricken international mercantile marine, that this year, I believe, will make about one hundred millions of profit.

Mr. President, I merely want to express my approval of the amendment offered by the Senator from South Carolina [Mr. SMITH], and to say that I believe that it is a wise and just amendment, and will serve a most useful purpose in this country, and that I hope it will meet the approval of the Senate.

Mr. TILLMAN. Mr. President, since I have been in the Senate I have always noticed that lawyers here enjoy nothing so much as they do the discussion of the constitutionality of a proposed bill. They love to ventilate their knowledge of the law in that way, their supposed knowledge, rather, because many of them lose sight of great principles and split hairs so infinitesimally fine that common sense takes wings and flies away in disgust. I have never seen any proposed legislation or amendment to a bill which has a clearer and more legitimate claim to be constitutional than the Smith amendment.

Article I, section 8, of the Constitution says:

> The Congress shall have the power to provide for the common defense and general welfare of the United States.

Therefore, if the manufacture of nitrogen to be used in making explosives for the common defense is not legitimate, lawful, and constitutional, what can be constitutional? When the substance needed for common defense—the identical article, mind you, nitrogen—can also be used by the farmers to increase their crops, it is clearly for the general welfare. Is there a Senator here or any number of Senators who will contend that the welfare of the farmers is not to be considered here at all? Are we to legislate alone for manufacturers and all other classes except those who till the soil? I am surprised—amazed, almost—to hear sensible men quibble and split hairs about the constitutionality of this amendment and the power of Congress to enact it.

We need the nitrogen to make explosives for the common defense. It is proposed to appropriate the money necessary to obtain it from the atmosphere in order to be relieved of the danger of being cut off from Chile, our present source of supply. If there be no objection to providing for the common defense—and it is proposed to spend the money to get the nitrogen for that purpose—in God's name, why should there be any objection to utilizing the same power, the same machinery, the same skilled labor already provided by the Government for the common defense, for the purpose of manufacturing this very same article to benefit the farmers and increase their crops?

Everyone knows that most of the taxes, primarily and fundamentally, are produced by the labor of those who till the soil. To my mind, then, it is not only legitimate but also very patriotic and statesmanlike to produce the nitrogen needed by the impoverished fields to grow food crops, cotton, wheat, oats, corn, and vegetables. To my mind, it is too plain, simple, and clear to be discussed. I think Senators ought to be ashamed of themselves to raise the question of the constitutionality of this amendment.

In case of war with a first-class power the United States Government would need a huge amount of nitrogen—Germany at war is said to be consuming 600,000 tons per year—while in time of peace our governmental needs would be very small. To prepare adequately for war we shall have to build a plant of large capacity, and how anyone can honestly say that we would not have the constitutional right to dispose of excess production in time of peace is more than I can see. We would—for war purposes, which is admittedly constitutional—have a plant and trained men already on the ground, and if we can incidentally benefit a large class of people by its means it is not common sense to say the Constitution forbids us to do it. To say it does is to say that those who made the Constitution were fools or knaves, and if this amendment becomes a law and is thrown out by the Supreme Court on the ground of unconstitutionality I would be tempted to repeat what I once said in a lecture about the fourteenth and fifteenth amendments: "To hell with any such Constitution." If the fundamental purpose of a law is constitutional, all its incidents are likewise constitutional. If the main object is joined in wedlock with the Constitution, the children of the union certainly can not be bastards.

The Senator from Georgia yesterday placed in the RECORD a communication from a constituent, which shows the relative value of nitrogen obtained from cottonseed meal—our only supply in the South now—and that obtained from cyanamide. The Senator from Iowa drove the question home and clenched it to the satisfaction of any reasonable man when he asked if we had the constitutional power to distribute garden and field seed, why we have not the power to furnish fertilizers for those seed, especially when the Government is already making it for other purposes, and has a surplus which it does not need for explosives.

No one who has agricultural constituents will be willing to deny that the distribution of seed of all kinds is entirely constitutional and legitimate. If we can give the farmers seed, as the Senator from Iowa says, why are we not able and why have we not a right and the power to sell them the fertilizers with which to grow their crops, especially if we can make it and not have to buy it as we do the seeds?

The plea here for private enterprise to be allowed to compete is all very well for those whose constituents have made millions out of it; but the Armor Trust has shown such remorseless greed and moral dishonesty in dealing with the Government, I think the champions of that policy are estopped from arguing any further for it to continue. If one will stop a moment and think: The United States does not own a dollar and does not get a dollar except by taxation; and in the long run the taxpayers have to pay for all these things.

The policy of one of the parties of this country is to select a few favorites and legislate in favor of that class only, and levy tribute on all the balance of the people.

If the junior Senator from Georgia votes against this amendment, I hope he will explain to his farmer constituents next time he runs for the Senate just why he thought it right and the best policy to do it. I particularize him—and apologize for doing so—because he has been so persistent and insistent that the Government should not embark in enterprises of this sort. The Democratic idea is, of course, that individual effort is the best for a free country; but we will do well in this country if we imitate German efficiency as far as it may be right to do so—only taking care that we do not carry it too far.

If I could speak to those same farmer constituents as I once did, I would undertake to beat any man who runs for reelection, who has farmer constituents, who votes against this amendment. I believe I could do it without any trouble, for all the farmers are not such fools as they are considered by some people. I sincerely hope those of you who are objecting to the farmers getting cheap fertilizers will explain to your constituents who work in the fields why you do this thing in Washington.

Mr. NELSON. Mr. President, I simply desire to occupy the time of the Senate for a few moments.

One or two days before we took a vote on section 56 of the Army bill I received a small shower of telegrams from officers of the National Guard. It seemed rather strange that officers of the National Guard in Minnesota should send me these telegrams, some 15 in all. They were pretty much in this language:

Vote to strike out section 56 of Chamberlain bill and support Lee and Cummins amendments.

After I got these telegrams I demurred somewhat to them, and through the public press of Minnesota I expressed the opinion that the officers of the National Guard were going outside of the pale of their duties and were trying to hamstring this Army bill, which the Committee on Military Affairs of the Senate had prepared with such skill. I was somewhat curious to know where all this inspiration came from. I finally found the source of all this activity on the part of the National Guard. It seems that they have a National Guard Association, covering the whole country, and this association has been very active. I have in my hands a letter, written by the acting chairman of that association to the adjutant general of the State, that I desire to read for the information of the Senate:

In the absence of Gen. Foster I have been acting as chairman of the executive committee of the National Guard Association, and as such wired you a few minutes since as follows:

"Telegraph yourself and have your Senators wired by as many as possible to vote to strike out section 56 of Chamberlain bill and support Lee and Cummins amendments."

That is exactly the form of the telegrams that I got.

(Signed) W. F. SADLER, Jr.,
Acting Chairman.

I read the following from Mr. Sadler's letter:

Section 56 provides for a volunteer army, which is the continental army under another name, and is even more dangerous to the guard than Garrison's scheme.

Senators LEE and CUMMINS have offered certain amendments at our request, and all are important. They number about 40, and some change a word or two, yet are important to us.

Please do everything that lies within your power to help eliminate section 56.

This is a copy of the order that went out from the acting chairman of this National Guard Association. At the head of it the adjutant general, who sends out this letter to the officers of the guard, says:

I am in receipt of the following letter.

Then he quotes it as I have read it; and then, at the foot of it, he says:

Take notice and govern yourself accordingly. Fred B. Wood, The Adjutant General.

So that, Senators, when I said the other day this was an unusual case of lobbying, I have demonstrated it by this, and that it comes from the headquarters of this National Guard Association.

I am proud to say, Mr. President, that when the good people of Minnesota and the National Guard found out how this situation was, every paper in the State sustained the position I took; and I got this telegram from the First Regiment of our National Guard:

MINNEAPOLIS, MINN., *April 5, 1916.*

Senator KNUTE NELSON,
Washington, D. C.:

The majority of the line officers First Infantry, Minnesota National Guard have the utmost confidence in your judgment and ask you to support section 56 without amendments. Lobby in Washington does not represent wishes majority of Guard. Larger the trained force the better for the country. The more Federal control of Guard the better and more dependable for reserve force. Letter and signatures follow.

There were so many signers to this telegram that for reasons of economy they sent their signatures in a separate letter. There were 29 officers of this regiment who sent me this telegram; and the people of Minnesota with one accord, through their public press, deprecate this action of these officers of the National Guard, inspired from these national headquarters.

In this connection, I ask that the 15 telegrams which I received—they are all short, and take but little space—may be incorporated in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection, it will be so ordered.

The telegrams are as follows:

MINNEAPOLIS, MINN., *April 3, 1916.*

Senator KNUTE NELSON,
Washington, D. C.:

Your effort will be appreciated, to vote against section 56 of the Chamberlain bill, also that you will support the Lee-Cummins amendments.

CLARENCE BROWN.

MINNEAPOLIS, MINN., *April 3, 1916.*

Senator KNUTE NELSON,
Washington, D. C.:

I hope that you will vote to strike out section 56 of the Chamberlain bill; also that you will support the Lee-Cummins amendments.

PAUL SIDAL.

MINNEAPOLIS, MINN., *April 3, 1916.*

Senator KNUTE NELSON,
Washington, D. C.:

We trust that you will vote against section 56 of Chamberlain bill. We also trust that you will give your support to Lee-Cummins amendments.

OFFICERS FIRST INFANTRY.

MINNEAPOLIS, MINN., *April 3, 1916.*

Senator KNUTE NELSON,
Washington, D. C.:

I trust that you will vote to strike out section 56 of Chamberlain bill. Would appreciate your supporting Lee-Cummins amendments.

S. SOLVERSON.

DULUTH, MINN., *April 3, 1916.*

Hon. KNUTE NELSON,
Washington, D. C.:

Trust that you consider advisable strike out section 56 of Chamberlain bill and support Lee and Cummins amendments.

R. M. WEAVER.

DULUTH, MINN., *April 3, 1916.*

Senator KNUTE NELSON,
Washington, D. C.:

Please vote to strike out section 56 of Chamberlain bill and kindly support the Lee and Cummins amendments.

WALTER O. FLODIN,
Captain, Commanding Company C, M. N. G.

DULUTH, MINN., *April 3, 1916.*

Hon. KNUTE NELSON,
Washington, D. C.:

Respectfully urge that you vote to strike out section 56 of the Chamberlain bill and support the Lee and Cummins amendments.

H. V. EVA.

DULUTH, MINN., *April 3, 1916.*

Hon. KNUTE NELSON,
Washington, D. C.:

National Guard officers are in favor of Lee and Cummins amendments to the Chamberlain bill and opposed to section 56. Trust you will vote to carry out above.

Col. F. E. RESCHE.

MINNEAPOLIS, MINN., *April 3, 1916.*

Senator KNUTE NELSON,
Washington, D. C.:

I would appreciate your voting against section 56 of Chamberlain bill. Would also appreciate it very much if you will give your support in the Lee-Cummins amendments.

COLE D. LUCE.

AUSTIN, MINN., *April 5, 1916.*

Hon. KNUTE NELSON,
United States Senate, Washington, D. C.:

You are requested and urged to use all honorable means to eliminate section 56, Chamberlain bill, and support Lee and Cummins amendments. It is the almost universal opinion here that the Guard is the only practicable organization for defense, and the continental army scheme by whatever name is useless unless coupled with compulsory service.

A. W. WRIGHT.

AUSTIN, MINN., *April 5, 1916.*

Senator KNUTE NELSON,
Washington, D. C.:

Protect National Guard with Lee and Cummins amendments to Chamberlain bill; strike out 56.

J. N. NICHOLSEN.

ST. PAUL, MINN., *April 5, 1916.*

Senator KNUTE NELSON,
Washington, D. C.:

Continental army plan embodied in pending bill found impracticable by all States. Can you not support motion to strike out this section and favor Lee-Cummins amendments?

GEO. C. LAMBERT.

MANKATO, MINN., *April 5, 1916.*

Hon. KNUTE NELSON,
Washington, D. C.:

Vote to strike out section 56 of Chamberlain bill and support Lee and Cummins amendment.

A. O. SCOTT.
H. M. HAUCH.
C. B. SPICER.

ST. PAUL, MINN., *April 5, 1916.*

Senator KNUTE NELSON,
Washington, D. C.:

According to columns of to-night's dispatch from Washington the Minnesota National Guard and the undersigned were criticized rather severely by you for our opposition to section 56, Chamberlain bill. We believe in the volunteer army as provided by the act of April 25, 1914, but we do believe that the National Guard could not exist as an efficient unit if section 56 became a law. One would most seriously affect the other.

WOOD, *Adjutant General.*

ST. PAUL, MINN., *April 5, 1916.*

Hon. KNUTE NELSON,
Washington, D. C.:

According to the columns of to-night's dispatch from Washington the National Guard officers were criticized severely by you for our opposition to section 56, Chamberlain bill. We do not oppose the volunteer army as provided by act of April 25, 1914, but we do not believe that the National Guard can exist if section 56 became a law, and either that section or the National Guard legislation should be defeated.

T. H. THARALSON,
Adjutant General, North Dakota.

Mr. NELSON. Mr. President, in addition to this, I want to say that I am in favor of the Volunteer Army, because there are a lot of good young men in the country who neither want to enlist in the Regular Army nor care about the National Guard. Army life in time of peace, as those know who know anything about it, is a monotonous, dreary, lonesome life. It is mostly drilling and standing guard—hardly anything else. There is a little of what we call, in the Army, police work, keeping the camps in order. Outside of that it is a dreary and monotonous life. The result is that, as a rule, when times are prosperous and good in the country, in time of peace, young men of spirit and energy do not like to enlist in the Regular Army. They are ready at all times to fight for the country in case of emergency, but they do not like to go into the Army and lead the dreary, monotonous life of a soldier in the Regular Army in time of peace. That is why, I know, there are hundreds of young men in this country who would gladly enlist in this Volunteer Army, but who have no desire in time of peace to go either into the Regular Army or into the National Guard.

As evidence of this I wish to quote from a letter from a young man—he is not so very young, either—who belongs to what we call the Sons of Veterans. I suppose you have the same organization among my Confederate comrades, as I will call them, in the South. You have Sons of Veterans, as we have in the North, Sons of Veterans of the Grand Army. I have a letter from one who is at the head of a camp of Sons of Veterans, and in it he says:

> The military department of the Sons of Veterans is known as the Sons of Veterans Reserve, and on September 1 last showed a strength of 35,407 officers and men, with Brig. Gen. Edwin M. Ames as our chief of staff—

And so forth.

Here is what I call your attention to:

> I have had 22 years of military training, all in the Sons of Veterans, and, like the majority of my men, could not be induced to join the Regular Army or the National Guard. I refused a commission in the latter less than a year ago.

There, Mr. President, you have good evidence that we have a lot of young men who are willing to enlist in the volunteer army, and are willing to spend from 60 to 90 days annually in drilling for three or four years, and remain in the ranks subject to be called out immediately. The officers are to be appointed by the President, and in that way we will get a lot of superior officers.

What I have seen of the State militia is this: While they may become efficient in marching and in drilling, while they dress up and make a good appearance on dress parade, and all that, yet that is only a small part of soldiering. You do not make soldiers in that way. Did any of you ever see an army after they had been out on a red-hot campaign for three or six months? Did you ever see such a body of armed men? You do not find them with plumed caps; you do not find them with shining boots nor with white gloves on. You find them with all kinds of headdresses and all kinds of coats, and you find mud on their pants and mud on their jackets, and all that. Yet they are hardened—hardened by actual service and training in camp—and they have become efficient soldiers. While these amateur soldiers of the National Guard make an elegant appearance on dress parade and are good at presidential inaugurals and other functions, yet when it comes to hard service it takes a good deal more than that to make real good soldiers of them. By putting them in the volunteer army we will get a better class of officers. The officers of the National Guard, as a rule, I think in most States—in all, as far as I know—are appointed by the governors of those States. It is largely a matter of political favor, largely a matter of "hail fellow well met."

I had an experience with our National Guard in Minnesota that I can never forget. When I became governor the officers formed a little pool among themselves and wanted me to appoint a certain young man adjutant general. He was an elegant man. I think his coat was cut in the last fashion; I think he wore an elegant suit, used kid gloves on most important occasions, and had a supply of evening-dress suits. He was a social fellow in the club, drank his Apollinaris with brandy in it, smoked cigarettes, and was a jovial fellow, but he had no other qualifications. The guard was very insistent that I must appoint that man as my adjutant general.

It was in those troublous days, Mr. President, under Cleveland's last administration, in 1893–94. I knew we were likely to have trouble of some kind. Strikes were in the air. We had the great Chicago strike that President Cleveland stamped out; we had sympathetic strikes over the country, and we had local strikes in Minnesota in the iron mines. I wanted a good man, and I finally discovered an old German who had been through the Civil War, and had commanded a company in one of our Minnesota regiments, who had a most excellent record. He was an old German, a fine old fellow. I discovered him, and I appointed him as my adjutant general; and you ought to have heard what those fine officers of the guard had to say. "Why, you could not expect anything better from a Norwegian governor than to appoint an old beer-drinking Dutchman as adjutant general." [Laughter.]

I appointed old Gen. Muhlberg. He was a stout, heavy, rather phlegmatic old German. He looked like a beer drinker, and yet he was one of the most temperate men I ever knew. As I told the Senate the other day, he rendered me a great service when he went out in the iron mines and suppressed a strike there without hurting anybody, not even a child.

Mr. President, that gave me a little experience with the National Guard. I want to say further that while I have criticized the officers of those days, ultimately, after old Muhlberg had served for about a year as my adjutant general and the guard had learned to know him and what kind of a man he was, they came to the conclusion that he was the best and most reliable adjutant general they had ever had in the National Guard. He was a real soldier and wanted to make the members of the National Guard real soldiers.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. I do.

Mr. SMITH of Georgia. Does not that indicate that the National Guard would be pleased to have good officers, and that if they have not it is the fault of their bad governors?

Mr. NELSON. Oh, no. Their former condition was bad, but it improved, because the old adjutant general put good service into their heads.

Mr. President, perhaps I have wearied the patience of the Senate; perhaps I have been a little too garrulous. They say that old people are apt to fall into that rut, and perhaps I am not immune from it any more than other old people. Yet I desire to say in conclusion that I feel that among the young men of the country there is a field to be occupied that ought to be occupied by our Volunteer Army. There are a lot of young men who can not bear the monotony and drudgery and tameness of life in the Regular Army in time of peace. There are a lot of them who look upon the National Guard with disfavor, because they think it is a kind of an amateur arrangement, who would be willing to enlist in the Volunteer Army. Why should we not make use of that kind of men, and why should we not have a Volunteer Army as a supplement to our Regular Army?

Mr. SMITH of Georgia. Mr. President, I desire especially to give my reasons, or some of them, for supporting the amendment of the Senator from South Carolina [Mr. SMITH], and also the amendment of the Senator from Alabama [Mr. UNDERWOOD] to that amendment. Before doing so—as when we reach the discussion of this bill in the Senate we will be limited to five minutes each—I do not think it inappropriate to make a few observations with reference to the continental army and the National Guard.

The Senator from Minnesota [Mr. NELSON] has questioned any great usefulness on the part of the National Guard. He has pointed out defects in the organization, and has questioned their real value if called upon for active work. Mr. President, if with organized companies, if with regularly enlisted membership, if with meetings once a week, maintaining their organizations, and continuing constantly to drill, they are of but little effect as soldiers, what will be the value of a party of gentlemen who go out for 30 days in the summer to meet at an encampment, drill a little, and go home, without further drill or organization?

I am opposed to section 56 because I do not believe we develop any soldiers from it. I do not really feel perfectly satisfied with the National Guard; but I know that a 30-day encampment for men in no organization, connected with no companies, unofficered when they disband, utterly disorganized when they go home, certainly offers poorer prospect for national defense than the National Guard.

And what is the amount that we are to expend for 30 days a year on this continental army? Over $20,000,000 the first year, reaching over $40,000,000 the third or fourth year, and to con-

tinue permanently at $27,000,000 a year; and that, too, on an estimate of only 30 days' encampment each year. The Senator from Mississippi [Mr. WILLIAMS] suggests that the encampment should last 90 days each year. I do not know how much more that is to cost. Ninety days' drill sounds more promising, but if it is to cost three times as much, then I think it would be a waste. I take it for granted that it would not cost three times as much, for a considerable part of the fixed charge to which I have already referred would consist in the equipment and the guns, and the increased expense for keeping them 90 days instead of 30 days would probably be not more than 50 per cent of the original cost charge for 30 days. But how many men have you who can go out for 90 days in the summer and drill? How large will it be, then? It will simply dwindle away. The entire scheme is impracticable.

It is not that I am opposed to having their military encampments. Let them have them. The House bill provides for military encampments each year to cost about $2,000,000. I do not object to that, but I do object to the provision of section 56, under which we are to spend from twenty-four to forty odd million dollars a year, and that, in my judgment, for practically nothing of defensive value. Vastly better spend that money in the schools of this country, training the boys between 15 and 17, so that the whole boy population of our country will go from school with efficient training to be called when the time comes for service. Depend upon our Regular Army and the regular reserves of the Regular Army for a first line maintained in times of peace, with a reserve of at least 300,000 that we could call out, and, then, if we have real war, call the people of the entire country with the boys trained enough speedily to make soldiers. That is my opposition to section 56. I think it is simply a waste of money with no substance to it.

NITROGEN PLANT.

Mr. President, I desire to speak upon the amendment which is before the Senate providing for the manufacture of nitric acid. I do not think the bill would meet the demands for national defense if it carries no provision looking toward the manufacture of nitric acid within the limits of our own country. It is conceded that the progress of science in war has practically dispensed with the old charcoal powders. In the Civil War those were practically all the powders that were used. Had the present system existed, had the character of guns and the character of powders that are now being used been known and in use during the Civil War the Southern States, when cut off from the ocean and from the saltpeter of Chile, could not have lasted 60 days. The old-fashioned powders can not stop an army using the modern scientific guns with the powders made largely from nitric acid. An enemy can be destroyed before they are within shooting distance of an opposing enemy.

It is conceded that we have not within the limits of the United States any manufactory that can produce nitric acid to supply the needs of our country in case of war; that we must rely upon the saltpeter from Chile. It is conceded that Germany, which had accumulated what was supposed to be a very large supply of saltpeter before the war began, exhausted it within three months, and only the great chemical skill and the readiness to use that skill which existed in Germany, coupled with a certain amount of preparation through the existence of plants ready to extract nitrogen from the air, made it possible for Germany to meet the demands for this necessary commodity in the conduct of the war.

Now, Mr. President, with any really great power, with any serious war, our access to Chile would be undoubtedly jeopardized. It is absolutely essential to any intelligent preparation for war that we should take steps without delay to produce as much nitric acid in this country as Germany is using year by year in her present war. I earnestly hope that no such war will ever confront us. I earnestly hope we will never need it; but if we do need it we can not wait for it, and if we are prepared to furnish it it will help us to avoid needing it.

Nitrogen, nitric acid, and the products of nitric acid are also factors of vast importance in various lines of manufacture. Their value for the increase of foodstuffs and raw material from the soil used in manufactures can not be overestimated. I do not dwell upon the amount now used. We ought to use in times of peace many times the quantity of nitrate of sodium which is now used.

The three great fertilizers are nitrate of sodium or nitrogen, phosphorus, and potash. The average grain product of this country can be doubled by the amount of nitrate of sodium that the average soil would readily absorb, with an enormous profit to the farmer, if this valuable fertilizer was produced in a reasonably economic mode.

So if we go to the expense of developing a nitrogen plant that would meet the needs of our country in times of war, it is not a wasted investment in times of peace. It is an investment that should readily bear the interest on the cost of the investment, and contribute in times of peace to a great increase of the food supply and the raw material used for manufacture in our various industries.

Mr. President, how can an air-nitrogen plant be constructed in the United States if we do nothing? No private enterprise can move until we move. To extract nitrogen from the air there are now two well-established processes—the arc process and the cyanamide process. The arc process requires much more water power than the cyanamide process. The smallest water power for either of these processes that can economically produce nitric acid is 100,000 horsepower, low water. What private company can to-day secure such a power? Private enterprise is confronted with an inability to make an air-nitrogen development on account of Government control of the water. If the stream is a navigable stream, it requires the action of Congress. If the stream is located in the West upon public lands, still action by Congress is required. Private enterprise can not move until we move.

Mr. President, for us to pass this bill on to the House without some steps in some way to provide for the manufacture of nitric acid is to provide for our men and to develop the soldiers when we know we have not provided a way to furnish the men with the instruments necessary to defend themselves as soldiers.

I do not expect to vote for an air nitrogen measure that entirely suits me. I may be wrong in what I would prefer, but I am going to vote for a measure that I have the opportunity to vote for which more nearly meets my views than any other. I will vote for such amendments as are offered that will make the measure meet more nearly my views, and finally I will vote for the very best measure upon this line that I can get an opportunity to help pass.

I believe it to be the duty of the Government to select a number of water powers in different parts of the country and to withdraw them for its own use. This is provided for in the amendment of the Senator from South Carolina. I would have one east of the Mississippi and reasonably far from the ocean and the border. I would have one across the Mississippi. I would have two in the East if we could find them. If we could have one midway between the Mississippi and the Atlantic, two or three hundred miles from the Canadian line, I would be glad to see one located there, and one about equally inland farther south. At any rate we should have one, and two if we can find places for them, in the great populated portions of our country. I would have one or two, if we could find places for them, in the West. I do not think we could follow a wiser course than to have four or five such powers selected and appropriated by the Government for this purpose.

My own preference then would be to see the Government spend the necessary money for the dams and the development of the water on streams owned by the Government. I would not object to the Government at one place putting up the machinery to produce nitric acid. I would prefer that the Government should not operate plants except when necessary to produce the thing which the Government itself would need.

In the operation for war my preference is that the Government should produce the things to be used, but in time of peace I would prefer to see private enterprise handle the plant to produce the commodities that go into general commerce, and I shall vote for the amendment of the Senator from Alabama, because it permits the officers of the Government to utilize the plant, at least to such an extent as it is not needed to produce the real military supplies required by the Government, by leasing it in times of peace for private operation. In any event, I shall vote for a bill to allow the Government to secure not more than five of these powers.

The amendment prepared by the Senator from Alabama and offered to the amendment of the Senator from South Carolina, which the Senator from South Carolina stated that he accepted, I suppose is now a part of the bill. It provides for the immediate appropriation of a million dollars and a subsequent plan of expenditure of $30,000,000 more. I do not believe $15,000,000 will equip a plant, and I favor the bill more cordially with the provision for $30,000,000.

Why should we not vote for it? Some are afraid that it is too great an encroachment upon private enterprise, that it is socialistic in its tendency. This does not indicate that it is unconstitutional in any sense. I am in no way disturbed about that. My preference for individual operation is that my observation has been that, as a rule, individual enterprise operates a business more successfully than the Government can do it, and it is with me not a question of principle, but a question of business. I would prefer that the Government should engage in no business enterprise where private capital can handle it

or private citizens can handle it, because, as a rule, the enterprise will be better handled in private hands.

Again, I do not believe that it is desirable that the Government should in any case compete with private enterprise unless there is an essential reason for it. Opportunity for private operation develops the individuality of our citizens. It is not a constitutional question so far as I see it; it is a matter of public policy.

Mr. President, I have said that the Government should act for the reason that the rivers and the streams which must furnish the opportunity of this development are in the control of the Government and private citizens can not obtain them. I would have the Government act because I think it desirable that the Government should own, with the opportunity for operation if it sees fit, a number of these plants. I would have the Government act because I desire to see the Government develop at least one plant and perhaps build a power for several.

Mr. NELSON. May I ask the Senator a question?

Mr. SMITH of Georgia. Certainly.

Mr. NELSON. Does not the Senator from Georgia believe that if we succeed in passing these two water-power bills, one relating to water powers on the public lands and the other, the Shields bill, relating to water powers on navigable streams, that private enterprise will take hold of the plants? Could we not make it a condition in the grant to build these water powers that the lessees should manufacture nitrates for the use of the Government at reasonable prices?

Mr. SMITH of Georgia. I must divide the Senator's question into two propositions in order to answer it. We could make it a condition, undoubtedly, but making such a condition, whether anyone would develop the plant would be a question of serious doubt. I wish to be sure that a plant will be developed. I do not think we can afford to take a chance of not having a plant which can produce nitric acid.

Mr. OWEN. Mr. President, I desire to suggest to the Senator from Georgia that the United States can get money at 2 per cent, and that private parties can not have any such advantage.

Mr. SMITH of Georgia. Mr. President, the United States certainly can float its bonds at 3 per cent. I believe the United States Government would act wisely in developing five water powers by the issue of bonds on a 3 per cent basis, and then use one of those water powers for its own manufacture, and perhaps lease the other four to be used, the lessee paying at least the interest on the bonds, and thus making sure the development. I am willing, however, to take no chance of there being no development at all. I do not think we can afford to leave our Government in that position. I do not think we can afford to go to the people and say, "We have increased your Army; we have increased your Navy; and with full knowledge of the fact that neither the Army nor the Navy can compete with the armies and navies of the world to-day without an ample supply of nitric acid, we have left our country where we may be without such a supply."

Mr. President, I go one step further. After we have withdrawn the four or five power plants that the Government will use, and, in addition to the development certainly of one by the Government, I would be glad to see made a part of this bill a provision embodying the leading features of the bill introduced by the Senator from Delaware [Mr. SAULSBURY], which was prepared by the attorneys of the Du Pont Powder Co. That does not frighten me at all. I am so utterly unrelated to the Du Pont Powder Co. that I am entirely above reproach or suspicion when I say that if that company or any other company is willing to take a water power and develop a great nitrogen plant, I want to see it do it; not, however, to the exclusion of the National Government and not giving the company the preference as to the water power.

I think the people ought to have special water powers for this use, and they should be withdrawn and kept, and one, at least, be developed by the National Government; but if, over and beyond that, a dozen companies wanted water powers to develop nitrogen plants, I should favor their getting the streams, nitrogen being a commodity which, produced in large quantities and made cheap, will contribute so much to the welfare of all the people of the country by the enormous increase of products from the soil, not simply the farmers—although I want to say, even in the presence of my colleague [Mr. HARDWICK], that whatever develops the farms of this country comes as a blessing to all the people of the country. I have given a good deal of my time to studying farm problems and I have indulged in the hope that I might, as a legislator, contribute something to the development of the farm, not simply in the interests of the farmer, not, as my colleague seems to think those of us who feel earnestly upon this subject, with the desire of "farming the farmer," but as a broad proposition of national statesmanship, believing, as I do, that the real prosperity of the entire country must come primarily from the substantial development and progress in the cultivation of the soil of this country.

Mr. President, I took the bill introduced by the Senator from Delaware; I cut out parts of it and changed some other parts. I have not yet made up my mind whether I shall offer it as an amendment. If the amendment of the Senator from South Carolina [Mr. SMITH] is adopted, and we are assured that the Government is to take hold of this proposition, and that we will certainly have one nitrogen plant, then I shall feel a good deal inclined to offer this additional section, which, under the supervision of the Secretary of War and of the Secretary of the Interior, would give a chance to any private company that desired to develop nitrogen plants.

I do not believe that half a dozen nitrogen plants, with a hundred thousand horsepower each, would produce more nitrogen, if produced economically and at reasonable prices, than the farms of this country could absorb, greatly to the benefit of the country.

The Senator from Rhode Island [Mr. LIPPITT] called attention to the fact that the letter of Mr. Cushman stated that only 25 per cent of the nitrogen was consumed by agriculture. I think that was his statement. The letter of Mr. Cushman states that only 25 per cent of the saltpeter brought from Chile is used to produce nitrogen for farming purposes. A vast amount of nitrogen is produced in other ways, not of a character out of which nitric acid could be produced; but in cottonseed meal, and a system of cultivating the soil by the use of legumes, the use of cowpeas and red-top clovers, and in many other ways, nitrogen is absorbed and utilized in agriculture, the quantity used and the quantity needed being far in excess of that which could be produced from all the saltpeter we obtain from Chile.

Mr. President, I will not read this amendment, but I shall send it to the Secretary's desk and ask that it be placed in the RECORD to-morrow after my remarks. I do not commit myself to introduce it, but I am seriously thinking about doing so, and I should be glad if any who are interested in the matter would read the amendment, my conviction being that we must prepare this bill to encourage the production of all air nitrogen that can be made in a Government plant and in all the plants private capital will construct. Even then the farmers of our land can and will consume the product if the manufacture is economical and the price of sale to the farmer reasonably low.

The VICE PRESIDENT. In the absence of objection, the request of the Senator from Georgia will be complied with.

The matter referred to is as follows:

AMENDMENT TO H. R. 12706.

Add the following, to be known as section 121, to the pending bill:

"SEC. 121. That in order to provide for the construction and operation of works for the production of nitric acid, the Secretary of War is authorized to grant permits for the construction of dams, storage and diversion works, or other structures for creation of hydroelectric power in or across any of the navigable waters of the United States or in or across any of the streams upon public lands, upon terms and conditions not inconsistent with the rights and obligations hereinafter set forth.

"That all such permits shall provide (a) that the grantee shall construct works to be operated by such hydroelectric power for the fixation of nitrogen for the manufacture of nitric acid, such works to have an initial capacity to be fixed by the Secretary of War, upon the recommendation and approval of said board of engineers, and to be built according to plans approved by said board of engineers and the Secretary of War; (b) that at all times, upon request of the Secretary of War, the grantee shall deliver to the United States for military or naval purposes all or any part of the output of nitric acid at a price which shall include such profit as the Secretary of War shall determine to be reasonable, and his determination of the reasonableness of such profit shall be final; and for this object the Secretary may direct the works to be operated to such extent of their capacity as he deems necessary for the purposes of the United States; (c) all such dams, storage or diversion works, or other hydroelectric structures shall be of such design and capacity for present or future use as the Secretary of War shall approve, and after approval of the plans no deviation therefrom shall be made without the approval of the Secretary of War; (d) that such permit shall not be assignable without the written consent of the Secretary of War, except as security for bonds issued by the grantee to raise funds for the construction of such works; (e) that such permits shall not apply to any of the sites the withdrawal of which is provided for in section 120.

"That all such permits shall be for the terms of 50 years and may be renewed for like periods, and if not renewed at the end of any period shall continue in force until the property is taken over and paid for by the United States, as hereinafter provided for. In case of any violation of the conditions specified in said permit, and such violation shall continue for 90 days after notice from the Secretary of War to cure such default, such permit may be revoked by decree of a United States court. At the end of any period the United States shall have the right to take over all said works and hydroelectric plant upon payment of the then value of the actual improvements, not including therein the value of any rights granted hereunder.

"That the grantee named in any such permit is authorized to erect, maintain, and operate the hydroelectric plant and works aforesaid which are hereby declared to be necessary for the purposes of the national defense, and may use or divert such waters as may be necessary for the operation of said hydroelectric plant. Such grantee may occupy

any public lands necessary for the hydroelectric plant and works aforesaid, and their appurtenances upon approval of the selection by the Secretary of War and Secretary of the Interior, and may take and use any lands or other property necessary for said hydroelectric plant by exercise of the right of eminent domain in the district court of the United States where said property is located under the laws of the State where such property is located, and in the absence of such laws then under the laws of the United States for the condemnation of property for navigation purposes.

"That all such works shall be constructed under the supervision of an engineer officer of the United States Army designated for that purpose and shall be completed within the time specified in the permit by the Secretary of War unless the same is extended by him for good cause. Any power developed and not needed for the operation of the nitric-acid works aforesaid, and any capacity of said nitric-acid works not requisitioned by order of the Secretary of War, may be employed by the grantee in any way he may elect, but subject, however, at all times to the right of the United States to requisition the same for use in the production of nitric acid for military or naval purposes whenever so requested by the Secretary of War. If the Secretary of War deems it advisable in order to promote the economical operation of the nitric-acid plant or to accomplish the objects of this act, he may include in such permit authority for the grantee to use or divert any additional amount of water for which the grantee has or shall secure rights under the laws of the State or States where such use or diversion occurs, the additional power developed may be used by the grantee as provided in this section: *Provided, however,* That the cost to the consumer of any power not used by the grantee and sold for general domestic consumption shall be subject to State regulation as to price and service by the duly constituted authority of the State in which such power is consumed. If the United States shall take over the plant and hydroelectric works as hereinbefore provided for, the grantee shall be paid the value of the actual improvements and the value of all property dependent for its usefulness upon being operated in connection with the property taken over.

"That whenever the streams sought to be used under the provisions of this section are located upon public lands the Secretary of the Interior shall act with the Secretary of War in the exercise of the authority and performance of the duties herein placed upon the Secretary of War."

Mr. SMITH of Georgia. I will only add that if, in this connection, while the subject of national defense is before us, we can provide for the development of nitrogen plants in the United States, whether we use them for war or in peace, we will have accomplished a great service.

The VICE PRESIDENT. The question is on the amendment of the Senator from Alabama [Mr. UNDERWOOD] to the amendment of the Senator from South Carolina [Mr. SMITH].

Mr. CHAMBERLAIN. Mr. President, I think, in order to get a vote on this amendment to-night, we will have to call for a quorum, but some of the Senators have suggested that they would rather not have a vote until the morning, and I therefore, Mr. President——

Mr. NEWLANDS. Mr. President, I have an amendment to offer to the pending bill, which I ask may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The proposed amendment is as follows:

Amendment intended to be proposed by Mr. NEWLANDS to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, viz:

Insert as a substitute for section 29 the following:

"SEC. 29. That as soon after January 1, 1917, as may be possible, every male citizen of the United States between the ages of 18 and 23, inclusive, resident therein, and every resident who shall have declared his intention of becoming a citizen shall be required to report his age, name, address, occupation, and number of parents living, said report to be rendered to officers indicated by public announcement within and for various districts hereafter to be established by the War Department for the purposes of this enactment. And unless he shall have entered into the military service of the United States he shall continue to render such reports every six months until he shall have passed the age of 23. Persons thus reporting shall be required to present themselves at an indicated office, where they shall be examined with a view to determining whether or not any of them fall within the exemptions to military service set forth in section —. Those not exempted shall be listed in separate groups of such number that, one person being taken from each such group, the total estimated number of enlistments required for the year will be supplied. As soon as each such group shall have been listed in any office established for the purposes of this enactment, notification shall then be given to its members that within 10 days after the receipt of such notification one of them shall be chosen for service in the Regular Army. If within the said 10 days there shall be no agreement made among the members of such group resulting in the offer of services by one of them, then the proper officers shall choose by lot one such person, who shall at once take the oath of enlistment and be placed in the regular active Military Establishment of the United States. The period of enlistment shall be for not more than three years and not less than one year of active service and for five years of service in the Regular Reserve Army. The President alone, if Congress should not otherwise determine, may himself establish a shorter period than three years for active service of enlisted men, or he may establish different classes of enlisted men serving different periods in the Regular Active Army: *Provided,* That each person volunteering under the provisions of this act shall, in addition to the usual oath as now provided by law, make oath in the following terms: 'I hereby solemnly swear that I have not been influenced in volunteering to enlist in the United States Army by any offer, solicitation, representation, or suggestion of pecuniary or other advantage, direct or indirect, that may now or in the future accrue to me from any private person or persons or corporations flowing from, or in any way connected with, or in consideration of, my offer of enlistment in the United States Army': *Provided further,* That every person not drawn or volunteering from the groups to be listed under the provisions of this enactment shall make the following oath: 'I hereby solemnly swear that I have not made or caused or suggested to be made by another or others, any offer, promise, or suggestion to any person liable now, or who may in future be liable to service in the United States Army under existing statutes, of any advantage, pecuniary or social, direct or indirect, and offered promises or suggested in consideration for, or in any way connected with, the offer of any such person to enlist in the United States Army': *Provided further,* That the penalty for making false statements in the oaths hereinabove required to be taken, when such false statements shall have been established according to the rules of procedure in the civil courts of the United States, shall be a fine of not less than $1,000 and not more than $5,000, or imprisonment for not less than six months and not more than three years: *Provided further,* That offenses under this section in respect to the said oaths shall be tried in the civil courts of the United States, even though the person charged shall then be in the military service of the United States: *Provided further,* That the Secretary of War may, in his discretion, furlough or permit permanent transfer under regulations which he may establish of enlisted men from the active service to the Regular Army Reserve: *Provided further,* That the following persons shall be exempt from the provisions of this act so long as the condition or status on which exemption is based continues: (a) Those who may be reported by the prescribed medical authorities as being physically unfit for any naval or military service whatever; (b) members of the permanent military or naval forces of the United States; (c) school-teachers who have duly qualified and are employed at a school of military or naval instruction or other prescribed course, as instructors of officers of the citizen cadet corps; (d) persons employed in the police or prison service of the United States, or of the several States, and of the several cities thereof; (e) those morally unfit; (f) mariners actually employed in the sea service of the United States, or of any of the States, or of any citizen or merchant within the United States; (g) those excused by the President in the interests of the public service by reason of employment therein; (h) temporary exemption for periods not exceeding one year, and renewable from time to time, will be granted to persons whose compulsory attendance at the prescribed training would impose great hardships, either by reason of excessive distance or other cause: *Provided,* That the district commandant of each training district shall have the power to issue permanent and temporary certificates of exemption for the abovementioned causes: *Provided further,* That in cases where a permanent or temporary certificate of exemption is denied by the district commandant, an appeal may be taken to the United States district court or judge thereof nearest the permanent office of the district commandant: *Provided further,* That in all cases where an exemption is applied for the burden of proof of the existence of cause for exemption shall be on the applicant, and in all cases of appeal from a denial of such permanent or temporary exemption the burden of proving the exemption shall rest on the person claiming the same."

Add at the end of section 30 the following proviso:

"*Provided,* That in all enlistments hereinafter accomplished under the provisions of this act three years shall be counted as an enlistment period in computing continuous-service pay."

Strike out, after the semicolon in line 11, page 137, the following words: "fourth, from candidates from civil life between the ages of twenty-one and twenty-seven years," and substitute the following words: "fourth, from candidates from the officers of the National Guard; fifth, from candidates from officers of the volunteer force created by this act; sixth, from civil life: *Provided, however,* That in the three cases last named no persons shall be selected under the age of twenty-one and over the age of twenty-seven years."

Add at the end of the bill the following:

"SEC. —. That the maximum number of cadets which may be maintained at any one time at the United States Military Academy at West Point is fixed at 1,000; and this number shall be taken, as nearly as practicable, from the various States in the same proportions which the populations of those States bear to the total population of the United States.

"Vacancies in the number of cadets authorized by law to be maintained at the Military Academy at West Point shall be filled in the following order: First, from noncommissioned officers of the Regular Army; second, from among the students at military colleges at which a Regular Army officer may be stationed as instructor; third, from the general civil body: *Provided,* That in making selections from the last two named sources the list of those permitted to stand for the entrance examinations to the West Point Military Academy shall be made up by the Secretary of War from names submitted to him by the governors, Senators, or Representatives in Congress of the respective States; and that as nearly as practicable the number of vacancies thus filled from each State shall be such that with the number of vacancies filled by promotions of noncommissioned officers originally resident in such State its full quotum as defined in this section shall be maintained: *Provided,* That the age of admission at West Point shall remain as now fixed by law: *Provided further,* That the Secretary of War may fix examinations which if passed shall entitle the successful candidate to enter the third class at West Point, thus rendering it possible for him to complete his course in three years instead of four years; this provision, however, not to apply to any candidates except those from noncommissioned officers of the Regular Army and from military schools as herein defined."

Mr. NEWLANDS. Mr. President, I wish to say in connection with the amendment that its purpose is to attempt to build the Army from the bottom up, and to make all the lower commissions in the Army and the cadet appointments to West Point the rewards of actual service in the ranks and to secure by this method and a modified form of universal service the best youth of the country for our Army.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bill and joint resolution:

S. 1424. An act incorporating the American Academy of Arts and Letters; and

S. J. Res. 24. Joint resolution authorizing the Librarian of Congress to return to Williamsburg Lodge No. 6, Ancient Free and Accepted Masons, of Virginia, the original manuscript of the record of the proceedings of said lodge.

The message also announced that the House had passed a bill (H. R. 8351) to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further, to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. JONES presented petitions of sundry citizens of Washington, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Vancouver, Wash., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

Mr. LODGE presented memorial of the Chinese-American Citizens' Association, of Boston, Mass., remonstrating against certain provisions in the immigration bill relating to Chinese, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Petersham, Mass., remonstrating against any change being made in the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Department of Health of the State of Massachusetts, praying for an appropriation for the establishment of a Federal leprosarium, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Boston, Pittsfield, Chelsea, Saugus, and Lowell, all in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. OLIVER presented a memorial of Local Grange, Patrons of Husbandry, of Allentown, Pa., remonstrating against any discrimination being made in favor of sugar as against other agricultural products, etc., which was referred to the Committee on Finance.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of the Christian Endeavor Society of the Congregational Church of Peterboro, and of the congregations of the First Congregational Church and the Advent Christian Church of Rochester, all in the State of New Hampshire, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. NORRIS presented petitions of sundry citizens of Nebraska, praying for the enactment of legislation to grant pensions to employees of the Postal Service, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Ansley, Nebr., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Beaver City, Nebr., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Nebraska, remonstrating against an increase in armaments, which were ordered to lie on the table.

Mr. POINDEXTER presented a petition of the German-American Central Verein of Spokane, Wash., praying that provision be made for the shipment of milk to babies in Germany, Austria-Hungary, and Poland, which was referred to the Committee on Foreign Relations.

He also presented petitions of Foothill Grange, No. 559, Patrons of Husbandry, of Hillyard, and Local Grange No. 588, Patrons of Husbandry, of Marblemount, in the State of Washington, praying for Government ownership of telephone and telegraph systems, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of the State of Washington, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented petitions of sundry citizens of the State of Washington, for national prohibition, which were referred to the Committee on the Judiciary.

Mr. HUGHES presented petitions of sundry citizens of New Jersey, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Flemington, N. J., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. WADSWORTH presented a petition of sundry citizens of Schenectady, N. Y., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of New York, remonstrating against any change being made in the postal laws, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Jamestown, N. Y., praying for the enactment of legislation to close the barber shops in the District of Columbia on Sunday, which was ordered to lie on the table.

He also presented memorials of sundry citizens of New York, remonstrating against appropriations being made for sectarian purposes, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. OLIVER, from the Committee on Commerce, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (S. 5053) authorizing abutting owners upon Crum River, a navigable stream, where the same empties into the Delaware River, to straighten, widen, and deepen the same, and substituting such straightened course and channel for the present channel thereof, and abandoning and vacating a portion of the present channel (Rept. No. 349); and

A bill (S. 5244) authorizing the Secretary of Commerce to exchange lands belonging to the United States at the mouth of Crum River, Pa., for other lands adjacent thereto, for the purpose of removing thereto the Schooner Ledge Range Front Light, so that it may be on the range of the channel of the Delaware River, and further authorizing the Secretary of Commerce to remove said range light from its present location to the property acquired by the exchange (Rept. No. 350).

Mr. GORE, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 2379) for the establishment of a fish-cultural station in the State of Montana, near the city of Hamilton, and appropriating money therefor, asked to be discharged from its further consideration and that it be referred to the Committee on Fisheries, which was agreed to.

He also, from the same committee, to which was referred the bill (H. R. 4724) authorizing the Department of Commerce to make original investigation and research concerning forms and processes of manufacture, and for other purposes, asked to be discharged from its further consideration and that it be referred to the Committee on Manufactures, which was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN (for Mr. CHILTON):

A bill (S. 5518) granting an increase of pension to William J. Grimm (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 5519) for the relief of William Wentworth; to the Committee on Military Affairs.

By Mr. REED:

A bill (S. 5520) to acquire, by purchase, condemnation, or otherwise, additional land for the post office at Columbia, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. POINDEXTER:

A bill (S. 5521) authorizing the Secretary of War to make donation of condemned cannon and cannon balls to the United Spanish War Veterans, Camp No. 10, Walla Walla, Wash., to be placed in cemetery plat; to the Committee on Military Affairs.

By Mr. BANKHEAD:

A bill (S. 5522) granting a pension to Alfred W. Perry; to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 5523) to make April 13 of each and every year a public holiday in the District of Columbia, to be known as Jefferson Day; to the Committee on the District of Columbia.

By Mr. HUGHES:

A bill (S. 5524) for the relief of John McKeon; to the Committee on Military Affairs.

By Mr. SMITH of Maryland:

A bill (S. 5525) to provide for the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., in the District of Columbia; to the Committee on the District of Columbia; and

A bill (S. 5526) granting a pension to Lillie B. Le Compte; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BRYAN submitted two amendments intended to be proposed by him to the river and harbor appropriation bill (H. R. 12193), which were referred to the Committee on Commerce and ordered to be printed.

Mr. OLIVER submitted an amendment authorizing the Postmaster General to contract for the tube service now in operation for the new term of 10 years from July 1, 1916, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 10484), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

NATIONAL DEFENSE.

Mr. GORE submitted an amendment intended to be proposed by him to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which was ordered to lie on the table and be printed, and to be printed in the RECORD as follows:

Amendment intended to be proposed by Mr. GORE to the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, viz, strike out section 56 and substitute the following:

"SEC. 56. That whenever any school board or other legal authority in control of any high school, or other secondary school, having a bona fide enrollment of not less than 50 male students over the age of 16 years, shall employ in connection with such school an instructor qualified in the judgment of the Secretary of War to impart military instruction and training, and shall obligate such instructor to impart such instruction and training in accordance with rules and regulations to be prescribed by the Secretary of War, and when such board shall file with the Secretary of War an application, in such form as he may prescribe, declaring the desire to take advantage of the benefits of this section, and further declaring that the foregoing requirements have been complied with, and that other requirements will be complied with, the Secretary of War is thereupon authorized to enter into such arrangements with said board and instructor in connection with such military instruction and training as may be deemed in the public interest: *Provided*, That he may at any time terminate such agreement, and the Secretary of War is further authorized to deliver to said instructor as custodian rifles for the use of the students taking such instruction, together with a limited supply of ammunition, and to pay said instructor a part of his stipulated annual salary, not to exceed 40 per cent thereof, and to prescribe such rules and regulations as may be necessary to carry into effect the provisions of this section."

OSAGE OIL-LAND LEASES.

Mr. OWEN submitted the following concurrent resolution (S. Con. Res. 21), which was read and referred to the Committee on Indian Affairs:

Resolved by the Senate (the House of Representatives concurring), That pending investigation by the Committees on Indian Affairs of the Senate and House of Representatives the Secretary of the Interior be, and he is hereby, requested to refrain for a period of one year from the passage of this resolution from making any disposition by lease or sale of such quarter-section units of the lands on the Osage Reservation in the State of Oklahoma, as have been developed by oil operators, either under leases or subleases, and are now producing oil, except such units as are now held by lessees who have accepted the terms of the resolution of the Osage Council of June 17, 1915, for leases to be made direct to them and to permit said developed lands thus withheld from lease after the expiration of the term of the existing oil lease to continue to be operated by the present oil operators, who are now in possession of and operating the same, at a royalty to be determined by the Secretary of the Interior, with the approval of the President of the United States, all royalties to be paid into the Treasury of the United States to the credit of the Osage Nation of Indians.

That the Committee on Indian Affairs of the Senate and House of Representatives through a subcommittee of six members, consisting of three members of the Committee on Indian Affairs of the Senate and three members of the Committee on Indian Affairs of the House of Representatives, the three members of the Senate Indian Affairs Committee to be chosen by the Senate committee and the three members of the House Indian Affairs Committee to be chosen by the House committee, be, and it hereby is, authorized and directed to fully investigate the subject of the leasing of said lands and the methods of controlling and marketing the oil production of the Osage Reservation in Oklahoma, and all affairs connected therewith, and that the said committee be empowered to send for persons and papers and to subpœna witnesses, to administer oaths, and to sit during the sessions of the Senate and House of Representatives and during vacation; and said committee shall make full and complete report, together with its recommendation to the Senate and House of Representatives, within one year from the passage of this resolution. The necessary expenses of said investigation shall be paid in equal parts out of the contingent funds of the Senate and House of Representatives: *Provided*, That if the committee hereby created shall not make its report and recommendations within one year from the passage of this resolution, then the Secretary of the Interior shall proceed with the sale of the leases as if this resolution had never been submitted.

GOOD ROADS.

Mr. BANKHEAD. Mr. President, I give notice that immediately upon the conclusion of the consideration of House bill 12766, under the unanimous-consent agreement, I shall move to make House bill 7617, to improve the highways and post roads of the country, the unfinished business of the Senate.

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session the doors were reopened and (at 5 o'clock and 41 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 14, 1916, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 13 (legislative day of April 12), 1916.

SENIOR SURGEON IN PUBLIC HEALTH SERVICE.

Surg. Louis L. Williams to be senior surgeon in the Public Health Service, to rank as such from March 22, 1916, in place of Senior Surg. Duncan A. Carmichael, who was placed on waiting orders November 25, 1915.

PROMOTIONS IN THE NAVY.

Commander George R. Marvell to be a captain in the Navy from the 8th day of December, 1915.

Lieut. Commander Edward McCauley, jr., to be a commander in the Navy from the 8th day of December, 1915.

Lieut. Robert Henderson to be a lieutenant commander in the Navy from the 17th day of January, 1916.

Lieut. Edward C. S. Parker to be a lieutenant commander in the Navy, vice Lieut. Commander Arthur B. Keating, United States Navy, declared a deserter from the naval service from August 6, 1914 (subject to the examinations required by law).

Pharmacist Carl B. Furnell to be a chief pharmacist in the Navy from the 26th day of February, 1916.

John A. Nelson to be a lieutenant (junior grade) in the Navy from the 6th day of December, 1913, to correct the date from which he takes rank as previously confirmed.

Alfred J. Toulon to be a passed assistant surgeon in the Navy from the 29th day of May, 1911, to correct the date from which he takes rank as previously confirmed.

POSTMASTERS.

GEORGIA.

Stephen B. Pace to be postmaster at Carrollton, Ga., in place of W. F. Brown, resigned.

IOWA.

Sylva E. E. Thompson to be postmaster at Roland, Iowa, in place of Osmond O. Stole, deceased.

INDIANA.

E. E. Stull to be postmaster at North Liberty, Ind., in place of Charles F. Keck. Incumbent's commission expires May 10, 1916.

MICHIGAN.

Samuel Folz to be postmaster at Kalamazoo, Mich., in place of H. B. Coleman. Incumbent's commission expired December 20, 1915.

Harold Murphy to be postmaster at Harbor Beach, Mich., in place of B. F. Browne. Incumbent's commission expires April 15, 1916.

MONTANA.

John Dunn to be postmaster at Red Lodge, Mont., in place of W. R. Crockett. Incumbent's commision expires May 10, 1916.

Maurice J. Keenan, to be postmaster at Hobson, Mont., in place of Thomas Hanlon, resigned.

NEW JERSEY.

J. H. Barcklow to be postmaster at Moorestown, N. J., in place of M. B. Comfort. Incumbent's commission expired April 3, 1916.

NORTH DAKOTA.

John B. Wagner to be postmaster at Lidgerwood, N. Dak., in place of Matthew Lynch. Incumbent's commission expired April 11, 1916.

PENNSYLVANIA.

George W. Lutz to be postmaster at Ambler, Pa., in place of J. A. Buchanan. Incumbent's commission expired April 5, 1916.

Daniel A. McGough to be postmaster at Ebensburg, Pa., in place of H. A. Englehart, deceased.

VERMONT.

Martha G. Kibby to be postmaster at Randolph Center, Vt., in place of Martha L. Gilbert (name changed by marriage).

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 13 (legislative day of April 12), 1916.

APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

Probational Second Lieut. Oscar Otto Kuentz to be second lieutenant in the Corps of Engineers.

PORTO RICO REGIMENT OF INFANTRY.

Manuel Font, of Porto Rico, to be second lieutenant.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

Lieut. Col. Mason M. Patrick to be colonel.
Maj. Meriwether L. Walker to be lieutenant colonel.
Capt. Max C. Tyler to be major.
First Lieut. Albert H. Acher to be captain.

CHAPLAINS.

To be chaplains with the rank of captain after seven years' service.

Chaplain William R. Scott.
Chaplain Franz J. Feinler.

FIELD ARTILLERY ARM.

Second Lieut. Jacob L. Devers to be first lieutenant.

CAVALRY ARM.

Second Lieut. Elkin L. Franklin to be first lieutenant.

PORTO RICO REGIMENT OF INFANTRY.

First Lieut. Henry C. Rexach to be captain.
First Lieut. Pedro J. Parra to be captain.
Second Lieut. Leopoldo Mercader to be first lieutenant.
Second Lieut. Urbino Nadal to be first lieutenant.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. (Junior Grade) George McC. Courts to be a lieutenant.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps:

Lockhart D. Arbuckle.
Ogden D. King.
John J. Loughlin.

Asst. Paymaster Harry W. Rusk, jr., to be a passed assistant paymaster.

The following-named assistant paymasters to be passed assistant paymasters:

William E. Moorman.
Harry T. Sandlin.
Stanley M. Mathes.
Delos P. Heath.

The following-named assistant naval constructors to be naval constructors:

James O. Gawne.
Alva B. Court.

The following-named boatswains to be chief boatswains:

Meade H. Eldridge.
Bernhard Schumacher.
Edward Crouch.
Otto J. W. Haltnorth.
Daniel Dowling.

The following-named gunners to be chief gunners:

Charles W. A. Campbell.
Lawrence Wittmann.

Machinist Newton R. George to be a chief machinist.

POSTMASTERS.

ALABAMA.

S. A. Borom, Hurtsboro.

CALIFORNIA.

E. R. Rhymes, Sanitarium.
J. C. White, Arbuckle.

ILLINOIS.

G. E. Combs, Villa Grove.
James W. Donaldson, Livingston.
James L. Mishler, Pearl City.
William G. Wack, Mansfield.

INDIANA.

John M. Wickizer, Argos.

KANSAS.

R. W. Moorhead, Sabetha.

LOUISIANA.

Merrill D. Harris, Crichton.

MISSOURI.

Thomas J. Juden, Cape Girardeau.

MONTANA.

K. O. Slette, Culbertson.

NEBRASKA.

J. R. Durrie, Laurel.

NEW JERSEY.

Harrison Hollinger, Port Norris.
William L. Scheuerman, Basking Ridge.

NORTH CAROLINA.

J. H. Ball, Elkin.

OKLAHOMA.

Earl E. Le Crone, Forgan.

OREGON.

W. A. Heylman, Estacada.
Fitzhugh G. Lee, Junction City.
Jared W. Moore, Redmond.
Katie B. Veatch, Cottage Grove.
James A. Watkins, Philomath.

TENNESSEE.

Charles C. Berry, Dyer.
James C. Walker, Monterey.

TEXAS.

George W. Locke, Groveton.

VIRGINIA.

A. Sidney Francis, Boykins.
Bayard Mackey, Rosslyn.

WASHINGTON.

Herbert J. Nunan, Oak Harbor.

WEST VIRGINIA.

C. L. Perkins, Gassaway.

WISCONSIN.

John Cremer, Cashton.
Carl J. Cunningham, Chippewa Falls.
William Hughes, Pardeeville.
J. L. Palmer, Pittsville.
Ira B. Pierce, Monticello.
A. W. Stiles, River Falls.
Joseph H. Sullivan, Spooner.
Margaret Sullivan, Hurley.
Joseph L. O'Neil, Gays Mills.
Thomas D. Smith, Fairchild.

WYOMING.

Ethel A. Berry, Guernsey.

REJECTION.

Executive nomination rejected by the Senate April 13 (legislative day of April 12), 1916.

REGISTER OF LAND OFFICE.

Ross G. Moore, of Broken Bow, Nebr.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 13, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude to Thee, our Father in heaven, for the natural yearning in the heart of man for civil, political, and religious liberty; for the brave men of every age who struggled for those inherent rights which culminated in the Government of the United States of America; for the long lists of the brave and the true who have woven their characters into the warp and woof of our Republic, whose names stand on the pages of our history as beacon lights for those who would conserve our God-given rights. To-day our hearts turn in love and gratitude to Thee for the life, work, and far-flung influence of Thomas Jefferson. "The hand that traced the charter of independence is, indeed, motionless; the eloquent lips that sustained it are hushed; but the lofty spirits that conceived, resolved, and maintained it, these can not perish."

Cold in the dust the perished heart may lie,
But that which warmed it once can never die.

So Jefferson lives, not only in the heart of every true American but in the heart of every lover of liberty round the world. We thank Thee for his life, his deeds, and imperishable character. May we strive to live his thoughts, his deeds, his virtues, in the spirit of Him who died that we might know Thee, worship Thee, and do unto others as we would be done by. Amen.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS TO-MORROW.

Mr. RUSSELL of Missouri rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. RUSSELL of Missouri. I wanted to submit a request for unanimous consent.

The SPEAKER. The gentleman will state it.

Mr. RUSSELL of Missouri. To-morrow, under the rules, will be pension day, but in order to try to facilitate other more important public business I ask unanimous consent that the House take a recess to-morrow evening at 5.30 o'clock until 8 o'clock, and that bills on the two Pension Committees and conference reports from either of those committees be considered, and that the House adjourn not later than 11 o'clock.

The SPEAKER. The gentleman from Missouri asks unanimous consent that to-morrow at 5.30 o'clock p. m. the House stand in recess until 8 o'clock, when there shall be a night session of three hours, not to extend beyond 11 o'clock, to consider bills of a private character from the two Committees on Pensions and conference reports from those committees. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, what conference reports are there pending?

Mr. RUSSELL of Missouri. One from each committee, as I understand, but I have not examined the calendar this morning.

Mr. MANN. I wish the gentleman would make his request that to-morrow at 5 o'clock we proceed with the consideration of bills on the Private Calendar reported from those two committees and conference reports.

Mr. RUSSELL of Missouri. And not have a night session?

Mr. MANN. Yes; and not have a night session.

Mr. LEVER. That would be entirely agreeable to me.

Mr. RUSSELL of Missouri. This is entirely agreeable to me, as it seems to be to the chairman of the Committee on Agriculture [Mr. LEVER].

The SPEAKER. The gentleman from Missouri modifies his request so that at 5 o'clock to-morrow the House shall take up pension bills of a private character and conference reports on the same subject. Is there objection?

There was no objection.

SPEAKER PRO TEMPORE FOR SUNDAY, APRIL 16, 1916.

The SPEAKER. The Chair designates Mr. NEELY, of West Virginia, to preside on Sunday at the memorial exercises respecting the late Mr. BROWN, of West Virginia.

EXTENSION OF REMARKS.

Mr. KETTNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech delivered by Secretary Lane at the Panama-California Exposition while he was representing the President of the United States.

The SPEAKER. The gentleman from California [Mr. KETTNER] asks unanimous consent to extend his remarks in the RECORD by printing the speech of Secretary Lane at the Panama-California Exposition, when he was acting in lieu of the President. Is there objection?

There was no objection.

Mr. DAVIS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD touching the refund of the cotton tax and the bill introduced by Mr. TILLMAN, of Arkansas, to make that a kind of trust fund to pension the old Confederate soldiers.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD on the subject of the cotton tax and the bill introduced by the gentleman from Arkansas [Mr. TILLMAN] to make the proceeds a trust fund for the purpose of pensioning the old Confederate soldiers. Is there objection?

Mr. BARNHART. Mr. Speaker, reserving the right to object, I want to inquire if these are the gentleman's own remarks? It is not the insertion of an article by somebody else?

Mr. DAVIS of Texas. Yes; except that it contains a letter from Senator SHEPPARD.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNSON of Washington rose.

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. JOHNSON of Washington. This being Jefferson's birthday, I desire to ask unanimous consent to place in the RECORD a short statement by Thomas Jefferson.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD by printing a part of a statement by Thomas Jefferson.

Mr. SLAYDEN. Part of it or the whole of it?

Several MEMBERS. Print it all.

Mr. BARNHART. Why not all of it?

Mr. MANN. It will be news to you.

Mr. BARNHART. It may be news to me, and it may not; but notwithstanding that, I have a right to inquire why it should be part of a statement and not the full statement.

The SPEAKER. The Chair understands that it is a short statement.

Mr. JOHNSON of Washington. The statement is this:

Were we directed from Washington when to sow and when to reap we should soon want bread.

Mr. BARNHART. I have no objection to that part.

Mr. JOHNSON of Washington. Now, I ask unanimous consent to add another paragraph.

The SPEAKER. The gentleman asks unanimous consent to add another paragraph. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, when Thomas Jefferson declared that were the people directed from Washington when to sow and when to reap they should soon want bread, and when he said also—

That government is best which governs least.

He never dreamed that on his birthday in 1916 there would be in power in the United States an administration more centralized than the most ardent Hamiltonian of old could have desired. The people see now one-man power, backed up by great Federal commissions and ever-increasing autocratic bureaus. They hear no more of well-balanced Cabinet meetings. Jeffersonian Democracy is but a hollow name. The people are told when to sow and when to reap and what profits to make by a Government which under Democracy has become more centralized than ever—more expensive than ever—with revenue cut off at the customhouses and collected by a miserable system of "horse-fly" stamp taxation. Oh, shades of Jefferson!

AMERICAN ACADEMY OF ARTS AND LETTERS.

The SPEAKER. The unfinished business is the bill (S. 1424) incorporating the American Academy of Arts and Letters. When the House adjourned last evening the question was on the adoption of the amendment offered by the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HARRISON. Mr. Speaker, I make a point of order that that is not the unfinished business of the House. I shall occupy the attention of the Chair only a moment. I realize that the Chair on two occasions before, in answer to parliamentary inquiries, has held that on the day following Calendar Wednesday, where the previous question had been ordered on the amendments and the bill to its final passage, that made the bill the unfinished business, to take up immediately after the approval of the Journal the following day. But, as I gather from an investigation of the precedents, the only time the question was directly passed upon was some two years ago when it came before the Speaker on a point of order made by the gentleman from Tennessee [Mr. GARRETT] to the omnibus pension bill, when on a Saturday following the Friday when the bill was up for consideration, and the previous question had been ordered on the amendments and the bill to its final passage, the Chair overruled the point of order made by the gentleman from Tennessee [Mr. GARRETT] and held that the bill was the unfinished business on the following day. Now, I have no quarrel with any of those decisions; but merely for the purpose of obtaining a ruling of the Chair on the question directly I have made the point of order. There is this change, if it can be interpreted as a change, since the last ruling of the Chair: We have adopted a rule affecting Calendar Wednesday since the ruling of the Chair was made. That rule may not be construed as having any bearing on this question. Personally I doubt that it has, because the ruling of the Chair before was that the bill did not go over as unfinished business on the following Calendar Wednesday, but that it went over as unfinished business on the next legislative day.

The rule recently adopted with reference to Calendar Wednesday provided that we could not utilize more than two Wednesdays in the consideration of a bill unless the previous question was ordered and the time extended by a two-thirds vote of the Members of the House. When the Chair ruled in answer to the inquiry of the gentleman from Illinois [Mr. MANN] on two previous occasions that the matter came up as the unfinished business on the Thursday following Calendar Wednesday it was then in order under the rules of the House to consider a bill on any number of Wednesdays until it was finally disposed of by the House. It was not confined to two Calendar Wednesdays. The Chair will recall that many bills have been considered in this House under the former Calendar Wednesday

rules almost for an entire session of Congress, and when the Chair ruled on the point of order affecting the status of the pension bill as unfinished business after the previous question had been ordered on the amendments and the bill to its final passage on a Friday, the day on which, under the rules, pension bills could be considered, it was a rule of the House—and it is still the rule of the House—that when we have a pension bill up for consideration, if not concluded on one Friday it goes over to another Friday, and the same bill may be considered throughout the session of Congress. The same rule applies to District day and claims day.

The SPEAKER. No; not after the previous question has been ordered.

Mr. HARRISON. Certainly not after the previous question has been ordered; but if the consideration of the bill was not finished, and the previous question was not ordered, the consideration of the bill could in that event be continued indefinitely. Now, in view of the fact that the new rule adopted by the House affecting Calendar Wednesday limits the consideration of a bill to two Wednesdays, unless the previous question is ordered, or by a two-thirds vote the consideration is continued, the point of order that I make is to get a ruling of the Chair on the question whether or not since the adoption of that rule this matter as unfinished business goes over to next Wednesday or can be considered to-day.

Mr. FOSTER. Mr. Speaker, when this rule was presented to the House for its adoption it was said:

We provide that at the end of the second Calendar Wednesday, unless the previous question has been ordered, the committee shall lose the right to consider another bill until all the committees have been called again in their turn, unless the House by a two-thirds vote decides to take up for further consideration upon the next succeeding Calendar Wednesday the bill which was under consideration.

So I think there was no question in the Committee on Rules that it was the intention of the committee to leave it as it was with reference to the effect of the previous question. I do not think the rule had any effect upon that at all. The whole debate was along that line.

Mr. MANN. Mr. Speaker, under the new rule the House is not limited to the consideration of a bill on two Calendar Wednesdays.

Mr. HARRISON. It is unless two-thirds of the membership vote to the contrary.

Mr. MANN. Oh, yes.

Mr. HARRISON. Or unless the previous question is ordered.

Mr. MANN. Yes; but that does not change the status of anything, except that it requires a two-thirds vote. A majority at any time can refuse to consider a bill at all on Calendar Wednesday. The only distinction that the rule makes is that now it requires a motion and a two-thirds vote. I can not see why it has any effect whatever upon the question as to whether, the previous question being ordered, the matter comes up the next day. I can recall no case—although there may be one, where, when the previous question has been ordered, which means that the House shall vote at once upon the proposition—which holds anything except that it comes up automatically as the unfinished business.

[Mr. HOWARD addressed the House. See Appendix.]

Mr. LEVER. Mr. Speaker, the RECORD shows, on page 5918, the following:

Mr. LEVER. I ask unanimous consent, Mr. Speaker, that general debate on this bill be limited to eight hours, four hours to be controlled by myself and four hours by the gentleman from Iowa [Mr. HAUGEN].

Then some discussion took place, and finally I submitted another request, which the Speaker stated for me, and which will be found on page 5918 of the RECORD:

The SPEAKER. That when the House adjourns to-morrow it adjourn to meet on Thursday at 11 o'clock a. m., and that the gentleman from South Carolina [Mr. LEVER] control half the time and the gentleman from Iowa [Mr. HAUGEN] control the other half. Is there objection?

The SPEAKER. That reduces itself at last to a unanimous consent to meet at 11 o'clock, and of course that is subject to all of the rules of the House.

Mr. MANN. And in addition to that, Mr. Speaker, there was a request submitted that general debate on the Agricultural bill should cease with the adjournment to-night. I objected to that because I said that no one knows what will be up on Thursday.

The SPEAKER. All of these agreements are made subject to the general rules and practice of the House. A Member might rise to a question of personal privilege which might take the entire day, and no Speaker would be justified in ruling that out.

As far as this other matter is concerned, it has been held, and properly I think, that where the previous question is ordered on a bill on Wednesday it is unfinished business on the next legislative day, whatever it happens to be. The office of the previous question is to put an end to the debate. Members get tired and they want to stop speech making. That is exactly what the previous question is. The House deliberately by a large majority yesterday adopted the previous question.

As far as the change in the rules is concerned, the gentleman from Illinois [Mr. FOSTER] is exactly right about it. The rule says:

Provided, That not more than two hours of general debate shall be permitted on any measure called up on Calendar Wednesday, and all debate must be confined to the subject matter of the bill, the time to be equally divided between those for and against the bill: *Provided further*, That whenever any committee shall have occupied two Wednesdays it shall not be in order, unless the House by a two-thirds vote shall otherwise determine, to consider any unfinished business previously called up by such committee, unless the previous question had been ordered thereon, upon any succeeding Wednesday until the other committees have been called in their turn under this rule.

That does not change the rule as to the previous question. The reason that the change in the rule was adopted was that while Calendar Wednesday was established with the very best intentions in the world, either purposely or accidentally, it came to be a sort of hindrance to business rather than for the promotion of business. So, after a good deal of private conference between gentlemen who are interested in matters of this sort, the Committee on Rules brought in the rule limiting general debate on any bill on Calendar Wednesday to two hours, and confining it to the subject matter of the bill. The point of order is overruled, and the Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 4678) incorporating the American Academy of Arts and Letters.

The SPEAKER. The Clerk will report the pending amendment.

The Clerk read as follows:

Page 1, line 3, after the word "assembled," strike out all the remainder of said paragraph down to and including the word "Letters," on line 3 of page 3, being all the remainder of section 1 of the bill, and insert in lieu thereof the following: "That the American Academy of Arts and Letters is hereby incorporated; that the governor of each of the States of the United States shall be authorized to appoint one member on a board of control of said corporation, and his successor and successors."

The SPEAKER. The question is on the Huddleston amendment.

The question was taken; and on a division (demanded by Mr. HUDDLESTON) there were 27 ayes and 83 noes.

So the amendment was rejected.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was being taken when Mr. BARNHART demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 211, nays 96, answered "present" 8, not voting 118, as follows:

YEAS—211.

Abercrombie	Dempsey	Helvering	McLaughlin
Adair	Denison	Hernandez	Madden
Adamson	Dillon	Hinds	Magee
Alexander	Dixon	Holland	Mann
Ashbrook	Dooling	Hollingsworth	Mapes
Austin	Doolittle	Hood	Martin
Ayres	Dunn	Hughes	Matthews
Barkley	Dyer	Hull, Iowa	Miller, Del.
Barnhart	Elston	Husted	Miller, Minn.
Beakes	Esch	Hutchinson	Miller, Pa.
Britt	Estopinal	Igoe	Montague
Britten	Evans	Johnson, Ky.	Moore, Pa.
Browne	Farley	Johnson, S. Dak.	Moores, Ind.
Browning	Ferris	Johnson, Wash.	Morgan, Okla.
Burgess	Fess	Kahn	Mott
Butler	Flood	Kearns	Neely
Caldwell	Flynn	Keister	Norton
Campbell	Fordney	Kelley	Oakey
Cannon	Foss	Kennedy, Iowa	Oldfield
Capstick	Frear	Kennedy, R. I.	O'Shaunessy
Carew	Freeman	King	Overmyer
Carlin	Fuller	Konop	Padgett
Carter, Mass.	Gallagher	Kreider	Paige, Mass.
Carter, Okla.	Gandy	Lafean	Peters
Cary	Gard	La Follette	Phelan
Charles	Gillett	Lesher	Platt
Chiperfield	Glass	Lever	Pratt
Church	Glynn	Lieb	Rainey
Clark, Fla.	Graham	Lindbergh	Raker
Conry	Gray, N. J.	Linthicum	Randall
Cooper, Ohio	Green, Iowa	London	Ricketts
Cooper, Wis.	Greene, Mass.	Longworth	Riordan
Copley	Greene, Vt.	Loud	Roberts, Mass.
Costello	Gregg	McArthur	Roberts, Nev.
Cox	Griffin	McCulloch	Rogers
Crago	Hadley	McDermott	Rowe
Dale, Vt.	Hamill	McFadden	Rowland
Dallinger	Hamilton, Mich.	McGillicuddy	Sanford
Danforth	Hamilton, N. Y.	McKellar	Saunders
Darrow	Hastings	McKenzie	Schall
Davis, Minn.	Hawley	McKinley	Scott, Mich.

Sells	Snell	Tague	Watson, Pa.
Sherwood	Snyder	Talbott	Watson, Va.
Shouse	Sparkman	Temple	Webb
Siegel	Steenerson	Tillman	Wheeler
Sims	Stephens, Cal.	Tilson	Williams, Ohio
Sinnott	Stephens, Nebr.	Timberlake	Williams, T. S.
Slayden	Sterling	Tinkham	Wilson, Ill.
Small	Stone	Towner	Winslow
Smith, Idaho	Sulloway	Volstead	Wood, Ind.
Smith, Mich.	Sutherland	Walsh	Woods, Iowa
Smith, Minn.	Switzer	Ward	Young, N. Dak.
Smith, Tex.	Taggart	Wason	

NAYS—96.

Aiken	Davenport	Hensley	Rouse
Almon	Davis, Tex.	Howard	Rubey
Anderson	Dent	Howell	Rucker
Bailey	Dickinson	Huddleston	Russell, Mo.
Bell	Dies	Hull, Tenn.	Shackleford
Black	Dill	Jacoway	Shallenberger
Blackmon	Doughton	James	Sherley
Booher	Dowell	Keating	Sisson
Borland	Ellsworth	Kincheloe	Sloan
Buchanan, Tex.	Finley	Lee	Stengall
Burke	Foster	Lenroot	Steele, Iowa
Byrnes, S. C.	Garner	McLemore	Steele, Pa.
Callaway	Garrett	Mays	Stephens, Tex.
Candler, Miss.	Godwin, N. C.	Moon	Sweet
Cantrill	Gordon	Moss, Ind.	Tavenner
Caraway	Gray, Ala.	Nicholls, S. C.	Taylor, Ark.
Cline	Gray, Ind.	Nolan	Taylor, Colo.
Collier	Hamlin	Park	Thomas
Connelly	Hardy	Quin	Thompson
Cramton	Harrison	Ragsdale	Tribble
Crisp	Hayden	Ramseyer	Vinson
Crosser	Heflin	Rayburn	Whaley
Cullop	Helgesen	Reavis	Wingo
Curry	Helm	Reilly	Wise

ANSWERED "PRESENT"—8.

Edwards	Humphrey, Wash.	Mudd	Page, N. C.
Fields	Kinkaid	North	Rauch

NOT VOTING—118.

Allen	Fitzgerald	Langley	Pou
Anthony	Focht	Lazaro	Powers
Aswell	Gallivan	Lehlbach	Price
Bacharach	Gardner	Lewis	Rodenberg
Barchfeld	Garland	Liebel	Russell, Ohio
Beales	Good	Littlepage	Sabath
Bennet	Goodwin, Ark.	Lloyd	Scott, Pa.
Bruckner	Gould	Lobeck	Scully
Brumbaugh	Griest	Loft	Sears
Buchanan, Ill.	Guernsey	McAndrews	Slemp
Burnett	Hart	McClintic	Smith, N. Y.
Byrns, Tenn.	Haskell	McCracken	Stafford
Casey	Haugen	Maher	Stedman
Chandler, N. Y.	Hay	Meeker	Stephens, Miss.
Coady	Hayes	Mondell	Stiness
Coleman	Heaton	Mooney	Stout
Cooper, W. Va.	Henry	Morgan, La.	Sumners
Dale, N. Y.	Hicks	Morin	Swift
Decker	Hill	Morrison	Treadway
Dewalt	Hilliard	Moss, W. Va.	Van Dyke
Doremus	Hopwood	Murray	Vare
Driscoll	Houston	Nelson	Venable
Drukker	Hulbert	Nichols, Mich.	Walker
Dupré	Humphreys, Miss.	Oglesby	Watkins
Eagan	Jones	Oliver	Williams, W. E.
Eagle	Kent	Olney	Wilson, Fla.
Edmonds	Kettner	Parker, N. J.	Wilson, La.
Emerson	Key, Ohio	Parker, N. Y.	Young, Tex.
Fairchild	Kiess, Pa.	Patten	
Farr	Kitchin	Porter	

So the bill was passed.

The Clerk announced the following pairs:

For the session:

Mr. FIELDS with Mr. LANGLEY.

Until further notice:

Mr. WM. ELZA WILLIAMS with Mr. GRIEST.

Mr. EDWARDS with Mr. SLEMP.

Mr. HOUSTON with Mr. GUERNSEY.

Mr. PATTEN with Mr. FAIRCHILD.

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. BYRNS of Tennessee with Mr. KINKAID.

Mr. HENRY with Mr. HAYES.

Mr. STEPHENS of Mississippi with Mr. SWIFT.

Mr. HILLIARD with Mr. EMERSON.

Mr. KEY of Ohio with Mr. FARR.

Mr. BURNETT with Mr. COLEMAN.

Mr. LEWIS with Mr. MOSS of West Virginia.

Mr. VAN DYKE with Mr. MUDD (ending Apr. 15).

Mr. SABATH with Mr. NORTH.

Mr. MCANDREWS with Mr. HILL.

Mr. BUCHANAN of Illinois with Mr. MORIN.

Mr. DRISCOLL with Mr. GOULD.

Mr. KITCHIN with Mr. STINESS.

Mr. DEWALT with Mr. FOCHT.

Mr. LIEBEL with Mr. MOONEY.

Mr. ASWELL with Mr. ANTHONY.

Mr. LITTLEPAGE with Mr. BACHARACH.

Mr. LAZARO with Mr. BARCHFELD.

Mr. KETTNER with Mr. HOPWOOD.

Mr. HUMPHREYS of Mississippi with Mr. PORTER.

Mr. HULBERT with Mr. MEEKER.

Mr. BRUCKNER with Mr. HASKELL.

Mr. DUPRÉ with Mr. BEALES.

Mr. HAY with Mr. PARKER of New York.

Mr. EAGAN with Mr. GARLAND.

Mr. COADY with Mr. HEATON.

Mr. DALE of New York with Mr. LEHLBACH.

Mr. HART with Mr. CHANDLER of New York.

Mr. DOREMUS with Mr. NICHOLS of Michigan.

Mr. DECKER with Mr. MCCRACKEN.

Mr. FITZGERALD with Mr. BENNET.

Mr. YOUNG of Texas with Mr. NELSON.

Mr. MCCLINTIC with Mr. SCOTT of Pennsylvania.

Mr. WILSON of Louisiana with Mr. POWERS.

Mr. OGLESBY with Mr. VARE.

Mr. MURRAY with Mr. HICKS.

Mr. WILSON of Florida with Mr. HAUGEN.

Mr. SUMNERS with Mr. EDMONDS.

Mr. OLIVER with Mr. TREADWAY.

Mr. STOUT with Mr. DRUKKER.

Mr. VENABLE with Mr. KIESS of Pennsylvania.

Mr. POU with Mr. STAFFORD.

Mr. SCULLY with Mr. RODENBERG.

Mr. SEARS with Mr. GOOD.

Mr. WALKER with Mr. RUSSELL of Ohio.

Mr. GOODWIN of Arkansas with Mr. MONDELL.

Mr. WATKINS with Mr. PARKER of New Jersey.

Mr. EDWARDS. Mr. Speaker, I am paired, but I desire the RECORD to show that I am present.

The name of Mr. EDWARDS was called, and he answered "Present."

Mr. HUMPHREY of Washington. Mr. Speaker, I am paired with the gentleman from Indiana, Mr. MORRISON. I voted "yea." I desire to change my vote and answer "present."

The name of Mr. HUMPHREY of Washington was called, and he answered "Present."

The result of the vote was announced as above recorded.

On motion of Mr. SLAYDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12717, the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill, with Mr. HAMLIN in the chair.

Mr. HAUGEN. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, William Peters Hepburn was born in Columbiana County, Ohio, November 4, 1833. He died at Clarinda, his Iowa home, February 7, 1916. It is the custom of the House of Representatives to set aside a special day for memorial services in honor of those who die while yet they are our associates. I am not justified in asking that this be done in honor of Col. Hepburn, who was not a Member of Congress at the time of his death. Yet, in view of the fact that for 22 years he was a Member of this House, that for 12 years he was chairman of the Interstate and Foreign Commerce Committee, and that his name is associated with much of the most important legislation of recent years, I believe I am justified in asking that the House for a brief period shall lay aside its business to consider with me the life and public service of this really great leader and statesman.

EARLY LIFE.

Mr. Hepburn's father died before he was born. His mother was a strong and capable woman, whose Christian character and resolute virtues were impressed on her son in double measure during his childhood and youth. When he was 8 years old the family moved to Iowa and settled on a farm near Iowa City. He attended the public schools and early developed a quenchless thirst for knowledge. An invaluable part of his education was the four years he spent as an assistant in a printing office. Mr. Hepburn early determined upon the law as his profession, and his reading and thinking were continually influenced by that ambition. He began his study of the law in an office in Iowa City, and when an opportunity offered went to Chicago, where he finished his studies, and was admitted to the bar in 1854, before he had attained his majority.

In 1855 Mr. Hepburn was married to Melvina A. Morseman, who survives him. Their married life of over 60 years was beautiful in its mutual devotion and constancy. The bride of

his youth was to him through all those years the constant object of his thought and care, with a respect and confidence more sacred and profound in silvered age than even in the springtide of their earlier years. Mrs. Hepburn was throughout all the long period of their married life the confidant, adviser, and efficient helper of her husband. In his campaigns, at Washington, and in the multiplied activities of his public career she was his constant companion and assistant. Never was the unity, the harmony, and the purity of the American home more beautifully exemplified than in the home life of Mr. Hepburn and his wife.

AS A LAWYER.

It is needless to say that Mr. Hepburn was a poor boy. He earned his education and made his way unaided almost from childhood. When he returned from Chicago, after his admission to the bar, he was compelled to accept a place as assistant in the office of the clerk of the district court. Soon he was able to move to Marshalltown, where he began his career as a lawyer. He was elected county attorney of Marshall County, then clerk of the House of Representatives of Iowa, then district attorney of the eleventh judicial district, comprising several counties. This position he resigned in 1861 to enlist in the Army.

After the war he established a new home at Clarinda, which remained his Iowa residence until his death. There he resumed the practice of law. He soon rose to distinction in the practice of his profession and was recognized as one of the leading lawyers of the State. He had a remarkable power of analysis, and seemed to know infallibly the strong and weak points of a case. He had that rare power of graphic presentation which held the attention of court and jury and made his powerful and convincing appeal irresistible. As an advocate Mr. Hepburn held a high place among the greatest lawyers of his time.

AS A SOLDIER.

When the Civil War broke out Mr. Hepburn resigned his position as district attorney. Securing a horse, he rode from Marshalltown to Iowa City, and obtained from Gov. Kirkwood authority to raise a company. This he did and was elected its captain. His company was enrolled as Company B, Second Iowa Cavalry. Capt. Hepburn was soon promoted to the rank of major and placed in command of the second battalion of his regiment. In that position he greatly distinguished himself at the Battle of Corinth. In the same year he was placed on the staff of Gen. Sheridan, and later upon that of Gen. Rosecrans, serving with him during all the time Rosecrans was in command of the Army of the Cumberland.

Afterwards he received a commission as lieutenant colonel and was placed in command of the second brigade, Cavalry division, of the Sixteenth Army Corps. His regiment was mustered out at the expiration of his term of enlistment, but he reenlisted and remained in command of a provisional Cavalry regiment until the close of the war.

Col. Hepburn was justly proud of his army record and remained the steadfast friend of his soldier comrades all his life. While in Congress he was always an advocate of liberal pensions, and was considered the special champion of the veterans on the floor of the House. His denunciations of those who sought to belittle or discredit the service and sacrifice of the "boys in blue" are still remembered for their bitterness and power.

IN PUBLIC LIFE.

It was inevitable that one so richly endowed should soon seek and find a place in public life; and so it was that after a few years of active practice of his profession, following his return from the South, he actively entered politics. He became a candidate for Congress in 1880, contesting for the nomination against the incumbent from his district, Col. Sapp, of Council Bluffs. The contest was a memorable one. The convention balloted for three days without result, and then took a recess of four days. Balloting was then resumed, and after two days more of struggle Col. Hepburn was nominated on the three hundred and eighty-fifth ballot. He was elected and served in the Forty-seventh, Forty-eighth, and Forty-ninth Congresses. He was then defeated by Maj. Anderson, who was succeeded for two terms by Hon. James P. Flick. Col. Hepburn was then reelected to the Fifty-third and to each succeeding Congress up to and including the Sixtieth.

He was thirteen times the nominee of his party, in most instances with little or no opposition.

In Congress Col. Hepburn's career was brilliant and distinguished. Wisely he held aloof from active participation until he was thoroughly at home and familiar with the practice and procedure of the House. He grew steadily in power and influence until he became a distinguished figure, with a place among the half dozen leaders of the House. As a debater he was not surpassed, if, indeed, he was equaled, on either side. He had a superb equipment, a commanding presence, a resonant and pleasing voice, an extensive and unique vocabulary. He was thoroughly at home, fearless, and stimulated with the joy of conflict. Members now in the House recall the thrilling encounters in which he took part as among the red-letter days of the House.

But it was not only as a debater that Col. Hepburn excelled. He was a constructive statesman. He served as chairman of that great committee, the Interstate and Foreign Commerce Committee, during the years when some of the most important and benificent legislation of modern times was enacted. He served all through both the McKinley and Roosevelt administrations. Especially during the stormy years when Roosevelt was pressing his reform legislation, Col. Hepburn was his able and efficient helper in the House. President Roosevelt declared the Fifty-ninth Congress would be memorable in history because of its constructive legislation. Of the five great acts on which that statement was based, four came from Col. Hepburn's committee, and of three of them—the Hepburn rate law, the pure-food act, and the public health act—Col. Hepburn was himself the author. He introduced the Nicaragua canal bill, which was the precursor of the Panama Canal act. He also introduced bills, which became laws, providing for safety appliances for railroads, for the Marine Hospital Service, and other legislation of similar character.

Col. Hepburn was regarded as a conservative. He acquired that reputation because of his tenacious adherence to his settled beliefs. But he was independent in thought, and a real reformer in action. He was the first "insurgent" against the old rules of the House. At the commencement of each Congress Col. Hepburn made a fight against the rules giving the Speaker what he regarded as dangerous powers. Afterwards enough joined him to repeal the old rules, until now the Speaker is shorn of excessive power. Col. Hepburn years ago began fighting each river and harbor bill because of its "pork-barrel" provisions. Members still recall how he ridiculed appropriations for the improvement of creeks and inlets that had no place on the map, and how he convulsed the House describing the difficulties with which an appropriation would try to catch up with the devious wanderings and bewildering changes in the course of the Missouri.

AN HEROIC FIGURE.

Col. Hepburn was a heroic figure. He belonged to a heroic age. He came to Iowa while it was yet a Territory, five years before it became a State. He knew and became a part of the pioneer life of the West. The pioneer has been more than any other the true, distinctive type of American manhood. In the pioneer were combined all those forces which subjugated a continent. Prof. Bryce truly said, "The West is the most American part of America." The westerner is the impelling, aggressive, dominating element in the development of our national life.

Graduating from such a school as this in his early manhood, Col. Hepburn entered upon the heroic age of American history, the Civil War period. Men grew larger in that atmosphere. Provincialism died in the contemplation of the danger of losing and the blessing of keeping a united Nation. The Union, one and indivisible, enlarged the American vision to continental proportions. To the westerner this idea had an especial appeal. From his outlook of boundless prairies, with their limitless vistas, he could comprehend more easily than others the value of a great Nation. And so it was not strange that Iowa, with a population of but 600,000, should send 80,000 volunteers to the defense of the Union. This was one-half her entire adult male population. It was 70 per cent of those subject to military duty. It constitutes a record of heroism and devotion unequaled even in our own proud history.

Col. Hepburn was a typical representative of that period, stalwart, heroic, titanic. There was nothing little about him, either physically or mentally. He was intolerant of the narrow view. He had no patience with the meannesses of life. He could not abide that attitude of mind which has no outlook higher than personal advantage. He was subject to easy disparagement because he was contemptuous of criticism. He suffered defeat rather than subject himself to the humiliation of an explanation. He had none of the arts of the demagogue. If men supported him, it was because of his sterling worth, and not because of any servile appeal or pretended favor. He would not

> Crook the pregnant hinges of the knee,
> Where thrift may follow fawning.

To his party, to his country, to his own convictions he was ever loyal, not passively but devotedly, heroically, passionately loyal. He was a soldier; but he was not a mercenary, he was a volunteer. He was a fighter; but he was not a duelist, he

was a champion. He was typical of his age. As such he will linger in our memory, an heroic figure, pioneer, soldier, statesman. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Chairman, about a year ago I discussed here the attitude of the President toward the merit system as disclosed by the Executive orders which he had issued waiving the regular requirements of the civil-service rules in individual cases and making appointments to office in disregard of those requirements. It has always been recognized that the President should have this power to set aside the regular rules and requirements of the civil service, because there might occasionally arise emergencies when special services were required which the regular routine of the civil-service rules would not secure, but the spirit of the civil-service law demands that these exceptions shall be made only when the interest of the Government requires it, and that they shall not be made for the purpose of promoting personal or political favoritism.

President Wilson, both before his election and since, has frequently proclaimed that he was a sincere advocate of the merit system. It seemed to me his conduct in the first two years of his office was greatly at variance with his professions. I have recently been to the Civil Service Commission and looked up his record for the past year, and regret to say that it but confirms the impression created by the previous two years. As the civil-service rules become more and more established as part of our system of Government, and as they become more and more understood and respected by the voters as the best defense against political favoritism, one would naturally expect that the exceptions created by Executive order would steadily diminish. That there will occasionally be cases where a President, with the purest and best motives, might think it wise to except individuals from the regular method of entrance to the service, I readily admit.

President Roosevelt inaugurated the custom that when any one requested him to waive the civil-service requirement in order to give a person an appointment the matter should be referred to the Civil Service Commission, and they should report upon the wisdom of the action. That, it seems to me, was a very sensible and disinterested innovation. The Civil Service Commission in such a case would be expected to sit as a judicial body, uninfluenced by political or partisan views, and making its conclusions simply for the good of the service, and it seems to me the report of that commission ought to be conclusive to a President who wished to act for the country at large and not for his own personal or political gain. And it seems to me the genuineness of a President's devotion to the merit system could be very well measured by his acceptance or rejection of the recommendations of the commission in such cases.

Last year I discussed this subject in the House. I found then that in the first two years of his administration President Wilson had authorized 137 personal appointments by Executive orders which waived the requirements of the civil service. In all except 18 of those 137 he first requested the judgment of the Civil Service Commission. When he or any other President authorizes an appointment without submitting the question to the commission, I assume that he does it because he has made up his mind to make that appointment, thinks the Civil Service Commission would not approve it, and so prefers to do it against their unexpressed rather than against their recorded opposition.

Subtracting those 18, it leaves 119 cases which President Wilson submitted to the Civil Service Commission. Of those 119, 41 were approved by the Civil Service Commission, and of those cases I have no criticism. While the judgment of the commission has not always agreed with mine, yet I give them credit for honest and impartial investigation and decision, although they owe their positions to the present President, who did not follow the example of his Republican predecessors, but for the first time allowed partisanship to determine his appointments, removing two of the members whom he found in office. All through the administrations of President Roosevelt and President Taft the board consisted of two Democrats and one Republican. As soon as President Wilson came into power he removed the Republican and appointed a Progressive, recommended by the Progressive Senator who was his most faithful supporter in the Senate, so that the board has been constituted ever since of two Democrats and one Progressive. The law forbids that all three shall belong to the same political party.

I compared last year the number of the Executive orders issued by President Wilson during the first two years of his administration with the Executive orders made by President Taft during the same period of his administration, and found that there were 77 exceptions by President Taft as against the 137 by President Wilson. President Wilson appointed 18 without referring them to the commission at all. President Taft appointed 11. I assume that all those were cases where both Presidents knew that the commission would not approve their action, and I think they all deserve criticism and were flagrant departures from the principles of the merit system. Of the 119 cases which President Wilson referred to the Civil Service Commission 41 were approved by them. Of President Taft's 66, 65 were approved by the Civil Service Commission. Against those appointments I have no criticism. President Wilson appointed 78 men against the judgment of the Civil Service Commission, while President Taft only appointed 1 against their recommendation, so the relative figures are 78 to 1. Perhaps that measures fairly their relative faithfulness to the merit system.

Now, in the past year, from February 25, 1915, when my investigation last year ended, to April 1, I find President Wilson has authorized 104 appointments without regard to the civil-service rules. Of those, 20 were appointed without at all requesting the judgment of the Civil Service Commission. I assume that those were not referred because the President knew that the Civil Service Commission would disapprove the appointments. Indeed, in 6 of those 20 cases the Civil Service Commission had already disapproved exactly similar requests, so that their position was known. Therefore, in those 20 cases he was acting in intentional opposition to the judgment of the commission.

Of the remaining 84 cases, 22 were approved by the Civil Service Commission, and while my opinion did not always coincide with that of the commission, yet against those appointments I make no criticism. I believe the commission intended to be impartial and fair, and I accept their conclusion as correct.

In the other 62 cases the Civil Service Commission, the President's own board, advised against the appointments; and yet, notwithstanding such objection, the President made the appointments. So the record for this year stands 22 appointments made with the approval of the commission, 20 made without any reference to the commission, and 62 made against the advice of the commission, so that in the case of 104 persons for whose appointment to office the civil-service rules were abrogated, only 22 of them were made with the concurrence of the commission, and all the rest may fairly be assumed to have been made from motives of political or personal favoritism. It does not seem to me that is a record which is creditable to any man who claims to be a supporter of the merit system.

I looked up the record of the corresponding year in the Taft administration, to make the comparison as I did last year, and I find there were 56 cases in which the civil-service rules were waived. Of those, 38 were approved by the commission and 17 were made against the recommendations of the commission, and only 1 was made without reference to the commission. So the comparison is as follows: President Taft made 56 exceptions, 38 with the approval of the commission and 18 against the opinion of the commission. President Wilson made 104 appointments, 22 with the approval of the commission and 82 against the opinion of the commission. President Taft yielded to the politicians and abandoned civil-service principles in one-third of the cases. President Wilson was faithless to his civil-service professions in four-fifths of the cases and abided by the recommendaton of his commission in only one-fifth of the cases.

It would seem to me that the wisest as well as the easiest course for a President would be to abide unchangeably by the advice of the commission. When a politician came to him seeking to have the civil-service rules waived, so that he could be appointed to a classified office, the President might easily say: "You can submit your case to the Civil Service Commission, and if you can get them to approve it I will be glad to give you the place, but I will not do it without their approval." But apparently the political exigencies of this administration have not allowed that course to be followed, and the President has 82 times disregarded the opinion of his own commission.

The commission in their report give a very brief statement of the reasons given for the action in each case, and in many of them you can read between the lines and appreciate how preposterous it was that the rules should be waived in order that the services of these men might be secured.

For instance, the Postmaster General wished to have two unclassified laborers admitted to the classified service although they were not eligible, and so at the request of the Postmaster General the President waived the requirements of the rules, because the Postmaster General stated—

That these men were highly desirable, entirely trustworthy, and had rendered excellent service, having been directly connected with the office of the Postmaster General since the beginning of the present administration.

The fact that the Postmaster General had brought in with him two good men and had kept them in direct connection with his office was apparently sufficient reason to have the rules of the civil-service law set aside so that his proteges might get permanent appointments. It is needless to say that the Civil Service Commission was not convinced by this statement and did not approve the appointments.

In another case a lady was authorized to be appointed in the Immigration Service without reference to the civil-service rules, and there the Secretary stated that this lady "had peculiar qualifications, and it was deemed advisable to have a woman of high character and sympathetic initiative." If "sympthetic initiative" is to become one of the feminine qualifications for appointment to office, the civil-service examinations ought to be radically changed. In this case, too, the Civil Service Commission, of course, did not recommend the appointment.

In another case in the Post Office Department the statement was that the "postmaster is personally acquainted with the gentleman and feels that he is mentally and physically capable of performing with satisfaction and efficiency the duties." I can think of no case where a person who wanted to give a man an appointment would not make that general statement, but the President, against the advice of the commission, seemed to think that was sufficient reason to justify the setting aside of the rules.

In another case a man had been in the Railway Mail Service for 20 years, beginning in 1882, when he resigned with a "fair record." He was reappointed to the Railway Mail Service. He can no longer be a young man, for it is 34 years since he first entered the Railway Mail Service, which is supposed above all others to need young men; but he was a son of Gen. Houston, a Texas hero, and so he was permitted to be reappointed, and to my surprise the Civil Service Commission offered no objection to the recommendation of the Postmaster General. I appreciate and sympathize with the warm regard Texans have for the memory of Gen. Houston, but I do not think that is sufficient reason for them to load his son in his old age upon a branch of the national service where young men are particularly needed.

In another case a man was appointed law clerk in the office of the Solicitor of the Treasury, upon the statement of the Attorney General that "the relationship existing between the solicitor and the man holding this position is quite confidential; that the duties of the office require a man of considerable experience as a lawyer," and so forth. The President was prudent enough in this case not even to venture to ask the opinion of the Civil Service Commission.

Then a lady was appointed in the Bureau of Foreign and Domestic Commerce because the Acting Secretary vouched for "her unusual efficiency and ability as a stenographer and typewriter and the exceptional aptitude she has shown." If the head of a bureau can get every young lady he wishes by simply saying that she has unusual efficiency and ability as a stenographer and typewriter and exceptional aptitude for the work he wishes her to perform, the civil-service laws might as well be repealed at once.

It seems to me that the cases show a deplorable laxity and easy willingness to oblige applicants, an introduction of favoritism and personal influence which the civil-service laws and rules were intended to prevent and which is inconsistent with the professions of a believer in the civil-service principles.

I remember that during President Roosevelt's administration the gentleman from Virginia [Mr. HAY] criticized him severely for issuing some of these Executive orders allowing personal appointments without regard to the civil-service rules. That was before he had inaugurated the custom of referring such cases to the Civil Service Commission for report. Perhaps Mr. HAY's criticism showed the need of some such impartial tribunal, and so was the indirect cause of that innovation. If so, it had a more valuable result than most congressional speeches. At that time it was difficult to judge fairly what exceptions had been made for the good of the service and what exceptions were made from personal or political favoritism. Now the judgment of the Civil Service Commission supplies for us a standard. Mr. HAY, criticizing President Roosevelt, said:

> Whenever he suspends a rule of the civil service he violates principles which he himself has enunciated.

I am not as severe a critic as Mr. HAY; because I recognize that some exceptions may be desirable for the good of the service, and so are no violations of civil-service principles. But when President Wilson suspends the rules against the advice of his own Civil Service Commission it seems to me Mr. HAY's criticism is exactly applicable. The President has at different times declared hmself in favor of the merit system. Even at the moment when he signed the bill which dealt the severest blow to the civil-service law it has ever received since it was enacted he said, as if conscious that his act needed some explanation and exculpation:

> My warm advocacy and support both of the principle and the bona fide practice of civil-service reform is known to the whole country.

And yet, despite this public advertisement of his convictions, he continues year after year to authorize appointments which can not get the approval even of the Civil Service Commission which he himself selected. In his first two years the commission acquiesced in 41 of the 137 exceptions which he made—less than a third. This year, out of 104 exceptions which he has authorized, the commission has only approved 22—about one-fifth. At this rate of progress, what can the spoilsman not expect during the next six months, when the pressure of the campaign becomes even more acute? And what has become of his "warm advocacy and support both of the principle and the bona fide practice of civil-service reform"?

According to the standard set up by the gentleman from Virginia [Mr. HAY], the present honored chairman of the Committee on Military Affairs, "Whenever he suspends a rule of the civil service he violates principles which he himself has enunciated." That has been done 104 times during the past year, and in 82 of those cases he acted in direct defiance of the opinion of the Civil Service Commission. In my judgment, that is not "bona fide practice of civil-service reform."

I sincerely regret that the year's record is so bad. When the President assumed office I had full confidence that the merit system would be upheld and promoted. I have no doubt now that the President at heart approves it. I can only conclude that the men and influences by which he is surrounded are stronger than his convictions, and that he yields his predilections to party and personal pressure. But as long as four-fifths of his appointments are made directly against the advice of the Civil Service Commission I do not see how he can expect or receive the approval or support of civil-service reformers. [Applause.]

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. For a question.

Mr. KAHN. Is it not a fact that President Wilson was at one time the president of the National Civil Service Reform League?

Mr. GILLETT. No. He was vice president of that league and resigned it when he was nominated; but he resigned, saying that it did not at all indicate any lack of enthusiasm for the cause, and he has frequently asserted that in spite of his conduct in the cases I have enumerated.

Mr. LEVER. Mr. Chairman, I yield now to the gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEVER. I now yield to the gentleman from Pennsylvania [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. ESCH].

Mr. ESCH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I now yield 30 minutes to the gentleman from Nebraska [Mr. STEPHENS].

Mr. STEPHENS of Nebraska. Mr. Chairman and gentlemen of the committee, I purpose to devote the time allotted to me to a discussion of markets, especially as related to the live-stock industry. I have prepared a few charts or had them prepared by the department for the purpose of illustrating in concrete form the precarious condition of the live-stock industry in the United States at the present time. This great Committee on Agriculture has taken a very important step toward solving this problem, and I congratulate it and its worthy chairman, Mr. LEVER, on the splendid progress so far made.

Some three years ago this bill carried for the first time an appropriation for the establishment of a Bureau of Markets, and in my judgment it was the most important step in the development of agriculture since the department was organized. We have been devoting ourselves exclusively to an effort to make two blades of grass grow where only one grew before, paying no attention whatever to the finding of a market for that extra blade of grass. We now propose to find where to market the products we raise economically and profitably.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. STEPHENS of Nebraska. Certainly.

Mr. MADDEN. I am curious to know what the gentleman's opinion is as to what the duties of such a bureau would be; whether they would sell cattle or hogs or sheep or agricultural products, or whether they would simply accumulate information for selling and buying of them.

Mr. STEPHENS of Nebraska. My idea is that this bureau will ascertain what the trouble is and offer suggestions as to how to remedy it. We do not know exactly what the trouble is; that is, people generally do not know what the trouble is. Some of us think we know.

Mr. MADDEN. Well the gentleman yield for one more question?

Mr. STEPHENS of Nebraska. Certainly.

Mr. MADDEN. Some time since there was the creation of what was known as the Federal Trades Commission, and that commission was to have the power to remedy all the evils that human flesh is heir to, in the business world, at least. Now, has not it the power, or would the bureau suggested by the gentleman have a greater power?

Mr. STEPHENS of Nebraska. Well, I think it has the power to do many things, and it no doubt will exercise that power when it is thoroughly organized, in dealing with unfair trade conditions; but this bureau of markets is designed to locate the producer's trouble and suggest how he can keep out of bankruptcy.

The live-stock industry, including the industries based upon it, is greatest of all the great industries in the United States. About $14,000,000,000 is invested in it, and these charts show the live-stock supply has decreased enormously during the last 15 years, which indicates most clearly that the trouble lies at the markets. Good markets will increase the live-stock supply; poor markets will decrease the supply. That is a fundamental law. Then the question is what is the matter with our markets? The per capita meat supply of the United States was about 35 per cent less in 1915 than in the year 1900. In other words, if each person had 100 pounds of meat in 1900, he would have only 65 pounds in 1915. This is certainly an astounding situation and deserves the most careful consideration.

Mr. FESS, Mr. MADDEN, and Mr. REAVIS rose.

The CHAIRMAN. To whom does the gentleman yield?

Mr. STEPHENS of Nebraska. I yield to the gentleman from Ohio [Mr. FESS].

Mr. FESS. In other words, the increase in cattle raising has not kept pace with the increase of our population?

Mr. STEPHENS of Nebraska. That is correct.

Mr. FESS. Did the gentleman expect it to do so?

Mr. STEPHENS of Nebraska. Certainly; there is no reason on earth why it should not, and I purpose in my remarks to show why it has not increased in proportion to the population.

Mr. BAILEY. Will the gentleman yield?

Mr. STEPHENS of Nebraska. I will.

Mr. BAILEY. Does not the gentleman think that the increase of the price of farm lands might have a good deal to do with the decrease of the production of meat and cattle?

Mr. STEPHENS of Nebraska. It should have no effect in decreasing the supply of cattle, but it would naturally make cattle raising more expensive. But the demand for meat is constantly going up and the supply of meat going down. If the price of beef cattle went up as the expense of production went up, the supply would naturally follow and there would be no shortage of cattle. The packers, however, have kept the price level so low that feeders in great numbers have quit the business. Not only has the price level been kept too low, but it has fluctuated violently, making the feeding business exceedingly hazardous. The price of land ought to have nothing to do with the supply of cattle if there were a free competitive market for the sale of the cattle, which, I regret to say, does not exist.

Mr. REAVIS. Will the gentleman yield?

Mr. STEPHENS of Nebraska. I will.

Mr. REAVIS. Does the gentleman from Nebraska mean to leave the impression that there is an increase in cattle raising now over what it was 10 years ago?

Mr. STEPHENS of Nebraska. No, indeed. Here is another chart that shows the condition of the live-stock industry. This chart shows the population of the United States in 1900 to be about 75,000,000. While our population has increased to over 100,000,000 in 1915, the cattle, hog, and sheep supply has not kept pace with the growth in population. Hogs have increased only slightly, while sheep and cattle have decreased more than 20,000,000 head, thus greatly reducing the per capita supply of meat in 1915 as compared with 1900. As stated before, the reduction in sheep and cattle amounts approximately to a loss in the per capita supply of 35 per cent. These are alarming figures.

Mr. MADDEN. Will the gentleman yield?

Mr. STEPHENS of Nebraska. I yield to the gentleman.

Mr. MADDEN. Does the gentleman think that the laws which encourage the raising of live stock in other countries and admitting it free into the United States, has anything to do with the reduction in the number of cattle and hogs and sheep raised in the United States?

Mr. STEPHENS of Nebraska. Not in the least, because at the present time and during the last two years we have had very little importation of live stock, and during that time the price of fat cattle on the market has been so low that cattle feeders have suffered the greatest losses in the history of the industry.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. STEPHENS of Nebraska. I yield.

Mr. SMITH of Michigan. I was interested in your illustration on the map, and in your explanation where you stated that it showed the relative value of the different industries in the United States, while in the heading it reads, "Per cent of distribution." What I should like to know is whether that shows the amount of distribution or the relative value of the product mentioned in the chart?

Mr. STEPHENS of Nebraska. This chart was prepared by the Census Bureau, and I assume it refers to the amount invested in these different industries.

Mr. BORLAND. I want to ask the gentleman whether his line on the chart, representing the gross number of cattle in this country for these different years, includes all kinds of cattle, beef cattle as well as dairy cattle?

Mr. STEPHENS of Nebraska. All kinds; yes, sir.

Mr. BORLAND. The gentleman is aware, of course, that there has been an increase, a slight one, and not comparable with the increase in population, but a slight increase, in the amount of dairy stock in this country, so that the relative diminution in the supply of beef cattle is much greater than the aggregate would show?

Mr. STEPHENS of Nebraska. Yes; that is correct.

Mr. BORLAND. In other words, the increase in dairy cattle has kept the supply of cattle from going down as rapidly as it would have gone down?

Mr. STEPHENS of Nebraska. I think the gentleman is correct.

If I may proceed now for a few moments without interruption——

Mr. FESS. One other question. Is this estimated on the number of cattle or is it the value?

Mr. STEPHENS of Nebraska. On the number.

The live-stock industry falls naturally into two divisions, namely, production and distribution. On the one hand we have the growers and feeders who raise the cattle and finish them for the market, and on the other hand we have the distributors consisting of the packers and their vast machinery of distributing the finished product through the various channels of trade to the consumers. On the one hand we have millions of producers scattered over a vast territory, isolated and practically unorganized, and on the other hand we have the great central markets to which the live stock from every section is shipped, owned largely and controlled absolutely by four or five great meat-packing concerns. The producers, unorganized, need help from the National Government; the packers, perfectly organized, need to be controlled by the National Government.

Let us examine the situation briefly. Take a map of the United States and for the purpose of illustration draw a vertical line from the north boundary to the south boundary through the city of Chicago. Label the territory to the west of this vertical line the cattle country and the territory to the east of it the consumers' country. Then draw lines out from the central market at Chicago to St. Paul, Sioux City, Omaha, Kansas City, and St. Louis, the secondary cattle markets. From these secondary markets extend these lines out into the cattle ranges of the West beyond the corn belt, and we have a map showing graphically how the cattle flow along these lines to the secondary and central market at Chicago. The lines showing the connection of this vast cattle country with the central market at Chicago do not mean that every animal passes through Chicago before the finished products gets to the consumer, but it does mean that practically every animal that moves in the interstate trade from any of these secondary cattle markets to the consumer has the price fixed upon it, indirectly if not directly, by the big four packers in Chicago. So for all practical purposes the map shows the cattle of all this great western country passing through the needle's eye, the stockyards in Chicago, to the consumers of the country, labeled and priced by four

packers. In passing through this central market the producer surrenders title to his live stock—sells it to the packer at the packer's own price, because there are practically no other bidders for it. The packers dress the product and prepare it for the consumers and the lines radiating out from Chicago eastward show how perfectly they distribute it. Their control of the price on the great bulk of the meat fixes the price on all of it, practically speaking. The very fact that this enormous volume of business is controlled by this market composed of not to exceed four or five men is, in my judgment, a most dangerous menace to the American people, because it places in the hands of these men absolute control of prices, with the result that they are destroying the cattle industry of the country.

WHAT IS THE LIVE-STOCK MARKET?

Let us look at this great central market at Chicago and see what it is. The cattle market consists of stockyards, terminal railroads, packing houses, banks and cattle loan companies, rendering plants, market papers, and many other interests, practically all of which are owned or controlled by four packers, usually referred to as the "Big Four"—Swift, Armour, Cudahy, and Morris. Each week during the cattle season tens of thousands of cattle arrive at this market, to say nothing of other tens of thousands that arrive at the secondary markets, which are simply branches of the Chicago market, because the same packers own the stockyards and packing plants and buy the great bulk of the cattle at each one of these markets.

The bulk of these cattle that arrive during the week arrive on Monday and Wednesday in such large numbers that the yards are congested, the railroads are congested, the commission men are on the run, and everybody is so hurried that there is no opportunity for very much dickering between the seller and the buyer. The producer who has cattle on the market is so harassed in getting them unloaded and into the yards, feeding and watering them, that he feels a sense of relief when a buyer comes along and gives him a bid of any kind. Of course it would make no difference how long he stayed there and dickered with the buyer of the packers, for he would get no more for them, because there is no one else to buy them. But the very fact that these cattle are crowded on the market on two days of the week in such numbers affords the packer an excuse for lowering the price. They can always say that the market is glutted, and that it is perfectly natural for an oversupply to cause a slump in the market. But the scarcity of beef cattle shows that there is not, nor never has been during the last 15 years, an oversupply of cattle on the market.

THE GROWERS AND FEEDERS.

As opposed to these packers we have the unorganized efforts of the growers and feeders to secure a price for their cattle that will enable them to stay in the business. The growers are not so distressed as are the feeders. The growers sell in a market where they have thousands of competitive buyers, but the feeders are compelled to sell in a market where they practically have but one buyer, because no one who has any understanding of the method at all believes that the packers compete with each other. But even if they would compete, the fact that the feeder has only four channels through which he can sell his stock shows how limited is the competition. The growers are principally located in the range country; they keep the cattle on the range until they have had their growth, when the feeder in the corn belt must take them and finish them for market. There are few ranges that have grass sufficiently nutritive to produce good beef. Therefore the majority of these cattle are thin when they arrive at the market, and must be put in the feed yards of the corn belt and be fed corn and hay for several months before they are fit for choice beef.

In the fall of the year, when the grass fails on the range, the mature cattle in countless numbers are shipped to the various stock markets, where the feeders gather by the thousands in person or through their commission men to buy them and take them back to their feed lots on the farms. This competition among the feeders is sufficient to furnish the growers a very satisfactory market. Keep in mind the distinction between the grower and the feeder. The grower must sell his cattle when they have matured, because after maturity they begin to deteriorate in value, so when the grower unloads his cattle in the stockyards at the various markets the feeders are there to buy them, and they are immediately loaded on the train and shipped back into the corn belt, where they are fed for varying lengths of time, from two to six months, according to the condition of the cattle and the amount of feed available.

A feeder is a farmer as a rule, and he must have cattle to consume the rough feed on his farm and his corn crop and for the fertilizer required to keep up his farm. Even if a farmer could sell his grain always at a fair price, he would still need to keep cattle to make farming profitable. So the feeder often buys these cattle at a price so high that it will be a bare chance if the operation will prove profitable. This is due to the competition among the feeders. They need the cattle. After his cattle are fat the feeder loads them on the train and sends them to his nearest market. When he gets there he finds that the market is off—it most always is—and he begins to figure out what he can do to protect himself.

He finds that the offer made by the packers is so low his losses are going to be heavy on his year's feeding. If he is an experienced feeder, however, he knows that he can not load these cattle on the train and pay a water-logged freight rate back to his feed yards and continue to feed them for a higher market, because he knows the expense of the operation would wipe out all of the possible increase that he might make should he strike a higher price level when he got them back to the market after paying another freight rate. If he happens to be on the Omaha market, for example, and was dissatisfied with the price offered, he might contemplate shipping them to Kansas City, Sioux City, St. Louis, or Chicago, but if he has a knowledge of the situation he will know that will not do him any good, because he will meet with the same buyers in all of these markets that he has met in Omaha.

But if he happens not to know these facts and still refuses to take the offer made to him in Omaha for his stock, and decides to load and ship them to the Chicago market, he will find when he gets there that the offer that is made to him is less than the offer he had at Omaha. If he were able to get into the facts surrounding the situation, he would also find that the Omaha buyer had wired the Chicago buyer that a disgruntled feeder with a string of cattle was coming and to look out for him, and to teach him a lesson that he would not soon forget by paying him a price that would deal him a staggering loss. The facts have been well proven that this is literally what happens to a feeder who attempts to escape from the market which he first reaches.

WHERE GROWERS AND FEEDERS ARE TO BLAME.

There are many other phases of the feeder situation that are exceedingly interesting and harassing. For example, in the good old days before the lure of the big markets was established the feeder bought his stock directly from the grower on the range as he should do now, but since the big markets have been established it is almost impossible to buy cattle on the range successfully, due to the disorganized condition of the feeders and growers and the misinformation that is being constantly distributed among them as to market conditions. The feeder now is compelled to go to the cattle market at Chicago, Sioux City, Omaha, Kansas City, or St. Joe, and other points for his thin cattle, which have been shipped directly to these markets by the growers. The feeder buys these cattle and in many instances ships them back to his feed yards over the same road over which they came.

I purposely traced some 3-year-old steers, fed in my home county, to see what had actually taken place in their transit from the range to the packer, and this is their life story: They were born on the range near North Platte, Nebr., some 300 miles west of Omaha. When they were 1 year old the grower found himself short of pasture, and he shipped them over the Union Pacific Railroad to the Omaha market. There a farmer bought them who lived near Kearney and shipped them back again some 250 miles over the same railroad to his pasture, where he kept them till they were 3 years old. He then shipped them over the same railroad again to Omaha, making the third trip over that road paying a high freight rate on a highly watered capitalization. At Omaha they were again sold, this time to a feeder at Central City, Nebr., on the same road, about 130 miles west of Omaha, who shipped them back the fourth time over the same road to the feed yards at Central City. After feeding them six months they were shipped over the same railroad again to the market at Omaha, where they were sold to the packers, dressed, and distributed to the people.

These cattle paid five freight bills to the Union Pacific Railroad before the packers got them. After the packers got them they paid another, as dressed meat, making six all told. They also paid five commission charges at the stock yards in Omaha. They paid yardage and feeding and handling five times on that market, and up to the time that they went to slaughter the feeder and the grower had to divide this expense between themselves. This life history of that particular bunch of cattle shows a greater expense perhaps than the average, but it is safe to say that the average 3-year-old fat steer passes over the railroad three times before he reaches the packer, which is conclusive proof that some sort of a system of marketing should be adopted that would cut out these unnecessary bills of expense. But the most discouraging thing is that after the

feeder has taken upon himself all the great expense burden that these cattle carry up to the time they leave his feed yards, and has added another big bill for feed and has shipped them to the packer for slaughter, he is confronted with a hopeless market where he receives practically only one bid for his stock. Of course, two or three packers may bid on his stuff, but anyone who is fit to go about without a guardian knows that these bids are not competitive.

It is beyond the bounds of reason to believe that these four packers, who buy the bulk of the cattle that arrive at any and all of these markets, are going to bid against one another and thereby run the price up when it is much simpler and easier for them to divide up the shipments among themselves according to their respective capacities for handling them and paying exactly what they please for them. If there is anyone so gullible in the face of the evidence that is available on this subject as to believe that there is competition in the fat stock markets, he had better go into the feeding business and prove it.

THE METHOD OF THE PACKERS.

Several years ago the packers formed a National Packers' Association, which contemplated taking over the whole industry in one gigantic trust, but the courts dissolved the association. It is easy enough for the court to do that sort of a thing, but it is quite another thing to prevent the members of that association, after they have been dissolved, from working in perfect harmony. That is exactly what the Big Four do now. They do just as they please. They work as one man. Each packer has his head buyer, and these head buyers find no difficulty in meeting often and understanding one another perfectly, because they all office in practically the same buildings.

The stockyards are owned by the packers. The banks and cattle loan companies that loan money to the feeders are owned by the packers. The market papers which quote the prices are owned by the packers. They also own the rendering plants, and, for all practical purposes, they own the commission men. The commission men are absolutely dependent upon the packers. They are supposed to represent the feeders and growers, but, in view of the fact that they only have four buyers to whom to sell the cattle of their customers, it is evident that these buyers could neglect to make them an offer for their stock should they not be responsive to their suggestions. And if they can't get offers for their stock their country customers will quit them. So it necessarily follows that the commission men are helpless in the hands of the packers. The packers own the yards and therefore collect all of the charges for handling the cattle as they come in; collect high prices for the feed they use; make the feeders dependent upon the banks they own if they want to borrow money; make the market papers quote whatever prices they desire quoted for the purpose of influencing the movement of stock; take the dead cattle for practically nothing to their rendering plants; and, in fact, collect their toll off of every movement made by the feeder in the sale of his cattle to them. Not only do the packers own the yards, the terminal railroads, and other things referred to above, but they own all of the sites suitable for the location of packing plants, thus discouraging, if not making impossible, any new competition in the form of new packing houses. They control the situation so perfectly, and the industry is so splendidly organized, that competition has not only ceased to exist but is well-night impossible until the whole system of marketing is revolutionized.

Mr. MADDEN. Mr. Chairman, will the gentleman yield there for a question?

Mr. STEPHENS of Nebraska. Yes.

Mr. MADDEN. Is there anything to prevent anybody else buying these cattle except the four packers?

Mr. STEPHENS of Nebraska. Yes; there is.

Mr. MADDEN. What is it?

Mr. STEPHENS of Nebraska. Independent buyers have been driven out of the market as a result of the conditions I have just described. In the old days there were independent buyers scattered all over the East. They would go to Chicago, Kansas City, Omaha, St. Louis, and other markets and buy whole trainloads of cattle and ship them to Buffalo and New York and other cities, and there slaughter them, independent of these Chicago packers. But now those buyers have practically all disappeared, and if there is any shipping of cattle East at all to amount to anything it is done by the packers themselves or through their allied agencies.

Mr. MADDEN. Mr. Chairman, will the gentleman yield to me for another question?

Mr. STEPHENS of Nebraska. Yes.

Mr. MADDEN. Does the gentleman believe that if he went into any of these cattle markets and offered a better price he would not get the cattle?

Mr. STEPHENS of Nebraska. Of course, I would get the cattle, but what would I do with them after I got them?

Mr. MADDEN. Anybody could do it.

Mr. STEPHENS of Nebraska. Yes; anybody could do it; but suppose you or anybody else would go to Chicago and buy a string of cattle. What would you do with them?

Mr. MADDEN. Sell them.

Mr. STEPHENS of Nebraska. Whom would you sell them to? There is only one outfit in this country competent and prepared to handle the cattle, and that outfit consists of the four big packers. All other effective competition has disappeared, bought out or driven out. These packers are competent to do the business efficiently, and if we could only get the producers organized as well we would make the packers pay a living price for the cattle they slaughter.

In my opinion, legal action under the antitrust laws will get us nowhere, but a competing organization on the producers' side will, with the result that the cattle supply will go up and the people will get cheaper meat. No law can ever prevent these four packers from having an understanding on prices. If Swift pays 7 cents for steers, no law can prevent Armour, Morris, and Cudahy from paying the same.

Mr. MADDEN. There is not anything in the law to prevent anybody else from buying them, is there?

Mr. STEPHENS of Nebraska. Well, I will explain to the gentleman that these stockyards are owned by the packers themselves. They own the buildings; they own the entire equipment of every kind and character. They own the terminal railroads. I am speaking approximately. There are, of course, slight, trivial exceptions; but I am speaking of the rule. These are the things that enable them to fix the price, the things that control the product. That is what I am talking about, and not the incidents that have no influence on the market. Of course there is no law against it, nor is there a law against throwing money away.

Mr. MADDEN. Will the gentleman allow me to make a short statement there?

Mr. STEPHENS of Nebraska. Well, I do not want the gentleman to take all of my allotted time.

Mr. MADDEN. I do not want to embarrass the gentleman.

Mr. STEPHENS of Nebraska. The gentleman does not embarrass me in the slightest degree.

Mr. MADDEN. I want to say, as to the Chicago Stock Yards, that they are not owned by the packers.

Mr. STEPHENS of Nebraska. Oh, the gentleman is mistaken. A gentleman who does not know anything more about the cattle markets than that had better never venture into the stockyards. He is certain to be skinned if he does, because they know exactly how to do it there. [Laughter.] I do not mean to be disrespectful to the gentleman. The Union Stock Yards are owned by the packers, and the records show the fact. They own also the Union Stock Yards in Omaha, in Kansas City, in all the centers where they pack beef. They own the stockyards, the buildings, the equipment, the banks, and everything. There is nothing around the market they do not own that is worth owning. That is the club they have used to throttle competition. Besides that advantage, they do handle business economically, which makes competition with them most difficult. The packing business is the most efficiently managed of all our industries; but they are ruining the live-stock growers, and something must be done to break their strangle hold.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS of Nebraska. Yes.

Mr. FESS. Throughout Ohio, and also in Pennsylvania, there are a great many cattle feeders who go to Chicago and elsewhere to buy cattle that are not fat and bring them by the carload into Ohio and Pennsylvania, and then feed them and ship them as corn-fed cattle. I have a good many people in my own immediate vicinity who do that. I would like to know how general that is.

Mr. STEPHENS of Nebraska. It is general, and they are the people who suffer more than the growers, and I will show you how they suffer more than the growers. Those growers are scattered all over the country, and, as I stated before, they are unorganized, and they ship their thin cattle to the secondary markets, into these stockyards owned by the packers, and they are sold there by the commission men. One of them is the distinguished gentleman from Iowa [Mr. STEELE], who operates at Sioux City. The commission men sell those thin cattle back to people in the corn belt, whom the gentleman from Ohio has referred to now. In selling those cattle to the corn-belt farmers there are thousands of feeders competing for those cattle grown on the range, and the result is that the cattle grown on the range sell at a better price and at a more living price to the grower, because of this larger field of competition that is met with at

the central markets. Now, contrast that with what happens to the feeder after he has carried corn to cattle all winter in both sunshine and rain, mud and snow, and fattened those cattle and sent them to the central markets. When he gets there he has but four men to sell them to, and they have previously agreed on the price they will pay. Those feeders are like lambs led to the slaughter. Their doom is fixed in advance.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS of Nebraska. Yes; I yield to my colleague.

Mr. SLOAN. My colleague, in answer to the question submitted by the gentleman from Illinois [Mr. MADDEN], stated, if I understood him correctly, that there were not any cattle imported in this country very recently.

Mr. STEPHENS of Nebraska. During the last year, very few.

Mr. SLOAN. During the last two or three or four years?

Mr. STEPHENS of Nebraska. Yes.

Mr. SLOAN. Now, I want to submit some figures. During the four years prior to October 3, 1915——

Mr. BORLAND. Why does the gentleman go back that far? Every cattleman knows very well that when the troubles first broke out in Mexico there was a large importation of cattle from that country during the early stages of the revolution, and the figures which the gentleman is going to read, for four years, cover that rather extraordinary importation from Mexico, which has now practically ceased.

Mr. SLOAN. During the last two years, then, if the gentleman has no objection to that.

Mr. STEPHENS of Nebraska. No; I am glad to have the gentleman state the facts.

Mr. SLOAN. During the last two years the importations of cattle into the United States were 1,321,293 head.

Mr. STEPHENS of Nebraska. And during the last year there was a decrease in importations of cattle of 193,687 head, and a decrease in fresh beef of 108,353,305 pounds.

Mr. SLOAN. The recent importations have been less.

Mr. STEPHENS of Nebraska. Notwithstanding the fact that importations of cattle fell off enormously, and our exports of meat increased, amounting to the equivalent of 560,000 head in this last year, these packers have paid 40 cents a hundred less for native steers than they did in 1914. If they had paid according to the decreased supply of cattle in the country, they should have paid, perhaps, a dollar a hundred more for the cattle that they bought this last year than for the cattle which they purchased in 1914.

The importation of cattle from Canada and Mexico was a great blessing to our producers, for they turned our grass that was going to waste into money. They consumed our corn and paid railroad freight, and furnished employment for thousands of our people. The gentlemen must appreciate that every head of live stock crossing the boundary into the United States left a trail of gold in every step of progress toward the consumers of meat. The pastures were comparatively empty and the cattle were needed, as I have shown, not by the hundred thousand, but by the millions to make up our live stock shortage. Our producers needed them and their passage through our pastures and feed lots, over railroads and through the packers was a profitable transaction.

Mr. LA FOLLETTE. Will the gentleman yield?

Mr. STEPHENS of Nebraska. I yield to the gentleman from Washington.

Mr. LA FOLLETTE. In fixing the prices of meat in this country, has the gentleman taken into consideration the fact that the packers whom he speaks of as being centered in Chicago are conducting the large packing establishments in South America—in Uruguay and Argentina—and, while they are not shipping cattle up here, they are shipping millions of tons of dressed beef?

Mr. STEPHENS of Nebraska. I will say to the gentleman that it is true that these very efficient packers to whom I have referred now control the South American cattle market. They are absolutely in control of it, just as they are in this country; and anybody, of course, knows that if they control the meat supply here, and the price of it, they are not going to ship any meat into this country that will in any way reduce the price of the product which they have to sell here. They are going to seek other markets as much as possible to get rid of the South American supply.

Mr. LA FOLLETTE. I was in South America this last summer, and I went down on a 12,000-ton ship that carried frozen beef continually between South American and North American ports; and I do know that I came back on the same vessel and that it was loaded to its full capacity with refrigerated beef for this country.

Mr. STEPHENS of Nebraska. I have no doubt of that. I agree with the gentleman entirely. There have been a few pounds per capita shipped in; but the fact that a few cargoes of meat a year comes in does not mean that the price goes down as a result of these shipments into this country. What reason would these packers have for lowering the price of beef in this country simply because they imported some from South America? The proposition is absurd. The packers are not fools. They do not have to lower the price. Who can make them do it?

Mr. LA FOLLETTE. One more question.

Mr. STEPHENS of Nebraska. I yield to the gentleman.

Mr. LA FOLLETTE. If we still had a protective tariff on the meat imported into this country, would not that prohibit them from shipping it in here, or at least make these packers contribute to the support of the Government to that extent?

Mr. STEPHENS of Nebraska. It would not have a particle of effect, except to reduce our meat supply, unless the tariff kept out importations. In the first place they would not bring this beef here unless there was a local condition where they could use it to advantage. They do not bring it here for the purpose of lowering the price. That idea is repugnant to their plans. They control both meat supply and price. They are going to sell it at the price at which they see fit to sell it. Who can stop them? They have the meat and the means of getting more right along—all there is to get.

Mr. LA FOLLETTE again rose.

Mr. STEPHENS of Nebraska. I can not yield to the gentleman further. I shall not have time to finish my remarks if I do. I would like to yield, but I want to finish my remarks on this subject. Now, I want to show what the growers are up against in the matter of the absolute lack of competition at the live-stock markets of the country.

The CHAIRMAN (Mr. MONTAGUE). The time of the gentleman has expired.

Mr. LEVER. I yield five minutes more time to the gentleman from Nebraska.

PROOF OF THE LACK OF COMPETITION.

Mr. STEPHENS of Nebraska. Now, why should there be a decrease in the supply of beef cattle when we have the greatest cattle country in the world? We have the best grass, water, and environment for the growing of cattle to be found anywhere on the face of the earth. And yet in the face of all this the cattle supply has fallen off 14,000,000 head in the last eight years. That in itself is proof that the producers of beef cattle have become so discouraged in that industry that they have gradually gone out of the business.

For example, some 25 years ago Swift & Co., one of the Big Four packers, concluded to try their hand at beef feeding, and erected two feeding plants in my district in eastern Nebraska. This concern operated these plants for several years during the days when there was considerable competition among packers. During those years a feeder could make money more than half of the time, but after the packers began to organize and a better understanding was created among them they found that it was much easier to make money skinning the producers than it was feeding cattle, so they went out of the cattle-feeding business and specialized in the art of skinning cattle feeders. As absolute proof of the fact that there is no competition among the packers in the fat-cattle market I wish to cite the experience of Kent & Burke, one of the largest cattle-feeding firms in my district.

Mr. KENT is the distinguished Member in this House from California, and Mr. Burke, his business associate, is the practical man who operates the cattle-feeding plant in my district. They have operated this plant for many years and are among the most practical men engaged in the industry. They have abundant cheap capital, splendid facilities, and a perfect knowledge of the business. I would say, if there is anyone in the United States who is competent to buy and feed cattle for the market, Mr. Burke is the man. This concern feeds from three to four thousand beef steers and a similar number of hogs each year, and markets them throughout a period of six months each year. Mr. Burke testified, before the bureau of markets hearing in Chicago, that in marketing these three or four thousand head of cattle over the period of six months each year he had not only never sold a car, but never had received a bid outside of the four big packers during the last 10 years. Think of an experience like that. Shipping to the large markets 200 to 300 cars of fat steers every year for 10 years and having never received in those 10 years a single bid from a single buyer outside of this group of four packers. This in itself is proof of the fact that there is no such thing as competition in the fat-cattle market. As a proof that there is no profit in the cattle business Mr. Burke opens the books of his company to show exactly what the profit and loss has been for every year during the last 14 years. Some years they have made money, and

other years they have lost, and when the total was made up it showed for that period a net gain of $31,616 or $2,250 a year on an investment approximately of three-quarters of a million dollars, or less than one-third of one per cent.

Kent & Burke's experience is exceptional in that they have not been driven into bankruptcy. They have survived a long list of feeding corporations that have been put to sleep by the packers. Some 25 years ago there were scores of large cattle feeders scattered throughout my district, but practically all of these big corporations have been driven into bankruptcy or out of the business. The Standard Cattle Co. was a large cattle-feeding corporation in my home county, at Ames, Nebr., 25 years ago. I recall the time when it stall-fed 3,000 steers under one roof in the largest cattle barn in the United States. This company owned thousands of acres of range land in western Nebraska where it grew the cattle, and when brought to maturity they were brought down into the corn belt in my district and finished for market in the company's feeding plant at Ames. This company went out of business 10 or 12 years ago.

This is the common experience of all business corporations that were formed in an early day for the purpose of finishing cattle for the market. Practically the only people engaged in the industry of feeding cattle now are farmers, and it is only through dire necessity of marketing soft corn and using up the roughage on the farm that the average farmer will venture to buy feeding cattle at the cattle markets even for that purpose. I know of a half dozen men in one locality in my district who lost $30,000 on a few cars that each one of them fed for the market two years ago. It often happens that a farmer who ventures into the feeding business on rather a large scale loses his farm on a single season's feeding. In fact, it is the most hazardous business known to our people. The feeder hasn't a chance in the long run to come out even, let alone coming out ahead. As Mr. Burke stated in his testimony before the Bureau of Markets hearings, it is just as safe to gamble on the board of trade as to go into the cattle-feeding business. There is no chance of ultimate success in either.

The Chicago market for live stock practically fixes the market for the whole United States, just exactly as the wheat market at Liverpool practically fixes the price of wheat in every country of the world. Every day as the market for wheat at Liverpool goes up or down the Liverpool price is reflected in the quotations in every wheat market in the world. Therefore, when you examine the facts back of the Chicago market and find that there are only four or five great buyers, who act in perfect accord in buying live stock for all practical purposes, it resolves itself into one company or one man fixing the price of all the live stock in the United States that is marketed at any central market. Of course, local conditions may influence prices slightly, but the general rule prevails that all of the cattle markets of the country take their cue from the Chicago market.

The whole picture of the live-stock industry of the United States is shown very clearly in this large map, which shows the lines of movement of cattle from the range and the farms ultimately merging into the big markets. I have shown how those markets are absolutely controlled by four or five packers. There is practically no one else to sell to when these cattle get to the markets. The packers have no competition whatever. The feeder can either take the price the packers offer him or ship his cattle home. To ship them home would bring him just as much ruin as to let the packer take them at a sacrifice. This is a lamentable condition, and it is resulting in driving out of business thousands of farmers and a constant decrease in the supply of cattle. What the end may be no one can foresee.

THE BUREAU OF MARKETS.

The Department of Agriculture has been empowered by Congress to establish a Bureau of Markets. It has done so, and it has now been in operation some two or three years. The results that it has obtained so far in the matter of securing information on this subject will be far-reaching and beneficial. We are hoping that its investigations will show us a way to improve the conditions now existing. The packers are not so much to blame for what they have done, because they have done no more than any other class of men would have done under similar circumstances. They have one of the most efficient business organizations know. Their economic efficiency is unsurpassed. Their methods of distribution are most excellent. In fact, taking it all in all the packing industry is marvelously efficient and deserves the appreciation of the whole country. But this does not mean that it ought to be permitted to destroy the cattle industry and thereby destroy itself by taking more out of the traffic than it will bear. How to remedy the situation is the question. The Bureau of Markets may show the way, but pending their findings I have a suggestion of my own as to the remedy.

THE REMEDY.

First. I would compel the packing companies to withdraw absolutely from ownership in the stockyards, stockyard banks, cattle loan companies, market papers, and other kindred organizations outside and distinct from the packing business. I would compel the packers to stick strictly to the slaughtering business. The result of that policy would be to set the stockyards free. It would enable other companies and the people generally to set up little plants or big ones around the stockyards, where they would be able to compete with the packers in buying stock that is shipped to the markets. This would broaden the market greatly and would remove the influence of the packers over the commission men, banks, and market papers. It will help the situation, but may not furnish sufficient relief.

Second. I would organize the live-stock feeders and growers for the purpose of marketing their stuff through selling agents. This selling agent could be installed at the markets wherever there are packing industries located for the purpose of selling the finished product of the feeders to those who desire to contract for it.

Third. I would have the Government establish grades for cattle, just as it is now establishing grades for cotton and grain.

When these three things are done the following results will come to pass all to the interest of the grower, producer, and the consumer. It will enable beef producers to sell their cattle through the agent of their association at the central market to the packers or anyone else who wishes to buy them before the cattle are ever shipped out of the feed yards on the farm. The greatest disaster that can befall the producer is in shipping his cattle by the tens of thousands to central markets, where he must take the price that is offered him, and take it mighty quick, too, because every minute is piling up expense. The cattle are there and must be sold. But if these cattle were in the feed yards on the farm the agent representing the owner of them would have an opportunity to dicker with the packer or buyer as to the price, and if the packer or buyer would not pay a price that would enable the owner to make a profit on them he would continue to feed them for a few weeks more while the packer was coming to time. But as long as he fires his cattle pell-mell into the central market, without any regard to what he is going to get for them, just so long will he be on the verge of bankruptcy. These cattle can not be sold in the central market without first being sent there unless the Government can establish grades by which they can be sold, and the Government is the only medium through which such grades can be established. If these three things can be done by the enactment of required legislation, I believe that the tendency of the cattle supply will be turned the other way and made to keep pace with the growth of our population.

Some of the live-stock men who have suffered greatly from lower price levels each time an effort is made to correct the abuses of the packing industry through an investigation or prosecution feel that these suggested remedies are too drastic and revolutionary; that such steps would invite opposition from the whole stock-market crowd, including the commission men, who are their friends, and so forth. They are undoubtedly correct as to the suggestions being revolutionary, but the case requires drastic action if a cure is to be effected. If anyone thinks this job of taking the market out of the hands of the packers is going to be a sort of a pink-tea affair, he had better go to the rear with the women and children. It is going to be a real contest. Soft soap and molasses are not going to capture these markets. May get flies that way; but packers are not flies. I would be sorry to have the commission men get hurt in this fight; but while they are our friends, we must remember they are still nestling in the arms of the packers, who control the markets. We might include in our program a rescue party for the commission men before the big fight gets under way. Until the markets are free and live stock is sold by grade before it leaves the farm, there can be little hope for the live-stock industry or those who engage in it.

The American National Live Stock Association make some suggestions which these very practical men believe, if carried into effect, will go a long way toward relieving the present difficult situation, and suggest the following definite remedies:

(1) A more even distribution of receipts on five days of the week. This would prevent delays at terminals and enable the business to be transacted at less expense.

(2) A weekly publication by the Government of data as to the meat supply on hand.

(3) The establishment of public abattoirs in connection with public stockyards.

(4) Slaughterers to relinquish, so far as possible, their interest in and control of stockyards and other instrumentalities involved in the marketing of live stock.

(5) Commission houses not to serve as both seller and buyer of the same stock, and to sell direct to country purchasers.

(6) Federal and State supervision of the methods and practices at the central markets.

(7) A greater cooperation toward the end of securing unrestricted competition.

ANTITRUST PROSECUTIONS INEFFECTIVE.

Legal prosecution of the packers under the antitrust laws, in my judgment, would be of no avail save to waste a lot of money and harass both the packers and the producers. The solution appears to me to be along the lines of complete organization of the producers of live stock so the producers can control the sale of their own stuff. It will then be a case of diamond cutting diamond when two perfect organizations meet, where the packers will be entitled to all they get. But now the way the packers ravage the producers is like taking candy from babies. The courts have tried to help the producers, but each boost has been a kick. The courts are unwieldy and can not adjust business relations effectively. The prosecution and dissolution of the Standard Oil and Tobacco Trusts are examples of the incompetency of the courts to deal with the trouble. The Bureau of Markets should devise ways and means of leading the producers to cooperate so as to eliminate waste and control the sale of their products. The general welfare of the people as a whole demands that this problem be solved, and I have faith in the ability of the Bureau of Markets to bring about the desired results. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEPHENS of Nebraska. I ask unanimous consent to extend my remarks, and to include a statement made by the American National Live Stock Association in regard to this industry.

The CHAIRMAN (Mr. MONTAGUE). Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. HAUGEN. I yield 10 minutes to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Chairman, I had not intended to participate in the general debate on this bill, but had desired to offer certain observations regarding specific sections when they were reached. The splendid and luminous address regarding the live-stock industry just delivered by the gentleman from Nebraska [Mr. STEPHENS] has created a desire on my part to supplement his argument, and I therefore ask permission to speak a few minutes at this time.

I am not unmindful of the fact that the Underwood tariff law has opened our markets to the cattle of the world and that the American farmer is to-day competing with Canada, South America, Australia, and Mexico. That such competition has not been more ruinous than it has may be attributed to the European war and the consequent fact that most of Europe is consuming and not producing meat animals.

When the great nations of Europe shall cease writhing in blood and return to normal conditions we may expect under existing tariff laws South America, Canada, Australia, and eventually Mexico to again ship their products to the American market in free and open competition with American products. The disaster that will follow such a condition is too apparent to require comment.

I have no desire, however, to discuss the political aspect of the cattle industry at this time. I prefer to offer some purely domestic causes which contribute to the somewhat anomalous condition of the cattle feeder, suffering great losses in his business, while receiving high prices for his product. I have listened with great impatience to statements which pretend to disclose the great riches being accumulated by the farmer. I wish it were true. The great difficulty suffered by those who bewail the high cost of farm and food products, and because thereof assert that the farmers of the West are reaping more than their share of the financial harvest, is that they know nothing of which they speak.

We are prosperous, I am glad to tell you, but for every dollar we have received we have paid out 100 cents of labor. Every dollar you have paid us, somewhat grudgingly and resentfully it would seem if we believe what we hear, has been paid for those things which sustain and make life happier. There are no human tears on our money; nor is the stain of blood upon the wealth of the West.

We are prosperous, I am glad to say, but we could be more prosperous and sell our products for less money to the ultimate consumer if some modern method of marketing our product were devised and if legislation could be enacted that would prevent the four great packing concerns from further exploiting both the producer and the ultimate consumer.

I have had some experience in the cattle business, and therefore know something regarding it. I know that the present method of marketing cattle is in the interest of the four great packing firms and the numerous middle men who handle the product between the farmer and the consumer. Let me give you an incident illustrating this fact.

Two years ago I purchased two loads of yearlings on the Kansas City market. They had been raised on a farm in southern Kansas. Their owner had shipped them from Kansas to Kansas City and paid the freight on them. He put them in the stockyards at Kansas City and paid the yardage charges; he employed a commission firm to sell them for him, and paid the commission charges; a commission firm purchased them for me, and I paid its charges; I shipped them to my feed lots in Nebraska, and paid the freight; I shipped them back to Kansas City as fat cattle several months later, and paid the freight; I put them in the stockyards, and paid the yardage charges; I placed them in the hands of a commission company for sale, and paid the commission charges; the buyer for Armour, who was, of course, paid a salary for such service, purchased them for his employer; Armour butchered and dressed the cattle and sold them at a profit; they were shipped as dressed beef back to my home city, and the freight back to Nebraska was paid; the market at my home sold some of the steak to me at a profit. Thirteen middlemen made a profit out of my beefsteak between the producer and the ultimate consumer.

One can not imagine a more antiquated method of marketing a product than is disclosed by the foregoing illustration.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. REAVIS. Yes.

Mr. FESS. And the gentleman omitted the item that when he had the cattle he fed them corn that was raised on a farm that would sell for $150 an acre.

Mr. REAVIS. Yes; I did omit that item, but I did it because no profit accrued to the owner of the farm; the profit went to the packers, railroads, and middlemen.

Permit me to offer another incident that came under my immediate observation. A farmer in Richardson County, Nebr., had a carload of good-quality shorthorn calves. He drove them 11 miles to a railroad town and shipped them to South Omaha to sell. He paid the freight to South Omaha; he put them in the stockyards and paid the yardage charges; he employed a commission firm to sell them, and paid the commission charges; another commission firm purchased them for a customer, and earned and received its charges; the purchaser shipped the calves to his home and paid the freight; and when the transaction was entirely complete it was found that the two farmers lived within a quarter of a mile of one another, and that the exchange could have been effected by driving the calves across a country road, and the profits of five middlemen could have been saved.

The live-stock market of North and South America is controlled by four firms. Never a bid upon cattle can be obtained in South Omaha, St. Joseph, Kansas City, St. Louis, Sioux City, or Fort Worth until the representatives of these four packers in Chicago wire instructions. There is practically no local market any more. The farmers of the West are compelled to sell to these packers, because there is no other purchaser for their product.

Shameful manipulation of prices has been the inevitable result. I have known fat cattle to drop a dollar a hundredweight overnight.

The result has been severe loss to the cattle feeder, discouragement, fear, and sometimes utter ruin. I have known farmers who have toiled from the first flush of dawn until dark all through the blistering heat of the summer raising their crop. I have known them to wade in the snow and mud of their feed lots all through the winter feeding their crop to cattle and hogs and then sell them at the price arbitrarily fixed by the Packers' Trust, only to find the result of their year's labor absorbed by packers and middlemen and themselves still in debt to their local banker who had been carrying them through the year.

It is easy to anticipate the result of all this. Empty cattle sheds, grassland plowed up and planted to grain, soil fertility reduced, the production of cattle falling off 12 per cent from 1900 to 1916, while the population was increasing 25 per cent, the ultimate consumer paying vastly more for his food, the farmer making either a loss or a greatly reduced profit, the four packers declaring dividends and resisting investigation.

This bill provides for a bureau of markets. Let the first duty of that bureau be to investigate the packers and report the facts

to Congress, and then let Congress be courageous enough and patriotic enough to act at once on such facts. I think I know the facts now and am ready to act, but I want the information that vitally and intimately concerns every farmer in the West and every poor man of the East who has hungry mouths to feed made general to the Members of this body that we may act intelligently and justly.

Among other remedies, which I must state briefly, would be cooperation and closer relations among the farmers. Let those who have stock and feeder cattle to sell dispose of them at home through public or private sale. By so doing the many middlemen are eliminated and the producer can sell for less money and receive a larger net profit, and the cattle feeder may put his feeders in the lot at less cost. Another means that would aid is the construction and operation of independent packing concerns. There is one in Cedar Rapids, Iowa, and I have two in my district, one at Nebraska City and another at Lincoln. They are splendidly managed and, I am informed, profitable. I wish that every county in my district had such a plant, and I believe that capital would seek such investment if ample legal protection was insured against the assault and manipulation of the Packers' Trust.

In conclusion permit me to express my firm conviction that if we would change our present method of marketing, if we could bring about closer cooperation among the farmers, if we could have numerous independent packing companies, and if we could have rigid laws, conscientiously enforced against the packers, the producer would make a fair profit out of his toil and investment, and the ultimate consumer would purchase his food products for less than he pays to-day. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. KING].

Mr. KING. Mr. Chairman, it is said that the germ of the foot-and-mouth disease is so minute as to be invisible even with the highest powers of the microscope and to be able to pass through the finest porcelain filter without even a suggestion of the difficulty attendant upon the efforts of a rich man to pass through the eye of a needle. It has never been isolated. Its identity has never been established. It dwells in the ultramicroscopic world in the incognito of its minuteness. And yet this unknown organism—this "causative agent," as named by Dr. Mohler—in its destructive journeyings in the years 1914 and 1915 nearly caused a riot and the shedding of blood in the State of Illinois.

Never before has a large law-abiding community been brought under the control and domination of that style of government known in foreign lands as a bureaucracy. True, it may have been frequently under the benign influence of bulletins, but never had they witnessed before the suspension of all local laws of self-government, the right to appeal to their courts abridged, and the invasion of their homes by the armed stranger of a government far removed and inaccessible.

This is one of the first illustrations of how the people are gradually losing their self-government, so dearly contended for by the forefathers, by transferring their rights and liberties to commissions and bureaus, to whom, in their wisdom, the Constitution and laws of the United States are but scraps of paper when they are sought to be invoked against their rules, regulations, and interpretations.

Secretary Houston says that the foot-and-mouth disease was introduced from a foreign country. Whether it was brought to this country in a hypodermic syringe for the purpose of interfering with the meat supply; or by Belgian refugees working in the peppermint marshes of Michigan; or carried in the pack of a Russian emigrant from Vilna; or imported from Japan in japonica, or in buffalo hides from Hankow, China, or cowhides from South America into a tannery and tracked from thence to a pigpen by suspected employees of a near-by tannery in a nocturnal quest for chicken; or whether it may have arrived in a shipment of Argentine corn; or whether the act of a farmer in ordering a pair of German-made gloves of the mail-order house of Montgomery, Ward & Co., and carelessly throwing the wrapper of the same into the hog lot—either of which causes might be sufficient to cause some biased person to intimate that its introduction was the direct result of the Underwood tariff law—nevertheless it is a fact that the "causative agent" of the disease and the disease itself appeared the first week of August, 1914, on the farm of Willard E. Hoadley, living about 2 miles west of Niles, Mich., and it is with this that we have to do.

HOW IT SPREAD.

It spread from Hoadley's pigs to his cows; from his place to Mr. Unruh's, a mile distant, carried, perhaps, by pigeons; and in order to make it certain Mr. Unruh took occasion to go over to Mr. Hoadley's, and carted it back on his boots. Dr. Graham treated Hoadley's cows on August 23, 1914, and pronounced it stomatitis, and Dr. Clemo treated Unruh's cows, but did not know what was the matter with them. Mr. Unruh drove his cattle up and down the road to pasture for about two weeks, thereby giving the germ a first-class opportunity to escape and scatter which it, no doubt, took advantage of, and did not hesitate to attach itself to every foot and every vehicle passing that way, and from whence it might reach more distant parts of the vicinity. On the third visit Dr. Clemo found a big red cow stiff and sore and hardly able to move, with a moist condition between her digits, and he, seemingly to add to the preliminary scattering process, backed her out of the barn and walked her all around the yard, because, as he said, the more she walked the better she got, on all her steps meanwhile giving off a million or so of the destructive agents. In order to render further preliminary assistance to the "causative agent" to escape, citizen Hoadley killed one of his cows and found the meat infected. And then came Dr. Dunphy, the Michigan State veterinarian, and Dr. Fess, of the United States Bureau of Animal Industry, who bears the honor of having been made a martyred goat for the bureau by reason of his failure to promptly diagnose the disease—and who, by the way, is no connection of the distinguished Member of this House of that name—and all together they visit the various farms in the community, none of them knowing what they were about or what the disease was, although told by an old German, who had seen it in Germany, that it was the foot-and-mouth disease, while Dr. Fess persisted in calling it lip-and-leg ulceration, and thus further scattering and disseminating the disease. And all this occurred in the latter part of August, 1914, the disease up to that time having been prevalent near Niles for nearly three weeks, with no attempt to place a quarantine. Mr. Doster's cattle, across the road from Mr. Unruh, then took the disease. And thereupon the four creameries in that locality began their efforts in the dissemination of the disease by buying milk from infected herds and after separating it returning the skimmed milk back to the farmer to be fed to the pigs, and in this way aided in spreading the disease to the farm of Mr. Tichnor and others.

If Dr. Fess had known the disease, or had Dr. Dunphy not had an automobile accident at about this time which laid him up for several weeks, the history of the outbreak in 1914 might have been considerably shorter. And then Mr. Ballard, another farmer, added his mite in spreading the disease by delivering milk from infected herds to the dining cars on the Michigan Central Railroad; and so this festering place continued from the first week in August to the 15th day of October—more than two months—to waft to the four winds of heaven its vicious bacilli before a quarantine was established.

But before this day, to wit, on October 5, 1914, the foot-and-mouth excursion for Chicago started on its journey. Big Four car 84185, loaded down with "causative agents," and carrying 60 hogs, 6 cattle, and 3 calves, 14 of which were suspected of foot-and-mouth infection, made its trip over the Michigan Central Railway from Niles to the Union Stock Yards at Chicago, followed on October 8, 1914, by a St. Louis & San Francisco car, No. 46900, and carrying 54 sheep, 28 hogs, and 3 cattle, among which were 6 suspected hogs from near the Buchanan Creamery, near Niles, and 5 suspected hogs from an adjoining farm.

It would seem that the disease in its flight moved by instinct; that once in the Chicago Stock Yards and past the eye of the inspector its subtle ramifications from there could not be easily arrested.

At about the time of the arrival of these hogs in the stockyards there was a purchase made of some hogs by the Chicago Serum Co., a concern engaged in making hog-cholera serum, and whose plant adjoined that of the Western Packing Co., which were afterwards killed and their blood used in making hog-cholera serum. Dr. Brown, an employee of this concern, discovered while these hogs were on the shackling hooks being bled that one of them had very sore feet. Nothing was said by the Government inspectors. It was the causative agent of the foot-and-mouth disease. Suffice it to say that it was included in the hog-cholera serum manufactured by this concern and carefully preserved for a new and destructive excursion to be made in 1915, as it evidently seemed desirous to make sure of the destruction of any ruminant or swine which might escape its ravages in 1914, and all of which furnishes a basis for another chapter.

This germ safely lodged in the Union Stock Yards of Chicago after its trip from Niles persistently escaped the work of the inspectors, inasmuch as it is a known fact that these inspectors never go into the pens to examine the feet of animals. In fact, these inspectors have been known to swear that there was no foot-and-mouth disease in these stockyards during the month of

October, 1914, and this in the face of these shipments of animals from Niles.

They simply were being paid for something they pretended to but did not know. Dr. Tiedebohl, then a State inspector, and interested in the Chicago Serum Co., did not see any foot-and-mouth disease in the stockyards in that month of October, although, as a matter of fact, he had been to Niles, Mich., on October 19 and had seen it there, and furthermore had had an intimation in the words sent out by Dr. Houck from Niles notifying all stock owners. He detected none from Niles, and he did not see the sore pig feet that went into his serum factory, but he says he found a case in the dairy-show herd then exhibiting in Chicago within the stockyards' inclosure.

These stockyards then became the center for the general distribution of the foot-and-mouth disease in the United States from the time when Big Four car No. 84185 arrived in the stockyards from Niles, Mich., laden with the foot-and-mouth disease some time before the 15th of October, 1914, until the quarantine was there established. The causative agent held high carnival there while sending out his various excursions.

As late as the 2d or 3d of November, while the cattle were "smacking" in their pens, the stockyards were open to the public, who were coming and going, and furnishing numerous methods of exit for the disease.

From October 15, 1914, to November 1, 1914, 450 carloads of cattle were shipped out of the Chicago Stock Yards. These cattle were feeders purchased by cattlemen in the stockyards and shipped to their homes, most of them developing the disease on arriving at their destinations. Shipments of foot-and-mouth laden cattle during this period, and even after the prize dairy cattle exhibiting then within the stockyards, had been held up "for observation," being suspected of having the disease, on October 27 went out to Ohio, Pennsylvania, Illinois, and Montana.

Mr. Clarence Tanner came into Chicago from his farm at Sugar Grove, Ill., and bought 20 head of feeders on October 28 at the stockyards. These yards, knowing that they had the foot-and-mouth disease at this time, disinfected a car and shipped them to him on the 30th over the Chicago, Burlington & Quincy Railroad. He received his cattle on his farm on the 31st of October, and in 10 days his cattle were alive with the disease. He was not warned, and knew nothing of it. To assist in disseminating the disease, a crowd of inspectors drove an automobile into his cattle yard among the herd. They carefully disinfected themselves, but rode away with a million germs on their auto tires, scattering them broadcast at the rate of 40 miles an hour.

Mr. CHIPERFIELD. Mr. Chairman, will the gentleman yield?

Mr. KING. Yes.

Mr. CHIPERFIELD. Is it not a fact that in the section of the country where the gentleman and I both reside inspectors not only left farms infected with this disease without fumigating or disinfecting themselves, but traveled to farms, infected as they were, went into barnyards and infected them, and in every way in their power, as the gentleman has stated, sought to further disseminate the disease? Does the gentleman treat of that?

Mr. KING. I do; and what the gentleman has stated is the absolute fact.

Mr. CHIPERFIELD. May I ask a further question?

Mr. KING. Yes.

Mr. CHIPERFIELD. Is it not true that when the farmers protested that they were spreading the disease, and that if they did not discontinue it it would be impossible and useless to continue the quarantine; that these same inspectors brutally and vigorously told these farmers who were protesting against the germs being brought on their farms that they would take them to prison, that they would arrest them and prosecute them even for making a protest even against the august individuals who came to their farms?

Mr. KING. That is the absolute fact, and if I have the time I intend to touch upon that.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. KING. Yes.

Mr. SLOAN. Who were these offending inspectors? Were they inspectors from the Federal Government or from the imperial State of Illinois?

Mr. KING. Some of each; and there were also some that did not belong to either class.

Mr. CHIPERFIELD. I would like to suggest that while ours are bad, the Federal inspectors are infinitely worse.

Mr. KING. That is also the truth.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KING. I prefer not to yield at this time.

Mr. SLOAN. Oh, I think Michigan ought to be defended.

Mr. KING. I will ask the gentleman to withhold until I have concluded.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. KING. Oh, I ought to say that this man is no relation of the distinguished gentleman from Ohio.

Mr. FESS. I was just wanting to know who he is.

Mr. COX. Mr. Chairman, will the gentleman yield for a question?

Mr. KING. Yes.

Mr. COX. Have any of these inefficient inspectors been dismissed, or are they still in the employ of the Government?

Mr. KING. I think that Dr. Fess, as I said, was made the goat and was dismissed, and I think the man who inspected the hog-cholera serum in the stockyards and failed to find the presence of the foot-and-mouth disease was also dismissed.

Mr. COX. Only two of them?

Mr. KING. That is all I know of.

Mr. Dauberman, of Kanesville, near Aurora, on October 27, was permitted to purchase a carload of cattle in these same stockyards all decorated with the same germ. The disease appeared in a short space of time, and many persons were allowed to pass through and visit the herds, thus permitting a further sowing of the ominous bug.

And then, on October 27, Mr. Ray Bastian, at Big Rock, was permitted, after infection of the car, to ship a carload of diseased cattle to his farm, and, apparently having a special grudge at Big Rock, Mr. William Myers was also given a carload of disease to disseminate through that part of Illinois in conjunction with those of Mr. Bastian.

Another carload of cattle with the disease reached Rock County, Wis., on November 4, 1914.

It has been charged, and is undenied, that 9,000 head of cattle, more or less, infected with the foot-and-mouth disease were shipped in open cars from Peoria, Ill., to Chicago on or about November 9, 1914, and sold to the Nelson Morris Packing Co., who killed them, or at least a large part of them, and in the shape of dressed beef sold some to the consumer in the regular course of business, and this was done when the good Dr. Melvin says:

> That the infection exists in the blood of diseased animals, and if the same are killed and shipped it would become a serious danger, as the foot-and-mouth disease frequently attacks the human being.

And so through the instrumentality of the pigeons, the birds, the shortsightedness of the people, the auto tires, the inspectors, the creameries, and the stockyards, aided by the ignorance or perhaps inexperience on the part of those whose duty it was to know better, the disease passed from animal to animal, from yard to yard, from farm to farm, from county to county, from State to State, like a conflagration before a breeze, it enveloped in hopeless despair the live-stock industry in nearly all the great States of the Middle West.

IN ITS WAKE.

This illusive germ in its ravages attacks most easily cattle, sheep, and goats. Horses, dogs, cats, and even poultry may occasionally become infected with the disease. It strikes the animal with a chill, followed by fever. Temperature rises as high as 106° F. Blisters appear upon the mucous membranes of the mouth. Lesions appear upon the feet, at the coronet, and between the digits. The udder blisters. Appetite disappears. Cohesive ropy saliva hangs from the mouth, while the animal opens and shuts it with a smacking sound. The feet being sore, the animal lies down a good deal and develops bedsores. In case the disease attacks the internal organs before it appears externally paralysis may quickly ensue or paralysis of the throat may cause the creature to choke to death. Ten to twenty days in mild cases to three months in malignant cases is required for the disappearance of the disease. While the mortality is low, ranging from 3 per cent in mild cases to 30 or 40 per cent in malignant cases, the other sources of loss are great. There is a great loss of flesh and a lessening or cessation of milk secretions. Abscesses form in the udder, rendering the cow valueless for milk production. The inflammation of the feet may cause the horn to drop from the toes, producing great lameness and lasting injury. I am, of course, taking my information from various publications of the United States Bureau of Animal Industry.

With the appearance of the disease the quiet farm becomes the center of excitement. Strangers appear with rubber caps and boots and with their pans and their formalin. The trenches, only a few degrees less horrible than those in Europe, 7 feet wide, 7 feet deep, allowing space 2 feet wide for adult cattle, and leaving room between for the hogs and sheep, are dug, and into the same go the "dumb, driven cattle," accompanied by their

smaller friends. The Texas ranger and his rifle puts a rapid end to each—millions of dollars of animal life goes out and, with the slashing of the skins covered with unslaked lime, disappears.

In its wake not only follows havoc to the live-stock industry, but the derangement of the economic life of the community caused by its appearance is most demoralizing. No one who has not seen the effect of a quarantine against this disease on the business life of the locality in which it is established can for a moment realize the enormous upturning of its business and the stagnation of its industry. It presents a striking example of the importance of the farmer and stock raiser to the Nation. He is a real producer of wealth. Stop the raising and shipping of live stock for 30 days and you have started such a change in the economic condition of the people which is only resembled in the physical world by a landscape below and under which has just rolled the destructive tremors of the earthquake.

You might just as well take from the stock-raising community its money as to deprive it of the use of its cattle and its swine, which are among the largest producers of money in the country. The establishment of a quarantine in a county not only affects the owner of the diseased stock but also the owner of all healthy stock in such county. I have seen healthy hogs and cattle held at a railroad station for 30 days which were ready for shipment, during which time they had to be fed and while the price on the market went steadily down, to the great loss of the owner. The merchant in the locality is unable to get his due until the shipper has disposed of his stock, and, therefore, is unable to meet his own obligations. The county banker who has advanced the money for the shipper to enable him to feed his cattle, and to farmers who have hogs for sale but are unable to move them, finds himself, when shipments are not allowed, with thousands of dollars due him from the men who expected to dispose of their stock; and hence the money is not returned to the banker to be again used by the fellow who wants to husk and move his corn. It raises a serious condition in the banks of the country, and necessarily affects the entire community. Not only does such a quarantine interefere with the movement of live stock, but also with such commodities as hay, straw, hides, and farm products. The whole business of marketing, transporting, feeding, and slaughtering is interrupted and deranged, and losses of this character reach enormous proportions.

THE COST.

The total number of herds slaughtered in the United States since the outbreak began to the date of the committee's report accompanying the Agricultural bill (H. R. 12717), dated March 4, 1916, is 3,479, containing 172,593 animals, of which 76,497 were cattle, 86,443 swine, 9,511 sheep, 133 goats, and 9 deer. The department's share of the appraisal of these animals, on a 50 per cent basis, was $2,897,442.06, while the 50 per cent of the appraised value of the property destroyed was $75,497.98, and 50 per cent of the cost of burial and disinfection was $348,770.62, making a total of $4,444,241. Now, add an equal amount which the States are paying as their 50 per cent of the loss, and we have a grand total of $8,888,482; and adding to this an equal amount, as estimated by Dr. O. E. Dyson, State veterinarian of Illinois, for losses sustained by live-stock owners occasioned by quarantine regulations, and we have the grand, staggering total of $17,776,984.

And, Mr. Chairman, the first outbreak of the foot-and-mouth disease in 1914 cost the State of Illinois alone the sum of $1,404,287.62. The second outbreak caused by the foot-and-mouth germ being present in hog-cholera serum introduced at the Chicago stock yards by the failure of the Government inspectors to notice the pink sore feet of the pigs shipped from Niles, Mich., cost the State of Illinois the sum of $298,436.84, making a total to date to the State of Illinois of $1,569,296.15, the details of which loss is shown by a statement prepared by the Hon. Clayton C. Pervier, a very able State senator of Illinois, which statement I am now reading from and concerning which I will ask the unanimous consent of the House to extend the same in the RECORD as a part of my remarks.

The total cost of the foot-and-mouth disease in the fifteenth congressional district which I have the honor to represent was $170,781.01, a more detailed statement of which I will ask the unanimous consent of the House to extend in the RECORD as a part of my remarks.

Mr. Chairman, it is conceded by all authorities that the broadcast dissemination of the foot-and-mouth disease in the year 1914, and particularly in the State of Illinois, was due to the Union Stock Yards of Chicago. The governor of the State of Illinois in a letter addressed to all the Illinois Representatives in Congress, dated March 31, 1915, so states. Dr. O. E. Dyson, State veterinarian of Illinois, in his sworn statement before Senator KENYON's subcommittee investigating the epidemic in Chicago, in December, 1915, says that if these yards had been quarantined at the time they began to disinfect the cars in October, 1914, and no shipments had been permitted, Illinois would have been saved the outbreak of that disease within her borders in that year. Dr. A. D. Melvin, Chief of the United States Bureau of Animal Industry, and his able assistant, Dr. John R. Mohler, issued a joint bulletin, which was presented before the eighteenth annual meeting of the United States Live Stock Sanitary Association at Chicago on February 16, 1915, in which they say:

> From this point (Union Stock Yards, Chicago) infection was carried by various shipments of live stock, especially the class of cattle known as stockers and feeders from the Chicago stock yards to various parts of the country—North, East, South, and West.

The foot-and-mouth disease was in the Union Stock Yards at Chicago as early as October 15, 1914. No quarantine was established there until November 1, 1914. During this period, from October 15 to November 1, 1914, 450 cars of cattle were shipped out from this distributing center, out of which developed 69 cases of the disease and was the means of scattering the disease in the States, which I have before mentioned, and into 37 counties in Illinois and on 765 farms, representing about 784 owners in that State.

The Government is engaged through various bureaus in preaching "efficiency" to the people. It wants "efficiency" in poultry raising, "efficiency" in the care of the baby, "efficiency" in the keeping of books by the country merchant, and for years it has dinged into the ears of the stockmen and farmers "efficiency" in the care of stock, so that very naturally they are earnestly inquiring to-day where was the boasted "efficiency" on the part of the Government inspectors in the stockyards in Chicago for the long period of two weeks in the latter half of October, 1915, when they failed to discover the foot-and-mouth disease, under their very noses—hogs dressed and in the shackling hooks with sore, pink feet; hogs limping about the yards; cattle so infected that 500 of them were "smacking" in the pens before the quarantine was established, with no effort made to go into the pens to examine the feet of the animals, and the disease, according to the statement of one witness, so apparent at that time that a "regular duffer" could have discovered it. Is it any wonder that the farmers and stock raisers are astounded at the course of their paid teachers of "efficiency"? Has this insistency in preaching efficiency simply turned out to be just another case of the doctor refusing his own medicine, the tailor wearing "hand-me-down" clothes, the bar tender refusing his own whisky, the barber neglecting the benefits of his own hair restorer? No wonder the spell is breaking and their eyes are opening to the fact that instead of perfection teaching the deficient it may possibly be a case of the inefficient leading the efficient.

The Government as early as September 2, 1914, sent one of its efficient assistant inspectors from Detroit, a Dr. Fess, to the vicinity of Niles, Mich., where the foot-and-mouth disease had prevailed in a most pronounced form from the early part of August, who after a most efficient examination pronounced the malady not foot-and-mouth disease but stomatitis and lip and leg ulceration, and which diagnosis was during all the months of August and September in that year considered correct, for which efficiency the people of this country have paid, as I have before said, nearly $18,000,000, and thereby proven again the worth of Pope's advice when he said:

> A little learning is a dangerous thing;
> Drink deep, or taste not the Pierian spring:
> Their shallow draughts intoxicate the brain,
> And drinking largely sobers us again.

[Applause.]

Eliminating for the moment the fact that Dr. Fess did not quaff the invigorating waters of Pieria on the subject of this particular ailment of ruminants and swine, and admitting the Government's right to excuse this fearful neglect from early August to the middle of October, by the simple means of turning Dr. Fess himself into that popular ruminant known as "the goat," what shall we say in expiation of the greater crime against the live-stock interests of the country permitted by the Department of Agriculture when it failed to act at once and efficiently in checking the spread of the plague when it was finally and positively identified as the foot-and-mouth disease at Niles on or about October 15, 1914?

Instead of saying "Whither goest thou?" it said "Whither come ye?" Its origin became important but its future was neglected. The question whether it was brought from Japan or Argentina or rode here on the boots of a Russian peasant became the predominant factor for examination and its possible excursion from Niles to the Chicago Stock Yards seemed to be of minor consideration.

On the 15th of October Mr. Neal, the chief inspector of the United States Bureau of Animal Industry at Chicago, was in-

formed that the foot-and-mouth disease had broken out at Niles, Mich., and Dr. Bennett, of the same bureau, was about this time on his way to Niles and stated that from the information he had on hand the foot-and-mouth disease existed at Niles.

As one witness puts it, they began "treating the disease at the spigot rather than at the bunghole"—by refusing to take note of the point of infection and dissemination—the Chicago Stock Yards. As I have pointed out before, the disease proceeded directly from Niles to these stockyards. Even then it could have been checked by quarantining these yards. Numerous loads of swine with this disease came from the Niles locality to these stockyards, and yet no effort was made to quarantine these yards from October 15 to November 1, 1914.

That the inspectors in the Chicago yards well knew that the disease was in those yards is firmly proven by the fact that in shipping out stockers and feeders during that period from October 15 to November 1, 1914, they were disinfecting the cars in which shipments were made, and Dr. Bennett had ordered shavings with liquid disinfectants put on them placed in the passageways of the dairy show prior to the date of its opening about October 21, 1914, and prior to the date this herd became infected from the yards. If there was no disease in the herds, why this precaution? The truth is the department must have known by its trace of shipments, which should have been made, if they were not, from Niles, that the disease was in these yards, yet there was no effort made to close the yards until November 1, and in the meantime inspectors and veterinarians were roaming the farms over in an attempt to check the disease on the farms while it was radiating in all its fury from the stockyards. This is the question the farmers are asking: Why was there no effort made to quarantine the Chicago Stock Yards until November 1, 1914?

THE PACKERS RULE THE LIVE-STOCK WORLD.

And now, Mr. Chairman, let it be understood that my remarks to-day are based upon the sworn testimony of witnesses, of whose veracity no question has been raised, in the hearings before the Committee on Agriculture and Forestry of the United States Senate of the Sixty-third Congress, third session, on Senate bill No. 6689, and before the subcommittee of this committee of the Sixty-fourth Congress pursuant to Senate resolution No. 39. These are no idle statements, but backed by the sworn evidence plainly stated in the printed copies of these hearings which are beside me upon the table so that he who runs may easily read.

Never before has there been a better illustration of helpless people firmly held within the clutch of a great controlling interest than the manner in which the farmer and the stock raiser were gagged, bound, and shackled by the packing interests during the great foot-and-mouth plague of the year 1914. Never before, until this disease serving as a means of illuminating the dark avenues of its devious ways and throwing the spot light upon its questionable methods, has the sinister and powerful control of the farmer's hogs, the farmer's cattle, and the farmer's pocketbook by the baronial packers of Chicago been better illustrated.

And, Mr. Chairman, this power did not accrue in one night. It did not suddenly start like the Johnstown flood but has flowed on and broadened through a generation like a mighty and placid river. An innocent-looking organization, known as the United States Live Stock Sanitary Association, pursues the "even tenor of its way" with an office furnished without cost to it by one of the largest packing firms in Chicago.

One, Ferguson, acts in a sort of a dual capacity. As Dr. Jekyll, he is the "helpful" secretary and treasurer of the association, and as Mr. Hyde, he is the "scientific expert" of the packing concern which so generously furnishes the offices for the association. According to Ferguson, it is a most harmless concern, not exactly religious, of course, but nevertheless benign in putting up "pointers" to "our farmer friends," as he says.

Ferguson says it is a voluntary organization of Federal and State officials and any other persons interested in "live-stock, sanitary-control" work in the United States and Canada. It now includes about 400 of these men—bureau officials, State officials, and private citizens, the Bureau of Animal Industry, such men as Dr. Melvin and Dr. Mohler. Dr. O. E. Dyson, State veterinarian of Illinois, is president. Dr. J. I. Gibson, State veterinarian of Iowa, was the president in 1915, and Dr. S. H. Ward, State veterinarian of Wisconsin, was the president in 1914. The majority of all State veterinarians are members of this helpful association; some transportation and traffic managers of railroads are members. A nominal sum of $1 annual dues is charged each member. All the leading members of the Bureau of Animal Industry are members. The membership has an annual meeting at which "scientific questions" are discussed. Its executive and advisory committees act "when there are any questions of emergency or general interest," but Ferguson does not state the subjects discussed at the meetings of these controlling committees. He did not disclose their names. Mr. Ferguson describes the functions of these committees by saying that—

> when recommendations are under consideration for presentation to the governors of States or to the Secretary of Agriculture at Washington and those matters are considered of such grave interest that the executive committee alone does not care to handle them, then this advisory committee comes in in joint session, and together they thrash out memorials or general resolutions to go before the properly constituted authorities of the country, State and Federal.

In other words, this association lobbies the bureaus and the bureaus lobby Congress.

This association discusses matters with officials, such as the foot-and-mouth disease. Mr. Ferguson promised the subcommittee that he would produce copies of the memorials presented to various officials on the foot-and-mouth disease, but did not do so—at least, they are not in the printed report of the hearings.

Ferguson discussed these matters with the Bureau of Animal Industry personally. What he discussed as Dr. Jekyll is not disclosed in the evidence, but he was a very busy man as Mr. Hyde, "the scientific expert" for the packers. As such he "lined up" different live-stock interests—did live-stock work in connection with his packing house; devoted his time to emergency quarantine; looked after the management of live stock during the foot-and-mouth epidemic. He took up the question of the foot-and-mouth disease directly with the bureau. He also discussed the same with the State veterinarians. He made recommendations to the Bureau of Animal Industry as to their regulations. He succeeded in convincing the bureau that $300 a day which was being paid by the packers for disinfecting cars for free area was a needless expense to the packers and they discontinued it.

The work of Ferguson, as he says, is dual. Now you see it used for his packer and now for his association. He is in close touch with all veterinarians. The position of "scientific expert" was especially created for him. The true situation seems to be that Ferguson is the association and the association is Ferguson and Ferguson is the ego of the packing corpus.

This very weak and bankrupt association, according to Mr. Ferguson, with an income of only $1 per year, reluctantly contributed by 400 members, nevertheless has been the means of placing laws upon the statute books of 23 States of this Union, and all this has been done when it is a notorious fact that $400 would not furnish pocket change for one ordinary lobbyist for a week.

Not only, according to Ferguson, is he in close contact with the Bureau of Animal Industry, but he is also in close contact with the State veterinarians, who, in turn, are in close contact with every veterinarian in his own State. The packers are, of course, in close contact with the packer who employs Mr. Ferguson, and Mr. Ferguson is in close contact with his packer; the high officials of the United States Bureau of Animal Industry, according to Ferguson, are in close contact with Ferguson, as are the State veterinarians, and the Bureau of Animal Industry officers are in close contact with the inspectors in the Union Stockyards and in the field, and the State veterinarian is in close contact with their assistant veterinarians and other veterinarians, and therefore they seem to be all gathered together in the arms of the tender and motherly influence of the United States Live Stock Sanitary Association, which is guarded at all times in its existence by its advisory boards in times of great distress.

The pleasant associations among the membership at its annual banquets, vaudeville entertainments, and cabaret performances are no doubt productive of the highest order of brotherly love amongst the members of the association.

No veterinarian, it is said, comes away from its scientific meeting and cabaret entertainment, called by Ferguson as "a sort of get-together affair," without a greater love for his association as his alma mater and a fading remembrance of the farmer and the stockman and a more exalted view of the downtrodden, submerged, and unfortunate packer. The effect produced by a Gary dinner is but a tantalization compared with the effect produced by one of Ferguson's great cabaret shows.

For some reason, Mr. Chairman, it will be observed that our State veterinarians never reach their exalted positions from the ranks of the faithful and underpaid veterinarians in active practice among the farmers and stockmen of the country and who see from their viewpoint and who have been schooled to believe the raising and not the slaughtering of animals is the noblest work of man; but rather from the Stock Yard University of training, where the historical grandeur of the ancient and honorable packing business is taught as a superior study and the baronial

right of purchasing packer is instilled in the minds of the student as one more important and necessary to be sustained at all times than that of any alleged claim to justice on the part of that great vassalage of producers and sellers known as the farmer and stockman.

The physical prowess of a Sandow is demonstrated by the weights he is able to lift. The power of the Union Stock Yards' interests, whether operating directly or through the gentle medium of the United States Live Stock Sanitary Association, is measured by what it has done and is able to do.

It is apparent from the evidence at hand that whenever the discussions of scientific subjects and the giving of entertainments were not only to awake in the breast of the veterinarian a sufficient love for the packing interests a species of chastisement is administered in the threat to deprive him of his license. There is sufficient evidence in the hearings to at least raise the presumption in the minds of an ordinary man that this method of punishment is actually used in unruly cases. You can imagine, Mr. Chairman, the commotion which might be created among the lawyers or the doctors if some one was able to say to them, "If you do not do so and so, I will have your license revoked." If through moral suasion or otherwise, hard working and underpaid veterinarians can be lashed into worshiping the packers' point of view of the live-stock business, how then can he be expected to give to the producers and the shippers a fair and impartial trial?

Should any veterinarian become contrary and render a decision in a given case opposite to that held by the associated powers joined in friendly union by a membership in the United States Live Stock Sanitary Association, woe unto him! Let him dare say, "It is not," when he should have said as instructed, "It is," and he may begin to look for his immediate execution. This plan has a tendency to promote a quiet harmony of the Carranza type, when he said, "If they do not agree with us we will execute them."

This method of control is well illustrated in the case of Dr. A. M. Henderson, a veterinarian of good standing in Aurora, Ill. He, like Thomas, doubted. He questioned the diagnosis of the Federal authorities in the case of a herd at the Girls' Home at Geneva, Ill., which they had pronounced foot-and-mouth disease. His disagreement was in the nature of "lese majesty," and so interpreted in the light of what happened afterwards. After the quarantine was lifted, he examined a carload of hogs shipped from Hinckley, Ill., to Chicago. He gave a certificate that they were all right, but when they reached Chicago, he received a wire stating that they would not be received. The hogs were shipped back to Hinckley and examined by another veterinarian and reshipped to Chicago and accepted. Dr. Henderson learned, so he states, that Dr. Bennett, in charge of the United States Bureau of Animal Industry at Chicago, had given orders that no shipments which Dr. Henderson certified to were to be accepted. He had sinned. Later Dr. Henderson was the defendant in numerous and vexatious lawsuits brought by farmers who had shipped stock under his certificate, but had the same refused, and who had been damaged by shrinkage and a fall in the market prices.

After the quarantine was established it was rigid, but not so rigid as to exclude Nelson Morris & Co., one of the associated interests, from shipping in open cars from Peoria a vast herd of cattle estimated at from 2,000 to 9,000, 900 of which were suffering from foot-and-mouth disease, and from killing them and selling them for meat, thus endangering not only the territory through which they passed but man as well. No farmer or stock raiser outside of the stockyard interests could have accomplished such a feat.

Again, enters the element known as "hog-cholera serum factories," which are located, most of them at least, near the stockyards, and which buy their hogs from those yards which are shipped in from all over the country instead of being carefully raised for such a delicate purpose under sanitary conditions.

Whether or not these manufacturers of serum hold any interests in the community enterprise, I could not ascertain, but it is clearly established by the sworn testimony of reliable witnesses that Dr. Bennett, who was the United States Bureau of Animal Industry representative at the time that the quarantine was established in the stockyards against the foot-and-mouth disease in 1914, was financially interested in a serum factory known as the United States Serum Co., at Woodruff, Wis., and with him was interested Mr. A. G. Leonard, president of the Union Stock Yards & Transfer Co., and ten to one a member of the United States Live Stock Sanitary Association, and perchance a member of its executive board. Dr. T. C. Tiedebohl, who is sometimes in the employ of the stockyards and sometimes in the employ of the State, was, with Mr. Leonard, interested in the Chicago Serum Co. And while all this was so existing Mr. Peters, the manager of the Chicago Serum Co., had a pamphlet printed which he was going to send out to the farmers saying that his company would not use any more serum from the Chicago Stock Yards, but would draw all of it from its Kansas City or Sioux City plants. The Federal inspector, Dr. H. D. Shearin, at this point interposed and held up the distribution of the pamphlet, and would not let it be sent out—why? Because it would in any way injure the farmer or stock raiser? Oh, no; but because the pamphlet would attract undue attention to the fact that the foot-and-mouth germ could be found in hog-cholera serum. He thought it would harm the serum industry, which he seemed to think it was his duty to protect rather than the producers of live stock. He was perfectly willing to let the foot-and-mouth germ go forth on its damaging way in hog-cholera serum just so his friends, Dr. Bennett, his superior, Mr. Leonard, president as aforesaid, and Dr. Tiedebohl, his associate, were not financially hurt, and altogether good friends and jolly good fellow members of the United States National Live Stock Sanitary Association.

Although a quarantine may be established at once and without notice upon any farmer or stockman, yet a special privilege has been exacted by the stockyards' interests and granted by the Bureau of Animal Industry that no quarantine can be placed upon the stockyards except by giving a certain written notice. This was the reason given by the bureau why a quarantine was placed upon the National Dairy Show exhibiting within the stockyards many days before it was placed against the stockyards, which, as a matter of fact, were then and at that time shipping feeders and stockers out into the country and scattering the plague broadcast over the land. The farmers are asking, "Who is it that has such power that they are able to initiate such a special rule pertaining in favor of one class of citizens and not in favor of another?" This is merely a species of favoritism which a bureau can show to its friends, but against which the producers, when it becomes generally known, will rise against in great numbers. Such kinds of favoritism is one of the characteristic fates of the bureaucracies growing up in this country, and concerning which the people, when once aroused, will not tolerate.

If we excuse the Government for not, through its agents, discovering the foot-and-mouth disease in Michigan during its ravages in August, September, and the first half of October, 1914, if we magnanimously forgive it for, through its paid agents at Chicago, permitting it to ravage unbound in the stockyards from October 15 to October 27 and until the hogs were painfully limping in the drives and the cattle were "smacking" in the pens and the railroads delivering the disease north, south, east, and west, how, then, after such indulgence, can it ask that it be shrived of all culpability in its act while locking up the dairy herd on October 27 which had been infected in the yards, of permitting the stockyards for three days beyond October 27 to disseminate the destructive germ? What influence was brought to bear? What arguments were made? What pleas were offered? The producers who lost the stock and the people who paid the bill are demanding to know what powerful influences could induce the Government to so forget its duty. Was Dr. Bennett, in charge, so seared with indifference and so interested in his serum business that promptness was no longer in his curriculum? Was Ferguson there with his everlasting "representations" and "close contact"? Did he call his advisory and executive committee together in this emergency? Was a "scientific discussion" had by his benign association? Were the losses that might accrue to the stockyards by being placed in quarantine vividly rehearsed in his "memorials"? And were the awful losses to the producers and to the people who pay the bill, amounting to nearly $18,000,000, forgotten? The Secretary of Agriculture entirely ignores and passes over these three days in his last report.

Chief Melvin, nor anyone for him, has never explained it. But the Nation still demands to know. Farmers and stockmen are organizing to know. Congress wants to know and will know. Banquo's ghost never arose more frequently nor more persistently than this question as to what sinister or benign influence was used on this occasion.

But, Mr. Chairman, these evidences of the fearful power exercised by this community of interests which are concerned in the killing end, rather than the producing end, of the live-stock industry are merely incidental compared with maintenance during the plague and some time afterwards of what is known as a quarantine area or quarantine alley.

Of all schemes devised for separating a man from his money in a scientific manner without his knowledge, "quarantine alley" takes the highest rank. Robin Hood and Capt. Kidd were good in their line, but their victims usually knew that the job was done and that they had been robbed. The South Sea

Bubble and the Credit Mobilier were thought to be good separators by our ancestors in their day. Poor souls, in inventive life they had never seen the airship and the wireless, and so, in higher business relations, while they may have contemplated and imagined the common trust, they never dreamed of "quarantine alley."

During the epidemic the Union Stock Yards maintained two separate sections in their yards for receiving stock. One was known as the "free section," or alley, and the other as "quarantine section," or alley.

This did not mean that shipments of stock free from the disease upon arriving were placed in "free alley" nor that affected or suspected stock was placed in "quarantine alley." Not at all. It was so arranged that all stock coming from any area of the country not under quarantine went into "free alley" and any stock arriving from any restricted area from which shipments were permitted for immediate slaughter only went into "quarantine alley."

To illustrate, Henry and Knox Counties, in Illinois, adjoin each other on the north and south. A suspected case of foot-and-mouth disease in the extreme southeast corner of Henry County, near the Knox County line, resulted in the whole of Henry County being placed in restricted area, while Knox County remained free. If two animals exactly alike, one from Henry County and one from Knox County, arrive at Chicago at the yards, the one from Henry County went into "quarantine alley" and the one from Knox County into "free alley," but the animal from Henry County, through no fault of his own, is sold for less than the one from Knox County by from 10 to 20 per cent. It will be readily seen, therefore, that the person who fixes the limits of the quarantine has power to reduce the price to the producer of live stock from 10 to 20 per cent within such restricted area The Henry County animal and the Knox County all reach the same destination—the refrigerator of the packer. One is as good as the other, and, as usual, no reduction is made to the consumer. And now, Mr. Chairman, the larger the restricted area the greater the number of cattle reaching quarantine alley, and the greater the profit to the packer, because the cattle from this section sell, when dressed, for as much as those from "free alley."

In the hearing at Chicago in December, 1915, Mr. Leonard, the president of the Union Stock Yards & Transfer Co., was asked by Senator KENYON:

> If 100 head of cattle were shipped, we will say, from a county of Iowa that was free and not quarantined, and a hundred from a county that was quarantined and that had been inspected and were all right and they came to Chicago and those from the free county went into one place and those from a quarantine county into another place, and those from the quarantine county sold from a dollar to a dollar and a half less than those from a free area, who got the profit?

And Mr. Leonard answered, "I don't know; I did not." But Mr. Leonard knew that the shipper did not get it and he knew that the consumer did not get it, and he was too much of a gentleman to even intimate that any member of the United States Sanitary Association got it. And, Mr. Chairman, as $22,000,000 worth of cattle went into quarantine alley at a reduced price of from 10 to 20 per cent, if we can not guess who got it you can easily figure what the amount was.

It is a very peculiar thing that nearly every person connected with the establishment or the enforcement of quarantines during the foot-and-mouth disease outbreaks of 1914 and 1915 thoroughly believed in the largest possible restrictive areas. None of them believed in less than a county restriction. I would not accuse those charged with the responsibility of fixing and enforcing quarantines of willfully increasing their size unnecessarily merely for the purpose of enlarging the number of animals which crowded quarantine alley to the enormous amount of $22,000,000 worth at a reduction of from 10 to 20 per cent to the packer, but this is exactly what they did, perhaps unconsciously. Perhaps again, unconsciously, of course, the desire instilled by alma mater, the United States Live Stock Sanitary Association, that the packer should outshine in their memories the producer did not smoulder at this time. I hope that Ferguson held no scientific discussions on this subject, nor came in close contact with the administrative officials with his resolutions and his memorials.

ERADICATION.

In a special bulletin issued by the United States Bureau of Animal Industry dated October 25, 1915, three methods of eradication of the foot-and-mouth disease are referred to, to wit:

First. Vaccination.

Second. Quarantine without slaughter.

Third. Quarantine with slaughter of all infected or exposed animals.

As to the first method, the bureau states that no vaccine has been found which is of value or will produce a permanent immunity in foot-and-mouth disease. As a layman, I must, of course, accept the word of this bureau on this subject, and while some claim has been put forth in a serum made by Dr. Leoffler, the discoverer of diphtheria serum, I must take the word of Dr. John R. Mohler, of the United States Bureau of Animal Industry, and one of the greatest authorities on the subject, who stated to me that no serum of value had been effected in foot-and-mouth disease.

As to the second method of eradication, to wit, quarantine without slaughter, the bureau seems to be absolutely opposed, more upon the ground of expense than that of efficacy. They are rather tender upon the subject of the wonderful cure of the magnificent dairy herd exhibited at Chicago in October, 1914, at the time of the belated discovery of the foot-and-mouth disease there by the Government inspectors. This herd, without question, became infected through the introduction of the disease from Michigan, as I have before pointed out. The pens in which we confined the lame and "smacking" cattle in the Union Stock Yards were within about two blocks from the dairy herd which we housed in the stockyards. The disease appeared in the dairy herd October 21, 1914. The first animal of that herd affected was removed at once to the hospital, and on November 2 as many as 30 from the exhibition place were removed to the hospital. Dr. Hughes was placed in charge of the dairy herd. He proceeded to make a general clean-up in the building and stalls. The disease progressed so that on November 8 there were 41 cases; on the 9th, 37 cases; on the 10th, 63 cases; on the 11th, 44 cases; on the 12th, 65 cases; on the 13th, 82 cases; on the 14th, 68 cases; on the 15th, 101 new cases in a single day; on the 16th, 48 cases; on the 17th, 21; on the 18th, 8; on the 19th, 18; on the 20th, 8; on the 21st, 4; on the 22d, no new cases; and on the 24th, 1 new case. That made about 603 animals that had been taken down by that time. The others came down in twos and threes, and dragged along until December. And, Mr. Chairman, think of it, not one of this great herd died! All the cattle were saved! Dr. Hughes stopped the usual practice of Government veterinarians of spreading the disease by "mouthing," which means going from animal to animal, examining the mouths, getting their hands in and seizing the tongue and dragging it out from the mouth, thus scattering the disease by artificial means. The closest possible quarantine was maintained really by the exhibitors themselves. This was maintained at the stockyards for a little over two months, and then the herd was removed to Hawthorne Race Track.

Exhibitors as well as the authorities were determined that no disease should get away, and it did not. There were 40 herds in the big show. The space in which the cattle were confined was not an ideal place. The number of cubic feet of area was insufficient and the ventilation abominable. In the words of Dr. Hughes, "You could not coop up animals under more favorable circumstances in order to spread the disease," and this in spite of disinfectants. In reply to the claim that a successful quarantine could not be maintained on an ordinary farm, as claimed by the bureau, the following question and answer at the Chicago hearing is significant:

> Dr. DYSON. How would that compare [condition of the inclosure in which the dairy herd was confined] with the ordinary barn throughout the country as regards sanitary conditions?
>
> Dr. HUGHES. I would take my chances with the ordinary barn by long odds, as compared with that place.

Without going into further details of this successful termination of quarantine without slaughter, Mr. Chairman, suffice it to say that this great herd has been returned to the various parts of the Nation from whence it assembled absolutely cured, in most excellent condition, and ready with a couple of weeks of preparation to again enter the show ring.

Mrs. Scott Durand, of Waukegan, had a magnificent herd of Guernseys. They became infected with the foot-and-mouth disease. After battling through the courts many months and keeping them in strict quarantine, her 63 beautiful imported cattle were killed by the authorities, and, according to Mrs. Durand's undisputed sworn evidence, when they had entirely recovered from the disease; and there seems to be considerable proof in her statement that they were cured at the time they were killed, in view of the fact that the killers dragged them, after being shot, for a quarter of a mile across the pasture, leaving a streak of blood, which up to this day has not been disinfected, and piled them up in a pile, where they remained for 24 hours before burial, for the birds and the rabbits and the squirrels to track over. Had they been infected with the foot-and-mouth germ they would have put them underground without delay.

But the most remarkable cure, and the one which seems to refute all technical opinions that immediate slaughter is the only remedy, is the fact that the cattle of Mr. Unruh, the second

man whose herd was affected in 1914, testified on May 18, 1915, at Niles, Mich., that his 23 head of cattle, which had the foot-and-mouth disease in August, 1914, had entirely recovered so that one could not tell they had ever had the disease.

The third method of eradication, to wit, quarantine with slaughter of all infected or exposed animals, is the one which has been adopted by the bureau, and they have clung to it so persistently that anything looking toward any other method of eradication has been entirely eliminated from its policy. In its bulletin issued October 5, 1915, this department says:

> There remains, then, but one effective method—that of slaughter—which is the method now in common use in all countries which have so far successfully coped with this disease.

Yet in the face of this statement Prof. Loeffler not long before his death took the position that killing and slaughtering of animals will not dispose of the disease. That the mere burying of the animals may not kill the germ is, in a way, sustained by the bureau's contention in the case of blackleg—that the carcasses should be buried and not burned is the only way of killing the blackleg germ—a fact which may some time be demonstrated should the foot-and-mouth disease again break out in the Union Stock Yards in Chicago, where 900 hogs and 450 cattle in 1914 were killed and buried in the stockyards.

And, in contradiction of the bureau's contention of the efficacy of the third method, there stares us in the face the fact that both Dr. Melvin and Dr. Mohler admit that quarantine and slaughter has been resorted to in England for 50 years, and that the disease still exists there, an outbreak occurring at the very time when Dr. Mohler was addressing the United States Live Stock Sanitary Association at Chicago on February 16, 1915, as then stated by him.

So obsessed has this department become with the idea of slaughter—State departments and veterinarians following—that it is the firm belief of thousands of level-headed farmers and stockmen in Illinois, as developed in the hearings, that a species of terrorism has been inaugurated and resorted to in its favor, before which all must bow who sanction any effort to combat or eradicate this disease in any other way.

Against the efforts of the exhibitors at the dairy show to save their herds the greatest antagonism on the part of the State and Federal Governments seemed to exist. From this testimony it appears that some of the witnesses are of the opinion that the department did not want it demonstrated to the world that cattle could survive the foot-and-mouth disease, after the department had proceeded so far upon its policy of slaughter and had progressed in its propagation to such a terrifying extent. It would not do, so these witnesses seemed to think, for the Government to admit any possible error, any possible excuse, for anyone to say that over $17,000,000 had been spent for slaughter when some of it might have been spent successfully for cure. Mr. Marsh, of Waterloo, Iowa, goes so far as to say that the Federal veterinarians would have "rejoiced" if a single instance could have been found by "their sharpshooters, on every hand scrutinizing everything," where the disease had been communicated by the dairy herd, so that they would have had an excuse for killing them. The department was of the opinion that they should be killed and wanted to do it. One witness was bold enough to say that the motive for killing her cattle was because "they wanted to bury the evidence underground that cattle could go through the foot-and-mouth disease successfully." Another witness, Col. George Fabyan, a merchant and farmer of Geneva, Ill., referring, evidently, to the above case, said:

> There was a woman up at Libertyville that did everything she was asked to do in the way of quarantine, and her cattle were well; that is, they had been brought under the same management and in the same way as the cattle at Hawthorne. The State was crazy to kill them. The influence was right here in Chicago that was pressing. I read in the Chicago papers something about this pressure brought to bear to kill them. Finally the injunction was dissolved, and in the meantime the cattle had recovered. There was a second injunction secured pending the time for the Government, the State, and the owner to appoint a committee of three veterinarians to go and see whether they had recovered or not and in the same condition as the cattle which had been at Hawthorne. The cattle had apparently recovered. * * * I do know the sheriff then went down there with a posse, took that woman, manhandled her, put her in the house, afraid some one would come and catch them at it, and went down and shot those cattle as they stood in the barn.

This species of terrorism inaugurated and carried on by the bureau is well stated in the testimony of Mrs. Durand, which in brief tells the story how inspectors Jennison, Caspar, and Holt for the Government came to her place and told her dreadful stories—that the hoofs would all fall off, that they would rot off, and that it was a good thing that the little hogs were going to be killed, for in a week they would all be on their backs screaming with pain—the hogs which Mrs. Durand says never had the foot-and-mouth disease. They told her, which was not the facts, that cattle at the dairy show had died and that an Arizona man took his cattle home and they died from the disease. She states that 26 men came to her place with revolvers and took her foreman and herself and locked them up and kept them prisoners. At this time the cattle were never so beautiful and never so well. They were having beautiful calves and were in their full milk. She states that she was getting as much butter fat as she was in August. The whole situation surrounding this species of terrorism and the determination of the bureau to carry out the third method of eradication, irrespective of the consequences, is well illustrated in the words of Inspector Caspar to Mrs. Durand, when he viciously said to her, "We'll get your cattle yet, Mrs. Durand, and don't you forget it." So has the great spirit "quarantine with slaughter," the slogan of the third method, so permeated the Government and State veterinarians, even unto the menial who handles the rifle.

THE RETURN OF THE PLAGUE IN 1915.

On August 8, 1915, the foot-and-mouth disease again broke out among 119 hogs and 4 cattle at Wheeling, Cook County, Ill., and on the 12th of that month, on Mr. Pryden's farm near Galva, Henry County, Ill., and at various other points in that State. Secretary Houston, in his annual report for 1915, at page 20, concerning this outbreak says:

> It seems certain that this infection was produced by contaminated hog-cholera serum prepared in Chicago in October, 1914, at an establishment where the disease had not been known to exist at any time.

The first half of the above sentence is straightforward truth, but the latter half, while technically correct, is evasive and not the whole truth. True, the disease was not known to have existed at the "establishment" itself, but it was well known that the stock yards within which this plant, known as the Chicago Serum Co., was located was reeking with the disease, and that the hogs from which the blood was drawn had been exposed to that disease, even though the inspectors had in October failed to notice the lesions on the feet of the hogs which hung on the shackling hooks in this establishment. Even though the disease was not known by the department to be in these yards until its quarantine thereof on November 1, 1914, nevertheless its own quarantine on that date should have been sufficient notice to it that possibly hog-cholera serum made from hogs exposed to the foot-and-mouth disease in October, 1914, within these yards might become contaminated.

The department disinfected freight cars leaving the yards, and disinfected and quarantined the yards themselves, and quarantined the plant and the employees of the plant—which quarantine remained as late as February 16, 1915, according to a representative of the department speaking before the National Live Stock Sanitary Association on that date. Yet in the face of the foregoing facts the serum company was allowed to preserve its contaminated serum until the following summer as a nucleus of a new outbreak. True it is that certain tests were made upon some animals before releasing the serum, but in view of the fact that it was well known to the department as a matter of history that the outbreaks of 1902, 1903, and 1908 of this disease were closely associated with vaccinated cattle, and that the vaccine contained a Japanese strain imported for the purpose of improving its standard and which contained foot-and-mouth infection, and that, while one-half of 1 per cent of carbolic acid was mixed with the serum as a preservative, and which Dr. Dorset, an employee of the department, claimed would kill the germ of foot-and-mouth disease and which acid may have partially but not wholly destroyed the germ and the further fact that the department knew as a scientific fact that the virus possibly, instead of being disseminated throughout the entire mass of the serum, might have become "agglutinated," a fact which they knew had happened with the germs of other diseases, it would seem to the ordinarily prudent man that the department, in the light of all of this information which it had at hand, should have taken no chances in releasing the few dollars' worth of contaminated hog-cholera serum infected with the foot-and-mouth germ, which act resulted in a loss in Illinois alone in the year 1915 of nearly $300,000.

AREA OF QUARANTINE.

Much testimony has been given in the recent investigations and hearings relative to just what unit of area should be adopted in establishing a quarantine in the foot-and-mouth disease epidemics. The department through many of its assistants seemed to be thoroughly imbued with the idea that the county should be the unit. Dr. Benke and Dr. Houck agree with each other in the contention that the county should always be the unit of quarantine, on the theory that the people can be better "governed" in this manner. Dr. Bailey, a well-posted veterinarian of Orion, Ill., and Mr. R. G. Nevill, a successful stockman of Orion, Ill., and others testifying in these hearings claim that what is known as the "close-farm quarantine" is best and the only practical method. Many favor a 5-mile radius. Mr. Gregory, editor of the Prairie Farmer, thinks that on ac-

count of the economic conditions and losses surrounding an epidemic of the foot-and-mouth disease, that the quarantine should be cut down to a radius of from 5 to 10 miles. He states the case well from the view of the farmer and the stockman, and indeed for the true interest of the live-stock interests of the country, when in substance he says:

It is my opinion from the investigations that I have made, and it is the very general opinion among farmers who have been in any of these quarantine sections, that the quarantines include very much more territory than was necessary and that they were left in much longer than was necessary; that if the idea of cutting the economic losses down as much as possible had been considered the quarantines would have been handled very much differently. For instance, an outbreak in one of our counties—most of the time the county system has been generally followed, and that has been the system recommended and insisted upon by the Bureau of Animal Industry—some of our counties are 30 miles across; one case would occur in the corner of a county and the entire county would be quarantined. In some of our live-stock counties that would imply the holding up of a million dollars' worth of stock, a great deal of which would be ready for market, and a good deal of that stock being 25 or 30 miles from the disease. * * *

Those quarantines, I believe, were of an entirely unnecessary extent. I do not believe there is any logical defense for the county system of quarantines. There is no logical defense for a quarantine that quarantines a man 30 miles from an infected herd simply because he is within the county boundaries, while a man across the line 7 miles away is free. There is no logic to that. In publishing our paper I have endeavored to explain these things to our readers as far as possible, but I could not explain a thing like that; in talking personally to the farmers I could not explain it—there is no explanation. Those unfair quarantine regulations, in my judgment, have done more to create antagonism to the entire work of eradicating the disease than any other one thing. If the quarantine had been on a logical basis, the radius basis, so that a farmer could understand why that quarantine was established, they would have cooperated much more readily with the bureau and with the State officials than they did. The thing has caused a tremendous loss, and I have never been able to get an adequate explanation of the reason for it.

Mr. Chairman, I have already endeavored to point out the fact that the greater the quarantine area the greater the benefit to the packer and the corresponding injury and loss to the stock raiser; but independently of that feature the great loss to those whose animals are not infected but are within a quarantine area so that it is impossible to ship without loss, and to whom remains nothing but to await the approach of the plague, demand our attention and the immediate reduction of the quarantine area and the smallest territory consistent with safety. The recently modified policy of the bureau in handling the matter by townships seems to me not far from a fair compromise and contains the feature of the easy government of the people during such epidemics, for the reason that the township line is known by everyone in the community.

THE BASIS OF SETTLEMENT.

The whole system of settlement for animals which have been infected or exposed to the foot-and-mouth disease should be overhauled from start to finish. Heretofore the policy has been to pay nothing above the meat value of the animal. Suggestions of paying the paltry sum of $100 for priceless breeding cattle have been made. The Chief of the Bureau of Animal Industry says that the values for breeding purposes are never taken into consideration in these settlements. On this subject the National Association of Record Associations, the membership of which is made up of 150,000 members, have recently passed a resolution, one paragraph of which clearly expresses the views of the stock raisers and farmers on this phase of the matter of settlements, which is as follows:

Resolved, That the National Society of Record Associations demands Federal and State legislation which will allow appraisers to value pure-bred stock at its reasonable breeding value, without arbitrary limitation when slaughtered on account of the foot-and-mouth disease. We commend as a model for such legislation the New York statute, which provides that in the event that either party to the appraisement is dissatisfied appeal may be taken to the proper court without delaying slaughter where the value of the property to the citizen taken for the public use is finally fixed in accordance with the rule of law and court practice.

And, Mr. Chairman, I respectfully direct attention to the evidence of Mr. Wilbur W. Marsh, a farmer of Waterloo, Iowa, on this subject, taken in the last investigation at Chicago, of which I make a free quotation. He says, in substance:

Take the Gill herd of cattle that was killed in New Jersey. They were owned by a gentleman kind and courteous in every way. He consented to have that herd of cattle killed and received pay for them at about $250 apiece. While the loss was great to Mr. Gill, I think the loss to the people of America could not possibly be estimated. It was a loss to humanity. The herd was absolutely priceless, viewing them from an economic standpoint—their ability to raise the blood of the ordinary cow on the farm when they are crossed with the strain. Mr. Gill was the originator of the so-called Glenwood strain of Jersey cattle. At one time I bought two head of cattle of that strain. One of them turned out to be the greatest 3-year-old cow in the history of the world, a Glenwood cow. She made 910 pounds of butter fat as a 4-year-old and she made 862 pounds of fat as a 3-year-old. I bought another cow, that same strain of blood, at the same time, that made 778 pounds of fat. I bought one cow of Mr. Gill personally, and she made 846 pounds of fat on test under the supervision of the Iowa Agricultural College.

Mr. Marsh, after deprecating the slaughter of such cattle, goes on to state, referring to the dairy-show cattle which were exhibited at Chicago in October, 1914, substantially as follows:

I would like to put into the record if I may something that is clear evidence of the hostility of the Veterinary Board of the Bureau of Animal Industry, and that is the appraisement of the cattle. In those herds of cattle there were many animals that had, under the supervision of the agricultural colleges of the State from which they came, made official records. The veterinarians in the Bureau of Animal Industry absolutely refused to look at the official records furnished by the agricultural colleges which are a part of the records of every registry association in arriving at the value of this stuff. To my mind it was perfectly clear that there was a determination to punish us for having the temerity to go up against this bureaucracy, by attempting to save our cattle. None of these cattle were killed. They placed a value on this priceless stuff of less than $100 apiece. I personally saw Dr. Mohler. We stood at his desk and said to him "It is very important, when the appraisement of these cattle is made, that there should not be any question about it, and we want to ask you, in picking out these people, to choose men of national reputation, men about whose judgment there can be no possible quibble or question." We made that specific request to him. When the committee was appointed, while I have been in the animal husbandry business for five years, I did not know any of them and had never heard of them.

It therefore seems to me, Mr. Chairman, that the dairyman and the breeder who can not replace his herd should be compensated for the true value of the same, and in case an agreement can not be reached between the owner of the stock and the Government, that he should not be forced into the position of having to take an arbitrary amount or nothing, but he should have the right, the same as any other citizen in free America, to appeal to the courts for redress. This is the New York plan, and at the proper time, when this bill is considered section by section, I shall offer an amendment to that effect. [Applause.]

WHAT THE STATE OF ILLINOIS PAYS FOR THE FOOT-AND-MOUTH DISEASE.

Special session No. 2 of the forty-ninth general assembly completed its work Wednesday evening, January 26, 1916, with the exception of final adjournment. The only business of importance pending was the concurrence of the senate in the house amendments to the Senate bills relating to the foot-and-mouth disease.

The senate was in session three or four days the previous week, but unable to consider the amendments for lack of necessary two-thirds vote required to pass emergency measures. Efforts were made to bring in enough absent senators to make a quorum, but without success. Most of the absentees were kept away by illness in their families and several of those present went home ill.

When the Senate met on the 26th the roll call showed 37 present—3 more than the required number. All of the house amendments were then adopted without opposition. Senate bill No. 7, as amended and passed, provides for the payment of all losses and expenses in connection with the suppression of the last outbreak of foot-and-mouth disease, which began about the 1st of August, 1915, and continued until January, 1916.

An analysis of the bill shows that during this period there were 8,459 animals slaughtered by the State authorities in an effort to eradicate the disease. There were in this number 2,310 cattle, 5,478 swine, 642 sheep, 20 goats, and 9 deer. The total appraised value of these animals was $245,706.34, of which the State paid one-half, or $122,854.17. There were 136 claimants paid for losses sustained, in sums ranging from $13.75 for 2 pigs up to $12,247.25 for 108 cattle and 647 swine on one farm.

The counties where the disease prevailed and the number of herds slaughtered are as follows: Bureau, 2; Cook, 2; Dupage, 2; Fulton, 4; Lake, 12; La Salle, 13; Livingston, 1; McDonough, 93; Stark, 9.

The amount paid for property destroyed and damaged in the process of disinfecting the farms was $4,356.48, of which the State paid $2,178.24. This amount is distributed by the bill to 213 persons, in sums ranging from 57 cents to $108.50.

The cost of cleaning up the yards and disinfecting premises was $4,494.12, of which the State paid $2,247.06. The cost of digging trenches and burying the slaughtered animals was $5,249.86, of which the State paid $2,624.93. The cost of lime and disinfectants was $7,269.82, of which the State paid $3,634.91.

The assistant State veterinarians are allowed by law for their services $8 per day and expenses for each day actually engaged in State work. There were 113 veterinarians employed in the suppression of this disease, and their total compensation amounted to $31,460.22, all of which is paid by the State. The items in the bill show that 2 of them received more than $2,000 each, 7 received more than $1,000 each, and 104 received sums ranging from 56 cents to $900.

The following recapitulation shows the cost of this outbreak (No. 2) to the State and to the United States Government and the total cost:

Live stock slaughtered	$122,853.17
Property destroyed	2,178.24
Labor, disinfecting	2,247.06
Burying	2,624.93
Lime and disinfectants	3,634.91
Assistant State veterinarians	31,460.22
Paid by State	164,998.52
Paid by United States	133,538.31
Cost of outbreak	298,436.84

Reference to the appropriations made last spring at the regular session shows that the first outbreak of foot-and-mouth disease cost this State $1,404,287.62, which, added to the amount just appropriated for the second outbreak, makes a total cost of $1,569,296.15 expended in fighting this disease practically within one year from the first outbreak. The United States Government has expended in the same time, in pay-

ment of 50 per cent of the claims, $1,315,709.75. This amount added to what the State has paid makes the total cost of combating the foot-and-mouth disease within the State of Illinois amount to $2,885,055.90 since the first outbreak a little over a year ago.

Senate bill No. 6, appropriating $200,000 for an emergency fund to be used only in case of another outbreak, was cut down by a house amendment to $100,000, and the amendment was approved by the senate. This will leave but half as much as was appropriated last spring for the same purpose.

C. C. PERVIER.

Cost of foot-and-mouth disease in the fifteenth congressional district of Illinois, 1914–15.

ADAMS COUNTY.

Name.	Address.	Cattle.	Hogs.	Sheep.	One-half appraisement paid by State.
W. H. Oller	Mendon	5	1		$98.88
C. W. Wright	do	10	19	5	370.00
Total		15	20	5	468.88
One-half appraisement paid by United States					468.88
Paid for burying and disinfecting					50.64
Paid for property destroyed					97.50
Total cost, Adams County					1,085.90

FULTON COUNTY.

E. B. Atchison	Avon	7	9		$242.37
James A. Hearn	do	24	12		670.62
K. R. Babbitt	do	11	42		456.00
James S. Babbitt	do	2	18		225.00
S. & J. L. Babbitt	do	29	87		1,505.30
Miss Viola Babbitt	do	1			47.50
Fred Barnfield & M. P. Rice	do	2	107		634.50
Mrs. Fannie Butler	do	1			32.50
W. H. Chenoweth	Table Grove	61	7		1,274.00
A. Dikeman	Farmington	3	216		1,075.62
Norman Foster, R. R. L.	do	34	82		1,164.00
W. R. Herrod	Avon	4	17	6	267.50
August Johnson	Table Grove	9	30		323.50
Ida and Frank Johnson	Avon	25	295	3	2,695.50
Chas. L. Mings	do	43	139		3,112.45
J. C. Pierce	do	10	54		351.50
Poiset & Jennings	do	35	14		1,244.54
T. J. Sailer	St. Augustine		5		68.25
G. E. Schwartz	Hermon	4			135.00
Total		305	1,134	9	15,525.65
One-half appraisement paid by United States					15,525.65
Paid for burying and disinfecting					486.60
Paid for property destroyed					1,958.13
Total cost, Fulton County, 1914					33,496.03

[Second outbreak, 1915.]

Black & Yocum	Marietta	77	173	1 2	$3,055.75
J. C. Mings	Prairie City	53			2,815.62
Frank Alden	Bushnell	3	3		108.12
Mrs. L. Robins	do	3	12	1 1	173.75
Total		136	188	3	6,153.24
One-half appraisement paid by United States					6,153.24
Paid for property destroyed					3.36
Total, Fulton County, 1915					12,309.84
Total, Fulton County, 1914					33,496.03
Total cost, Fulton County					45,805.87

[1] Goats.

HENRY COUNTY.

Jesse Anderson	Cambridge	10	84		$613.00
Hugh Armstrong	Atkinson	4	66		526.68
Charles A. Benson	Geneseo	7			205.00
Chas. A. Benson and P. G. Johnson	do	24	106		1,574.50
J. A. Blomberg	Lynn Center	53	33		1,377.58
John and J. F. Bode	Geneseo	21	22		852.12
Olof Bodeen	Lynn Center	9	41		443.64
S. P. Brownlee	Woodhull	44	96	1	1,481.87
Guy M. Cady	Geneseo	42	46	41	1,864.20
Isadore De Witt	Coal Valley	61	45		2,450.31
Henry Erdman	Geneseo	9	8		291.50
John E. Ernst	do	86	78		3,986.75
John C. Glowe	Geneseo	9	13		294.37
James Goodrich	do	1			2.00
C. G. Gustafson	Cambridge		1		10.00
John Hamilton	Geneseo	71	71		4,065.60
Johnson Bros.	Lynn Center	65	101		2,086.25
Ed. C. Johnson	Geneseo	12	27		515.49
Alfred Krantz	do	34	7		1,019.00
Henry Lewis	do	10	57		416.25
Fred McAvoy	do	29	96		1,592.05
Park McHenry	do	4	5	31	247.37

Cost of foot-and-mouth disease in the fifteenth congressional district of Illinois, 1914–15—Continued.

HENRY COUNTY—continued.

Name.	Address.	Cattle.	Hogs.	Sheep.	One-half appraisement paid by State.
Ray Mandle	Geneseo	2	24		$160.25
Magnuson Bros.	Lynn Center	65	216		5,247.62
A. E. Miller	Geneseo	43	33		1,775.25
Roy Morse	Thomas	32	38		913.00
A. J. Nelson	Cambridge	4	29		284.37
C. W. Nelson	do	4	20		207.50
J. E. Ogden	Geneseo	2	1		82.50
C. A. Olson	do	9	12		413.12
Grant D. Olson	do	21	60		971.50
W. L. Painter	do	36	23		1,001.37
Peter Peterson	Lynn Center	10	25		413.00
Spencer Polson	Geneseo	15	50		606.86
S. S. Rapp	do	1	7		89.37
M. T. Robertson	Cambridge	14	26		555.37
Charles Rugh	Coal Valley	3	2		70.34
Wm. Ruxton	Geneseo	66	58	53	3,487.11
Louis Schmoll	Cambridge		11		37.00
L. A. Schroeder	Geneseo	39	70		2,078.56
Sherman L. Sedgeley	do	5	15		272.50
Thomas Torrence	do	5	73	25	521.31
M. Van Hyfte	Annawan	28	33		692.25
August Van Vooran	Atkinson	13	74		611.25
W. H. Wilson	Geneseo	22	94	41	1,031.87
Geo. W. Wolf	do	9	34		437.00
Total		1,033	2,061	192	46,875.80
One-half appraisement paid by United States					46,875.80
Paid for burying and disinfecting					1,150.48
Paid for property destroyed					6,427.74
Total cost, Henry County					101,329.82

KNOX COUNTY.

Corey & Broadfield	Yates City	10	12		$585.00
D. Corey & Son	do	8	91		811.25
J. L. Curvey	do	10	37		578.06
Arthur Goddard	Galesburg		150		562.50
John S. Matthews	Yates City	37			1,352.50
H. H. Painter	do	49	43		1,275.25
R. V. Ragsdale	do	19	158		1,024.06
J. A. Sherman	do	9	16		280.50
J. A. Thurman	do	3	8		143.00
Edith A. Ware	do	63	65		401.00
Total		208	580		7,013.12
One-half appraisement paid by United States					7,013.12
Paid for burying and disinfecting					151.82
Paid for property destroyed					2,327.00
Total cost, Knox County					16,505.66

RECAPITULATION.

Adams County	$1,085.90
Fulton County	45,805.87
Henry County	101,329.82
Knox County	16,505.66
Disinfectants (estimated) paid by State	1,405.57
Veterinarians (estimated) paid by State	1,985.06
Assistant veterinarians (estimated) paid by State	142.59
Miscellaneous expense (estimated) paid by State	491.29
Veterinarians (estimated), 1915, paid by State	2,029.25
Grand total, fifteenth congressional district, Illinois	170,781.01

Mr. HAUGEN. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. SMITH.]

Mr. SMITH of Michigan. Mr. Chairman and gentlemen of the committee, I have been very much interested in the discussion of the live-stock industry as I listened to the speakers this afternoon, and I want to thank the chairman, who has yielded me a few minutes, and to apologize to the Members whose time I am now occupying for the purpose of asking one particular question. The gentleman says he practiced law in order to pay for the feed consumed by the cattle on his place. I have been wondering whether or not all the fault was with the packers in reference to the losses suffered by the farmers. Now, the packers have got a lot to answer for, in my mind, and for anything that has been said against them I am not here to uphold if it is improper, but the question I have in mind and which has often occurred to me is, how you gentlemen from the West, you cattle feeders, can fatten cattle and put them upon the market and sell them at the prices they bring when we can not do it in the East? Now, the gentleman from Illinois, who has just preceded me, said something about the foot-and-mouth disease and spoke about how it originated at Niles, Mich. I thought he put particular emphasis upon the word "Michigan." Now, I have not been altogether satisfied but what that disease came from Illinois. Nobody says it had not or did not. Now, Niles is not in my district, but it is in Michigan and very close to the stock-

yards in Illinois. The foot-and-mouth disease is very contagious. It is hard to control. It is the experience of all countries that to eradicate it the herd must be destroyed. I want to compliment the Chief of the Bureau of Animal Industry of this Government for the strenuous efforts he has put forth in stamping it out and upon his success. The value of the live-stock industry to the farmers of this country is incalculable. But that is not the question I wanted to propound.

I want to ask these gentlemen here from the West who feed cattle and have made it their business whether or not you can put more than 5 pounds of meat upon a graded steer with one bushel of shelled corn? If that is true, how are you to get the pay for your corn by feeding it to cattle? That is what I want to ask any man here who has fed cattle, when you are paying for that bushel of corn at 75 cents and only get 5 pounds of meat out of it worth 7 cents a pound. How can we expect cheap meat from the farmer? The farmer when he goes to town to make purchases, must pay just what they ask him, and when he sells his product he must sell for just what they will give him. This rule is not confined to the stockyards. Now, if anybody knows how you are going to make anything out of this feeding of cattle for the price that is paid for them and you buy your corn, then you will solve the question that has been uppermost in my mind. The gentleman from Nebraska says in his State 53 out of 56 cattle feeders lost money last year feeding cattle, and the other 3 did not make anything to speak of, and I give the solution.

Please do not misunderstand me. I think a farmer should raise enough cattle to graze off his pasture land and to eat up his roughage. But, as stated, I am unable to see how a farmer, feeder, or anyone else can pay 75 cents a bushel for corn to produce 5 pounds of beef and sell it at 6, 7, or 8 cents a pound without losing money. Many feeders, understanding this, now fatten their cattle on grass.

Now, we are talking about distribution; we are talking about the farmer's market, and we are talking also about transportation. I tell you that farming is the most scientific business that this Congress has to deal with. You are dealing with the elements; you are dealing with all kinds of destructive insects, with the markets, with labor, and the home. You have got to be engineers; you have got to be scientific experts all along the line. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Michigan. Gentlemen, I thank you.

Mr. LEVER. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. OVERMYER], a member of the committee.

Mr. OVERMYER. Mr. Chairman, on the wall of the landing in the grand marble stairway in the Congressional Library yonder, the most beautiful building of its kind in the world, there is inserted a 15-foot mosaic panel in which is outlined, in blocks of gold, a colossal figure of Minerva, the Goddess of Wisdom. In her right hand she holds a spear, and in her left an unfolded scroll upon which is inscribed a list of the sciences, arts, and letters, and the first name that appears thereon is the word "Agriculture." [Applause.]

Gibbon said, "Agriculture is the foundation of commerce." It is that and more. It is the foundation, too, of everything else, and is the most honorable business in the world. The farmers of this country are the real producers of wealth, and the industry of agriculture is the structure upon which rests the whole fabric of commerce, of business, of society, and even of life itself. Show me a country where agriculture is fostered and encouraged, and I will show you a country that is rich and powerful.

A few years ago it was thought that the industry of agriculture was of minor importance in the United States, but last year it contributed in commercial value to the products of this country more than $10,000,000,000. This is more than was contributed by any other industry in raw material and finished product. Of course, manufacturers are ahead in the value of their finished product, but they convert raw material into finished products while the farmer produces a finished product. No one works it over for him. There are in this country nearly six and one-half million farms, averaging 138 acres to the farm, and each of these farms has an average of 75 acres of improved land. The value of our agricultural exports last year was nearly one and one-half billions of dollars, an increase of 32 per cent over those of the preceding year.

This valuable and stupendous industry, upon which depends the wealth of our Nation, is beginning to be appreciated by State and National legislators, resulting in increased appropriations for agricultural purposes. The leading agricultural States of the Union now have bureaus sustained by State appropriations covering pruning and other demonstrative work that has resulted in the saving of thousands of vineyards and orchards throughout the country; bee culture and inspection; better facilities for handling the infectious and contagious diseases of live stock; State farms for the production of hog-cholera serum; farmers' institutes in all the counties of the State; the issuing of farmers' bulletins bringing to the farmer practical education affecting his business; and the teaching of agriculture in the public schools. The Federal Government, too, has come to realize the value of agriculture as an industry, and this has resulted in more liberal appropriations to foster and encourage the work.

One of the best laws ever enacted was the bill passed by the last Congress known as the Lever Agricultural Extension Act, which provides for additional appropriations each year for dissemination of knowledge among the agricultural people that can not be gained in any other way. Under its provisions, men are sent out to do demonstrative work, to give information that can not be secured through our farm papers and magazines or farmers' institutes. This work consists largely in the giving of practical demonstrations of the information given in such publications and institutes.

My observation has been that these demonstrations are watched with much greater interest by the young folks on the farm than by their parents. A farmer who has been conducting his farm according to custom for many years is reluctant to adopt the policies advocated by the college-graduate farmer. For this reason I feel satisfied that the money being expended in the dissemination of general knowledge concerning agriculture in our public schools and otherwise will bring its largest returns in the years that are to come; and I am quite well satisfied that in the absence of such teaching and training the problem of how to feed our people will be the greatest problem confronting the descendants of your children and mine.

Where is the man who will contend that farming and orcharding can be done now as it was 50 years ago? Then they planted their crops regardless, and harvested them. Then peach and apple trees grew by the wayside, and fruit could be had on every hand. What happens to the orchard of to-day if spraying is not done scientifically? The same thing that will happen to our farms before many years if they are not farmed scientifically. To-day almost every wind that blows brings some new pest or insect, which, if not checked promptly, will eat its way through our gardens and orchards and vineyards and leave a path of ruin and destruction in its wake. Each year pests heretofore unknown in this country are imported from some foreign land and rapidly gain a foothold here. Soil from which crops are continually taken without the proper use of fertilizers will eventually lose its fertility. These two causes—the destruction of fruit trees and plants by pests and insects and the wearing out of the soil where the proper methods of restoration are not employed—make the problem of the farmer of to-day and to-morrow a serious one.

It is a remarkable fact that many of the older States of the Union are to-day producing less of many of the necessaries of life than they did 20 and even 50 years ago. One of the causes contributing to this condition is the stupendous increase of our city population over our country population and the consequent increase in consumption over production. In my own State of Ohio in 1850 there were five times as many people living in the country as there were living in towns. To-day considerably more than one-half of the total population of the State lives in towns. What does this means? It means that while the total population of the State of Ohio in the last 50 years has increased about 100 per cent, the population of our towns and villages has increased about 700 per cent. It means that the number of consumers has increased in the State of Ohio at a stupendous rate and the number of producers has decreased at a corresponding rate.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. OVERMYER. I will.

Mr. FESS. I think four or five counties in my district show a decrease in the total population, which would indicate that only counties having the largest cities are increasing. That is the case with Clark, Springfield, and the others are decreasing. What is the meaning of this?

Mr. OVERMYER. The general total is taken from the census figures, which show the percentages which I have quoted.

Mr. FESS. Going to the cities from the rural sections?

Mr. OVERMYER. Yes. The causes operating to this end are varied. Social conditions, the prospect of better wages, and other causes have contributed to this condition; but many worthy movements to-day have as their object the making of farm life more attractive and remunerative, and I hope this migratory movement may be checked.

Continuing my former statement, I will say that instead of 80 men living on the farm and producing and 20 living in town

and consuming there are now 60 living in town and consuming and only 40 in the country producing. In 1820, 83 per cent of the total population of the United States was engaged in agricultural pursuits; in 1910 only 32.4 per cent were so engaged, although these figures do not necessarily mean the total decline of our agricultural population. There are still 30,000,000 people in our country engaged in agricultural pursuits, and with the aid of modern farm machinery they are producing products far in excess of our needs for national consumption, yielding a surplus amounting to billions.

But the point I desire to make is that the causes now operating against agriculture—the destruction of crops by blight and insect pests and the steady migration from the farm to town—will eventually result in a serious situation unless we are alert to the needs of the times. There is a way to destroy insect pests and blight, a way to restore fertility to worn-out soil, a way to produce twice as much of the necessaries of life as we are now producing, and it is our duty and it is the constant aim of the United States Department of Agriculture to find that way and to prevent the depletion of our agricultural population and agricultural products below the point of our national requirements.

At this critical juncture in the world's affairs, when wealth and resource as well as human life are being wasted as never before, it is well that we should look about us and take an inventory of our stock and our resources, and when we do this we find ourselves the most favored nation of all the world. This country is estimated to be worth about two hundred and twenty billions in money. This is as much as the total wealth of the British and German Empires together, and in the eight years from 1904 to 1912 the increase in our national wealth equaled the total accumulated wealth of the German Empire. Last year our domestic trade amounted to five hundred and seven billions, or a little over half a trillion. About 1885 this country's wealth was just about one-fourth of what it is to-day, and we are justified in assuming, therefore, that the day is not far distant when the national wealth of the United States will be a trillion, and a new word will become a common parlance when reference is made to our country's riches.

Mr. FESS. Will the gentleman yield?

Mr. OVERMYER. Yes.

Mr. FESS. I am not sure whether we get the gentleman's figures. Does the gentleman mean that the transfer of domestic trade amounted to five hundred and seven billion?

Mr. OVERMYER. Yes. However, the same articles may have been valued several times in making this estimate. I might say in that connection to the gentleman from Ohio that the report of the bureau discloses that they have no way of securing accurate statistics on what the domestic trade in itself amounted to. But, of course, in making this estimate it must be remembered that in domestic trade the same article may be valued over and over as it moves through the channels of domestic commerce.

Mr. FESS. I was afraid some one would take it from your statement that our wealth was $507,000,000,000.

Mr. OVERMYER. Our wealth is estimated at $220,000,000,000, and the domestic trade, which might mean the same article was valued several times in several transactions, was estimated at $507,000,000,000.

Mr. QUIN. I thought our national wealth was $187,000,000,000 in 1913, according to the reports.

Mr. OVERMYER. Yes; but we are in 1916 now. That is an estimate based upon the report of the Department of Commerce.

A trillion dollars is a million million of dollars, and if the same ratio of increase enjoyed in the last few years continues for a few years more our Nation will reach this stupendous sum; and no single industry has contributed so much, and is still continuing to contribute so much, to these figures as the industry of agriculture. In soil this country is supreme; the farm is first and fundamental. Other industries are of less importance, for if anywhere life is being sustained by mining, manufacture, or commerce, somebody elsewhere must be producing food and raw materials for clothing.

Mr. FESS. Will my colleague yield?

Mr. OVERMYER. Yes.

Mr. FESS. The soil is supreme, as your statement said. Why do we not produce as much per acre as the German people?

Mr. OVERMYER. I will reach that later, but it is because we do not apply the intensive methods of farming that they have been employing for a great number of years.

Mr. LEVER. My colleague, who is on the committee, and who is such a valuable member of it, will agree, I think, that the system of marketing also is not so well developed?

Mr. OVERMYER. And the system of distribution, as was so well explained to-day by the gentleman from Nebraska [Mr. STEPHENS].

We raise more wheat than any nation on earth and one-sixth more than our nearest rival, Russia; we produce three-fourths of all the corn raised in the world; we raise two-thirds of the world's cotton; we turn out as much steel in a year as Great Britain and France combined; we supply 60 per cent of the world's supply of copper; we produce 32 per cent of the world's lead and zinc. And in the foregoing estimate of the Nation's wealth at $220,000,000,000 that treasure land, Alaska, was not included; neither was Porto Rico, Hawaii, or the Philippines. Alaska, which is as large as France and Germany combined, has hardly begun to yield up its riches.

Mr. QUIN. What per cent does the producer of the raw material get out of what we produce?

Mr. OVERMYER. I am not taking that up at this time, but I think statistics show about 35 per cent. I would rather not be interrupted now until I complete my statements, because I have not much time remaining.

Away back in the eighteenth century an English parson by the name of Malthus figured out that a majority of mankind must always be poor; that population, in spite of poverty, disease, and death, would increase so fast that the earth could not produce food for it. For a long time his theory was accepted as true, for he had the figures to prove it—population increasing in geometrical ratio, food increasing in arithmetical ratio; the result, billions of people with nothing to eat but themselves. But a recent bulletin of the Department of Agriculture discloses that there are in this country more than a billion acres of tillable land, of which only one-fourth is now in crops. On that one-fourth we are producing only one-half of what it could be made to produce. The United States alone could produce food for one-half the population of the globe. There is no limit to the productiveness of this country; the only limit is in human intelligence. We have the land and we have the brains, and the only thing we need to do is to direct the energies of our people into the proper channels of activity.

We have here an area twice as large as the area of continental Europe. We have more acres of tillable land than all of Europe, Russia included. We have forests and mines, rivers and harbors; in fact, we have here every resource necessary for our maintenance as individuals and as a Nation. But we are only beginning to learn one of the secrets of power long ago discovered by a certain European country, which at this moment makes her apparently invincible to a multitude of foes. I refer to Germany. Has Germany been farming in a haphazard manner? Has Germany been wasting her resources? Is she forever taking off without putting back into her soil its life-producing properties? If she had, she would not now be able to fight a world war cut off from nearly every source of outside help, and yet reported to be able to continue fighting almost indefinitely upon her own resources and self-support. In Germany every foot of ground is made to produce something. Intensive farming has been applied for years. She plants fruit trees for use rather than shade trees for ornamental purposes. These are the secrets of much of Germany's success, and when I say this I am not violating that strict neutrality which it is my duty to assume. I state it as a fact about which there can be no dispute. In this time of preparedness let us learn our lesson from these facts.

I believe that the safety of our Government will continue to repose in the breasts of a contented and prosperous citizenship rather than in the number of battleships we own or the number of men in our standing army. [Applause.] The great wars of history that were at all just were fought and won by volunteers. A soldier with patriotism and the love of country controlling his actions is worth a regiment of hired men who fight because they are ordered. The wars of this country have always been just, either in the defense of our flag or in the furtherance of the cause of liberty which that flag represents, and they were fought by volunteers, by men who fought out of patriotism and love of country; and the thing that we must seek to do is to maintain here the highest form of free Government, granting to all citizens the greatest possible liberty consistent with safety, engage in every form of industry and manufacture, extend our commerce to every point of the world, open up to our citizens large areas of land not now being farmed, and provide homes where our people may bring up countless generations of loyal American citizens amid proper surroundings. Preparedness for national defense does not consist alone in the purchase of battleships and munitions of war. It consists also in the proper training of future generations in the conservation of our natural resources, and in leaving for our future citizens a country that will be worth fighting for.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. How much further time does the gentleman wish?

Mr. OVERMYER. Oh, just a few minutes.

Mr. LEVER. I yield five minutes more to the gentleman.

Mr. PLATT. Does the gentleman yield?

Mr. OVERMYER. I yield.

Mr. PLATT. The gentleman said, if I understood him correctly, that one volunteer soldier was equal to a regiment of hired soldiers?

Mr. OVERMYER. I said that one soldier, with his actions controlled by patriotism and love of country, is equal to a regiment of hired soldiers—an exaggeration, perhaps, but illustrating the point I wished to make.

Mr. PLATT. Does he not know that in the War of 1812 we had 250,000 men at the greatest, and that there were never more than 16,000 British here?

Mr. OVERMYER. No; and no such number of Americans was ever engaged in that war; but I wish to say that I do know that one of the most important battles of the War of 1812 was fought where I now live—at Fort Stephenson, which is now Fremont, Ohio—by 160 American soldiers, who were commanded by a boy, Maj. George Croghan, only 21 years of age, and defeated the entire British Army, together with Tecumseh and his Indian allies. I know that to be true. [Applause.] And they had one lone cannon, "Old Betsy," a 6-pounder, and she is standing there to-day guarding the park of which we are so proud. And at the base of the monument that was erected there to-day repose the remains of that young defender of Fort Stephenson, who, with 160 men and that one cannon, defeated the entire British force. [Applause.]

Mr. PLATT. The whole 16,000 men of the British Army or a hundred or so of the British?

Mr. OVERMYER. The British Army under Proctor of more than 2,000 and an equal number of Indian allies.

Mr. CAREW. How many German and French and English armies do you think those young men could lick to-day if they were alive?

Mr. OVERMYER. Under the same circumstances, they would render just as good an account of themselves as they did then. [Applause.]

Some criticisms have already been made, and more will no doubt be made, of some of the items in this bill. Great fears seem to be entertained by some gentlemen that the appropriations for agriculture might be excessive. It is, of course, entirely proper for Members to scrutinize every appropriation bill carefully, and this bill should be no exception. The committee itself held the most extensive hearings on this bill ever had and examined into every item with great care. But in view of what I have heretofore said and the figures submitted showing that the farm, after all, is one real source of wealth and strength, I submit that there is no bill that should be treated with greater liberality by Congress than the Agricultural appropriation bill. I do not favor the wasting of a dollar of this Government's money, but I do insist that there is no industry that yields to our country a greater economic return for every dollar expended in its encouragement than does agriculture.

This bill carries a total of $24,501,093. Compare this with the disbursements for our Military Establishment last year, totaling $267,974,831.47, exclusive of pensions and rivers and harbors; or compare it with the disbursements for pensions of $164,387,941.61; or for rivers and harbors of $46,833,914.24. All of these appropriations are no doubt proper and necessary, but the point I wish to make is that a nation as rich and prosperous as ours that can afford and does spend these vast sums of money for other purposes can well afford to appropriate $24,000,000 for the encouragement and promotion, yea, even for the preservation of an industry that is doing more than any other toward making the United States the first "trillion-dollar" country of the world.

It is as true to-day as in the days of Oliver Goldsmith that—

> Ill fares the land to hastening ills a prey,
> Where wealth accumulates and men decay;
> Princes and lords may flourish or may fade;
> A breath can make them, as a breath has made:
> But a bold peasantry, their country's pride,
> When once destroyed can never be supplied.

[Applause.]

Mr. LEVER. Mr. Chairman, I yield one minute to the gentleman from Massachusetts [Mr. OLNEY].

Mr. OLNEY. Mr. Chairman, I desire to direct the attention of the committee to a question which I consider as germane to the subject concerning the deterioration of one of the important industries of the United States—the sheep industry—and I desire to ask unanimous consent to extend in the RECORD a letter from William M. Wood, president of the American Woolen Co., to me, showing the deterioration of the sheep industry in the United States in the past 20 years. Also I desire to insert an extract from an interview with Hon. D. F. Houston, Secretary of Agriculture, in the New York Herald, showing wherein New England may be encouraged and developed for the future husbanding of this great industry.

And in connection with this I will say that a United States Senator told me a few days ago he had sold his flock of sheep at $8 per head, showing you gentlemen that the law of supply and demand is as preeminent to-day as it always has been. On account of the tremendous consumption of mutton and lamb by the warring nations and considerable cessation in agriculture among European nations at the present time, sheep are growing more scarce each day. The monthly crop reports of 1910 show us that there were 52,000,000 sheep in the United States at that time, while to-day there are but 49,000,000 sheep. The depletion in sheep growing in our country for a score of years under all phases of tariff legislation is evident.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD by inserting certain communications. Is there objection?

There was no objection.

The following are the communications referred to:

AMERICAN WOOLEN CO.,
Boston, Mass., April 12, 1916.

Hon. RICHARD OLNEY, 2D,
House of Representatives, Washington, D. C.

DEAR SIR: I would most earnestly commend to your attention the campaign of the Philadelphia Wool and Textile Association for "more sheep and more wool." Though the population of the United States is rapidly increasing, the number of sheep and the amount of wool produced here are falling off. In 1909, 328,000,000 pounds of wool were grown in this country; in 1915, only 288,000,000 pounds, a loss of 12 per cent in seven years. In the last fiscal year, out of a total of 591,015,495 pounds of wool available for consumption in the United States, foreign wools represented 300,000,000 pounds, or more than one-half.

Nor can we depend upon wool supplies from abroad—for the wool production of the whole world is decreasing. This world supply in 1915 was estimated at 2,836,000,000 pounds. In 1914 the estimate was 2,872,000,000 pounds; in 1913, 2,880,000,000; in 1912, 2,971,000,000. The great war has wholly cut off certain sources of supply and made reliance on others most uncertain. Large numbers of sheep have undoubtedly been destroyed in the course of warfare.

So critical is the situation that Great Britain, which controls nearly two-thirds of the world's wool, is contemplating the imposition of an export duty on this indispensable raw material when bought by any but British purchasers.

National prudence demands an immediate increase in the flocks of the United States. The American people need more sheep for food and clothing. In spite of the rapidity with which the cheap lands of the West have been taken up, there are still great areas in this country where sheep can be grown with a profit by the exercise of intelligence and perseverance. Sheep can be grown again in large numbers on the abandoned pastures of the New England and other Eastern States.

Australasia produces nearly three times as much wool as our own country—chiefly because in Australasia wool growing is a modern, systematized business, and because all laws are made to favor it and worthless dogs are not allowed to harry and murder valuable flocks. National and State Governments with us have done much to encourage agriculture and stock raising, but sheep and wool have not received their proper due. There is urgent need of a searching investigation of the whole question by national and State authorities. May I not ask you to take up this subject and do your share to the end that there may be more food and more wool for the American people?

All this is an essential part of any patriotic national movement for preparedness, for the position in which this country would find itself in war—dependent on foreign sources for more than half its wool—is appalling to contemplate.

Very truly, yours.

WM. M. WOOD, *President.*

[Extract from article by D. F. Houston, Secretary of Agriculture, published in the magazine section of the New York Herald, Sunday, Mar. 5, 1916.]

There seems to be general agreement that by the employment of proper methods a still greater advance can be made in live-stock directions.

The experts believe that there might be a revival of the sheep industry if the farmers would emphasize the mutton feature.

When this industry was established only one purpose was considered, namely, the production of wool, and the New England sheep were apparently developed solely with this end in view. When the western competition became acute the New England farmer who was in the wool business was forced out, and the breeders of fine wool sheep were compelled to disperse their flocks. The farmers either have gone out of business or have clung to the wrinkly, fine wool merino type. The raising of sheep from the mutton viewpoint, broadly speaking, never has been attempted, and it seems desirable that it should be.

The New England environment is congenial to sheep. There are great markets at hand and the land is there in abundance. The public has been increasingly educated to the use of lamb and mutton as food; they have ceased to be cheap and now have become a luxury. The problem of winter feed can be met as the farmers have met the problem of the winter maintenance of dairy cows, by the use of silage and hay, and that of the summer feed can be met by forage crops and pasture rotation.

Mr. HAUGEN. Mr. Chairman, I yield 30 minutes to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN of Oklahoma. Mr. Chairman, we have under consideration the great Agricultural appropriation bill. We have just heard a most eloquent, able, and inspiring address by the gentleman from Ohio [Mr. OVERMYER] on the subject of agricul-

ture. If I observed correctly, however, he did not speak of one thing which I think will be a mighty factor in the future growth and development of this great industry.

In this morning's Washington Post there was an article with this headline: "United States Rolling in Wealth." The tone of the article carried the impression that this wealth came to us as naturally as the ocean billows beat upon our shores. Such is not the case. All this wealth is the product of toil and labor, and effort and energy. To the great industry of agriculture we are indebted for something like one-half of all the wealth produced annually in this country.

The article asserted that within a year the resources of our national banks had increased 20 per cent, that their deposits had increased 25 per cent, and that their loans, within the year, had increased over $900,000,000. I wondered what proportion of those loans had been made in the interest of agriculture. I was interested in knowing how our national banks had used their enlarged resources to promote the prosperity of our farmers and provide them with better credit facilities.

Some people have the idea that farm-credit legislation simply means the passage of an act for the special benefit of the farmers, and that the Nation, at large, is not interested therein. That is a very erroneous and a very narrow conception of the value of better farm-credit facilities. And when the gentleman from Ohio [Mr. OVERMYER] spoke about agriculture in Germany and the strength the industry added to the German Empire he did not mention the fact that adequate credit facilities had been a most potent factor in the expansion of the agricultural interests of Germany. In the credit facilities she has furnished her farmers Germany has led all other nations.

H. R. 10310 (APPENDIX A).

Mr. Chairman, I have introduced a land-credit bill, House bill 10310. In the preparation of this bill I have tried to present a plan of land credit that will meet the demands of agriculture and that will provide a satisfactory land-credit system for the farmers of the United States.

In attempting constructive legislation we should have clearly in our minds what will be required of the governmental instrumentalities we are about to create. I have tried to do this in the preparation of House bill 10310. Our land-credit institutions should be so constructed that they will meet the following five requirements: First, they should furnish an adequate amount of credit for agriculture; second, they should furnish this credit on favorable and satisfactory terms; third, they should furnish this credit at a low rate of interest; fourth, they should provide equal credit facilities throughout the various sections of the country; and fifth, they should furnish this credit at a uniform rate of interest in all the States of the Union.

These are the essential things which should be supplied by any national system of land credit. Any proposed system of land credit which will not meet these five requirements should be condemned. The farmers of the United States will not be satisfied with any system of land credit that does not meet these five requirements.

I wish now to describe briefly the main provisions of House bill 10310 which I have introduced.

SUPERVISORY POWER.

The power of supervision and control is lodged in the Federal farm-loan board, consisting of three persons, to be appointed by the President. Extensive power is given to this board, not only to supervise and regulate but to control the land banks created to operate the system of land credit to be established.

CORPORATIONS CREATED TO OPERATE SYSTEM.

The system of land credit established by this bill will be operated by the following corporations:

1. One central bank, called the united Federal land bank.

2. Twelve Federal land banks, one in each of 12 districts into which the United States shall be divided.

3. One farm-loan association in each county, where any Federal land bank shall make loans, as many district associations in each State as there are congressional districts in each State, and one State farm-loan association in each State.

Mr. SMITH of Minnesota. Mr. Chairman, will the gentleman yield there?

Mr. MORGAN of Oklahoma. I yield for a question.

Mr. SMITH of Minnesota. In just what respect does the gentleman's bill differ from the Moss bill, which the committee is about to report?

Mr. MORGAN of Oklahoma. Well, the Moss bill provides for 12 district banks. It provides for local farm-loan associations. My bill, in addition to providing those institutions, provides and creates a united Federal land bank. That is a central institution controlled by 12 directors, and each one of the Federal land banks elects one of those 12 directors, so that I create a central bank uniting the 12 district banks.

Now, the Moss bill provides, as the gentleman knows, that each one of these 12 district banks shall be liable for the bonds and contracts and liabilities of every other Federal land bank. In reality that bill does not create 12 banks, but 1 bank with 12 divisions. When you make each one of those banks responsible for the debts, liabilities, and contracts of the others, then you really create but one institution. I think it would add very much to the system to create a central institution, without capital stock, as a corporation through which those 12 banks could act in the interest of all.

Mr. SMITH of Minnesota. Just a moment. The gentleman provides for a central institution, and the Moss bill provides for a Federal land board?

Mr. MORGAN of Oklahoma. My bill provides for the central institution and also for the Federal farm loan board as the supervisory power.

Mr. SMITH of Minnesota. Just in what way would the gentleman's central institution idea work out?

Mr. MORGAN of Oklahoma. The united Federal land bank, as its name implies, unites the 12 district Federal land banks. The united Federal land bank will have no capital stock or income. It will be supported by contributions from the 12 district banks. It will make no loans; but all farm loan bonds will be issued in its name for and in behalf of the various Federal land banks. The united Federal land bank will be controlled by 12 directors. Each Federal land bank will appoint one of these directors. Through the united Federal land bank there may be unity of action along many lines for the mutual benefit and profit of the district banks, which means, of course, for the profit and advantage of the farmers who are borrowers. Through this central corporation the district banks may standardize their business methods of all kinds, their system of appraisements, and adopt various methods to eliminate waste and secure the highest efficiency and economy in their operation and administration. The united Federal land bank is given authority, subject to the approval of the Federal farm-loan board, to do three important things:

First. To fix a uniform rate of interest which all the Federal land banks shall charge until otherwise ordered.

Second. To fix a uniform rate of interest all farm-loan bonds shall bear until otherwise ordered.

Third. To fix uniform rates of commission Federal land banks shall pay agents for securing loans or for selling farm-loan bonds.

Fourth. To do other acts which will aid Federal land banks to cooperate in all business matters, which will promote efficiency, economy, safety, and permanency in the institutions themselves, security to investors, better credit facilities to borrowers, or which will make our land-credit institutions more effective instruments in service to the general public.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield there?

Mr. MORGAN of Oklahoma. Yes.

Mr. COOPER of Wisconsin. That matter of uniformity of interest rates is a matter that many people have written to me and said to me is of prime importance. Does the gentleman think that his plan, if enacted into law, would insure to the farmers of the country uniformity in the rates of interest?

Mr. MORGAN of Oklahoma. I think so.

Mr. COOPER of Wisconsin. What does the gentleman think of the Moss plan, with respect to uniformity in the rates of interest?

Mr. MORGAN of Oklahoma. So far as the 12 district banks are concerned, they could loan at a uniform rate of interest.

Mr. COOPER of Wisconsin. Then the gentleman thinks that so far as uniformity of interest is concerned, if either plan were enacted, undoubtedly it would secure that?

Mr. MORGAN of Oklahoma. In answering that question it must be remembered that the so-called Moss bill, which is also what is known as the joint committee bill, provides for two kinds of land banks. It creates 12 district banks and authorizes the organization of any number of joint-stock banks. These joint-stock banks are entirely separate and independent institutions. There can not be uniform interest rates throughout the country if the farm loans are made by land credit institutions which are entirely independent of each other. The 12 district banks created by the Moss bill, in my judgment, would provide uniform rates of interest for the loans made by these banks. Under the provisions of this bill these 12 banks are responsible for each other's debts and obligations. Each one of these 12 banks, under the law, is made responsible for the bonds issued by all the other banks. This, I think, would give them prac-

tically equal credit with investors. For instance, if the States of Texas, Oklahoma, Kansas, Nebraska, and North and South Dakota should constitute one Federal land district, the bonds of the Federal land bank of this district would be guaranteed by the other 11 Federal land banks. If the bonds of the Federal land bank of this district are thus guaranteed by all other Federal land banks, I can see no reason why they would not sell as quickly and at as low a rate of interest as would the bonds of any other Federal land bank. Standing alone, these 12 Federal land banks under the Moss bill meet the idea or principle of unity and centralization of the bond-issuing power. But going back to give a direct answer to the question propounded by the gentleman from Wisconsin [Mr. COOPER], the so-called Moss bill would not furnish credit at uniform rates of interest. The joint-stock banks would be entirely independent of the 12 district banks. They would be a law unto themselves. Indeed, going further than this, each joint-stock bank would be a law unto itself. There might be as many different rates of interest at any time as there were joint-stock banks in existence.

So far as the law is concerned there might be as many different rates of interest charged as there were individual borrowers. No two joint-stock banks organized under the provisions of the Moss bill would have precisely the same credit among investors. One of these banks might have the minimum capital of $250,000, another one might have capital of $10,000,000. Evidently the bank with a large capital will have better credit than the bank with a small capital. Having better credit its bonds will sell at a lower rate of interest and consequently it can make loans to farmers at lower rates of interest. This is not all. The location of a joint-stock bank might have much to do with its credit among investors. The bonds issued by joint-stock banks located in a new and undeveloped State would be at a disadvantage in selling in competition with bonds issued by joint-stock banks located near the money centers or near those sections of our country where the bulk of the accumulated capital is to be found. There is another matter of the highest importance. If the Moss bill should be enacted into law it will be a matter entirely of conjecture as to the amount of land-credit business that will be done by the joint-stock bank or the 12 district banks. In my judgment, unless material changes shall be made in this bill, the joint-stock banks will do a very large part of the business. This will be due to the fact that under the Moss bill loans made by the 12 district banks are subject to many restrictions and limitations. In other words, there is a vast amount of "red tape" provided for farmers who borrow through the district banks. Unless these restrictions and limitations are removed, a large number of American farmers will refuse to do business with them. In other words, with all of the restrictions and limitations placed upon borrowers by the district banks they will not provide proper land-credit facilities for the majority of the American farmers. As a result, the farmers in one State who can not on account of these limitations and restrictions borrow money from the district banks will not be able to borrow money from the joint-stock banks of their State at as low a rate of interest as the farmers of other States can borrow from their joint-stock banks.

Mr. MADDEN. Will the gentleman yield?

Mr. MORGAN of Oklahoma. Certainly.

Mr. MADDEN. Does the gentleman think it is any more likely to be able to secure a uniform rate of interest on loans made to farmers than it is to secure a uniform rate of interest on loans made to merchants, manufacturers, and other industrial institutions of the United States? Is there any more reason why it should be so?

Mr. MORGAN of Oklahoma. In the first place I think it is easier to secure uniformity for the farmers in land credit than it would be to secure it for merchants, manufacturers, and other business interests.

Mr. MADDEN. Why?

Mr. HASTINGS. Is not one reason because there is less fluctuation in the value of farm lands?

Mr. MORGAN of Oklahoma. Commercial interest is based on individual credit, on collateral security, and on very many different things, while land credit is based on a security which is uniform and absolutely safe. The bonds of one institution can be made just as secure as those of another, while the note of one man is not as good as that of another and can not be made so. With Government bonds as security one man should be able at the same bank to borrow as cheap as another man borrows with the same security. One bond of the Government is as good as another. So we propose to make one farm-mortgage bond as good as any other such bond.

Mr. MADDEN. I think the gentleman's argument is fallacious in that the security offered by the merchant for a loan is usually a liquid asset which can readily be turned into cash, while the security offered by the farmer is something that is not liquid and can not be turned into cash readily and is a slower credit, and consequently ought to bring a higher rate of interest.

Mr. MORGAN of Oklahoma. I know the gentleman has been a student of this land-credit question, but he overlooks the fact that it is proposed by these bills to make farm mortgages, through the issue of farm-mortgage bonds, as liquid as Government bonds.

Mr. MADDEN. It is proposed to do that, but can you do it?

Mr. MORGAN of Oklahoma. It has been done in a large number of other countries, and what has been done in Germany, in France, and in a great majority of the European nations certainly can be done by this great Nation, for our farmers are the most intelligent and enterprising of any in the world, and we as legislators would hardly admit we can not do what legislators of European countries have done.

Mr. MADDEN. The gentleman would not assume to say that a man who has money to loan should be compelled to loan it at a given rate of interest to a person whose credit is not as good as that of somebody else who may be able to borrow at a lower rate of interest?

Mr. MORGAN of Oklahoma. Certainly not. But we insist that money lenders will not generally discriminate as between borrowers when they present like security.

FEDERAL LAND BANKS.

The bill provides that the United States shall be divided into 12 districts. A Federal land bank is created in each district. Federal land banks have three kinds of capital, namely, operating capital, reserve capital, and guaranty capital.

The operating capital of each Federal land bank shall be $1,000,000, one half of which, known as founders' shares, may be subscribed by private individuals, and the other half, designated as public shares, shall be subscribed by the United States. The United States will receive no dividends upon its stock.

The reserve capital of each Federal land bank shall be equal to at least 5 per cent of its outstanding loans. This is secured by requiring each applicant for a loan to authorize the bank to retain out of the proceeds of his loan an amount equal to 5 per cent of the loan. Whenever a loan is paid in full this stock must be canceled by the bank and the borrower paid in cash the full face value thereof, less, of course, any reductions that may have been made thereon through defaults of other borrowers. Borrowers will, of course, pay interest on the face value of their loans, which will mean that they are paying interest on an amount equal to 5 per cent of their loan, which they have never received. However, to compensate them for this loss they will receive dividends on this stock which may more than compensate them for the loss. The reserve capital stock is not used for an operating fund. It is made a trust fund, placed upon deposit in some bank, safely secured, at interest, which will in itself be available in payment of dividends upon reserve stock.

Finally, every Federal land bank will have guaranty capital. The amount of guaranty capital will depend upon the amount of the loans. It is obtained in this way: Every Federal land bank is required to set aside from such interest payment an amount equal to one-fourth of 1 per cent of the face of the loan. This is continued until the reserve capital, the operating capital, and the guaranty capital of the bank shall equal 10 per cent of the amount of the outstanding loans. The guaranty capital is made a trust fund, to guarantee the payment of the bonds of the bank, and can be used for no other purpose. It is placed on deposit, at interest, in some bank, with adequate security, and is the first and primary fund upon which a bank shall draw to meet a loss through the default of a borrower. The bill requires that the United States shall subscribe $500,000 to the guaranty fund of each Federal land bank. Under the provisions of the bill the United States would subscribe a total of $12,000,000 to the 12 Federal land banks. Six millions would be invested in the operating capital and $6,000,000 in the guaranty capital. In addition to this, should the entire amount of the founders' shares in each bank be not subscribed the United States would subscribe for remainder thereof. However, under the provisions of the bill there is little doubt that private individuals would subscribe for the entire number of founders' shares; as the owners of such stock would have a voice in the management of the bank, the investment would be a safe one, and at least reasonable dividends would be secured. The propriety of using the cash of the Federal Government to

provide capital for the Federal land banks will be discussed fully at some other time.

DEPOSITORIES.

Federal land banks are required to select one or more banks, to be approved by the farm loan board, as depositories in which their funds shall be deposited. Such depositories shall furnish adequate security for the safety of such funds.

AGENCIES.

National and State banks, trust companies, and savings banks are authorized to act as agents of Federal land banks in receiving and transmitting applications for loans, in closing loans, in payment of proceeds to borrowers, and in selling farm-mortgage bonds. All compensation for such service must be paid by the Federal land bank.

Mr. STEAGALL. Is it not true that commercial paper is given by all classes and interests, and money loaned upon all sorts of securities; whereas the loan provided in this bill is limited to one class of securities, and to one class of citizens, and is absolutely uniform, and therefore should there not be uniformity of interest rate?

Mr. MORGAN of Oklahoma. I think so.

Mr. LINDBERGH. I should like to ask whether the uniformity of interest rate applies to time or to territory?

Mr. MORGAN of Oklahoma. To territory.

AMPLE RESERVE TO MEET LOSSES.

In preparing H. R. 10310 every care has been taken to provide ample reserve funds to meet every possible loss through default of annual payments due on interest or principal of loan. This is done through the reserve and guaranty capital of each district bank. The reserve capital of each bank will be 5 per cent of the amount of the loans. This will be contributed by the borrowers. This reserve capital will not be used in making loans. It will be invested in Government bonds or deposited in a bank at interest, with ample security. The fund will be separately managed. It will be a trust fund and under the control of the Federal fiduciary agent, a Government officer. It is a fund created to secure bondholders, and solely for their use and benefit. It is strictly a trust fund, and is safeguarded in every way possible. It is a fund that will increase automatically with the growth in loans, for each borrower contributes 5 per cent of the amount of his loan to the reserve capital. But each bank has another reserve fund. This is the guaranty capital. From the annual interest payment of each borrower one-fourth of 1 per cent on the face of the loan is set apart and placed in the guaranty capital. This is controlled and managed in the same manner as the reserve capital. While one of these funds is denominated the reserve capital and the other the guaranty capital, they are in reality one fupd, serve the same purpose, and together constitute a fund which insures the safety, the permanency, and the success of the system of land credit proposed in the bill. It can not be foretold in advance the amount of loans any district bank will make in one year or in any period of years; but automatically the reserve capital will always be equal to 5 per cent of the amount of the loans and the guaranty capital will be the $500,000 contributed by the Government and the annual contributions of borrowers, equal to one-fourth of 1 per cent of the loans. Leaving out altogether the $500,000 contributed by the Government to the guaranty capital of each district bank, which in itself, at 3 per cent interest, would bring each bank annually $15,000 to be used to meet losses, let me illustrate how the provisions of the bill would work. Assuming that a district bank had $100,000,000 in loans, the annual interest charge, at 5 per cent per annum, would be $5,000,000. There is no way to determine what per cent of the annual interest payments would be in default. Suppose, however, 5 per cent of the interest each year would be in default; 5 per cent of $5,000,000, the total interest due on loans of $100,000,000, at 5 per cent, would be $250,000. A district bank with $100,000,000 in loans would have $5,000,000 in reserve capital. Under the terms of the bill this would be invested in Government bonds or deposited in banks, with ample security, at interest. It may be assumed that this fund would bring the bank an income of at least 3 per cent per annum. From its reserve capital of $5,000,000 the bank would have a net income of $150,000 annually. This amount would be equal to 3 per cent of the total interest due—$5,000,000. Thus from the income on its reserve capital alone the district bank could meet an annual loss of 3 per cent of the interest due it. But, under the terms of the bill, from the annual interest payments, one-fourth of 1 per cent annually on the face of each loan is set aside in the guaranty capital. A bank with $100,000,000 in loans would set aside in the guaranty capital $250,000 annually. With loans at 5 per cent the annual interest payments due it would be $5,000,000. Five per cent of this would be $250,000. The annual contributions to the guaranty capital therefore would meet a loss of 5 per cent of the annual interest due the bank on $100,000,000 in loans at 5 per cent interest. Thus a district bank, with $100,000,000 in loans, at 5 per cent interest, without using any of its reserve capital could annually meet defaults of 8 per cent of the interest due it. Three per cent of this would come from the income from interest on its reserve capital and 5 per cent from the annual contributions of one-fourth of 1 per cent on the face of their loans by borrowers. Under the provisions of this bill a district land bank could each year have a total and final loss of 8 per cent of the interest due it and still run indefinitely without in the least impairing its full reserve capital equal to 5 per cent of its loans. We can not assume that all borrowers who make default in the payment of their annual interest, when due, will remain permanently in such default. In the main, defaults in interest payments will be only temporary. If after reasonable time any borrower fails to pay his interest, the bank will institute foreclosure proceedings and enforce payment through the sale of the land. As the land, according to its appraisal value, will be worth double the amount of the loan, it will be rare indeed when there will be any permanent loss to a bank from any loan it has made. In due course the money which may be temporarily taken from the income of reserve capital and from the annual contributions to the guaranty capital to meet defaults in annual interest payments will be restored to these funds.

In the foregoing discussion I have not taken into consideration the $500,000 which the bill provides shall be subscribed by the Federal Government to the guaranty capital of each of the Federal land banks. This amount contributed by the Government at 3 per cent interest would bring an annual income to each bank of $15,000. At 3 per cent interest, compounded semiannually, this $500,000 in 20 years would amount to $903,055; in 36 years it would amount to $1,449,140; and in 50 years it would amount to $2,191,955. This fund would, of course, add to the safety of the farm-mortgage bond and might be important in meeting emergencies. But this $500,000 contributed by the National Government to the guaranty capital of each of these 12 banks would really be insignificant compared with the contributions thereto made annually by the farmers themselves. In other words, under the plan which I have proposed the great bulk of the capital which is to insure the success of our land-credit institutions will, after all, be furnished by the borrowers. The plan which I present is therefore conservative and sound. It is in harmony with a wise public policy and yet provides for sufficient Government aid to insure the success of the system and obtain for the farmers of the United States adequate land credit, at a low rate of interest, on terms and conditions which will be acceptable and satisfactory.

Mr. MADDEN. Does not the gentleman believe that the combination of accumulations he has suggested would force up the interest rate instead of forcing it down?

Mr. MORGAN of Oklahoma. Do you mean the reserve capital and guaranty capital?

Mr. MADDEN. Why, certainly. The more money you have idle the higher the interest rate must be.

Mr. MORGAN of Oklahoma. It would not be idle. It would go into designated depositories, to be used in all other kinds of business, to be placed in banks active in business, or those banks which would use it to help out the people who live in Chicago and other great cities.

Mr. MADDEN. Does anybody get anything for the use of the money from them?

Mr. MORGAN of Oklahoma. These banks would pay interest on the money at the current rate, whatever would be the rate.

Mr. CLINE. Will the gentleman yield?

Mr. MORGAN of Oklahoma. Yes.

Mr. CLINE. Do I understand that the reserve fund is to be a guaranty to secure the farm loan and give character to it?

Mr. MORGAN of Oklahoma. Yes. Now, you may not remember that the Government will not make loans direct to the farmer; we must rely on selling these securities; they must go out into the money markets of the world.

Mr. DAVIS of Texas. Will the gentleman yield?

Mr. MORGAN of Oklahoma. Certainly.

Mr. DAVIS of Texas. Will the gentleman explain why there is any tangible or economic reason that the Government should not do by the farmer as it does by anybody else?

Mr. MORGAN of Oklahoma. It ought to do more for the farmer than anybody else, because the farmer is more helpless in his organization. But the securing of the adequate credit depends upon the absolute security of the bond. It is well known to the students of the subject in this country that in many other countries the farm mortgage bonds sell practically at as low

rate of interest as do Government bonds; and there is absolutely no reason why we can not construct a system of land credits in this country, backed by all the farmers of the Nation, which will put out a bond which will be absolutely as safe as the bonds issued by the Government of the United States.

Mr. PLATT. Will the gentleman yield?

Mr. MORGAN of Oklahoma. I will.

Mr. PLATT. If I understand the gentleman, he would have a reserve fund equal to 10 per cent of the outstanding bonds?

Mr. MORGAN of Oklahoma. Yes.

Mr. PLATT. The gentleman's plan provides for issuing bonds to twenty times the capital of the bank, the same as the Moss bill.

Mr. MORGAN of Oklahoma. I have no limit, so far as any provision in the bill is concerned. I have three kinds of capital stock—operating capital, reserve capital, and guaranty capital. The operating capital of a million dollars in each bank is used in making mortgages as a working fund, the reserve capital is always 5 per cent of the amount of the mortgages made, and next, the 5 per cent bonds. So the security in the working capital and in the reserve capital would automatically always remain at 5 per cent at least of the amount of the mortgages, which would correspond to 20 per cent of the capital you have in your bank.

Mr. PLATT. You would allow the bank to issue bonds to a hundred times its capital?

Mr. MORGAN of Oklahoma. No; I have three kinds of capital, and it might be five hundred times the working capital, but it never could be over five or twenty times the actual capital, including the working capital and the guaranty capital and the reserve capital. The reserve capital is always in a certain ratio to the amount of the bonds issued. In the guaranty capital it gives one-quarter of 1 per cent interest by each borrower, and that is always in ratio to the amount loaned. So automatically you could go on indefinitely and always have the reserve and guaranty capital in proper ratio.

Mr. PLATT. The gentleman's plan is very ingenious, but it seems to me that if he had a reserve capital of $1,000,000 for every ten million outstanding, and no limit on the number of bonds which could be sold, it would use up a good deal of money in reserve.

Mr. MORGAN of Oklahoma. The reserve capital would be on deposit in the various banks where it would be in use just the same as the $5,000,000,000 in the savings bank—used for any purpose; and one thing is that it would always be at the command of these banks, contributed by the farmers of the United States from every section to their credit in the great reserve fund that will make the security they put out as sound and secure as the foundation of the Federal Republic.

Mr. PLATT. I admit that the gentleman's scheme is very ingenious indeed.

Mr. MORGAN of Oklahoma. I accept that as a compliment. It is something to propose even an "ingenious scheme" of land credits. For myself I have no pride of authorship in the provisions of my bill. I have no personal interest in it, but I am glad, through any study and investigation I may make, to contribute something toward providing the farmers of the United States the very best system of land credits than can be devised. I believe, however, that the plan I have presented is more than ingenious. It is safe and sound. The farmers, above all others, are interested in this feature of our land-credit system. If there is any question about the payment of farm-mortgage bonds, the farmers will suffer the most. If there shall be any question about the payment of the farm-mortgage bonds issued, this will inevitably both reduce the amount of credit and increase the rate of interest. But the investors in farm-mortgage bonds will be equally interested. Millions of our citizens will invest in these bonds. The National Government can not afford to put into circulation farm-mortgage bonds to the amount of two or three billions of dollars about the payment of which there can be any question. Whatever other defect or defects there may be in our land-credit systems, if it be sound, if it be safe, it will be a success in the end. If it be unsound, it will be unsafe and can not secure and hold the confidence of the investing public. Farm-mortgage bonds will be held by banks and other financial institutions in large quantities; they will be purchased by persons of moderate means, by wage earners, and by custodians of trust funds. It is not, therefore, going too far to say that the public welfare demands that these farm-mortgage bonds shall not be issued by any bank or institution or under any conditions and circumstances which would permit their payment to be called in question.

Mr. MADDEN. Will the gentleman yield?

Mr. MORGAN of Oklahoma. I will.

Mr. MADDEN. Does the gentleman's bill propose for the Government of the United States to market these bonds?

Mr. MORGAN of Oklahoma. No.

Mr. MADDEN. What does the Banking and Currency Committee of the House think about the gentleman's bill?

Mr. MORGAN of Oklahoma. I do not know whether they have read it, because, I understand, they have up the so-called joint committee bill and have given all their time to that. They have treated my bill the same as all the others.

Mr. MADDEN. Has the gentleman asked for a hearing?

Mr. MORGAN of Oklahoma. I did.

Mr. MADDEN. What did they say?

Mr. MORGAN of Oklahoma. The chairman said he would take the matter up.

Mr. MADDEN. And the gentleman does not expect to get a hearing?

Mr. MORGAN of Oklahoma. I do not.

Mr. MADDEN. Then it is not very likely that the bill will become a law, is it?

Mr. MORGAN of Oklahoma. I shall do the best I can.

Mr. PLATT. Mr. Chairman, will the gentleman yield again?

Mr. MORGAN of Oklahoma. Yes.

Mr. PLATT. Having established a central bank to unite these 12 other banks, would it not be a good plan to cut out the 12 banks and leave the central bank in accordance with the plan of the gentleman from Georgia?

Mr. MORGAN of Oklahoma. I think that would be better, although, as I have studied the question, I think for the purpose of administration in transacting this business there will be some advantage in having the district banks, though I think the number ought to be reduced to five.

Mr. HOWARD. I would like to ask the gentleman a question.

Mr. MORGAN of Oklahoma. I yield.

Mr. HOWARD. I have noticed that the Banking and Currency Committee has been changing its base of operation so fast that it is like some other individuals and we can hardly keep up with them.

Mr. MORGAN of Oklahoma. I hope the gentleman will be brief.

Mr. HOWARD. Yes; and I want to ask this question: Does the gentleman know any more reason for dividing this country up into 12 regions, so far as land credit is concerned, than there is for dividing the solar system up into 12 regions for the study of astronomy?

Mr. MORGAN of Oklahoma. I do not believe that I could answer that question.

Mr. HOWARD. That is this plan.

Mr. MORGAN of Oklahoma. I may be soaring pretty high, but hardly as high as the solar system.

Mr. HOWARD. That is this plan of this joint committee.

Mr. MORGAN of Oklahoma. I think there is some advantage in the distribution of the administrative control of these banks, and when you tie them together by making them responsible for each other's debts and liabilities, you have thereby unified the system and centralized it, and to a large extent it meets with my views, and also with what I understand to be the view of the gentleman from Georgia as to the advantage of a centralized system.

FARM-LOAN ASSOCIATIONS.

Mr. HASTINGS. In what does the gentleman's bill differ from the so-called subcommittee bill, the one the Banking and Currency Committee has been considering, with reference to these local farm-loan associations?

Mr. MORGAN of Oklahoma. Under the subcommittee bill those local associations have capital stock, they make the loans, they have salaried employees, they may make assessments and fines upon members and no borrower can tell what his membership will cost him.

Mr. PLATT. The gentleman is talking about the subcommittee bill of last Congress?

Mr. MORGAN of Oklahoma. I am talking about the joint committee bill. That is what I mean.

It is altogether different under the provisions of my bill. Farm-loan associations are established in each county where loans are made by any Federal land bank. Every borrower by virtue of his loan becomes a member of the association in the county where his land is located. Farm-loan associations are corporations with limited powers. No assessment, fee, fine, or contribution of any kind upon members is permitted. Loan associations do not make loans. They have no funds. They have officers, directors, appraisement committees, but pay no salaries and have no expenses as associations. Of course the Federal land banks would have authority to pay any officer, committee,

or member for any special service rendered. The associations are designed:

First. To act as agencies for Federal land banks in making loans, to aid them in making appraisements, in securing information not only as to the value of lands but as to the character of applicants for loans, to assist in making collections, and to otherwise contribute to the success of the business of the banks.

Second. To constitute a legal and recognized corporation through which members may cooperate for mutual benefit and protection and through which they may act, speak, and be heard upon all matters involving their interests or welfare.

Third. To form a connecting link through which and by which every borrower is in touch with and forms a part of the great national system of land credit to be established by the bill.

Fourth. To form an organization through which a definite, fixed, though small, financial responsibility may be placed upon each borrower for the defaults of other members, first, of his own association, and, second, for members of all other associations in his Federal land-bank district, as a means to strengthen his own credit and secure for himself a loan on the best terms and at lowest rate of interest possible.

Fifth. To be the unit upon which our whole superstructure of land credit shall rest and which shall give it strength, stability, permanency, and success.

DISTRICT AND STATE ASSOCIATIONS.

The local associations are organized into as many district associations as there are congressional districts within the State. The chairmen of the board of directors of local associations constitute the district council of farm-loan associations. Above the district is the State council of farm-loan associations. This is composed of delegates—two in number—elected by each district council. Each State council elects three members of the advisory board of the Federal land bank of the district. This advisory board elects three of the directors of the Federal land bank of the district. The borrowers, through the local associations, the district associations, the State associations, and the advisory boards, are directly represented in the management and control of each Federal land bank, and through these banks they are represented in the control and management of the united Federal land bank. There is thus a complete organization of borrowers. The expense necessary for meetings of the district and State associations and for the advisory boards is provided by the Federal land banks out of the general-expense funds. This expense would be small. Each association would have but one delegate in the district association, and the district associations would have but two delegates each in the State association, and there would be but two members of the advisory board from each State. The district and State associations as well as advisory boards would hold meetings but once each year. In addition to providing a complete organization of borrowers, the district and State associations and the advisory board for each Federal land bank would afford opportunities for the borrowers to consider matters of general interest. These organizations would be valuable as educational forces. Through them borrowers could discuss matters of mutual interest and devise ways and means for the assistance of each other. Through them, too, each Federal land bank may come in personal contact with borrowers by sending officers to attend meetings of district and State associations. The importance of these associations is further seen when it is remembered that under other provisions of the bill the liability of one borrower for another up to the amount of his stock in the Federal land bank applies, first, as between members of the same local assocation; second, as between the borrowers of an association district; third, as between the borrowers of each State; and, fourth, as between all borrowers in the various States included in each Federal land-bank district. Through local associations borrowers may not only assist each other but protect themselves against the defaults of each other. So the district and State organizations will be instrumentalities for both aid and protection. These suggestions will indicate the wisdom of creating not only local associations but also district and State associations, although the local associations do not make loans, have no capital stock, and have no financial transactions.

INTEREST RATE.

Mr. Chairman, I believe the reduction of the rate of interest is the chief object of the proposed land-credit institutions. It would be folly for the National Government to expend large sums annually in supervising the new land-credit institutions which we propose to create if it could not thereby materially reduce the interest charge. I have, therefore, sought in every way possible to present a plan of land credit that would give the lowest rate of interest possible. With this in view I have provided for what some seem to regard as an execessive reserve and guaranty capital. It is well settled that the better the security the lower will be the interest. But there are other things which will affect the interest rate. Economy of administration will contribute to a low rate of interest. Excessive administration charges mean higher rates of interest. Statutory regulation is also a means of reducing interest charges. I have, therefore, placed in my bill a provision which limits the total annual charges to borrowers at 5 per cent. This is to include not only annual interest payment, but the annual amortization payment, payment to the guaranty capital, and contributions to the administration expenses. This annual payment is allotted as follows: One-half of 1 per cent on the principal, one-fourth of 1 per cent to the guaranty capital, and one-fourth of 1 per cent to the expense fund. This would leave 4 per cent to meet the interest charge on the farm-mortgage bond. I provide also that farm-mortgage bonds shall not be issued bearing an interest in excess of 4 per cent. I believe that farm-mortgage bonds issued under provision of my bill bearing 4 per cent interest would sell at a premium. I believe that a bond bearing 3½ per cent could be sold at par; but be that as it may, we will have accomplished practically nothing by our new land-credit system unless the farm-mortgage bonds bearing 4 per cent interest can be sold at least at par. I call attention to another important thing bearing upon administration charges. Everyone who has studied the subject will admit that at the beginning the percentage of administration charges based upon the amount of loans will be much larger than it will be in later years, when the institutions have been well established and when the total amount of loans will be much larger. To meet this condition was one object I had in providing that the Federal Government should subscribe $500,000 to the operating capital stock of each of the 12 Federal land banks and upon which no dividends should be paid. This would be loaned on farm mortgages, and at 5 per cent annual interest would bring to each bank an annual income of $25,000. This $25,000 would go a long way toward paying the entire administration expenses of each of these Federal land banks. This would be a donation to the banks. But these banks are public institutions, organized to promote the development of agriculture, our greatest industry, upon which the very life of the Nation depends. Everyone concedes the wisdom, aye, the necessity, of the National Government appropriating annually a large amount of money in supervising and controlling our land-credit institutions. If the Government may wisely expend annually two or three hundred thousand dollars in supervising these institutions, it may also appropriate a small amount of money in a lump sum, in the nature of an endowment, in order that these institutions may not be compelled to charge borrowers excessive interest rates in order to meet at the beginning extraordinary administration charges. On some other occasion I hope to have the opportunity to discuss at some length the "Government-aid" features of H. R. 10310, which I have introduced. The "Government aid" which I propose I believe is modest in amount, and yet I believe it is sufficient to contribute most effectually to the success of the institutions created by the bill.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. MORGAN of Oklahoma. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, and in that connection to print my bill H. R. 10310.

The CHAIRMAN. Is there objection?

There was no objection.

APPENDIX A.

A bill (H. R. 10310) to create a Federal land credit system, provide credit facilities for farmers, reduce interest rates on farm mortgages, encourage agriculture, promote thrift, provide a market for United States bonds, and for other purposes.

Be it enacted, etc., That the short title of this act shall be "The Federal land credit act."

DEFINITIONS.

SEC. 2. That wherever the word "county" is used in this act it shall be held to include any civil division of a State corresponding to a county. The term "Federal land bank bonds" shall be held to include all bonds secured by farm mortgages or other collateral deposited with a Federal fiduciary agent under the provisions of this act. Wherever the term "first mortgage" is used in this act it shall be held to include any instrument in writing which gives a Federal land bank a first lien upon a farm to secure a loan thereon, together with the notes or other credit instruments secured thereby.

FEDERAL FARM LOAN BOARD.

SEC. 3. That there is hereby created in Washington, D. C., a Federal farm-loan board, which shall be charged with the administration and execution of this act and of all acts supplementary or amendatory thereof.

The Federal farm-loan board shall consist of three members, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate. Before appointing said board the President shall divide continental United States, excluding Alaska,

into three districts, which he shall designate by number. He shall certify said districts to said board, which shall cause the same to be made of record. One member of said board shall be appointed for each of said districts, and the person so appointed shall have been an actual resident of said district at the time of his appointment for more than two years immediately prior thereto. Thereafter not more than one member of said board shall be a resident of any one of said districts. Not more than three of said members shall be appointed from one political party. They shall be citizens of the United States and shall devote their entire time to the business of the Federal farm-loan board and shall each receive an annual salary of $7,500, payable monthly, together with actual necessary traveling expenses.

One member of said board shall be designated by the President to serve for 2 years, one for 4 years, and one for 6 years, and thereafter each member so appointed shall serve for a term of 10 years, unless sooner removed for cause by the President. One of the members shall be designated by the President as the farm-loan commissioner, who shall be the chairman and the active executive officer of said board. Each member of the Federal farm-loan board shall within 15 days after notice of his appointment take and subscribe to the oath of office.

The first meeting of the Federal farm-loan board shall be held in Washington as soon as may be after the passage of this act, at a date and place to be fixed by the chairman of said board.

No member of the Federal farm-loan board shall be an officer or director of any institution, association, or partnership engaged in banking. Before entering upon his duties as a member of the Federal farm-loan board, each member shall certify under oath to the President that he is eligible under this section.

The President shall have the power, by and with the advice and consent of the Senate, to fill any vacancy occurring in the membership of the Federal farm loan board; if such vacancy shall be filled during the recess of the Senate a commission shall be granted, which shall expire 30 days after the Senate convenes.

The Federal farm loan board shall appoint one Federal fiduciary agent, one or more Federal land-bank appraisers for each land-bank district, and as many special appraisers as it shall deem necessary. Federal fiduciary agents and Federal land-bank appraisers and special appraisers appointed under this section shall be public officials and shall have no connection with or interest in any institution, association, or partnership engaged in banking.

The salaries and expenses of the Federal farm loan board and of Federal fiduciary agents and special appraisers authorized under this section shall be paid out of any moneys in the Treasury of the United States not otherwise appropriated. Federal land-bank appraisers shall receive such compensation as the Federal farm loan board shall fix, and shall be paid by the Federal land banks which they serve in such proportion and in such manner as the Federal farm loan board shall order.

The Federal farm-loan board shall be authorized and empowered to employ such attorneys, experts, assistants, clerks, laborers, and other employees as it may deem necessary to conduct the business of said board. All salaries and fees authorized in this section and not otherwise provided for shall be fixed in advance by said board and shall be paid in the same manner as the salaries of the Federal farm-loan board. All such attorneys, experts, assistants, clerks, laborers, and other employees, and all appraisers shall be appointed without regard to the provisions of the act of January 16, 1883 (22 U. S. Stat. L., p. 403), and amendments thereto, or any rule or regulation made in pursuance thereof: *Provided*, That nothing herein shall prevent the President from placing said employees in the classified service.

Every Federal land bank shall semiannually submit to the Federal farm-loan board a schedule showing the salaries or rates of compensation paid to its officers and employees, and said board shall have power to disapprove such schedule, or any item in it, and to alter any or all salaries therein shown.

The Federal farm-loan board shall, from time to time, require examinations and reports of condition of all Federal land banks established under the provisions of this act, and shall publish consolidated statements of the results thereof. It shall cause to be made appraisals of farm lands as provided by this act, and shall prepare and publish amortization tables which shall be used by banks under its supervision.

The Federal farm-loan board shall prescribe a form for the statement of condition of banks under its supervision, which shall be filled out quarterly by each such bank and transmitted to said board.

POWERS OF FEDERAL FARM-LOAN BOARD.

SEC. 4. That the Federal farm-loan board shall have power—

(a) To organize and charter the united Federal land bank, Federal land banks, and national farm-loan associations, subject to the provisions of this act.

(b) To establish, in connection with the united Federal land bank, the rate of interest to be charged by Federal land banks for loans made by them under the provisions of this act and the rate of interest farm-loan bonds shall bear.

(c) To grant or refuse to Federal land banks authority to make any specific issue of farm-loan bonds.

(d) To make rules and regulations respecting the charges made to borrowers on loans under this act for expenses in appraisal, examining title, drawing legal papers, recording, and similar services.

(e) To require reports and statements of condition and to make examinations of all banks or associations doing business under the provisions of this act.

(f) To prescribe the form and terms of farm-loan bonds, and the form, terms, and penal sum of all surety bonds required under this act and of such other surety bonds as they shall deem necessary, such surety bonds to cover financial loss as well as faithful performance of duty.

(g) To exercise such incidental powers as shall be necessary or requisite to fulfill their duties and carry out the purposes of this act.

THE UNITED FEDERAL LAND BANK.

SEC. 5. That the united Federal land bank is hereby created. It shall be located in such State and at such city as shall be determined by the board of directors of such bank, subject to the approval of the Federal farm-loan board. Said bank shall have no capital stock or shareholders and no funds, except such as shall be contributed by Federal land banks. It shall not be conducted for profit. Its chief work shall be to issue Federal farm-loan bonds for and in behalf of Federal land banks, to aid Federal land banks in the sale of their bonds, and to act for such banks, subject to the approval of the Federal farm-loan board, in all matters which will contribute to the unity of such banks, to the standardization of their business methods, to their economical administration, to the strengthening of their credit, or to the success in general of the land-credit system hereby established. The united Federal land bank shall be controlled by a board of 12 directors. Each Federal land bank shall elect 1 of said directors. At the time of his election such director must be a director of the bank by which he is elected. Should a director of the united Federal land bank cease to be a director of the bank by which he was elected, he shall thereby cease to be a director of the united Federal land bank. The terms of office of such directors and the officers of such bank shall be fixed by the Federal farm-loan board. The board of directors of the united Federal land bank shall elect a president, vice president, secretary, and treasurer. Such officers shall be directors of such bank at the time of their election.

The officers of such bank shall give their entire time to the business thereof, and shall receive such compensation as shall be fixed by the Federal farm loan board. The board of directors may employ all the necessary assistants for the proper transaction of the business of such bank and fix their compensation, subject to the approval of the Federal farm loan board. Within 90 days after its organization each Federal land bank, through its board of directors, shall elect one of its directors as a director of the United Federal land bank. Such directors, under a call or notice issued by the farm loan commissioner, shall under their hands forthwith make an organization certificate containing such statements as shall be prescribed by the Federal farm loan board, and file the same with said board, where it shall be preserved and made of record. The certificate shall be acknowledged before the judge of a court of record or a notary public.

Upon duly making and filing such organization certificate the bank shall become, as from the date of the execution of its organization certificate, a body corporate, and as such, and in the name designated in the organization certificate, it shall have power—

First. To adopt and use a corporate seal.

Second. To have succession until it is dissolved by act of Congress or under the provisions of this act.

Third. To make contracts.

Fourth. To sue and be sued, complain and defend, in any court of law or equity, as fully as natural persons.

Fifth. To elect a president and a vice president, appoint a secretary and a treasurer and other officers and employees, define their duties, require bonds of them and fix the penalty thereof; by action of its board of directors dismiss such officers and employees, or any of them, at pleasure and appoint others to fill their places.

Sixth. To prescribe, by its board of directors, subject to the supervision and regulation of the Federal farm loan board, by-laws not inconsistent with law, regulating the manner in which its officers shall be elected or appointed, its property transferred, its general business conducted, and the privileges granted to it by law exercised and enjoyed.

Seventh. To establish a uniform rate of interest which every Federal land bank shall charge upon farm loans for the ensuing year and until otherwise ordered by said bank; to fix a uniform rate of interest which Federal farm-loan bonds issued under the provisions of this act shall bear, and a uniform rate of discount at which such bonds may be sold by any Federal land bank until otherwise changed by said bank, and to fix uniform fees or commissions which Federal land banks shall pay agents for receiving applications for farm loans and services connected therewith and for the sale of farm-loan bonds, all of which shall be subject to the approval of the Federal farm loan board and within the limitation and restrictions of the law.

Eighth. It shall have power, subject to the approval of the Federal farm loan board, to act upon all propositions which will aid the Federal land banks to cooperate in conducting the business which they are authorized by this act to perform, with a view to standardizing business methods, appraisements, bookkeeping, forms, records, and any other things which will contribute to the economical administration of such banks, the welfare of borrowers, the security of investors, and to the prosperity of agriculture.

Ninth. To exercise, by its board of directors or duly authorized officers or agents, subject to law, all such incidental powers as shall be necessary to carry on the business herein described.

The funds necessary for the operation of the United Federal land bank shall be contributed by the Federal land banks in such proportions as shall be fixed by the Federal farm loan board, based upon the amount of loans made by such bank.

FEDERAL LAND BANKS.

SEC. 6. That within 30 days after the passage of this act the Federal farm loan board shall divide the continental United States, excluding Alaska, into 12 districts, which shall be known as Federal land bank districts, and shall be designated by number. Said districts shall be apportionad with due regard to the farm-loan needs of the country, the conveniences of borrowers, and the economical administration of Federal land banks. No such district shall contain a fractional part of any State. Said districts may be changed by an act of Congress.

The Federal farm loan board shall establish in each Federal land-bank district a Federal land bank, with its principal office located in such city within the district as said board shall designate. Each land bank shall include in its title the number of the district in which it is located, as Federal land bank No. 1, Federal land bank No. 2, and so on, and there shall be no other distinguishing feature in the names of Federal land banks.

Each Federal land bank shall be managed by nine directors. Three of these shall be appointed by the Federal farm loan board and shall be known as public directors, three shall be directed by the shareholders or the founders' capital stock and shall be known as founders' directors, and three shall be elected by the advisory council of each Federal land bank and shall be known as borrowers' directors: *Provided*, That borrowers' directors shall be appointed in the first instance by the Federal farm loan board and shall continue in office until their successors shall be elected by the advisory council of each Federal land bank. Not more than one borrowers' director or one public director shall be a resident, when appointed, of any one State, except in case a Federal land-bank district shall contain less than three States.

No person shall be eligible to the office of borrowers' director unless he shall be experienced in practical farming and at the time of his appointment actually engaged in farming operations within the State of which he is a resident. No director of a Federal land bank shall act as an officer, director, or employee of any other bank.

Directors of Federal land banks shall receive, in addition to any compensation otherwise provided, a reasonable allowance for necessary expenses in attending meetings of their respective boards, to be paid by the respective Federal land banks. Any compensation that may be provided by boards of directors of Federal land banks for directors, officers, or employees shall be subject to the approval of the Federal farm-loan board.

When $500,000 shall have been subscribed to the founders' shares of the operating capital stock of a Federal land bank, the Federal farm-loan board shall appoint three of such subscribers to constitute an organization committee, one of whom said board shall designate as

chairman and another as secretary of such committee. The chairman shall call a meeting of the persons whose subscriptions to such stock shall have been accepted by the Federal farm-loan board and give notice to each subscriber by registered letter, addressed to the post office given in making such subscription. Such letter shall be mailed at least 10 days before the time set for such meeting. The chairman and secretary of such organization committee shall act as chairman and secretary, respectively, of the meeting of subscribers to such capital stock. Every subscriber shall have votes in proportion to the number of shares of stock for which he has subscribed. At such meeting the subscribers shall elect three directors of such bank. Within 10 days after the election and appointment of said nine directors they shall meet at such time and place as shall be fixed by the Federal farm-loan board and elect, from their number, a president, vice president, secretary, and treasurer.

The organization committee shall receive such compensation as shall be fixed by the Federal farm-loan board, and the same shall be paid by the Federal land bank organized by it.

That at any time after its organization any person may make application to the Federal farm-loan board to become subscribers to the founders' shares of the operating capital stock of any Federal land bank at not less than the par value thereof in lieu of any portion of such stock held by the United States. Should such application be approved by the Federal farm-loan board the Secretary of the Treasury shall surrender to such bank such portion of its stock as the applicant applied to purchase, on the payment to such bank the price therefor, which shall be approved by the Federal farm-loan board. Thereupon the stock of the United States to the amount so surrendered shall be canceled, reissued, and delivered to such applicant. The said bank shall thereupon pay to the Secretary of the Treasury the par value of said stock. Any premium paid on said stock to said bank shall be placed in the guaranty capital thereof.

Said directors shall, under their hands, forthwith make an organization certificate, which shall specifically state:

First. The name assumed by such bank.

Second. The district within which its operations are to be carried on and the particular city in which its principal office is to be located.

Third. The amount of capital stock and the number of shares into which the same is to be divided.

Fourth. The fact that the certificate is made to enable such persons to avail themselves of the advantages of this act.

The organization certificate shall be acknowledged before a judge of some court of record or notary public, and shall be, together with the acknowledgment thereof, authenticated by the seal of such court or notary, transmitted to the farm-loan commissioner, who shall record and carefully preserve the same in his office, where it shall be at all times open to public inspection.

The Federal farm-loan board is authorized to direct such changes in or additions to any such organization certificate as it may deem necessary or expedient.

Upon duly making and filing such organization certificate the bank shall become, as from the date of the execution of its organization certificate, a body corporate, and as such, and in the name designated in the organization certificate, it shall have power—

First. To adopt and use a corporate seal.

Second. To have succession until it is dissolved by act of Congress or under the provisions of this act.

Third. To make contracts.

Fourth. To sue and be sued, complain and defend, in any court of law or equity, as fully as natural persons.

Fifth. To elect or appoint directors, and by its board of directors to elect a president and a vice president, appoint a secretary and a treasurer and other officers and employees, define their duties, require bonds of them and fix the penalty thereof; by action of its board of directors dismiss such officers and employees, or any of them, at pleasure, and appoint others to fill their places.

Sixth. To prescribe, by its board of directors, subject to the supervision and regulation of the Federal farm-loan board, by-laws not inconsistent with law, regulating the manner in which its stock shall be transferred, its directors elected, its officers elected or appointed, its property transferred, its general business conducted, and the privileges granted to it by law exercised and enjoyed.

Seventh. To do such other acts as shall be authorized by law and exercise, by its board of directors or duly authorized officers or agents, subject to law, all such incidental powers as shall be necessary to carry on the business herein described.

POWERS OF FEDERAL LAND BANKS.

SEC. 7. That every Federal land bank shall have power, subject to the limitations and requirements of this act—

First. To issue through the united Federal land bank, subject to the approval of the Federal farm-loan board, and to sell, farm-loan bonds of the kinds authorized in this act, to buy the same for its own account, and to retire the same at or before maturity.

Second. To invest such funds as may be in its possession in the purchase of qualified first mortgages on farm lands situated within the Federal land bank district within which it is organized or for which it is acting.

Third. To receive and to deposit in trust with the Federal fiduciary agent for the district, to be by him held as collateral security for farm loan bonds, first mortgages upon farm land qualified under section 12 of this act, and to collect the dues, interest, amortization installments, and other sums payable under the terms, conditions, and covenants of the mortgages and of the bonds secured thereby.

Fourth. To receive and to set apart for expenses and profits the excess of interest payments on mortgages above the interest payments on farm loan bonds for which said mortgages are held as collateral security.

Fifth. To acquire and dispose of—

(a) Such property, real or personal, as may be necessary or convenient for the transaction of its business, which, however, may be in part leased to others for revenue purposes.

(b) Parcels of land mortgaged to it as security.

(c) Parcels of land acquired in satisfaction of debts or purchased at sales under judgments, decrees, or mortgages held by it. But no such bank shall hold title and possession of any real estate purchased or acquired to secure any debt due to it for a longer period than five years except with the special approval of the Federal farm-loan board in writing.

Sixth. To deposit its securities and its current funds subject to check with its depository or depositories as prescribed by this act, and to receive interest on the same as may be agreed.

Seventh. To buy and sell United States bonds.

RESTRICTIONS ON FEDERAL LAND BANKS.

SEC. 14. That no Federal land bank shall have power—

First. To accept deposits or to transact any banking or other business not expressly authorized by the provisions of this act.

Second. To loan on first mortgage except as provided in this act.

Third. To accept any mortgages on real estate except first mortgages created subject to all limitations imposed by this act.

CAPITAL OF FEDERAL LAND BANKS.

SEC. 8. That every Federal land bank shall have three kinds of capital, namely: Operating capital, reserve capital, and guaranty capital.

First. Every Federal land bank shall have operating capital stock of $1,000,000, which shall be divided into 100,000 shares of $10 each. Fifty thousand shares shall be known and designated as founders' shares and 50,000 shares shall be known and designated as public shares. Founders' shares may be subscribed for by any individual or by the United States. Public shares may be subscribed for only by the United States. The Secretary of the Treasury is hereby authorized and directed for and in behalf of the United States to subscribe for 50,000 public shares in the operating capital stock of every Federal land bank, and pay for the same out of any funds in the Treasury not otherwise appropriated, and there is hereby appropriated $6,000,000 for such purpose.

Within 30 days after organization of the Federal farm-loan board it shall open books of subscription for founders' shares of the operating capital stock of every Federal land bank. If within 90 days thereafter 50,000 shares of such stock shall not have been subscribed, the Secretary of the Treasury, for the United States, shall subscribe for the remainder thereof. He shall pay for the same out of any funds in the Treasury not otherwise appropriated.

No dividends shall be paid upon the public shares of stock owned by the Government of the United States. Dividends upon the founders' shares of stock shall be paid in the same amount as shall be paid upon shares of stock in the reserve capital of each Federal land bank.

The operating capital of any Federal land bank may be increased on petition of its directors and on the approval of the Federal farm loan board: *Provided*, That said board shall not authorize the increase of the operating capital stock of any such bank to an amount that shall be more than one-twentieth of the reserve capital stock of said bank: *Provided further*, That should said board at any time authorize the increase of the operating capital stock of any Federal land bank, the original subscribers to such stock shall have a preferred right to subscribe for any increase in such stock under such rules and regulations as shall be prescribed by said board.

The Federal farm-loan board is authorized to prescribe the times and conditions of the payment of subscriptions to capital stock, to reject any subscription in its discretion, and to require subscribers to furnish adequate security for the payment thereof.

Founders' shares of stock owned by the United States shall be voted by the farm-loan commissioner, as directed by the Federal farm-loan board.

Second. Every Federal land bank shall have a reserve capital equal to at least 5 per cent of its outstanding loans. Every person applying for a loan from any Federal land bank shall also apply for the purchase of stock in said bank in an amount equal to 5 per cent of the amount of his loan. He shall also authorize the bank to retain out of the proceeds of his loan, in full payment for such stock, a sum of money equal to 5 per cent of the amount of the loan granted under said application and shall authorize the bank to cancel such stock on the payment of his loan. The reserve capital stock of every Federal land bank shall be divided into shares of $1 each, which shall not be assigned or hypothecated in any manner whatever. Said stock shall be held by said bank as collateral security for the payment of said loan and for the payment of the loans of others, as provided in this act. When any loan is paid in full, the reserve stock held by the borrower shall be canceled and retired, and the borrower shall be paid the face value thereof. Semiannual dividends shall be paid on reserve capital stock in an amount equal to the semiannual interest rate on the loan of the holder of the stock, which dividend shall be cumulative.

The reserve capital and the guaranty capital of every Federal land bank shall be managed separately and apart from other funds and shall constitute a trust fund for the use and benefit of the owners of Federal land-bank bonds and to secure the payment of such bonds, together with the interest thereon. Should any borrower fail to pay when due the interest on his loan, or the principal thereof, the Federal land bank in which said borrower holds reserve stock may enforce the lien on the reserve capital stock held by such borrower. Should such borrower at any time thereafter meet his obligations to said bank in full, so far as they may be due at any time the said bank shall restore to said borrower such portion of his reserve capital stock which had been used to make good his defaults as aforesaid.

The reserve capital stock held by any borrower in a Federal land bank shall not be utilized to meet the default or defaults of other borrowers until said bank shall have first used its entire guaranty capital stock in making good its obligation due on farm-mortgage bonds.

When any portion of the reserve capital or of the guaranty capital of any Federal land bank has been used to pay the interest or principal on any mortgage or mortgages upon which the borrower or borrowers are in default, and thereafter such borrower or borrowers shall meet such default or defaults, through voluntary payment or foreclosure proceedings, the sum or sums so paid or so recovered shall be credited to the guaranty capital or reserve capital of such bank in proper proportion, and each borrower whose reserve capital stock may have been used in part to meet the original default in such cases shall be given due credit on the reserve capital stock held by him in such bank.

Third. That every Federal land bank shall have guaranty capital as follows:

First. Every Federal land bank shall set aside as a part of its guaranty capital, from the annual interest payment of each borrower, a sum equal to one-fourth of 1 per cent of the amount of each loan until the operating capital, the reserve capital, and the guaranty capital of such bank combined shall be a sum equal to 10 per cent of the outstanding bonds of such bank, and thereafter only when necessary to maintain a like ratio between the outstanding bonds of such bank and the total amount of its operating capital, reserve capital, and guaranty capital.

Second. Six millions of dollars is hereby appropriated, out of any funds not otherwise appropriated, which shall become a part of the guaranty capital of the 12 Federal land banks created by this act, which sum shall be divided equally between said banks. The Secretary of the Treasury is hereby authorized and directed to pay to each Federal land bank $500,000, which shall become a part of the guaranty capital of said bank.

The guaranty capital shall be a trust fund to insure the payment of the farm-mortgage bonds issued by each Federal land bank and for the

use and benefit of owners of such bonds who shall have a first and prior lien thereon over all other creditors of such bank. It shall be deposited in one or more of the depositaries of the Federal land bank, secured by an equal amount of farm-loan bonds or United States bonds, and, as soon thereafter as possible, shall be invested in farm-loan bonds or United States bonds, which shall be deposited for safe-keeping in such way as shall be prescribed by the Federal farm-loan board. The funds constituting the reserve capital of any Federal land bank shall be under the joint control of such bank and the Federal fiduciary agent for such bank.

The guaranty capital of every Federal land bank shall constitute the first and primary fund upon which such bank shall draw to meet the payments of any bond or interest thereon issued for it when such payments can not be met through funds otherwise provided herein. After any Federal land bank has exhausted its guaranty capital in the payment of its bonds and interest thereon it may then use its reserve capital to meet any of its obligations due on farm mortgage bonds.

It shall be unlawful for any Federal land bank, or any officer, director, or employee thereof to use or appropriate any part or portion of the funds constituting the reserve capital or the guaranty capital of any Federal land bank for any other purpose than herein provided. It shall be the duty of the Federal land bank board to provide special rules and regulations for safeguarding the reserve capital and the guaranty capital: *Provided*, That when the reserve capital, the guaranty capital, and the operating capital of any Federal land bank combined shall be equal to 10 per cent of the outstanding bonds of any Federal land bank, and so long as the same shall remain equal to 10 per cent of the outstanding bonds of any Federal land bank the annual contributions of borrowers to the guaranty capital shall be placed in the general fund of such bank and be used in the payment of dividends on founders' shares and shares in the reserve capital, or for any other purpose for which such fund may be used under the terms of this act.

FEDERAL LAND BANK ADVISORY BOARDS.

SEC. 9. That an advisory board for each Federal land bank is hereby created. Each State council of Federal land bank associations shall elect three members of such advisory boards. The advisory board of each Federal land bank shall meet annually at the office of the Federal land bank of such district unless otherwise ordered by such bank and the chairman of the board of directors of such bank, or in his absence some other director of such bank shall act as chairman of the advisory council, and said council shall consider matters which have for their object the success of the land-credit system hereby established and the welfare of the borrowers of such banks. It shall be the special duty of members of said advisory council to present matters which are of special interest or importance to the borrowers in the States they represent. The advisory council may be in session three days, unless additional time be granted by the Federal farm loan board. The Federal land bank shall pay the reasonable expenses of the members of such council in coming from their homes to attend such meetings, and also in returning thereto, and in addition thereto shall pay to such members a reasonable per diem for the time occupied in attending such meetings.

Should the advisory council make any recommendation to such bank in the interest of the borrowers from said bank which shall not be followed by said bank, the council, through its vice chairman, may appeal the matter to the Federal farm loan board. If the matter appealed from be within the power of the Federal farm loan board, or something over which it has jurisdiction, it may by order require the Federal land bank to comply with the recommendation of the advisory council.

FEDERAL LAND BANK DEPOSITORIES.

SEC. 10. That prior to commencing business as herein provided every Federal land bank shall select one or more Federal reserve banks, or member banks thereof, or other banks or trust companies, to be approved by the Federal farm loan board, as a depository or depositories, in which the said Federal land bank shall deposit all its funds of every kind and character, and no part or portion of such fund shall be withdrawn from such depository or depositories except on check or order signed by the secretary of such bank and countersigned by the president of such bank: *Provided*, That any funds which are, by the terms of this act, designated as trust funds shall not be withdrawn from any such depository or depositories except on check or order signed by the secretary of such bank and countersigned by both the president of such bank and the Federal fiduciary agent for such Federal land bank district. From time to time additional depositories may be designated on the approval of the Federal farm loan board. Every bank or other institution acting as a depository for the funds of any Federal land bank shall pay interest upon such deposits, payable semiannually, based upon the average daily balances. Every such depository shall secure the deposits of Federal land banks by delivering to such banks United States Government bonds, Federal farm-loan bonds, or other collateral security approved by the Federal farm loan board. Such security in amount shall be such as shall be required by the Federal farm loan board.

BANKS AUTHORIZED AGENCIES OF FEDERAL LAND BANKS.

SEC. 11. That all national banks and all State banks, including trust companies and savings banks, are hereby authorized to act as agencies for Federal land banks in receiving and transmitting applications for loans, in furnishing information as to the value of lands covered by applications for loans or other information relative thereto; to receive from Federal land banks the proceeds of any loan and pay the same to mortgagors or to the order of mortgagors, to sell Federal farm-loan bonds, and to do such other acts as shall be authorized by any Federal land bank, subject to the approval of the Federal farm loan board: *Provided*, That every such bank authorized to act as aforesaid as the agent of any Federal land bank shall furnish such security to the Federal land bank for which it may act as shall be prescribed by the Federal farm loan board.

For services rendered by any bank under the foregoing provisions Federal land banks are authorized to pay to such bank such sum as shall be fixed by the general council of Federal land banks, subject to approval by the Federal farm-loan board.

It shall be unlawful for any director, officer, or employee of any bank to make any charge or to receive or accept any pay whatsoever from any person who is an applicant for a loan from a Federal land bank in securing such loan.

It shall be unlawful for any director, clerk, officer, or employee of any Federal land bank, either directly or indirectly, to secure loans from any Federal land bank, or to be interested financially therein, or to have any interest whatever in any bond or other security issued under the provisions of this act, or to be in any way personally interested in any of the business transactions of any Federal land bank. No bank shall be held responsible for any information he may give to any Federal land bank as to the value of any tract of land upon which an application for loan is pending, unless it shall be shown that such bank did not furnish such information in good faith, but with the intention of defrauding the Federal land bank for which it was furnished.

FEDERAL FARM LOAN ASSOCIATIONS.

SEC. 12. That corporatons to be known as Federal farm-loan associations shall be organized as hereinafter prescribed. When five or more persons in any county shall have secured loans from any Federal land bank, such bank shall appoint three of such persons as directors of the Federal farm loan association of such county. Such directors shall hold their offices until their successors shall be duly elected at any regular meeting of the members of such association. The Federal farm-loan board shall prepare a form of an organization certificate to be used in the incorporation of Federal farm-loan associations. At least two of such forms shall be transmitted to the persons so appointed as directors by the Federal land bank. Such directors shall sign such organization certificate and duly acknowledge the same before a notary public or some other officer duly authorized in such county to administer oaths. Such certificate shall be transmitted to the Federal farm-loan board, and a copy thereof shall be transmitted to the Federal land bank of such district.

If the Federal farm-loan board shall find that such organization certificate shall be duly executed and in proper form it shall approve the same and issue to said association a charter or certificate of its incorporation, and said Federal farm-loan association shall become a corporation as of the date of the acknowledgment of its organization certificate.

Every person who shall obtain a loan from any Federal land bank shall thereby become a member of the Federal farm-loan association of the county in which the land mortgaged to secure such loan shall be located, and in his application for loan he shall accept membership in such association, under the terms and conditions as prescribed in this act. He shall also, in such application, agree to assume all of the responsibilities and liabilities of such membership. He shall be entitled to all the advantages and benefits of membership in such association without the payment of any fee, commission, or assessment of any kind or character, except as provided in this act. His membership in such association shall continue until the payment in full of his loan, at which time his membership therein shall cease.

Federal farm-loan associations shall have no capital stock and shall not be conducted for profit. Their objects shall be to assist in the administration of the system of land credits established by this act, to assist Federal land banks in conducting their business, and to provide an organization through which and by which the members thereof shall cooperate with each other in securing credit, in the payment of their loans, and in other proper lines for their mutual benefit and for the promotion of agricultural development.

The directors elected at the first election of any Federal farm-loan association shall hold their offices for one, two, and three years, respectively. Thereafter directors shall hold office for terms of three years each. The directors shall serve without pay. Any Federal land-bank may, however, employ any director or member of any Federal farm loan association and pay him for such service. One of the directors shall be designated as chairman, one as vice chairman, and one as secretary-treasurer. Such officers shall perform such duties as are customary for such officers to perform and such other duties as may be prescribed by such association.

Every Federal farm-loan association shall adopt by-laws and rules for its government on such form as shall be prepared and approved by the Federal farm loan board.

Every Federal farm-loan association shall appoint one or more appraisement committees consisting of three members, who shall perform such duties in the appraisement of land offered as security for loans in said county as shall be prescribed by the Federal farm loan board.

Federal farm-loan associations shall have power to adopt and use a corporate seal, to have succession until dissolved by act of Congress or under the provisions of this act, to sue and be sued, complain and defend, in any court of law or equity, as fully as natural persons, to do any other act prescribed by law and to make such contracts as may be prescribed by the Federal farm-loan board.

The directors of Federal farm-loan associations shall meet at such time and place as shall be designated by the chairman of the board. A majority of such board shall constitute a quorum for the transaction of such business.

The members of every Federal land-bank association shall meet every three months in regular meeting. Special meetings may be called by the chairman of the board of directors. A majority of such members shall constitute a quorum. The officers of the board of directors shall be the officers of the general assembly of the members of the Federal farm-loan association. In all meetings of Federal farm-loan associations each member thereof shall have one vote.

Until such time as borrowers in any county or parish shall be organized as provided in this section, the individual borrowers in such county shall be regarded as a national farm-loan association, and all the provisions in this act in any way referring to national farm-loan associations shall be held to refer to individual borrowers in any county before organized as herein provided.

Where it shall be determined by any Federal land bank that a county includes a larger area than should be included in a single national farm-loan association, such county may be subdivided into more than one district, and a national farm-loan association may be organized in each of said subdivisions, and each of such subdivisions shall be held to constitute a county so far as the provisions of this act shall relate to the organization and administration of national farm-loan associations and the liabilities of the members thereof.

MUTUAL PROTECTIVE FUND.

SEC. 13. That a separate account shall be kept by every Federal land bank of dividends due to the members of each Federal land-bank association. The dividends due any borrower shall not be paid to him in cash until such dividend shall be an amount equal to 1 per cent of the face value of his loan, but shall be placed to the credit of the member, and also to the credit of such Federal land-bank association, and so remain until the loan of such member shall be paid, unless paid out as herein provided. The amounts so credited shall be known as the mutual protective fund. Such dividends shall draw interest in favor of the member at the annual rate the bank receives thereon from its depository or depositories. Should any member of any Federal land-bank association at any time be in default in the payment of interest due on his loan, he may apply to his association for financial assistance; and should the said association by majority vote of its members act favorably thereon, said association shall direct the Federal land bank holding such loan to pay the interest in default as aforesaid and charge the same to the mutual protective fund of such association.

ASSOCIATION DISTRICTS.

SEC. 14. That every Federal land bank shall divide each State included in the Federal land-bank district in which it is located into as many divisions as there shall be congressional districts in said State at the time of the passage of this act, and said districts shall be known as "association districts." They shall be formed with a view to the convenience of members of Federal land-bank associations and with a view to providing facilities of transportation for such members in attending meetings of the district council of such associations, but no association district shall contain a fractional part of a county. The chairmen of the boards of directors of the Federal land-bank associations within each association district shall constitute the district council of Federal land-bank associations. The district council of each Federal bank association shall meet annually at such time and place as shall be designated by the Federal land bank of the Federal bank district in which such association is located. One of the directors of such Federal land bank shall meet with the district council of Federal land-bank associations and shall act as chairman of such council. Such district council may take under consideration any matter which may aid borrowers in the payment of their obligations to the Federal land bank or that may in any way contribute to the well-being of such borrowers or to the success of the land-credit system established by this act. It shall be the duty of every Federal land bank through the district councils of Federal land-bank associations to render every assistance possible to the borrowers of such bank and to encourage and enable such borrowers to use the system of land credit established by this act for the promotion of agricultural expansion and prosperity and to contribute to the welfare of its borrowers.

The Federal land bank of such district shall pay the chairman of the board of directors of each Federal land-bank association his reasonable expenses in attending such meetings and may also pay him reasonable compensation for the time necessarily occupied. District associations may be in session three days.

STATE COUNCIL OF ASSOCIATIONS.

SEC. 15. That there is hereby established in each State a State council of Federal land bank associations, which shall be composed of two delegates from each district council of Federal land bank associations. State councils shall be held at such time and place as shall be fixed by the Federal land bank of each district. At the annual meeting of the district councils of Federal land bank associations such councils shall each elect two delegates to the State council of the Federal land bank associations of such State. When practicable one of the directors of the Federal land bank of the district shall attend each State council of Federal land bank associations, and when so attending shall act as chairman of said council. It shall be the duty of said chairman to bring before the council such matters as in his judgment will contribute to the success of the land credit system established by this act, that will contribute to the agricultural development of such State, to the prosperity of the borrowers from the Federal land bank, or that will enable such borrowers to meet their obligations to such bank or add to their general welfare. Each State council of Federal land bank associations shall elect two members of the advisory board of each Federal land bank. The Federal land bank shall pay the reasonable expenses of the delegates to the State council of the Federal land bank association and allow them a reasonable compensation for the time occupied in attending the meetings of the said association.

RESPONSIBILITY OF BORROWERS.

SEC. 16. That the responsibility of borrowers from Federal land banks shall be as follows:

First. Every borrower from any Federal land bank shall be held individually responsible, equally and ratably and not one for another, for all contracts, debts, and engagements of every other borrower from said land bank to the amount of his stock in the reserve capital thereof. Such stock shall be held as collateral security for the responsibility herein prescribed: *Provided*, That the responsibility of one borrower for another, as prescribed in this section, shall be limited, restricted, and enforced as hereinafter set forth.

Second. Primarily, the responsibility of one borrower for another or others as set forth in this section shall be held to apply and shall be enforced as follows:

First, as between members of each Federal land bank association;

Second, as between members of Federal land bank associations comprised in each association district;

Third, as between members of Federal land bank associations in each State;

Fourth, as between members of all the Federal land bank associations in each Federal land bank district.

INTEREST ON BONDS AND MORTGAGES.

SEC. 17. That the rate of interest charged by Federal land banks on farm loans shall be uniform throughout the United States. The rate of interest which farm loan bonds bear shall be uniform.

Before any Federal land bank shall make any farm loan the board of directors of the united Federal land bank, with the approval of the Federal farm loan board, shall establish a uniform rate of interest which every Federal land bank shall charge on farm loans until such time as the said board of directors, with the approval of the Federal farm loan board, shall establish a different uniform rate of interest which Federal land banks shall charge upon farm loans. Neither the the board of directors of the united Federal land bank nor the Federal farm loan board shall have power to authorize any Federal land bank to charge a rate of interest on farm loans which in any way varies from the uniform rate charged by other Federal land banks established under the foregoing provisions.

Before the united Federal land bank shall issue any farm loan bond the board of directors thereof, with the approval of the Federal farm loan board, shall establish a uniform rate of interest which all farm mortgage bonds issued for and in behalf of Federal land banks shall bear, until such time as the directors of the united Federal loan bank and said board shall establish another or different rate of interest which farm loan bonds issued by such bank shall bear. Neither the board of directors of the united Federal land bank nor the Federal farm loan board shall have power to authorize any Federal land bank to issue farm loan bonds bearing any other interest rate than the uniform rate established aforesaid. No farm mortgage bond shall bear interest in excess of 4 per cent per annum.

The annual interest charge, including amortization payments, upon any farm loan made by any Federal land bank shall not exceed 5 per cent upon the face of the loan. Interest shall be paid semiannually. From the annual interest payment of every borrower from any Federal land bank, such bank shall set aside an amount equal to at least one-half of 1 per cent of the face of the loan as a payment on the principal, which amount shall be placed in the sinking fund and used as provided in this act.

From the annual interest payment of every borrower from a Federal land bank an amount equal to one-fourth of 1 per cent of the face of the loan shall be placed in the guaranty capital as provided in this act.

From the annual interest payment of every borrower from a Federal land bank an amount equal to one-fourth of 1 per cent of the face of the loan shall be set aside by such bank to be used in the payment of the administration expenses of such bank, in the payment of dividends, and for any other purpose that may be authorized by law.

No Federal land bank shall sell its farm-loan bonds at less than par value unless authorized to do so by the united Federal land bank, with the approval of the Federal farm-loan board.

Should it be necessary at any time, in order to secure the proper sale of farm-loan bonds, that such bonds shall be sold at less than their par value, the united Federal land bank, by its board of directors, may, with the approval of the Federal farm-loan board, establish an uniform rate of discount at which every Federal land bank shall sell farm-loan bonds issued for and in its behalf and thereafter, until otherwise ordered by the united Federal land bank, with the approval of the Federal farm-loan board, every Federal land bank shall sell such bonds so issued for it at the rate of discount so fixed.

SINKING FUND.

SEC. 18. That all amortization payments on the principal of any mortgage shall be set apart into a separate fund, to be known as the sinking fund, and is hereby declared to be a trust fund. The sinking fund shall be used for no purpose except for the payment, redemption, and retirement of the Federal farm-loan bonds issued by Federal land banks. The sinking fund of every Federal land bank shall be deposited in one or more of the depositories thereof, which shall pay interest thereon, payable semiannually, said interest to be paid upon the average daily balances in such fund for the six months immediately preceding the interest payment. Such interest shall be credited to such fund and become a part thereof. Such deposits shall be secured by United States Government bonds or Federal farm-loan bonds equal in amount to the sinking fund on deposit in any such depository.

The Federal farm-loan board shall prescribe rules and regulations which shall control every Federal land bank in its method and manner of selecting Federal farm-loan bonds for retirement or payment.

Every six months every Federal land bank shall call for payment or retirement Federal land-bank bonds equal in amount to the total sinking fund on hand at that time.

FARM-LOAN BONDS.

SEC. 19. That farm-loan bonds shall be issued in the name of the united Federal land bank for and in behalf of the Federal land bank asking for their issue, and the name of such bank shall plainly appear on the face thereof. All farm-loan bonds shall be secured as hereinafter provided in this section, and the facts showing such security shall be clearly stated on the face of said bond.

Farm-loan bonds issued by the united Federal land bank for and in behalf of any Federal land bank shall be secured—

First. By the farm mortgages deposited as collateral security therefor and by the reserve capital, the guaranty capital, and the operating capital of such bank; and the owners of farm-loan bonds issued for and in behalf of any Federal land bank shall have a first and prior lien over all other creditors upon farm mortgages so deposited and, subject to the proviso next following, upon such reserve capital, guaranty capital, and operating capital for the payment of said bonds: *Provided*, That the foregoing provision shall be subject to the right of any Federal land bank to use any part or portion of its reserve capital, guaranty capital, and operating capital, or any other fund or asset it may have, except farm mortgages deposited as collateral security for the payment of any issue of farm-mortgage bonds, to meet the default in the interest payment on the bonds of any other Federal land bank and to meet the obligations, contracts, and debts of any other Federal land bank, in case of the insolvency thereof, as provided hereinafter in this section.

Second. By any other fund, capital, or asset of such Federal land bank in common with the claims of other creditors.

Third. By the reserve capital, the guaranty capital, the operating capital, and other assets of all other Federal land banks; and the owners of farm-loan bonds issued for and in behalf of one Federal land bank shall have a first and prior lien over all other creditors, except the owners of the farm-loan bonds of such banks, upon the operating capital, the reserve capital, and the guaranty of all other Federal land banks for the payment of such bonds.

Fourth. Every Federal land bank shall be primarily liable for farm-loan bonds issued for it and in its behalf and shall also be liable, upon presentation of farm-loan bond coupons, for interest payments due upon any farm-loan bonds issued by other Federal land banks and remaining unpaid in consequence of the default of such other land banks; and every such bank shall likewise be liable for such portion of the principal of farm-loan bonds so issued as shall not be paid after the assets of any such other land banks shall have been liquidated and distributed: *Provided*, That such losses, if any, either of interest or of principal, shall be assessed by the Federal farm-loan board against solvent land banks liable therefor in proportion to the amount of farm-loan bonds which each may have outstanding at the time of such assessment.

In the organization certificate of every Federal land bank the subscribers shall set forth that the liabilities prescribed in this section are fully assumed as one of the conditions upon which said bank shall be organized.

Every Federal land bank before commencing business shall, by appropriate action of its board of directors, in such form as shall be prescribed by the Federal farm-loan board, duly recorded in its minutes, obligate itself to become liable on farm loan bonds as prescribed in this section.

The form of farm-loan bonds issued by a Federal land bank shall include, among other provisions, a copy or synopsis of this section of this act and a statement that the assets of all the Federal land banks are jointly and severally liable for the payment of each bond, and shall further state the physical basis of such bonds in farm lands and such other information as may be prescribed by the Federal farm-loan board.

APPLICATIONS FOR FARM-LOAN BONDS.

SEC. 20. That any Federal land bank which shall have voted to issue farm-loan bonds under this act shall make written application to the Federal farm-loan board, through the Federal fiduciary agent of the district, for approval of such issue. With said application said land bank shall tender to said agent as collateral security first mortgages on farm lands qualified under the provisions of section 12 or section 17 of this act, or United States Government bonds, not less in aggregate amount than the sum of the bonds proposed to be issued. Said bank

shall furnish with such mortgages a schedule containing a description thereof and such further information as may be prescribed by the Federal farm-loan board.

Upon receipt of such application said agent shall verify said schedule and shall transmit said application and said schedule to the Federal farm-loan board, giving such further information pertaining thereto as he may possess. The Federal farm-loan board shall forthwith cause one or more special appraisers to make such investigation and appraisement of the securities tendered as it shall deem wise, and upon receiving a report from said special appraiser or appraisers it shall grant in whole or in part, or reject entirely, such application.

The Federal farm-loan board shall promptly transmit its decision as to any issue of farm-loan bonds to the united Federal land bank, to the land bank applying for the same, and to the Federal fiduciary agent of the district. Said agent shall furnish, in writing, such information regarding any issue of farm-loan bonds as the Federal farm-loan board may at any time require.

ISSUE OF FARM-LOAN BONDS.

SEC. 21. That whenever any Federal fiduciary agent shall receive from the Federal farm-loan board notice that it has approved any issue of farm-loan bonds he shall forthwith take such steps as may be necessary, in accordance with the provisions of this act, to insure the prompt execution of said bonds and the delivery of the same to the land bank applying therefor.

Whenever the Federal farm-loan board shall reject entirely any application for an issue of farm-loan bonds, the first mortgages tendered to the Federal fiduciary agent as collateral security therefor shall be forthwith returned to said land bank by him.

Whenever the Federal farm-loan board shall approve an issue of farm-loan bonds, the Federal fiduciary agent having the custody of the first mortgages and bonds tendered as collateral security for such issue of bonds shall retain in his custody those first mortgages and bonds which are to be held as collateral security, and shall return to the bank owning the same any of said mortgages and bonds which are not to be held by him as collateral security. The land bank which is to issue said farm-loan bonds shall transfer to said Federal fiduciary agent, by assignment in trust, all first mortgages and bonds which are to be held by saidagent as collateral security, said assignment providing for the right of redemption at any time by payment as provided in this act and reserving the right of substitution of other mortgages qualified under section 12 or section 17 of this act. Said mortgages shall be deposited in such deposit vault or bank as the Federal farm-loan board shall approve, subject to the control of said agent and in his name as trustee for the bank issuing the farm-loan bonds and for the prospective holders of said farm-loan bonds.

No mortgage shall be accepted by a Federal fiduciary agent from a Federal land bank as part of an offering to secure an issue of farm-loan bonds, either originally or by substitution, except first mortgages made subject to the conditions prescribed in said sections 12 or 17.

It shall be the duty of each Federal fiduciary agent to see that the farm-loan bonds delivered by him and outstanding do not exceed the amount of collateral security pledged therefor. Such agent may, in his discretion, temporarily accept in place of mortgages withdrawn United States Government bonds, farm-loan bonds, or cash.

The Federal farm-loan board may, at any time, call upon any land bank for additional security to protect the bonds issued by it.

FORM OF FARM-LOAN BONDS.

SEC. 22. That all bonds provided for in this act shall be issued under the authority and by the direction of the Federal farm loan board. They shall be issued in denominations of $25, $50, $100, $500, and $1,000. They shall run for specified minimum and maximum periods, subject to be paid and retired at the option of the land bank at any time after their issue. They shall have interest coupons attached, payable semiannually, and shall be issued in series of not less than $50,000, whose amount and term shall be fixed by the Federal farm loan board. They shall bear a rate of interest not to exceed 4 per cent per annum.

The Federal farm loan board shall prescribe rules and regulations concerning the circumstances and manner in which farm loan bonds shall be paid and retired under the provisions of this act.

Farm loan bonds shall be delivered through the Federal fiduciary agent of the district to the bank applying for the same.

In order to furnish suitably engraved bonds for delivery to Federal land banks and joint-stock land banks, the Comptroller of the Currency shall, under the direction of the Secretary of the Treasury, cause plates and dies to be engraved in the best manner to guard against counterfeits and fraudulent alterations, and shall have printed therefrom and numbered such quantities of such bonds of the denominations of $25, $50, $100, $500, and $1,000 as may be required to supply such land banks. Such bonds shall be in form and tenor as directed by the Federal farm loan board under the provisions of this act, and shall bear the distinctive numbers and names of the several land banks by which they are issued. They may be exchanged into registered bonds of any amount and reexchanged into coupon bonds, at the option of the holder, under rules and regulations to be prescribed by the Federal farm loan board.

When such bonds have been prepared they shall be deposited in the Treasury, or in the subtreasury or mint of the United States nearest the place of business of each land bank, and shall be held for the use of such bank, subject to the order of the farm loan registrar of the district.

The plates and dies to be procured by the Comptroller of the Currency for the printing of such bonds shall remain under his control and direction, and the expenses necessarily incurred in executing the laws relating to the preparation of such bonds and all other expenses incidental to their issue and retirement shall be paid by the land banks. The Federal farm loan board shall levy semiannually against the respective Federal land banks, in proportion to the issue of bonds by each, a sufficient amount to cover such expenses.

The examination of plates, dies, bed pieces, etc., and regulations relating to such examination of plates, dies, etc., of national-bank notes provided for in section 5174, Revised Statutes, are hereby extended to include bonds herein provided for.

Any appropriation heretofore made out of the general fund of the Treasury for engraving plates and dies, for the purchase of distinctive paper, or to cover any other expense in connection with the printing of paper currency, and any distinctive paper that may be on hand at the time of the passage of this act may be used in the discretion of the Secretary of the Treasury for the purposes of this act, and should the appropriations heretofore made be insufficient to meet the requirements of this act, the Secretary is hereby authorized to use so much of any funds in the Treasury not otherwise appropriated as may be required for the purpose of furnishing the bonds aforesaid, adequate reimbursement being duly made therefor under the provisions of this section.

SEC. 23. That the form of farm loan bonds issued under this act shall be prepared by the Federal farm loan board.

Each bond shall contain a certificate in the face thereof, signed by the farm loan commissioner, to the effect that this bond has the approval in form and issue of the Federal farm loan board and is legal and regular in all respects. It shall be signed by the president of the united Federal land bank and attested by its secretary. It shall contain in the face thereof a certificate, in such form as shall be prescribed by the Federal farm loan board, signed by the president of the Federal land bank for which and in whose behalf said bond was issued, showing in effect that such bond was issued for and in behalf of said bank, and the said bank is bound primarily as prescribed by law for the payment thereof.

Each Federal land bank shall be held to be bound in all respects by the acts of its president in signing farm loan bonds as prescribed in the foregoing paragraph and by the acts of the Federal farm loan board in authorizing their issue, and every Federal land bank shall be held to be bound in all respects by the acts of the president of the united Federal land bank in signing farm loan bonds.

There shall appear on the face of each farm loan bond provided in this act the statement that such a bond is not taxable by national, State, or municipal authority.

AMORTIZATION AND INTEREST PAYMENTS.

SEC. 24. That whenever any Federal land bank shall receive any interest, amortization, or other payment upon any first mortgage pledged as collateral security for the issue of farm loan bonds, it shall forthwith notify the Federal fiduciary agent of the items so received. Said agent shall forthwith cause such payment to be duly credited upon the mortgage entitled to such credit. Whenever any such mortgage is paid in full, said agent shall cause the same to be canceled and delivered to the proper land bank for transmission to the original maker thereof, or his heirs, administrators, or assigns.

Upon written application by any Federal land bank to the Federal fiduciary agent, it may be permitted, in the discretion of said agent, to withdraw any mortgages or bonds pledged as collateral security under this act, and to substitute therefor other mortgages or United States Government bonds not less in amount than the mortgages or bonds desired to be withdrawn, such substituted mortgages being qualified under section 12 or section 17 of this act.

Whenever any farm-loan bonds, or coupons, or interest payments of such bonds, are due under their terms, they shall be payable at the land bank by which they were issued, in gold or lawful money, and upon payment shall be duly canceled by said bank. At the discretion of the Federal farm-loan board, payment of any farm-loan bond or coupon or interest payment may, however, be authorized to be made at any Federal land bank or any other bank under rules and regulations to be prescribed by the Federal farm-loan board.

When any Federal land bank shall surrender to the proper Federal fiduciary agent any farm-loan bonds of any series, canceled or uncanceled, said land bank shall be entitled to withdraw first mortgages and bonds pledged as collateral security for any of said series of farm-loan bonds to an amount equal to the farm-loan bonds so surrendered, and it shall be the duty of said agent to permit and direct the delivery of such mortgages and bonds to such land bank.

Interest payments on hypothecated first mortgages shall be at the disposal of the land bank pledging the same, and shall be available for the payment of coupons and the interest of farm-loan bonds as they become due.

Whenever any bond matures, or the interest on any registered bond is due, or the coupon on any coupon bond matures, and the same shall be presented for payment as provided in this act, the full face value thereof shall be paid to the holder.

Amortization or other payments on the principal of first mortgages held as collateral security for the issue of farm-loan bonds shall constitute a trust fund in the hands of the Federal land bank receiving the same, and shall be applied or employed as follows:

(a) To pay off farm-loan bonds issued by said bank as they mature or as they shall be called for payment by any Federal land bank.

(b) To convert said payment into gold or lawful money.

(c) To deposit in the depository or depositories of such bank on interest, subject to the provisions of this act, until the same shall be used in the payment of farm-loan bonds.

Federal land banks, in the order of their applications, shall have a preference over other subscribers in purchasing the whole or any part of an issue of farm-loan bonds.

Every Federal land bank shall notify the Federal fiduciary agent of the disposition of all payments made on the principal of mortgages held as collateral security for an issue of farm-loan bonds, and said agent is authorized, at his discretion, to order any of such payments or the proceeds thereof, wherever deposited or however invested, to be immediately transferred to his account as trustee aforesaid.

SEC. 25. That the board of directors of every Federal farm-loan association shall appoint one or more appraisement committees, consisting of three persons, which committees may be designated by number. Every application for a loan must be accompanied with an appraisement of the land offered as security by one of such appraisement committees.

Said appraisement committee shall examine the land which is offered as security for the desired loan and shall make a detailed written report, signed by all three members, giving the appraisal of said land as determined by them and such other information as may be required by rules and regulations to be prescribed by the Federal farm-loan board.

The written report of said appraisement committee shall be submitted to the Federal land bank, together with the affidavit provided for in this act, and the directors of said land bank shall examine said written report when they pass upon the loan application which it accompanies, but they shall not be bound by said appraisal.

Before any mortgage loan is made by any Federal land bank it shall refer the application, affidavit, and written report of the loan committee to one or more of the land-bank appraisers appointed under the authority of this act, and such appraiser or appraisers shall investigate and make a written report upon the land offered as security for said loan. No such loan shall be made by said land bank unless said written report is favorable.

Whenever any Federal land bank shall desire to issue farm-loan bonds under the provisions of this act, the Federal farm-loan board shall refer the application of such land bank to one or more of the special appraisers appointed under the authority of section 3 of this act. Such special appraiser or appraisers shall make such examination and appraisal of the mortgages offered as collateral security for such bonds as the Federal farm-loan board shall direct, and shall make a written report to said board. No issue of farm-loan bonds shall be authorized unless the Federal farm-loan board shall approve such issue in writing.

Forms for appraisal reports for farm-loan associations and land banks shall be prescribed by the Federal farm-loan board.

Land-bank appraisers and special appraisers shall make such examinations and appraisals and conduct such investigations concerning farm loan bonds and first mortgages as the Federal farm-loan board shall direct.

No borrower under this act shall be eligible as an appraiser under this section, but borrowers may act as members of an appraisal committee in any case where they are not personally interested in the loan under consideration. When any member of an appraisal committee or of a board of directors is interested, directly or indirectly, in a loan, a majority of the board of directors of any farm-loan association shall appoint a substitute to act in his place in passing upon such loan.

RESTRICTIONS ON LOANS BASED ON FIRST MORTGAGES.

SEC. 26. That no Federal land bank organized under this act shall make loans except upon the following terms and conditions:

First. Said loans shall be secured by duly recorded first mortgages on farm land within the land-bank district in which the bank shall be situated.

Second. Every such mortgage shall contain an agreement for the payment of interest and for the payment of a fixed number of semiannual installments sufficient to provide for an agreed rate of interest during the term and for the payment of the principal during and at the end of the term on what is known as the amortization plan.

Third. Every such mortgage shall run for a period of at least 5 years and not exceeding 60 years.

Fourth. Every mortgage loan made under this act, for whatever period, shall provide for its extinguishment, at the option of the borrower, in whole or in part, at any date set for the payment of interest after one year from the date upon which said loan was made, as follows:

(a) By the tender at their face value of farm-loan bonds issued by the land bank holding such mortgage, all unmatured coupons being attached to said bonds.

(b) By advance payments in cash in sums of $25 or any multiple thereof. In such case the Federal land bank receiving such payments shall purchase for its own account, and credit at par upon the mortgage, farm-loan bonds in suitable amounts and of the proper series; said land bank may call, as may be necessary, farm-loan bonds in suitable amounts and of the proper series, and when such calls shall have become effective shall credit such payments on such mortgage.

Fifth. The rate of interest charged for such loans, including the annual amortization payment and all other annual or semiannual charges thereon, shall not exceed 5 per cent per annum.

Sixth. No such loan shall exceed 55 per cent of the value of the land mortgaged, said value to be ascertained by appraisal, as provided in this act.

In making said appraisal the actual earning power of said land shall be a principal factor. A reappraisal may be permitted at any time in the discretion of the Federal land bank, and such additional loan may be granted as such reappraisal will warrant under the provisions of this paragraph. Whenever the amount of the loan applied for exceeds the amount that may be loaned under the appraisal as herein limited, such loan may be granted to the amount permitted under the terms of this paragraph without requiring a new application or appraisal.

Seventh. The amount of loans to any one borrower shall in no case exceed a maximum of $10,000.

Eighth. Every applicant for a loan under the terms of this act shall make application on a form to be perscribed for that purpose by the Federal farm-loan board, and such applicant shall state the objects to which the proceeds of said loan are to be applied and shall afford such other information as may be required.

Ninth. Every borrower shall undertake to pay when due all taxes which may be lawfully assessed against the land mortgaged.

EXEMPTION FROM TAXATION.

SEC. 27. That every Federal land bank and every national farm-loan association, including the capital stock and reserve or surplus therein and the income derived therefrom, shall be exempt from Federal, State, and local taxation, except taxes upon real estate held, purchased, or taken by said bank or association under the provisions of section 11 and section 13 of this act. First mortgages executed to Federal land banks under the provisions of this act, shall be deemed and held to be instrumentalities of the Government of the United States, and as such they and the income derived therefrom shall be exempt from Federal, State, and local taxation.

Farm-loan bonds issued under the provisions of this act and the income derived therefrom shall be exempt from Federal, State, and local taxation.

INVESTMENT IN FARM-LOAN BONDS.

SEC. 28. That farm-loan bonds issued under the provisions of this act by Federal land banks shall be a lawful investment for all fiduciary and trust funds, and may be accepted as security for all public deposits.

Any member bank of the Federal reserve system may buy or sell farm-loan bonds issued under the authority of this act and accept them as collateral security for any loans made.

STATE LEGISLATION.

SEC. 29. That it shall be the duty of the farm loan commissioner to make examination of the laws of every State of the United States and to inform the Federal farm loan board as rapidly as may be whether, in his judgment the laws of each State relating to the conveying and recording of land titles and the foreclosure of mortgages or other instruments securing loans, as well as providing homestead and other exemptions and granting the power to waive such exemptions as respects first mortgages, are such as to assure the holder thereof adequate safeguards against loss in the event of default on loans secured by any such mortgages.

Pending the making of such examination in the case of any State, the Federal farm loan board may declare first mortgages on farm lands situated within such State ineligible as the basis for an issue of farm loan bonds; and if said examination shall show that the laws of any such State afford insufficient protection to the holder of first mortgages of the kinds provided in this act, the said Federal farm loan board may declare said first mortgages on land situated in such State ineligible during the continuance of the laws in question. In making his examination of the laws of the several States and forming his conclusions thereon said farm loan commissioner may call upon the office of the Attorney General of the United States for any needed legal advice or assistance, or may employ special counsel in any State where he considers such action necessary.

At the request of the executive of any State the Federal farm loan board shall prepare a statement setting forth in what respects the requirements of said board can not be complied with under the existing laws of such State.

EXAMINATIONS.

SEC. 30. That the Federal farm loan board shall appoint as many land-bank examiners as in its judgment may be required to make careful examinations of the banks permitted to do business under this act.

Said examiners shall be subject to the same requirements, responsibilities, and penalties as are applicable to national-bank examiners under the national bank act, the Federal reserve act, and other provisions of law. Said examiners shall be required to examine and report the condition of every Federal land bank at least twice each year.

Said examiners shall receive salaries to be fixed by the Federal farm loan board, which shall be paid by the Secretary of the Treasury out of any money in the Treasury not otherwise appropriated.

PENALTIES.

SEC. 31. That any applicant for a loan from a Federal land bank who shall knowingly make any false statements in his application for such loan, and any member of an appraisement committee or any appraiser provided for in this act who shall willfully overvalue any land offered as security for loans under this act shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not more than $5,000, or both. Any examiner appointed under this act who shall accept a loan or gratuity from any bank examined by him, or from any person connected with any such bank in any capacity, shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not more than $5,000, or both, and may be fined a further sum equal to the money so loaned or gratuity given, and shall forever thereafter be disqualified from holding office as an examiner under the provisions of this act. No examiner shall perform any other service for compensation while holding such office, for any bank or banking or loan association, or for any person connected therewith in any capacity.

Any person who shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting any bond, coupon, or paper in imitation of, or purporting to be in imitation of, the bonds or coupons issued by any Federal land bank, now or hereafter authorized and acting under the laws of the United States; or any person who shall pass, utter, or publish, or attempt to pass, utter, or publish any false, forged, or counterfeited bond, coupon, or paper purporting to be issued by any such bank, knowing the same to be falsely made, forged or counterfeited; or whoever shall falsely alter, or cause or procure to be falsely altered, or shall willingly aid or assist in falsely altering any such bond, coupon, or paper, or shall pass, utter, or publish as true any falsely altered or spurious bond, coupon, or paper issued, or purporting to have been issued, by any such bank or association, knowing the same to be falsely altered or spurious, shall be deemed guilty of a misdemeanor and shall be fined not exceeding $5,000 or imprisoned not exceeding five years, or both.

Other than the usual salary or director's fee paid to any officer, director, or employee of a national farm-loan association or a Federal land bank, and other than a reasonable fee paid by such association or bank to any officer, director, attorney, or employee for services rendered, no officer, director, attorney, or employee of an association or bank organized under this act shall be a beneficiary of or receive, directly or indirectly, any fee, commission, gift, or other consideration for or in connection with any transaction or business of such association or bank. No bank or association organized under this act shall charge or receive any fee, commission, bonus, gift, or other consideration not herein specifically authorized. No examiner, public or private, shall disclose the names of borrowers to other than the proper officers of a Federal land bank without first having obtained express permission in writing from the farm-loan commissioner or from the board of directors of such bank, except when ordered to do so by a court of competent jurisdiction or by direction of the Congress of the United States, or of either House thereof, or any committee of Congress or of either House duly authorized. Any person violating any provision of this paragraph shall be punished by a fine of not exceeding $5,000 or by imprisonment not exceeding one year, or both.

Any person connected in any capacity with any farm-loan association, Federal land bank, who embezzles, abstracts, or willfully misapplies any moneys, funds, or credits, or who, without authority from the directors, draws any order, assigns any note, bond, draft, mortgage, judgment, or decree, or who makes any false entry in any book, report, or statement of such association or land bank with intent in either case to defraud such institution or any other company, body politic or corporate, or any individual person, or to deceive any officer of a farm-loan association or land bank or any agent appointed to examine into the affairs of any such association or bank, and every person who with like intent aids or abets any officer, clerk, or agent in any violation of this section, shall be deemed guilty of a misdemeanor, and shall be fined not exceeding $5,000 or imprisoned not exceeding five years, or both.

Any person who shall deceive, defraud, or impose upon, or who shall attempt to deceive, defraud, or impose upon, any person, firm, or corporation by making any false pretense or representation regarding the character, issue, security, or terms of any farm-loan bond or coupon issued under the terms of this act; or by falsely pretending or representing that any farm-loan bond or coupon issued under the terms of this act by one class of land banks is a farm-loan bond or coupon issued by another class of banks; or by falsely pretending or representing that any farm-loan bond or coupon issued under the terms of this act, or anything contained in said farm-loan bond or coupon, is anything other than or different from what it purports to be on the face of said bond or coupon shall be deemed guilty of a misdemeanor, and shall be fined not exceeding $5,000 or imprisoned not exceeding five years, or both.

DISSOLUTION AND APPOINTMENT OF RECEIVERS.

SEC. 32. That upon becoming satisfied that any Federal land bank has failed to meet its outstanding obligations of any description whatever when due and is in default, the Federal farm-loan board may forthwith declare such bank insolvent and appoint a receiver, and require of him such bond and security as it deems proper. Such receiver, under the direction of the Federal farm-loan board, shall take possession of the books, records, and assets of every description of such bank, collect all debts, dues, and claims belonging to it, and, with the approval of the Federal farm-loan board, or upon the order of a court of record of competent jurisdiction, may sell or compound all bad or doubtful debts, and, on a like approval or order, may sell all the real and personal property of such bank, on such terms as the Federal farm-loan board or said court shall direct. Such receiver shall pay over all money so collected to the Treasurer of the United States, subject to the order of the Federal farm-loan board, and also make report to said board of all his acts and proceedings.

No national farm-loan association, Federal land bank, or joint stock land bank shall be dissolved without the written consent of the Federal farm-loan board.

ORGANIZATION EXPENSES.

SEC. 33. That the sum of $100,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Federal farm-loan board, for the purpose of carrying into effect the provisions of this act.

LIMITATION OF COURT DECISIONS.

SEC. 34. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

REPEALING CLAUSE.

SEC. 35. That all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. The right to amend, alter, or repeal this act is hereby expressly reserved.

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the subject of gasoline.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD on the subject of gasoline. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman I yield 15 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask the Clerk to read a clipping from the Philadelphia Record, which I send to the desk.

The Clerk read as follows:

SMALL FARMS ALLOTTED—VACANT LOTS ASSOCIATION MAKES FIRST ASSIGNMENT FOR THE SEASON.

The work of assigning garden plats by the Philadelphia Vacant Lots Cultivation Association started yesterday at the Georges Hill farm, Fifty-fourth Street and Susquehanna Avenue. This is one of the largest plats at the disposal of the association, containing 100 gardens of from one-eighth to one-sixth of an acre. The distribution was scheduled to start at 2 o'clock, and before that time many of the former holders of gardens had gathered. Supt. James H. Dix and his assistant, Charles Horn, did not arrive until a little later, and their appearance was a signal for a grand rush to the little car which they use in overseeing the 24 farms of various sizes that are located in all parts of the city.

Italians predominated, and a few men and numbers of women and children made their appearance to represent families. In many cases the mothers carried babies in arms and other members of their families clung to their skirts. The older children often had to be called in as interpreters for their parents, who spoke only their native language.

After their names had been given they were looked up in the index to see how they had done the year before, for only those who had worked before were present yesterday. Next the dollar that pays for seed, preparation of the ground, and fertilizer was taken, and the applicants were handed cards to show their holding and a crop report that is required to be turned in at the end of the season.

After all this had been settled the actual assigning of the plats was made, and until 6 o'clock the two men were kept busy. At present the ground has not been prepared, though fertilizer is now being spread. Each of the families—for the plats are not given to individuals—has a little shanty, in which they keep their tools.

Among those at the Georges Hill farm is one old man of 85 years, a Grand Army of the Republic veteran, and there are a number of other old men and women among the workers. The veteran is one of the best workers on the entire farm and cultivates one of the most beautiful as well as productive gardens throughout the season. In the near future the other plats, mostly in Germantown and West Philadelphia, will be given out.

Mr. MOORE of Pennsylvania. That is what we are doing to catch up on the farming problem in a great city like Philadelphia. In a small way it is helping us to meet the high cost of living.

Mr. Chairman, I desire to speak briefly in behalf of the back to the farms movement in the East. During the discussion of the river and harbor appropriation bill a great deal was said, some of it in bantering mood, much of it seriously, with respect to the development of the Atlantic seaboard by the opening up of certain inland waterways. There is much to be said in behalf of this great waterways movement from the standpoint of preparedness, and there is more to be said from the standpoint of agriculture and commerce. Both are important. The agricultural phase of the question is very important. It is not often discussed, except amongst those who encourage the back to the farms movement in the East or those who suffer hardship and inconvenience in the matter of transportation to the markets.

BEGINNINGS IN THE EAST.

Mr. Chairman, the beginnings of this great country of ours, of course, were along the Atlantic seaboard.

Everyone familiar with our history is proud of the story of the thirteen original States. Our brethren who have gone out of these States into the Middle West, who conquered the mountain fastnesses and carved their way through the Rockies to the Pacific coast, are to be commended for their sturdiness of character and for the perseverance with which they opened up our great new country. Our present status as a Nation is due largely to the onward march and westward ho! of these good, red-blooded sons of the East; they populated and built up the West. [Applause.]

Next to education, the railroads of the country, perhaps, have done as much to make us understand each other as a people and to develop the various States, as any other factor. Without the railroads we would still have the wilderness and it would be relatively impossible, except for the waterway and the wagon road, to have that community of interest on the part of the peoples of the various States that now so happily prevails.

I rejoice in the success of my brother who has gone to the West, and I can even understand why, in the rush of the past fifty-odd years, busy with his own affairs, struggling against new and harsh conditions, he has sometimes forgotten the East or come to regard it as effete; but I do not like him to forget his "mother country," within the United States, nor to yield up any of that pride of national ancestry which it ought to be the pleasure of every citizen to acknowledge.

Our colonial history is rich, and our national history from the beginning at Independence Hall in Philadelphia in 1776 is such as to have made us the envy if not the admired of all the world. It will do us no harm at any time to recall these patriotic beginnings and to imbibe a little of the spirit of the earlier days.

WEST GAINS ON NEW ENGLAND.

We talk sometimes in the East of the "bounding" and "booming West." We honor the men who made it so; we are proud of them, because they sprang from our loins. We know what many men in New England, even those who voted against the river and harbor bill the other day, are sometimes prone LOT to speak about, that the western tendency has had its effect upon eastern industries; that no longer is New England the dominating manufacturing center of the United States, and that the Western States have begun manufacturing to such an extent that it may be surprising to some of our cultured friends from Massachusetts, although it is still the fact, to know that the population of St. Louis exceeds that of Boston, and that there are more shoes manufactured in St. Louis to-day, out yonder beyond the Mississippi River, than are manufactured in the Hub, up yonder in New England.

It is a fact that some of our New England friends sometimes hesitate to speak about, even if they are informed upon the subject of New England's transportation handicap, that New England—that little section of the country up yonder, which is a mere thumb tack upon the map of the United States—pays two times as much in freight for the coal it uses as is the actual value of the coal at the mines. That is to say, their annual coal bill for running the industries of New England and for keeping warm the hearthstones of the people amounts to $100,000,000 annually, on which the freight charges from the mines of Pennsylvania, Indiana, and Illinois are $70,000,000. In other words, according to the statistics of the Boston Chamber of Commerce, $70,000,000 is paid annually in freight for coal worth $30,000,000 at the mines. Now, I mention these figures because they explain, to a certain extent, why we desire a competitive or relief means of transportation along the Atlantic seaboard. Of course, the use of fuel is important and deals with the industrial side of the question, but think of the vast industries along the Atlantic seaboard which in turn, to a great degree, support the agricultural output of the interior, involving an interchange of commodities that is greater in the United States than elsewhere.

EASTERN LANDS A PLENTY.

It is true that the New England farmer has gradually been passing out, just as the sailing vessel on the high seas has been given over to the steamer, and to the barge that is working inland and at great risk outside—matters of fact with which some of our friends in discussing river and harbor improvements do not sometimes desire to concern themselves.

But there has been a "back-to-the-farm" movement in the East. It has been stirred up in New England and along the Middle States. Land has been plentiful and cheap. Irrigated land—that is to say, land naturally irrigated—has been cheap. Down in the southern tier of States there is land enough to sustain vast armies of men—many of whom are now seeking homes in the arid and semiarid sections of the West. We sometimes think it strange that home seekers should pass by these rich, watered lands of the Eastern States, where markets await them, for the sagebrush territory, which can only be made fertile after much expenditure of money and labor to bring the water to it. If it is due to ignorance of eastern conditions, we can not be blamed for calling attention to it.

Who knows the extent of land along the Atlantic seaboard that is capable of tillage if farmers are interested sufficiently to apply their labor to it? I have some statistics upon this point that are worthy the attention of the committee. The Director

of the Census, Mr. Durand, in 1911, made a calculation with reference to these available eastern lands. Confining his figures to the area of the thirteen original States, Mr. Durand, in a carefully prepared address, said:

The total area of farm land in the thirteen original States in 1850 was 147,000,000 acres, while in 1910 it was only about 10 per cent greater, 161,000,000 acres. The acreage of improved land had increased somewhat more, from 64,000,000 acres in 1850 to 83,000,000 in 1910, or nearly one-third. In the area outside of the thirteen original States, however, acreage of farm land increased from about 146,000,000 acres in 1850 to 713,000,000 in 1910.

There was your western development coming out of the East. While you were developing by leaps and bounds our progress in improving farm land was slow. The figures of the Director of the Census show that in 1910 we had 161,000,000 acres of farm area and only 83,000,000 acres improved. The remainder—nearly half of it—still awaits the hand of the tiller of the soil.

Now, what kind of land is this? It is not sagebrush land—and I am not reflecting on that—but it is land through which streams of water run, where there is a natural irrigation, and where all the farming of the country once was done. Go with me along the streams of the coast, more than 140 of them, running down into the Atlantic Ocean, and I will show you magnificent old homesteads, over in Virginia, along the James, and elsewhere; over yonder on the York, near by the place of the surrender of Cornwallis, with scenery as beautiful as anything to be found in the East, with land as rich as the sun ever shone upon, where only the remnants of colonial residences are left to show that there was a plantation once existing there. And why? Because in those days when the great planters thrived along the seaboard, George Washington being at their head—and he was one of the original farmers of this country, sending to England, by the way, for skilled farm labor—because in those days a man who was picking a home for himself, who was seeking to establish a plantation, selected a site along the line of the waterways. He did not build up on the hilltops; it was too difficult to get water for the family and the stock. He built down in the valley, along the stream. And it is the relic of these old homes that we see to-day. With the advent of the railroad along about 1830——

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

EFFECT OF RAILROADS ON FARMING.

Mr. MOORE of Pennsylvania. In view of the limitation, Mr. Chairman, I shall briefly discuss the effect of the railroads upon the waterways of the country. The waterways were highly appreciated in the olden days and canalization was resorted to all along the seaboard. Some of the Southern States took the lead in opening up these artificial channels. When the superior advantages of the railroad depreciated the value of canals, they also tended to shift the centers of population. In many instances large areas of farm land which had been successfully operated along the water front, were depopulated in the rush to locate along the line of the railroads. The effect upon the old plantations was immediate and the ruins of old homes are now in many instances all that remains in territories that were once alive with agricultural pursuits. It was an evolution which bore heavily against the East and greatly stimulated that movement westward where fortunes were supposed to be made. It is because we have so much arable land in the East still awaiting the tiller of the soil that the statistics to which I have referred and which I can not now enlarge upon, should be submitted for consideration during the discussion of the Agricultural appropriation bill. Bear in mind the importance of water to the soil, compare the natural irrigation of the East with the artificial irrigation of the West, and there is small cause for wonder that the East, with its wonderful markets, cries out for relief from congested railroad conditions, and for the opening up and the connecting of its waterways in order, amongst other things, that they may enable the eastern farmer to get to market.

TREMENDOUS COMMERCE OF THE EAST.

The Director of the Census told us that the railroad mileage in the thirteen original States was only about 23 per cent of the total mileage of the United States. Think of it! The vast products of the East, with more than 55 per cent of the manufactured output of the United States, doing business upon 23 per cent of the railroad mileage of the country. Is it any wonder farms have been idle and the eastern farmer has been crowded out?

It is not that the waterways do not contribute to the relief of this situation, for they do. They do in the transportation of bulky freight, but they are not so connected up as to be of the greatest possible service.

Speaking of the freight conditions serving 45,000,000 people along the Atlantic seaboard and the Gulf, Mr. O. P. Austin, then Chief of the Bureau of Statistics, in 1910 said:

Let us try to state in a single sentence the sums of money being paid for the transportation of freight in the area in question. I have already shown you that the sums paid for railway transportation approximate $700,000,000 per annum and the sums paid on the Atlantic and Gulf frontage $84,000,000. If we apply one-half of the ocean front tonnage freight rate to the 100,000,000 tons handled on the rivers, we should get for that service about $65,000,000; and aggregating these items of $65,000,000 on the rivers, $84,000,000 on the ocean front, and $700,000,000 on the railways, we should get a total of at least $750,000,000 per annum for transportation of merchandise within this territory and along its water front.

Now, let us sum up this attempt to measure the transportation requirements and transportation charges of the area which we are considering—the area stretching from the northern border of Maine to the southern border of Texas. It contains, first, one-half the population of the entire country, 40 per cent of its farms, 35 per cent of its railway mileage, 35 per cent of its public roads; produces 85 per cent of its cotton, 50 per cent of its lumber, 35 per cent of its tobacco, 56 per cent of its pig iron, 54 per cent of its coal, all of its naval stores, all of its phosphates, 58 per cent of its manufactures, and through its ports passes 80 per cent of the value of the foreign commerce of the country; while the estimated value of the property within its borders is, according to the Census Bureau, greater than that of all the remainder of the country. The value of the merchandise originating in its borders is probably $14,000,000,000 per annum, or more than all of the merchandise forming the international commerce of the world. The freight carried upon its rivers is approximately 100,000,000 tons per annum, that along the Atlantic and Gulf coasts approximately 65,000,000 tons, that upon the railways approximately 600,000,000 tons per annum, or, say, in the aggregate 750,000,000 tons, though a part of this, of course, originates in other sections of the country and is transported into or across the territory in question. The sums paid for this transportation, as nearly as we can estimate it, are, for land and water transportation, about $750,000,000, of which approximately 80 per cent is paid to the railways and the remainder about equally divided between the interior and coastwise water carriers.

COMPARATIVE FIGURES AS TO AREA AND COMMERCE.

A table of comparisons supplied by Census Director Durand in 1911 throws an interesting light upon the problem of area in relation to eastern industry and commerce. A careful study of this table evidences the comparative congestion of commerce and industries for the percentage of railroad mileage in the area of the thirteen original States. It evidences the eastern need for transportation facilities that will at least keep it abreast of other sections of the country. Remember that western shipping points like Chicago, St. Louis, or even Seattle have anywhere from 5 to 25 railroads to come and go on. Put those conditions side by side with Boston, for instance, with its one or two lines of railroads, operating largely through the neck of the funnel at New York, and it is not unreasonable that railroad embargoes upon freight such as have been put into effect during the European war pressure should follow. Note also in the statement I am submitting herewith that the thirteen original States have over 59 per cent of the wage earners, who are the farmers' best customers, and that the gross value of the industries is approximately 55 per cent of the total value of the products of the United States.

Comparison of area, population, industries, and commerce of the thirteen original States with those for the United States as a whole, 1910.

Items.	Totals for United States.	The thirteen original States.	
		Amount.	Per cent of total.
Area (square miles)	2,970,000	376,000	12.7
Population	91,972,000	37,311,000	40.5
Urban population	42,623,000	22,052,000	51.8
Land in farms (acres)	873,729,000	161,056,000	18.4
Improved land (acres)	477,448,000	83,089,000	17.4
Value of farm property	$40,538,000,000	$6,588,000,000	16.1
Manufacturing industries (1909):			
Number of wage earners	6,615,000	3,912,000	59.1
Gross value of products	$20,672,000,000	$11,121,000,000	53.3
Value added by manufacture	$8,531,000,000	$4,715,000,000	55.3
Coal production, tons (1909)	411,432,000	249,877,000	60.7
Value of mining products (1902)	$796,826,000	$343,064,000	43.0
Exports of merchandise	$1,745,000,000	[1] $1,018,000,000	58.3
Imports of merchandise	$1,557,000,000	[1] $1,227,000,000	78.8
Tons of water-borne domestic freight	177,520,000	[2] 65,361,000	36.8
Railroad mileage	236,869	54,815	23.1
Tons of freight carried 1 mile by railways	218,802,986,929	[3] 76,003,996,891	34.7
Passengers carried 1 mile by railways	29,109,322,589	[3] 10,576,588,667	36.3

[1] Atlantic coast ports.
[2] Atlantic coast and Gulf ports.
[3] Not including Georgia or a small section of western New York and Pennsylvania.

ARABLE LAND OF THE SOUTHERN STATES.

The opponents of our Eastern waterway improvements are apparently unaware of the great commerce which now finds recourse to these inland streams. The old Chesapeake & Delaware Canal carries a million tons of commerce every year. The Beaufort-Norfolk link, which was severely criticized during the river and harbor discussion, has also been serviceable, as is the Dismal Swamp Canal, which connect the northern and southern waters. All of these waterways are busy carrying lumber, in particular, from the forests of North Carolina and Virginia to the northern markets. Barges, limited to the size of the locks of existing canals, carry a variety of freight. It was estimated before the general upheaval caused by the European war that the difference in carrying a cargo of lumber from North Carolina to Philadelphia was as $2 to $3 per 1,000 feet in favor of an inside waterway as against the ocean voyage. That is a big item to the consumer. In the matter of fertilizer carried from Philadelphia to Wilmington, N. C., it was estimated that the inside water route would cost $1.30 per ton of 2,200 pounds, as against $4.80 per ton of 2,000 pounds by rail; so that the interest of the farmer who lives along the streams that run into the intracoastal waterway is evident. In North and South Carolina, in Georgia, and in Florida, as well as in the States along the northern coast, the farmer is as much interested in transportation and in methods of marketing his products as is his brother in the Middle West or in the extreme South. If he had the waterway routes properly improved, and the motor boat is helping him considerably in this respect, he would find the Eastern farm lands as rich and productive as any under the sun.

GREAT FARM ACREAGE OF VIRGINIA.

As an indication of the availability of farm land still remaining in Virginia, the "Mother of Presidents" and a leader in population and agriculture in the Revolutionary period, I submit the following letter from the Hon. George Ainslie, mayor of Richmond, Va., who has taken a keen interest in this subject:

OFFICE OF THE MAYOR,
City of Richmond, Va., December 18, 1915.

Hon. J. HAMPTON MOORE,
House Office Building, Washington, D. C.

DEAR MR. MOORE: I find upon investigation that I misstated the unused acreage of Virginia, largely on the safe side. I stated that my recollection was that the amount was approximately 6,000,000 acres. To be exact, the amount is 9,926,566. Our figures in this regard, as compiled from the United States census reports by the Southern Settlement & Development Organization of Baltimore, are as follows:

	Acres.
Land area of Virginia	25,767,680
Land under cultivation and producing crops	4,256,000
Leaving uncultivated	21,511,680
Allowing for pasturage	2,000,000
There remains unused	19,511,680
Allowing for hills and swamps	9,685,114
Which leaves unused arable land of	9,926,566

Thinking that possibly these figures, taken from Government reports, might be of use to you as showing conditions in this regard in the oldest of American settlements, where the climate is free from extremes and the soil will raise any crop, I am sending them to you in the above form.

Very sincerely, yours, GEORGE AINSLIE.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. LINDBERGH].

Mr. LINDBERGH. Mr. Chairman, I desire to extend my remarks in the RECORD by inserting a letter from the general manager of the Minnesota & International Railway Co., of Brainerd, Minn., who states that his company was criticized on the floor of the House here for a certain matter, and he wishes to have the letter inserted in answer to that criticism.

The CHAIRMAN. Is there objection?

There was no objection.

The following is the letter referred to:

MINNESOTA & INTERNATIONAL RAILWAY CO.,
Brainerd, Minn., February 17, 1916.

Hon. C. A. LINDBERGH,
Member of Congress, Washington, D. C.

DEAR SIR: My attention is called to a letter written Congressman CHIPERFIELD by R. R. Hurlbut, former agent of this company at Laporte, Minn., dated February 1, 1916, which I understand has been inserted in full in the CONGRESSIONAL RECORD and which states that the agent lost his position with the railway company because of his refusal to allow special Indian agents to inspect his station records in connection with their duties in preventing the introduction of liquor into treaty territory.

The statement of the agent that he was discharged for any action of his in connection with that matter is entirely untrue, and his withdrawal from the service of the company was his own voluntary action and not connected with this Indian agent episode in any way, and anyone interested in the matter is entirely welcome to inspect the records of this case at any time. I am surprised that Congressman CHIPERFIELD would use such a letter without first taking the trouble to ascertain, as he could readily have done from the railway company interested, what the real facts were.

Trusting that you will see to it that this letter receives as much recognition in the CONGRESSIONAL RECORD as did the one Congressman CHIPERFIELD introduced, I am,

Yours, very truly, W. H. GEMMELL.

Mr. HAUGEN. I yield to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Chairman, I desire to make a few observations in regard to rural credits, but before I do so and before I speak in general terms in regard to this subject I want to say that I commend to the careful consideration of every Member of this House the valuable book written by the distinguished gentleman from Oklahoma [Mr. MORGAN] on that subject.

Mr. Chairman, we point with pride to the wealth and prosperity of this country, and the growth of the same has been phenomenal. Since 1850 the population of the United States has more than quadrupled, and there are now more than 100,000,000 people in this country.

During the past 50 years our foreign commerce has grown from $318,000,000 to $4,254,000,000. The national wealth has increased from $7,000,000,000 to $144,000,000,000. The amount of money in circulation has increased from $279,000,000 to $3,419,000,000. The value of our farm property has increased from $4,000,000,000 in 1850 to approximately $44,000,000,000 in 1910.

In 1850 there were only 9,021 miles of railroad in operation in the United States. To-day there are over 260,000 miles. The valued output of factories in 1850 was about $1,000,000,000 and to-day it is over $25,000,000,000.

From whence comes the marvelous growth of this country? It comes, Mr. Chairman, primarily from agriculture, for it is the corner stone of all of our prosperity. If you take away our farms and agriculture and the results of their labor, we would have no leviathans of the sea laden with foreign commerce; we would have no farm property, no railroads, no factories, no cities, and our onward march as a rich and powerful Nation would cease. Our foreign commerce would disappear, our railroad trains would cease to scream along their steel-ribbed ways, and our centers of trade would become waste places.

By helping by adequate legislation to develop fully the growth of agriculture we are lending aid to every business enterprise in the country. The impoverishment of the tillers of the soil necessarily lay its burden upon man in every walk of life. His short crops and low prices are felt in every channel of trade, and the gentle rains from heaven above to the earth beneath, which give life to the growing plants, regulate the money markets of the world. In all the various pursuits of life there can be no higher nor nobler calling than that of cultivating the capacious bosom of mother earth. Nature with all her wealth would be as useless as the burning sands of the Sahara were it not for the toil and labor of him who cultivates the soil, and who, by his enterprise and industry, has converted the solitude of the gigantic forests into the smiling fields and open meadows. The sun that rises and sweeps back the darkness of night and heralds the approach of a new-born day could not warm the earth to a degree to make it produce enough food to satisfy the appetite of mankind and clothe the back of the human family should the farmers of this country refuse to cultivate the soil and husband the results of their labor.

I know, Mr. Chairman, that whenever one discusses farm life and agriculture in any of its various forms he is tempted to drift into tinseled phrases and trite figures of speech at the expense of healthy, wholesome thought. But I shall not consume the short time allotted to me to-day by flights of fancy endeavoring to portray in words the scene of the golden grain as it bends its head and becomes like the ever-flowing waves of the restless sea as it responds to the gentle caress of the summer's wind; nor will I endeavor to describe the beauty of the cotton bloom, nor talk to you of the grand and glorious work of nature as she causes the flourishing corn out yonder in the expanding West to burst forth its silks into rainbow hues, nor picture in words the scene of the fields of cotton as they wave their white banners of peace to the fields of grain, which in turn

wave back their banners of gold; but I shall, Mr. Chairman, in a brief manner call the attention of the House to why I consider it to be of importance that there should be passed at this session of Congress a rural-credit bill with Government aid, extending to the farmers of the country the same opportunity to borrow money at a low rate of interest and for a long period of time as is now enjoyed by other business. Are not the farmers of this country entitled to the same protection in doing business as the followers of any other occupation? There can be no doubt whatever as to this, and there is no doubt in the minds of the men who have studied the question that the farmer is discriminated against.

There is no country in the civilized world so far behind in providing adequate and suitable laws for the operation of rural credit as this one. And in all the examinations one can make he will not find in this civilized world a country more able to provide the necessary institutions and facilities than the United States, and you will never be able to find a group of people who can offer better basis of credit than the American farmer. There is no problem that confronts Congress or the people of this country which is of more importance than establishing some adequate institution by which the farmers may be given the advantage of doing business on the same businesslike methods in obtaining their money as is enjoyed by those engaged in other occupations.

As the strength and the prosperity of the Nation has its origin in the farmer, he is the artery through which flows the lifeblood of the Republic; and as his prosperity in turn affects the prosperity of all the people of the Nation, Congress owes it to all business of the entire country to see that his prosperity is not diminished.

Mr. Chairman, it long ago became apparent to those who studied farm life in America that something was materially wrong, and that the farmers were not receiving at the hands of the Government laws which would enable them to keep pace with the other interests in the country. To my mind the evidence is overwhelming that the present system by which the farmers are forced to obtain their money is wrong, and it can almost be proven to a mathematical certainty that the system by which he is now compelled to obtain his money is working a hardship, impoverishing him, and affecting the prosperity of the Nation.

It will be contended, when the rural credit bill is reported from the Banking and Currency Committee and comes before this House for consideration, by some illustrious Member, that nothing is wrong with the present system and that all the farmers in the country who now have security can obtain credit. I deny the validity of any such contention, for if there is nothing wrong in the present system I ask why the activity of the Southern Commercial Congress? Some years ago that body arranged for a commission of 100 men to go to Europe and to study and investigate the rural-credit system in operation in the different European countries.

If nothing is wrong, what forced the agitation and the activity in the different State banking associations, and the American Bankers' Association? These organizations following in the footsteps of the Southern Commercial Congress, sent to Europe members of their respective organizations to study the problems and to report the finding.

Even the Department of Agriculture of the Government, whose time in the past has been devoted largely to scientific problems, made investigation and gathered valuable information and data on this important subject. Not only has a search for information been made by the Department of Agriculture, but the State Department has become active and requested the ambassadors from this Government serving in different European countries to make investigations of the operation of the rural-credit system in the countries in which they are serving.

If there is nothing wrong with the present system and no relief should be given to the farmers, why the activity of the governors of the different States in one of their annual conventions? So convinced was ex-President Taft that something was materially wrong and changes should be inaugurated and a new system of credit be established exclusively for the aid and benefit of agriculture, that he addressed a communication to the governors of the different States at one of the conventions, urging an investigation on their part. He said:

> The 12,000,000 farmers of the United States add each year to the national wealth $8,400,000,000. They are doing this on a borrowed capital of $6,140,000,000. On this sum they pay annually interest charges of $510,000,000. Counting commissions and renewal charges, the interest rate paid by the farmer of this country is averaged at 8½ per cent, as compared to a rate of 4½ to 3½ per cent paid by the farmer, for instance, of France and Germany.
>
> Again, the interest paid by the American farmers is considerably higher than that paid by our industrial corporations, railroads, and municipalities. Yet, I think it will be admitted that the security offered by the farmer in his farm land is quite as sound as that offered by industrial corporations. Why, then, will not the investor furnish the farmer with money at as advantageous rate as he is willing to supply it to the industrial corporations? Oviously, the advantages enjoyed by the industrial corporations lies in the financial machinery at his command, which permits it to place its offer before the investor in a more attractive and more readily negotiable form. The farmer lacks this machinery, and lacking it, he suffers unreasonably.

Mr. SHALLENBERGER. Will the gentleman yield for a question?

Mr. VINSON. With pleasure.

Mr. SHALLENBERGER. Does the system of rural credits that you advocate contemplate operating with the question of personal loans as well as with real estate loans—farm loans?

Mr. VINSON. I am not wedded to any particular bill that has been introduced, but I can not see any reason why Congress should not extend to the farmers the same kind of protection that it gave to the commercial banking institutions in this country. [Applause.]

Mr. SHALLENBERGER. I wanted to ask one other question along that same line, namely, if the gentleman does not believe that if the farmers were accorded the same rules and rights and privileges in the discounting of their paper to the Federal reserve banks as now accorded to other lines of business they could secure about the same rate of interest?

Mr. VINSON. I think you are correct. If the farmers were given the same privileges in borrowing money as is enjoyed by corporations, why, of course, their interest would be lower.

Mr. CLINE. May I ask the gentleman a question?

Mr. VINSON. I have but a few minutes, and it is a big subject.

Mr. CLINE. Can you cover it in that time?

Mr. VINSON. No; I do not believe I can.

Mr. CLINE. Is it not a fact that the difference in the rates of interest as between the farmers and commercial bodies or corporations is largely due to the extent of the loan? The farmer does not loan $500,000 or a million or two million dollars, and the larger the loan the smaller the rate of interest?

Mr. VINSON. No; the gentleman is wrong. It is due to the reason that the banking institutions of the country can not hypothecate the security given by the farmer, which is probably his land, as well as he can the convertible securities of any corporation, such as bonds and stocks.

Mr. CLINE. I wish to call attention to this fact, that in the panic of 1907 short-time farm mortgages were more readily convertible than municipal or corporation bonds, or bonds of corporations in general. That is the experience we had in the West.

Mr. VINSON. I doubt whether the gentleman's statement will bear out the condition all over the country.

Mr. LEVER. If the gentleman from Georgia will permit, it is due to the fact that the farm mortgages in the gentleman's country are more nearly standardized than in any other section of the country.

Mr. VINSON. If the present method by which the farmer is forced to obtain his money is not wrong, and no relief should be given, what induced Congress to send a commission from this House and appropriate $25,000 to defray the expenses, to visit European countries to study rural-credit operations therein? Towering above all other investigations, the International Institute of Agriculture, with headquarters at Rome, Italy, is now sending volumes to this country describing the operation of rural-credit systems in various European countries.

If nothing is wrong and no change needed, why did the two great political parties in 1912, at their conventions, incorporate the following planks on that subject in their party plaforms?

DEMOCRATIC PLATFORM.

RURAL CREDITS.

> Of equal importance with the question of currency reform is the question of rural credits or agricultural finance. Therefore, we recommend that an investigation of agricultural credit societies in foreign countries be made, so that it may be ascertained whether a system of rural credits may be devised suitable to conditions in the United States; and we also favor legislation permitting national banks to loan a reasonable proportion of their funds on real-estate security.

REPUBLICAN PLATFORM.

BANKING AND CURRENCY.

> It is of great importance to the social and economic welfare of this country that its farmers have facilities for borrowing easily and cheaply the money they need to increase the productivity of their land. It is as important that financial machinery be provided to supply the demand of farmers for credit as it is that the banking and currency systems be reformed in the interest of general business. Therefore, we recommend and urge an authoritative investigation of agricultural credit societies and corporations in other countries and the passage of State and Federal laws for the establishment and capable supervision of organizations having for another purpose the loaning of funds to farmers.

No thoughtful man can for one moment reach but one conclusion, and that is that the present system and the method by

which the farmers of the country are forced to obtain credit, is inadequate and working a hardship on the already heavy-laden shoulders of the farmers of the country, and it is up to Congress to remove the hardship and provide a more modern method by which he may obtain credit.

Mr. Chairman, the greatest asset of the United States to-day is the agricultural possibilities of farm land, and one of the greatest needs of this country is the establishment of some distinct institution designed to aid the farmers in obtaining money at a low rate of interest and on long periods of time to enable them, in the cultivation of their crops, the improvement of their farms, the acquiring of farms, the harvesting, handling, and marketing of their crops.

There are in America over 12,500,000 farmers who own over $44,000,000,000 worth of property, and produce annually over $9,500,000,000 worth of farm products.

At first blush one would readily conclude that the American farmers are in a most prosperous condition, but, sir, you have only to analyze the figures and you will find the reverse. If you divide the total farm worth by the 12,000,000 farmers, the average income would only be $3,332, and divide the annual farm yield and then you will be astonished to know that the American farmer's gross income is only $791 per annum, and out of this sum of money he must support his family, educate his children, pay his interest and taxes, and lay aside for a rainy day.

Mr. KEARNS. Mr. Chairman, will the gentleman yield at that point?

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Ohio?

Mr. VINSON. Yes.

Mr. KEARNS. The gentleman says the average income of the farmer is something like $770?

Mr. VINSON. I said it was $791.

Mr. KEARNS. Has the gentleman taken into consideration the amount of farm products that the farmer's family consumes in a year?

Mr. VINSON. Yes. On the amount of capital that he has invested in his business, and the amount which the products of his labor bring to him, the farmer receives only a gross income of about 2 per cent.

It was a realization of the condition of the American farmer that aroused the interest of the Southern Commercial Congress, the Department of Agriculture, and the Department of State, and Congress at last awoke from its slumbers and concluded that some method of helping the farmer to solve his problem to enhance his financial well-being and to increase his contribution to the welfare of the Nation must be provided by law.

Never but once in the history of the entire Government has the farmer been the beneficiary at the hands of the Government, and that was in the acquisition of the lands he cultivates.

In ancient Rome the division of public lands was accomplished by riotous epochs of the Gracchi, and in England one-fourth of all the arable lands were inclosed during the last 200 years and became the property of the individual landlords. In France the Revolutionary Assembly of 1789 confiscated the immense landed possessions of the Catholic Church and sold them in lots of 2 or 3 acres for nominal sums to the peasants who had for so many years cultivated them for their ecclesiastical landlords; but in America none of the disagreeable features appeared, for the United States by its preemption laws of 1801 to 1862 allowed the land to be acquired for nothing.

The American farmers are not asking the Government by this legislation or any legislation that they have ever advocated gratuity at the hands of Congress. But they are entitled to a square deal and fair play, and so help me, God, as long as I am a Member of this body I will fight to see that they obtain it. They have security to offer, and they are asking the opportunity of offering the security which they possess as a collateral under a rural-credit system of obtaining money. We all know there must be some pledge given to the lender before money will be advanced, and what better basis for credit could any borrower offer than land. The farm property itself can be pledged to advantage. If the farm property can be pledged to advantage in time of need without months of delay, without great cost for negotiating loans, without having to pay such high and outrageous rates of interest, with the privilege of paying off the debt at the first opportunity, it will be of great advantage to the people of the United States as a whole, for it truly follows, as does the night follow the day, that the impoverishment of the farmer means the impoverishment of all.

Mr. Chairman, during the days of Washington and Jefferson ninty-six out of every one hundred people in the country were engaged in agriculture, but to-day only fifty-two out of every one hundred are so engaged. There must be some reason for this. Why has such a large percentage of the people turned away from the farm to earn their living?

From 1899 to 1909 our urban population increased 34 per cent and our rural population during that period only increased 11 per cent. In our three largest cities—New York, Chicago, and Philadelphia—10 per cent of the population of this country reside and 25 per cent of the rest of the citizens of this country reside in cities with a population of over 100,000.

We have all heard the hue and cry that has been raised repeatedly in this country that the farms are becoming depopulated, and we have read many interesting articles in magazines and periodicals entitled "Back to the farm." Why has not the farm kept pace with the cities in the increased population? Why have the people turned their face toward the city?

I shall not endeavor to enumerate all the reasons which, to my mind, have caused this state of affairs to exist, but I do know that the lack of credit has been one of the things that has stagnated farm life.

Another reason that has caused this condition to exist has been that the farmers only get approximately 35 cents out of every dollar that the consumer spends for the products of his labor, and this has made farming one of the most unremunerative callings.

To my mind the lack of credit and the failure to receive a just compensation for the products of his labor has done more to depopulate the farms of the country than anything else.

Mr. Chairman, the American farmers have been discriminated against in a most outrageous manner in obtaining credit. Credit is an instrument of great protective power. Without credit our industrial and commercial development could never have made the wonderful strides that they have. The sole object of rural-credit legislation is to place in the hands of agriculture a modern method of obtaining credit. In other words, it will enable the farmer to borrow money on the security of his land at approximately the rate first-class business concerns can borrow money on convertible security. And this is nothing but right and fair. As it is to-day the individual farmer is largely at the mercy of the local money lenders. He must pay what is demanded, and he comes very near paying from 10 to 20 per cent on all the money he borrows.

There are in the United States 27,000 banks, and according to the figures submitted by the Comptroller of the Currency for 1914, these 27,000 banks have in resources $26,971,398,030.96. They have $2,132,074,073 capital stock. They have $2,276,517,370 in surplus and undivided profits. They have in loans and discounts and investments in stocks and bonds $20,873,281,196. These banks have but $2,132,074,073 in capital, and on this capital they have extended in loans and investment, in stock and bonds, credit to the amount of $20,873,281,196. The banks, as we all know, own the capital, but the credit power of the bank really belongs to the public, the depositors.

We speak of banks as cash institutions, on the contrary they are credit institutions. They extend $10 worth of credit for every dollar in capital that they have. And from an examination of the report of the Comptroller of the Currency it disclosed that the banks have loaned on farm land only $542,115,491.

In the report of the Secretary of Agriculture for the year 1914, it is estimated that the State, private, and savings banks throughout this country have loaned on what is known as "short-time loans" to farmers approximately $1,000,000,000, and that the national banks have loaned to farmers on "short-time loans" approximately $750,000,000; therefore on short-term loans the farmers of the country have obtained from our credit institutions about $1,750,000,000, and have, as I have already stated, obtained credit from the banks, with their farm land as collateral, $542,115,491, making in all a total loan to the farmers of this country by the banks, approximately $2,292,115,491, and the total loans of banks in accordance with reports of the Comptroller of Currency for 1914, amounts to $20,873,282,169.

In numbers, according to the last census, our farmers of America constitutes one-third of our population, but banking institutions of this country have extended to them but one-ninth of the credit of the country. On the amount of loans made by the banks in this country 2½ per cent of their loans and investments are on farm-mortgage security. Ninety-seven and one-half per cent of the loans made by the banks of this country are upon security other than farm lands. In other words, the banks in this country invest $97.50 in stock and bonds and other forms of security for every $2.50 invested in farm lands. The farm land of this country constitutes one-fourth of the wealth of the Nation, but receives from our banking institutions but one-fortieth of the credit.

It is pertinent, Mr. Chairman, to make inquiry to ascertain what favoritism has been extended to railroads and manufacturing enterprises by the banking institutions of this country.

The banks of this country, according to statistics that I have been able to investigate, have made investment in railroad bonds to the amount of $1,675,303,719, and in railroad stock $75,437,009, making a total investment on railroad stocks and bonds of $1,748,739,728. In other words, the banking institutions of the country have extended credit to the amount of $1,748,739,728 more to the railroad companies than to the farmers.

The railroads are valued at approximately $16,000,000,000; the farms are valued, as I have already stated, at approximately $44,000,000,000. The railroads give employment to about 2,500,000 people; the farms of America give employment to approximately 12,500,000. There are in this country approximately 10,000,000 supported by the railroads, and there are over 45,000,000 supported by the farms.

The banks have actually invested in railroad stocks and bonds more than three times the amount loaned to farmers, with their land as collateral. They have only loaned to the farmers, with their land as collateral, $542,115,491.

Let us see what the banks are doing toward extending credit to the manufacturing enterprises of this country. Manufacturing is the only other industry that compares with agriculture in the amount of wealth annually produced and that industry has access to a source of credit, because the security that they offer consists of stocks and bonds, which are sometimes "watered."

Manufacturing concerns own large corporations, and the value in 1914 of the capital stock of manufacturing concerns was over $64,000,000,000, and they had issued over $37,000,000,000 in bonds and other forms of indebtedness, giving to this business over $101,000,000,000 in stocks and bonds and other forms of security.

The banks of the country have loaned on stocks and bonds as security the enormous sum of $9,712,000,000, and on farms they have loaned but the sum of $541,115,491—over 49½ per cent in stocks and bonds, and 2½ per cent in farm mortgages. In other words, the banking institutions of the country have extended credit to the amount of $9,169,884,519 more to the corporations than to the farmers. One-half of the entire credit power of the banks is extended to corporations.

Has not the farmer a right to claim that the banking institutions have discriminated against him, and is it not conclusive evidence that the banks do not extend to the farmer the credit to which he is entitled? This, therefore, makes it clear to my mind that it is necessary to inaugurate a new system of credit to meet the urgent demands of the farmer.

Not only have the banking institutions of the country been guilty of discrimination against the farmer in obtaining credit, but in the establishment of the national banking system of this country farm loan was outlawed by the Federal enactment as a class of security upon which loans should not be negotiated. Yet it must be admitted that the safest and highest class of gilt-edged securities in the Nation to-day is its improved farm lands, upon which the Government and all other industries of the Nation must depend for support and progress.

Congress has also discriminated in its appropriations. We appropriated for our Navy approximately $147,000,000; to our Army, $104,000,000; to our pensions, $162,000,000; and to the Department of Agriculture the sum of $30,000,000, which appropriation is subdivided into 20 or more classes. The amount appropriated for agriculture in proportion to the number of people engaged in that occupation amounts to just about 40 cents for the benefit of the head of each rural family, while the appropriation to the Army amounts to more than $2,000 per capita.

Now, Mr. Chairman, turn to the subject of taxation; for if there is one thing that is as sure as death in this country it is taxes. The valuation of property in 1912 subject to an ad valorem taxation amounted to $69,452,936,104. Of this amount $51,854,009,436 consisted of real estate. Three-fourths of the burden of our direct taxes for the support of the State, the county, the city, and the town falls upon the burden of real estate. The largest item in the farmer's budget of wealth is his real estate.

It is impossible for the owner of real estate to escape the burden of taxes, while the banks, the corporations, the railroads, with their different securities, are able oftentimes to dodge the tax collector. You find the farmer paying an enormous rate of interest, deprived of the advantage of obtaining credit on the same basis that other business in the country enjoys, and at the same time his entire property being subject to taxes, as it is visible to the ever-seeing eye of the tax collector.

In view of the figures above given, can any reasonable man claim that the farmer is not discriminated against. He does not enjoy the same privilege of offering as collateral to the banking institutions of the country his security as is enjoyed by the railroad, the corporations, and manufacturing enterprises. He is subjected to hardship, inconvenience, and high rate of interest to obtain his money, while those engaged in other business are not forced to encounter the obstacles that the farmer constantly has to surmount to obtain credit.

As I have stated, he yields annually by the toil of himself and his family, and produces oftentime in a mortgaged crop, over $9,500,000,000 worth of wealth; he owns, in round numbers, approximately $44,000,000,000 worth of farm property, yet with all of this accumulated wealth he can not obtain in the money markets of this country money at the same rate of interest as is enjoyed by others.

I respectfully inquire, When will this discrimination cease? Why should fish be made of one and fowl of another? Is it not shortsighted on the part of the banking institutions of this country to continue this discrimination, when the banker should know that the money he has loaned to the corporations, that the money he has loaned to the railroads, the money he has loaned on city and urban property, will shrink in valuation if the farmer becomes impoverished?

Has not the time arrived when the American farmers who follow the noblest of all occupations, who bear the hardships incident to farm life, who are confronted with the uncertain conditions of weather, the fluctuating prices of his commodity, and who, year by year, produce such wealth to the country, should be given a modern system whereby he can obtain money on a long period of time and at a low rate of interest, which is absolutely essential to his continued prosperity?

Mr. Chairman, while I have talked on rural credit in a general way and pointed out why, in my opinion, legislation along this line should be enacted and have called attention to the manner in which the farmers of the country are discriminated against in obtaining credit, it is important to analyze the bill introduced by the gentleman from Virginia [Mr. GLASS], which, in all probability, will be reported from the Banking and Currency Committee for consideration by this House.

The administration of the proposed law would be under a newly created board, known as the Federal farm-loan board, to be established in Washington and to consist of five members named by the President, with the advice and consent of the Senate. Not more than three would be members of the same political party. The members are to devote their whole time to the business of the board and are to receive salaries of $12,000 a year and traveling expense. The term of each member would be 10 years. Large powers would be granted and ample provision made for the necessary force of attorneys, experts, assistants, clerks, laborers, and other employees, and for registrars and appraisers. The President would be given discretion, but would not be required to put these employees under the classified service.

The Federal farm-loan board is to divide continental United States, excluding Alaska, into 12 Federal land-bank districts, apportioned with due regard to the farm-loan needs of the country. They may be readjusted from time to time, and their number may be increased by the board. In no case, it is prescribed, shall a Federal land bank be established with less than $500,000 capital.

In each Federal land-bank district a Federal land bank is to be established, which may establish, subject to approval of the board, branches within the land-bank district. The board of directors of every Federal land bank, apart from the temporary organization, is to consist of nine members, each holding office three years, six to be local directors and to represent national farm-loan associations. The remaining three are to be known as district directors, appointed by the Federal farm-loan board.

Section 5 deals with the capital stock of Federal land banks. Every Federal land bank shall have before beginning business a subscribed capital of not less than $500,000. Shares are $10 each. If within 90 days after opening the books any part of the minimum capitalization is unsubscribed, the Government is to take it.

Section 7 provides that corporations, to be known as national farm-loan associations, may be organized by persons desiring to borrow money on farm-mortgage security under the terms of the act. Every farm-loan association is to elect a board of not less than five directors. Ten or more natural persons who are the owners or are about to become the owners of farm land qualified as security for a mortgage loan under the act, may unite to form a national farm-loan association. They will prepare articles of association and forward them to the Federal land bank

of the district, and on approval of the director of such bank a charter will be issued to the association. Members of such associations will be allowed to borrow on land mortgages in accordance with the act.

The bill goes into much detail as to the nature of the loans and mortgages permitted. The theory is that loans may be made payable back in installments at reasonable interest rates. The maximum loan to any borrower is $10,000.

In addition to providing for Federal land banks, the bill provides for joint-stock land banks, and provision is made for farm-loan bonds or joint-stock bonds secured by first mortgages on farm lands, such as the measure contemplates.

Mr. Chairman, I am frank to admit that after months of study on this bill I am thoroughly of the opinion that the same is not workable and will not accomplish the desired results. While there are many admirable features in the bill, yet it is lacking in the essential of a genuine rural credit bill—Government aid—and I do not believe if it is enacted into law will serve the purpose and object intended, and time will demonstrate the correctness of my conclusion. It is too cumbersome and has too much red tape to be put into successful operation.

Mr. Chairman, the present system of American farming must be revolutionized and made to conform to the best methods of modern twentieth century progress. The weak link in the chain of agricultural success to-day is the absence of a sound and safe system of agriculture finance.

When this system is inaugurated it will at once lighten the present heavy burden of the American farmer and will soon make rural life not only attractive but prosperous. This great Government of ours has not been developed by merchants, lawyers, bankers, and manufacturers. The pioneers of this country were farmers, who for generations past braved the dangers of the wilderness, hewed the forests, tilled the soil, and by their blood on hundreds of battle fields placed this Nation in the first rank among the nations of the earth. I say to my Democratic colleagues here to-day that the people have a right to expect that we redeem the party platform made in Baltimore and give to the farming interests of this country rural credit legislation with Government aid. Do not give to them a law which is a mere makeshift. Give to them a bill with Government aid—with this great Government which they have helped to develop and given their best efforts to make it what it is to-day behind the collateral which they offer. With Government aid in a rural credit bill the Government will do for the farmer of the country what it did for commercial banking in the Federal reserve act—that is, guarantee the observance of all of its contracts and the redemption of all of its obligations.

The American farmer does not come to Congress pleading for any special privileges over any other class of American citizens, but they have the right to expect that a square deal will be accorded to them, and by the passage of a rural credit bill with Government aid it will give to agriculture a new birth and stimulate this great industry, upon which rests the prosperity, the happiness, and the welfare of this great American Republic. [Applause.]

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. LEVER. Mr. Chairman, I yield to the gentleman from Alabama [Mr. BLACKMON] one minute.

The CHAIRMAN. The gentleman from Alabama [Mr. BLACKMON] is recognized for one minute.

Mr. BLACKMON. Mr. Chairman, I am very much interested in the question of rural credits. I ask unanimous consent to extend my remarks on that subject in the RECORD.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD on the subject of rural credits. Is there objection?

There was no objection.

Mr. BLACKMON. I yield back the remainder of my time.

Mr. LEVER. Mr. Chairman, I yield to the gentleman from Indiana [Mr. CLINE] the remainder of that minute.

Mr. CLINE. Mr. Chairman, I would like to ask unanimous consent to extend my remarks in the RECORD on the American Academy of Arts and Sciences.

The CHAIRMAN. The gentleman from Indiana [Mr. CLINE] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from Georgia [Mr. HOWARD].

The CHAIRMAN. The gentleman from Georgia [Mr. HOWARD] is recognized for five minutes.

[Mr. HOWARD addressed the committee. See Appendix.]

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. HELGESEN] such time as he desires.

The CHAIRMAN. The gentleman from North Dakota [Mr. HELGESEN] is recognized.

[Mr. HELGESEN addressed the committee. See Appendix.]

Mr. HAUGEN. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. PLATT].

The CHAIRMAN. The gentleman from New York [Mr. PLATT] is recognized for 30 minutes.

Mr. PLATT. Mr. Chairman, in the face of all that has been said this afternoon on the subject of rural credits, and being a member of the Committee on Banking and Currency, I feel very strongly inclined to lay aside my prepared speech, and to talk a little common sense on the subject of rural credits, but I will refrain for the time being, and will speak about a very different subject in which I am not exactly an expert, but in which I am greatly interested, namely, birds.

On Thursday morning, March 30, there passed away in this city Prof. Wells W. Cooke, assistant biologist at the Biological Survey, the leading authority in the United States, and I think I am safe in saying in the world, on bird migrations, a modest unassuming student, but a student of the great mysteries of the open, a most delightful companion, ever ready to share with others his gentle pleasures and to aid them in learning about the birds, the flowers, the ferns, the trees, and the beautiful things that grow wild all about us in the fields and woods, but which most of us never see. Prof. Cooke, like John Burroughs and John Muir, taught many people how much wholesome enjoyment there is to be had without money and without price, almost at our doors, everywhere, in the reading of the book of nature. I never heard him complain of the high cost of gasoline. It was my good fortune to make his acquaintance soon after I came to Washington to attend the extra session of the Sixty-third Congress in the spring of 1913, and to be asked to join the local Audubon Society in its tramps about the neighborhood of Washington under his leadership, and even to be admitted to the smaller coterie of cranks who take early morning tramps in springtime along the Potomac hills and marshes in Virginia, along the Chesapeake & Ohio towpath, or back into the woods that still in part surround the District of Columbia. I should like to tell you something about those tramps, but must confine myself to a brief sketch of some of the splendid work of the Biological Survey, with special reference to Prof. Cooke's work on bird migrations.

First, let me say that the migrations of birds are still in considerable part a mystery. Just why some of them travel such long distances from their summer to their winter homes nobody knows. Generally speaking, like our millionaires who go to Palm Beach or to southern California in the winter, they flee away from the cold at the advance of winter, but that is not true of all of them. There is at least one bird, the arctic tern, the champion migrant, that nests north of the arctic circle as far as land has been found, and then flies 11,000 miles to the antarctic continent, way south of Patagonia. This wonderful bird seems to seek sunshine rather than warmth. The sun never sets during its entire stay at its breeding grounds, and the same is true of at least two months of its sojourn in the antarctic.

A few birds, on the other hand, do not migrate at all, but stay with us all the time, winter and summer. The English sparrows are the most familiar; but the cardinals, or red birds, so common here in Washington, grouse or partridge, and quail are among them. A few others, like meadow larks, go only short distances. Some others are both migratory and nonmigratory, like the Maryland yellow throat, which both winters and breeds in Florida, though most of the species passes north in the spring to New York and New England.

Many birds spend their summers in Canada and as far north as Alaska and their winters along the Gulf of Mexico or in South America. Some birds that nest in Canada seem to like cold weather, but not too much cold. The tree sparrows and juncos, for instance, are abundant around Washington, in New York State, and throughout the Northern States in winter, but go back to Canada in the spring. They are seed eaters and probably simply keep away from snows so deep as to bury their food. Robins migrate, but not very long distances. They are found during all the year a little south of Washington, and a few winter in this neighborhood, but occur along the Gulf only in winter, and in the Northern States only in summer. Generally speaking, they keep below the line where the ground freezes, and come North as soon as the ground softens, so that they can get earth worms for food. I believe that Prof. Cooke has said that

birds do not greatly mind cold weather, but must go where they can find food.

Some of our well-known birds that winter in South America go far south of the Equator and seek a particular locality. The familiar bobolink or reed bird winters in southern Brazil, and nighthawks go well into the Argentine, while purple martins, barn swallows, cliff swallows, and some thrushes winter almost as far south. Scarlet tanagers winter on the west coast of South America, mostly in Peru, south of the Equator.

Mr. SHALLENBERGER. I wonder if the bewhiskered, nut-cracking night bird migrates from that country also.

Mr. PLATT. I am afraid I do not know much about that bird. I mention only a few of these birds and their habits to show the wonderful variety and interest in the subject. Prof. Cooke has discovered many strange and interesting things about the routes of the birds, their speed of flight, and their distribution. He organized a large corps of voluntary workers, and it may surprise Members of this House to know that there are some 300 people covering pretty nearly all parts of the United States and much of Canada who work for Uncle Sam without pay, reporting regularly every year the dates of the arrival and departure of the birds in their localities. [Applause.] From these reports and from reports of trained observers who have visited the Arctic regions and other uninhabited or sparsely inhabited localities Prof. Cooke prepared a series of maps showing the range of almost every bird known in the United States and its routes of migration. Some of these maps have been published in the bulletins written by him for the Biological Survey, and since the passage of the Federal law of March 4, 1913, protecting migratory birds these maps and the data upon which they are based have become of immense importance.

Without such studies as those made by Prof. Cooke some of our game birds would surely be entirely destroyed in time. One very important matter brought out by these studies is the establishment of the fact that most birds concentrate in winter in a much smaller area than that covered by them in breeding in the summer. The ducks and geese breed mostly in northwestern Canada between the Rocky Mountains and Hudson Bay or Lake Winnipeg, in a vast region of many lakes and streams and marshes. A large number of them used to breed in the Dakotas, in Minnesota, and Wisconsin and some still nest there, but increasing agriculture is gradually driving them out. In winter they concentrate along the Mississippi, the Gulf, and the Atlantic coast, where they have been killed in great numbers by sportsmen and pot hunters. Chesapeake Bay was formerly the winter home of millions of canvasback and redhead ducks that nested in Canada. Now, because of constant shooting, canvasbacks are almost rare in the Chesapeake. Prof. Cooke contributed to the National Geographical Magazine of March, 1913, an article entitled "Saving the ducks and geese" that shows by maps the summer and winter homes of these splendid game birds, tells how they have been slaughtered in vast numbers in the winter and spring, and points out the means that must be taken to save them. Further and very interesting information on this point is given in the beautifully illustrated article in the National Geographic Magazine for August, 1915, by Dr. Henry W. Henshaw, Chief of the Biological Survey, on American game birds. Dr. Henshaw reviews briefly the numerous game laws that have been passed by the States, points out the tremendous increase in the number of hunters as shown by the licenses issued, and shows that both Federal and State laws are necessary to save the game birds. The Federal law, it should be noted, applies only to migratory birds and can do nothing to protect quail or grouse and other birds which are nonmigratory.

Laws alone, whether Federal or State, are evidently insufficient. Some splendid birds, like the passenger pigeon, that once existed in countless numbers, have already been exterminated, and many others, like the heath hen, once abundant in the East, are almost extinct and kept from total extinction only by the protection of a special refuge. The heath hen is now only to be found on the Island of Marthas Vineyard where, under the protection of stringent laws of the State of Massachusetts, a few pairs have increased to about 200. This brings me to the subject of bird refuges—special areas set apart for the safety of birds of all kinds, where they may not be killed. The Federal Government has established 68 bird reservations in different parts of the United States, including Alaska, and this does not include the national parks. Several States have also established bird refuges, and to these must be added a large number of private estates where the birds are fully protected, and privately established bird reservations.

Dr. Henshaw mentions as conspicuous examples Marsh Island, acquired through the generosity of Mrs. Russell Sage; the Rockefeller preserve; and the Ward-McIlhenny preserve, all in Louisiana. The last mentioned comprises some 50,000 acres.

The 68 Federal game and bird reservations, I may say here, together with the National Bison Range, in Alaska; the Jackson Hole Elk Refuge, in Wyoming; and the 4,000-acre game preserve on the Wind Cave National Park, in South Dakota, are all maintained on an appropriation of only $22,000 (testimony of Dr. T. S. Palmer, hearing Agriculture appropriation bill, Biological Survey, p. 17) which is entirely insufficient to provide needed protection. A reservation off the coast of Georgia had to be abandoned during the past year because of lack of funds, and the appropriation of $22,000 is only a little more than $300 for each one. The Laysan Island Reservation in the Hawaiian Islands was visited by poachers last year, who killed some 300,000 birds, mostly albatrosses, for their plumage. This great reservation has no warden, and the same is true of many of the smaller reservations.

Mr. YOUNG of North Dakota. The gentleman's remarks are certainly very interesting. I should like to ask the gentleman whether it is not a fact that the birds throughout the country are of immense economic value, particularly to agriculture?

Mr. PLATT. I am coming to that, but I may say, in answer to the gentleman's question, that according to Dr. Henshaw the farmers are saved not less than $500,000,000 every year through the work of the birds in destroying insects, and small animals like field mice and squirrels, and weed seeds.

Mr. YOUNG of North Dakota. In view of that fact, would it not seem that we should appropriate something more than $22,000 annually to take care of these 68 bird reservations, and the immense amount of work that is being done along that line?

Mr. PLATT. The appropriation is too small, especially when it is remembered that that $22,000 takes care of several herds of buffalo and of elk, and a great number of game birds which are of immense value themselves for food.

Mr. GREENE of Vermont. Does the gentleman expect further on in his remarks to call attention to the fact that some species of birds which were once thought to be more or less pests have been proven to be of great economic value?

Mr. PLATT. Yes; I shall touch upon that, and should be glad to say more about it if time would permit.

Mr. REAVIS. My question is not apropos of the line of thought you are now developing, but I am curious to know about the migratory habits of the redbird?

Mr. PLATT. Does the gentleman mean the cardinal that we see so often around Washington?

Mr. REAVIS. Yes.

Mr. PLATT. It does not migrate at all; it stays here all winter and all summer.

Mr. REAVIS. I will say that I have heard a redbird whistling near my home in Nebraska when the temperature was as low as 10° below zero.

Mr. PLATT. Yes; occasionally one of them stays up in the State of New York. Some birds apparently do occasionally migrate which ordinarily are not supposed to do so. For instance, a mockingbird spent considerable time in Downing Park, in the city of Newburg, on the Hudson River, some time ago. Then, the Carolina wren, which is a very common bird around Washington, occasionally nests in New York State and in New England. It seems very unlikely that it stays there in the winter, but I have seen no data on that question.

There is much in the work of the Biological Survey with regard to birds that I should like to mention if time permitted. Perhaps the most unique and valuable work is the examination of the contents of bird stomachs by Prof. F. E. C. Beal and others.

Prof. Beal has been at this work some 27 years. He sits there looking through a microscope at little piles of seeds and other things spread out before him, and he is so expert that he can recognize the half-digested fragment of a weed seed, or caterpillar's hair, or a piece of bone from the hind leg of a little field mouse, or something of that kind. Of course, nearly all the contents of birds' stomachs are partly digested. It takes a man of tremendous experience and expertness to know what he is looking at when he examines these things.

Birds have been called by Dr. Henshaw "the policemen of the air." It has long been known that they devour great quantities of insects and small animals, but the patient scientists of our Biological Survey have undertaken to prove, so far as possible, just what the birds do for agriculture, by showing just what they do eat. They have conclusively proven that some hawks, formerly considered enemies of the farmer, really do much more good than harm, because they destroy a large number of field mice and other small animals and only occasionally take a

chicken. Our country, I understand, has taken the lead in this work, as in the study of bird migration.

Mr. YOUNG of North Dakota. Is it not a fact that the great State of Pennsylvania at one time offered a bounty for the killing of hawks?

Mr. PLATT. Yes; but it had to repeal the law, because it was found that the field mice and other small animals which had been destroyed by the hawks and owls were increasing in such numbers that their devastations had done a great deal more harm than the destruction of the hawks had done good.

Some interesting studies have been made by Prof. Cooke and others in the way of a bird census—to find out how many birds there are living in our great country. It looks like an absolutely stupendous, hopelessly impossible task—like counting the sands of the seashore—but it is not. The average Eastern farm has been found to have one pair of birds to the acre nesting on it. By special inducements this can be increased considerably. For instance, in the Chevy Chase neighborhood in Maryland, just outside of Washington, 13 pairs of birds were nesting in one yard of one-half an acre and 34 species of birds were found nesting on 23 acres in 1914. It has been proven that where birds are best cared for and protected insects are most held down. The estate of Baron Hans von Berlepsch, "Seebach," near Essen, in Germany, was like an oasis in a desert after a great plague of insects had devoured most of the vegetation of the neighborhood. The baron was a great bird lover and had provided special nesting places and food for birds so long that he had greatly increased the number of birds on his estate, and when the invasion came they well repaid his care.

Mr. HOWARD. Does the gentleman know anything about the temperament, habits, location, and value of the bird discovered by President Roosevelt—that bird which has whiskers and nut-cracking proclivities? I should like to have the gentleman tell us something about that if he can. I am interested in that bird.

Mr. PLATT. I am sorry to have to tell the gentleman that I do not think I ever saw that bird. I will say this, however, that Col. Roosevelt is really a competent bird observer. He knows a great deal about our common birds. I know that at first hand, because I spent nearly a day with him once in the woods, along with John Burroughs. He is interested in everything he sees out of doors and never misses an opportunity to study an unusual bird, or the birds of a locality new to him.

Mr. COOPER of Wisconsin. Will the gentleman from New York permit me to reply to the gentleman from Georgia? The gentleman intimates or suggests by his question that Mr. Roosevelt claims to have discovered this bird. In an interview published yesterday in one of the New York papers he disclaims ever having made any such remark as that at all. All he said was that he thought he had discovered some traits of that bird of which he had never before heard; but the papers have been constantly stating that he claimed to have discovered it, although he did not say anything of the sort himself.

Mr. HOWARD. Did he describe the bird as having nut-cracking proclivities?

Mr. COOPER of Wisconsin. Oh, no.

Mr. LEVER. Will the gentleman yield?

Mr. PLATT. Certainly; I will yield to the chairman of the Committee on Agriculture.

Mr. LEVER. The gentleman has made a very interesting statement, and I am glad he has made it. I would like to ask if he has ever considered any plan or method by which we could destroy the English sparrow, which, to my mind, is driving away a great many native birds from this country?

Mr. PLATT. I may say that Ernest Harold Baynes, in his very interesting book on Wild Bird Guests and How to Entertain Them, has shown how the English sparrows were driven out of his home town in Meriden, N. H. He says they can be made to keep out. I should hate to see them all destroyed, however, for they stay here all winter, and are very cheerful little fellows.

Mr. ELSTON. Will the gentleman yield?

Mr. PLATT. I will yield to the gentleman from California.

Mr. ELSTON. I have not been here during the whole of the gentleman's remarks, but I would like to ask whether he made any reference to the birds in the Sandwich Islands?

Mr. PLATT. Yes; I referred to the bird refuge there and the fact that there have been marauders there killing thousands of albatrosses.

Mr. ELSTON. Did the gentleman make any suggestion as to the expediency of preserving bird life in that locality or make any plan for the administration? It is merely a bird refuge.

Mr. PLATT. If I am correctly informed, the Laysan Island Reservation extends over more than 5° of longitude, and includes many small islands, and there ought to be a permanent station there. There ought to be a warden to take care of it. It is a group of islands absolutely uninhabited except by birds.

Mr. ELSTON. Has the gentleman any plan in mind for stimulating interest in that bird locality? I am asking in behalf of parties on the coast who are very much interested in this, and particularly in the Laysan Island proposition.

Mr. PLATT. I know of nothing better than to call attention to the fact that plume hunters have destroyed so many birds there, and get a little more money from the Government for their protection.

Mr. LEVER. My recollection is that the matter was brought to the attention of the committee last year, and that some provision was made in the bill for better service at that point; but I am not sure that my recollection is correct.

Mr. PLATT. Dr. Palmer, of the Biological Survey, refers to it in the hearings before your committee this year.

Mr. LEVER. Probably that is what I had in mind, and it was this year instead of last year.

Mr. CLINE. Will the gentleman yield?

Mr. PLATT. Certainly; I yield to the gentleman from Indiana.

Mr. CLINE. Speaking about the migration of birds, I remember of reading a while ago a statement made by some member of the Audubon Society of Illinois that the birds in their migration observed the trade winds, both coming to and going from the United States. Does the gentleman know anything about that?

Mr. PLATT. It is so of some birds, but birds take a great many different routes. The average bird that winters in South or Central America flies across the Gulf of Mexico, some 700 miles. A few go around through Central America and Mexico. There are birds that take one route in the fall going south and another route coming back in the spring.

Mr. CLINE. They go by the Allegheny Mountains and the coast and come back by way of the Rocky Mountains.

Mr. PLATT. They generally follow the Mississippi River north and come back along the coast.

Mr. CLINE. The article also contains a statement that robins that appear in the spring would appear at Albany, New York, Buffalo, Chicago, and St. Paul within an hour or two of the same time.

Mr. PLATT. I do not know particularly about the history of the robin in its migration. It has been shown that birds that go into the Northwest or into Alaska travel faster than those that come east. The lines of migration on the charts made by Mr. Cook in the West and Northwest bend way up into Canada. For instance, certain birds appear in Washington and at St. Paul, or perhaps at New York and at Winnipeg, on the same dates.

Mr. FESS. Will the gentleman yield?

Mr. PLATT. I yield to the gentleman from Ohio.

Mr. FESS. Has the gentleman made any study or come to any conclusion as to whether there is any bird that ought to be destroyed because it is hurtful to other birds, because it robs the nests of other birds? For instance, there is an impression that the common jay lives on the eggs of other birds.

Mr. PLATT. The bluejay is a beautiful bird and it does occasionally eat the eggs of some other birds, but it is entitled to some kind of food. [Laughter.] I think if there is any bird that ought to be destroyed more than any other because of its bad habits it is the cowbird, which does not take the trouble to build a nest, but drops its eggs into the nests of smaller birds.

Mr. FESS. My question is not a facetious one; I am asking the question of one who has studied birds.

Mr. PLATT. I do not claim to be an ornithologist.

Mr. FESS. But the gentleman knows more about birds than anybody else here.

Mr. PLATT. I think no bird ought to be entirely destroyed. I think some ought to be held down. I think the English sparrow ought to be lessened considerably, but I should hate to see it entirely destroyed.

Mr. MANN. There is no danger. [Laughter.]

Mr. FESS. Is the common blackbird a migratory bird?

Mr. PLATT. Yes; the purple grackle is the common blackbird that you see around Washington. It is the bird that walks; you see it walking around in the parks. It has been here three or four weeks.

Mr. FESS. We have hundreds and thousands of them at Antioch College, in Ohio, during a certain part of the year always in the campus at night. About 5 o'clock you will see them coming in in groups, and they light on the trees until the

trees are simply black with them, and then before the dawn you can begin to hear them and it is a regular frolic as they go. Where do they go in the day?

Mr. PLATT. The gentleman is talking about what they do from day to day.

Mr. FESS. My first question was whether they are migratory. Where do they go during the day?

Mr. PLATT. They go off somewhere to find food, and come back and roost at night.

Mr. FESS. I have never seen them come from the west. They always come from the east at nighttime.

Mr. MANN. That would depend upon where they get the food.

Mr. PLATT. Yes. Their food supply in the neighborhood of Dr. Fess's home is evidently to the eastward.

Mr. MANN. They nest in the locality, and they swarm in the fall.

Mr. PLATT. Yes.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. SHALLENBERGER. I have been very much interested in the speech of the gentleman from New York. The State of Nebraska is especially rich in varieties of birds, and I would like to ask him if he can inform us as to the fate of the common bluebird. It used to be quite common in Nebraska, but it seems to have almost disappeared. Is that bird being destroyed by other birds?

Mr. PLATT. I think not. It has been a very common impression that the bluebird has been driven out by the English sparrow, but as a matter of fact some years ago thousands of bluebirds were killed by an ice storm. An ice storm kills more birds than anything else. It puts a coating of ice not only over the ground but over every branch of every tree and bush. If the ice coats everything long enough, thousands of birds will starve to death unless somebody feeds them. The bluebirds all over the East almost disappeared a few years ago. They are coming back now. There are a lot of bluebirds around Washington. I saw them as early as February. They are gradually increasing, and unless they are destroyed by another storm they will continue to increase. Some of them winter here in the neighborhood of Washington. Cats destroy a good many young bluebirds, which are particularly helpless when first out of their nests. In fact, cats destroy a great many birds of all kinds.

Mr. FESS. Where does the scarlet tanager live?

Mr. PLATT. If I remember right, it winters in Peru. Most of them go south of the Equator and off to the west coast of South America, which is a very unusual thing. The tanager is a bird mostly of the woods when it is breeding, though I have known a few pairs to nest around the outskirts of cities and villages.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LEVER. Mr. Chairman, I yield 15 minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman, the bill that the House has before it now, according to my judgment, is the most important matter that this Congress will consider at this session, unless it takes up, if it can ever get it reported to this House, a rural-credit bill. Congress should force the committee to report a real rural-credit bill. Our farmers are entitled to it and must have it. The Congress has done a great deal to teach the American farmer how to produce farm products. The Congress has been liberal for years in showing the farmer how to cultivate the soil, how to treat it, how to diversify his crops in order to get the best results, but there is one thing that the American Nation is behind on, and that is a marketing system. We show the farmer how to produce in abundance all of the splendid farm products and we fail to get his products properly marketed. As shown by the gentleman from Nebraska [Mr. REAVIS] in his able address here to-day, 18 different men handle the steer, so that the original grower of that steer must pay all of this commission which is consumed by these 18 different parties, from the producer of the steer to the ultimate consumer, the man who buys the beef to cook. In my district we have a great fruit and vegetable industry. Several of my counties produce and ship large quantities of truck and fine vegetables. One town, Crystal Springs, shipped 1,300 cars of vegetables in the year 1915. From the little town of Gallman, and the county seat, Hazlehurst, including Crystal Springs, 2,500 cars of vegetables were shipped in 1915, and for those vegetables $350,000 went to the Illinois Central Railroad Co. in freight charges, and now that railroad company has before the Interstate Commerce Commission a proposal to increase that freight rate, and a ruling is to be made on that on the 15th day of this month. I am fighting before that commission to keep the railroad company from perpetrating that outrage on the poor truck farmers of my district. I hope success will crown our efforts. These are two of the things that our farmers are being burdened with in this country—commission charges and transportation charges. Shylock in all of the tide of time never showed such a greedy, grasping hand as some of these produce and vegetable commission men in the large cities show in handling the product of the farmers.

The transportation companies are more than greedy when they try to raise and increase rates on vegetables now. The poor farmer can not stand it.

Now this great vegetable truck is worth big money ordinarily. I am giving you a concrete case and I know that all through the Mississippi Valley and the Central West and the Southwest are these people producing these splendid trucking products who hardly get enough to pay for their fertilizers and a decent wage for production. There must be some remedy for it. These people are paying an enormous fertilizer charge. Fertilizer is higher this year than it has been since I have known anything about farming and yet the transportation companies propose to increase freight rates. The ultimate consumer of the farmer's product pays a big price for it. You go down right into the restaurant below here in this Capitol, and you get a little tomato—10 cents. That farmer for a whole crate of tomatoes only got probably 50 or 60 cents. The same thing in regard to beets; the same thing in regard to carrots and cabbages and beans, and all of his products are the same way. The same thing is true about hogs and about cows; the same thing is true of the southern cotton farmer. The middlemen get it all; freight rates eat a great hole in it, so that the man who actually produces the farm products of this country is held down in a state of almost absolute need. [Applause.] How is it that these people, as shown here from the speech of the gentleman from Iowa the other day, a family of six make only $402 a year on a farm of a valuation of $6,000 with 75 acres in cultivation? If the same capital should be employed with equal intelligence in any other line of industry the man would get many fold more than he really does for his labor as a farmer. I do not say that Congress is to blame for it. Congress is to blame in a measure for not devising a suitable national exchange bureau or system of marketing.

I introduced a bill here to extend the Bureau of Markets, and I am happy to say that some of the principles involved in that bill the distinguished chairman of this committee and his colleagues and colaborers have worked into the bill. [Applause.] But the result of this work does not reach as far as it should. We know that unless there is some proper method of handling the farm products to keep down the exorbitant commission charges, heavy transportation charges that eat up what profits the farmer should receive from the time the products leave the farm until they reach the ultimate consumer, unless there is some radical change in it, the farmer can not grow much more independent. All of this talk we see in the magazines, and some we hear on this floor, of this "back to the farm" can not be brought about by mere talk. The gentleman from Ohio told us there had been a great hegira from the farms of Ohio into the cities of that State. I do not know anything about farm conditions in the State of Ohio, but I know they are not what they ought to be or the people would not be leaving the farms. They do not get enough for their work is the reason they go to the city. I know the reason they leave the farm in my district in my State, Mississippi, to go to work in the railroad shops and in other public works, is because of the fact they do not get the real value of the produce they raise on the farm and for the further reason they want to get into the town where they can have good public-school advantages for their children. The men are willing to work from early dawn until late at night at hard manual labor at small wages in order to have good schools for their children to attend. We owe it to the great agricultural class—the real wealth producers of the United States—to aid them in establishing splendid rural schools in which to educate their children. The farmer, the man who owns a small farm, does his own work in my country, and understand me, he does not fool his time away or spend it around the country store nor around the streets of the town, but he labors from early in the morning till late at night, as long as he can see, and that is from one end of the year to the other. Not only does he himself labor, but his children and oftentimes his wife go to the field and work. They are endeavoring to better their condition in life. The necessity makes it necessary that the whole family should work in order to have a decent living, because the farmer fails to get the full value of his labor in the price of his products.

Mr. REAVIS. Will the gentleman yield?

Mr. QUIN. I do.

Mr. REAVIS. The gentleman spoke of the entire family of the farmer laboring. Does the gentleman know of any one employment where longer hours are put in than by the farmer and his family?

Mr. QUIN. No, sir; there is none. Nobody works as long hours as the real farmer who tills the soil. I know this not only from observation but from actual experience myself on the farm. I have done nearly everything myself except preach. I worked on the farm from the time I was 5 years old until I got education enough to get away from it, and the reason I left the farm was not because I did not like farm work but because I saw no hope in it. I realized, under conditions as they then existed, that the man who toils in the fields of this country could never get the price of his labor. I realized that the man who works on the farm, putting in not 8 hours a day, but at certain seasons of the year he puts in 18, would scratch a poor man's head all of his life. These very vegetable growers I have told you about around Crystal Springs right now, this 13th day of April, and their wives and children, probably little fellows about 4 years of age, the whole crowd of them are in the field at daylight until late in the evenings working with vegetables, and on chilly evenings they work sometimes until 11 o'clock at night, covering those vegetables up to keep the cold from killing them.

That is the way my people work. And yet they have nothing more than a bare living, when if they received the real value of their labor they would soon become independent. We had a bill up in this Congress to take care of individuals sitting around in departments who did not want to work 8 hours a day, but who only wanted to work about 6½ or 7 hours, and who wanted 30 days, and who do get 30 days, sick leave, and 30 days tree absent leave, when the poor farmer has to toil day in and day out—and is robbed going and coming—and then forced to pay the taxes of the favored few.

Mr. COX. Will the gentleman yield?

Mr. QUIN. I will.

Mr. COX. Does the gentleman know that the same class of people he is talking about here in the departments are now asking to be retired on half pay when they reach the age of 60?

Mr. QUIN. Yes, sir; and it makes my heart sick to know that there are many Congressmen on this floor who will vote to do it, when these people who work for 18 hours a day on the farm are the ones who will have to pay for it. And if you are going to assist the employee of this Government, because he has a lifetime job and gets a good salary and works eight hours and less a day, what are you going to do for the producers of wealth who must pay the taxes? You propose to give this lifetime employee not only a little less than eight hours a day of work, but retire him on $600 a year after he has quit. That is too preposterous, in my judgment, to talk about. If these 30,000,000 of people who are engaged in the raising of the products of this country knew what Congressmen would vote to put that great burden on them, they would come up here and put them out of this place. You take the six and one-half million farmers and you multiply them by about five, which allows four children to the family, and you have about 30,000,000 people out of a hundred million people, who are producing the farm products of the country, and whom you wish to tax for the benefit of the few.

The 30,000,000 people who are producing these products are asking for no favors. They receive none. But they can not get justice. All I have ever asked for any constituent in my district is justice, and as a representative of the people, I believe this great farming class of 30,000,000 that keep all the wheels of industry in this country running, that keep all these railroad trains moving, that keep our salaries paid, ought to have not only what goes with this agricultural bill that we are considering to-day, but they ought to have a genuine system of exchange for marketing their products [applause] in order that the real value of farm labor will be received in the sale of the products of the farms, whatever they may be. [Applause.] The ultimate consumer pays enough. The Lord knows we do not want to hand down any bigger burden on him than is there now, but what is the matter is the cost of transportation and the further cost of commission. These commission men, as a rule, are parasites.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman from Mississippi is recognized for two minutes more.

Mr. QUIN. These commission men are parasites, who live off of the men and women and children who toil, and as an illustration of it the commission man generally has a nice fine house in which to live, he rides in an automobile, he generally wears a diamond, and he wears nice clothes and his family wears nice clothes. The poor farmer and his family are lucky to have simple fare on their table and plain clothes on their bodies, they are lucky if they can have an ordinary horse and buggy, and they are still luckier if the farmer has enough money left, after paying high interest and all other robberies, at Christmas to get a few toys for his children, a jug of "oil of joy" for his Christmas eggnog, and a new calico dress for his wife. [Laughter.]

Mr. CLINE. Will the gentleman yield?

Mr. QUIN. Yes.

Mr. CLINE. Now, I believe all the gentleman has said about these conditions, but when I put it up to a commercial man he said to me, "Why, farm lands have gone up in the last 13 or 14 years 200 to 210 per cent." And I am unable to explain why that should be, considering the fact that the farmer is beaten out of most all of his profits.

Mr. QUIN. I do not know anything about where farm lands have gone up all over the country. That just makes the farmer pay more taxes, for if he still farms he wants to continue to own the land, and a poor man has less opportunity to buy a farm. They have not gone up that way in my country. You can get as fine land as a crow ever flew over in my district for $20 an acre. You can get as good grazing land as any in Nebraska or Ohio for $50 an acre. I advise you gentlemen to go into that country and put your money into the stock-raising business. Do not go into the vegetable-raising business, because the railway companies and the commission men will get all the money you make. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. I yield one minute for the purpose of asking the gentleman a question: Are you in accord with the suggestion made by the department—by these people who have been objecting to the eight-hour workday—that the farm management be so rearranged as to give additional hours of work to the people on the farm in order to improve the condition and increase the receipts for the year, which seems to be the only remedy suggested so far?

Mr. QUIN. To give additional hours to the farmers?

Mr. HAUGEN. That he may be given additional hours to work during the year.

Mr. QUIN. Oh, my goodness, he works all of the time in the daylight now, and puts up a torch by which to work at night.

Mr. HAUGEN. That seems to be the only remedy discovered so far by the department.

Mr. QUIN. That is it. The department is doing the best it knows how; but it is plain that the few who get the farmer's profits will never discover anything for him except for him to work like hell. [Laughter and applause.]

I here insert my bill as a part of this speech:

A bill (H. R. 10486) to extend the Bureau of Markets in the Department of Agriculture.

Be it enacted, etc., That the Bureau of Markets shall be extended. The Chief of the Bureau of Markets shall name all special agents, clerks, and other employees that may be necessary to fulfill the duties of such bureau in or out of the District of Columbia, and they shall receive the same compensation as other United States Government clerks doing similar work.

SEC. 2. That it shall be the duty of the Chief of the Bureau of Markets to make thorough investigations as to the system of marketing all farm products, especially vegetables, fruits, hogs, poultry, and all diversified products of the farm, cooperative and otherwise, in practice in various sections of the United States and foreign countries. The information and data thus collected shall be distributed to farmers, farmers' unions, farmers' organizations, and societies of consumers throughout the various agricultural sections of the United States, and made available for the use of any individuals or organization, either by the circulation of printed bulletins, letters, circulars, telegrams, or by information given personally by special agents or employees of said bureau. It shall also be the duty of the Chief of the Bureau of Markets to make investigations of the demand for farm products in various trade centers, and the current movement of such normal demand, and the price thereof, with the view of furnishing information as to the best available markets, which information shall be distributed as above set forth.

SEC. 3. That it shall be the duty of the Chief of the Bureau of Markets created under this act from time to time and at appropriate intervals to gather accurate information from the various production areas of the United States upon and relative to the amount of productions of the various fruit and vegetable crops thereof, including the acreage planted therein, and of the various kinds, classes, and varieties thereof, respectively, and the probable dates upon which such crops will become ready for market, and to distribute such information through reports to interested persons, as hereinafter provided.

SEC. 4. That it shall be the duty of the Bureau of Markets to aid in every practicable way the sellers and buyers of such crops and farm products as are mentioned in this act while the same are subjects of interstate commerce, to the end that such buyer shall receive the full amount, quality, and quantity of such crop or commodity shipped, and the seller shall receive the full amount or price, less expense, for which such crops or commodities are bought; and that to this end such bureau and the agents thereof shall have a right, and it is hereby made their duty, to inspect the quality and quantity of such crops or commodities that leave the hands of the shippers thereof and the quality and quan-

tity of such crops or commodities that come into the hands of the buyers thereof, as well as to ascertain by inspection of the records hereinafter provided for, or by deposition or otherwise, the prices paid for such crops or commodities by the buyers thereof, and to report such information to persons directly interested therein; and, further, to prosecute persons guilty under this act of infringements hereof.

SEC. 5. That it shall hereafter be the duty of every agency, person, or corporation, instrumental in selling, handling for sale, or arranging the sale of any such crops or commodities the subject of interstate commerce on behalf of the shipper, whether before or upon delivery to the first purchaser thereof, in each case of such nature to make a true and correct record in writing, dated and signed by the person entering such record, showing the quantity of such crop or commodity received by such agency, person, or corporation, the date and the time of day at which it was so received, the name of the shipper from whom it was received, the quality and condition of such crop or commodity when so received and when sold, the name and address of the first bona fide buyer thereof, the price paid buy such buyer to such agency, person, or corporation to such shipper, and the date of such remittance, the original of which record shall be prepared immediately upon the transaction of the facts and matters therein recorded, and shall be thereafter forthwith transmitted by mail, duly addressed to such shipper, and a duplicate of which record shall be correctly entered by such agency, person, or corporation in a well-bound book or books to be kept for such purpose in the office of such agency, person, or corporation, subject to the inspection of the shipper and the Bureau of Markets.

SEC. 6. That any person or persons, corporations, or other agency, as well as any agent or employee thereof, who shall omit to send the original record, or to keep the duplicate thereof, or to allow inspection of such duplicate as above provided, shall be guilty of a felony and upon conviction thereof shall be punished by a fine of not less than $1,000 and imprisonment of not less than 12 months, or by both such fine and imprisonment

SEC. 7. That any farmer, farmers' union, organization, buying or selling agency that desires telegraphic or telephone information from the Bureau of Markets shall deposit the actual cost of transmitting such telegraphic or telephonic information with the Chief of the Bureau of Markets.

SEC. 8. That the sum of $—— shall be appropriated out of the funds of the United States Government, and the Secretary of Agriculture shall provide suitable offices in which said Bureau of Markets can conduct the business thereof, and the Chief of the Bureau of Markets shall make an annual report to Congress, giving in detail the workings, affairs, operations, and expenditures of such bureau.

Mr. HAUGEN. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. HULL].

The CHAIRMAN. The gentleman from Iowa [Mr. HULL] is recognized for 20 minutes.

Mr. HULL of Iowa. Mr. Chairman, no one of the comedy of errors with which the present administration can be justly charged has proved inimical to the public, has demonstrated the inefficiency of the Department of Animal Industry, and has disregarded the rights of a State to deal exclusively with its own affairs more than that episode staged last summer under the name of the "foot-and-mouth quarantine." The things that were done by the Federal officers during that régime would have been ludicrous if they had not been so pitiful, and would have been absurd if they had not ruined many a home, driven many a man into bankruptcy and an untimely grave, and throttled the independence of a State. One benefit has evolved. We have been taught that before the Federal Government can ever hope to be an important factor in the development of the great live-stock industry it must thoroughly reorganize the department in control of this great source of wealth of the United States.

One can only realize the magnitude of the blunder when he considers the millions upon millions that are invested in the live-stock industry of this country. It is the greatest wealth producer in the United States; tens of thousands annually derive their livelihood therefrom; it has paid the mortgage on many thousands of farms, and it involves more capital than any other pursuit of man in the world. The live-stock industry indirectly affects every person in the United States, and directly affects millions of farmers whose future is bound up in its success. With the growth of this great industry at stake, it naturally would follow that the Federal Government would provide as adequately for the development of the live-stock industry as it has for the numerous other of our growing resources. Such, however, is not a fact, for its Federal supervision in the United States is now and has been in the hands of a few veterinarians, lacking the capacity to direct it and entirely out of sympathy with the farmers and others who own and whose money is invested in these great herds of stock. These men are totally inefficient to cope with the immense problems which are involved in the husbandry of this vast branch of the Government's resources.

At the head of our transportation service is an efficient organization employing thousands and thousands of expert men whose sole business is its development; we have a Bureau of Mines, employing the most capable men in the country and annually spending millions to develop our mineral wealth; our forest reserves are efficiently guarded at an annual expense of millions; and vast sums are expended that we may produce more wheat, more corn, and more of those things that add to our wealth. In pitiful comparison with this is the meager amount set apart to further an industry greater than any of these, an industry the future development of which is now in the hands of an organization of men devoid of the necessary qualifications to insure it the greatest amount of success, devoid of the efficiency to handle the vast questions involved, and who are entirely out of sympathy with the farmers who are financially interested. As the European war awakened us to our inadequacy in military preparedness and naval equipment so it was the outbreak of the foot-and-mouth disease throughout the United States last year that demonstrated how totally inadequate and inefficient was our Federal Board of Animal Industry, so inefficient that it was entirely unable to cope with the disease that spread like wildfire through the country. The foot-and-mouth disease has been dispelled, it is true, but only after it has ruined thousands of farmers, added mortgages to hundreds of homes, and cost untold and unnecessary millions, to say nothing of the usurpation of State rights by the Federal Government. All of this might have and should have been avoided, but it was not, because there was a woeful lack of knowledge and efficiency and a lack of the application of good, sound common sense.

The foot-and-mouth disease first made its appearance in the United States in Niles, Mich., a year ago last July. Its origin has been attributed to many sources, but none of these have been specifically verified. When it was first suspected, however, serum tests were sent to the Bureau of Animal Industry in Washington, for analysis. It was right here, at the very beginning, that the bureau made its first big blunder and proved that it was inefficient, for in diagnosing the case it failed to discover the foot-and-mouth germ, and it failed to pronounce it foot-and-mouth disease. If we had had a sufficiently efficient board, the disease would have been throttled in its incipiency, and the germ would never have been carried outside of the State of Michigan. If a proper diagnosis had been made, millions of dollars would have been saved, and the live-stock industry would have avoided the crushing blow it has received. However, as the bureau failed to properly diagnose the case no quarantine was established, and the infection was allowed to spread. Naturally it was not long in reaching the Chicago stock yards, and from there it was disseminated through 11 States. Cars on which infected cattle had been shipped were saturated with the germs, and one can conceive of no way where it could have been more widely scattered.

In October, weeks if not months after the disease first made its appearance in Michigan, the Federal authorities suddenly awoke to the fact that an epidemic of foot-and-mouth disease, in widely scattered areas, was facing the country. Then began those hysterical quarantine orders which came from the Federal department, and which will be recorded as the most amazing spectacle of incompetence, ignorance, and usurpation of authority that has ever been witnessed in a similar event. First began a campaign of publicity, very little of which was founded on fact. The statement was strewn broadcast that the United States was in the throes of a terrible cattle disease for which there was no cure. The public was given to understand that the cattle industry was about to be decimated. It was declared that there was no cure for this terrible disease, and the only thing to do was to lock up great areas of land and let everything confined therein die. It was claimed no method was too drastic, no system was too severe, no price too high to pay in order that we might rid ourselves of this terrible scourge that had suddenly swept over the country.

In this campaign of ignorance and inefficiency State laws were violated, property rights ignored, and individuals terrorized in an insane effort to wipe out something that never should have been allowed to gain a foothold. The worst feature in connection with these orders was that not only the man who had an infected herd was made to suffer by the blundering tactics of the Federal department, but the innocent owner of other herds—not only of cattle, but of hogs—was made to lose his savings of months, if not years, by the arbitrary methods pursued—methods that have no justification in eliminating the disease or in economical management.

The quarantine as first established tended rather to spread than to isolate the disease. Areas were placed under quarantine so large that it was impossible to enforce the rules prescribed. Whole counties at first were isolated. Drastic measures were used in an attempt to coerce the farmers into obeying these stupid rules. They were threatened, bulldozed, and coerced into obeying these mandates of the department that were founded neither on law nor ordinary good sense. When orders began to issue from the Federal department hundreds of head of cattle and thousands of head of hogs, a large portion of which were many miles away from the infected premises, would be tied up. In many instances these cattle and hogs were ready for market. They could have been shipped at once, and

thus the owner would have secured his money and the danger of spreading the infection minimized. Not only would their removal from the inclosed area have aided in destroying the disease but it would have aided the officers in their quarantine.

The result from the attempted enforcement of the quarantine was exactly the opposite. Great quantities of stock were held until they became infected; hogs ready for shipment had to be fed and were held until, in many cases, they died of cholera. It must be remembered that the disease reached its zenith just about the time a large part of the stock was ready for the market. This fattened beef and pork, instead of finding its logical outlet, was held by these obnoxious orders until millions of dollars were lost. When this strong-arm business became so notorious that the people arose in open defiance the Bureau of Animal Industry, to appease the people and secure any semblance of obedience to its orders, modified the original quarantine rule reducing the isolated area from a county to a distance of 15 miles around the affected premises. This was an admission of the error it had made in its original order, but while an improvement over the county quarantine, it came still far from relieving the intolerable conditions that existed. Millions of dollars of stock, still clean of the disease, was tied up, a market for it was unavailable, and the men whose money was invested saw total loss staring them in the face. It must be remembered that only sporadic attempts were made to see that these rules were properly enforced. The result was that while the cattle and hogs were held, other animals were spreading the infection, and we had the spectacle of a vast quantity of live stock being held waiting for the foot-and-mouth disease and the cholera to come and wipe it out of existence. Many of the methods used in an attempt to enforce the quarantine caused much of the antagonism that was raised. In many instances the veterinarians in charge were arrogant and arbitrary. Added to this was the fact that most of them were hopelessly ignorant of what was required.

In many instances proper inspection was not made, but even a more serious charge can be made against them. The public might have excused the lack of knowledge in handling the disease, but it could not excuse the utter disregard of sanitary measures and the criminal carelessness with which these veterinarians carried the disease from one place to another. Infected and unifected herds would be inspected by these same veterinarians without any thought of their disinfecting themselves or their clothing. There is little doubt but what these same veterinarians were responsible for the spread of the disease as much as any other one thing. The climax to this orgy of blunders came about a year after the disease had its inception. The foot-and-mouth disease had practically been eliminated, eliminated by killing all the infected cattle and many more that had no disease and destroying millions in property. Then it was that this same bureau, knowing well that serums suspected of containing the germ had been manufactured in Chicago, allowed this same serum to be sold, resulting in the reappearance of the disease in many places. This second scourge was wiped out only after these drastic measures were put in force once more and added millions of stock destroyed.

Mr. KING. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Illinois?

Mr. HULL of Iowa. I do.

Mr. KING. Is it not a fact, stated in the evidence taken at Chicago by Senator KENYON in December, that Dr. Bennett, who was acting for the United States Bureau of Animal Industry in Chicago at the time the plague broke out there in the yards, was a stockholder in a hog-cholera serum factory in Wisconsin at the time?

Mr. HULL of Iowa. I believe it was so testified to, and other evidence was adduced at that hearing to the same effect.

Mr. HAUGEN. Mr. Chairman, will my colleague yield there?

The CHAIRMAN. Does the gentleman yield?

Mr. HULL of Iowa. Yes.

Mr. HAUGEN. Do I understand the gentleman to say that Dr. Bennett was then in the employ of the Federal Government?

Mr. HULL of Iowa. I understand so, but I am not an authority on that subject.

Mr. KING. That is the statement contained in the evidence of witnesses taken at the hearings referred to.

Mr. HAUGEN. Is he the party that inspected or passed the serum?

Mr. KING. It was not his concern, but the Chicago serum concern which spread the disease in 1915. Dr. Bennett was a stockholder in that company. He is not now connected with the department.

Mr. HAUGEN. My question was whether he had inspected and passed the serum that started the infection in 1915?

Mr. KING. That inspection was made by Dr. Shearin, of the Bureau of Animal Industry, located at Chicago, and also I think by Dr. Dorset. One of them or both has been dropped by the department.

Mr. HAUGEN. Oh, no. Dr. Dorset was not dropped.

Mr. COX. What excuse was given for their not understanding it?

Mr. KING. They said that they tested out some 60 different samples of that serum, and that it showed negative in those experiments, but they failed to take into consideration the fact that there was one-half of 1 per cent of carbolic acid in it at that time—it being stated by Dr. Dorset at the Sherman House that that would kill any foot-and-mouth germ that was in it, which statement I think they took for granted and which was not true—which might not reach all the parts of the serum. They should not have taken any chances on that proposition. Simply to save $1,800 worth of serum at Chicago their action cost the people of Illinois something like $300,000.

Mr. HULL of Iowa. They should have taken no chances at all. They went out and destroyed hundreds of thousands of dollars' worth of cattle and then allowed serum companies to distribute serum that had practically no value.

Mr. OVERMYER. Mr. Chairman, will the gentleman yield?

Mr. HULL of Iowa. Yes.

Mr. OVERMYER. Can the gentleman tell how many men were in this country at the time of the outbreak of the foot-and-mouth disease who were familiar with it and who had ever seen it?

Mr. HULL of Iowa. That is what I say. They ought to have been posted. They had had outbreaks of this disease before, and they are paid by this Government to know how to deal with it.

Mr. OVERMYER. I thought the gentleman's complaint was that they did not have enough inspectors to handle the situation in all parts of the country.

Mr. HULL of Iowa. No. If the gentleman will wait until I get through, he will see that one of my complaints is the usurpation of power by officials of the National Government over the States in an unconstitutional manner.

Mr. KING. Mr. Chairman, will the gentleman yield again, in order that I may answer some of the questions that have been asked?

Mr. HULL of Iowa. Certainly.

Mr. KING. Is it not a fact that the Bureau of Animal Industry was familiar with the outbreak in 1901 and in 1902 and with the outbreak of 1908, and that it issued a special bulletin on that subject, giving the results of their investigation? And does not the gentleman think they ought to have been thoroughly posted on the foot-and-mouth disease at that time when this last outbreak occurred?

Mr. HULL of Iowa. Yes. As the gentleman from Illinois stated in his remarks here, there were some gentlemen thoroughly posted about this matter. There was the trouble.

Now, I want to call your attention to another phase of the condition that existed during the epidemic of this disease, and that is the important part that the United States Live Stock Sanitary Association had in making the rules and regulations that were adopted to stamp it out. It should be known in the start that the secretary, treasurer, and guiding spirit in this organization is Mr. John J. Ferguson. Mr. Ferguson is the scientific expert and one of the leading men with Swift & Co., one of the biggest packing concerns in the United States. Now, the office of the Secretary of Agriculture might have been densely ignorant as to the proper way to eradicate the foot-and-mouth disease, but the United States Live Stock Sanitary Association was as well informed as the bureau was ignorant. In fact, all reports and evidence tend to show that the United States Live Stock Sanitary Association had much more to do with the rules of quarantine and the methods used to stamp out the foot-and-mouth disease than did the Bureau of Animal Industry. Belonging to this organization are Federal officers of the Government bureau and such well-known men as Dr. J. F. Gibson, chief of the Bureau of Animal Industry of the State of Iowa, and the heads of nearly every State bureau also are members. It is well founded in the minds of many of the farmers, especially those who lost their money by this drastic campaign, that the rules and regulations governing the foot-and-mouth disease were framed in the interests of the packers and insurance companies of which some of those men were the owners, rather than the interests of the farmers. It is claimed that the packers reaped a harvest off the misfortune of the stock raisers, and all the evidence tends to confirm these state-

ments. At least this is so, that Mr. Ferguson, head man of one of the packing companies, was the guiding spirit in an organization that was apparently responsible for the drastic quarantine laws that were placed into effect.

Let me show you how these quarantine rules resulted in benefits to the packers. The disease was rapidly sweeping through the country, such measures as were being used tended to spread rather than isolate the disease; whole counties were being put under quarantine, a quarantine which could not be enforced; the farmers did not know what moment they would be prohibited from shipping their stock; were afraid any moment that it might be tied up, held until it became infected, and they would lose all. As a result they were willing to sell at any price, quantities of stock were dumped on the market, and prices decreased rapidly. Whole States were put into suspected areas, and from this area the farmer could only ship to one market, and there he must sell at the packers own price. This resulted in tremendous losses. This must be considered together with the fact that Mr. Ferguson, one of the leading men in the packing industry, was the head of an organization that was apparently directing the quarantine. In his work he was aided and abetted in drafting these rules by State officers, who were charged with protecting the farmers, but who, by their action, warrant the charge of holding stock in quarantine that the insurance companies of which they were stockholders might grow rich through the farmers' misfortune. When you keep the two in mind, do you wonder that these men who were losing their profits through these quarantine laws became imbued with the idea that a mercenary motive was involved in these quarantine regulations.

I want to call your attention to the manner in which the Federal Government usurped the rights of the various States to make and enforce quarantine regulation within their own borders. I cite your attention to Iowa particularly. This is my own State, and I am very familiar with the actions that were taken there. These vicious quarantine laws that had been enforced had become intolerable. Herds of hogs and cattle were dying by the hundreds. Millions were being lost, farmers were b ing made bankrupt, and the live-stock industry was going to ruin. At this time a 5-mile quarantine was enforced. So great had become the disaster that the people in the infected areas almost in a body appealed to the governor to give them some relief. On December 31 Gov. Clark sent to David E. Houston, Secretary of Agriculture, the following telegram:

DES MOINES, IOWA, *December 31, 1914.*

Hon. DAVID HOUSTON,
Secretary of Agriculture, Washington, D. C.:

Within the 5-mile zone quarantine for foot-and-mouth disease are thousands of hogs ready for market, 60 days in some cases. Feed almost exhausted, tenants unable to pay rent, obligations generally can not be met, hogs threatened with cholera, many already dying with it, great losses sustained by farmers. Can the Government consent that hogs outside of 2 miles of infected farm, after inspection, may be shipped to Iowa market for immediate slaughter? It would be great relief. State desires to cooperate with Government if it is possible and consistent with safety. May the modification be granted.

GEO. W. CLARK, *Governor.*

This shows the condition that existed in Iowa at this time. On January 2, the following reply to that telegram was received:

Gov. GEORGE W. CLARK, JANUARY 2, 1915.
Des Moines, Ia.:

Order 231, effective January 1, permits shipment of stock for slaughter after inspection from 5-mile zone 30 days after disinfection of premises is completed. This will undoubtedly release in near future much live stock now held in quarantine. Regret three recent outbreaks in Cedar and Iowa Counties; will delay action in those localities.

D. F. HOUSTON, *Secretary.*

Thus, you will see that the appeal of the governor of Iowa for relief found a deaf ear in this Democratic administration, which expressly refused to allow a State to move stock within its own borders. In January of that year the Iowa Legislature met in its biennial session, and one of the first things to come before that body of men was the intolerable condition prevailing in the quarantine of the foot-and-mouth disease. Iowa farmers appealed almost in a body for legislative action that would at one time place a real quarantine around premises infected with the foot-and-mouth disease, and release for shipment stock not infected, stock that was rapidly eating up the profits of the farmer, or hogs that were becoming infected with cholera. The result was that a law was passed providing that a strict quarantine should be placed around an area of not more than 3 miles from any infected premises, and a conditional quarantine should be placed around an area 2 miles from the strict quarantine. Stock could be immediately shipped from the conditional quarantine after due inspection. Stock in the strict quarantine was held. This law you can readily see would have proven a great relief to the farmers. After passing the law, the Iowa Legislature sought the cooperation of the present administration in the enforcement and application of the law it had enacted. Did it get it? No, indeed! Instead, it received a threat that if the governor of Iowa signed the bill that the legislature had passed, the entire State of Iowa would be isolated, and that not one shipment of stock would be allowed to pass its borders. I quote you a telegram signed by Carl Vrooman, Acting Secretary of Agriculture, which clearly indicated the high-handed method the administration used to coerce the State into adopting its rules and regulations:

To the GOVERNOR OF IOWA:

Regret very much bill relating to foot-and-mouth disease quarantine does not meet with our approval. It is sometimes necessary to quarantine large areas until extent of infection can become known. Quarantining individual farms or radius of 5 miles around them is not always sufficient. Am advised such bill would automatically release all present quarantines in Iowa and would compel the department, much against its will, to quarantine the entire State. Disease rapidly disappearing and department contemplates in the near future conference with State officials and representatives of live-stock interest as to most effective methods of cooperation in the handling of future outbreaks.

CARL VROOMAN,
Acting Secretary of Agriculture.

Can you beat it? Did you ever before hear of such a Federal piracy of a State prerogative? A department of this Government threatening a State that if it passed a law governing an industry within its own borders that that State would be isolated, cut off from communication with every other State in this Union.

I wish also to quote a paragraph from a letter dated Washington, D. C., July 22, 1915, received by myself and signed by D. F. Houston, Secretary of Agriculture, which confirms the statement that this administration claims the Bureau of Animal Industry has unlimited authority over the property and liberty of citizens of a State in matters that have always been considered under the strict jurisdiction of the State:

It is the practice of the department in establishing and enforcing Federal quarantines to give careful consideration to State quarantine laws and to recognize State quarantines which are found to be adequate to meet the emergencies arising out of the outbreak of animal diseases. The department understands, however, as a matter of law, that when a Federal quarantine has been declared under the authority of a statute dealing broadly with the subject, the Federal quarantine prevails and State laws and regulations inconsistent therein become invalid; and it has not hesitated to enforce Federal quarantines, regardless of State laws or regulations, whenever such action has been found to be necessary to cope efficiently with contagious, infectious, and communicable animal diseases.

I shall at the proper time introduce an amendment to the bill now pending. This amendment has the indorsement of practically every one of the breeders and farmers who have had experience with quarantine of foot-and-mouth disease. I hope that I may have the support of everyone in this House. I hope that all those of the opposition who have hitherto worked to defeat those measures that have been advocated by the Republicans in the interest of the farmer will give this amendment their support. Hitherto they have promised much during that period before the time of election, but when they have come to Washington the interests of the farmer are forgotten, and they have used their power to retain the autocracy of these bureaus rather than in the interest of those who produce the wealth. [Applause.]

If the gentlemen on the opposite side of this Chamber use their power to defeat these measures that are in the interest of the farmers, I remind them that these farmers have it in their power next fall to see that Members of Congress are elected to this House that belong to a party in sympathy with them and their interests. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HULL of Iowa. I ask unanimous consent, Mr. Chairman, to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LEVER. Mr. Chairman, I yield two minutes to myself.

The CHAIRMAN. The gentleman from South Carolina is recognized for two minutes.

Mr. LEVER. Mr. Chairman, agriculture is the greatest occupation of mankind. It is the oldest of all the occupations of mankind. To-day is the anniversary of the birth not only of the patron saint of the party to which I owe allegiance and have the honor to follow, but it is at the same time the birthday of a man who, during his whole life, was the patron saint of agriculture in the early history of this country. I refer to Thomas Jefferson. [Applause.]

His philosophy was that the four chief occupations of man are agriculture, commerce, manufacture, and navigation, and

the chiefest of these is agriculture. He was the first man in this country to show a practical interest in the upbuilding of agriculture, when, as ambassador to France, he began to introduce into this country new seeds and new varieties of plants. He wrote many, many very interesting and valuable dissertations upon agriculture. He was a visionary man in many respects, a dreamer, but in my judgment he looked further into the future, and saw it more clearly, than any human being who ever lived.

The first appropriation upon which the Department of Agriculture finally built itself was secured in 1839—an appropriation of $1,000 for the introduction into this country of new and rare seeds. The department itself was organized in 1887. It was organized largely through the efforts of the father of one of my distinguished colleagues, Mr. AIKEN, of South Carolina. [Applause.]

But I rose only to remind the committee that this is the birthday of one of the great patron saints of this country, who devoted a large part of his time and his thought to the promotion and development of agriculture. [Applause.]

Now, Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. HEFLIN].

The CHAIRMAN. The gentleman from Alabama [Mr. HEFLIN] is recognized for 15 minutes.

[Mr. HEFLIN addressed the committee. See Appendix.]

Mr. HAUGEN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE. Mr. Chairman, the last Congress of the United States appropriated over a thousand million dollars. One hundred and forty thousand dollars was appropriated for the Forest Products Laboratory. This bill carries a similar amount.

The Forest Products Laboratory is located at Madison, Wis. It was established in 1910, the State of Wisconsin appropriating $50,000, building suitable buildings, and so forth, for housing this department.

I desire to call your attention to the work this Forest Products Laboratory is doing, to see whether the money is well expended, and whether the people of the United States are getting value received for their money.

NUMBER OF PEOPLE EMPLOYED IN WOODWORKING OCCUPATIONS.

The Statistical Abstract of the United States of 1914 gives 1,005,000 people employed in the manufacture of logs, lumber, woodworking, wood pulp, wood-pulp paper, turpentine, cooperage, cabinet work, and wood distillation. The same abstract gives the total number of wage earners engaged in purely manufacturing as 6,615,003; that is to say, almost one-sixth of our wage earners who are engaged in manufacturing are dependent for their employment on forest products. It means also that at least one-sixth of our transportation, more than one-sixth of our building, one-sixth of our commercial, financial, and professional activities are directly or indirectly dependent upon our forests.

Every farmer that owns a wood lot is benefited by being able to utilize it to his best advantage. The settler who formerly burned the greater portion of the wood and timber taken from the land that he was cleaning is now, thanks to scientific investigation, able to sell the greater portion of his forest products and make them pay for the cleaning of the land and placing buildings thereon. Even the bark from the trees and the stumps of the pine are becoming a source of revenue.

In the brief time given me it would be impossible for me to go into detail as to the many kinds of investigations being conducted by this Forest Products Laboratory. I will only have time to briefly call your attention to a few of these activities, and will ask leave to have printed in the RECORD as part of my remarks a more complete statement showing the scope of the work in accomplishments of the Forest Products Laboratory, and statistics concerning the pulp, paper, and other industries, which statement was prepared at my request by Howard F. Weiss, director of the laboratory, and a man of remarkable ability and energy.

TIMBER TESTS.

The work of this section is devoted principally to tests upon commercial woods of the United States.

The grading rules for structural timber, formulated by the American Railway Engineering and Maintenance of Way Association, are based largely on the result of tests made by the Forest Products Laboratory.

The portion of the new building laws for New York City that relates to wooden construction is based largely on the result of the Forest Products Laboratory tests.

Tests by the Forest Products Laboratory on telephone poles of various species have shown that woods heretofore considered unsuitable have the requisite strength for pole purposes.

Formerly timbers cut from trees adapted for turpentine were thought to be weaker than timber from untapped trees, and only unboxed timber was accepted. This discrimination has caused a waste of about 37,000,000,000 board feet of long-leafed pine timber valued at $111,000,000.

Tests made by this Government laboratory have shown that tapping trees for turpentine has no effect on the strength, and the use of box timber is becoming general.

Tests on packing boxes of various types have resulted in the revision of the specifications of the Interstate Commerce Commission for boxes used in shipping explosives. The railroads of the United States paid $40,000,000 annually in claims to shippers for goods lost and damaged in transit. A large percentage of this amount is due to poor design of boxes. By improving the design they hope to save at least $5,000,000 a year to the shippers and to the railroads.

Since the establishment of this forest laboratory in 1910 to 1915, 125,000 strength tests on 130 species of American wood have been made.

THE SEASONING OF WOODS.

A kiln has been designed which has shown greater efficiency than any now used. A carload of water-oak wagon felloes furnished by a large vehicle company, and claimed by them to be of little value because they could not be seasoned without checking and marking, were dried with a loss of only 2 per cent of the material.

Dry kilns have now been built by six large concerns using the advise of the Forest Products Laboratory, which represent an investment of $175,000.

Eleven hundred samples of wood a year are being identified for the public use without charge, and disputes involving large transactions are settled.

WOOD PRESERVING.

The preservation of wood against fire and decay and against all wood-destroying animals, and the study of the durability of wood under various conditions, represents the wood work of this section.

Tests upon the fire-resisting and water qualities of various paints and chemicals are also being carried on.

It has been shown that the life of wood used in the exposed situations, or in contact with the soil or water, can be increased at least three times by treatment with preservatives.

The Forest-Products Laboratory has designated some 12 wood-preserving plants for wood-using companies.

Tests have shown that many woods of comparatively little value, such as jack pine, lodge-pole pine, and other woods that were considered of little value, can be easily treated with preservatives and are suitable for ties. The use of these kinds of wood for tie purposes has doubled in the last five years.

The results of the investigations by the Forest Products Laboratory of the treatment of paving blocks have been utilized by the city of Chicago in drawing up specifications for city pavements.

PULP AND PAPER.

The study of forest products as pulp-making materials and the study of processes of manufacture of pulp and paper have been of inestimable value to the paper industry.

Tests have shown that pulps of commercial value suitable for use in the manufacture of news and wrapping paper can be made by the sulphite process from eight species of native wood, several of which grow in large quantities on the national forests. Some of these woods are now used to a limited extent; others not at all.

Red fir, white fir, jack pine, tamarack, and hemlock can now be satisfactorily substituted for spruce in the ground-wood process in making the cheaper grades of paper, such as news and wrapping paper. Several mills are now using these woods.

THE MANUFACTURE OF VEGETABLE ALCOHOL.

The Forest Products Laboratory has been conducting experiments the last three years on the production of grain alcohol, and they believe that their experiments have been perfected so that vegetable alcohol can be manufactured at a cost sufficiently low so that it will be a substitute for gasoline. The market price for grain alcohol to-day is 55 cents a gallon. The Forest Products Laboratory believes that it can be produced for 15 cents a gallon.

Experiments conducted and just completed by this laboratory show that wood waste, such as sawdust, and other wood refuse, will produce about 20 gallons of 90 per cent alcohol per ton.

This alcohol is the same as that manufactured from grain and potatoes and other similar material, and must not be confused with wood alcohol, which is obtained from the destructive distillation of hardwoods.

Experts upon the subject claim that the advantages in favor of alcohol over gasoline for power purposes are many. It is claimed that with an alteration of engines a gallon of alcohol will be fully equal to a gallon of gasoline. Alcohol is safer to handle, forms no carbon on the spark plug, has no smell, and is not offensive.

In this connection I wish to make the suggestion that the Government is now operating an extensive sawmill on the Menominee Indian Reservation in Wisconsin. It is estimated that there is from one and one-half to two billion feet of timber upon this reservation. The Government could establish at a small cost a plant on this reservation to manufacture alcohol, using the by-product of this mill, which is cutting about 20,000,000 feet of lumber annually. The by-products are not being utilized at the present time.

From advices that I have had from experts upon the subject I believe this is entirely feasible; and if the appropriation of $140,000 specified in this bill for the Forest Products Laboratory, which is the same amount that was appropriated by the Sixty-third Congress, was raised to $215,000, work in the various lines could be substantially increased and a factory of this kind instituted.

I believe that if anyone will take the pains to ascertain the work which our Forest Products Laboratory is doing, they will agree with me that the people of this country are getting more value received for the money expended for the maintenance of the Forest-Products Laboratory than any money appropriated by the Government, and by increasing the appropriation they will greatly increase the benefits that will be derived from this very valuable branch of the Agricultural Department.

NATIONAL WEALTH.

What constitutes our national wealth? Our national resources, our lands, forests, water power, coal, minerals.

In the last 25 years our national wealth has increased at an unprecedented rate. This has been due to our scientific research, our ability to find and utilize our national resources.

Our land and all the wealth pertaining to land was here, of course, hundreds of years ago, but it did not become valuable until man by scientific research was able to utilize it.

The development of agriculture is a most striking illustration of this.

SCIENCE APPLIED TO AGRICULTURE.

In 1890 Prof. Babcock, of the agricultural department of the University of Wisconsin, invented the Babcock test, a chemical process by which he could test milk and determine with absolute accuracy the amount of butter fat contained in the milk. This invention was given to the world absolutely free, without a patent. It made the creamery, and especially the cooperative creamery, possible. It encouraged the farmer to go into dairying; with this test he was enabled to get just what his milk was worth. If he had high-bred cattle that gave rich milk, he received maybe twice the pay per quart that his neighbor who had an inferior breed of cattle received.

The dairy industry increased to a wonderful degree after this great invention, which added millions of dollars to the value of lands in the United States.

At that time the dairy industry in Wisconsin was in its infancy. She produced less than $10,000,000 worth of dairy products annually, while to-day Wisconsin is producing each year over $100,000,000 worth of dairy products.

The introduction of alfalfa has added millions of dollars to the value of lands in the Central West. The scientific breeding of cattle, the propagation of pure-bred seeds, and the study of soils have given our farm lands an increasing value which is beyond estimate.

Scientific investigation has worked the same change in the value of our minerals. Mr. Albert W. Atwood, in the Saturday Evening Post of March 18, referring to our rich deposit of tungsten, says, "What good did my grandfather get out of the undiscovered tungsten in Colorado when he was fighting in the Civil War? And what use was the unguessed deposit of tungsten to the Nation, for that matter, for it was not then being used as an alloy for steel as it is to-day."

The same development has taken place in the utilization of our water power.

In the district that I have the honor to represent, within the last dozen years over $15,000,000 worth of paper mills and other wood-using industries have been built along the Wisconsin River, and not one-tenth of the water power that is running to waste has been utilized.

Wisconsin was once the first timber State in the Union—it is now, I believe, third—but more than one-half of the timber that was cut was wasted. If we had possessed one-half the knowledge of the use of timber that we have to-day, hundreds of millions of dollars of wealth that was wasted because of ignorance could have been saved. Other timber States have had the same experience.

When a great department of the Government is doing a wonderful work in conserving our great national resources, the utilization of our forest products that are now being wasted at the rate of hundreds of millions of dollars a year, is it not a good investment to appropriate a sufficient sum so that this valuable department can carry on its great work faster?

Mr. LEVER. Will the gentleman yield for a question?

Mr. BROWNE. Yes, sir.

Mr. LEVER. Does the gentleman happen to represent the district in which this laboratory is located?

Mr. BROWNE. The laboratory is located in Madison, Wis. I do not represent that district.

Mr. LEVER. Has the gentleman made any personal observation of the working of this laboratory?

Mr. BROWNE. I have; yes, sir.

Mr. LEVER. Of course, the gentleman is giving his opinion, but I would like to have him state it categorically. Does it seem to be doing a good work?

Mr. BROWNE. It is doing a wonderful work, and I expect to file a statement going into details as to that work.

Mr. LEVER. I have recently gone into the study of the question, and I am very much impressed with the character of the work there and the results they are getting, and I am glad the gentleman is making this statement.

Mr. BROWNE. They are getting wonderful results, and Wisconsin is one of the large wood-industry States, and their work is greatly appreciated by every manufacturer of wood products through the United States, and many States and cities are getting valuable information from this Government laboratory, which can be had free by asking or writing.

Mr. LEVER. This laboratory, if the gentleman will permit, was located there for the reason that Madison was in a measure a clearing house through which the lumber products of that country go.

Mr. BROWNE. Yes, sir. And also because we have many scientific men in our great university and other large laboratories are located there, and Wisconsin is right in the center of the timber section. This makes the location of this Government Forest Products Laboratory a very advantageous location. Many places were considered when the location was decided and, I believe, the location was most fortunate.

Lyman Abbott has forcefully said:

> A nation is made great, not by its fruitful acres, but by the men that cultivate them; not by its great forests, but by the men who use them; not by its railways but by the men who build and run them. America was a great land when Columbus discovered it; Americans have made of it a great nation.

The CHAIRMAN. The gentleman's time has expired.

Mr. BROWNE. I ask unanimous consent to print in the RECORD as part of my remarks a more complete statement, showing the scope of the work of the Forest Products Laboratory and statistics concerning the same:

Wage earners in manufacture, 1909.

[Pp. 240 to 243 Statistical Abstract, United States, 1914.]

Forest products:	Average No. of employees.
Charcoal	631
Cooperage	26,269
Furniture	128,452
Lumber	695,019
Piano and organs	19,010
Paper and wood pulp	75,978
Pulp goods	783
Turpentine and resin	39,511
Wood carpet	184
Wood distillation	2,721
Wood preserving	2,403
Wood, turned and carved	14,139
Total employees	1,005,100

Census Bulletin, Manufactures, 1909—Table 7, lumber industry.

States	Value of products.	Value added by manufacture.
Washington	$89,155,009	$52,276,000
New York	72,530,000	30,824,722
Louisiana	62,838,003	30,681,716
Michigan	61,514,000	32,471,918
Wisconsin	57,967,000	32,381,700

STATEMENT SHOWING THE SCOPE OF WORK AND THE ACCOMPLISHMENTS OF THE FOREST PRODUCTS LABORATORY, AND STATISTICS CONCERNING THE PULP AND PAPER AND OTHER WOOD INDUSTRIES OF THE STATE OF WISCONSIN.

(Prepared for Mr. R. B. Goodman to furnish the information requested by the Hon. EDWARD E. BROWNE in his letter of February 21, 1916, to Mr. Goodman.)

The work of the Forest Products Laboratory covers the following general lines:

1. Timber tests.
2. Timber physics.
3. Wood preservation.
4. Pulp and paper.
5. Derived products: (a) Distillation; (b) naval stores; (c) ethyl alcohol and dyestuffs.

1. Timber tests.

The work of this section is devoted principally to tests upon the mechanical properties of the commercial woods of the United States and upon articles made from them. Thus tests are made upon small, clear pieces of full-sized structural timbers, boxes, barrels, vehicle parts, railway ties, etc., to determine not only actual strength but also most fitting designs and most useful specifications. Some of the specific accomplishments of this section are as follows:

(1) The grading rules for structural timber formulated by the American Railway Engineering and Maintenance of Way Association, and also the rules formulated by the American Society for Testing Materials, are based largely on the results of tests made by the forest-products laboratory. For the first time in the history of American lumbering, certain progressive companies will now agree to cut structural timbers according to the scientific grading rules formulated by us and guarantee such timbers.

(2) The National Association of Hickory Manufacturers incorporated the results of a series of tests on red and white hickory wagon spokes in their grading rules, allowing red hickory to appear in higher grades than before, thus making better use of material that was formerly considered inferior.

(3) The portion of the new building laws for New York City that relates to wooden constructions is based largely on the results of forest-products laboratory tests.

(4) Tests made by the forest-products laboratory on telephone poles of various species have shown that woods heretofore considered unsuitable have the requisite strength for pole purposes. The tests have resulted in the increased use of lodge-pole pine and Engelmann spruce in the West as substitutes for the less plentiful and higher-priced cedar.

(5) Formerly timbers cut from trees tapped for turpentine were thought to be weaker than timbers from untapped trees, and only unboxed timber was accepted. This discrimination has caused a waste of about 37,000,000,000 board feet of longleaf-pine timber, valued at $111,000,000. Tests made by the Forest Service have shown that tapping trees for turpentine has no effect on the strength, and the use of boxed timber is becoming general.

(6) Tests on packing boxes of various types, including boxes with and without battens, dovetailed boxes, and wire-bound boxes, have been made. These results affect the use of some 4,000,000,000 board feet of box lumber. The tests have resulted in the revision of the specifications of the Interstate Commerce Commission for boxes used in shipping explosives. The railroads of the United States pay $40,000,000 annually in claims to shippers for goods lost and damaged in transit. A large per cent of this amount is due to poor design of boxes. We are now improving this design, and hope to save the railroads at least $5,000,000 a year.

(7) Tests on shortleaf pine and white cedar cross arms in standard sizes have shown these species to possess ample strength for this purpose, as well as the commonly used species, Douglas fir and longleaf pine.

(8) Tests on California tan-bark oak have shown it to be entirely suitable for many purposes for which eastern oak is used. Approximately 400,000,000 board feet of tan-bark oak have been left in the woods to decay after the bark was removed for tanning purposes. Tan-bark oak flooring was used in one of the large hotels recently rebuilt in San Francisco.

(9) The practice of steaming timber before preservative treatment has been practically abandoned as a result of tests that showed the strong possibility of weakening the timber, and also that air seasoning was preferable to steaming as a means of rendering timber more easily treated.

(10) We have completed to date (1915) 125,000 strength tests on 130 species of American woods.

2. Timber physics.

This section devotes its time to the study of the physical properties of wood and carries out researches and experiments upon the kiln drying of wood, identification of wood, the preparation of photomicrographs of wood sections, and the treatment of wood under various conditions to change its mechanical and physical properties. Some of the results of this work are listed below:

(1) A kiln has been designed which has shown greater efficiency than is the case in average practice. A carload of water oak wagon felloes furnished by a large vehicle manufacturing company and claimed by them to be of little value because they could not be seasoned without checking and warping were dried with a loss of only 2 per cent of the material.

(2) Methods of drying already demonstrated when applied to woods studied will give the lumber industry an annual saving of $2,200,000.

(3) Dry kilns have now been built by six concerns using the advice of the forest products laboratory, which represent an investment of $175,000.

(4) Eleven hundred samples of wood a year are being identified for the public without charge and disputes involving large transactions are settled.

3. Wood preservation.

The preservation of wood against fire and decay and against the attack of wood-destroying animals and a study of the durability of wood under various conditions represents the field of work of this section. Tests are made upon various methods of impregnating wood and upon the durability of various kinds of wood treated with various preservatives under varying conditions. Tests upon the fire-resisting and weathering qualities of various paints and chemicals are also being carried on. Some of the results secured from this work are as follows:

(1) Tests to determine the life of both treated and untreated material are being carried on in cooperation with railway companies, cities (paving blocks), telephone companies, and mine companies. It has been shown that the life of wood used in exposed situations or in contact with the soil or water can be increased at least three times by treatment with preservatives. Forty-two sets of test material in various parts of the country are inspected at regular intervals by the forest-products laboratory and the results published from time to time. Information of this sort shows definitely the saving in both material and money due to preservative treatment. In one instance on the advice of the forest-products laboratory a small treating plant was installed by a coal company, which reduced their annual consumption of timber to one-half of the amount previously required, though only part of the timber used was treated.

(2) The Forest Products Laboratory has designed some 12 wood-preserving plants for wood-using companies and assisted in the design and preliminary operation of many others. The industry is now well established. A large amount of information on the best methods of treating certain woods, of operating various types of plants, and of handling certain preservatives is being constantly supplied in reply to inquiries. In 1904 there were 30 plants in operation, while in 1910 there were 84. From 1909 to 1910 there was a gain of over 45 per cent in the quantity of material treated annually.

(3) Tests have shown that many woods of comparatively little value, such as loblolly pine of the Southeast, jack pine of the Northeast, and lodgepole pine of the Rocky Mountain States, can be easily treated with preservatives and are suitable for ties. The use of these pines for tie purposes has doubled in the last five years.

(4) Tests have been made on 23 preservatives, including creosotes and salt solutions, to determine their properties, such as effectiveness in checking the growth of fungus, ability to penetrate into wood, effect on the strength of wood, and permanency. As from 50 to 75 per cent of the cost of treating is for the preservative, accurate data to guide a selection are important. Such tests have shown the necessity of careful analysis and grading of the creosotes used as wood preservatives, and laboratories have been established by the largest water-gas-tar company in the United States and by one of the largest creosote companies for the better handling of their wood preservatives. Our tests have shown farmers and others that preservatives costing 10 to 20 cents a gallon are as good as the ones they were paying 75 to 100 cents for.

(5) As a result of tests to show the possibilities of treated loblolly pine for pole construction a plant has been constructed in the South and is operating on this species.

(6) Tests to show the advantages of treating silo timber have resulted in silo companies furnishing treated material.

(7) The results of investigations of the treatment of paving blocks have been utilized by the city of Chicago in drawing up specifications for city pavements.

(8) The specifications for wood preservatives adopted by the American Railway Engineering & Maintenance of Way Association and by the National Electric Light Association are based on work done by the Forest Products Laboratory in analyzing and grading preservatives.

(9) The methods of treating poles by the brush and open-tank process adopted by the National Electric Light Association are based on the recommendations of the forest-products laboratory. Our tests show that by the expenditure of 30 cents in treating a pole a saving of 20 per cent on the investment is made.

(10) Sap stain in lumber causes a loss of $7,000,000 annually because it degrades the lumber. We have discovered that sodium fluoride gives twice as efficient results as sodium bicarbonate in preventing stain, and its commercial application is now being pushed.

4. Pulp and paper.

The study of forest products as pulp-making materials and the study of processes of manufacture of pulp and paper occupy the time of this section. Besides the plant at Madison, an experimental ground-wood pulp laboratory was operated at Wausau, Wis., for several years. Several important pieces of work upon the utilization of spruce and hemlock bark are now practically ready for commercial demonstration, but are not given in the following list of accomplishments, since no public commercial demonstration of the results of this work has been made:

(1) Tests have shown that pulps of commercial value suitable for use in the manufacture of news and wrapping paper can be made by the sulphite process from eight species of native woods, several of which grow in large quantities on the national forests. Some of these woods are now used to a limited extent, others not at all. Mills have started to use red fir, white fir, and lodgepole pine. Other species are under investigation.

(2) Tests have shown that three native species—jack pine, tamarack, and hemlock—of which large quantities are available in the Lake States, can be satisfactorily substituted for spruce in the ground-wood process in making the cheaper grades of paper, such as news and wrappings. Several mills have begun grinding these woods. A number of western woods are now being tested.

(3) Tests have shown that pulps suitable for book or wrapping paper can be made from 12 new species of native woods by the soda process; several other native species show commercial possibilities as soda-pulp woods. One mill that will operate on western yellow pine is in course of construction in the Southwest.

(4) Tests have shown that the highest grades of "kraft" paper can be made from longleaf pine by the soda and sulphate processes. Three paper mills in the Southeast are now using longleaf pine, a fourth is under construction, and plans are under way for a fifth.

(5) A number of methods of increasing the yield of pulp from the raw material without decreasing the quality of the product have been found.

(6) Tests by the sulphate process, now little used in the United States, have shown especial possibilities as a means of making paper from mill waste. A number of mills are now operating on waste.

5. Derived products.

(A) DISTILLATION.

This line of work has to do with obtaining wood alcohol, acetate of lime, and charcoal from hardwoods, and turpentine, rosin, pine oil, charcoal, and other products from coniferous woods by means of dry distillation or steam distillation, as the case may be. The work upon the extraction of turpentine and rosin by means of solvents, such as gasoline, is also classed under this head. The latter work has been undertaken but recently, and no specific accomplishment can be mentioned at present, although much progress has been made. The more important accomplishments in distillation are given in the list which follows:

(1) In hardwood distillation over 90 per cent of the material used is beech, birch, and maple, and practically no attempt has been made

to utilize other species. Tests made by the forest products laboratory have shown that commercial yields of acetate of lime and wood alcohol can be obtained from hickory, oak, tupelo, and red gum. Mill waste consisting of oak and red gum is now being used by at least one plant.

(2) Commercial methods used in hardwood distillation are generally crude and only part of the possible products are obtained. Tests have shown that it is possible to increase the yield of acetate of lime 50 per cent over present practice. This means a possible annual increase in the amount of acetate of lime produced from the same amount of raw material of over 38,000 tons.

(3) Steam distillation as an industry is still in an experimental stage. Methods of operation vary widely. The service has made tests to show the effect of varying conditions in the steam distillation process on the yield and cost of operation. This information has been of service to operators in standardizing methods and raising the efficiency of their processes.

(4) The American Chemical Society, the American Society for Testing Materials, the Navy Department, and the Isthmian Canal Commission have used the results of tests made by the forest products laboratory in formulating specifications for wood turpentine.

(B) NAVAL STORES.

This line of work has to do with the study of the most efficient production of gum, turpentine, and rosin, and their most efficient utilization. Studies are made upon different systems of turpentine orcharding, including tests upon the depth and height of the chip. Studies are also made upon other species than the long-leaf pine of the South; principal among these is western yellow pine. Studies are also made upon the efficiency of present methods of distilling the crude gum and upon the best methods of testing and specifying gum turpentine. The most important specific accomplishments along these lines are presented here:

(1) In 1902 a new system of hanging clay or metal cups on the trees instead of catching the gum in pockets cut in the base of the trees was introduced. Field experiments conducted for several years under commercial condition proved that 20 per cent more gum could be obtained by the new system than by the old. The deterioration of timber following boxing is about 8 per cent, and following cupping about 2 per cent. The danger from fire is also decreased when cups are used. The value of the additional turpentine and rosin produced annually, should the cup system be universally adopted, would be approximately $5,000,000.

(2) Field experiments demonstrating that less severe methods of chipping will give greater yields of gum have resulted in the adoption of methods recommended by the Forest Products Laboratory by at least one large naval stores company.

(3) Field experiments conducted in Arizona, California, and Colorado in 1911 showed a yield of turpentine and rosin from western yellow pine over two-thirds as great as the average yield in Florida operations. The large areas of western yellow pine may, therefore, be considered as a source of naval stores when sufficient timber is no longer available in the Southeast.

(4) Sources of waste in the methods of distilling crude gum have been pointed out, and "batting dross," formerly thrown away, is now worth $19 a ton.

(C) ETHYL ALCOHOL AND DYESTUFFS.

Researches upon ethyl alcohol have to do with the production of this very important article of commerce from sawdust and other wood waste. Experiments conducted at the forest-products laboratory show that wood waste will produce about 20 gallons of 95 per cent alcohol per ton of dry wood. This alcohol is the same as that manufactured from grain and potatoes and other similar materials and must not be confused with wood alcohol, which is obtained from the destructive distillation of hardwoods.

The laboratory has carried on experiments upon only one dyestuff, namely, the extract secured from the Osage orange, commonly known as bois d'arc, which grows so plentifully throughout southeastern Oklahoma and northern Texas. It is found that this dyestuff is practically identical with the dye agent present in fustic, a well-known vegetable dye. Largely through the efforts of the Forest Products Laboratory, Osage orange extract is now being made upon a commercial scale.

Pulp and paper mills in the State of Wisconsin.

Name of company.	Address of main office.	Location of mills in Wisconsin.	Financial rating.	Mill capacity, pounds of dry pulp per 24 hours.	Mill capacity, pounds of dry pulp per 24 hours.
American Writing Paper Co	Holyoke, Mass	De Pere			32,000
Anson Eldred Co	Stiles, Wis	Stiles		10,000	
Ashland Paper Co	Ashland, Wis	Ashland		8,000	10,000
Beloit Boxboard Co	Beloit, Wis	Beloit	$50,000–$75,000		60,000
Bergstrom Paper Co	Neenah, Wis	Neenah	75,000–125,000		80,000
Boyd Paper Co	Appleton, Wis	Appleton	10,000– 20,000		16,000
Centralia Pulp & Water Power Co	Grand Rapids, Wis	Grand Rapids	125,000–200,000	36,000	
Combined Paper Locks Co	Combined Locks, Wis	Combined Locks		180,000	200,000
Consolidated Water Power & Paper Co	Grand Rapids, Wis	Grand Rapids	[1] 1,000,000	280,000	90,000
Cornell Wood Products Co	Cornell, Wis	Cornell	[1] 1,000,000	220,000	160,000
Crivitz Pulp & Paper Co	Crivitz, Wis	Crivitz	75,000– 125,000	50,000	
Dells Paper & Pulp Co	Eau Claire, Wis	Eau Claire	[1] 750,000	170,000	150,000
Falls Manufacturing Co	Oconto, Wis	Oconto		68,000	70,000
Flambeau Paper Co	Park Falls, Wis	Park Falls		35,000	70,000
Fox River Paper Co	Appleton, Wis	Appleton	500,000–750,000		62,000
Gilbert Paper Co	Menasha, Wis	Menasha	300,000–500,000		35,000
Grandfather Falls Paper Co	Merrill, Wis	Merrill		60,000	60,000
Green Bay Paper & Fiber Co	Green Bay, Wis	Green Bay		60,000	60,000
The John Hoberg Co	do	do	300,000–500,000		40,000
Hummel & Dowing Co	Milwaukee, Wis	Milwaukee	300,000–500,000		120,000
Interlake Pulp & Paper Co	Appleton, Wis	Appleton		12,000	
Island Paper Co	Menasha, Wis	Menasha	125,000–200,000	60,000	70,000
H. W. Johns-Manville Co	New York City, N. Y	Milwaukee	[1] 1,000,000		100,000
Kaukauna Fibre Co	Kaukauna, Wis	Kaukauna		36,000	
Kimberley-Clark Co	Neenah, Wis	Neenah Appleton Niagara Kimberley	[1] 1,000,000	400,000	477,000
Lakeside Paper Co	do	Neenah	125,000–200,000		50,000
Lindauer-O'Connell Co	Little Rapids, Wis	Little Rapids	75,000–125,000	64,000	
Little Chute Pulp Co	Little Chute, Wis	Buchanan	125,000–200,000	100,000	
Marathon Paper Mills Co	Rothschild, Wis	Rothschild		160,000	150,000
Marinette & Menominee Paper Co	Marinette, Wis	Marinette	[1] 1,000,000	50,000	65,000
Menasha Paper Co	Ladysmith, Wis	Ladysmith Ashland	[1] 750,000	235,000	100,000
Menasha Printing Co	Menasha, Wis	Menasha	200,000–300,000		32,000
Neenah Paper Co	Neenah, Wis	Neenah	125,000–200,000		40,000
Nekoosa-Edwards Paper Co	Port Edwards, Wis	Port Edwards Nekoosa	[1] 1,000,000	300,000	370,000
Northern Paper Mills	Green Bay, Wis	Green Bay	300,000–500,000		42,000
Outagamie Paper Co	Kaukauna, Wis	Kaukauna	125,000–200,000	36,000	32,000
Patten Paper Co. (Ltd.)	Appleton, Wis	Appleton	200,000–300,000	10,000	36,000
Rhinelander Paper Co	Rhinelander, Wis	Rhinelander	[1] 1,000,000	160,000	170,000
Riverside Fiber & Paper Co	Appleton, Wis	Appleton		80,000	30,000
John Strange Paper Co	Menasha, Wis	Menasha	125,000–200,000		80,000
Thilmany Pulp & Paper Co	Kaukauna, Wis	Kaukauna	500,000–750,000	80,000	60,000
Tomahawk Pulp & Paper Co	Tomahawk, Wis	Kings		36,000	34,000
Union Bag & Paper Co	17 Battery Place, New York City	Kaukauna	500,000–750,000	15,000	50,000
Union Manufacturing Co	Oconto Falls, Wis	Oconto Falls	50,000– 75,000	30,000	
Wausau Paper Mills Co	Brokaw, Wis	Brokaw	[1] 750,000	140,000	130,000
Wausau Sulphate Fibre Co	Mosinee, Wis	Mosinee	[1] 750,000	120,000	120,000
G. A. Whiting Paper Co	Menasha, Wis	Menasha	125,000–200,000		24,000
Whiting-Plover Paper Co	Stevens Point, Wis	Stevens Point	200,000–300,000		40,000
Wisconsin River Paper & Pulp Co	Neenah, Wis	do	300,000–500,000	100,000	100,000
Wisconsin Tissue Paper Co	Appleton, Wis	Appleton	75,000–125,000		16,000
Wolf River Paper & Fibre Co	Shawano, Wis	Shawano	200,000–300,000	50,000	50,000

[1] Over.

Forest products, State of Wisconsin.

Product.	Year.	Quantity.	Value.	Source of data.
Lumber cut	1913	1,493,353 M ft. (b. m.)	[1] $22,922,968	U. S. Dept. Agri. Bul. 232, p. 7.
Lath produced	1912	257,657 thousands	[2] $876,033; $3.40 per M	Dept. of Commerce, Lumber, Lath, and Shingles, 1912, p. +60.
Shingles produced	1912	267,945 thousands	[2] $535,890; $3 per M	Do.
Pulp wood consumed	1911	591,918 cords	[1] $4,439,385; $7.50 cd	Dept. of Commerce, Pulp Wood Consumption, 1911, p. 6.
Pulp produced	1911	334,363 tons		Do.
Veneer (wood consumed in manufacture).	1911	30,059 M ft., log scale	[1] $618,914; $20.59 per M	Dept. of Commerce, Veneers, 1911, p. 8.
Excelsior (wood consumed in manufacture).	1911	23,495 cords		Dept. of Commerce, Excelsior, 1911, p. 3.
Excelsior produced	1911	20,639 tons		Do.
Hardwood distillation	1911	2 plants in operation	Production not known	Dept. of Commerce, Wood Distillation, 1911.
Tan bark and tanning extract used	1909	126,015 tons	[1] $1,252,434, $9.94 per ton	Dept. of Commerce, Tan Barks and Tanning Extract, 1909, p. 5.
Tight cooperage	1911	6,104,000 staves	[1] $126,719, $20.76	Dept. of Commerce, Tight Cooperage Stock, 1911, pp. 5 and 11.
		603,000 sets of heading	[1] $108,540, $0.18 per set	
Slack cooperage	1911	30,919,000 staves	[1] $188,605, $6.10 per M	Dept. of Commerce, Slack Cooperage Stock, 1911, pp. 8 and 9.
		8,890,000 sets of heading	[1] $400,050, $45 per M	Do.
		2,132,000 hoops	[1] $12,003, $5.63 per M	
Firewood	1908	3,063,921 cords	$11,305,114	U. S. Dept. of Agri., Forest Service Circular 181, p. 6.

[1] Estimated value is based on 1912 prices.
[2] Estimated wholesale value f. o. b. mill. With the exception of lumber, lath and shingles, the values used for estimating are for 1909.

Estimated total value of all products, $42,786,655.

STATE OF WISCONSIN.

TABLE 2.—*Wood-using industries, average prices paid for lumber at the factories, and the per cent which each industry used of the total quantity.*

Industries.	Average price paid for lumber at the factory per 1,000 feet b. m.	Apportionment of the total quantity of lumber among the industries (approximate per cent).
Agricultural implements	$32.54	1.59
Beehives and bee keeper's supplies	22.97	.49
Boats	43.64	.29
Boxes	13.09	12.82
Chairs	28.43	5.26
Church and school furnishings	33.39	.47
Cigar boxes	35.51	.56
Coffins and caskets	24.42	.48
Excelsior	9.89	.90
Furniture	25.22	5.20
Handles	18.48	.18
Musical instruments	41.76	.16
Office, store, and bank fixtures and cabinet work	44.12	.64
Pulp	15.54	33.35
Refrigerators	21.66	1.19
Sash, doors, blinds, and interior and exterior finish	30.19	18.72
Toys, wagons, and lawn furniture	24.84	.59
Trunks	23.11	1.24
Vehicles and vehicle stock	41.02	4.48
Windmills, tanks, and silos	36.05	1.02
Woodenware	14.05	6.67
Miscellaneous	25.87	3.70

The total amount of wood consumed in the State of Wisconsin by the industries listed is 930,382,000 feet, board measure, and is valued at the plant at $20,293,034. It is to be noted that almost exactly one-third of this wood is used by the pulp mills of the State.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BLACKMON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from North Dakota [Mr. NORTON].

Mr. NORTON. Mr. Chairman, it was with the deepest interest that I listened on Tuesday to the splendid address of the very able and affable chairman of the Committee on Agriculture [Mr. LEVER], in which he discussed the most important items in the Agricultural appropriation bill now before this Committee of the Whole House on the state of the Union and in which he outlined a promised program of legislation in the interest of the farmers of this country to be enacted by this Congress.

With the most profound sincerity, and with all my heart, I hope and trust that every one of these beautiful pictured promises of legislation, long needed by the 6,500,000 farmers of this Nation, will be written on our statute books ere this session of the Sixty-fourth Congress adjourns. Every aid that I can give or render here will be to the end of such accomplishment.

With no captious desire to criticize, but having in mind that there is a wide difference between promises and fulfillments in the business world and sometimes even in the American Congress, and being most deeply interested in what I deem one of the most important, if not the most important, subject of legislation that should be considered by this Congress, I desire to briefly again call the attention of the membership of the House, and particularly the attention of those from agrarian districts, to the grave danger that this Congress may not give fair and full consideration to rural-credit legislation, and on this account may fail to enact any law for a Federal rural-credits system.

The State which I have the honor in part to represent has for its chief industry agriculture. During the year last past it produced in spring wheat alone 145,000,000 bushels—considerably more than one-third of all the spring wheat raised in the United States. The value of the farm products produced in 1915 amounted to more than $400 for each man, woman, and child in our State. It is a wonderfully rapidly developing State, as can be understood by the fact that 35 years ago the wheat production in the State amounted to less than 2,000,000 bushels. The total of all its bank deposits three decades ago amounted to less than $1,000,000, whereas to-day the deposits amount to more than $100,000,000. Having grown to manhood on a farm in the State, and having experienced all the difficult and distressing conditions with which the ordinary western farmer has to contend, I have given close attention for several years to the needs and demands for better rural-credit conditions in this country.

As the farmers of North Dakota are now, and have been for many years, paying highly exorbitant interest rates for the money and credit necessary to carry on their business, they, too—each one of them—have been interested in the work that has already been done toward securing the establishment of a national system of rural credit in this country.

It is generally conceded that the most important act of constructive legislation passed by the Sixty-third Congress was the Federal reserve act. For many years prior to the passage and approval of this act in December, 1913, it was well understood and recognized by students of finance and by the public that our banking and currency systems were weak, faulty, and wholly inadequate to meet the rapidly growing needs of the manufacturing, mining, transportation, and commercial interests of the country. The placing of the Federal reserve act upon our statute books has brought about a marvelous improvement in our banking system and in our currency system and has added wonderful strength and stability to all our institutions of trade and commerce.

While the banking and currency systems provided for by the Federal reserve act well meets the needs for credit of those engaged in manufacturing and commerce—those who require credits but for short and definite periods of time—it entirely fails to meet the needs of the great majority of the 6,500,000 farmers of the Nation, who, in the purchase and improvement of their farm property and in the production and harvesting of their crops, must have credits for much longer and more uncer-

tain periods of time and on a different class of security than is looked upon with favor by our present commercial banking system.

It has long been recognized in European countries that the commercial banking systems do not properly take care of agricultural credit. To-day nearly every great nation of the world has provided a separate rural-credit system apart from its commercial banking system to meet the needs of agricultural credit. This Nation has a most important duty yet to perform in this respect, both to itself and to the farmers of the Nation.

The movement for the adoption of a Federal rural-credit system for this country has been actively before the country during the past 10 years. President Taft on several occasions during his administration called attention to the necessity of some system to better provide for credits needed by those engaged in agricultural pursuits in this country.

Mr. BLACKMON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from North Dakota yield to the gentleman from Alabama?

Mr. NORTON. Yes; I shall be pleased to.

Mr. BLACKMON. I understand the gentleman to say that this legislation has been demanded for 10 years. Has it not been demanded for about 30 years?

Mr. NORTON. It has been considered more during the last 10 years than during any other period of our history, but it has been discussed more or less during the last 30 or 40 years in this country. As the gentleman knows, this country is to-day nearly a century behind some of the European countries in legislation on this subject.

Mr. BLACKMON. I merely wanted to ask the gentleman that question. He said 10 years, and I thought it was considerably longer.

Mr. NORTON. In the last session of the Sixty-second Congress it was provided that a commission should be appointed to visit European countries, study the various rural-credit systems there, and report to Congress. This commission, known as the United States Commission on Agricultural Cooperation and Rural Credit in Europe, was duly appointed, and made a wide study of rural credit conditions in European countries during the summer of 1913. On the return of the members of the commission who visited Europe a very complete and most valuable report of their observations was made to the first session of the Sixty-third Congress.

The Democratic, the Republican, and the National Progressive Parties recognized in their party platforms of 1912 the importance of rural-credit legislation for this country.

The Democratic Party, in its platform of 1912, made this promise to the farmers of the country:

> Of equal importance with the question of currency reform is the question of rural credits or agricultural finance. Therefore we recommend that an investigation of agricultural credit societies in foreign countries be made, so that it may be ascertained whether a system of rural credits may be devised suitable to conditions in the United States; and we also favor legislation permitting national banks to loan a reasonable proportion of their funds on real-estate security. We recognize the value of vocational education, and urge Federal appropriations for such training and extension teaching in agriculture in cooperation with the several States.

The Republican Party, in its platform adopted at Chicago on June 22, 1912, says on this subject:

> It is of great importance to the social and economic welfare of the country that its farmers have facilities for borrowing easily and cheaply the money they need to increase the productivity of their land. It is as necessary that financial machinery be provided to supply the demands of farmers for credit as it is that the banking and currency systems be reformed in the interest of general business. Therefore we recommend and urge an authoritative investigation of agricultural credit societies and corporations in other countries and the passage of State and Federal laws for the establishment and capable supervision of organizations having for their purpose the loaning of funds to farmers.

The national Progressive Party made these promises on this subject in its platform adopted in Chicago on August 7, 1912:

> The development and prosperity of country life are as important to the people who live in the cities as they are to the farmers. Increase or prosperity on the farm will favorably affect the cost of living, and promote the interests of all who dwell in the country, and all who depend upon its products for clothing, shelter, and food. We pledge our party to foster the development of agricultural credit and cooperation, the teaching of agriculture in schools, agriculture-college extension, the use of mechanical power on the farm, and to reestablish the country life commission, thus bringing the benefits of better farming, better business, and better living within their reach.

President Wilson, alive to the demand that was being made by the farmers throughout the country for a lower rate of interest for farm credits, devoted a considerable part of the message he delivered to the joint session of the House and Senate on December 21, 1913, at the beginning of the second session of the Sixty-third Congress to this subject. Speaking to the Members of the House and Senate, he said:

> In pursuance of my constitutional duty to give to the Congress information of the state of the Union, I take the liberty of addressing you on several matters which ought, as it seems to me, particularly engage the attention of your honorable bodies, as of all who study the welfare and progress of this Nation.

Then, after stating the situation in Mexico and his views as to Victoriano Huerta, and after commenting on the bill for the Federal reserve act then before the Congress, he continued:

> I present to you, in addition, the urgent necessity that special provision be made also for facilitating the credits needed by the farmers of the country. The pending currency bill does the farmers a great service. It puts them upon an equal footing with other business men and masters of enterprise, as it should; and upon its passage they will find themselves quit of many of the difficulties which now hamper them in the field of credit. The farmers, of course, ask and should be given no special privilege, such as extending to them the credit of the Government itself. What they need and should obtain in legislation which will make their own abundant and substantial credit resources available as a foundation for joint, concerted local action in their own behalf in getting the capital they must use. It is to this we should now address ourselves.
>
> It has, singularly enough, come to pass that we have allowed the industry of our farms to lag behind the other activities of the country in its development. I need not stop to tell you how fundamental to the life of the Nation is the production of its food. Our thoughts may ordinarily be concentrated upon the cities and the hives of industry, upon the cries of the crowded market place and the clangor of the factory, but it is from the quiet interspaces of the open valleys and the free hillsides that we draw the sources of life and of prosperity, from the farm and the ranch, from the forest and the mine. Without these every street would be silent, every office deserted, every factory fallen into disrepair. And yet the farmer does not stand upon the same footing with the forester and the miner in the market of credit. He is the servant of the seasons. Nature determines how long he must wait for his crops, and will not be hurried in her processes. He may give his note, but the season of its maturity depends upon the season when his crop matures, lies at the gates of the market where his products are sold. And the security he gives is of a character not known in the broker's office or as familiarly as it might be on the counter of the banker.

Nearly four years have passed since the party now in full control of the legislative and executive branches of the Government declared that the question of financing the farmer was of "equal importance with currency reform." The interest of those engaged in commercial pursuits was taken care of by the Federal reserve act passed nearly two and one-half years ago. Since then Congress has been in session from December 23, 1913, to October 24, 1914, and from December, 1914, to March 4, 1915, and from December 7, 1915, to this date—more than 20 months in all—and still nothing final has been done to provide a proper and adequate system for financing the farmer.

Gentlemen of the House who have followed this subject closely will recall that two years ago at about this time of the year it was stated by different members of the Democratic side that Representative UNDERWOOD, then the floor leader of your party, had agreed to permit one of the rural-credit bills before the Committee on Banking and Currency to be reported out and to be taken up for consideration in the House. This promise, if made, was not kept.

The long summer months of 1914 dragged on, but every effort to bring the question of rural credits on the floor of the House was turned aside by the powers in control of the majority of the House.

The real friends of rural-credit legislation in the House were again, at the beginning of the third session of the Sixty-third Congress, in December, 1914, encouraged to believe that during the session a rural-credit bill would be reported by the Banking and Currency Committee and would be taken up in the House and fairly considered. This was, as you know, not permitted by those in control of the House. But what really took place? In the closing days of the session a combination of the rural-credit bills advocated by Representative Bulkley and Representative Moss was by action of the House added as an amendment to the Agricultural appropriation bill. The Members in the House opposed to any rural-credit legislation and those supporting President Wilson in his opposition to Federal rural-credit legislation embracing the principle of Government aid for the system combined forces and succeeded in having the Agricultural bill, with the amendment for rural-credit legislation sent to a conference committee of the House and Senate.

The conferees, as they were expected to do, quickly and skillfully gave the coup de mort to the amendment for a rural-credit system and brought in as a substitute a provision for the appointment of a joint committee of the House and Senate to investigate the subject of rural credit and report to Congress not later than January 1, 1916, a bill or bills for the establishment of a system of rural credits adapted to American needs and conditions. This committee made its report on January 4, 1916, in which it proposed a bill for a system of land-mortgage credits. No report has as yet been made by the joint committee on the subject of personal rural credit.

The report and recommendations of the joint committee of the House and Senate on land-mortgage credits was, on January 4, referred to the Banking and Currency Committee and

on the same day Representative Moss introduced in the House his bill (H. R. 6383), which was the legislation recommended by the joint committee, and Senator HOLLIS introduced the same bill in the Senate, being S. 2986.

Since January 4 the House Committee on Banking and Currency has from time to time considered the rural-credit bills that have been referred to it, and while I understand on the best of authority that a majority of the committee have decided to report out the bill introduced by Representative Moss, no report has yet been made to the House.

I can conceive of no good reason why if it is the honest intention of the majority in the House to enact a really helpful and practical system of rural credit for the farmers of this country that one of the bills referred to the Banking and Currency Committee has not long before this been reported to the House.

On February 9 I introduced this House resolution No. 135:

[In the House of Representatives Feb. 9, 1916.]

Mr. NORTON submitted the following resolution, which was referred to the Committee on Rules and ordered to be printed.

Whereas a joint committee of the Senate and House of Representatives, by a provision in the Agricultural appropriation bill approved March 4, 1915, was constituted, charged with the duty of preparing a report to the Sixty-fourth Congress on or before January 1, 1916, a bill or bills providing for the establishment of a system of rural credits adopted to American needs and conditions; and

Whereas the said joint committee of the Senate and the House of Representatives so constituted and authorized made to the House on January 4, 1916, and in said report recommended a bill for land-mortgage loans; and

Whereas the report and recommendations of said joint committee on rural credits was, on January 4, 1916, referred to the Committee on Banking and Currency; and

Whereas the bill, H. R. 6838, introduced in the House on January 4, 1916, and which was referred to the Committee on Banking and Currency on said date, embraces the recommendations of said joint committee on rural credits; and

Whereas the Banking and Currency Committee has had before it for consideration since December 6, 1915, the bill (H. R. 391) providing for the establishment of a farm-credit bureau to reduce the interest on farm mortgages and to encourage agriculture and the ownership of farm homes; and

Whereas the great need for the immediate enactment of legislation providing for a rural-credits system in the United States is generally recognized: Therefore be it

Resolved, That the Banking and Currency Committee be discharged from further consideration of the bills H. R. 391 and H. R. 6838 and the report of the joint committee of the Senate and House of Representatives on rural credits, and that the bills H. R. 391 and H. R. 6838 be placed upon the Union Calendar of the House and be given a privileged status in the House under the rules of the House—

calling attention to the failure of the Banking and Currency Committee to report to the House any of the bills introduced on the subject of rural credits and proposing that the Committee on Banking and Currency be discharged from further consideration of the bill H. R. 6838, introduced on January 4 by Representative Moss and the bill H. R. 391 which I introduced on this subject on December 7.

It discourages one and makes one grow sick at heart to observe with what indifference this great needed legislation is treated by the recognized leaders of the Congress and by this administration. Men who might ordinarily be expected to give assistance to this legislation oppose it and seem unmindful of the fact that the agricultural industry is vastly more important to the welfare of this country than any other industry.

As I read history, and as I study the causes of the rise and fall of nations, I am impressed with the fact that there is no subject of legislation more important for this Congress to consider or for any legislative body to consider than legislation which will assist in making life on the farm and in the country more profitable and more attractive and which will in the present and in future generations turn the strongest current of population to the country rather than to the city.

To my mind, one of the most dangerous tendencies of our social and economic systems, as disclosed by the last census taken in this United States, in 1910, was the fact that the population in our cities was increasing at a much more rapid rate than the population in our rural communities. The stability of our Government, the perpetuity of its free institutions, and the health, happiness, and morality of our people will be better assured if a reversal of this trend of our population is brought about. Everyone knows that it is in the cities where crimes are bred and fostered and where the very hotbeds of immorality exist. It is out in the smaller cities and the free air and sunshine of the country that patriotism and good citizenship expand and reach their highest development.

The time has struck in this country when the actual necessities of the case make it imperative that we do something here and now to prevent a decreasing rural population in this country.

We marvel at the wonderful national strength and power that Germany has demonstrated to the world during the past few years, but at the same time let us not forget, as Mr. David Lubin has aptly said:

The great strength of the German Empire does not come from the "goose step" of her soldiers nor from her Krupp guns; it comes as a direct and an indirect result of her Landwirtschaftsrat system for the scientific distribution of her agricultural products, of the food products of Germany, all of which is reenforced by her effective and efficient rural-credit system.

Thus far in this Congress nothing has been done to better agricultural conditions in this country. On the other hand, the majority of this House has found time to pass a Post Office appropriation bill, giving increased salaries to many already well paid city Government employees; it has added an amendment to the Post Office appropriation bill, hamstringing the Parcel Post System in its service to rural communities; it has followed the cry of the Washington newspapers and has decided against requiring clerks in the Government service in Washington to work eight hours a day, and has decided that seven and a half hours a day is all the length of time that shall be required for a day's work for a clerk in the Government service in Washington; and it is now being proposed to soon take up the time of the House with the consideration of a bill to pension all clerks and other employees of the Government service who have been in the service 30 or more years.

Again let me say that I hope the promises for legislation in the interest of the farmers of the Nation as pictured by the gentleman from South Carolina [Mr. LEVER] may be fulfilled by this Congress. But, in the light of what has already been done in this Congress, the old excuse that there has not been time to consider rural-credit legislation will not be accepted and should not be accepted.

During this Congress I have from time to time made inquiry of members of the Banking and Currency Committee as to when one of the rural-credit bills before this committee would be reported to the House and have urged the importance of taking this subject of legislation up in the House early in the session. I do not believe I am betraying any confidences when I say that one of the most prominent Democratic members of the committee assured me several weeks ago that an agreement had been reached as to when rural-credit legislation would be taken up, and the leader of the majority of the House, the gentleman from North Carolina [Mr. KITCHIN], had promised him that the rural-credit bill favored by the Banking and Currency Committee would be permitted to be called up some time in March—that is, last month. That time has long since passed. No rural-credit bill has been called up in the House, and none has even been reported to the House by the Banking and Currency Committee.

I know something of the character of the bill that it is generally understood has been agreed upon to be reported by the committee, and, although I listened to the explanation given a few days ago by the chairman of the Committee on Banking and Currency, the gentleman from Virginia [Mr. GLASS], I can not find any good reason why a bill should not have been reported before this time, so that both the report and the bill might be carefully studied by all Members of the House. I trust that all friends, the real friends, of rural credit legislation will use their efforts to have one of the bills now before the Banking and Currency Committee reported out and taken up in the House for consideration without further delay.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. NORTON. Certainly; I yield to the gentleman.

Mr. HAUGEN. Does the gentleman have in mind the bill reported by the other body at the other end of the Capitol?

Mr. NORTON. Yes; I have in mind the bill that has been reported to the Senate. I am well acquainted with its provisions; but it has not been considered on the floor of the Senate, and I believe that unless we take up within a very short time in this House one of the bills that has been introduced on this subject and consider it and pass it in some reasonably good form this Congress will not enact any rural-credit legislation. We can not reasonably expect that anything will be done with a great subject of this kind during the short session of Congress to be held beginning next December.

Mr. HAUGEN. I would like to inquire of the gentleman what is the urgent need of passing the bill? What has the gentleman in mind? Is it the soft berths provided for at the public crib?

Mr. NORTON. I will say to the gentleman I have in mind the highest welfare of my country and the urgent and distressing needs of a large majority of the 6,500,000 farmers of this country. [Applause.] I have in mind the fact that to-day the farmers of this country are paying an annual rate of about 8½ per cent interest on $6,000,000,000 of farm mortgages and personal credits. I have in mind that this is a highly exorbitant

rate of interest, that can be reduced one-half by a sound rural-credit system.

Mr. HAUGEN. Will the gentleman permit just one more question?

Mr. NORTON. I shall be pleased to if the gentleman will permit me to complete my reply to his first interrogatory.

Mr. HAUGEN. Certainly.

Mr. NORTON. I have in mind that the farming industry is the most important industry in this country. I have in mind that the value of farm property in these United States exceeds $40,000,000,000, and I have in mind that the valuation of railroad property in the United States is about $16,000,000,000, and on a funded debt of about $10,000,000,000 the railroads are paying interest at the rate of from 3 to 4 per cent, while the farmers of the country on their debt of $6,000,000,000 are paying more than twice this rate. I have in mind that while I do not approve of the general principles of the bill that has been reported to the Senate, or of the bill that is proposed to be reported to this House by the Committee on Banking and Currency of the House, I do believe that, with all their defects, if either of those bills was passed it would result in its operation in reducing the interest rate that farmers are now paying on $3,000,000,000 of farm-mortgage loans at least 2½ per cent. This would mean a yearly saving to the farmers of the country of $75,000,000. This legislation would give us something from which to work. It would be a long step in advance of having no legislation at all on the subject.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. HAUGEN. I yield to the gentleman one more minute for the purpose of asking him this question: In the gentleman's opinion does the bill referred to supply the need?

Mr. NORTON. I will say to the gentleman that the bill in the form in which I understand it is to be reported to the House does not. Nevertheless, I want this House to consider and take action upon some rural-credit bill. We can do nothing with this subject unless the Banking and Currency Committee or the Rules Committee brings before the House a bill pertaining to the subject of rural credits. It wrings my very heart as I think of the heavy and unjust interest burdens that are borne by thousands of honest, hard-working American farmers. I make this appeal to you, gentlemen, because I know and have felt their needs. This Congress will have failed in one of its highest duties to the country if it does not enact legislation for a rural-credit system. [Applause.]

Mr. HAUGEN. I yield 20 minutes to the gentleman from Maine [Mr. GUERNSEY].

Mr. GUERNSEY. Mr. Chairman, I am interested in the agricultural subjects which are dealt with by this bill, as I represent a very large agricultural district. One county in my district probably raises more Irish potatoes than any other county in the United States. But this bill deals with other subjects besides agriculture. It deals with forestry subjects; and in that connection I wish to call the attention of the House to some phases of the legislation now pending.

In 1911 the Congress of the United States committed the Federal Government to a wise policy—that of establishing national forest reserves in the East. The policy was inaugurated after years of effort, and was upheld by a powerful public sentiment among the great population of the Eastern States. So important was it that means should be taken to preserve and increase the remnant of the once vast forests of the Atlantic seaboard in order to continue and maintain the flow of the rivers that industry dependent upon them should not cease and public health should not suffer, that it was not believed that the policy once adopted would ever be abandoned by Congress. Nevertheless, I have examined the provisions of the appropriation bill now pending before the House in vain for provisions to continue the acquisition of forest-reserve lands in the Eastern States, although the bill provides many millions of dollars for forest reserves and national forests in the West and even in far-away Alaska, far from the great eastern centers of population that contribute through taxation toward the millions herein appropriated for western purposes.

I do not question the wisdom of a dollar of the large sums set aside for these western forest lands. The expenditures, in my opinion, are fully justified. This is a great country, with a future that no man can foretell, but I do most emphatically question the desertion of eastern forest projects, which by the report of the National Forest Reservation Commission up to the close of the fiscal year ending June 30, 1915, represent 1,030,466 acres that had been approved for purchase and surveys completed. Of this amount 770,692 acres had been fully examined as to title, and title to 348,275 acres had been acquired by the United States. All lands up to June 30, 1915, that had been approved for purchase, including those that had been acquired, amounted to 1,317,551 acres.

Obviously, large sums expended in examination of surveys and title examination will be lost to the Government by the abandonment of these projects now. The expenditure of the Government for surveys, appraisals, and title examinations up to June 30, 1915, amounted to $743,112.60, or 56 cents per acre. In addition to the cost of the preliminary steps, $6,885,-901.30 had been spent in payment of lands. This was at the average cost of $5.22 per acre.

Briefly I will call attention to the location of the eastern forest-reserve lands purchased or contemplated for purchase. In the State of Georgia 96,977 acres had been approved for purchase up to June 30, 1915, and of 35,174 acres the title had been acquired.

In the State of North Carolina 269,883 acres had been approved for purchase and 69,507 acres acquired.

In the State of South Carolina 23,064 acres had been approved but none acquired.

In the State of Tennessee 267,843 acres had been approved and 72,930 acres acquired.

In the State of Virginia 294,540 acres had been approved and 46,409 acres acquired.

In the State of West Virginia 1,317,551 acres had been approved and 348,275 acres acquired.

In the State of New Hampshire 256,467 acres had been approved for purchase and 106,112 acres acquired.

In the western part of the State of Maine, on the watershed of the Androscoggin, something over 81,000 acres had been designated for examination by the National Forest Reservation Commission.

THREE MILLION UNUSED.

Failure of Congress to provide money to continue these national undertakings in the East can hardly be excused on the ground of other pressing national demands, as Congress at least should make available by reappropriation the $3,000,000 in the Treasury which were set aside for this work, but which has never been drawn, for this reason: Under the act of Congress of March 1, 1911, $1,000,000 were set aside for eastern forest reserves for the fiscal year that began June 30, 1910, and $2,000,000 for the fiscal year 1911, but those years passed before the commission was ready to call upon the Treasury for the money, owing to the careful and conservative manner in which the commission was proceeding in acquiring lands. As a result the $3,000,000 reverted to the Treasury.

The refusal of Congress to make available this money that had been previously appropriated amounts to a repudiation of governmental obligations that Congress entered into with the people in 1911.

I want to say here that I have every reason to believe that the distinguished chairman of the Committee on Agriculture, as well as many of the members of that committee, believe that Congress is in honor bound to keep those obligations, and are not in any way in sympathy with the discontinuance of Government eastern forestry undertakings.

EARLIER FOLLY.

The people in the Eastern States, which is the older settled part of the United States, have been taught by hard experience what the destruction of our forests mean, and to-day they look back in amazement and in deep regret upon the short-sighted folly of the earlier authorities of those States who disposed of State holdings in immensely valuable virgin timberlands to the speculators of the earlier days at prices as low as a shilling an acre and, in some instances, at even a lower figure. The authorities in those days seemed to consider it a wise policy to get rid of the "woods" as fast as possible.

The only justification that I have heard advanced for the discontinuance of the eastern forest policy, inaugurated in 1911, is that it comes within the administration's order to cut all expenditures; but is this the place in which to make a cut? I believe not. Millions are being appropriated by this House weekly for objects that begin to disappear from the start. Forest-reserve purchases begin to increase from the start. Ten years ago, when the agitation was first started, lands could have been acquired at from one-third to one-half what they can be purchased for to-day. The lands that have been acquired would cost more to-day and still more to-morrow. Timberland values are increasing in this country constantly, and will continue to increase as the forests are reduced by the saw and the ax in responding to the ever-increasing demands upon them.

The chief justification for the passage of the $40,000,000 river and harbor bill by this House within a few days was that it took care of projects that are under way. The eastern forest-reserve lands are projects that are under way. Evidences of that fact are found in the report of the National Forest Reservation Commission, 1915, House Document No. 130, Sixty-fourth Congress, first session.

The commission states in this report that from two to three times the amount of forest lands already approved for purchase should be acquired before the undertaking is complete. They place the maximum amount to be acquired in the eastern forest reserves at a little under 4,000,000 acres, while the amount approved for purchase to date is a little over 1,300,000 acres, and their judgment is borne out by hundreds of men with expert knowledge of the situation backed up by the opinion of those interested in the movement that brought the matter before Congress.

RETURN TO THE TREASURY.

The creation of eastern forest reserves is not a new matter. The demand for them started more than 10 years ago and the movement has been on the increase since. Unlike some other undertakings of the Government, every dollar invested in eastern forest lands will increase in value and be returned to the Treasury, all in addition to the chief purposes of the undertaking, and, what is more, the States in which these lands are acquired will not in the end lose through being deprived of taxable property, for the reason that under the Weeks law they receive 35 per cent of the net income derived from the lands. The wisdom of the policy can not be questioned.

EUROPEAN NATIONS.

European nations have long protected their forests by regulating the cut and by other methods conserve timber growth in the interest of their people. Not only have they conserved their forest lands, but they have gone to great expense in reforesting large areas.

Every country and every nation that has failed to care and maintain its forests has been impoverished through such failure. The millions of Europe, after centuries of experience, recognize the importance of protecting the forests as a method of regulating stream flow, and on the regulation of stream flow the value of our water powers is dependent. Each passing year will find us more and more dependent upon water power. Each year we are reducing our available supply of fuel found within this old earth.

We are encroaching on the stores of coal and exhausting the reservoirs of oil, bringing us nearer to the day when we shall have to look to water power for heat as well as lighting and propelling force.

If this Congress passes into history with a record of having abandoned the policy of acquiring national forest reserve lands in the East out of the fast-disappearing remnant of such lands, it should and will bring down upon it the everlasting condemnation of the generations yet to come.

I will insert at this point in my remarks an extract from the annual report of the National Forest Reservation Commission for 1915, above referred to, as follows:

The wisdom of the Government's acquiring and administering extensive bodies of forest land at the headwaters of the great navigable rivers has become entirely clear. Far-reaching good will result in safeguarding the streams from erratic flow and in protecting the watersheds from destructive erosion, to which they are subject when unwisely cleared. A basis will be afforded for permanent industries in regions which otherwise are in danger of ceasing to be productive and of becoming a menace to the navigable rivers and to the communities situated upon them.

The appropriations which were made have been sufficient to start the work and make very substantial progress. Through the care exercised in making purchases the lands acquired are so well situated for administration and use that even should appropriations cease considerable good would be accomplished. But the program should not stop at this point. It should go further. However, the commission does not look upon the program as requiring expenditures through a long period of time, but rather through only a limited number of years.

Renewing its recommendation of the last year, it is the judgment of this commission that the work can best be done under appropriations covering periods of five years each, the appropriations becoming available annually and remaining available until expended, as is now the case. Experience has shown that it is impracticable to attempt to do this work under appropriations which expire with the fiscal year. It is also of the utmost importance that appropriations be continued through periods of not less than five years. When the work was begun a force of timber cruisers, title examiners, and surveyors had to be assembled and trained, a task which required two years. It would be most unbusinesslike to have to disband this force on account of a gap in the appropriations. If purchases were suspended, it would also require much time and expense to build up a new force and get under way again the negotiations that would have to be broken off. Many of the cruises and examinations which have been made and which had not resulted in purchases would have to be made over again and the intimate touch with the land situation which is now enabling purchases to go forward smoothly would be lost. From every point of view it is highly desirable that appropriations continue without a break.

It is again emphasized that the Congress establish this project upon the basis of an appropriation of $11,000,000. One million dollars appropriated for the year 1910 never became available at all. Instead of hastening into purchases in order to utilize the appropriation for the year 1911, which would have been unbusinesslike and would have resulted in loss to the Government, the commission adopted the conservative policy of making purchases only after full information had been secured in regard to each tract and reasonable prices had been obtained. By so doing it established the work upon a sound basis, but nearly all the $2,000,000 appropriated for the year 1911 reverted to the Treasury. These appropriations which were not utilized ought to be reappropriated.

In the judgment of the members of the commission, the work should be carried forward in a steady, systematic way. Since the existing appropriations ceased with the fiscal year 1915, it is recommended that action be taken by the Congress during the present session to continue the appropriations at the rate of $2,000,000 per year from the fiscal year 1917 to the fiscal year 1921, inclusive, and that it make all the appropriations available until expended.

In the discussion of forest reserves for the East I have made some reference to the national forests of the West. They number 152 and include vast areas. They are administered in the public interest. The merchantable trees are cut according to scientific foresters. The smaller trees are conserved and allowed to grow until of proper size before being cut, and the forests are thereby perpetuated.

NATIONAL PARKS.

In addition to the national forests of the West, the Federal Government has set aside for the preservation of natural scenery, as well as conservation, great sections of wild country as national parks. I will mention them in the order of their erection.

In 1832 in Arkansas a national park was established which included 46 hot springs, covering an area of 1½ square miles.

In 1872 the Yellowstone National Park in Wyoming, the greatest of all our national parks, was established, and contains 3,348 square miles, and it is said to contain more geysers than all the rest of the world together. Petrified forests, the Grand Canyon of the Yellowstone, lakes and streams, and a vast wilderness, which forms a retreat for the wild life of the country, which swarms with elk, moose, deer, antelopes, and bison, as well as birds and fowls of the air. In this place of safety for wild life all live together in harmony with nature and with man without fear of being disturbed or injured, demonstrating that wild animal life is dangerous only when pursued by man as game or an enemy.

In 1890 the national park of the Yosemite in California came into existence, and it includes the remarkable Yosemite Valley, which is described as a crack in granite mountains 7 miles long and less than a mile wide. Some of its snow-topped mountains rise to a height of 2¼ miles.

In 1890 the Sequoia National Park was erected, and contains 237 square miles, and it also contains the greatest trees in the world, thousands of years old, many of them reaching to a height of nearly 300 feet.

The same year the General Grant National Park, in the State of California, was established. It contains 4 square miles, but, with the park previously mentioned, is said to contain 12,000 monster trees more than 10 feet in diameter.

In 1892 the Casa Grande Ruin of Arizona, containing prehistoric Indian ruins, was set aside as a national park.

Next there came into existence, in 1899, in the State of Washington, Mount Rainier Park, with an area of 324 square miles.

In 1902 Crater Lake National Park, in southwestern Oregon, containing 245 square miles, was set aside.

In 1903 and 1904, in South and North Dakota, two parks were set aside, called Wind Cave and Sullys Hill, respectively.

In 1906 Mesa Verde Park, in Colorado, containing 77 square miles, was established by the Federal Government.

In 1906, in Southern Oklahoma, the Platt National Park was brought into existence, and in 1910 the great Glacier Park, of Montana, containing 1,534 square miles, with more than 250 glacier-fed lakes, was set aside.

The latest park to be created in the West was in 1915, when the Rocky Mountain Park, in Colorado, containing 358 square miles, was established by Congress.

These great parks and forest reserves, lying west of the Mississippi River, are serving now, as they will continue to serve, purposes so useful that none will question their continuance so long as this Government stands; but their very number and the importance attached to them by our Government and the people as a whole adds emphasis to conditions that exist in that section of our country that lies east of the Mississippi River and within the bounds of which live two-thirds of the population of the Republic, a condition as to population that will always prevail.

The Atlantic seaboard will always be the most populous, as the commerce of the world will continue for all time on the Atlantic.

East of the Mississippi River there is not a single national park that the millions in the Eastern States can visit and

enjoy—a condition that ought not to be continued, and one that Congress can remedy.

THE MOUNT KATAHDIN REGION.

In a bill that I presented in the last Congress, and will reintroduce in this, it is proposed that legislation be enacted to create a national forest reserve in the Mount Katahdin region in the State of Maine, to protect the stream flow of two of Maine's greatest rivers—the Kennebec and Penobscot—and in turn maintain great water powers, developed and undeveloped, which, if fully harnessed, would turn all the machinery of all the New England States; and out of the forest reserve acquired by the Federal Government that there be created a Mount Katahdin national park, as within this region there arises Maine's greatest and most majestic mountain, standing by itself in a wonderfully wild country, presenting the most striking scenic features of the East, the great Maine forest stretching away on every side as far as the eye can see, broken only by numberless enchanting lakes which feed swift-moving streams.

It is in such a region that Mount Katahdin rears its towering peaks more than 5,000 feet above the sea. Around its northerly base flows the Penobscot River on its way to the sea, and to the southwest of the mountain lies the largest lake in New England, Moosehead, the source of the Kennebec.

In the region of Mount Katahdin there lies the greatest natural fish and game preserve in North America east of the Mississippi. This remarkable region is within easy access to the people of eastern United States. It may not contain curative hot springs, but it has a life-giving atmosphere that has long acted as a magnet to the health and pleasure-seeking people of the Nation. It may not equal the Yellowstone in geysers, canyons, and petrified forests, but it has fascinating streams, deep gorges, and the fir and the pine. It may not possess the world-famed beauty features of the Yosemite, but there are those who contend that it possesses features equally as attractive.

The importance of Congress taking steps to save the Mount Katahdin region to the people of the United States can not be overstated. Once this forest is removed, an asset of great national value will be gone, probably for all time.

The Mount Katahdin region as a national park would provide a retreat for the wild life of the eastern section of our country, and would insure a place of safety where animal and bird life would propagate their species under natural conditions and insure the perpetuation of such life not only within the park but to the entire eastern country.

As a national park it would not only benefit wild life in securing to it a place of freedom from the hunter's gun but mankind as well. Thousands of our eastern citizens would like to go into the Maine woods and enjoy for a season out of door and camp life but for the fear of the hunter's gun which seems to point with unerring aim when a human being is mistaken for game.

During the past 10 years 110 persons have been fatally shot in the hunting season, and 114 shot but not killed, according to the official figures of the commissioners of inland fisheries and game of Maine, which I will incorporate in detail below:

MEMORANDUM OF HUNTING ACCIDENTS FOR THE YEARS 1906 TO 1915, INCLUSIVE

1906.

Two persons shot and killed; mistaken for deer.
One person shot and killed; mistaken for bear.
No record of nonfatal accidents this year.

1907.

Three persons accidentally shot and killed; none mistaken for deer this year.
No record of nonfatal accidents this year.

1908.

Two persons shot and killed; mistaken for deer.
Ten persons accidentally shot and killed.
No record of nonfatal accidents this year.

1909.

Four persons shot and killed; mistaken for deer.
Two persons shot; mistaken for deer, not fatal.
Nine persons accidentally shot and killed.
Sixteen persons accidentally shot; not fatal.

1910.

Two persons shot and killed; mistaken for deer.
Two persons shot; mistaken for deer, not fatal.
Four persons accidentally shot and killed.
Nine persons accidentally shot; not fatal.

1911.

Two persons shot and killed; mistaken for deer.
Two persons shot; mistaken for deer, not fatal.
Eleven persons shot accidentally and killed.
Fourteen persons shot accidentally; not fatal.

1912.

Four persons shot and killed; mistaken for deer.
Three persons shot; mistaken for deer; not fatal.
Thirteen persons shot accidentally and killed.
Ten persons shot accidentally; not fatal.

1913.

Five persons shot and killed; mistaken for deer.
One person shot and killed; mistaken for a mink.
Ten persons accidentally shot and killed.
Fourteen persons accidentally shot; not fatal.

1914.

Six persons shot and killed; mistaken for deer.
One person shot and killed; mistaken for a rabbit.
Eight persons shot accidentally and killed.
Twenty-three persons shot accidentally; not fatal.

1915.

Six persons shot and killed; mistaken for deer.
One person shot; mistaken for deer; not fatal.
Six persons accidentally shot and killed.
Eighteen persons accidentally shot; not fatal.

In calling attention to the danger from the hunter's gun as a reason for setting aside a section of wild country as a national park that would be free from such danger, I am not speaking in the interest of Maine people alone, but in the interest of the people of all the Eastern States, as a multitude from these States go to Maine annually for recreation and health, which can only be obtained through the freedom and enjoyment of out-of-door life.

The State of Maine for months in summer and fall, due to its exhilirating climate, inland lakes, forests, and its extended, picturesque coast has become the playground of the Nation. As our country develops the demand upon Maine as a place for recreation will rapidly increase, and the Nation may well consider that it has certain duties that it ought to fulfill to secure for the people the fullest enjoyment and advantages of this American Switzerland.

A national park in the Mount Katahdin region would be a long step taken by the Federal Government to secure to the people for all time the advantages I have mentioned, and such a park once made accessible through the development of park roads and trails would, in my judgment, be visited and enjoyed annually by thousands of our citizens.

The Legislature of Maine has memorialized Congress in the interest of this project. It has the indorsement of a very large number of organizations throughout New England. It has the most hearty support of the New England press, and, in addition, individuals not only in New England but in other Eastern States have expressed their enthusiastic support in favor of a Mount Katahdin National Park.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and had come to no resolution thereon.

MONUMENT AT COWPENS BATTLE GROUND, S. C.

The SPEAKER. The bill (H. R. 9425) providing for the erection of a monument at Cowpens battle ground, Cherokee County, S. C., commemorative of Gen. Daniel Morgan and those who participated in the Battle of Cowpens on the 17th day of January, 1781, was by some mistake referred to the Committee on Public Buildings and Grounds instead of the Committee on the Library.

Mr. FINLEY. Mr. Speaker, I ask unanimous consent that it be referred to the Committee on the Library.

The SPEAKER. Without objection, it will be so ordered.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3723. An act providing for the holding of terms of the district court for the southern division of the western district of the State of Washington at Aberdeen; and

S. 5466. An act to open abandoned military reservations in the State of Nevada to homestead entry and desert-land entry, and to amend an act entitled "An act to open abandoned military reservations in the State of Nevada to homestead entry," approved October 1, 1890.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3723. An act providing for the holding of terms of the district court for the southern division of the western district of

the State of Washington at Aberdeen; to the Committee on the Judiciary.

S. 5466. An act to open abandoned military reservations in the State of Nevada to homestead entry and desert-land entry, and to amend an act entitled "An act to open abandoned military reservations in the State of Nevada to homestead entry," approved October 1, 1890; to the Committee on the Public Lands.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4399. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 3984. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 1424. An act incorporating the American Academy of Arts and Letters.

JOINT RESOLUTION AND ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution and enrolled bills:

H. J. Res. 171. Joint resolution to continue in effect the provisions of the act of March 9, 1906;

H. R. 9923. An act granting the consent of Congress to the county of Mitchell, or to the county of Baker, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River; and

H. R. 10139. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia.

HOUR OF MEETING TO-MORROW.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p. m.) the House adjourned until to-morrow Friday, April 14, 1916, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several committees therein named, as follows:

Mr. MAYS, from the Committee on the Public Lands, to which was referred the bill (S. 36) to authorize the Secretary of the Interior to issue patents for certain lands to the town of Duchesne, Utah, reported the same with amendment, accompanied by a report (No. 537), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 3764) to consolidate certain forest lands in the Florida National Forest, reported the same without amendment, accompanied by a report (No. 539), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. OGLESBY, from the Committee on Patents, to which was referred the bill (H. R. 12481) granting an extension of patent to the United Daughters of the Confederacy, reported the same with amendment, accompanied by a report (No. 538), which said bill and report were referred to the House Calendar.

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (H. R. 21), authorizing the city of Salida, Colo., to purchase certain public lands for public park purposes, reported the same with amendment, accompanied by a report (No. 541), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. VINSON, from the Committee on Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 14576) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, accompanied by a report (No. 534); which said bill and report were referred to the Private Calendar.

Mr. OGLESBY, from the Committee on Patents, to which was referred the bill (S. 4889) to permanently renew patent No. 21053, reported the same with amendment, accompanied by a report (No. 535); which said bill and report were referred to the Private Calendar.

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (H. R. 11286) for the issuance of a patent for certain Government land to Benjamin F. Robinson and John Dows, reported the same with amendment, accompanied by a report (No. 536); which said bill and report were referred to the Private Calendar.

Mr. MAYS, from the Committee on the Public Lands, to which was referred the bill (S. 32) for the relief of William G. Williams, sr., reported the same without amendment, accompanied by a report (No. 540); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills were introduced and severally referred as follows:

By Mr. FAIRCHILD: A bill (H. R. 14577) to amend paragraph 207 of the act approved October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes"; to the Committee on Ways and Means.

By Mr. STOUT: A bill (H. R. 14578) authorizing the Secretary of War to extend the lease issued under the act of August 23, 1912, entitled "An act authorizing the Secretary of War to lease to the Chicago, Milwaukee & Puget Sound Railway Co. a tract of land in the Fort Keogh Military Reservation, in the State of Montana, and for a right of way thereto for the removal of gravel and ballast material"; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. VINSON: A bill (H. R. 14576) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. ALEXANDER: A bill (H. R. 14579) granting a pension to Arminda J. Osborn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14580) granting an increase of pension to Ella R. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14581) granting an increase of pension to Sarah E. Overman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14582) granting a pension to Allie Hicks, helpless child of Francis M. Hicks; to the Committee on Invalid Pensions.

By Mr. BACHARACH: A bill (H. R. 14583) granting a pension to William W. Faance; to the Committee on Pensions.

By Mr. BELL: A bill (H. R. 14584) for the relief of the State of Georgia; to the Committee on Claims.

By Mr. BURKE: A bill (H. R. 14585) granting an increase of pension to Mathias Regner; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 14586) granting an increase of pension to George W. Stoors; to the Committee on Invalid Pensions.

By Mr. DRUKKER: A bill (H. R. 14587) granting a pension to Mildred F. Keiller; to the Committee on Pensions.

By Mr. DYER: A bill (H. R. 14588) authorizing the President to appoint Archibald Grymes Hutchinson a first lieutenant of Infantry, and for other purposes; to the Committee on Military Affairs.

By Mr. EDMONDS: A bill (H. R. 14589) for the relief of Charles Tomkins; to the Committee on Military Affairs.

By Mr. ELSTON: A bill (H. R. 14590) granting a pension to Margaret F. La Blanc; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 14591) granting a pension to Hood Sikes; to the Committee on Pensions.

By Mr. HENSLEY: A bill (H. R. 14592) granting an increase of pension to Mary E. Danley; to the Committee on Invalid Pensions.

By Mr. HUTCHINSON: A bill (H. R. 14593) granting a pension to Louis Coutier; to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 14594) granting an increase of pension to Henry C. Brant; to the Committee on Pensions.

Also, a bill (H. R. 14595) granting an increase of pension to Eliza H. Hector; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14596) granting an increase of pension to Mary A. Brady; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14597) granting an increase of pension to Samuel Saylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14598) granting an increase of pension to Franklin Deal; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14599) granting an increase of pension to Olive E. Campbell; to the Committee on Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 14600) granting a pension to Dora E. Davis; to the Committee on Invalid Pensions.

By Mr. MILLER of Pennsylvania: A bill (H. R. 14601) for the relief of Mrs. Alice May Robinson; to the Committee on Claims.

By Mr. MOON: A bill (H. R. 14602) granting an increase of pension to Harriet E. Corbly; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 14603) granting an increase of pension to Charles E. Watts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14604) granting an increase of pension to John M. Millan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14605) granting an increase of pension to Allie M. Kirkwood; to the Committee on Pensions.

By Mr. ROWE: A bill (H. R. 14606) granting an increase of pension to Augustus B. Tickner; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 14607) granting an increase of pension to F. M. Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14608) granting a pension to Thomas P. Pope; to the Committee on Pensions.

By Mr. SWEET: A bill (H. R. 14609) granting an increase of pension to Lewis H. Lake; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 14610) granting a pension to Celestia Watkins; to the Committee on Invalid Pensions.

By Mr. WARD: A bill (H. R. 14611) granting an increase of pension to Mary M. Crosby; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 14612) granting an increase of pension to James H. Couch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14613) granting an increase of pension to Ezra Rodgers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14614) granting a pension to Mrs. A. M. Hughes; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALMON: Petition of C. A. Wilson and other residents of Huntsville, Ala., asking that House bill 6468, to amend the postal laws, and also House bill 491, with the same title, or any other like measure, be not passed; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Evidence to accompany House bill 13725, for relief of Thomas Adams; to the Committee on Invalid Pensions.

By Mr. BACHARACH: Memorial of New York Young Republican Club of New York City, in re coast fortifications; to the Committee on Military Affairs.

Also, petition of 451 people of Moorestown; St. Pauls Methodist Episcopal Church of 992 people, of Altantic; Young People's Baptist Union of Florence, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of New York Young Republican Clubs, of New York City, in re Clarke Philippine amendment; to the Committee on Insular Affairs.

Also, petition of sundry citizens of Bridgeton, N. J., in re House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, memorial of Chamber of Commerce of the United States, in re industrial efficiency; to the Committee on Appropriations.

Also, memorial of Chamber of Commerce of the United States, in re dumping legislation; to the Committee on Interstate and Foreign Commerce.

By Mr. BAILEY: Memorial of Bedford Grange, No. 619, of Pennsylvania, on preparedness; to the Committee on Military Affairs.

Also, memorial of Bedford Grange, No. 619, of Pennsylvania, on postalizing the wires; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Altoona, Pa., opposing House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. BURKE: Petition of H. E. Wendorf and 30 other citizens, of Lake Mills, Wis., protesting against the passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petitions of 48 citizens of Portage, Wis., protesting against the passage of House bills 491 and 6468, to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Memorial of Army and Navy Union of the United States of America, favoring raising salaries in classified civil service; to the Committee on Reform in the Civil Service.

Also, petition of W. J. O'Meara, of Brooklyn, N. Y., in re Army organization; to the Committee on Military Affairs.

Also, memorial of Fifth Avenue Association on National Defense, favoring adequate preparedness; to the Committee on Military Affairs.

Also, memorial of Illinois Publishing Co., in re foreign relations; to the Committee on Foreign Affairs.

By Mr. DYER: Memorial of the national workmen's committee on Jewish rights; to the Committee on Foreign Affairs.

Also, memorial of Southwestern Millers' League, favoring adequate merchant marine; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of New York Young Men's Republican Club, against Clarke amendment, relative to withdrawal of United States from Philippine Islands; to the Committee on Insular Affairs.

Also, memorial of New York Young Men's Republican Club, against the Hay bill and favoring a larger Army; to the Committee on Military Affairs.

By Mr. EAGAN: Memorial of congregatioon of the First Presbyterian Church of Jersey City, N. J., favoring legislation to prohibit the exportation of alcoholic beverages to Africa; to the Committee on Interstate and Foreign Commerce.

By Mr. ELSTON: Petition of Mrs. Rose Harvey and other citizens of Alameda County, protesting against House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Petition of citizens of Greenwood, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. FULLER: Petition of Tuthill Spring Co., of Chicago, Ill., favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Streator, Ill., against bills to amend postal laws; to the Committee on the Post Office and Post Roads.

By Mr. GALLIVAN: Memorial of Fifth Avenue Association on National Defense, in re preparedness; to the Committee on Military Affairs.

By Mr. GORDON: Petition of Rev. Paul Schwan and 14 other Lutheran ministers of Cleveland, Ohio, protesting against the enactment of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. HOLLINGSWORTH: Memorial of J. Easton McGowan, of Steubenville, Ohio, favoring naval program recommended by naval board of the Navy; to the Committee on Naval Affairs.

By Mr. HOWELL: Petition of Young People's Society of Christian Endeavor of Milford, Utah, favoring Federal censorship of motion pictures; to the Committee on Education.

Also, petition of Young People's Society of Christian Endeavor of Milford, Utah, favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HUMPHREY of Washington: Petition of Overton T. Stephens and 18 citizens of Seattle, Wash., favoring national prohibition; to the Committee on the Judiciary.

By Mr. JOHNSON of Washington: Petition of 41 citizens of Vancouver, Wash., opposing House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petition of 41 citizens of Battle Ground, Wash., opposing House bill 652; to the Committee on the District of Columbia.

Also, petition of 51 citizens of Battle Ground, Wash., opposing House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Petition of J. L. Murphy and 25 other citizens of Hope, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. McARTHUR: Petition of Young Men's Forum of Portland, Oreg., favoring Federal censorship of motion pictures; to the Committee on Education.

By Mr. McFADDEN: Resolutions adopted by the Constant Workers' Bible Class, Baptist Young People's Society, the Helpers' Class, Women's Baptist Missionary Society, Woman's Christian Temperance Union, and Men's Original Bible Class of the Baptist Church, all of Factoryville, Wyoming County, Pa., favoring national constitutional prohibition; to the Committee on the Judiciary.

By Mr. MEEKER: Petitions of 135 citizens of St. Louis, Mo., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. PETERS: Petitions of citizens of Lubec and Methodist Episcopal Church of Mount Vernon, Me., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Mount Vernon, Me., Methodist Episcopal Church, urging against preparedness; to the Committee on Military Affairs.

By Mr. RANDALL: Petitions of sundry citizens and organizations of the State of California and First Free Baptist Christian Endeavor Society, of Boston, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROGERS: Petitions of 80 people of Reading and 40 people of Reading, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROWE: Memorial of the International Council for Patriotic Service, against polygamy in the United States; to the Committee on the Judiciary.

Also, petition of Thomas W. Sanner, of Brooklyn, N. Y., favoring House bill 13671, for the benefit of headquarters and quartermasters' clerks of the United States Army at large; to the Committee on Military Affairs.

Also, memorial of Fort Greene Chapter, Daughters of the American Revolution, Brooklyn, N. Y., favoring preparedness; to the Committee on Military Affairs.

Also, petition of sundry citizens of New York, favoring Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHALL: Petition of sundry citizens of Minneapolis, Minn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SNYDER: Memorial of Camden (N. Y.) Chapter, Daughters of the American Revolution, favoring the establishment of a national park on the Oriskany battle field; to the Committee on Military Affairs.

Also, memorial of Rome (N. Y.) Chamber of Commerce, favoring a relocation of the proposed power site in the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of Utica (N. Y.) Chamber of Commerce and the Utica Automobile Association, favoring the creation of a national park on the battle field of Oriskany; to the Committee on Military Affairs.

Also, petition of various residents of Camden, N. Y., opposing legislation barring the use of the mails to certain publications; to the Committee on the Post Office and Post Roads.

Also, memorial of the Rome (N. Y.) Chamber of Commerce, favoring increased appropriations for the Consular Service; to the Committee on Foreign Affairs.

By Mr. STINESS: Petition of Manton Baptist Church, of Johnston, R. I., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TIMBERLAKE: Petitions of sixth district of the Woman's Christian Temperance Union of Colorado; churches in Larimer, Washington, and El Paso Counties, Colo., in support of pending prohibition legislation; to the Committee on Alcoholic Liquor Traffic.

Also, memorial of Progressive Rural League of Lincoln County, Colo., protesting against any weight limit on mailable parcels; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Karval and Wezel, Colo., urging action on Federal farm-loan measures now pending; to the Committee on Agriculture.

By Mr. WALSH: Petition of Methodist Baptist Union Congregation, of Osterville; Osterville Woman's Christian Temperance Union, of Osterville; and Wesley Methodist Episcopal Church, of New Bedford, all in the State of Massachusetts, favoring national constitutional prohibition; to the Committee on the Judiciary.

Also, petition of Major How Women's Relief Corps, No. 96, Department of Massachusetts, by Carrie E. Elliott, its secretary, favoring passage of so-called Ashbrook widows' pension bill, House bill 11707; to the Committee on Invalid Pensions.

Also, petition of Special Aid Society for American Preparedness, Cohasset, Mass., by George W. Collier and four others, favoring adequate appropriations for increasing the Army and Navy; to the Committee on Appropriations.

Also, petition of Special Aid Society for American Preparedness, Cohasset, Mass., by Benjamin F. Crane and 25 others, favoring adequate appropriations for increasing the Army and Navy; to the Committee on Appropriations.

Also, petition of Special Aid Society for American Preparedness, Cohasset, Mass., by H. B. Pennell and 12 others, favoring adequate appropriations for increasing the Army and Navy; to the Committee on Appropriations.

Also, petition of Special Aid Society for American Preparedness, Cohasset, Mass., by Joseph St. John and 40 others, favoring adequate appropriations for increasing the Army and Navy; to the Committee on Appropriations.

By Mr. WILLIAMS of Ohio: Petition of Brotherhood Bible Class of Kenmore and Congregational Church, of Atwater, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WINGO: Petition of citizens of Miller County, Ark., against preparedness; to the Committee on Military Affairs.

Also, petition of sundry citizens and organizations of Miller County, Ark., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WINSLOW: Petition of residents of Worcester, Mass., against bills to empower the Postmaster General to bar certain publications from the mails; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, *April 14, 1916.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee for the permanency and changelessness of Thy love and power and grace. Thou dost lead us by paths that we do not know. Thou dost sustain us through providences that we can not understand. In the midst of problems unsolved in each new day we come to the tasks of the day. We bless Thee that the changeless force of life is Thy changeless love and Thy changeless grace, and we lift our hearts to Thee that we may be sure that God is leading us on, and at every step of the way Thou art unfolding to us the riches of Thy grace in Christ Jesus. Hear us in this prayer. Fit our hearts and minds for the duties of this day. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Wednesday, April 12, 1916, when, on request of Mr. CHAMBERLAIN, and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts and joint resolution:

On April 11, 1916:

S. 585. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States;

S. 922. An act for the relief of Mary E. Nicolson;

S. 1809. An act to create an additional judge in the district of New Jersey;

S. 3391. An act to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913;

S. 3977. An act to authorize the Shamokin, Sunbury & Lewisburg Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Susquehanna River from the borough of Sunbury, Northumberland County, Pa., to Monroe Township, Snyder County, Pa.;

S. 3978. An act to authorize the Catawissa Railroad Co., its lessees, successors, and assigns to construct a bridge across the west branch of the Susquehanna River from the borough of Milton, Northumberland County, Pa., to the borough of West Milton, Union County, Pa.;

S. 4190. An act authorizing the Yankton County Bridge Co., a corporation, to construct and maintain a bridge or bridges and approaches thereto across the Missouri River at a point between Yankton County, S. Dak., and Cedar County, Nebr.;

S. 4671. An act to exempt from cancellation certain desert-land entries in Riverside County, Cal.; and

S. J. Res. 80. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy, at West Point, René W. Pintó y Wentworth, a citizen of Cuba.

On April 12, 1916:

S. 707. An act for the relief of Beverly E. Whitehead.

On April 13, 1916:

S. 5016. An act to authorize the reconstruction of an existing bridge across the Wabash River at Silverwood, in the State of Indiana.

On April 14, 1916:

S. 1048. An act for the relief of Warren E. Day.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 5229) granting the consent of Congress to the county commissioners of Warren County, Pa., to construct a bridge across the Allegheny River in the borough of Warren, county of Warren, in the State of Pennsylvania.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11471) to amend the act entitled "An act to revise the tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KITCHIN, Mr. RAINEY, and Mr. FORDNEY managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1424. An act incorporating the American Academy of Arts and Letters;

S. 3984. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 4399. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

NATIONAL DEFENSE.

The VICE PRESIDENT. The Chair is in doubt about the unanimous-consent agreement. The Senate agreed that after the hour of 12 o'clock meridian of this day "no Senator shall speak more than once or longer than 10 minutes upon the bill, or more than once or longer than 10 minutes upon any amendment offered thereto." The Chair is inclined to think that the bill is now before the Senate.

Mr. CHAMBERLAIN. Mr. President, I understood when adjournment was had last evening that there were some matters which some Senators desired to bring up, but I am perfectly willing to go ahead with the bill. If there is any question about it, I would not want it interfered with as the unfinished business, and therefore I ask that House bill 12766 be laid before the Senate.

The VICE PRESIDENT. The Chair has no desire about this matter, but that seems to the Chair to be a fair construction of the unanimous-consent agreement, although the Chair is not of the opinion that under the unanimous-consent agreement it is necessary to keep the bill all the while before the Senate until it is finally disposed of.

Mr. CHAMBERLAIN. The pending question is the amendment of the Senator from Alabama [Mr. UNDERWOOD] to the amendment of the Senator from South Carolina [Mr. SMITH], and I suggest that the Senate proceed to dispose of that amendment.

Mr. MYERS. Mr. President, I should like to make an inquiry. Is there no morning business to-day?

The VICE PRESIDENT. It was the opinion expressed by the Chair that the unanimous-consent agreement requires the Senate to proceed at 12 o'clock to-day to the consideration of House bill 12766.

Mr. MYERS. The RECORD of yesterday's proceedings says that "the Senate adjourned until to-morrow, Friday, April 14, 1916, at 12 o'clock meridian."

The VICE PRESIDENT. There is no doubt about that.

Mr. MYERS. Is not that correct, Mr. President?

The VICE PRESIDENT. There is not any doubt about that being what was done, but the Chair calls the attention of the Senator from Montana to the unanimous-consent agreement heretofore entered into, which, under the rules of the Senate, constitutes an order of the Senate, and can only be set aside on one day's notice and by unanimous consent.

Mr. BRANDEGEE. Mr. President, I have taken a different view of the unanimous-consent agreement from that announced by the Chair. Inasmuch as the Chair states that clearly the unanimous-consent agreement does not contemplate keeping the bill before the Senate all the time, and inasmuch as we took an adjournment yesterday so that we could have a morning hour this morning, it seems to me the unanimous-consent agreement simply is that at 12 o'clock to-day no Senator shall speak more than 10 minutes, but that there is nothing in it to compel us to speak or to vote until the bill shall come before us two hours after the opening of the Senate. I am perfectly willing to take up the bill by unanimous consent if the Senate wants to do it, and I have no interest in the matter whatever, except that which I have taken.

The VICE PRESIDENT. The Chair has no interest in this matter whatever. The view of the Chair is different from the view of the Senator from Connecticut. The unanimous-consent agreement is for the decision of the Senate as to what is meant by its own unanimous-consent agreement.

Mr. CHAMBERLAIN. Mr. President, I do not object personally to having a morning hour, unless it will in some way interfere with the unanimous-consent agreement. If the Chair has any doubt about that, I would prefer that the Senate would go ahead with the unfinished business.

The VICE PRESIDENT. It is not a question as to whether the Chair has any doubt about it. It is a question what the Senate is going to do about it.

Mr. SMITH of Georgia. Could we not solve the question if we now by unanimous consent took up the unfinished business? I ask unanimous consent to proceed to the consideration of the unfinished business.

The VICE PRESIDENT. Without objection, the Chair lays the unfinished business before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. REED. The pending amendment is one relating to nitrates?

The VICE PRESIDENT. It is the amendment of the Senator from Alabama [Mr. UNDERWOOD] to the amendment of the Senator from South Carolina [Mr. SMITH].

Mr. MYERS. Mr. President, I desire to read into the RECORD a telegram which I received this morning. I will proceed to do so. It is as follows:

[Telegram.]

GREAT FALLS, MONT., *April 13, 1916.*

HON. HENRY L. MYERS,
United States Senate, Washington, D. C.

Gasoline wholesaling in Great Falls 27½ cents; in Spokane, 18½ cents, according to reliable information. Consumers, backed by newspapers and public generally, indignant over what seems rank injustice. Suggest matter be laid before Congress, so that committee having investigation under way may be informed. Can you suggest any course which we might follow to bring a remedy for this wide variance in price? Answer.

GREAT FALLS COMMERCIAL CLUB.

Mr. President, I will ask if an investigation of the unprecedented rise in the price of gasoline and other products of oil is being investigated by any committee of the Senate, general or special? Can the Chair inform me?

The VICE PRESIDENT. The Chair has no information on that subject.

Mr. MARTINE of New Jersey. Mr. President——

Mr. CHAMBERLAIN. I hope, Mr. President, we may be able to proceed with the pending bill. There is an amendment pending to be disposed of, and I think the discussion has about closed.

Mr. MYERS. I have 10 minutes under the unanimous-consent agreement.

The VICE PRESIDENT. The Chair has no information on the subject about which the Senator from Montana inquired.

Mr. MYERS. Then I ask that the telegram, which is in the nature of a petition, may lie on the table for future action.

Mr. MARTINE of New Jersey. Mr. President, I wish to ask whether it will be possible, under the ruling of the Chair or the unanimous-consent agreement, for me to bring up the preamble and the resolution regarding gasoline that I introduced some days ago?

The VICE PRESIDENT. The Chair decides that it will not.

Mr. MARTINE of New Jersey. It will not?

The VICE PRESIDENT. It will not.

Mr. MARTINE of New Jersey. All right; I will bide my time to bring it up.

Mr. CHAMBERLAIN. May I ask that a vote be had on the pending amendment to the amendment?

The VICE PRESIDENT. The question is on the amendment of the Senator from Alabama [Mr. UNDERWOOD] to the amendment of the Senator from South Carolina [Mr. SMITH].

Mr. UNDERWOOD. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KENYON. Mr. President, I understand the pending amendment is the amendment of the Senator from Alabama. I want to say one word, Mr. President. It seems to me that the amendment proposed by the Senator from Alabama destroys that part of the amendment of the Senator from South Carolina embraced on page 3, lines 12 to 16. My reason for feeling that way is this: The amendment to which I refer was to prevent the Government building a plant and operating it in conjunction with private properties or furnishing the money for a plant and then having it operated together with private parties. It is true the amendment of the Senator from Alabama provides for leasing, but that in itself destroys the purpose of the amendment I have heretofore referred to.

I think we might just as well be perfectly frank with ourselves about the situation. The Smith bill is for Government control, Government operation. I shall vote for it because I believe the making of nitric acid is a proper governmental function, as it is a constituent part of munitions of war. The Underwood amendment, if it is adopted, will provide for the Government furnishing the money and building a plant and then leasing it to private parties, and if that amendment is adopted I can not vote for the Smith bill.

That amendment authorizes and directs the Secretary of War for the purpose of securing a suitable air-nitrogen process for the use of the Government to make contracts with the owners thereof. The evidence before the committee shows that the owners of those particular processes are the Cyanamide Co., and that through its interlocking directorates while it is not the owner, a company that it is associated with, the Muscle Shoals Hydro-Electric Co., is the owner of the power sites at Muscle Shoals.

It seems to me that that is practically a direction to the Secretary of War to open negotiations for the use of particular processes, and I do not want him to be confined to any particular process or to recognize that those patents in themselves are valid. There are over a hundred patents of these processes, I understand, for the fixation of nitrogen from the air. It may be that new processes will be developed; it may be that our own Government can work out processes that may not be an infringement of these patents.

That is another objection which occurs to me; but my main objection is that it destroys the principle which the Committee on Agriculture and Forestry placed in the bill, that these plants shall be constructed and operated by the Government for the benefit of all the people, and that is the principle I believe in and contend for as far as this bill is concerned.

Mr. UNDERWOOD. Mr. President, I think the Senator from Iowa has clearly stated the effect of the amendment I offered. As far as his statement about the patents at Muscle Shoals is concerned, I do not concur with his views on that subject, because they have nothing to do with this transaction nor with this amendment; but his statement with reference to the purpose of this amendment is clear.

The amendment as offered by the Senator from South Carolina provides that the Government itself must own and operate this factory under all conditions and under all circumstances. If it is impossible for the Government to operate it, then the plant must lie idle. The amendment which I offer in reference to that portion of the amendment is very clear, and I have no desire not to have the Senate fully understand it; I concur with what the Senator from Iowa said in reference to it. The purpose of my amendment is to give the Secretary of War, if he thinks it is ill advised to operate the plant when it is lying idle and is not being used to make nitrates for powder, the opportunity to lease the power in that plant to somebody else and let them operate the plant, the Government make the interest.

I can explain in detail what I mean in a more practical way. Suppose we build this hydroelectric plant and it will have 100,000 horsepower. That is what we are contemplating. The Government is prepared to make powder for war, but after we have it completed our peace necessities require only 20,000 tons of concentrated nitric acid instead of 180,000 tons. The Secretary of War will probably have from 80,000 to 90,000 horsepower that he does not have to use for the peace possibilities of the plant that he is holding in reserve merely for war purposes, which may happen. Then if you adopt the Smith bill without my amendment you drive the Secretary of War to the necessity of either letting that 80,000 or 90,000 horsepower go to waste and not be utilizing it or you force him to go into the business of manufacturing nitrogen and selling it. But if the amendment which I offered prevails, then the Secretary of War, in his discretion—this amendment does not direct him—can use the power under the Smith amendment to manufacture nitrates by the Government and to sell them, or, if he desires to exercise the discretion, he can lease that additional horsepower to private persons, to be used until war necessities require him to take it back. This amendment will not allow him to make any lease to private parties that will prevent his calling the plant back to the Government at any time he may want it for governmental purposes; but it would leave him the discretion, if he wanted to exercise it, of allowing the Government to lease this hydroelectric power to somebody else that the Government might thereby make money.

Of course, if you adopt the Smith amendment without putting in this power to lease—and there is nothing in the bill that would authorize it now—and if you reject the amendment I have offered, and you build this plant, the Government itself must either go to manufacturing nitrogen to sell to private individuals outside of its Government requirements, or so much of the plant as is not needed for peace purposes must lie idle.

I think you can safely leave it to the discretion of the Secretary of War to determine whether or not it is to the interest of the Government to manufacture nitric acid for peace purposes, and to use it for peace purposes, or whether it is more to the advantage of the Government to lease this additional horsepower to private enterprise to manufacture nitric acid and to sell it.

Of course, I want to be candid with the Senate. My amendment puts in a limitation as to whom the Secretary of War can lease the plant. It says he must lease to people who are going to use the power to make nitric acid to be converted into fertilizer. There are two great fields of consumption of nitric acid—one is the industrial field, the great manufacturing corporations of this country for manufacturing purposes; the other is the use of nitric acid for fertilizers that will ultimately go to the farm. I admit that my amendment seeks to secure the use of that power for the benefit of the agricultural classes of America. If you strike out the provision that it shall be sold for fertilizer, then the Secretary of War may sell it to manufacturers who are in the mining business or in any other business. If we are to have this idle power and it is going to be leased to somebody, there is a field in which it can be used for the manufacture of fertilizers. We are about to adopt a reorganization of the Army, and the agricultural classes of this country get no direct benefit from this bill. The men who manufacture munitions of war, the men who manufacture clothing, the men who supply the great necessities of the Government, get a direct benefit out of this bill, because the expenditures of the Government will go to them; but the agricultural classes get no benefit.

Mr. REED. Mr. President——

Mr. UNDERWOOD. Just a moment, if the Senator will allow me to finish my sentence. The agricultural classes must pay their portion of the burden of carrying this Army; they must send their boys to make the recruits in this Army; and I think it is not any violation of any principle or doctrine, if this power is to be leased, for the Government of the United States to state in what direction the lease shall be made. It is for a very proper purpose; and I think if we are going to write this legislation it ought to be directed along that line. Now I yield to the Senator from Missouri.

Mr. REED. Does not the Senator from Alabama think that it is a perfectly proper thing for the Government to manufacture nitric acid for use in making powder?

Mr. UNDERWOOD. Undoubtedly; it is a war power.

Mr. REED. And does he not think it would be beneficial for the Government to enter into that work?

Mr. UNDERWOOD. I do.

Mr. REED. If that be true, it must follow that the Government can do this work as well or better than can a private manufacturer, does it not?

Mr. UNDERWOOD. Well, I am not sure whether or not the Government can always do such work cheaper than it can be done by the private manufacturer; but I think it is wise as to some of these great supplies for the Government to keep its hands on their production. It is not always a question of the cheapest way to do things.

Mr. REED. If it is true that the Government can and ought to build this great plant for the purpose of supplying

nitric acid with which to make powder, does it not almost necessarily follow that the Government can also so manage the plant that a surplus can be made as cheaply as it can be produced by private parties and without loss to the Government?

Mr. UNDERWOOD. Mr. President——

The VICE PRESIDENT. The 10 minutes allotted to the Senator from Alabama under the unanimous-consent agreement have expired.

Mr. HARDWICK. Mr. President, I ask that the amendment be reported to the Senate.

Mr. UNDERWOOD. If the Senator from Missouri will take the floor in his own time, I should like to answer him.

Mr. REED. I will let the Senator from Alabama answer in my time.

The VICE PRESIDENT. That is not in accordance with the unanimous-consent agreement.

Mr. REED. Mr. President, I desire to address the Senate.

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. I desire to ask the Senator from Alabama the question I propounded a moment ago.

Mr. UNDERWOOD. If I may be permitted to answer, I shall be glad to do so.

The VICE PRESIDENT. Undoubtedly the Senator has that right, but the 10 minutes allotted to the Senator from Missouri are now going on.

Mr. UNDERWOOD. Mr. President, I do not controvert what the Senator from Missouri says in reference to that question; I am not trying to decide it. I can see no objection whatever, however, to leaving it discretionary with the Secretary of War to determine as to what is the best interest of the Government, either to operate or to lease the surplus power in time of peace. For that reason I think the amendment is advisable.

Of course the other reason why I insist on the amendment is that there is no power under the bill except by condemnation to acquire one of these processes; and if you acquire it by condemnation you could not use it for peace purposes, you could only use it for war purposes.

Mr. REED. Mr. President, I understand that in order to remove all difficulty in the matter of construction the Senator from South Carolina [Mr. SMITH] intends to make a modification of his amendment, including the word "processes" therein, although I agree with the Senator from Montana [Mr. WALSH] that the general language of the amendment is sufficiently broad so that it will in all probability carry the right without any amendment.

I do not agree that it is always wise to turn over to some departmental chief or to some Cabinet member the discretion to breathe the breath of life into our legislation or to destroy its effect. If I always knew who would be Secretary of War, and always knew that he would entertain the same opinion which I think the Senate entertains upon this bill, I should not object; but it seems to me that we are likely at some time in the future to be confronted with a situation where we have a Secretary of War who is wedded to the idea that the Government should never engage in anything whatsoever except that which he may consider a purely governmental function. I do not think it is wise to vest so broad a discretion in the Secretary of War. In the second place, I think it is an error to claim that because a plant has a maximum capacity of 180,000 tons it must be always operated at that full capacity in order that a loss may not be incurred, because very few factories ever operate at their absolutely maximum power.

Mr. UNDERWOOD. Mr. President, if the Senator will yield, I should like to say that if it is only a question of economy the Government could let its money lay idle; but if it has the surplus power, by the use of it, either by the Government or by lease, it could properly earn interest on the Government's money.

Mr. REED. I answer that by concluding what I was saying, that no plant is ever run absolutely at its maximum except in cases of great emergency. In the next place, I remark that if we can manufacture nitrates for the making of powder, and if we can do it more cheaply than it can be done by private individuals—that is, so that the Government will receive it more cheaply than it would from private individuals—it seems to me it follows that we can manufacture a surplus cheaper than it will be furnished by private individuals; and, if that be true, why not let the agricultural districts of our country have that benefit?

I usually am in agreement with the Senator from Alabama, but I fear his amendment would imperil the utility of the pending proposal.

Mr. THOMAS. Mr. President, I am in favor of the amendment originally proposed by the Senator from Alabama [Mr. UNDERWOOD], not the least attractive feature of which is the opportunity which it will offer for the use of the surplus energy, if there be any, of the plant it is proposed to construct for the manufacture of nitrates for agricultural and other practical purposes. I believe that where the Government has the power, which it undoubtedly has here, to expend money, and especially where, as here, a large sum of money is necessary for the purpose of constructing a plant for the production of something which is concededly essential to the national security in times of great national emergency, it necessarily carries with it the authority to use any surplus energy of power which it may thus have created for other legitimate purposes; and I very much prefer to pursue a direct course in regard to such matters of legislation than an indirect one, such, for example, as that which we follow when we seek to endow private enterprise with the authority to construct power plants on the theory—which is virtually upon a pretense—that we are exercising a general power under the commerce clause of the Constitution to improve navigation, when everyone knows that the purposes of navigation are either fictional or entirely subservient to the main object of the legislation.

Mr. President, why should not the Government utilize any property which it possesses? If it can sell, but does not care to do so; if it can lease, but is not able to do so upon advantageous terms, why can it not devote its own energy to the proper development and utilization of that property for the general good? I have in mind an instance, Mr. President, where the Government prevented by legislation from using for general commerce its system of transports plying between the Pacific coast and Manila. At this time of unprecedented demand for ocean carriage these transports should be devoted to the accommodation and development of our oriental commerce, and its earning power thus largely contributing to the payment of the public expenses.

Those transports, Mr. President, as I am informed, have been running empty, or practically so, for some time. They can not be devoted to the purposes of general commerce because we have so enacted. Through the influence of the coastwise shipping trust they are prevented by law from so doing.

In March, 1907, a rider to the Army appropriation bill prohibited the use of the appropriations therein made for the payment of expenses in using the transports in any other than Government service. We confined its activities to the transportation of the Army and, of course, those commodities and equipment which are incidental to it. It is true that the coastwise trust, a few years later, with unprecedented generosity, permitted us to modify this provision by the act of March 3, 1911, so as to permit the carrying of general cargoes to the island of Guam, whose commerce is wholly negligible. The legislation is worse than farcical.

The point is, Mr. President, this Government would possess the authority but for these restricted laws to use its transports for purposes of general cargo, and our oriental commerce would be greatly benefited, the profit to the United States would be considerable, and, at the same time, there would be no interference whatever with legitimate business; on the contrary, foreign commerce would be promoted. But with this legislation upon the statute books, it is impossible to utilize this great agency in commerce at all; that commerce is paralyzed for lack of ocean carriers, while these transports make their trips to and fro between San Francisco and Manila without carrying any general cargo and very little for any purposes. Instead of being permitted to carry freight, ballast, useless, worthless ballast, must be carried in order to navigate the boats at all. But the coastwise traffic must enjoy its monopoly undisturbed. Shall we duplicate this situation by prohibiting nitrogen production for agricultural purposes?

Here we are confronted with a situation, Mr. President, which, in my judgment, absolutely requires the Government itself to erect a power plant and equip the structure for the manufacture of this greatly needed article. Legislation which is possible, by this Congress at least, with regard to the utilization of water power is not such as will attract private capital. I do not think it can safely invest in the development of plants of this character under contemplated restrictions, nor am I at all hopeful, Mr. President, of any legislation sufficiently liberal in that regard in the near future.

Mr. LODGE rose.

Mr. THOMAS. I should like to yield to the Senator, but my time is limited.

Mr. LODGE. I do not ask the Senator to yield. I thought the Senator had concluded.

Mr. THOMAS. I will be through in just a moment. For this reason if for no other, Mr. President, if this emergency is

to be met and this commodity be manufactured it must be done through governmental agencies.

Mr. President, let me say that it has been generally conceded by some of us that monopoly had encompassed practically every pursuit and every element of nature except the circumambient air. That was free because it could not be capitalized. But it is now proposed to deny to the Government of the United States and the people it represents authority to utilize the air in the manufacture of a commodity which is absolutely essential to the future, if not to the present, needs of this Republic lest it should thereby deter private enterprise from embarking upon this novel and attractive pursuit. Let us draw the line somewhere, even if it is between the solid earth and the atmosphere which surrounds it, between that which private combinations can absorb and that which the people can enjoy.

Mr. LODGE. Mr. President, the amendment proposed by the Senator from Alabama provides for making contracts with the owners of suitable air-nitrogen processes. I want to call the attention of the Senate to the owners of the patents. Mr. Washburn, whose connection with various companies I adverted to the other day, testified as follows on page 917 of the hearings before the Committee on Agriculture:

The CHAIRMAN. That is what I am trying to get at. Are these processes available to the general public or are they controlled by one firm or set of men in this country?

Mr. WASHBURN. They are controlled by one concern, under patents.

On page 920:

The CHAIRMAN. Now, let me ask you one further question about this process. Who controls this process in this country—your company?

Mr. WASHBURN. Yes.

Then on page 925 there is a little statement, already brought to the attention of the Senate by the Senator from Iowa [Mr. KENYON], but which I think it is worth while to call attention to again:

Mr. RUBEY. What is the date of your patent?

Mr. WASHBURN. You mean of the patent?

Mr. RUBEY. Yes.

Mr. WASHBURN. We have not any single patent. We have about 100 patents.

Mr. RUBEY. And then the next year and the next year you would have additional patents, so that the time would never come——

Mr. WASHBURN (interposing). We do not propose that it ever shall come when anybody can compete with us, if it is within our power.

The Secretary of War is authorized to purchase these processes; and it is evident from that testimony that they are patent monopolies, in the control of one company, of which Mr. Washburn is the representative.

Mr. UNDERWOOD. Mr. President, will the Senator yield?

Mr. LODGE. No, Mr. President; under the rule and the unanimous-consent agreement I think I had better finish my statement.

Mr. Washburn is the head of those companies. That has been proved beyond a peradventure; and he has testified that they own these processes. As they control these processes under American and Canadian patents, the Secretary of War will be compelled to buy or lease of them. It is a patent monopoly. More than that, it is a monopoly of the patents, apparently, in the hands of one company.

I know, Mr. President, the earnest hostility to monopolies of which we hear so much from the other side of the Chamber, from courageous men who are never afraid to declare their opposition to monopolies, and who are the friends of the people, and who do not care who knows it. They are perfectly daring in those respects. I know that they draw the lines on monopolies. There are some monopolies to which they are hostile, and some to which they are not. They do not mind a foreign monopoly. It is only when they think there is a monopoly where some American makes money that they cry out. These patents are monopolized by an American company, so that evidently they are enlarging their charity toward monopolies.

But there is more in it than that. Mr. Washburn—who, I have no doubt, truthfully testified as to the possession of these patents—is also, through his companies, largely interested in the water powers of Alabama, and the land in the neighborhood of Muscle Shoals. In fact, they are the riparian proprietors. If he controls these patents, which, so far as we know, are the only patents for the fixation of nitrogen from the air, he will come pretty near dictating where the plant is to be.

Mr. President, I think this is a pretty large power to confer on anyone; and I think really we are settling, under this amendment, the site where all this nitric acid and nitrogen is to be made.

Mr. SHAFROTH. Mr. President, if there is one thing that has been settled by the Senate this session it is that it is wise for the Government to undertake the manufacture of those things which enter into munitions of war.

It is for two reasons that that has been sanctioned by this body, namely: First, that there are certain improvements and discoveries always going on in the manufacture of these munitions of war which it is important that this Government should have a knowledge of, and that no other nation should have a knowledge of, and that that can not be accomplished and the secrets kept if other people exclusively construct and manufacture these implements and these ingredients that go into the manufacture of high explosives; and, second, because when outside parties become the sole manufacturers of these munitions it creates an interest in the manufacturers to make a market for their product and to influence the Government of the United States to undertake war when war perhaps might not otherwise follow.

The difficulty with the proposition of the Senator from Alabama [Mr. UNDERWOOD] arises from the fact that under this bill there must be the manufacturing of these nitrates by the Government of the United States all the time. Inasmuch as the amendment which he offers does not change that part of the bill, it seems to me the amendment is not practicable. Under the terms of the bill it is absolutely necessary that the Government should manufacture nitric acid during times of peace, as a considerable amount is needed then, because we are continually carrying on target practice, and we will require this product in the manufacture of explosives. Now, when we are required under this bill to manufacture nitric acid for this governmental purpose, to provide that for a part of the time we can lease it out to some one else, makes it impracticable. It seems to me that we could not do so with any degree of economy or efficiency. Whenever we provide that the Government shall manufacture nitric acid to the extent of even one-fourth of the 180,000 tons per annum required in war times, and that after we manufacture the one-fourth we shall lease the plant for the balance of the time, it seems to me that that makes it a proposition which would not be economical to the Government. Besides, it would not be to the interest of the Government to let its plant and the secrets that it may have with respect to the manufacture of nitrates, and the improvements that may be made thereto, be turned over to anyone else to be used by them in the manufacture of products to sell to other nations.

Mr. President, inasmuch as it is constitutional for the Government to manufacture munitions of war or anything that has a tendency to increase the efficiency of the Government in war times, it should utilize the plant for its own purpose, and if there is any surplus it should sell the product thereof in peace times for commercial purposes. When that is done, if there are other plants of the kind—and I have no doubt other plants will be erected—it will prevent the making, by gentlemen's agreements or by combinations, of higher prices than those which would prevail under ordinary conditions.

I do not believe a government ought to attempt to manufacture something for commerce to the exclusion of commercial enterprises, but I do say that when we have a purely governmental function to perform and we have a surplus in the way of manufactured product that we can dispose of the very fact that the Government knows exactly how much it costs prevents the people who may also manufacture the product from combining and placing such a high price upon it as to create a monopoly to the detriment of our people.

It seems to me that when the Government must, under the amendment of the Senator from South Carolina, operate the plant at least sufficiently to furnish nitrates during time of peace it is absurd to talk about dividing the time of operation and letting it be leased for a part of the time to a private company. You can not divide the operation very well, and if you should lease the water power only it would be of very little benefit to the lessee, but might be of great detriment to the plant itself.

It seems to me the amendment of the Senator from South Carolina [Mr. SMITH] is framed upon a different theory. That theory, as I have stated, is that the Government should undertake the operation of the plant and the manufacture of these nitrates. To divide it in some way makes it inconsistent with the bill itself, and is not, from an economical standpoint, to the best interest of the Government.

Mr. VARDAMAN. Mr. President, if the Government of the United States is to build this plant and operate it for the purpose of making nitric acid for manufacturing munitions of war, we all understand that this particular work will necessarily be of short duration; that is, we hope so. Then, when the plant is not running for the purpose of making nitric acid to be used in the manufacture of munitions of war, it must remain idle, at an enormous expense to the taxpayers of the Republic, or be used for the purpose of manufacturing nitric acid to be used in

the manufacture of fertilizer or some other commercial or scientific purpose.

If the Government has the right under the Constitution to create the power and sell it, it certainly has the right to use the power which it creates and to manufacture the nitric acid which could be sold to the farmers of the country, from which great good would come to the whole country. We all understand that whatever helps the farmer—enlarges his crop and prospers his efforts—benefits every other class of men. I can not understand why it should be left to the discretion of the Secretary of War to determine whether it is prudent that the Government should run it or whether it should be leased. If somebody could buy the power from the Government and manufacture nitric acid and sell it to the farmer and make a profit, certainly it seems to me the Government itself could use its own power, and instead of giving the lessee the profit to be derived from the manufacture of nitric acid, give it to the men and women upon whose shoulders this great burden of taxation which we are preparing to levy will rest. Why not give it to them and let them enjoy the profit? I want the power developed, but I want it to be used after it is developed for the benefit of all the people, and the best way to do that is to use it for the enrichment of the farmer's land.

For that reason I can not support the amendment offered by my friend the able Senator from Alabama [Mr. UNDERWOOD] to the amendment offered by the learned Senator from South Carolina [Mr. SMITH]. I think the Senate ought to adopt the amendment proposed by the Senator from South Carolina; and then, if it is not perfect in all its details, if we find out in the future that probably it would be better to manage the plant in some other way, the Congress will be in session, and can remedy any defect that may develop. The thing I desire above all others—even more than for the purposes of war—is the establishment of the plant for the manufacture of one of the essential elements that go into the manufacture of fertilizer, which is of such vital importance to the well-being of the agricultural people of America.

Mr. UNDERWOOD. Mr. President, will the Senator from Mississippi yield for a question?

Mr. VARDAMAN. I will.

Mr. UNDERWOOD. By way of a question, I wish to make a statement. I believe that the power to lease ought to be in this amendment; but I realize, from the expressions on the other side of the Chamber and on this side, that it is evident that the amendment, so far as allowing the Government to lease this plant and power is concerned, will not be adopted. I do think it is necessary, though, to give the Secretary of War the right to buy or purchase these processes. It does not wipe away the power to condemn if he wants to; but at least he ought to have the power to purchase if he can or to make a contract for these patented processes. So I will amend my amendment by striking out the last section. I will not take the time of the Senate further.

Mr. VARDAMAN. The Senator's amendment, I understand, means now that——

Mr. UNDERWOOD. I will ask to have it read at the desk.

Mr. VARDAMAN. Very well.

Mr. UNDERWOOD. It may save the time of the Senate. I should like to insist on the other proposition. It is apparent from the debate that the Senate will not agree with me, and I will not take further time on it.

The VICE PRESIDENT. The modified amendment to the amendment will be stated.

The SECRETARY. It is proposed to strike out all after the word "process," at the end of line 5, in the following words:

And the Secretary of War is authorized to operate or lease the plant, hydroelectric power, or works provided for in this act for the making of nitrogen products for the manufacture of fertilizers in times of peace, when the output of said plant is not needed for the manufacture of explosives.

Mr. VARDAMAN. I would suggest, Mr. President, that the Senator from South Carolina might accept that.

Mr. SMITH of South Carolina. I did not hear the amendment as proposed. I will ask the Secretary to state it again.

The SECRETARY. As proposed, the amendment would read:

That the Secretary of War is authorized and directed, for the purpose of securing a suitable air-nitrogen process for the use of the Government of the United States, to make a contract or contracts with the owners thereof, for the use, rental, lease, or purchase of a suitable air-nitrogen process.

Mr. SMITH of South Carolina. Mr. President, I hope those who have this amendment before them will turn to page 2, on line 14, where it says:

That the Secretary of War is authorized and directed to investigate and to recommend for designation or withdrawal, such dam sites and water-power sites as in his opinion will be necessary for carrying out the purposes of this act, and is further authorized to construct, maintain, and operate at or on any site so designated or withdrawn dams, locks, or other improvements to navigation, power houses, and other plants *and equipment* necessary or convenient for the generation of electrical or other power.

Now, if there should be any doubt about this matter being covered, it seems to me that on line 25, page 2, after the word "minerals," to insert the word "processes" would cover the whole situation.

Mr. VARDAMAN. I rather agree with the Senator about that. The only purpose I have is that the matter may be taken care of.

Mr. UNDERWOOD. Mr. President, it seems to me the matter may be in doubt in the amendment of the Senator from South Carolina, and is, I think, very much in doubt. He wants to get a patented process. What harm can it do to his amendment to give to the Secretary of War the direct authority to purchase, lease, or use the process, when he has to get it somewhere?

Mr. SMITH of South Carolina. My opinion is that the very nature of the amendment vests him with that power. It gives him $15,000,000 to go out and do this thing. Of course, so far as that is concerned, it is a matter of indifference to me.

Mr. NORRIS. Mr. President, I agree with the Senator from South Carolina [Mr. SMITH] and also the Senator from Oklahoma [Mr. OWEN], who addressed himself to this subject yesterday, that if it is necessary for the Secretary of War to purchase or lease any process or machinery he has the authority in the amendment of the Senator from South Carolina without adding the amendment of the Senator from Alabama. It seems to me there are a good many reasons why we should not adopt the amendment of the Senator from Alabama. Even as he has it modified it would direct the Secretary to purchase or to lease this process or the machinery or whatever it is that is patented.

Mr. President, this is a system that is rapidly developing, changing, and improving. It may be that it will be unnecessary for the Secretary of War to purchase any patented process, to rent any patented machinery, and that he will be able to do this by improved processes from chemists who are in the employ of the Government.

I want to read to the Senate some of the testimony of Dr. Baekeland before the Committee on Agriculture and Forestry of the Senate. Dr. Baekeland is a member now of the naval consulting board. He is a native of Belgium, who studied chemistry and graduated in one of the colleges of Belgium. He came to America and has been here 27 years. He is a naturalized American citizen and he is now in the consulting advisory board that has been selected by the President or the Secretary of the Navy. He has been selected by at least two organizations, I think, of chemists and chemical engineers to represent them on that body, and is now serving our country without pay in that advisory capacity.

He says in his testimony that at the beginning of the war now going on in Europe Germany was manufacturing not to exceed 10,000 tons by water power, and that while she had gotten some saltpeter from Chile, the supply was entirely inadequate, and that she immediately had to devise means of increasing her supply of nitrates, which she did by the utilization of coal and the development of steam power, and that she is making large quantities of it now from that source. Perhaps it is a little more expensive, but it is a case of necessity, and the main supply of nitrates are now, this professor says, manufactured from the air by the use of steam and coal.

This nitric acid—

He says, quoting now:

This nitric acid is made by a chemical process, which, I am glad to say, the chemists of the United States can duplicate at any time. There is no particular secret about it, and if the chemists of the United States were confronted with this problem I have no hesitation in saying that, if properly supported and given the necessary time, they would make as good a showing for themselves as did the German chemists.

Then he goes on further and says they ought to have from 8 to 12 months, perhaps longer, to develop the proper machinery and power for the purpose of getting nitrates out of the atmosphere. He says:

This country, just like Germany, can manufacture this nitric acid. It can be done by using the same processes or processes somewhat better adapted to the peculiar conditions in this country, but it will take some time—it may take a year, it may take more, to get in shape; and even then our chemical engineers have to do a lot of hustling.

The Doctor speaks of another process that requires more power and, for that reason, is more expensive, but it is not necessary to adopt the process that Mr. Washburn and his company control.

Mr. GALLINGER. Mr. President——

Mr. NORRIS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. What length of time did this witness suggest would be necessary to perfect that process?

Mr. NORRIS. He says in a year's time, as I understand it, even without this bill. He was not speaking, I think, in reference to this bill; he was speaking of the use of coal and the development of steam, if necessary, which would, of course, be a little more expensive. He says in his testimony it is perhaps more expensive for Germany, but it is a case of necessity, and she does it.

For that reason, Mr. President, it seems to me that we ought not to adopt an instruction to the Secretary of War that in effect says to him, "You must get this particular process." It is something comparatively new in the scientific world and, as the doctor says, among chemists it is practically no secret now. They can go to work and develop the power and manufacture it within a year's time without anything except financial assistance; they are working at it all the time; and I do not believe we ought to confine the Secretary to any particular process. Let it remain as it is now in the amendment offered by the Senator from South Carolina. That gives him the right to get it there if he can, if he wants to, if it is necessary, but gives him the whole world to figure in if he wants to.

It seems to me that having that power under the original amendment of the Senator from South Carolina we are simply tying his hands if we say to the Secretary of War in the words of the amendment of the Senator from Alabama that he shall go to this particular corporation or to that particular patentee and adopt his process and buy his patent; in other words, putting him at the mercy of men who may as far as I know have the best process, I do not know, but they may not have what will be the best process to-morrow. As this witness says, the chemists of America can develop what the chemists of Germany have already done. It seems, therefore, to me that even as the amendment is modified it ought to be voted down.

Mr. HUSTING. Mr. President, the main objection I had to the amendment offered by the Senator from Alabama to the amendment offered by the Senator from South Carolina has been removed, but I want to say that I indorse what the Senator from Nebraska [Mr. NORRIS] has just said in regard to the effect of the amendment of the Senator from Alabama. This amendment would put us squarely in the position of appropriating money to purchase one of two processes now owned and monopolized by two companies. It may be entirely unnecessary for us to purchase either of these processes, as was stated by the Senator from Nebraska. It may be that our chemists or experts can devise a better means of serving the purpose than by accepting one or the other of these two processes which we have been told about.

For that reason I am opposed to the amendment and believe that it is matter that should be settled by the Secretary of War. The terms of the amendment of the Senator from South Carolina fully cover this situation. I believe that there is sufficient authority in the bill to give the Secretary of War the power to adopt such means as he deems best to bring about or carry out the purposes of this act.

I think it is unwise for Congress to appropriate any money to buy out any monopolies or to choose between one or the other of monopolies, and especially so in view of the fact that one of the companies which are represented by Mr. Washburn has taken so much interest in the water-power legislation that has been before the Senate and before the Congress of the United States. The hearings before the Committee on Agriculture and Forestry disclose, on pages 35 and 36, the interest that Mr. Washburn has taken in the water-power legislation before the Senate. He was asked this question by the Senator from Iowa [Mr. KENYON]:

> Senator KENYON. You have been here helping with the Shields bill?
> Mr. WASHBURN. I have helped with the Shields bill.
> Senator KENYON. How long have you been in Washington working on these propositions?
> Mr. WASHBURN. I think I have certainly, for the last six months, not been in Washington any time except upon the invitation of a committee or one of the departments in connection with anything of the kind.
> Senator KENYON. Have other people associated with your company been working on the Shields bill or on this proposition?
> Mr. WASHBURN. Yes; in connection with the Shields bill.
> Senator KENYON. And on this proposition, too?
> Mr. WASHBURN. Yes.
> Senator KENYON. Mr. Worthington?
> Mr. WASHBURN. Mr. Worthington has worked in connection with the proposed development at Muscle Shoals, primarily, as it originally was in the interest of the Muscle Shoals Hydro-Electric Power Co., which owns certain rights, and so forth, at Muscle Shoals.

It seems to me that a bill which passes Congress should not in any way be open to the construction that the appropriation of $15,000,000 is being made in the interest of any one of two corporations, whether it is going to have that effect or not. It is true if we are going to establish a nitric plant we have got to get some process for the fixation of nitrate, but I do not think we are warranted on the evidence before the Senate to assume that there are only two ways in which it can be done, and that we can only engage in this by buying out one or the other of two processes.

For that reason, I believe that the amendment of the Senator from South Carolina fully covers the ground and leaves the matter open to the Secretary of War to carry out the purposes of this act in accordance with the best interests of the country.

Mr. SMITH of Georgia. Mr. President, the amendment either authorizes the Secretary of War as it stands to negotiate for plants or it does not. If it does, then the criticism of the amendment of the Senator from Alabama is utterly uncalled for. If the amendment does not do it, then it can not work unless the power is given. If there are patents that cover the process, and if there is no way to extract nitrogen from the air except by using somebody's patent, then the Secretary of War ought to have the right to obtain them. If we are to procure a plant either by contract, condemnation, purchase, or some way in defiance of the patentee——

Mr. KENYON. May I ask the Senator if in case of war the Government could not take patents?

Mr. SMITH of Georgia. I think the Government can take them at any time.

Mr. KENYON. Then, under this——

Mr. SMITH of Georgia. But I can not yield to the Senator. I am under the 10-minute rule. The Senator will have to speak in his own time.

Mr. President, if there are patents that control the process, and there is no other way to extract nitrogen from the air, then we must use them.

I was very much amused by the deep distress of the Senator from Massachusetts [Mr. LODGE]. He was so concerned lest we might be fostering some monopoly. The truth about the matter is, perhaps that the Senator from Massachusetts is opposed to the Government having any plant to manufacture munitions of war of any kind. He said there was but one process and it would be necessary to go to Mr. Washburn. We have always been permitted to understand that the senior Senator from Massachusetts was the master of all subjects and possessor of all information. This one time he discloses the fact that he knows not all things, for certainly we all understand that there are two perfected processes, the arc as well as the cyanamide, and the evidence discloses the fact that there are several others. There is nothing in the amendment of the Senator from Alabama fixing what process shall be used or what patents shall be taken. It is simply an effort to give the Secretary of War opportunity to do whatever he might be compelled to do to put the plant into operation. I am inclined to believe that he has the power under the bill as it stands, but he must have the power somewhere given in the bill, and if he has not he can not move.

Mr. KENYON. Mr. President, I want to say a word. In time of war I think already the Government would have the right to take a patent, and the recourse will be in the Court of Claims. What are we doing under the Underwood amendment as it now stands? We are directing the Secretary of War to enter into a contract with the owners of this patent.

The VICE PRESIDENT. The Senator from Iowa has already spoken upon this question.

Mr. KENYON. Pardon me; the amendment was changed, and I am speaking now to the new amendment of the Senator from Alabama. He amended his amendment, and I certainly can speak on that; but I do not press it. We are putting ourselves in the position of directing the Secretary of War to make a contract with the owners of a patent and tying up the Government so that it could not condemn the patent if it wanted to do so. That is what it amounts to.

The VICE PRESIDENT. The question is on the amendment of the Senator from Alabama to the amendment of the Senator from South Carolina.

Mr. KENYON. I ask for the yeas and nays.

Mr. STONE. I should like to have the amendment read as it now stands.

The VICE PRESIDENT. The Secretary will read the amendment of the Senator from Alabama.

The SECRETARY. Add at the end of the amendment proposed by the Senator from South Carolina the following words:

> That the Secretary of War is authorized and directed, for the purpose of securing a suitable air-nitrogen process for the use of the Government of the United States, to make a contract or contracts with the owners thereof, for the use, rental, lease, or purchase of a suitable air-nitrogen process.

Mr. UNDERWOOD. Mr. President, before the amendment is submitted to a vote I will state that I think it is very important that the Government should have this authority. These are patented processes. If they are not going to wait indefinitely, there

must be some process adopted; and if they are going to take one that exists to-day, they have got to buy it or condemn it. It is not necessary to condemn it if you buy it at a reasonable price. In order to remove the objection which has just been made, I desire to have the Secretary strike out the words "and directed," and just let it read "That the Secretary of War is authorized." I ask the Secretary to report the amendment as modified.

The SECRETARY. In line 1 of the printed amendment strike out the words "and directed," so that as modified it will read:

That the Secretary of War is authorized, for the purpose of securing a suitable air-nitrogen process for the use of the Government of the United States, to make a contract or contracts with the owners thereof for the use, rental, lease, or purchase of a suitable air-nitrogen process.

The VICE PRESIDENT. The question is on the amendment of the Senator from Alabama.

Mr. KENYON. I ask for the yeas and nays.

Mr. THOMAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hardwick	Nelson	Smith, Md.
Beckham	Hollis	Norris	Smith, S. C.
Borah	Hughes	Oliver	Sterling
Brady	Husting	Overman	Stone
Brandegee	James	Owen	Sutherland
Burleigh	Johnson, Me.	Page	Swanson
Chamberlain	Jones	Pittman	Thomas
Clapp	Kenyon	Poindexter	Tillman
Clark, Wyo.	Kern	Pomerene	Underwood
Clarke, Ark.	La Follette	Ransdell	Wadsworth
Culberson	Lane	Saulsbury	Walsh
Curtis	Lippitt	Shafroth	Warren
Dillingham	Lodge	Sheppard	Weeks
Gallinger	Martin, Va.	Sherman	Williams
Gronna	Martine, N. J.	Smith, Ariz.	
Harding	Myers	Smith, Ga.	

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER], of the junior Senator from Maryland [Mr. LEE], of the senior Senator from West Virginia [Mr. CHILTON], and of the junior Senator from Indiana [Mr. TAGGART]. Those Senators are necessarily detained from the Senate, and they are all paired. This announcement may stand for the day.

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. There is a quorum present. The pending amendment is the amendment of the Senator from Alabama [Mr. UNDERWOOD] to the amendment of the Senator from South Carolina [Mr. SMITH].

Mr. JONES. Let the amendment to the amendment be reported, Mr. President.

Mr. KENYON. I ask for the yeas and nays on the amendment to the amendment, Mr. President.

The VICE PRESIDENT. The yeas and nays have not been called for since the amendment has been modified.

Mr. KENYON. The yeas and nays have been asked for, Mr. President.

Mr. CLARK of Wyoming. I ask for the yeas and nays, Mr. President.

Mr. SMITH of South Carolina. Mr. President, I want to state before the vote is taken that I desire to perfect my amendment as nearly as it is possible to do so. I suggest that, on page 2, line 25, after the word "minerals," the words "and processes, patented or otherwise," be inserted.

Mr. SUTHERLAND. I call for the yeas and nays, Mr. President.

The VICE PRESIDENT. The yeas and nays have been requested and seconded.

The yeas and nays were ordered.

Mr. JONES. I should like to have the amendment on which we are to vote now reported.

The Secretary proceeded to call the roll, and Mr. ASHURST responded in the negative.

The VICE PRESIDENT. To the certain knowledge of the Chair, the amendment to the amendment has been reported three times within five minutes. The Secretary will proceed with the roll call.

The Secretary resumed the calling of the roll.

Mr. BECKHAM (when his name was called). I am paired with the senior Senator from Delaware [Mr. DU PONT]. He is not here, and I shall therefore withhold my vote.

Mr. BRADY (when his name was called). I have a general pair with the senior Senator from Florida [Mr. FLETCHER], and therefore withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the Senator from New York [Mr. O'GORMAN]. Under an arrangement made with that Senator, however, I think I would be privileged to vote; but, to remove any possibility of doubt on that point, I will transfer my pair to the Senator from Utah [Mr. SMOOT] and vote. I vote "nay."

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. MCLEAN], who is absent. I transfer that pair to the Senator from Indiana [Mr. TAGGART] and vote "nay."

Mr. NELSON (when his name was called). I am paired with the junior Senator from Mississippi [Mr. VARDAMAN] on this vote, and for that reason I withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. I therefore withhold my vote, not knowing how the Senator from Wyoming would vote if present.

Mr. OWEN (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. CATRON] to the Senator from Illinois [Mr. LEWIS] and vote "nay."

Mr. SAULSBURY (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. COLT]. Not knowing how he would vote if present, I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Maryland [Mr. LEE] and vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES], who is absent. I therefore withhold my vote.

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Tennessee [Mr. LEA], I vote "yea."

The roll call was concluded.

Mr. GALLINGER (after having voted in the negative). Mr. President, on yesterday the Senator from North Carolina [Mr. SIMMONS] asked me to pair with him, as I understood, for that day, on the vote on this amendment. He does not seem to be present this morning, and therefore I withdraw the transfer of my pair to the Senator from Utah [Mr. SMOOT], announce my pair with the Senator from North Carolina on this vote, and will withdraw my vote.

Mr. CURTIS. Mr. President, I am requested to announce the following pairs:

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON]; and

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Florida [Mr. BRYAN].

The result was announced—yeas 12, nays 48, as follows:

YEAS—12.

Bankhead	Martin, Va.	Smith, Ga.	Thomas
Hughes	Pomerene	Smith, Md.	Underwood
Kern	Smith, Ariz.	Swanson	Williams

NAYS—48.

Ashurst	Dillingham	Lodge	Shafroth
Borah	Gronna	McCumber	Sheppard
Brandegee	Harding	Martine, N. J.	Sherman
Broussard	Hardwick	Myers	Smith, Mich.
Burleigh	Hollis	Norris	Smith, S. C.
Chamberlain	Husting	Oliver	Sterling
Clapp	Johnson, Me.	Owen	Stone
Clark, Wyo.	Jones	Page	Sutherland
Clarke, Ark.	Kenyon	Pittman	Tillman
Culberson	La Follette	Poindexter	Wadsworth
Cummins	Lane	Ransdell	Walsh
Curtis	Lippitt	Reed	Works

NOT VOTING—36.

Beckham	Gallinger	McLean	Shields
Brady	Goff	Nelson	Simmons
Bryan	Gore	Newlands	Smoot
Catron	Hitchcock	O'Gorman	Taggart
Chilton	James	Overman	Thompson
Colt	Johnson, S. Dak.	Penrose	Townsend
du Pont	Lea, Tenn.	Phelan	Vardaman
Fall	Lee, Md.	Robinson	Warren
Fletcher	Lewis	Saulsbury	Weeks

So Mr. UNDERWOOD's amendment to the amendment of Mr. SMITH of South Carolina was rejected.

The VICE PRESIDENT. The question recurs on the amendment of the Senator from South Carolina to the substitute for the bill reported by the Committee on Military Affairs.

Mr. JONES. I offer the amendment which I send to the desk, to come in after the word "act," in line 6, on page 2.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2 of the amendment of Mr. SMITH of South Carolina, line 6, after the word "act," it is proposed to insert:

And when the sites to be developed under this act are determined any other sites withdrawn shall be immediately released from any such withdrawal.

Mr. JONES. I take it, Mr. President, that the Senator from South Carolina has really no objection to that amendment.

The VICE PRESIDENT. The amendment to the amendment is agreed to, then, without objection.

Mr. JONES. Mr. President, I desire, after the word "fertilizers," in line 17, page 2, to offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 2 of the printed amendment, line 17, after the word "fertilizers," it is proposed to insert:

And which may be sufficient and best adapted to conserve and utilize the water resources of the region in the interests of navigation, the needs of the Government, and the public welfare.

Mr. JONES. Mr. President, I take it that the Senator from South Carolina will have no objection to that amendment either.

Mr. SMITH of South Carolina. Mr. President, I must object to that, because it seems to cover too much territory. I do not understand exactly the purport of it.

Mr. JONES. The very purpose of it is to cover territory. I stated the other day, in substance, my reason for this amendment. It follows almost exactly the language of the Shields bill as passed by the Senate some little time ago, and I can not see how anyone can have any objection to the amendment.

The purpose of it is simply this: Wherever the Government designates a site which it is going to use for the purpose of constructing a Government plant for the production of nitric acid for fertilizer, and so forth, I want that development to be the highest practical development possible at such site. If it is practicable to develop 150,000 horsepower I do not want to stop with 100,000 horsepower. I want the Government to make the highest practicable development at any such point. That is the sole purpose of this amendment, and I can not see what objection anybody can have with reference to it.

It may be desirable to have power developed at some point not only for the manufacture of nitric acid and the production of fertilizer, but for some other purpose; yet as far as we can go, under the amendment of the Senator from South Carolina, is the production of nitric acid and fertilizer, and there we must stop. I say, Mr. President, if the possibilities of the development go beyond those two objects and purposes, the Government ought to go forward and carry out any additional purpose. If the Government can increase the energy developed by 30,000 horsepower for the production of something else besides fertilizer, why should it not do so? It would be the very antithesis of conservation to restrict the Government in its development.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Does the Senator from Washington yield to the Senator from Nebraska?

Mr. JONES. Certainly.

Mr. NORRIS. I want to ask the Senator if he does not think under the terms of his amendment, if it were adopted, that it might become necessary for the Secretary of War to build several dams on the same stream or on streams close together, in order to develop all the resources of the region?

Mr. JONES. I do not think so; that is not the intention.

Mr. NORRIS. I think the Senator did not mean it in that way, but it seems to me that that would be the effect. It was argued in connection with a similar amendment when it was proposed to the Shields bill, or when a similar provision was in the Shields bill, that that was its purpose, so that if a lease were made to a man he might fully develop a certain territory.

Mr. JONES. I think the Senator is mistaken as to that. However, I think I can modify the amendment so as to meet the suggestion.

Mr. NORRIS. If the Senator only wants to develop to its maximum capacity the particular place where the dam is built, I have sympathy with his amendment, but I think it goes much further than that.

Mr. JONES. That is all I want. I will insert the words "site selected," so that it will read:

And which may be sufficient and best adapted to conserve and utilize the water resources of the site selected in the interests of navigation, the needs of the Government, and the public welfare.

Mr. NORRIS. Why does the Senator put in the words "in the interests of navigation"?

Mr. JONES. Because I want the interests of navigation conserved.

Mr. NORRIS. I have no objection to developing navigation, if the development of navigation is a matter that is involved, but it does not appear to me to be necessarily involved.

Mr. JONES. The development of navigation is referred to in the preceding portion of the amendment of the Senator from South Carolina, and, furthermore, the dams are to be on navigable streams.

Mr. NORRIS. No.

Mr. JONES. Oh, yes. The amendment of the Senator from South Carolina is confined to navigable streams.

Mr. NORRIS. I think not.

Mr. JONES. Here is the way it reads:

The President * * * may * * * designate for the exclusive use of the United States any site upon a navigable river.

Mr. NORRIS. But that is not the only designation he can make. As I recall, another portion of the amendment applies to streams on the public domain.

The PRESIDING OFFICER. The Chair will suggest to the Senator from Washington that he may yield for a question, as the Chair understands, but not otherwise.

Mr. JONES. I think, Mr. President, that there is nothing of a dilatory nature in connection with the discussion on the amendment. We are trying to get information with reference to this matter; and if I can yield for the purpose of getting a little information, I do not think that the rule ought to be called to our attention. The amendment of the Senator from South Carolina refers entirely to the designation of sites upon navigable streams. Then it says:

That the President may also at any time, in his discretion, withdraw from settlement, location, sale, or entry and reserve for the exclusive use of the United States any public lands of the United States—

And so forth.

But the only place where he is authorized to designate or withdraw a site for a dam is on a navigable stream. That is the reason why I put in that language, because it follows the language of the Shields bill, which relates to navigable streams.

Mr. NORRIS. Will the Senator yield for another question?

Mr. JONES. Certainly.

Mr. NORRIS. Commencing on line 7, page 2, is the place where authority is given to the Secretary of War to utilize any water power?

Mr. JONES. Yes, Mr. President; but let me call the Senator's attention to this fact——

Mr. NORRIS. The construction which I place on the amendment of the Senator from South Carolina not only includes navigable streams, but streams on the public domain.

Mr. JONES. No; I think not. No water-power sites are referred to anywhere except those upon navigable streams; and then, in the language to which the Senator is referring, it says, "recommend for designation or withdrawal such dam sites." That is simply those on navigable streams. They would certainly be construed together. While I have no objection to including the construction of dams on nonnavigable streams, I think it was clearly the intention of the Senator from South Carolina and is clearly the language of the amendment that it does apply to the designation or selection of sites only on navigable streams.

Now, Mr. President, I ask that the amendment as I have modified it may be stated.

The PRESIDING OFFICER. The Secretary will state the amendment as modified.

The SECRETARY. In the amendment proposed by the Senator from South Carolina, on page 2, line 17, after the word "fertilizers," it is proposed to insert:

And which may be sufficient and best adapted to conserve and utilize the water resources of the site selected in the interests of navigation, the needs of the Government, and the public welfare.

Mr. JONES. In other words, that requires the Government to make the fullest possible practical development of any site it determines to improve; and how there can be any objection to that I can not see.

Mr. GALLINGER. Mr. President, in my time, I desire to ask a question of the Senator from Washington. I may not understand the amendment, and very likely do not.

Do I understand that after we have manufactured nitrates for the Government, and fertilizers for the farmers, then the Government will go into the manufacture of other articles as long as the power continues?

Mr. JONES. No, Mr. President; that is not the purpose of this amendment. The purpose of the amendment is this: I am assuming that we are going to adopt this amendment, and authorize the Government to select some site where it will put in a plant and put in a dam. Now, all that I want is this: If the Government is to do that, if the Government is to put in a dam at any point, I want it to put in a dam that will produce the highest possible water-power development.

Mr. GALLINGER. That is all it contemplates?

Mr. JONES. That is what I contemplate.

Mr. GALLINGER. I did not know but that——

Mr. JONES. Of course we expect that power to be used for some purpose.

Mr. GALLINGER. Yes.

Mr. JONES. And if more power should be developed than is needed for nitric acid and fertilizer, possibly something would be done with it, although I do not make any provision about that. What I want to insure is, if there is a water-power site where 150,000 horsepower can be developed in a practical way, if the Government goes into it, and if the Government agrees to put in a dam, that it shall put in a dam that will produce that 150,000 horsepower.

Mr. GALLINGER. Now, I will resume the floor, and suggest that I think the Senator has agreed to the proposition I submitted to him—that the Government then could go on to the manufacture of other articles. I suppose the Government could then manufacture blankets for the soldiers. Possibly they might manufacture ice cream for the soldiers, and give them a chance to have some luxuries while they are fighting.

I think it is a very dangerous proposition, and yet I do not suppose there is any limit to the socialistic tendencies of the Congress of the United States to-day. I apprehend that this is only the beginning, and I think I shall live long enough to see some developments along the line of Government ownership and Government operation of industries that private parties and private corporations ought to be permitted to operate. This does not alarm me very much, and hence I shall not allow myself to get excited over the suggestion contained in the amendment to the amendment, which as I suggested, does, in my opinion, allow the Government, after it has manufactured the nitrates and the fertilizers, then to manufacture anything else it pleases, so long as it has available the power to do it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Washington to the amendment of the Senator from South Carolina.

Mr. JONES. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRADY (when his name was called). I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. As he is absent from the Chamber, I withhold my vote.

Mr. CLAPP (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. By an agreement with him, I am released on certain phases of this question, but I do not think that that agreement applies to this amendment, and I therefore withhold my vote. If at liberty to vote, I would vote "yea."

Mr. GALLINGER (when his name was called). I announce my general pair with the senior Senator from New York [Mr. O'GORMAN], but under an arrangement with that Senator I feel privileged to vote on this question. Having promised, however, to protect the senior Senator from North Carolina [Mr. SIMMONS] on this amendment, I will announce a pair with that Senator, and will withhold my vote.

Mr. MYERS (when his name was called). I reannounce the transfer of my pair with the junior Senator from Connecticut [Mr. MCLEAN] to the junior Senator from Indiana [Mr. TAGGART], and will vote. I vote "nay."

Mr. NELSON (when his name was called). On this question I am paired with the junior Senator from Mississippi [Mr. VARDAMAN]. On that account I withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN], and therefore withhold my vote, not knowing how he would vote on this matter.

Mr. SAULSBURY (when his name was called). I repeat the announcement of my pair and withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the junior Senator from Maryland [Mr. LEE] and will vote. I vote "nay."

Mr. WEEKS (when his name was called). I have a pair with the senior Senator from Kentucky [Mr. JAMES]. In his absence I withhold my vote.

Mr. WILLIAMS (when his name was called). Repeating the announcement made by me upon the previous roll call, I vote "nay."

The roll call was concluded.

Mr. MARTINE of New Jersey. I have been requested to announce that the junior Senator from Kentucky [Mr. BECKHAM] is paired with the senior Senator from Delaware [Mr. DU PONT].

Mr. CLARK of Wyoming. I desire to ask if the senior Senator from Missouri [Mr. STONE] has voted?

The PRESIDING OFFICER. He has not.

Mr. CLARK of Wyoming. I have a general pair with that Senator, and withhold my vote. If at liberty to vote, I should vote "yea."

Mr. DILLINGHAM. I inquire whether the senior Senator from Maryland [Mr. SMITH] has voted?

The PRESIDING OFFICER. He has not.

Mr. DILLINGHAM. Then I withhold my vote, having a pair with him.

Mr. GALLINGER. Observing that the junior Senator from Minnesota [Mr. CLAPP] announced a pair with the senior Senator from North Carolina [Mr. SIMMONS], I will take the liberty of voting. I vote "nay."

The result was announced—yeas 12, nays 43—as follows:

YEAS—12.

Bankhead	Cummins	Pittman	Smith, Mich.
Borah	Jones	Poindexter	Thomas
Brandegee	Page	Smith, Ariz.	Underwood

NAYS—43.

Ashurst	Hollis	Martin, Va.	Smith, Ga.
Broussard	Hughes	Martine, N. J.	Smith, S. C.
Burleigh	Husting	Myers	Sterling
Chamberlain	Johnson, Me.	Norris	Sutherland
Clarke, Ark.	Kenyon	Oliver	Swanson
Culberson	Kern	Pomerene	Tillman
Curtis	La Follette	Ransdell	Wadsworth
Gallinger	Lane	Reed	Walsh
Gronna	Lippitt	Shafroth	Williams
Harding	Lodge	Sheppard	Works
Hardwick	McCumber	Sherman	

NOT VOTING—41.

Beckham	Fletcher	Newlands	Smoot
Brady	Goff	O'Gorman	Stone
Bryan	Gore	Overman	Taggart
Catron	Hitchcock	Owen	Thompson
Chilton	James	Penrose	Townsend
Clapp	Johnson, S. Dak.	Phelan	Vardaman
Clark, Wyo.	Lea, Tenn.	Robinson	Warren
Colt	Lee, Md.	Saulsbury	Weeks
Dillingham	Lewis	Shields	
du Pont	McLean	Simmons	
Fall	Nelson	Smith, Md.	

So Mr. JONES's amendment to the amendment of Mr. SMITH of South Carolina was rejected.

Mr. JONES. Mr. President, I offer the amendment which I send to the desk, to come in after the word "War," on line 18, page 2.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. After the words "Secretary of War," on page 2 of the printed amendment, on line 19, it is proposed to insert:

Provided further, That no site shall be selected at which the water-power possibilities exceed the amount necessary to carry out the purposes of this act.

Mr. JONES. Mr. President, the purpose of that amendment is to accomplish, in I might say an indirect way, the purpose of the other amendment. That is, the Senate by its vote has just said that it does not desire all the water-power resources of any site developed to their highest capacity. The Senate has said by its vote that it does not desire these sites conserved to the highest possible degree.

I have been just a little bit surprised at the vote of some of my friends who have been strong conservationists who are willing to let part of the power of these sites go to waste, and have so expressed themselves by the vote on the amendment, which simply required that where a site should be taken by the Government where a dam should be constructed the highest possible development should be had. If that is not to be done, then it seems to me we ought to see to it that if the War Department does select a site it should select a site where, as nearly as possible, the power-development possibilities are no greater than are required for the purposes of this act, so that we will not work a waste in connection with these things.

That is the purpose of this amendment. It is to require the War Department, in the selection and investigation of the site that it is going to improve, not to go to a site where 400,000 horsepower is possible and put in a plant of 150,000 horsepower and let the balance go to waste, but that in the selection of the site, if it concludes that it needs 100,000 horsepower for the purposes of this act, it shall select a site where the highest practicable horsepower that can be developed is 100,000 horsepower.

Mr. SMITH of South Carolina. Mr. President, in the hearings with reference to the development of this chemical it was brought out that the minimum horsepower under which it could be economically developed was 30,000. That was the minimum; but it also appeared that the greater the power the cheaper the process, and therefore it is almost impossible to fix any limit. The Government might find one place where strategically and for other purposes of the site they could develop economically 300,000 horsepower and in another place 100,000 horsepower. So that any attempt to limit the site according to the horsepower that may be developed would be unwise, because there might be a place where they would develop the last ounce

and still do it economically, and there might still be another place where the available horsepower was four or five times as great as that, and it would do identically the same thing. So a stated, fixed number of horsepower is not essential above or below. It is flexible from 30,000 up, and cheapens as the horsepower becomes greater. Therefore the committee thought it was best not to have any regulation as to the number of horsepower.

Mr. JONES. Mr. President, will the Senator permit a question?

Mr. SMITH of South Carolina. Yes.

Mr. JONES. Does the Senator contend that under his amendment, if it should be found that 150,000 horsepower is all that it is necessary to develop at a certain point to produce nitric acid for fertilizer, but that there is a possibility of developing at that point 200,000 horsepower, the Secretary of War would be authorized to go on and develop it to the extent of 200,000 horsepower?

Mr. SMITH of South Carolina. Why, I think, by the very nature of the work itself, that common sense would dictate that, because it cheapens as the number of horsepower is increased.

Mr. JONES. But does the Senator think that could be done, under the terms of his amendment?

Mr. SMITH of South Carolina. I think it would be done, under the terms of the common sense of the Secretary of War.

Mr. JONES. Well, Mr. President, that is not what is controlling here. It is the terms of the Senator's amendment.

Mr. NORRIS. Mr. President, I am rather inclined to believe that in theory at least the former amendment offered by the Senator from Washington was proper. I had no serious objection to it, and yet I was one of those who voted against it. His theory is that wherever a water power is to be developed, the maximum amount of it ought to be developed.

As a general proposition, I think we will all agree to that; and I was perhaps one of those the Senator had reference to, who, he said, when the Shields bill was up, were advocating that kind of theory. I had not any serious objection to the Senator's first amendment. I have not any serious objection to the present amendment. At the same time, I believe the bill is better without either one of them, in this case.

I want to say to the Senator from Washington that the difference now, in my judgment, is between the development of water power by private individuals for profit and the development of the same power by somebody in the interest of all the people. I can see that there is a little difference. We might have a case here where the Secretary of War would say: "Well, I ought to have now, for the purposes of this bill, 100,000 horsepower. Here is a particular site on a navigable stream that can be easily developed at a comparatively small expense per horsepower; but the maximum capacity of this particular site is 110,000 horsepower." He would say: "Well, I only need 100,000 horsepower, and I will not develop this site." And he would go to another place where there was just 100,000 horsepower that could be developed, that it would cost him two or three times as much per horsepower to develop.

Now, he represents all of the taxpayers, all the citizens of the United States. What would be the proper thing for him to do? Even though he leases 10,000 horsepower, I do not believe there could be any doubt but that he would say, "We will take it and develop 100,000, perhaps develop 110,000." I presume if he got within 10,000 he would go that far anyway. So it seems to me we ought not to make the same requirement here for the development of horsepower on behalf of the public that we would naturally be inclined to do were a private individual going to develop it for private profit, and who perhaps would be interested in preventing the development of some horsepower for the purpose of making more profit out of some other power.

There is another thing that has some weight with me. The Secretary of War being representative of all his fellow citizens, of all the people of the country, will use absolutely the best judgment and discretion for the fullest enjoyment of benefits to all of the people, and if we give to him the full discretion which it seems to me he ought to have—and that the Senator's amendment would take away from him to some extent—he will always develop the maximum amount of horsepower of any reservation that is made if it is a practical proposition to do it. It seems, therefore, that we ought not to limit him. He will know, too, what will be the requirements of the Army and the Navy for present conditions, and they may not be at all sufficient in 25 years from now. If he went in any direction from the strict rule laid down by the law, he would probably go further in the development of the excess of power rather than stop on the other side of the line.

The only effect of this amendment and the other one that was voted down is to take away from the representative of the people a discretion that the bill as it now stands gives to him. While I concede that we ought not to give too wide a discretion, in a case like this it seems to me that any Secretary of War, under the conditions that exist at the time he or the President withdrew the site for dams, would do in his honest judgment what was the best for all the people. There might be such a case, as I mentioned, where he would not perhaps in the first instance develop every horsepower that could possibly be developed there if it would be profitable for the people of the United States not to do it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Washington to the amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from South Carolina.

Mr. HARDWICK. Mr. President, we are about to vote on this proposition. My unalterable opposition to it is so well known to the Senate that it is unnecessary for me to repeat the reasons that force me to oppose it. I do not believe I can emphasize it more strongly than I have already tried to do. Yet there are some things about this situation that are not altogether free from humor, to which I think the attention of the Senate might be directed in the closing hours of this debate.

In the first place, the Senator from South Carolina continually refers to what "the committee" has determined, what the committee has decided, or what the committee heard. So we are somewhat in the air as to whether at present we are operating under the advice and direction of the Committee on Agriculture or the Committee on Military Affairs.

This proposition is presented by some of its advocates as a matter of military necessity, of preparedness, and yet the chairman of the Military Affairs Committee of the Senate tells us it has no place on this bill and he expects to vote against it. So much for that phase of the question.

But, Mr. President, some of my brethren are determined to sell their birthright on a fundamental Democratic question for a mess of potash. I think they had better be sure about who is going to get the potash. The Senator from South Carolina has inveighed with all the eloquence of which he is capable, backed by his distinguished colleague, against the Fertilizer Trust, which has robbed the people of this Republic, the Virginia-Carolina Chemical Co., of which the Senator from South Carolina complains, and possibly one other combination. There may be other trusts equally odious in other parts of the Republic, equally repulsive, that are engaged in this most reprehensible conduct.

Yet the Senator from South Carolina and his cohorts who complained against the exactions of these trusts, in spite of our laws and our Democratic administration and our Democratic Attorney General in power, have, as I propose to show to the Senate, now presented to this body a measure the only effect of which can be to increase the profit of these unconscionable trusts that are robbing the farmers. It will not help the poor farmer at all, because after Senators pass this bill they will simply furnish the raw material to the Fertilizer Trust at a cheaper price, and the Fertilizer Trust will continue to rob the farmer in all that they are going to use, unless they can be otherwise restrained by law.

Now, let us see why. The Senator from Alabama [Mr. UNDERWOOD] first directed my attention to this. The Senators in their new incursion into governmental activities do not propose to manufacture the fertilizer itself that the farmer can use to put in the ground and make blades of grass grow, and all that sort of stuff. Not a bit of it. They do not propose that, but what they propose is this:

> That the Secretary of War is * * * further authorized to construct, maintain, and operate at or on any site so designated or withdrawn dams, locks, other improvements to navigation, power houses, and other plants and equipment necessary or convenient for the generation of electrical or other power and for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers.

So they are going to furnish these trusts their raw material by governmental manufacture, and they are going to sell the birthright of their people in order that they may swell the profits of the very trusts of whom they are complaining of, who are oppressing the farmers, in whose name this thing is being done.

Now it does not concern me very much. I am not willing to embark in any such enterprise as that for the Fertilizer Trust——

Mr. LANE. I should like to ask the Senator how he explains it.

Mr. HARDWICK. I have already explained it, if the Senator understood me.

Mr. LANE. But it is nitric acid.

Mr. HARDWICK. But they provide themselves, if the Senator will listen to the bill, they are going to produce this material that is useful in the manufacture of fertilizer.

Mr. LANE. Nitrates.

Mr. HARDWICK. I understand; but they do not propose to furnish the farmer anything that he can use.

Mr. LANE. Yes; nitrates.

Mr. HARDWICK. Mr. President, I can not yield to the Senator, because I have only 10 minutes. I am quoting from the language of the bill. We are not going to give him anything that the farmer can put in the ground, but it proposes to furnish a product that is "useful in the manufacture of fertilizer." Who will get that product, the farmer or the Fertilizer Trust? Who will be benefited, the farmer or the Fertilizer Trust?

Mr. LANE. Mr. President, I do not understand the argument of the Senator from Georgia [Mr. HARDWICK]. The nitrate the Government is allowed to produce for fertilizer is nitrate of potash or soda. I wanted the Senator to make it plainer. We would say nitrate of soda, nitrate of potassium, or any other thing that is combined with nitric acid. Nitric acid when combined with an alkaline base forms a salt called a nitrate, some kinds of which are used as fertilizers. It is absolutely distinct and beyond peradventure in this amendment.

Mr. KENYON. I want to have one matter cleared up before we vote if possible. Yesterday the Senator from Georgia [Mr. SMITH] said in his speech, page 6894, of the RECORD:

> The amendment prepared by the Senator from Alabama and offered to the amendment of the Senator from South Carolina, which the Senator from South Carolina stated that he accepted, I suppose is now a part of the bill. It provides for the immediate appropriation of a million dollars and a subsequent plan of expenditure of $30,000,000 more. I do not believe $15,000,000 will equip a plant, and I favor the bill more cordially with the provision for $30,000,000.

Mr. SMITH of South Carolina. Let me set it right now. I said, as I have stated this morning, that after reading the amendment to the amendment and hearing the arguments adduced I think the amendment in its present form is better than anything that has been offered to it, and I hope those who are in favor of this legislation will vote for the amendment as originally presented.

Mr. KENYON. I should like to inquire if the Senator did accept the amendment, if the RECORD so shows, and if we are now voting for $30,000,000 instead of $15,000,000.

Mr. SMITH of South Carolina. I do not think the RECORD will show it.

Mr. KENYON. There is quite a difference, Mr. President, between $15,000,000 and $30,000,000.

The PRESIDING OFFICER. The Chair will state to the Senator from Iowa that the Senator from South Carolina may have been willing to agree to the amendment, but the RECORD does not disclose that the amendment was agreed to by the Senate.

Mr. SMITH of Georgia. But, Mr. President, a Senator has a right to control an amendment which he offers and modify it until the vote of the Senate is had upon it. If he accepts an amendment to it the accepted amendment becomes a part of his original amendment, and it amounts to the tender of the amendment in that shape by him. The Senator from South Carolina did state day before yesterday that he accepted the amendment of the Senator from Alabama. Of course, it is still the amendment of the Senator from South Carolina, and he can change it at his pleasure.

Mr. SMITH of South Carolina. A parliamentary inquiry, Mr. President. If that established the status and it has become a part of my amendment, I ask that it be withdrawn.

The PRESIDING OFFICER. The Chair holds that there has been no such modification of the amendment.

Mr. JONES. I desire to offer another amendment. After the word "act," in line 9, page 1——

Mr. SMITH of Georgia. I desire to inquire what was the ruling of the Chair. Does the Chair rule——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Georgia?

Mr. SMITH of Georgia. I rose to a question of the Chair.

Mr. JONES. I yield, unless the Chair holds that I have begun my remarks on another amendment.

The PRESIDING OFFICER. The Senator from Washington has begun remarks on his amendment.

Mr. JONES. Then I shall offer an amendment. I can not begin my remarks, I suggest to the Chair, until I have offered the amendment.

Mr. SMITH of Georgia. I rise to a question of parliamentary status, Mr. President.

The PRESIDING OFFICER. The Senator from Georgia will state his parliamentary inquiry.

Mr. SMITH of Georgia. Does the Chair hold that a Senator can not modify his own amendment at his pleasure?

The PRESIDING OFFICER. The Chair recognizes that any Senator, before an amendment is acted upon, may modify it, but the Chair holds that the consent of a Senator to an amendment by another Senator does not become an amendment before the Senate unless agreed to or carried by motion.

Mr. SMITH of Georgia. Does the Chair hold that if a Senator offering the original amendment states that he accepts the proffered amendment it does not become a part of his amendment?

The PRESIDING OFFICER. The present occupant of the chair is of the opinion that it may be offered, but it does not become an amendment to the bill until it is agreed to by the Senate, either without objection or by a vote.

Mr. JONES. Now, Mr. President, I desire to offer an amendment. After the word "act," in line 9, page 1, I move to insert:

> But when the site or sites to be developed under this paragraph are determined all other sites shall be released from any designation hereunder.

The PRESIDING OFFICER. The Secretary will read the amendment to the amendment.

The SECRETARY. On page 1, line 9, after the word "act," insert:

> But when the site or sites to be developed under this paragraph are determined all other sites shall be released from any designation hereunder.

Mr. JONES. Mr. President, I simply wish to make one suggestion. Under the first paragraph the President can tie up every water-power site on the navigable streams anywhere in the country. Of course, I think they are all tied up now, as far as that is concerned, and will be tied up until we have legislation, but this gives the President special power to tie up these sites.

There is some difference of opinion as to whether that is a separate power, and these are separate sites from those named in paragraph 2 of the bill. I had understood that they all referred to the same, but some Senators think, and, I believe, with very much reason, too, that under the first paragraph certain designations can be made and under the second paragraph other designations, and that this limitation of buying sites applies only to those where there are public lands, and so forth.

Mr. SMITH of South Carolina. I have no objection to that amendment.

Mr. JONES. I just want to make it plain.

Mr. WORKS. Mr. President, I should like to understand a little better what the ruling of the Chair was a moment ago upon the parliamentary inquiry of the Senator from Georgia. I understood the Chair to hold that an amendment accepted did not become an amendment to the bill until it was actually voted upon by the Senate, and I think he is right in that ruling. But it does, it seems to me, become a part of the amendment that is before the Senate, and if a vote was not taken upon it, it must be taken with that amendment included. In other words, it becomes a part of the amendment offered by the Senator from South Carolina but does not become an amendment to the bill until the Senate has acted on it.

Mr. SMITH of Georgia. And if the Chair will turn to Rule XXI, second paragraph, he will see that that is specifically laid down as the rule of the Senate.

The PRESIDING OFFICER. The question is upon the last amendment of the Senator from Washington to the amendment. Is there objection to the amendment to the amendment? If not, it is agreed to.

Mr. REED. Mr. President, there has been a good deal of talk here in the Senate about lobbies on behalf of members of the National Guard. I have about arrived at the conclusion that when citizens come before Congress with something that we like they are simply patriotic citizens, but when they come with something we do not like they are to be characterized as wicked lobbyists. At least that appears to be the rule applied to this bill.

Some members of the National Guard—a very few—took an interest in presenting the claims of the National Guard to Congress and they have been rather roundly denounced, and on yesterday the Senator from Minnesota [Mr. NELSON] took occasion, for the purpose of showing a lobby by the National Guard, to put into the RECORD some telegrams and letters.

I desire to say, if this case is to be tried upon the charge of lobbying, that I can produce a hundred times as much evidence against the Regular Army and against certain other influences as can be produced against the National Guard, and in order

that the evidence, or some of it, may be before the Senate I ask leave to insert in the RECORD, without taking the time to read it, a telegram from Col. James H. McCord and Col. John D. McNeely, setting forth the propaganda that has been made on behalf of the supporters of the volunteer army plan:

ST. JOSEPH, MO., *April 13, 1916.*

HON. JAMES A. REED,
United States Senate, Washington, D. C.:

With reference to charge that militia are lobbying, your attention respectfully invited to activities of those who support greater Army increase and volunteers' bill. Some weeks ago S. Stanwood Menken, president National Security League, wired undersigned and numerous citizens here to wire Representative to support Kahn amendment to Hay bill. To-day he has wired secretary local branch Security League to endeavor to get a number of citizens to wire Representatives, and particularly Senators, to support volunteer bill as naturally opposed to the National Guard under Federal control. This seems to us like a systematic effort to secure national legislation through false and forces expression rather than upon merit. It would not be difficult for us to secure many such telegrams, but such action would add nothing to the merits of our cause. We believe that you correctly interpret our motives and those of sensible and patriotic Missourians generally.

JAMES H. MCCORD,
JOHN D. MCNEELY,
Colonels, National Guard of Missouri.

I also desire to insert in the RECORD, without reading, in connection with the subject I am discussing, some remarks made by the chairman of the committee on April 3, in which he said:

We have had the views of the representative men of these bodies, and after we have undertaken to formulate a bill which seemed, in the committee at least, to meet pretty generally the approval of the authorities, we find that not only the National Guard and its officers—and I sometimes fear a lobby is maintained for that purpose.

In connection with the statement just read I want to call attention to the further statement of the chairman of the committee:

In our further efforts to get the bill before the Senate in proper shape we had the Secretary of War detail to us two very competent and distinguished officers of the Army, to whom we are greatly indebted for the assistance they have given us. Gen. William H. Carter, a retired Army officer, who has probably commanded larger bodies of troops in this country than any other officer in the Army, has assisted us, and Maj. William D. Connor, an officer of the Engineer Corps, was with us, and has remained with us all the time, not to formulate a bill, but in an advisory capacity, to discuss with the committee all the technical questions which have arisen, and they have been faithful in their efforts to assist in reaching a proper conclusion. So much for the genesis of the bill and the efforts the committee has made to try to get before the Senate a proper measure.

Now, I call attention, in connection with the foregoing, to the following explanatory statement relating to the lobby of certain Army officers, which I desire to have printed:

"In view of the references which have been made to the influence which is being exerted by the National Guard with a view to shaping the pending legislation to serve the interests of that branch of the service, it would be of interest to know what other branches of the military service are specially represented here and in what way.

"The chairman of the Senate Military Committee in his remarks a day or two ago stated that, in the preparation of the pending bill, his committee had been assisted by Gen. W. H. Carter, United States Army, retired, and other Army officers who have been detailed for that purpose by the Secretary of War.

"Attached hereto is a report of the proceedings of the United States Cavalry Association, having its headquarters at Leavenworth, Kans., which report it is very much desired shall be placed in the RECORD.

"Attention is invited to the marked provisions of the report, from which the following will be noted:

"First. That Gen. Carter represents the Cavalry arm of the service in a special way and for the purpose of obtaining legislation favorable to that arm.

"Second. That the Cavalry is interested in the continental army scheme, because they believe that it will permit any increase made in the Regular Establishment to be divided between the Field Artillery and the Cavalry.

"Third. That to enable Gen. Carter to perform these functions in the interest of the Cavalry this association has undertaken to defray his expenses, furnish stationery, postage, and clerical assistance, and to subject all officers in the Cavalry branch of the standing army to an assessment for that purpose.

"Fourth. That he asked to be permitted to act without a large committee in influencing legislation for the benefit of the Cavalry; that Gen. Carter stated that he was friendly with the chairmen of the House and Senate Military Committees.

"Fifth. That Gen. Johnson, in recommending the selection of Gen. Carter to perform these important functions in the interest of the Cavalry, gave the following reasons therefor:

"Because he, Gen. Carter, is thoroughly familiar with this kind of work and is an expert in handling legislation before Congress and before the committees, as well as in the preparation of data for their guidance.

"This testimony of Gen. Johnson as to Gen. Carter's fitness for influencing military legislation develops two things:

"First. What the National Guard representatives meant in saying that there were experts in influencing military legislation whose methods they could not approach.

"Second. That in the preparation of the pending bill Gen. Carter has been afforded ample opportunity to exercise those peculiar qualities which fit him for the preparation of data for the guidance of the committees of Congress."

I put into the RECORD, with the permission of the Senate, the proceedings of the United States Cavalry Association, which shows conclusively a propaganda agreed upon—a concerted effort agreed upon—and which goes further than that and shows that an assessment has been agreed upon to pay the expenses of the propaganda. It also shows that the very men mentioned by the distinguished chairman of the committee as having been before the Military Committee, acting as its assistants, were the men selected by this association for the purpose of advancing the particular interests of one branch of the Regular Army.

THIS IS OF VITAL IMPORTANCE TO ALL CAVALRY OFFICERS.

UNITED STATES CAVALRY ASSOCIATION,
Fort Leavenworth, Kans., January 23, 1916.

At the annual meeting of the United States Cavalry Association held on Monday last a number of letters from various officers at different stations, regarding the action that should be taken by the Cavalry in regard to the expected increase in the Army and relative to the promotion that would result from such increases, etc., were read.

After considerable discussion it was decided to appoint a committee to consider the several propositions set forth in these letters and to prepare a set of questions covering the several questions proposed, which questions should be submitted to all Cavalry officers at Fort Leavenworth for their consideration. It was further directed that, at as early a date as practicable, the chairman of the meeting should call a special meeting for the purpose of discussing and coming to a vote on the several questions involved.

The committee appointed consisted of Maj. S. Rice, Maj. L. J. Fleming, Capt. S. Heintzelman, and Capt. J. R. McAndrews. Their report is as follows:

In November last there was held at Douglas, Ariz., a meeting of the representative officers of the Eighth, Ninth, Tenth, and Thirteenth Cavalry Regiments to discuss the present Cavalry situation. At that meeting it was decided:

1. That it would be for the best interests of the Cavalry service for the Cavalry Association to enter a wider field, as its activities had been confined hitherto to the publication of the Cavalry Journal.

2. That to arouse greater interest they believed that the headquarter of the Cavalry Association should be transferred to Washington, where the executive council would be brought directly into contact with people from all parts of the country, and where there are people from all horse districts in greater or less numbers throughout the year.

3. That the place of publication of the Cavalry Journal should remain at Fort Leavenworth and that the secretary of the association be a resident of that place.

4. Inasmuch as the constitution of the Cavalry Association requires that the headquarters shall be at Fort Leavenworth, and as the abovementioned interest should be awakened as soon as possible, it was recommended that the executive council appoint a committee of Cavalry officers residing in Washington to look after the interests of the Cavalry service, and it was suggested that such committee be composed of Maj. Gen. W. H. Carter, Brig. Gen. J. A. Johnston, and Maj. L. C. Sherer, this committee to cooperate with the members of the association in Washington.

5. That this committee should be furnished with clerical assistance at all times.

6. As the expenses of such assistance and the expenses attendant upon any increase in the activities of the Cavalry Journal will probably exceed the revenues, it was recommended that all officers of Cavalry pay to the association in lieu of dues for 1916, one day's pay.

7. That, inasmuch as the proposed continental army would undoubtedly have a large proportion of Infantry and Coast Artillery, any increase in the Army should therefore be divided between the Cavalry and Field Artillery.

8. That the single list for promotion should be adopted, provided that officers are arranged according to their length of service.

Subsequently, at a meeting of the Cavalry officers at Fort Sam Houston, they requested that a committee, consisting of Maj. Gen. Carter, Gen. Johnston, Lieut. Col. Cameron, Lieut. Col. Read, Lieut. Col. Michie, and Maj. Lochridge, be appointed to represent the Cavalry service in Washington in any manner that may seem best to them.

The officers at this meeting favored the following propositions:

1. An increase in the number of Cavalry regiments.

2. Equalization of promotion among the various arms according to length of commissioned service:

(a) By utilizing the extra officers' list.

(b) By single list for promotion according to length of commissioned service.

They further agreed to contribute one day's pay, for defraying the expenses incident to this work, when called upon to do so.

Still later, at a meeting of the officers of the Sixth Cavalry, at Harlingen, Tex., they approved of the suggestions made at the Douglas and Fort Sam Houston meetings and furnished a list of officers who agreed to subscribe one day's pay. They further suggested that the committee in Washington be composed of the same officers recommended at the Fort Sam Houston meeting, with the addition of the name of Maj. Scherer, but stated that they would be satisfied with any committee selected from the officers mentioned. The report of this meeting further states that "some of the officers favor adopting the proposals suggested by the San Antonio officers," and enumerates those above noted. They also believe that the committee in Washington should be given carte blanche to do what they might deem best for the Cavalry service.

Soon after the receipt of the above-mentioned reports of these meetings the executive council of the Cavalry Association acted upon the same, as follows:

1. That, acting upon a previous suggestion, they had already agreed to request Gen. Carter to look after the interests of the Cavalry in Washington, and had agreed to defray all his necessary expenses—stationery, postage, and clerical assistance. That he would again be asked to take up this work and to associate with him any or all of the officers suggested at the above-noted meetings, but that Gen. Carter should be free to select his associates in this work.

2. The executive council does not deem it advisable or necessary, at present at least, to make an assessment of one day's pay, as it was believed that the funds on hand would be sufficient for all legitimate expenses that will be incurred in Washington, especially if an earnest effort be made, as suggested at the Douglas meeting, to bring every Cavalry officer into the association.

3. The executive council has grave doubts as to the advisability of establishing a permanent bureau in Washington for the purpose of influencing legislation, and reiterates its former declaration that none of the funds of the association should be used for lobbying.

The executive council further stated that, in case it is deemed wise by the members of the association to have the headquarters moved to Washington, or to have a certain number or all of the executive council located there, that is a matter requiring an amendment to the constitution and is of minor importance compared to the present question of securing for the Cavalry arm a proper recognition in the forthcoming increase of the Army.

To the request that he represent the Cavalry interests in Washington, Gen. Carter replied, in brief, as follows:

1. That his previous experience had convinced him that the larger the committee the less chance of achievement.

2. That he did not favor the collection of one day's pay.

3. That he had already filed his views with the War Department, at the request of the Secretary of War; that he was personally friendly with the chairman of the House and Senate Military Committees, and that he would undoubtedly have a hearing before the committees.

4. That he recommends a reorganization of the Cavalry on the three-troop, three-squadron, with a machine-gun troop basis, and an increase of three additional regiments, and states that he believes this can be gotten. He further recommends that the troop be composed of 108 men at all times.

5. He further states that he would have much difficulty in meeting and advising with a large committee.

Among other letters received and read were some from various officers approving to a greater or less extent the propositions suggested at these several meetings. Gen. Johnston wrote that he was located for the coming year in New York and could not, therefore, act with any committee. He also states that he is entirely convinced that the executive committee is wise in their selection; that we could get no better person, who is on the ground or elsewhere, to represent the Cavalry service than Gen. Carter, this because he is thoroughly familiar with this kind of work and is an expert in handling legislation before Congress and before the committees, as well as in the preparation of data for their guidance. He further states that he will be glad to assist Gen. Carter in any way possible, and that, in case contributions are necessary, he will be pleased to contribute, etc.

Finally the committee has prepared, from all the letters above mentioned, a set of questions embodying all the several topics discussed in them, which questions all Cavalry officers are urgently requested to be prepared to answer at the meeting on Sunday next.

It goes without saying that every Cavalry officer should be present at that meeting.

THE COMMITTEE.

—

At the called meeting on Sunday, January 23, at which there were present representatives from all Cavalry regiments except four, the report of the committee and the questions submitted by them were acted upon as follows:

The following resolution was adopted by a vote of 22 to 6 (it will be observed that all the officers did not vote on all questions; there were 33 present at the meeting):

"*Resolved*, That the executive committee of the Cavalry Association should take action to forward in every possible way the plan for betterment of the Cavalry service decided upon at Douglas, Ariz., by the representatives of the Eighth, Ninth, Tenth, and Thirteenth Regiments of Cavalry."

The following resolution was adopted by a vote of 25 to 4:

"*Resolved*, That the executive committee of the Cavalry Association should continually agitate the question of the imperative need of equalization of promotion in order to do away with the present haphazard system."

The meeting then proceeded to vote on the several propositions that had been prepared by the committee, which questions are as follows, the votes on them being indicated in italics and in parentheses:

1. Are you in favor of having a committee of Cavalry officers in Washington for the purpose of looking after the interests of the Cavalry service? (*Carried by 29 votes.*)

2. Are you in favor of having the executive council of the Cavalry Association appoint and maintain such a committee in Washington? (*Carried by 27 votes.*)

3. Are you in favor of having the Cavalry officers on the General Staff in Washington act as such Cavalry committee? (*Carried by 27 votes.*)

4. Do you wish to nominate Cavalry officers as members of such committee? If so, whom do you wish to nominate? (*Lost by a unanimous vote.*)

5. Are you in favor having the executive council of the Cavalry Association transferred to Washington? (This would necessitate a change in the constitution of the association, hence delay, but the movement can be initiated now.) (*Lost by a vote of 17 to 7.*)

6. Are you in favor of a permanent Cavalry committee in Washington? (*Carried by 27 votes.*)

7. Are you in favor of having such Cavalry committee in Washington uninstructed (question No. 7 was amended by inserting the words "as to the methods of carrying on their work" after the word "instructed"), and will you abide by their best judgment? (*Carried by a vote of 25 as amended.*)

8. Are you in favor of having such Cavalry committee instructed (question No. 8 was amended by striking out the word "instructed" and inserting in its place the words "informed from time to time as to the opinion of the whole Cavalry arm") as to certain matters hereunder, and will you abide by the majority vote thereon? (*Carried as amended by 25 votes.*)

9. Are you in favor of agitating any change in the organization of the Cavalry at the present time? (*Lost by vote of 23 to 3.*)

10. Are you in favor of requesting all Cavalry officers to contribute one day's pay to defray necessary clerical expenses, subscribers to be entitled to become members of the Cavalry Association with dues for 1916 paid? (*Carried by a vote of 2½ to 1.*)

11. Do you favor, in the event of any increase in the Cavalry, Infantry, and Field Artillery at any time hereafter that the three arms shall share proportionately in the officers created? (*Carried by a vote of 28.*)

12. Are you in favor of the single list for promotion:

(a) On a basis of the present relative list? (*Lost by a vote of 30 to 1.*)

(b) On the basis of length of commissioned service in the Regular Army? (*Lost by a vote of 19 to 9.*)

(c) On the basis of length of commissioned service in the service of the United States? (*Carried by 25 votes.*)

13. In the case of the adoption of any form of a single list, are you in favor of distributing vacancies:

(a) By the utilization of the extra officers' list? (*Lost by 20 votes.*)

(b) By the promotion of officers to any arm in which the vacancies may occur? (*Lost by a vote of 17 to 7.*)

(c) By a combination of both methods as set forth in (a) and (b)? (*Carried by 26 votes.*) (Subhead (c) was not among the questions submitted by the committee, but was inserted at the meeting and carried as indicated.)

14. Are you in favor of a single list, after evening inequalities of promotion among the different arms resulting from specific legislation since ——— (fill in the date you deem best), creating original vacancies? (*Stricken out by 26 votes.*)

15. Do you wish these several propositions submitted to all Cavalry officers in the United States (question No. 15 was amended by striking out the words "in the United States." The committee stated that their idea was to send the question now to the officers in the United States only, in order to get prompt action as it would take nearly three months to hear from all officers in the Philippines) so as to obtain the true sentiment of such Cavalry officers? (*Carried as amended by 2½ votes.*)

16. To whom should the results of these questions be sent? (*To the executive council of the Cavalry Association and to be by them tabulated and forwarded to the committee in Washington.*)

It was agreed that the above questions should be sent to all Cavalry officers without delay and that, as soon as the votes of those in the United States had been received, the same should be tabulated and forwarded to the committee in Washington, and those received later from Hawaii and the Philippines should be similarly tabulated and forwarded.

The following preamble and resolution was then adopted:

"Whereas action in the interest of the Cavalry service and all action taken by the Cavalry Association has invariably been paralyzed by differences of opinion among Cavalry officers and by conflicting action by individual members: Be it

"*Resolved*, That every Cavalry officer be requested to sign the following pledge and forward it for record to the secretary of the Cavalry Association:

"PLEDGE.

"I hereby agree to abide by any decision arrived at by a majority vote of Cavalry officers as to any policy to be advocated by the Cavalry Association; to support such action and to use all my influence to prevent any Cavalry officer from advocating any policy which conflicts with the instructions arrived at by a majority vote."

The above is submitted for your consideration with the *earnest request* that you vote upon the same without delay and forward your vote with any remarks on the same that you may desire to make to the secretary of the Cavalry Association.

By order of the executive council.

EZRA B. FULLER,
Lieutenant Colonel, Retired, Secretary.

I do not offer this for the purpose of reflecting on anybody, but I do offer it in the interests of fairness and justice, and I ask that the several documents shall be printed as a part of my remarks.

I further desire, Mr. President, to put in the RECORD a compilation of statements from officers of the National Guard showing the amount of labor those officers who are above the rank of captain actually perform. I want that evidence before the Senate when an amendment which I propose to bring up a little later on shall be under discussion.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From J. C. R. Foster, head of the National Guard of Florida and chairman of the National Guard Association of the United States.]

Section 108 of the military bill now pending allows pay only to the captains and lieutenants of companies, and it is argued by the advocates of this provision that those officers only should be given pay, because only company officers participate in the weekly drills when organizations are at their home stations. This idea will not find support with those who know that the hour and a half or two hours of company drill held each week is but a part, and a small part at that, of the military duty which commissioned officers are required to perform.

The duties and the responsibilities of officers increase with their rank, and if the theory of increased pay for increased rank and responsibility is sound in its application to the standing army it is sound in equal degree and necessary in its application to the National Guard. Until such time as this country may be willing to accept a system of compulsory, universal military training, military service, as every other kind of service, must offer the incentive of some form of reward. One reward peculiar to every known system of military organization is the hope of promotion and opportunity for it; another is compensation for duty performed by a few on behalf of the many. The provisions of section 108 would deny both of these rewards to commissioned officers—to the very class of men who must be depended upon to build the National Guard up in efficiency and in strength if the proposed plan for developing this branch of the national military service is to be realized.

It must be apparent even to those who give only casual consideration to the matter that to deny pay to officers when they may be detailed away from companies, or when they may be promoted above the grade of captain would check promotions and disrupt the higher units. As a rule promotion above the grade of captain is not attained without years of service in the junior grades and an experience which makes the officer particularly valuable to the Government. It is a greatly mistaken idea that the general and field officers have no duties and no responsibilities save when in the field.

The commanding officer of a regiment is responsible for the discipline and training of his command and for its equipment and administration as well. This means that if he is an efficient officer (which he will have to be to hold his commission under the provisions of the proposed legislation) he must be fully advised at all times as to the affairs of each unit of his regiment. If these units be scattered, it entails a volume of correspondence; if assembled at one post, it means personal supervision and direction. Then there are battalion drills and regimental drills as well as company drills. Then there are inspections to be held, innumerable duties to be performed in connection with the management and control of armories, care of public property, discipline of the troops, etc.

Under the system of training now prescribed by the War Department every officer must gives hours of time each week to study. Not only must he study but he must attend lectures, take part in the post schools for officers, undergo examinations, conduct written exercises, etc. The conduct of these schools devolves upon the senior officers; and the officers are also called upon to give other evenings for the conduct of noncommissioned-officers' schools.

The theory that no officers above the grade of captain should be encouraged to remain in the National Guard is in line with other provisions for military legislation suggested by that military group who feel that the National Guard should not be permitted to officer larger units than a company. The same theory manifests itself in other provisions. We believe that there are hundreds of capable field officers and many most efficient general officers in the National Guard who are fully qualified to discharge the duties of their respective grades. If they are not so qualified, the pending bill provides the means for eliminating them. If the Congress is to accept the view that a national guardsman can not hope to and should not attempt to qualify for a grade higher than that of captain, then it is submitted that the consistent thing to do would be to provide that no units higher than that of a company should be organized in the National Guard, this under the power of Congress to prescribe the organization of the militia.

The wording of section 108 does more than deny the higher officers pay; it denies pay to many officers of junior rank who perform important duties. Take, for example, medical officers of the grade of first lieutenant. In addition to the duty which they perform with sanitary troops, those officers keep up with the studies prescribed for them and conduct the physical examination of all recruits, without compensation. The value of this service is indicated by testimony introduced into the record a few days ago as to the cost of the physical examination of recruits for the standing army. It is the same examination.

Every officer, regardless of grade, must uniform and equip himself. This costs, at the outset, anywhere from two to five hundred dollars, increasing with the higher grades. They must keep equipped and conform to every change prescribed for the Army. They are constantly subjected to expense because of their official position, expense which increases with their rank and responsibilities. If the principle of Federal compensation for militia service is to be applied, it is clear that it should be applied without unfair discrimination and in a manner consistent with and calculated to sustain the well-established graduation of rank in the military service. This is necessary if the National Guard is to be made a well-balanced and effective force rather than a mere recruiting agency to provide an enlisted personnel, with the expectation and intention that the officers shall be provided by another branch of the service.

I make this statement to you feeling that I can consistently do so not only because of my personal knowledge of the duties which are performed by officers not recognized for pay under the present bill, but because I belong to that class of officers who will receive no benefits of pay under either bill or any amendment proposed.

—

[From James U. Andrews, colonel of the New York National Guard and a graduate of West Point.]

From information I have received, it would appear that there is an erroneous impression gaining ground in Washington that the National Guard officers above the rank of captain are not entitled to compensation for the reason that they do not drill. It is possible that my experience may be of interest to you.

After graduating from West Point, in 1890, I served three years as second lieutenant, First United States Cavalry, in active campaigning in the West. I was in the field practically all the time. For example, I participated in the Sioux campaign in the winter of 1890–91; following that I was stationed in Arizona. After resigning from the Regular service I joined the National Guard as a first lieutenant and have subsequently held all the ranks to my present rank of colonel Second Infantry.

I can assure you that the National Guard in New York State not only requires, but insists, on a very large portion of one's time if one is to keep up with the always increasing requirements. Every Monday night all my field and staff officers, and any others who may have any business with the regimental commander, meet me at my headquarters. These meetings, together with the routine work only, consume on an average of five hours. In addition to this it is conservative to say that at least two hours of every day of my life is devoted to matters pertaining solely to the regiment. My regiment is so divided that there are nine different armories in different towns, extending from Hoosick Falls on the east, Whitehall on the north, and Gloversville on the west. These posts have to be visited and inspected at regular intervals, and this work has to be done usually at night. It is safe to say that, outside of the work done in the daytime for the regiment, I have to devote three evenings of every week for this duty, and away from home.

My expenses for these trips and other matters amount to a very considerable sum per year, and it is an actual outlay. I estimate that it costs me personally, outside of time and labor, at least $300 per year, and that, therefore, the so-called pay in the bill should properly be termed compensation, for it is truly that. What I have said with regard to myself applies equally to the field officers.

—

[Statement of Henry R. Hill, brigadier general of the State of Illinois.]

Regarding the bill that proposes pay only for company officers, I wish to say, however, that the regimental adjutant is one of the hardest workers in the National Guard service. I was company commander eight years and adjutant two years, and had I asked pay for my services I would have said $500 per year as company commander and $1,000 per year as adjutant. Moreover any colonel or major who works at his job is worth $500 a year to the United States. If the War Department requires adequate examination before pay is received, then the amount of study and preparation necessary is well worth the pay.

If the National Guard suffers through the fact that all officers are not worthy of pay, would it not be better to muster out the worthless through examination and pay the worthy?

As to my own position, I care not; I have put in most of my spare time during the past 24 years for nothing, and the few more years that I shall remain in service would make little difference in my bank account with or without pay.

The spirit of the American press in the past month and of the War Department in the past four years leads one to believe that none but the National Guard itself believes it is worthy of pay. If that be true, then neither should any sum be allowed for any purpose to them, because their work is either worthy pay and equipment or neither.

In the above I pray you not to read into it anything that will stand in the way of preparedness in this country. I am willing to do my share or not as duty may be. But I do believe that the National Guard should be bettered by pay and thorough examination or not encouraged whatever.

—

[From Charles W. Abbot, jr., adjutant general of Rhode Island.]

Understanding that you are interested in the matter of pay for militia, I take the liberty, in behalf of the field and staff officers of the Rhode Island National Guard, to urge your efforts to the end that there may be provision for them as well as company officers. We have a colonel, lieutenant colonel, and four majors of a coast artillery corps of two bands and 17 companies. The majors actively superintend the drill of their several battalions, and in addition are members of examining boards for officers, specialists, rated position men, gunners, and noncommissioned officers. It means two and three nights a week in addition to the study involved in fitting themselves and keeping fit, no small task. The colonel has a vast amount of administrative work, and devotes many hours every day in his business time, to its undoubted detriment, in managing the affairs of his command. The lieutenant colonel assists him, and is quite as busy as either of the majors. It would be, in my opinion, a manifest injustice to ignore field officers if pay is to be allowed. They are much more deserving of it than are lieutenants and equally so as captains. Regimental staff officers should also be included, for their duties and responsibilities are as engrossing as those of company officers.

Mr. REED. Similar letters and telegrams received from the following:

Charles A. Walz, major, First Cavalry Illinois National Guard.
Charles N. Neal, captain quartermaster Fifth Infantry Illinois National Guard.
C. H. Hitchcock, colonel First Infantry New York National Guard.
W. G. Bates, colonel Seventy-first New York National Guard.
C. G. Davis, colonel Sixth Illinois Infantry.
Charles H. Greene, colonel Third Infantry Illinois National Guard.
Charles F. Tillinghast, colonel Coast Artillery Corps Rhode Island National Guard.
Arthur B. Donnelly, colonel First Infantry Missouri National Guard.
Arthur N. Nash, major Coast Artillery Corps Rhode Island National Guard.
H. M. Bush, major, Field Artillery Ohio National Guard.
Louis F. Strawn, major, Third Infantry Illinois National Guard.
Ed. H. Dunavin, major, Sixth Infantry Illinois National Guard.
F. F. Putnam, major, Fifth Infantry Illinois National Guard.
Henry R. Hull, brigadier general Illinois National Guard.
Walter M. Mann, adjutant Missouri National Guard.
Leroy K. Robbins, of St. Louis, Mo.

Mr. KENYON. May we have the amendment now read as it will be voted on?

The PRESIDING OFFICER. The Secretary will read the amendment to the amendment.

Mr. KENYON. I will withdraw the request if it is the amendment of the Senator from Washington.

The PRESIDING OFFICER. That has been agreed to, and the question recurs on the amendment to the amendment of the Senator from South Carolina as amended.

Mr. KENYON. I ask that the amendment that is to be voted on shall be read.

The SECRETARY. It is proposed to add, as an additional section to the bill, the following:

SEC. 120. That the President at any time, in his discretion, may, by Executive order, designate for the exclusive use of the United States any site upon a navigable river, the improvement of which for purposes of navigation will make available at such site surplus water power over and above the needs for navigation. After being so designated, and until the designation is modified or revoked, every such site shall be developed and improved only in the manner and for the purposes authorized by this act, but when the site or sites to be developed under this paragraph are determined all other sites shall be released from any designation hereunder.

That the President may also at any time, in his discretion, withdraw from settlement, location, sale, or entry and reserve for the exclusive use of the United States any public lands of the United States, including the Territory of Alaska, whether within national forests or other reservations or withdrawals, which are valuable as water-power sites for the purposes of this act: *Provided*, That not more than five sites shall be withdrawn in pursuance of the authority given by this act, and when the sites to be developed under this act are determined all other sites withdrawn shall be immediately released from any such withdrawal.

That the Secretary of War is authorized and directed to investigate and to recommend for designation or withdrawal such dam sites and water-power sites as in his opinion will be necessary for carrying out the purposes of this act, and is further authorized to construct, maintain, and operate at or on any site so designated or withdrawn dams, locks, other improvements to navigation, power houses, and other plants and equipment necessary or convenient for the generation of electrical or other power and for the production of nitrates or other products

needed for munitions of war and useful in the manufacture of fertilizers: *Provided*, That all plans and specifications for dams in navigable rivers shall be submitted to and approved by the Secretary of War.

That the Secretary of War is authorized to lease, purchase, or acquire, by condemnation, gift, or devise, such lands and rights of way as may be necessary for the construction and operation of such plants and to take from any lands of the United States, or to purchase or acquire by condemnation, materials, minerals, and processes, patented or otherwise, necessary for the construction or operation of such plants and for the manufacture of such products.

That the products of such plants shall be used by the Secretary of War or the Secretary of the Navy for military or naval purposes, and any surplus not so required may be sold and disposed of by the Secretary of Agriculture under such regulations as he may prescribe.

That the sum of $15,000,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, available until expended, to enable the Secretary of War to carry out the purposes of this act.

That the plant or plants provided for under this act shall be constructed and operated solely by the Government and not in conjunction with any other industry or enterprise carried on by private capital.

That in order to raise the money appropriated by this act and necessary to carry its provisions into effect, the Secretary of the Treasury, upon the request of the Secretary of War and the approval of the President, may issue and sell or use for such purchase or construction hereinabove authorized any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed $15,000,000: *Provided*, That any Panama Canal bonds issued and sold or used under the provisions of this section may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable and fix, instead of 50 years after date of issue, as in said act of August 5, 1909, not exceeding 50 years.

Mr. WALSH. Mr. President, I merely desire to direct the attention of the Senator in charge of the bill to the concluding language in the paragraph embraced in lines 12 to 15, page 3, to the effect that the plant provided for under this act "shall be constructed and operated solely by the Government and not in conjunction with any other industry or enterprise carried on by private capital." I think that language is confusing. It will be very readily conceived that there would be an excess power which the Government would want to sell. That power might be transmitted and utilized for the operation of street railways in a neighboring town and that enterprise would be in a way connected with this.

So the nitric acid might be manufactured here and private interests might put up a fertilizer plant close by, and possibly use some of the power in operating the fertilizer plant. I supposed it was intended to limit the activities of the Government to the production of nitric acid. If that is the case, I should think it would be necessary to insert the words "by it," after the word "not," in line 14; so that it should read:

That the plant or plants provided for under this act shall be constructed and operated solely by the Government and not by it in conjunction with any other industry or enterprise carried on by private capital.

But I see that would not make it, because the clause concludes with the words "by private capital."

Mr. SMITH of South Carolina. Mr. President, the object of those who proposed this amendment was clearly—and the Senate has overwhelmingly indicated its approval of that intention—that the Government should not lease or sell this power in such a way that the appropriation herein contemplated might be given over to private capital. It was to restrict the operations to the Government and not open the way for the Government to go into partnership with private parties or lease or sell the plant or the power.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. The Senator from Montana [Mr. WALSH] has the floor. Does he yield to the Senator from California?

Mr. WALSH. I have yielded the floor; but I was going to suggest——

Mr. WORKS. I will yield if the Senator from Montana desires to ask a question or to make a suggestion.

Mr. WALSH. I was going to ask the Senator from South Carolina whether the whole object would not be achieved if the sentence ended with the word "Government"? The paragraph would then read:

That the plant or plants provided for under this act shall be constructed and operated solely by the Government.

Mr. SMITH of South Carolina. I rather think, Mr. President, that that would cover it; but, out of abundance of caution, we went on to define just exactly what we were trying to do.

Mr. WALSH. I am afraid, however, that that may introduce some trouble there.

Mr. SMITH of South Carolina. I rather think not, Mr. President. I think, without being in any way united or in conjunction with private parties, the Government could sell the power just as easily as it could the product. I do not see anything to prohibit the Government, if it has an excess of power, selling it. If anybody wants to put up a factory and the Government wants to sell them any excess of power, it can sell it to them; but it could not enter into cooperation with them to take the product of the plant, and, by means of some contract, shift to some private company the very functions to which we are trying to restrict it.

Mr. WORKS. Mr. President, I think this is a very serious and unfortunate attempt to limit the use of the waters of the stream. I voted against the amendment offered by the Senator from Washington [Mr. JONES], which would have compelled the Government to improve the water sites to their full capacity, because I thought, and still think, the Government should go no further than to supply its own needs. On the other hand, there is no reason in the world why some one else might not be allowed to use the stream for the purpose of irrigation, for example, that would not interfere with the development of the power or the development of additional power for other uses and purposes.

In the State of California there is a provision in our statutes that where a dam is erected at a certain height, for example, for certain purposes, by one corporation or by an individual, another shall have the right, under proper permit, to increase the size of the dam in order to increase the use of the water. That might be very desirable in the case of the Government as well.

Another thing. Mr. President, there is an effort now being made to lease these power sites, not only upon navigable streams but upon streams that are nonnavigable, and the Government might very well use a stream of this kind for its own purposes up to a certain amount of power and lease the balance to somebody else. There the two would be operating in cooperation, I think, within the meaning of this amendment, and certainly I do not think the Senator from South Carolina wants to prevent anything of that kind by the provisions of his amendment. I think, however, that would be the effect of the amendment.

Mr. SMITH of South Carolina. I think, Mr. President, that the purpose is clearly set forth in the first two lines—lines 12 and 13—which provide:

That the plant or plants provided for under this act shall be constructed and operated solely by the Government.

The clause says nothing about anything else but the plant for the manufacturing process. It goes no further than that.

Mr. CUMMINS. Mr. President, I would be very glad to vote for a plain proposition that the Government should make its own nitric acid or any other commodity that was necessary in the production of powder or other explosives. I would be entirely willing to see the Government use the power that it created in pursuance of the objects that I have just stated in any other useful way when not needed in the production of powder or other explosives; but I can not bring myself to vote for a measure which has not for its chief purpose the manufacture of an article needed by the Government in war, but which has for its chief purpose the manufacture of an article needed in commerce and in general production. The people of Virginia, North Carolina, and South Carolina need fertilizers of various kinds, and I hope they will be able to procure fertilizers. The people of my State do not need fertilizers so much as they need binding twine at a fair price and as we need agricultural implements at a fair price. The fertilizer trust is certainly no more objectionable than is the agricultural implement trust. What are you going to do for us? If every time the people of this country seem to be afflicted with a monopoly—and I am sorry to say that the instances occur so frequently—the Government is to enter the business in order to relieve them of the monopoly, instead of enforcing in some effective way the laws already in existence to destroy the monopoly, it will not be very long until the Government will be in the manufacture of everything under the sun. I am not ready to take that step as yet.

I object to this amendment, first, because it ought not to be added to a measure that is intended for no other purpose than the reorganization of the Army. The senior Senator from South Carolina [Mr. TILLMAN], when he proposed the establishment of an armor-plate plant, did not attach the proposition to some other measure with which it had no connection. He did what I think the junior Senator from South Carolina [Mr. SMITH] ought to do in this case. He ought to allow this proposal to rest upon its own foundation, and not make it a part of a bill that is devoted to an entirely different subject.

I object to the amendment proposed by the Senator from South Carolina, in the second place, because it excludes the Government from taking advantage of the best opportunity in the United States for the purpose of making nitric acid. There is a dam across the Mississippi River at Keokuk, and it will yield 150,000 or 200,000 horsepower. If the Government wanted to make nitric acid, and to make it quickly and continuously,

it could do nothing better than to commandeer or condemn the water power already there in existence; and yet, under this amendment that could not be done, nor could any other water power that is now in existence be taken by the Government under this amendment for the purpose of making nitric acid.

There is in the minds of some Senators a very good reason possibly why the dam to which I have referred should not be taken, because in the manufacture of nitrates for fertilizing the soil, it might require a shipment over a long distance, and, of course, I understand perfectly that a factory that is intended to make nitrates for fertilizing the ground should be located in the vicinity of the ground to be fertilized. I can not, however, think that, if this power that I have mentioned were available, and if the Government were to take it, it ought to be limited to the manufacture of nitrates for fertilizing purposes. Why not allow the power that would be developed by the Government construction to be used to manufacture agricultural implements or binding twine or anything else that the farmers of the country need just as much as they need fertilizers?

I think, with all due deference to the Senator from South Carolina—and I have the highest opinion of his patriotism; I know that he is absolutely sincere about this—that this is not sufficiently thought out. This amendment is not constructed with a view to all the contingencies and all the possibilities that may arise under it; and, so far as I am concerned—much as I am in sympathy with the proposal to have the Government make its own munitions of war and its own nitric acid either by steam power or water power—I can not secure the consent of my judgment to usher the Government into the general business of the country in the way in which this amendment proposes.

Mr. GALLINGER. With his permission, I desire to ask the Senator from Iowa a question. If I understood the Senator correctly, he suggested that the Keokuk Dam would probably be rejected for the reason that the product ought to be made in the vicinity where it would be needed?

Mr. CUMMINS. I suggested that.

Mr. GALLINGER. We all know the productivity of the soil of Iowa, and that it needs less nitric acid, probably, than does any other part of the country; but what becomes of poor New England, where we do need fertilizer?

Mr. CUMMINS. Possibly they may find water power in that vicinity; I do not know.

Mr. GALLINGER. But the proposition is to build but one such plant, apparently.

Mr. CUMMINS. No; this amendment authorizes the building of a hundred; there is absolutely no limit to it except the appropriation.

The reason I said the dam at Keokuk would not be taken is that the amendment applies only to those water sites that are undeveloped, and the Government can not take a dam already built or partially built. It must take a site undeveloped and construct the dam and maintain it.

Mr. GALLINGER. Mr. President, I want to ask the Senator from South Carolina [Mr. SMITH] a question, if he pleases.

Mr. SMITH of South Carolina. Certainly.

Mr. GALLINGER. I notice from the bill that the sum of $15,000,000 is suggested as the amount that the Government should appropriate and tax the people for. I have had a little observation along that line. I remember that for nearly two years—and I do not know but that for more than that—we were told that an interoceanic canal would cost $135,000,000. It has cost $400,000,000, and I do not know whether or not we have a canal now; it is operated part of the time, and part of the time it is not operated. So, with a great many other appropriations which we have made during my service in this body, the amount ultimately required has very greatly exceeded the original estimate. I want to ask the Senator from South Carolina if he has looked into this matter sufficiently to satisfy himself that $15,000,000 will be the sum necessary to establish a plant such as the Senator has in contemplation?

Mr. SMITH of South Carolina. I have.

Mr. GALLINGER. The other day a suggestion was made that the amount should be increased to $30,000,000, and the Senator offhand said he would accept that amendment, as I remember.

Mr. SMITH of South Carolina. I will state to the Senator that I am thoroughly satisfied from the testimony of the experts that the amount set forth in the amendment is sufficient for the purpose contemplated.

Mr. GALLINGER. And the Senator has, as a basis for his opinion, the opinions of men in whom he has great confidence?

Mr. SMITH of South Carolina. Yes; I have information from men in whom I have great confidence.

Mr. GALLINGER. But, of course, the Senator is still indulging in a mental reservation to the effect that very likely it will cost $30,000,000 or $40,000,000?

Mr. SMITH of South Carolina. The Senator from South Carolina will not at this time divulge whatever mental reservations he may have about this matter.

Mr. GALLINGER. I think it would be wise for the Senator not to do that, Mr. President, because I prophesy that the $15,000,000 will disappear in a short time, and that at least another $15,000,000, or perhaps two more $15,000,000 amounts, will be required to carry out this socialistic project.

Mr. POINDEXTER. Mr. President, I move to amend the amendment by inserting after the word "whether," in line 2, on page 2, the words "or not," so as to carry out what I think is the evident purpose of the Senator from South Carolina—to authorize the withdrawal of sites upon the public lands whether or not they are within a reservation. As the amendment is written now it might be construed as confining the withdrawal authority to reservations. I move the amendment I have suggested so as to make it read:

Including the Territory of Alaska, whether or not within national forests or other reservations.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The SECRETARY. On page 2, line 2, of the amendment of Mr. SMITH of South Carolina, after the word "whether," it is proposed to insert "or not," so that it will read "whether or not within national forests," etc.

Mr. SMITH of South Carolina. I accept that amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Washington to the amendment of the Senator from South Carolina. [Putting the question.] In the opinion of the Chair, the "noes" have it.

Mr. POINDEXTER. I ask for a resubmission of the question, Mr. President.

The PRESIDING OFFICER. At the request of the Senator from Washington, without objection, the question will again be put to the Senate. The Chair will ask the Secretary first to state again the amendment.

The SECRETARY. On page 2, in the printed amendment of the Senator from South Carolina [Mr. SMITH], in line 2, after the word "whether," it is proposed to insert the words "or not," so as to read:

Whether or not within national forests or other reservations or withdrawals.

The PRESIDING OFFICER. Without objection, the amendment will be agreed to. It is agreed to.

Mr. POINDEXTER. Mr. President, I move to amend that portion of the amendment which was adopted on motion of my colleague [Mr. JONES]. The amendment came in on line 6, page 2, and reads:

And when the sites to be developed under this act are determined any other sites withdrawn shall be immediately released and restored.

I move to insert, after the word "withdrawn," the word "hereunder," so as to limit it to withdrawals under this act. I think that is the intention of the Senator from Washington?

Mr. JONES. That is correct.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to. The question recurs on the amendment of the Senator from South Carolina as amended, and the Chair——

Mr. BRANDEGEE and Mr. MARTINE of New Jersey addressed the Chair.

The PRESIDING OFFICER. If Senators will wait a moment, the Chair desires to make a statement. In stating the amendment the Chair is of the opinion that the form of the amendment at the present time depends upon whether or not the Senator from South Carolina modified the written form of the amendment which is now upon the table and which has been stated.

Mr. SMITH of South Carolina. I do not think I have.

The PRESIDING OFFICER. The Chair will further state that he is of the opinion that to comply with Rule XXI, which permits the mover of a motion to modify it, such modification must be definite and must be of record in the Senate, so that it may be submitted by the Chair to the Senate for action. For the information of the Chair and the Senate, the Chair asks the Senator from South Carolina whether or not he has modified in any way the amendment which is now before the Senate?

Mr. SMITH of South Carolina. I have not.

The PRESIDING OFFICER. The Senator states he has not done so; therefore the amendment of the Senator from Georgia is not a part of the amendment of the Senator from South

Carolina. The question before the Senate is on the printed amendment of the Senator from South Carolina as amended.

Mr. BRANDEGEE. Mr. President, I desire to ask the Senator from Oregon [Mr. CHAMBERLAIN], the chairman of the Committee on Military Affairs, a question. He may have given previously, in the course of the extensive debate which has taken place, an answer to the question I am about to propound, but I ask it, nevertheless, because I was not on the floor if such information was given. Did the Senator make any statement concerning the attitude of the War Department or the Navy Department upon the pending amendment of the Senator from South Carolina, or whether either of those departments have made any suggestions to the Committee on Military Affairs that legislation of this character ought to be ingrafted upon this bill as a matter of national defense?

Mr. CHAMBERLAIN. Mr. President, I will state, in answer to the Senator, that I do not recall having made any statement upon that subject. I believe Mr. Garrison, either in his annual report or possibly in his statement before the committee, did say something about the manufacture of munitions, and I think possibly Gen. Crozier called attention to the necessity of something of that kind, although never in connection with the Army reorganization bill; and I have had no consultation with the War Department or any department of the Government about making it a part of the general reorganization scheme of the Army. It is for that reason, without any question as to the advisability of the legislation, that I myself have opposed this amendment, because I did not feel that it was a part of any scheme for the reorganization of the Army.

Mr. BRANDEGEE. Mr. President, I will assume, of course, that there would have been some statement before the Committee on Military Affairs in relation to munitions, if by munitions are meant guns and explosives, and so forth; and it seems to me somewhat strange that, if there is a scarcity or dearth of power in this country to furnish powder and guns for the Army and Navy, one of the great military departments of this Government has not said something to one of the Committees on Military Affairs of Congress.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from California?

Mr. BRANDEGEE. I do.

Mr. WORKS. Will the Senator permit me to put another question to the chairman of the committee in that connection?

Mr. BRANDEGEE. I yield to the Senator for that purpose.

Mr. WORKS. I should like to know whether the Committee on Military Affairs has considered as a committee the amendment which is now before the Senate or has taken any action upon it?

Mr. CHAMBERLAIN. Mr. President, I stated here the other day that the Committee on Military Affairs did not consider this proposition at all until after the proposed amendment of the Senator from Alabama was submitted to the committee, and then later the amendment of the Senator from South Carolina was submitted. So the committee had both, not for investigation, but they had them both before them practically after the bill had been reported to the Senate. The committee did not enter into an investigation of it and did not take action on it at all.

Mr. BRANDEGEE. Mr. President, I am very doubtful whether there is any necessity whatever for the adoption of this amendment, so far as the national defense is concerned. It seems to me almost inconceivable that a debate of this kind should have gone on here day after day upon this matter, based upon an alleged necessity for munitions for our Army and Navy, without some information from the departments of the Government which are so deeply concerned about these matters. I for one would concede that it is a perfectly proper exercise of governmental activity to manufacture powder or to manufacture the ingredients of powder or other explosives, just as I would concede the right and propriety on the part of the Government of maintaining arsenals and gun factories; but if I were satisfied that a plant of the kind proposed were needed for a purely governmental function, to maintain the Army and Navy, even then I would think as an ordinary layman, without any particular technical knowledge upon these subjects, that the matter ought to be estimated for and the bill drawn under some expert advice, and perhaps upon the suggestions of Army and Navy boards of officers and under some recommendations from the department.

I do not feel that the fertilizer end of this amendment ought to be passed by Congress at all, and I am free to say that I think that a large portion of the support that will be given to this amendment will not be primarily given to it to furnish the Army with nitric acid for powder, but will be because of the commercial features attached to the selling of fertilizer by the proposed Government plant. I can not support an amendment at present having that in view. I think it is just one of the frequent occasions where we are asked, upon the urgent solicitation of Senators who become peculiarly interested in certain measures for the benefit of their constituents, to rush in rashly and spend $20,000,000 here and $15,000,000 there and $30,000,000 in the other place which no business man of any common sense whatever would think of doing without the most thorough investigation and after estimates had been furnished.

I should like to ask the chairman of the Committee on Agriculture, if he is present, or some member of that committee, if the bill goes into operation and the business is to be conducted by the Secretary of War, what is the object in having the Secretary of Agriculture called in to sell the surplus product? If the Secretary of War is competent to conduct the business, why is he not competent to sell the surplus which the Government does not need?

Mr. CHAMBERLAIN. Does the Senator address that question to me?

Mr. BRANDEGEE. No; to the chairman or some member of the Agricultural Committee.

Mr. SMITH of South Carolina. As a member of that committee, I will reply by saying that it seemed to me and to the committee to be carrying out the purposes of disposing of the surplus.

Mr. BRANDEGEE. I do not get much illumination from the reply, because I read that in the amendment itself; but why is the Secretary of Agriculture deemed a better agency to dispose of what the Government does not want of this war material than the Secretary of War?

Mr. SMITH of South Carolina. For the reason that the Secretary of Agriculture is supposed to know something about the use of this thing in agriculture.

Mr. BRANDEGEE. I do not think myself that he could sell to the fertilizer companies any better than the Secretary of War could.

Mr. MARTINE of New Jersey. Mr. President, I am very much in favor of the amendment of the Senator from South Carolina [Mr. SMITH]. I have been startled with the arguments that have been presented by the other side, and particularly the arguments about the constitutionality of this question. Of course, I know nothing of the legal side of it; but I want to say, as a layman, that I am often prompted to feel sad for my many legal friends when I see them rise in the Senate and expound their constitutional objections to almost every measure that is calculated to help the people. Of course, Mr. President, they can not help it. This tendency is a part of their education, and it has grown to be a habit with them. I am prompted to say how much they lose of this good world.

I say I am sorry for them, for I wonder, Mr. President, whether the sunrise and the glorious sunset, with its wondrous colors and its flashes of light, is not robbed of half its delights and beauty to them as the softened rays of that great orb come to their eyes, strained through their legal lens, constitutionally focused. I have wondered whether the sparkle of the morning dew, the bloom and blush of the rose, the cheerful chirp of the redbreast robin, and the full voice of the thrush have any attractions for them until they have first squared them with the Constitution. Mr. President, I feel constrained to exclaim: "Forgive them, for they know not what they do. Poor old Constitution. What wrongs have been committed in thy name!"

Mr. President, I love my country and obey her laws; but when it comes to the Constitution standing between the people and their right to use God's free air for the manufacture of a substance that will tend to enrich the soil and thereby increase its productivity, and hence the welfare of the human race, then I say, for myself, the Constitution must yield and stand aside, that cheaper bread and butter may come to humanity and to my country.

I shall vote for this amendment with the greatest relish, and particularly with the greatest relish inasmuch as the Government of the people will hold the handspring and will control the manufacture of this vitally important product.

Mr. NORRIS. Mr. President, much has been said as to the motives Senators have in voting for this amendment, and it has been said several times on the floor of the Senate that the most of the votes this amendment will get will be given because it provides for the manufacture of fertilizer. I do not want to let that statement pass unnoticed, although it may be that the fact that fertilizer will be manufactured by the Government if this amendment is agreed to has a great deal of influence with most of the Senators who vote upon the proposition; but the

prime moving reason for the amendment is that it provides for the manufacture of explosives—something that it is admitted that the Government can legally and properly manufacture.

As far as my vote is concerned, I am favorable to the amendment, and I come from a section of the United States where fertilizers are not used and are not necessary.

Mr. OLIVER. Mr. President, will the Senator yield to me?

Mr. NORRIS. In just a moment. I shall vote for it, because I believe it is a proper thing for the Government itself to manufacture ammunition. I would vote for the Government manufacture of almost everything used in time of war or used for war purposes. I would vote for almost any proposition that would take the private profit out of war matériel.

Now I yield to the Senator from Pennsylvania, for a question.

Mr. OLIVER. The Senator has said that he believes that the prime object of this amendment is to provide explosives for the use of the Government in time of war. How, then, can he explain the fact that the measure originated in and emanated from the Committee on Agriculture and Forestry, which has nothing to do with war or with the consideration of warlike questions?

Mr. NORRIS. The answer to it is that the Committee on Agriculture and Forestry did have something to do with the manufacture of a war matériel. It seems to me it would be just as reasonable for a rich man to say that he could not follow Christ because Christ was born in a stable. The immateriality of how it got here, though, it seems to me, ought to be apparent. It is a governmental function, as I look at it, for the Government to manufacture munitions of war.

It is said: "When you manufacture this matériel to be used for explosives, why do you also provide for the manufacture of fertilizers?"

The answer is that in the manufacture of the explosives the Government needs we are necessarily making a product that is used and is the principal ingredient in making fertilizer. If we manufacture sufficient of this product for the Government's needs in time of war, we must either let the plant lie idle in time of peace, when we do not need to run it to its full capacity, or we must sell the ingredient of the fertilizer made in the operation of the plant when it is run to its full capacity.

Is it not good judgment, is it not good business, and is it not the patriotic duty of the Government, when it is manufacturing nitrates, if it can not and does not utilize all of the nitrate manufactured for its own use, to dispose of it for the good of the people to those people who can use it? It just happens that in the manufacture of explosives we are making something that is good for an explosive and is also good as a fertilizer; and if we provide a plant sufficient for the Government's use, there will be a large portion of the time—I hope all the time—when the plant will necessarily make more of the nitrates than the Government can use. Now, it just happens that this can be used for a fertilizer. Because none of it will go into my section of the country, it does not seem to me that is sufficient reason why I should oppose it.

That is an answer, it seems to me, to those who say: "Why do you not make shoes or why do you not make cotton cloth?" It is because the product that the Government makes in its own business can be used in the manufacture of a fertilizer, and is one of the principal ingredients of it.

It is proper for us to consider, in connection with the investment of the money, the fact that the Government can sell the fertilizer at a high enough price so that it will not lose money on the operation, and still do a great deal of good to agriculture. No matter what portion of the country happens to get the direct benefit of it, indirectly the whole country gets the benefit of it, and we are doing something strictly within the business of the Government.

If it happened that in the manufacture of the nitrates necessary for governmental use some other substance was a by-product, it would be some other industry that would get whatever benefit might come from it. I do not believe we ought to turn down the proposition because in the manufacture of what the Government legitimately wants and needs we happen to make another product or a surplus of a product that we can not use that is useful in some other occupation or business.

Mr. President, I am not one of those who believe this is something which is absolutely essential. I am not one of those who believe that the Government would fail, even if it got into a world war to-morrow, because we do not have this plant running now. It seems to me it is a good part of the preparedness program, however, that we ought to undertake; and I am one of those who are ordinarily considered as being opposed, and I am opposed, to the President's plan of preparedness and all the other military schemes that would get us into a race with the balance of the world to see who can have the biggest army and the greatest navy on the face of the globe. Yet it seems to me that this is wisdom, because I can see no loss anywhere. Even in time of peace it will be a benefit to our people, and it certainly will prepare us for an emergency in time of war.

I was about to say a few moments ago that we could do as Germany has done—we could use steam if we got into war and it became necessary to make our nitrate. We could get along without Chilean nitrate in case of war, but it would be an expensive proposition; and as long as in time of peace we can make it and yet save some money for the Government and save some money for those who have to buy fertilizers, it strikes me that it is a good proposition for the Government to go into it. That is the reason why I favor this amendment, although I am not favorable to the bill as a whole; and I may take occasion afterwards, if the substitute is adopted, to offer this same amendment to the House bill. It does not overstep any governmental function.

I presume it would be an answer to those who have objected to our making fertilizer to say: "We will invest this money, get the machinery and everything ready, and then we will let it lie idle until we get into war, or we will use it only to the extent of the manufacture of the nitrates we need in time of peace;" but it does not look to me as though that is necessary from a legal or a constitutional standpoint. It certainly is not wise from a business standpoint. If we go into the business for the purpose of preparing us in case of war, and then in time of peace can also do good—coming in contact, as I have been told it does by governmental publications and other statements of a reliable nature, with one of the trusts of the country that controls the fertilizer proposition and demands and exacts exorbitant prices—it will have a tendency to meet that proposition.

There is an abundance of testimony before the committees to the effect that if we could manufacture fertilizer in this country out of the atmosphere at as low a price as Norway makes it, we would increase the productivity of the United States in an enormous amount. I read to-day some of the figures given by one of the governmental chemists showing how much that increase would be. The figures are startling, because as a fertilizer proposition there is a limit. When the price gets so high that the farmer can not afford to buy, he has to go without it. If it is low, and he buys it, it produces a larger crop.

The VICE PRESIDENT. The Senator's time has expired.

Mr. OWEN. Mr. President, continuing the comments of the Senator from Nebraska, my attention was called to a boy who by the use of nitrates raised 236 bushels of corn on a single acre. The possibility of increasing the food output of the United States by the use of nitrates that may be produced by water power is perfectly gigantic. Moreover, the system which has been adopted in Norway of taking the nitrogen out of the atmosphere is being steadily improved. There are improved processes which will convert the electric energy into a still higher percentage of the oxides of nitrogen.

There is no preparation which is more important for a nation than to have an abundant supply of powder in case of war and an abundant supply of powder for the training of troops in the use of firearms, so that in case of need the troops would be skilled in the use of firearms. For that reason the Government ought to be furnished with a very abundant supply of cheap powder, which ought to be furnished at cost, or perhaps free, to the National Guard, the Volunteer Army, and the Army of the United States for the purpose of practice. But above and beyond that I favor this amendment because it is proposed to use these nitrates, when this first emergency of an adequate supply of powder for the United States is supplied, for the use of the agriculture of the Nation.

It has been said in opposition to this: "If we furnish cheap nitrates to the farmers of the country, why should we not be compelled, by parity of reasoning, to furnish also cheap food for men who are starving in the United States?"

Mr. President, in my opinion the greatest problem in the United States and in the world is for the Governments of the world to find constant employment for those who are willing to labor and who are unable, under the stress of modern life, to find a means by which to live. For that reason I favor broadly, as a governmental policy, the finding of means of employment for the unemployed, so that this Government shall not have within its borders any man willing to work who can not feed himself and feed those who are dependent upon him.

The way is wide open without competing with private enterprises in the building of roads, the protection of the Mississippi, Missouri, and Ohio Valleys from overflow, the building of irrigation plants, and the development of public enterprises of all sorts. There is an open and unlimited field; and if those fields had been occupied I should be in favor of creating a housing commission which would make Portland cement on a

gigantic scale and furnish that cement at cost to householders and men who have families, in order that they might build cheaply an indestructible abode and covering for themselves and their families.

This Government ought to proceed along these lines with a view of promoting the welfare, the efficiency, and the happiness of our people; and this is the kind of preparedness that will make this country what it ought to be—the most powerful in all the world and the guide of all other nations.

Mr. SUTHERLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Utah will state it.

Mr. SUTHERLAND. I desire to inquire whether or not an amendment has been inserted by the Senator from South Carolina [Mr. SMITH] in line 25, on page 2, adding the words, which I think he suggested at one time, "or processes," so that that now forms a part of the Senator's amendment?

The VICE PRESIDENT. "And processes, patented or otherwise."

Mr. SUTHERLAND. So that it reads now "purchase or acquire, by condemnation, materials, minerals, and processes, patented or otherwise"?

The SECRETARY. "Minerals and processes, patented or otherwise, necessary for the construction or operation of such plants and for the manufacture of such products."

Mr. SUTHERLAND. Then, I ask whether or not the bill has been further modified so as to provide an appropriation of $30,000,000 instead of $15,000,000?

The VICE PRESIDENT. It has not.

Mr. SUTHERLAND. Mr. President, I said the other day, in a general way, all that I cared to say about this amendment; but I call attention to the fact that we are going in rather a headlong way in the direction of authorizing some pretty large appropriations not directly connected with the organization of the Army or the building of the Navy.

The other day we passed a bill which appropriates $11,000,000 for building an armor-plate plant—an amount which I feel quite sure will be doubled, and probably trebled, before the plant is finally completed. It has been said here by those who I think are competent to judge that $15,000,000 will not be sufficient to build this contemplated plant, and that it will require at least double that sum, which is $30,000,000. I have understood that an amendment would be offered to that effect. Perhaps it will be offered before this matter is finally disposed of.

There is another amendment pending which proposes to appropriate $20,000,000 to build at least four munition factories at four different points in the country.

I happened to find on my desk a few moments ago another bill which proposes to appropriate $25,000 for the purpose of enabling the Secretary of Agriculture to employ expert advice and assistance to ascertain, by anatomical research, and so on, among other things, "to what extent the short back of the Arab horse is found in his immediate descendants." [Laughter.] This somewhat unique bill was introduced by request, but we are not enlightened as to just who the military genius is who has made the request, and that was proposed in the name of preparedness, because the bill is entitled "A bill to increase the efficiency of the United States Cavalry and Artillery." So, in order to increase the efficiency of the United States Cavalry and Artillery, we are to ascertain by expert investigation precisely to what extent the short back of the Arab horse is found in his immediate descendants! I do not know how much further we are going to go.

Mr. President, I think this amendment, which proposes to put the United States into the business of manufacturing nitrates, is a fraud and a sham, because nobody who has investigated the subject at all can for one moment pretend that it is necessary for us to build a plant at a cost of $15,000,000 or $30,000,000 in order to manufacture nitrates to be used in the manufacture of powder. It is conceded, and has been conceded over and over again during this debate, that except when some great emergency arises, when we shall be at war with some of the great military powers of the world, the expenditure of this money is absolutely unnecessary in so far as it may be regarded as a measure of public defense. In time of peace we do not need it. There is an abundant supply. Perhaps it may be true that the nitrates we are compelled to buy in time of peace, and can buy in time of peace without any difficulty, might cost us a little more; but certainly the difference in price is not sufficient to justify us in investing the enormous sum of $15,000,000 or $30,000,000 solely for the purpose of equalizing that difference.

The truth about it is that the object of this amendment—the primary object, the principal object—is to put the Government of the United States into a commercial enterprise, into a private business, a function which is not a governmental function at all, but purely a private function.

Whether we shall have a foreign war with some great military power at all is entirely problematical. Certainly it is not imminent. It may never come, and the probabilities strongly are that it will never come, although I recognize that it is something that may come and that we ought to provide against, precisely upon the same theory that the prudent man takes out a policy of fire insurance upon his home—not because he expects that his house is likely to be burned, for he recognizes that it is not likely to be burned, but because he wants to provide against that contingency. So I believe that it is wise to provide against the contingency of war. But this business is to go on perpetually—there is no limit—50 years or 100 years. The principal business of that 50 or 100 years, of course, will be the business of peace. If we are to be engaged in war, it can only be for an extremely small portion of that time. Nine-tenths of the time, nineteen-twentieths of the time, perhaps, or even more than that, there will be no occasion to utilize this plant for war purposes at all; so that for nineteen-twentieths of the time we have provided for purely a commercial operation. What right have we to tax all the people of the United States for the benefit of one class of the people? The money comes from the pockets of the merchants, tailors, lawyers, doctors, and everybody else. Why should we impose taxes on that class of people for the benefit of one class, the farming class? Why should we impose a tax upon the farmers of the Middle West and the farmers of the Rocky Mountain section, who up to this time do not need these fertilizers, whose soil is still virgin, for the benefit of the outworn soil of the South or the outworn soil of some parts of the New England section?

Mr. BRANDEGEE. Will the Senator let me ask him a question?

Mr. SUTHERLAND. Certainly.

Mr. BRANDEGEE. Has the Senator happened to hear that Germany is alleged to have sold out its interest in the great water-power nitrogen-producing plant in Norway and is now manufacturing by far the greater portion of its nitric acid by the coke-oven process, and doing it at a much cheaper rate?

Mr. SUTHERLAND. I have not heard that, but——

Mr. BRANDEGEE. I have heard that, and I think the documents will be in Washington shortly to prove it.

Mr. SUTHERLAND. I said the other day, in the course of some remarks, that if an emergency arises, if we get into a war with some foreign country which makes it necessary for us to manufacture a very large supply of powder immediately, we can do exactly what England is doing and what Germany is doing—manufacture it by the employment of steam power.

The VICE PRESIDENT. The Senator's time has expired.

Mr. STERLING. Mr. President, I do not know but there are some of us who, having come to the conclusion that we should support this amendment, through some doubt and hesitation might feel a little sensitive when charged that in voting for the amendment we are voting for a "sham and a fraud," as the amendment is characterized by the Senator from Utah.

But, Mr. President, I see no objection on principle to the amendment when we consider what I think is the primary purpose of the amendment. I voted in favor of the amendment of the Senator from Georgia [Mr. HARDWICK] to strike out that part of the pending amendment relating to the production of nitrates for fertilizer purposes. I did not think that provision should be included in the amendment, but the Senate voted to retain it; and while I regret that decision, yet, looking at what I believe to be the primary purpose of the amendment, namely, the manufacture by the Government of nitrates for use in the manufacture of explosives, I see no objection on principle to this, the main purpose to be effected by the amendment. If there is a surplus which may be used as a fertilizer and in farming communities anywhere in the United States, let it be so used and let the people have any benefit or advantage that may be derived therefrom.

Mr. McCUMBER. May I ask the Senator just a short question?

Mr. STERLING. Certainly.

Mr. McCUMBER. Is there in this proposed amendment anything more that will require that the surplus shall be sold for fertilizer purposes than the fact that it is to be sold by the Secretary of Agriculture? Can he not under the provisions of the amendment sell to anyone who may be a customer?

Mr. STERLING. I am not saying but that the Secretary of Agriculture may so dispose of the product.

Mr. McCUMBER. It simply says it shall be disposed of by the Secretary of Agriculture under such regulations as he may prescribe. That does not necessarily mean——

Mr. STERLING. Does the Senator infer from that statement that it will be sold for any other purpose than as a fertilizer?

Mr. McCUMBER. Certainly; he can sell it for anything he sees fit, as far as the amendment is concerned.

Mr. STERLING. I think other language in the section, the language contained on the second page of the amendment, discloses the purpose for which the surplus product may be used, and that it can not be used for other purposes than in the manufacture of fertilizers.

So, Mr. President, it is with this in view and not because it is for the purpose of providing for the Government manufacture of fertilizers that I support the amendment. I am willing to support the amendment notwithstanding that, as an incident, there may be some surplus production which may be disposed of by the Government for fertilizing purposes.

Mr. BRANDEGEE. Is it in order to offer an amendment?

The VICE PRESIDENT. There is no amendment to the amendment pending.

Mr. BRANDEGEE. On page 3 of the amendment of the Senator from South Carolina, line 6, I move to strike out the word "Agriculture" and insert in lieu thereof the word "War."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 3, line 6, strike out the word "Agriculture" and insert "War," so as to read "the Secretary of War."

Mr. BRANDEGEE. The effect of that amendment would be to allow the surplus product to be disposed of by the Secretary of War instead of by the Secretary of Agriculture.

Mr. SHERMAN. Mr. President, the bill that is under consideration before the Senate is one to increase the efficiency of the Military Establishment of the United States. We have consumed some days. This is chargeable, so far as it is the fault of the Senate, not to the chairman of the Committee on Military Affairs, whose difficulties have been very great—almost insurmountable, seemingly, at times—but to ourselves. I think we ought to contribute to facilitate the passage of the bill and promote the end in view rather than cause the consumption of further time.

If it be, however, a matter of definition or of description of this amendment, whether it be a delusion or a sham or something else, I am not prepared to split terms. If it would be a compromise, I would define it as a parasite. I read in the dictionary a moment ago that a parasite is an animal that lives wholly or in part during its existence upon the body of some other animal, drawing its sustenance from the primary animal. The primary matter here is the bill. All these amendments are parasitical in character.

There is no merit in the amendment as applied to military preparation. These different schemes that are promoted here have no independent standing in ordinary times, but they seek to harness themselves up in a way that will lend them a fictitious strength.

I protest—I am not going to take all the 10 minutes to do it, Mr. President—I protest against the further delay in a matter that may within a few hours become vital to the safety of our men who are now far beyond the borders of the United States. I shall take a very few minutes, and I promise to take fewer than that in the future discussion of this bill, because, so far as I have to act upon it, I have made up my mind what to do. Further discussion will only confirm me, possibly, in the opinion that I have already formed.

But so far as these resources may be necessary to be promoted in peace, in time of war there is not a resource of the private citizen, individual or corporate, that may not be commandeered by the Government when it is in peril. The greater the private resources,, the more money and means of every kind useful in war that may be developed by private enterprise, the greater will be the strength of the Government in its day of trial.

There is nothing standing alone on this amendment offered by the Senator from South Carolina that is a necessary part of increasing the Military Establishment of the United States that could not as well be said of a dozen other enterprises. If you will take the commissary away from the Army I will engage to overcome the country in 30 days. It may have tons of explosives, it may have millions of armor plate, it may have an unlimited supply of nitrates, but if you take away provisions from the Army, inside of 30 days it will be reduced to a state of utter helplessness.

I would therefore as lief vote to start a packing house, because it is sometimes said that that is a very large undertaking, requiring a vast capital. I would as lief vote to start an ovefall factory, a boot-and-shoe factory, a cracker factory, a hardtack plant, a spaghetti factory, because we will have patriotic Italians in the next war, and why not consider the nationality and furnish them some of the products to which they are accustomed in time of peace? Why not start a brewery, because many thousands of patriotic Germans will go into the service, as they did in the Civil War, and malt liquor is said to furnish a great deal of nutriment when it is taken in moderation.

There is not a thing used in time of war, Mr. President, that is not a product of peace. There is not a thing that could be urged for this proposal to start a nitrate plant and develop water power that could not be urged for anything else used by an army or navy.

I am opposed to the whole of it because it is something that is merely a pretext. If it comes up on its merits, and we want to fertilize any part of the country that needs it, present it on its merits and let us vote upon it alone. Then I am willing to discuss whether we ought to take money out of the Public Treasury to enrich other parts of the country where they need fertilizers. Then it can be disposed of in due season and not upon the hurried discussion which takes place incident to preparation. I think it is high time we stopped losing further days here in the discussion of such projects as this.

This bill is like an army that I once read about in the days when we used to toil over Latin roots. The army of the Roman people got in the countries of north Europe among the barbarians and the swamps. The army was so luxurious in its habits—it had so much baggage that, according to Tacitus, it was loaded down, and finally, conquered by its impedimenta, it perished miserably in the swamps because of its immense burden.

This bill is hooked up with a multitude of schemes that have nothing to do with the measure reported from the committee, which I regard, by the way, as a very excellent measure upon the whole, when we consider what the committee had to deal with, and the difficulties which the chairman has encountered in the variety of opinions presented to him. If we load up this bill with so much impedimenta before we get through it will have perished miserably in the bogs of legislation.

This is a question of increasing our military strength, not a question of promoting a number of private schemes. I shall vote against this and all kindred propositions. Bring them up on their merits as independent measures and facilitate the passage of the bill that is under consideration. I think we will be remiss in our duty if we waste any more days on such a discussion.

Mr. CHAMBERLAIN. Mr. President, a few days ago the senior Senator from Maryland [Mr. LEE] introduced some matter from the New York Times on the subject of a lobby, and today the Senator from Missouri [Mr. REED] introduced other matter on the same subject, tending to show that there is a regular Army lobby. I am very glad to have any information that tends to show that the Army itself is guilty of lobbying. I hope the people will learn from the statements that have been published the attitude and motives that animate men in these matters.

I ask leave to insert in the RECORD on the same subject an article in the New York Times of April 10, 1916, and one in the same paper under date of April 13, 1916, on the same subject. I do it, Mr. President, for the purpose of allowing Congress to determine for itself the motives that are behind the efforts made here to perfect legislation.

The matter referred to is as follows:

[From the New York Times, Monday, Apr. 10, 1916.]

STIMSON SUPPORTS GUARD LOBBY CHARGE—DECLARES CIRCULAR SHOWS CLIQUE IS PUSHING LEGISLATION TO MAKE SURE OF PAY—SEES MENACE IN POLICY—UPHOLD DEFENSE SOCIETY IN ATTACK ON COL. ANDREWS'S APPEAL TO THE STATE MILITIA.

The American Defense Society, with headquarters at 303 Fifth Avenue, yesterday made the direct charge that the National Guard has a lobby in the Capitol at Washington, well equipped with funds, which is conducting a fight on the pending Army bills.

In support of its contention, the Defense Society made public a letter of ex-Secretary of War Henry L. Stimson. The Defense Society had asked Mr. Stimson to give his views of a letter circulated under the name of the National Guard Association, at the end of which appears the signature of Col. James M. Andrews, of the Second Infantry, National Guard.

Ex-Secretary Stimson's letter commenting on the circular letter, as made public by the Defense Society, follows:

"C. S. THOMPSON, Esq.,
"American Defense Society, 303 Fifth Avenue, New York City.

"DEAR SIR: I have your letter inquiring about the circular letter now being issued under the name of the National Guard Association. That letter, a copy of which you have sent me, is genuine. One of my friends who is a captain in the National Guard showed me a similar letter which he had received through the mail this morning. It bears on its face evidence to the effect:

"1. That there is now a lobby of National Guard officers at work in Washington on this legislation.

"2. That their energies are principally devoted to obtaining pay.

"3. That their chief interest is in the pay of the higher officers of the guard.

"This evidence tends to confirm what my own experience and observation have indicated for some time, namely, that this proposed legislation does not represent the viewpoint of the great body of our National Guardsmen—its rank and file—but has been skillfully and persistently pushed in the interest of an organized clique of the higher officers who are primarily interested in the question of pay.

"And the fact that, without any widespread support from the country, they have, through their skillful organization, been able to bring such effective pressure upon Congress offers striking evidence of what may be expected if this proposed system of putting our National Guard officers upon the national pay roll becomes law. There will be created a vested interest in the 'pork barrel' more compactly and powerfully organized than anything which we have now.

"Very truly, yours, HENRY L. STIMSON."

THE NATIONAL GUARD CIRCULAR.

The circular letter which evoked the criticism of ex-Secretary Stimson, as made public by the Defense Society, follows:

"To the members of the National Guard Association, State of New York:

"GENTLEMEN: The Chamberlain bill in the Senate is now being actively taken up, and some definite action can be expected within the next week or 10 days. There have been many amendments offered to this bill, one of which strikes out pay for all officers above the grade of captain. It is easy to see the origin and reason for this amendment. It is intended unquestionably to create confusion in the National Guard and is put forward by those who are not only opposed but actually hostile to the Organized Militia.

"If no officer above the rank of captain is to receive pay, it is evident that captains would not desire promotion, and, therefore, it would be difficult to get higher officers, and a serious block in promotion would result. A captain certainly does a vast amount of work, but in the National Guard as it exists to-day in the larger States higher ranking officers do at least as much work as captains and in some cases necessarily more. Certainly the higher rank one has the greater are the obligations and responsibilities.

"As you probably know, the Hay bill cut out the increase of pay for officers above the grade of captain, but allowed $500 per year for officers of all grades above that of first lieutenant. While this is open to criticism, it was felt by the National Guard officers in Washington that it would be better not to raise any issue on that point, but to concentrate against the adoption of the Chamberlain bill, which cuts out pay for all officers above the grade of captain.

"It is evident that there is a group of people backing the Chamberlain bill who intend that ultimately National Guard officers shall not hold rank above that of captain, and this would be a very effective step toward that end. The public would in time, undoubtedly, conclude that the services of officers in the National Guard above the grade of captain were not worth paying for.

"It is evident that we must get together at once and exert all the influence in our power to prevent the passage of this bill or anything similar, which would be harmful, almost fatal, to those who have worked so long and faithfully and without recognition in the National Guard.

"Will you therefore at once communicate with your Representatives, stating your wishes on this subject, and get as many others to do so as you possibly can? The only way our Representatives in Congress can know the feelings of their constituents is through the papers, which are at times biased, and by personal interviews and letters. A concerted effort on our part now will, I feel sure, have much weight, and I trust that you will do your share.

"JAS. M. ANDREWS."

O'RYAN DEFENDS THE GUARD.

Maj. Gen. John F. O'Ryan, commander of the National Guard, replying last night to the charge made by the National Defense Society, said:

"If there is any menace to American liberties and institutions in the existence of a powerfully organized military party determined to expand and intrench itself, that menace will not be found in the National Guard. Evidence exists that there are influences at work to eliminate the National Guard from its proper rôle in the national defense.

"Much misstatement concerning the National Guard is being disseminated. It is criticized because under the law as it exists at present it has no Federal status, except when called into the Federal Service by the President. The pending legislation corrects this defect; but to make certain the Federal status Senator WADSWORTH has offered an amnedment to the Chamberlain bill providing for the Army oath to be taken by every officer and man in the National Guard of the United States. Yet it is said that the same influences which oppose the guard, ostensibly because it is not primarily a Federal force, will doubtless oppose this very amendment, which would leave no question regarding that status.

"The General Staff amendment, which passed the Senate last week, providing for National Guard representation, is essential. It is as necessary that the new Federal force, to be known as the National Guard, be represented in the General Staff by a 'National Guard section' as it is that the Regular Army be represented by what is known as the 'mobile Army section of the General Staff.' It is to be remembered that the General Staff is not the General Staff of the Regular Army, but the General Staff of the Army of the United States, which will be composed of the Regular Army, the National Guard, the militia, when in the Federal service, and such volunteers as may be authorized in time of war.

"When the National Guard has representatives in the General Staff there will be no longer need for a National Guard Association."

Col. James M. Andrews is a graduate of West Point and lives in Schenectady.

[From the New York Times, Thursday, Apr. 13, 1916.]

GUARD CIRCULAR URGES LOBBYING—DOCUMENT ISSUED TO MEMBERS AT SAME TIME DENIAL IS SENT TO SENATOR LEE—WANTS MORE OFFICERS PAID—FORECASTS NEW PROPOSAL BY SENATOR REED—HOPES YET TO KILL VOLUNTEER RESERVE.

The executive committee of the National Guard Association of the United States, through its chairman, Brig. Gen. J. Clifford Foster, adjutant general of Florida, in a bulletin just issued to its members, announces that Senator REED, of Missouri, will offer a substitute section for section 76 of the Hay bill, which will provide for the payment of National Guard officers of the higher as well as the lower commissioned grades. The bulletin suggests the members of the association communicate with their Senators and urge support for the Reed amendment.

Under this amendment all officers of the rank of captain and higher grades will receive an annual remuneration of $500. Under the Hay bill officers above the rank of captain serve without pay.

With the bulletin there was issued also by Gen. Foster a copy of a letter written to Senator BLAIR LEE, of Maryland, in which Gen. Foster denied that the National Guard Association was maintaining a lobby in Washington to influence pending military legislation. In that letter Gen. Foster coupled the Military Training Camps' Association with partisans of the proposed Volunteer Army, which is a feature of the Chamberlain or Senate bill.

The bulletin, which is dated April 10, says:

"Bulletin to the National Guard Association: The following information is furnished regarding the progress of the military bill in the Senate:

"Two of the amendments suggested by the executive committee of the National Guard Association have been considered. The first was an amendment to section 6 providing for a National Guard section in the General Staff to consist of five National Guard officers, etc. This amendment was passed. The second proposed to strike out section 56, known as the Volunteer Army section of the bill, but embracing the continental scheme as originally proposed by former Secretary of War Garrison. This amendment was defeated. The friends of the National Guard who undertook to strike out this section from the bill still feel that this may be accomplished. The bill is now being considered by the Senate acting as a Committee of the Whole. Later the bill will come before the Senate for formal consideration and to confirm the action taken by the committee. It is then proposed to again move to strike out section 56. The first vote was so close and there were so many Senators absent who would have supported the proposal to strike the section out that it is felt that reverse action may be still obtained.

"As you are probably aware, the present Senate bill provides pay for only captains, first lieutenants, and second lieutenants of companies. The Senate committee advanced the suggestion that as these were the only officers who actually drilled when not in the field and on full pay, and that as the pay for enlisted men was made upon the basis of drills, pay need not be provided for other officers. Unfortunately, this view (which seems plausible to the uninformed) has been accepted by many in the Senate who are friendly to the National Guard. The fact is that this provision accords with many other provisions of the Senate bill and the ideas of those who have guided the preparation of the Senate bill, which is that the National Guard should not be encouraged or even permitted to furnish officers for higher grades than those of the company.

PROVIDES PAY FOR OFFICERS.

"We first proposed to our friends that effort be made to substitute section 76 of the Hay bill for sections 108, 109, 110, and 111 of the pending bill. This would be very much preferable to the adoption of the provisions of the present bill. Senator REED, of Missouri, will, however, introduce a substitute section for section 108 of the Senate bill, which will read as follows:

"'SEC. 108. Pay for National Guard officers: Commissioned officers on the active list belonging to organizations of the National Guard participating in the apportionment of the annual appropriation for the support of the National Guard, shall receive compensation for their services (except during periods of service for which they may become lawfully entitled to the same pay as officers of corresponding grades of the Regular Army) as follows, not to include longevity pay: Captains and officers above the rank of captain, $500 a year; first lieutenants, $300 a year; second lieutenants, $250 a year. Regulations to be prescribed by the Secretary of War shall determine the amount and character of service that must be rendered by officers to entitle them to said pay: *Provided*, That only officers (line) or officers of the staff corps and departments on duty with organizations of the line shall receive pay.'

"This provision would be very much more favorable to the National Guard than would section 76 of the Hay bill, for, while the pay to officers above the grade of captain would be the same, the higher and other officers are included who would not draw pay under the Hay bill, but who should do so. It will be noted also that the provision authorizing the Secretary to make rules as to the duty to be performed by officers to entitle them to pay does not permit such rules to reduce the pay below the rate named, while under section 76 of the Hay bill the following phrase which occurs, viz., 'Regulations to be prescribed by the Secretary of State shall determine the amount and character of service that must be rendered by officers to entitle them to the whole or specific parts of the maximum pay hereinbefore authorized,' is undoubtedly intended to provide a means by which the regulations to be prescribed may be so fixed as to make it impossible for field or other senior officers to obtain the full pay authorized for their grades.

"It is recommended, therefore, that your Senators be urged to support the amendment to section 108 of the Senate bill, which will be offered by Senator REED, of Missouri, as being more fair and equitable to the National Guard and still providing no higher rate of pay than contemplated under the Hay bill.

"By rule adopted Saturday afternoon the consideration of the Military bill went over until Wednesday next at noon. The general debate will then continue until Friday, when a 10-minute rule will apply to all speeches and one speech to each amendment. It was agreed that the final vote on the bill and all amendments will be taken Tuesday, April 18.

"It is trusted that all receiving this bulletin, and particularly the adjutant generals of the States, are regularly receiving the CONGRESSIONAL RECORD, and thus keeping advised as to the debate on the bill. It is recommended that this be done. The attitude of Senator CHAMBERLAIN toward the National Guard, as brought out in the debate, has been somewhat surprising, but is explained perhaps by the influences with which he has been surrounded during the preparation of his bill. The National Guard representatives here have been attacked in a most unreasonable manner on the floor of the Senate by Senator CHAMBERLAIN and others, which has not been a pleasant experience, but has not had the effect of scaring us away, as was doubtless intended.

"The biased metropolitan press has endeavored to make much of this talk of a National Guard lobby, and continued references to the charges made by Senator CHAMBERLAIN occur. To meet this your committee has addressed a letter to Senator BLAIR LEE of Maryland, which appears in the CONGRESSIONAL RECORD of Saturday, April 8, and copy of which is inclosed. The publication of the substance of this letter in State papers is recommended, so as to overcome the ill effect of the lobby charge, as it remains unanswered.

"It is very important that there be a few National Guard officers here after Wednesday who can go direct to their Senators with proposals or recommendations which we may find it necessary to make.

"For the executive committee.

"J. CLIFFORD R. FOSTER, *Chairman.*

"For your information.

"GEORGE ALBERT WINGATE,
"*Member Executive Committee.*"

VIGOROUS DENIAL OF A LOBBY.

After he had urged the guard leaders to be in Washington and approach personally their Senators, Gen. Foster sent the letter to Senator LEE denying lobbying. The letter said:

"The charge that the National Guard is represented in Washington by a lobby, and that it is seeking by improper means to influence the action of Congress with regard to pending military legislation, would not perhaps call for comment if the statement had emanated from a less important source. As that charge has been made, it seems proper that this committee make a statement with regard to that matter. Inquiry suggests itself as to what constitutes a 'bold' or 'insidious' lobby?

"We may, without disadvantage, I think, compare the activities of the National Guard committee with those of other organizations interested in the same legislation. What the 'bold lobby' of the National Guard has done has already been stated. Here are some of the things it has not done:

"Those composing it have not sought to interview or called upon any Senator or Representative except when specially invited to do so.

"No printed matter has been gotten out or circulated.

"No headquarters is maintained, no publicity agent is employed, and no propaganda put forth."

Mr. JONES. Mr. President, I am not going to discuss the amendment at any length, but I want to ask the Senator who proposes it, in my time, a question or two that may have been answered at some time during the discussion, although not when I was here.

As I understand it, there are only two processes by which this nitric acid can be produced at the present time; those two processes are both patented and controlled by private parties, and the Government in order to engage in this manufacture will have to get one or the other of the processes. I wish to ask the Senator from South Carolina if any investigation has been made as to what the cost is likely to be of securing one of these processes.

Mr. SMITH of South Carolina. A statement was made in reference to these patents and a letter presented which it would take some little time to find in the RECORD. There is already in the RECORD a statement of a member of our Naval Advisory Board to the effect that there are a sufficient number of these patents, especially of the primary and fundamental principle which have already expired, for the Government to go ahead with the manufacture without having to purchase any very costly patent.

Mr. JONES. What do we know about the cost of the processes that we shall have to purchase?

Mr. SMITH of South Carolina. There are not any that would be extremely costly. In this letter it is stated that there are enough for the Government to go ahead and get these ingredients. We have also investigated as to the cost and obtained information from the very men who are most familiar with the matter in this country, and had it included in the $15,000,000 appropriation.

Mr. JONES. What was their estimate?

Mr. SMITH of South Carolina. Their estimate was that the appropriation of $15,000,000 would cover all that was essential to supply the Government with its needs.

Mr. JONES. How much of the $15,000,000 will go to private parties for the purchase of patents which we will have to get?

Mr. SMITH of South Carolina. I do not think any, under the statement from Dr. Baekeland.

Mr. JONES. But Dr. Baekeland may be mistaken. Has the Senator inquired from anyone else?

Mr. SMITH of South Carolina. I did from Dr. Norris, who was sent abroad three years ago, and he substantiated the same statement.

Mr. JONES. I have understood from the debate here that there are two processes—the cyanamide process and the arc process. Have we either one of them?

Mr. SMITH of South Carolina. The patents on both are available. The fundamental idea is available already, and provision is made for whatever is needed by purchase.

Mr. JONES. What I am trying to get at is, if these two are the only processes, and they are owned by private parties, how are we going to get them? I would like to know how much it is likely to cost. They must be very valuable. If there are only two, they must be worth a great deal, because the proposition of supplying fertilizers to the people of this country is a great thing and means a great deal to those who may control the processes by which the material is to be manufactured.

If the time ever does come, and I hope it will, when we open up the water-power resources of the country to private activity and private energy and private investment, these processes will be worth almost incalculable sums of money; and, unless we are going to say that we are going to keep these resources tied up, that we are not going to pass any water-power legislation by which private capital can go into it, and thereby diminish the worth of these patented processes, we are going to find ourselves compelled to pay a tremendous sum for these things. I should like to have had a more extended investigation as to what we are likely to have to pay for these things, what they are likely to cost, what these people are likely to ask for them, and, if we have to go into a condemnation, what they will be able to show before a jury that they are worth, and what we would have to pay. There does not seem to be very much information of that kind. One or two experts have said this and said that, but I have seen so many different statements of experts, I have heard so many different opinions expressed, and so forth, I think the matter ought to be looked into very carefully.

Mr. REED. Mr. President, perhaps I can make a little plainer the statement of the Senator from South Carolina. Alexander Graham Bell patented the telephone. He had a monopoly of the idea of the telephone—the fundamental principle. In a little while he patented an improvement, and then another, and another, until he had a great multiplicity of patents. When that fundamental patent expired the situation was such that any person could construct a telephone system, he being simply obliged to modify the apparatus slightly. The result was that independent telephone companies at once sprang up in the country.

The Senator from South Carolina says that the fundamental patents back of both these processes have expired; that all that remain in the hands of private parties to-day are patents that do not relate to the fundamentals but simply to the application of the fundamental principle. If that is true we need not get frightened.

Moreover, I make this suggestion to the Senator, that if that is true it will continue to be true by the continued multiplication of new patents, and if we are to pause for that reason we can pause forever. That was pretty well demonstrated in the testimony read by the Senator from Massachusetts [Mr. LODGE] this morning.

I make the further suggestion that in my opinion there is not a single doubt about this fact, that if a patentee undertook to hold the Government of the United States up we can pass a statute at once annulling his patent, for a patent is not a property right when the Government sees fit to repeal the patent law applicable to it. But that, of course, ought not to be done in fairness unless the owner of the patent is unfair.

Mr. JONES. I was going to suggest that that would not be followed except as a last resort.

Mr. REED. But it could be done very speedily if the patentee undertook to hold the Government up and deprive us of the opportunity to prepare ourselves for proper national defense.

Mr. JONES. Of course, I assume that we would condemn it, that we would make provision for it in the bill, and that would be the process we would go through.

The VICE PRESIDENT. The question is on the amendment of the Senator from Connecticut [Mr. BRANDEGEE] to the amendment of the Senator from South Carolina [Mr. SMITH].

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question recurs on the amendment of the Senator from South Carolina.

Mr. SMITH of South Carolina. Mr. President, I think the Senate was under a misapprehension as to the amendment that it voted upon. It was the amendment moved by the Senator from Connecticut to strike out "the Secretary of Agriculture" and substitute "the Secretary of War." I should like to have that amendment stated again so that the Senate may vote intelligently on it.

The VICE PRESIDENT. The Chair has decided that the amendment to the amendment has been adopted.

Mr. SMITH of South Carolina. I am quite sure Senators voted upon it under a misapprehension, and I think a mere oversight of that kind should be corrected.

The VICE PRESIDENT. The only way is to move to reconsider.

Mr. BRANDEGEE. The Senator from South Carolina could not make the motion, because he did not vote in the affirmative; but I do not want to take advantage of the Senate. If he thinks any Members voted under a misapprehension, I myself will move that the Senate reconsider its action.

The VICE PRESIDENT. The question is on the motion to reconsider the vote by which the amendment to the amendment was agreed to.

The motion to reconsider was agreed to.

The VICE PRESIDENT. The pending question is on the amendment of the Senator from Connecticut [Mr. BRANDEGEE]

to the amendment of the Senator from South Carolina [Mr. SMITH].

Mr. BANKHEAD. Mr. President, I think the amendment proposed by the Senator from Connecticut is a very wise one, for the reason I shall state. If we include in the amendment as it is proposed the Secretary of Agriculture as the person who is authorized to sell the surplus products of the plant, we simply create a divided responsibility. The Secretary of Agriculture may say there is a surplus here and I want to sell it for the purpose of fertilizers; the Secretary of War perhaps will say that there is no surplus that we can spare from our purpose, and therefore a conflict of authority at once arises. It does seem to me that the amendment suggested by the Senator from Connecticut would clear up this difficulty, and it certainly can do no harm, so far as the operation of the amendment is concerned.

Mr. SMITH of South Carolina. Mr. President, if it is going to lead to any discussion, as a matter of course I will submit the question to the Senate.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Connecticut to the amendment of the Senator from South Carolina.

The amendment to the amendment was agreed to.

Mr. SUTHERLAND. On page 2, line 17, after the word "fertilizers," I move to insert "and other useful products," so that it will read:

Needed for munitions of war and useful in the manufacture of fertilizers and other useful products.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Utah to the amendment of the Senator from South Carolina.

The question being put, there were on a division—ayes 15, noes 15.

The VICE PRESIDENT. It is a tie vote. The Chair votes "aye," and the amendment to the amendment is agreed to. The question recurs on the amendment of the Senator from South Carolina as amended.

Mr. BRANDEGEE and Mr. GALLINGER called for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the senior Senator from New York [Mr. O'GORMAN], but under an arrangement with him I am privileged to vote on this amendment. I vote "nay."

Mr. NELSON (when his name was called). I am paired with the junior Senator from Mississippi [Mr. VARDAMAN], and therefore withhold my vote.

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Arkansas [Mr. CLARKE], who is absent. For that reason I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Maryland [Mr. LEE] and vote "yea."

Mr. WALSH (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. LIPPITT], who appears to be absent this afternoon. I am advised that the Senator from Oklahoma [Mr. GORE] would, if he were present, vote "yea." I transfer my pair to that Senator and vote "yea."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. As he is absent, I will withhold my vote.

Mr. WILLIAMS (when his name was called). Repeating the announcement as to my pair and its transfer which I made upon the last roll call, I vote "yea."

Mr. ROBINSON. The senior Senator from Arkansas [Mr. CLARKE] is unavoidably absent from the Chamber on public business. If he were present, the Senator from Arkansas would vote "yea." He is paired, as has been stated, with the Senator from Utah [Mr. SUTHERLAND].

Mr. CURTIS. Mr. President, I am requested to announce the following pairs:

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON]; and

The Senator from Idaho [Mr. BRADY] with the Senator from Florida [Mr. FLETCHER].

The roll call was concluded.

Mr. OVERMAN. I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the junior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. MYERS. I reannounce my pair with the Senator from Connecticut [Mr. MCLEAN], who is absent. I transfer that pair to the junior Senator from Indiana [Mr. TAGGART] and vote "yea."

Mr. BECKHAM. I have a general pair with the senior Senator from Delaware [Mr. DU PONT]. I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER], of the junior Senator from Maryland [Mr. LEE], of the senior Senator from West Virginia [Mr. CHILTON], and of the junior Senator from Indiana [Mr. TAGGART], all of whom are paired.

Mr. OWEN. I transfer my pair with the Senator from New Mexico [Mr. CATRON] to the Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. SMITH of Michigan. I desire to announce the unavoidable absence of my colleague [Mr. TOWNSEND] on account of sickness in his family. He is paired with the Senator from Florida [Mr. BRYAN].

The result was announced—yeas 43, nays 22, as follows:

YEAS—43.

Ashurst	Kern	Pomerene	Smith, S. C.
Bankhead	La Follette	Ransdell	Sterling
Beckham	Lane	Reed	Stone
Broussard	McCumber	Robinson	Swanson
Clapp	Martin	Saulsbury	Thomas
Culberson	Martine	Shafroth	Thompson
Gronna	Myers	Sheppard	Tillman
Hollis	Norris	Simmons	Underwood
Hughes	Overman	Smith, Ariz.	Walsh
Husting	Owen	Smith, Ga.	Williams
Kenyon	Poindexter	Smith, Md.	

NAYS—22.

Brah	Cummins	Johnson, Me.	Smith, Mich.
Brandegee	Curtis	Jones	Smoot
Burleigh	Dillingham	Lodge	Wadsworth
Chamberlain	Gallinger	Oliver	Works
Clark, Wyo.	Harding	Page	
Colt	Hardwick	Sherman	

NOT VOTING—31.

Brady	Goff	Lippitt	Shields
Bryan	Gore	McLean	Sutherland
Catron	Hitchcock	Nelson	Taggart
Chilton	James	Newlands	Townsend
Clarke, Ark.	Johnson, S. Dak.	O'Gorman	Vardaman
du Pont	Lea, Tenn.	Penrose	Warren
Fall	Lee, Md.	Phelan	Weeks
Fletcher	Lewis	Pittman	

So the amendment of Mr. SMITH of South Carolina to the substitute reported from the Committee on Military Affairs was agreed to.

Mr. POMERENE. I offer the amendment, which I send to the desk, to the substitute reported by the committee.

The VICE PRESIDENT. The amendment proposed by the Senator from Ohio to the committee amendment will be stated.

The SECRETARY. On page 116 it is proposed to strike out from lines 1 to 17, both inclusive, and in lieu thereof to insert:

The President is hereby authorized to appoint and commission, by and with the advice and consent of the Senate, dental surgeons at the rate of 1 for each 1,000 enlisted men of the line of the Army. Officers of the Dental Corps shall have the rank, pay, and allowances of first lieutenants until they have completed five years of service, when they shall be eligible for promotion to the grade of captain. Officers of the Dental Corps, after 15 years of service, shall be eligible for promotion to the grade of major: *Provided*, That the number of majors at no time shall exceed 22 per cent of the strength of the Dental Corps: *Provided further*, That the officers of the Dental Corps shall have the rank, pay, and allowances, including the right to retirement on account of age, service, or disability, of officers of like grade in the Medical Corps of the Army, and that service heretofore rendered as contract dental surgeon shall be computed as commissioned service: *And provided further*, That examinations for promotion in the Dental Corps shall be governed by act of April 23, 1908, section 5, as prescribed for the Medical Corps, except that the examining and review boards shall consist of one medical and two dental officers.

Mr. POMERENE. Mr. President, the bill as presented by the Senate Military Committee provides for giving to members of the Dental Corps the pay and allowances of lieutenant or captain or major. Under the law as it exists to-day members of the Dental Corps are entitled to the rank of lieutenant. Under the amendment I have offered members of the Dental Corps will be given the pay, allowances, and rank of either lieutenant, captain, or major, under the terms and conditions provided in the amendment, which are substantially the same as those in the Senate committee substitute, save perhaps that there has been a change as to the length of time which they must serve before they may be entitled to promotions. Those promotions are to be granted upon examination.

Mr. President, under the law as it exists to-day, and under the substitute as reported to the Senate by the Senate committee, members of the Medical Corps are entitled to the rank and pay of lieutenant, captain, major, lieutenant colonel, colonel, and major general. We are only asking, by this amendment, that the dental surgeons be entitled, under the conditions provided, to the rank of lieutenant, captain, or major. I notice in examining the bill that chaplains are given the rank, as well as the pay and allowances, of certain officers; and I do not

quite understand why the dental profession should be discriminated against.

Senators are well aware of the very great advance which has been made by the dental profession in the last 50 years. We see in the newspapers to-day many accounts of the wonderful work which dental surgeons are performing in the hospitals and on the field of battle in Europe; and it has seemed to me that one of the reasons which heretofore has made medical work or dental work attractive to members of those professions is not so much the pay as it is perhaps the rank which is conferred upon its members under the statutory provisions now in vogue. Nearly every man who enters the Dental Corps, if he were simply seeking the financial emoluments connected with the office, could do better in his private practice; but he will be attracted by the fact that he may be entitled to some official rank. Some men may not regard that as of very much importance, but others do. The question of rank seems to be a matter of very great importance to the medical profession; and I would not be understood for one moment as attempting to decry the merits of that profession; but the dental profession is entitled to some recognition, as well. We are interested in having the Dental Corps so attractive that it will bring to it the best of the young men in that profession; and if we are going to deny to them the right of rank, certainly we are going to detract from the service itself. Let us encourage rather than discourage the young men of the great dental profession.

Mr. GALLINGER. Mr. President, will the Senator from Ohio permit me a question?

Mr. POMERENE. I will.

Mr. GALLINGER. Will the Senator state, for my information, and perhaps for the information of other Senators also, how high a rank is conferred upon chaplains in the Army?

Mr. POMERENE. It is only my impression, but I think the rank of captain is conferred upon them. I am not, however, certain about that; the bill itself provides that they are entitled to that rank, is my impression; but I would not state it as a fact.

I hope, Mr. President, the Senate will adopt the amendment which I have proposed, so that the dental profession may not be discriminated against.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. POMERENE. I do.

Mr. THOMAS. I should like to ask the Senator from Ohio, before he takes his seat, if he would not be satisfied with the provision which is found in the House bill upon this subject? He will find it on page 17 of the bill as it came from the House. My impression is that it is a well-considered proviso, and is preferable both to his proposed amendment and to the provision of the Senate bill.

Mr. POMERENE. As I recall that provision, it gives to the members of the Medical Corps the rank of captain——

Mr. THOMAS. Yes.

Mr. POMERENE. And also the rank of major?

Mr. THOMAS. No.

Mr. POMERENE. Well, Mr. President, of course it would be very much better that dentists be entitled to the rank of either lieutenant or captain, or both, than not to receive any recognition at all; but, in view of the fact that the Medical Corps receives these very much higher ranks—and I am not contesting the justice of that provision at all—the Senate might very readily consent to give to the dentists these three grades.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. The Senator from Massachusetts.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from Ohio a question before he takes his seat, and that is whether or not the provisions of the Senator's amendment increase the pay, or whether the dental surgeons now get the pay of lieutenant, captain, and major?

Mr. POMERENE. I am not sure as to that.

Mr. LODGE. No; it does not increase their pay. I understand they receive longevity pay.

Mr. CHAMBERLAIN. If I may answer the Senator, I will say that the amendment of the Senator from Ohio not only increases the rank that the dental surgeons now have, but with each increase in rank the pay increases, of course.

Mr. LODGE. But do they not now receive a longevity increase?

Mr. CHAMBERLAIN. Only in the grade of first lieutenant; that is all.

Mr. LODGE. There is no longevity increase after that?

Mr. CHAMBERLAIN. Not as I understand. I will say to the Senator that the maximum pay which the dental surgeons now receive under the law is $2,800 and allowances for quarters, heat, and light, which are equivalent to $450, making $3,250 as the amount which they get under the present law. Under the Senate bill the maximum pay is $4,000, with allowances amounting to $950.

Mr. LODGE. But, Mr. President, I think the Senator misunderstood me. The amendment of the Senator from Ohio does not increase the pay proposed by the bill.

Mr. CHAMBERLAIN. No; but there is this difference, I will say to the Senator, that the proposal of the Senator from Ohio is to give them rank as well as increase of pay.

Mr. LODGE. Certainly.

Mr. CHAMBERLAIN. And the amendment shortens the length of time they must serve to get the increase.

Mr. LODGE. But the amendment does not increase the pay which dental surgeons get under the bill, which, as reported by the committee, does not give them rank.

Mr. CHAMBERLAIN. No; I think not.

Mr. LODGE. That is what I said.

Mr. CLARK of Wyoming. On what page of the bill is the provision?

Mr. LODGE. Page 116. Was I recognized, Mr. President?

The VICE PRESIDENT. The Senator is recognized now. His 10 minutes will now start.

Mr. LODGE. Mr. President, I shall not consume all of my time. The bill, as it stands, gives dental surgeons the pay and allowances of first lieutenants until they have accomplished 10 years' service; after 10 years' service and up to 25 years' service they receive the pay and allowances of captain; and after more than 25 years' service they receive the pay and allowances of major. The proposition of the Senator from Ohio, as I understand, is simply to give them the rank. It provides that—

The President is hereby authorized to appoint and commission—

And so forth. The pending bill does not give them rank, although it gives them the pay and allowances for the rank.

Mr. President, during the many years which I have been here the question between staff and line has been frequently before both bodies and before committees on which I have served. I was never a friend in those days of giving high rank to the various divisions of the staff; but Congress always seemed to differ from me in that respect, and seemed always to have a great feeling of favor for the staff, and the question now seems to be well settled. The highest rank has been to the surgeons, to the paymasters, to the civil engineers in the Navy, and so on.

Mr. OVERMAN. And to chaplains.

Mr. LODGE. And to chaplains. Congress gave the relative rank, as it used to be called, to the different branches of the staff. That being the case and the policy being well settled, it seems to me a very unfair discrimination to leave out the Dental Corps, which has been established within the last 10 or 15 years in the Army.

The men who form that corps are necessarily highly educated. Their course during their first year at the medical school is the same as that taken by the men who intend to be surgeons and physicians; and then, as a rule, they are required to spend at least two years in a dental college. They are, as I have said, highly educated, and their branch of the medical profession has been constantly assuming a greater importance. They are subjected to severe examinations, and they have, to my mind, every qualification for rank that the Medical Corps has.

Of late years particularly, as we are all aware, there has been a very great development, indeed, in dental surgery. The Senator from Ohio has referred to the present war in Europe. As we all know, under the conditions of the present war face wounds and head wounds, owing to the explosive shells, are extremely common.

Mr. GALLINGER. And they are very severe.

Mr. LODGE. And they are very severe. There have been some most extraordinary benefits conferred on the wounded men by the application of the principles of dental surgery. There have been cases here in our own country where soldiers who have been badly shot in the head and face have been greatly relieved by mechanical dentistry; and that branch of the science has reached a very high point. There is a Harvard unit at this moment serving in France, and in the French hospitals their work has been widely noted. American dental surgery has always stood at the head of the dental profession everywhere in the world.

Now, as we have established this matter of staff and rank, and given high rank to paymasters, to members of the Medical Corps, and to chaplains, and, in the Navy, to civil engineers, giving such officers in some of these corps in the Army the rank of brigadier general and major general, and giving paymasters in the Navy the rank of admiral, it seems to me the very modest rank proposed to be given in the amendment of the Senator from Ohio to the members of the dental profession is

only fair, if we give rank to the staff corps at all. I think they ought to be included, and I hope the committee will accept the amendment of the Senator from Ohio proposing to give rank to the members of the Dental Corps.

Mr. CHAMBERLAIN. Mr. President, may I call the attention of the Senate to what the effect of the amendment will be? As the law stands now, dental surgeons have the rank, pay, and allowances of a first lieutenant. That is the highest rank that they have. The Senate bill, as it has been reported to the Senate, cuts out the provision giving them the rank of lieutenant, but gives them the pay and allowances of a lieutenant, of a captain, and of a major in due course, as they are promoted. As they serve a sufficient length of time they are promoted so that they receive pay and allowances but not rank from lieutenant to captain and from captain to major. The highest pay and allowances which dental surgeons will get under the Senate bill are those of a major.

Now, let me call the attention of the Senate to just one thing in that connection. Under the law which is proposed by the Committee on Military Affairs dental surgeons will have to serve 10 years as first lieutenants before they can be promoted and obtain the pay of captain, and they will have to serve 25 years before they can be promoted to the rank and obtain the pay of major. The amendment of the Senator from Ohio shortens those periods so that a man can be promoted from a lieutenant to a captain after 5 years and promoted to major after 15 years. They therefore will attain a higher rank in 15 years than it is possible for a man in the line sometimes to attain.

Mr. LODGE. May I ask the Senator a question?

Mr. CHAMBERLAIN. Yes, sir.

Mr. LODGE. The bill reported by the Senator very greatly increases their pay and allowances?

Mr. CHAMBERLAIN. Very greatly.

Mr. LODGE. But that bill takes from them the rank they now enjoy?

Mr. CHAMBERLAIN. Yes, sir.

Mr. LODGE. I have not carefully examined the amendment of the Senator from Ohio, and I did not know that the intervals were shortened by the amendment.

Mr. CHAMBERLAIN. They are.

Mr. LODGE. I do not think that is essential, but I do think they ought to have the recognition of rank.

Mr. CHAMBERLAIN. We have benefited their condition very materially, but have not given them increased rank.

Mr. BORAH. Mr. President, the practical working of the proposal to shorten the time they must serve before they can move up is to increase their pay.

Mr. CHAMBERLAIN. Certainly; it increases it very materially.

Mr. HARDWICK. Mr. President, if the Senator will yield for a question, would the Senator be willing to give them the rank as well as the pay and allowances according to the plan which the committee has worked out in the bill?

Mr. CHAMBERLAIN. I really do not think they ought to have it at all, Mr. President. If I had to go over the whole field again and start anew, I do not think any of the noncombatant forces ought to have rank; but we have heretofore started out by giving rank. Rank has been given to dental surgeons; it has been given to chaplains; it has been given to the Medical Corps, although none of these corps, except the Medical Corps, command troops. The result is frequently seen in the promotion so rapidly of a noncombatant, of a man who is confined to his office, that he goes away ahead of a man who has had to fight his way up to a higher grade.

Mr. CLARK of Wyoming. What is the motive in taking away rank from the Dental Corps?

Mr. CHAMBERLAIN. As compensation for that the committee has given them the pay and allowances of major.

Mr. CLARK of Wyoming. But at whose suggestion was this trade made—of rank for compensation?

Mr. CHAMBERLAIN. I do not know that anybody suggested it. I think it was along the line of the thought of the committee that they ought not to have any rank. It is the same way with the veterinarians. We have the same problem to meet there. The fact is that every civilian force that crowds its way into the Army asks for rank.

Mr. CLARK of Wyoming. What I can not understand is just why the committee should select the Dental Corps, deprive them of rank, and make a horrible example of them, leaving the other noncombatant corps intact as to rank. It does not seem like a square deal to me.

Mr. CHAMBERLAIN. Perhaps not. I realize fully what the Senator from Massachusetts [Mr. LODGE] has said, that in the modern method of trench fighting many of the wounds are above the shoulder, and dentists have done a great work in relieving the sufferings of those men so wounded; but dentists do not command.

Mr. LODGE. Neither do doctors.

Mr. CHAMBERLAIN. Doctors in the Army do command.

Mr. OVERMAN. Chaplains do not.

Mr. HARDWICK. And paymasters do not.

Mr. LODGE. Chaplains and paymasters do not command.

Mr. CHAMBERLAIN. There are a lot of men who have rank who ought not to have it; but when you start along that line it is difficult to stop.

Mr. CLARK of Wyoming. My question is, If you are going to take rank from one corps, why not take it away from all of them and, as the Senator says, make a scientific sweep of it?

Mr. CHAMBERLAIN. Possibly the Senator will help us to do that now?

Mr. CLARK of Wyoming. Not at all. I consider that the Dental Corps ranks up with the Medical Corps, so far as service in actual strife is concerned; and I think their service in time of peace is very important—as important as is the service of the surgeons—and it is growing greater and greater in importance all the time. It occurs to me that taking away the rank which they already have and seeking to compensate them with additional pay is making an example of the Dental Corps apart and alone from the other corps, and it looks like—I do not say it is—but it looks like somebody was working somehow against the Dental Corps and not against the system of noncombatant rank.

Mr. DU PONT. Mr. President, the whole matter at issue, as I see it, is a question of a fair deal to all concerned. The relative claims of the different branches of the staff have been brought forward with great persistency, and from all of them comes a demand for more pay, more rank, and more allowances, while the fighting force of the Army, who make no demands, are treated unfairly.

Take the case of the Dental Corps. A man enters the Army as a first lieutenant, and with this rank he is able, when he goes into a garrison, to turn every second lieutenant out of his quarters. In 10 years he becomes a captain. A young man may be 25 or 26 years old when he enters the Dental Corps of the Army and officers of his own age, who belong to the fighting force, have not by any means reached that rank. The ordinary course of promotion in the line averages from 12 to 14 years. It will be seen, then, that the noncombatant officers have an immense advantage over the part of the Army that does the fighting, the real bone and sinew of the Army; and I for one do not think that this is a fair proposition. Give them, if you please, equal consideration and equal advantages, but do not give them more. The members of the Dental Corps, as I understand it, are asking for increased rank. They were formerly only first lieutenants, and now they want to be captains and majors. The committee has felt that if anything was to be done for them it should be done for them on the lines set forth in the bill. We gave them a substantial increase in their pay, and we thought that was just and equitable to all concerned.

Mr. CLARK of Wyoming. Mr. President, may I ask the Senator a question?

Mr. DU PONT. I have concluded.

Mr. CLARK of Wyoming. I should like to ask the Senator a question.

Mr. DU PONT. Certainly.

Mr. CLARK of Wyoming. What was the reason for taking away the rank of first lieutenant, which they now have?

Mr. DU PONT. On the general principle that they should not have had any rank in the beginning; and it was thought, as the question of pay was a very vital and important one, that after they had served in the Army for a certain length of time they were entitled to more pay, as other staff officers get. But, then, if you are to give them rank insist upon longer service as a prerequisite. Do not foist them into the different grades over everbody else's head.

Mr. LODGE. That is not proposed.

Mr. CLARK of Wyoming. I should like to ask the Senator another question. If the right theory is to deprive the Dental Corps of rank, why, in order to be consistent, did not the reform touch the Pay Corps and the Medical Corps the same as the Dental Corps?

Mr. LODGE. They have covered the Pay Corps in the Quartermaster's Department.

Mr. DU PONT. There is no such thing as a Pay Corps in the Army. The only analogous corps are the veterinarians and the chaplains.

Mr. LODGE. And you put the dentists on the level of the veterinarians?

Mr. DU PONT. The veterinarians to-day think they are on the level of the dentists.

Mr. GALLINGER. Mr. President, I have great familiarity with the requirements of dental colleges at the present time, and as compared with what was required to get a dental education a very few years ago it is very astonishing to see the great advances that have been made. Indeed, a man to-day graduating in dentistry has to give as much time and as much attention to his profession as he has to graduate in medicine in the very best colleges of this country. Therefore I am very strongly in favor of giving these men adequate rank and giving them liberal pay. I would not discriminate in their favor over the medical officers, but I certainly would treat them with as much generosity.

Mr. DU PONT. Mr. President, may I interrupt the Senator a moment?

Mr. GALLINGER. Certainly.

Mr. DU PONT. The point of the matter is that the bill discriminates against the officers of the line; and I will ask the Senator if he is in favor of that?

Mr. GALLINGER. Does the bill itself so discriminate?

Mr. DU PONT. Yes; because it gives them superior advantages after shorter service than it does officers of the line.

Mr. GALLINGER. I have not looked into that.

Mr. DU PONT. That is the whole point.

Mr. GALLINGER. I stand by the suggestion I made that I think they ought to be given equal rank and equal pay.

Mr. President, if any Senator will take the trouble to look through a publication entitled "The Medico-Military Aspects of the European War," by Surg. Fauntleroy, and examine the plates in that interesting publication—which, I think, we are intending to print in rather large quantities for the use of the Senate—he can not fail to see that at the present time the requirements of the dental surgeon are certainly equally as great and important as those of the medical surgeon. The shells that are being used now, the shrapnel, are literally tearing the faces of the soldiers to pieces. They are playing so much greater havoc than ever was played in any former war that it requires very much greater attention than it ever did before, and these educated dentists are called upon to perform a service on the battle field such as was never dreamed of a few years ago.

Mr. OVERMAN. Mr. President, will the Senator allow me to ask him a question?

Mr. GALLINGER. Certainly.

Mr. OVERMAN. In time of peace do not the soldiers require more attention now? Has it not been discovered that constant attention to their teeth prevents disease? Take Riggs's disease, for example, and other diseases of the mouth. Are there not new discoveries among the dentists in relation to those matters?

Mr. GALLINGER. The Senator is right about that. If I should undertake to enumerate the diseases that are dependent upon the health of the teeth I think I would astonish some Senators, because it is a fact that a decayed tooth does develop a great many diseases in the human body that need very careful attention.

But what I wanted to say, and all I wanted to say, was that with the knowledge I have of the requirements for preparation on the part of the dental surgeon, the value of his services on the battlefield, and the value of his services in time of peace, I feel that he is entitled to very liberal consideration on the part of the Senate. For that reason, any amendment that is fair to all the various classes of the Army certainly ought to be extended to the Dental Corps.

Mr. POMERENE. Mr. President, a moment ago the Senator from New Hampshire asked me a question relative to the rank which is given to the chaplains. I am advised that all of them have the rank of captain save 15, and they have the rank of major.

Mr. GALLINGER. I had an impression that that was about the rank that was given to them.

Mr. POMERENE. Mr. President, there seems to be some objection to the form in which I have framed my amendment, slightly decreasing the number of years of service under which they would be entitled to these promotions. If it is going to avoid any objection to the bill, I shall be quite willing to withdraw that amendment; and I do withdraw it at this moment, but I offer the further amendment on page 116, to insert, on line 5, before the word "pay," the word "rank"; and on line 9, before the word "pay," the word "rank"; and on line 12, before the word "pay," the word "rank." This will then leave the bill just as it was framed by the committee——

Mr. HARDWICK. Mr. President, if the Senator will pardon me, it should be inserted also on line 13 before the word "pay."

Mr. POMERENE. Yes; I thank the Senator very much. Also, on line 13, I move to insert the word "rank" before the word "pay." This will leave the bill, then, just as it was framed by the committee, save that it gives to these officers the rank of lieutenant, captain, or major.

Mr. GALLINGER. Mr. President, I will simply suggest that I think the Senator has made a wise amendment to his first proposition. If these men are treated just as others of the Medical Corps are treated, they ought to be satisfied.

Mr. HUGHES. Mr. President, I am in favor of the amendment proposed by the Senator from Ohio [Mr. POMERENE], and I would go considerably further than perhaps he desires to go. I would give rank to other civilians now connected with the Army who are engaged in such a high class of work.

I can not see any reason for denying rank to dental surgeons. I can not see any reason for denying rank to veterinary surgeons. A veterinarian is a man who spends three or four years at a high-class college. He is a gentleman. He is entitled to anything that we can give him in the way of rank. I have a further reason for it, however. If there is a single thing offensive about the United States Army, it is this caste of rank. I do not suppose there is an army in the known world where the gulf between the enlisted man and the officer exists to such a degree as it exists in the United States Army.

I want to say to you that you are never going to have an army in this country that is worthy of the name until you make the service more attractive than it is to-day, and one of the ways to make it attractive is in some way to democratize your commissioned staff. The spectacle is intolerable to me of these gentlemen standing back and saying that this or that set of men, who are every bit as good as they are, who are as highly educated as they are, who are performing as valuable a kind of service as they are, shall not, forsooth, have rank; that they shall not be permitted to associate with these men engaged in a common work with them, engaged in the defense of the United States of America—not engaged entirely in the occupation of seeking to increase their rank, pay, and allowances.

What reason can there be for denying rank to these men? Why, the suggestion was made to increase their pay, to increase their allowances, to let the Treasury suffer, but do not permit dental surgeons and veterinary surgeons or any other kind of surgeons or chaplains or paymasters or anybody else who is doing useful work even in time of peace to enter this sacred circle!

I am against it all. I will give rank wherever I can give rank. I will give rank before I will give pay and allowances, and I will do whatever I can do to make it possible to have a Regular Establishment in a Republic.

We have an Army that is more incrusted with caste than the British Army. Caste is all right in England. Caste is all right in a country where men are taught to honor and respect caste in varying degree, from birth to death, but we have not any class of men in this country who are running around touching their caps and mumbling thanks for every little gratuity that is handed to them.

You are trying, and trying in vain, to have American boys put themselves in that class, and they never will do it; and you will never have an efficient Regular Army in this country so long as you make it necessary for an American boy to put behind him, at the behest of any commissioned officer, the rights and privileges that were his the moment he was born.

Mr. SMITH of Georgia. Mr. President, I wish to say only a word.

The dentists of the United States have honored a citizen of the city where I live with the position of president of their association. He has been deeply interested in this matter, and has written to me frequently about it. I feel that his pleasure at the action of the Senate would not be complete unless I, as the representative of the city, expressed also my thorough sympathy with the proposition of the Senator from Ohio, and my high appreciation of the great service that the dentists render to the health of the human race. For him I am extremely gratified, as well as for myself, at the evident purpose of the Senate to recognize the dentists in the Army with proper official title.

Mr. WORKS. Mr. President, I think a mistake was made in the beginning in giving rank to anybody but the fighting force of the Army. I have never seen any reason why a chaplain or a doctor or a dentist should be called "captain" or "major." I think the title of the profession of a physician or a dentist is amply sufficient, and he should be proud of it.

The physicians and surgeons are doing a great work in the war that is going on in Europe, and they are deserving of all credit for the part they are taking in the conflict; but as we have gone so far in that direction and have allowed rank to the others, I see no reason why there should be any discrimination

between them and the dentists. One is certainly as much entitled to be placed under rank as the other.

If I were to begin at the beginning, I should be in favor of dispensing with anything of that sort as to all of them. They should be paid, and well paid, for their services; but there is no reason that I am able to see why they should be given rank or called "captain" or "major" or any other title except the one that justly and fairly belongs to them. But under the conditions, as rank is allowed to the others, I feel disposed to treat the dentists just the same as the others.

The dentists of the country are undoubtedly taking a great interest in this matter. I have received, I think I may say, hundreds of letters, great numbers of letters, from dental organizations and from individual dentists who are taking a great interest in securing what is intended to be given them by the amendment which is now offered; and under the circumstances I am disposed to support it.

Mr. CHAMBERLAIN. Mr. President, the committee has no feeling that the dentists ought to be discriminated against. Like the Senator from California [Mr. WORKS], I see that a mistake has been made in giving commissions to this class of the service, but I differ from him in that when there is a chance to stop it a little bit I believe in stopping it.

There is this difference, however, between the Medical Corps and the Dental Corps: The Medical Corps is allowed 5⅞ men to a thousand soldiers, while the Dental Corps, I think, has 1 to 1,000. The Medical Corps commands the hospital units. The surgeon has men under him. A young Portland friend of mine, a young doctor, went over and took charge of the Red Cross Relief Association in Belgium. He commands a body of physicians. They obey him just exactly as the enlisted men of a company obey the captain. There is that difference. The Dental Corps is a part of the Medical Corps, and comes under the supervision of the Medical Corps. That is the distinguishing difference between the two.

If the Senate is determined to amend that anyway, then it ought at least to change the time of service to conform to the time specified in the Senate bill, because otherwise you will have majors in the Dental Corps over men who have been in the active service of the Army for a longer time than they and have not gotten any higher than first lieutenant.

Mr. OVERMAN. That is accomplished by the last amendment, is it not?

Mr. CHAMBERLAIN. It will not do it completely.

Mr. OVERMAN. It only adds to the bill the word "rank" before the word "pay."

Mr. CHAMBERLAIN. I understand what that does. Adding the word "rank" just gives them all these commissions.

Mr. President, I do want to take this occasion again to say that it is no wonder that the American youth does not enlist in the Army of the United States when such speeches are made as my good friend the Senator from New Jersey [Mr. HUGHES] has made here. There is not any caste in the Army except as there is a caste between an employer and an employee. There is bound to be a little line of cleavage in the very nature of things. It is not because the Army officer thinks he is a better man than the enlisted man, but there is that reserve between the two which is bound to exist in the very nature of things. There is not any caste. The enlisted man in the Army of the United States is treated like a prince in comparison with many of the laboring men in this country. So, with such utterances as the Senator from New Jersey sends out to the young men of this country, no wonder the young men do not enlist to serve their country. I say they are not treated in that way. I have never found it so, and I have come in contact with them nearly everywhere.

Now, Mr. President, I am going to suggest in all sincerity that if the Senate is determined to change that provision—and it seems to be determined to change it—the Senate bill ought to be changed only by giving rank, instead of modifying——

Mr. DU PONT. Mr. President, may I ask the Senator a question before he takes his seat?

Mr. CHAMBERLAIN. Certainly.

Mr. DU PONT. I want to ask him if he does not think that, so far as the question between the line and the staff is concerned, the principle of caste only enters into it as between those who fight and those who do not fight, as between the fighting men and the men who do not risk their lives in battle?

Mr. CHAMBERLAIN. Yes.

Mr. MYERS. Mr. President, I am very heartily in favor of this amendment, which has been brought to my attention. I think very sincerely that there is merit in it. It has long been the law to give rank to surgeons in the United States Army, and I do not see why dentists who enlist and perform faithful service to their country should not receive the same distinction as surgeons.

I do not see why a line should be drawn in favor of surgeons and against dentists. I can not see the reason for any such line of demarcation. Surely nobody would think of taking the rank away from surgeons and restoring them to the condition of privates. They render very great service to the Army, both in time of peace and in time of war. Surely no one would think of taking the rank from surgeons, to which they have long been justly entitled by recognition of law. Why should not the dentists have some recognition if they care to go into the Army, and bring their services and learning and knowledge and talents into the Army for the benefit of the country?

The dentists have to be men of knowledge and intelligence. According to the law of practically all the States now, they have to go to a professional school for four years before they can be licensed to practice their profession. In addition to that, in practically all of the States they have to have at least a high-school education, and in some States a college education. In practically all of the States, in addition to that, they have to take their professional training of three or four years in order to become qualified to practice their profession, according to the law.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. MYERS. With great pleasure.

Mr. GALLINGER. The truth is that a young man or a young woman who graduates from one of our first-class dental schools to-day takes the entire medical curriculum, except that of practice.

Mr. MYERS. That is what I understand.

Mr. GALLINGER. They graduate absolutely qualified to answer any question of a medical nature, as well as of a dental nature.

Mr. MYERS. Yes, sir. I thank the Senator from New Hampshire for that timely suggestion. That is what I understand. They have in large part to take the medical course, to qualify themselves for a knowledge of medicine as well as of dental surgery; and why there should be any discrimination against these men who enter the Army upon the invitation of the Government, and devote their knowledge, talents, and education to the service of the country, is more than I can see.

I think there is merit in the amendment. I think young men who are dentists of experience and knowledge and ability should be encouraged to go into the Army, and this amendment will surely offer them some encouragement. I think they are entitled so some distinction, more than a private soldier in the ranks, because they bring more knowledge and education and technical skill and intelligence to the discharge of their duties than a man who is a private; and if they are entitled to it, I think we ought to give it to them. I think justice demands it, and I am very heartily in favor of the amendment.

Mr. LANE. Mr. President, I am of the opinion that these men should receive the same degree of consideration as the members of the Medical Corps. Their line of training is about as severe, and in equity they should be granted the same degree of rank.

The VICE PRESIDENT. The question is on the amendment of the Senator from Ohio [Mr. POMERENE] to the amendment of the committee.

Mr. SAULSBURY. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. WADSWORTH. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. The Senator from New York offers the following amendment to the amendment of the committee:

On page 169, line 23, after the word "signed," strike out the remainder of the section and add the words:

"A contract of enlistment effective to create the status of Federal soldiers within the meaning of section 8, Article I, of the Constitution of the United States: *Provided*, That officers shall take and subscribe to the following oath of office: 'I, ———, do solemnly swear that I will support and defend the Constitution of the United States and the constitution of the State of ——— against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the President of the United States and of the governor of the State of ———; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of ——— in the National Guard of the United States and of the State of ——— upon which I am about to enter, so help me God': *And provided further*, That enlisted men shall take and subscribe to the following oath of enlistment: 'I do hereby acknowledge to have voluntarily enlisted

this — day of ———, 19—, as a soldier in the National Guard of the United States and of the State of ——— for the period of three years in service and three years in the reserve, under the conditions prescribed by law, unless sooner discharged by proper authority. And I do solemly swear that I will bear true faith and allegiance to the United States of America and to the State of ———, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the governor of the State of ———, and of the officers appointed over me according to law and the Rules and Articles of War.'"

On page 169, line 18, after the word "have," insert the words "taken and" and after the word "an" insert the words "oath of," and strike out the word "contract," so as to read, "have taken and signed an oath of enlistment."

On page 170 strike out all of section 73 and substitute a new section, as follows:

"SEC. 73. Federal status of present officers of the National Guard.—Commissioned officers of the National Guard now serving under commissions regularly issued shall continue in office as officers of the National Guard, subject to the provisions of this act, without the issuance of new commissions: *Provided*, That they take and subscribe to the oath of office provided for in section 71 of this act."

On page 172, line 5, after the word "in" insert the word "active."

On page 185, line 9, insert the word "active" at the end of the line.

On page 185, line 19, after the words "into the" insert the word "active."

Mr. WADSWORTH. Mr. President, it is with some trepidation that I offer this amendment at this hour in the afternoon, and particularly because I imagine that it may possibly give rise to a discussion of the constitutionality of both the Hay bill, so called, and the Chamberlain bill, so called, so far as those bills relate to the federalization of the national forces. However, it is apparent that both Houses of Congress intend to federalize the National Guard. This amendment is intended to strengthen the provisions of the bill in that direction. It is not intended or can not possibly be proposed to get anything for the National Guard. It is intended to require the guard to give more.

I call the attention of Senators to section 71 of the Senate committee bill, commencing near the bottom of page 169, which contains the provision of law under which a soldier of the National Guard enters into an obligation conditional with the Federal Government. It contains the following agreement which the soldier must take:

> In the event that the President of the United States shall order the National Guard into active service because of actual or threatened war within three years from the date of my enlistment I agree to serve as a member of the National Guard in the service of the United States within or without the continental limits of the United States for the period of three years from the date of said order or until discharged by order of the President of the United States.

Mr. President, in my humble judgment 95 or 98 per cent of the men who would undertake that agreement would abide by it should war break out and the President call for their services. Nevertheless, I can not see that that is a particularly wise or efficient provision of military law. Under that provision a man enlisting in the National Guard makes a voluntary agreement with the Federal Government to perform a voluntary act at some future time.

Mr. SMITH of Georgia. Is it not worse than that? Are we not legislating to require him to make an agreement which the Constitution never contemplated that he should make?

Mr. WADSWORTH. Mr. President, if I should embark on a discussion of the point raised by the Senator from Georgia I would be treading upon very thin ice, as that is a close point. I am not a lawyer, constitutional or otherwise; but I am impressed with the fact that at the best that language simply invites the man to make a voluntary agreement to do a specific act at his own volition at a later period, and should war break out and the President call upon the men who have made such an agreement and one of them should refuse he can not be compelled, in my humble judgment, to abide by that agreement, for he is not under the military jurisdiction of the United States, because prior to that time, the outbreak of the war, we will say, he has not been a Federal soldier.

The amendment which I have offered is for the purpose of federalizing the officers and enlisted men of the National Guard on the day they take their commissions in the guard if they are officers or on the day they enlist in the guard if they are enlisted men.

Under the provisions of the bill the Judge Advocate General of the Army, I presume, would be called upon to draw up a form of contract, as this amendment says, effective to create the status of a Federal soldier, and the officer and enlisted man would be called upon to sign an enlistment contract and take an oath of enlistment, creating as his primary obligation his adherence to the orders of the President and the Federal Government, and as his secondary obligation his adherence to the orders of the governor of his State and the constitution of the State in which he resides.

Mr. THOMAS. May I interrupt the Senator?

Mr. WADSWORTH. I yield to the Senator from Colorado.

Mr. THOMAS. Is there not a possibility of conflict between the orders of the President and those of the governor, and in such an event would not the oath proposed by the Senator be impossible of performance?

Mr. WADSWORTH. Again with some diffidence I express the opinion that the conflict if it occurs will result to the advantage of the Federal Government. I think it is not a new thing in our system of Government for an officer to undertake a dual obligation, one to the United States and its Constitution and one to the State in which he resides and its constitution. I know that the majority of civil officers when sworn into their duties in a State swear to take an oath to obey and abide by the Constitution of the United States and the constitution of their own State. I am of the very humble opinion that the dual obligation entered into by a military officer voluntarily on his part, with no compulsion under the provisions of the Constitution, which authorize Congress to raise and maintain armies, not as a part of the militia of the State but under that other provision of the Constitution, would hold those men in a primary obligation to the President and a secondary obligation to the governor.

Mr. CLARK of Wyoming. Will the Senator yield for a question?

Mr. WADSWORTH. I yield.

Mr. CLARK of Wyoming. Has the Senator any opinion as to what effect his amendment would have upon enlistment in the National Guard, whether a deterrent effect or otherwise?

Mr. WADSWORTH. My experience and observation have been in coming in contact with a great many members of the National Guard that the overwhelming majority of them now believe that they are Federal soldiers primarily; and those who doubt it want to be Federal soldiers. If there is anything that a modern guardsman wants it is to have it thoroughly understood and accepted as a matter of law that his first obligation is to the United States and that his second obligation is to the State. I think I am violating no confidence when I say that the suggestion for this amendment, although not all its language, a part of which is mine and a part of which I accepted, is the result of an informal conference with a law officer of the Army and that the suggestion of this amendment comes from the National Guard, who are exceedingly anxious to be known as American soldiers instead of New York soldiers or Wyoming soldiers, as the case may be.

The latter part of the amendment, Mr. President, commencing at the bottom of page 2 of the amendment, referring to page 169, line 18 of the bill, and those portions of the amendment following thereafter are simply for the purpose of making those sections of the bill conform with this amendment to section 71 if it is adopted.

You will notice that the word "active" is inserted in line 5, page 172, and again in line 9 of page 185. That word is inserted for the purpose of drawing a distinction between service of the United States and active service of the United States. In my judgment, if this amendment is adopted a man when enlisting in the National Guard puts himself in the service of the United States primarily, and then when the President calls upon the National Guard in time of war or threatened hostilities the guardsman comes into the active service of the United States, and then commences to receive the pay and allowances of a regular soldier. That is the object of those succeeding amendments or corrections.

The VICE PRESIDENT. The time of the Senator from New York has expired.

Mr. CHAMBERLAIN. Mr. President, the committee have had this proposed amendment of the Senator from New York under consideration, and so far as the committee can accept it they are willing to accept it.

Mr. OVERMAN. I desire to ask the Senator from New York a question. I understood him to say that his amendment not only federalizes the National Guard, but puts them under the jurisdiction of the President. Would not that conflict with the jurisdiction of the governor in calling them out if he needs them in the case of an emergency?

Mr. WADSWORTH. Not, in my judgment, unless the Federal Government has superior need for them at that particular time.

Mr. OVERMAN. Would not the governor of a State have to ask the President of the United States whether he could call them out or not?

Mr. WADSWORTH. Not at all.

Mr. OVERMAN. There might be a conflict of jurisdiction.

Mr. WADSWORTH. I hardly think that is possible.

Mr. WORKS. Mr. President, the idea that the Government of the United States may fix the liability of one of its citizens to serve it in time of war or in time of peace by a contract and

not by law is to me rather a novel proposition. The obligation of a member of the National Guard is fixed by the Constitution as a result of his enlistment in the National Guard. Whenever he enlists in the National Guard his obligation to the National Government is just as much fixed as his obligation to serve his State. The Constitution provides in express and explicit terms upon what contingency and under what circumstances the National Government may call him into the service. There is no necessity for any contract about it. The amendment offered here is evidently an attempt to avoid the effect of the Constitution and make him a Federal instead of a State soldier.

I do not myself believe, as I have said, in the federalization of the National Guard. I think the duty of a member of the National Guard is first to his State, and that he is only obligated to serve the National Government when one of the conditions arises under which the Government may call upon him for his services. I think it is quite well enough to leave it in that condition.

Mr. NELSON. May I ask the Senator a question?

Mr. WORKS. Certainly.

Mr. NELSON. Is it not true that, under this paragraph of the Constitution "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," until the State militia are called out under that provision of the Constitution they can not well be in the Federal Army?

Mr. WORKS. Certainly not.

Mr. NELSON. They are State troops, are they not?

Mr. WORKS. They are State troops, and any contract made or any oath taken by a member of the National Guard to do anything more than is provided in the Constitution would be absolutely void.

Mr. THOMAS. Mr. President, I think the proposed amendment has some advantages over the text of the bill for which it is substituted, but I am unable to see how the taking of the oath, even if it provides for officers and men, will change their status under the Constitution of either, or in any manner federalize them. However that may be, the oath may put those taking it in the dual position of subservience to the governor of the State of which he is a citizen and also of the President of the United States, in requiring that the orders of both shall be obeyed, for these orders may not always harmonize.

I do not think, Mr. President, that this status of the soldier taking the oath would be analogous to that of a State officer who subscribes to an oath to support the Constitution of the United States and of the State. The Constitution of the United States is a grant of power from the States to the Nation, and all that is not granted expressly or by necessary implication is retained by the States respectively. An oath to support the Constitution of the United States and of the State can not therefore involve any conflict of duty, certainly not since the supremacy of the Nation has been determined by the arbitrament of arms.

But under the Constitution the governor of the State, not the President, is commander in chief of the militia within his Commonwealth until ordered out by the President; and while the discipline and organization of the militia is under the control of the National Government, it is officered by the governor in virtue of his supreme command. The militia can be used for three national purposes only. It may be mobilized to execute the laws, to suppress insurrection, and to repel invasion.

The President has the authority under the Constitution as the Commander in Chief to use the Federal forces for every legitimate purpose, including the three specific things, for which he may mobilize the National Guard. But should he call them out for some other than one or more of the three duties specified I can easily understand how conditions might arise, or a situation present itself, which would justify the governor in issuing an order countermanding that of the President and therefore clearly within the scope of his authority.

Suppose, for example, that the Mexican situation should materialize into one making intervention unavoidable, and the President should summon the National Guard for duty in Mexico. Suppose, for example, he should order the National Guard of the State of Colorado for purposes of invasion, intending to use them beyond the border, into the Republic of Mexico, such mobilization, while it would find ready response, would not be to execute the laws to suppress insurrection or to repel invasion. And suppose in such event that the governor, for reasons justifying his action to himself, should issue an order countermanding that of the President and forbidding the National Guard to leave the State. The oath required by this amendment would be impossible of performance.

Therefore, even if we have the power to do so, which I doubt, I very much question the propriety of either providing for a contract from the members of the National Guard or exacting such an oath as is contemplated by the amendment offered by the Senator from New York, or any oath whatever. The enlistment carries with it the performance of every duty which either President or governor may rightfully require.

Mr. REED. Mr. President——

Mr. THOMAS. Congress has no power to exact from a citizen of the United States, either by oath or otherwise, the attempt to perform an impossible duty.

Mr. REED. I was going to ask the Senator from Colorado a question, but he has taken his seat and I will ask it in my own time.

Mr. THOMAS. I thought the Senator rose to take the floor in his own right or I would have yielded for his question.

Mr. REED. I do not agree with the position taken by the Senator from Colorado, that if the militia of Colorado were to-day ordered to the border of Mexico for the purpose of defending the country against an invasion the power would not exist in our Government to send the militia beyond the border.

Mr. THOMAS. That was not my statement; or, if I did say that, I did not intend to make the statement.

Mr. REED. That was as I understood the Senator; but if it was not his intention——

Mr. THOMAS. Oh, there is no question, in my judgment, that the President has the power to order out the militia to repel invasion.

Mr. REED. And so the President has the right to order them beyond the border.

Mr. THOMAS. But not to invade another country in an offensive war. I do not think any such power exists.

Mr. REED. Mr. President, that brings me just to this question; and I mention it now because it has been often mentioned in these debates: When it comes to the question of repelling an invasion, who is to decide how that invasion is to be repelled and from what point it is to be repelled? It must be decided by the Commander in Chief of the Army and Navy of the United States. It is utterly absurd to say that the President of the United States can order the troops to stand along the northerly side of the red line of the map between our country and Mexico, and that, if it becomes necessary in order to defend this country, he could not send them across that line to annihilate or to capture the force of men congregated just beyond our borders for the purpose of invading our country.

Mr. THOMAS. Does the Senator——

Mr. REED. Just a moment. So, if we are engaged in a war with another country—and we know we are constantly liable to invasion—the power undoubtedly exists, in my humble judgment, in the President to go into that other country and to destroy the military forces of that country which are liable to invade this country. We are not obliged to defend our country from invasion solely by standing upon our own soil and waiting until we are actually invaded, but we have the right to go anywhere and to do anything which it is necessary to do in order to defend our country from attack by a foreign enemy.

This doctrine about armies for defense and navies for defense has been stated here until one would think that our Navy was organized simply to hang around the coasts of this country and to repel the enemy when once they have come within gunshot of our shores; whereas, in actual practice, the probabilities are—the very great probabilities are—that in wars, commonly called defensive wars, our Navy would strike its very first blow hundreds and, mayhap, thousands of miles from our shores.

There is no such thing, strictly speaking, as a defensive war, because the defense implies offense. You can not defend unless you attack; and the place of attack is the place where the greatest advantage may fall to you. I therefore do not entertain the slightest doubt that if our Government was engaged in a war that war would necessarily be an offensive war, because if attacked, or having attacked another nation and in turn being attacked, we are at once upon our defense; and attack is the very best method of defense in many instances.

Accordingly, in the present Mexican situation, if it should develop now to a point that is feared by some—and I hope their fears are groundless—where our Regular forces in Mexico should be attacked, and if it became necessary to send troops to their assistance, I have not the slightest doubt that every member of the militia in the United States could be ordered into Mexico. Neither have I the slightest doubt about the proposition that every living man would go, and do his duty.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Missouri yield to the Senator from California?

Mr. REED. Well, I think my 10 minutes are about up.

Mr. WORKS. I was going to ask the Senator simply whether he thought anything could be added to the obligation of a member of the National Guard by taking a specific oath to do certain things? Does not the obligation rest upon him by virtue of his enlistment, under the Constitution?

Mr. REED. I am inclined to think that the Senator from California is correct about the proposition, that the enlistment carries with it all that is necessary; and yet I never saw any harm in asking citizens of the United States to swear that they will support the Constitution of the United States and defend that Constitution against all comers.

Mr. SMITH of Georgia. Mr. President, I ask that the amendment proposed by the Senator from New York [Mr. WADSWORTH] be stated by the Secretary.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the Senator from New York to the substitute reported by the committee.

Mr. WADSWORTH. I ask that the Secretary start at the beginning of the section to which the amendment is proposed and to read it as it will be if the amendment shall be adopted.

The PRESIDING OFFICER. The Secretary will read as requested.

The SECRETARY. Section 71, down to the point where the amendment proposed by the Senator from New York [Mr. WADSWORTH] begins, reads as follows:

SEC. 71. Federal enlistment contract.—The provisions of this act, as to the National Guard, shall not apply to enlisted men thereof who have not signed—

From that point the matter proposed to be inserted is new, and reads as follows—

A contract of enlistment effective to create the status of Federal soldiers within the meaning of section 8, Article I, of the Constitution of the United States: *Provided*, That officers shall take and subscribe to the following oath of office: "I, ———, do solemnly swear that I will support and defend the Constitution of the United States and the constitution of the State of ——— against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the President of the United States and of the governor of the State of ———; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of ——— in the National Guard of the United States and of the State of ———, upon which I am about to enter; so help me God:" *And provided further*, That enlisted men shall take and subscribe to the following oath of enlistment: "I do hereby acknowledge to have voluntarily enlisted, this — day of ———, 19—, as a soldier in the National Guard of the United States and of the State of ———, for the period of three years in service and three years in the reserve, under the conditions prescribed by law, unless sooner discharged by proper authority. And I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of ———, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the governor of the State of ———, and of the officers appointed over me, according to law and the rules and articles of war."

The amendment also proposes to strike out all of section 73, as printed in the committee amendment, and to insert in lieu thereof:

SEC. 73. Federal status of present officers of the National Guard.—Commissioned officers of the National Guard now serving under commissions regularly issued shall continue in office as officers of the National Guard, subject to the provisions of this act, without the issuance of new commissions: *Provided*, That they take and subscribe to the oath of office provided for in section 71 of this act.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from New York [Mr. WADSWORTH] to the committee amendment.

Mr. SMITH of Georgia. Mr. President, I still can scarcely grasp the meaning of the amendment proposed by the Senator from New York. It reads—

A contract of enlistment effective to create the status of Federal soldiers.

I do not exactly understand what that means. Does it mean that the National Guard are to make contracts to enlist as members of the militia, and that that will place them in the status of Federal soldiers within the meaning of article 1 of the Constitution of the United States, before the President calls them into service?

Mr. WADSWORTH. Mr. President, the purpose of that language is to have it clearly defined that, if a man enlists in the National Guard from now on, he enlists primarily for the service of the United States, and, secondarily, for the service of the State.

Mr. SMITH of Georgia. Mr. President, that answers me sufficiently, and that makes it utterly impossible that I could vote for such an amendment, as I view the matter and regard my oath to support the Constitution of the United States.

The control of the militia is put in the charge of the States. They are primarily State troops and not Federal troops. We can not change that by statute; we have no right to change it by satute, so long as Senators regard the Constitution as I view it. The paragraph, I thought, was bad enough before; but this, I think, moves it further in the direction to which I was objecting.

Mr. WADSWORTH rose.

Mr. SMITH of Georgia. Does the Senator desire to ask me a question?

Mr. WADSWORTH. My purpose in rising was to suggest to the Senator that under Article I, section 8, of the Constitution there resides in Congress the power to raise and support armies. It strikes me that Congress has the right to raise and support an army in any way it pleases under that section, and, if it may do so jointly with a State, outside of the militia provisions of the Constitution entirely, I can see no objection to it, provided the primary duty of the soldier or the officer is to the United States. This is not under the militia provision.

Mr. WORKS. Mr. President, I should like to ask the Senator from Georgia whether he does not think that the taking of an oath of that kind—which is an attempt to make the soldier a Federal soldier instead of a State soldier—would be an act of disloyalty?

Mr. SMITH of Georgia. I think it is an effort to take the soldier away from his legal status and place him in another, just as the contract in this paragraph, I think, is an effort to take him away from his legal, constitutional status and place him in another. The contract provided on page 170 requires that he shall agree "to serve as a member of the National Guard in the service of the United States within or without the continental limits of the United States." Why is that provision made? Why put in a contract provision requiring a member of the National Guard or militia to agree to serve without the continental limits of the United States, except because the Constitution does not locate him there and his normal position as a member of the National Guard does not take him there? The Constitution expressly provides that Congress shall have power—

To provide for calling forth the militia to execute the laws of the Union, to suppress insurrections, and repel invasions.

Then the Constitution declares that the States respectively are to name the officers and train the militia. The President is only authorized by the Constitution to command the "militia of the several States when called into the actual service of the United States."

Now, why require this contract that he shall go beyond the continental limits of the United States, requiring him to do that which he would not be required to do under his constitutional status?

Then later on is a provision, which Congress is asked to pass, that unless he agrees by contract to do what Congress can not legally require him to do no money shall go to him at all and none to those branches of the National Guard who fail to make the contract.

I do not understand whether the amendment of the Senator from New York is to supersede this contract. I will ask him if it is to take the place of that entire section?

Mr. WADSWORTH. Mr. President, it is to supersede that part of section 71 under which the man enlisting in the National Guard undertakes a voluntary agreement to perform a voluntary act at a future time. It is an effort to clarify his status.

Mr. SMITH of Georgia. If the amendment of the Senator from New York prevails, then the contract contained in this paragraph is stricken out?

Mr. WADSWORTH. On page 170?

Mr. SMITH of Georgia. On page 170.

Mr. WADSWORTH. It is not a contract; it is an agreement.

Mr. SMITH of Georgia. If that is not a contract, I can not distinguish what a contract is.

Mr. WADSWORTH. Will the Senator from Georgia indicate what court or power would enforce such an agreement?

Mr. SMITH of Georgia. Any agreement is a contract. I think there is no power of enforcement in this instance, because I think it is an effort to make him contract in disregard of limited power conferred on Congress by the Constitution of the United States; and I think the entire provision would fall as unconstitutional.

Mr. WADSWORTH. Mr. President, my amendment does not propose to have the man swear to serve within or without the United States; that is in the bill now. The Senator has laid some emphasis upon that point.

Mr. SMITH of Georgia. I was attracted first to the Senator's amendment, hoping that it was intended to get rid of the objectionable feature which I thought was in the paragraph. I object to that part of the Senator's amendment which contains the language "a contract of enlistment effective to create the status of Federal soldiers." Why not "members of the militia"? The Constitution provides for the organization of the militia; the Constitution evidently contemplated a distinction between the Regular Army and the militia. There was to be a Regular Army entirely within the control of the United States and a militia primarily in control of the States, but to be called in certain instances to the active service of the National Government.

Mr. NELSON. Mr. President, may I ask the Senator a question?

Mr. SMITH of Georgia. Yes.

Mr. NELSON. Can the National Guard or the State militia under any conditions be in the service of the United States until they are called out by the President?

Mr. SMITH of Georgia. Certainly not; and the President can only call them out as Congress provides, and Congress can only provide that the President may call them forth for limited purposes.

Mr. NELSON. I think the Senator is right.

Mr. SMITH of Georgia. The very distinction between the militia, as contemplated by the Constitution, and the Army is that the militia are not in the service of the United States until they are called out, and then the Constitution provides the circumstances under which Congress may authorize the President to call them out. I do not believe, even though we enact a law following the language of the Constitution, that there will be any serious trouble about using the National Guard whenever they are required. I agree with the Senator from Missouri [Mr. REED]. I know I can speak for the National Guard of my State, that if the President called them out to-morrow and declared that he needed them to go to the border of Mexico there is not a man who would not go, unless he had some providential cause which stopped him, and the only thing that would stop him at the border, when he got there, would be that he was required by the President to stop.

Mr. HARDWICK. If my colleague will pardon a suggestion, the entire first regiment of the Georgia National Guard enlisted in a body, officers and men, during the Spanish-American War.

Mr. SMITH of Georgia. And the only complaint in the Spanish-American War of the National Guard of Georgia was that the President would not let them go to Cuba as fast as they wanted to go.

Mr. REED. Mr. President, in the Spanish-American War 100 per cent of the National Guard of Missouri enlisted.

Mr. SMITH of Georgia. I do not believe in undertaking in this bill to put obligations on the National Guard that the Constitution does not permit Congress to place on them, and I do not believe in undertaking to turn them, as the amendment of the Senator from New York seeks to turn them, into a class to which they can not legally belong.

Mr. WORKS. Mr. President, does the Senator think we can impose any duty on them that is not fixed by the Constitution?

Mr. SMITH of Georgia. I do not, and I do not think it is necessary. I feel sure we can not, and I am equally sure that it is uncalled for.

Mr. CUMMINS rose.

Mr. SMITH of Georgia. Does the Senator desire to ask me a question?

Mr. CUMMINS. I will not ask it, because I see the Senator's time has about expired.

The VICE PRESIDENT. The time of the Senator from Georgia has expired.

Mr. CUMMINS. Mr. President, I have not heard the discussion up to this time, as I have been necessarily absent for a few minutes; but I confess that I can not understand this fear of the National Guard and the disinclination to take advantage of the National Guard for the Nation's need.

The amendment offered by the Senator from New York [Mr. WADSWORTH] is a limitation upon the bill rather than an extension of the bill. Does anyone doubt that under the circumstances named in the Constitution the President can order the National Guard into the service of the United States? Certainly no one will question that. If the President can order the National Guard into the service of the United States, what possible objection is there to the oath that the Senator from New York suggests? Why should not the National Guardsman agree or undertake in his oath to obey the President of the United States when the President acts within his constitutional power? And it must be assumed that the order that is to be given by the President, and the order which the guardsman agrees to observe, will be an order given by the President under his constitutional power.

Mr. THOMAS. Mr. President, does not the enactment of a statute requiring the oath presuppose that the oath is necessary?

Mr. CUMMINS. Mr. President, I can not say definitely about that. I think the guardsman would be subject to the orders of the President without taking the oath that is here suggested. I have no doubt about that. But why should not a soldier take an oath and agree to do the thing that he will be required to do if the order is issued by the President? I can not understand.

Mr. THOMAS. If he is required to do it because of his enlistment, why should we add a further requirement?

Mr. CUMMINS. Why should we not add to it?

Mr. THOMAS. Because it is unnecessary.

Mr. CUMMINS. There are many things in the bill that the Senator from Colorado has helped to report that are not necessary.

Mr. THOMAS. Yes; and if the Senator will point them out, I will agree that they should be eliminated.

Mr. CUMMINS. And there are a great many things that might be inferred that are here stated. I believe in making the people understand the relation which does exist between the officer of the National Guard and the General Government.

Mr. WORKS. Mr. President——

Mr. CUMMINS. I can not yield. We ought to know—every one of the National Guardsmen ought to know—from the very moment that he enters the service, that the laws of his country, the Constitution of his country, and his own obligation, require him to come into the country's service whenever the event arises upon which he can be called.

The objection, it seems to me, must be based upon a suspicion of the integrity and the patriotism of the National Guard. It is a part of the constant effort to keep this military arm or force in our Government away from the duty which it may be required to perform, and which I think it ought to perform whenever the occasion arises.

I do not believe that the bill ought to contain, as it does now contain, a provision that the guardsman, whether officer or enlisted man, must render his service within or without the continental limits of the United States. I think he can be required under some circumstances to render it beyond the limits of the United States; but that is so doubtful a question, and depends so much upon the circumstances of the service, that I have questioned the propriety of inserting it in the bill or in the agreement. I hope, however, that the Senate will not refuse to adopt the amendment proposed by the Senator from New York, and by its adoption explicitly establish the relation which really exists between the officer of the National Guard and the Government.

With respect to the first part of the amendment, I have less concern. The preliminary statement that this obligation or oath shall establish the status of a Federal soldier to me is unimportant. That is merely a construction of the effect of the proposed oath or agreement. In my opinion, the very moment the guardsman is called into the service by the President of the United States he is a Federal soldier, and nothing that Congress can say will deprive him of that character and that relation to the Government.

I see no objection whatever to it, but I see no effect which can be brought about by the use of those words. I hope they will be retained simply as educational suggestions, so that the minds of the people will gradually come to understand just what a guardsman is and what his relation to the Government of the United States is.

Mr. SMITH of Georgia. Then, Mr. President, does not the Senator think that there ought to be a distinction between the two statuses, so that the soldier will understand his different relation?

Mr. CUMMINS. Mr. President, he does understand it. We all bear a dual relation to the governments of this country. I am a citizen of the State of Iowa and I am a citizen of the United States, and I can render my duty to both these forms of organized society without any conflict whatsoever. Just so can the National Guardsman. He is a soldier of the United States and a soldier of the State as well, depending upon the circumstances under which he serves.

The VICE PRESIDENT. The question is on the amendment of the Senator from New York [Mr. WADSWORTH] to the amendment of the committee.

Mr. CUMMINS. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. OVERMAN. Let us take a recess.

Mr. SMITH of Georgia. We can not have a yea-and-nay vote to-night.

Mr. OVERMAN. I move that we take a recess until to-morrow.

Mr. CHAMBERLAIN. Mr. President, I hope the Senate will vote on this amendment to-night.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. SMITH of Georgia. Mr. President, before the roll call begins, I move that when we take a recess to-day we recess until to-morrow morning at 11 o'clock; that not later than 8 o'clock this evening we take a recess until 11 o'clock to-morrow morning.

Mr. OVERMAN. What is the motion?

Mr. SMITH of Georgia. The motion is that not later than 8 o'clock this evening we take a recess until 11 o'clock to-morrow morning. What I desire is simply to get the recess in before we call the yeas and nays and disclose the lack of a quorum, after which we can do nothing but adjourn. That is the object I had in view.

Mr. OLIVER. I move to amend that motion by inserting "6" instead of "8."

Mr. SMITH of Georgia. I accept that.

The VICE PRESIDENT. The motion is that the Senate recess not later than 6 o'clock this evening until 11 o'clock to-morrow morning.

The motion was agreed to.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. JOHNSON of Maine (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. GRONNA]. In his absence I withhold my vote.

Mr. OWEN (when his name was called). I transfer my pair with the junior Senator from New Mexico [Mr. CATRON] to the junior Senator from Illinois [Mr. LEWIS] and will vote. I vote "nay."

Mr. THOMAS (when his name was called). In the absence of my pair, the senior Senator from North Dakota [Mr. MCCUMBER], I withhold my vote.

Mr. WALSH (when his name was called). I am paired with the senior Senator from Rhode Island [Mr. LIPPITT], who is absent. I transfer that pair to the junior Senator from Oklahoma [Mr. GORE] and will vote. I vote "yea."

Mr. WILLIAMS (when his name was called). Repeating the announcement which I made on the last roll call, I vote "yea."

The roll call was concluded.

Mr. BECKHAM. I am paired with the senior Senator from Delaware [Mr. DU PONT]. I understand that Senator has not voted, and I withhold my vote.

Mr. JOHNSON of Maine. I transfer the pair which I have heretofore announced to the junior Senator from California [Mr. PHELAN] and will vote. I vote "nay."

Mr. POMERENE. I desire to announce the unavoidable absence of the junior Senator from Delaware [Mr. SAULSBURY] on official business. He is paired with the junior Senator from Rhode Island [Mr. COLT].

Mr. STONE. I have a pair with the senior Senator from Wyoming [Mr. CLARK], who is absent. I therefore withhold my vote.

Mr. MYERS. I transfer my pair with the junior Senator from Connecticut [Mr. MCLEAN] to the junior Senator from Indiana [Mr. TAGGART] and will vote. I vote "nay."

Mr. THOMAS. I transfer my pair to the junior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Idaho [Mr. BRADY] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Michigan Mr. [TOWNSEND] with the Senator from Florida [Mr. BRYAN];

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE];

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES];

The Senator from New Hampshire [Mr. GALLINGER] with the Senator from New York [Mr. O'GORMAN]; and

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH].

The roll call resulted—yeas 22, nays 23, as follows:

YEAS—22.

Brandegee	Kenyon	Poindexter	Wadsworth
Chamberlain	Kern	Pomerene	Walsh
Cummins	Lodge	Sheppard	Warren
Curtis	Oliver	Sherman	Williams
Harding	Page	Smith, Mich.	
Jones	Pittman	Sterling	

NAYS—23.

Bankhead	Martin, Va.	Ransdell	Thomas
Burleigh	Martine, N. J.	Robinson	Thompson
Hardwick	Myers	Shafroth	Underwood
Hughes	Nelson	Smith, Ariz.	Vardaman
Johnson, Me.	Overman	Smith, Ga.	Works
Lane	Owen	Swanson	

NOT VOTING—51.

Ashurst	Dillingham	La Follette	Saulsbury
Beckham	du Pont	Lea, Tenn.	Shields
Borah	Fall	Lee, Md.	Simmons
Brady	Fletcher	Lewis	Smith, Md.
Broussard	Gallinger	Lippitt	Smith, S. C.
Bryan	Goff	McCumber	Smoot
Catron	Gore	McLean	Stone
Chilton	Gronna	Newlands	Sutherland
Clapp	Hitchcock	Norris	Taggart
Clark, Wyo.	Hollis	O'Gorman	Tillman
Clarke, Ark.	Husting	Penrose	Townsend
Culberson	James	Phelan	Weeks
Colt	Johnson, S. Dak.	Reed	

The VICE PRESIDENT. On the amendment of the Senator from New York to the amendment of the committee, the result of the vote is yeas 22, nays 23. Senator BECKHAM and Senator STONE are present and not voting. The roll call discloses the lack of a quorum.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry. The Senate has already decided, has it not, that not later than 6 o'clock this evening it will stand in recess until 11 o'clock to-morrow morning?

The VICE PRESIDENT. Yes; the motion was that not later than 6 o'clock the Senate will take a recess until 11 o'clock to-morrow morning.

Mr. BRANDEGEE. And that motion was agreed to before the roll was called?

The VICE PRESIDENT. That motion was agreed to before the roll call disclosed the lack of a quorum, so the Chair declares the Senate in recess until 11 o'clock to-morrow morning.

Thereupon (at 6 o'clock p. m.) under the order previously made, the Senate took a recess until to-morrow, Saturday, April 15, 1916, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 14, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, God our Father, whose loving kindness and tender mercies are without end, we thank Thee for the gifts Thou hast bestowed upon us. Strengthen our will, quicken our conscience, and guide us in the use of our talents that we may be worthy recipients, faithful servants to Thee and our fellow men after the similitude of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

AMERICAN ACADEMY OF ARTS AND LETTERS.

The SPEAKER. When the Senate bill incorporating the American Academy of Arts and Letters was passed there was a similar bill, H. R. 4678, on the House Calendar that should have been laid on the table. Without objection, it will be laid on the table.

There was no objection.

BRIDGE ACROSS THE ALLEGHENY RIVER, WARREN, PA.

Mr. MILLER of Pennsylvania. Mr. Speaker, there is on the Speaker's table a bill (S. 5229) providing for the construction of a bridge across the Allegheny River in the borough of Warren, Pa. A similar bill has been reported by the Committee on Interstate and Foreign Commerce, and I ask to have the bill taken from the Speaker's table and laid before the House.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 5229) granting the consent of Congress to the county commissioners of Warren County, Pa., to construct a bridge across the Allegheny River in the borough of Warren, county of Warren, in the State of Pennsylvania.

Be it enacted, etc., That the consent of Congress is hereby granted to the county commissioners of the county of Warren, in the State of Pennsylvania, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Allegheny River

at a point suitable to the interests of navigation, in the borough of Warren, in the county of Warren, in the State of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

The bill H. R. 13475 was laid on the table.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

THE TAX ON SUGAR.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 11471, an act to amend an act entitled "An act to reduce tariff duties and provide revenue for the Government, and for other purposes," approved October 3, 1913, disagree to the Senate amendments, and agree to the conference asked for.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to take the bill H. R. 11471 from the Speaker's table, disagree to the Senate amendments, and agree to the conference asked for. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. KITCHIN, Mr. RAINEY, and Mr. FORDNEY.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12717, the Agricultural appropriation bill, and pending that I desire to ask unanimous consent that all gentlemen who speak under the five-minute rule on the bill may have leave to extend their remarks in the RECORD.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that all gentlemen who speak on the bill under the five-minute rule have leave to extend their remarks in the RECORD. Is there objection?

Mr. MANN. I object.

The motion of Mr. LEVER was then agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HAMLIN in the chair.

Mr. HAUGEN. Mr. Chairman, I yield 30 minutes to the gentleman from Oregon [Mr. HAWLEY].

Mr. HAWLEY. Mr. Chairman, it had been my intention to make some remarks on the California and Oregon land-grant problem. I had anticipated that the Committee on Public Lands would have reported the bill pending before it, but it has been unable to do so up to this time. I therefore ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. HAWLEY. Mr. Chairman, I yield back the balance of my time.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12717, the Agricultural appropriation bill, and had come to no resolution thereon.

H. SNOWDEN MARSHALL.

Mr. MOON. Mr. Speaker, by direction of the select committee appointed by the Speaker of the House under House resolution 193, to inquire and report on the charges of contempt against H. Snowden Marshall for violation of the privileges of the House, I submit the following report.

Mr. Speaker, in order that Mr. Marshall may have full opportunity to examine this report and that the membership may become acquainted with it, I ask unanimous consent that the report lie on the Speaker's table until it is called up at a later day by the select committee, and that it be printed.

The SPEAKER. The gentleman from Tennessee, chairman of the select committee, offers the report and asks unanimous consent that it lie on the Speaker's table and that the report be printed.

Mr. MANN. What is the object of laying it on the Speaker's table? It goes into the Clerk's hands if it is to be postponed and printed. How long is the report?

Mr. MOON. It is about 30 pages of typewritten matter, and then, of course, the evidence is attached as an appendix, and that is lengthy.

Mr. MANN. I thought if it was a short report it might be read, but I have no desire to have it read now.

Mr. FITZGERALD. I will suggest to the gentleman from Tennessee that the report be printed in the RECORD.

Mr. MOON. I will ask unanimous consent, Mr. Speaker, that the report be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Will the gentleman state when he will call up the report?

Mr. MOON. In view of the charges and the voluminous amount of testimony and the fact that Mr. Marshall is district attorney and engaged in the performance of his duties and is pressed for time, I think we ought to wait 10 days or two weeks.

Mr. MANN. It will not be called up this week and probably not next week, will it?

Mr. MOON. I will say that it will not be called up inside of two weeks. If it is desired, the House can fix a day now.

Mr. MANN. We can do that later.

Mr. GARRETT. Mr. Speaker, will the evidence be also printed in the RECORD with the report?

The SPEAKER. No; just the report will be printed in the RECORD.

Mr. GARRETT. But the evidence will be printed in the document as a part of the report?

The SPEAKER. Yes.

The report is as follows:

[House Rept. No. 544, 64th Cong., 1st sess.]

H. SNOWDEN MARSHALL.

Mr. MOON, from the select committee appointed pursuant to H. Res. 193, submitted the following report:

The select committee of the House of Representatives was appointed under House resolution 193, which is as follows:

"[H. Res. 193, 64th Cong., 1st sess.]

"*Resolved*, That a select committee of five members be appointed forthwith by the Speaker to consider the report, in the nature of a statement, from the Judiciary Committee with reference to certain conduct of H. Snowden Marshall, and to report to the House of Representatives the facts in the case; the violations, if any, of the privileges of the House of Representatives or of the Committee on the Judiciary, or of the subcommittee thereof; the power of the House to punish for contempt; and the procedure in contempt proceedings, in case they find a contempt has been committed, to the end that the privileges of the House shall be maintained and the rights of Members protected in the performance of their official duties.

"The select committee shall have the power to send for persons and papers and shall submit its report to the House not later than April 14, 1916."

The report upon which this resolution was predicated and to which it refers is as follows:

"[House Rept. No. 494, 64th Cong., 1st sess.]

"ALLEGED OFFICIAL MISCONDUCT OF H. SNOWDEN MARSHALL.

"[Apr. 5, 1916.—Ordered to be printed.]

"Mr. WEBB, from the Committee on the Judiciary, submitted the following report (to accompany H. Res. 193):

"By direction of the Committee on the Judiciary, I beg leave to make the following report, in the nature of a statement, to the House of Representatives. On the 12th day of January, 1916, Hon. FRANK BUCHANAN, a Representative in Congress from the State of Illinois, arose, in his responsible position, on the floor of the House and impeached H. Snowden Marshall, district attorney for the southern district of the State of New York, charging the said H. Snowden Marshall with numerous malfeasances and misfeasances and with corrupt and improper behavior and conduct in office. Immediately after the reading of said charges Representative BUCHANAN offered, for the immediate consideration of the House, resolution 90, which provided, among other things, 'that the Committee on the Judiciary be directed to inquire and report whether the action of this House is necessary concerning the alleged official misconduct of H. Snowden Marshall,' etc. After debate on the resolution the House, upon motion of Mr. FITZGERALD, of New York, referred the resolution to the Committee on the Judiciary for its consideration and action.

"The Committee on the Judiciary immediately began the consideration of said resolution and called Representative BUCHANAN before it to make such statement and furnish such information concerning the truth of his impeachment charges, as set out in House resolution 90, as he was able to make and furnish. Thereafter, on the 27th day of January, 1916, by direction of the Judiciary Committee, the chairman thereof offered in the House of Representatives the following resolution:

"'[House resolution 110.]

"'*Resolved*, That the Committee on the Judiciary in continuing their consideration of House resolution 90 be authorized and empowered to send for persons and papers, to subpœna witnesses, to administer oaths to such witnesses, and take their testimony.

"'The said committee is also authorized to appoint a subcommittee to act for and on behalf of the whole committee wherever it may be deemed advisable to take testimony for said committee. In case such subcommittee is appointed, it shall have the same powers in respect to obtaining testimony as are herein given to the Committee on the Judiciary, with a sergeant at arms, by himself or deputy, who shall attend the sittings of such subcommittee and serve the process of same.

"'In case the Committee on the Judiciary or a subcommittee thereof deems it necessary it may employ such clerks and stenographers as are required to carry out the authority given in this resolution, and

the expenses so incurred shall be paid out of the contingent fund of the House.

"'The Speaker of the House of Representatives shall have authority to sign, and the Clerk thereof to attest, subpœnas for witnesses, and the Sergeant at Arms or a deputy shall serve them.'

"The said resolution was on said date unanimously agreed to.

"While further considering the said House resolution 90 and the said House resolution 110, on the 31st day of January, 1916, the Committee on the Judiciary authorized the chairman to appoint a subcommittee of three to execute the purposes of House resolution 110 to act for and on behalf of the full committee wherever it may be deemed advisable to take testimony for said committee, and on February 1, 1916, the chairman appointed Messrs. Charles C. Carlin, Warren Gard, and John M. Nelson as members of such subcommittee.

"Thereafter the said subcommittee organized and heard the testimony of certain witnesses in the Judiciary Committee rooms in the city of Washington. The subcommittee determined, for its further information and in carrying out the duties assigned it under the resolution of the House of Representatives, that it should hear the testimony of certain other witnesses in the city of New York, and on the 28th day of February, 1916, the said subcommittee, under subpœnas duly signed by the Speaker of the House of Representatives and attested by the Clerk thereof, caused certain witnesses to be brought before it, in the Federal post-office building in the city of New York, and continued the examination of witnesses upon said charges up to and including the 4th day of March, 1916.

"On the 3d day of March, 1916, there appeared in a New York newspaper an article containing, among other things, the following language:

"'It is the belief in the district attorney's office that the real aim of the Congress investigation is to put a stop to the criminal investigation of the pro-German partisans.

"On the 3d of March, 1916, the subcommittee called before it one Leonard R. Holme, who testified to the subcommittee that he wrote the article containing the foregoing language, but when asked whether or not he conferred with anybody in the district attorney's office before the article was written replied that he declined to give the source of his information. The chairman of the subcommittee then propounded this question to the witness: 'Did you confer with Mr. Marshall before you wrote this article?' To which the witness replied, 'I respectfully decline to answer the question, sir.' The chairman of the subcommittee then propounded the following question to him: 'Did you confer with anybody in Mr. Marshall's office?' To which the witness replied, 'I respectfully decline to answer that question, sir.'

"Whereupon, the Sergeant at Arms was directed by the chairman of the subcommittee to take charge of the witness and keep him in custody until the further order of the committee. At 4.10 o'clock p. m. of the same day, the chairman of the subcommittee again propounded the foregoing questions to Witness Holme, and the following proceedings were had:

"'Mr. CARLIN. Mr. Holme, the committee has directed me to order you to answer the question which was asked you. Mr. Stenographer, read the testimony of Mr. Holme.

"'(The entire previous testimony of Mr. Holme was read to the committee by the stenographer in the hearing of the committee only.)

"'Mr. CARLIN. Mr. Holme, I hand you this article in the sixth column of page 4 of the New York Times, dated Friday, March 3, 1916. The article is headed "Marshall refuses BUCHANAN evidence." I now call your attention to this paragraph of the article:

"'It is the belief in the district attorney's office that the real aim of the Congress investigation is to put a stop to the criminal investigation of the pro-German partisans."

"'I ask you from whom you got that information?

"'Mr. HOLME. That information, sir, is a deduction. I have known at the time these proceedings were begun at Washington, it was before the indictment of Congressman BUCHANAN, that there had been a considerable amount of talk around this building as to their nature. I am down here practically every day of my life, and I meet with a great many men who are connected with the district attorney's office and who are in this building in various other regular capacities, and I based that paragraph entirely upon my knowledge of the general gossip around the building and the general feeling in the building.

"'Mr. CARLIN. Why did you not state that, instead of saying it is the belief in the district attorney's office?

"'Mr. HOLME. Well, sir, it comes to much the same thing, does it not? The district attorney's office is a large organization.

"'Mr. CARLIN. Is that your answer?

"'Mr. HOLME. Yes, sir.

"'Mr. CARLIN. Did you base that part of the article upon a conference held with H. Snowden Marshall or any subordinate of his in the district attorney's office?

"'Mr. HOLME. I based that article on my general knowledge of the conditions surrounding this proceeding and the general opinion floating around the building.

"'Mr. CARLIN. You state that it is the general belief in the district attorney's office. Now, who in the district attorney's office expressed that belief?

"'Mr. HOLME. I don't think I could give you any definite names, because I have discussed this matter with a large number of different people at various times.

"'Mr. CARLIN. As a matter of fact, did anybody in the district attorney's office express that belief?

"'Mr. HOLME. Yes, sir.

"'Mr. CARLIN. Who?

"'Mr. HOLME. I can only remember a very few, and I respectfully decline, as a newspaper man, to express their opinions, which are often given to me in general conversation.

"'Mr. CARLIN. Was the belief expressed by Mr. Marshall or either of his assistants?

"'Mr. HOLME. I respectfully decline to answer, sir.

"'Mr. CARLIN. Mr. Stenographer, insert in the record this article which I hand you, and the date line of the paper.

"'Mr. GARD. I understand you to say, Mr. Holme, that this extract which has been read to you was written by you?

"'Mr. HOLME. Yes, sir.

"'Mr. GARD. And the extract is this:

"'"It is the belief of the district attorney's office that the real aim of the congressional investigation is to put a stop to the criminal investigation of the pro-German partisans."

"'You wrote that?

"'Mr. HOLME. Yes, sir.

"'Mr. GARD. And I understand also that you decline and refuse to answer questions as to whether you obtained that information from anyone in the district attorney's office of the southern district of New York?

"'Mr. HOLME. Yes, sir.

"'Mr. GARD. You decline to answer that?

"'Mr. HOLME. Yes sir.

"'Mr. CARLIN. Now, then, Mr. Holme, I am directed by the committee to order you to answer that. Do you still decline?

"'Mr. HOLME. I do, respectfully, sir.

"'Mr. CARLIN. Then, I am directed to say to you, for the record, that this committee determines you to be in contempt of the order of the committee and of the House of Representatives of the Congress of the United States, and that for the present you will be released from the custody of the marshal until the committee, if it sees proper, shall proceed in the manner prescribed by statute in such cases. We want to be kind to you. We have no desire to be harsh with you. We realize to some extent your embarrassment. We have a duty to discharge, and we think under the circumstances we will discharge it in this way and release you from the custody of the Sergeant at Arms of the House.'

"On Saturday, the 4th day of March, 1916, the said H. Snowden Marshall, as district attorney for the southern district of New York, caused to be transmitted to C. C. CARLIN, chairman of said subcommittee, then in the performance of its duties, as required by the House of Representatives, the following letter:

"'DEPARTMENT OF JUSTICE,
"'UNITED STATES ATTORNEY'S OFFICE,
"'*New York, March 4, 1916.*

"'SIR: Yesterday afternoon, as I am informed, your honorable committee ordered the arrest of Mr. L. R. Holme, a representative of a newspaper which had published an article at which you took offense. The unfortunate gentleman of the press was placed in custody under your orders. He was taken to the United States marshal to be placed in confinement (I do not understand whether his sentence was to be one day or a dozen years). The marshal very properly declined to receive the prisoner. This left you at a loss, and I am advised that you tried to work your way out of the awkward situation by having Mr. Holme brought back and telling him that you were disposed to be "kind" to him and then discharged him for the purpose of avoiding unpleasant consequences to yourselves.

"'You are exploiting charges against me of oppressive conduct toward a member of your honorable body who is charged with a violation of law and of oppressive conduct on my part toward shysters in the blackmailing and bankruptcy business.

"'I may be able to lighten your labors by offering to resign if you can indicate anything I ever did that remotely approximates the lawless tyranny of your order of arrest of Mr. Holme.

"'The supposed justification of your order that Mr. Holme be placed in custody was his refusal to answer the question you asked as to where he got the information on which was based the article which displeased you.

"'It is not necessary for you to place anyone under arrest in order to get the answers to the question which you asked Mr. Holme, because I can and will answer it. I gave Mr. Holme information, part of which he published and from which he made deductions, so that if your honorable committee has a grievance it is against me and not against him.

"'What I told him was about as follows:

"'I said that your expedition to this town was not an investigation conducted in good faith, but was a deliberate effort to intimidate any district attorney who had the temerity to present charges against one of your honorable body.

"'I said that your whole proceeding here was irregular and extraordinary; that I had never heard of such conduct of an impeachment proceeding; that charges of this sort were not usually heard in public until the House of Representatives had considered them and were willing to stand back of them.

"'I pointed out to him that you, contrary to usual practice, had come here and had held public hearings; that among your witnesses you had invited every rogue that you could lay your hands on to come before you and blackguard and slander me and my assistants under the full privilege of testifying before a congressional committee.

"'I told him that you had called one of my junior assistants before you and had attempted to make it publicly appear that his refusal to answer your questions as to what occurred in the grand-jury room in the Buchanan case was due solely to my orders. I said that at the time you attempted to convey this public impression you knew that it was misleading, because I had been asked by you to produce the minutes of the grand jury and had been instructed by the Attorney General not to comply with your request, as you well knew. I showed him the telegram of the Attorney General to me and showed him a copy of my letter to you, dated February 29, 1916, in which I sent you a copy of the telegram of the Attorney General instructing me not to give you the grand-jury minutes.

"'I told him that you were traveling around in your alleged investigation of me with BUCHANAN'S counsel, Walsh and David Slade, in constant conference with you. I said that I believed that every word of the evidence, whether in so-called secret sessions or not, had been placed at the disposal of these worthies, and that I would be just as willing to give the grand-jury minutes to a defendant as to give them to your honorable subcommittee.

"'I told him that I did not share the views which seemed to prevail in your subcommittee on this subject. I said that I regarded a Member of Congress who would take money for an unlawful purpose from any foreign agent as a traitor, and that it was a great pity that such a person could only be indicted under the Sherman law, which carries only one year in jail as punishment.

"'I said that it was incomprehensible to me how your honorable subcommittee should rush to the assistance of an indicted defendent; how you had apparently resolved to prevent prosecution by causing the district attorney in charge to be publicly slandered.

"'I told him that I would not permit the prosecution of the persons whose cause you had apparently espoused to be impeded by you; I said that if you wanted the minutes of the grand jury in any case, you would not get them as long as I remained in office. You will observe from the foregoing statement that what Mr. Holme published may have been based on what I said. If you have any quarrel, it is with me, and not with him.

"'It is amazing to me to think that you supposed that I did not understand what you have been attempting to do during your visit here. I realized that your effort was to ruin me and my office by publishing with your full approval the complaints of various persons who have run afoul of the criminal law under my administration. Your subcommittee has endeavored by insulting questions to my assistants and others, by giving publicity and countenance to the charges of rascals

and by refusing to listen to the truth and refusing to examine public records to which your attention was directed, to publicly disgrace me and my office.

"'I propose to make this letter public.

"'Respectfully,

"'H. SNOWDEN MARSHALL,
"'*United States Attorney.*

"'Hon. C. C. CARLIN,
"'*Chairman Subcommittee of the Judiciary,*
"'*Committee of the House of Representatives,*
"'*323 Federal Building, New York, N. Y.*'

"At the same time or before this letter was sent to the subcommittee it was given to the newspapers and published by them.

"On the 9th day of March, 1916, the subcommittee aforesaid, through its chairman, Hon. C. C. CARLIN, submitted to the Committee on the Judiciary the foregoing letter of H. Snowden Marshall.

"On or about the 11th day of March, 1916, the following letter was received by the chairman of the Judiciary Committee and immediately laid before the full committee:

"'DEPARTMENT OF JUSTICE,
"'UNITED STATES ATTORNEY'S OFFICE,
"'*New York, March 10, 1916.*

"'DEAR SIR: Referring to my letter of March 4, addressed to the chairman of the subcommittee which has recently taken testimony in New York concerning my administration of my office, I notice from the press that some persons appear to have construed my statements as directed toward your honorable committee as a whole. I beg to advise you that the criticisms in that letter were addressed to the methods pursued by the subcommittee. I do not retract nor modify any of those criticisms. But I did not intend (nor do I think my letter should be so construed) to reflect in any way upon the Judiciary Committee, nor did I question the power of the House of Representatives to order such an investigation.

"'If you and the other members of your committee, for whom I have high respect, have gained the impression that my letter carried any personal reflection upon your honorable committee, it gives me pleasure to assure you that I had no such purpose.

"'Respectfully,

"'H. SNOWDEN MARSHALL.

"'Hon. EDWIN Y. WEBB,
"'*Chairman of the Judiciary Committee,*
"'*House of Representatives, Washington, D. C.*'

"The Judiciary Committee has carefully considered said letters in the light of congressional and judicial precedents as touching the prerogatives of the House of Representatives and its Members, and the committee has come to the determination that said letters, their publication and attendant circumstances, are of such nature that they should be called to the attention of the House. For obvious reasons, the committee deems it advisable to take this step rather than to report directly upon the facts and the law in the case. I am, therefore, directed by the committee to report the whole matter to the House of Representatives with the recommendation that a select committee of five be appoined by the Speaker to report upon the facts in this case; the violations, if any, of the privileges of the House or the Committee on the Judiciary or the subcommittee thereof; the power of the House to punish for contempt; and the procedure in contempt proceedings, to the end that the privileges of the House shall be maintained and the rights of the Members protected in the performance of their official duties."

The select committee appointed under House resolution 193 met for the hearing on Friday, April 7, 1916, at 10 a. m., and took the testimony of Representatives Webb, Gard, Nelson, and Carlin and directed the chairman to send the following letter to Hon. H. Snowden Marshall, of New York, and then adjourned to 10 a. m., Monday, April 10, 1916:

"APRIL 7, 1916.

"Hon. H. SNOWDEN MARSHALL,
"*United States District Attorney for the*
"*Southern District of New York, New York City.*

"DEAR SIR: Inclosed is H. Res. 193 and Report No. 494, which explain themselves. The select committee appointed by the Speaker of the House of Representatives are now engaged in the investigation of the matters referred to herein. We will be glad to have you appear before us, if you so desire, at the rooms of the Committee on the Post Office and Post Roads of the House of Representatives, in the Capitol Building, Washington, D. C., on Monday, April 10, 1916, at 10 o'clock a. m., and make such statement as you may desire before the committee touching this matter. As the time of the committee is limited in which to report, you will oblige us by advising by wire whether you desire to be present or not. This communication is made to you by order of the select committee.

"Very truly, yours,

"JOHN A. MOON,
"*Chairman Select Committee.*"

This letter was mailed to Mr. Marshall on the 7th of April, 1916. On April 8, 1916, the following reply was received by wire:

"NEW YORK, N. Y., *April 8, 1916.*

"Hon. JOHN A. MOON,
"*Washington, D. C.:*

"Your letter received. It will give me pleasure to appear before your committee at the time and place mentioned in your letter.

"H. SNOWDEN MARSHALL."

The committee met again at 10 a. m., April 10, 1916, pursuant to adjournment, when Mr. Marshall appeared and was given a stenographic copy of the statements of witnesses who had testified in the case, and was advised that he would be given an opportunity before making his statement to read the same and cross-examine the witnesses. Thereupon the committee adjourned to 1.30 p. m., April 10, 1916, this being deemed sufficient time by Mr. Marshall in which to examine the statements of the witnesses.

The select committee met again at 1.30 p. m., April 10, 1916. Mr. Marshall appeared and made a statement in writing and testified orally. He also subsequently submitted an additional statement on April 12, 1916, and some newspaper clippings. The statements and testimony of all the witnesses who appeared before the select committee are attached hereto as an appendix to this report. The newspaper clippings are not strictly relevant, but are filed. There was also filed as evidence for reference the hearings in the case of charges against H. Snowden Marshall, taken by a subcommittee of the Committee on the Judiciary in New York on February 28, 1916, and following. These hearings are material mainly in determining whether the subcommittee making the investigation was acting within the scope of its authority.

FINDING OF FACTS.

1. H. Snowden Marshall is and has been for several years past United States district attorney for the southern district of New York.

2. On the 28th day of December, 1915, the grand jury in the United States District Court for the Southern District of New York found an indictment against a Member of the House, Hon. FRANK BUCHANAN, and others, for the violation of a Federal statute. (We have not been furnished with a copy of this indictment and therefore can not incorporate it in this report.)

3. On December 14, 1915, preceding the finding of the indictment, Hon FRANK BUCHANAN, a Representative in Congress from the State of Illinois, impeached H. Snowden Marshall, the United States district attorney for the southern district of New York, of malfeasance and misfeasance in office. On January 12, 1916, said Representative BUCHANAN again presented to the House charges and impeached the said H. Snowden Marshall, United States district attorney for the southern district of New York, as follows:

"IMPEACHMENT OF H. SNOWDEN MARSHALL.

"The SPEAKER. The gentleman from Illinois [Mr. Buchanan] is recognized.

"Mr. BUCHANAN of Illinois. Mr. Speaker, I rise to a question of the highest privilege. By virtue of my office as a Member of the House of Representatives I impeach H. Snowden Marshall, United States district attorney for the southern district of New York, of high crimes and misdemeanors.

"I charge him with having conspired with persons, firms, and corporations, their agents and servants, to grant such persons, firms, and corporations the privilege of violating various criminal, neutrality, interstate commerce, or custom laws of the United States in the southern district of New York.

"I charge him with securing for persons or corporations great financial profit in consequence of the violation of the United States laws.

"I charge him with corruptly and collusively participating in such conspiracies.

"I charge him with corruptly neglecting and refusing to prosecute gross and notorious violations of various criminal, neutrality, custom revenue, and antitrust laws of the United States within said judicial district.

"I charge him with corruptly inducing and procuring grand juries to return into the district court for the southern district of New York of indictments charging crimes without there being evidence before said grand jury which would in any degree justify the finding and filing of such indictments.

"I charge him with being guilty of oppression in corruptly procuring indictments from the grand jury in said district charging reputable citizens with crime, although there was no evidence before the grand jury which would in the least warrant such charges.

"I charge him with corruptly conspiring with other persons to spread broadcast throughout the United States maliciously false newspaper publications and reports, emanating as official statements and purporting to describe results of investigations conducted by said United States attorney and his assistants, with the object of destroying friendly relations between the United States and one or more foreign governments.

"I charge him with unlawfully and feloniously abusing the legal process before the grand jury in said district of New York, the Secret Service, and the Bureau of Investigation and Inquiry of the Department of Justice in furtherance of such conspiracy aforesaid.

"I charge him with having knowledge, or the existence of circumstances from which knowledge is imputed to him, that large sums of money have been expended for or on behalf of foreign Governments and of various purveyors and manufacturers of war munitions for the purpose of influencing the actions of said United States attorney in furtherance of a conspiracy.

"I charge him with having corruptly neglected or refused to prosecute men who have made the port of New York, within said judicial district, a military or naval base for foreign belligerent powers.

"I charge him with corruptly neglecting and refusing to prosecute violations of Federal statutes prohibiting the loading and shipment of explosives on ships carrying passengers within said judicial district.

"I charge him with corruptly neglecting and refusing to prosecute violations of the foreign-enlistment act and laws of the United States within said district.

"I charge him with having corruptly used the powers of his office for the purpose of slandering and libeling peaceable and law-abiding people to their great injury.

"I charge him with having abetted, approved, acquiesced, and permitted unlawful and oppressive misues of subpœnas and other process before grand juries in said southern district of New York.

"I charge him with having deprived law-abiding citizens of their legal rights, privileges, and immunities.

"I charge him with aiding, abetting, and approving unlawful expenditures of public moneys in violation of the laws of the United States.

"I charge him with being guilty of attempts by private solicitation of influencing the official actions and opinions of judges in the southern district of New York while in the performance of their judicial duties.

"I charge him with having used the powers of his office to cause and procure a discrimination in the assignment of judges to conduct trials in said district, so as to discriminate against one or more resident judges.

"I charge him with having used the powers of his office to procure or assist in the procurement of judges to be imported into the southern district of New York from other districts for the trial of cases in said district by falsely representing the condition of judicial business within said district.

"I charge him with being guilty of private solicitation with intent to influence the official acts and decisions of judges imported as aforesaid.

"I charge him with having attempted to corruptly control decisions and official actions of one or more of such imported judges.

"I charge him with having procured the assignment of one or more imported judges for the conduct of trials in the said district for the purpose of preventing defendants in such cases from receiving a fair and impartial trial at the hands of resident judges.

"I charge him with being a party to a conspiracy participated in by his assistant district attorneys and other officials connected with the administration of justice in the said southern district of New York for the purpose of unlawfully manipulating and controlling the selec-

tion of grand and petit jurors in connection with cases in the courts of said districts.

"I charge him with having been guilty of acts by which the rights of the United States and that of individuals have been unlawfully prejudiced and the orderly and fair administration of justice defeated or obstructed in one or more instances.

"I charge him with having employed the powers of his office for the purpose of shielding and to prevent the exposure of unlawful and improper conduct of one James W. Osborne in relation to facts involved in civil litigation which was pending in the State court in the State of New York.

"I charge him with unlawfully protecting the said Osborne and others from prosecution for the violation of United States laws.

"I charge him with willfully and corruptly refusing and neglecting to prosecute gross and notorious violations of the United States statutes committed by said James W. Osborne and others in the city and State of New York within said district.

"I charge him with having prostituted the office of United States district attorney for the southern district of New York.

"I charge him with having used the powers of his said office as United States district attorney to corruptly and willfully defame, slander, and injure the good name and professional standing of law-abiding citizens of the United States, to their great injury, for the purpose of protecting the private individual interests of James W. Osborne.

"I charge him with having corruptly failed, neglected, and refused to prosecute persons who, while acting as witnesses for the United States in the trial of causes, committed the crime of perjury, subornation of perjury, and conspiracy in connection with the cases of United States against Rae Tanzer, United States against Frank D. Safford, and United States against Albert J. McCullough et al.

"I charge him with having used and employed the United States grand jury in the southern district of New York for the purpose of attempting to establish records which might be used in defense of James W Osborne, H. Snowden Marshall, Roger B. Wood, and Samuel H. Hershenstein (the last two being assistant United States district attorneys under said H. Snowden Marshall), and not for the purpose of investigation of violations of the United States laws.

"I charge him with corruptly and willfully failing to remove certain of his assistant district attorneys who destroyed documentary evidence material in the trial of a pending case in the United States district court for the southern district of New York.

"I charge him with corruptly and maliciously causing to be instituted criminal proceedings against Rae Tanzer and others for the purpose of protecting James W. Osborne, a special United States district attorney and a personal intimate friend of said H. Snowden Marshall.

"I charge him with corruptly and willfully failing and refusing to present to the court the trial of cases material and important evidence and in concealing or assisting and acquiescing in the concealment or destruction of material and important evidence relating to pending cases in the United States district court for the southern district of New York.

"I charge him with being corrupt, grossly negligent, and unfit to retain the office as United States district attorney for the southern district of New York.

"I charge him with having willfully and persistently violated the laws of the United States in connection with the performance by him of the duties of such United States district attorney for said southern district of New York.

"I charge him with having corruptly and willfully withheld and failed to present before the grand jury material and important evidence in connection with alleged investigations instituted before said grand jury by said H. Snowden Marshall in relation to the cases of United States against Rae Tanzer and United States against Albert J. McCullough et al., and others.

"I charge him with having corruptly and willfully refused and neglected to take cognizance of unlawful conduct of his assistant district attorneys in connection with the performance by them of official duties as such assistant district attorneys.

"I charge him with corruptly participating in or acquiescing to the presentation to the court in trial of cases in the southern district of New York of alleged evidence which he knew to be untrue and manufactured, or in the manufacture of and attempt to manufacture such alleged evidence.

"I charge him with producing willful injury and wrong to litigants in said district court and to citizens of the United States by his unlawful and improper conduct.

"Mr. Speaker, I send up the following resolution to the desk to be read by the Clerk.

"The SPEAKER. The Clerk will report the resolution.

"The Clerk read as follows:

"'*Resolved*, That the Committee on the Judiciary be directed to inquire and report whether the action of this House is necessary concerning the alleged official misconduct of H. Snowden Marshall; whether he has conspired with persons, firms, and corporations, their agents and servants, to grant such persons, firms, and corporations the privilege of violating various criminal, neutrality, interstate-commerce, or custom laws of the United States in the southern district of New York; whether he has secured for persons or corporations great financial profit in consequence of the violation of the United States laws; whether he has corruptly and collusively participated in such conspiracies; whether he has corruptly neglected and refused to prosecute gross and notorious violations of various criminal, neutrality, custom-revenue, and antitrust laws of the United States within said judicial district; whether he has corruptly induced and procured grand juries to return into the District Court for the Southern District of New York indictments charging crimes without there being evidence before said grand jury which would in any degree justify the finding and filing of such indictments; whether he has been guilty of oppression in corruptly procuring indictments from the grand jury in said district, charging reputable citizens with crime, although there was no evidence before the grand jury which would in the least warrant such charges; whether he has corruptly conspired with other persons to spread broadcast throughout the United States maliciously false newspaper publications and reports emanating as official statements and purporting to describe results of investigations conducted by said United States attorney and his assistants with the object of destroying friendly relations between the United States and one or more foreign governments; whether he has unlawfully and feloniously abused the legal process before the grand jury in said district of New York, the Secret Service, and the Bureau of Investigation and Inquiry of the Department of Justice in furtherance of such conspiracy aforesaid; whether he has knowledge or whether there are in existence circumstances from which knowledge is imputed to him that large sums of money have been expended for or on behalf of foreign governments and of various purveyors and manufacturers of war munitions for the purpose of influencing the actions of said United States attorney in furtherance of a conspiracy; whether he has corruptly neglected and refused to prosecute men who have made the port of New York within said judicial district a military and naval base for foreign belligerent powers; whether he has corruptly neglected and refused to prosecute violations of the Federal statutes prohibiting the loading and shipment of explosives on ships carrying passengers within said judicial district; whether he has corruptly neglected and refused to prosecute violations of the foreign enlistment act and laws of the United States; whether he has corruptly used the powers of his office for the purpose of slandering and libeling peaceable and law-abiding people to their great injury; whether he has abetted, approved, acquiesced in, and permitted unlawful and oppressive misuse of subpœnas and other process before the grand juries in said southern district of New York; whether he has deprived law-abiding citizens of their legal rights, privileges, and immunities; whether he has aided, abetted, and approved unlawful expenditures of public moneys in violation of the laws of the United States; whether he has been guilty of attempts by private solicitation to influence the official actions and opinions of judges in the southern district of New York while in the performance of their judicial duties; whether he has used the powers of his office to cause and procure a discrimination in the assignment of judges to conduct trials in said district so as to discriminate against one or more resident judges; whether he has used the powers of his office to procure or assist in the procurement of judges to be imported into the southern district of New York from other districts for the trial of cases in said district by falsely representing the condition of judicial business within said district; whether he has been guilty of private solicitation with intent to influence the official acts and decisions of judges imported as aforesaid; whether he has corruptly attempted to control decisions and official actions of one or more of such imported judges; whether he has procured the assignment of one or more imported judges for the conduct of trials in the said district for the purpose of preventing defendants in such cases from receiving a fair and impartial trial at the hands of resident judges; whether he has been a party to a conspiracy participated in by his assistant district attorneys and other officials connected with the administration of justice in the said southern district of New York, for the purpose of unlawfully manipulating and controlling the selection of grand and petit jurors in connection with cases in the courts of said district; whether he has been guilty of acts by which the rights of the United States and that of individuals have been unlawfully prejudiced and the orderly and fair administration of justice defeated or obstructed in one or more instances; whether he has employed the powers of his office for the purpose of shielding and to prevent the exposure of unlawful and improper conduct of one James W. Osborne in relation to facts involved in civil litigation which was pending in the State court in the State of New York; whether he unlawfully protected the said Osborne and others from prosecution for the violation of United States laws; whether he has willfully and corruptly refused and neglected to prosecute gross and notorious violations of the United States statutes committed by said James W. Osborne and others in the city and State of New York within said district; whether he has prosecuted the office of the United States district attorney for the southern district of New York; whether he has used the powers of his said office as United States district attorney to corruptly and willfully defame, slander, and injure the good name and professional standing of law-abiding citizens of the United States to their great injury for the purpose of protecting the private individual interests of James W. Osborne; whether he has corruptly failed, neglected, and refused to prosecute persons who, while acting as witnesses for the United States in the trial of causes, committed the crime of perjury, subornation of perjury, and conspiracy in connection with the cases of United States *v.* Rae Tanzer, United States *v.* Frank D. Safford, and United States *v.* Albert J. McCullough et al.; whether he used and employed the United States grand jury in the southern district of New York for the purpose of attempting to establish records which might be used in defense of James W. Osborne, H. Snowden Marshall, Roger B. Wood, and Samuel H. Hershenstein (the last two being assistant United States district attorneys under said H. Snowden Marshall), and not for the purpose of investigation of violations of the United States laws; whether he has corruptly and willfully failed to remove certain of his assistant district attorneys who destroyed documentary evidence material in the trial of a pending case in the United States District Court for the Southern District of New York; whether he corruptly and maliciously caused to be instituted criminal proceedings against Rae Tanzer and others for the purpose of protecting James W. Osborne, a special United States district attorney and a personal intimate friend of said H. Snowden Marshall; whether he has corruptly and willfully failed and refused to present to the court the trial of cases material and important evidence and in concealing or assisting and acquiescing in the concealment or destruction of material and important evidence relating to pending cases in the United States district court for the southern district of New York; whether he is corrupt, grossly negligent, and unfit to retain the office as United States district attorney for the southern district of New York; whether he has willfully and persistently violated the laws of the United States in connection with the performance by him of the duties of such United States district attorney for said southern district of New York; whether he has corruptly and willfully withheld and failed to present before the grand jury material and important evidence in connection with alleged investigations instituted before said grand jury by said H. Snowden Marshall in relation to the cases of United States *v.* Rae Tanzer and United States *v.* Albert J. McCulloch et al. and others; whether he has corruptly and willfully refused and neglected to take cognizance of unlawful conduct of his assistant district attorneys in connection with the performance by them of official duties as such assistant district attorneys; whether he has corruptly participated in or acquiesced to the presentation to the court in trial of cases in the southern district of New York of alleged evidence which he knew to be untrue and manufactured, or in the manufacture of and attempt to manufacture such alleged evidence; whether he has produced willful injury and wrong to litigants in said district court and to citizens of the United States by his unlawful and improper conduct; whether he has been guilty of any misbehavior for which he should be impeached.

"'And in making this investigation the said committee is hereby authorized to send for persons and papers, administer oaths, take testimony, employ a clerk and stenographer, and is also authorized to appoint a subcommittee to act for and on behalf of the whole committee whenever and wherever it may be deemed advisable to take testimony for the use of said committee. The said subcommittee while so employed shall have the same powers in respect to obtaining testimony

as are herein given to said Committee on the Judiciary, with a sergeant at arms, by himself or deputy, who shall serve the process of said committee or subcommittee and shall attend the sitting of the same as ordered and directed thereby. The Speaker shall have authority to sign and the Clerk to attest subpœnas for any witness or witnesses.'"

This resolution (afterwards numbered 90) was on the same day referred by the House to the Committee on the Judiciary.

4. On the 27th day of January, 1916, the House passed H. Res. 110, which is as follows:

"[House resolution 110, 64th Cong., 1st sess.]

"*Resolved*, That the Committee on the Judiciary in continuing their consideration of H. Res. 90 be authorized and empowered to send for persons and papers, to subpœna witnesses, to administer oaths to such witnesses, and take their testimony.

"The said committee is also authorized to appoint a subcommittee to act for and on behalf of the whole committee wherever it may be deemed advisable to take testimony for said committee. In case such subcommittee is appointed it shall have the same powers in respect to obtaining testimony as are herein given to the Committee on the Judiciary, with a sergeant at arms, by himself or deputy, who shall attend the sittings of such subcommittee and serve the process of same.

"In case the Committee on the Judiciary or a subcommittee thereof deems it necessary it may employ such clerks and stenographers as are required to carry out the authority given in this resolution, and the expenses so incurred shall be paid out of the contingent fund of the House.

"The Speaker of the House of Representatives shall have authority to sign, and the Clerk thereof to attest, subpœnas for witnesses, and the Sergeant at Arms or a deputy shall serve them."

5. That Representatives CARLIN, GARD, and NELSON were appointed by the Judiciary Committee of the House a subcommittee to hear and report under the House resolution the facts as to the impeachment charges heretofore mentioned against H. Snowden Marshall, United States district attorney for the southern district of New York.

6. That while said committee were hearing testimony in New York City as to the truth of said charges, in accordance with the resolution and pursuant to authority given to them, that H. Snowden Marshall, the person against whom said impeachment proceeding was pending, without just cause published in the New York Times, a daily paper issued in the city of New York, and thereafter delivered to said subcommittee aforementioned, the following letter:

"DEPARTMENT OF JUSTICE,
"UNITED STATES ATTORNEY'S OFFICE,
"*New York, March 4, 1916.*

"SIR: Yesterday afternoon, as I am informed, your honorable committee ordered the arrest of Mr. L. R. Holme, a representative of a newspaper which had published an article at which you took offense. The unfortunate gentleman of the press was placed in custody under your orders. He was taken to the United States marshal to be placed in confinement (I do not understand whether his sentence was to be one day or a dozen years). The marshal very properly declined to receive the prisoner. This left you at a loss, and I am advised that you tried to work your way out of the awkward situation by having Mr. Holme brought back and telling him that you were disposed to be 'kind' to him and then discharged him for the purpose of avoiding unpleasant consequences to yourselves.

"You are exploiting charges against me of oppressive conduct toward a Member of your honorable body who is charged with a violation of law and of oppressive conduct on my part toward shysters in the blackmailing and bankruptcy business.

"I may be able to lighten your labors by offering to resign if you can indicate anything I ever did that remotely approximates the lawless tyranny of your order of arrest of Mr. Holme.

"The supposed justification of your order that Mr. Holme be placed in custody was his refusal to answer the question you asked as to where he got the information on which was based the article which displeased you.

"It is not necessary for you to place anyone under arrest in order to get the answers to the question which you asked Mr. Holme, because I can and will answer it. I gave Mr. Holme information, part of which he published and from which he made deductions, so that if your honorable committee has a grievance it is against me and not against him.

"What I told him was about as follows:

"I said that your expedition to this town was not an investigation conducted in good faith, but was a deliberate effort to intimidate any district attorney who had the temerity to present charges against one of your honorable body.

"I said that your whole proceeding here was irregular and extraordinary; that I had never heard of such conduct of an impeachment proceeding; that charges of this sort were not usually heard in public until the House of Representatives had considered them and were willing to stand back of them.

"I pointed out to him that you, contrary to usual practice, had come here and had held public hearings; that among your witnesses you had invited every rogue that you could lay your hands on to come before you and blackguard and slander me and my assistants under the full privilege of testifying before a congressional committee.

"I told him that you had called one of my junior assistants before you and had attempted to make it publicly appear that his refusal to answer your questions as to what occurred in the grand jury room in the Buchanan case was due solely to my orders. I said that at the time you attempted to convey this public impression you knew that it was misleading, because I had been asked by you to produce the minutes of the grand jury and had been instructed by the Attorney General not to comply with your request, as you well knew. I showed him the telegram of the Attorney General to me and showed him a copy of my letter to you, dated February 29, 1916, in which I sent you a copy of the telegram of the Attorney General instructing me not to give you the grand jury minutes.

"I told him that you were traveling around in your alleged investigation of me with Buchanan's counsel, Walsh and David Slade, in constant conference with you. I said that I believed that every word of the evidence, whether in so-called secret sessions or not, had been placed at the disposal of these worthies, and that I would be just as willing to give the grand jury minutes to a defendant as to give them to your honorable subcommittee.

"I told him that I did not share the views which seemed to prevail in your subcommittee on this subject. I said that I regarded a Member of Congress who would take money for an unlawful purpose from any foreign agent as a traitor, and that it was a great pity that such a person could only be indicted under the Sherman law, which carries only one year in jail as punishment.

"I said that it was incomprehensible to me how your honorable subcommittee should rush to the assistance of an indicted defendant; how you had apparently resolved to prevent prosecution by causing the district attorney in charge to be publicly slandered.

"I told him that I would not permit the prosecution of the persons whose cause you had apparently espoused to be impeded by you; I said that if you wanted the minutes of the grand jury in any case, you would not get them as long as I remained in office.

"You will observe from the foregoing statement that what Mr. Holme published may have been based on what I said. If you have any quarrel, it is with me and not with him.

"It is amazing to me to think that you supposed that I did not understand what you have been attempting to do during your visit here. I realized that your effort was to ruin me and my office by publishing with your full approval the complaints of various persons who had run afoul of the criminal law under my administration. Your subcommittee has endeavored by insulting questions to my assistants and others, by giving publicity and countenance to the charges of rascals, and by refusing to listen to the truth and refusing to examine public records to which your attention was directed to publicly disgrace me and my office.

"I propose to make this letter public.

"Respectfully.

"H. SNOWDEN MARSHALL,
"*United States Attorney.*

"Hon. C. C. CARLIN,
"*Chairman Subcommittee of the Judiciary*
"*Committee of the House of Representatives,*
"*323 Federal Building, New York, N. Y.*"

7. That on March 10, 1916, the said H. Snowden Marshall published, in reference to the said subcommittee heretofore named, the following letter:

"DEPARTMENT OF JUSTICE,
"UNITED STATES ATTORNEY'S OFFICE,
"*New York, March 10, 1916.*

"DEAR SIR: Referring to my letter of March 4, addressed to the chairman of the subcommittee which has recently taken testimony in New York concerning my administration of my office, I notice from the press that some persons appear to have construed my statements as directed toward your honorable committee as a whole. I beg to advise you that the criticisms in that letter were addressed to the methods pursued by the subcommittee. I do not retract nor modify any of those criticisms. But I did not intend (nor do I think my letter should be so construed) to reflect in any way upon the Judiciary Committee, nor did I question the power of the House of Representatives to order such an investigation.

"If you and the other members of your committee, for whom I have high respect, have gained the impression that my letter carried any personal reflection upon your honorable committee, it gives me pleasure to assure you that I had no such purpose.

"Respectfully,

"H. SNOWDEN MARSHALL.

"Hon. EDWIN Y. WEBB,
"*Chairman of the Judiciary Committee,*
"*House of Representatives, Washington, D. C.*"

These are the material facts in the case.

8. We conclude and find that the aforesaid letter written and published by said H. Snowden Marshall to Hon. C. C. CARLIN, chairman of the subcommittee of the Judiciary Committee of the House of Representatives, on March 4, 1916 (and copied herein in finding of fact No. 6; also in Report No. 494 copied herein), is as a whole and in several of the separate sentences defamatory and insulting and tends to bring the House into public contempt and ridicule, and that the said H. Snowden Marshall, by writing and publishing the same, is guilty of contempt of the House of Representatives of the United States because of the violation of its privileges, its honor, and its dignity.

9. We find that Mr. Marshall's testimony is an aggravation of his contempt.

COMMENT ON LAW AND FACTS.

Mr. Marshall denies any intention to insult or stand in contempt of the Judiciary Committee or the House of Representatives, but he practically concedes in his testimony his contempt for the subcommittee and his desire by these publications to bring the subcommittee into ridicule and disrepute. If this is not wholly conceded by him in his testimony, it is certainly very fully proven. He reaffirms in his testimony the views heretofore expressed by him in the letters referred to against the subcommittee, and declines to offer any apology or retraction of the offensive matter in the letters contained, but rather reiterates and reaffirms it and thereby aggravates his contempt. In our opinion it is immaterial to the determination of this case whether the defendants Buchanan and others are guilty, as charged in the indictment in the district court of New York, or not, or whether the impeachment charges against H. Snowden Marshall are true or not. Both may be guilty or both may be innocent, or one guilty and the other innocent, with effect on the findings in this case. Therefore the select committee has made no investigation nor does it express any opinion as to the merits of either of said cases. We are considering under the resolution whether or not the facts herein set forth constitute a contempt by a violation of the privileges of the House of Representatives on the part of H. Snowden Marshall. No legislative body consisting of a large number of members can move from one place to another to take testimony in cases where its power and authority or dignity is called into question. Its power in this respect must, therefore, necessarily be delegated to one of its committees or a subcommittee by a proper resolution, as was done in this case. This delegation of power to a subcommittee is lawful, and carries with it all of the authority belonging to the House in the execution of the immediate purpose for which the committee was called into existence.

Any conduct that would be a violation of the privileges of the House if directed against the House in the first place, would be a contempt against the House and a breach of its privileges when directed against one of its committees or subcommittees appointed by authority of the House to do a specific thing and acting within its delegated power and in the scope of its authority. Any other view would leave the House powerless to protect its honor and dignity and its constitutional rights. It would set at defiance the sovereignty of the people represented by the House. That the House as a representative body has the inherent power to protect itself from defamation and all slanderous and lawless conduct that would bring it into reproach and popular contempt, whether uttered or committed in the presence of the House or else-

where, has not been disputed since the case of Anderson *v.* Dunn (6 Wheaton, 204). Offensive, abusive, and defamatory language against a committee of the House acting within its authority is offensive, abusive, and defamatory against the House, and is just as dangerous to the integrity of that body as if it had been committed in its presence.

Mr. Justice Johnson, in delivering the opinion in the case referred to, Anderson *v.* Dunn, among other things, said:

"It is certainly true that there is no power given by the Constitution to either House to punish for contempts, except when committed by their own Members. Nor does the judicial or criminal power given to the United States, in any part, expressly extend to the infliction of punishment for contempt of either House, or any one coordinate branch of the Government. Shall we, therefore, decide that no such power exists? * * * But if there is one maxim that necessarily rides over all others, it is that the public functionaries must be left at liberty to exercise the powers which the people have intrusted to them. The interests and dignity of those who created them require the exertion of the powers indispensable to the attainment of the ends of their creation. Nor is a casual conflict with the rights of particular individuals any reason to be urged against the exercise of such powers. * * * That 'the safety of the people is the supreme law,' not only comports with but is indispensable to the exercise of those powers in their public functionaries, without which that safety can not be guarded. On this principle it is that courts of justice are universally acknowledged to be vested by their very creation with power to impose silence, respect, and decorum in their presence, and submission to their lawful mandates, and, as a corollary to this proposition, to preserve themselves and their officers from the approach and insults of pollution.

"It is true that the courts of justice of the United States are vested, by express statute provision, with power to fine and imprison for contempts; but it does not follow from this circumstance that they would not have exercised that power without the aid of the statute or not, in cases, if such should occur, to which such statute provision may not extend; on the contrary, it is a legislative assertion of this right, as incidental to a grant of judicial power, and can only be considered either as an instance of abundant caution or a legislative declaration that the power of punishing for contempt shall not extend beyond its known and acknowledged limits of fine and imprisonment.

"But it is contended that if this power in the House of Representatives is to be asserted on the plea of necessity, the ground is too broad and the result too indefinite; that the executive and every coordinate and even subordinate branch of the Government may resort to the same justification, and the whole assume to themselves, in the exercise of this power, the most tyrannical licentiousness.

"This is unquestionably an evil to be guarded against, and if the doctrine may be pushed to that extent it must be a bad doctrine, and is justly denounced.

"But what is the alternative? The argument obviously leads to the total annihilation of the power of the House of Representatives to guard itself from contempts, and leaves it exposed to every indignity and interruption that rudeness, caprice, or even conspiracy may meditate against it. This result is fraught with too much absurdity not to bring into doubt the soundness of any argument from which it is derived. That a deliberate assembly, clothed with the majesty of the people, and charged with the care of all that is dear to them; composed of the most distinguished citizens, selected and drawn together from every quarter of a great Nation; whose deliberations are required by public opinion to be conducted under the eye of the public, and whose decisions must be clothed with all that sanctity which unlimited confidence in their wisdom and purity can inspire; that such an assembly should not possess the power to suppress rudeness or repel insult is a supposition too wild to be suggested. And, accordingly, to avoid the pressure of these considerations, it has been argued that the right of the respective Houses to exclude from their presence, and their absolute control within their own walls, carry with them the right to punish contempts committed in their presence; while the absolute legislative power given to Congress within this District enables them to provide by law against all other insults against which there is any necessity for providing.

"It is to be observed that, so far as the issue of this cause is implicated, this argument yields all right of the plaintiff in error to a decision in his favor; for, nonconstat, from the pleadings, but that this warrant issued for an offense committed in the immediate presence of the House.

"Nor is it immaterial to notice what difficulties the negation of this right in the House of Representatives draws after it, when it is considered that the concession of the power, if exercised within their walls, relinquishes the great grounds or the argument, to wit, the want of an express grant, and the unrestricted and undefined nature of the power here set up. For why should the House be at liberty to exercise an ungranted, an unlimited, and undefined power within their walls, any more than without them? If the analogy with individual right and power be resorted to, it will reach no further than to exclusion, and it requires no exuberance of imagination to exhibit the ridiculous consequences which might result from such a restriction, imposed upon the conduct of a deliberative assembly."

In Nugent *v.* Beale (Smith's Digest of Decisions and Precedents, 601), the court says:

"The jurisdiction of the Senate in cases of contempt of its authority depends upon the same ground and reasons upon which the acknowledged jurisdiction of other judicial tribunals rests, to wit, the necessity of such jurisdiction to enable the Senate to exercise its high constitutional functions—a necessity at least equal to that which supports the like jurisdiction which has been exercised by all judicial tribunals and legislative assemblies in this country from its first settlement, and in England from time immemorial."

In Hinds' Precedents of the House of Representatives, volume 2, under the heading of Power to Punish for Contempt, pages 1046 to 1142, may be found the digest of the decisions sustaining the power of the House to determine what is contempt and to punish for the same. These decisions are made by the House and by the Senate and the Supreme Court of the United States. Reference is made also to Rawle on the Constitution, page 48, and Story on the Constitution, volume 1, section 847.

We find, therefore, that the House has full power to punish for contempt committed in its presence or not within its presence, by publication of matter that is defamatory against it or its committee lawfully constituted and acting within its authority. We find as stated that the privileges of the House in this case were breached by H. Snowden Marshall by the letter which he wrote to the subcommittee, heretofore referred to, and copied in Report No. 494 herein contained. This letter as a whole is insulting, defamatory, and a clear expression of contempt. The purpose for which it was written and printed was to defame—to bring into ridicule and contempt—the subcommittee of the Judiciary Committee having under investigation the impeachment charges against H. Snowden Marshall. It was as much a violation of the privileges of the House to have directed a scurrilous and offensive letter of this character against one of its committees as if it had been addressed directly to the House.

It is proper for us to say that Mr. Marshall was given every opportunity to retract or apologize or in some way modify his statements contained in the letter. Parts of the letter containing the most defamatory matter were read to him, and he was asked if he meant to still say that that was true. He reaffirmed and reasserted the same, only with the statement that it was intended to criticize the procedure of the subcommittee and was not intended as a contempt of the House. It is clear that if the House could tolerate such a construction of this letter and could tolerate such vile and defamatory language against one of its committees, it would be powerless to conduct impeachment trials or perform any other duty without living under the disgrace of the contempt that would necessarily come to a body so unmindful of its duties to the people as to permit such insult and injury.

SUMMARY.

Article II, section 4, of the Constitution says:

"The President, Vice President, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors."

A United States district attorney is a civil officer within the meaning of this section of the Constitution. (See Rawle on Constitution, 213; 1 Story on Constitution, 790; Bouvier Dictionary, p. 319 of vol. 1.)

The impeachment of a civil officer must be by the House of Representatives. (United States Constitution, Art. I, sec. 2.) Impeachments are judicial in their nature.

The committee or subcommittee of the House appointed to investigate the facts under an impeachment proceeding pending in the House, and proceeding within the scope of their authority to perform this duty in taking testimony, is acting for and in place of the House.

A contempt by word, act, publication, or otherwise of a committee having jurisdiction in such cases and acting within the same is a contempt of the House which appointed it, and may be punished as such.

In this case Mr. Marshall was and is a United States district attorney. He was impeached in conformity to the Constitution.

The subcommittee was appointed and had jurisdiction in the matter to make the inquiry it was engaged in.

Mr. Marshall's letter of March 4, 1916, heretofore referred to is defamatory and tends to bring the committee and House into contempt and ridicule. By the printing and publication of the same, Mr. Marshall violated the privileges of the House, was guilty of contempt, and is guilty of contempt of the House of Representatives until he purges himself thereof or is purged by punishment.

The power of the House to punish for contempt is not confined to a reprimand. Punishment may be inflicted in the discretion of the House for a period not longer than the duration of the Congress acting.

As to the method of procedure that should be followed in the House in trial of the said H. Snowden Marshall for the contempt which the committee finds that he has committed, we recommend the passage of the following resolution:

"*Resolved*, That the Speaker do issue his warrant, directed to the Sergeant at Arms, commanding him to take in custody, wherever to be found, the body of H. Snowden Marshall, of the State of New York, and to proceed forthwith to bring the said H. Snowden Marshall to the bar of the House of Representatives, to answer the charge that he, on March 4, 1916, in the city of New York, did violate the privileges of the House of Representatives of the United States by writing and causing to be published the following letter:

"'DEPARTMENT OF JUSTICE,
"'UNITED STATES ATTORNEY'S OFFICE,
"'*New York, March 4, 1916.*

"'SIR: Yesterday afternoon, as I am informed, your honorable committee ordered the arrest of Mr. L. R. Holme, a representative of a newspaper which had published an article at which you took offense. The unfortunate gentleman of the press was placed in custody under your orders. He was taken to the United States marshal to be placed in confinement (I do not understand whether his sentence was to be one day or a dozen years). The marshal very properly declined to receive the prisoner. This left you at a loss, and I am advised that you tried to work your way out of the awkward situation by having Mr. Holme brought back and telling him that you were disposed to be 'kind' to him, and then discharged him for the purpose of avoiding unpleasant consequences to yourselves.

"'You are exploiting charges against me of oppressive conduct toward a Member of your honorable body who is charged with a violation of law and of oppressive conduct on my part toward shysters in the blackmailing and bankruptcy business.

"'I may be able to lighten your labors by offering to resign if you can indicate anything I ever did that remotely approximates the lawless tyranny of your order of arrest of Mr. Holme.

"'The supposed justification of your order that Mr. Holme be placed in custody was his refusal to answer the question you asked as to where he got the information on which was based the article which displeased you.

"'It is not necessary for you to place anyone under arrest in order to get the answer to the question which you asked Mr. Holme, because I can and will answer it. I gave Mr. Holme information, part of which he published and from which he made deductions, so that if your honorable committee has a grievance it is against me and not against him.

"'What I told him was about as follows:

"'I said that your expedition to this town was not an investigation conducted in good faith, but was a deliberate effort to intimidate any district attorney who had the temerity to present charges against one of your honorable body.

"'I said that your whole proceeding here was irregular and extraordinary; that I had never heard of such conduct of an impeachment proceeding; that charges of this sort were not usually heard in public until the House of Representatives had considered them and were willing to stand back of them.

"'I pointed out to him that you, contrary to usual practice, had come here and had held public hearings; that among your witnesses you had invited every rogue that you could lay your hands on to come before you and blackguard and slander me and my assistants under the full privilege of testifying before a congressional committee.

"'I told him that you had called one my junior assistant before you and had attempted to make it publicly appear that his refusal to answer your questions as to what occurred in the grand jury room in the

Buchanan case was due solely to my orders. I said that at the time you attempted to convey this public impression you knew that it was misleading because I had been asked by you to produce the minutes of the grand jury and had been instructed by the Attorney General not to comply with your request, as you well knew. I showed him the telegram of the Attorney General to me and showed him a copy of my letter to you, dated February 29, 1916, in which I sent you a copy of the telegram of the Attorney General instructing me not to give you the grand jury minutes.

"'I told him that you were traveling around in your alleged investigation of me with BUCHANAN'S counsel, Walsh and David Slade, in constant conference with you. I said that I believed that every word of the evidence, whether in so-called secret sessions or not, had been placed at the disposal of these worthies, and that I would be just as willing to give the grand jury minutes to a defendant as to give them to your honorable subcommittee.

"'I told him that I did not share the views which seemed to prevail in your subcommittee on this subject. I said that I regarded a Member of Congress who would take money for an unlawful purpose from any foreign agent as a traitor, and that it was a great pity that such a person could only be indicted under the Sherman law, which carries only one year in jail as punishment.

"'I said that it was incomprehensible to me how your honorable subcommittee should rush to the assistance of an indicted defendant; how you had apparently resolved to prevent prosecution by causing the district attorney in charge to be publicly slandered.

"'I told him that I would not permit the prosecution of the persons whose cause you had apparently espoused to be impeded by you; I said that if you wanted the minutes of the grand jury in any case you would not get them as long as I remained in office.

"'You will observe from the foregoing statement that what Mr. Holme published may have been based on what I said. If you have any quarrel it is with me and not with him.

"'It is amazing to me to think that you supposed that I did not understand what you have been attempting to do during your visit here. I realized that your effort was to ruin me and my office by publishing with your full approval the complaints of various persons who have run afoul of the criminal law under my administration. Your subcommittee has endeavored by insulting questions to my assistants and others, by giving publicity and countenance to the charges of rascals, and by refusing to listen to the truth and refusing to examine public records to which your attention was directed, to publicly disgrace me and my office.

"'I propose to make this letter public.

"'Respectfully,

"'H. SNOWDEN MARSHALL,
"'*United States Attorney.*

"'Hon. C. C. CARLIN,
"'*Chairman Subcommittee of the Judiciary Committee*
"'*of the House of Representatives,*
"'*323 Federal Building, New York, N. Y.*"

"That the said H. Snowden Marshall, in writing and publishing said letter, was guilty of a breach of the privileges and a contempt of the House of Representatives, and that the said H. Snowden Marshall be furnished with a copy of this resolution, and a copy of the report of the select committee of the House of Representatives, appointed to investigate the charges made against him in the House of Representatives.

"*Resolved*, That when H. Snowden Marshall shall be brought to the bar of the House, to answer the charge of having violated the privileges of the House of Representatives, as afore set out, the Speaker shall then cause to be read to said H. Snowden Marshall the findings of fact and findings of law by the special committee of the House, charged with the duty of investigating whether or not the said H. Snowden Marshall had violated the privileges of the House of Representatives, or was in contempt of same; the Speaker shall then inquire of said H. Snowden Marshall if he desires to be heard and to have counsel on the charge of being in contempt of the House of Representatives for having violated its privileges. If the said H. Snowden Marshall desires to avail himself of either of these privileges, the same shall be granted him. If not, the House shall thereupon proceed to take order in the matter."

JOHN A. MOON.
JOHN N. GARNER.
CHARLES R. CRISP.
JOHN A. STERLING.
I. L. LENROOT.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill, with Mr. HAMLIN in the chair.

Mr. LEVER. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. CANDLER].

[Mr. CANDLER of Mississippi addressed the committee. See Appendix.]

Mr. LEVER. Mr. Chairman, I yield 30 minutes to the gentleman from Arkansas [Mr. JACOWAY].

Mr. JACOWAY. Mr. Chairman, when I went upon the Committee on Agriculture I was necessarily compelled to relinquish my other committee assignments. This was due to the fact that the Committee on Agriculture was designated as one of the few select committees of the House, and those composing the membership of one of these committees could not be a member of any other committee. I have never regretted my seeking membership upon this committee, which resulted in the loss of other committee assignments held by me.

THE WORK OF THE COMMITTEE ON AGRICULTURE.

When one comes to discuss the present Agricultural bill now before the House and realizes what it contains and takes into consideration that when these provisions are crystallized into statutes, and in the mind's eye views the beneficent results that will flow to every class of people, from the Golden Gate to the Atlantic, from the North to the South, he is impressed with the fact that any attempt in a limited period of time to intelligently discuss the bill as a whole could be likened unto an attempt to "grasp a huge ball upon which the human hand can gain no hold." For this reason, in the period allotted to me, at best I can only address myself to certain provisions of the bill that are transcending in importance. No bill is more important to the country than the Agricultural bill, which primarily has for its one great object the betterment of the millions of farmers who at last produces that boasted wealth of the American Republic.

THE MARKETING PROVISIONS OF THIS BILL.

It is estimated that last year the farmers of this country produced approximately $10,000,000,000 in farm products. The amount is so stupendous that it is unthinkable, and no mind is so acutely disciplined that it can even approximately know what these figures mean. There is but one way to accurately understand the sublime eloquence of these figures, and that is ascertained under the rule of comparison. I mention these matters to draw the conclusion that this great army of men who are virile and potential in the wealth they produce and upon whom at last are all those engaged in the multiplied and varied callings, avocations, and vocations in life dependent in the extreme, should receive at the hands of that Government for which they have wrought so wonderously and well every possible consideration that can legitimately fall in the category of those functions that come under the head of governmental assistance.

In some form or other, for some price or another, this $10,000,000,000 of farm products were disposed of; but the interrogatory that is ever propounded—and which has not and can not be satisfactorily answered to him that bore the heat of summer and the blasts of winter to produce it—is, Was it disposed of in an intelligent manner? From sources too numerous to detail this query has been answered in the negative—and why? Has this Government, which is our pride and boast, and whose achievements are heralded in history, song, legend, and verse, been derelict in its duty to the farmer? I answer in the affirmative; and, from my viewpoint, thus will the answer remain unchanged until the Federal Government by generous and wise appropriations and most intelligent methods inaugurates and carries to a successful consummation a system of marketing, comprehensive and far-reaching in detail, and exhaust every legitimate office within its power to find a market for that which is produced by the tillers of the soil.

On page 72 of this bill is an item occupying only three or four lines appropriating $136,600 for telegraphic tolls to find markets for that which is raised each year by the farmers of this country. This is but one of the items in the marketing features of this bill. In my judgment no section of this bill contains greater merit proportionately than these items. I have never been accused of being even in a small part a prophet, but my prediction to-day is that in a short while the day will come when these items will be written in the language of millions instead of thousands. When this is done, and the real producers of wealth can reasonably be assured that their products will command a living price and yield to them a fair remuneration for the labor expended to produce it, will the exodus from the farm to the city cease; farm life will become more attractive and agriculture will again come into her own; and into all the callings in which man is engaged will be breathed a richer and healthier breath of life.

INSTANCES OF BAD MARKETING.

We have heard much of the high cost of living, or, as some facetiously term it, the cost of high living. Would not a better term for these two expressions be found in the epigram, "The high cost of selling"? For instance, to illustrate: In the State of Oklahoma a farmer sold to a buyer for northern consumption 1,050 watermelons. The price received by all those interested in this transaction disclosed the fact that the farmer got per melon 5 cents, the buyer to whom they were sold received 30 cents, the railroad 7½ cents, and the retailer 30 cents; and the consumer paid all this cost, paying about 75 cents per melon.

The farmer got a price ridiculously too little, the railroad was overpaid, the buyer netted a good profit, and the consumer paid dearly for this delicacy. As has been well said, this form of marketing should be impossible. One of the lessons to be culled from the foregoing is to the effect that the farmer who planted the melon and who paid for the seed, who had his money in-

vested in the ground upon which the melon was grown, and who put his days of honest toil into the melon, and used his teams to haul it to the railroad, was ridiculously and discouragingly underpaid; the buyer assisted in robbing him; in a way the railroad was a party to the crime; and the poor consumer was the sad beneficiary of an archaic and disgraceful system that causes him to complain and become rebellious in company with the producer and causes both to wonder where the fault is. Let me also subscribe to the doctrine that it should be the burden of Congress to lessen the gap between the producer and the consumer, and when this is done a long way has been gone in solving this matter that is knocking at the doors of Congress for solution, and which at last is but the simplest of justice to the farmers of this country.

ANOTHER LAMENTABLE INSTANCE.

In round numbers the United States produces over a billion dollars in poultry and eggs each year—more money than is realized from the South's cotton crop. If the farmer could realize upon this in full he would be fortunate. But does he? No. Ten per cent, or $100,000,000, is lost to the farmer at the initial point of shipment, and an additional 30 per cent, or $300,000,000, is lost between the place from which it is shipped and the consumer, making a total of $400,000,000 out of a billion product. What is true of these commodities is proportionately true of every other farm product. Let me again say, and let us ever bear in mind that the gap up to the present time between the producer and the consumer is ruinously wide, and that a constant effort by Congress should be made to yearly lessen it. The unnecessary middle man should be eliminated. In most instances he is the drone in the human hive, constantly consuming off of him who is the real producer.

INNUMERABLE INSTANCES OF THIS CRIMINAL SYSTEM OF MARKETING COULD BE CITED.

In the year 1915 cantaloupes in August were shipped into Washington in such great quantities that commission merchants would not handle them at all. Then, again, in one single day in the same month, 58 carloads of peaches were dumped into St. Louis, which city in normal times can absorb about 14 or 15 carloads a day during the peach season. In speaking of Alberta peaches, it has been stated that last year approximately $60,000,000 of these peaches rotted in the orchards of Arkansas, when at the same time there were millions of people who desired and wanted these peaches, if, indeed, an intelligent system of marketing could have informed the producer and consumer of their respective wants and needs. Again, another glaring instance of bad marketing conditions in the United States, 116 carloads of apples were shipped into New York City, and this so depressed the market on apples that a shipment of apples in northeastern Pennsylvania netted a consignment of only about 17 cents a bushel after freight and commission charges had been paid. During the autumn of 1915 Virginia apple growers sold apples f. o. b. for the Glascow market for $1.25 per barrel. The barrels cost from 38 to 42 cents apiece. After the expenses of picking, sorting, grading, and packing are deducted there is left not more than 50 cents per barrel to pay for spraying, cultivation, overhead charges, and interest on the investment. Thus instances ad infinitum could be recited here to-day, but I will not encumber the RECORD nor trespass upon the time of the House to do so. The lessons I desire to present have been presented. Suffice it to say that these conditions can be found, I dare say, as relates to every farm product in every county and State of this Union. For these facts and figures I am indebted to Mr. Royal Meeker in an article contributed to the American and Economic Review of March, 1915.

THE STORY OF THE MIDDLE MAN—A SPLENDID INSTANCE OF SANE MARKETING.

When the Secretary of Agriculture, Mr. Houston, appeared before our committee last February, and was discussing the proposition of marketing, I took occasion to ask a question or so. In answering he made reference to the fact that California had evolved a most successful plan for marketing the citrus fruits, and upon investigating the matter I found, to my way of thinking, a splendidly written article by a Mr. Yoakum on the subject of marketing by California of the citrus fruits of that great State. As stated in that article—

A few years ago the citrus-fruit growers of California were a widely scattered, unorganized, and shiftless group of independent farmers. They were losing money steadily. The grower received only a very small percentage of the amount the ultimate consumer paid for the oranges or lemons of California. Some one conceived the idea of organizing all the big producers of that region into a sort of protective association. Soon the idea took hold and spread. It was diligently pushed forward by the big growers, and soon it spread to include about 65 per cent of the citrus crop. The result has been threefold. First, it has put the products of that region into every market of this country and has driven foreign fruits practically out of these markets. Second, it has made the citrus farmers of California one of the wealthiest groups of farmers in the world. Then it has given to all the people of the whole country better fruit at fair and reasonable prices. The markets are to-day supplied steadily, consistently, and certainly with the grades of fruit they need. Here and there other special farming groups have worked out similar plans. The apple growers of Oregon based their marketing campaign upon special care and skill in packing. They succeeded so well that Oregon apples in the hotels and on the trains in the very heart of some of the finest apple lands in the country, in central New York, in Michigan, in the Ozark country of Arkansas and Missouri. In this instance marketing became a science as exact and as exacting as the business of selling steel billets or farm machinery or any other product of a carefully and accurately organized industry.

I cite this instance to illustrate the extent to which organization can be carried in the selling of farm products.

Mr. Chairman, it is well known to-day that the people of the Federal Government, those who inhabit what is known as continental United States, have long since been engaging in a system of marketing that is archaic, and I might say almost criminally negligent. I am aware of the fact that much can be said upon this question. When we find that we are confronted with conditions that are lamentable, the necessary question that arises, the interrogatory that may be propounded is, What is the remedy? For several years I have been a Member of this body. I have paid decided attention to this, and attempted to get at the facts relative to the marketing system and to assist in evolving a remedy. From the reading in which I have indulged, that which I think is the remedy is incorporated in the deductions of him who said:

The first step to be taken is to organize the farmers into local cooperative associations. The object of these associations should be, first, to determine upon the crop or crops to be grown for shipment to market; second, to insist upon proper methods of growing the crops agreed upon; third, to standardize and guarantee the quality of the products shipped; fourth, to superintend the gathering, grading, and packing of the crops; fifth, to arrange for proper and sufficient means of transportation, handling, shipping, and terminal facilities; sixth, to bargain with railroads and other transportation companies for a freight rate that will be a livable rate for both the farmer and the transporter.

When these respective steps are taken and coordinated into a harmonious whole, into one great, effective, and intelligent system, I am firm in the opinion that the result we all seek will, in the main, be accomplished, and agriculture as a whole be lifted to a higher, a better, and happier status. [Applause.]

Mr. Chairman, almost daily we hear falling from the lips of the representatives of this great Government who sit in this Federal Congress encomiums upon the man who follows the plow and who uses the hoe. I wish to say in passing that I believe it is the honest endeavor of every man who has received a commission from a great people to represent his district intelligently and well, and I believe the tribute paid to the farmer by him comes from the heart and not from the lips out. [Applause.] I am somewhat acquainted with the literary accomplishments of the average Member of this House. I know that they have read extensively, thoughtfully, and well, but when I went to school I believed the proposition was laid down in rhetoric that sometimes a fact may be repeated in order that the proposition may be emphasized. In my judgment, one of the greatest men the South has ever produced is a man whose name is the household word in all sections—the great Georgian, Henry W. Grady. [Applause.] On one occasion, speaking of the dignity of agriculture and the part that the farmer plays, and commenting on the powerful factor that he is in the great equation of our national life, he in beautiful language said:

A few Sundays ago I stood on a hill in Washington. My heart thrilled as I looked on the towering marble of my country's Capitol, and a mist gathered in my eyes as, standing there, I thought of its tremendous significance and the powers there assembled and the responsibilities there centered—its Presidents, its Congress, its courts, its gathered treasure, its Army, its Navy, and its 60,000,000 of citizens. It seemed to me the best and mightiest sight that the sun could find in its wheeling course—this majestic home of a Republic that has taught the world its best lessons of liberty—and I felt that if wisdom, and justice, and honor abided therein, the world would stand indebted to this temple on which my eyes rested and in which the ark of my covenant was lodged for its final uplifting and regeneration.

In my judgment, Mr. Chairman, Grady stated at this time what he thought constituted national greatness. But later he amended his statement and drew a different deduction, and in language inimitable he said:

A few days later I visited a country home. A modest, quiet house sheltered by great trees and set in a circle of field and meadow, gracious with the promise of harvest—barns and cribs well filled and the old smokehouse odorous with treasure—the fragrance of pink and hollyhock mingling with the aroma of garden and orchard, and resonant with the hum of bees and poultry's busy clucking. Inside the house thrift, comfort, and that cleanliness that is next to godliness—the restful beds, the open fireplace, the books and papers, and the old clock that had held its steadfast pace amid the frolic of weddings, that had welcomed in steady measure the newborn babes of the family and kept company with the watchers of the sick bed and had ticked the solemn requiem of the dead; and the well-worn Bible that, thumbed by fingers long since stilled, and blurred with tears of eyes long since closed, held the simple annals of the family and the heart and conscience of the home. Outside stood the master, strong and wholesome and upright, wearing no man's collar, with no mortgage on his roof and no lien on

his ripening harvest, pitching his crops in his own wisdom and selling them in his own time in his chosen market; master of his lands and master of himself. Nearby stood his aged father, happy in the heart and home of his son. And as they started to the house the old man's hands rested on the young man's shoulder, touching it with the knighthood of the fourth commandment, and laying there the unspeakable blessing of an honored and grateful father. As they drew near the door, the old mother appeared; the sunset falling on her face, softening its wrinkles and its tenderness, lighting up her patient eyes, and the rich music of her heart trembling on her lips, as in simple phrase she welcomed her husband and son to their home. Beyond was the good wife, true of touch and tender, happy amid her household cares, clean of heart and conscience, the helpmate and the buckler of her husband. And the children, strong and sturdy, trouping down the lane with the lowing herd, or weary of simple sport, seeking, as truant birds do, the quiet of the old home nest. And I saw the night descend on that home, falling gently as from the wings of the unseen dove. And the stars swarmed in the bending skies—the trees thrilled with the cricket's cry, the restless bird called from the neighboring wood, and the father, a simple man of God, gathering the family about him, read from the Bible the old, old story of love and faith, and then went down in prayer, the baby hidden amid the folds of its mother's dress, and closed the record of that simple day by calling down the benediction of God on the family and the home.

And as I gazed the memory of the great Capitol faded from my brain. Forgotten its treasure and its splendor. And I said, "Surely here, here in the homes of the people, is lodged the ark of the covenant of my country."

These statements, Mr. Chairman, are as sublimely true as anything that was ever written in Holy Writ. When we stop to think of the multiplied millions of farmers scattered all over this country who have been the victims of an archaic, a disgraceful, and a criminal system of marketing the products of their labor, is it any wonder they make an outcry? Are they to be censured for sending petitions to Congress asking that in its wisdom Congress find some remedy for this evil? That this will be done, Mr. Chairman, I have no doubt. There has been established in the Agricultural Department a Bureau of Markets. At its head is a man for whom I entertain the greatest respect and in whose judgment I have an abiding faith, Mr. Brand. He is thorough, capable, painstaking, and, I believe, patriotic, and his heart is in his work. All through the many volumes that have been written upon this subject we find the index finger of progress pointing to a successful solution of this great problem. The farmers of this country to-day are respectfully demanding at the hands of this Congress a solution of this great problem, and when that is found, in my calm judgment, a better, a brighter, a happier, and a more progressive day will dawn for the people of the country. May I add further that when this Government inaugurates a system of good roads, a far-reaching rural-credits system, giving to the farmer money at a low rate of interest for a long period of time, and insures a reasonable market for that which the soil produces a period of development and substantial progress never experienced in this country will be seen on every hand, and all the people in all walks of life will share a lasting benefit.

In conclusion, allow me to say, God speed that day, to the end that soon will dawn the time when the relief the farmer seeks will be given him by the Federal Congress and he finds that his prayer has been answered and his dream come true. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. YOUNG] such time as he may desire.

Mr. YOUNG of North Dakota. Mr. Chairman, I thank the gentleman from Iowa [Mr. HAUGEN] for his courtesy in yielding sufficient time for me to call brief attention to some letters just received in respect to the National Guard. They were written by men who have spent many years of unselfish service in the militia. All of them hold important positions in civil life. If the Army reorganization bill were before the House now I would like to read portions of these letters, and would do so to-day if the gentleman from Iowa [Mr. HAUGEN] were not already crowded with requests for time to discuss the bill now before the House. I must therefore content myself with printing them in the RECORD, but I urge all who are interested in building up an efficient fighting force to read these letters as they shall appear in the RECORD.

The CHAIRMAN. The gentleman from North Dakota [Mr. YOUNG] asks unanimous consent to extend his remarks in the RECORD by printing certain letters. Is there objection?

There was no objection.

The letters are as follows:

LETTER OF GEN. THARALSON.

NORTH DAKOTA NATIONAL GUARD,
Bismarck, April 11, 1916.

Hon. GEORGE M. YOUNG,
Washington, D. C.

MY DEAR MR. YOUNG: I am sorry to bother you, but I am interested in the militia bill now before Congress, and it is not a political question; it is too vital to be termed as such.

I notice in the Washington dispatches that Senator NELSON took particular pains to criticize the militia lobby, as he called it, and a couple of us in particular. I am not making an apology for being interested. I have been in the militia for nearly 27 years and know the needs as well as the condition of the guard, and you are getting more out of the guard than out of any branch of service in the United States. They work for nothing and pay their own board. What other body is doing as well?

The members of our State militia are as fine a body of men and officers as there is anywhere, and will compare favorably with any army, and with my long service I have had ample opportunity to compare them with the Regular Army, both here and in the Philippines, and our officers will show up favorably with the officers of the Regular Army of the same grade.

The members of the militia feel that they are in the service for patriotism only, as it is a detriment to every officer and enlisted man that is in it, both in a business and financial way. We, of course, admit that every man is given a uniform after he has enlisted. He pays nothing and gets nothing except the pleasure of going to drill each week, while the officers get $20 clothing allowance from the State every year after one year's service and is asked to furnish his own uniform and equipment and allowed to wear it if he attends drill and performs 80 per cent of ordered military duty, and are expected to attend camps, officers' schools, etc.

In the State of North Dakota during camp the magnificent sum of $1.75 per day is paid to a lieutenant, $2 to a captain, $2.25 to a major, and $3 to a colonel, and with this magnificent salary he is supposed to keep up his work for a year and have an equipment that is up to date. Can you imagine anything more unreasonable, and is it any surprise that our condition is not up to standard of the Regular Army, where both officers and men are paid liberally?

Last fall during the National Guard convention we picked an executive committee and, as far as the North Dakota Guard is concerned, we stand by that committee to a man. During the latter part of February the National Guard Association of our State had a meeting and by unanimous resolutions agreed to stand by the action of the executive committee of the National Guard Association. At this meeting we had the officers of the regiment, the noncommissioned officers of the staff, and three delegates from each company that had been elected by their respective companies, and in that way I think we had a very good expression of the whole guard.

While the Grain Growers' convention was in session January 19, 1916, they took up the subject of preparedness as follows:

"Whereas there is being urged an armament campaign and a vast expenditure for frenzied preparedness for war;

"Whereas there is being urged a larger standing army and a huge continental army; to expend millions to private firms for a bigger Navy;

"Whereas such an armament program, we fear, may plunge this Nation into needless wars and vast expense, and our citizens into great distress;

"Whereas the militia regiments of the various States were primarily organized to repel invasions and are as such fundamentally the nucleus of a volunteer army of the United States, and are thus by the proposal of a continental army to be cast aside as useless junk;

"Whereas we feel that there is a paid propaganda working throughout the Union to spend vast millions on increased Navy and war preparations: Be it

"*Resolved*, We, farmers and others in assembly in Fargo, N. Dak., January 19, 1916, do hereby petition our Senators and Representatives of Washington to be calm, and deliberate with care these proposals: that we ask Congress to assist the militia of the country to be equipped and increased as our ideal citizen soldiery; that we ask for an efficient Navy without the pork barrel; and that we demand the Government to build its own warships, and own and build its own factories for ammunition, guns, and other equipment for the maintenance of an Army and Navy."

I believe that with the representatives of the militia and the resolutions of the farmers we have a very good expression of the sentiment of the people of our State. The guard is not against the Army by any means; we know that should be increased, particularly in enlisted men, as the strength of the companies should be greater in times of both peace and war.

If the people are afraid of militarism they will never be afraid of an Organized Militia with some control in the State. What the people are afraid of is a big organized force, controlled from Washington, with no control in the State. The militia force is just the kind of force to prevent a war of aggression; such force will never be used in an unworthy cause, because the people in the State have direct control.

This is the reason the Constitution makers fixed it as they did. The militia is a constitutional force required by and provided for in the Constitution, and by the Constitution was made the main reliance of the country. The country has always done well under that system, and Congress will make a mistake if they abandon this constitutional force, or, I think, in assisting another force that is bound to put it out of business. I would like to see Congress put the Division of Militia Affairs in control of the militia and appropriate enough money to enable the militia to do business, and the results are bound to be good.

The continental army was repudiated, and I hardly think that section 56 of the Chamberlain bill is anything but the continental army in another form, and, as far as I am concerned, and I believe 95 per cent of the fathers in the State of North Dakota feel the same, they do not want their boys to join the continental or the Regular Army, and if the militia is to be the third in the line of defense then you are not going to have any militia, as they will not belong if their duties are to quell riots and break strikes. I believe that I am safe in saying that if you should ask any militiaman how long they would stay in the service provided they were not subject to call for service except during riots and strikes I do not think you would find any man would say that he would want any such service, and I do not believe that the militia should be used in local trouble, as in such a case you are likely to have to fight your friends and neighbors, which is the reason the militia is so unpopular with the labor unions.

As officers of the National Guard of North Dakota we have district judges, doctors, dentists, and men prominent in nearly every walk of life, and these men have only one idea in view and that is their country.

As far as the civilian camps are concerned, such as held in New York last year, they are of no value to anyone and will not bring an Army that is any use in time of need, as neither men over age or the very rich will be likely to be found in the trenches at any time.

If a man is to take two months away from his business in any one year, his employer, if he has one, will be likely to tell him that he can get along without him for the balance of the year.

I am perfectly willing to admit that the militia makes mistakes; they also make them in the Regular Army; they make them every-

where, and the only question in my mind, and I believe in the mind of every other citizen who is loyal to his country, is to get a system that will give the best protection for the least money. While our opinions may be divided on that, I think that records have proved that the National Guard is about the most economical of anything that has been given us up to this time, and conditions are too serious to cast aside the National Guard which has proven fairly good under pitiable conditions, having received no Federal support to speak of, and take up something that is not even feasible to men who have made a study of the subject.

I do not want you to think I am attempting to tell you what to do, but simply to give you our views and hope that you will take them in the same spirit that they are given.

The officers of the guard are not jealous, as charged, and men as a rule are not jealous of losing a job that brings them nothing but trouble, and we expect and ask nothing but partial pay for the work we perform, and personally I am old enough to escape army service should I so desire, and I expect to sever my connection with the guard during the next year or two, but I am interested in it, having spent the best part of my life in it.

With kindest personal regards, and hoping to see you when you come to the State, I remain,

Yours, very truly,

T. H. THARALSON.

LETTER OF COL. FRAINE.

Mr. YOUNG of North Dakota. Col. J. H. Fraine, in command of the First Regiment, says in part:

Perhaps no man in the State is better known as a "preparedness" crank than I am, and I assuredly want to see the most efficacious preparation we can get, but I don't think we should discard the tools we have until we are assured of being able to get some others somewhere.

If it is the intent to have compulsory military training in this country, and the Chamberlain bill will so provide, then I am for the so-called volunteer army, because then we can get it, but unless we have some compulsory provisions we can't get the men and therefore the plan will fail, and meanwhile the result to the guard will be that it will have been smothered to death and will also be out of existence.

LETTER OF MAJ. HENRY.

Maj. F. S. Henry, State land commissioner, says in part:

The National Guard of North Dakota, as well as in the United States, is against Senator Chamberlain's bill, especially section 56, and we feel it is a slap at the guard and in time will do away with our organization. It does not seem to me that the majority of the members of the Senate of the United States understand the real conditions. To my mind it is either a question of sink or swim and it is up to the Government of the United States at this time, we feel, that the guard be recognized and the young men who give their time in training themselves for efficient service should be given some encouragement. The officers of the National Guard are not asking for remuneration and do not insist on any favors in the Congress of the United States, but we do feel that the men, the young men especially, who attend drills four times a month during the year should be paid by the United States for this service, and every encouragement that can be given them should be done

CAPT. RITCHIE'S LETTER.

Capt. David S. Ritchie, of Valley City, N. Dak., a prominent lawyer, says in part:

There is not a guardsman whom I know but who is whole-heartedly in favor of national preparedness. In fact, when you consider that the guardsmen put in years of service, give their time and their money for the sole purpose of acquiring, or endeavoring to acquire, a military knowledge in order that they may give to the Nation in time of need intelligent service, that they have given this time to the Nation without cost to it, is it not rather a crime to say to them that they are actuated only by selfish and mercenary motives when they honorably act to perpetuate and to increase the efficiency of their organization. There is not a guardsman whom I know but who realizes that in its present condition the National Guard does not represent an efficient military force, but there is not a guardsman, nor do I believe there is an officer, in the Regular Establishment who has in any way been associated with the guard but who realizes at present that the National Guard, under proper conditions, can be made into a unified, efficient military force. The first step necessary will be to federalize it. Make it subject to the control of proper Federal authority at all times. We feel that the question is one of federalization of the National Guard, and not one of maintenance of the officer, of several adjutant generals. We also feel that the National Guard should be given preference over a volunteer army or continental army, and this position is one which is not taken without reason. The advantages which the National Guard federalization plan of to-day holds over a volunteer-army plan will be found in the fact that the National Guard is now organized. You have the several military units with their full organization. It has officers and men which will form a nucleus upon which to build. Having these things, it only remains to federalize it and for Congress to provide for a uniform system of training and for uniform government and control. With such steps taken, having the frame of organization with which to work, the guard can be welded into a compact and efficient whole. The objection of to-day is that it is composed of 48 separate and distinct armies, and that would be overcome.

On the other hand, with the Federal volunteer army it would be necessary to start to perfect an organization beginning at the bottom and to first obtain the material with which to build. This, of course, will be a very serious matter. Another matter which should be taken into consideration is that in constructing your volunteer army—that is, in organizing it and giving to it the proper instruction—it will be absolutely necessary to use officers. Then the question is, Where are these officers to come from? Certain it is that there are not now sufficient officers in the Regular Establishment to properly officer the now existing organizations, so that it will mean a large increase in the commissioned personnel. To this we have no objection, but fundamentally we lay as a reason why the continental army could not be successful the fact, which may not be known to the Regular Army officer and which is probably not well known to anyone but a National Guard company commander, they they are going to have great trouble securing enlistments, for the reason that when a man enlists it will be necessary for him to take his training in camp each year, and this will result in the losing of a civil position. The men are hardly patriotic enough to enlist in the volunteer army in time of peace and by so enlisting lose their means of livelihood. At this point I wish to say that, as a company commander in the National Guard, I do not find that the young men themselves have any objection to enlisting and receiving training, but, on the other hand, rather desire to do so; but, as against this, we find their employers objecting, saying that it takes altogether too much of their time; and I know of a great number of instances where the guardsman has lost his position by reason of going to the camp of instruction. It might be well to insert in the bill some provision protecting the enlisted man in his position.

Now, then, if the officers detailed for instruction to the volunteer army, the money used, and the time given were detailed, used, and given for like purposes in the National Guard would not the National Guard be brought up to a proper state of efficiency? What we need as a guard is instruction, uniform organization, and Federal control, and I am satisfied, given these things, that we have sufficient gray matter to make ourselves proficient.

JUDGE HANLEY'S LETTER.

Capt. James M. Hanley, of Mandan, N. Dak., a judge of the district court, says in part:

In regard to the constitutional objections offered to the militia, these are greatly magnified. The militarism that the people fear is a large force controlled at Washington and not answerable to the people—that is, the State—and the Constitution makers undoubtedly had in their minds the thought—when they left part of the control of the militia in the States—that it was a safeguard against the force being used in a war of aggression or for any purpose of which the people did not approve. I think the Congress should hesitate before this constitutional force is abandoned; and, undoubtedly, the continental-army scheme, if adopted, would put the militia out of business.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. STERLING].

Mr. STERLING. Mr. Chairman, I regret that this bill has no provision for Government aid for the production of atmospheric nitrogen. The question of an adequate nitrogen supply is one of the utmost importance at this time. The problem presents two aspects, the military aspect and the agricultural, both of which stand out with such importance that I consider it the duty of the Government to do something to encourage industry along this line, and a failure to do so is a dereliction of duty.

A sufficient nitrogen supply is one of the most important elements in any program of preparedness which may be adopted. Whatever this Congress may do with reference to an Army and a Navy, all will be futile unless adequate steps are taken to supply the Government with gunpowder. Our great battleships might sail the seas and monster cannon tower above our fortifications, they are but mere toys, without explosives.

Congress may plan to train the young men of the country in the tactics of war and furnish them with uniforms and burnished guns, yet that would not constitute an Army unless the Government is prepared with an amply supply of powder. There is no other factor so absolutely essential in the composition of an Army as that.

Nitrogen is the essential ingredient in all explosives used in warfare, and at the present time it may be abundantly obtained from two sources. One is the natural deposits on the plains of Chile; the other is the atmosphere. For nearly 100 years the entire world has relied upon Chile for its main supply of sodium nitrate from which powder is made. There is no other place in all the world where it has been found in deposit in quantites available for commerce, either for military or agricultural uses. It is now well known that the Chilean deposits are not inexhaustible. Surveys show that at present rates of exportation from that country, the supply will cease before the end of the present century; and if the consumption increases in the future as it has for the past 10 years the supply will be exhausted by the middle of the century. The United States has looked to Chile for its nitrogen supply. In 1909 we imported 353,000 tons at the cost of more than $12,000,000, and these imports have increased from year to year until in 1915 we bought of Chile 577,000 tons of nitrate of soda at a cost of more than $16,000,000. The cost per ton has ranged from $28 to $36, exclusive of the cost of transportation and export duties imposed by the Chilean Government of $12.54 per long ton.

Mr. Chairman, I desire to place in the RECORD at this point a letter from Secretary Redfield,. giving information concerning our trade in Chilean nitrates:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, March 24, 1916.

MY DEAR CONGRESSMAN: I have before me your letter of March 23 requesting information relative to the annual imports of Chilean nitrate into the United States, the prices per ton, and the Chilean export duty on nitrates.

In reply it affords me pleasure to transmit the following statement, which shows the imports of nitrate of soda into the United States from July 1, 1908, to January 31, 1916, with the import value per ton for the periods stated:

Period.	Long tons (2,240 pounds).	Values.	Average import value per ton.
Fiscal year ending June 30—			
1909	353,494	$12,583,417	$35.59
1910	550,495	16,874,602	30.65
1911	546,525	17,101,140	31.29
1912	481,739	15,431,892	32.03
1913	589,136	20,718,968	35.17
1914	564,049	17,950,786	31.82
1915	577,122	16,355,701	28.34
Six months ending Dec. 31, 1915	440,375	12,997,734	29.52
January, 1916	90,534	3,223,869	35.61

The average import price is based on the wholesale price in the principal markets of the country from whence imported at the time of exportation to the United States. It is exclusive of the Chilean export duty amounting to 3.38 gold pesos per 100 kilos, the equivalent of $12.54 per ton of 2,240 pounds. I regret that the department has no information respecting the actual prices paid during the period in question by domestic importers of nitrate of soda. The Chilean export duty on that article, about which you inquire, is given in the first sentence of this page.

Very truly, yours, WILLIAM C. REDFIELD,
Secretary.

Hon. JOHN A. STERLING,
House of Representatives, Washington, D. C.

European countries have drawn on the Chilean supply much more heavily than has the United States. England and France have been large users of nitrates from that source. Germany has relied on Chile prior to the present war for its supply of sodium nitrate, and has required more than any other nation, 80 per cent of which it has used for fertilizer.

Frank S. Washburn, of New York, president of the American Cyanamid Co., in an article by him on the subject of "Facts in the nitrogen case," states that Germany imported during 1914, up to the outbreak of the war August 1, more than 800,000 tons, and that her army captured at Antwerp 200,000 tons more, and that she had consumed during the first year of the war the entire amount of this vast supply in the manufacture of explosives. It is said that Germany alone has consumed during the war gunpowder at the rate of a million dollars per day. The allies combined, of course, have consumed a great deal more than that, and that all of the principal warring nations are now engaged in the production of nitrogen from the atmosphere, from which they get the nitric acid consumed by them in the manufacture of powder.

Thus it may be seen that the military aspect of the nitrogen problem is of wonderful importance. It seems to me it is of equal, if not of greater, importance in the consideration of our national defense than any other single question. If the time should come when we would be engaged in war with a foreign power, we would be helpless unless we were prepared with an ample supply of explosive-making material. We might be able to secure it from the mines of Chile. If, however, our enemy should drive our ships from the seas or our Navy should be engaged in other parts of the world or in defense of our coasts, we would be cut off from this supply, or if for any cause the Panama Canal should be out of commission and our ships would be required to carry our needed supply around that great southern continent, we would be placed at a great disadvantage in the conflict. I submit in view of the situation, as we can see it now in the light of the European war, it is not prudent for our Government to delay the hour when it makes itself wholly independent of the world for its supply of explosive-making material.

It is true that there has been developed in this country a source of nitric acid as a by-product in the production of coke. This source, however, is uncertain and fluctuating, and would barely produce enough of nitric acid to meet the demands for other than military and fertilizing purposes. The supply from that source, of course, is limited by the amount of coal used for coke production. Mr. Washburn estimates that to produce the minimum amount of nitric acid needed in times of war, which he places at 180,000 tons, from coal alone would require an investment of $100,000,000 in coke-oven plants and 27,000,000 tons of coal per annum. To provide ourselves with this necessity from that source in time of war would be at such an enormous cost that it could not be considered.

Let us consider briefly the agricultural aspect of the problem. This phase of the question is of equal importance with the military aspect, and much more constant. The nitrogen supply is already becoming one of utmost importance to the agricultural interests of the country, and growing more so each year. The three great soil essentials that concern the American farmer are potassium, phosphorus, and nitrogen. The chemist tells us that in a large part of the American soils devoted to food production potassium is found in enduring quantities, and that phosphorus may be supplied from the inexhaustible mountains of phosphate rock contained within the territorial limits. Then nitrogen remains as the limiting factor in food production, unless nitrogen may be obtained in enduring quantities and in usable form. The older settled lands of the world realize this more forcibly then do we, yet in America agriculture has already abandoned once productive fields in search of newer soils where nature's supply of nitrogen has not yet been impaired.

The farmer of the Middle West has commenced to realize the limitations of his soil in this respect and has stood off disaster by the production of legume crops which have gathered nitrogen from the air and stored it in the soil. But there is a limitation to that process. The production of legumes for the sole purpose of supplying nitrogen is expensive. It is well enough so long as nitrogen is produced in that way simply as a by-product in the making of legume feeds for live stock, but when he gets beyond that point and grows legumes for nitrogen alone he is paying a very high price.

It has been demonstrated that nitrogen as a fertilizer has had great influence in determining the productive cost of food. In England, where its necessity has been recognized for many years, the yield of wheat per acre has been nearly three times that in the United States, and Germany has produced on half the acreage of agricultural lands nearly twice as many bushels of wheat, oats, rye, and barley as has this country. On the experimental fields of Rothamstead, England, by the use of nitrate of soda the yield of wheat was increased from 12 to 36 bushels per acre, and in this country, at Briar Cliff farm in New York, the hay crop was increased from $15 to $28 by the application of sodium nitrate to the amount of $2.62 per acre. By experiments in the State of Indiana in 10 counties the yield of wheat was increased on an average of 11.6 bushels at a cost of $3.67 per acre, and in 37 experiments in the State of Illinois in 1913 the average increase was 5.2 bushels of wheat per acre, which increase was valued at twice the cost of the nitrogen fertilizer that was used.

It has been demonstrated beyond question that already the soils of America are in need of nitrogen, and that that need is increasing and will increase from year to year until American production of foodstuffs will be far less than it is to-day and the cost of living thereby proportionately increased unless the soil is restored to a more productive condition by the application of this plant food. Much discussion has been had in recent years regarding the high cost of living and many plans devised or suggested whereby it may be reduced. I have no doubt but what our transportation and trade systems have had much to do with this great increase in the prices of foodstuffs. The primary reason, however, lies in the fact that the growth of population has been much more rapid than the increase in the production of food. Population will continue to grow, but the day is near when production will cease to grow at all, but, on the contrary, will be diminished on account of the impoverished condition of the land.

It is plain that very soon the source on which we have relied for nitrogen will fail. The Chilean supply can not last but a few years, and as that supply grows less the price to the consumer is bound to increase.

For these reasons I urge the early consideration of Government aid for the production of nitrogen. I do not mean that the Government should undertake to engage in the business of nitrogen production on its own account. I do believe, however, that it ought to demonstrate to private enterprise that nitrogen can be produced from the atmosphere in such vast quantities as to supply the needs of the Government for military purposes and the farmers of the country for fertilizing purposes. Science has already proceeded far enough to demonstrate the fact that such a thing is entirely practical. But it is a new field, and private capital hesitates to venture until it can be shown that nitrogen may be produced in that way at a profit in competition with imports coming from Chile. We can not afford to wait until those deposits are entirely gone. We ought to see to it that the industry is sufficiently established before that time arrives, so that we may be able, independent of the world, to supply our Government and our people with an ample supply of life-giving and life-preserving nitrogen.

Scientists have weighed the atmosphere surrounding the earth and can tell us the weight of a given volume. We know that 79 per cent of that volume is nitrogen, and they say that there are 4,000,000,000,000,000 tons of it in the atmosphere and that above every square mile of the earth's surface rests 20,000,000

tons, or 7 tons to the square yard. Nature has placed it there for the use of man, and it remains now for him to deduct it in form for his many uses.

I do not pretend to have knowledge of what is the best plan on which to proceed. We all know that the first requisite is cheap power. At the present time it is certainly not practical to make nitrogen from the air by steam power; and wherever it has been made from that source, and is now being made, at a reasonable cost, it is by the use of hydroelectric power. Norway, with her immense water power, is successfully engaged in the fixation of atmospheric nitrogen. The only industry on this continent in that line at the present time is that of the American Cyanamid Co., in Canada, located there, as I understand it, because it could get cheaper water power on that side of the Niagara than on this side.

The first step, then, in the United States looking toward the development of this industry is cheaper water power. We have water power in vast abundance which I believe might be rapidly developed if the Congress of the United States would extend more liberal laws so as to encourage capital to invest in these enterprises.

There is now pending in this House a bill from the committee of which I am a member which it is believed will encourage the development of water power. It is folly for the Government to hedge its control of waterways about with stringent laws. They ought to be sufficiently liberal as to invite capital to develop this power to some useful purpose, to promote cheaper production along all lines of manufacture. There is no such thing as exhausting the water power contained in the waterways of the country, and the sooner they are made useful the sooner will their influence be felt in the cheaper cost of living.

Men of competent understanding have proposed plans for the use of water power in the production of atmospheric nitrogen. Some of them certainly are feasible, and the Government can only determine the most practical way by careful experiment.

Persons seemingly qualified to judge of the requirements of the Government in times of war have estimated that the Government should have available 180,000 tons of nitric acid per annum for military purposes or ready means whereby that amount could be secured quickly. A plant capable of producing so much would be maintained at a vast expense in times of peace. Mr. Washburn's plan, which I think has been suggested to some of the committees of this House, combines a private plant with a governmental plant, which in times of peace could be utilized in the manufacture of fertilizers. The following is the detailed statement of such a plan found in the paper by Mr. Washburn above referred to:

First. The Government is to develop 100,000 primary hydroelectric horsepower at any place which will serve the military and commercial purposes to which the power is to be applied. This would call for an installation of 125,000 to 130,000 horsepower capacity measured on the switchboard, which taken at an assumed installation cost of $100 per horsepower would amount to $12,500,000 to $13,000,000. The Government is to own the entire plant.

Second. Private capital is expected to construct at an estimated cost of $23,000,000, including working capital, a fertilizer plant, rent the requisite hydroelectric power for its operation from the Government and pay 3 per cent on the Government's investment for developing the same together with the cost of operating the power house. The fertilizer plant is to produce a high-grade, concentrated universal fertilizer equivalent in plant food constituents to 2,200,000 tons of standard 2-8-2 fertilizer goods.

Third. Private capital is to install at an estimated cost of $1,000,000 the buildings and special appliances necessary to introduce a subsidiary process, exclusive of the fertilizer processes, by which 20,000 tons of nitric acid per annum would be produced for the Government's peace-time requirements.

Fourth. The Government is to install at an estimated cost of $5,000,000 the buildings and special appliances necessary to introduce a subsidiary process, exclusive of the fertilizer processes, by which the plant will stand in absolute readiness to produce 90,000 tons of nitric acid per annum and have all the buildings and everything, except easily procurable articles of merchandise, in store on the premises necessary to complete the plant within three months for an additional 90,000 tons.

Fifth. The Government is to have nitric acid at all times in such quantities as it may desire at the cost to the manufacturer for furnishing it plus such additional amount as profit as the Secretary of War, in his judgment, may determine from time to time as reasonable.

Sixth. Provisions are to be made against exorbitant or discriminatory prices being charged for the fertilizer produced under this plan.

Seventh. Provisions are to be included by which 45,000 to 90,000 tons nitric-acid capacity shall be in readiness within 18 months at moderate increased expenditure if any at all.

I venture these remarks for the purpose of calling attention to the importance of this great problem of nitrogen production with a hope that they may help to arouse interest in the question. I am convinced that if the Government is to make itself independent in its nitrogen supply for military purposes and the agricultural interest placed in a position where they can command nitrogen fertilizer in the near future, the Government itself must make the start. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. REILLY] such time as he may wish.

[Mr. REILLY addressed the committee. See Appendix.]

Mr. LEVER. Mr. Chairman, I will ask the gentleman from Iowa [Mr. HAUGEN] to consume some of his time. I will close with another speech.

Mr. HAUGEN. I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is recognized for 10 minutes.

Mr. HAUGEN. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has eight minutes left.

Mr. LEVER. How much time have I left, Mr. Chairman?

The CHAIRMAN. The gentleman has 27 minutes left.

Mr. FESS. Mr. Chairman, I want to invite the attention of the House to two recent statements. One is from the Comptroller of the Currency and the other is from the society called the American Society of Thrift. The one is a governmental publication and the other is the publication of a voluntary association. The one came to my office this morning, and I am sure copies of it have been examined by many Members of the House. It states that the banking resources of the national banks of the country are nearly $14,000,000,000. That sum will exceed the banking resources of the famous Bank of England, the Bank of France, the Bank of Germany, of Russia, of Switzerland, of Japan, all combined. The resources in the national banks, according to this statement, are nearly $3,000,000,000, or nearly $1,000,000,000 more than the law requires. The surplus and undivided profits will reach over $1,000,000,000.

That is a remarkable statement of simply one branch of the banking business of the country. It does not include the vastly greater number of trust companies and private banking firms, which together supply only a fraction of the country's wealth. Now, keep that in mind as I read this contrast from this report of the American Society of Thrift. Sixty-six out of every 100 people of the United States die penniless. Twenty-five out of every 100 have been able to accumulate $1,300, so that they would have that amount when they died. Of course, this does not mean what they earned, but what they saved. Nine per cent had accumulated and saved $5,000. Two per cent had accumulated sufficient to be classed among the well-to-do, so that they lived off the income. Ninety-eight per cent live upon what would be classed the daily accumulation or wage or salary. And this is the most remarkable statement of all: Ninety-seven per cent of those who reached the age of 65 depend, in part at least, either upon relatives, friends, or some charitable movement for clothing, shelter, and food.

Gentlemen of the House, I have not been able to verify these figures. I have not had time nor convenience to do so. They are stated by the association as coming from the census reports of the Government, and I hesitate to quote them without having been able to go into a verification of them. However, they are startling in the mere fact that they have been published. They have been made the basis of many editorials of the press of the country. I dismiss the question as to whether they are true, and assume that there is some basis of fact for the statements. What is the cause? That is one of the pertinent questions which enlists public attention.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Nebraska?

Mr. FESS. I would like to yield, but I want to make a statement. I very much dislike to decline to yield. There is no discourtesy meant.

Mr. SLOAN. Oh, no.

Mr. FESS. The chairman of the committee made the statement that the tenantry system seemed to be increasing. I asked him the question whether that propertyless class was not also increasing in the towns. I am rather of the opinion that the class that owns no property is increasing both in the country and in the towns, although I can not verify it, not having the chance to go into the question. There are localities where well-to-do farmers move to the town and rent their farms. This increase of tenantry may not indicate an increase of any class. Many members of this committee, in speaking on the Agricultural appropriation bill, have spoken of conditions on the farm that ought not to be, and have suggested various remedies, so that I think I can safely say that many people in the country are inclined to lay the cause of this condition at the door of the Government, or at least would suggest that the

remedy is legislative enactment. One lays the cause to the lack of distribution, another to methods of transportation, and still others to monopolistic control of farm production. Naturally, men so convinced will look to the Government for remedies. I am not one of those who attribute the cause to the Government, and I will not agree altogether with those who think that its remedy is in legislation. We are now, and have been, suffering with overlegislation. It has almost become an epidemic among our people. However, I do think that suggestions made by those who have discussed this bill are rational and many of them constructive, and that probably those remedies will assist, but I do not think they will cure. A rural-credit system would assist. Better transportation to assist in marketing will assist. Governmental control of monopoly will also help. But regulation must not give way to strangulation. I have noticed that the tendency in legislation has been, and now is, paternalism. Anyone who will study the enactments of the last 50 years must be impressed with this tendency in Government, having the Government do for the community or the individual. A simple recital of the measures adopted in the last 20 years, or even the various bills introduced in this and the last Congress, tells the same story. I also notice that there is a rapid growth in socialism in the country. Nobody can close his eyes to that fact. Those voting the Socialist ticket do not, by a long way, measure the Socialist sentiment in the country. It is very apparent, and there are many people in the country who believe that socialism is the remedy for what they call this inequality.

I do not share in that conviction either. Equality will not be produced, neither will inequality be promoted by governmental decree. Human nature is not the result of laws of Congress. I believe that much of this inequality must be laid, first, to the lack of devotion or application to the utilization of one's energies. Good luck is not a law of success. Employment of talent, conservation of energy, and application to the work at hand are conditions of success. Much of this inequality is now and has been due to a lack of organized thrift. The country does not stimulate the maximum production of her people. This is especially true on the farm, as may be noted when we compare the yield of our acres with that of Germany. The same conclusion is noted in our system of industrial training. In the Province of Bavaria there are more vocational schools than throughout this entire country.

I believe that very much of this inequality is due to the wicked waste, not only of the individual but of the community, of the State, and of the Nation. On the farm this is noted by the treatment of the farm machinery, stock, gathering crops and various other items. I also believe that much of it is due to the false standard of high living which breeds extravagance that is serious. This is so apparent that it might be classed as a national characteristic.

Now, I speak with reference to young men I have watched in my own community, to say nothing of our young women. Somebody sets the standard. He can afford it because he may have been born with a silver spoon in his mouth; has little else to do but to spend money. Others come along who can not afford it. They want to wear the same clothing, they want to have the same indulgences, they want to spend their time in amusement, and every bit of it costs not only money but it costs energy. They make no connection between income and outgo. I think right there is a source of much of this propertyless ones in the community. Anyone who spends more than he receives will die not only penniless but the subject of charity.

I know this is not popular to say; I know people will take offense at this statement, but I think that this country is a country of open opportunity, and that there never was a time before where the young man with equal energy has such an opportunity to make good as to-day.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman three minutes more.

Mr. FESS. I am grateful to the gentleman. A young man was walking out of a New England State, and he found that the night was overtaking him, and he could not get to his destination. He stopped at a farmhouse, asked the farmer if he could do some work to pay for his lodging, and said that he could not get to his place that night. The farmer said, "No; you do not need to do any work; you can come in here; you are welcome." The boy said, "No; if I can not find something to do to pay for my night's lodging, I will go on." The farmer was impressed and said, "Well, it is dark, but I will take a lantern and go out to the woodpile, and you can split up some wood." He held the lantern, and the boy split some wood and stayed with him that night and went on in the morning. That was the famous George Peabody, who became in later life the country's great philanthropist. He started with nothing. This story can be duplicated many times. It finds a place in the details of every department of American life.

I remember distinctly the story of a boy passing under an awning between boxes and barrels of groceries when a lady and gentleman passing by were obstructed. The boy was standing under the awning, and she said, "Get out of the road and let people pass." He stepped out into the rain. It attracted the attention of the gentleman, and he said, "Come in out of the rain, my lad." He stepped in, and the man put his hand on his head and said, "Where do you live?" "I have no home." "Where did you come from?" "Down town." "Where is your father?" "I don't know, sir." "Where is your mother?" "She is dead." "What are you doing here?" "I am looking for work." "What can you do?" He held up his hands and said, "Anything my hands can find to do." This man said, "Will you go with me?" The boy replied, "If you have anything for me to do." And he took him to his home. One night, talking by the fireside, he asked this boy whether he had any ambition or not, and the boy replied, "I would like to be a scholar and I would like to be a gentleman." And the man was wise enough to say to him, "Well, you can be both. You do not need to be well born; you do not need to refer back to your father or mother. You can be both; opportunity is open for you." [Applause.]

When that boy was one day cuffed by the proud woman, she called him a vagabond. That little orphan boy held his hands up and said to the woman, "Please don't call me a vagabond." She reminded him that he was a vagabond; that he had no home, no father, and no mother, and she said, "You are a vagabond." And he said, "No; a man told me that anybody that had two hands and a brain can do something, and I have both." That boy came to be one of the rulers of the country which gave him birth. The Government can do nothing more than to keep open opportunity to the citizen. While the citizen must learn that success must be with him who embraces the opportunity and who is willing to pay the price of close application to duty, frugal living, and a rational conserving of his powers. This is the cure of poverty; legislation will not reach it. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LEVER. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, on the 19th day of February of this year I introduced a resolution in which I ask for the appointment of a commission to prepare and recommend a plan for the establishment of a national insurance fund and for the mitigation of the evil of unemployment.

We had a most interesting hearing on the resolution before the Committee on Labor of the House. Men of all political faiths appeared in support of the resolution and urged the need of a comprehensive study of the subject.

Up to 1912 there was only one political party which grasped the importance of dealing with the problem of unemployment, with health insurance, and old age pensions from a national standpoint and as national conservation measures. In 1912, Mr. Roosevelt, in his anxiety to smash the old Republican Party, which in his opinion had survived its usefulness, was gathering together planks for a platform which should bring to his support all the discontented. He consulted a number of men who had made a study of social problems, among them a well-known Socialist, for planks dealing with the social problem. Among these planks we find some dealing with the problem of social insurance.

The phrases "social legislation," "social conscience," "social insurance," are rather new to America. There is no country in the world in which the spirit of individualism is so strong as in the United States. Individualism is the narrow application of the doctrine of self-help. "Help yourself, and never mind at whose expense," is the slogan of this philosophy. This kind of individualism assumes that every man can improve his condition and take care of himself and his family and can rise out of poverty and destitution by personal effort. Any effort on the part of the individual to invoke the aid of the community, and particularly of the law, is condemned as repugnant to the American idea. Before our very eyes men have risen from poverty to opulence, from positions of insignificance to positions of prominence. We have financiers who started as shipping clerks. We have lawyers, judges, statesmen, who started as office boys. And with these men as a practical example of what America and Americans can do, social legislation, social insurance, social problems, are to many utterly unintelligible expressions.

This Republic had its birth in a rebellion against an oppressive Government. Jefferson's theory that that government is best which governs least expresses perhaps better than all the books

on liberty the theory of American individualism. When this doctrine was proclaimed there were some men in America who were richer than others, but there were no extremely rich nor extremely poor. At least, everyone had a chance. The resources of the country were untouched. There were new lands to be occupied; opportunities were unlimited; a strong and energetic man was bound to succeed. It was a fair contest and a fair race, in which the man with ability survived.

No one will seriously argue that we have the same state of affairs to-day. Some industries have reached a stage of monopoly. No matter how able, how energetic, how self-reliant the individual may be, he can not hope to succeed in the race against a powerful aggregation of capital. He is no longer competing with an individual who is a little richer than he is. He is called upon to compete with an aggregation of power in the form of organized capital, a tremendous, overwhelming force beyond the power of any individual to successfully contend with, and surely beyond the power of the individual to overcome.

The doctrine of self-help must be revised in the light of this new phenomenon. Instead of the good, sound philosophy which spurred on every man to exert himself to the utmost for himself and his family, so that he might some day, through thrift and intelligence, reach a state of independence and be his own boss, there has come another kind of self-help. Many an able man finds that he can help himself only by placing himself in the service of organized capital. It has come to be the highest ambition, and this ambition is being fostered, to become a corporation manager, the editor of a paper backed by a powerful corporation, a corporation lawyer—in short, some kind of a corporation tool. And there is growing up a peculiarly servile and contemptible type of man, and the most contemptible of them all is perhaps the corporation lawyer.

Who is the great lawyer nowadays? Is it the man who has contributed a new thought to jurisprudence or a higher ethical conception? Is it the man who has through the channels of legal activity enlarged the liberties of the people? No. Our great lawyers are the men who have received big fees in the service of organized capital. They are the men who guide the destinies of corporations and promote their interests as against the interests of the people.

Mr. McCRACKEN. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. McCRACKEN. Would the gentleman apply that to Mr. Brandeis?

Mr. LONDON. Mr. Brandeis is one of the few lawyers who have tried to make the profession of the law nobler. He has applied his talent to prove the constitutionality of a law regulating the hours of labor for women. He has tried to bring the spirit of life into the dead letter of the law. He has broken away from the old traditions of the corporation lawyer and has acted as the lawyer of the people, as the lawyer of the future.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. LONDON. I will.

Mr. HUDDLESTON. Is not that fact the reason why Mr. Brandeis is being opposed for confirmation?

Mr. LONDON. That is the principal reason; and if not on his own merits Brandeis should be confirmed because of those who oppose him. [Applause.] When Taft and Choate and Root oppose a man, be sure that man represents a noble idea and noble principles. [Applause.]

But enough of this.

Modern industry is organized on such a gigantic scale that in most industries the individual capitalist must combine his capital with that of others in order to make his capital effective. It has become more and more difficult to fight single-handed the battle of life. While capitalist and capitalist are forced to join in corporations, worker and worker are irresistibly driven to join in unions, farmer and farmer into granges, and the most intelligent elements of all classes into the Socialist Party. It is this new kind of self-help which seeks to accomplish the salvation of the great masses through cooperation on the economic and on the political field that is forcing to the front these new notions translatable into the phrases "social legislation," "social conscience," "social insurance."

I intend to present to you a program of social insurance, which is part of the constructive program of the Socialist movement. Broadly speaking, the subject of social insurance can be subdivided into the following branches:

1. Unemployment insurance.
2. Sickness and disability insurance, which takes in sickness, industrial accidents, and occupational diseases.
3. Invalidity and old-age insurance.
4. Provision for widows and orphans.

In the ultimate analysis social insurance carries with it obligatory insurance against the hazards of unemployment, sickness, old age, and death.

Social insurance had its origin in Germany in the eighties. The Socialist movement had not only gained a foothold there, but threatened to engulf both the capitalist class and the Monarchy. Prior to that the Iron Chancellor had hoped to crush the rising movement of the Social Democracy by repressive measures. Socialist publications were suspended; their organizations were disbanded; the Social Democrat was declared an outlaw. These repressive measures failed.

A new policy was then adopted by the Iron Chancellor and the Imperial Government. The Imperial Government undertook to wean away the masses from the Social Democracy by a series of national measures calculated to mitigate the evil conditions in industry. A comprehensive program insuring the worker against old age, sickness, invalidity, and accidents, and which continuously held out the promise of more thoroughgoing improvements, was offered to the workers.

The Imperial Government has again failed to check the growth of the Social Democracy, which has become the largest party numerically in Germany, but it has contributed to the development of the most efficient, most intelligent, and most healthy working class of modern days. The German Imperial Government has been spurred on by the Social Democracy. Now the whole world talks of German efficiency.

Let us take up first the subject of unemployment insurance.

It has long been contended by the Socialists that our present method of production and distribution involves the presence of a large army of unemployed. It would stand to reason that if industry is to be maintained on a competitive basis, which is the ideal of the conservative, that there must be competition between worker and worker for a job. In order that employer and employer may compete they must be able to compete at the expense of the wageworker, because after all the principal cost of production is the wage paid to the worker. Competition between employer and employer involves competition between man and man for a job, and the constant presence of a number of men who are out of employment, of the jobless man seeking to replace the man who has a job. The Commission on Industrial Relations estimates that the industrial worker loses on the average one-fifth of his time because of unemployment. The commission proves that "even in normal times the number of unemployed is appallingly great."

It appears that from 7 to 15 per cent of all the members of unions are unemployed at some time during the year. We are all familiar with unemployment during periods of depression and during the acute stages of depressions known as crises. We all know that a crisis means unemployment. Thus from the somewhat uncertain figures as they are presented by the census of 1900, the number of unemployed in that year reached the startling figure of nearly six millions and a half. Statistics of unemployment were gathered in 1910, but they were probably so staggering that they were never tabulated, and they have never been made public. We have just emerged from a crisis during which there were almost as many unemployed as employed men. And the worst about it is that crises are of rather frequent occurrence—we have had them almost every 10 years. Because the evil of unemployment assumes a threatening character during each crisis, it does not mean that we are free from unemployment in normal times.

It will be readily conceded that every change or threatened change of the tariff disturbs industry and throws men out of work. It is a matter of history that protectionist industries, whenever a downward revision of the tariff was threatened or effected, have held out before the workers the prospect of shutting up the plants.

We all remember the solemn warning issued by the President, that all who would attempt to coerce their employees by threatening to shut down factories in resisting a downward revision of the tariff "would hang as high as Haman." The protectionist did not threaten, he only prophesied, but prophesied calamity with such insistence and with such emphasis that it had the effect of coercion. The protectionist did not hang as high as Haman, but a large Democratic majority in Congress was reduced almost to zero.

The man working in a protected industry, with nothing to fall back upon when separated from his job, can not afford to take any chances; and when he hears the political orator proclaim that a reduction of the tariff would be followed by joblessness, he is in nine cases out of ten likely to vote back into power the protectionist interests. If the worker had something to fall back upon it would not be so easy to intimidate him.

Our age has been characterized by the constant introduction of new machines and new appliances, of new methods of division of labor, of heretofore unknown systems of efficiency. While every new machine, every new invention, every method that simplifies work or increases the productivity of man inures to the ultimate benefit of mankind, it has the immediate effect of causing a constant shifting of labor, of separating men from their jobs. Ultimately a blessing, the introduction of a new machine or a new device is an immediate curse to the worker who loses his job. The object of introducing a new machine is to increase production and to economize on labor, and unless the introduction of a machine in a particular industry will result in a demand for the article commensurate with the increased productivity, there will be idle men pounding the sidewalks.

The full extent to which the productivity of labor is increased by the introduction of machinery can hardly be appreciated. I shall cite just a few instances. Thus, while it took 222 hours to turn out 10 pairs of men's fine-grade shoes by hand, it takes just 29 hours to turn them out by machine. The making of a watch movement, which requires 195 hours by hand, takes only 5 hours by machine. One dozen corsets, 210 hours by hand, 18 hours by machine. Newspapers, printing and folding 36,000 pages, 216 hours by hand, 1 hour by machine. Loading 100 tons of ore on cars, 200 hours by hand, 1 hour by machine.

It is a poor consolation to the breadwinner of the family ousted from his job to be told that in the long run mankind will benefit by the new machine.

In some industries unemployment is more constant than employment. This is particularly true of seasonal trades and of those trades that serve the whims and caprices of fashion. In the building trades, in the clothing trades, in the canning industry, in the lumber camps and sawmills, the busy season is quickly replaced by the slack. Only a small proportion of employees have work throughout the year in these industries. The resulting rivalry for a chance to be employed has a depressing effect upon the general level of wages.

It seems as if some industries could not exist at all under present conditions, so miserable are the wages therein and so short is the duration of employment, unless there were a large army of casual workers ready to take any kind of a job.

There has been an average of 15,000 bankruptcies every year, and every bankruptcy means a tragedy in the home of the employee.

The creation of a new market, the disappearance of the demand for an article by the substitution of another in its stead, the springing up of a new industry, the decay of an old one—all of these things have the effect of shifting the workers from their jobs.

Unemployment, then, is not an accident, not a rare thing, not an occasional thing, but an incident of industry. It can always be predicted, so far as seasonal industries are concerned. It is sure to come with the application of every invention. It is sure to follow a change of the tariff. Every fluctuation in the world of commerce, every depression, every crisis, every change brings in its wake unemployment.

And very often, while tens of thousands of men walk the streets of our large cities in search of work, you will hear the farmer imploring the city laborer to come and help him out in gathering the harvest.

Mr. BUCHANAN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. BUCHANAN of Illinois. Is it not a fact that in many instances the amount of money that the laborer receives while employed in the harvest field is taken up in the charges of transportation to and from the place of work?

Mr. LONDON. Undoubtedly. The farmer will pay the city laborer $3 a day while he works, but after the rush is over the city laborer must fall back upon his own resources—which are nil—and finding himself without means of transportation, he only helps to glut the labor market. As somebody has recently expressed it, the city laborer is invited to the farm with a brass band, and is driven out with a club as soon as the harvest is in.

We can not meet the problem of unemployment with spasmodic relief or temporary public works, nor by relying upon the kindness of employers who, under competitive conditions, very often can not afford to be kind, nor upon vagrancy or poor laws. Unemployment is an ever-present hazard of industry, and must be dealt with as such.

The Department of Commerce sends out daily consular reports, giving information as to trade, manufacturing, and finance all over the world. A system of unemployment exchanges covering in a complete network the entire country could be made to perform the same function for the laborer. In order that it should be successful it must be organized on a national scale and by the National Government. It must be made sufficiently elastic to enable the widest possible cooperation with the labor unions, and municipal and State labor exchanges. The employment exchanges established by employers' associations are for the most part ordinary strike-breaking agencies.

A national system of unemployment exchanges will not of itself furnish jobs. It will furnish information, eliminate a great deal of waste, and centralize the labor market.

The 80 public employment exchanges scattered in about 20 States offer but scant assistance.

A majority of the civilized countries of Europe have come to recognize unemployment as a characteristic feature of modern industrial life. Of the various methods dealing with unemployment on a permanent basis, I will just say a word about the Ghent system. The system which has its name from the city of Ghent, in Belgium, the first city to introduce it, consists chiefly in subsidizing labor unions which pay out-of-work benefits. It is a purely voluntary system.

The boldest step in the direction of introducing a national system of unemployment insurance was taken in England in 1911. It may be worth while to give a brief outline as to how the English law works. The law was first made compulsory in reference to seven industries embracing about 2,400,000 workers. Each employer is required to pay into the insurance fund 10 cents—2½ pence—a week for every worker, one-half of which he deducts from the wages of each employee. These payments are made by affixing stamps to an insurance card. The cards are obtained by the workers at the post offices or from any one of the unemployment exchange offices. The State treasury contributes 3⅓ cents, so that employer, employee, and the Government each contribute to the insurance fund. At the end of the first year of the operation of the insurance law there was a surplus of $8,000,000. Six hundred thousand workers in industries to which the law was not made compulsorily applicable came voluntarily within the provisions of the law. The most remarkable thing about it all is that 30 per cent of the men who applied for aid out of the unemployment insurance fund received positions during the first week—England had a short time before that established a system of unemployment exchanges—and that only 1 per cent of the total applications for relief were rejected. As the law now stands, the worker is entitled to not more than 15 weeks' unemployment benefit during any one year, 7 shillings each week. Of course, the amount is very small as compared with the American standard of living, but, as was said at the hearing, it is just 7 shillings more than nothing.

To encourage trade unions to provide unemployment insurance the British act grants a subsidy to every union which pays a certain amount of out-of-work benefits. The entire act is based upon the fullest possible recognition of the trade-union as the agency which is best adapted to carry into effect the provisions of the law.

The unions practically act as agents for the fund. The individual member of the union makes his payments to and receives his benefits from the union, and the union is reimbursed from the national unemployment fund.

It goes without saying that it would be extremely unwise to adopt in toto any European system of unemployment insurance. It must be made to conform to the higher standards of American life; it must not be permitted to destroy the individuality of the worker; it must be founded upon the broadest possible cooperation with the labor unions. Instead of being compulsory upon the individual it must be made compulsory upon industry and upon the unit of industry—the employer. We are dealing with the effects of involuntary idleness, for which the individual worker is not and should not be held responsible.

Mr. HAUGEN. Mr. Chairman, I desire to yield the balance of my time to the gentleman.

Mr. CHAIRMAN. The gentleman from Iowa has five minutes remaining.

Mr. LONDON. I thank the gentleman.

We are dealing with the problem of unemployment on a national scale.

Mr. DAVIS of Texas. Will the gentleman permit a question?

Mr. LONDON. Yes.

Mr. DAVIS of Texas. Does not the gentleman think that if we could forbid monopoly of natural opportunities that that would solve a great deal of the unemployment in the country?

Mr. LONDON. Undoubtedly. I will come to that a little later. In the discussion yesterday the gentleman from Ohio [Mr. OVERMYER] said that we used one-fourth of the available land and that this one-fourth of the land we used yielded only one-half of what could be produced by intensive farming. In the course of his remarks he also said, "We have the land

and we have the brains." Yes; the trouble is we have the land but utilize only one-eighth of it, and we have the brains and do not seem to use any part of them. To come back to the subject of compulsory unemployment insurance.

Upon examination, unemployment insurance will not appear as novel as it appears to be at first sight. Look at our workmen's accident compensation legislation. For years the people of the United States were indifferent to the problem of the worker injured in industrial accidents. It seemed to be such an elementary proposition that a worker injured in the course of his employment should be compensated when disabled. It took years of agitation, and only after almost every country of Europe had introduced a method of compensating employees disabled in industry 31 States became reconciled to the principle that industry owes an obligation to the worker to at least partially compensate him for loss sustained by accident. The burden in these cases falls upon the industry itself, or upon the employer. In less than 10 years, 31 States have adopted the principle of workmen's compensation. I was amused when I received—after the adoption of the workmen's compensation act in New York—the announcement of the publication of a textbook consisting of six or eight volumes and upon which the author had spent many years of his life. The book dealt with the fanciful theories spun by corporation lawyers to defeat the claims of the workers for compensation. These volumes of the old-fashioned lawyer were so much waste paper now, because of the advance of social thought in America. He had been working away at old precedents and decisions while the minds of the people were working in the direction of a nobler method of dealing with the victims of industry.

Most of these compensation laws are defective and inadequate. In most jurisdictions they still distinguish between disablement due to an industrial accident and disablement due to occupational disease.

We now all understand that employers have been forced to insure themselves in a fund, out of which the injured workers shall be paid, has resulted in a reduction of the number of accidents and in better methods of safety. In the same way inclusion of occupational diseases will work in the direction of compelling employers to introduce the most sanitary conditions in industry, so that the health of the worker will become the concern of the employer.

It is not, then, a new theory that I am advancing when I seek to apply the principle which has been recognized in accident compensation to unemployment. Both are risks and incidents of industry.

While we provide for unemployment insurance we must not forget that the primary object is to minimize unemployment and to prevent it as much as possible. Let us make a start and we will find that some order may be introduced in industry.

Why not begin with the extension of public works? Why not force the lands now held for speculative purposes out of the hands of the absentee landlords and out of the grip of land sharks? Why not get busy conserving the natural resources? Conservation occupies a prominent place in the platforms of all political parties. It is a sad reflection on the statesmanship of America that we have been thus far unable to save millions of acres of land from inundation by floods; that we have permitted the forests to be destroyed; that the building of public roads in agriculturally and industrially backward sections of the country has not been organized on a systematic basis. Year in and year out river and harbor appropriations are made, all without plan, without order, without system. Work which is essential to the very life of the nation is conducted in a haphazard manner, to the great amusement of newspaper wits, who charge Congress with "pork-barrel" legislation.

I urge that simultaneously with insurance against unemployment there should be taken up the problem of organizing the public works of the country, such as the reclamation of arid lands, reforestation, the exploitation of our natural resources, work for the prevention of floods and inundations, for the reclamation of swamp lands, the building of public roads, canals, and similar undertakings. The present free and easy method of spending millions of dollars without any plan, with only local and temporary conditions in view, should be replaced by a permanent and national development scheme.

It is a conservative estimate that the unappropriated natural resources of the United States exceed $30,000,000,000 in value, an average of $300 for every man, woman, and child in the United States. But this is a commercial way of valuing things. The worth of the natural resources still in the possession of the Government of the United States is incalculably more than thirty billions. Who can estimate the worth of natural resources which, when utilized by the Nation and not thrown away in driblets to private owners, will give the means of life to millions of men and for generations to come? It would be like attempting to figure out in dollars and cents the value of the sun.

I have given so much time to the subject of unemployment that I will have to be brief in dealing with the other branches of the subject of social insurance—old age and sickness. Old age and invalidity insurance, just like accident and disability insurance, do not involve a new principle. It is rather the application and extension of an old principle. We have long ago become accustomed to treat with reverence the veterans of our wars who are in need. I ask you now to treat with the same consideration the veteran of industry who is in need. There is no substantial reason why a distinction should be drawn between the man enfeebled by old age who has been rendering useful service to the country in industry or in agriculture and the former soldier.

The morality of the Bible is supposed to lie at the basis of our moral system. Respect for the aged is a precept which is inculcated in every school child. Can we afford to repudiate one of the fundamental principles of our moral code by discarding the aged? And do not forget, please, that, so far as industry is concerned, men become superannuated before they become old.

It is not an unusual thing, but rather a frequent occurrence, to meet old professors, old teachers, and old statesmen, and the older they are the higher are they regarded by the community. It is not so in industry. The man becomes old for the purposes of industry when the ever-quickening processes of production make it impossible for him to compete in physical exertion with the younger man. The very term "superannuated" shows a cynical contempt for the dignity of a human being. It conveys the notion that the superannuated has had too many years of life, more than our anarchical system of society can utilize for purposes of exploitation.

If industry were conducted with some regard for human life and not exclusively for profit, an opportunity might be found for the superannuated to be useful in a service requiring less physical exertion and more suitable to the diminishing vigor of the man guilty of the crime of getting old.

The question what will become of the aged is no concern of the employer. All that the employer is concerned about is that his overhead charges will be increased if he maintains in his establishment a man who turns out less than others. Nor is the fact that some railroad companies and other large corporations have introduced old-age funds of much avail. When the private corportation establishes an old-age fund it practically says to the employee: "As long as you will be submissive during the days of your vigor and virility, when you are capable of demanding and enforcing your rights, and as long as our will will be law for you in your days of youth and strength, we will give you a little something when you reach the age of 50 or 60—after 15, or 20, or 30 years of continuous employment with us." This is not an old-age pension. This is a tuft of hay held out to a mule.

Other civilized countries have attacked this problem with the result that compulsory old-age insurance exists in Germany and France; old-age pensions in Denmark, Great Britain, France, Australia, and New Zealand; and a subsidized system of old-age insurance in Italy, Belgium, Servia, and Spain.

In England, when the old-age pensions law was adopted, it was found that the treatment of the old in the past had been so inhuman that fully one-half of the aged were entitled to pensions under the new system. I wonder if the statesmen of the United States will wait until a similar condition confronts us here?

Sickness insurance, covering every form of disability, whether due to industrial or to nonindustrial causes, is again a problem which is soluble only by the community as a whole. We have learned that society owes an obligation to compensate the worker against loss due to industrial accident. We are slowly coming to understand that occupational disease must be brought within the purview of compensation laws. Health insurance, which forms such a prolific source of profit to insurance companies and of waste to the insured should be organized on a national scale and as a national function. There is no reason why profit should be made out of misfortune. The poorest strata of society now pay to the various industrial insurance funds $1 in order to get back 40 cents. Insurance companies have come to be one of the great financial powers.

Insurance against loss by unemployment, sickness, invalidity, and old age must be undertaken by society and not left to private corporations.

I have given a brief outline of the subject of social insurance, which is part of the constructive program of the Socialist Party. I have not by any means exhausted the subject. I have only indicated the existence of the problem and have shown that

it is not insoluble. Accident insurance has been established throughout Europe and in 31 States of the Union. Compulsory sickness insurance has been introduced in about half of the countries of Europe, and voluntary subsidized sickness insurance in five or six other countries of Europe. Compulsory old-age insurance exists in two European countries. Old-age pensions and voluntary subsidized State systems of old-age insurance exist in 10 European countries, including Great Britain, France, and Germany. Unemployment insurance is rapidly spreading in large European cities and exists by national law in three countries of Europe. A beginning has been made in some countries in introducing widows' and orphans' pensions.

If the worker could afford to buy all these forms of insurance, to buy unemployment insurance, sickness insurance, old-age pensions, so as to make ample provision for his widow and orphans, one might be justified in contending that it should be left to the individual. But will anybody seriously claim that the great masses of the workers can afford to buy these forms of insurance?

The worker should not be asked to assume all the burdens, all the risks, all the hazards of modern industry, with its accidents, occupational diseases, life-sapping intensity, with its sudden rushes and its long slacks, with its constant fears and anxieties. And in the end the worker will pay for it all. I know that the struggle for bread will continue to be bitter, and that the emancipation of the masses can become a reality only with the abolition of the competitive system of society in which the propertyless are at the mercy of the class which controls the land and the means of production. It is not so much the economic advantage, although that will not be slight, which will accrue to the masses, as the introduction of a principle of ethics into industry, of a moral law into a sphere of life where the law of force rules to-day.

Human society should be something more than a mere aggregation of bipeds, each seeking to devour the other.

I urge the appointment of a commission to take up the task of organizing a thoroughgoing, nation-wide system of social insurance.

Mr. FESS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, this completes the time on this side of the House, and unless the gentleman has some other time——

The CHAIRMAN. The gentleman has no more time.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the Clerk may be authorized to correct the totals.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the Clerk may be authorized to correct the totals. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill under the five-minute rule.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE.

OFFICE OF THE SECRETARY.

Salaries, Office of the Secretary of Agriculture: Secretary of Agriculture, $12,000; Assistant Secretary of Agriculture, $5,000; solicitor, $5,000; chief clerk, $3,000, and $500 additional as custodian of buildings; private secretary to the Secretary of Agriculture, $2,500; executive clerk, $2,250; executive clerk, $2,100; stenographer and executive clerk to the Secretary of Agriculture, $2,250; private secretary to the Assistant Secretary of Agriculture, $2,250; 1 appointment clerk, $2,000; 1 assistant in charge of information, $3,000; 1 officer in charge of supplies, $2,000; 1 assistant, $2,000; 1 inspector, $2,750; 1 inspector, $2,250; 1 law clerk, $3,250; 1 law clerk, $3,000; 1 law clerk, $2,750; 4 law clerks, at $2,500 each; 8 law clerks, at $2,250 each; 1 law clerk, $2,200; 6 law clerks, at $2,000 each; 3 law clerks, at $1,800 each; 3 law clerks, at $1,600 each; 1 expert on exhibits, $3,000; 1 telegraph and telephone operator, $1,600; 1 assistant chief clerk and captain of the watch, $1,800; 4 clerks, class 4; 12 clerks, class 3; 19 clerks, class 2; 23 clerks, class 1; 1 auditor, $2,000; 1 accountant and bookkeeper, $2,000; 1 clerk, $1,440; 1 clerk, $1,020; 7 clerks, at $1,000 each; 12 clerks, at $900 each; 1 clerk, $840; 15 messengers or laborers, at $840 each; 12 assistant messengers or laborers, at $720 each; 1 messenger or laborer, $660; 1 mechanical superintendent, $2,500; 1 assistant engineer, $1,400; 1 assistant engineer, $1,200; 2 assistant engineers, at $1,000 each; 8 firemen, at $720 each; 11 elevator conductors, at $720 each; 3 elevator conductors, at $600 each; 1 superintendent of shops, $1,400; 1 cabinet-shop foreman, $1,200; 4 cabinetmakers or carpenters, at $1,200 each; 3 cabinetmakers or carpenters, at $1,100 each; 9 cabinetmakers or carpenters, at $1,020 each; 3 cabinetmakers or carpenters, at $900 each; 1 electrician, $1,100; 1 electrical wireman, $1,000; 1 electrical wireman, $900; 3 electrician's helpers, at $720 each; 1 painter, $1,000; 5 painters, at $900 each; 5 plumbers or steam fitters, at $1,020 each; 1 plumber's helper, $840; 2 plumber's helpers, at $720 each; 1 blacksmith, $900; 1 tinner's helper, $720; 1 lieutenant of the watch, $1,000; 2 lieutenants of the watch, at $960 each; 50 watchmen, at $720 each; 4 mechanics, at $1,200 each; 1 skilled laborer, $1,000; 2 skilled laborers, at $960 each; 2 skilled laborers, at $840 each; 1 skilled laborer, $720; 1 janitor, $900; 22 assistant messengers, messenger boys, or laborers, at $600 each; 1 carriage driver, $600; 21 laborers or messenger boys, at $480 each; 1 messenger or messenger boy, $360; 1 charwoman, $540; 2 charwomen, at $480 each; 15 charwomen, at $240 each; for extra labor and emergency employments, $12,000; in all, $402,350.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. LEVER. Mr. Chairman, may I offer an amendment?

Mr. MANN. After the point of order is disposed of.

The CHAIRMAN. The gentleman from Illinois makes a point.

Mr. MANN. I reserve a point of order on the paragraph. I just wanted to make an inquiry about the private secretary to the Assistant Secretary of Agriculture. How is that place provided for now?

Mr. LEVER. The place has been provided for heretofore on the extra-labor roll of the Secretary of Agriculture, the $12,000 appropriation which is carried from year to year.

Mr. MANN. What do you mean by the extra-labor roll?

Mr. LEVER. You will find that at the very close——

Mr. MANN. The emergency-employment roll?

Mr. LEVER. Yes. It is in the last line of page 4.

Mr. MANN. How long has that been used to provide a private secretary to the Assistant Secretary of Agriculture?

Mr. LEVER. I can not tell the gentleman that, but I assume some little while. The theory is that this extra roll is to take care of clerks for a six months' period, temporary clerks, and things of that kind, but the theory has not been carried out.

Mr. MANN. Of course I know what the theory was. Whoever started it was guilty of a gross abuse of the appropriation. I will not say that the continuing of it is a gross abuse, because people very often automatically continue something where it is already in existence. I assume that this private secretary has been provided for a good while, but whoever paid a private secretary to the Assistant Secretary out of an emergency appropriation intended for temporary employment committed a gross abuse.

Mr. LEVER. Let me say to the gentleman that I think we shall be prepared to offer an amendment to this bill in the miscellaneous items which will cure the complaint of the gentleman, which I agree is a just complaint, so as to confine all these temporary employments to a period of six months only, as the theory is now.

Mr. MANN. I suppose they would employ a man for six months, and when the six months were up they would employ him for six months again. The only way, of course, is to have people honestly administer the law.

Mr. LEVER. That is very true.

Mr. MANN. Because there is no way of preventing executive officers who have some discretion from improperly exercising the discretion at some time.

Mr. LEVER. I understand that this private secretary heretofore has been carried as a clerk, but when Mr. Vrooman became Assistant Secretary they transferred this clerk and named him secretary to the Assistant Secretary.

Mr. MANN. He probably was in as a clerk before at $1,800.

Mr. LEVER. Yes; very likely.

Mr. MANN. And now they have provided for a private secretary, at $2,250, out of a fund that was appropriated for temporary employees. I had supposed that the practice had begun some years ago. I did not know that it had begun with the present Assistant Secretary of Agriculture. But it is a very bad practice, whoever it was that began it.

Mr. LEVER. I will say, however, that this individual has been transferred at the same salary that he was getting before the transfer. That is the case with all transfers, except where we have set it out and where we will be prepared to show it.

Mr. MANN. I have no doubt but that every executive officer has some pet, and that usually the private secretary is the pet, and if he can pay that secretary out of a lump sum he usually pays him a very good salary. I do not happen to know the private secretary.

Mr. LEVER. I do not know him myself.

Mr. MANN. I do not know whether he is efficient or not, but if he is, he probably earns his $2,250. But I do not believe in men acting that way about an appropriation.

Mr. LEVER. The gentleman from Minnesota [Mr. ANDERSON] has suggested an amendment to me which I have under advisement now, which we hope will be agreed upon and which will very much clarify this situation and improve it in the future.

Mr. MANN. I notice you have just as much of an emergency appropriation for temporary employment as you had for the present year.

Mr. LEVER. That is true. The emergency appropriation has really been increased $9,060, at the very urgent request of the Secretary himself. They say they need this appropriation to take care of emergencies which may happen that we can not foresee.

Mr. MANN. Then when we give it to them they use it for the purpose of appointing a private secretary.

Mr. LEVER. That is sometimes the case.

Mr. MANN. That is the case here; and then they say they must have an emergency appropriation. Every department of the Government gets some kind of an emergency appropriation, and most of them abuse it from time to time. I am not referring to the existing officials specifically. I think perhaps they are no worse than those who preceded them.

Mr. LEVER. The gentleman is making a general statement, and I concur in it.

Mr. Chairman, I offer an amendment on page 3, line 3, where there is one assistant engineer at $1,400. The members of the committee will remember that we used to have a chief engineer. That has been dropped, and the word "assistant" has no relation to anything, and I move to strike out the word "assistant."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

Page 3, line 3, strike out the word "assistant."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ANDERSON. Mr. Chairman, as I recall, that item was intended to read, "one chief engineer." It formerly read, "one assistant chief engineer," and my recollection is that the committee struck out the word "assistant" and made it "one engineer."

Mr. LEVER. No. We struck out the word "chief," I will say to the gentleman from Minnesota.

Mr. CLINE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Indiana moves to strike out the last word.

Mr. CLINE. Mr. Chairman, I want to ask the chairman of the committee a question with reference to the number of law clerks employed in this section. I see this year we have 28 law clerks, at an expense of $61,400. Last year, if I correctly read the text, we had 27 law clerks, costing $58,400. I would like to inquire, Mr. Chairman, how these law clerks are distributed?

Mr. LEVER. Mr. Chairman, I will say to the gentleman from Indiana that the law clerks are under the solicitor of the department, but are carried upon the statutory roll of the Secretary's office. There has been an increase of only one law clerk on this roll, and he comes to this roll by way of transfer from the lump fund for the enforcement of the cotton-futures act.

Mr. CLINE. Does each bureau under this bill have one law clerk or more?

Mr. LEVER. No. The law clerks of the Department of Agriculture are concentrated on this roll.

Mr. CLINE. I understand; but is each bureau of the Department of Agriculture supplied with a law clerk?

Mr. LEVER. No. Some bureaus are; as, for instance, the Forest Service has a law clerk stationed at each of the forestry districts, some seven or eight. The balance of the law clerks are carried on the solicitor's roll and are under the control of the solicitor.

Mr. CLINE. Do they attend strictly to the law questions that arise under the bill?

Mr. LEVER. That is my information.

Mr. CLINE. To one not fully acquainted with it it would seem that from the fact that the bill is generally the same year after year, but few new questions would be apt to arise.

Mr. LEVER. The gentleman will realize that in recent years a great deal of new legislation has been given to the Department of Agriculture, as, for example, the cotton-futures act, and the migratory birds act, and the Weeks forestry act. Those matters involve a number of new questions.

Mr. CLINE. These bills do not embody very many disputed questions.

Mr. LEVER. Oh, yes; the Weeks law in the matter of clearing up titles and getting titles required the services of a board of law clerks.

Mr. CLINE. Do these 27 clerks have any duties to perform except to settle law questions?

Mr. LEVER. None whatever that I am informed of.

Mr. CLINE. I simply wanted to know how they were distributed.

Mr. MANN. Mr. Chairman, I move to strike out the last two words. Can the gentleman from South Carolina tell us how many increases there are in promotions or salaries carried in this bill, directly or indirectly?

Mr. LEVER. I will have that in a moment.

Mr. MANN. I notice the paragraph increases the amount appropriated $50,000 for employees generally over in the Agricultural Building. What is the reason for the increase in the number of laborers, elevator conductors, and so forth? What is the occasion for the increase; how has the department extended itself so as to need the additional laborers?

Mr. LEVER. The statement of the chief clerk before the committee was that on account of the transfer of the Office of Roads to the building opposite Willard Hotel, where they had two elevators, it was necessary to have an additional elevator conductor. As to the messengers, the statement was that two new buildings, or three, had been added since the last bill.

Mr. MANN. Does the Agricultural Department occupy the whole of the old building that was used by the Department of Commerce?

Mr. LEVER. I think so, The Office of Public Roads does so. The subcommittee examined that, but I did not.

Mr. MANN. I should think the Division of Roads had made a wonderful increase since it was taken from the Department of Commerce.

Mr. LEVER. As I recall, the Department of Commerce when located there had practically no one except the Secretary and a few clerks.

Mr. MANN. Oh, the gentleman does not recollect correctly. I was quite familiar with that myself.

Mr. LEVER. That was so when I went there.

Mr. MANN. Probably the gentleman only went to see the Secretary.

Mr. LEVER. It occupied three or four rooms.

Mr. MANN. They occupied the whole building. Now, the increase here is from $352,000, in round numbers, to $402,000.

Mr. LEVER. I have the statement now that the gentleman asked for. The summary is: Promotions, $9,860; new places, $40,580, transfer from lump sum without corresponding reductions, $11,470, making a total of $61,910.

Then by reductions: Places dropped, $9,460; decrease of salary, $660; total, $10,120, making a net increase, according to this statement, of $51,790; but that was not allowed in toto, so the increase is a little less than that—about $50,000.

Mr. MANN. I notice that as to the chief engineer you change his title. I suppose the office is precisely the same, but because you change the title you add $500 to the salary. Very likely it is needed; I do not know.

Mr. LEVER. As a matter of fact, the testimony before the committee was that this man would have more work to do than the old chief.

Mr. MANN. The old engineer worked his full time, and this one will not work any longer time now, and if he does he would want pay for overtime.

Mr. LEVER. This is an entirely different man; the old chief has been dropped and this is a new man brought in. I asked the question myself, if this man did the same work that the chief engineer used to do, and the answer was, "The same and a great deal more."

Mr. MANN. Oh, they always say that.

Mr. LEVER. That may be, but we have to take the testimony of the witnesses.

Mr. MANN. You have to take the testimony with a great many degrees of allowance. They have probably put some man in that somebody connected with the department wanted to take care of, and pay him $500 more than the man who had been in the service was getting. The man may be worth it, but I doubt it.

Mr. LEVER. The statement before the committee was that the mechanical work of the department has been completely reorganized and put under the charge of this man.

Mr. MANN. Yes; at a considerable increase of cost—reformed at an additional expense.

Mr. LEVER. No; there is no increase, except this $500.

Mr. MANN. Here you have one skilled laborer, at $1,000; two skilled laborers, at $840; one more at $700; and various other places; that is a part of the reform.

Mr. LEVER. These places do not apply to this particular proposition, but to the roll in general.

The Clerk read as follows:

Salaries, Office of Farm Management: One chief of office, $4,000; 1 executive assistant, $2,250; 2 clerks, class 3; 3 clerks, class 2; 6 clerks, class 1; 2 clerks, at $1,100 each; 1 clerk, $1,080; 1 clerk or photographer, $1,020; 8 clerks, at $1,000 each; 10 clerks, at $900 each; 4 clerks or map tracers, at $840 each; 3 clerks or map tracers, at $720 each; 1 lantern-slide colorist, $720; 1 messenger or laborer, $720; 1 messen-

ger, messenger boy, or laborer, $660; 3 messengers, messenger boys, or laborers, at $480 each; 1 laborer, $360; 4 charwomen, at $240 each; 1 library assistant, $1,440; 1 photographer, $1,400; 1 photographer, $1,000; 1 draftsman, $1,440; 1 draftsman, $1,200; 2 draftsmen, at $900 each; in all, $60,810.

Mr. MANN. Mr. Chairman, I reserve a point of order. I suppose these new places are mainly transfers from the lump-sum appropriation to the statutory roll?

Mr. LEVER. I will say that the Farm Management Office heretofore has not had a statutory roll, and this is the first time the statutory roll appears in the bill.

Mr. MANN. Oh, the gentleman is mistaken about that.

Mr. LEVER. I am mistaken; this is the second time it has appeared in this bill, and all of these new places here are transfers except one new clerk of class 2 and then one $740 clerk.

Mr. MANN. Is there any reduction in the lump-sum appropriation?

Mr. LEVER. The lump sum has been increased by the committee to do a certain line of work. The lump sum has been decreased wherever there has been a transfer made to the statutory rolls in accordance with the transfer, but there is an actual increase in the lump sum, due to other causes.

Mr. MANN. Mr. Chairman, I have no criticism of this; but I want to ask what this Office of Farm Management does?

Mr. LEVER. I want to read to the gentleman just what this office does.

Mr. MANN. Oh, I am sure the gentleman can tell us better than he can read it.

Mr. LEVER. I am going to read it, because I asked the question myself before the committee, and it brought it out very distinctly. This is Dr. Spillman's statement:

> I may say that the Office of Farm Management was founded on the idea that many farmers know a great deal about their business, and that of the 6,000,000 farmers in America all are experimenting more or less, and occasionally here and there discover something of importance. And it has been—and we hope always will be—the function of the Office of Farm Management to visit among the farmers and gather up their experience and interpret that experience for other farmers, believing that we can render valuable service in that way.
>
> Perhaps the central idea in the Office of Farm Management is to find out how much money the farmers are making, how they make it, and why they make it.

Mr. MANN. I suppose these employees are mainly social visitors?

Mr. LEVER. Yes.

Mr. MANN. They go to the farmers' houses and stay over night and gossip and have a choice line of stories to tell.

Mr. LEVER. Oh, I would not think so.

Mr. MANN. Are they selected by civil-service regulations based upon their story-telling capacity?

Mr. LEVER. Oh, I do not think the gentleman wants that to be taken seriously.

Mr. MANN. I have not any doubt that that is the most effective work they do.

Mr. LEVER. As I understand this work, it is under a competent man, Dr. Spillman. Their business is to visit in communities and make a general survey of the practical situation. They will find an entire community engaged probably in the same kind of agriculture, but they will find that a certain percentage of farmers are making regular returns upon their endeavors and some are not. They study these individual cases, and why this individual should be making money and his adjoining neighbor not making anything, and from that in many instances they are able to make suggestions which are very valuable. I look on this as a very valuable piece of work. It is a new piece of work.

Mr. MANN. They gossip with the farmer.

Mr. LEVER. Very likely they do, and a good deal of good information is gotten by gossip.

Mr. MANN. Finding the machines out in the rain, they tell him, "Why, don't you know that rust will destroy these machines after a while? You ought to build something and put them under cover." That is a remarkable statement, of course, and everyone does not know that. Do they ever publish anything resulting from this bureau?

Mr. LEVER. Oh, yes; they publish some farmers' bulletins, which are very valuable.

Mr. MANN. I religiously read every farmers' bulletin that is published, and I think they are sort of falling down over there on the farmers' bulletins. Perhaps that accounts for it.

Mr. LEVER. I confess to the gentleman that I do not have time to read them all.

Mr. MANN. I read all of them.

Mr. LEVER. The gentleman is to be commended.

Mr. MANN. Hoping to get information, and I sometimes do. Some of it I know is misinformation. I have not yet seen anything resulting from this service.

Mr. LEVER. The gentleman will understand that this service is really the field laboratory work of the Department of Agriculture as against investigational work which might be called the test-tube work, as they refer to it. They are trying to get information from bright, intelligent, progressive farmers, and after gathering that information they give it to other farmers for their use.

Mr. MANN. With all due respect to this bureau, and doubtless they do some good work, I should say that if ever there was created under the Government a lazy man's job this bureau has that place.

Mr. LEVER. Oh, I disagree with the gentleman.

Mr. COX. Mr. Chairman, I desire to renew the point of order if the gentleman from Illinois withdraws it.

Mr. MANN. I withdraw the point of order. I do not think there is anything subject to the point of order.

Mr. COX. I renew the point of order.

Mr. HAUGEN. Mr. Chairman, I wish to call the attention of the gentleman from Illinois to one further fact. One of the employees suggests:

> Why not let the department give short courses for Congressmen, particularly members of the House committee? Why not give them short, snappy illustrations of what the department is doing and why? That could be done in such a way that Congress would jump at it.

Here is another suggestion:

> We have thousands of colored lantern slides and thousands of reels of movies

And they suggest that these should be used to educate the ignorant Congressmen, and I am sure that when the gentleman from Illinois understands what this money is being used for he will raise no further objection to this worthy bureau of this department.

The CHAIRMAN. Does the gentleman from Indiana make the point of order?

Mr. COX. Mr. Chairman, I reserve the point of order in order to get information. I want to ask the chairman of the committee whether in this transfer from the lump-sum appropriation these salaries remain at the same amount they were fixed at under the lump-sum appropriation?

Mr. LEVER. Absolutely, except where we call attention to it.

Mr. COX. Is the lump-sum appropriation reduced?

Mr. LEVER. Undoubtedly.

Mr. COX. This Office of Farm Management—I believe the gentleman says Dr. Spillman is at the head of it?

Mr. LEVER. Yes.

Mr. COX. Is he the gentleman who testified before the committee that he went out into the State of Pennsylvania and laid that State out and investigated among the farmers, and told them how to increase their corn yield and where they could make more money and less money?

Mr. LEVER. I am inclined to think he is.

Mr. COX. Mr. Chairman, I want to say to the gentleman that I read Dr. Spillman's evidence and found it very entertaining, but that is about the only thing that I can say for it. Undoubtedly he is a man of ability, but I am unable to see where he brought out a single fact or a single circumstance that this bureau could put into use among the farmers that would enable them to increase their yield in corn, wheat, rye, barley, cotton, or anything else.

Mr. LEVER. The gentleman misinterprets the function of this entire Office of Farm Management. That office is not engaged in the work of telling people how to increase yields of various kinds of crops, but the work of this bureau is to go upon a man's farm and see the kind of agriculture in which he is engaged—how much oats are sowed, how much wheat, how many cattle he has, how many horses he has, and so on—and then to investigate and endeavor to find out from this man whether or not he is making a profit. He will find, for instance, that he is probably not making a profit, or, if a profit, a small one. Then he finds a neighbor of his who is likewise engaged in the same kind of agriculture, and he finds that he has a few more cattle or that he has planted a little bit more oats or has sown a few more acres of wheat, but that man is making a profit, as compared with the other man who is making less. Now, the difference between profit and loss——

Mr. COX. Is a question of bookkeeping.

Mr. LEVER. The difference between profit and loss may mean a difference in the number of acres on a given farm that should or should not be sown in any one kind of crop. Now, those facts are very valuable to have.

Mr. COX. As I recall Dr. Spillman's evidence, it was along this line, that he found quite a lot of farms in the counties in Pennsylvania where he inspected, some of them growing 20 per cent in corn, some of them growing 30 per cent in corn, some growing 10 per cent and some 15 per cent in oats, and so forth,

Mr. LEVER. And some making a profit and others not.

Mr. COX. And he undertook to find a reason why certain fellows, because they planted a certain percentage of corn, were making money. It looks to me that is a trival proposition. Any farmer who knows the A B C of farming ought to know when, how, and where he is making money. He ought to know how much corn he ought to plant. He ought to know whether he is making money on his corn crop or on his wheat crop or on his oats, or on all three of them. In my candid judgment, after reading the evidence, with all due deference to Dr. Spillman's ability, there is nothing in it. It is simply a place to give a lot of men a few fine jobs and from which no uniform benefit will come to the mass of the people.

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. COX. I withdraw the point of order.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee whether he knows how many places this bureau visits a year, and whether they make a detailed report of the results of their visit?

Mr. LEVER. Mr. Chairman, I do not know about the number of places that they visit. It is almost impossible to find that out. I will say they are making investigations and surveys at all times, and they are gathering the results of their investigations and surveys and bringing them back to Washington, collating them, and in the course of time they will be issuing a statement as to what conclusions they find from these investigations.

Mr. MADDEN. What do they do with the draftsman in that bureau?

Mr. LEVER. The department has collected certain information relative to the shifting of agricultural industries in the United States. For instance, they find that wheat at one time was grown in a certain section of the country, and now it is not grown there, but is grown in another section. This draftsman is employed for the purpose of visualizing that information, setting it out on a map, which would be very interesting, not, perhaps to the layman, but to the economic student of agriculture.

Mr. MADDEN. What about this photographer? Does he photograph the crops as they are growing to show whether they are prolific or not?

Mr. LEVER. Just what that particular one does I do not know.

Mr. MADDEN. They have two here. I did not know what they were for.

Mr. LEVER. They have quite a number scattered through the department.

Mr. MADDEN. In this bill?

Mr. LEVER. As to this particular one I do not know just what he is doing.

Mr. MADDEN. The truth of the matter is——

Mr. LEVER. I know he is well employed in the bureau.

Mr. MADDEN. Is it not a fact that the men of this bureau just go to the farmer and get such information as the farmer gives——

Mr. LEVER. That is just the purpose of this bureau. It is not a bureau for the dissemination of information in particular, but a bureau for the gathering of information.

Mr. MADDEN. What do they do with the information after they gather it?

Mr. McKELLAR. Have they ever issued a bulletin?

Mr. LEVER. I think they have. They gather this information together and then they interpret it according to their judgment.

Mr. MADDEN. So that it will be available to the farmer in the shape of bulletins?

Mr. McKELLAR. They have never given out any bulletins at all up to date.

Mr. LEVER. I am not so sure of that. I will say to the gentleman that this is about the third or fourth year of this work.

Mr. McKELLAR. It seems to me that with this large appropriation they ought to be giving out some information to the farmers.

Mr. MADDEN. I understood the gentleman to say the lump-sum appropriation had been reduced.

Mr. LEVER. I said it had been reduced by way of the transfer. On the face it shows an increase here, because we have increased the amount for the lump-sum work.

Mr. McKELLAR. Of course the gentleman understands that unless we give out this information in bulletins to farmers the very getting of information by the bureau would be of no service whatever.

Mr. LEVER. There can be no disagreement between the gentleman and myself on that proposition.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

There is another matter before the House for a moment to which I am sure no one will object. The gentleman from Iowa spoke of pictures in the department and possibly moving-picture illustrations for the benefit of Congress. At different times there have been applications for permission to take moving pictures of the House in session. At one time some of us gave our consent, as far as we were concerned, to some people taking moving pictures if they would put their cameras in the gallery, so that they would attract no attention, but they found they could not take a moving picture of the House owing to the lack of light. This morning the Clerk of the House saw me and stated that there was before the Clerk and the Speaker an application to take a moving picture of the House in session now. I asked what would be required now, and they brought some man to me who I suppose has charge of it, and he said they would have to put possibly half a dozen lights in the House—strong electric lights. I do not know, of course, but moving pictures have come, and, I guess, permanently in the United States, and not many people have a chance to see the House in session. I am not at all sure that they would be inspired if they saw a moving picture of it; but does anybody here have any objection to it?

Mr. LEVER. I will say to the gentleman from Illinois [Mr. MANN] that I will have absolutely no objection if he will have it taken while this bill is not on the floor, because I am afraid it would delay business.

Mr. MANN. It would last only a few minutes, and not delay at all. It is supposed to be a moving picture of the House proceedings. Of course, it might be possible that they would like to take a moving picture while we were calling the roll.

Mr. HOWARD. Is that a unanimous-consent request?

Mr. MANN. No.

Mr. HOWARD. Because I thought if it was intended to be done now, I would like a better attendance here.

Mr. MANN. That is not for now.

Mr. LEVER. It would enhance the value of this picture, it seems to me, if you would have it taken while the Agricultural Committee bill was on the floor.

Mr. MANN. The Clerk has never done anything of that kind without consulting both sides of the House, and I am asking now if anybody has any objection to it.

Mr. COX. Will the gentleman yield?

Mr. MANN. I will.

Mr. COX. Was not the same performance gone over in the Senate a year or two ago?

Mr. MANN. No; I think they had a mock session over there and took a moving picture of that mock session. There was decided objection made to it, and I think properly, possibly.

Mr. COX. I know I saw some rather drastic criticisms on what was done over there. I do not know just what it was. I doubt very much, Mr. Chairman, the wisdom and the propriety of this.

Mr. MANN. I have doubt about it myself, but I have come to the conclusion that I shall not object to it now.

Mr. COX. I shall object if it ever comes up in the way of a unanimous-consent request.

Mr. MANN. Oh, no; we would not do anything of that kind.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CLINE. Mr. Chairman, I move to strike out the last word.

I want to make one observation in the discussion of this bureau. Here are 60 or 70 persons employed in this bureau at an expense of $60,000, and this employment has been in force for two or three years according to the chairman, and from the discussion that has been had on this subject for the last 10 or 15 minutes it is very difficult for me to understand where there has been any benefit derived from it. If the purposes of the operation of this bill is to get out and make individual visits to farmers and gather information, of course every man knows here that when he gets the information from a farmer the information that is applicable to the next farmer depends upon local conditions and the environments of the next farmer, or the farmer he proposes to give it to.

Mr. McKELLAR. Will the gentleman yield?

Mr. CLINE. Certainly.

Mr. McKELLAR. Does not the gentleman think the trouble with this particular bureau now is that it is not being conducted in a way that will benefit anybody, and ought it not to be if we would leave this appropriation here? I have no objection

to it at all, but, if we are to have it, does not the gentleman think we ought to have it so as to do the farmer some good?

Mr. CLINE. I will say to the gentleman that I am not objecting to the appropriation, but I want to see it made practicable. I want to see the bureau get something out of it that is practicable. The information so far is that there has not been a bulletin published from the information derived from anyone by this Bureau of Farm Management.

Mr. MADDEN. And the further information is disclosed in the discussion that men who are employed in the bureau have no knowledge of what will develop profitable farming; but, on the other hand, they are going around to the farmers and inquiring of them.

Mr. LEVER. The gentleman from Indiana is falling into the error that a great many men fall into who try to understand the Department of Agriculture. [Laughter.] The department is primarily an investigational body.

Mr. CLINE. I understand the gentleman.

Mr. LEVER. And we are going out to get information. Now, the gentleman wants to issue a large number of bulletins before we have information on the subjects under inquiry. He claims that we ought to be issuing bulletins to the farmers of the country. As a matter of fact, this office, as I recall now, has issued some bulletins. I remember a bulletin issued about some hay-growing experiments in South Carolina. It did not occur to me awhile ago.

Mr. CLINE. I am not finding fault about that; but I do say that 60 men working in a bureau for three years and spending in the neighborhood of $700,000 ought to give some evidence in results for the money that is paid out by this bureau.

Mr. FOSTER. Mr. Chairman, I am opposed to the amendment of the gentleman from Indiana to strike out the last word. I think this is a very good provision in this bill. It seems to me that the department ought not to be criticized for not getting out bulletins as soon as gentlemen think they ought to do it. The fact that these men go out and consult farmers and get information from them seems to me to make their employment worth a great deal.

I remember in Illinois a few years ago, where they were holding farmers' institutes, as they do in every county of the State, a man who was lecturing was trying to inform the farmers of what was going on in their line, giving such information as he had, and he told me this story: That he used to lecture on clover, before they had information about these plants storing nitrogen in the ground, and tell the farmer how much good the clover did to the land; how the roots went down into the ground and made the ground mellow and improved it in that way. He said he used to go out in the field and dig up a bunch of the clover and soak the roots in water and shake the dirt off of them and exhibit them to those attending the farmers' institutes. He said that on one occasion he was giving this exhibition and some one in the audience asked him, "What are those little knots on the clover?" He said, "I do not know, but I suppose it must be a disease of the clover plant"; and he said that back in the audience was a Pennsylvania German who rose and said, "My father used to say that those knots on the clover are what did the land good." He said to me, you see, we were learning something since that time. The old Pennsylvania farmer probably could not give the scientific reason for it, but he believed that there was something about those knots that did improve the land.

Mr. COX. Was he a Government employee on a salary?

Mr. FOSTER. I do not know about that. I am not going into that now. But it shows this, that even these Government employees may go out and get some information from the farmer, and I believe it is a good plan for them to do it. Then they get some ideas of the troubles and trials that the farmer has to contend with, and they are able to come directly in contact with the farmer, and I think that is a good thing.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. MADDEN. I agree with the gentleman that they can get information from the farmers, but why employ men to go out and get information for the farmers when they have to get the information from the farmers? Why not employ the farmers at first hand?

Mr. FOSTER. That might be better.

Mr. COX. The farmer is not in the civil service.

Mr. FOSTER. I have no doubt but that, coming in contact with these farmers, they get some very useful information from them. The farmer is not entirely void of information that he might be able to give the Government. I think his experience has taught him a great many things that he has not learned in a scientific way, but he knows those things, and any man who has lived in an agricultural community can call to mind many very intelligent farmers in that community who have farmed in a scientific way, possibly without their knowing the scientific reason for it. But you can all realize that from the success they have had. They have done that themselves; they have studied it; they have not had any farmers' bulletins or scientific knowledge, but they were men of intelligence, and those men have been able to give information to these employees and those teaching agricultural subjects very important knowledge.

Mr. MADDEN. Of course they are men of intelligence.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I appreciate the embarrassing position in which a Member of Congress, and particularly a member of the committee, is placed in pointing out things that may reflect upon the efficiency of the department. But, Mr. Chairman, in view of the fact that Congress has appropriated $207,000,000 in the last 10 years for the support of the Department of Agriculture, and in view of the fact that appropriations have jumped from $13,000,000, and now they are asking for $30,000,000, it seems to me that a Member should at least have the courage to rise from his seat and point out to the people and to the Members of Congress what this money is being used for and what results are attained.

Mr. McKELLAR. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. McKELLAR. Why can they not get this same information from the farm demonstrators that the Government sends throughout the country? Would not that be a far more preferable method of getting this information?

Mr. HAUGEN. I have no quarrel with this branch of the department; but, Mr. Chairman, the department has been rather extravagant in its claims. It has pointed out certain achievements attained. We were told a few years ago by one of the department employees that they had ceased to give figures, because figures could not be found to describe the enormous magnitude of the achievements. We have been told, as the reason for the existence of this department, that four blades of grass now grow where only one or none grew before.

I have jotted down from the Statistical Abstract of the United States for 1914 some figures, and I find that the Government reports do not bear out the statements made by that department employee. I turn to page 126, and there I find that the yield of wheat from 1866 to 1875 was 11.9. In 1898 it went up to 15.3, and in 1914 to 16.6.

Here we come to the blades of grass. Hay, 1.50 short tons in 1908, dropped to 1.31 in 1913. Oats from 1866 to 1875 was 28.1. In 1897 it was 27.2. Rye was from 1866 to 1875, 13.6; in 1914, 16.8. Barley was from 1866 to 1875, 22.9; in 1900, 20.4; in 1914, 25.8. I find on page 113 that potatoes, exclusive of sweet potatoes, were 95.4 in 1907 and 90.4 in 1913. And so all along the line. The further we look the more discouraging it looks.

Now, Mr. Chairman, having failed in their effort to increase the yield, they come before this department and propose a remedy. Now, what warrants these appropriations? They tell us now that the trouble is in overproduction, the statistics of the Government show there has been no increase in yield. The only remedy proposed is simply to grow less. The distinguished gentleman from Wisconsin [Mr. REILLY] asked the question of Dr. Spillman, "What is the remedy?" He was then speaking of the overproduction of apples, and the reply was that the remedy is to grow fewer apples.

Here is what Mr. Spillman, Chief of the Office of Farm Management, had to say:

> Mr. SPILLMAN. They are pretty nearly doing that.
>
> The point I am making, gentlemen, is this: That to go out and teach the farmer how to grow 200 bushels of potatoes to the acre instead of 100 bushels does not solve the problem; to go out and teach him how to grow 50 bushels of corn to the acre where he is now growing 30 does not solve the problem. But that is the kind of teaching that most of us have been doing in the past, and I am as guilty as anybody. I have talked eloquently—as eloquently as I could—to get the farmer to grow more corn to the acre and to try to teach him how to grow two blades of grass where one grew before. But that does not solve the farmer's problem, gentlemen.
>
> Temporarily there may be underproduction, but taking the average of a long series of years there is a permanent and unavoidable overproduction of apples.
>
> Mr. REILLY. What is the remedy for that proposition?
>
> Mr. SPILLMAN. To grow fewer apples.

Mr. BOOHER. I should like to ask the chairman of the committee how many employees there are in the Bureau of Farm Management? Are there any more than are given on page 10 of the report of the committee?

Mr. LEVER. This is just the statutory roll; yes. I can give the gentleman the information later by looking it up.

Mr. BOOHER. I do not care about that. How many farm inspectors are there—the men who go out and interview the farmers and get information of the farmers? How many of those are there who are engaged in this work.

Mr. LEVER. I could not tell that except by figuring it up. It is all set out in this Book of Estimates.

Mr. BOOHER. Is there a single one of these inspectors that has any practical knowledge of farming, or have they simply passed a civil-service examination and been appointed because there is a salary attached to the place?

Mr. LEVER. No; I think I may say very positively to the gentleman from Missouri that every man engaged in this work under this Office of Farm Management can be very well characterized as a farm student, a student of farm economics.

Mr. BOOHER. They are all appointed under the civil-service rules, are they not?

Mr. LEVER. They pass a kind of civil-service examination—not such as would be taken by an ordinary clerk.

Mr. BOOHER. Are they required to have a knowledge of farming?

Mr. LEVER. Oh, yes.

Mr. BOOHER. An expert knowledge of farming?

Mr. LEVER. Yes; they have to stand an examination that is in keeping with the position they seek. Practically all of these men are graduates of agricultural colleges.

Mr. McKELLAR. I would like to ask the chairman a question, if I may interrupt the gentleman from Missouri.

Mr. BOOHER. Go ahead.

Mr. McKELLAR. How many farms have they investigated? This is a large appropriation. How many farms have been investigated by this bureau, and what are they doing?

Mr. LEVER. It is not so much a question of the number of farms they investigate, as of the number of communities and the farms therein.

Mr. McKELLAR. If they do not investigate a number of different farms in the different States of the Union, their mission wholly fails.

Mr. LEVER. I can not tell the gentleman how many farms they have investigated. They are making a general investigation of typical farms in different parts of the country.

Mr. COX. It is stated that they have investigated 600 in the State of Pennsylvania.

Mr. BOOHER. There is not a State in the Union but has its farm organizations scattered all over it—granges, farmers' unions, and farmers' congresses. In my district for the last four years they have had a farmers' congress, attended very largely by farmers from Kansas, Nebraska, Iowa, and Missouri. They are carrying on that work themselves. They get the best lecturers from amongst the best farmers whom they can get, and they remain in session sometimes for five days. It does seem to me you can get more information from a meeting of a county grange, and that a farmer who is interested in farm work and the improvement of farms can get more information by attending one of their own granges at the country schoolhouse in one evening than he will get in a whole year from this farm-management business, conducted by the Department of Agriculture. The idea of going out and telling a farmer how he can make a success of cattle feeding is to me preposterous. A man who has had any experience in the business at all knows how he can do that. He has got to go to the stockyards and buy his cattle right. He has got to feed them right, and he has got to buy his corn right. If he does not, he will get himself in a hole every time.

Mr. CHIPERFIELD. You bet your life.

Mr. HOWARD. It does not take an expert for them to know that.

Mr. BOOHER. No; it takes a little common sense mixed with good judgment of the business he is engaged in.

Mr. REAVIS. Mr. Chairman, I was somewhat surprised at the statement of the gentleman from Illinois [Mr. FOSTER] that a so-called governmental expert, out for the purpose of advising farmers as to farm management, knew nothing of the fertilizing qualities of nitrogen as gathered by the clover plant.

Mr. FOSTER. I did not say he was a Government expert. I said he was a man traveling through the country lecturing to farmers' institutes.

Mr. CHIPERFIELD. The fact that he is on the civil-service list is prima facie evidence against him, is it not?

Mr. FOSTER. I did not say he was a governmental expert.

Mr. REAVIS. It seems to me that these experts are of the most value to the farming communities when they get first-hand information from the farmers themselves and disseminate that information to farmers generally. One of the finest examples of a man quietly and modestly doing a great thing is furnished by a young Swiss farmer in my district, living about 30 miles from my home, Arnold Martin by name. He farms about 20 acres of land, and from the product of that 20 acres has sent his children through the State university in my State. A few years ago, upon a few acres of that land, he raised, so I am told, over a hundred bushels of corn to the acre. A governmental expert going to Pawnee County, in which Mr. Martin lives, was told of this young farmer and of his achievements, and he went to his home and learned that this young Swiss farmer furnishes the seed corn to the farmers living adjacent to him in order that his corn might not be polluted. I want to say to you further regarding his accomplishments that last year, from his farm exhibit, he took the first prize at the Iowa State fair, the Nebraska State fair, the Oklahoma State fair, and the Colorado State fair, and then showed his exhibit at the exposition in San Francisco and took the first prize there; and the representative of the Government of China, after viewing that exhibit, paid that young man a dollar an ear for his seed corn in order that he might plant it in China. [Applause.]

Mr. COX. Will the gentleman yield?

Mr. REAVIS. Yes.

Mr. COX. Did he get any of that superior knowledge from any employee operating under this paragraph of the bill?

Mr. REAVIS. I am coming to that. As soon as the efficiency of that young man was learned of by the Government he was placed in this department that you now criticize and was sent across the country giving the farmers practical information as to how he himself managed that farm. [Applause.] He would be in that employment now were it not for the fact that his farm methods have become so celebrated in the Middle West that he is constantly employed before granges and farm institutes, and last year alone that young man earned a very large income from his exhibit prizes, his addresses, and the sales of his exhibits that he had raised on the 20-acre farm. I say to you that there is no man in America of more service to this Nation in the line of agriculture than that young Swiss farmer who has shown the farmers of this Nation what can be done on 20 acres of ground. [Applause.] I am glad indeed that I am privileged to place his name in the records of this Congress, for he has done much.

The Clerk read as follows:

For studying methods of clearing off "logged-off" lands with a view to their utilization for agricultural and dairying purposes; for their irrigation; for testing powders in clearing them; and for the utilization of by-products arising in the process of clearing; in cooperation with the States, companies, or individuals, or otherwise, $5,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. BOOHER. Mr. Chairman, I would like to ask how long we are going to investigate powder for the purpose of blowing out stumps.

Mr. LEVER. The statement was made that this would be the last year of the appropriation; that they now want to assemble the facts and make up the report.

Mr. BOOHER. Have they given the country the information as to what kind of powder will blow a stump out the easiest?

Mr. LEVER. I presume they have; but the gentleman from Oregon is more familiar with that than I am.

Mr. BOOHER. I would like to ask him, then, if he or his people have got the stumps out?

Mr. HAWLEY. The purpose of this appropriation is to complete the investigation which the department has concluded and to work up the material and prepare it for publication and distribution.

Mr. BOOHER. This appropriation is not to blow out any more stumps, but to print the information they have got.

Mr. HAWLEY. There may be some investigation that they have not yet concluded, but the principal part of the money will be spent for publication and distribution of this information.

Mr. BOOHER. Has the gentleman any information as to when we will get this knowledge that the department has secured about the best powder to blow out stumps?

Mr. HAWLEY. During the coming year.

Mr. BOOHER. I have got some stumps that I want to blow out and I do not want to blow them out until I get the strongest powder. [Laughter.] Can the gentleman give me any information as to what would be the best powder?

Mr. MADDEN. I just heard the gentleman from Oregon say that the best way is to go to a dentist.

Mr. HOWARD. Will the gentleman from Missouri allow me?

Mr. BOOHER. I will yield to the gentleman.

Mr. HOWARD. I can give the gentleman some information about the stump business. If it is a small stump, take a half a stick of dynamite and put under it.

Mr. BOOHER. What is a small stump?

Mr. HOWARD. Ten inches in diameter and down. The gentleman must have enough fuse attached to it so that he can get out of the way before the explosion takes place. If it is a big stump, put in a stick of dynamite on one side and one on the other and cut your fuse so both sticks will go off at the same time. It cost me, on an average, $450 an acre to blow out a few stumps, so that when you get this information to the farmer he will not be able to blow his stumps out, and that is the way you are spending the money.

Mr. BOOHER. Every stump above 10 inches the gentleman calls a big stump.

Mr. HOWARD. Oh, no. Small, medium, and then it grows bigger and bigger until it gets to a large stump, and it then costs more and more to blow it out, and my nigger had to run faster and faster to get out of the way. [Laughter.]

Mr. HAWLEY. I will say that out in my country we do not call it a stump if it is only 10 inches through. We take those out with a corkscrew. [Laughter.]

Mr. MANN. Mr. Chairman, I withdraw the point of order and move to strike out the last word for the purpose of saying that I understand this is really a very important item, that it is quite necessary for the Government to make this investigation in order to take the stumps out of the Brazos and Trinity Rivers before the improvement. [Laughter.]

The Clerk read as follows:

WEATHER BUREAU.

Salaries, Weather Bureau: One chief of bureau, $6,000; 1 assistant chief of bureau, $3,250; 1 chief clerk, $2,500; 1 chief of division of stations and accounts, $2,750; 1 chief of printing division, $2,500; 3 chiefs of division, at $2,000 each; 8 clerks, class 4; 11 clerks, class 3; 23 clerks, class 2; 31 clerks, class 1; 22 clerks, at $1,000 each; 10 clerks, at $900 each; 1 foreman of printing, $1,600; 1 lithographer, $1,500; 3 lithographers, at $1,200 each; 1 pressman, $1,200; 1 printer or compositor, $1,440; 5 printers or compositors, at $1,350 each; 14 printers or compositors, at $1,300 each; 6 printers or compositors, at $1,080 each; 5 printers or compositors, at $1,000 each; 4 folders and feeders, at $720 each; 1 chief instrument maker, $1,440; 3 instrument makers, at $1,300 each; 1 instrument maker, $1,200; 2 skilled mechanics, at $1,200 each; 5 skilled mechanics, at $1,000 each; 1 skilled mechanic, $840; 1 skilled mechanic, $720; 6 skilled artisans, at $840 each; 1 engineer, $1,300; 1 fireman and steam fitter, $840; 4 firemen, at $720 each; 1 captain of the watch, $1,000; 1 electrician, $1,200; 1 gardener, $1,000; 4 repairmen, at $840 each; 6 repairmen, at $720 each; 4 watchmen, at $720 each; 17 messengers, messenger boys, or laborers, at $720 each; 6 messengers, messenger boys, or laborers, at $660 each; 31 messengers, messenger boys, or laborers, at $600 each; 88 messengers, messenger boys, or laborers, at $480 each; 5 messengers, messenger boys, or laborers, at $450 each; 37 messenger boys, at $360 each; 1 charwoman, $360; 3 charwomen, at $240 each; in all, $337,060.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. HOWARD. Mr. Chairman, I move to strike out the paragraph.

Mr. MANN. I have a point of order pending, but I do not object to the gentleman proceeding.

Mr. HOWARD. Mr. Chairman, my object in moving to strike out the paragraph is to abolish the Weather Bureau. Does the gentleman from Illinois want to consider his point of order now?

Mr. MANN. No; I want to strike out a part of the paragraph.

Mr. HOWARD. Mr. Chairman, the Weather Bureau business has been growing up by leaps and bounds. I see they have a lot of new legislation at this time. I have been studying the weather business a long time and have been watching it. We have a man down in Georgia by the name of Snyder who lives in the district of my colleague, Mr. WISE. This man has been competing with the Weather Bureau in Atlanta, Ga., on prognostications. All he has got in the world that I know anything about, or anybody else, is that he goes into the woods and gets a sourwood stick that has a fork, and he makes his prognostications with that forked stick. The Weather Bureau is costing $1,700,000 a year, and Snyder has given the Weather Bureau in Georgia cards and spades by his prognostications and is away in the lead. In other words, he hits it twice where they miss it three times. [Laughter.] That is about as near as anybody can get to it.

Now, let us take an ordinary, practical illustration of the efficiency of this bureau. They can get up here and talk to you about meteorological observations and the Caribbean Sea and one truck and another, but this Weather Bureau was inaugurated for the farmers, in my judgment, and for the shipping interests of the country. I remember here about three years ago one afternoon—and I reckon all of the older Members of Congress remember it—we were sitting in our usual calm, deliberate way of transacting the folks' business, and all at once a sort of tornado struck this town, and in a few minutes the wind was blowing so hard out here that it took four men to hold a blanket over a gimlet hole. It approached this town, blew down trees all over the city, unroofed houses, and killed some folks, blew down a building, and just for curiosity I went off and searched the records and these great weather prognosticators and general managers of the weather situation sitting over here drawing—well, I see he has increased his salary this year from five to six thousand dollars in this bill—these great weather prognosticators did not let a soul on the face of this earth here in Washington know about this storm that was coming in order to give them time to get into a well or a cellar or a cyclone pit or run out to the tall timber. They let that storm just slip up on us here without any warning, and just suppose for an instant that that storm had caused the dome of this Capitol to fall, had blown it down, look at what this great Nation would have suffered by killing such men as were in this House at that time! It is appalling to just think of it. An irreparable injury would have been done.

The truth of the business is they do not know anything about it; it is all guesswork. They said to-day it would be cold to-night, and if I were a betting man, I would bet 40 cents to a burnt ginger cake that it will be warm.

Mr. ADAMSON. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. ADAMSON. What about that great celebrated weather prophet of the forked sourwood stick?

Mr. HOWARD. Why, he predicts two weeks ahead. He will tell you in April what is going to happen in May. Mr. Chairman, an economy of a million dollars can be brought about in this Weather Bureau, and I can tell you how it can be done. The Government of the United States ought to employ in all the principal cities of this country a $1,200 clerk who knows the points of the compass.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. HOWARD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 10 minutes.

Mr. MANN. I have a point of order pending on this paragraph.

Mr. HOWARD. I just want five minutes more.

Mr. LEVER. Make it 10 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection?

Mr. MANN. Does that affect the argument as to the point of order?

The CHAIRMAN. It certainly would not. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Chairman, I have a letter from a very prominent citizen in my district, and he sent me one of these Weather Bureau cards of prognostication. It stated what the weather was going to be on that day in Atlanta, Ga., and I wish I had it here, so that I could show it to you. On a certain day about a week ago that card stated that it was going to be fair and warmer, and on that very day, when they had posted that card all over the country, we had snow in Atlanta, Ga., and the sun never shone for half a minute during the whole day and all of our fruit was killed. Yet we are spending $1,777,000 in order to keep on the pay roll a lot of guessers. That is all they are—guessers. I know and you know that, for instance, if the wind is blowing from the northeast and it is freezing in New York right now, we can calculate the velocity of the wind, which can be done with a little bit of a machine—calculate the distance from New York to Washington—and any man that has as much sense as you can put in a thimble can predict that the barometer is going to fall in Washington. That is all it is, and that is all they are doing; and it is an absolute waste of the people's money.

Let us get to the real farmer. You will hear them say that the farmers get up and cover their garden truck, and all such things as that. I am talking about my district now, and there is not a farmer in my district that this appropriation helps, because when he gets the information of the day they prognosticate what is going to happen, that day has passed; and the truth of the business as to the efficiency of this bureau, so far as Georgia is concerned, is that it is of absolutely no benefit to the people. Why, I knew an old nigger named Uncle Lindsay Horton that my father owned and who lived with us for 30 years after the war, and Uncle Lindsay could go out and sort of turn his side to the wind and say, "Hit agwine to be rainin' befo' night," and I would put old Uncle Lindsay, if he were living, up against Chief Marvin or anybody else on guessing what the weather is going to be. It was instinct with him, and that is all it is with these fellows, and we are paying $1,777,000 a year for that; and they have a whole lot of stuff in here about preparedness. He says you have got to keep this new bureau, which I suppose

the gentleman from Illinois has made a point of order against, because it is a matter of preparedness. Well, my conscience, how many sins are going to be committed in the name of preparedness?

Mr. McKELLAR. Will the gentleman yield?

Mr. HOWARD. I will.

Mr. McKELLAR. Will the gentleman point out how it can be made cheaper and more economical?

Mr. HOWARD. I will tell the gentleman what he can do. You can get one man who can read temperatures and barometers, and put in a chief as an ornament, if you like, and employ some men in the cities in different sections of the country, and pay them $1,200 a year and give them these orders: "When it is freezing in Indianapolis and the wind is blowing from the northwest, notify Cincinnati it is going to be cold." [Applause.] That is all it is necessary to do. Is not that plain enough, and is it not economical? Why do you want to spend $1,777,000 of the people's money to perpetuate and increase this thing that we all know is clairvoyancy, a greater portion of it? Extension! I say, instead of increasing it we ought to decrease it. I am in favor of putting Snyder in charge here with his sourwood limb, because——

Mr. LEVER. I have not any doubt of that at all.

Mr. HOWARD. Because he is competing successfully against the bureau and beating them at their own game.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LEVER. Mr. Chairman, the conclusion the gentleman from Georgia [Mr. HOWARD] has just reached, to my mind, is the reason for his attack upon the Weather Bureau. I am satisfied the gentleman states the exact truth and states the exact animus of his attack when he says if he had his way about it he would put Snyder and his sourwood stick in charge of this bureau.

Mr. HOWARD. Will the gentleman yield?

Mr. LEVER. I do.

Mr. HOWARD. I said that based absolutely upon the question of efficiency, because Snyder is more efficient than Marvin.

Mr. LEVER. As a matter of fact, Mr. Chairman, I believe that the present Chief of the Weather Bureau, who has been in the service some 25 years and is regarded by the professional world as a great scientist along the line of that work, is more competent to manage this great bureau than the gentleman's constituent, whom I do not know, but who the gentleman himself admits makes his prognostications by use of a sourwood stick in his hand. Somehow it looks like clairvoyance with a vengeance.

Now, Mr. Chairman, I would not take up the time of the committee to defend this bureau except for the fact that for the past six or eight months there seems to have grown up in this country a systematic attack upon the present service, and that attack can find its animus in certain individuals and certain so-called scientists who say that they can predict what the weather is going to be three or four months in advance of its happening. I do not believe they can do it. The Weather Bureau says they can not do it, and I am inclined to think these attacks on this service come for that reason and for that alone.

Now, I want to call the attention of the committee to what happened in Galveston in 1915. They had the most severe tropical storm that ever struck that city. The Weather Bureau notified the people of Galveston six days in advance of the coming of that storm. Just 20 years from the day before that time another great storm visited Galveston. This bureau was not so well equipped then as it is now. In the storm of 1893 3,000 human lives were lost and a million dollars of property was destroyed, although the storm in intensity was not nearly so great as the storm of 1915, in which 300 people lost their lives.

Mr. HOWARD. Will the gentleman yield?

Mr. LEVER. I do.

Mr. HOWARD. The gentleman knows the reason they did not do so was because the United States built a sea wall to protect them.

Mr. LEVER. The gentleman does not know any such thing, and I desire to take the testimony of the people of Galveston rather than the unsupported testimony of the gentleman from Georgia. Now, let us see what they said about it. This is a letter under date of August 30, 1915:

BOARD OF COMMISSIONERS,
Galveston, Tex., August 30, 1915.

Hon. CHARLES F. MARVIN,
Chief of Weather Bureau, Washington, D. C.

DEAR SIR: At a meeting of the board of commissioners of the city of Galveston held August 26, 1915, it was unanimously adopted that the thanks of the board of commissioners and the citizens of Galveston be extended, through you, to Mr. W. P. Stewart, local weather forecaster, for the very valuable and untiring services rendered in giving warning to the people of Galveston and vicinity of the approach of the storm of August 16, 1915.

Yours, respectfully,
JNO. D. KELLEY,
City Secretary.

—

TWENTY-EIGHTH INFANTRY,
Galveston, Tex., August 30, 1915.

From: The Commanding Officer.
To: Mr. W. P. Stewart, weather observer, Galveston, Tex.
Subject: Assistance rendered during the storm; especially to the Twenty-eighth Infantry.

1. I believe that thousands of persons in and near Galveston owe their lives to you and your efforts to give them notice of the approach of the storm and of its changes after its arrival.

2. The Twenty-eighth Infantry is especially indebted to you, as it was through your courtesy to Lieut. Hardin, permitting him to remain at your office during the storm and enabling him to communicate to us information that resulted in timely efforts to save lives and protect property.

3. I wish to thank you for the whole regiment. I would say rather for everyone who came within your protection.

E. H. PLUMMER,
Colonel Twenty-eighth Infantry.

—

[From the Galveston Tribune, Aug. 31, 1915.]

THE WEATHER MAN.

When the time comes, and it is very near at hand, for remembering with gratitude those who lent their aid toward lessening the loss of life from the recent tropical hurricane, the fact should not be overlooked that probably hundreds of lives were saved through the persistent and insistent admonitions of Local Forecaster W. P. Stewart and his corps of assistants. Warning after warning was sent to the people living outside the protection of the sea wall and that the loss of life on the island west of the city was so small is to be attributed to the earnestness with which the people were implored to leave their exposed homes and seek safety on the higher ground of the city. Those who disregarded the warning paid for their temerity with their lives.

It has been recounted in thrilling lines how the Weather Bureau at this point displayed its warning signals, sent danger rockets high into the skies, used motorcycle messengers and telephone lines in an effort to impress the people with the imminence of their danger in remaining exposed to the force of the oncoming hurricane. No lines of duty were regarded in the anxiety of the office force to reach every danger-threatened individual, nor were long hours of service or physical weariness permitted to halt for a moment the work engaging the attention of the men who alone appeared to have any adequate conception of the destructive nature of the wind hurrying in this direction. Whether there shall follow official recognition or not, the splendid work done by the local corps of the Weather Bureau will ever remain a stirring picture in the minds of the people of Galveston and this vicinity. Their splendid service has earned them a warm place in the affections of the people.

Another consideration is that the good work of the local Weather Bureau could not have been accomplished but for the whole service. From August 10, the day on which the first report of the hurricane was received, until it struck the Gulf coast, the United States Weather Bureau kept track of the storm, and shipping and other interests were kept posted. It was a case of good work on the part of the bureau from start to finish.

We are prone to give slack consideration to those matters with which long intercourse have made us familiar. The true need of street car service was never felt so keenly as during the few days subsequent to the storm, when the people were compelled to walk long distances between their homes and places of business. The light of the kerosene lamp never appeared so dim as when brought into mental comparison with the incandescent bulb, now glowless. The luxury of a tub bath becomes a near necessity when the paucity of city water forbids the use of the fluid for other purposes than drinking and cooking. The weather service furnished by the United States Government has been with us for more than 40 years, but its real utility has never before been so brilliantly, so forcibly, impressed upon us as it was during the few days preceding the arrival on the Texas coast of the recent storm. If the national weather department has done nothing more in return for the money expended in its maintenance than the service rendered in connection with this latest storm, it has paid for itself a thousandfold, it has established its right to perpetuation, it has shown itself to be an important part of our material progress.

But in the remarkable achievement credited the Weather Bureau in connection with the recent storm or previous meteorological abnormalities, this governmental utility has not performed all the functions that called it into existence. The United States Weather Bureau was not created nor is it maintained solely for the purpose of warning the people of the possible visitation of a storm. That the Weather Bureau performs a very important service in holding down the high cost of living is not generally recognized, but the frost warnings, the advance advices of approaching rains, the continuation of extended periods of drought, intimated by this bureau, are all of value to the farmer, and advantage being taken of the advance knowledge thus imparted has saved many a crop; and thus, indirectly it may be, saved the farmer from loss and at the same time averted a dearth of foodstuffs, operating to keep down the market prices. Should one care to investigate the field of operation of the National Weather Bureau, it would be found that numerous indeed were the good offices rendered, and deeply are the people indebted to that department.

—

[From the San Antonio Express, Sunday morning, Aug. 29, 1915.]

TO THIS TRIO OF THE HEROES OF PEACE MANY GALVESTONIANS OWE THEIR LIVES—W. P. STEWART, I. R. TENNEHILL, AND J. W. GEIGER, OF ISLAND CITY'S WEATHER BUREAU, SPREAD BROADCAST WARNING OF HURRICANES COMING SO PEOPLE FLED TO HAVENS OF SAFETY.

After the news story writers of great events have had their inning, there is always some one to glean the aftermath. The greatest field for news gathering that has opened in Texas in the last 15 years was the West Indian hurricane which visited Galveston August 16 and 17.

When the waves had subsided and a fairly open way had been made to the stricken city, this writer was sent to harvest the aftermath. After being told by evidently well-meaning people that he was taking his life in his hands, and that he should carry a bottle of water and a package of crackers, as the city was famine stricken, your correspondent

was agreeably surprised to find nothing more formidable than a soldier on sentry duty at Texas City, who examined his pass and courteously allowed him to board the boat.

The havoc created by the great hurricane at Texas City was so great and the devastation of the country around about so complete, that it presents rather the appearance of a wilderness than of a wreck. The news story of the disaster at that point has been fully told, and in many cases profusely elaborated upon. As to the number of deaths resulting from the storm at any point in its path, there is a question in the minds of everyone at this time as to the accuracy of the reports. This is probably true in the case of the men who prepared the reports. One thing is certain, however, and that is that no man can look upon the track of the storm and not feel that it is a miracle that the list of deaths is not a hundred times greater.

Estimates of the loss of property were made early in the stories of the storm. It is easy to see that these estimates were based upon the things visible at a casual glance. The big things that were readily seen. This writer believes, after a reasonably careful look at the territory from Velasco to Port Arthur, that $50,000,000 will not more than cover the property loss.

This estimate is based on the matter of figuring everything that has been lost, from the little express wagon that stood on the back gallery of some humble home to the crushing by the waves of the pavement of the wonderful sea-wall boulevard in the city of Galveston. From the driving far inland of some poor fisherman's tiny boat to the grinding of the keel of a great ocean liner as it grounded on the prairies at a point so far inland that $100,000 or more will be required to float it again. From the wrecking of a sewing machine, with which some poor woman made her living, to the chaos that exists in the big oil-refining plant at Texas City, or the crushing of a mammoth dock at Galveston. From the washing out of a board culvert between a country home and the graded county road to the demolition of the great Galveston causeway.

THE BIG PORT.

All these extremes exist, and every kind and variety of damage that the human mind can conceive exists between the extremes. The loss of cattle, horses, and mules in the storm is almost incalculable, and its exact figures will probably never be known. As regards the particular communities their losses are their own, as regards the State of Texas the aggregate loss is hers, and to it is added the irreparable loss of having her seaport, her great gateway to the balance of the world, blocked for an indefinite period.

This latter statement is made advisedly, because it is a well-known fact that up to the 17th of the current month there was only one recognized port on the Texas Gulf coast, and that port was Galveston. Only recognized ports do business, and ports are not recognized in a day, nor are docking facilities produced in an hour.

There are other deep-water ports in embryo on the Texas Gulf coast. Some are a commercial joke, made for rate purposes only, while others (Port Aransas, for instance) that have deep water, good harbors, and are only waiting for recognition to prepare ample docking facilities. The commercial interests of the Southwest can not be justly accused of having put all their money into one pocket by backing Galveston. That city is and for many years to come will continue the greatest seaport on the Texas coast. Where the expenditure of such enormous sums of money are required for the enterprise, it is wonderful progress for a country to open one such port in a generation or two. Other ports on the Gulf coast will follow, and the disaster to Galveston will hasten their recognition.

No one man of intelligence pits his wisdom against that of an army of thinkers, but there are many men in Texas who have been asking for the past week why Galveston has been disposed from the hour the storm subsided and the first pioneer newspaper reporter succeeded in making the perilous trip into the city to treat the hurricane and its results as if the people of that city were directly responsible for it? As if, in fact, they were guilty of some crime that should be suppressed and kept from the world. Houston has followed the same policy. These two cities are two of the greatest in Texas, or anywhere else for that matter, when it comes to having a citizenship of live wires and good stayers. They have started many things, but no one would accuse them of having started a West Indian hurricane and tolling it across the cities they have expended millions in building.

THE BARRIER AGAINST DEATH.

In the city of Galveston there are two factions. One faction insists this is the greatest storm in history, and rejoices in the fact that the sea wall saved the city. The other insists that the storm was not so great as that of 1900. All the people of that city are of one mind in stating to the world that the damage to the cty is comparatively trivial, and that a few weeks will see it back to normal. This, of course, is impossible, but no man with red blood in his veins can help loving the people of Galveston for making themselves believe it to be true and trying to convince the world that it is true.

The accepted estimates of the property loss in the storm of 1900 is $17,000,000, in round numbers. Leaving all the balance of the storm area out of the reckoning at this time, and confining the matter to the city of Galveston alone, it is extremely doubtful if any man capable of performing the service would undertake to repair the present actual damage of the city for $20,000,000. It is conservatively estimated that the damage to stocks of goods in the lower stories of wholesale and retail houses on the Strand and Market Street alone will reach $3,000,000 to $4,000,000. The people of Galveston up to this time are so full of thankfulness that the death list was confined to less than a score in the city, as against ghastly, grisly thousands in the 1900 storm, that they have not yet taken account of property losses. Men who had weathered both storms told this writer that had it not been for the sea wall there would not be brick or shingle left on Galveston Island to-day.

SEAS ENVY MAN'S SUCCESS.

The damage to the docks at Galveston was surprisingly light. Only one pier was destroyed completely, and the damage to others is comparatively light. Many vessels were damaged, some sunk and lost, and others went aground, while yet others weathered the storm in safety. Approaching the docks, one wonders if there has really been a great storm, as the evidences of such a calamity are not apparent. All of the machinery of the shipping industry is practically intact, and, by way of prophecy, the shipping industry is all the future Galveston can hope to be.

Immediately upon landing and starting uptown, the tracks of the demon of the sea became evident. The buildings on Market and Strand are strong and were built to withstand the buffeting of the seas. They are not much damaged, but their stocks, the treasures of their strongholds are in ruins. A little farther out, where the business section gives way to the lighter residence structures, the damage from the wind becomes apparent in wrecked roofs, broken houses, and heaps of débris.

Still, the ruin is not sufficient to warrant the belief in a story of a great storm. Not until the neighborhood of the sea wall is reached does one realize that "The seas turned green with envy at man's happiness and sought to drown the world."

A section of the city along the sea wall ranging in width from one to three blocks was battered into an unrecognizable mass of débris. All early reports of the calamity stated that all houses along the sea wall were gone. This was largely construed to mean the bath-houses and buildings outside the wall, but unfortunately that was not what was meant. A reliable citizen of Galveston said he was on the sea wall at 5 o'clock Monday evening, and the water at that time, the mean tidal height and not the breakers, was within 1 foot of the top of the seawall. From the damage done, indications are that at the height of the storm the tide was on a level with the top of the wall and the breakers went unobstructed into the city, crushing the houses as they came.

There are places where the seas tore up the heavy concrete pavement for a quarter of a mile or more and made the brick pavement of the boulevard look as if a giant plow had been run through it. Once the pavement was broken, the waves dug up the sand with which that part of the city had been filed in and carried it in fiendish glee up the streets, which it left a deposit ranging from 1 to 4 feet deep on the brick pavement of the principal thoroughfares of the city.

THE HEROES OF PEACE.

When one sees this and realizes the force with which this water, flying fairly in the face of the wind, struck the city and demolished hundreds of homes, he wonders how so few lives could have been lost.

There is an answer, but up to this time it has not been given in the public prints as fully and convincingly as it should have been. There was no one in these homes, except in the Galvez Hotel, which breasted the waves like a mountain of granite, yet did not come quite unscathed from the fray. The reason there was no one in these houses when the sea smashed them as so many eggshells is that three men had labored, and their labors had incited an army to deeds of bravery.

These three men were W. P. Stewart, local observer of the United States Weather Bureau, and his two assistants, I. R. Tannehill and J. W. Gieger.

For days the hurricane had been kept track of by the Government from the time it left the island of Dominica until it reached a position threateningly near the Texas coast. On Sunday morning warnings were sent out. By Sunday evening the hurricane signals were sent up, and the observers began working to warn all the coast of Texas. Up in their office at the top of the city, where the gods of the storm shrieked defiance at the ingenuity of man and threatened to tear the building in pieces and scatter it to the four winds of heaven, these three men labored 56 hours without sleep and with only the little food that some one thought to bring them from time to time. So great was the strain that they did not think how long they had been there, and when the storm passed they collapsed from fatigue. Had it not been for the insistent warning of these men and the heroic efforts of the strong men of the city under these warnings, the calamity of 1900 would have been repeated despite the sea wall.

WINDS SCREAM IN RAGE.

Not only did the grim monster of the deep stalk to the very doors of the city on the Gulf side and enter them to find their prey had escaped, but the same thing occurred on a larger scale on the bay side. For two days the sea, like a crafty general, had regiments, brigades, and divisions of white horse following one another at a furious pace from far out in the sea. As they approached the harbor they doffed their white caps as if paying obeisance to man's power, and then wound their sinuous, slimy way back through the channel into the bay, where they filled every nook and cove, and even marshaled their hosts far out upon the land that the sea had never claimed before in history.

Just when the mighty seas had broken into the doors of the city and finding the tenement empty and themselves despoiled of victory, another mighty cry went up. Far up in the clouds, at the top of the town, the little needle of the anemometer was writing another message. The wind was increasing from the northeast. It came on with a scream of rage and blew at a velocity ranging from 60 to 120 miles for six hours. As soon as the little needle began to write its message of warning the warning was sent to the people on the bay side of the city, and none too soon. As it was, many waded in water to their necks seeking safety in the great buildings in the heart of the city, and some lost their lives in the effort.

From this source came the greatest damage to the city. At the signal given by the whistling of the titanic winds, the pent-up hordes of waves came rushing from the bay, and, striking the unprotected bay front, demolished the light structures of the residence section and filled the downtown district with water to an average depth of 5 feet. That part of the residence city that fronted on the bay was composed chiefly of homes of the working class of people. Several blocks in width and reaching from the business district to the western limits of Galveston were swept away as a carefully wielded broom would remove the fallen leaves from a sidewalk. Further in toward the heavier and more substantial homes is a jagged line of wrecked houses that finally built into a breakwater that held the waves from crossing the island until the wind changed its course to the southeast, and in a measure relieved the pressure and saved the residence part of the town from annihilation.

THE SPIRIT OF GALVESTON.

While walking across this great swept section of sand this writer saw an old man standing looking at a broken sewing machine, a few cooking utensils, an old iron bed, and other scraps and fragments of household goods. Upon being accosted the man, who gave his name as James H. Slator, said, "This is what is left of my home." He gave the street and number of the place, but there was nothing in blocks of the place to indicate anything like a street line or that the land had ever been platted. It is true that none of these buildings were very valuable, but each represented a home of some sort, and in the aggregate represented much value.

This old man answered a question that has been asked many times since the storm, when people have asked if Galveston would be rebuilt. He looked at the ruin for a few moments and then said, "Yes; that's my home. I spent all I had building that cottage, and just as soon as the ground dries and I can get money to do it I shall build another in the same place."

That is the spirit of Galveston. Men who go down to the sea in ships constantly throw dice with fate. Galveston is a seafaring town,

and her people are thoroughly imbued with the spirit. Every broken piece of the pavement along the sea wall will be replaced; children will again play upon the great concrete seats that the angry waters hurled across the way in their fury. Thousands will bathe in the surf, and great ships will continue to come and go.

No people in America, save only those of the city of San Francisco, have developed such a spirit of determination as have the people of Galveston; and it remains to be seen whether the people of the Golden Gate will meet their second calamity with the determination and heroism with which Galveston has gone to work to rehabilitate the city.

To-day Galveston is stretched upon the beach licking her wounds, and before the sea water has been dried from her drenched mane this lion of the Texas coast is being attacked by the dogs of commercial prowess. Every port on the coast is offering aid to the stricken city and at the same time secretly hoping to profit by her misfortune. The great causeway, over which passed the produce of an empire to be sent to foreign countries and the imports from the uttermost corners of the earth, was destroyed. Much money and labor will be required to replace it. The most sanguine do not hope that this can be done soon. The railroads hope to have a trestle into the city soon, but Galveston as a port has outgrown single-track trestles. While she is repairing her damage other ports that have a mainland approach will fight for the supremacy. The honors lie between Texas City and Port Aransas. Texas City has been storm swept; Port Aransas has never been the victim of a storm in the history of tidal waves of great magnitude.

It can not seem wise to the commercial interests of the Southwest to have only one port on the Texas coast; and, whatever may be said, the recurrence of the same kind of a calamity within 15 years will put commerce to thinking of providing against the chance of having business tied up for want of shipping facilities.

It has been said, "The way to fame is like the way to heaven—through much tribulation." If that be true, then indeed should Galveston become a famous city.

GALVESTON'S HISTORY.

History says Galveston Bay and Island were discovered by Spanish explorers and were named in honor of Conde de Galvez, who happened to be governor of Louisiana at the time.

About the year 1817 Jean La Fitte, the Gulf pirate, who had a peculiar penchant for scuttling and sinking Spanish galleons after having put their crews to the knife or caused them to walk the plank, decided that Galveston Island would be a cozy spot for a base of operations. Accordingly he established a private town on the east end of the island, where the city of Galveston now stands. The citizenship was composed of marine highwaymen, and the pirate chieftan was supreme ruler. As a principality of pirates the town continued for something like three years. Being hard pressed by the United States ships of war on account of undue playfulness with an American vessel, La Fitte abandoned the island, and it was about 13 years before an effort was again made to build a town there. It is said that at one time the island was inhabited by a lone fisherman.

History is rather lacking in regard to the place until 1833, when President Burnet of the Republic of Texas, finding Santa Anna uncomfortably close on his trail with a force of Mexican "soldados," embarked his troops and took them down the bay to Galveston Island on a duck hunt. The republic had a navy, and about that time Galveston Island seems to have been its main base.

In 1836 Col. Michael B. Menard saw the island and liked it. He bought a league and a labor of land from the State for the munificent sum of $50, and located his grant on the eastern end of the island. This was the foundation of the real city of Galveston. Col. Menard organized an association called the Galveston City Co. All of the land titles in the city are held under titles from that company. It is said the company still exists, but practically all the land has changed title since then.

Galveston County was organized in 1838, but was so far removed from the other part of the State, both on acount of the bay that lay between it and the seafaring character of its people, that it was not represented in the councils of the State until the third Congress of the Republic of Texas was held at Houston in 1838. It appears that Houston was so close the people of the island thought it would not be a neighborly thing to fail to send a representative, so they sent one, Mosely Baker, as representative.

ALWAYS READY TO FIGHT.

It appears that the men of Galveston have always been willing when invited to a fight. The first regiment of Texas soldiers to join Gen. Taylor in the war between the United States and Mexico was composed of men from Galveston County.

The first railroad train run into Galveston across the bay in 1860. Prior to that time trains had been run from Harrisburg to Virginia Point and the balance of the journey made by boat. From that time until the jetties were completed in 1896 most of the ships were loaded in part by lighters, on account of the low water over the bar. Altogether something like $10,000,000 have been spent on the jetties and other harbor improvements by the Federal Government, and at present the channel has a depth over the bar of about 26 feet at mean low tide.

The census of 1900 gave the city of Galveston a population of 38,000. In the great tidal wave of that year the loss of life was variously estimated at 6,000 to 10,000. The city had become so important as a seaport, and the people were so heroic in their efforts that the rehabilitation of the city was phenomenal. Their work during the 15 years between the 1900 storm and the storm of this year, which is said to have been by far the greater storm of the two, reduced the death loss from thousands to not more than 50 at most, and while the property values have increased many fold, have reduced the property loss to a figure said to be below that of 1900 loss.

J. E. GRINSTEAD.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by publishing other resolutions from the citizens of Galveston on this subject.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none. Does the gentleman from Illinois make the point of order?

Mr. MANN. I do not know whether, debate having been limited, I can ask any question about it; otherwise I shall make the point of order.

Mr. LEVER. Oh, Mr. Chairman, I did not expect the limitation upon debate to do that.

Mr. MANN. Mr. Chairman, I make the point of order—I suppose that makes it in order—on one chief of bureau, at $6,000.

Mr. LEVER. Mr. Chairman, I concede the point of order, and if the gentleman will let me offer an amendment, I will now do so.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. Mr. Chairman, I offer the following amendment: On page 5, line 8, "one chief of bureau, $5,000," in lieu of the language in the bill at present.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 5, line 8, by striking out the words "one chief of bureau, $5,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. HOWARD. A parliamentary inquiry, Mr. Chairman. What became of our amendment to strike out the whole paragraph? I did not withdraw it. I was advocating it vehemently over here.

The CHAIRMAN. The Chair thought that the gentleman formally stated that he was going to offer an amendment. The Chair did not really understand——

Mr. HOWARD. Of course, if the House votes out this paragraph, as I know it will, the following paragraph will go out with it.

Mr. MANN. Let it have a vote.

The CHAIRMAN. Without objection, the Chair will put the motion of the gentleman from Georgia to strike out the paragraph.

Mr. MANN. He made the motion.

The CHAIRMAN. The Chair is going to put the motion of the gentleman from Georgia to strike out the paragraph.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. HOWARD. Division, Mr. Chairman.

The committee divided; and there were—ayes 1, noes 51.

So the motion was rejected.

The Clerk read as follows:

General expenses, Weather Bureau: For carrying into effect in the District of Columbia and elsewhere in the United States, in the West Indies, in the Panama Canal, the Caribbean Sea, and on adjacent coasts, in the Hawaiian Islands, in Bermuda, and in Alaska, the provisions of an act approved October 1, 1890, so far as they relate to the weather service transferred thereby to the Department of Agriculture, for the employment of professors of meteorology, district forecasters, local forecasters, meteorologists, section directors, observers, apprentices, operators, skilled mechanics, instrument makers, foremen, assistant foremen, proof readers, compositors, pressmen, lithographers, folders and feeders, repairmen, station agents, messengers, messenger boys, laborers, special observers, displaymen, and other necessary employees; for fuel, gas, electricity, freight and express charges, furniture, stationery, ice, dry goods, twine, mats, oils, paints, glass, lumber, hardware, and washing towels; for advertising; for purchase, subsistence and care of horses and vehicles, the purchase and repair of harness, for official purposes only; for instruments, shelters, apparatus, storm-warning towers and repairs thereto; for rent of offices; for repairs and improvements to existing buildings and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets abutting Weather Bureau grounds; and the erection of temporary buildings for living quarters of observers; for official traveling expenses; for telephone rentals and for telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary of Agriculture by agreements with the companies performing the service; for the maintenance and repair of Weather Bureau telegraph, telephone, and cable lines; and for every other expenditure required for the establishment, equipment, and maintenance of meteorological offices and stations and for the issuing of weather forecasts and warnings of storms, cold waves, frosts, and heavy snows, the gauging and measuring of the flow of rivers and the issuing of river forecasts and warnings; for observations and reports relating to crops and for other necessary observations and reports, including cooperation with other bureaus of the Government and societies and institutions of learning for the dissemination of meteorological information, as follows:

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. I would like to ask the gentleman from South Carolina [Mr. LEVER] what it is proposed to do in the Caribbean Sea more than is now being done?

Mr. LEVER. Mr. Chairman, they have now in the Caribbean Sea about 11 or 12 stations from which they are getting daily reports as to the condition of the atmosphere. It is the purpose of the department and the purpose of the committee to give them sufficient appropriation to install about 12 other stations, which will not only enable them to have that many additional reports

but to have double daily reports from all the stations rather than daily reports from them. There seems to be a long stretch of territory, over 3,000 miles, in that tropical country in which they have only one station, and the distance is so great that a great many of the storm centers are lost. They do not come in contact with the weather observers.

Mr. MANN. Is it expected to put stations down along the Lesser Antilles on the one side in the Caribbean and Central America on the other side?

Mr. LEVER. Yes; that is the idea.

Mr. MANN. Does the gentleman know what would be the expense of those stations?

Mr. LEVER. The total expenditure for the Caribbean Sea work—the additional work that is carried in the bill—is $30,000, not including the building at Panama. We felt that this was a very important matter, and discussed it last year, but we were not satisfied then that we ought to recommend it; but the more the committee has thought about it the more it regards this as being extremely important. They take it, of course, that the Caribbean Sea is going to be used in the future a great deal more than it has ever been used in the past, and we thought in the interest of shipping and navigation and commerce we ought to get as nearly as we can accurate reports of the conditions of the weather in that section.

Mr. MANN. I should doubt very much whether a knowledge of the weather there would be of any great value to steamships going through the Panama Canal. It might be, but I doubt it. The only weather that they fear when coming out of Panama this way is a norther, which happens once in two or three years perhaps. They do not have any difficulty in knowing when they are coming.

Mr. LEVER. I will say to the gentleman, too, in addition to the service expected to be rendered to navigation it is thought by the committee that the commerce of the Gulf coast and the Atlantic coast can be greatly protected by having advance warnings of storms that may be set in that direction, just as in the case of Galveston.

Mr. MANN. Well, the Galveston case the gentleman cited be very much exaggerated—at least the people of Galveston did—at the request of the weather observer down there. Doubtless they did good work, and I do not criticize the Weather Bureau. I think it is a wonderful——

Mr. LEVER. It is a wonderful service.

Mr. MANN. I do, generally speaking, but I do not always so regard it.

Mr. LEVER. We remember the days when we have the colic, but we do not think of the days when we do not have the colic. That is the case with the Weather Bureau.

Mr. MANN. I know that every morning and every evening I look to see what the weather indications are, and I suppose that is unconscious proof that I do put some faith in it. If I did not, I would not take that trouble. However, that has nothing to do with this case. The Caribbean Sea, of course, does not extend all over the world. I have no doubt if you get information from South America or the islands along the eastern side of the Caribbean Sea it might help some, but it might help some also to get information from Africa and Asia. I do not know, and they probably do not know, how far we should go with this. The gentleman says "the committee," but, after all, that means the Weather Bureau.

Mr. LEVER. Of course the Weather Bureau recommended this last year. The committee disallowed it at that time, because they did not look into it, but they did look into it at this time and allowed it.

Mr. MANN. The trouble is that when we start into these experimental propositions we can not stop.

Mr. REAVIS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Nebraska moves to strike out the last word.

Mr. REAVIS. I arise from the purpose of inquiring of the chairman of the Committee on Agriculture why the policy of the Weather Bureau to supply information and prognostications with reference to the weather during the winter months has been discontinued? The Weather Bureau has had a policy of notifying the interior, at least, of weather prospects for a week in advance as an aid to shippers. That has been practically, if not entirely, stopped during the winter months, when it is needed the most. Can the gentleman tell why that policy has been adopted?

Mr. LEVER. I can not give the gentleman that information. I really did not know that was the custom in that section of the country.

Mr. REAVIS. It was brought to my attention by shippers of cattle and apples in Nebraska that they had been subjected to severe loss by the stoppage of these reports.

Mr. LEVER. About the best that the Weather Bureau can do in the way of accurate forecasts in advance is 24 hours, and I should think that if they have discontinued that practice it is because they have felt they could not make it an accurate matter.

Mr. REAVIS. They do not discontinue it in the summer months, when there is no great necessity for it, but they have discontinued it in the winter months, when we need it most.

Mr. LEVER. I shall be glad to go into that matter and get the information for the gentleman which he desires.

Mr. REAVIS. I would be glad if the gentleman would.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

For the purchase of a site and the erection of a building at Cape Henry, Va., to be constructed under the supervision of the Chief of the Weather Bureau, plans and specifications to be approved by the Secretary of Agriculture, and for all necessary labor, materials, and expenses connected with this work, $22,500.

Mr. COX. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Indiana [Mr. Cox] reserves a point of order on the paragraph.

Mr. COX. Mr. Chairman, I do not know; perhaps the building may be necessary, but I am at a loss to understand why this department should be given the right to come to this committee and get an appropriation for the purpose of erecting a building when you have a Committee on Public Buildings here which does that kind of work.

Mr. LEVER. Mr. Chairman, I will say frankly to the gentleman from Indiana that without a doubt this item and the following item are subject to points of order. But it has been the custom for many years, ever since I have been a Member of Congress, I think, in matters of Weather Bureau buildings, to provide for them on the Agriculture appropriation bill, and to have them under the supervision of the Secretary of Agriculture. The committee thought that these two buildings were absolutely necessary. And, following the policy which we adopted some years ago, instead of covering this appropriation up in a lump fund, which we might have done, and which was done at one time, we set it out on the face of the bill so that the Members of the House might have accurate and detailed knowledge of the contents of the bill.

Now, if the gentleman will permit, at this time we have a Weather Bureau building at Cape Henry. It is a three-story, old, rickety, worn-out, wooden building. That building is located on property which belongs to another department of the Government.

Mr. COX. To the War Department?

Mr. LEVER. No; it belongs to the Lighthouse Service. That is a misstatement in the hearing. Now, in addition to that, we understand that the War Department is beginning certain improvements of its property down there, so that the present location of our Cape Henry building would not be suitable for the purposes for which it is now being used, and we desire to locate the new building at a site that will make it more useful in the performance of the function for which it is to be used.

Mr. COX. I do not want to do wrong or to injure the department, or to put it to any unnecessary trouble or expense, but if this building were to take its usual and ordinary course or channel by the Public Buildings Committee reporting the proposition here, would not the Department of Agriculture still have control of it, as it has now?

Mr. LEVER. That is probably true; but, of course, the gentleman understands that the probabilities are that there will be no public buildings bill at this Congress, and the committee regards this as in the nature of an emergency appropriation.

Mr. COX. That may be, but has the department already purchased a site, or contracted for one?

Mr. LEVER. No. The department has not purchased a site.

Mr. COX. Does the gentleman know anything about what the site is going to cost?

Mr. LEVER. The department thinks, and the testimony before the committee is, that the site will not cost more than $2,000.

Mr. COX. Does the committee believe that the site can be procured and the building constructed within the limit of this appropriation?

Mr. LEVER. Yes; the department estimated $25,000 for each of these items. We called in Dr. Marvin and asked him if he could not cut these items down $22,500 each, and after think-

ing it over for some time he said he thought it could be done if they would skim close to the surface.

Mr. COX. Then the gentleman believes, as the result of his investigation, that the site can be bought and the building constructed within this appropriation?

Mr. LEVER. I have no doubt of it. I know that Government buildings elsewhere have been erected at a cost of from $12,000 to $15,000.

Mr. COX. I have read the hearings in this case, and it seems to me they need the building. I am not going to make the point of order, after hearing the gentleman's explanation.

The CHAIRMAN. The gentleman from Indiana withdraws his point of order.

Mr. MANN. I renew the reservation of a point of order.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] reserves a point of order.

Mr. MANN. Is there not a large amount of land owned by the Government down there in connection with the lighthouse reservation and the new land for the Army?

Mr. LEVER. I understand that the Lighthouse Service has a reservation down there, and the War Department owns some property there; but my recollection is that a statement was made before our committee to the effect that it would probably be impossible to get a suitable site for this kind of building on the Government property.

Mr. MANN. What kind of building is it? You could not find a more suitable site for an office building, or for a country residence, or for a fort, or anything else, than right there on this cape.

Mr. LEVER. If the gentleman will let me say what I was about to say I think I can convince him that this situation is a little different. The Weather Bureau station at Cape Henry is not only a Weather Bureau station in the ordinary sense of that word, but it is also a station which must be equipped for taking observations of ships as they come in, in aid of navigation, and they want as clear a lookout as possible so that they can take their instruments and put them up on the top floor of the building, a three-story building.

Mr. MANN. Why, Mr. Chairman, I have been at this point, both by land and by sea. Standing where I am in this Hall I can see anybody who comes in at the door. I do not have to be up in the top of the building to see anyone who comes in here. Now, nobody can get into that inlet without anybody on the ground seeing the vessel, for a long distance, just as far as he can see, to the horizon. That reason is pure folly.

Mr. LEVER. I have never been there myself, and of course I am taking the statement of Dr. Marvin.

Mr. MANN. I have been on the ground several times and I have come into the inlet on boats several times. That is perfectly plain. Now, the lighthouse reservation, as I remember it, is quite a large reservation. I think they have a new lighthouse there. They used to have an old one back there, if I remember correctly from my service on the committee dealing with lighthouses. I do not remember how much ground we have recently purchased, but we made an emergency appropriation last year or the year before for the purchase of quite a tract of land there for the forts.

Mr. LEVER. Let me read this statement, which I think the gentleman will find interesting.

The firing of heavy artillery in practice work would be detrimental to the delicate instruments used by the bureau, and would interfere with the conduct of its regular work. So therefore we want to get as far away as possible, etc.

Mr. MANN. I should think, if that is the case, they would want to get away from Cape Henry entirely, because we are going to put there one of the greatest forts on earth, probably with 16-inch guns, and there will be no sense in putting up such a building at Cape Henry, which, two or three years from now, will be out of use, because they will be practicing with those new 16-inch guns.

Mr. LEVER. Let me read further from Dr. Marvin's statement:

Furthermore, the requirements of the vessel reporting work, which is one of the most important activities of the Government, necessitates the location of the building close to the shore line, so as to command the most unobstructed view of the fairway of vessels. There seems to be no question of the necessity of the Cape Henry building being located outside of the fortification site.

Mr. MANN. Personally I can not see any excuse for the Cape Henry weather station at all. They have a weather station at Norfolk, or ought to have one.

Mr. LEVER. The gentleman understands that this Cape Henry station is one of the termini of the telegraph lines going up to Norfolk, Cape Hatteras, and so on, in the interest of the service.

Mr. MANN. Oh, well, they do not need to come up that way. I make the point of order on the paragraph.

Mr. LEVER. I concede it.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For the acquisition of a site and the erection of a building in the region of the Panama Canal, to be constructed under the supervision of the Chief of the Weather Bureau, plans and specifications to be approved by the Secretary of Agriculture, and for all necessary labor, materials, and expenses connected with this work, $22,500.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. MANN. What do they expect to do down there—buy a site?

Mr. LEVER. We asked Dr. Marvin about that. He was not sure, and I do not think I am sure myself, that they can get a suitable site within the zone, although if we own Ancon Hill it seems to me that would be a good site. The committee discussed confining the location of the site to the Canal Zone, but the Chief of the Weather Bureau said that he would like to get the most suitable site, and, while it was very likely possible that he would locate within the zone, he did not want to confine himself or tie himself up so that he had to do that if he found he could get a better site elsewhere.

Mr. MANN. I think he had better go down there and have somebody study the situation a little bit. Of course we own practically all the land in the zone, or are trying to acquire it, anyhow. I do not know where they might locate it. They might stick a weather station off in the wilderness there. It is a wilderness for quite a considerable distance on both sides of the zone. I have been up the rivers on both sides of the zone.

Mr. LEVER. My own thought would be that Ancon Hill or the hill opposite the Culebra Cut—Gold Hill—would be a good site.

Mr. MANN. The ground is sliding into the canal on each side of Gold Hill or Contractors Hill. Why do they need such an expensive building as this for the Weather Bureau? What is there about it?

Mr. LEVER. Of course they feel that they ought to build this out of substantial material and make it a building that is in keeping with the dignity of the Government.

Mr. MANN. The dignity of the Government is all right. They build concrete buildings in Panama now, in the zone, in the main. That is substantial enough construction.

Mr. LEVER. I take it that if they put up a good concrete building and equip it, it will cost pretty nearly that much money.

Mr. MANN. That will depend on how large a building they construct.

Mr. LEVER. They need a considerable building for the Weather Bureau station in that country, I think.

Mr. MANN. They have erected a very large number of pretty good concrete buildings there in the new town of Balboa.

Mr. LEVER. I have not been to Panama recently and do not know what material they are using for their buildings.

Mr. MANN. They are using concrete.

Mr. LEVER. This station, in addition to its own work, is to be a kind of central point for the gathering of weather information from all the outlying stations from which the Government gets its reports.

Mr. MANN. There are no outlying stations there.

Mr. LEVER. We get a good many reports from other nations than our own. They are cooperating.

Mr. MANN. They would not get them there. They would not send weather reports to Panama from other nations. They might be in communication with headquarters here.

Mr. LEVER. Mr. Chairman, not only that, but I take it that they would gather communications from South and Central America. That is the statement of Dr. Marvin.

Mr. MANN. If they sent them to the United States, they would send them by wireless; they are completing an expensive wireless plant there.

Mr. McKELLAR. Will the gentleman from South Carolina yield for a question?

Mr. LEVER. If the gentleman from Illinois, is going to make the point of order, there is no use in consuming more time.

Mr. MANN. I thought we might inquire into it.

Mr. LEVER. Mr. Chairman, I ask to proceed for five minutes.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. McKELLAR. If the gentleman will allow me, I want to ask a question. Is there any weather bureau of any kind there now, any station of any sort?

Mr. LEVER. They have some reports from there, but we have no building.

Mr. McKELLAR. Is there any estimate in the hearings as to how much the building would cost?

Mr. LEVER. The appropriation is $22,500. The department estimated an appropriation of $25,000, to include the building and site, but the committee reduced the estimate to $22,500.

Mr. McKELLAR. Does not the gentleman think it might be well to postpone it until we know exactly what we do want and what we are going to get?

Mr. LEVER. I will say to the gentleman that I do not want to postpone it, but I realize that the paragraph is subject to a point of order.

Mr. TOWNER. Is it not true that one of the principal uses that it is expected the Government will make of this plant is the reporting of seismatic disturbances? Everyone understands that this is on the earthquake crevice or line in which the Pacific coast gets these earthquake disturbances, and they come from the south.

Mr. LEVER. I will say to the gentleman from Iowa that that was not urged as a reason for the appropriation, but I think it is a strong reason. It is very important to study these earthquake conditions.

Mr. TOWNER. It is on the earthquake crevice of the Pacific coast, and it is directly within the province of the Department of Agriculture to make a study of seismatic disturbances.

Mr. HAUGEN. I would like to inquire of the chairman what buildings on the island now are owned by the Government. That question was asked of the committee last year, and my recollection is that the department promised to furnish us with the information.

Mr. LEVER. We have received the information in the shape of a letter from the department. They say that while there are buildings down there that can be used, yet the department is not sure that the buildings will be suitable for this kind of work. That is the information we have.

Mr. MANN. If the gentleman will pardon me, a large share of the buildings down there were where the lake now is. There is a little settlement opposite Gold Hill, but most of the buildings that were of any value have been moved over to Balboa Heights at a less expense for moving them than it would have been to construct new ones and abandon the old ones. I think practically all of the buildings that are of value and are available are still in use, but the most of the buildings have disappeared.

Mr. HAUGEN. I have understood that there was a large number of buildings in the vicinity of Culebra Cut that are now on high ground.

Mr. MANN. There were a lot right across from Gold Hill, but some of those are now down in the canal.

Mr. McKELLAR. Mr. Chairman, I make the point of order against the item.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Total for Weather Bureau, $1,770,760.

Mr. ANDERSON. Mr. Chairman, I suppose the total appropriation ought to be corrected.

Mr. LEVER. I got consent at the beginning of the consideration of the bill that the Clerk should correct the totals.

The Clerk read as follows:

BUREAU OF ANIMAL INDUSTRY.

Salaries, Bureau of Animal Industry: One chief of bureau, $5,000; 1 chief clerk, $2,500; 1 editor and compiler, $2,250; 1 executive clerk, $2,000; 1 executive clerk, $1,920; 5 clerks, class 4; 1 clerk, $1,680; 13 clerks, class 3; 2 clerks, at $1,500 each; 23 clerks, class 2; 2 clerks, at $1,380 each; 3 clerks, at $1,320 each; 1 clerk, $1,300; 1 clerk, $1,260; 45 clerks, class 1; 1 clerk, $1,100; 1 clerk, $1,080; 56 clerks, at $1,000 each; 2 clerks, at $960 each; 94 clerks, at $900 each; 1 architect, $2,000; 1 illustrator, $1,400; 1 laboratory helper, $1,200; 2 laboratory helpers, at $1,020 each; 1 laboratory helper, $840; 1 laboratory helper, $720; 2 laboratory helpers, at $600 each; 1 laboratory helper, $480; 1 instrument maker, $1,200; 1 carpenter, $1,140; 2 carpenters, at $1,000 each; 2 messengers and custodians, at $1,200 each; 1 skilled laborer, $1,000; 32 skilled laborers, at $900 each; 11 messengers, skilled labors, or laborers, at $840 each; 14 messengers, skilled laborers, or laborers, at $720 each; 4 laborers, at $660 each; 8 laborers, at $600 each; 3 laborers, at $540 each; 30 laborers, at $480 each; 1 laborer, $240; 3 messenger boys, at $600 each; 9 messenger boys, at $480 each; 8 messenger boys, at $360 each; 1 watchman, $720; 1 charwoman, $600; 1 charwoman, $540; 13 charwomen, at $480 each; 5 charwomen, at $360 each; 2 charwomen, at $300 each; 5 charwomen, at $240 each; in all, $398,470.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. We have provision here for a very large number of clerks. In the Bureau of Animal Industry at one place there are 45 at $1,100, 56 clerks at $1,000, 94 clerks at $900, and so forth. I wish the gentleman from South Carolina would explain how many of these clerks are acting as stenographers.

Mr. LEVER. I can not tell the gentleman offhand. It shows on the statutory roll.

Mr. MOORE of Pennsylvania. Does the gentleman know what proportion of them are stenographers?

Mr. LEVER. I do not. This is one of the largest bureaus in the Agricultural Department.

Mr. MOORE of Pennsylvania. I know it is.

Mr. LEVER. It expends in the neighborhood of $5,500,000. It has the meat-inspection bureau, which has a permanent appropriation of $3,000,000.

Mr. MOORE of Pennsylvania. I may get the information I want under some other paragraph.

Mr. LEVER. I will say to the gentleman that the statutory rolls to which he has referred will show the character of the work the various clerks are doing. As to the scientific force of the bureau, if we had time they are all set out in great detail in the Book of Estimates.

Mr. MOORE of Pennsylvania. I am not questioning the work done by these clerks, but I would like to know how many are engaged in stenographic work, because I want to inquire as to the reason of their being so employed. Can the gentleman tell me whether any clerks in the Bureau of Animal Industry assigned as stenographers are engaged in taking notes of what Members of Congress say when they have business with the bureau?

Mr. LEVER. I think I know what the gentleman from Pennsylvania has reference to, and if he will permit me, I will say that this is the wrong tree. I will say this, that if a stenographer is doing that, unless he is ordered to do it by his chief he would be culpable and guilty of misconduct. If his chief ordered him to do it his chief would be guilty of misconduct, and I would not hesitate any more than the gentleman from Pennsylvania to condemn that practice.

Mr. MOORE of Pennsylvania. I appreciate what the gentleman says and I will reserve what I have to say for another paragraph. I entirely indorse the statement of the gentleman from South Carolina as to the clerks themselves. I would not find fault with any clerk for doing what he is ordered to do.

Mr. LEVER. Certainly.

Mr. MOORE of Pennsylvania. But if the head of a department authorizes a stenographer to take notes of the statements made by Senators and Representatives who have business with the bureau in the ordinary course of business, then it is a practice that seems to be reprehensible, and about which I intend to comment when we arrive at the proper paragraph.

Mr. LEVER. I agree with the gentleman very thoroughly, and he can not condemn it any more than I can.

The Clerk read as follows:

General expenses, Bureau of Animal Industry: For carrying out the provisions of the act approved May 29, 1884, establishing a Bureau of Animal Industry, and the provisions of the act approved March 3, 1891, providing for the safe transport and humane treatment of export cattle from the United States to foreign countries, and for other purposes; the act approved August 30, 1890, providing for the importation of animals into the United States, and for other purposes; and the provisions of the act of May 9, 1902, extending the inspection of meats to process butter, and providing for the inspection of factories, marking of packages, etc.; and the provisions of the act approved February 2, 1903, to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of live stock, and for other purposes; and also the provisions of the act approved March 3, 1905, to enable the Secretary of Agriculture to establish and maintain quarantine districts, to permit and regulate the movement of cattle and other live stock therefrom, and for other purposes; and for carrying out the provisions of the act of June 29, 1906, entitled "An act to prevent cruelty to animals while in transit by railroad or other means of transportation"; and for carrying out the provisions of the act approved March 4, 1913, regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous products manufactured in the United States, and the importation of such products intended for use in the treatment of domestic animals; and to enable the Secretary of Agriculture to collect and disseminate information concerning live stock, dairy, and other animal products; to prepare and disseminate reports on animal industry; to employ and pay from the appropriation herein made as many persons in the city of Washington or elsewhere as he may deem necessary; to purchase in the open market samples of all tuberculin, serums, antitoxins, or analogous products, of foreign or domestic manufacture, which are sold in the United States, for the detection, prevention, treatment, or cure of diseases of domestic animals, to test the same, and to disseminate the results of said tests in such manner as he may deem best; to purchase and destroy diseased or exposed animals or quarantine the same whenever in his judgment essential to prevent the spread of pleuropneumonia, tuberculosis, or other diseases of animals from one State to another, as follows:

Mr. CALLAWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting a letter from Col. Rodman, of the State of North Carolina, with reference to the Navy League.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STERLING. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee with reference to the enforcement of the quarantine law. Does the Federal Government undertake to regulate the shipment of live stock from one State to another?

Mr. LEVER. It does under the law; yes.

Mr. STERLING. Why is it, if the Federal Government has jurisdiction of that question, that the quarantine laws of the several States control? Some of the States have quarantine laws that prevent the importation of live stock from other States, under certain conditions.

Mr. LEVER. The gentleman from Illinois [Mr. STERLING] is a much greater lawyer than I could ever hope to be, and he knows that the quarantine regulations which the Federal Government imposes refer only to interstate shipment of live stock?

Mr. STERLING. Certainly.

Mr. LEVER. The Federal Government would have no power to go within any State and set up a quarantine district. That would have to be left to the State.

Mr. STERLING. I understand that, and that is the question I want to raise. For instance, one State prevents shipments of breeding stock from another under the quarantine law of that State. Why does the Federal Government permit that regulation of interstate commerce by one State as against another?

Mr. ANDERSON. But that is not a regulation of interstate commerce.

Mr. STERLING. It certainly is.

Mr. LEVER. If I get the gentleman's question correctly, it is this: That he complains that one State exercises the right to quarantine itself against another State. I am not a lawyer, but I take it that such a State exercises that right under its police power to prevent the importation into it of dangerous diseases and things of that kind, and that it has the right to do so under the Federal Constitution.

Mr. STERLING. Mr. Chairman, I understand the State has authority to pass laws of that kind and enforce them until the Federal Government has seen fit to take jurisdiction of the matter; but when the Federal Government has taken jurisdiction, or has assumed authority over a matter of interstate commerce, the laws of the State which undertakes to regulate it in any way become void. If I understand correctly, the Federal quarantine law gives the Federal Government the power and the Federal Government assumes the right to establish quarantine, and when it does so no State has any authority to prohibit the importation of live stock from another State. If I am right about that, it seems to me that the department——

Mr. MANN. Mr. Chairman, will my colleague yield?

Mr. STERLING. Certainly.

Mr. MANN. The gentleman is on the committee that used to have jurisdiction of these matters, and has undoubtedly looked that up. Does the gentleman think that if the Federal Government should provide that a man with the smallpox could travel from Indianapolis to Chicago that that would force the State of Illinois to admit smallpox into the city of Chicago or into the State?

Mr. STERLING. If the Federal Government should make quarantine laws controlling a matter of that kind, then the laws of the State would have to give way to the Federal law with reference to it.

Mr. MANN. That would permit the Federal Government, if it desired, to send contagious diseases into a State against the protest of that State.

Mr. STERLING. Does the gentleman think the Government would do that? Let us not assume that the Federal Government would seek to harm its citizens.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that my colleague may have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that his colleague may have five minutes more. Is there objection?

Mr. LEVER. Mr. Chairman, this is a matter which may draw out a very lengthy debate, and I am going to ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes.

Mr. MANN. Oh, this is a very important question in relation to these diseases.

Mr. MADDEN. Has this anything to do with the foot-and-mouth disease?

Mr. LEVER. No. I was about to suggest to the gentleman from Illinois [Mr. MANN] that the foot-and-mouth disease item is the very last item in the bill, and I assume, when that item is reached, that there will be opportunity for full discussion of this entire question, and that is why I make the suggestion; and if my friend from Illinois [Mr. STERLING] would be willing to wait until we get to that item, I say to him very frankly that all gentlemen will have reasonable time to discuss it.

Mr. STERLING. I think this is the proper place to discuss this question.

Mr. LEVER. No; this is the general authority for all quarantine work, but the item in which the gentleman is particularly interested will be found on the very last page of the bill, and I think we will make time by holding fire until then.

Mr. STERLING. I trust I may have my time now. I may have something else to say when we reach that part of the bill.

Mr. LEVER. Oh, yes; the gentleman will have that.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. MANN] that the time of his colleague [Mr. STERLING] may be extended for five minutes?

There was no objection.

Mr. LEVER. Mr. Chairman, I withdraw my request.

Mr. STERLING. Mr. Chairman, what I have to say on the subject relates to live-stock quarantine. The question propounded by my colleague [Mr. MANN] relates to diseases of human beings, but if the Congress should pass a law giving authority to quarantine in case of smallpox or any other disease, that law is supreme and exclusive so far as it relates to interstate commerce. If it only related to the public health, that would be a different question and controlled by a different principle. When the Federal Government raises a quarantine on live-stock disease, then that live stock ought to be allowed to go into any State of the Union, and the State law ought to give way.

When the Federal Government has assumed authority over a thing affecting interstate trade no other authority can prevail. For instance, in Illinois the foot-and-mouth disease prevailed for a time and the Federal Government imposed a quarantine to protect other States. As it from time to time raised the quarantine the stock in that territory was released and it should have been permitted to go anywhere; yet the States continued to discriminate against live stock shipped to those States from the territory where the quarantine had been raised. Now, I think no one will deny that when the Federal Government assumes jurisdiction over any matter relating to interstate commerce then the laws of the States must give way, and they have no right or authority to regulate it in any way. If any one question is made clear in the Constitution it is that the Federal Government shall have supreme and exclusive control over interstate commerce. It takes away from the States the right to levy imposts and gives it to the Federal Government. It gives to the Federal Government the exclusive right to regulate interstate commerce, intending thereby that interstate commerce between the States should be absolutely free, or at least giving the Federal Government the power to make it absolutely free if it sees fit to do so, and to prevent the several States from embarrassing commerce from one State to another. But the point I desire to make is this: I believe this bureau ought to see to it that where a quarantine has been raised in the territory in any State all of the States of the Union shall recognize that fact and give the people of that district the right to free trade between the States.

Mr. REAVIS. Will the gentleman yield?

Mr. STERLING. I yield.

Mr. REAVIS. I take it for granted that the gentleman is familiar with the ruling of the United States Supreme Court on both the coining of money and the fixing of the standards of weights and measures wherein the court determined in each case that the States had the right to coin money or the right to fix the standards of weights and measures until the Government, acting under its constitutional authority, assumed jurisdiction, and upon the Government acting the jurisdiction so assumed became exclusive.

Mr. STERLING. I think that is exactly correct. As another illustration of that principle, prior to the adoption by Congress of the employers' liability law, the law as to personal injuries in the States controlled, whether those injuries occurred in interstate commerce or intrastate commerce, but when Congress passed that law the laws of all the States relating to that subject, so far as they affected injuries that occurred in interstate commerce, had to give way and the Federal statute became the law of the land. There ought to be but one quarantine law in this country affecting interstate shipments, and that law should be in the Federal statutes, not the State.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LEVER. Mr. Chairman, in view of the statement I made awhile ago that all of these questions will be debated further when we reach the item, I ask unanimous consent that

all debate on this paragraph and all amendments thereto close——

Mr. MOORE of Pennsylvania. I should like to have a little time on this question of quarantine.

Mr. LEVER. How much, five minutes?

Mr. MOORE of Pennsylvania. Yes.

Mr. CULLOP. I should like to have two minutes.

Mr. LEVER. Mr. Chairman, I will say close in 12 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in 12 minutes. Is there objection?

Mr. KING. Mr. Chairman, I would like to offer an amendment.

Mr. LEVER. Mr. Chairman, the gentleman from Illinois [Mr. KING] desires to offer an amendment, and I will make it 17 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this section and all amendments thereto close in 17 minutes. Is there objection? [After a pause.] The Chair hears none. The getleman from Indiana is recognized for two minutes.

Mr. CULLOP. Mr. Chairman, if I may have the attention of the chairman, I would like to make an inquiry in reference to these words:

And to enable the Secretary of Agriculture to collect——

Mr. LEVER. Where is the gentleman reading from?

Mr. CULLOP. Line 2, page 12:

And to enable the Secretary of Agriculture to collect and disseminate information concerning live stock, dairy, and other animal products.

I assume that also refers to the treatment under the clause just preceding that. Now I would like to ask the chairman if in the treatment of hog cholera the chief has gathered his statistics as the result of the treatment and made them public?

Mr. LEVER. He has gathered the statistics and they have been printed in the committee hearing.

Mr. CULLOP. But they have not been made available in any document out of the office for circulation?

Mr. LEVER. Mr. Chairman, I yield to my colleague Mr. RUBEY, who has had charge of this matter.

Mr. RUBEY. Mr. Chairman, the gentleman will find the information in the report of the Chief of the Bureau of Animal Industry, and also partially treated in the report of the Secretary of Agriculture.

Mr. CULLOP. Well, I regard that as a most important matter for circularizing the public with from my observation of the success that has attended one of the agents of the Government who had charge of one of the plants or experimental stations.

Mr. LEVER. I am very glad indeed to hear the gentleman testify to the good work. I think the chief will be in a position shortly to issue some publications, but I imagine he does not desire to do so until he has pretty thorough knowledge in regard to it.

Mr. CULLOP. I hope they will make it available as early as possible, as I regard it as an important matter.

Mr. MOORE of Pennsylvania. I move to strike out the last word.

Mr. Chairman, I would like to ask the gentleman from South Carolina [Mr. LEVER] if he can tell the House whether there is a quarantine now existing against carcasses coming from foreign countries?

Mr. LEVER. There is no quarantine that I know of against carcasses coming from other countries, but, as I understand it, carcasses are permitted to be imported into this country only from countries which have a national system of inspection which the officials of this country deem to be sufficient.

Mr. MOORE of Pennsylvania. My attention has been called to one or two peculiar phases of the foot-and-mouth-disease law, which I will bring up at the proper time. They involve the matter of the destruction of cattle after they reach the abattoir, rather an interesting question in view of the fact that it has been held that the owners of such cattle can not participate in the distribution of funds as in the case of cattle taken on the farm. Under the law, however, we admit cattle free, cattle on the hoof coming in from foreign countries, although a quarantine has been established against such cattle. This, to a certain extent, protects the western cattle, although the quarantine against live stock does not seem to prevail as against the carcasses.

Mr. LEVER. Of course, the gentleman has just stated that we do have this inspection against the live stock.

Mr. HAUGEN. Let me say to the gentleman that we also quarantine against cattle imported from tick-infested countries.

Mr. LEVER. I will read:

Under inspection and quarantine of imported animals are included inspections of animals from North American countries and countries other than North America, inspection and testing of animals in Great Britain intended for shipment to the United States, and supervision over importations of hay, forage, hides, hair, wool, and other animal by-products.

The purpose of such inspection and quarantine is to prevent the importation of animal diseases into this country.

Of course, we have a Mexican-border inspection against cattle tick.

Mr. MOORE of Pennsylvania. I do not want to take any political advantage of the situation, but it is rather fortunate, in view of the fact that we indulge in free trade in cattle as well as in meat, that the department should be in a position to establish a quarantine against live stock coming into this country. That rather saves the political face of the administration. But I have not, as I say, intended to take advantage of that fact just now. It is a matter of very great importance to the consumer that the department, which is active in the matter of the quarantine against live stock, should be no less active in a quarantine against carcasses coming in from such a country as the Argentine Republic, where the foot-and-mouth disease exists.

I have some information on this subject which is appropriate at this time, and I think the House ought to have it, particularly those of our colleagues who come from the interior of the United States and who are interested in live stock which comes to the eastern markets and enters into the export trade. This communication states:

We have been unable to secure from the department in Washington or any other source positive information on this subject, but it is generally understood and admitted that the foot-and-mouth disease is very prevalent in that country (the Argentine), and that while live stock is, under the tariff laws, admitted free of duty, the importation to the United States is prohibited under a quarantine embargo placed on account of the prevalency of foot-and-mouth disease, while the dressed meat from this same country is allowed free entry and during the past two years has been imported in large quantities.

Now, our western cattle raisers ought to be alive to this situation. It affects us in the cities, where we have to eat the meat. We ought to know whether it comes from cattle that may have died from the foot-and-mouth disease in a foreign country.

Mr. McARTHUR. I would like to ask the chairman of the committee a question, if he will be so kind. In the enforcement of the quarantine provision, the general carrying on of this rule in the Bureau of Animal Industry, does that bureau recognize tuberculine health certificates issued by the health authorities of a State?

Mr. LEVER. I think they do consider such certificates satisfactory.

Mr. McARTHUR. In connection with the point made by the gentleman from Illinois [Mr. STERLING], I will say that a number of the Western States have adopted rules, through their live-stock sanitary boards, prohibiting the importation of dairy stock from certain States in the Middle West. This is done because it is well known that the law has not been well enforced there. People out in the far West that have been buying dairy stock from a good many sections of the Middle West and East have found that the tuberculin-test certificates which accompany these cattle were, in many instances, bogus and fraudulent. I do not wish to make any reflection upon any particular State in this matter, because a lot of them come within the same classification——

Mr. STERLING. Will the gentleman yield for a question?

Mr. McARTHUR. Yes.

Mr. STERLING. I know that in some States they require certificates before they will admit stock imported from a State veterinarian in that State. That produces a very great hardship on a person that is shipping from one State into another.

Mr. McARTHUR. In the State into which the stock is being shipped?

Mr. STERLING. Yes. They would be relieved very much, it seems to me, if the Federal Government had charge of that whole thing. And when a Federal Government veterinarian issued a certificate to the man who was shipping the stock, that ought to be good anywhere, so that he could send the stock anywhere in the United States.

Mr. McARTHUR. I quite agree with the gentleman on that point. I believe this entire matter ought to be handled by the Bureau of Animal Industry rather than by the State veterinarians in the various States, because in a great many States the work of investigating for tuberculosis is carried on by deputy veterinarians, many of whom are incompetent.

If this whole thing could be transplanted to the jurisdiction of the Bureau of Animal Industry in the Department of Agriculture, I do not think you would find any of those Western States rising up and putting a quarantine against stock im-

ported from any other State. What we want to see in my part of the country is the putting of this whole question under the Federal Government, so that the matter will not be hampered by the State veterinary surgeons or deputies in any State whatever.

Mr. LEVER. Of course, the gentleman understands that the bureau is acting under an act of Congress that was passed many years ago?

Mr. McARTHUR. I understand that, and I am in hearty sympathy with the work of the bureau. I do not think the appropriations for the bureau are sufficient, so as to carry on this work as it ought to be carried on. I am sorry that the appropriations are not larger.

The CHAIRMAN. Does the gentleman from Illinois [Mr. KING] desire to be recognized?

Mr. KING. No; I do not desire to offer an amendment at this time, Mr. Chairman.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For inspection and quarantine work, including all necessary expenses for the eradication of scabies in sheep and cattle, the inspection of southern cattle, the supervision of the transportation of live stock and the inspection of vessels, the execution of the 28-hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and the alteration of buildings thereon; the inspection work relative to the existence of contagious diseases, and the tuberculin and mallein testing of animals, $532,780.

Mr. CULLOP. Mr. Chairman, if I can have the attention of the chairman of the committee, I would like to make of him an inquiry with reference to the experiments in treating the foot-and-mouth disease. Has the department been able to find out some remedy by which it could handle this disease successfully?

Mr. LEVER. Our Department of Agriculture has always taken the position that it could not afford to undertake to find a remedy for the foot-and-mouth disease. It has contended that the disease was so entirely contagious that to undertake to study it through the observation of animals affected would result in its dissemination, and therefore they have not, upon their own motion, attempted any such effort as that.

The department has had the results of the experience of the German Government, which has made a very extensive study of this disease, and which maintains a station on some island far removed from the mainland, on the sea somewhere.

Mr. CULLOP. I would like to ask the chairman if there has been a return of the disease in this country during the winter just passed?

Mr. LEVER. The quarantine against the foot-and-mouth disease was not lifted until within the last three weeks, when Christian County, Ill., was finally released from quarantine, and the disease in this country has disappeared.

Mr. CULLOP. Does the Government pretend to treat this disease in any way, or does it simply try to confine it in the territory where it appears?

Mr. LEVER. The Government policy is to quarantine and eradicate the disease by killing and burning or burying infected animals.

Mr. CULLOP. That is the only way it handles it or undertakes to treat it?

Mr. LEVER. Yes.

Mr. BOOHER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. BOOHER. Mr. Chairman, is it not a fact that the foot-and-mouth disease has been abroad in this country for the last 25 years?

Mr. LEVER. I do not so understand. There have been about six outbreaks of the foot-and-mouth disease in this country, the first occurring back in the seventies.

Mr. BOOHER. Is it not a fact that this is the same kind of foot-and-mouth disease that affects sheep?

Mr. LEVER. The foot-and-mouth disease does attack sheep.

Mr. CULLOP. And hogs.

Mr. BOOHER. Does not the western farmer and sheep raiser treat the foot-and-mouth disease successfully, and has he not done it right along in the last 25 years?

Mr. LEVER. I do not know that that is true, but if it is it has not reached the knowledge of the experts of the bureau, or the department does not follow that treatment.

Mr. BOOHER. That is the trouble. As I understand it, the foot-and-mouth disease among sheep is treated by the sheep owner gathering his flock up and putting all those free from the disease out on a range by themselves, and those in which he discovers any symptoms of the disease he puts in a separate flock and treats them for two or three weeks and cures them, absolutely. They do not slaughter the sheep. They do not go out and indiscriminately kill a man's flock of sheep, but they cure it. It seems to me it would pay the experts in foot-and-mouth disease bureau in the Department of Agriculture to try the remedy that is used by the sheepmen of the West. If they have not heard of it, it is time they did hear of it and put their knowledge of it into effect.

Mr. CULLOP. From the qualified success they have had in Indiana I am satisfied that they ought to avail of the knowledge and experience of the sheep raisers to whom the gentleman from Missouri refers.

Mr. LEVER. I will say to the gentleman that while I do not know the condition in the Western States with reference to the prevalence or the existence of the foot-and-mouth disease in sheep, I think it likely that the disease to which the gentleman refers is not in fact the true foot-and-mouth disease. I recall a disease called "stomatitis," which is closely akin to the foot-and-mouth disease; so much so, that it takes the most highly trained expert to tell the difference between the two.

Mr. BOOHER. Let me say to the chairman of the committee that some years ago I happened to be at the Department of Agriculture, and I was shown there some samples of the foot-and-mouth disease in sheep. The head of the bureau said to me that it was a disease easily cured. During this past summer I had the pleasure of talking with one of the largest sheep owners in this country who had had the foot-and-mouth disease among his sheep, and he told me it would be nonsensical to slaughter these animals indiscriminately; that with a certain kind of wash that he used it was easy to cure.

Mr. LEVER. Of course the gentleman knows that the foot-and-mouth disease can be cured, but the effect of the disease, if it became generally spread over this country, upon the live-stock industry would result in such tremendous loss that the officials of the department feel it is better to spend money out of the Treasury and kill a few hundred cattle and bury them and get rid of the disease in that way than to take the risk of the loss that would come to the beef and cattle and sheep and hog industry if the disease should become general throughout the country.

Mr. KINKAID. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Nebraska?

Mr. BOOHER. No; I do not yield to anybody just yet.

The CHAIRMAN. The gentleman from Missouri declines to yield.

Mr. BOOHER. The foot-and-mouth disease is no more destructive than hog cholera. Is not that the most contagious disease amongst animals?

Mr. LEVER. The gentleman knows I am not an expert on that subject; and if the gentleman says it is, I will take his statement for it.

Mr. BOOHER. I understand, but I am trying to get information. Does the gentleman know of any instance in which the Agricultural Department has gone out and indiscriminately slaughtered all the hogs in the community?

Mr. LEVER. No. Let me again say that this whole item of the foot-and-mouth disease is carried on the last page of the bill, and I am very anxious that the discussion of it should center around that item. I will say very frankly to my friend that I have collected a great deal of information on that item, which I have not here with me. It is in my office, and if gentlemen of the committee will wait until we reach that item we can have a more intelligent discussion of it; and I promise a full opportunity for all to be heard, and we will gain time by it.

Mr. BOOHER. I will withdraw the request for additional time.

Mr. MOORE of Pennsylvania. I move to strike out the last word. In view of the statement I made a little while ago of the importation of meat from the Argentine Republic, I would like to ask the gentleman whether there is any information before the committee as to the effect of the foot-and-mouth disease on the carcass, whether it carries into the meat and whether it is prejudicial to the health of those who eat it?

Mr. LEVER. I probably have that information in my data on the foot-and-mouth disease, but I have not got it with me this afternoon.

Mr. MOORE of Pennsylvania. The gentleman has some information on that?

Mr. LEVER. I am inclined to think I have.

Mr. MOORE of Pennsylvania. Let me say for the information of the gentleman that in the hearings before the Ways and Means Committee some time ago, with reference to the importation

of meat into the city of New York, it was stated by an expert, a lady who had a good deal of information on the subject, that there was a State inspection of imported meat, but we had very little information as to whether the meat was so diseased as to be prejudicial to the public health.

Mr. LEVER. I will be glad to give the gentleman information on that at the proper time.

Mr. MOORE of Pennsylvania. If the meat that comes in free—I am not stating this for the purpose of starting a political discussion—if the meat derived from an animal in the Argentine Republic that has foot-and-mouth disease comes into our ports and is sold to the people here, it has a very great advantage over western beef, that is subject to all sorts of American inspection. I hope the gentleman will inform us as to that.

Mr. KING. With the permission of the distinguished chairman, I will answer the gentleman.

Mr. LEVER. I will be glad if the gentleman will do so.

Mr. KING. Dr. Melvin takes the position that the foot-and-mouth germ does go into dressed beef, and he says there was a case where 900 cattle were shipped from Peoria, Ill., after the quarantine was put on, and went to the Union Stock Yards in Chicago, over 150 of which cattle were suffering from the foot-and-mouth disease, and that they went into the packing house of Philip Morris & Co., where they were slaughtered, and the meat was sent out through the country, probably some of it reaching Philadelphia, and, according to Dr. Melvin, the foot-and-mouth germ was transmitted in that dressed beef. Whether the gentleman from Pennsylvania got any of it I do not know.

Mr. MOORE of Pennsylvania. That is an important statement. I commend it to the gentleman from South Carolina [Mr. LEVER], because I think we ought to have more information on it. There is a quarantine against cattle on the hoof coming into the United States, but, apparently, there is no quarantine against the carcass coming into the United States after the animal is slaughtered.

Mr. LEVER. I shall be glad to give the gentleman the information when we reach that item.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. FLOOD having taken the Chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills and joint resolution of the following titles:

On April 11, 1916:

H. R. 8466. An act to relieve J. Lawrence Latham, postmaster at Eupora, Webster County, Miss., of the payment of cash and funds stolen from the post office;

H. R. 13769. An act to authorize the Secretary of War to supply tents for temporary use of the sufferers from the recent conflagration in Paris, Tex., and for other purposes;

S. J. Res. 80. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy, at West Point, René W. Pintó y Wentworth, a citizen of Cuba;

S. 585. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States;

S. 922. An act for the relief of Mary E. Nicolson;

S. 1809. An act to create an additional judge in the district of New Jersey;

S. 3391. An act to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1914;

S. 3977. An act to authorize the Shamokin, Sunbury & Lewisburg Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Susquehanna River from the borough of Sunbury, Northumberland County, Pa., to Monroe Township, Snyder County, Pa.;

S. 3978. An act to authorize the Catawissa Railroad Co., its lessees, successors, and assigns to construct a bridge across the West Branch of the Susquehanna River from the borough of Milton, Northumberland County, Pa., to the borough of West Milton, Union County, Pa.;

S. 4190. An act authorizing the Yankton County Bridge Co., a corporation, to construct and maintain a bridge or bridges and approaches thereto across the Missouri River at a point between Yankton County, S. Dak., and Cedar County, Nebr.; and

S. 4671. An act to exempt from cancellation certain desert-land entries in Riverside County, Cal.

April 12, 1916:

S. 707. An act for the relief of Beverly E. Whitehead.

April 13, 1916:

S. 5016. An act to authorize the reconstruction of an existing bridge across the Wabash River, at Silverwood, in the State of Indiana.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For all necessary expenses for the eradication of southern cattle ticks, $632,400, of which sum $50,000 may be used for live-stock demonstration work, in cooperation with the States Relations Service, in areas freed of ticks, and of this amount no part shall be used in the purchase of animals for breeding purposes: *Provided, however*, That no part of this appropriation shall be used in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry: *And provided further*, That of the total amount appropriated by this paragraph $75,000 shall be immediately available.

Mr. MANN. Mr. Chairman, I reserve a point of order against the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. GARRETT. Mr. Chairman, I ask unanimous consent to print in the RECORD a speech delivered by Hon. CARTER GLASS, of Virginia, at the Jefferson banquet held in this city last night.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to print in the RECORD a speech delivered by Hon. CARTER GLASS at the Willard Hotel last night. Is there objection?

Mr. MANN. Reserving the right to object, who is going to ask to have the other speeches printed?

Mr. GARRETT. I do not know.

Mr. MANN. I take it that either in this body or the Senate some one will ask to have the President's speech printed, in which he called the Republican Party provincial. It would be a good deal of a joke to make a request in this House to print a speech of the President in which he said that the Republicans were provincial. I shall not object to this request.

Mr. KELLEY. Reserving the right to object, may I ask the gentleman from Tennessee what has become of the recent speeches of the President that were going to be printed as a document?

Mr. MANN. They have been printed. They have just come out.

Mr. FOSTER. They were printed as a document some time ago.

Mr. MANN. No; very recently.

Mr. FOSTER. A couple of weeks ago, at least.

Mr. MANN. I got them on my table two or three days ago, and I get these things as soon as they are printed.

Mr. GARRETT. Is there is to be any objection, I will withdraw the request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEVER. The gentleman from Illinois [Mr. MANN] has reserved a point of order against the paragraph from lines 3 to 19, inclusive. If the gentleman will permit me to anticipate him, I suspect that his point of order goes to the last two lines.

Mr. MANN. In reference to the deficiency appropriation?

Mr. LEVER. Yes. I am going to move to strike out that proviso. When the committee put it in the bill it was thought that the bill might become a law very much sooner than now appears likely. I think the proviso is not necessary now, because the probabilities are that this bill will not become a law before the last of May or the first of June, and, if the gentleman will permit me, I will move to strike out those lines.

Mr. MANN. And reduce the amount?

Mr. LEVER. No; not reduce the amount, because they can very well use the money, anyhow.

Mr. MANN. I should think if they put in $75,000 for this year, which they are not going to use, they ought to be willing to take the ordinary increase for next year. I have no objection to making such appropriations as this division can properly use, because they are doing exceedingly good work.

Mr. LEVER. Let me say to the gentleman that the proviso was not in the original estimates of the department sent to the committee.

Mr. MANN. I understand that.

Mr. LEVER. But the Secretary later called attention in a letter to the desirability of having this $75,000 available for use in preparation for the wise expenditure of the appropriation

provided for in the item, and the committee, acting upon that request, gave that amount.

Mr. MANN. I am calling this to the attention of the House partly for the purpose of informing the Secretary. The Secretary ought to know that the proper way to get a deficiency appropriation is by making an estimate which goes to the Committee on Appropriations.

We have already passed three deficiency appropriation bills. They might have had this item in one of those, had the money, and had it partly spent by this time, if they knew enough to follow the regular procedure. It is in the hope that they will learn that I am making these few remarks. [Laughter.]

Mr. LEVER. I am glad that the gentleman is doing it, because I think it will unload my bill in the future. Mr. Chairman, I move to strike out, on page 13, line 17, after the colon, the following:

And provided further, That of the total amount appropriated by this paragraph $75,000 shall be immediately available.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 13, line 17, after the word "industry," strike out the rest of the paragraph.

The amendment was agreed to.

Mr. COX. Mr. Chairman, I move to strike out the last word. I want to say that I am in thorough sympathy, as is the gentleman from Illinois, with the work that they are doing; but I want to ask, Has the chairman of the committee any idea or estimate of when this work will be completed?

Mr. LEVER. I am glad the gentleman from Indiana has asked the question. We provide in the appropriation for the eradication of the cattle tick an increase of $194,000 in round numbers. The amount provided is $632,400, of which $50,000 is to be used for another purpose. The States cooperate with the Federal Government in this work and have appropriated during the past year about $950,000, and it is the estimate of the department that with this appropriation and with the States continuing to cooperate, as they are doing now, this work ought to be completed in six or seven years.

Mr. COX. I wish the gentleman would explain how the $50,000 item is expended.

Mr. LEVER. I shall be glad to do that. When an area is cleared of tick, it is the hope and purpose of the department to go in with special men and stimulate the live-stock industry. I think I can best illustrate the method and character of this work by reading a telegram as to what is being done in South Carolina, in counties which have been freed of the cattle tick. Within the last two or three weeks we have begun to establish central creameries for the manufacture of butter. Men go out and collect the cream from the farms and bring it to the creamery, and the individual is credited with a certain amount. We have established four such creameries in South Carolina. They have made a wonderful progress and are doing a great work. The action of the Department of Agriculture is to supervise it in cooperation with the States Relations Service. Here is a telegram which I received from Dr. Long:

CLEMSON COLLEGE, S. C., *April 3, 1916.*

Hon. A. F. LEVER, *Washington, D. C.:*

Four creameries organized in South Carolina within last 12 months—one at Rockhill, Spartanburg, Darlington, Clemson College. Clemson College creamery is now receiving cream from 900 cows; has paid out in last year to farmers over $40,000. Darlington creamery, just started three months ago, receiving cream from 550 cows; has paid out in last two months $5,000 to farmers for cream. The four creameries will pay out $250,000 to the farmers within the next 12 months. All butter manufactured under the State brand, known as the Palmetto State, and marketed through one agency, who has agreed to give 1 cent per pound over the market for output of all creameries. He gives bond to protect the payments for butter. Haven't exact figures on the Spartanburg and Rockhill creameries. Patrons at Clemson creamery, 246; Darlington, 139.

W. W. LONG.

Now, that is one type of work they are doing in the tick-freed area. Another type of work is this: In the last year we have been feeding cattle in certain counties in the State under the direction of men stationed there. We have established three or four stock sale yards. We had a sale a few days ago at Rockhill. These cattle are fed under the direction of the department, and people take their stock there and buyers come from other States to purchase the cattle. Probably there will be 500 or 1,000 steers marketed on a sales day. It is the first time in the history of this country that the seller of the article and the buyer of the article, in this case cattle, are brought together before the cattle are moved from possession of the individual who owns them. They are going to undertake to establish some cheese factories in the mountain districts of South Carolina and North Carolina, in the tick-freed area. The statement before the committee is that they have established two or three in North Carolina, and they have done remarkably well.

They have one at Cove Creek, up in North Carolina, and the report is that the milk would not have brought the farmers more than $300 without the factory, but that they have received for the cheese more than $1,500, and that a large part was clear gain. That is in the mountain country, where the farmers can not get their products to market on account of the bad roads. They have gone there and established a few demonstration cheese factories, and the testimony before the committee is to the effect that the work in the mountain sections has been an inspiration.

Mr. COX. It looks to me as if they were doing a good work.

Mr. DILLON. Mr. Chairman, I move to strike out the last two words. I would like to ask the gentleman from South Carolina how establishing a creamery affects the reduction of the cattle tick.

Mr. LEVER. The gentleman has not read the paragraph.

Mr. DILLON. I understood that that was the question of the gentleman from Indiana.

Mr. COX. This relates to the country after the tick has gone.

Mr. LEVER. Fifty thousand dollars of this appropriation is to be used in the character of work that I have described, and the balance is for the eradication of the tick.

Mr. DILLON. Can the gentleman tell the committee what is being done in the elimination of the cattle tick. The item has been in the bill a great many years, and I would like to know when it is to be completed.

Mr. LEVER. I answered that question a few moments ago. Since the work has been begun an area containing more than 4,000,000 cattle has been relieved from quarantine. The total area still under quarantine is 453,761 square miles, 274,780 square miles having been freed of ticks and released. During the past year 49,639 square miles were freed and released. So that since the work began we have freed about 30 per cent of the area, leaving about 60 per cent yet to be completed.

Mr. DILLON. When this work was first commenced there was a quarantine that took in the entire section?

Mr. LEVER. There is still such a quarantine except where it has been lifted by this work.

Mr. DILLON. And through the process of work you have eliminated portions of the section?

Mr. LEVER. Exactly. The gentleman understands, of course, that the existence of a quarantine against these cattle reduces the market value of the cattle anywhere from $3 to $6 a head on each steer sold?

Mr. COX. That is, it will lower their price?

Mr. LEVER. Yes.

Mr. HASTINGS. Is that confined to the Southern States?

Mr. LEVER. This applies to the Southern States entirely. The tick can not live in the Northern States.

Mr. BOOHER. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. BOOHER. I want to ask the gentleman what is meant by this States "relation service"? Does the State put up a like amount with the Government in this work?

Mr. LEVER. The gentleman understands that we have a bureau in the department known as the States relation service, which does demonstration work, which is contributed to both by the Federal and the State Governments. The work under this $50,000 appropriation is done in cooperation with that service.

Mr. BOOHER. Will the State put up a like amount—$50,000?

Mr. LEVER. The States will put up next year more money for this entire work than the Federal Government will appropriate.

Mr. BOOHER. Individuals build a creamery, and then the Government goes down there and spends $50,000 in the creamery and cheese-making establishments in order to make a profitable business out of it for the owners of the concern?

Mr. LEVER. Oh, no.

Mr. BOOHER. Does the department get any part of the profits?

Mr. LEVER. Of course not; and they ought not to have any part of them.

Mr. BOOHER. Does the gentleman think they ought to go down there and do the work and spend $50,000 for the benefit of individuals or corporations?

Mr. LEVER. The gentleman knows that we are spending in this bill millions and millions of dollars for doing just this sort of thing, namely, to teach the people, and that is what this item is for. The Government, of course, does not establish a creamery, it does not furnish the horse and wagon, it does not furnish the milk cans and the like of that. All it does is to go into a community and organize the farmers to do this work themselves.

Mr. BOOHER. They have dairy building companies, cheese building companies, all over the country that do that. They go out and construct a building and instruct the farmers how to sell their milk and how to make cheese and butter.

Mr. LEVER. That is probably true, but there might be a situation in the gentleman's State like this: Somebody might discover that you could grow cotton of certain kind in the gentleman's district.

Mr. BOOHER. They do raise a good deal of cotton in the lower part of Missouri.

Mr. LEVER. Yes; but it might be found that they could grow a certain kind in the gentleman's district, but that it would take a good deal of teaching and encouraging to get the people to go into the cotton-raising business, and that is the situation in reference to this work.

Mr. BOOHER. In other words, it is to encourage the people to sell their cream and milk for cheese and butter?

Mr. LEVER. That is right. It is teaching the better method to the farmers.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. McLAUGHLIN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 13, line 7, strike out the word "for" and the words "breeding purposes" in line 8.

Mr. McLAUGHLIN. Mr. Chairman, my reason for offering this amendment is that in a similar provision made in this bill a year or two ago——

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. Yes.

Mr. LEVER. I am willing to accept that amendment.

Mr. McLAUGHLIN. I wish to say only a word about it, if the gentleman will permit.

Mr. LEVER. Certainly.

Mr. McLAUGHLIN. The provision contained those words, and the officials in the department, while obeying the letter of the law, abused the spirit of it. They went out and bought animals for every purpose in the world except for breeding purposes.

I have not been in favor of this provision relating to the $50,000. I can understand very well how the gentleman from Missouri [Mr. BOOHER] should ask the questions he has, and I appreciate the fact that he was not satisfied with the answers given by the gentleman from South Carolina [Mr. LEVER]. All the work that is contemplated, all the work that is to be done, all that has been done with this kind of appropriation, is the simplest, commonest kind of work that can be done by anybody without any instruction or assistance whatever, and if any assistance were needed it is ready at hand in those very communities and in that very part of the country, from the county agents employed there in almost every county, to pay whom the Federal Government has expended millions of dollars and for their payment in the future appropriations have been provided carrying millions of dollars. In my humble judgment there is no need whatever for the employment of these men. It seems to me absolutely ridiculous to send one man into a county to assist farmers in the ordinary farm work, which should be the preparation of their soil, the selection of their seed, the cultivation of their crops, the harvesting of the crops, and so on, and it is ridiculous to send a man into that county to teach a man how to buy a bull or how to breed and get young stock or how to feed his cows—things that an ordinary farmer ought to know.

If he does not know it, there is the county agent, paid out of Federal money, who can tell him, and if the agent is not competent to give this simple information he ought to be discharged. This is just a sample, Mr. Chairman, of the manner in which the Federal money is spent for this, that, and the other particular work, doing things for the farmers that they ought to do and are abundantly able to do for themselves.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. McLAUGHLIN. I will.

Mr. GREEN of Iowa. Would the gentleman do away with all of this demonstration work?

Mr. McLAUGHLIN. No; I think that much of this demonstration work is very valuable, indeed; but when Federal money has been provided for the employment of an expert agent to go into the county he ought to know enough to tell the farmers there how to feed a bunch of cattle.

Mr. GREEN of Iowa. Then, what is it the gentleman would dispense with? I did not quite understand.

Mr. McLAUGHLIN. I would continue—of course we must continue—the appropriation under the Lever Act, a law prepared by and the passage of which was secured by the very able gentleman, the chairman of the Committee on Agriculture, a law which when it matures will provide $4,580,000 a year, and all but $480,000 of that must be duplicated by the States before the States can receive a dollar from the Federal Treasury, or nearly if not quite $9,000,000 annually.

Mr. COX. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN. May I proceed for five minutes more in order to answer questions?

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I would like to have five minutes on this paragraph.

The CHAIRMAN. The gentleman from South Carolina has submitted an amended unanimous-consent proposition; that is, that all debate on this paragraph and amendments thereto end in 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN. I yield to the gentleman from Indiana.

Mr. COX. I understood the gentleman to say a moment ago that part of this $50,000 had been expended to buy all kinds of animals, except for breeding purposes. Now, how has it been expended in the way of buying animals? What has been purchased with it?

Mr. McLAUGHLIN. I said money similarly appropriated. I do not know how the money has been spent in the matter of buying animals in this tick-eradication area, but there was a similar appropriation made to assist the farmers in the State of Louisiana, where the sugar-cane industry was ruined by the Underwood tariff law, and a large amount of money was appropriated to send agents down there to teach the farmers something about farming, and the provision was put in the bill that no part of the money should be used for buying animals for breeding purposes, but they used a lot of that money for buying animals for other purposes. They did not violate the law; none of it was used to buy animals for breeding purposes, but such use was in violation of the spirit of the law.

Mr. COX. Does the gentleman know whether or not any part of this fund has been so expended?

Mr. McLAUGHLIN. I do not know, but I know it has been in the hands of the people who violated the spirit of the other law, and my amendment was offered for the purpose——

Mr. McKENZIE. Will the gentleman yield?

Mr. McLAUGHLIN. I will.

Mr. McKENZIE. The gentleman's purpose is to prevent the absolute purchase of any animals?

Mr. McLAUGHLIN. Let the agents, if they must, go down there. If we must send one man to teach them how to put in oats and another how to put in wheat and another how to take cream to a creamery and another how to breed animals, and so on, let us provide the money and send the men down there for all those things. That is ridiculous enough, but it seems to me we ought to stop at buying animals for them to raise and experiment on. If I could have my way, I would strike out all of that; but I have told this story before and the House would not strike it out. I made my effort in the committee, and the committee refused to strike it out, and I am simply telling my story again and calling attention to a few words I think may possibly lead to misuse of money if they remain. I hope the amendment I have offered will be adopted.

Mr. KING and Mr. MOORE of Pennsylvania rose.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, I shall probably vote for this item, because it has been carefully thought out by the committee; but the remarks made by my colleague from Michigan [Mr. McLAUGHLIN] induce me to make this comment upon the item: It seems to be in the nature of those discussed the other day during the consideration of the river and harbor bill, which were denominated by some of our brethren of the House as of the "pork-barrel" variety. Here we have an item which proposes to dedicate to the farmer for the eradication of the cattle tick $632,400 at one fell swoop, a very large and imposing sum of money, for improving the health and comfort of the cattle of the land.

Now we ought to do all we can to make the cattle more comfortable than they are. We ought to do a little more than we do, perhaps, toward the employment of experts and extra clerks and traveling agents of the Government to find out and record just where the tick strikes the cow, and just why it is that the cow kicks. All this we ought to know, and we ought to know it and understand it to a scientific nicety, even if it does cost $632,400.

Mr. McARTHUR. Does not the gentleman know that the cattle tick is a very serious disease and has caused widespread loss in many sections of the country?

Mr. MOORE of Pennsylvania. I assume that. And so is the mosquito a very great annoyance to the human animal, but we have never been able to get a dollar in this bill for the eradication of the mosquito. It prevails to just as alarming an extent as does the cattle tick, and its influence is far more widespread both as to cattle and to human beings.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Michigan, who raised this interesting question.

Mr. McLAUGHLIN. The gentleman has forgotten that one of the reasons given by the engineers for the improvement of the Cold Spring Inlet in New Jersey was that the mosquitoes would be eradicated.

Mr. MOORE of Pennsylvania. That may be, and still——

Mr. McLAUGHLIN. And if that was put in the river and harbor bill for killing the mosquitoes, there ought to be no kick on this.

Mr. MOORE of Pennsylvania. And I call the gentleman's attention to the fact that whereas we spent $50,000,000 for improving the rivers and harbors and removing the mosquitoes of Michigan, we have not spent anything for the eradication of the mosquito along the Atlantic seaboard.

Mr. SLOAN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. How much time have I remaining, Mr. Chairman? I have something important to say.

The CHAIRMAN. Two minutes.

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. SLOAN. The gentleman from Pennsylvania is complaining about $632,000 for the eradication of the cattle tick. Does the gentleman remember that is only about one-fourth of the gold that this House has provided for gargling the mouth of the Delaware creek in the river and harbor bill?

Mr. MOORE of Pennsylvania. Bread cast upon the waters will return manyfold, and every dollar——

Mr. SLOAN. I do not think there will be any room in the Delaware River after you get all that appropriation.

Mr. MOORE of Pennsylvania. One dollar spent on the Delaware River means $20 returned in revenue. But, gentlemen, while you spend $632,400 for the elimination of the cattle tick that is so annoying to the herd, let me call to the attention of the House the fact that that abominable rivers and harbors bill that was so cut up and caricatured the other day, to save some money for the cattle tick and other things, appropriated for Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island—all of New England—about one-half for all their rivers and harbors, that we are now appropriating for the eradication of the cattle tick. It is a most interesting commentary upon the wise deliberation and the fair and discriminating judgment of this House, that when it comes to the importance of the rivers and harbors of New England, carrying 50,000,000 tons of commerce, we can give them a total of $385,000 only; but when we take up the important subject of the eradication of the southern cattle tick we find it easy to appropriate $632,400.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SULLOWAY. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I have no more time.

Mr. SULLOWAY. I notice you have not. What you said about New Hampshire is not so.

Mr. MOORE of Pennsylvania. New Hampshire is a part of New England, but New Hampshire did not receive consideration in the rivers and harbors bill; that is right.

Mr. KING. I would like to make an inquiry of the chairman of the committee. Of course, I know nothing about the subject of the cattle tick, but I do know a little about the question of the foot-and-mouth disease. I saw that in the city of Chicago during the epidemic the packers maintained two alleys there, one know as "free alley" and one as "quarantine alley," and every animal that came from a restricted area, even though there was no disease covering the whole area, and even though that animal was just as good as one coming across the line, the packers put it in quarantine alley and bid it in for 20 per cent less than animals coming from another county.

Mr. LEVER. At six or ten dollars a head.

Mr. KING. At six to ten dollars a head. Does the gentleman know whether a cattle-tick area, or alley, is maintained by the packers in the city of Chicago or not?

Mr. LEVER. I do not know that to be a fact. I do know this to be a fact, however, that every animal coming from a tick-infested area is set off in pens labeled "quarantine."

Mr. KING. And if an animal has only been infected with cattle tick a little while and happens to get into quarantine, is he worth less for meat purposes and hides, and does he not get into the same refrigerator, and is he not sold to a consumer for the same price as a well animal?

Mr. LEVER. It may be true, but it actually costs, in the working out of that system you have in Chicago, $6 to $10 a head.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN].

The question was taken, and the amendment was rejected.

Mr. LEVER. Mr. Chairman, I think the committee is voting under a misapprehension. I am perfectly willing for the amendment to be adopted, to strike out the words "for breeding purposes."

The CHAIRMAN. The committee has already acted upon it, and that action will stand, unless the gentleman wants to ask unanimous consent to return to it.

Mr. McLAUGHLIN. Mr. Chairman, I have made my remarks; I think it ought to be stricken out; but if the House thinks otherwise, let it go.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For all necessary expenses for investigations and experiments in dairy industry, cooperative investigations of the dairy industry in the various States, inspection of renovated-butter factories and markets, $272,470.

Mr. POU. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from North Carolina moves to strike out the last word.

Mr. POU. I make this motion, Mr. Chairman, for the purpose of asking unanimous consent to have published in the CONGRESSIONAL RECORD an interview with the Secretary of the Navy, Josephus Daniels, published in the New York World of Sunday, March 26.

The CHAIRMAN. The gentleman from North Carolina [Mr. POU] asks unanimous consent to extend his remarks in the RECORD by printing an interview with the Secretary of the Navy, Josephus Daniels, published in the New York World. Is there objection?

There was no objection.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Iowa [Mr. GREEN] moves to strike out the last two words.

Mr. GREEN of Iowa. I do this, Mr. Chairman, for the purpose of asking the chairman of the Committee on Agriculture a question with reference to this paragraph that he was speaking of a short time ago, concerning experiments with creameries. Is that to be done with the money appropriated under the previous paragraph or under the money appropriated by this paragraph?

Mr. LEVER. The work I spoke of a moment ago would be done with the money appropriated under the previous paragraph. The work under the item that the gentleman is now referring to would be pursued where the tick is not prevalent, anywhere in the United States.

Mr. GREEN of Iowa. Does the gentleman mean to say that the money appropriated by this previous paragraph is used in establishing and promoting dairies?

Mr. LEVER. No. I meant to say what I did say a moment ago, if the gentleman was listening.

Mr. GREEN of Iowa. I will say to the gentleman that I was listening. The gentleman was talking about the establishment of dairies and creameries.

Mr. LEVER. I will say to the gentleman that I was saying that only as an illustration of the character of the work being done under the item above in the encouragement and promotion of live-stock growing in those areas from which the tick had been eradicated. They do other work. They encourage the growing of hogs and of horses and of other kinds of live stock. I used that creamery work as a pat illustration.

Mr. GREEN of Iowa. I understand the gentleman now. But in the connection in which he used it before I misunderstood him.

Mr. LEVER. Yes.

Mr. GREEN of Iowa. Now, I want to go a little further in reference to this paragraph. Under this paragraph, are investigations carried on like those with reference to dairying and creameries, referred to a short time ago?

Mr. LEVER. I do not know as to dairying, except as I have seen notices of it in the newspapers; but the work under this item is to encourage the dairy industry in the United States and to promote it as much as possible; and in connection with their work, of course, they study the conditions of the creameries and the dairies throughout the country. Now, whether or

not this report to which the gentleman refers was made under this particular item, I confess I am unable to say.

Mr. GREEN of Iowa. My question was asked simply with a view to a further inquiry, and that was whether the gentleman could inform me as to how extensive this investigation was. This report, as the gentleman will remember, made a very serious attack against conditions prevailing in our creameries.

Mr. LEVER. I recall it.

Mr. GREEN of Iowa. Alleging that the conditions were very insanitary, and that the manner of carrying on the dairies was very insanitary, and that the milk that was conveyed to the creameries was in such a condition that it was likely to spread disease.

Mr. LEVER. As I recall, the newspaper statements referred to were made six or eight years ago?

Mr. GREEN of Iowa. I am not able to state accurately.

Mr. LEVER. It is safe to say, without refreshing my memory on it, that there has not been made in recent years any very comprehensive investigation of the dairy industry of this country with a view to getting the facts which are alleged in this report.

Mr. GREEN of Iowa. Then the gentleman will agree with me that that report does not fairly represent the conditions prevailing in the various creameries, as a rule, at the present time?

Mr. LEVER. I am not familiar with that report, but I do not hesitate to say this, that I do not believe that any report emanating from any bureau of the Government should attack a great industry unless that department has been especially authorized to make a specific investigation with a view of developing a certain line of facts. Now, I imagine that the report to which the gentleman refers was made incidentally to something else and not as the main purpose of the investigation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for three minutes further.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GREEN of Iowa. I quite agree with the gentleman. I objected seriously to this report, because I thought it did not reflect the true conditions.

Mr. LEVER. May I say also to the gentleman that if we are to have an investigation of the dairy industry—and I do not know whether we ought to have one or not, because I have not looked into it—I feel that we should select from the greatest experts on the subject in this country men who will be especially charged with making an investigation. I do not believe that an investigation of that tremendous scope and importance to an industry ought to be carried on by any single bureau of this Government.

Mr. GREEN of Iowa. I agree with the gentleman there also. And I will say in that connection that I have received a number of petitions based on this report asking that a comprehensive investigation be made of the dairying and creamery industries. I come from a district which has a large number of cooperative creameries in it. I know that the report which I have referred to does not fairly represent the conditions that prevail with reference to those creameries, and such a report is very injurious to a very important industry.

Mr. KING. Mr. Chairman, will the gentleman yield for a question?

Mr. GREEN of Iowa. Yes.

Mr. KING. Has the gentleman any information as to whether or not that report was made in the interest of the packing industry or the slaughtering industry?

Mr. GREEN of Iowa. I do not know that it was, but I have a strong suspicion.

Mr. MANN. The gentleman is easily buncoed.

Mr. HAUGEN. Mr. Chairman, if the gentleman will refer to the hearing the other day before the Committee on Rules he will find that the attorney that appeared before that committee let the cat out of the bag and showed clearly that the investigation was made at the instigation of the packing industry of the country.

Mr. GREEN of Iowa. That is about what I anticipated would be discovered. The packing interests are connected very closely with the great central creameries that collect their cream from a long distance; and that, as I believe, is mainly responsible for the bad condition of any butter or cream that gets to market, because it is carried so far, without any sanitary precautions, that it naturally becomes fermented or injured in hot weather.

Mr. HAUGEN. And, let me say to the gentleman, if he will refer to the hearings before the committee he will also find that the cottonseed industry of the South is owned and controlled by large interests, such as the packing houses, and if he will investigate a little further he will find that cottonseed oil enters into the production of oleomargarine.

The CHAIRMAN. The gentleman's time has again expired.

Mr. HAUGEN. May I have one minute more?

Mr. GREEN of Iowa. I ask that the gentleman may have one minute more in order that he may finish his statement, which is very interesting and informing.

The CHAIRMAN. If there be no objection, the time of the gentleman will be extended one minute. Is there objection?

There was no objection.

Mr. HAUGEN. The gentleman will also find on investigation that, according to the statement made, I believe by Mr. Brund, or some one who appeared before the committee, the cotton seed kills hogs and that cottonseed oil enters into the production of oleomargarine. Cotton seed kills cattle also if fed in overdoses.

And here we are confronted with the proposition to strike down the very industry that has made this country what it is in order to save a few pounds of cotton seed to the South, in the interest of concerns which, if the statement made before the committee is true, are owned and controlled by the packing houses, and this is for the purpose of saving the cottonseed industry, to make it possible to feed the cottonseed oil to the babies and the people of this country—that which kills hogs and cattle.

Mr. GREEN of Iowa. I am greatly obliged to my friend for his statement.

Mr. LEVER. Mr. Chairman, I should like to get unanimous consent to limit the debate on this paragraph.

Mr. SLOAN. I would like 10 minutes.

Mr. RUBEY. I would like a little time myself.

Mr. HEFLIN. I would like 5 minutes.

Mr. LEVER. Then, Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 20 minutes, 10 minutes to go to the gentleman from Nebraska [Mr. SLOAN], 5 minutes to the gentleman from Alabama [Mr. HEFLIN], and 5 minutes to be divided between the gentleman from Missouri [Mr. RUBEY] and myself.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this paragraph and amendments thereto close in 20 minutes, the time to be divided as he has indicated. Is there objection?

There was no objection.

Mr. MCARTHUR. I should like to ask the gentleman one question, not to be taken out of the time. Will the gentleman state the amount of the financial loss to this country by reason of the cattle tick during the year 1915?

Mr. LEVER. It is variously estimated at an amount ranging from $40,000,000 to $60,000,000 annually.

Mr. MCARTHUR. Is it not also true that the cattle tick is in the nature of a grubworm that works under the hide?

Mr. LEVER. No; that is not a fact. The cattle tick is more in the nature of an ordinary tick, except that it carries infection—carries the Texas fever.

Mr. SLOAN. Mr. Chairman, I had intended to discuss this question at a later date, but the discussion having been precipitated as it has and having gone thus far, I desire to say that in the report of the Bureau of Animal Industry for 1912 a broad and sweeping charge was made against the dairy and creamery interests of this country. In my opinion the charges made were not warranted by the facts then existing or the scope of the investigation. The report assailed the product of the dairies and creameries of this country on the basis of a lack of cleanliness, sanitation, and wholesomeness.

Little attention was paid to that charge until quite recently, when the gentleman from Maryland [Mr. LINTHICUM] presented to this House a resolution asking for the appointment of five Members of this body to investigate the conditions of our dairies and creameries. Copies of this resolution were sent broadcast throughout the United States to health officers, women's clubs, and various other organizations. In this resolution were subtle statements that would seem to indicate that our dairies and creameries are not sanitary and that their products are not wholesome. On April 11, 1916, a hearing was had on that resolution before the Rules Committee of this House. I challenge the attention of Members to the evidence there presented. I trust it will soon be published.

I do not care at this time to say anything about the controversial features already sprung in this debate as to other industries interested in assailing the dairy interests. The question is not whether there is a quarrel between the oleo interests, the packing interests, or whatever they may be, and the dairy interests of this country. As citizens of this country and Representatives from the dairy States such as my own, we are in-

terested in producing a wholesome product for the consumption of the American people.

In the evidence presented gentlemen will find the basis of the charge to be as follows: Some time during 1912, in a period of just a few weeks, two or three young men were sent out by the Bureau of Animal Industry to investigate the dairy and creamery interests of this country. The investigation covered 144 creameries and cream-buying stations. We were unable to ascertain how many stations were creameries and how many were the ordinary cream-buying stations. There are 6,000 creameries in the United States and there are upward of 40,000 cream stations.

These 144 units, whatever they were, were confined to only 6 States out of the 48. Yet, on the examination of those 144 units, whatever they were, confined to six States, where creameries and stations were condemned—in part, in some cases because the buildings were not painted and did not have proper walks around them, and for other trivial reasons as well as some stronger ones—the conclusion was drawn that "94.5 per cent of the creameries are insanitary to a greater or less degree." That statement is no more definite yet as damaging to the reputation of this great industry as was the old statement made of a woman that "she was no better than she should be." Damaging, yes; but who can answer it?

The ratio of those examined to those which must rest under this sweeping charge is 144 to 46,000, or about one-third of 1 per cent. On that basis, figuring the sun spots in their relation to the whole surface of the great orb of day, would have discredited "Old Sol" as a reliable luminary centuries ago.

Again, after examining 1,554 lots of cream out of the millions of lots handled every week in the United States, the report said, "61.5 per cent of the cream used is dirty or decomposed, or both." This relates to all cream handled in creameries. Using a similarly narrow basis, one would travel through any State of this Union, close his eyes until he looked in on the penitentiary, and then condemn the citizenship of that State indiscriminately.

I do not suppose there is a perfect creamery in the United States or the world, any more than there is a perfect House of Representatives, however nearly this one approximates it. Yet the creamery, in so far as it lacks attainment of perfection, is "more or less insanitary." By the introduction of the Linthicum resolution, presented to this House and scattered broadcast throughout the United States, the dairy and creamery interests of the country have been subjected to a very serious blackwash.

Before the Rules Committee, after a mass of evidence had been presented by the proponents of the resolution, somewhat voluminous but not very convincing, Mr. Creasy, of Pennsylvania, who is secretary of the National Dairy Union, made a clear and concise statement. Prof. McKay, who is secretary of the American Association of Creamery Butter Manufacturers of the United States, and who, by the way, is the best-posted man on butter, cream, milk, and all dairy products in the United States, as well as the best-posted man in the United States as to the dairy and creamery conditions in the other dairy countries of the world, made a complete and succinct statement, which shows that there is no food industry in the United States or in the world that has gone forward so fast in the last few years in purifying its products and perfecting its methods than the dairy and creamery interests of the country. Seventy-five per cent of all of the dairy and creamery products that go into interstate commerce is pasteurized, and proper pasteurization is being followed out by all good creameries of the United States. The bad creameries throughout the country are being rapidly eliminated.

It can be further shown that in every dairy State of this Union they have wholesome dairy and creamery laws providing for the inspection and supervision of the dairies and the creameries. There is invested in them, or in nearly all of them, the power to suppress unsanitary plants whether they be cream station, a dairy, or creamery.

Further than that, it was shown by Mr. Creasy that it is the policy of the dairy people of this country to develop dairy interests along lines of health—pure food—and that tangible evidence can be presented of the general purity of the dairy and creamery products of the country.

If the amount of appropriation here named—$272,000—is expected to cover a fair investigation of the dairy and creamery interests in this country and to put the stamp of approval or disapproval on them, it would better not be in this bill. The evidence presented by the Bureau of Animal Industry, the members present during that hearing, as well as others, that to enter upon an investigation of the 6,000 creameries and 40,000 cream stations in the United States and the million of dairies would require millions of dollars. The creamery and dairy interests of the country, I understand, do not oppose an investigation which would be full, complete, and fair.

The following is the statement made by Dr. George L. McKay, together with copies of letters presented by him to the Rules Committee:

STATEMENT OF DR. G. L. M'KAY.

I am secretary of the American Association of Creamery Butter Manufacturers. I have prepared a short statement here concerning our members and I have several documents here, but I do not propose to take up your time in reading them to you, but I will merely submit them. I have letters here from two of the leading dairy scientists of this country on this question, Dr. Russell, of the University of Wisconsin, and Dr. Harding, of the University of Illinois. I have letters then from different food commissioners of the country, giving the sanitary conditions of the creameries as they exist in their States. They do not correspond with the reports given out by the Department of Agriculture. I will read this statement; it is very short:

"As the secretary of the American Association of Creamery Butter Manufacturers, I deem it wise to make a statement at this time in behalf of the purity and cleanliness of the American butter. I have spent the greater part of my life in dairy educational work. For 17 years I was at the head of the department of dairying at Iowa State College. In 1901 I was sent abroad to study dairy problems by the Department of Agriculture at Washington, D. C. A similar trip was made in 1913 in behalf of the association, which I represent. Therefore I am very familiar with dairy conditions in the leading dairies of the world.

"The American Association of Creamery Butter Manufacturers is an educational organization and was brought about for the purpose of improving the quality of the American butter. Approximately our members made about one-fourth or one-fifth of the creamery butter manufactured in the United States. Our creamery men all pasteurize their cream for butter making with the exception of one. Inspection of our creameries is made by my assistant and myself. Prof. Bonska, my assistant, is a trained chemist and bacteriologist. After taking his college degree in this country he spent some time studying abroad, so he is eminently fitted for his work and is thoroughly posted on up-to-date sanitary methods as related to food products.

"His reports in connection with my own, covering the entire creamery situation of our members, indicate that there are not more than 2 per cent of our creameries lacking in real up-to-date sanitary equipments. In the 2 per cent referred to everything is kept scrupulously clean, but the construction of the buildings and the equipment are not as modern as they should be. Many of our creameries are superior to any found in other countries, and I can say without hesitancy that the butter manufactured by our members is as pure, if not purer, than that produced in any other country. This is due to the sanitary methods used in manufacturing and the efficiency of pasteurization as practiced by our members. Samples taken from the average run of butter produced in some of our leading creameries and examined at Wisconsin, Purdue, and Cornell Universities, showed an efficiency in pasteurization, as 99½ per cent of the germs found usually in milk and cream were destroyed. The butter thus examined showed up absolutely pure. Therefore the report emanating from the Department of Agriculture in 1912 can in no way apply to the creameries of the members of our association.

"I am pleased to be able to make such a favorable report. From my own general observation, I would say that the creamery business of the United States, from a sanitary standpoint, is conducted on a very high plane. Creameries of the United States may not all have walks around the buildings or all be painted, as indicated by the questions sent out by the Department of Agriculture. If creameries have good drainage, and vats, churns, pipes, and all equipments that come in contact with cream and butter are kept clean, the creamery certainly should be classified as sanitary regardless of absence of paint and walks. The word 'sanitary' is a misnomer as it relates to butter made from pasteurized cream. Butter made from properly pasteurized cream excludes the possibility of it carrying disease germs. So it is unquestionably a practically neutral health proposition.

"G. L. MCKAY, *Secretary*."

I have letters here which it will not be necessary for me to read, from the different dairy commissioners, from Iowa, where they say there is less than 3 per cent of the dairies that are insanitary, and I have letters from Missouri, from Kansas, from Indiana, and from Wisconsin.

"In answer to your communication of April 4 will say, in a brief way, that the conditions described in Congressman LINTHICUM'S resolution are not prevalent in the State of Wisconsin. There may be some isolated cases of the conditions he mentions, but under the Wisconsin law the entire cheese and butter industry is under State supervision as to its cleanliness and sanitary conditions. The most difficult problem confronting us at the present time is the delivery of good raw material to the creameries, which, however, is well taken care of by this department.

"GEO. J. WEIGLE, *Commissioner*."

INDIANA STATE BOARD OF HEALTH,
DEPARTMENT OF FOOD AND DRUGS,
Indianapolis, March 21, 1916.

GEORGE L. MCKAY,
Secretary American Association Creamery Butter Manufacturers,
2037 Continental and Commercial Bank, Chicago, Ill.

MY DEAR PROF. MCKAY: My inspector, Mr. Bruner, has been making a careful study of Indiana dairy and creamery conditions, and the reports up to date have just been tabulated. They show that creameries manufactured last year 3,486,381 pounds of butter; 96.7 per cent of this butter was made from pasteurized cream. The only plants that do not pasteurize are the small ones.

Out of 17 large milk plants, selling last year 3,802,416 gallons of milk, 98.6 per cent was pasteurized.

Ninety-four and five-tenths per cent of the ice cream was made from pasteurized cream.

Eighteen cream stations shipped their products in every instance to plants which pasteurized. One plant was condemned and closed and the proprietor was prosecuted and convicted for insanitary conditions.

The score on 101 dairy-products plants is as follows:

Creameries: Excellent 1; good, 15; fair, 11; poor, 1.

Ice-cream factories: Good, 18; fair, 16; poor, 4.

Milk depots: Excellent, 1; good, 7; fair, 8; bad, 1.
Cream stations: Fair, 17; poor, 1.

The milk depot scored "bad" was prosecuted and put out of business.

The plants scored "fair" were generally well kept from a sanitary viewpoint, but were deficient in lighting or ventilation, were overcrowded, or not well-equipped with machinery, or did not pasteurize the raw material.

I inclose a copy of a syndicated story recently sent out by me.

Very truly, yours,

H. E. BARNARD,
State Commissioner of Food and Drugs.

"BUTTER IS STILL GOOD FOOD.

"The papers are full of stories about bad butter. A resolution has been introduced in Congress which details with great minuteness the insanitary condition of the creameries of the country. If we were so foolish as to believe all we read, it would take a mighty courage to eat a slice of bread and butter. The real fact is that much more good butter is being made than bad butter. The Government report which so severely criticizes the conditions under which butter is made was issued in 1912, and since that time the butter industry has been wonderfully improved.

"The food inspectors in Indiana, which is an important dairy State, have just reported a survey of the dairy industry. They found that 96.7 per cent of the butter was made from pasteurized cream, and so was a real food and not a disease carrier. They found that 94.5 per cent of the ice cream was made from pasteurized cream and milk, and that the only plants that did not pasteurize were the little local plants, which were able to get fresh raw material direct from the dairy. They found that 98.6 per cent of the milk supply was pasteurized, that the only plants which did not sell pasteurized milk were small local plants. But they found one plant in such unsatisfactory condition that it was condemned and closed and the proprietor arrested and convicted for making unsanitary and unwholesome food.

"What is true of Indiana dairy products is true of the dairy products of other States. The milk situation and the butter business is not ideal. It never will be. The business is too large and is carried on by too many untrained men ever to be ideal. But it is improving constantly, and it is foolish to fear disease whenever one sits down to the table and reaches for the butter dish or cream pitcher. The fear of food is a hundred times more injurious that the food itself."

—

UNIVERSITY OF ILLINOIS,
COLLEGE OF AGRICULTURE AND
AGRICULTURAL EXPERIMENT STATION,
April 6, 1916.

Mr. GEORGE L. MCKAY,
Continental & Commercial Bank Building,
Chicago, Ill.

MY DEAR MCKAY: While the word "sanitary" is often used in a very strange sense, and is sometimes used apparently without any sense at all, I have understood that thoughtful people use it with reference to those features which to some appreciable extent affect the health of the individual or of the community.

We can perhaps better appreciate the possible sanitary significance of butter if we consider in detail the various elements which make up butter and cream.

In addition to the water, which is present in varying amount but has no sanitary significance, the fat is perhaps the most outstanding element of composition. As you know, the fat undergoes very little, if any, chemical change either in cream or in butter until it is very old. The rancidity which ultimately develops is an important matter from the commercial point of view, but has no sanitary significance, partly because the products of rancidity are not known to exert any unfavorable influence upon health and largely because the products are so obvious and unpleasant that the rancid butter is not readily consumed.

The sugar is, of course, readily attacked by germ life and broken down, forming mainly acid, which, again, is quite obvious and has important commercial relations, but, so far as I am aware, is entirely without health significance in connection with butter, though the buttermilk is generally recognized as a nutritious and to some extent a therapeutic drink.

The remaining elements of the cream and butter may be conveniently grouped under the head of curd. The decomposition which this nitrogenous material suffers in the case of cream and butter gives rise to many compounds, some of which have pronounced flavors or odors.

In extreme cases such cream or butter is referred to in common speech as "rotten." The decomposition which is going on compares very closely in character, though is rarely as extensive, as that taking place in the ripening of Limburger cheese and other of the soft cheeses. While these changes very sharply affect our sense and to many people are quite disagreeable, thereby having important economic bearings, I am not aware that we have any evidence to indicate that the health of the consumer is in any way impaired by the consumption of such material. Personally I am rather fond of Limburger cheese, while I do not like the flavor of bad cream, largely, I believe, because of the admixture of fatty decomposition products which are quite offensive.

If this analysis of the situation is correct, and I believe it is substantially so, we have then no occasion for applying the term "sanitary" to the decomposition products occurring in butter as the result of bacterial attack on the fat, sugar, or curd, and these taken together make up what we know as butter.

Butter, therefore, would be of no sanitary significance whatever, except in the very general significance which results from its usefulness as a food, but for the fact that it may become the mechanical carrier of disease germs. These may enter at any time between the production of the milk and the consumption of the butter. Careful studies have shown that raw cream very commonly carries the germs of bovine tuberculosis and occasionally may carry the germs of typhoid fever, scarlet fever, diphtheria, septic sore throat, and less frequently the germs of a number of other minor diseases.

The science and practice of butter making has fully developed the fact that by properly pasteurizing the cream, or the milk before the cream is removed, many of these germs which may have found their way into the milk or cream will be completely destroyed without impairing the value of the cream for butter making. As you know, this process is being carried out in practice upon a large scale, so that practically all of the butter made in the State of Illinois is now so handled. Butter, therefore, made from properly pasteurized cream can be looked upon as not open to any objection from the standpoint of sanitation except for the possibility of contamination from human beings carrying these germs between the time at which the cream is pasteurized and the time at which the butter is consumed by the individual. While such butter is not absolutely and entirely safe because of the possibility of its being contaminated by the one or two men who have been in contact with it to a slight extent during the churning and packing process and the grocery clerk who has retailed it, it is in this respect practically on a par with any food product which is later to be consumed without being prepared for consumption by the process of cooking. Until the public shall have reached the point where it desires butter which has been boiled just before being served it will not be possible to furnish it with a more sanitary product than our properly pasteurized butter is now.

Yours, truly,

H. A. HARDING.

—

THE UNIVERSITY OF WISCONSIN,
COLLEGE OF AGRICULTURE AND
AGRICUTURAL EXPERIMENT STATION,
Madison, April 6, 1916.

Prof. G. L. MCKAY,
Secretary American Association
Creamery Butter Manufacturers, Chicago, Ill.

MY DEAR PROF. MCKAY: In reply to your letter asking in regard to the transmission of disease by butter made from cream that has been thoroughly pasteurized, I would say that most of the work that has been done in the study of pasteurization has been along the lines of market milk.

It has been shown beyond all doubt that the method of pasteurization, which is most widely used at the present time in the treatment of market milk, destroys all of the pathogenic organisms which may be present in the milk. The process used consists in the heating of the milk to a temperature of 145° F. for a period of 20 to 30 minutes. Experiments conducted both under laboratory conditions and under practical conditions have shown the efficiency of this process.

It is generally admitted that a higher temperature for a much shorter period of time is practically as efficient as the use of the lower temperature for a longer period of time. If the milk or cream is brought to a temperature of 170°, even for a very short period, it is believed that the vitality of any disease-producing organisms it may contain will be destroyed. Thus, if butter is made from cream that has been treated by either of these processes, it should be perfectly free from living pathogenic organisms.

There are no data, so far as I am aware, to show that butter has ever been concerned in the distribution of typhoid fever or of diphtheria even when the butter is made from unpasteurized cream. If the milk contained tubercle bacilli, it is quite certain that they would be found in the butter and that they would not be destroyed by the ordinary process of butter making, namely, the souring of the cream and the salting of the butter. It is possible that butter made from raw cream might be instrumental in producing tuberculosis in man, but it is certain that its importance in this regard is very small indeed, especially when compared with that of milk itself.

The general condition of creameries with reference to cleanliness would probably have very little, if any, influence upon the healthfulness of the butter. This, however, is no reason why our creameries should not be kept in as cleanly a condition as possible, because the æsthetic side of foods is of very considerable commercial importance.

Yours, very truly,

H. L. RUSSELL.

—

THE BOARD OF AGRICULTURE,
DAIRY AND FOOD DIVISION,
Columbus, Ohio, March 22, 1916.

Mr. GEORGE L. MCKAY,
2037 Continental & Commercial Bank Building, Chicago, Ill.

DEAR SIR: I have before me your favor of the 17th inclosing copy of the request of J. CHARLES LINTHICUM relative to sanitary conditions of creameries.

I note that they claim 94½ per cent of the creameries of the country are unsanitary to a greater or less degree. By getting this 94½ per cent they have taken in, it seems to me, a very large scope, while I believe from reports we have received from our inspectors making investigations of the creameries in Ohio, that 75 per cent will pass the requirements of the State law.

If an inspector goes into a creamery when they are running full force there are undoubtedly some minor things that may not look as sanitary as they ought to be, but they can not be avoided considering the amount of work they are doing.

I do not believe that the conditions in Ohio will show that 61½ per cent of the cream used is unclean or decomposed. It seems to me that this report certainly has been exaggerated very much, unless conditions are a great deal worse in other localities and other States than they are here in Ohio.

A statement of this nature going out to the public is certainly very detrimental to the honest creamery man who is endeavoring to put a clean, wholesome product on the market. I can not understand the motive of this unless there is some move back of it to discredit the creamery work in order to give the oleomargarine people a better hold and make larger sales of their goods.

It seems to me that the creamery men of the country should pass resolutions giving the true conditions as found and present them to this committee.

Any service I can render will be gladly given.

Very respectfully,

T. L. CALVERT,
Chief of Division.

—

KANSAS STATE AGRICULTURAL COLLEGE.
Manhattan, Kans., April 5, 1916.

Mr. GEORGE L. MCKAY,
Suite 2037 Continental & Commercial Bank Building, Chicago.

MY DEAR MCKAY: Yours of the 4th just received.

I am pleased to say at this time that 95 per cent of the creameries in this State score first. I am inclosing herewith a copy of the score card used in grading the creameries. We consider that a plant scoring 85 per cent or better, is a first-grade creamery.

I might add that 90 per cent of the butter manufactured in Kansas is handled in creameries scoring above 93 per cent.

I have just completed gathering data on the creameries, and am plased to state of the creamery butter manufactured within the State of Kansas 98 per cent is made from pasteurized cream.

We have 85 creameries operating within the State. Seventeen of the smallest ones do not pasteurize, while the remaining 68 pasteurize all cream and milk used in the manufacture of butter.

If you desire any further data relative to this work, I shall be greatly pleased to forward same. The above data can be substantiated by names and figures if necessary.

With kind personal regards, I am,

Very truly, yours,

GEO. S. HINE,
State Dairy Commissioner.

—

MICHIGAN AGRICULTURAL COLLEGE,
East Lansing, Mich., March 24, 1916.

G. L. MCKAY,
Secretary American Association Creamery Butter Manufacturers,
2037 Continental & Commercial Bank Building, Chicago, Ill.

MY DEAR SECRETARY MCKAY: Recently there has been brought to my attention a statement written in 1912 to the effect that proximately 95 per cent of the creameries of this country are insanitary, that approximately two-thirds of the cream used in the manufacture of butter is either unclean or decomposed, or both, and that three-fourths of the cream used in the manufacture of butter is not pasteurized.

I am unable to speak with authority on this subject for conditions existing outside of the State of Michigan. I have, however, been engaged in the dairy business in the State of Michigan for the past 12 years, and have come in contact with all creamery conditions as they have existed and are existing at the present time. The statement as published could never have been considered as applying to the State of Michigan. It is so far removed from the actual conditions in vogue, even in 1912, that anyone at all acquainted with Michigan creameries could not have considered it in a serious manner.

The first two statements as to the condition of creameries and the cream itself are certainly gross misrepresentations. As to the matter of pasteurization, may say that the amount of cream pasteurized is increasing every year. A large portion of that used in the State of Michigan is being pasteurized at the present time, and I look to see the practice universal in the comparatively near future.

Yours, very truly,

A. C. ANDERSON,
Professor of Dairy Husbandry.

—

STATE OF IOWA,
DAIRY AND FOOD COMMISSION,
Des Moines, April 7, 1916.

Hon. G. L. MCKAY,
Chicago, Ill.

MY DEAR MR. MCKAY: We have yours of the 4th and are pleased to be able to advise you that we are certain that not 3 per cent of the creameries in Iowa are not in a sanitary condition.

Practically every creamery in the State is inspected by assistant commissioners as often as every six months, and in many instances more frequently than that.

Where the buildings are old and dilapidated and can not be kept in good shape they have been condemned and new ones have replaced them. This is why there are possibly 3 per cent of them that are not in good shape now. Many of this small per cent will be rebuilt within the next year.

Wherever we have found that they are not in a sanitary condition, notice has been given, and on the second call inspections have been made, and in some instances penalty assessed. This is where we have found people that, through carelessness or negligence, have not cleaned up.

We know that practically all of the centralizers are in good condition, as we give them the same attention that we do the small creameries.

Yours, truly,

W. B. BARNEY,
Commissioner.

The following is the statement made by Mr. Creasy:

STATEMENT OF MR. WILLIAM T. CREASY, SECRETARY OF THE NATIONAL DAIRY UNION.

Mr. CREASY. As the secretary of the National Dairy Union, I do not come here to object to or resist the passage of a resolution which will have the purpose of ascertaining important facts relative to the production and handling of American dairy and creamery products in a wholesome and sanitary manner. Nor do I, in behalf of those whom I represent, object to the appointment of a committee from the membership of the House not antagonistic to the producers of this country. We would be gratified if members of this committee were men who knew something of the problems of dairy production, handling, and marketing. Especially will we not object if this investigation is made so broad, searching, and comprehensive that this, in many respects the most important industry of the country, be disclosed not only in its actual conditions but its standing among the similar industries in other nations of the earth. Further, we would be pleased if this investigation would show the relative care, sanitation, and wholesomeness of this industry's products in comparison with those of other industries whose representatives are assailing ours.

We are convinced from the enterprise and energy being exercised by a large portion of the dairy industries that there has been accomplished during the last five or six years a great advancement and improvement in sanitation and wholesomeness of the dairy products from the point of first production through the handling, distribution, and marketing of the final product, so that to those not antagonistic or prejudiced an investigation would be entirely unnecessary were it not for the following two important facts:

First, there appears in the Annual Report of the Department of Agriculture for the year 1912, contributed by the Bureau of Animal Industry, at page 334, the following remarkable statement:

[From Report of the Bureau of Animal Industry, 1912.]

"CREAM INVESTIGATIONS AND THE NEED OF CREAMERY INSPECTION.

"Investigations have been made of the sanitary conditions of creameries and cream-buying stations, also of the quality of the cream received and the methods used in its manufacture into butter, and the conditions under which cream is produced and prepared for market.

"A special examination of 144 creameries and cream-buying stations, located in six different States, showed that only eight, or about 5.5 per cent, were absolutely satisfactory from a sanitary standpoint.

"An examination of 1,554 lots of cream, after being delivered to the creameries and cream-buying stations, showed 113, or 7.3 per cent, to be of first grade; 484, or 31.1 per cent, of second grade; and 957, or 61.5 per cent, of third grade. The third grade consists of cream that is dirty, decomposed, or very sour. High acidity in ordinary cream indicates either age or bad conditions surrounding its production, handling, or storage.

"An inquiry covering 715 creameries, located in six States, showed that only 196, or 27.4 per cent, pasteurize their cream, while 519, or 72.6 per cent, do not pasteurize.

"The results of these investigations may not represent with absolute accuracy the creamery industry as a whole, but they are certainly not far out of the way. While some creameries are in good sanitary condition, receive good cream, practice pasteurization and other approved methods, and turn out a high-grade product, the number of such creameries is very small. Our investigations reveal the fact that 94.5 per cent of the creameries are insanitary to a greater or less degree; that 61.5 per cent of the cream used is dirty or decomposed, or both; and that 72.6 per cent of the cream is not pasteurized, but is made into butter to be consumed in a raw state. In other words, millions of gallons of cream that has been allowed to stand in the barn, in the cellar, or in the woodshed until it is sour or decomposed is sent to the creamery, and without even being pasteurized is made into butter. Butter is usually consumed in the raw state and may carry pathogenic organisms for a long period of time, but aside from the danger of pathogenic infection consumers should not be expected to eat a product from an insanitary place and made from material that is unclean and decomposed.

"We have been studying this subject for some years and are fully convinced that the welfare of the public, as well as of the dairy industry, demands that something be done to correct these unwholesome conditions. The best remedy is believed to be a system of inspection such as is recommended in an earlier part of this report under the heading 'Needed legislation.'"

Remarkable for two reasons—first, the very narrow and limited basis of fact; second, the broad sweep and unwarranted conclusion. Your attention is called to the fact that the investigation was confined to 6 States out of 48—to 144 creameries and cream-buying stations, there being now 6,000 creameries and probably 40,000 cream-buying stations in the United States. The man who saw a swallow and declared it was summer had nothing on the remarkable author of this extraordinary report. There was an examination of 1,554 lots of cream, said by the department to have covered a period of three months, which, compared with the many millions of commercial lots of dairy products handled in that period, gives the investigation all the stability of an inverted cone.

The second extraordinary fact referred to is the comprehensive and elastic conclusion drawn where it says: "Our investigations reveal the fact that 94.5 per cent of the creameries are insanitary to a greater or less degree." That conclusion might be drawn as against any line of industries, because it says to a greater or less degree. If we assume the maximum, let us inquire: Greater than what? Greater than 99 per cent or greater than 1 per cent? Less? Less than what? Less than 1 per cent or less than 50 per cent? To scientific minds this statement means nothing definite. To the average mind, given in all the solemnity of a Government report, it is liable to be considered appalling.

The second extraordinary fact is the resolution, almost sensational in its terms, which has not only been filed in the ordinary way in Congress but has been scattered broadcast throughout the country, and wherever sent has served to reflect upon the purity and wholesomeness of the dairy products produced and handled in this country.

It is to meet these two extraordinary and prejudicial documents alone that the investigation should be entered upon.

I am convinced that if this committee will grant an adjournment of this hearing for a period of about 30 days witnesses will be produced from different States and communities of the country who will establish the following facts:

First. That in dairy States of the Union there are, many of recent origin, but all working at this time, effective laws governing the supervision and inspection of dairies and creameries, and in practically every case the laws are being effectively enforced.

Second. We will show that of the commercial dairy products more than 60 per cent are pasteurized, and that pasteurization is steadily increasing in every part of the country.

Third. That the large majority of dairy and creamery products which enter into interstate commerce we believe amounting to 75 per cent is pasteurized.

Fourth. We are convinced that no industry in this country having to do with the production and handling of human food has made an advancement in purity and sanitation equal to that of dairy and creamery products during the last five years.

Fifth. That the state of purity and wholesomeness of commercial creamery and dairy products in this country is further advanced than almost any country of the world.

Sixth. We expect to show, to some extent at least, the antagonism and unwarranted attacks made by other industries upon this industry, which involves to the producers of this country a billion dollars per year, and an industry upon which the continued fertility of our now fertile soils and the renewal of our depleted soils in this country largely depends.

Seventh. We will at this time, as I merely suggest now, show that this is an industry to which there should be directed the most far-seeing statesmanship for the purpose of conserving and upbuilding rather than injuring and destroying.

To this end, and calling your attention to the fact that here in the National Capital, on the 5th and 6th of May next, there will be gathered representatives from the industries of dairy products from throughout the States of the Union, men informed and skilled in their professions, who will be ready to appear before this committee and give testimony, I ask that further hearing hereon be suspended until a convenient date, from the 5th to the 10th of May.

In conclusion will say that yesterday, April 9, we asked the chief of the dairy division for a list of the 144 creameries mentioned in the report. This was refused, for the reason that the information is considered of a confidential nature. On further inquiry at this department it was stated that the investigation, which found 94.5 per cent of the 144 creameries insanitary, was ordered in April, 1912, and completed July 1, 1912, the work being done by two inspectors in three months. Hence, it follows that five inspectors could examine these same creameries in less than a month, and this would show the conditions of these creameries at the present time. This would give the committee and the public much-needed information which would be of great value in carrying on the investigation. We believe the Dairy Division will do this and can have the information for this committee at its next hearing, of from May 5 to 10.

The dairy and creamery industry of this country amounts to nearly $1,000,000,000. It is perhaps the most vital of all the industries touching the future productivity of our soil. It is important to the hundred million consumers:

First, that their wants be supplied.

Second, that the products be wholesome and palatable.

The dairy and creamery products of my own State annually aggregate about $40,000,000. We have the largest two creameries in the United States, each having its origin in my district. I can speak with some personal knowledge of the progress of the dairy and creamery interests of our State, which solved the credit system of our farmers and did more than any other factor in reducing the farmers' transactions to a cash basis. More than 20 years ago, when in the State senate, I introduced and pressed to passage one of the earliest and most effective oleomargarine laws. Since which time, not only in the development of the industry, but in the legislation enacted, and the enforcement thereof following, Nebraska has been one of the foremost States of the Union.

To these ends dairy and creamery organizations are impressing upon and demanding of their members up-to-date methods of producing, grading, transportation, and marketing. The legislatures of the several States have been passing rigid supervision laws, with ample powers conferred upon the law enforcing officers to check abuses and terminate objectionable practices.

Pasteurization is increasing from year to year and is enforced generally in city and State. What dangers there may be are becoming understood and are being rapidly reduced to a minimum. Unless Congress sees fit to enter upon a complete and searching investigation with a purpose of following it up with a general investigation of creamery, dairy, and farm, which would mean several millions of dollars expended every year and the employment of many thousand men, affirmative action should not be taken upon this resolution. The mere dallying with the subject would retard advancement. Upon the other hand, proper and complete investigation and supervisory action thereafter would be welcomed by the producers of the country.

Mr. HEFLIN. Mr. Chairman, I am the friend of the dairy interests, and this side is the friend of the great dairy interests in this country, and I am of the opinion that there are a few on that side besides my good friend from Iowa who are the friends of the dairy interests. The gentleman who has just spoken, the gentleman from Nebraska [Mr. SLOAN], is a friend of the dairy interests, and has been very fair in his speech.

I agree with him that if any dairy concern in this country is not run upon a sanitary plan, if it is run in an uncleanly way and a way that will spread tuberculosis among helpless children in this country and unprotected adults, I think the Government ought to see to it that it is run upon wholesome lines, and I think the food-supplying concerns that will not invite and stand rigid inspection are not the right kind, and they need looking after.

But, Mr. Chairman, what I rose particularly to speak about was the misinformation that the gentleman from Iowa [Mr. HAUGEN] gave to the House a moment ago. He was talking about cottonseed oil killing hogs and cattle. The gentleman is entirely mistaken. He meant cottonseed meal and not cottonseed oil. If cottonseed meal is fed too long to a hog it is not good for him, and the reason is that cottonseed meal is such a rich food that it is not good to feed the hog regularly; but if you take the hog off of this food for 10 days or so and then put him back again, it will fatten him better than anything in the world except corn meal. If you will mix grain with cottonseed meal it can be used indefinitely. Cottonseed oil is one of the most wholesome foods in the world.

Mr. MANN. Will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. MANN. Can anybody afford to feed hogs on cottonseed oil?

Mr. HEFLIN. Not at the present price. Cottonseed oil is good for human beings. It is 73 cents a gallon now. Cottonseed oil is made into cottolene, and that is lard used in the making of biscuits, and I have eaten them. They are as white as snow, and make just as good biscuits as can be made in the world. Cottonseed oil is a fine and wholesome food, and there is great demand for it as food in various forms.

Mr. CANNON. Will the gentleman yield?

Mr. HEFLIN. I will yield to the gentleman from Illinois.

Mr. CANNON. I want to ask the gentleman if cottonseed oil or cottolene can be used as well as lard in making a substitute for butter?

Mr. HEFLIN. Cottolene is used as lard, but cottonseed oil is used in the manufacture of oleomargarine, and that is used sometimes in place of butter, and if people in this country desire to eat oleomargarine in preference to eating butter, it is a free country and they are entitled to do so. The gentleman would not have Congress pass an act to say to me that if I prefer oleomargarine to butter I shall not exercise my right and gratify my taste.

Mr. CANNON. I think no such law has been enacted. It is true, I think, that a quarter of a cent a pound tax is placed on the white oleomargarine, and if it is colored to a pale yellow it is 10 cents a pound.

Mr. HEFLIN. Ten cents a pound on the yellow and a quarter of a cent a pound on the white. If people want to eat that, let them eat it. Every man to his own taste in this matter. I am not in favor of permitting people to sell oleomargarine for butter, but knowing oleomargarine to be a good and wholesome food, I am opposed to any unjust restrictions being placed around its use just as I am opposed to any unjust restrictions being placed around the sale of butter as a food product in this country. [Applause.]

Mr. HAUGEN. Mr. Chairman, I had no intention of injecting the oleomargarine question into this matter.

The CHAIRMAN. The Chair will state to the gentleman that the committee has fixed the time for debate on the paragraph and amendments thereto by unanimous consent.

Mr. HAUGEN. And all the time has been consumed?

The CHAIRMAN. Five minutes remain, in the control of the gentleman from South Carolina [Mr. LEVER], and the Chair understands he was to yield that to the gentleman from Missouri [Mr. RUBEY].

Mr. LEVER. Mr. Chairman, I yield two minutes of the time to the gentleman from Iowa and the balance of it to the gentleman from Missouri.

Mr. HAUGEN. Mr. Chairman, I had no intention of injecting this oleomargarine question into the discussion. I have no quarrel with the gentleman from Alabama [Mr. HEFLIN]. I concede that everyone has the right to manufacture oleomargarine and everyone has the right to eat it. What we object to is that they are selling it for butter, that which it is not. As long as they sell it for what it is, we have no quarrel with them, but, according to official reports, some 6,000 dealers sold some 63,000,000 pounds out of a total product of 83,000,000 pounds, in violation of the laws of 31 States. I will not detain the House longer, but simply ask unanimous consent to insert extracts from the hearing in support of what I stated a moment ago relative to cottonseed meal.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HEFLIN. Mr. Chairman, the gentleman does not mean to state that they are selling oleomargarine and calling it butter? They are selling oleomargarine that is colored yellow, something like butter.

Mr. HAUGEN. The Government report shows that 63,000,000 pounds out of a product of 83,000,000 pounds were sold in violation of the laws of 31 States, and that led up to the legislation that we have.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The matter referred to by Mr. HAUGEN is as follows:

Mr. ROMMEL. The man who is feeding his hogs on a ration in which there is some cottonseed meal is likely to go out into the pen in the morning and find one or more hogs dead. We have found in our study that there is never a case where a hog dies from cottonseed-meal poisoning where there have not been symptoms; but they have been so slight that the average farmer would overlook them.

The CHAIRMAN. Symptoms of what?

Mr. ROMMEL. Of cottonseed poisoning. A pig never dies from cottonseed-meal poisoning unless he has previously shown signs of sickness; but they may be such signs as only a careful observer would notice. That, of course, makes it out of the question to feed cottonseed meal to hogs. If you are going to have some of your hogs die on your hands it will knock out your profits.

Then, the disease may take another form. The pig may become sick and may not die for a long time. In cases like that a change of feed will effect a cure. In these chronic cases, the first indication of sickness is the roughness of the coat of the hog; the coat gets harsh, and the hair begins to curl up, and the pig is plainly unthrifty. By and by he begins to stagger in the hind legs, and possibly there may be a little characteristic thumping of the flanks. Anyone who knows the disease of little pigs called "thumps" will recognize that; it is the same thing; it is a rapid, characteristic movement of the diaphragm that causes the flanks to thump. The pig may go along in this way for a long time and become emaciated and eventually may die.

In those acute cases resulting in death that I have witnessed there is no sign whatever of paralysis. The pig may show no signs of being sick, except indications that would be noticed on keen observation. He is seized with a very sudden attack; there is marked shortness of breath; the pig is in great pain and squeals, and, if the attack does not pass off, he may die in 28 to 30 minutes. Death results from cardiac failure and suffocation.

Mr. HAUGEN. Is that due to an overdose, or is there safety in giving that feed to hogs in a limited quantity?

Mr. ROMMEL. I have not found it so.

Mr. STEELE. You would not recommend it as feed for hogs?

Mr. ROMMEL. No, sir.

Mr. HAUGEN. Mr. Chairman, may we have an expert on cotton seed for a few minutes? I am more interested in that subject than anything that comes before the committee. Have you an expert here who has knowledge of the cottonseed industry, Mr. Brand?

Mr. BRAND. He is not here, but we have one who has knowledge of it, who has spent his whole life in that work.

Mr. HAUGEN. Has he any information as to the owners and operators of the cottonseed industry of the South?

Mr. BRAND. We have a great deal of information on that subject.

Mr. HAUGEN. Have you any knowledge in the matter?

Mr. BRAND. I would say that information is knowledge. We have very complete records of the apparent ownership of certain cottonseed industries. I suppose Mr. HAUGEN is looking back of that subject to those who were reputed to be interested in the cottonseed industry of the South. I do not think they deny a part of that allegation. I believe they have a large interest in it.

Mr. HAUGEN. To what extent?

Mr. BRAND. I can not tell you. I do not know whether it is a matter of public record.

Mr. HAUGEN. Well, you have some knowledge of it?

Mr. BRAND. No; we have no knowledge of the exact ownership of that industry. A few big corporations, like the Pennsylvania Railroad and the United States Steel Corporation, publish the exact distribution of their stock and control, but there are only a few of them, and we have no method of forcing that sort of information from the people.

Mr. HAUGEN. But I understood you to say that a large amount of stock is owned or controlled by the packing houses?

Mr. BRAND. I said that the packing-house interests admit a very large interest in these concerns whose products they use in the manufacture of their products.

Mr. HAUGEN. You have some one who has given that matter some attention?

Mr. BRAND. We have a specialist, but he is not here, as it was not expected that he would be called.

Mr. RUBEY. Mr. Chairman, I do not desire to enter into this controversy this afternoon in regard to oleomargarine, but I do want to say this: There is a resolution pending before the Committee on Rules, asking for the appointment of a committee of this House to investigate the dairy industry. I do not object to the introduction of the resolution, but there is a preamble to that resolution to which I do object. That preamble characterizes the dairy industry of this country in a way that is wholly without foundation. It quotes from a report of the Bureau of Animal Industry made in 1912, and that report ought never to have been made. It was made after an investigation, they say, which embraced only 6 States out of the 48, which extended over a few months, and included only 140 creameries. Upon that slight and insignificant investigation the Bureau of Animal Industry based its statement that 95 per cent of the creameries of the country were in an insanitary condition, and that sort of information is made a part of the preamble of a resolution and is sent broadcast over this land. That is the thing to which I object. [Applause.] I desire to take these few minutes to make this statement on the floor of the House, and to give notice that at the proper time, if this resolution should be reported to the House, I shall take the opportunity to present my views at length upon the proposition.

Mr. LEVER. Mr. Chairman, I move the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12717, the Agricultural appropriation bill, and had come to no resolution thereon.

HOUR OF MEETING.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. MANN. Mr. Speaker, yesterday there was reported from the Committee on Patents two bills, one extending the patent of the badge of the Daughters of the American Revolution and one extending the patent of the Daughters of the Confederacy. The latter bill was placed on the House Calendar, whereas the former bill was placed on the Private Calendar. Evidently both bills should go to the same calendar, and I ask unanimous consent that Senate bill 4889, the one relating to the badge of the Daughters of the American Revolution, may be transferred from the Private Calendar to the House Calendar.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. MANN. I would suggest possibly we might take up and pass both bills, if the gentleman is willing.

Mr. OGLESBY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 4889, and then I ask unanimous consent for the immediate consideration of the bill H. R. 12481, or I might couple the two together. Those are the bills to which the gentleman from Illinois has just referred.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the immediate consideration of these two bills. This is not unanimous-consent day, but the Chair will put the motion.

Mr. MANN. I may say the reason for making the request is that the Daughters of the American Revolution meet in the city here——

Mr. FINLEY. Mr. Speaker, I would like to have the bills reported.

The SPEAKER. The Clerk will report both bills by title.

The Clerk read as follows:

S. 4889, to permanently renew patent No. 21053, and H. R. 12481, granting an extension of patent to the United Daughters of the Confederacy.

The SPEAKER. Is there objection to the present consideration of both of these bills? [After a pause.] The Chair hears none.

The SPEAKER. The Clerk will report the first bill.

The Clerk read as follows:

An act (S. 4889) to permanently renew patent No. 21053.

Be it enacted, etc., That a certain design patent issued by the United States Patent Office of date September 22, 1891, being patent No. 21053, is hereby permanently renewed and extended, with all the rights and privileges pertaining to the same as of the original patent, being generally known as the badge of the Daughters of the American Revolution, title thereto being hereby vested in the board of management of the National Society of the Daughters of the American Revolution and their successors in office.

The committee amendments were read, as follows:

Page 1, line 6, strike out the word "permanently."

Page 1, line 7, after the word "extended," insert the words "for a period of 14 years from and after the passage of this act."

Page 1, line 11, after the word "Revolution," strike out the words "title thereto being hereby vested in the Board of Management of the National Society of the Daughters of the American Revolution and their successors in office."

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

Mr. OGLESBY. Mr. Speaker, I ask unanimous consent that the title of the bill may be amended by striking out the word "permanently" after the word "to" in the first line.

The SPEAKER. Without objection, the title will be so amended.

There was no objection.

The SPEAKER. The Clerk will report the next bill.

The Clerk read as follows:

A bill (H. R. 12481) granting an extension of patent to the United Daughters of the Confederacy.

Be it enacted, etc., That the Commissioner of Patents be, and he is hereby, authorized and directed to grant an extension of patent covering the insignia of the United Daughters of the Confederacy to that organization during and for such period of time as the United Daughters of the Confederacy may be in existence as a national organization.

The committee amendment was read, as follows:

Strike out all of lines 3 to 8, on page 1, just read, and insert in lieu thereof the following:

"That a certain design patent issued by the United States Patent Office of date November 8, 1898, being patent No. 29611, is hereby renewed and extended for a period of 14 years from and after the passage of this act, with all the rights and privileges pertaining to the same as of the original patent, being generally known as the insignia of the United Daughters of the Confederacy."

The SPEAKER. This amendment just read is in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. OGLESBY, a motion to reconsider the votes by which the two bills were passed was laid on the table.

PENSIONS.

Mr. ADAIR. Mr. Speaker, I call up the bill (H. R. 14484) and ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman asks unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 14484) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. ADAIR. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none.

The Clerk read as follows:

A bill (H. R. 14484) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Thomas Klugh, late of Company B, Eighty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Leonidas C. Kilgore, late of Company A, Fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John T. Hetherlin, late of Company A, Fifth Regiment Pennsylvania Reserve Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Malinda Cannon, widow of Isaac W. Cannon, late of Company D, Fourteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Albert Peterson, late of Company H, First Regiment Indiana Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Benjamin F. Richardson, late of Company G, One hundred and thirty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Martha V. Baker, widow of William P. Baker, late of Company C, Seventh Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $12 per month.

The name of Samantha E. Clark, widow of John F. Clark, late of Company F, Fifty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Perry Brimberry, late of Company C, Forty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Pauline R. Wolf, former widow of Hermann Rohde, late of Battery F, Second Regiment Missouri Volunteer Light Artillery, and pay her a pension at the rate of $12 per month.

The name of Charles F. Anderson, late of Company E, Eighth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Orlando C. Limbocker, late of Company E, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mariah W. Smith, former widow of Robert J. Wilson, late of Company K, Two hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Mary A. Cardinal, widow of Joseph Cardinal, late of Company G, Second Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles Beavers, late of Company D, Ninety-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Malona J. Jones, widow of Marquis D. Jones, late of Company D, Seventh Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary E. Beal, widow of Charles B. Beal, late of Company G, Thirtieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Lewis Holley, late of Company I, Sixteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary Jane Strong, widow of Maston C. Strong, late of Company G, Fifty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of James Parmer, late of Company I, Thirty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Alexander Draper, late of Company D, Tenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elizabeth Lamere, widow of William M. Lamere, late of Company A, One hundred and sixty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Edward F. Phelps, late of Company C, Eighth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Levi Coon, late of Company E, Fifty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Francis M. Cain, late of Company L, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Frederick D. Owen, late of Company H, Forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William Trulove, late of Company F, Eleventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Charles A. Edwards, late of Company K, Thirteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Harriet C. Gillespie, former widow of William T. Stevenson, late commissary sergeant, Fifth Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of $12 per month.

The name of Elmira L. Stiles, widow of Mortimer Stiles, late of Company B, Thirteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Henry Mey, late of Company C, Twenty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William A. Bibbs, alias Albert Markham, late of Company G, One hundred and eighth Regiment United States Colored Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Katherine Glaser, widow of Mathias Glaser, late of Company F, Eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Franklin T. Randall, late of Company K, One hundred and seventy-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Savilla Milligan, widow of Beverly W. Milligan, late of Company B, Fourteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Fay Milligan, helpless and dependent child of said Beverly W. Milligan, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Savilla Milligan the name of said Fay Milligan shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Savilla Milligan.

The name of William H. Hudson, late of Company K, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary M. Duffy, former widow of Lawson Duffy, late of Company E, Ninth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Woodman S. Sample, late of Company E, Sixty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Horatio R. Hutchinson, late of Company F, One hundred and seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William W. Blachly, late of Company H, Ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Isaac Sloan, late of Company A, Forty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Matilda Buffham, widow of George Buffham, late of Company F, Thirty-ninth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Rebecca Phipps, widow of John Phipps, late of Company A, Thirty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Joseph Dryden, late of Company H, One hundred and eighty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Adeline Temple, widow of Joseph Temple, late of Company D, Sixty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Helen Conrad, widow of Otto Conrad, late a landsman, United States Navy, and pay her a pension at the rate of $12 per month.

The name of Fannie A. McNear, widow of Thomas McNear, late of Company E, First Battalion, Maine Sharpshooters, and Company E, Twentieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of America J. Austin, former widow of Theoren Austin, late of Company G, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of William L. Ford, late of Company E, Seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William R. Williams, late of Companies D and E, Fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Collins Washburn, late of Battery F, First Ohio Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Edward A. Davenport, late first lieutenant and commissary Ninth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Henry Hallman, late of Company M, Fifth Regiment Pennsylvania Heavy Artillery, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Melinda Hubert, widow of Nelson Hubert, late of Company D, Third Regiment Massachusetts Heavy Artillery, and pay her a pension at the rate of $12 per month.

The name of Lucy A. Hopkins, widow of Thomas H. Hopkins, late of Companies A and K, Second Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of William Muer, late of Company H, Forty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Hasty, late of Company F, Second Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Samuel Morrow, late of Company H, One hundred and fifty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that is now receiving.

The name of Silas Hunley, late of Company C, Second Regiment West Virginia Veteran Infantry, and Company K, Fourth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Adeline Lampman, widow of Isaac Lampman, late of Company G, Ninety-eighth Regiment New York Volunteer Infantry, and Company I, Twenty-sixth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of John Maquet, late of Company F, Second Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Helen M. Lind, widow of Robert J. Lind, late of Company A, First Regiment Ohio Volunteer Heavy Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Samantha J. Wood, widow of David R. Wood, late of Company C, Nineteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary F. Wilkinson, widow of William Wilkinson, late of Company E, Third Regiment Massachusetts Militia Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Myra A. Putnam, widow of John F. Putnam, late commissary sergeant Seventeenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Anna M. Kesselring, widow of Adam Kesselring, late of Company C, Fourth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of John W. Flook, late of Company H, Twentieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Mary A. Caulk, widow of Jacob Caulk, late of Company B, First Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Charles Copenspire, late of Company K, One hundred and sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Daniel V. Hamilton, late of Company B, Thirty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Johnson, late of Company K, Sixty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Abashabe Nolen, widow of Reuben Nolen, late of Company K, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Catherine Bangs, widow of William C. Bangs, late of Company I, Thirteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The name of Henry R. Thomas, late of Company I, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Noble Bryant, late of Company H, Sixth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John R. McReynolds, late of Company H, First Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Vicy Baldridge, widow of John Baldridge, late of Company A, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Esther A. Webb, widow of Frank B. Webb, late of Company M, Third Regiment, and Company C, Eleventh Regiment, Missouri Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Catherine Gardner, widow of Aaron B. Gardner, late of Company D, Eighteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Nathan D. Gardner, helpless and dependent child of said Aaron B. Gardner, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Catherine Gardner the name of said Nathan D. Gardner shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Catherine Gardner.

The name of Julia A. Slaybaugh, former widow of Levi Slaybaugh, late of Company I, Seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Wilson H. McKinney, late of Company A, Thirty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Benjamin F. Triplett, late of Company A, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Albert A. Freeman, late of Company H, First Regiment Arkansas Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Martin Johnson, late of Company G, Thirty-fifth Regiment Kentucky Mounted Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Anna S. Duffner, widow of William Duffner, late of Company H, Twenty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Joseph A. Hollingsworth, late of Company D, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Levi H. Colburn, late a seaman, United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ammi D. Seabury, late of Company E, Seventeenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William Benjamin, late of Company B, Eighth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joel Alidaffer, late of Company A, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of David Luke, late of Company C, One hundred and forty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hugh M. Parkinson, late of Company H, Fortieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jane Curry, widow of John F. Curry, late of Company K, Second Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary T. Green, former widow of Thaddeus Albert, late of Company F, Eighty-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Ferdinand Mittelstaedt, late of Company H, Third Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Gurney E. Hall, helpless and dependent child of Elijah P. Hall, late of Company D, Seventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The name of Kate A. Bowers, widow of John M. Bowers, late of Company K, Tenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah J. Milligan, widow of James G. Milliagn, late of Company D, Twenty-second Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of John M. Barkly, late of Company G, One hundred and ninety-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Emma Richards, helpless and dependent child of George W. Richards, sr., late of Company B, Eightieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of William H. Palmer, late of Company B, Sixty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Robert Kerr, late of Company I, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Anna C. Shaffer, former widow of Peter Shaffer, late of Company D, One hundred and fifty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Addie D. Garvin, widow of John M. Garvin, late of Company C, One hundred and twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Andrew J. Craig, late of Company C, Sixth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles B. Kemp, late of Company F, Fifty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Augusta Anderson, widow of Frank W. Anderson, late of Companies I and D, Ninth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Catherine Brennan, widow of John P. Brennan, late captain of the hold, United States Navy, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The name of Francis M. Sexton, late of Company D, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jane A. Dickinson, widow of William M. Dickinson, late of Company M, First Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah E. Benjamin, former widow of Henry Ellison, late of Company D, One hundred and seventy-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Abby J. Cadwell, widow of Frank L. Cadwell, late of Company E, Twentieth Regiment Connecticut Volunteer Infantry, and Company G, Second Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Elizabeth Denges, former widow of George Denges, late of Company E, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of John Carey, late of Company B, Seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Edward Walsh, late of Company A, Battalion Nineteen, Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Johanna Burke, former widow of Patrick Stanley, late of Companies G and K, Thirty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of William A. Jones, late of Company C, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Azariah Rankin, late of Companies H and C, Seventh Regiment West Virginia Volunteer Infantry, and Company F, Sixth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Dora Huffman, helpless and dependent child of Henry Huffman, late of Company I, One hundred and thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Joseph C. Yutzy, late of Company C, Fifty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Eliza Crippen, widow of Joseph M. Crippen, late of Company I, First Regiment United States Infantry, and Company K, First Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Anderson Scott, late of Company K, Third Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $22.50 per month in lieu of that he is now receiving.

The name of Walter J. Wall, late of Fourth Independent Company, Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary A. Blodgett, widow of Joseph C. Blodgett, late of Company E, Second Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Francis A. Baxter, late of Company I, First Regiment Missouri State Militia Infantry, and Company A, Fourteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eliza Ellard, widow of Dennis Ellard, late of Company B, First Battalion, Twelfth Regiment United States Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Albert Sanders, late of Company C, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jonathan M. Glatfelter, late of Company H, Two hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sarah H. Matheny, widow of Nathaniel B. Matheny, late of Company D, Seventeenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Charles Claudius Early, late of Company D, Forty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John W. Bigelow, late of Company E, Thirty-second Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George W. Alt, late of Company A, Twenty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elias C. Decker, late of Company G, One hundred and eighty-seventh Regiment, and Company B, One hundred and seventy-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George Vansickle, late of Company B, One hundred and eighty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Henry A. Kline, late of Company K, One hundred and fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Melvina A. Horner, widow of John R. Horner, late of Company E, Eighth Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah Jane Clark, widow of Morgan Clark, late of Company H, Fourteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Jonathan B. Davis, alias John B. Davis, late of Company D, Ninth Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of George W. Zigler, late of Company K, One hundred and seventeenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George B. Cock, late of Company F, Fourth Regiment Ohio Volunteer Infantry, and Company G, Fifth Regiment United States Colored Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph E. Wierman, late of Company I, One hundred and twenty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Cornelia N. Cliffe, widow of James A. Cliffe, late of Company L, First Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Homer Day, late of Company H, One hundred and seventieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Adair, late of Company B, Seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Cynthia J. A. Grant, widow of Patrick Grant, late of Company H, Fourth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James T. Inmon, late of Company G, Tenth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Thornton A. Merrifield, late of Company A, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Flood, late of Company D, Ninety-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Peter M. Simon, late of Company K, Twenty-first Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Honora Gallagher, widow of Charles Gallagher, late of Company E, Thirty-seventh Regiment New York State Militia Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Harriet M. Badger, widow of Bracket H. Badger, late of Company G, Thirteenth Regiment New York State Militia Heavy Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Frank H. Converse, late of Company D, Eleventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Eli Cotton, late of Company E, One hundred and forty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John F. Pearce, late of Company G, Two hundred and sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Elisha Morton, late of Company K, Eighth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hanson Harmon, late o Company C, One hundred and fifty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Hollingsworth Gipe, late of Company C, First Regiment Maryland Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Margaret J. Burbridge, widow of John J. Burbridge, late of Company C, Third Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Amos J. Moore, late of Company H, One hundred and eighteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James H. Larimer, late of Company C, Tenth Regiment Iowa Volunteer Infantry, and pay him a pension at .he rate of $50 per month in lieu of that he is now receiving.

The name of Bathsheba Newman, widow of Egbert Newman, late of Company D, Seventy-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James M. Pritchett, late of Company A, Ninth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John Ebert, late of Company A, One hundred and fourteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James Reynolds, late of Company C, Fourth Regiment United States Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Orilla F. Porter, widow of Milo Porter, late of Companies F and E, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of William F. Harrold, late of Company A, Thirteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary A. Ryan, widow of John Ryan, late of Company K, One hundred and eighty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Elbridge Jacobs, late of Company G, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Louise H. Crombie, widow of Abner B. Crombie, late of Company C, Eleventh Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

he name of Annie C. Duncan, widow of Sebastian Duncan, late of Company E, Thirteenth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The name of Martha Brewer, widow of Ebenezer Brewer, late of Company E, Fourteenth Regiment Michigan Volunteer Infantry, and Company C, Fourth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Mary E. Jahn, widow of Charles F. Jahn, late of Company D, Fifteenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The name of Jemima Clevenger, former widow of Henry Richardson, late of Company M, Twelfth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Rhoda Villers, widow of Alva Villers, late of Company K, Fourteenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Samuel Bridgeforth, late of Company D, One hundred and eleventh Regiment United States Colored Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Cecilia McCullough, helpless and dependent child of Daniel McCullough, late of Companies H and A, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Clara May Armstrong, helpless and dependent child of Cassius M. Armstrong, late of Company C, Ninth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Elizabeth Humelbaugh, widow of William F. Humelbaugh, late of Company F, Two hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Sadie Humelbaugh, helpless and dependent child of said William F. Humelbaugh, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Elizabeth Humelbaugh, the name of said Sadie Humelbaugh shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Elizabeth Humelbaugh.

The name of Patrick Gillin, late of Company C, Third Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Fuller, late of Company I, First Regiment Michigan Sharp Shooters, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mariett Geer, widow of Samuel E. Geer, late of Company C, Seventh Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John Dill, late of Company H, Ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Hubert W. Mealing, late of Company F, First Regiment New York Engineers, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elizabeth Combs, widow of William W. Combs, late of Company G, Twenty-second Regiment, and Company A, Seventh Regiment, Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Jacob H. Wierman, late of Company B, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Adelbert Price, late of Company H, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Arthur Robinson, late of Company H, One hundred and thirty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Kitty E. Farr, former widow of Charles McCoy, late of Company D, Fifth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Mariah L. Phillips, former widow of Nathaniel Edwards, late of Company F, Twenty-second Regiment, and Company D, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Elizabeth Wolfver, former widow of Selah Baxter, late of Company G, Twenty-sixth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Michael Burke, late of Company H, First Regiment Vermont Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Myra Bethia Young, widow of James A. Young, late of Company D, Second Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Josephine Sibley, widow of Solomon Sibley, late of Company D, Second Battalion, District of Columbia Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Celia F. Congdon, widow of George B. Congdon, late major and additional paymaster, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Clara A. Stott, widow of William W. Stott, late of Company K, One hundred and twenty-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The name of John G. W. Book, late of Company E, One hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Julia A. Keach, widow of James M. Keach, late of Company G, Second Regiment United States Volunteer Sharpshooters, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Amanda B. Keach, helpless and dependent child of said James M. Keach, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Julia A. Keach the name of said Amanda B. Keach shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Julia A. Keach.

The name of John C. Swaney, late of Company G, Thirty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Richard W. Walker, late of Company G, First Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Josephine Nolot, helpless and dependent child of Claud F. Nolot, late of Company E, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Helen L. Chadwick, widow of John M. Chadwick, late of Company E, Twenty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William Wood, late of Company B, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Harding, late of Company A, One hundred and eighty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Samuel B. Turner, late of Company A, One hundred and thirty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Perry Black, late of Company F, Twelfth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Bernard O'Reilly, late of United States Marine Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas M. Johnson, late assistant surgeon, Twenty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James Sillett, late of Company F, Fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Margaret E. Cullers, widow of Jacob M. Cullers, late of Company A, Fifth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The name of George F. Richardson, late of Company A, Eighty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Black, late of Fourth Independent Company Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Courtney, late of Company K, Fifty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Sarah E. Hardy, widow of James G. W. Hardy, late of Company K, Eleventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Rebecca Hoge, widow of George W. Hoge, late of Company H, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah R. Sanks, widow of George W. Sanks, late of Company I, One hundred and forty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The name of Ella Heminger, helpless and dependent child of James M. Heminger, late of Company K, Thirteenth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Davis S. Milligen, late of Company B, Third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Marietta L. Adams, widow of Edgar A. Adams, late of Company A, Sixth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah E. McCann, widow of Francis McCann, late of Company K, Fourth Regiment Rhode Island Infantry, and First Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $32 per month in lieu of that she is now receiving: *Provided*, That in the event of of the death of Francis E. McCann, helpless and dependent child of said Francis McCann, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sarah E. McCann the name of said Francis E. McCann shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Sarah E. McCann.

The name of Angeline Jackson, widow of Cyrus A. Jackson, late of Company H, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Sarah E. Jackson, helpless and dependent child of said Cyrus A. Jackson, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Angeline Jackson, the name of said Sarah E. Jackson shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the death of said Angeline Jackson.

The name of Annie Morrison, widow of James Morrison, late a seaman, United States Navy, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The foregoing bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 795. Thomas Klugh.
H. R. 979. Leonidas C. Kilgore.
H. R. 1262. John T. Hetherlin.
H. R. 1265. Malinda Cannon.
H. R. 1301. Albert Peterson.
H. R. 1328. Benjamin F. Richardson.
H. R. 1359. Martha V. Baker.
H. R. 1369. Samantha E Clark.
H. R. 1478. Perry Brimberry.
H. R. 1595. Pauline R. Wolf.
H. R. 1615. Charles F. Anderson.
H. R. 1676. Orlando C. Limbocker.
H. R. 1708. Mariah W. Smith.
H. R. 1767. Mary A. Cardinal.
H. R. 1786. Charles Beavers.
H. R. 1862. Malona J. Jones.
H. R. 1909. Mary E. Beal.
H. R. 2112. Lewis Holley.
H. R. 2256. Mary Jane Strong.
H. R. 2283. James Parmer.
H. R. 2527. Alexander Draper.
H. R. 2571. Elizabeth Lamere.
H. R. 2589. Edward F. Phelps.
H. R. 2667. Levi Coon.
H. R. 2733. Francis M. Cain.
H. R. 2792. Frederick D. Owen.
H. R. 2873. William Trulove.
H. R. 2895. Charles A. Edwards.
H. R. 3301. Harriet C. Gillespie.
H. R. 3748. Elmira L. Stiles.
H. R. 3825. Henry Mey.
H. R. 3923. William A. Bibbs.
H. R. 4062. Katherine Glaser.
H. R. 4075. Franklin T. Randall.
H. R. 4210. Savilla Milligan.
H. R. 4325. William H. Hudson.
H. R. 4385. Mary M. Duffy.
H. R. 4412. Woodman S. Sample.
H. R. 4496. Horatio R. Hutchinson.
H. R. 4511. William W. Blachly.
H. R. 4598. Isaac Sloan.
H. R. 4617. Matilda Buffham.
H. R. 4854. Rebecca Phipps.
H. R. 4924. Joseph Dryden.
H. R. 4976. Adeline Temple.
H. R. 4977. Helen Conrad.
H. R. 5036. Fannie A. McNear.
H. R. 5039. America J. Austin.
H. R. 5069. William L. Ford.
H. R. 5098. William R. Williams.
H. R. 5109. Collins Washburn.
H. R. 5391. Edward A. Davenport.
H. R. 5462. Henry Hallman.
H. R. 5494. Melinda Hubert.
H. R. 5647. Lucy A. Hopkins.
H. R. 5694. William Muer.
H. R. 5750. Charles Hasty.
H. R. 5890. Samuel Morrow.
H. R. 5909. Silas Hunley.
H. R. 5915. Adeline Lampman.
H. R. 5998. John Maguet.
H. R. 6111. Helen M. Lind.
H. R. 6132. Samantha J. Wood.
H. R. 6148. Mary F. Wilkinson.
H. R. 6278. Myra A. Putnam.
H. R. 6279. Anna M. Kesselring.
H. R. 6326. John W. Flook.
H. R. 6392. Mary A. Caulk.
H. R. 6395. Charles Copenspire.
H. R. 6401. Daniel V. Hamilton.
H. R. 6605. James Johnson.
H. R. 6622. Abashabe Nolen.
H. R. 6663. Catherine Bangs.
H. R. 6989. Henry R. Thomas.
H. R. 7000. Noble Bryant.
H. R. 7150. John R. McReynolds.
H. R. 7207. Vicy Baldridge.
H. R. 7338. Esther A. Webb.
H. R. 7392. Catherine Gardner.
H. R. 7464. Julia A. Slaybaugh.
H. R. 7489. Wilson H. McKinney.
H. R. 7494. Benjamin F. Tripiett.
H. R. 7514. Albert A. Freeman.
H. R. 7867. Martin Johnson.
H. R. 7943. Anna S. Duffner.
H. R. 8101. Joseph A. Hollingsworth.
H. R. 8103. Levi H. Colburn.
H. R. 8135. Ammi D. Seabury.
H. R. 8158. William Benjamin.
H. R. 8170. Joel Alldaffer.
H. R. 8186. David Luke.
H. R. 8216. Hugh M. Parkinson.
H. R. 8337. Jane Curry.
H. R. 8373. Mary T. Green.
H. R. 8399. Ferdinand Mittelstaedt.
H. R. 8428. Gurney E. Hall.
H. R. 8772. Kate A. Bowers.
H. R. 8879. Sarah J. Milligan.
H. R. 8890. John M. Barkly.
H. R. 8899. Emma Richards.
H. R. 9001. William H. Palmer.
H. R. 9012. Robert Kerr.
H. R. 9024. Anna C. Shaffer.
H. R. 9081. Addie D. Garvin.
H. R. 9193. Andrew J. Craig.
H. R. 9252. Charles B. Kemp.
H. R. 9362. Augusta Anderson.
H. R. 9371. Catherine Brennan.
H. R. 9390. Francis M Sexton.
H. R. 9473. Jane A. Dickinson.
H. R. 9499. Sarah E. Benjamin.
H. R. 9495. Abby J. Cadwell.
H. R. 9632. Elizabeth Denges.
H. R. 9773. John Carey.
H. R. 9737. Edward Walsh.
H. R. 9777. Johanna Burke.
H. R. 9957. William A. Jones.
H. R. 10077. Azariah Rankin.
H. R. 10272. Dora Huffman.
H. R. 10283. Joseph C. Yutzy.
H. R. 10284. Eliza Crippen.
H. R. 10326. Anderson Scott.
H. R. 10347. Walter J. Wall.
H. R. 10534. Mary A. Blodgett.
H. R. 10554. Francis A. Baxter.
H. R. 10650. Eliza Eliard.
H. R. 10680. Albert Sanders.
H. R. 10716. Jonathan M. Glatfelter.
H. R. 10733. Sarah H. Matheny.
H. R. 10777. Charles Claudius Early.
H. R. 10964. John W. Bigelow.
H. R. 10975. George W. Ait.
H. R. 10976. Elias C. Decker.
H. R. 10995. George Vansickle.
H. R. 11021. Henry A. Kline.
H. R. 11024. Melvina A. Horner.
H. R. 11040. Sarah Jane Clark.
H. R. 11054. Jonathan B. Davis.
H. R. 11061. George W. Zigler.
H. R. 11210. George B. Cock.
H. R. 11294. Joseph E. Welrman.
H. R. 11303. Cornelia N. Cliffe.
H. R. 11407. Homer Day.
H. R. 11462. John Adair.
H. R. 11517. Cynthia J. A. Grant.
H. R. 11554. James T. Inmon.
H. R. 11581. Thornton A. Merrifield.
H. R. 11577. John Flood.
H. R. 11668. Peter M. Simon.
H. R. 11691. Honora Gallagher.
H. R. 11736. Harriet M. Badger.
H. R. 11746. Frank H Converse.
H. R. 11761. Eli Cotton.
H. R. 11908. John G. Pearce.
H. R. 11938. Elisha Morton.
H. R. 12016. Hanson Harmon.
H. R. 12082. Hollingsworth Gipe.
H. R. 12138. Margaret J Burbridge.
H. R. 12160. Amos J. Moore.
H. R. 12171. James H. Larimer.
H. R. 12220. Bathsheba Newman.
H. R. 12225. James M. Pritchett.
H. R. 12246. John Ebert.
H. R. 12273. James Reynolds.
H. R. 12296. Orilla F. Porter.
H. R. 12329. William F. Harrold.
H. R. 12335. Mary A. Ryan.
H. R. 12346. Elbridge Jacobs.
H. R. 12350. Louise H. Crombie.
H. R. 12450. Annie C. Duncan.
H R. 12518. Martha Brewer.
H. R. 12562. Mary E. Jahn.
H. R. 12605. Jemima Clevenger.
H. R. 12690. Rhoda Villers.
H. R. 12754. Samuel Bridgeforth.
H. R. 12783. Cecilia McCullough.
H. R. 12801. Clara May Armstrong.
H. R. 12802. Elizabeth Humelbaugh.
H. R 12804. Patrick Gillin.
H. R. 12817. John Fuller.
H. R. 12822. Mariett Geer.
H. R. 12845. John Dill.
H. R. 12863. Hubert W. Mealing.
H. R. 12867. Elizabeth Combs.
H. R. 12878. Jacob H. Wierman.
H. R. 12907. Adelbert Price.
H. R. 12934. Arthur Robinson.
H. R. 12982. Kitty E. Farr.
H. R. 12990. Mariah L. Phillips.
H. R. 13009. Elizabeth Woliver.
H. R. 13031. Michael Burke.
H. R. 13089. Myra Bethia Young.
H. R. 13095. Josephine Sibley.
H. R. 13123. Celia F. Congdon.
H. R. 13144. Clara A. Stott.
H. R. 13156. John G. W. Book.
H. R. 13159. Julia A. Keach.
H. R. 13175. John C. Swaney.

H. R. 13207. Richard W. Walker.
H. R. 13238. Josephine Nolot.
H. R. 13255. Helen L. Chadwick.
H. R. 13297. William Wood.
H. R. 13307. George W. Harding.
H. R. 13313. Samuel B. Turner.
H. R. 13396. Perry Back.
H. R. 13411. Bernard O'Reilly.
H. R. 13467. Thomas M. Johnson.
H. R. 13494. James Sillett.
H. R. 13558. Margaret E. Cullers.
H. R. 13573. George I. Richardson.
H. R. 13639. John Black.
H. R. 13640. John Courtney.
H. R. 13660. Sarah E. Hardy.
H. R. 13700. Rebecca Hoge.
H. R. 13701. Sarah R. Sanks.
H. R. 13808. Ella Heminger.
H. R. 13876. David S. Milliken.
H. R. 13970. Marietta L. Adams.
H. R. 14055. Sarah E. McCann.
H. R. 14091. Angeline Jackson.
H. R. 14235. Annie Morrison.

During the reading of the bill the following occurred:

Mr. ADAIR. Mr. Speaker, I desire to offer a committee amendment. I move to amend, page 12, line 2, by striking out "$12" and inserting in lieu thereof "$20."

The question was taken, and the amendment was agreed to.

Mr. SWITZER. Mr. Speaker, I desire to offer an amendment.

On page 12, line 3, the spelling of the name "Maquet" is "Maguet." I move to substitute the letter "g" for the letter "q."

The question was taken, and the amendment was agreed to.

Mr. CRISP. Mr. Speaker, I offer the following amendment.

The SPEAKER pro tempore (Mr. RUBEY). The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 20, line 24, strike out "$12" and insert "$20." (Pension of Orilla F. Porter.)

Mr. CRISP. Mr. Speaker, I have no complaint whatever to make of the Committee on Invalid Pensions. They have a rule that in first granting a pension to a widow they will not grant more than $12 a month. I talked with the acting chairman of this committee, the gentleman from Indiana [Mr. ADAIR], before I offered this amendment. He did not feel authorized to accept it, but I want to lay the facts before the House. This widow married the soldier in 1863, and therefore she is a war widow. She lived with the soldier until the spring of 1892, and in June, 1892, obtained a divorce from him. In October of the same year the widow remarried the soldier and lived with him up to to his death, in 1911. The soldier was drawing a pension at the time of his death of thirty-odd dollars. Upon his death the widow applied to the Pension Office for a pension, and the Office, under the strict letter of the law, rejected her, holding that she was a widow of the marriage of 1892, subsequent to the act of 1890, and was not entitled to a pension.

This woman is 78 years old. She is feeble. She has no property and is dependent on her neighbors for support. At best she has but a short while to live. I apprehend if it was not for the rule of the committee the committee would have been glad to have granted this pension at $20 a month.

Mr. SHERWOOD. Mr. Speaker, the committee will agree to the amendment. [Applause.]

Mr. CRISP. I thank the committee.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER pro tempore. The Clerk will read.

The Clerk concluded the reading of the bill.

The SPEAKER (after having resumed the chair). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. ADAIR, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. VINSON. Mr. Speaker, I desire to call up the bill H. R. 14576 and ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 14576) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and the widows of such soldiers and sailors.

The SPEAKER. The gentleman from Georgia [Mr. VINSON] asks unanimous consent that this bill be considered in the House as in the Committee of the Whole. Is there objection?

There was no objection.

Mr. VINSON. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Mary E. Bacon, widow of Harvey S. Bacon, late of Company K, Fifty-first Regiment Iowa Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Alexander M. Rainey, late of Companies E, Second, and D, First, Recruiting Battalion, Second Regiment Oregon Mounted Volunteers, in Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of August Johns, late of Company H, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Mary Gould, widow of George K. Gould, late of Company M, One hundred and sixty-first Regiment Indiana Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the two minor children of the said George K. Gould until they reach the age of 16 years.

The name of Harry J. Symonds, late of Company K, Second Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of James Watson, late of Company D, Second Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Emily Gerardin, widow of Benjamin M. Gerardin, late first lieutenant and adjutant, Fourth Regiment New Jersey Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of William P. Walpole, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Frank C. Lamp, late of Troop I, Fifth United States Cavalry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Sarah Dwyer, widow of Morgan Dwyer, late of Company F, Third Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of John F. W. Kuchenbecker, late of Company G, Second Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Sankey Gray, late of Company L, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Philip Bernhard, late of Troop H, Sixth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Ellen Kearns, widow of Thomas Kearns, late of Company I, Twenty-third Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of John N. Parker, late of Company C, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John C. Clark, late of Company E, Seventh Regiment United States Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of R. Roy Hamby, late of Company H, Sixteenth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harvey C. Van Meter, late of Company F, Thirty-second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $8 per month.

The name of Samuel Tygret, late of Company L, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Frank R. Porter, late of Troop A, Eleventh Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Julia M. Hill, widow of Frank M. Hill, late of Company H, Second Regiment Massachusetts Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the two minor children of the said Frank M. Hill until they reach the age of 16 years.

The name of Martin H. Gavin, late of Company E, Fifteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Mary A. Powell, widow of David J. Powell, late of Company I, Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Nora E. Singleton, widow of Lewis C. Singleton, late of the Signal Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Ambrose A. Clarke, late of Company I, Third Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month

The name of Frank B. Pauley, late of Company B, Fifth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary McKelvey, widow of William S. McKelvey, late of Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the four minor children of said William S. McKelvey until they reach the age of 16 years.

The name of Thomas F. Muldoon, late of Company G, Sixth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Alice T. McClaughry, widow of John G. McClaughry, late adjutant and first lieutenant, Third Regiment Illinois Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the two minor children of the said John G. McClaughry until they reach the age of 16 years.

The name of Christ Nelson, late of Company D, Thirteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Eliza L. Norwood, widow of William W. Norwood, late of Company I, Third Regiment United States Dragoons, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Joseph Roach, late of Company A, Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Lena Griffee, widow of Andrew Griffee, late of Company G, Nineteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the three minor children of the said Andrew Griffee until they reach the age of 16 years.

The name of Michael Burke, late of Company H, First Regiment Vermont Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Myra Bethia Young, widow of James A. Young, late of Company D, Second Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Josephine Sibley, widow of Solomon Sibley, late of Company D, Second Battalion, District of Columbia Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Celia F. Congdon, widow of George B. Congdon, late major and additional paymaster, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Clara A. Stott, widow of William W. Stott, late of Company K, One hundred and twenty-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The name of John G. W. Book, late of Company E, One hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Julia A. Keach, widow of James M. Keach, late of Company G, Second Regiment United States Volunteer Sharpshooters, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Amanda B. Keach, helpless and dependent child of said James M. Keach, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Julia A. Keach the name of said Amanda B. Keach shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Julia A. Keach.

The name of John C. Swaney, late of Company G, Thirty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Richard W. Walker, late of Company G, First Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Josephine Nolot, helpless and dependent child of Claud F. Nolot, late of Company E, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Helen L. Chadwick, widow of John M. Chadwick, late of Company E, Twenty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William Wood, late of Company B, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Harding, late of Company A, One hundred and eighty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Samuel B. Turner, late of Company A, One hundred and thirty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Perry Black, late of Company F, Twelfth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Bernard O'Reilly, late of United States Marine Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas M. Johnson, late assistant surgeon, Twenty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James Sillett, late of Company F, Fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Margaret E. Cullers, widow of Jacob M. Cullers, late of Company A, Fifth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The name of George F. Richardson, late of Company A, Eighty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Black, late of Fourth Independent Company Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Courtney, late of Company K, Fifty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Sarah E. Hardy, widow of James G. W. Hardy, late of Company K, Eleventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Rebecca Hoge, widow of George W. Hoge, late of Company H, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah R. Sanks, widow of George W. Sanks, late of Company I, One hundred and forty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The name of Ella Heminger, helpless and dependent child of James M. Heminger, late of Company K, Thirteenth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Davis S. Milligen, late of Company B, Third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Marietta L. Adams, widow of Edgar A. Adams, late of Company A, Sixth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah E. McCann, widow of Francis McCann, late of Company K, Fourth Regiment Rhode Island Infantry, and First Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $32 per month in lieu of that she is now receiving: *Provided*, That in the event of of the death of Francis E. McCann, helpless and dependent child of said Francis McCann, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sarah E. McCann the name of said Francis E. McCann shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Sarah E. McCann.

The name of Angeline Jackson, widow of Cyrus A. Jackson, late of Company H, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Sarah E. Jackson, helpless and dependent child of said Cyrus A. Jackson, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Angeline Jackson, the name of said Sarah E. Jackson shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the death of said Angeline Jackson.

The name of Annie Morrison, widow of James Morrison, late a seaman, United States Navy, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The foregoing bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 795. Thomas Klugh.
H. R. 979. Leonidas C. Kilgore.
H. R. 1262. John T. Hetherlin.
H. R. 1265. Malinda Cannon.
H. R. 1301. Albert Peterson.
H. R. 1328. Benjamin F. Richardson.
H. R. 1359. Martha V. Baker.
H. R. 1369. Samantha E Clark.
H. R. 1478. Perry Brimberry.
H. R. 1595. Pauline R. Wolf.
H. R. 1615. Charles F. Anderson.
H. R. 1676. Orlando C. Limbocker.
H. R. 1708. Mariah W. Smith.
H. R. 1767. Mary A. Cardinal.
H. R. 1786. Charles Beavers.
H. R. 1862. Malona J. Jones.
H. R. 1909. Mary E. Beal.
H. R. 2112. Lewis Holley.
H. R. 2256. Mary Jane Strong.
H. R. 2283. James Parmer.
H. R. 2527. Alexander Draper.
H. R. 2571. Elizabeth Lamere.
H. R. 2589. Edward F. Phelps.
H. R. 2667. Levi Coon.
H. R. 2733. Francis M. Cain.
H. R. 2792. Frederick D. Owen.
H. R. 2873. William Trulove.
H. R. 2895. Charles A. Edwards.
H. R. 3301. Harriet C. Gillespie.
H. R. 3748. Elmira L. Stiles.
H. R. 3825. Henry Mey.
H. R. 3923. William A. Bibbs.
H. R. 4062. Katherine Glaser.
H. R. 4075. Franklin T. Randall.
H. R. 4210. Savilla Milligan.
H. R. 4325. William H. Hudson.
H. R. 4385. Mary M. Duffy.
H. R. 4412. Woodman S Sample.
H. R. 4496. Horatio R. Hutchinson.
H. R. 4511. William W. Blachly.
H. R. 4598. Isaac Sloan.
H. R. 4617. Matilda Buffham.
H. R. 4854. Rebecca Phipps.
H. R. 4924. Joseph Dryden.
H. R. 4976. Adeline Temple.
H. R. 4977. Helen Conrad.
H. R. 5036. Fannie A. McNear.
H. R. 5039. America J. Austin.
H. R. 5069. William L. Ford.
H. R. 5098. William R. Williams.
H. R. 5109. Collins Washburn.
H. R. 5391. Edward A. Davenport.
H. R. 5462. Henry Hallman.
H. R. 5494. Melinda Hubert.
H. R. 5647. Lucy A. Hopkins.
H. R. 5694. William Muer.
H. R. 5750. Charles Hasty.
H. R. 5890. Samuel Morrow.
H. R. 5909. Silas Hunley.
H. R. 5915. Adeline Lampman.
H. R. 5998. John Maguet.
H. R. 6111. Helen M. Lind.
H. R. 6132. Samantha J Wood.
H. R. 6148. Mary F. Wilkinson.
H. R. 6278. Myra A. Putnam.
H. R. 6279. Anna M. Kesselring.
H. R. 6326. John W. Flook.
H. R. 6392. Mary A. Caulk.
H. R. 6395. Charles Copenspire.
H. R. 6401. Daniel V. Hamilton.
H. R. 6605. James Johnson.
H. R. 6622. Abashabe Nolen.
H. R. 6663. Catherine Bangs.
H. R. 6989. Henry R. Thomas.
H. R. 7000. Noble Bryant.
H. R. 7150. John R. McReynolds.
H. R. 7207. Vicy Baldridge.
H. R. 7338. Esther A. Webb.
H. R. 7392. Catherine Gardner.
H. R. 7464. Julia A. Slaybaugh.
H. R. 7489. Wilson H. McKinney.
H. R. 7494. Benjamin F. Triplett.
H. R. 7514. Albert A. Freeman.
H. R. 7867. Martin Johnson.
H. R. 7943. Anna S. Duffner.
H. R. 8101. Joseph A. Hollingsworth.
H. R. 8103. Levi H. Colburn.
H. R. 8135. Ammi D. Seabury.
H. R. 8158. William Benjamin.
H. R. 8170. Joel Alldaffer.
H. R. 8186. David Luke.
H. R. 8216. Hugh M. Parkinson.
H. R. 8337. Jane Curry.
H. R. 8373. Mary T. Green.
H. R. 8399. Ferdinand Mittelstaedt.
H. R. 8428. Gurney E. Hall.
H. R. 8772. Kate A. Bowers.
H. R. 8879. Sarah J. Milligan.
H. R. 8890. John M. Barkly.
H. R. 8899. Emma Richards.
H. R. 9001. William H. Palmer.
H. R. 9012. Robert Kerr.
H. R. 9024. Anna C. Shaffer.
H. R. 9081. Addie D. Garvin.
H. R. 9193. Andrew J. Craig.
H. R. 9252. Charles B. Kemp.
H. R. 9362. Augusta Anderson.
H. R. 9371. Catherine Brennan.
H. R. 9390. Francis M Sexton.
H. R. 9473. Jane A. Dickinson.
H. R. 9499. Sarah E. Benjamin.
H. R. 9495. Abby J. Cadwell.
H. R. 9632. Elizabeth Denges.
H. R. 9773. John Carey.
H. R. 9737. Edward Walsh.
H. R. 9777. Johanna Burke.
H. R. 9957. William A. Jones.
H. R. 10077. Azariah Rankin.
H. R. 10272. Dora Huffman.
H. R. 10283. Joseph C. Yutzy.
H. R. 10284. Eliza Crippen.
H. R. 10326. Anderson Scott.
H. R. 10347. Walter J. Wall.
H. R. 10534. Mary A. Blodgett.
H. R. 10554. Francis A. Baxter.
H. R. 10630. Eliza Eliard.
H. R. 10680. Albert Sanders.
H. R. 10716. Jonathan M. Glatfelter.
H. R. 10733. Sarah H. Matheny.
H. R. 10777. Charles Claudius Early.
H. R. 10964. John W. Bigelow.
H. R. 10975. George W. Ait.
H. R. 10976. Elias C. Decker.
H. R. 10995. George Vansickle.
H. R. 11021. Henry A. Kline.
H. R. 11024. Melvina A. Horner.
H. R. 11040. Sarah Jane Clark.
H. R. 11054. Jonathan B. Davis.
H. R. 11061. George W. Zigler.
H. R. 11210. George B. Cock.
H. R. 11294. Joseph E. Weirman.
H. R. 11303. Cornelia N. Cliffe.
H. R. 11407. Homer Day.
H. R. 11462. John Adair.
H. R. 11517. Cynthia J. A. Grant.
H. R. 11554. James T. Inmon.
H. R. 11581. Thornton A. Merrifield.
H. R. 11577. John Flood.
H. R. 11668. Peter M. Simon.
H. R. 11691. Honora Gallagher.
H. R. 11736. Harriet M. Badger.
H. R. 11746. Frank H Converse.
H. R. 11761. Eli Cotton.
H. R. 11908. John G. Pearce.
H. R. 11938. Elisha Morton.
H. R. 12016. Hanson Harmon.
H. R. 12082. Hollingsworth Gipe.
H. R. 12138. Margaret J Burbridge.
H. R. 12160. Amos J. Moore.
H. R. 12171. James H. Larimer.
H. R. 12220. Bathsheba Newman.
H. R. 12225. James M. Pritchett.
H. R. 12246. John Ebert.
H. R. 12273. James Reynolds.
H. R. 12296. Orilla F. Porter.
H. R. 12329. William F. Harrold.
H. R. 12335. Mary A. Ryan.
H. R. 12346. Elbridge Jacobs.
H. R. 12350. Louise H. Crombie.
H. R. 12450. Annie C. Duncan.
H. R. 12518. Martha Brewer.
H. R. 12562. Mary E. Jahn.
H. R. 12665. Jemima Clevenger.
H. R. 12690. Rhoda Villers.
H. R. 12754. Samuel Bridgeforth.
H. R. 12783. Cecilia McCullough.
H. R. 12801. Clara May Armstrong.
H. R. 12802. Elizabeth Humelbaugh.
H. R. 12804. Patrick Gillin.
H. R. 12817. John Fuller.
H. R. 12822. Mariett Geer.
H. R. 12845. John Dill.
H. R. 12863. Hubert W. Mealing.
H. R. 12867. Elizabeth Combs.
H. R. 12878. Jacob H. Wierman.
H. R. 12907. Adelbert Price.
H. R. 12934. Arthur Robinson.
H. R. 12982. Kitty E. Farr.
H. R. 12990. Mariah L. Phillips.
H. R. 13009. Elizabeth Wolfver.
H. R. 13031. Michael Burke.
H. R. 13089. Myra Bethia Young.
H. R. 13095. Josephine Sibley.
H. R. 13123. Celia F. Congdon.
H. R. 13144. Clara A. Stott.
H. R. 13156. John G. W. Book.
H. R. 13159. Julia A. Keach.
H. R. 13175. John C. Swaney.

H. R. 13207. Richard W. Walker.
H. R. 13238. Josephine Nolot.
H. R. 13255. Helen L. Chadwick.
H. R. 13297. William Wood.
H. R. 13307. George W. Harding.
H. R. 13313. Samuel B. Turner.
H. R. 13396. Perry Black.
H. R. 13411. Bernard O'Reilly.
H. R. 13467. Thomas M. Johnson.
H. R. 13494. James Sillett.
H. R. 13558. Margaret E. Cullers.
H. R. 13573. George I. Richardson.
H. R. 13639. John Black.
H. R. 13640. John Courtney.
H. R. 13660. Sarah E. Hardy.
H. R. 13700. Rebecca Hoge.
H. R. 13701. Sarah R. Sanks.
H. R. 13808. Ella Heminger.
H. R. 13876. David S. Milliken.
H. R. 13970. Marietta L. Adams.
H. R. 14055. Sarah E. McCann.
H. R. 14091. Angeline Jackson.
H. R. 14235. Annie Morrison.

During the reading of the bill the following occurred:

Mr. ADAIR. Mr. Speaker, I desire to offer a committee amendment. I move to amend, page 12, line 2, by striking out "$12" and inserting in lieu thereof "$20."

The question was taken, and the amendment was agreed to.

Mr. SWITZER. Mr. Speaker, I desire to offer an amendment.

On page 12, line 3, the spelling of the name "Maquet" is "Maguet." I move to substitute the letter "g" for the letter "q."

The question was taken, and the amendment was agreed to.

Mr. CRISP. Mr. Speaker, I offer the following amendment.

The SPEAKER pro tempore (Mr. RUBEY). The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 20, line 24, strike out "$12" and insert "$20." (Pension of Orilla F. Porter.)

Mr. CRISP. Mr. Speaker, I have no complaint whatever to make of the Committee on Invalid Pensions. They have a rule that in first granting a pension to a widow they will not grant more than $12 a month. I talked with the acting chairman of this committee, the gentleman from Indiana [Mr. ADAIR], before I offered this amendment. He did not feel authorized to accept it, but I want to lay the facts before the House. This widow married the soldier in 1863, and therefore she is a war widow. She lived with the soldier until the spring of 1892, and in June, 1892, obtained a divorce from him. In October of the same year the widow remarried the soldier and lived with him up to to his death, in 1911. The soldier was drawing a pension at the time of his death of thirty-odd dollars. Upon his death the widow applied to the Pension Office for a pension, and the Office, under the strict letter of the law, rejected her, holding that she was a widow of the marriage of 1892, subsequent to the act of 1890, and was not entitled to a pension.

This woman is 78 years old. She is feeble. She has no property and is dependent on her neighbors for support. At best she has but a short while to live. I apprehend if it was not for the rule of the committee the committee would have been glad to have granted this pension at $20 a month.

Mr. SHERWOOD. Mr. Speaker, the committee will agree to the amendment. [Applause.]

Mr. CRISP. I thank the committee.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER pro tempore. The Clerk will read.

The Clerk concluded the reading of the bill.

The SPEAKER (after having resumed the chair). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. ADAIR, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. VINSON. Mr. Speaker, I desire to call up the bill H. R. 14576 and ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 14576) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and the widows of such soldiers and sailors.

The SPEAKER. The gentleman from Georgia [Mr. VINSON] asks unanimous consent that this bill be considered in the House as in the Committee of the Whole. Is there objection?

There was no objection.

Mr. VINSON. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Mary E. Bacon, widow of Harvey S. Bacon, late of Company K, Fifty-first Regiment Iowa Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Alexander M. Rainey, late of Companies E, Second, and D, First, Recruiting Battalion, Second Regiment Oregon Mounted Volunteers, in Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of August Johns, late of Company H, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Mary Gould, widow of George K. Gould, late of Company M, One hundred and sixty-first Regiment Indiana Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the two minor children of the said George K. Gould until they reach the age of 16 years.

The name of Harry J. Symonds, late of Company K, Second Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of James Watson, late of Company D, Second Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Emily Gerardin, widow of Benjamin M. Gerardin, late first lieutenant and adjutant, Fourth Regiment New Jersey Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of William P. Walpole, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Frank C. Lamp, late of Troop I, Fifth United States Cavalry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Sarah Dwyer, widow of Morgan Dwyer, late of Company F, Third Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of John F. W. Kuchenbecker, late of Company G, Second Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Sankey Gray, late of Company L, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Philip Bernhard, late of Troop H, Sixth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Ellen Kearns, widow of Thomas Kearns, late of Company I, Twenty-third Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of John N. Parker, late of Company C, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John C. Clark, late of Company E, Seventh Regiment United States Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of R. Roy Hamby, late of Company H, Sixteenth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harvey C. Van Meter, late of Company F, Thirty-second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $8 per month.

The name of Samuel Tygret, late of Company L, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Frank R. Porter, late of Troop A, Eleventh Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Julia M. Hill, widow of Frank M. Hill, late of Company H, Second Regiment Massachusetts Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the two minor children of the said Frank M. Hill until they reach the age of 16 years.

The name of Martin H. Gavin, late of Company E, Fifteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Mary A. Powell, widow of David J. Powell, late of Company I, Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Nora E. Singleton, widow of Lewis C. Singleton, late of the Signal Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Ambrose A. Clarke, late of Company I, Third Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank B. Pauley, late of Company B, Fifth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary McKelvey, widow of William S. McKelvey, late of Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the four minor children of said William S. McKelvey until they reach the age of 16 years.

The name of Thomas F. Muldoon, late of Company G, Sixth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Alice T. McClaughry, widow of John G. McClaughry, late adjutant and first lieutenant, Third Regiment Illinois Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the two minor children of the said John G. McClaughry until they reach the age of 16 years.

The name of Christ Nelson, late of Company D, Thirteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Eliza L. Norwood, widow of William W. Norwood, late of Company I, Third Regiment United States Dragoons, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Joseph Roach, late of Company A, Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Lena Griffee, widow of Andrew Griffee, late of Company G, Nineteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the three minor children of the said Andrew Griffee until they reach the age of 16 years.

The name of Oscar Smith, late of Astor Battery, United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John E. Seeger, late of Company G, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John W. Stroup, late of Company I, Second Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Fred Windgoetter, late of Company A, Second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry Dana, late of Companies M, G, and A, Fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Melvin P. Campbell, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Henry W. Akers, late of Company F, Sixth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Hyram Colwell, late of Troop M, Twelfth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Frank E. Dorman, late of Fourth Company United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Fred Reidy, late of Company A, Tenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Patrick J. Hyde, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Clara B. Lowe, widow of Bert Lowe, late of Company K, Second Regiment Oregon Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Andy H. Frittz, late of Company H, Fourth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Moses A. Reimert, late of Company E, Fourth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Martin O'Loughlin, late of Company D, Fourth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John McMahon, late of Company E, Twenty-fourth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Fred Porter, late of Company C, Thirty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George H. Cope, late of Company D, First Battalion United States Engineers, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Charles P. Dovell, late of Company E, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Walker Anderson, late of Troop A, Tenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Edmund Gerber, late of Company B, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Dallas F. Jarvis, late of Troop G, Eighth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Richard W. Lewis, late of Company L, Eighteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Charlotte Poe, widow of Isaiah Poe, late of Capt. William Johnson's company, Missouri Militia, War of 1812, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Jonah E. Hill, late of Company M, Forty-third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harris D. Williamson, late of Company A, Second Regiment Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Thomas J. Reynolds, late of Troop D, First Regiment Ohio Cavalry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Frederick M. Hohmann, late of Company M, Twenty-first United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Frank H. Campbell, late of the band, First Regiment North Carolina Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Samuel B. McPheeters, late of the Medical Reserve Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Frank B. Norris, late of Company C, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Della A. Daubenspeck, widow of Lloyd M. Daubenspeck, late of Company F, Fifteenth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the four minor children of the said Lloyd M. Daubenspeck until they reach the age of 16 years.

The name of Hugh J. Gallagher, late of United States Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Mary C. Ryan, widow of William J. Ryan, late captain and commissary of subsistence, United States Volunteers, War with Spain, and pay her a pension at the rate of $12 per month.

The name of John J. Brogan, late of Company A, Signal Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Minnie Riffle, widow of Charles F. Riffle, late of Company K, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Bridget E. Williams, widow of Thomas Williams, late of Company B, First Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Frank E. Hill, late of Company H, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Mary Buckley, widow of John Buckley, late of Company B, Fourth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Thomas G. McEwan, late of Battery G, Sixth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John E. Lauer, late of Troop C, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Francis M. Lamb, late of Capt. Tracy's Company B, Battalion California Volunteers, Indian Wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William B. Clouse, late of Company F, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph D. Donellen, late of Company D, Twenty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Wiley A. Cadenhead, late of Company H, First Alabama Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Jesse J. Barnwell, late of the U. S. S. *Bancroft*, United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Howard W. Bingham (insane), late of Company G, Signal Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $12 per month. Pay to duly appointed guardian.

The name of Clara B. Hatfield, widow of Richard C. Hatfield, late of Company K, Seventeenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of William G. McCoy, jr., late of Company C, Third Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Archie F. Pejano, late of Troop C, First Ohio Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Bessie G. Bloodgood, widow of Edwin Bloodgood, late of Company C, First Regiment Nebraska Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the six minor children of said Edwin E. Bloodgood until they reach the age of 16 years.

The name of Louise Crane, widow of Richard E. Crane, late of Company M, Second Regiment Wisconsin Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of one minor child of the said Richard E. Crane until he reaches the age of 16 years.

The name of Phillip Klaus, late of Company C, Third Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Alphozine Bastian, dependent mother of Eli Bastian, late of Company D, Thirty-fourth Regiment Michigan Volunteer Infantry, and Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Louis F. Moebus, late chief musician, Second Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William A. Bannister, late of Company A, First Regiment Texas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Peter McVay, late of Company K, Twenty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Martha W. Hubbell, widow of William B. Hubbell, late of Company C, First Regiment Tennessee Mounted Infantry, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Matilda Delisle, widow of Joseph Delisle, late of Company G, Fifth Regiment United States Artillery, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of James O. Cotman, late of Company H, Twenty-fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Warren Whiteman, late of Company L, Thirteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Barbara Henderson, widow of John B. Henderson, late of Troop F, Third Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Susie Elgretta Henderson, helpless and dependent child of said John B. Henderson, the $12 additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Barbara Henderson the name of said Susie Elgretta Henderson shall be placed on the pension roll, subject to the limitations and provisions of the pension laws, at the rate of $12 per month from and after the death of said Barbara Henderson; and also $2 per month additional on account of the minor child, Edith G. Henderson, of said John B. Henderson shall be paid to the widow until she reaches the age of 16 years.

The name of Henry Juvenile, late of Troop M, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Mary Green, widow of William W. Green, late of Capt. Duncan's company of Ohio Mounted Volunteers, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Ralph H. Bryant, late of the United States Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Elizabeth Commons, widow of Benjamin L. Commons, late of Company G, First Regiment Tennessee Volunteer Infantry, War

with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John C. Koepplinger, late of Company C, Sixth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Adolph Dirmeyer, late of Company B, Second Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Roy Tow, late third-class electrician, United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of William H. Salisbury, late of Company B, Thirteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Julia E. Jones, widow of James L. Jones, late of Company C, Third Regiment Tennessee Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The foregoing bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 804. Mary E. Bacon.
H. R. 850. Alexander M. Rainey.
H. R. 1237. August Johns.
H. R. 1380. Mary Gould.
H. R. 1511. Harry J. Symonds.
H. R. 1514. James E. Watson.
H. R. 1529. Emily Gerardin.
H. R. 1645. William P. Walpole.
H. R. 1647. Frank C. Lamp.
H. R. 1657. Saray Dwyer.
H. R. 1770. John F. W. Kuchenbecker.
H. R. 2320. Sankey Gray.
H. R. 2559. Philip Bernhard.
H. R. 2574. Ellen Kearns.
H. R. 2583. John N. Parker.
H. R. 2666. John C. Clark.
H. R. 2716. R. Roy Hamdy.
H. R. 2771. Harvey C. Van Meter.
H. R. 2786. Samuel Tygret.
H. R. 2877. Frank R. Porter.
H. R. 3013. Julia M. Hill.
H. R. 3161. Martin H. Gavin.
H. R. 3162. Mary A. Powell.
H. R. 3768. Nora E. Singleton.
H. R. 3769. Ambrose A. Clarke.
H. R. 3777. Frank B. Pauley.
H. R. 3913. Mary McKelvey.
H. R. 4525. Thomas F. Muldoon.
H. R. 4614. Alice T. McClaughry.
H. R. 5010. Christ Nelson.
H. R. 5076. Eliza L. Norwood.
H. R. 5522. Joseph Roach.
H. R. 5907. Lena Griffee.
H. R. 5965. Oscar Smith.
H. R. 5967. John E. Seeger.
H. R. 6120. John W. Stroup.
H. R. 6144. Fred Windgoetter.
H. R. 6300. Henry Dana.
H. R. 6628. Melvin P. Campbell.
H. R. 6965. Henry W. Akers.
H. R. 6967. Hyram Colwell.
H. R. 7874. Frank E. Dorman.
H. R. 8147. Fred Reidy.
H. R. 8155. Patrick J. Hyde.
H. R. 8156. Clara B. Howe.
H. R. 8193. Andy H. Frittz.
H. R. 8394. Moses a Relmert.
H. R. 8396. Martin O'Loughlin.
H. R. 8581. John McMahon.
H. R. 8753. Fred Porter.
H. R. 9176. George H. Cope.
H. R. 9297. Charles P. Dovell.
H. R. 9368. Walter Anderson.
H. R. 9457. Edmund Gerber.
H. R. 9519. Dallas F. Jarvis.
H. R. 9568. Richard W. Lewis.
H. R. 9641. Charlotte Poe.
H. R. 9762. Jonah E. Hill.
H. R. 9841. Harris D. Williamson.
H. R. 10046. Thomas J. Reynolds.
H. R. 10072. Frederick M. Hohmann
H. R. 10166. Frank H. Campbell.
H. R. 10276. Samuel B. McPheeters.
H. R. 10432. Frank B. Norris.
H. R. 10609. Della A. Daubenspeck.
H. R. 10708. Hugh J. Gallagher.
H. R. 10732. Mary C. Ryan.
H. R. 10744. John J. Brogan.
H. R. 10819. Minnie Riffle.
H. R. 10873. Bridget E. Williams.
H. R. 10882. Frank E. Hill.
H. R. 11022. Mary Buckley.
H. R. 11045. Thomas G. McEwan.
H. R. 11214. John B. Lauer.
H. R. 11285. Francis M Lamb.
H. R. 11374. William B. Clouse.
H. R. 11441. Joseph D. Donelien.
H. R. 11451. Wiley A. Cadenhead.
H. R. 11576. Jesse J. Barnwell.
H. R. 11732. Howard W. Bingham.
H. R. 11735. Clara B. Hatfield.
H. R. 11760. William G. McCoy, jr.
H. R. 11812. Archie F. Pejano.
H. R. 11856. Bessie G. Bloodgood.
H. R. 11898. Louise Crane.
H. R. 11906. Philip Klaus.
H. R. 12453. Alphonzine Bastian.
H. R. 12510. Louis F. Moebus.
H. R. 12514. William A. Bannister.
H. R. 12596. Peter McVay.
H. R. 12694. Martha W. Hubbell.
H. R. 12738. Matilda Delisle.
H. R. 12809. James O. Cotman.
H. R. 12945. Warren Whiteman.
H. P. 12970. Barbara Henderson.
H. R. 13194. Henry Juvenile.
H. R. 13236. Mary Green.
H. R. 13241. Ralph H. Bryant.
H. R. 13397. Elizabeth Commons.
H. R. 13414. John C. Koepplinger.
H. R. 13657. Adolph Dirmeyer.
H. R. 13742. Roy Tow.
H. R. 13960. William H. Salisbury.
H. R. 14056. Julia E. Jones.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. VINSON, a motion to reconsider the vote by which the bill was passsed was laid on the table.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 24. Joint resolution authorizing the Librarian of Congress to return to Williamsburg Lodge, No. 6, Ancient Free and Accepted Masons, of Virginia, the original manuscript of the record of the proceedings of said lodge.

EXTENSION OF REMARKS.

Mr. SLOAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. VINSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Saturday, April 15, 1916, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (S. 4876) to provide for an increase in the number of cadets at the United States Military Academy, reported the same with amendment, accompanied by a report (No. 543), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COADY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13419) authorizing the sale of the lighthouse reservation at Scituate, Mass., reported the same without amendment, accompanied by a report (No. 545), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12282) to establish a Coast Guard station on the coast of Louisiana in the vicinity of Barataria Bay, reported the same without amendment, accompanied by a report (No. 546), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 6903) providing for the establishment of life-saving stations on Tybee Island, coast of Chatham County; on Warsaw Island, coast of Chatham County; on Osabaw Island, coast of Bryan County; on St. Catherines Island, coast of Liberty County; on Blackbeard Island and on Sapelo Island, coast of McIntosh County, all in the State of Georgia, reported the same with amendment, accompanied by a report (No. 547), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COADY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13233) authorizing the Secretary of Commerce to exchange lands belonging to the United States at the mouth of Crum River, Pa., for other lands adjacent thereto, for the purpose of removing thereto the Schooner Ledge Range Front Light, so that it may be on the range of the channel of the Delaware River, and further authorizing the Secretary of Commerce to remove said range light from its present location to the property acquired by the exchange, reported the same with amendment, accompanied by a report (No. 548), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (H. R. 6430) to amend an act entitled "An act to establish a court of private land claims and to provide for the settlement of private land claims in certain States and Territories," approved March 3, 1891, and the acts amendatory thereto, approved February 21, 1893, June 27, 1898, and February 26, 1909, reported the same with amendment, accompanied by a report (No. 549), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GRAHAM, from the Committee on the Judiciary, to which was referred the bill (S. 3560) to validate a certain title whereon the purchase money has been paid on a private sale by order of the United States district court for the middle district of Pennsylvania, at No. 83, June term, 1910, sitting in bankruptcy, reported the same without amendment, accompanied by a report (No. 542), which said bill and report were referred to the Private Calendar.

Mr. GANDY, from the Committee on Indian Affairs, to which was referred the bill (H. R. 10869) for the relief of the Mission Farm Co., Peter Volondra, and others, reported the same with amendment, accompanied by a report (No. 550), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11350) granting an increase of pension to Thomas H. Ivers; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13058) granting a pension to Henry Humphries; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13678) granting an increase of pension to Carrie Porter; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. SWEET: A bill (H. R. 14615) authorizing the establishment of a plant at or near Dubuque, Iowa, for the manufacture of munitions and implements of war; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 14616) for the relief of settlers who purchased land under the act of February 20, 1904; to the Committee on the Public Lands.

By Mr. RAKER: A bill (H. R. 14617) to make April 13 of each and every year a public holiday in the District of Columbia, to be known as Jefferson Day; to the Committee on the District of Columbia.

By Mr. KAHN: A bill (H. R. 14618) to create the grade of aviator in the Signal Corps of the United States Army; to the Committee on Military Affairs.

By Mr. TAVENNER: A bill (H. R. 14619) to provide for the development and operation by the United States Government of water power under its control; to the Committee on Interstate and Foreign Commerce.

By Mr. STEENERSON: A bill (H. R. 14620) to extend the provisions of section 2455 of the Revised Statutes, as amended, relating to the sale of isolated tracts of the public domain, to ceded Chippewa Indian lands in the State of Minnesota; to the Committee on the Public Lands.

By Mr. SWEET: A bill (H. R. 14621) appropriating money for the improvement of the Mississippi River and the Dubuque ice harbor at Dubuque, Iowa; to the Committee on Rivers and Harbors.

By Mr. HOOD: A bill (H. R. 14622) for the purchase of a site for a public building at Clinton, Sampson County, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14623) for the purchase of a site for a public building at Morehead City, Carteret County, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. STEELE of Iowa: A bill (H. R. 14624) providing for the purchase of a site and the erection of a public building thereon at Sheldon, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14625) providing for the purchase of a site and the erection of a public building thereon at Storm Lake, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14626) to provide for the purchase of a site and the erection of a public building thereon at Spencer, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. ABERCROMBIE: A bill (H. R. 14627) to prohibit the issuance of licenses, permits, revenue stamps, or receipts for special taxes authorizing, licensing, or permitting the sale of spirituous, vinous, or malt liquors in certain cases; to the Committee on Ways and Means.

By Mr. GUERNSEY: Resolution (H. Res. 201) directing the Committee on Printing to inquire into the sale by private parties of the document entitled "Messages and Papers of the Presidents," and for other purposes; to the Committee on Printing.

By Mr. SANFORD: Concurrent resolution (H. Con. Res. 29) authorizing the printing and binding of additional copies of Hinds' Precedents of the House of Representatives of the United States for the use of Members of the Sixty-fourth Congress; to the Committee on Printing.

By Mr. McLEMORE: Joint resolution (H. J. Res. 199) opposing the withdrawal of the United States troops from Mexico and authorizing and directing the President to send such reinforcement as may be necessary to accomplish the purposes of the expedition; to the Committee on Foreign Affairs.

By Mr. EDMONDS: Joint resolution (H. J. Res. 200) proposing to amend the Constitution of the United States to authorize uniform laws on the subject of marriage and divorce, and to provide penalties for enforcement; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 201) proposing to amend the Constitution of the United States to authorize uniform laws on the subject of marriage and divorce, and to provide penalties for enforcement; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 14628) granting a pension to Oliver W. Moore; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 14629) granting an increase of pension to Thomas D. Bearden; to the Committee on Pensions.

By Mr. CARAWAY: A bill (H. R. 14630) to quiet title in certain citizens to certain lands lying within the meander line on the St. Francis River, and being parts of lots and tracts of land lying in Craighead County, Ark.; to the Committee on the Public Lands.

By Mr. DIES: A bill (H. R. 14631) for the relief of J. B. Fleming; to the Committee on Claims.

Also, a bill (H. R. 14632) for the relief of R. L. Jennings; to the Committee on Claims.

By Mr. EAGAN: A bill (H. R. 14633) granting an increase of pension to Nelson Ransier; to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 14634) granting an increase of pension to Simeon A. Freer; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 14635) granting a pension to Alexander Seals; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 14636) granting an increase of pension to Jesse B. Rich; to the Committee on Invalid Pensions.

By Mr. GRAY of Indiana: A bill (H. R. 14637) granting a pension to George W. Carroll; to the Committee on Pensions.

By Mr. HEATON: A bill (H. R. 14638) granting a pension to Michael P. Foley; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 14639) to remove the charge of desertion from the record of William H. Dooley; to the Committee on Military Affairs.

By Mr. KEATING: A bill (H. R. 14640) granting an increase of pension to Elijah Marsh; to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 14641) granting an increase of pension to Sarah Kissinger; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 14642) granting a pension to Eliza J. Conover; to the Committee on Invalid Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 14643) granting an increase of pension to Frank C. Andrews; to the Committee on Pensions.

By Mr. MAGEE: A bill (H. R. 14644) providing for refund to the Haberle-Crystal Spring Brewing Co. of a sum paid in excess of a certain special excise tax; to the Committee on Claims.

By Mr. MONTAGUE: A bill (H. R. 14645) for the relief of the legal representative of P. H. Aylett; to the Committee on Claims.

By Mr. MOSS of West Virginia: A bill (H. R. 14646) granting a pension to Harvey M. Wilson; to the Committee on Invalid Pensions.

By Mr. MOTT: A bill (H. R. 14647) to amend the military record of James P. Kirby; to the Committee on Military Affairs.

By Mr. NICHOLLS of South Carolina: A bill (H. R. 14648) granting a pension to J. Horace Keeter; to the Committee on Pensions.

Also, a bill (H. R. 14649) granting a pension to Thomas M. Baswell; to the Committee on Pensions.

Also, a bill (H. R. 14650) granting a pension to George E. Turpin; to the Committee on Pensions.

Also, a bill (H. R. 14651) granting a pension to William O. Stover; to the Committee on Pensions.

Also, a bill (H. R. 14652) granting a pension to Joseph L. Rollins; to the Committee on Pensions.

Also, a bill (H. R. 14653) granting a pension to Fred. H. Penland; to the Committee on Pensions.

Also, a bill (H. R. 14654) granting a pension to Thomas H. Emory; to the Committee on Pensions.

By Mr. POWERS: A bill (H. R. 14655) granting an increase of pension to William Girdler; to the Committee on Invalid Pensions.

By Mr. SCOTT of Pennsylvania: A bill (H. R. 14656) granting an increase of pension to Pius W. Wonner; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 14657) granting an increase of pension to Daniel Corcoran; to the Committee on Pensions.

By Mr. STEELE of Iowa: A bill (H. R. 14658) granting an increase of pension to John H. Peck; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 14659) granting an increase of pension to Otis Hull; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14660) for the relief of Mrs. Martha J. Couchman; to the Committee on Claims.

By Mr. WILLIAMS of Ohio: A bill (H. R. 14661) to correct the military record of Edward Carter; to the Committee on Military Affairs.

By Mr. YOUNG of North Dakota: A bill (H. R. 14662) granting an increase of pension to Louisa Fleming; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAILEY: Protest of F. B. McFeaters, E. F. Griffith, H. Stanley Pringle, J. T. Higgins, J. H. Layman, R. H. Wissinger, A. W. Dolaway, Charles S. Moore, Thomas G. Ford, John Houri, J. L. Woodside, W. H. Miller, Joshua Bracker, C. E. Griffith, C. L. Irwin, Samuel Page, Fred Beals, C. D. Blyler, Elmer Lantz, D. C. Druyca, A. W. Eichelberger, William Grove, Asbury F. Grove, Joe A. Beers, W. H. Ulerick, and William R. Ullery, all of Johnstown, Pa., against the passage of House bills 491 and 6468, denying admission to the mails to certain publications; to the Committee on the Post Office and Post Roads.

Also, petitions from the following citizens of Pennsylvania, New York, New Jersey, and Delaware, favoring the speedy enactment of House bill 13281, amending the tariff so as to admit free the products of any American country which will admit our products free: C. M. Hoose, Glenside, Pa.; J. K. Mandenbare, 926 Chestnut Street, Philadelphia, Pa.; Geer Wise, 926 Chestnut Street, Philadelphia, Pa.; J. MacDougall, 926 Chestnut Street, Philadelphia, Pa.; J. Nelson Farrell, Sixth and Walnut Streets, Philadelphia, Pa.; J. H. Warner, Sixth and Walnut Streets, Philadelphia, Pa.; M. G. Brown, Sixth and Walnut Streets, Philadelphia, Pa.; Frederic E. Beldin, Burlington, N. J.; George H. Garland, Camden, N. J.; Frank O. Donaldson, Sixth and Walnut Streets, Philadelphia, Pa.; Howard Ackerman, Drexal Hill, Pa.; Deyton P. Clark, 530 Walnut Street, Philadelphia, Pa.; H. L. Ashinfelter, Sixth and Walnut Streets, Philadelphia, Pa.; Fredrick W. Powel, Glenside, Pa.; William G. Hought, 408 Midland Avenue, Wayne; William M. Callaham, Haddon Heights, N. J.; Samuel Milliken, The Newport, Philadelphia, Pa.; Hon. L. Ross, Arden, N. J.; Edward Spranger, Grantwood, N. J.; William R. McKnight, Philadelphia, Pa.; Charles Horn, Philadelphia, Pa.; William R. Emsley, Camden, N. J.; Charles Schrabs, 2035 Moscher Street, Philadelphia, Pa.; Joseph Clark, 1517 West Lehigh Avenue, Philadelphia, Pa.; Dr. William Meyerson, 718 North Eighth Street, Philadelphia, Pa.; William C. Mickle, 222 Spruce Street, Philadelphia, Pa.; William J. Harden, 1915 South Twenty-first Street, Philadelphia, Pa.; John Fullerton, 1302 Spring Garden, Philadelphia, Pa.; John J. Kane, 1926 South Twenty-first Street, Philadelphia, Pa.; David R. Emsley, 2407 North Fifth Street, Philadelphia, Pa.; Timothy J. Connelly, 2045 South Croskey Street, Philadelphia, Pa.; Antonio Bastida, 111 Broadway, New York City; J. P. Hansen, 70 West Sixteenth Street, Whitestown; G. J. Mullan, 151 South Pearl Street, Philadelphia, Pa.; F. E. Mayer, 3739 North Franklin Street, Philadelphia, Pa.; John W. Dix, 1422 North Allison Street, Philadelphia, Pa.; James A. Robinson, 1214 Spring Garden, Philadelphia, Pa.; Oliver McKnight, 213 St. Marks Square, Philadelphia, Pa.; Louis Kramer, 510 Shirley Street, Wilmington, Del.; William J. Schaeffer, 2218 Brown Street, Philadelphia, Pa.; William E. Smith, 2749 Earl Street, Philadelphia, Pa.; John Johnston, 5417 Spruce Street, Philadelphia, Pa.; Richard C. Lambus, Camden, N. J.; J. B. C. Chamberlain, Philadelphia, Pa.; L. W. Marks, Continental Hotel, Philadelphia, Pa.; High F. Miemew, 1737 North Fifth Street, Philadelphia, Pa.; Thomas Barnes, 1815 Fabut Street, Philadelphia, Pa.; Max Veeck, 218 North Fourth Street, Philadelphia, Pa.; Charles D. Ryan, Spring Mondt, Pa.; L. Ryan, Ardinon, Pa.; Mike Cook, 113 Kinnelworth Street, Philadelphia, Pa.; John William Wright, 604 Fourth Street, Philadelphia, Pa.; John Goldsmith, 1524 South Ninth Street, Philadelphia, Pa.; Charles Richeal, 4439 Thompson Street, Philadelphia, Pa.; S. A. Gallagher, 1411 South Porter Street, Philadelphia, Pa.; George H. Litz, 1221 West Third Street, Wilmington, Del.; R. G. Brown, 30 Landsale Avenue; Lorene W. Uinghiny, 221 North Cornell Street; George Logace, 1105 Oak Street; William H. Whiteside, 223 Woodlawn Avenue; F. W. Barnes, 317 West Twenty-sixth Street; Peter Orth, 41 East Twenty-second Street; George J. Jacobs, 2003 West Sixth Street; R. L. Rosin, 915 West Fourth Street, Philadelphia, Pa.; G. B. Baylis, 2 Concord Avenue; William H. Haley, 1004 West Eighth Street; John E. Riley, 419 North Franklin Street; Jacob Ostin, Madison Street; Samuel Wallace, 627 East Seventh Street, Wilmington, Del.; John Deisley, 17 East Fourth Street; Jefferson Whitman, Newark, Del.; W. W. Henry, 1021 Lancaster Avenue, Wilmington, Del.; F. E. Cheffins, Newport, Del.; John J. Henry, 927 Lancaster Avenue, Wilmington, Del.; William Fredrick, Marshall Avenue; William F. Haney, 823 West Second Street, Wilmington, Del.; George Boder, 300 Madison Street, Wilmington, Del.; John F. Grant, 129 Monroe Street; Clarence Campbell, 223 Totnal Avenue; Charles G. Waterman, 1631 West Eighth Street; Benjamin F. Price, 1123 West Fourth Street; John Wallsworth, 905 Monroe Street, Wilmington, Del.; Murat Z. Johnson, 5915 Carpenter Street, Philadelphia, Pa.; John G. Whiteside, 137 Harvey Street, Germantown, Pa.; M. C. Pronan, Sixth and Walnut Streets, Philadelphia, Pa.; E. W. Tomlinson, 512 Arthur Street, Philadelphia, Pa.; Charles G. Rule, 4835 Baltimore Avenue, Philadelphia, Pa.; F. A. Reddy, 235 North Hobart Street, Philadelphia, Pa.; C. J. Hebley, Prospect Park, Pa.; Laurence L. Stevens, 4638 Walnut Street, Philadelphia, Pa.; and David S. Roodruff, 5029 Walton Avenue, Philadelphia, Pa.; to the Committee on Ways and Means.

By Mr. COPLEY: Petition of sundry citizens and organizations of the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DILL: Petition of Mr. E. F. Knapp and other citizens of Park Rapids and Colville, Wash., protesting against the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition against House bills 491, 6468, and 652, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of Mr. E. F. Knapp and other residents of Park Rapids, Wash., protesting against the passage of House bill 652; to the Committee on the District of Columbia.

Also, petition of I. O. Brown, of Spokane, Wash., and others, protesting against the passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

Also, petition of E. Fuller and other citizens of Colville, Wash., protesting against the passage of House bill 652, for Sunday closing in the District of Columbia; to the Committee on the District of Columbia.

By Mr. EAGAN: Petition of G. A. Hollinger, of North Bergen, N. J., against passage of House bill 13048, to create a juvenile court in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ELSTON: Memorial of Richmond Chamber of Commerce, favoring location of new naval academy at Richmond, Cal.; to the Committee on Naval Affairs.

By Mr. ESCH: Memorial of La Crosse Board of Trade, favoring the establishment of a United States shipping board; to the Committee on the Merchant Marine and Fisheries.

By Mr. FLYNN: Memorial of Fifth Avenue Association on National Defense, favoring adequate national defense; to the Committee on Military Affairs.

Also, petition of the Anti-imperialist League, Boston, Mass., favoring passage of the Philippine bill; to the Committee on Insular Affairs.

By Mr. FOSTER: Petition of citizens of Waltonville, Mount Vernon, Bluford, and Mount Carmel, Ill., in support of House bills 270 and 712; to the Committee on Ways and Means.

By Mr. FULLER: Petition of Arminta Wilson and others, favoring House bill 463, to increase widows' pensions; to the Committee on Invalid Pensions.

By Mr. GARDNER: Memorial of Major How Post, Woman's Relief Corps, of Haverhill, Mass., favoring passage of widows' pension bill, known as the Ashbrook pension bill; to the Committee on Invalid Pnsions.

By Mr. HAWLEY: Petition in connection with House bill 13918 and other legislation for the disposal of the Oregon & California Railroad land-grant matter; to the Committee on the Public Lands.

By Mr. HUMPHREY of Washington: Petition of sundry citizens of the State of Washington, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of the State of Washington, against compulsory Sunday observance day in the District of Columbia; to the Committee on the District of Columbia.

By Mr. KETTNER: Petitions of J. W. Goodwin and 97 other residents of San Diego; of I. C. Davis and 23 others, of Escondido; of D. C. Mendenhall, San Diego; of Mrs. Ed. Steele, San Diego; of Mrs. Mary Wilkerson, San Diego; and 1 other of San Diego, all in the State of California, protesting against House bills 6468 and 491, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petitions of I. C. Davis and 17 residents of Escondido; of Mrs. Mary Wilkerson and 1 other resident of San Diego; of Mrs. R. Haddon, San Diego; of D. C. Mendenhall, San Diego; of Mrs. H. E. Highle, San Diego; and of Mrs. E. Brown, San Diego, all in the State of California, protesting against Senate bill 645, to provide for the closing of barber shops in the District of Columbia on Sunday, or any other like religious measure; to the Committee on the District of Columbia.

Also, petition of George W. Vogler, of Ocean Beach, Cal., protesting against House bill 8348, making Columbus Day a legal holiday in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of San Diego Chamber of Commerce, Ed. F. Stahle, executive secretary, San Diego, Cal., favoring House bill 5806, providing for opening up the nearest ample supply of high-grade coal for the use of our Navy and merchant marine in southwestern Pacific waters; to the Committee on Railways and Canals.

Also, petition of the United Commercial Travelers of America, A. E. Clark, secretary, San Diego, Cal., favoring inspection of creameries; to the Committee on Rules.

Also, petition of Robert P. Reagan, A. H. Gould, E. Zenkner, Helen Zenkner, Gustav Kranz, Franklin P. Jacobus, G. A. Eaton, Marie S. Eaton, and Henry Lohman, all of San Diego, Cal., favoring strict neutrality; to the Committee on Foreign Affairs.

By Mr. LAFEAN: Memorial of the Fifth Avenue Association on National Defense, urging prompt action on national defense as recommended by the General Board of the Navy and the General Staff of the Army; to the Committee on Military Affairs.

Also, petition of the Commercial Exchange of Philadelphia, opposing the enactment into law of House bill 10405, grain grades act; to the Committee on Agriculture.

By Mr. LOUD: Petition of J. C. Batement and 7 other citizens of Hope, Mich., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. McKENZIE: Petition of citizens of Dixon, Ill., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. MAGEE (by request): Petition of R. N. Wallace and others, of Syracuse, N. Y., against House bill 13048, to create a juvenile court in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MAPES: Petition of 51 citizens of Ottawa, Kent, and Muskegon Counties, Mich., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. MATTHEWS: Resolution adopted by the Ladies' Literary Society of Napoleon, Henry County, Ohio, favoring a movement to take the administration of Indian affairs out of politics and establish a nonpartisan commission for the administration of Indian affairs; to the Committee on Indian Affairs.

By Mr. MILLER of Pennsylvania: Petitions of 252 citizens of Seneca, 25 people of Oil City, 60 people of Oil City, 1,027 people of Oil City, Woman's Christian Temperance Union of Oil City, 40 people of Oil City, 12 people of Oil City, 50 people of Oil City, and 50 people of Oil City, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 620 people of Warren, Pa., opposing passage of House bill 6468; to the Committee on the Post Office and Post Roads.

By Mr. NEELY: Petition of citizens of Ohio County, W. Va., protesting against House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. NOLAN: Petition of Woman's Club, Lodi, Cal., favoring bill for national park service and appropriation for Yosemite National Park; to the Committee on the Public Lands.

By Mr. RAKER: Petition of citizens of Standish, Cal., against passage of compulsory Sunday-observance bill for the District of Columbia; to the Committee on the District of Columbia.

By Mr. RANDALL: Memorial of Woman's Christian Temperance Union of Fernando, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of First Methodist Episcopal Sunday School of Pasadena, Cal., favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SINNOTT: Petition of 43 citizens of Portland, Oreg., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Petitions of 70 people of Portsmouth and 850 people of Providence, R. I., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Fearless Club, of Providence, R. I., favoring the bills in the interest of superannuated employees in the Postal Service; to the Committee on the Post Office and Post Roads.

Also, petition of Rhode Island Chapter, American Institute of Architects, favoring the passage of Senate joint resolution 92, regarding site for a central power plant in the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of Washington Park Yacht Club, of Providence, R. I., protesting pending bills regulating the operation of motor boats; to the Committee on the Merchant Marine and Fisheries.

By Mr. WILLIAMS of Ohio: Petition of 43 citizens of Spencer, Ohio, favoring national prohibition; to the Committee on the Judiciary.

SENATE.

SATURDAY, *April 15, 1916.*

(Legislative day of Friday, April 14, 1916.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 4889) to permanently renew patent No. 21053 with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 12481. An act granting an extension of patent to the United Daughters of the Confederacy;

H. R. 14484. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 14576. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

ENROLLED JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the joint resolution (S. J. Res. 24) authorizing the Librarian of Congress to return to Williamsburg Lodge, No. 6, Ancient Free and Accepted Masons, of Virginia, the original manuscript of the record of the proceedings of said lodge, and it was thereupon signed by the Vice President.

HOUSE BILLS REFERRED.

H. R. 8351. An act to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and, further, to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto, was read twice by its title and referred to the Committee on the Library.

H. R. 12481. An act granting an extension of patent to the United Daughters of the Confederacy was read twice by its title and referred to the Committee on Patents.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 14484. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 14576. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

DAUGHTERS OF THE AMERICAN REVOLUTION.

Mr. CLAPP. I ask unanimous consent that the Chair lay before the Senate the amendments of the House of Representatives to the bill (S. 4889) to permanently renew patent No. 21053.

The VICE PRESIDENT. The Chair lays before the Senate the amendments of the House of Representatives, which will be read.

The amendments were, in line 6, to strike out "permanently"; in line 7, after "extended," to insert "for a period of 14 years from and after the passage of this act"; in line 9, after "Revolution," to strike out all down to and including "office," in line 12; and to amend the title so as to read "An act to renew patent No. 21053."

Mr. CLAPP. I move that the Senate concur in the House amendments.

The motion was agreed to.

NATIONAL DEFENSE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. BRANDEGEE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum was disclosed when the roll was called last evening and a recess taken.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Oliver	Smoot
Bankhead	Gronna	Overman	Sutherland
Borah	Hardwick	Page	Tillman
Brandegee	Hollis	Pittman	Vardaman
Burleigh	James	Ransdell	Wadsworth
Chamberlain	Kenyon	Sheppard	Warren
Clarke, Ark.	Kern	Sherman	Weeks
Cummins	McCumber	Simmons	Williams
Dillingham	Martine, N. J.	Smith, Ga.	
Gallinger	Myers	Smith, Mich.	

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER], the junior Senator from Maryland [Mr. LEE], the senior Senator from West Virginia [Mr. CHILTON], and the junior Senator from Indiana [Mr. TAGGART]. These Senators are paired. This announcement may stand for the day.

The VICE PRESIDENT. Thirty-eight Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators, and Mr. CLAPP, Mr. HUSTING, Mr. LODGE, Mr. NELSON, Mr. NORRIS, Mr. POMERENE, Mr. ROBINSON, Mr. SAULSBURY, Mr. STERLING, and Mr. THOMPSON answered to their names when called.

Mr. BECKHAM, Mr. CULBERSON, Mr. MCLEAN, and Mr. BRADY entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present. The Secretary will proceed to call the roll on the amendment of the Senator from New York [Mr. WADSWORTH], the yeas and nays having been ordered.

Mr. BORAH. Mr. President, before the roll call proceeds I wish to ask the author of the amendment a question, if I may.

The VICE PRESIDENT. The Chair does not see how, when the roll call is proceeding, there can be any discussion of the question.

Mr. BORAH. I do not understand that anyone has answered on the roll call this morning.

The VICE PRESIDENT. The Senate took a recess on a roll call last night.

Mr. HARDWICK. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Georgia will state it.

Mr. HARDWICK. When a roll call discloses the absence of a quorum the roll call itself amounts to nothing; there is not a quorum present.

The VICE PRESIDENT. It is the opinion of the Chair that in the present situation the roll call must proceed. The previous call disclosed on the vote the lack of a quorum. In accordance with an order made precedent to that time the Senate recessed at 6 o'clock until 11 o'clock to-day. The Chair believes that that leaves nothing in order except to proceed at once with the yeas and nays.

Mr. BORAH. I have no desire——

Mr. MYERS. I suggest that by unanimous consent the Senator from Idaho may be heard.

Mr. BORAH. I do not desire to do that. I was laboring under the impression that when the roll call disclosed the absence of a quorum that ended that part of the proceedings and that the roll call this morning would be a new proceeding.

Mr. GALLINGER. Mr. President, I venture to say that the ruling of the Chair is in accordance with the custom of the Senate, and I think the Chair ruled exactly right.

The VICE PRESIDENT. The Secretary will proceed with the calling of the yeas and nays.

The Secretary proceeded to call the roll.

Mr. BECKHAM (when his name was called). I am paired with the senior Senator from Delaware [Mr. DU PONT] and I withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN], but on this bill I am privileged to vote, and I vote "yea."

Mr. STERLING (when his name was called). I am paired with the Senator from South Carolina [Mr. SMITH] and therefore withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Maryland [Mr. LEE] and vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Tennessee [Mr. LEA] and vote "yea."

The roll call was concluded.

Mr. GRONNA. I inquire if the senior Senator from Maine [Mr. JOHNSON] has voted?

The VICE PRESIDENT. He has not.

Mr. GRONNA. I have a general pair with that Senator, and therefore withhold my vote. If permitted to vote, I would vote "yea."

Mr. DILLINGHAM. I observe that the senior Senator from Maryland [Mr. SMITH] has not voted, and, having a pair with that Senator, I refrain from voting.

Mr. BRADY. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. He is not present, and I withhold my vote. I would vote "yea" if at liberty to vote.

Mr. BECKHAM. I transfer my pair with the senior Senator from Delaware [Mr. DU PONT] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. STONE (after having voted in the negative). I will have to withdraw my vote, having a general pair with the senior Senator from Wyoming [Mr. CLARK].

Mr. HARDWICK. I am paired with the Senator from Kansas [Mr. CURTIS]. I transfer that pair to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. GALLINGER. I wish to announce that the Senator from New Mexico [Mr. CATRON] is paired with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Florida [Mr. BRYAN]; and

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD].

The result was announced—yeas 33, nays 23, as follows:

YEAS—33.

Ashurst	Jones	Pittman	Thompson
Beckham	Kenyon	Poindexter	Wadsworth
Burleigh	Lippitt	Pomerene	Walsh
Chamberlain	Lodge	Ransdell	Warren
Clapp	McCumber	Sheppard	Weeks
Cummins	Martine, N. J.	Sherman	Williams
Gallinger	Norris	Smith, Mich.	
Husting	Oliver	Smoot	
James	Page	Sutherland	

NAYS—23.

Bankhead	Gore	Nelson	Swanson
Borah	Hardwick	Overman	Thomas
Brandegee	Hollis	Robinson	Tillman
Clarke, Ark.	McLean	Saulsbury	Vardaman
Colt	Martin, Va.	Simmons	Works
Culberson	Myers	Smith, Ga.	

NOT VOTING—40.

Brady	Fletcher	Lane	Shafroth
Broussard	Goff	Lea, Tenn.	Shields
Bryan	Gronna	Lee, Md.	Smith, Ariz.
Catron	Harding	Lewis	Smith, Md.
Chilton	Hitchcock	Newlands	Smith, S. C.
Clark, Wyo.	Hughes	O'Gorman	Sterling
Curtis	Johnson, Me.	Owen	Stone
Dillingham	Johnson, S. D.	Penrose	Taggart
du Pont	Kern	Phelan	Townsend
Fall	La Follette	Reed	Underwood

So Mr. WADSWORTH's amendment to the amendment of the committee was agreed to.

Mr. SUTHERLAND. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Utah to the substitute reported by the committee will be stated.

The SECRETARY. The amendment to the amendment is as follows:

On page 132, line 18, strike out the words "one thousand seven hundred and eighty-four" and substitute therefor the words "two thousand one hundred and four."

On page 132, line 19, strike out the words "two thousand five hundred and sixteen" and substitute therefor the words "three thousand one hundred and fifty-six."

On page 132, line 21, strike out the word "four."

On page 132, line 22, strike out the words "thousand one hundred and eighty-six" and substitute therefore the words "five thousand two hundred and twenty-five."

On page 132, line 23, strike out the words "twelve thousand five hundred and sixty-two" and substitute therefor the words "fifteen thousand six hundred and seventy-five."

On page 133, line 7, strike out the words "increase the number of" and substitute therefor the words "decrease the number of."

On page 133, strike out lines 8, 9, 10, 11, and 12 and substitute therefor "sergeants to 1,784, the number of corporals to 2,516, the number of privates, first class, to 4,186, and the number of privates to 12,562, as reserves become available."

Mr. SUTHERLAND. Mr. President, I shall not have time to discuss this proposed amendment very fully in the 10 minutes which I am allowed. The effect of it is to increase the number of the personnel of the Coast Artillery to the maximum provided by this bill instead of the minimum; in other words, to establish the maximum number at once instead of leaving it to the President to increase the number from the minimum to the maximum, as he may see fit.

It seems to me that the necessity of the amendment is perfectly obvious upon the consideration of some perfectly well-established facts. We have to-day coast fortifications upon the two coasts which have cost us $41,000,000; they are among the very best fortifications in the world. We have in those fortifications 530 guns and one hundred and twenty-eight 12-inch mortars; but we have not enough men in the service to man more than one-fourth of the guns. The opinion of the military authorities, as I understand, is that we should provide under this bill for manning one-half of the guns upon these fortifications, leaving it to the State coast artillery reserve forces to take care of the other half; but, as a matter of fact, there are not organized in the States to-day enough men to take care of one-fourth of the guns.

So, if we increase the number of men as my amendment proposes, namely, to 30,000, we shall still fall short of having enough men in the regular force and in the State militia to man all the guns. The increase which is suggested by my amendment will still bring it far short in percentage of the various increases which are now made for the other branches of the service. For example, the present Cavalry strength is 14,148. This bill provides a minimum number now of 25,000, which is an increase of 76 per cent. In the Field Artillery the present force is 5,541. The bill proposes the minimum increase to 18,039, or an increase of 225 per cent.

The Infantry at present numbers 35,339. It is proposed to increase that number to 85,952, or an increase of 143 per cent. The Coast Artillery at present numbers 19,019 and the minimum increase proposed by this bill is but 24,887, or an increase of only 31 per cent. If the amendment which I have proposed is adopted, it will increase it to 30,000, or an increase of only 57 per cent, as compared with an increase of 76 per cent of the Cavalry, 225 per cent of the Field Artillery, and 143 per cent of the Infantry.

It has always seemed to me that one of the most important branches of the military service is the Coast Artillery. In the first place, they serve in connection with the Navy in what may be considered the first line of defense if this country should be attacked from any foreign source. In addition to that, the coast artilleryman, in my judgment and according to my information, is the best equipped man for general service in any of the military forces of the country. He is not only trained as a coast artilleryman, but he is trained in such a way that he may be used effectively in the Infantry forces, he is trained in such a way that he can be used, of course, immediately in the Field Artillery, if it becomes necessary, and his training is of such a character that he can be utilized to operate a machine gun, the handling of which has come now to be a very highly expert branch of the service.

The effect, therefore, of the amendment is in reality to strengthen the entire land forces, because in time of need the men who form a part of the Coast Artillery may be utilized, as I have indicated, in any branch of the service. I very much hope that the chairman of the committee may see his way clear to accept the amendment.

Another thing that is accomplished by the amendment is that, without providing even then as many men as we need, we shall have provided for the immediate training of these 30,000 men; and the President is authorized, as he may be advised, to decrease the number from the maximum to the minimum, instead of, as under the pending bill, increasing from the minimum to the maximum. The effect of that is that whenever a man is retired from the maximum number, he immediately goes into the reserve, and is still available in time of need; in other words, the amendment allows the training of these men at once; which is a highly important matter. Then, as in the wisdom of the President the force may be decreased, these men immediately go into the reserve, so that there are always trained men who can be utilized in case of need.

Mr. BORAH. May I ask the Senator from Utah a question?

Mr. SUTHERLAND. Certainly.

Mr. BORAH. As the bill now provides, it is left with the discretion of the Commander in Chief, the President, as to whether or not he will call for the minimum or the maximum number?

Mr. SUTHERLAND. He may add to the minimum and increase it to the maximum.

Mr. BORAH. Up to the number which the Senator has fixed as the maximum?

Mr. SUTHERLAND. Yes.

Mr. BORAH. Then the difference between the bill and the Senator's amendment is that the amendment makes it obligatory upon the President to make the increase at once?

Mr. SUTHERLAND. Yes. I want the maximum force because, as I have said, even then we shall not be manning more than half our guns with the regular forces.

Mr. BORAH. What I am seeking to get at is this: Is not the number of men he needs in training a thing which can be left to the Commander in Chief?

Mr. SUTHERLAND. I think it is better for us to provide for that, because it seems to me self-evident that we shall need the men. If they are not needed after they are trained, the President can say so, and they can then retire to the reserve to be utilized as I have indicated.

Mr. BRANDEGEE. Will the Senator allow me to ask him a question?

Mr. SUTHERLAND. Yes.

Mr. BRANDEGEE. What is the total number of men in the Coast Artillery provided for by the Senator's amendment?

Mr. SUTHERLAND. It is 30,000.

Mr. BRANDEGEE. And what number is provided for at present in the pending bill?

Mr. SUTHERLAND. The pending bill provides for 24,887, which is an increase of about 5,000.

Mr. BRANDEGEE. Mr. President, has the Senator from Utah concluded?

Mr. SUTHERLAND. Yes.

Mr. BRANDEGEE. Then may I have the floor, Mr. President?

The VICE PRESIDENT. The Senator from Connecticut is recognized.

Mr. BRANDEGEE. Mr. President, I would be heartily in favor of the amendment of the Senator from Utah [Mr. SUTHERLAND], or of any amendment of a similar nature, if it were not for one circumstance. I am somewhat embarrassed in knowing whether to vote for it now or not, if the Senator presses it to a vote at this time, simply for this reason: The Senator from Oregon [Mr. CHAMBERLAIN] has a committee amendment pending proposing, if I understand it, to increase the minimum of the total personnel of the Army to 180,000 men, to which I have proposed an amendment increasing that number to 250,000 men. Of course, that involves certain increases of the units into which the forces are divided, and there is a provision in my amendment to provide for that so that it may be done without conflict or disorganization of the units.

The amendment offered by the Senator from Utah goes part way toward accomplishing the purpose which my amendment would accomplish; but inasmuch as the greater includes the less, and the ordinary rule in parliamentary practice, as I understand it, is to state the greatest number first and then if that is disapproved of to go on down to the lesser number, as the legislative body may decide, I think we would proceed more intelligently and more satisfactorily if we could defer voting upon the amendment of the Senator from Utah until we have voted upon the broader question involving the largest increase. I will ask the Senator if he can not take that view of it and withhold his amendment until the larger question has been submitted to the Senate? I can not offer my amendment now, as the Senator will see, because my amendment stands as an amendment to the amendment proposed by the Senator from Oregon.

Mr. SUTHERLAND. Let me ask the Senator from Connecticut whether he thinks that the adoption of the amendment which I have proposed can in any manner interfere with the bringing about of what the amendment of which he is in favor seeks to accomplish? In other words, is it not a step in the direction of what the Senator wants?

Mr. BRANDEGEE. My ignorance of the details of the composition of the Army and the various branches into which it is divided makes me somewhat uncertain as to that. If the Senate should decide to raise the total personnel of the Army to 250,000 or to 200,000, I am unable to state to the Senator now whether in the process of adding that number of men to the Army the Coast Artillery would have the number which the Senator has

designated in his amendment or a much greater number. They might be able to get a greater number, for all I know.

Mr. SUTHERLAND. That can take care of itself when the time comes; but I suggest to the Senator that the increase which I have suggested will be less than the proportion which would be allowed to the Coast Artillery under either of the proposed amendments, whether the increase be to 180,000 men or to 250,000 men.

Mr. BRANDEGEE. If that is so, Mr. President, and if the Senator does not consider that a vote for the Senator's amendment binds the Senate permanently to the lesser number——

Mr. SUTHERLAND. Certainly not.

Mr. BRANDEGEE. I have no objection to its being considered now.

Mr. THOMAS. Mr. President, unless I am misinformed, the amendment offered by the Senator from Utah [Mr. SUTHERLAND] proposes to increase the Coast Artillery division to the maximum recommended by Gen. Weaver, who is at the head of that branch of the Army, and upon that assumption I wish to say a word in its behalf.

I know very little at first hand, Mr. President, about the Artillery branches of the Army, but we are all impressed with the fact that the European war is largely a war of artillery. That branch of the service is the paramount one. Now, we are all, Mr. President, conjured every day to consider the defenseless character of our coast, the ease with which a landing force could despoil it, and the consequent necessity of speedy legislation tending to safeguard it.

So far as that is concerned, I do not regard this chatter as of much importance. It is merely a part of that general propaganda intended to frighten the people of the United States into a condition of hysteria and then capitalize it for the benefit of those urging an abnormal increase of the military and naval forces of the country; but, Mr. President, the fact is that we have a splendid system of Coast Artillery; our harbor fortifications are said by those who know to be the best in the world. We have expended millions of dollars in their construction at the most desirable places upon both of our coasts. We have, however, a very inadequate force to man that arm of the service, and, in the event of hostilities, we would at the outset find ourselves very seriously handicapped.

Theoretically, the plan has been to provide 50 per cent of the force necessary to man the guns upon our coast fortifications by the Regular Army, the remaining 50 per cent to be supplied by the National Guard in case of emergency. I have no doubt that that plan is a workable one if actually adopted; but, Mr. President, we have never supplied the Coast Artillery with the required 50 per cent. It seems to me to be an obvious fact that the erection of these fortifications and their equipment with the very best artillery of the day, while an important step, is a useless one, unless we supply a sufficient number of men to make this artillery effective in times of danger. Without "the man behind the gun" the latter is of no consequence, without the force that is effective to manipulate the guns, we might as well have sunk the money we have expended in their construction and erection in the bottom of the sea.

Mr. President, a force of men designed to man and to operate these guns can not be created in a moment. The service is a highly technical one; it requires training and experience; and I do not think I say too much when I assert that it requires a higher grade of training and experience than does any other branch of the military service. Yet we are supplying an inadequate force to perform this grave duty, and relying for 50 per cent of the required force in times of peace upon the National Guard, the remainder to be hurriedly assembled and used to complete the number of men furnished by the Regular force should occasion require. That is not good business; it is not common sense. This amendment is designed to meet a situation that is immediate, and which, if postponed, may possibly result in embarrassment, if not danger.

I hope, therefore, that this amendment will be adopted. I wish the chairman of the committee would accept it. It is the well-matured plan of that department of the Army; and I am sure those of us who listened to Gen. Weaver's statement to the committee regarding its necessity must have been convinced of the soundness of his position. If we are to have enough men to man these guns, if they are to be trained and educated so as to render effective service, now is the time to furnish them. I confess I would rather see a well-equipped, thoroughly efficient small Regular Army, if we are compelled to make a choice, than a large force neither well equipped nor well disciplined.

In the event of trouble, to hurriedly assemble the number of men needed for efficient service for these guns, and then to depend upon them for their successful operation, without any previous training, is to invite disaster. I predict, Mr. President, that if an emergency should arise requiring us to rely upon these fortifications, and the hurriedly assembled force behind them should be found inadequate or undisciplined, the censure deservingly cast upon us by popular opinion, and the indignation aroused because of such conditions, would justly center upon us the responsibility for disaster if that should come.

I think that this amendment should be accepted.

Mr. WARREN. Mr. President, I agree entirely with the Senator from Connecticut [Mr. BRANDEGEE] that the amendment offered by the Senator from Utah [Mr. SUTHERLAND] should wait until the committee has submitted its amendments to the bill, and until we have decided what shall be the maximum strength of the Army. To adopt that amendment now means that if hereafter the limit of numbers should be raised to 225,000, this is fixed, and the others are enlarged out of proportion. On the other hand, if a motion is made and carried to reduce it to 140,000, as has been intimated, or 150,000, then this extra number of Coast Artillery reduces the other arms by just this increase.

The evils that have been heretofore complained of in the organization of the Army have largely arisen from piecemeal legislation. I have hoped, and fondly hoped, that after all this time has been spent, and all this evidence taken, and the committee have given it weeks and months of study, we might at least have enough confidence in those who have given their time to consider first the committee's bill, and enlarge or reduce it in proper proportion, but not do it in a piecemeal way.

I am not going to express the judgment that this amendment would increase this arm too much; but it certainly is out of proportion until we have decided on a larger number of men for the entire Regular Army of the United States.

Mr. THOMAS. Mr. President——

Mr. WARREN. I yield to the Senator from Colorado.

Mr. THOMAS. I should like to ask the Senator if he thinks that the committee bill furnishes a sufficient force, an adequate force, for our present coast fortifications?

Mr. WARREN. I will say to the Senator that, in my judgment—and I am frank to express it—we do not increase any branch of the Regular Army enough.

Mr. THOMAS. I am not speaking of the Regular Army, but of this particular branch.

Mr. WARREN. I decline to amputate the Coast Artillery from the Regular Army. Of course the educated rank and file of the Coast Artillery have duties to perform which those from the other arms can not well do; but the protection of the batteries, the work that is done to supply them, can be just as readily done by any other arm as the Coast Artillery.

The Coast Artillery is greatly scattered. We do not expect that every gun on every coast is going to be fired at once, and continuously, day and night. We have headquarters positions along on the coast and we have means of transportation which enable us to mass them at any one point. It strikes me that the number we have given for the Coast Artillery is a full proportion, in regard to the wants of the country, to that of the Regular Army and the balance of the force.

Of course, as the Senator knows, our coasts are many thousands of miles in length. I am unwilling now to go to the expense of furnishing three reliefs for every gun in every post all over the United States, because I do not expect that we are ever going to be attacked in that manner.

Mr. THOMAS. Mr. President, I quite agree that a simultaneous use of all of our Coast Artillery is practically unthinkable. Nevertheless I believe that if we are going to make a disproportion anywhere—and I am rather of the opinion that that will be the result after we get through our deliberations on this bill—we had better protect this, our second line of defense, and have the men there in sufficient numbers to operate the guns if the exigencies require.

Mr. WARREN. Mr. President, I still insist that we had better treat this as a whole. I am not saying that we should not have this number or that I oppose having the number; but I do ask why action on the matter can not be delayed until we have fixed the maximum of our Army, as far as this body is concerned, so as to know "where we are at."

Mr. SMOOT. Mr. President, I submitted an amendment similar to the one under consideration to the chairman of the committee some days ago and asked that he have the committee give consideration to it.

I am in hearty sympathy with the amendment. I believe it ought to be adopted by the Senate. In order that the Senate may know just what the present bill as reported to the Senate does by way of increases in each arm of the Army, I want to call attention to the increases, and you will see that the percentage of increase in our Coast Artillery is only one-seventh of what it is in the Field Artillery.

In other words, Mr. President, the present strength of the Cavalry is 14,148. The bill increases it to 25,000. The percentage of increase is 76.

Our present Field Artillery strength is 5,541. The bill increases it to 18,039, which is an increase of 225 per cent.

The present strength of the Coast Artillery is 19,019. The bill increases it to 24,887, or an increase of only 31 per cent.

The present strength of our Infantry is 35,339. The bill increases it to 85,952, or an increase of 143 per cent.

Mr. President, if we accept the amendment, the percentage of increase for the Coast Artillery will only be 57. If we reduce the Army to 140,000, the lowest number suggested, then the increase of the Coast Artillery, if we adopt the amendment offered, will be less of an increase than in almost any other division of the Army.

Mr. WARREN. Mr. President, will the Senator from Utah yield for a question?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. WARREN. Does not the Senator remember, however, that the Coast Artillery has been almost trebled, or perhaps quite trebled, since the other branches have been increased, which makes some difference in computing the percentages now? Furthermore, is the Senator quite sure that the addition of 10 regiments to 15 makes an addition of 76 per cent?

Mr. SMOOT. Is the Senator speaking of the Cavalry?

Mr. WARREN. The Cavalry.

Mr. SMOOT. I am quite sure——

Mr. WARREN. It is a matter of mathematics. The Senator can figure it out when he gets time.

Mr. SMOOT. I have figured it, and I have taken the figures which the bill provides; and I think if the Senator will figure it out he will find that the percentage of increase for the Cavalry is 76 and for the Field Artillery 225.

Mr. WARREN. May I ask another question? Does the Senator think we have increased the Field Artillery too much?

Mr. SMOOT. No; I am not objecting to that. In fact, I am perfectly willing to further increase it.

Mr. WARREN. Does the Senator think we are increasing any of the arms too much?

Mr. SMOOT. No; I am not asking for a decrease of any arm of the Army.

Mr. WARREN. Then may I ask one more question? Would it in any way endanger the amendment to let it rest until we provide what the maximum shall be?

Mr. SMOOT. Mr. President, I have no objection, if the Senator offering the amendment does not object, to letting it rest and letting the committee pass upon it; but I claim this: If the Senate of the United States should vote ultimately for a reduction from a maximum of 180,000 in the Army to 150,000, then the Coast Artillery ought to be increased 5,112 men, as provided for by the amendment of the Senator from Utah, my colleague.

Gen. Weaver, in his testimony in the hearings, gives the reasons for this increase much better than I can, and, I suppose, just as forcibly as any other Senator can possibly do. I find the following in his testimony:

> Gen. WEAVER. The point that I was next going to take up is that the 50 per cent required of the States should include about 711 officers and 17,329 enlisted men.
>
> The CHAIRMAN. That is the State proportion?
>
> Gen. WEAVER. Yes; to man one-half of the guns and mortars in the United States proper.
>
> Senator DU PONT. They have never come forward, have they?
>
> Gen. WEAVER. I am coming to that right now. Of the seven hundred and odd officers and the 17,000 men, the latest reports we have show that the States have at the present time supplied only about 400 officers and about 7,000 men, so that they are three hundred and odd officers and about 10,000 men short of their quota. As perhaps bearing upon all of the personnel questions that are up for discussion, I have a table here which gives what is required under the 50 per cent plan which I have just enunciated and that recommended by the War College Division of the General Staff, that recommended by the Chamberlain bill, that recommended by the Hay bill, that recommended by the War Department draft, and that now authorized by law. I think this would be of value, perhaps. It gives the personnel in tabulated form, side by side, and covers all the features of it quite fully.

I ask that any Senator who is interested in this particular question will secure a copy of the hearings and see those figures side by side, as given by Gen. Weaver. He will find the table on page 536 of the hearings.

Mr. President, I believe that the increase, as provided in the amendment, should be made in the first part of section 22, as reported to the Senate, and also the provision authorizing the President of the United States to increase the number should be to decrease the number, as provided in the amendment offered by my colleague. Whether the Senate wants to vote upon it now, or whether it goes over for the committee to consider, I sincerely trust that the amendment will be adopted, for I consider the Coast Artillery the second line of defense of our country, and it seems to me it ought to be strengthened by increasing the number, as provided in the pending amendment.

Mr. BORAH and Mr. STERLING addressed the Chair.

The VICE PRESIDENT. Under the 10-minute rule the Senator occupying the floor must take charge of his 10 minutes.

Mr. SMOOT. I yield to the Senator from Idaho or to the Senator from South Dakota.

Mr. STERLING. I simply wish to ask the Senator from Utah a question.

Mr. BORAH. Very well.

Mr. STERLING. That is, whether he can state specifically how much of an increase the minimum provided in the bill is over the present organization?

Mr. SMOOT. It is 31 per cent; and with the increase asked for by the amendment of my colleague, if granted, it would be 57 per cent over the present strength of the Coast Artillery.

Mr. STERLING. I see. Then take the first amendment suggested by the Senator from Utah, the Senator's colleague. The number—1,784 sergeants—is an increase of 31 per cent over the existing organization.

Mr. SMOOT. Mr. President, there may be a little difference in the increase in case of sergeants or privates; but taking the whole increase of 5,112 men, it is an increase of 31 per cent over the present strength of the Coast Artillery. If the Senator's amendment be adopted, then the increase over the present strength of the Coast Artillery would be 57 per cent, as against 76 for the Cavalry, 225 for the Field Artillery, and 143 for the Infantry.

Mr. WARREN. Mr. President, if the Senator wishes that 76 per cent to go in, I think he will find it is 66 per cent, and I presume he will want to correct it.

Mr. SMOOT. I will ask the Senator if the present strength of the Cavalry is not 14,148?

Mr. WARREN. It is 15 regiments, and we are increasing it to 25.

Mr. SMOOT. I am speaking of the actual number of men that are in the Cavalry to-day; and that is 14,148.

Mr. WARREN. The actual number is in the same proportion. If you add 10 to 15, you have added 66 per cent. Ten is 66⅔ per cent of 15.

Mr. SMOOT. That is true if the Cavalry is full, but I am figuring on the actual number now in the service.

Mr. WARREN. It will not be full under this new plan unless war strength is called for.

Mr. NELSON. Mr. President, it occurs to me that there is one good, strong reason in favor of this amendment, and that is in order that men may be drilled effectively for the Coast Artillery service they must be located where the coast artillery is. The training must take place where the guns are in order that the men may become accustomed to that method of Artillery service.

Now, while the National Guard can easily supplement our Infantry and easily supplement our Field Artillery and perhaps our Cavalry, it is more difficult to furnish men for Coast Artillery, for the reason that in the nature of the case the State militia has not the opportunity or facility to drill men in the Coast Artillery as they ought to be drilled in that service. In other words, to become effective artillerymen in the Coast Artillery the men must be brought right alongside of the guns in the batteries and receive their training there, because in no other way can they become competent drilled men to handle coast artillery; and you can see how difficult it is in many cases for the State militia to get such training.

Mr. WARREN. Does not the Senator know that the militia are in a great many cases in States along the coast, where they have artillery and, as a matter of fact, do drill with guns?

Mr. NELSON. That is true in some cases. With States on the border that may be true, but take it in all the interior States—take it in Minnesota and in Wisconsin and all those great States in the Mississippi Valley—I do not apprehend that there is any training of militia in the matter of Coast Artillery practice.

For these reasons, Mr. President, I am heartily in favor of this amendment, because, as I conceive it, it is the only way in which we can get trained, good men for the Artillery service.

Mr. JONES. Mr. President, I do not pretend to know very much about the details of this matter, but I can not agree with the Senator from Wyoming that we ought to put off what we do on this amendment until we determine the size of the Regular Army. I think the determination of what we should do in this case has very much to do with determining the ultimate size of the Regular Army.

I simply want to say that I think the suggestion made by the Senator from Idaho [Mr. BORAH] the other day is one that we ought to follow. The first line of defense in this country from our geographical situation is the Navy, and we ought to deter-

mine first what sort of naval defense we are going to have and then determine what sort of a land force we ought to have to support it.

Next to the Navy comes our Coast Artillery. It is the second line of defense. It is the first line of our land defense, and when it is determined we can more wisely determine our additional land force. It is on that theory I believe we ought first to determine what coast defense we shall have.

I am in favor of the amendment offered by the Senator from Utah, because I believe our coast defense ought to be brought up to a high state of efficiency and for the reasons very largely set out by the Senator from Colorado [Mr. THOMAS] and the Senator from Minnesota [Mr. NELSON]. We have spent millions for these defenses already. The defenses so provided are not sufficiently manned. Without men they are practically worthless. The men to man them must be specially trained, and it is the best kind of preparedness to have these defenses properly manned. Instead of giving any opinion I may have in reference to that matter, I am going to read into the RECORD statements made by Gen. Weaver, who is certainly competent to give an opinion with reference to these matters. He is certainly an expert that those who depend especially upon expert opinion would be willing to follow. He is the head of the Coast Artillery, I understand. On page 363 of the hearings he says:

We have since educated the personnel along specialized lines, and it stands to-day, we believe, without a rival in the world for efficiency.

That goes to the qualification of the force we now have. There are a great many people in the country who seem to think we have a very poor personnel for our coast defenses, and his words ought to be quite reassuring.

In line with the statement made by the Senator from Minnesota as to the requirements with reference to men to man the Coast Artillery defenses, let me read what he says, at page 389:

There is another thought that I think you ought to have in mind, and that is this: When war comes the coast line becomes immediately the threatened line. There is no time to train men for this service. The attack might come before the declaration of war. If you will look into it you will see that it is a highly technical class of training that is required of the personnel; you can not improvise men for this service.

Then, for the peace of mind of those who are fearful as to the character of our coast defenses and who might not be willing to take the statement of the Senator from Colorado that they are the best in the world, I want to read what Gen. Weaver said.

Mr. THOMAS. I made that statement on the testimony of Gen. Weaver.

Mr. JONES. I understood that; but it did not appear in the RECORD, and some who think we ought to follow only expert testimony might not know this. I know the Senator from Colorado, as a member of the committee, could qualify as an expert, but some might not recognize him as an expert in this matter.

Mr. THOMAS. On the contrary, I know nothing about it except at second hand.

Mr. JONES. But a good many would not know that if the Senator had not so stated it. Gen. Weaver says, on page 395:

We have the best coast defense in the world.

That, of course, is the language of the Senator from Colorado, and I wanted to show that he had fully recognized expert authority for that statement.

Mr. MCKELLAR. Gen. Weaver, as I understand you, the only thing you want that is desirable now is an increase in the number of officers and men in your corps?

Gen. WEAVER. We have the best coast defenses in the world, and with the new constructions which are contemplated, I think they will be fully adequate.

Mr. MCKELLAR. And effective for any purpose of defense?

Gen. WEAVER. Any naval officer coming against our coast defenses would hesitate to come within the reach of our guns.

Mr. MCKELLAR. Now, as I understand it, the War Department recommends an increase of about 5,000 men and you recommend an increase of about 15,000?

Gen. WEAVER. About 11 000. That is my personal recommendation. I understand, of course, the general policy and the law, but I did not think I would be performing my duty to this committee or my duty at large if I did not indicate exactly what the deficiencies are.

Gen. Weaver, of course, recognizes the theory upon which Congress acts in reference to these matters, and that the recommendation of the department is often based upon the appropriation that they think probably can be secured, but he recognizes the importance of this to such an extent as to say that it is his duty to recommend what there ought to be, whether we provide for it or not. He knows what we actually need, whether we provide for it or not.

Mr. MCKELLAR. If we conclude to carry out your recommendations and give you the 11,000 men, then, as I understand you, you would have a perfect system of coast defense that you think would be adequate for any purpose?

Gen. WEAVER. Yes; and the United States would be performing what amounts almost to an agreement with the States, of manning its half of the guns. We can not with any good grace ask the States to man their half when the United States is not manning its half.

Mr. President, I should like to incorporate in my remarks without taking the time to read it a quotation from page 396 and also page 397 from Gen. Weaver with reference to this matter.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Gen. WEAVER. The guns now mounted and those contemplated will give us an entirely satisfactory defense.

Mr. MCKELLAR. You do not take any stock in this idea that the ships of foreign nations carry guns of long enough range to silence your guns?

Gen. WEAVER. No. Of course, you understand, our guns were mounted along in the nineties, and they belong to that period. Since then guns of longer range have been developed, and there are now guns on warships that could stand off beyond the reach of our guns and fire at our batteries—not at the things we are protecting behind, but at the batteries—without our being able to reach them in reply; but when they fire at very long ranges their fire is not so effective, so we are not very much afraid of them.

In order to meet the new conditions we have a surplus of old guns, and we are mounting these on carriages that will give a high angle of fire. We will then be able to reach farther than can the enemy's guns.

Mr. MCKELLAR. At a range of 21 miles, say——

Gen. WEAVER. They could not attack us at long range and fire at us without getting within the range of our guns.

Mr. MCKELLAR. The fire from your coast defense guns is, of course, by reason of more accurate range finding, very much more accurate than their fire toward you?

Gen. WEAVER. Yes; our firing is quite accurate.

Mr. MCKELLAR. How accurate are you, General?

Mr. TILSON. Have you seen the figures presented by Mr. GARDNER on the target practice?

Gen. WEAVER. Yes, sir.

Mr. TILSON. In a general way, those are correct?

Gen. WEAVER. They are correct, yes. Our percentage was 37 per cent out of some 700 rounds. That is, we hit the target at an average range of 8,000 yards more frequently than once in three shots, which I think is very good.

Mr. GORDON. How does that compare with other nations?

Gen. WEAVER. We have not any complete data, but we know what their methods are. We do not hesitate to say they are not in the same class with us. Our practice this year requires firing at over 10,000 yards, and the reports up to date indicate that at that range we are getting 27 per cent of hits. That is one hit in practically three shots.

Now there [indicating a mark on a sheet of paper] is the size of a target as it appears to the eye at 10,000 yards. If you will put it on the table and try to put your pencil point on it, giving the hand a fairly quick motion, you will find it difficult to do as well as one hit in three trials. We are putting our projectiles on the target more accurately than you can put your pencil point on that mark.

* * * * * * *

Mr. MCKELLAR. I want to ask you, General, with our present condition, is our condition of preparedness for defense deplorable?

Gen. WEAVER. Except in the matter of personnel, it is not.

Mr. MCKELLAR. It is in excellent condition, with the addition of a few officers and men, such as have been recommended by the department and by you?

Gen. WEAVER. Yes, sir. My feeling is this: As I survey the field, I do not see how you can get more efficient protection in the first instance than can be obtained by providing for this personnel. We have all the material in place.

* * * * * * *

Mr. QUIN. You are familiar with the American Navy, of course. With the Navy as it stands to-day, could any foreign navy attack you?

Gen. WEAVER. It could not, unless it first defeated our Navy. They can not come here in numbers, except on a large number of transports convoyed by warships. Such a fleet of transports would never attempt to cross the ocean until after the great naval fight had been fought; that is, until after it had gained the command of the seas. There must be considered as antecedent to anything of that kind the decisive naval fight which determines the command of the seas.

Mr. QUIN. And if they did demolish our entire fleet, you could still entertain the gentlemen a good while, could you not?

Gen. WEAVER. The enemy could not bombard any of our large cities. Wherever we have fortifications they could not come.

Mr. JONES. According to Gen. Weaver all of our important coast points are adequately defended, if properly manned. Man them properly and the Navy will be left just that much freer to protect the unprotected coast line and prevent the landing of invading forces.

Mr. President, I have proposed an amendment—that is, I have had it printed—with reference to the travel pay of soldiers when they are discharged. I have had prepared a statement setting out the reasons for this quite fully by a gentleman who is thoroughly familiar with the facts and the viewpoint of the private soldier. In order that it may be available when the amendment comes up for consideration I ask that I may have the privilege of printing it in the RECORD, and I hope that Senators will find time to examine it before the amendment comes up for action.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

The purpose of this amendment to bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States is to add a new section, as follows:

"SEC. —. That hereafter an enlisted man when discharged from the service, except by way of punishment for an offense, shall receive 4 cents per mile from the place of his discharge to the place of his application for enlistment or the place of his enlistment, enrollment, or original muster into the service, at his option: *Provided*, That for sea travel on discharge transportation and subsistence only shall be furnished to enlisted men."

This will displace the act of August 24, 1912 (37 Stat., 575), pertaining to transportation of enlisted men of the Army on discharge, reading as follows:

"*Provided*, That hereafter when an enlisted man is discharged from the service, except by way of punishment for an offense, he shall be entitled to transportation in kind and subsistence from the place of his discharge to the place of his enlistment or to such other place within the continental limits of the United States as he may select, to which the distance is no greater than from the place of discharge to place of enlistment; but if the distance be greater he may be furnished with transportation in kind and subsistence for a distance equal to that from place of discharge to place of enlistment, or, in lieu of such transportation and subsistence, he shall, if he so elects, receive 2 cents a mile, except for sea travel, from the place of his discharge to the place of his enlistment."

The necessity for this action is first briefly summarized herein and then set forth at length and in detail.

The act of August 24, 1912, was passed in the belief that an economy could be effected by resorting to transportation in kind and subsistence without adversely affecting the service. Neither belief was well founded, it appears, for the estimated economy has not become actual for reasons which the act itself could not control, and the direct result of the operation of this act has been to lose to the service high-grade men whom it is desired should continue in the service and to repel better class men who otherwise would be attracted to Army service.

Transportation in kind with subsistence for enlisted men on discharge was tried out under the provisions of section 1290 of the Revised Statutes. It was not found to be an economy over 4 cents per mile, and the act of May 26, 1900 (31 Stat., 210), discontinued transportation in kind and substituted the payment of 4 cents per mile to the soldier at the time of his discharge. Four cents per mile has been the approximate cost of second-class travel and subsistence for many years. One item of expense might increase or another decrease, but the average remained the same.

The average cost to the Government of second-class tickets plus upper berth in tourist car where operated, with added cost of 50 cents per meal during the time of travel, throughout the United States is 3 cents per mile. If to this is added the difference in cost between second-class and first-class rail tickets and that between tourist and Pullman sleepers, where tourist cars are not operated, the cost per mile will be greatly increased. If we add to this the expense properly chargeable to it, of official and clerical cost of issuing transportation requests, accounting and settling therefor, the present expense to the Government under the act of August 24, 1912, will aggregate the 4-cents-per-mile rate originally paid, and which, in the interests of an improvement in the service, it is desired to restore.

The operation of the act of August 24, 1912, has been very objectionable to the enlisted men of the Army, and its adverse effect upon the better class of enlisted men, who are the most entitled to consideration, has been to cause them to lose confidence in the service and the promises of the Government to such extent that they not only leave the Army service themselves but advise their friends and associates not to enter it. The result has been to lower the morale and decrease the efficiency of that branch of the service, because of the increasing difficulty of getting men of the better type for Army enlistment.

The provision for mileage on discharge for the Navy enlisted men is 4 cents per mile, as proposed to reenact for the enlisted men of the Army. Marines are paid off under Army Regulations; and the most striking comparisons of the effect of the 4 cents per mile of the Navy with the transportation in kind of the marine is thus afforded, leading to the not unmerited charge of class legislation. A sailor of the Navy is enabled to reach his home on discharge within his travel allowance. The marine is left stranded short of his actual destination with the necessity of raising money to enable him to pay fare to his home from the point where transportation in kind furnished by the Government terminates.

DESIRABLE RECRUITS NOT PLENTIFUL.

It will require but casual investigation to develop and emphasize the fact that men of desirable characteristics, with qualifications for service, are not attracted by the alluring posters and advertisements of the Army recruiting officers or by the blandishments of the recruiting sergeant on watch outside in sufficient numbers to justify the belief that it would be possible, except in the event of actual war or imminent possibility thereof, to secure, in addition to present authorized requirements, within the time limit prescribed anything like the number of men called for in defense measures now being considered by Congress who could even physically stand the tests applied to applicants for enlistment in the land forces of the United States.

CONDITIONS IN THE YEAR 1915.

The Adjutant General will doubtless confirm that, except for such brief periods as that now existing, when temporarily there is possibility of immediate active service, there is an increasing difficulty in securing the required number of young men of right type and character for Army enlistment. His report of the work for 1915, as published, records that in order to secure 48,813 enlistments required to fill existing gaps in the service it was necessary to examine 179,019 applicants, of which number 130,206 were rejected for failure to come up to the requirements.

UNDESIRABLES ELIMINATED AFTER ENLISTMENT—50 PER CENT OF NUMBER SERVING THROUGH.

The report of The Adjutant General further records that during the year 1915 the number of men discharged from the Army by reason of "Expiration of term of service" were 27,986; that during the same period there were discharged for disability, sentence of courts-martial, or by order, 9,451 men; and that the number of desertions from the colors were 4,457. It is apparent therefore that the number of men who were physically unfitted for service or whose mental or moral attitude rendered them unsuitable as soldiers, and who were either eliminated in the manner described or who eliminated themselves by desertion during the year 1915, after the United States had incurred the expense of recruiting and endeavoring to train them, aggregated 13,908 men, or very approximately 50 per cent of the number of men who finished their period of service with the colors, with "Service honest and faithful."

NO REFLECTION ON RECRUITING OFFICERS.

This showing for the year 1915 is no reflection on the character of work performed by recruiting officers. They have no scale upon which they can accurately weigh the mental and moral tendencies of individuals. It is, however, a most striking commentary on the average of character of applicants for enlistment at Army recruiting offices under present inducements for service. It is a source of constant wonderment to those who know the enlisted men of the Army intimately that with practically nothing but the leaden existence of routine to offer as inducement, recruiting officers have been able to cull for the service so many men of sterling worth and quality from the mass of questionable humanity—the flotsam of society—which in desperation proffers itself for Army enlistment.

LONG-SERVICE MEN HIGH-GRADE MEN.

It has been my privilege to recently receive the opinion of a man who is a close student of human nature and who has had opportunity to observe and study the Army at close range for more than a decade. From the angle of a decided interest in the welfare of the enlisted man, he has been able to penetrate the mask of their reserve, be the recipient of their confidences, and permitted to sympathize with them in their troubles. I know therefore that he is competent authority and that his views are worthy of every consideration, and I have therefore no hesitancy in accepting his statement with every confidence that his opinion is correct and his estimate well founded when he says that "Men of the Army who are well along in the second or later enlistment periods are usually men of high grade, far above the average. Men who are not in the Army because of its pay or emoluments or for any other reason than that the Army has afforded them in the past the outlet for tendencies and characteristics which those of us who have had opportunity to observe all admire in the men who are rated as 'good soldiers' by their officers."

DO EXPERT WORK OF EXCELLENT CHARACTER.

These men are of the type that "make good" in civil pursuits. They are filling positions in the service requiring expert knowledge of mechanical, electrical, and civil engineering and occupying other places requiring technical knowledge of specific subjects. With the possibility of retirement ahead of them after years of faithful service, they estimated that their sacrifice of personal opportunity in civil life would, in measure, be minimized, and so followed their bent and molded their wills to the discipline of the service, and were satisfied with what it offered, and had a keen satisfaction in the performance of their work until the legislation of recent years unsettled their belief in the ultimate intent of the Government to fulfill its promise, including retirement, held out as inducement at the time of their first enlistment.

GOOD MEN LEAVING THE SERVICE.

Unfortunately for the service, many men of this class and type—the thinking men of the ranks—through lack of confidence in the future, engendered by recent enactment of Congress, which have limited, scaled down, or cut out entirely privileges enjoyed by the Army as a right for years past, have reached the conclusion that no one in particular is interested in the welfare of the enlisted man, and that he had better "cut" the service before it is too late in life to establish himself properly on the "outside." Men of this class are truly the "man behind the gun"—the mainstay of the service—and the Army can not afford to lose them, for as they leave, under present conditions, their places are taken by men less desirable, and the morale is accordingly lowered and our national security correspondingly lessened, which view is concurred in generally by officers of the line serving with troops.

"CLASS DISTINCTION" NOT BAR TO BETTER TYPE ENLISTMENTS.

It has been suggested that the greatest bar to obtaining proper enlistments is "class distinction" within the Army. That is not true. Furthermore, "class distinction" was not created and is not maintained by the Army, but by the people, and it will necessarily continue until we, the people, effect an entire change of front in our attitude toward the enlisted men of the service, individually and as a class.

THE REGULAR ARMY SOLDIER A VOLUNTEER IN EVERY SENSE.

We fail to give due consideration to the fact that the citizen of the United States who, in time of peace, gives to his country a "service honest and faithful" as an enlisted man in the Regular Army, that he may become properly trained for the exigency of war, or as the more certain preventative thereof, is in every sense of the word a "volunteer" and as much entitled to credit and the plaudits of the crowd as that other citizen whose patriotic emotions at the time of his country's need prompt him to offer himself at such time for purely temporary service.

THE REGULAR VOLUNTEER MAKES THE GREATEST SACRIFICE.

It is the regular volunteer who makes the greatest sacrifice on the altar of his country, but we are apt to consider him as a "mercenary," a mere hireling, devoid of all patriotic impulses, who should be satisfied with the worst we have to offer, and we hold him in contempt and the term "soldier," one of opprobrium, until such occasion as has recently arisen in Mexico, when we temporarily realize that it is the regular volunteer who is called upon to bear the brunt of engagement and who cheerfully and bravely does his duty with commendable enthusiasm and who yields up his life that the authority of our Government may be upheld and the lives and property of our citizens respected.

HE HOLDS OUR TEMPORARY COMMENDATION.

And then, eager to do him honor, we term him "hero" and follow his mortal remains to their last resting place and strew fragrant flowers upon the "colors" with which we drape his bier. He gave his life for his country. But we soon forget and resume our wonted attitude of distain toward the soldier as a class, largely because of his willingness to serve us faithfully for the meager pay and allowances we so grudgingly grant. And we compare the cost to us of his voluntary service with that of other countries of a compulsory service, which affords the individual no option from military duty nor right of protest against the wage he receives therefor—a system, however, which we are unwilling to adopt for ourselves.

EFFICIENCY REDUCED AS RESULT OF RECENT ENACTMENTS.

We have in recent years curtailed the pay of the enlisted man, abridged his privileges and lowered his self-respect in the interests of a false and futile economy, which, while it has not materially decreased the expense incidental to the enlisted personnel of the Army, has decreased its efficiency out of all proportion to other benefits, actual or theoretical, and, as was stated by a noncommissioned officer serving in his eighteenth year, the result of such legislation has "tended to fill our Army with men of mediocre qualifications, not to be depended upon in time of stress."

SMALL ARMY MUST BE EFFICIENT.

Doubtless some slight importance may attach in the minds of some to "class distinction" as preventing the enlistment of desirables. It should be remembered, however, that "class distinction" will not be lessened by making the lot of the enlisted men less desirable, neither will such action stimulate enlistments of men with capacity for special service, the kind and type of men whom it is essential we should have as the nucleus of a proper defense for our country, and the more espe-

cially in that we are inclined to limit the regular volunteers to a comparatively small force.

ADVERSE LEGISLATION RESPONSIBLE.

Investigation as to the causes which prevent securing the full quota of enlistments from the desirable class will reveal that the chief difficulties are the direct or indirect outcome of legislation of recent years, aimed at the enlisted man as a class, and that subsequently thereto practically every young man of stamina who had completed his first term of service and returned home became a self-constituted committee of one to warn his friends against the Army.

RECRUITS FROM COUNTRY COMMUNITIES MOST SATISFACTORY.

The greater percentage of satisfactory recruits, as pertains to physical qualifications and true patriotism, are those secured from rural communities remote from the large centers of population. Hardly a community of this character but has in the past furnished one or more recruits for Army service. The young man of good standing in a community of this character, who returns home after discharge with a category of just causes for complaint, based on his own experiences with the Government in its failure to keep faith with him, will successfully prevent the securing of further recruits for the Army in that immediate vicinity. Firmly imbued with the idea that he has not been accorded a "square deal" in the final settlement of his contract with the Government, other unimportant things become magnified in his consideration of them, and he becomes the press agent of adverse conditions as relates to the Army, and with endless detail portrays its disadvantages, and the young men who are his associates, possessed of that longing for military service which is inherent in every red-blooded youth, hang upon his words and accept his advice to "tackle the Navy, but let the Army alone."

THE OBSTACLES TO PROPER RECRUITING.

Thus are built up for the recruiting officer obstacles to recruiting men entirely efficient, which are insurmountable under a normal peace condition, and which help to lower the average of the quality of men available for the Army under any voluntary enlistment plan and involves a wasted expense in recruiting and attempting to train men of low grade who are sooner or later rejected as unfitted for service, greater than the estimate of saving expected by the legislation which has resulted in the adverse attitude of the better class of enlisted men toward the Army.

GOOD MEN SHOULD BE RETAINED IF POSSIBLE.

Nearly every desirable man who leaves the Army at the end of his first enlistment period lifts his right hand and promises himself "never again," and yet those are the only type of men this country can afford to enlist. Men who are strong, virile, clean-lived, and who were attracted to the Army by the fact that it appeared to offer opportunities for the development of activities for which they were exceptionally well suited by habit of life and disposition of mind.

NAVY REENLISTMENTS, 85 PER CENT; ARMY REENLISTMENTS, 34.30 PER CENT.

With but a comparatively small Regular Army, the importance of retaining the most desirable men in the service will become apparent. You can not successfully train reserves otherwise. The smaller the Regular Army the greater the necessity for efficiency.

The Chief of the Bureau of Navigation of the Navy, in his annual report for the fiscal year 1915, comments that as the result of favorable legislation for the benefit of the enlisted men of the Navy, reenlistments for the year had risen to 85 per cent of the number of men who were by reason of the character of their discharge, entitled to reenlist.

The report of The Adjutant General of the Army records that Army reenlistments were 34.30 per cent, which includes the reenlistment of 2,600 privates, attracted by the bonus pay of $45, the equivalent of three months' pay, granted only the privates who had finished their first enlistment period and who reenlisted within three months thereafter. Investigation from every angle reveals the fact that Navy legislation as relates to the enlisted man has been of a character to attract the better class of men, while the Army legislation has repelled men of the better type as they came to a knowledge of its operation.

THE SOLDIERS' COMPLAINT.

The underlying causes responsible for the attitude of the better class of discharged soldiers toward the Army are concrete and easily defined. They have for the greater part to do with legislation which adversely affected their pay allowances, and about which they were in no manner consulted. This legislation which segregated the enlisted men of the Army from other defense units as the object of presumable economies, and which also adversely affects the Marine Corps, as the enlisted men of that organization are governed by Army regulations in such matters, covers a period of years and culminated with the act of August 24, 1912 (37 Stat., 576).

I will make no attempt here to catalogue all the grievances of the enlisted man, but desire to direct attention only to those which have been particularly instrumental in bringing about the condition which has tended to negative the earnest work of recruiting officers in their efforts to secure for the Army a high grade of recruits.

CURTAILMENT OF PRIVILEGE OF SPECIAL ASSIGNMENT ON REENLISTMENT.

The enlisted man's privilege of assignment of reenlistment to certain organizations, with the right to be forwarded at Government expense, was curtailed in the interest of economy and limited to applicants who had been last discharged as noncommissioned officers, and where the travel did not exceed 1,000 miles. He did not seriously object to that. His innate sense of justice prompted him to realize that it was a legitimate economy.

NO OBJECTION TO DISCONTINUING CASH PAYMENT FOR SEA TRAVEL.

When by act of May 26, 1900 (31 Stat., 210), the cash payment of mileage for sea travel to and from our island possessions was eliminated and replaced by transportation in kind and subsistence he considered that to be a legitimate economy. He could not comprehend why the Government had been willing to pay him 4 cents per mile for the sea travel and then bring him home in a transport in addition. The right type of enlisted man is fair-minded, and his idea of a "square deal" is that it should be square for both parties.

DOUBLE TIME TOWARD RETIREMENT FOR FOREIGN SERVICE ELIMINATED—FOREIGN SERVICE PAY ON "RATINGS" ELIMINATED.

We changed that provision of law under which an enlisted man serving outside the continental limits of the United States was awarded two years toward retirement for each year of such service by eliminating the "double-time" allowance, and at the same time we took from him that portion of his "foreign-service pay" as formerly allowed on "ratings," such as "observer," "gun pointer," etc. There was for these curtailments but a rumble of discontent.

CONTINUOUS-SERVICE PAY DECREASE.

We decrease the amount of his "continuous-service" pay by changing the period of enlistment with the colors from three to four years, without making provision to equalize the allowance over the longer period, which robbed him of one year's "continuous-service pay" every fourth year, which added another cause for mistrusting our ultimate intent.

TRAVEL ALLOWANCES FORMERLY SUFFICIENT TO ENABLE DISCHARGED SOLDIER TO REACH HOME.

Under all provisions of law, from 1802 down to the year 1912, a soldier on discharge had been granted travel allowances sufficient in cash to enable him to travel comfortably from the place of his discharge to his home, or at least to the place where he had applied for enlistment and been enrolled, provided only his discharge had not been by way of punishment for an offense.

THE WORDING OF THE LAWS.

The laws governing travel allowances during the period mentioned are quoted as follows:

ACT OF 1802, MARCH 16.

Act approved March 16, 1802:

"Whenever any officer or soldier shall be discharged from the service, except by way of punishment for any offense, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of discharge to the place of his residence, computing at the rate of 20 miles a day."

This section was repeated in the acts of January 11, 1812, and January 29, 1813, was continued in force under the general provisions of section 7 of the act of March 3, 1815, and is contained in a modified form in sections 1289 and 1290 of the Revised Statutes. Section 1290 relates to enlisted men, and is as follows:

SECTION 1290, REVISED STATUTES.

"SEC. 1290. When a soldier is discharged from the service (except by way of punishment for an offense) he shall be allowed transportation and subsistence from the place of his discharge to the place of his enlistment, enrollment, or original muster into the service. The Government may furnish same in kind, but in case it shall not do so, he shall be allowed travel pay and commutation of subsistence for such time as may be sufficient for him to travel from the place of discharge to the place of enlistment, enrollment, or original muster into the service, computed at the rate of one day for every 20 miles."

ACT OF MAY 26, 1900.

The act of May 26, 1900 (31 Stat., 210), provided—

"That hereafter * * * as enlisted man when discharged from the service, except by way of punishment for an offense, shall receive 4 cents per mile from the place of his discharge to the place of his enlistment, enrollment, or original muster into the service; that for sea travel on discharge, to or between our island possessions, * * * transportation and subsistence only shall be furnished enlisted men."

ACT OF MARCH 2, 1901.

The act of March 2, 1901 (31 Stat., 902), provided that—

"* * * An enlisted man when discharged from the service, except by way of punishment for an offense, shall receive 4 cents per mile from the place of his discharge to the place of his enlistment, * * *. That for sea travel on discharge * * * transportation and subsistence only shall be furnished to enlisted men."

ACT OF JUNE 12, 1906.

The act of June 12, 1906 (34 Stat., 247), provides that—

"For the purpose of determining allowances for all travel under orders, or for officers and enlisted men on discharge, travel in the Philippine Archipelago, the Hawaiian Archipelago, the home waters of the United States, and between the United States and Alaska, shall not be regarded as sea travel and shall be paid for at rates established by law for land travel within the boundaries of the United States."

THE 4-CENT MILEAGE ALLOWANCE FOR TRAVEL A LEGITIMATE ECONOMY.

It is matter of common knowledge that the rate of 4 cents per mile was arrived at and decided upon by Congress as a matter of legitimate economy which worked no hardships on enlisted men at the time of their discharge from Army service. The provisions of section 1290 of the Revised Statutes for the payment of "travel pay"—which was pay at the regular rate—one day for each 20 miles, in the case of noncommissioned officers, provided a travel allowance in excess of actual requirements to enable him to reach home in average comfort.

4 CENTS THE MINIMUM OF ACTUAL COST OF ECONOMICAL TRAVEL.

The 4-cent rate per mile, under the provisions of the act of May 26, 1900 (31 Stat., 210), represents, it is understood, the commutation of the allowances for subsistence, and the base pay of the private soldier, as computed under the provisions of section 1290. However that may be, under all varying conditions of cost of travel, and of subsistence on trains en route, the 4 cents per mile has, from 1900 to the present time, represented approximately the lowest possible cost per mile of economical second-class travel, which included sleeping-car accommodations and wholesome meals, sufficient in quantity, en route.

SUFFICIENT TRAVEL ALLOWANCE A RIGHT FROM TIME IMMEMORIAL.

A sufficient travel pay to enable him to reach his home in average comfort had been the right of the enlisted man from time immemorial. It had been equitably calculated to be 4 cents per each mile of distance from the place of his discharge to the place of his enlistment. The Government had entered into contract with him that in return for a "service, honest and faithful," for a period of three years, we would, in addition to other things, pay his transportation at such rate via the shortest usually traveled route.

TRAVEL ALLOWANCE CURTAILED.

By act of Congress of August 24, 1912 (37 Stat., 576), we arbitrarily decreed that thereafter enlisted men discharged from the Army, except by way of punishment for an offense, should be furnished with "transportation in kind" (which was estimated and placed in the record, though not in the act, as consisting of a second-class railroad ticket, an upper berth in a tourist car, and 50 cents per meal during the actual time estimated to complete the journey), or he might elect to receive 2 cents per mile in lieu thereof.

ENLISTED MEN CONFIRMED IN BELIEF THAT CONGRESS NOT THEIR FRIEND.

When we did this the cup of the woes of the enlisted man of the service overflowed, and the growing suspicion that the "Government had no use for a man who enlisted in the Army" which had been forming in his mind, became a certainty, proven to his entire satisfaction by the course of events. As it appeared to him, he had kept his agreement to the letter, while the Government had broken faith. No amount of plausible argument could move him from that conclusion. He accepted the settlement because there was no alternative. His resentment was none the less apparent, and this crowning act to the accumulated grievances of the enlisted man, because of our neglect of his interests, was the most potential factor in molding the opinions which have prevented recruiting for the Army the desired number of men of the class essential to its continued maintenance at a high standard of efficiency.

ACT OF AUGUST 24, 1912, PARTICULARLY OBJECTIONABLE.

Any doubt as to the conditions here stated or their relation to the recruiting question will be dispelled by inquiry directed to the enlisted men of long service. Individually and as a class they do not hesitate to express that the act of August 24, 1912, as relates to the payment of mileage is the most objectionable as well as the most unjust legislation that has ever been aimed at the enlisted men of the Army and Marine Corps. The better posted of the men, especially those assigned to accounts, believe that there is no saving to the Government in the furnishing of "transportation in kind" and subsistence over the former method of paying 4 cents per mile, and that seems borne out by investigations.

The wording of the objectionable enactment of August 24, 1912 (37 Stat., 576), is as follows:

"Hereafter when an enlisted man is discharged from the service, except by way of punishment for an offense, he shall be entitled to transportation in kind and subsistence from the place of his discharge to the place of his enlistment, or to such other place within the continental limits of the United States as he may select, to which the distance is no greater than from the place of discharge to place of enlistment; but, if the distance be greater he may be furnished with transportation in kind and subsistence for a distance equal to that from place of discharge to place of enlistment, or, in lieu of such transportation and subsistence, he shall, if he so elects, receive 2 cents a mile, except for sea travel, from the place of his discharge to the place of his enlistment."

RECRUITS ENLISTED AT CENTRAL DEPOTS.

As a matter of recruiting efficiency, the admirable plan was adopted of carrying all applicants for Army enlistment to central recruiting depots, where more thorough physical, mental, and medical tests of applicants could be made, in order to eliminate the greatest possible number of undesirables prior to actual enlistment. Men so collected were recruited at points sometimes 300 miles remote from the recruiting depots, but were not enlisted until they had passed the final examinations at the recruit depots.

ENLISTED MEN NOT RETURNED TO PLACE WHERE ACCEPTED, OR EQUIVALENT DISTANCE.

As the provision of the act of August 24, 1912, was for the issuing of transportation in kind for a distance equal to that from the place of discharge to place of enlistment only, it becomes apparent that men who enlisted in the Army or Marine Corps were confronted with the possibility, and not only the possibility, but the actual fact, of being left stranded a matter of several hundred miles short of the point where application had been made for enlistment, necessitating the raising of additional funds to enable him to get back as far as the point where the Government had received him for enlistment.

CORRECTED BY DECISION OF COMPTROLLER OF TREASURY.

This practice was followed, in conformity with the act of August 24, 1912, from the date of its passage to February 26, 1916, when the Army Regulations were to have been amended in accordance with the decision of the Comptroller of the Treasury to the effect that the place where a man was accepted for enlistment should be regarded as the place of his enlistment within the meaning of the laws governing the payment of travel allowance on discharge.

PROVISION INSUFFICIENT TO PAY EXPENSES TO ACTUAL HOME.

It is seldom that a man is enlisted in the Army, Navy, or Marine Corps at the place which is actually his home. He must, therefore, in most instances, arrange for additional railroad fare and expenses over that provided by the Government at the time of his discharge.

NAVY TREATMENT BETTER THAN ARMY AND MARINE CORPS IN TRAVEL ALLOWANCE.

The enlisted man of the Navy, who receives 4 cents per mile of travel, can, by skimping his stomach or going without the comforts of a sleeping car for the entire journey, as the result of such economy save enough from his travel pay to pay this additional cost of transportation and subsistence. For the enlisted man of the Army or of the Marine Corps to reach his home, beyond the point of his acceptance, it is necessary for him to deplete the meager store of cash he has saved during his enlistment period from what was left of his pay after necessary expenditures had been made from it.

Enlisted men of the Army whose travel pay on discharge is limited to a cash commutation of 2 cents per mile can never be brought to a realizing sense of obligation for our having denied them the reasonable minimum amount of travel and subsistence allowances paid in other branches of the Government service—the 4 cents per mile—which would have permitted them the option of route and destination, with saving sleeping car fares by doubling up together or sitting up, which would in part at least, have paid for the additional cost of reaching their homes. Men discharged on the North Pacific coast since August 24, 1912, have been obliged to pay varying sums running up as high as $25, to enable them to reach their homes from the point where the transportation in kind furnished by the Government terminated.

OPERATION OF ACT UNFAIR TO MARINE.

When two men enlist at the same time and place, serve on the same ship, are discharged at the same time and place, and, as under the present laws, one of them, the sailor from the Navy, is given 4 cents per mile, which enables him to reach home if economical, and the other, the marine, is left stranded short of his destination, could we "Tell it to the marines" with such convincing argument that they would believe that the treatment accorded the marine in the matter of mileage allowance on discharge was on a par with that accorded the enlisted man of the Navy?

FOUR-CENT ALLOWANCE SHOULD BE RESTORED AS AN ACT OF JUSTICE.

We have been fair to the enlisted man of the Navy, and we have received a wonderful equivalent in efficiency and esprit de corps born of contented service. Let us be equally fair to the enlisted men of the Army and Marine Corps, at least in this one particular, by restoring the travel allowance on discharge, to the minimum allowance in other branches of Government service, 4 cents, and thus aid in building up all arms of our defensive system by improving the quality of the enlisted personnel.

AN ECONOMY INTENDED BY THE ACT.

It was the evident impression of Congress that by the change in the manner of granting transportation on discharge to enlisted men a very considerable economy would be effected, and this impression was based on statement showing specific examples of estimated cost to the Government of second-class transportation, which included the deductions for land grant west of Chicago, upper berths in tourist cars, and $1.50 per day for meals, with no time allowance for late trains and missed connections. For points east of Chicago the statement was based on second-class fares which have been since eliminated, passenger fares in that territory having been raised by authority of the Interstate Commerce Commission.

ECONOMY EXPECTED FROM LAND-GRANT DEDUCTIONS.

It was originally proposed that transportation only to the point of enlistment should be furnished. As all the western recruit depots were located at points which enables the Government to take advantage of land-grand deductions, had that arbitrary plan been followed by Congress a saving on that account might have resulted. This plan was eliminated before presentation to Congress and an attempted equity substituted, which provided for the furnishing transportation to any point of equal distance, and not infrequently, therefore, since the act became effective, the cost to the Government has been in excess of the 4 cents per mile originally allowed.

TOURIST SLEEPERS NOT ALWAYS AVAILABLE.

In the consideration of the provisions of the measure, it was assumed that the Government would only incur the expense for second-class transportation and tourist sleepers. Due consideration was not given to the fact that tourist sleepers are only available between certain limited points, and often only on certain days, and that in entire sections of the United States no tourist sleeping cars are operated.

FIRST-CLASS TICKET AND STANDARD BERTH TO BE FURNISHED WHERE TOURIST NOT AVAILABLE.

General Orders No. 14, War Department, issued February 19, 1913, contain instructions for the guidance of officers issuing transportation in kind to enlisted men on discharge. They are based on decisions of the Comptroller of the Treasury interpreting the meaning of the act of August 24, 1912, in the matter of transportation in kind and sleeping-car berth, and reads as follows:

"1. When discharged soldiers elect to take transportation in kind and subsistence to place of enlistment they will be entitled to the following allowances to such place, viz:

"(a) Transportation rail, second class if available; if second class not available, first class.

"(b) Sleeping-car accommodations, touring-car berth if available, and upper berth if practicable; if not, a lower berth. If tourist car not available, an upper berth in standard sleeper may be furnished if practicable; if not, a lower berth. No sleeping-car accommodations will be furnished in any instance when a night's journey is not involved or when the distance does not exceed eight hours' travel."

THE COST OF STANDARD BERTH ELIMINATES POSSIBILITY OF ECONOMY.

It will be observed, therefore, that there are many routes of travel over which discharged soldiers select transportation, via which it would be impossible to furnish tourist berth. In such cases it is necessary to furnish first-class railroad ticket and standard Pullman berth, the cost of which is greatly in excess of the estimates which considered only second-class railroad tickets and upper berths in tourist sleepers.

COST TO GOVERNMENT WILL APPROXIMATE ORIGINAL 4-CENT ALLOWANCE.

Under increased cost of passenger fares in various parts of the country since this law became effective, it will undoubtedly be ascertained that the average cost to the Government of second-class transportation, an upper berth in tourist care, and $1.50 per day for commutation of rations, as actually furnished in discharged soldiers, will aggregate 3 cents per mile. If first-class transportation and standard sleeper is furnished in all cases where second class is not available, account lack of tourist-car service (which precatice is not followed at all points), the cost to the Government will be greatly augmented. If we add to these estimates the cost of issuing the transportation requests for railway and sleeper tickets, and the additional clerical force employed in the various departments in accounting and making settlements in connection with such transportation requests, it will be found that it will so nearly equal the 4 cents per mile originally paid, and still paid in the Navy, as to leave no doubt as to our duty to "restore the land marks" by providing the payment of 4 cents per mile, and thus place all enlisted men of our defense system on exactly the same footing in the matter of a cash transportation on discharge that will enable them to reach their homes in a befitting manner.

APPARENT ECONOMY DUE TO CHANGE IN METHOD OF APPORTIONING RECRUITS.

The published reports of the cost of travel allowances to men on discharge for the year 1914, the first year of the operation of the present law in which the full figures were segregated, indicated an apparent less cost per capita than for the year 1912, which would seem to indicate an economy. The economy will for the greater part be accounted for by change in practice, which resulted in the payment during 1914 of shorter mileage allowances on discharge than during 1912. Men who were discharged on the north Pacific coast, for example, during the year 1912, had been recruited from points as far east as Columbus, Ohio. Practically all of them were from the recruit depots of Columbus Barracks, Ohio, and Jefferson Barracks, near St. Louis. Subsequent to 1909 The Adjutant General formulated better methods of apportionment, which resulted in great economy in the matter of travel pay on discharge, in that posts were supplied from recruit depots when practicable, which reduced the average haul on both recruits and discharged soldiers. Under this arrangement, men who were discharged in 1914 at north Pacific coast points were recruited largely at Fort McDowell, Cal., and Fort Logan, Colo., with none further remote than Jefferson Barracks, Mo. This was a perfectly legitimate economy, approved by enlisted men as well, which eliminated in many instances from one-third to two-thirds the actual mileage haul, and effected a saving of the

cost of transportation for an equal mileage haul at the time of discharge.

ACT OF AUGUST 24, 1912, CLASS LEGISLATION.

The act of August 24, 1912, is class legislation, as pertains to the subject of transportation of enlisted men on discharge, in that it discriminates against enlisted men of the Army and Marine Corps as compared with the Navy, in the interests of a proposed economy which has not become actual. Its effect has been to breed a feeling of discontent within the ranks of the enlisted men that has finally resulted in such adverse advertising of the Army among civilians generally that the difficulty of securing desirable recruits in time of peace has become one of the chief arguments used against providing for any considerable immediate increase in that branch of the service.

ENCOURAGE THE RIGHT KIND OF MEN TO ENLIST.

It is of vital importance that the "man behind the gun" shall be of the highest grade obtainable. We put into his care and keeping property costing hundreds upon millions of dollars. Why should we not exercise the same care to encourage the enlistment of the right type of careful, conscientious men to look after the details of its proper preservation that we would exercise in the employment of men to handle our personal property or business interests?

TRANSPORTATION IN KIND TRIED AND DISCARDED BY ACT OF MAY 26, 1900.

Let me direct attention to the fact that under section 1290 of the Revised Statutes the Government had the option of issuing transportation in kind and subsistence to soldiers on discharge in lieu of a commutation thereof as provided in the statute. It was not at that time found to be an economy, and was made a "dead letter" by practice before it could seriously affect the attitude of the enlisted men of the service, and through this medium the efficiency of the service itself. After due investigation by Congress the option of transportation in kind, with subsistence, was eliminated by the act of May 26, 1900, which fixed the travel allowance of a soldier on discharge at 4 cents per mile, except for sea travel, an undoubted economy with respect to land travel over the cost of transportation in kind plus cost of accounting and making settlement therefor.

IMPORTANT AS PROVIDING A PROPER DEFENSE UNIT.

The Regular Army represents our first line of defense on land. It is incumbent on us, therefore, to take such reasonable action as will invite to the service the type of [illegible] of whom heroes are made when the necessity for action arises. The mere principle of this question of travel allowances on discharge and the invidious comparison with other branches of the defense service have produced the condition described.

We have tried out the act of August 24, 1912, with results as set forth, a sure indication that it has failed in the accomplishment of the purpose intended by Congress. Let us therefore right this wrong to the enlisted men of the service by following the precedent of the act of March 2, 1901 (31 Stat., 902–903), and make it a provision of law:

That hereafter an enlisted man when discharged from the service, except by way of punishment for an offense, shall receive 4 cents per mile from the place of his discharge to the place of his application for enlistment, or the place of his enlistment, enrollment, or original muster into the service, at his option: *Provided*, That for sea travel on discharge transportation and subsistence only shall be furnished to enlisted men.

Mr. BRANDEGEE and Mr. WEEKS addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut has already spoken on the amendment.

Mr. BRANDEGEE. If the Chair will pardon me, I asked the Senator from Utah a question in his time. I do not care to be recognized, particularly if some one else wants the floor.

The VICE PRESIDENT. The Chair understands that the Senator from Connecticut not only interrupted the Senator from Utah with a question but he talked four minutes on it.

Mr. BRANDEGEE. It was in the time of the Senator from Utah.

The VICE PRESIDENT. The Senator from Massachusetts.

Mr. WEEKS. Mr. President, the bill which we are considering is an Army reorganization bill. One reason why it is necessary to have an Army reorganization bill is because in the past we have proceeded in a piecemeal manner increasing one corps and not increasing another, so that there has always been a lack of homogeneous action. Possibly the committee has not acted wisely in this case, but I think the result of this deliberation is that we will have a homogeneous military force of the size provided if the bill is passed in the form in which the committee reports it.

It is always hazardous to accept amendments on the floor of the Senate, because very frequently they do not even carry out the purpose and wishes of those who present them. As an example, take the amendment which we adopted yesterday relating to the dental force. It was amended by the Senator who offered the amendment, but before doing so I happened to look up in the Army Register to see what the result would have been in the case of promotions for which his original amendment provided. I found that a dentist, for example, would become a major in one-half the time that a Cavalry officer of the Ninth Cavalry, now serving in Mexico, would become a major. In other words, it would have exalted the dentists in comparison to the fighting force in the proportion of 2 to 1.

It is not necessary to utter any approval of the high character of our Coast Artillery, either of matériel or of personnel, and it is not necessary to make any denial of the desirability of having a sufficient force, as I understand what the Chief of Artillery desires. It is the policy of the department that there shall be sufficient officers and men in this force to completely man our coast artillery in our foreign possessions and furnish one-half of a sufficient force to man the coast artillery in continental United States; and this bill furnishes, if the States provide what they should, sufficient for that purpose, if my understanding is correct.

Mr. SUTHERLAND. May I ask the Senator a question? The present number provided by the bill is 24,887, and all of the authorities agree that it requires 30,000 men to man one-half the guns after taking care of the insular possessions. About that there can not be the slightest doubt. Then the State artillery reserve is 10,000 short of taking care of the other half.

Mr. WEEKS. If the Senator is correct in that statement. I would not object to the adoption of the amendment; but my understanding was that we had provided enough for the one-half force, but the State had not provided their proportion. They have done so in the case of the State of Massachusetts. We have a thoroughly qualified Heavy Artillery regiment which is ready to supplement the regular force so that every fort on the Massachusetts coast could be full manned with forces that are now there.

Mr. SUTHERLAND. Mr. President——

Mr. WEEKS. I yield to the Senator.

Mr. SUTHERLAND. I call the Senator's attention to page 536 of the Senate hearings, where a table is printed in the testimony of Gen. Weaver. Gen. Weaver says——

Mr. WEEKS. I shall be glad to look at that.

Mr. SUTHERLAND. I would like to have that go into the RECORD without reading.

Mr. WEEKS. I ask that it go into the RECORD in connection with my remarks.

The matter referred to is as follows:

Senator DU PONT. They have never come forward, have they?

Gen. WEAVER. I am coming to that right now. Of the seven hundred and odd officers and the 17,000 men, the latest reports we have show that the States have at the present time supplied only about 400 officers and about 7,000 men, so that they are three hundred and odd officers and about 10,000 men short of their quota. As perhaps bearing upon all of the personnel questions that are up for discussion, I have a table here which gives what is required under the 50 per cent plan which I have just enunciated and that recommended by the War College Division of the General Staff, that recommended by the Chamberlain bill, that recommended by the Hay bill, that recommended by the War Department draft, and that now authorized by law. I think this would be of value, perhaps. It gives the personnel in tabulated form, side by side, and covers all the features of it quite fully.

* * * * * * *

Coast Artillery organization as required, as now authorized by law, and as proposed in Chamberlain bill, Hay bill, War Department draft, and the War College Division, General Staff.

REQUIRED UNDER 50 PER CENT PLAN.

Major general	1
Brigadier generals	5
Colonels	25
Lieutenant colonels	25
Majors	76
Captains	365
First lieutenants	367
Second lieutenants	367
Total officers	1,231
Sergeants major, senior grade	32
Sergeants major, junior grade	65
Master electricians	42
Master gunners	64
Engineers	73
Assistant engineers	207
Electrician sergeants, first class	100
Electrician sergeants, second class	100
Firemen	109
Radio sergeants	96
First sergeants	267
Supply sergeants	267
Mess sergeants	
Sergeants	2,136
Corporals	3,204
Cooks	534
Mechanics	534
Musicians	534
Privates	21,483
Total enlisted, exclusive of bands	29,847

Mr. WEEKS. What I wish particularly to say, Mr. President, is that all these amendments in my judgment should be considered by the committee. The argument that has been made by the senior Senator from Utah about the proportional increase should have no bearing whatever on what should be done for any part of our Military Establishment. We have, for example, increased the militia forces something like 210 per cent.

It is my judgment if a large part of the money that is provided to pay these forces were used in the Regular Establishment we would get a very materially better net result, but because we are increasing the National Guard in greater proportion than we are increasing the Heavy Artillery or the Infantry or the Cavalry should have no weight whatever in in-

creasing this particular branch of the service. What we should have is such a force as is recommended by those who are in responsible authority. When we take any other course we are likely to make mistakes.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. WEEKS. I yield.

Mr. SMOOT. I take it for granted the Senator has read the testimony of Gen. Weaver, in which he states that it will require 30,000 men to man the guns and also that he has figured just exactly what the bill provides for, and the Coast Artillery falls short of that by 5,112 men.

Mr. WEEKS. Mr. President, that has just been called to my attention by the junior Senator from Utah. I would be glad to look that matter up, but my understanding is that when I voted for this particular proposition there were sufficient men if the States would furnish their proportion to supply the requirements of the Coast Artillery. If that is not so, I shall be glad to increase the number, but I think we ought to know definitely in committee and from the Chief of Artillery rather than to vote without sufficient knowledge on the floor of the Senate.

We are going to have exactly this kind of a proposition from every branch of the service. I know some of these active young officers who are importuning Senators to do this and to do that. Many of them have been before the committee. They have a perfect right to do what they are doing, but if we are going to depend and act on their testimony without taking into consideration the whole scheme as a broad one, then we are not going to have left a homogeneous military bill when we have placed it on the statute books. There should be careful consideration given in the committee to any such amendment as this before it is adopted.

Mr. CHAMBERLAIN. Mr. President, I hope the amendment suggested by the Senator from Utah will not be adopted. This matter did receive the very earnest consideration of the committee in connection with the other branches of the service. As has been so plainly stated by the Senator from Massachusetts [Mr. WEEKS], in the reorganization of the Army the committee has attempted to give it homogeneity and to make each branch of the service fit into every other branch.

It is hardly a proper way to estimate these increases in any branch of the service by percentages. In the legislation that has taken place from time to time, usually in the form of riders on appropriation bills, some particular branch of the service might have been under the reorganization scheme enlisted up to its full force. Therefore there need not necessarily be an increase in that particular branch. So the committee in undertaking to get at a proper standard for each of these branches has fixed the number of men for the Coast Artillery.

Let me call the attention of the Senate to this fact: Under the law as it is to-day there were 170 companies in the Coast Artillery Corps, embracing a total enlisted strength of 19,321. The committee in the reorganization plan raised the number of companies from 170 to 263. Gen. Weaver was satisfied with that increase in the number of the companies. The only objection he makes now, and it is substantially the objection that is made by the Senators who argue for an increase, is that the personnel was not large enough. The companies are sufficient, Gen. Weaver says, but the personnel ought to be increased.

We have increased the personnel, the enlisted strength, from 19,321, as at present constituted, to 24,897. That is the peace strength; the minimum strength. That is the estimate made under the terms of this bill. The maximum strength is 30,009 men, practically the number the Senator from Utah insists should be embraced in this bill. In other words, the Senator insists now that the Coast Artillery Corps should be increased to war strength without any regard to the other forces of the country, and as to what the needs of the other branches of the service may be. If there is going to be an increase here to place the Coast Artillery at its maximum strength, then the number must be taken from some other branch of the service to make that number good.

Mr. SUTHERLAND. May I ask the Senator a question?

Mr. CHAMBERLAIN. Yes.

Mr. SUTHERLAND. Is it not true that it will require the 30,000 men to man the coast fortifications—to man the guns on the coast fortifications—to the extent of 50 per cent?

Mr. CHAMBERLAIN. I will just read the Senator the report. I do not like to be interrupted, because I have only 10 minutes, and I want to get this matter before the Senate as clearly as I can. If the Senator will refer to the report of the Chief of the Coast Artillery for 1915, he will find, on page 4, the following:

Defenses constructed and appropriated for.	Officers.	Men.
Regular Coast Artillery required for all mines, guns, and mortars in canal and insular ports	291	6,800
Regular Coast Artillery required for all mines and for one-half of the guns and mortars in the United States	940	23,047
Total Regular Coast Artillery required	1,231	29,847
Militia Coast Artillery required for one-half of the guns and mortars in the United States	711	17,329
Grand total, Regulars and militia, required	1,942	47,176

Under the Senator's plan of increase you practically cut out one-half of the National Guard, and we have provided for an increase in the National Guard. We have fixed the Coast Artillery so that it will be brought up to the maximum strength and be given all the men that Gen. Weaver asks for. But Gen. Weaver has been very insistent that this should be maintained at its full strength all the time, and the committee has considered that proposition. They have gone into it fully and undertaken to coordinate all of these different branches of the service.

Mr. President, I want now to call the attention of my friend from Colorado [Mr. THOMAS], who is a member of the committee, and who differs with the committee about this proposition—and, I am sorry to say, on many other propositions involved in the bill—to the fact that the Coast Artillery Corps is not a coast defense; it is a harbor defense. There are 27 Coast Artillery districts in this country. Take Oregon, for instance—and I am familiar with the situation there. We have a Coast Artillery company at the mouth of the Columbia River. It defends the mouth of the Columbia River, and yet there are a dozen places along the coast that are entirely unprotected. Therefore, there is no coast defense, so far as those places are concerned. An enemy could land at Coos Bay; it could easily land at other points and go inland if they desired to do so. In the final analysis the harbor defenses that I speak of must be defended from the rear against an invading force by a mobile army. So if there is going to be an increase it is more essential to increase the mobile army than it is to increase the permanent stationary force. I differ very radically from Senators who think that the Coast Artillery is a coast defense. It is a harbor defense, and some of the officers of the Army have very plainly shown that in some instances the tendency of it is to weaken the mobile army, because if there is an invading force—I do not know that we are going to have an invading force—but if there is, the mobile Army, in the last analysis, must go forward and defend the Coast Artillery defenses.

Mr. President, the object of this amendment is to place the Coast Artillery Corps at full strength until a sufficient reserve is created, when the strength will be reduced, instead of providing that it shall be at reduced strength, as is the rest of the Army, and so to create a reserve and fill it up in time of emergency.

The Coast Artillery is not the second line of defense. The Navy is the first line of defense, and, it seems to me, that the second line of defense is the mobile army. All the function that the Coast Artillery Corps plays in defense is to protect not the coast line but the particular harbor where it is stationed.

Mr. President, I hope that the amendment will be voted down.

Mr. SUTHERLAND. Mr. President, before the Senator from Oregon takes his seat I desire to ask him a question. I call the Senator's attention to the testimony of Gen. Weaver, from whose report the Senator read, at page 536 of the record before the Senator's own committee and under the column headed "Under the 50 per cent plan," and I ask him whether in detail he has not estimated the different officers and men that are required, and if that estimate does not total 29,847 under the 50 per cent plan?

Mr. CHAMBERLAIN. That is exclusive of the militia force.

Mr. SUTHERLAND. Oh, certainly; exclusive of that force; but that is required to man one-half of the guns of continental United States. The 24,000 men for which the Senator's bill provides will not man one-half of the guns.

Mr. CHAMBERLAIN. I read from Gen. Weaver's report, which was made in 1915. The Senator is reading from a statement made by Gen. Weaver before the committee. I do not know that there is any radical difference between the two statements, for I have not had time to compare them.

Mr. SUTHERLAND. I do not know that there is any difference; but the fact is that Gen. Weaver did state in positive terms—and he gives the details which justify the statement—that under the 50 per cent plan 29,847 officers and men are

required. That is entirely aside from the number furnished by the State artillery reserve.

Mr. CHAMBERLAIN. That is at the maximum strength.

Mr. SUTHERLAND. I do not care what it is called; but it requires approximately 30,000 men to man one-half of the guns upon the plan recommended by the service.

Mr. CHAMBERLAIN. I call the Senator's attention to the report which was filed by the committee at the time the bill was presented. On page——

The VICE PRESIDENT. The Senator's time has expired.

Mr. WORKS. Mr. President, like the Senator from Oregon [Mr. CHAMBERLAIN], I represent in part one of the Pacific coast States, and my people, of course, are interested in sharing in whatever defense may be provided by this legislation; but the Senator from Oregon is perfectly right in saying that the so-called coast defenses are not coast defenses at all. In order that there should be protection to the State of California, you would have to have a line of coast defenses from one end of the State to the other to be effective. Troops can be landed almost anywhere on the Pacific coast; at least along that part of the coast fronting the State of California. I do not know how it may be farther up the coast; I am not familiar with the coast in that locality; but any money that may be expended, in addition to what is proposed, to increase the coast defenses in California would amount to very little; it would probably be throwing money away if it is intended for that purpose. For that reason, because it would not be beneficial in any practical sense, I am opposed to the amendment which will increase the burden of taxes in order to maintain a so-called coast defense that would be practically useless, except to protect the harbors or points where coast defenses for the protection of cities have been provided.

Mr. BRANDEGEE. Mr. President, is the amendment proposed by the Senator from Utah [Mr. SUTHERLAND] subject to amendment?

The VICE PRESIDENT. It is.

Mr. BRANDEGEE. Then I send to the Secretary's desk an amendment to the amendment, and desire to make some remarks upon it.

The VICE PRESIDENT. The amendment to the amendment proposed by the Senator from Connecticut will be stated.

The SECRETARY. It is proposed to add, at the end of the proposed amendment of the Senator from Utah [Mr. SUTHERLAND], the following:

Provided, That the increase in personnel hereby provided shall not take effect until approved by the General Staff of the Army.

Mr. BRANDEGEE. Mr. President, after making a few remarks, I may withdraw the amendment, but I desire to say while I have the floor, that, although I may not press the amendment to a vote, I do think that in a technical matter of this kind, involving questions of strategy, involving questions of the probability and the proportionate probability of the use of the various arms of our service, it is very desirable to have the opinion of the educated and technical men, on whom we have spent the Government's money for the purpose of making them efficient along this line.

While in a general way I am in favor of increasing all the branches of the service, and to me personally it is perfectly plain that it ought to be done, I do not think though I am unadvised about it officially, that the Coast Artillery Corps needs strengthening any more than do the other branches of the service.

I expect, if this amendment comes to a vote, that I shall vote for it. I believe that the additional personnel herein provided could be taken away from the guns, if they were not at the points of danger, and could be made available in the mobile line of the Army at other points.

But, to illustrate the position in which it puts those of us who are not technical men, nor experts versed in the art of war, here is a two-page amendment purporting to strike out "1,700" and to insert "2,000" on such and such a line of the bill and attempting to scatter amendments in various places, the amendments being indicated only by lines and numerals. Nobody can tell, without reading the amendment in connection with the substitute reported by the committee, what it does; nobody here knows, without complete explanation, how many additional corporals, how many additional sergeants, and how many additional privates it provides for, or how much it would increase the total. I hardly think that is an intelligent way to prepare a great measure like this, involving the national defense. I wish that amendments such as this could be referred to the committee and the experts of the War Department summoned before the committee to give testimony about them.

Mr. President, the Coast Artillery is a very necessary branch of the service; but if this country were to be invaded, it is not to be assumed that the invader would select the strongest points and the best defended places for the purpose of making a landing. There has been a very interesting suggestion advanced, which would tend to make the coast-defense system a mobile defense instead of a stationary one. I have heard the plan very highly spoken of by some officers of the coast-defense branch of the service. It involves the mounting of guns upon cars, which could be moved from point to point where their presence might be demanded. It seems to me it is a proposition worthy of the serious consideration of the department and of the committees of Congress. There could be built at very small expense concrete emplacements at various strategical points on both the Atlantic and Pacific coasts, and the guns could be moved there, with the skilled gunners, at any time a given point was threatened. It can be done; I am quite sure the plan is feasible; and it would save millions of dollars to this Government in comparison with the present plan of continuing to erect permanent emplacements and maintaining permanent guns. Such a plan would enable us to be prepared to defend different points with a much less personnel than would be required under the other system. However that may be, I simply cite it, because it occurs to me that it is difficult for us to act upon proposals of this kind offered on the floor, which may operate in ways that we can not foresee. However, as I have said, I am so strongly in favor of doing something that will make our Army available for the purpose for which I understand it is organized and maintained that, so far as I am concerned, I shall not oppose the amendment of the Senator from Utah, but, on the contrary, if it comes to a vote, I shall vote in favor of it. I now withdraw the amendment which I sent to the desk.

Mr. CHAMBERLAIN. Question!

Mr. REED. Mr. President, I want to make an inquiry as to the parliamentary situation. Is there an amendment now pending?

The VICE PRESIDENT. The amendment of the Senator from Utah [Mr. SUTHERLAND] to the substitute reported by the committee is now pending. The question is on that amendment.

Mr. SUTHERLAND. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRADY (when his name was called). I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I therefore withhold my vote.

Mr. STERLING (when his name was called). I am paired with the Senator from South Carolina [Mr. SMITH] and therefore withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Maryland [Mr. LEE] and vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. As he is absent, I withhold my vote.

Mr. WILLIAMS (when his name was called). Repeating the announcement made upon the last roll call as to the transfer of my pair, I vote "nay."

The roll call was concluded.

Mr. BANKHEAD. I desire to announce the unavoidable absence of the junior Senator from Tennessee [Mr. SHIELDS].

Mr. COLT (after having voted in the negative). I inquire whether the junior Senator from Delaware [Mr. SAULSBURY] has voted?

The VICE PRESIDENT. He has not.

Mr. COLT. Not knowing how he would vote on this amendment, I withdraw my vote.

Mr. THOMAS. I desire to announce the unavoidable absence of the junior Senator from Kentucky [Mr. BECKHAM]. He is paired with the senior Senator from Delaware [Mr. DU PONT].

Mr. WALSH (after having voted in the negative). I announce that my colleague [Mr. MYERS] is absent from the Senate on official business.

I notice that the senior Senator from Rhode Island [Mr. LIPPITT] did not vote. I have a pair with that Senator. I transfer it to the junior Senator from South Dakota [Mr. JOHNSON] and will allow my vote to stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Florida [Mr. BRYAN]; and

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH].

The result was announced—yeas 27, nays 30, as follows:

YEAS—27.

Ashurst	Hollis	McLean	Smith, Ariz.
Borah	Husting	Nelson	Smith, Ga.
Brandegee	Johnson, Me.	Oliver	Smoot
Burleigh	Jones	Page	Sutherland
Clapp	Kenyon	Poindexter	Thomas
Cummins	Lodge	Reed	Wadsworth
Hardwick	McCumber	Sherman	

NAYS—30

Bankhead	Gronna	Pittman	Thompson
Chamberlain	Hughes	Pomerene	Tillman
Clark, Wyo.	Kern	Ransdell	Vardaman
Clarke, Ark.	La Follette	Shafroth	Walsh
Culberson	Lane	Sheppard	Warren
Curtis	Martine, N. J.	Simmons	Williams
Gallinger	Norris	Stone	
Gore	Overman	Swanson	

NOT VOTING—39.

Beckham	Fletcher	Martin, Va.	Smith, Md.
Brady	Goff	Myers	Smith, Mich.
Broussard	Harding	Newlands	Smith, S. C.
Bryan	Hitchcock	O'Gorman	Sterling
Catron	James	Owen	Taggart
Chilton	Johnson, S. Dak.	Penrose	Townsend
Colt	Lea, Tenn.	Phelan	Underwood
Dillingham	Lee, Md	Robinson	Weeks
du Pont	Lewis	Saulsbury	Works
Fall	Lippitt	Shields	

So Mr. SUTHERLAND'S amendment to the amendment of the committee was rejected.

Mr. REED. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to strike out all of section 108 as proposed by the committee, found on page 188 of the bill, and in lieu thereof to insert the following:

SEC. 108. Pay for National Guard officers.—Commissioned officers on the active list belonging to organizations of the National Guard participating in the apportionment of the annual appropriation for the support of the National Guard shall receive compensation for their services (except during periods of service for which they may become lawfully entitled to the same pay as officers of corresponding grades of the Regular Army) as follows, not to include longevity pay: Captains and officers above the rank of captain, $500 per year; first lieutenants, $300 per year; second lieutenants, $250 per year. Regulations, to be prescribed by the Secretary of War shall determine the amount and character of service that must be rendered by officers to entitle them to said pay: *Provided*, That only line officers and officers of the staff corps and departments on duty with organizations of the line shall receive pay.

Mr. REED. Mr. President, I hope I can enlist the earnest thought of the Senate for a few moments to this amendment. Stated very briefly, the situation is this:

The House, in its bill, provided pay for all officers of the militia up to the rank of captain, and beyond the rank of captain pay for all officers in active duty, the pay beyond the rank of captain being limited so that it could not exceed $500 per year, being the stipend paid to captains of militia. The Senate amendment strikes out the provision which provides for any pay for militia officers above the rank of captain. The effect of the Senate amendment is this:

First, that the officers of the militia above the rank of captain in the line and in active service obtain no pay whatsoever.

The secondary effect is that of course the officers, when mustered into the service, will be subject to a disability.

Mr. President, I understand that the reason actuating the Senate committee in striking out the pay of officers above the rank of captain was that they had conceived the idea that the officers above the rank of captain perform no actual work. That, Mr. President, is an absolute mistake of fact. There is no man who has ever served in the militia who does not know it to be a gross error of fact. The cold truth about the matter is that the captain of a company or the lieutenant of a company acting in the line generally is obliged to employ only about the same amount of time as the ordinary private, perhaps an additional hour or two a week; but the regulations to-day are such that they require from the majors, lieutenant colonels, colonels, and the general commanding so many reports and so many duties that these men put in from four to five or even ten times the amount of time required of the captain of a company.

I placed in the RECORD on yesterday the absolute evidence of this fact. There has been nothing placed in the RECORD or stated upon the floor to the contrary, and I affirm it to be a fact that these officers above the rank of captain do a great deal more work than the captains or lieutenants of companies.

The evidence is in the RECORD, as I have stated. It is positive and it is clear, and the regulations governing the militia absolutely impose upon these higher officers duties which make heavy inroads upon their time. The general in command of the National Guard of my State is an accomplished lawyer, and I do not at all exaggerate the fact when I say that he gives to the National Guard nearly one-half of his time. There is a colonel in my State, a man of wealth and large affairs, who actually sleeps at the armory, who employs stenographers to attend to his military correspondence at his own expense. He spends hundreds of dollars of his own money every year. He does this in order to maintain his organization at the highest point of efficiency.

Recently regulations have been adopted which require all officers of the National Guard to undergo the most rigid examinations and further require them to attend schools of instruction which are held by Army officers.

Mr. President, disguise it as we may, the effect of the Senate amendment is to kill the efficiency of the National Guard. You might just as well expect to keep up a voluntary organization without any head as to expect to maintain the National Guard at a point of high efficiency and yet deny any compensation to those officers who must constitute the brains and the energy that keep the National Guard going.

I want to illustrate: The commanding general in my State—and I do not claim that he is better than the commanding generals of other States—regularly visits the headquarters of the regiments of that State. He examines reports daily. He employs a stenographer whose business it is to keep up correspondence. He has done this largely from his own pocket. If he did not do as I have stated the organization would disintegrate. An organization in every instance is bound to disintegrate if there is not a head for the organization.

Mr. President, these militia organizations at the present time, if never before in the history of this country, ought to be carefully conserved and looked after. We may need the militia within 30 days; and the militia organizations, if they go out officered by their own officers, will go to a man. They went in my State 100 per cent strong in the Spanish War. They have been our safeguard at every crisis of this country's history.

I do not know how much time I can occupy in reading, but I want to call attention to the fact that in the War of 1812, as stated in Senator LODGE'S history, the organization of the Regular Army—

was markedly inefficient and the service most unpopular. The chief officers were Revolutionary veterans who had outgrown their usefulness, and their incompetency led to several disasters in the early stages of the war.

Speaking of the militia, he had this to say with reference to the Battle of Niagara:

The campaign on the Niagara frontier was renewed under the direction of Gen. Jacob Brown, an able commander of the New York Militia.

And that was one of the few battles of the War of 1812 our soldiers won.

The same author adds:

Throughout the war great reliance was placed on the militia, and it may be truly said that this branch of the service bore the brunt of the contest and contributed far more to the success of the war than did the Regular Army.

Of course in the War of 1812 it was the militia under Jackson that finally won the great fight that gave luster and glory to what had otherwise been a most disastrous war upon the land.

I have not time to read excerpts from the same work on the War with Mexico. Substantially the same conditions existed in that war as in the War of 1812.

The same author states that in the Civil War the first call of the President was for 75,000 of the militia of the States to serve for three months to suppress the rebellion; that "the response of the Northern States was prompt and generous"; and that "two days after the publication of the proclamation the Sixth Massachusetts passed through New York on its way to Washington."

It is a further fact that Gen. McClellan, although a West Point graduate, had gone out of the service, was commissioned by the governor of Ohio as a major general of militia. The author of this history states:

He set to work at once to organize and equip the troops, and was thus engaged when he received instructions to go to the aid of the West Virginia loyalists.

The same author states that in the Spanish-American war—

The various National Guards were prepared for mobilization at a moment's notice. Scores of provisional regiments were raised and offered to the governors of the various States, so they could be called out as soon as the expected call for volunteers occurred.

The VICE PRESIDENT. The time of the Senator from Missouri has expired.

Mr. REED. Mr. President, I desire to speak for 10 minutes on the bill. I have that privilege.

The VICE PRESIDENT. Not under the unanimous-consent agreement.

Mr. REED. I do not want to cavil with the Vice President; but as I read the unanimous-consent agreement, it provides for 10 minutes on the bill and 10 minutes on an amendment.

The VICE PRESIDENT. Yes; but how would the Senator from Missouri expect the Chair, with a bill running as this bill is, to know or keep any record as to when a Senator is speaking on the bill or when he is speaking on an amendment? The Chair is not responsible for the unanimous-consent agreement.

Mr. REED. I do not expect the Chair to do anything more than to charge to me the 10 minutes I have taken, and if I now speak 10 minutes on the bill I can not again speak on the bill.

The VICE PRESIDENT. The Chair will leave it to the determination of the Senate. Is it the judgment of the Senate that Senators may, while amendments are pending, speak on the bill? [Putting the question.] The noes seems to have it. The noes have it.

Mr. REED. Mr. President, all I have to say about it is that I can not help—and I say it respectfully—regarding it as a plain denial of the rights reserved under this unanimous-consent agreement. Under it any Senator has a right to speak 10 minutes on an amendment, and that ends his right to speak on that amendment; but there is in the unanimous-consent agreement an express provision that any Senator can speak 10 minutes on the bill, and under the rules of the Senate a Senator has the right to employ his time when and how he pleases.

I have presented the matter as well as I can, however, and I have nothing further to say.

The VICE PRESIDENT. The Chair does not want to take advantage of any Senator. The Chair believes, however, that the plain unanimous-consent agreement is that the speaking goes on upon each amendment until the bill is finally in shape for passage, and then that each Senator may speak 10 minutes upon the bill.

Mr. CHAMBERLAIN. Mr. President, some days ago the Senator from Maryland [Mr. LEE] made some question as to the figures which were included in the report of the committee as to the cost of the National Guard. I have called upon the Secretary of War for a statement in reference to that matter; and I desire to print in the RECORD, for the convenience and information of the Senate, the letter I addressed to the Secretary of War, his answer thereto, and the reports made in conformity with the request of the committee.

The VICE PRESIDENT. In the absence of objection, that will be done.

The matter referred to is as follows:

APRIL 3, 1916.

Hon. NEWTON D. BAKER,
Secretary of War.

MY DEAR SIR: The figures given in Tables XI and XII of the report of the Senate committee on the bill S. 4840, reported to the Senate (S. Rept. No. 263, pt. 1), have been questioned on the floor of the Senate as to their accuracy, and a study of the detailed tables on which these general tables were based leads to the belief that there was some data not given therein which should have been included. Will you kindly have the data checked and supply me with new data, showing the information asked for with regard to the Organized Militia and the Volunteers in paragraph 7 of my letter of March 4, 1916; that is, "An estimate of the annual appropriations for each supply department during each of the next four years to supply the annual contingents of the National Guard and the Volunteers with the full equipment and other material now issued to the Organized Militia, considering both forces as coming to full authorized strength in the fourth year and not counting on any reserve material that may now be accumulated"?

Also a separate estimate of the annual current cost of the Organized Militia and of the Volunteers, exclusive of the data asked for above.

I understand that the item of pay for the National Guard for field exercises during summer encampments was not included in the estimate of the Quartermaster Department, and that there was some mistake in the estimate of the Ordnance Department.

In the estimates I am now asking for I wish that both forces be estimated for as though they were regular forces, and that the cost of the bill should be figured by each of the departments under all the items that will be necessary to put the bill into full operation.

I have seen a copy of the memorandum on which the departments made their estimates, and if they will follow exactly the same procedure as outlined therein, adding to the first year's increment of the Volunteers and to the third year's increment of the National Guard one division of infantry, the resulting figures will be, for the four years, approximately 260,000 for each mobile force, or approximately the total number provided for each. There should be added to each of the second, third, and fourth increments of the National Guard 40 companies of Coast Artillery at 80 men per company.

Yours, very sincerely,

———.

WAR DEPARTMENT,
Washington, April 7, 1916.

Hon. GEORGE E. CHAMBERLAIN,
Chairman Committee on Military Affairs,
United States Senate.

MY DEAR SENATOR: In compliance with your request of the 3d instant, I send you herewith the new estimates prepared by the Division of Militia Affairs, Quartermaster General, Surgeon General, Chief of Engineers, Chief of Ordnance, and Chief Signal Officer.

Very truly, yours,

NEWTON D. BAKER,
Secretary of War.

(Inclosures.)

MEMORANDUM FOR THE SECRETARY OF WAR.

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
April 8, 1916.

The tables furnished by the staff bureaus, which tables are herewith, have been examined in this office and, so far as can be seen, appear to be correct. It is to be noted that the table submitted by the Quartermaster General, headed "Summary of cost of the Regular Army, National Guard, and Volunteers, Senate bill 4840, Sixty-fourth Congress, first session," covers such items of cost as pertain solely to the Quartermaster Corps.

H. P. MCCAIN,
The Adjutant General.

APRIL 10, 1916.

Hon. NEWTON D. BAKER,
Secretary of War.

DEAR SIR: I am returning herewith certain estimates of the Quartermaster Department asked for in my letter of April 3. An inspection of them shows that there is some mistake, inasmuch as the cost of the volunteer force is almost as large as that for the National Guard, whereas it is known that the armory pay alone for the National Guard is somewhere in the neighborhood of $18,000,000, where there is no such item for the volunteer force. In addition to that the volunteers are charged with several million dollars for transportation, horses, etc., which do not appear in the estimate for the National Guard.

Inasmuch as the question of cost is a very important one, I wish that you could have an estimate made up for the National Guard covering exactly the same items that are included in the statement of cost for the volunteer force.

Yours, very sincerely,

———.

WAR DEPARTMENT,
Washington, April 13, 1916.

Hon. GEORGE E. CHAMBERLAIN,
Chairman Committee on Military Affairs,
United States Senate.

DEAR SIR: In reply to your letter of the 10th instant, I send you herewith new tables prepared by the Quartermaster General, who states that the estimated cost of the National Guard is greater than as heretofore reported, for the reason that it includes necessary expenses, such as transportation of the troops from home stations to summer encampments and return to home stations, hire of wagons and teams for each organization during period of encampment, hire of mounts for all organizations for which mounts are authorized, purchase of water, removal of garbage, etc., and pay of troops during 24 days of summer encampments, which were not included in previous reports.

Very truly, yours,

NEWTON D. BAKER,
Secretary of War.

Statement of annual current cost and cost of permanent equipment for the National Guard as provided in Senate committee amendment to House bill 12766, Sixty-fourth Congress, first session, submitted in compliance with letter from chairman Senate Committee on Military Affairs, Apr. 3, 1916—Covers a total of 17 Infantry divisions, 2 Cavalry divisions, and 243 companies of Coast Artillery—Total force approximately, 278,000.

Appropriations.	First year.	Second year.	Third year.	Fourth year.	Fifth year and thereafter.
Quartermaster Corps:					
Pay—					
Armory pay	$10,930,218.00	$12,944,272.00	$16,250,540.00	$18,618,641.00	$18,618,641.00
24 days summer encampments	3,315,770.72	3,920,687.72	4,927,688.99	5,648,059.05	5,648,059.05
Total pay	14,245,988.72	16,864,959.72	21,178,228.39	24,266,700.05	24,266,700.05
Subsistence at 30 cents per man per day for 24 days	1,116,712.80	1,323,864.00	1,656,576.00	1,895,457.60	1,895,457.60
Regular supplies: Fuel, forage, stationery, soap, candles, matches, and other supplies	312,232.00	509,261.00	792,220.50	1,012,140.35	1,000,000.00
Incidental expenses: Employees, veterinary supplies, telegrams, horseshoes, etc	60,671.28	81,902.50	113,304.60	146,900.00	146,900.00
Horses: Cavalry, Artillery, and Engineers, hire of	939,552.00	1,301,832.00	1,830,560.00	2,040,350.00	2,040,350.00
Transportation of the Army: Hire of teams and transportation of troops	1,492,447.55	2,386,459.00	3,790,431.00	5,109,400.00	5,000,000.00
Water and Sewers: Toilet paper, incinerating refuse, removal of garbage, purchase of water	405,580.16	560,320.00	795,350.00	1,016,600.00	1,000,000.00
Clothing and equipage	1,145,227.40	1,020,749.60	2,420,540.00	2,600,000.00	2,600,000.00
Total, Quartermaster Corps	19,718,411.91	24,049,347.82	32,577,210.49	38,087,548.00	37,949,407.65

Statement of annual current cost and cost of permanent equipment for the National Guard, as provided in Senate committee amendment to House bill 12766, etc.—Continued.

Appropriations.	First year.	Second Year.	Third year.	Fourth year.	Fifth year and thereafter.
Ordnance Department:					
New equipment	$15,348,000.00	$15,469,000.00	$10,723,000.00	$7,825,000.00	
Heavy artillery	2,956,000.00	2,956,000.00	1,478,000.00	739,000.00	
Current cost	2,626,000.00	3,495,000.00	4,364,000.00	5,018,000.00	$5,018,000.00
Corps of Engineers:					
Current cost	132,400.00	247,400.00	311,060.00	355,460.00	355,460.00
New equipment	602,000.00	575,000.00	318,300.00	222,000.00	
Signal Corps:					
New equipment	1,465,428.00	1,468,050.00	1,138,805.00	858,298.00	
Current cost	150,000.00	673,000.00	1,197,000.00	1,578,000.00	1,865,000.00
Medical Department:					
New equipment	90,716.00	91,420.00	122,559.00	95,022.00	
Current cost	30,830.00	63,212.00	93,876.00	138,492.00	162,500.00
Total annual cost	43,119,785.91	49,087,429.82	52,323,810.49	53,916,820.00	45,359,367.65

Statement of annual current costs and cost of permanent equipment for the volunteer force provided in Senate committee amendment to House bill 12766, Sixty-fourth Congress, first session, submitted in compliance with letter from chairman Senate Military Committee, dated Apr. 5, 1916—Covers a total of 17 Infantry divisions and 2 Cavalry divisions, approximately 265,000 men.

	First year: 5 Infantry divisions.			Second year: 9 Infantry divisions.		
	Permanent equipment, not including mounts or means of transportation.	Per diem cost of equipment and supplies other than permanent.	Total cost, including permanent equipment and 30 days' training.	Permanent equipment, not including mounts or means of transportation.	Per diem cost of equipment and supplies other than permanent.	Total cost, including permanent equipment and 30 days' training.
Quartermaster Corps:[1]						
Pay of Army		$64,807.99	$1,944,239.70		$117,052.04	$3,511,561.20
Subsistence of the Army		19,968.30	599,049.00		35,968.30	1,079,049.00
Regular supplies	$25,150.00	7,883.75	261,662.50	$22,635.00	14,240.35	447,390.50
Incidental expenses		1,680.60	50,418.00		2,353.02	70,590.60
Horses, Cavalry, Artillery, and Engineers		17,510.00	525,300.00		31,518.00	945,540.00
Transportation of the Army	500,301.25	23,210.00	1,196,601.25	924,519.25	41,778.00	2,177,839.25
Water and sewers		9,234.71	277,041.30		16,622.48	498,674.40
Clothing and equipage	2,218,961.25		2,218,961.25	1,997,065.12		2,396,478.15
Aggregate per diem cost		144,295.35			259,532.19	
Total quartermaster cost, including 30 days' training	2,744,412.50	4,328,860.50	7,073,273.00	2,944,219.37	7,785,965.70	10,730,185.07
Ordnance Department:						
New equipment			17,178,000.00			13,706,000.00
Heavy Artillery			2,217,000.00			2,217,000.00
Current cost			1,307,000.00			2,400,000.00
Corps of Engineers:						
Current cost			101,540.00			183,020.00
New equipment			507,700.00			407,400.00
Signal Corps:						
New equipment			1,503,941.00			1,203,154.00
Current cost						492,000.00
Medical Department:						
New equipment			162,817.60			130,614.00
Maintenance						55,460.00
Total annual cost			30,051,271.60			31,524,833.07

	Third year: 13 Infantry divisions; 1 Cavalry division.			Fourth year: 17 Infantry divisions; 2 Cavalry divisions.		
	Permanent equipment, not including mounts or means of transportation.	Per diem cost of equipment and supplies other than permanent.	Total cost, including permanent equipment and 30 days' training.	Permanent equipment, not including mounts or means of transportation.	Per diem cost of equipment and supplies other than permanent.	Total cost, including permanent equipment and 30 days' training.
Quartermaster Corps:						
Pay of the Army		$176,927.91	$5,307,837.30		$237,764.94	$7,132,948.20
Subsistence of the Army		54,569.40	1,637,082.00		73,032.60	2,190,978.00
Regular supplies	$29,928.50	23,223.57	726,635.60	$34,958.50	32,435.84	1,008,033.70
Incidental expenses		3,359.47	100,784.10		4,874.14	146,224.20
Horses, Cavalry, Artillery, and Engineers		53,225.00	1,596,750.00		74,932.00	2,247,960.00
Transportation of the Army	1,403,658.25	73,406.00	3,605,838.25	1,868,935.25	105,034.00	5,019,955.25
Water and sewers		25,074.30	752,229.00		33,526.12	1,005,783.60
Clothing and equipage	2,370,599.81		2,370,599.81	2,553,736.27		2,553,736.27
Aggregate per diem cost		409,785.65			561,599.64	
Total Quartermaster cost, including 30 days' training	3,804,186.56	12,293,569.50	16,097,756.06	4,457,630.02	16,847,989.20	21,305,619.22

[1] The figures herein are based on "Tables of Organization," and differ from figures originally submitted, due to the addition of 1 division of Infantry.

Statement of annual current costs and cost of permanent equipment for the volunteeer force provided in Senate committee amendment to House bill 12766—Continued.

	Third year: 13 Infantry divisions; 1 Cavalry division.			Fourth year: 17 Infantry divisions; 2 Cavalry divisions.		
	Permanent equipment, not including mounts or means of transportation.	Per diem cost of equipment and supplies other than permanent.	Total cost, including permanent equipment and 30 days' training.	Permanent equipment, not including mounts or means of transportation.	Per diem cost of equipment and supplies other than permanent.	Total cost, including permanent equipment and 30 days' training.
Ordnance Department:						
New equipment			$15,490,000.00			$15,490,000.00
Heavy Artillery			2,217,000.00			1,478,000.00
Current cost			3,612,000.00			4,819,000.00
Corps of Engineers:						
Current cost			269,750.00			355,650.00
New equipment			433,650.00			429,450.00
Signal Corps:						
New equipment			1,486,725.00			1,486,725.00
Current cost			886,000.00			1,375,000.00
Medical Department:						
New equipment			149,098.00			149,098.00
Maintenance			99,828.00			149,778.00
Total annual cost			40,741,897.06			47,038,320.22

The amounts under "Permanent equipment" cover new equipment for each increment with 10 per cent of the value added to cover losses, wastage, etc.

Annually after fourth year:	
New equipment	$4,400,000
30 days' training	16,800,000
	21,200,000

Mr. CHAMBERLAIN. Mr. President, in reference to the amendment of the Senator from Missouri [Mr. REED], I hope that amendment will not be favorably acted upon. I am not going to discuss the merits or the demerits of the officers of the National Guard; but I have been a member of the National Guard myself, and served as captain for three or four years, and I know from personal experience that the officers who do the work of training of the National Guard are the captains, lieutenants, and first sergeants.

It is true that there are times when the higher officers, such as the majors, the lieutenant colonels, the colonels, and sometimes higher officers, do perform service; but almost all of the training of the National Guard is in the armories, where they can not organize into battalions or regiments or divisions; so that in the very nature of things, whatever work the higher officers may be called upon to do is in the nature of office work. It is not the work of training that the captains and lieutenants do.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Missouri?

Mr. CHAMBERLAIN. I should like to be courteous to my colleagues, but——

Mr. REED. It involves a question of fact about which I want to ask the Senator. Does the Senator mean to say that these higher officers of the National Guard do not hold schools of instruction for the other officers night after night?

Mr. CHAMBERLAIN. They may do it occasionally.

Mr. REED. And make out reports that take hours of time every week?

Mr. CHAMBERLAIN. They may do that occasionally, but that will be the exception and not the rule.

Mr. REED. It is not the exception in my State.

Mr. CHAMBERLAIN. The Senator's State may be sui generis in that respect, but in many States they do not do it, and the work of training these young men is done by captains and lieutenants. We provided for pay of those men. The Senator has adopted the figures which the Senate committee has reported, but I say for captains and lieutenants the figures are higher than the House provides, for the House provides for the pay of captains and lieutenants and higher officers as well. A smaller amount is provided for the pay of captain and lieutenant than is provided in the bill of the Senate committee.

Mr. President, the committee took under consideration this whole question. We have appropriated, as will be seen by the reports which I have already filed, and which have just been printed, $45,000,000 a year for the National Guard. This is larger than the figures that were in the first report that was filed by the committee. The figures have been made and filed with the committee in answer to a letter that is published in compliance with my request just made. So $45,000,000 per annum approximately is appropriated for the National Guard after the end of five years.

Mr. President, if we provide for pay of officers above the grade of captain, it adds nearly a million dollars to the expense of the National Guard, and the committee has not seen fit to increase the expenditure as large as that, because it did not feel that the Government would be getting a sufficient equivalent for the amount of money expended.

There has been no personal feeling entering into this matter. The committee have felt that, having made this immense appropriation for the purpose of trying to federalize and make a dependable force of the National Guard, the patriotism of the men and officers ought to help a little without pay, as has been done in the past. What animated the committee was, first, the question of the men being paid who did the actual work of training; second, the question of economizing in matters that did not seem to be essential to creating a more efficient and dependable force in the National Guard.

I hope, Mr. President, that the Senate will vote down the proposed amendment of the Senator from Missouri.

Mr. POMERENE. Mr. President, some days ago I offered an amendment to the bill having the same purpose in view, and I hope that this amendment will be adopted.

The Senator from Oregon has referred to conditions in Missouri as being sui generis. I beg to differ from him. I know something of what is being done in Ohio on this subject, and I know that the officers above the rank of captain are devoting a vast deal of time to the various companies which are under their control. That has been the experience in Ohio for many years; and while the Senator from Oregon speaks of the necessity for economy, I agree with him in the general proposition, but I can not agree with him in the suggestion that when a man rises to the rank of a captain he shall be entitled to $500 per year for his services, and when he gets above the rank of captain that, though he may be devoting as much time to the work of the military organization as the captain himself, he shall not be entitled to any compensation whatsoever.

If it is a question of economy that we are looking after, it may be that there might be wisdom in reducing the amount which is to be paid to some of these officers; but certainly there is no justice in providing that captains shall be entitled to $500 per year and those with rank above shall not be entitled to any compensation. A colonel, for instance, has a number of companies to look after. They may be located a distance of 50 miles or more from his place of residence. He is obliged to take the time to visit these different companies and to give attention to their work of organization, discipline, and training. I know of colonels, particularly in the Ohio National Guard, who are devoting their time and service to the National Guard, to the exclusion almost of their own private affairs.

That being so, it seems to me that we are doing nothing more than right if we adopt the amendment which has been proposed by the Senator from Missouri.

Mr. BORAH. Mr. President, I ask to have inserted in the RECORD without reading, because I do not want to take the time in my time to read it, what is known as the Bulletin of the National Guard, dated April 10, 1916. The portion of it which I desire to have inserted in the RECORD is marked by lead-pencil marks, so that it will not be necessary to insert the editorial matter, or, rather, the news comment.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

[From New York Times, Thursday, Apr. 13, 1916.]

The bulletin, which is dated April 10, says:

"Bulletin to the National Guard Association: The following information is furnished regarding the progress of the military bill in the Senate:

"Two of the amendments suggested by the executive committee of the National Guard Association have been considered. The first was an amendment to section 6, providing for a National Guard section in the General Staff, to consist of five National Guard officers, etc. This amendment was passed. The second proposed to strike out section 56, known as the Volunteer Army section of the bill, but embracing the continental scheme as originally proposed by former Secretary of War Garrison. This amendment was defeated. The friends of the National Guard who undertook to strike out this section from the bill still feel that this may be accomplished. The bill is now being considered by the Senate, acting as a Committee of the Whole. Later the bill will come before the Senate for formal consideration and to confirm the action taken by the committee. It is then proposed to again move to strike out section 56. The first vote was so close and there were so many Senators absent who would have supported the proposal to strike the section out that it is felt that reverse action may be still obtained.

"As you are probably aware, the present Senate bill provides pay for only captains, first lieutenants, and second lieutenants of companies. The Senate committee advanced the suggestion that as these were the only officers who actually drilled when not in the field and on full pay, and that as the pay for enlisted men was made upon the basis of drills, pay need not be provided for other officers. Unfortunately this view, which seems plausible to the uninformed, has been accepted by many in the Senate who are friendly to the National Guard. The fact is that this provision accords with many other provisions of the Senate bill and the ideas of those who have guided the preparation of the Senate bill, which is that the National Guard should not be encouraged or even permitted to furnish officers for higher grades than those of the company.

PROVIDES PAY FOR OFFICERS.

"We first proposed to our friends that effort be made to substitute section 76 of the Hay bill for sections 108, 109, 110, and 111 of the pending bill. This would be very much preferable to the adoption of the provisions of the present bill. Senator REED, of Missouri, will, however, introduce a substitute section for section 108 of the Senate bill, which will read as follows:

"'SEC. 108. Pay for National Guard officers: Commissioned officers on the active list belonging to organizations of the National Guard participating in the apportionment of the annual appropriation for the support of the National Guard shall receive compensation for their services (except during periods of service for which they may become lawfully entitled to the same pay as officers of corresponding grades of the Regular Army) as follows, not to include longevity pay: Captains and officers above the rank of captain, $500 a year; first lieutenants, $300 a year; second lieutenants, $250 a year. Regulations to be prescribed by the Secretary of War shall determine the amount and character of service that must be rendered by officers to entitle them to said pay: *Provided*, That only officers (line) or officers of the Staff Corps and departments on duty with organizations of the line shall receive pay.'

"This provision would be very much more favorable to the National Guard than would section 76 of the Hay bill, for, while the pay to officers above the grade of captain would be the same, the higher and other officers are included who would not draw pay under the Hay bill, but who should do so. It will be noted also that the provision authorizing the Secretary to make rules as to the duty to be performed by officers to entitle them to pay does not permit such rules to reduce the pay below the rate named, while under section 76 of the Hay bill the following phrase, which occurs, viz, 'Regulations to be prescribed by the Secretary of State shall determine the amount and character of service that must be rendered by officers to entitle them to the whole or specific parts of the maximum pay hereinbefore authorized,' is undoubtedly intended to provide a means by which the regulations to be prescribed may be so fixed as to make it impossible for field or other senior officers to obtain the full pay authorized for their grades.

"It is recommended, therefore, that your Senators be urged to support the amendment to section 108 of the Senate bill which will be offered by Senator REED, of Missouri, as being more fair and equitable to the National Guard and still providing no higher rate of pay than contemplated under the Hay bill.

"By the rule adopted Saturday afternoon the consideration of the military bill went over until Wednesday next at noon. The general debate will then continue until Friday, when a 10-minute rule will apply to all speeches and one speech to each amendment. It was agreed that the final vote on the bill and all amendments will be taken Tuesday, April 18.

"It is trusted that all receiving this bulletin, and particularly the adjutant generals of the States, are regularly receiving the CONGRESSIONAL RECORD, and thus keeping advised as to the debate on the bill. It is recommended that this be done. The attitude of Senator CHAMBERLAIN toward the National Guard, as brought out in the debate, has been somewhat surprising, but is explained, perhaps, by the influences with which he has been surrounded during the preparation of his bill. The National Guard representatives here have been attacked in a most unreasonable manner on the floor of the Senate by Senator CHAMBERLAIN and others, which has not been a pleasant experience, but has not had the effect of scaring us away, as was doubtless intended.

"The biased metropolitan press has endeavored to make much of this talk of a National-Guard lobby, and continued references to the charges made by Senator CHAMBERLAIN occur. To meet this your committee has addressed a letter to Senator BLAIR LEE of Maryland, which appears in the CONGRESSIONAL RECORD of Saturday, April 8, and copy of which is inclosed. The publication of the substance of this letter in State papers is recommended, so as to overcome the ill effect of the lobby charge, as it remains unanswered.

"It is very important that there be a few National Guard officers here after Wednesday who can go direct to their Senators with proposals or recommendations which we may find it necessary to make.

"For the executive committee.

"J. CLIFFORD R. FOSTER,
"*Chairman.*

"For your information.

"GEORGE ALBERT WINGATE,
"*Member Executive Committee.*"

VIGOROUS DENIAL OF A LOBBY.

After he had urged the guard leaders to be in Washington and approach personally their Senators, Gen. Foster sent the letter to Senator LEE denying lobbying. The letter said:

"The charge that the National Guard is represented in Washington by a lobby, and that it is seeking by improper means to influence the action of Congress with regard to pending military legislation, would not, perhaps, call for comment if the statement had emanated from a less important source. As that charge has been made, it seems proper that this committee make a statement with regard to that matter. Inquiry suggests itself as to what constitutes a 'bold' or 'insidious' lobby.

"We may, without disadvantage, I think, compare the activities of the National Guard committee with those of other organizations interested in the same legislation. What the 'bold lobby' of the National Guard has done has already been stated. Here are some of the things it has not done:

"Those composing it have not sought to interview or called upon any Senator or Representative except when specially invited to do so.

"No printed matter has been gotten out or circulated.

"No headquarters is maintained, no publicity agent is employed, and no propaganda put forth."

Mr. BORAH. Mr. President, the Senator from Ohio [Mr. POMERENE] has just called attention to the fact that the officers of the National Guard in his State devote a great deal of attention to the service of the National Guard at much sacrifice of time and practically without compensation. I think according to reports on file they have been fairly well compensated thus far.

I find according to the report of the War Department that at the Ohio national rifle match, 1911, $13,892.07 was expended on the State rifle team, all of whom were officers.

In the period from July 22, 1911, to September 23, 1912, an officer, a colonel, drew pay to the amount of $1,411.18.

In the period from July 1, 1911, to September 15, 1912, another officer, also in the same State, a colonel, drew pay to the amount of $1,610.95.

In the period from July 30, 1911, to September 1, 1913, a third colonel in the State drew pay to the amount of $1,299.37. So these large amounts out of appropriation or apportionment to the State of Ohio for that year practically went to the officers, and there is no report as to any portion of this going to the enlisted men.

I call attention to some other disposition.

Mr. POMERENE. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. POMERENE. Does the Senator mean by that statement that this money has been misappropriated?

Mr. BORAH. Since the Senator asks the question it requires a candid answer. Yes; that is just exactly what I mean.

Mr. POMERENE. That is a pretty serious charge, if it be true.

Mr. BORAH. I make it without any hesitation whatever. The record of the War Department will show that this nearly $8,000,000 which we have been appropriating for the National Guards has been shamefully and disgracefully wasted, and some of it has actually been embezzled.

Mr. POMERENE. If that be so, there is a remedy for all such wrongs as that, and we have here——

Mr. REED. What about the War Department?

Mr. POMERENE. Has this been done with the knowledge of the War Department and has the War Department taken no steps to correct this evil, assuming that the evil exists?

Mr. BORAH. I do not know where the responsible line is as between the War Department and the National Guard. It is wholly immaterial to me for the purpose for which I am presenting this. I know a certain large amount of money, $8,000,000 a year, has been apportioned to the States of the Union for the benefit of the National Guard, and if the Senator from Ohio and other Senators will examine into what has gone with the $8,000,000 a year they will hesitate to put $50,000,000 into the same place. I have not come across in my public service a more indefensible waste of the public money than the official records disclose as to this National Guard fund under the Dick law.

Mr. POMERENE. Mr. President, it seems to me that we have auditors in the War Department, and if any of this money has been wrongfully expended there ought to be some manner——

Mr. BORAH. Mr. President, I desire to proceed, because I think I can give the Senator some information which will cause him to reflect upon this matter a little. I have felt all the time that we were proceeding in this matter recklessly and without the facts before us.

Camp of instruction, Alabama, 1912: Troops in attendance never in excess of one regiment; duration, 20 days. Amount paid to members of staff departments of its State who were not members of the regiments participating, $2,822.12.

Camp of instruction, Delaware, 1912: Troops in attendance, 4 companies. Total payments to officers, $1,937.81; to enlisted men, $625.60.

Camp of instruction, Mississippi, 1912: Enlisted men participating were never at any time in excess of 200; total payments to officers of staff departments only, $1,999.45. Duration of encampment, 20 days.

Total funds disbursed in Montana during latter part of 1911 to end of 1912 was $11,893.77. Of this amount $9,754.47 was paid to officers and $694.44 to enlisted men.

Texas, 1911: A general officer drew Federal pay to the amount of $1,286.93.

In Arizona, the amount of Federal funds expended from July, 1911, to June 30, 1912, was $8,414.40. Of this amount $2,070.96 was expended for officers' schools and $4,998.93 for the State rifle team, of which 12 out of a total of 18 members were officers. During this period only six enlisted men received pay from Federal funds.

Alabama: Total Federal funds devoted to expenses—including pay—of rifle team in 1911, $12,669.28, of which $9,881.28 was paid to officers and $489.39 to enlisted men. At camp of instruction in 1912 the total pay of officers was $3,317.47; enlisted men, $544.70; civilians, $1,762. At this camp the total sum of $5,624.17 was paid for the instruction of 48 officers and 99 enlisted men for a period of 22 days.

In Texas the quartermaster embezzled $30,000. There are other similar instances. The records of the War Department further show that there is now a total shortage of property issued to the National Guard of $1,352,761. In many States the shortages are so great that if charged against the appropriation there would be nothing going to the States. This large amount is wholly unaccounted for—lost, wasted, and in some instances embezzled. Now, in the face of these facts we are restless to give them fifty millions instead of eight millions.

Mr. POMERENE. Do I understand the Senator to say that these expenditures were illegal?

Mr. BORAH. Technically they might have been within the law except the instance where there was a plain, open, and notorious embezzlement and the man left the country. What I mean to say is the manner in which this fund has been disposed of, the manner in which it has been taken charge of by the officers and used by the officers exclusively, in the manner the record discloses, is perfectly shameful, and it can not be defended upon any theory on earth except a political exigency. As a matter of the conscientious use of public money, it is, in my judgment, most reprehensible.

Mr. POMERENE. May I ask the Senator what the report was from which he was reading?

Mr. BORAH. I was reading figures and facts disclosed by the reports and records of the War Department, subject to the call of any Senator who wishes to see them.

Mr. POMERENE. Has there been any effort made by legislation or by the administrative department to correct these irregularities?

Mr. BORAH. I do not know, Mr. President, and I am not now seeking to fasten the particular responsibility. I am looking after the man who got the money when I am asked to transfer some more money to him. I am asked to appropriate in this bill from forty to fifty million a year for the benefit of the same class of men who have thus recklessly, wastefully, shamefully spent millions already. When I am asked to do that, I look up the record and I find the record as given. Now, others may do as they please, but I will feed no such waste as this.

Mr. POMERENE. If there have been any irregularities, of course, they should be corrected. I was addressing my remarks to the provision of this bill. If there has been any money wrongfully expended in the past——

Mr. BORAH. I think the Senator will have to defend his officers in his own time. I think it is a job that can not be done in 10 minutes and divide the time with me.

Mr. POMERENE. I shall be very much surprised if there is any officer in the Ohio National Guard who has violated the law in any respect whatsoever.

Mr. BORAH. I have no doubt the Senator will be surprised. It is wholly immaterial whether there was a technical violation of the law or not. We are here under the guise of national preparation purporting to appropriate large sums of money from the already overburdened taxpayers upon the theory that this organization, this institution, is an elementary part of national defense, when we have here the record for the last eight years under the Dick law, which shows that they have been wastefully and shamefully appropriating to themselves practically in effect the money which has been given to them. I do not say a technical crime has been committed, but morally it is intolerable. I say it is time that this body should stop to reflect, that in preparing this country for war we are not giving the people of this country what they suppose they are getting by the dollars which they will have to pay. We are filling this bill from beginning to end with pure political appropriations from the Treasury of the United States, and we could not do it, we could not proceed a step, if it were not under the guise of national preparation. You could not bring the bill here which we have for the National Guard in time of peace when the people had their attention riveted on it. You could not proceed with it to a successful end as you are about to do now. You are taking advantage of the people's interest and wastefully using the money not for preparation but for politics.

The VICE PRESIDENT. The Senator's time is up.

Mr. SMITH of Georgia. Mr. President, my own view is that the National Government should not pay anything to these officers, except when ordered out by the Government or doing work required by the Government; that they ought to stay practically as they are now with reference to their relations to the State and Nation. Whether this is good politics or bad politics, if it is right we should not fear to do it. If a proposition of that sort is submitted, removing the effort in this bill to change the status of the guards, I shall vote for it, but in the meantime I move to run the figure "2" through the amendment of the Senator from Missouri. Where he has $500, I move it be made $250; where he has $300, I move it be made $150; and where he has $250, I move that it be made $125.

Mr. REED. Mr. President, tirades against the National Guard coming from any source, however dignified, will not wipe out the great fact of history that the National Guard have in every instance responded when called upon; that they have served with efficiency and bravery; that from the members of the militia have come officers who have served with honor and distinction in every war in which our country has been involved. Neither does intemperate attack avoid the truth, always apparent, that we must have some organized force in the country outside of the Regular Army unless we are ready to increase the Regular Army so that it will number from 250,000 to 500,000 men.

I challenge the figures of the Senator from Idaho [Mr. BORAH]. I have not had an opportunity to examine them, but I say if those figures are true in the sense they were employed by the Senator, then somebody in the Regular Army ought to have been long ago court-martialed for permitting the misappropriation and misuse of funds. I say that if those figures fairly represent the case, then some of the civilian officers of the Federal Government ought to be dismissed for having failed to perform their duty.

I apprehend there may have been a thief in the National Guard. So, sir, there have been thieves in the Regular Army. There have been thieves and scoundrels in the pulpit. There have been some men in the United States Senate who were sent to jail. I am unwilling that reflection should be cast upon a body of men who are giving their time and labor, up to this time, without pay unless, at least so far as my voice shall go, I repudiate the aspersions thus cast upon honorable men.

Mr. President, we all know what the battle line is here. There is scarcely an officer in the Regular Army who does not want the Regular Army increased to an enormous extent. There are but very few officers in the Regular Army who would not willingly kill off every attempt to create a citizen soldiery. What they want is the professional soldier. What they want is a vast permanent military establishment. What they demand is increased pay for themselves and that the money shall go to an organization of which they are life members. They also want the opportunity for rapid promotion, as has been suggested by the Senator from Mississippi [Mr. VARDAMAN]. Perhaps all this is but natural. I have no desire to be harshly critical. I have no doubt they proceed in good faith.

Mr. President, it is easy enough to understand why the pay for militia officers above the rank of captain is cut off in this bill. A lobby organized among the Cavalry officers of the Regular Army selected two of its own men to come here and look after the interests of the Cavalry, and those two men are named in the report of the chairman of this committee as "the military advisers of the committee." The evidence of the truth of my charge I put in the RECORD yesterday.

Mr. CHAMBERLAIN. Mr. President, may I make just one correction there? I know the Senator wants to be fair. Maj. Connor has never been in the Cavalry, but in the Engineer Corps.

Mr. REED. I was in error as to Maj. Connor. I was speaking from recollection and confused Maj. Connor with another. I am glad the Senator from Oregon called attention to the error.

Now, Mr. President, I know that the chairman of the Military Committee meant to do the right thing, but I say that when that committee was advised by men who were interested in destroying the National Guard it is well to look

carefully into the committee's work. When we say to every officer of the National Guard, "If you go one step above the rank of captain, you shall not have a cent of pay, and you shall be put in such a position that when your organization is ordered into active service you will be relegated to the rear," we kill the National Guard. The military experts who believe in a Regular Army and not in a National Guard knew that when they got that kind of provision put into this bill. If the bill passes as it is, you have killed off the only civilian army we have. I mean when I say civilian army the only military arm organized among civilians that constitutes an army of strength at this hour.

I appeal to Senators: If our troops in Mexico should be cut off to-morrow, if they should be surrounded and in danger of slaughter, whether they would not expect the President to call out the National Guard, whether they would not expect the National Guard, inefficiently equipped as it is now, unsustained as it has been in the past, to be on the trains within 24 hours moving to the border of Mexico. I say they would be there to a man. I do not claim that they would fight as well as Regulars at first, because they are lacking somewhat in training, but they would be there with their bodies, with their stout hearts, with their high courage, and inside of four months of time they would be the equal of the Regular soldiers, and they would be the equal because they are, on the average, superior in point of intellect and general training to the enlisted man of the Regular Army.

I hope we are not by this bill going to destroy our present army of real trained citizen soldiers and render doubtful, if not impossible, the existence of such an army in the future.

Mr. LODGE. Mr. President, I think it is very unfortunate to have the National Guard presented here as the enemy of all other branches of the military defense of this country. I have a great respect for the National Guard. I have great respect for the National Guard of my own State. They have sent me no letters or telegrams asking me to vote out the provisions for the volunteers. They have sent me no letters or telegrams of any kind asking me to do anything to injure the other provisions of the bill for supporting the defense of the United States by land. They desire, if they had their own way, to be completely federalized and mustered into the service of the United States. They are an excellent National Guard. I have the profoundest respect for them. They are now and always have been for the national defense just as they were when the Sixth Massachusetts forced their way through Baltimore to defend the Capitol of the United States.

I am very grateful to them, Mr. President, because they come forward and are ready to defend the country. I am very grateful to the young men who go to the Plattsburg camps; I am very grateful to the men who are ready to volunteer and give their time that they may be able to come to the defense of the country whenever they are needed.

But, Mr. President, we have also a Regular Army which has been made the subject of wanton attack here on this floor. I for one am now and always have been very grateful to the Regular Army.

The Senator from Idaho [Mr. BORAH] has shown from official reports that the money spent under the Dick bill has been largely given to officers of the militia while the enlisted men have had little or nothing. He has not charged that it was spent illegally. He simply shows that it has gone. And what is the reply? That these figures are due to some wickedness of the Regular Army.

Then, Mr. President, we have also heard cheap sneers about gold lace and all that sort of thing. When I hear such unworthy flings at the Regular Army I am reminded of Kipling's lines, which everybody knows, probably, written some time ago about the British soldier, where he said:

Then it's Tommy this, an' Tommy that, an' "Tommy, 'ow's yer soul?"
But it's "Thin red line of 'eroes" when the drums begin to roll.

Who is fighting your battles now in Mexico? The Regulars. Who is holding your border in Mexico? The Regulars. Who has never failed you on any battle field? The Regulars. Who led your armies in the Civil War to victory on both sides? The Regular officers; the graduates of West Point.

Mr. President, when Senators talk about aspersions on the National Guard I, for one, think we have had enough of aspersions on the Regular Army. I am grateful to them. I honor them. I respect them. When we are providing for the national defense is it not possible that we should be fair to every branch of the service? Is it not possible to deal with the National Guard without slandering the Regular Army? They are Americans, too, although scattered over the continent. They have no votes and no politics, and they are doing their duty to-day as they have always done it. Can we not discuss this bill without attacking the American soldier who is fighting our battles and giving his life for us at this very moment?

Mr. THOMAS. I shall take advantage of this discussion to say for the National Guard of my State that no member of it, either officer or private, has corresponded with me either to solicit my support of or my influence against any part of this bill or any other bill. I think that is most creditable and patriotic, and I believe much of the acrimony of this debate would have been avoided had the guard in other States followed the example of my own.

It is not my purpose, Mr. President, to reflect upon the National Guard nor the Regular Army, nor indeed upon the motives of my associates in supporting or opposing the amendments to this bill; but I am opposed, especially since the exhibit presented here by the Senator from Idaho [Mr. BORAH], to increasing disbursements to the officers of the National Guard from the Federal Treasury. I think the Senator from Georgia [Mr. SMITH] was exactly right when he declared the proper policy was to pay them nothing. The theory of compensation in military affairs—the true theory—should be to pay the man who is required to give all of his time to that business. Necessarily he must look to the Government for his livelihood. We, therefore, support the Regular soldier and pay him a salary. We also pay the Regular officer a salary. This is as it should be, and beyond it we can not safely go.

The militia, Mr. President, both privates and officers, is made up of the citizenry of the country. Military training and military organization are episodes in their lives. It does not comprise their occupation. The generals and the colonels—certainly the generals of the National Guard—receive salaries from their States. It is my impression also that the officers of lower rank, certainly in some of the States, are likewise compensated. These gentlemen are in other vocations of life. They do not and should not depend upon these salaries for a livelihood.

The Senator from Ohio [Mr. POMERENE] stated a few moments ago that some of the officers of his State who are to be provided for by the amendment now under consideration, sometimes neglected their own affairs in order to give proper attention to their military duties, which, of course, presupposes that they have private affairs. We made a mistake, I think, in providing Federal compensation for any of these officials. If we had adhered to the old rule, the only logical rule, of compensating only the men who give all of their time to military duty and whose vocation is along military lines, we should not have been confronted with the pending dilemma; but do not let us solve it by increasing the public burden.

We have made heretofore due provision for the officers who, speaking generally, do the actual work. There may be exceptions. Why should we increase the burdens of this bill to the extent of a million dollars a year by providing salaries for those who hold higher commands in the National Guard and possess other and ample means of livelihood?

Mr. WORKS. Mr. President, I have been opposing the provisions of this bill, the objects of which are to federalize the National Guard. I have done it because I think it is in plain and open violation of the Constitution of the United States.

The National Guard of my State is made up in large part of some of our very best citizens. I am not intending by any course I am taking here, or by anything that I may say, to attack the National Guard as such. My own judgment about them is that they are a State organization, and that their duties should be kept strictly within the State.

I have no doubt in the world that if the National Guard of California were called upon as provided in the Constitution, they would respond promptly, and to a man, and that they would make excellent soldiers. They are patriotic citizens, who are acting in good faith as members of the National Guard, and they would respond to any legitimate and proper call to the service of the United States. I believe that they should be kept within those limits; and it is for that reason, and for that reason only, that I have opposed some of these provisions, and expect to continue to do so as such amendments are offered.

Mr. CUMMINS. Mr. President, the amendment offered by the Senator from Missouri [Mr. REED], important as it is, sinks into insignificance when compared with the importance of the charge made by the Senator from Idaho [Mr. BORAH]. As I understand, he says that the appropriations that have been made by Congress from year to year since 1908 have been, by the officers of the National Guard, shamelessly misappropriated and misspent. If they have been shamelessly misappropriated and shamelessly misspent, the officers who are responsible for that course are dishonest men, and they ought not longer to receive the confidence of Congress or of the people.

If these men, who have been intrusted by the authorities of their States with the performance of these high duties, have

betrayed their trust and have stolen and misappropriated—because in moral effect there is no difference between the words "stolen" and "misappropriated"—they ought to be brought to account, and no single dollar should be committed to their care if the charge made by the Senator from Idaho is sustained. That is his view; it is his opinion that because these thousands of officers throughout the United States have been misappropriating the money which has been given into their care by Congress, therefore they should not be given more money; that having dealt unfaithfully with $8,000,000, they ought not to be given the opportunity to deal unfaithfully with $45,000,000.

Without at all questioning the sincerity of the Senator from Idaho or the accuracy of the report he has in hand—for I have not seen the report—I do not believe that the officers of the National Guard are dishonest. There are, I assume, the same frailties among the officers of the guard that you will observe in the Senate of the United States or in any other body of men; but I do not believe they are dishonest men. If the money has been expended as provided by Congress, they have but performed their duty. I am not familiar with the way in which it has been expended. If it has been expended in violation of the command of Congress, then they are dishonest men, and I think we could not do better than to halt this bill at this point and ascertain whether or not the officers of the militia of the United States are the kind of scoundrels that may be inferred from the report that has been read.

I know some of these men—a few of them it is true. I know those in my State, and a higher-minded, more intelligent, more faithful, more unselfish body of men never devoted themselves to the public service than the officers of the National Guard. I am shocked beyond measure to hear the charge that has been made against them.

I am not asserting that any of the tables that were given by the Senator from Idaho are not true; I do not know. I have simply had no opportunity to learn. It is the first time in all my experience that I have ever heard the officers of the guard charged with dishonor or with dishonesty; and I think we ought to know whether they have taken the money of the country and have spent it for purposes other than those directed by Congress. I do not believe it. Other Senators here will know of their own guard. I know of the National Guard of Iowa.

I will stake my whole life upon the fidelity with which the adjutant general of the State of Iowa, under the command of the governor, has spent the money which has been intrusted to his care by the Secretary of War or by the Secretary of the Treasury. It will be most unfortunate if this bill is considered and disposed of upon the hypothesis that the officers of the National Guard are not good citizens of the United States.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from Iowa a question before he takes his seat. Is there not a board in the State of Iowa similar to the board which we have in the State of Colorado, which passes upon all of the expenditures made by the officers of the National Guard, and do not those expenditures have to receive the approval of that board which, in the State of Colorado, is the governor of the State?

Mr. CUMMINS. There is such a board in Iowa. The governor of the State is the commander in chief of the army in Iowa, and he, together with the executive council, passes upon the accounts of the adjutant general. The adjutant general is a sworn officer of the United States; he becomes the disbursing officer of the United States, and expends all the money that is appropriated by the Federal Government for the use of the National Guard in Iowa.

Mr. SHAFROTH. Then, if these expenditures were wrong, it would involve even the governors of the States, would it not?

Mr. CUMMINS. It would in our State. I do not know how it would be in other States.

Mr. SHAFROTH. It would in the State of Colorado; I am sure of that.

Mr. POMERENE. Mr. President, I am just a little surprised at the course this debate has taken. The question for consideration before the Senate is, Shall the plan which has been proposed by the Senate Military Committee be so modified that officers of the National Guard over and above the rank of captain will be entitled to receive the same pay that a captain receives, or will they be compelled to render their services gratuitously? That is the question which is before us. We have been dealing a good deal in crimination and recrimination in this debate. Charges have been made against certain Senators, because they happened to differ from certain other Senators, that they are perhaps playing to the galleries or taking their position because of the political effect that it may have. I for one deny the charge and resent the insinuation.

It is stated that $8,000,000 are appropriated annually for the National Guard. I have not yet had the time to investigate in order to ascertain exactly what the figures are. I am told that the original Dick bill provided for an appropriation of $2,000,000 per annum, and I have that bill before me. I am also told that, in addition to this sum, by subsequent legislation another appropriation of $2,000,000 was made, making the total appropriation for the National Guard $4,000,000. I do not say that that is correct, but that is the information I have on the subject.

And now my good friend the Senator from Idaho [Mr. BORAH] refers rather scathingly to some of the officers of the Ohio National Guard. I know personally a good many of those men. They have never come to me—not one of them—in any other spirit than that in which I should be approached by any man who was interested in any piece of legislation which was occupying the attention of the Senate. I challenge the correctness of the statement which has been made, that any one of these officers has been guilty of any violation of the law. I shall not have a plea of guilty entered for any one of them because he has been indicted.

These men are of good reputation in their respective communities. They are men of the best character, who have been intrusted year in and year out with responsible positions in connection with the National Guard in the State of Ohio as well as in private life. If they have been guilty of any wrongdoing, I have no word in defense to make for any offense committed; but I submit that the Senate of the United States should not decide a question of legislation here, because, forsooth, there may be some one somewhere who has got some money to which he may not be entitled.

In Ohio, as I am told, the private in the National Guard is paid $1 per day, whereas the Federal authorities pay 43 cents per day. I am not here to condone any wrongdoing, if there has been any; but I am not here to sit in silence when an accusation in very general terms is made against the entire National Guard, even if there may be some wrongdoing on behalf of one or more members of the National Guard.

I have not said one word in disparagement of the Federal Army, neither shall I; and I am not going to indorse the statements which may be made in wholesale fashion against the National Guard. Burke, I believe it was, said, "You can not indict a whole nation"; and, good lawyer though my distinguished friend from Idaho is, he can not indict the entire National Guard because of some wrongdoing, whether it be on the part of officers in the Federal Army or on the part of officers in the National Guard. If there has been wrongdoing, it is time for a house cleaning. Let us not be controlled in our legislation now because there may have been some violation of law, some indiscretion in administration it may be; but let us bend ourselves to the purpose of adopting legislation here which may be for the good of the entire country, without attempting to cast reflections either upon the National Guard or upon the Army or upon Senators who may be taking one side or the other of this question.

I do not question the motives of any Senator who has spoken on either one side or on the other of this measure, and I shall not do so; but it seems to me that the debate can pursue a peaceful and orderly course without dealing in any crimination or recrimination.

Mr. BORAH and Mr. STERLING addressed the Chair.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from Idaho.

Mr. BORAH. Does the Senator from South Dakota wish to speak?

Mr. STERLING. I want to address the Senate for a few moments.

Mr. BORAH. I will yield if the Senator desires to speak.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. STERLING. Mr. President, a few days ago I received a letter from a constituent of mine who evidently had misunderstood my position in regard to the National Guard. I think he saw by the RECORD that I had voted for section 56—that section of the bill providing for the volunteer army—and, without looking or inquiring further, he came to the conclusion that I was opposed to the National Guard; and so he says in his letter:

> I write to express my hearty appreciation of your vote against the National Guard.

I wish to quote a part of my reply to the gentleman who thus misunderstood my vote. I wrote to him as follows:

> I fear you do not quite understand my position in this matter. I did not vote against the National Guard, but did vote for the volunteer-army provision in the pending Army bill. Some of the National Guard people were opposed to the volunteer-army plan, but not all by any means, and I have heard no word of protest against the volunteer army from any of the National Guard officers or men in South Dakota. My opinion is that the National Guard can be made a most effective military force in the event of war, and in case of the mobilization of

the armed forces of the United States I would be in favor of giving the National Guard first place after the Regular Army.

Now, Mr. President, I feel that I would be derelict in duty unless I made some protest against the wholesale charges made by the Senator from Idaho [Mr. BORAH] against the National Guard as I know it and as I know the men composing it. They have not been in evidence here during the pendency of this legislation working against the volunteer army. It was my good fortune to have as a law partner for 10 years the present adjutant general of my State. We are on the most friendly terms, but he has not written me one word against the volunteer army. On the other hand, I have a letter here from a former adjutant general of my State in which, while he speaks most approvingly of the provision for the volunteer army, he does not say a word to detract from the National Guard of the State as now constituted.

I think I know something of the National Guard in my State and of the spirit which has animated the enlisted men and the officers of that organization. I never have heard one charge of wrongdoing against them or one hint or suggestion that there had been any misappropriation of funds apportioned to the National Guard in my State. I know, Mr. President, that these officers and these men have sacrificed both in time and money to keep up the National Guard so that it might be an effective instrument in the hands of the Federal Government, if ever the Federal Government should need its services; that the animating motive, for the most part, as has been expressed by others in this Chamber, for enlistment on the part of officers and men in the National Guard, has been the thought that at some time they might be of service, not particularly to the State in the enforcement of the laws of the State, but that they might be ready for the service of the Federal Government in case of need.

The Senator from Idaho makes a general charge about the relative amount of money received by the officers and the enlisted men of the National Guard; but, Mr. President, that does not go to show or to prove for a moment that the officers have appropriated money that belonged to the men, and which did not belong to the officers. There is no showing here, nor do I think that the Senator from Idaho can show, that the men have ever failed to receive all the Federal money which belonged to them under the law.

I regret, Mr. President, very much to see these attacks upon the National Guard. My contention is that, as between the volunteer army and the National Guard, the National Guard, because of its older organization, because of its spirit, because of its longer training, would be the more efficient of the two in case of actual or threatened war; and, for that reason, I have favored a distinct provision in the pending bill to the effect that, in case of a call for the armed forces of the United States for service, aside from the Regular Army, the National Guard should have first place in mobilization and in service in the field.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. The Senator from Idaho.

Mr. BORAH. Mr. President, we have a National Guard in the State of Idaho, so called—"State militia" is the proper name and the name under which it has always gone until the desire arose to federalize the State militia. My personal relation with the State militia of my State is not unfriendly at all; in fact, I have been in very intimate communication with them for the last seven or eight days. I know a number of them, and I presume, in a casual way, I know them all; but I know a number of them intimately. I could do the same thing as the Senator [Mr. STERLING] who has just taken his seat and as other Senators have done, for, so far as I know, the personnel of the National Guard or the State militia of my State is above reproach. I do not know of any one of them that I would distrust personally, and I have no personal feeling in this matter at all. I could engage in the same fulsome eulogy on "our boys" which we have heard here ad nauseam. But that would not change my belief that the State militia as a military force is ineffective; neither would it change the facts now on record as to the manner in which the "Dick fund" has been wasted. I do not believe, in the first place, that we can do what we are attempting to do legally, and, in the second place, I do not believe that under the kind of training which they are given they will ever make soldiers in the sense that we will need soldiers if any real peril should come to us.

Mr. President, the Senator who has just taken his seat [Mr. STERLING], the Senator from Iowa [Mr. CUMMINS], and the Senator from Ohio [Mr. POMERENE] say that I have made a general charge. I have done nothing of the kind; I have made a specific charge. I have called attention to specific figures, to specific years, to a matter of record. It is not a generalization at all; it is not an attack upon men in such a general way that they do not know what the charge is which I have made. I have stated that the money which has been appropriated under the Dick law has been shamelessly used; has not been used in such a way as it should have been used if the men who were using the money had been the taxpayers who were paying it. Now, instead of these able Senators referring to general charges I invite their attention to a specific public record and ask them do they approve this record?

For instance, you have 18 men in a camp for a few days; 12 of them are officers and 6 of them are enlisted men. They draw several thousand dollars. Six hundred and some odd dollars go to the enlisted men and eight or nine thousand dollars to the officers. That is not technically a crime, but morally it is; and I assume full responsibility here upon the floor of the Senate, until these figures are corrected and made to appear untrue according to the reports of the War Department, for the statement that it is a shameless use of the public money. I challenge Senators to the record and ask them for their defense. It will not do to go off into eulogies. I have given you certain figures. Do you deny them?

If the Senator who has just taken his seat and the Senator from Iowa want to attack the Senator from Idaho, let them disprove the figures which I have given here to the Senate; let them show that the record from which I have quoted is an error, and that it is not a fact. When they shall have done so, I am not too proud or too cowardly to apologize upon the floor of the Senate and before the people for having misled, to a certain extent and for a limited time, some of my associates upon the floor. I have improvised nothing; I have relied on the public archives. And I think Senators would do more credit to their intellectual candor if they would seek to deal with the record facts rather than regret wholesale charges. If the charges are wholesale it is because the wasting of the money has been wholesale. I say to you the deeper you delve into the last eight years the less you will feel disposed to expose the facts here upon the floor of the Senate; the more you follow the details as to the money lost, the money and property wasted, lost, and embezzled, the less you will care to have the matter discussed in detail here upon the floor of the Senate.

You say to me that this is something new to you. It should not be anything new; it is a matter of public record. It has been called for and furnished to me, and I present it here on the floor of the Senate.

Now, my friends, I do not think we can wholly escape responsibility by saying that some civil officer has been guilty of misconduct if these men have not been prosecuted. The Senator from South Dakota [Mr. STERLING] expresses regret that the Senator from Idaho has made these charges; it would do more credit to the able Senator if he would express regret, rather, that the records exist. Would the Senator have the Senator from Idaho conceal the record facts? We have a responsibility ourselves, and we are appropriating large sums of money under conditions which, in my judgment, in view of the past are unwarranted. I am perfectly willing to state all the facts I know concerning the proposition and to take the responsibility, whatever it may be, for it.

Mr. REED. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. BORAH. I do.

Mr. REED. The Senator has referred to the large amount of money expended at some military camp where there were only 18 men, 12 of whom were officers. Does the Senator want to leave the impression with the Senate that that is a typical military camp; that that is a fair example of the kind of camps that are held; that it is not a fact that generally there are hundreds and frequently thousands of these men in camp?

Mr. BORAH. Mr. President, I do not desire to indulge in invidious comparisons, but I do think there are a few States which have commendable State militia. From my investigation I have ascertained that there are three or four States where there seems to be no cause for criticism. It seems to me that they are doing their duty, and they are not at all subject to criticism, and I have not criticized them. I have made no such general statement. I have called attention to specific instances, and named the State and named the year and named the time, and there are more of them—plenty more of them. I have not named them all. But there are exceptions to that, and I do not know that the State of Missouri would suffer if the facts were presented here—I do not believe that it would—or the State of New York.

Mr. REED. The question I am asking is not that. The Senator spoke of this one instance of a camp with only 18 men present. I wanted to ask him if he wanted the Senate to understand that that is the ordinary military camp, and whether it

is not true that in these military camps there are hundreds, and frequently thousands, of men mobilized?

Mr. BORAH. In some of the States that would be true; but taking it as a whole, about 50 per cent of the State militia attend these camps throughout the country.

Mr. REED. About 50 per cent?

Mr. BORAH. About 50 per cent.

Mr. REED. That runs it into hundreds or thousands itself, and answers my question. Now, I want to ask the Senator this further question: He speaks of no money going to the privates. Is not that true because there has not been any provision in the law for the payment of privates at all?

Mr. BORAH. Mr. President, as I understand, this money goes directly to the officers of the National Guard. It is distributed to them and, of course, it depends largely upon their honor and upon their sense of right and of their relationship and duty to the enlisted man as to what they shall do for the enlisted man.

Mr. REED. Will the Senator pardon another question?

Mr. BORAH. In just a moment. But there is not any defense on earth in morals—there may be technically, but there is not any use in trying to cover it over with nice language—there is not any defense in morals to the record which is disclosed here as to the manner in which great numbers of the officers of the National Guard use this money.

Mr. REED. I want to ask the Senator if it is not true that an analysis of these figures will show that this money which was paid to certain officers was in fact used for the mess for the men and for the expense of putting up tents, and that it simply appears charged to the officer, whereas it was expended for the benefit of the camp? I want to ask if that is not the probable explanation of all of it?

Mr. BORAH. That would be an explanation which the Senator could make, but whether it is based upon facts or not I leave to the Senator to say. I could imagine the Senator from Missouri defending a man charged with embezzlement and making that a very successful defense.

Mr. REED. Oh, no, Mr. President; if the Senator will pardon me, what I mean is this: Here is money appropriated for the benefit of the National Guard, for the benefit of a camp. They go into camp. The food is bought to feed the men. The money actually goes through the hands of the quartermaster. It is therefore charged to the quartermaster; but he did not take it and use it or embezzle it. He employed it for the purpose of feeding the men in camp.

The PRESIDING OFFICER. The time of the Senator from Idaho has expired.

Mr. REED. I am sorry; I think I have imposed on the Senator's time.

Mr. BORAH. Is my time up?

The PRESIDING OFFICER. It is.

Mr. REED. I think the Senator ought to be allowed at least to answer that question.

Mr. HUSTING. Mr. President, I have listened to this debate for a couple of weeks, and I regret to say that most of the discussion has seemed to revolve around the question of whether a given course of action is a favor to one branch of the Army or the other.

I have not taken any part in this discussion heretofore; but because of the character of the debate one who sits in his seat and merely votes is put in a position whereby his vote upon every one of these questions, in the light of the debate and the questions that are raised and the charges and countercharges bandied from one side to the other, stands as taking part in the indictment of the Regular Army and championing the militia, on the one hand, or countrariwise, standing as a champion of the Regular Army and indicting the militia, on the other.

When section 56 was up we were told that that provision was aimed at the National Guard; that if that were passed it would mean that those who helped to pass it were taking part in the destruction and annihilation of the National Guard. I voted to retain section 56 in the bill, believing that under all the circumstances and conditions now obtaining it was a good and proper thing to do. Now we are called upon to vote upon a measure whereby, if we vote in favor of this amendment, we are to be charged with aiming a blow at the Regular Army or unduly championing the cause of the National Guard.

I rise merely to say this in my own behalf for the sake of explaining votes that have already been cast and for the purpose of explaining votes that are going to be cast. As far as I am concerned, I am going to try to vote, and have tried to vote, in the light of what appears to be the best thing for the United States. I do not think we should vote for a measure because it is a sort of favoritism to the National Guard. The question, it seems to me, ought to be whether it is good for the United States. On the other hand, a vote ought not to be cast because it is a good thing for or an evidence of favoritism to the Regular Army, but because it is a good thing for the country. I wish no vote I have cast or that I will cast on the amendment and passage of the pending measure to be considered an indorsement of the charges made against the Army or the National Guard. I do indorse the good things that have been said of both the National Guard and the Regular Army. I should like to have my vote construed only as my expression of opinion or judgment of what I believe is the best for the country. I hope I may be able to vote upon the pending measure with the thought only of the country and entirely divorced from the idea of favoring or, on the other hand, of discriminating against the Regular Army or the National Guard.

I want to say, as far as the National Guard of my State is concerned—and it does not need any defense at my hands, because I think it stands as the foremost organization of its kind in the United States—that I have never received a letter or a telegram from any member of it, nor was I ever interviewed directly or indirectly by any member of it, in behalf of any measure coming up before this body; nor have I received any criticism from any member of the National Guard for voting to retain section 56 in this bill. I want to say that the National Guard of Wisconsin is a splendid body of able and patriotic men and officered by men of great ability and zeal.

While it is true that the Senator from Idaho does not indict the National Guard of Wisconsin, yet his charges are so broad that unless specific organizations are exempted from them his criticisms might well lie against the National Guard of Wisconsin. I for one want to place upon the record my repudiation of anything said by the Senator from Idaho which in any way might reflect on the National Guard of Wisconsin.

It may be true that the Senator from Idaho gave specific instances of misconduct on the part of officers of the National Guard, and did not intend any reflection upon Wisconsin's guard, but if such specific instances have any relevancy to the issue here involved the only relevancy that I can see is that those charges against the National Guard were meant to apply as an argument against the adoption of the amendment of the Senator from Missouri [Mr. REED]. In other words, I understood the criticism to be expressed in the Senate for this purpose and no other—that because of any specific instances of misconduct on the part of some officers of the National Guard the Senator drew the inference that such misconduct was typical of the action of other members of the National Guard, and therefore—and I think the Senator from Idaho said so—no money should be voted for this organization. I can see no force in the charge unless the Senator meant in a general way to charge mismanagement and misconduct on the part of the National Guard.

All that I have to say about that is this: If the officers of certain organizations of certain States have misconducted themselves, other States, where officers have not misconducted themselves, but who have made splendid records for the organization, should not be put in the same class, or be punished or penalized because the officers of other organizations did not do their full duty. In other words, I do not know why an officer in the Wisconsin National Guard who has done his duty in every respect should be put in the same category with officers of the guard or some other State who, the Senator claims, have not done their duty. If there are any such—and I do not know whether there are or not, I believe and hope not—I say that a member of the National Guard of Wisconsin should not be put under the same cloud that has been cast over some other, nor should such officer in any way suffer or be penalized for what somebody else in some other State—with whose misconduct he had absolutely nothing in common—has done or expected to do in the premises.

In regard to this amendment, I assume that the committee in its wisdom thought it best to pay from the Treasury of the United States those of the rank and below the rank of captain in the National Guard a certain sum of money. Assuming that that is a good policy—and I say I am not sufficiently informed upon that subject to know whether it is good or not, but I am willing to take the committee's word for it; they have studied the question—I say, then, that I have not had sufficient information to satisfy me that those above the rank of captain should be required to donate their services gratis in the Army any more than any other soldier should do so.

We know these men. I know that in my State they are not rich men and they can not afford to serve gratis any better than any other soldier can in the Regular Army or the militia. I can not understand the fairness or justice in saying, because we want to be economical, that therefore we will pay some and expect the others to carry the load by doing their work for

nothing. In other words, I can not see the justice or fairness of saying to some men, "We have got enough to pay everybody until we get to you, but when we get to you the Treasury is exhausted, and you will have to serve without pay." I can see no logic in the argument that we can vote money to pay soldiers for services in the National Guard until their efficiency raises them above the rank of captain and then "reward" their faithful and efficient service by cutting off their pay. I do not think you can attract soldiers and rouse their ambitions by such treatment as that.

I say, assuming it to be a good policy to have captains and those below in rank in the guard paid by the United States, there can be no good argument advanced or any good reason given why men promoted above a captaincy should not receive at least the pay of the rank from which they have been promoted.

Mr. HARDING. Mr. President, I do not rise to discuss the pending amendment, but I do wish to put into the RECORD a bit of information which I know the distinguished Senator from Idaho [Mr. BORAH] would want me to put there. I am sure he has no desire to misrepresent the conduct of the National Guard of Ohio.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. HARDING. Certainly.

Mr. BORAH. Permit me to say that I not only have no desire to misrepresent them, but I have not misrepresented them. It is a matter of fact, a matter of record. If the record is wrong, that is another proposition; but I have not misrepresented anybody, because I have read the record.

Mr. HARDING. Mr. President, if the Senator will allow me, I perhaps was not happy in my choice of words. There are times when a partial truth may be stated and still convey an unjust impression. I do not question the accuracy of the statement made to the Senate by the Senator from Idaho, but the Senate would be lacking in information if I did not put into the RECORD a brief bit of information which ought to accompany his statement.

As I understand it, the pay of the officers of the National Guard is the same whether they are paid under State or under Federal authority, or out of State or Federal funds. So in the State of Ohio, where we have a very fine organization of the National Guard, we pay the officers out of the Federal allowance, because it is eminently fair to do so, and it makes no difference in the expenditure; and by that process we conserve our State appropriation for the guard, and, under the State law, we are enabled to pay the enlisted men a higher rate of compensation.

In other words, under the law of Ohio an enlisted man in the guard gets at least a dollar per day for his services in camp. Under the Federal law his compensation is, at the very highest point, only 48 cents per day. So, by applying the Federal funds to the payment of officers and applying our State funds to the pay of the enlisted men we are enabled to pay the enlisted men more than twice what would ordinarily be paid. As the result of that policy, I think we have in Ohio the finest section, or one among the finest sections, of the National Guard in all the United States. I think I can say, and I am proud to say in this connection, that the guard is so well organized in Ohio that if a national need were to be expressed this day the officers of the guard of Ohio could mobilize 8,000 men for the service of Uncle Sam within 24 hours.

I think it ought to be said, too, in this connection, that in all the years I have known the National Guard in Ohio there has been no suspicion of any manipulation of funds. There has been no scandal in the management of the guard. I can recall, only three or four years ago, there was a determined effort on the part of a certain faction of the citizenship of Ohio to put the National Guard out of existence. It was seriously proposed to withdraw the $90,000 per year that we appropriate of State funds for the maintenance of the guard. Unfortunately for many of the citizens of the State, we were visited that year by a very disastrous flood in the Scioto, the Muskingum, and the Miami Valleys; and in the trying situation that attended it we found there was but one organization in Ohio capable of ministering to the distress and satisfying the anxiety of the people of our State. The splendid work of the guard under those trying circumstances so modified public opinion in the State of Ohio that we would not now sacrifice or now neglect that organization under any circumstances.

I did not mean to speak of that, however, Mr. President. I only wanted the Senate to know that the reason why the payment of Federal funds does not show in its application to the enlisted men in Ohio is solely because out of our State funds we can pay the enlisted men a higher rate of compensation than we could out of Federal funds; and the payment of the officers out of Federal funds makes no difference to either the State or the Nation.

Mr. BRADY. Mr. President, it is seldom that I differ from my distinguished colleague on matters of national policy or regarding laws that should be enacted by the Congress, and our difference of opinion relative to the pending measure, and especially that part of it affecting the National Guard, is simply a different viewpoint as to the results that will be obtained by enacting this measure into law and thus placing the National Guard in closer touch with the Federal Government. Those who know my colleague as well and favorably as I do must realize that any arguments he advances regarding this or any other question are inspired by patriotic motives and honesty of purpose.

I believe the National Guard can be made more efficient and more useful under the provisions of the bill we are now considering. I will not discuss this bill at length, owing to the fact that I have been ill and unable to give as much thought and consideration to the same as I had hoped to do and I have felt that under the circumstances I would not attempt to discuss the bill, contenting myself with what little assistance I have been able to render in the Senate Committee on Military Affairs. However, I feel that I should say a few words relative to some of the provisions of the bill, and especially relative to the National Guard. As a member of the Senate Committee on Military Affairs I have been furnished with all of the testimony taken at the hearings before the committee, and with the reports made by both the Senate and House committees. I therefore feel that I have reasonably good knowledge of the provisions of both the Senate and House bills. Neither of these bills is perfect, but I believe that the Senate bill lays the best foundation for a proper preparedness for national defense.

It is admitted by everyone who is advised as to the real conditions that our country is to-day totally unprepared for war, or for defense in case of invasion, and it seems to be the wish of a very large majority of our people that these conditions be remedied and that we prepare for adequate national defense. At the same time it is well known that the citizens of this Nation will never permit our Government to become top-heavy in a military way. All the people desire is safe and sane legislation along lines that will place our country in a position to defend her citizens and her rights at a reasonable and equitable cost, and the people of this country are not objecting to a reasonable defense course but, on the contrary, are willing to give of both money and personal service whatever the real exigencies of the situation may require.

There are just about as many different opinions as to what should be done in this regard as there are different Members of the Senate and House, but the Committee on Military Affairs of the Senate in the work it has done has been guided in the preparation of its bill by the advice and counsel of the best military talent we have in the United States. In reporting the bill to the Senate the chairman of the committee says:

> The committee has been guided in the preparation of its bill by the advice of practically all the most prominent officers of the Regular Army and National Guard, in addition to that of eminent civilians who have interested themselves in the subject of preparedness. In addition to this the committee had before it and considered the tentative drafts of the so-called Hay, Chamberlain, and War Department bills, selecting therefrom whatever was thought best and most applicable to the Nation's needs, and the bill as now reported is believed to represent, as far as practicable, the consensus of opinion of the best available judges on military matters.

I think this statement covers the ground very fully, and while the bill, as I have stated above, is by no means perfect, yet it lays the foundation and paves the way for an Army large enough for the reasonable defense of our country and not so large as to permit us to drift into militarism.

World conditions have changed so much within the last two years that it is absolutely necessary for our Nation to adjust itself to these changed conditions. I believe that for adequate defense we will need a regular standing Army of 250,000 men, all of the National Guard force provided for in the Senate bill, and the encouragement of the training-camp movement in every possible way. Instead of having petty jealousies between the Regular Army, the National Guard, and the training camps, let patriotism prevail and let us work in harmony as a united Nation not for aggression but for the defense of our country on land and sea.

As executive of my State I came in close contact with the personnel and practice of our National Guard. There never lived a more patriotic, self-sacrificing, and efficient body of men than I found the National Guard of Idaho to be, and I believe it is only fair to assume that the same conditions exist in every State in the Union. By federalizing the National Guard and bringing them in closer touch with and under greater control of the National Government, with uniform discipline, their scope of usefulness will be extended and increased and they will

become one great national force, so far as constitutional limitations will permit. With regard to these constitutional limitations, it is very evident that there is a very wide difference of opinion among men learned in the law as to just what these constitutional rights and limitations are, and, while not a lawyer, the report from the Committee on Military Affairs of the House contains a statement from the military council of the State of Missouri which to me is a conclusive argument in favor of the federalization of the National Guard and justifies the action taken by the Committee on Military Affairs of both the Senate and House, and I ask to have this statement inserted at this point in my remarks.

The PRESIDING OFFICER. Without objection, that may be done.

The matter referred to is as follows:

POWER OF THE FEDERAL GOVERNMENT TO ORGANIZE, DISCIPLINE, GOVERN, AND USE THE NATIONAL GUARD UNDER THE CONSTITUTION.

I. POWER OF CONGRESS TO PRESCRIBE THE ORGANIZATION, ARMAMENT, AND DISCIPLINE OF THE MILITIA.

Section 8 of Article I of the Constitution of the United States reads as follows:

"Congress shall have power: To raise and support armies; to make rules for the government and regulation of the land and naval forces; to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions; to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress; to make all laws necessary and proper for carrying into execution the foregoing powers."

Section 2 of Article II:

"The President shall be Commander in Chief of the Army and Navy of the United States and of the militia of the several States when called into the actual service of the United States."

Section 10, Article I:

"No State shall, without the consent of Congress, * * * keep troops * * * in time of peace."

The Constitution contemplates two classes of land forces. One a full-paid force of professional soldiers, commonly denominated the Regular Army, and the other a force consisting of all other able-bodied male citizens, trained or untrained, who could be called upon to defend the country and enforce its laws in any emergency requiring a larger force. This latter force consists of all citizens liable to military duty but who follow peaceful avocations and devote their time to civilian pursuits. This great body, constituting the real physical strength of the country, is termed the militia. The untrained portion of it is called the unorganized militia, and that part of it which is organized is called in the several States the National Guard. It will be noted that the right to organize, arm, equip, and maintain a militia is not one of the reserved rights of the States, but that the organization, armament, discipline, government, and use of such force for national purposes is vested solely in Congress. The power of Congress to organize, arm, and discipline the militia and to govern such part of them as may be employed in the service of the United States, reserving only to the States the appointment of the officers and the authority of training according to the discipline prescribed by Congress, is so clearly declared in the Constitution that it would seem the meaning of the constitutional words require no explanation. If there be those who have doubts upon the subject, let them read the case of Houston v. Moore (5 Wheat., l. c. 21), in which Mr. Justice Washington, speaking for the Supreme Court of the United States, said:

"Congress has power to provide for organizing, arming, and disciplining the militia; and it is presumable that the framers of the Constitution contemplated a full exercise of all these powers. If Congress had declined to exercise them, it was competent to the State governments to provide for organizing, arming, and disciplining their respective militias in such manner as they might think proper. But Congress has provided for all these subjects, in the way which that body must have supposed the best calculated to promote the general welfare, and to provide for the national defense."

And again, on page 16:

"The manner in which the militia is to be organized, armed, disciplined, and governed is fully prescribed; provisions are made for drafting, detaching, and calling forth the State quotas when required by the President. The President's orders may be given to the chief executive magistrate of the State or to any militia officer he may think proper; neglect or refusal to obey orders is declared to be an offense against the laws of the United States, and subjects the offender to trial, sentence, and punishment, to be adjudged by a court-martial, to be summoned in the way pointed out by the articles and rules of war; and the mode of proceeding to be observed by these courts is detailed with all necessary perspicuity."

If any doubt could be entertained as to the sweeping powers of Congress under the Constitution to organize and discipline the militia, this decision forever sets such doubts at rest. The power to prescribe the organization means that Congress may not only require the various units to be the same as those of the Regular Army, but it can prescribe the number of officers and men in each unit and their physical and mental qualifications. Congress can require that the physical qualification of officers and men shall be the same as that of the Regular Army; it can provide that all officers of the National Guard shall be examined touching their mental and military qualifications, and the standard may be made the same as that required for commission as officers in the Regular Army. The effect of this would be practically to give the State merely power to nominate, because with power in Congress to fix the standard this standard must be met. Congress has power to prescribe the system of disciplining the militia. The discipline can by law be made the same as that of the Regular Army, and the States must train the guard in accordance with this system of discipline. A careful reading of this clause of the Constitution and of the construction placed upon it by the Supreme Court in the case of Houston v. Moore (5 Wheaten, 1) makes it clear that Congress has unquestioned power to organize the militia according to any system it desires and to discipline it according to any system of discipline it sees proper. And while to the States is left the selection of the officers, this does not, of course, affect the control of Congress over the militia, even in time of peace, nor does it impair its efficiency; certainly not when such officers can be required to meet the standard of efficiency required by the Federal authorities. Senators and Representatives in Congress are lawmakers for a national body, and yet their fidelity and efficiency for the national good can hardly be questioned because they are selected by the States.

Save and except the appointment of officers reserved to the States, but one power remains in the States, and that is to train the militia according to the discipline prescribed by Congress. What does this mean? It means that while the State shall superintend the actual drill and instruction of the National Guard, such instruction must be according to the discipline prescribed by Congress; that is to say, the method of drill and instruction and the observance of all things which go to make up military discipline must be according to Federal standards. To use a homely illustration, the case is as though the Federal Government should say to the States, "You must educate your children in certain schools; you may name the teachers, provided such teachers possess the qualifications we prescribe; these teachers may instruct your students, provided they use our textbooks, the course of study we prescribe, the length of hours of recitation we elect, examine them according to our requirements, and mete out such punishment for their delinquencies as we designate." It would seem that under these conditions the school would be rather largely controlled by the Federal head master.

It will be seen that the so-called weakness of the militia system is not the weakness of the system at all, but whatever deficiency exists in organization, personnel, or discipline is due wholly to the failures of Congress to exercise its rights and legislate along lines which will give the militia the unquestioned Federal status contemplated by the Constitution and make it the efficient force which, with proper legislation, it can be made.

The officers of the General Staff of the Army who have appeared before one of the congressional committees recently have criticized the National Guard because the different States have different regulations, systems of selection of officers, etc. This is in part true, but it is true only because Congress has failed to exercise its full power in the premises. As before stated, it possesses the most far-reaching power and authority over the militia, and certainly the National Guard is not to be condemned for not doing the things complained of when Congress has taken no sufficient steps to provide for the exercise of its constitutional powers over the Organized Militia. The Secretary of War speaks of the National Guard of the several States as 48 separate armies. It is true that there are 48 military subdivisions, all comprising the one National Guard, exactly as there might be 48 or any number of subdivisions of any army comprising the entire organization. The effect of these statements is to make it appear that the militia of the various States is entirely dissimilar in armament, equipment, and organization. This is not true, and if it was true the answer to such statement is that Congress should, by the exercise of the legislative powers conferred upon it by the Constitution, conform these 48 so-called separate armies to the same system of armament, equipment, organization, and discipline. If Congress passes appropriate laws in which it exercises its full rights under the Constitution, the National Guard of the United States can be made an effective force, the different parts of which will articulate with each other and with the general plan, and when this is done the fact that they happen to be stationed in the territory of the several States would not make them any more separate and distinct armies than are the several divisions of the Regular Army stationed in the different territorial departments of the country. In all these arguments, the power of Congress over the militia is entirely lost sight of and the National Guard is criticized for what Congress and the War Department have failed to do. The Secretary of War complains because some of the States have not organized sufficient auxiliary troops—that is to say, Artillery, Cavalry, and Signal Corps troops, etc. This complaint is based upon facts, but it should not be lodged against the National Guard, because the remedy lies with Congress. Congress has the right to say, or to vest the Secretary of War with power to say, what States shall organize auxiliary troops and in what proportion such auxiliary troops shall be distributed among the States. Let them do with the various States as was done with Rhode Island. In that case the War Department said to the State of Rhode Island that its militia ought to be Coast Artillery troops, and all Infantry troops of that State were accordingly transformed into Coast Artillery.

II. POWER TO REQUIRE ITS USE FOR FEDERAL PURPOSES.

There being no question, therefore, of the right of Congress to provide for the organization and discipline of the National Guard by suitable laws which will make it a thoroughly efficient force, organized in exact conformity to that of the Regular Establishment, with an enlisted and commissioned personnel meeting Federal requirements, trained according to the system of discipline prescribed by Congress and constituting, therefore, a reserve army thoroughly organized, equipped, officered, trained, and ready for immediate service, it may be inquired under what circumstances this force is available for national purposes. The words of the Constitution are:

"To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions."

The primary purpose of maintaining any force is to defend the country against invasion, but in view of the timidity with which some of the opponents of a real citizen soldiery seemingly shrink from the contemplation of the use of the National Guard unless a large hostile army is actually marching through the country, it will be interesting to note the manner in which the Supreme Court of the United States has met and dispelled these fears.

In the case of Martin v. Mott (12 Wheaton, 29) Mr. Justice Story, speaking for the court, said:

"It has not been denied here that the act of 1795 is within the constitutional authority of Congress, or that Congress may not lawfully provide for cases of imminent danger of invasion, as well as for cases where an invasion has actually taken place. In our opinion, there is no ground for a doubt on this point, even if it had been relied on, for the power to provide for repelling invasions includes the power to provide against the attempt and danger of invasion, as the necessary and proper means to effectuate the object. One of the best means to repel invasion is to provide the requisite force for action before the invader himself has reached the soil.

"The power thus confided by Congress to the President is doubtless of a very high and delicate nature. A free people are naturally jealous of the exercise of military power; and the power to call the militia into actual service is certainly felt to be one of no ordinary magnitude. But it is not a power which can be executed without a correspondent responsibility. If it be a limited power, the question arises, By whom

is the exigency to be judged of and decided? Is the President the sole and exclusive judge whether the exigency has arisen, or is it to be considered as an open question, upon which every officer to whom the orders of the President are addressed may decide for himself and equally open to be contested by every militiaman who shall refuse to obey the orders of the President? We are all of opinion that the authority to decide whether the exigency has arisen belongs exclusively to the President, and that his decision is conclusive upon all other persons. We think that this construction necessarily results from the nature of the power itself, and from the manifest object contemplated by the act of Congress. * * * If the power of regulating the militia and of commanding its services in time of insurrection and invasion are (as it has been emphatically said they are) natural incidents to the duties of superintending the common defense and of watching over the internal peace of the confederacy, these powers must be so construed as to the modes of their exercise as not to defeat the great end in view."

Clearly, then, under the wording of this article of the Constitution and the interpretation of the same placed upon it in the Supreme Court, Congress has power to provide for calling forth the militia for the purposes therein mentioned and to punish its members for failure to respond to the call. There can be no question of the absolute right of Congress to make laws requiring the militia to serve in case of Federal call, and any member of the same failing to respond to such call can be punished in such manner as Congress may provide. It is significant in this connection—that is, calling out the militia—the President need not direct his order to the governor of the State, but can direct it in the first instance to the commanding officer of the militia troops he desires to call for. To quote the language of Judge Washington in Houston *v.* Moore (5 Wheaton, l. c. 16), holding valid a statute providing for calling forth the militia:

"Provisions are made for drafting, detaching, and calling forth the State quotas, when required by the President. The President's orders may be given to the chief executive magistrate of the State or to any militia officer he may think proper; neglect or refusal to obey orders is declared to be an offense against the laws of the United States and subjects the offender to trial, sentence, and punishment, to be adjudged by a court-martial, to be summoned in the way pointed out by the Articles and Rules of War."

This would seem to dispose of the argument that the militia is not a dependable force, because its membership would not respond if the President, under the authority vested in him by Congress, ordered them so to do.

But it is argued that the President could not under the Constitution use the National Guard for service in a foreign country in case it was desired not only to repel invasion but to invade foreign territory. The underlying purpose in the program for preparedness should, of course, be the defense of the country from the assaults of a hostile power. Our situation is such that such assaults can only seriously menace us if an invasion is attempted by the hostile power. Indeed, at all of the hearings before the House committee, the officers from the General Staff of the Army have pointed out what ought to be done to properly defend against these possible invasions, and so serious have they made the danger to be apprehended from such attacks it is quite apparent our first consideration should be to provide against the same, rather than to organize for purposes of aggression, either on this continent or abroad. In case of war with a foreign country it may be apprehended that if such country is of sufficient size to make it necessary for us to use a large force and the war is to be a serious one, such power would contemplate sending some of its forces, in large or small numbers, into our territory. In short, certainly a part of its campaign would contemplate an invasion of this country in some form. Let us suppose that the President should mobilize the National Guard on, say, the Mexican or Canadian border; that having mobilized this force to resist invasion he concludes that it is the purpose of the enemy to send troops into this country in large or small numbers, and that in his discretion he decides that the invasion can best be repelled by meeting the invaders on their own territory before they reach ours, under such circumstances would it be questioned that he has the right to order the National Guard across the boundary line for this purpose? It would seem there can be but one answer to this question. And the Supreme Court of the United States gave a sufficient answer in the language of Mr. Justice Story, in Martin *v.* Mott (12 Wheaton, loc. cit. 29), when it said:

"In our opinion there is no ground for a doubt on the point, even if it had been relied on, for the power to provide for repelling invasions includes the power to provide against the attempt and danger of invasion, as the necessary and proper means to effectuate the object. One of the best means to repel invasion is to provide the requisite force for action before the invader himself has reached the soil. * * * We are of the opinion that the authority to decide whether the exigency has arisen belongs exclusively to the President, and that his decision is conclusive upon all other persons. We think that this construction necessarily results from the nature of the power itself, and from the manifest object contemplated by the act of Congress. If the power of regulating the militia and commanding its service in time of insurrection and invasion are (as it has been emphatically said they are) natural incidents to the duties of superintending the common defense and of watching over the internal peace of the confederacy, these powers must be so construed as to modes of their exercise as not to defeat the great end in view."

Again, if the question of the right of the President to order the National Guard outside the bounds of the United States be regarded as other than a purely academic one, under the power to raise and maintain armies Congress can provide for the drafting of any or all of the citizens of the country, and the power to draft carries with it the power to say who shall be drafted. Congress can by legislation provide that when war is imminent the President shall have power to draft into the military service all persons of military age who have passed the physical examination prescribed for officers and enlisted men of the Regular Army, who have had military training in the National Guard and who have been armed, equipped, and trained at Federal expense. The power to draft has been specifically upheld by the Supreme Court, and the power of Congress to so draft the National Guard will not be seriously questioned. It is not an objection to the draft of the National Guard in this way to say that they are likewise members of the State militia. It will not be contended for a moment that if Congress should decide in 1916, as it decided in 1863, to raise troops by conscription, the fact that a man of military age and sound of body would be exempt from Federal service because he was a member of the militia. Under conscription there are no exemptions, except those made by the act of Congress.

Some who oppose the use of the National Guard as the real bulwark of our reserve military strength profess to hinge their objection upon the ground that the Constitution forbids its effective use for national purposes, basing their views upon an opinion given by Attorney General Wickersham on February 17, 1912. This opinion has been so generally misquoted and its application to the question in hand so grossly misrepresented that it is thought proper to mention it here. The opinion, which will be found in Opinions of Attorneys General, volume 29, page 322, was given by Mr. Wickersham in response to a question from Secretary of War Stimson, which question so answered he quotes in the opinion as follows:

"Whether or not under existing laws the President has the authority to call forth the Organized Militia of the States and send it into a foreign country with the Regular Army as a part of an army of occupation, especially should the United States intervene in the affairs of such country under conditions short of actual warfare?"

This question had reference, of course, to the use of the militia for the purpose of occupying Mexico at a time when the United States was not at war with the people or Government of that country. The opinion holds, in effect, that in the situation suggested in the question of the Secretary of War; that is, where we are at peace with a foreign country, in his judgment the President would not have the right to send the militia into such country with which we are at peace for the purpose of occupation. It is hardly necessary to say that the question as to whether or not the militia can be ordered into a foreign country with which we are at peace for purposes either of conquest or of policing it, is quite different from the question as to whether or not the militia can be used against a country with which we are at war. In the case suggested by the Secretary of War, should Congress decide to intervene between the Mexican factions in an effort to restore order and we were and continued to be after the announcement of such purpose on friendly terms with both factions, perhaps the proper procedure would be that said to have been contemplated by the War Department, to wit, to mobilize the National Guard on the Mexican boundary and then enlist it as volunteers under the provisions of the volunteer bill, it being well known in advance that the National Guard would volunteer to a man for service of this kind. But it is interesting to note that the opinion of the Attorney General does not conflict with the views above given; indeed, the right to send the militia into foreign territory under conditions which would actually exist if Congress decided either to declare war on Mexico or intervene in its affairs, is conceded in this language of the opinion, which will be found on page 324:

"The term 'to repel invasion' may be, in some respects, more elastic in its meaning. Thus, if the militia were called into service of the General Government to repel an invasion, it would not be necessary to discontinue their use at the boundary line, but they might pursue and capture the invading force, even beyond that line, and just as the Regular Army might be used for that purpose. This may well be held to be within the meaning of the term 'to repel invasion.'

"Then, too, if an armed force were assembled upon our border, so near and under circumstances which plainly indicated hostility and an intended invasion, this Government might attack and capture or defeat such forces, using either the Regular Army or the militia for that purpose. This, also, would be but one of the ways of repelling an invasion."

It is respectfully submitted that a careful reading of the Constitution and the interpretation placed upon the powers it grants to Congress by the Supreme Court of the United States in the cases of Houston *v.* Moore (5 Wheaton) and Martin *v.* Mott (12 Wheaton) leaves no room for question as to the absolute power of that body to organize, arm, discipline, and control the National Guard according to its own standards, and to provide for its use within or without the country under any and all circumstances which will ever require the use of a force to supplement the Regular Establishment. Every argument against the use of the militia as a defensive force is based upon the Wickersham opinion, and yet when this opinion is read it will be found to affirm every proposition herein contended for. The trouble is that those who would know the law did not read the opinion, but took it for granted that the reply to a question predicated upon conditions which we all know as a practical proposition would never exist, answered the question which was in the public mind, whereas such live question was not asked or answered at all. The peculiar phraseology of the question propounded by the Secretary of War calling for an opinion upon an abstract proposition of law, based upon highly improbable, if not an impossible, state of facts, certainly indicated a purpose not altogether compatible with perfect frankness.

The militia system has enabled Switzerland to preserve her neutrality and Australia to send more than a hundred thousand troops to the Dardanelles, the splendid efficiency of which has been commented upon by friend and foe alike. The military system of these countries is identical with that of our militia system, save and except service there is compulsory, while here it is voluntary. Switzerland is composed of a number of Cantons, which are civil subdivisions corresponding to our States. Under the Swiss system each Canton raises and trains its own force and selects the officers therefor. The Cantons furnish the equipment and meet the other expenses of maintenance and are reimbursed therefor by the General Government. The regular army of Switzerland consists of one brigadier general, a small general staff, and a supply department. The Swiss Government prescribes the system of training, but the Canton trains its own troops. The Australian system is the same. Australia is composed of a number of Provinces corresponding to our States. Each Province raises its own troops and selects the officers thereof. The authority of the General Government over the militia of the Provinces is exactly the same as that of Congress over the militia. Australia has no regular army. As stated, in both these countries militia service is compulsory, while here it is voluntary. In Australia military drill and instruction is given in the public schools.

Mr. BRADY. Mr. President, it seems to me that a careful reading of the foregoing statement answers any and all of the arguments which have been advanced against the constitutionality of federalizing the National Guard.

In the discussion of this bill we have heard much about the Swiss system and the Australian system. Both of these systems have many advantages and are well worth studying. However, what we need and what we should adopt is an American system. The social, commercial, and industrial conditions of the United States are different from those of any other country in the world, and for this reason we will have to have a military system that is peculiarly American, and when we adopt a system that is purely American—all our own—it will be one which will produce a good soldier in time of war and a good citizen in time of peace. Therefore, Mr. President, let us start now the great task that world conditions have thrust upon us and enact into law

this bill, imperfect, incomplete, and unfinished, yet the product of the honest endeavor of honest men in a serious attempt to place our country in a position to protect our flag and the rights of our people. I regard the passage of this bill as simply laying the foundation for a great structure that will grow and develop as time goes on into a finished and better one, which will give us an industrial army in times of peace that will be equaled only by our defensive army in times of war.

I am opposed to a large standing army, and believe that the passage of the pending measure will result in giving to the country a reasonable number of trained men who can be depended upon and called upon in case of war; and that in the meantime each arm of the Army will deal honestly and fairly with the Government and the people.

For these reasons I shall vote for the pending amendment and the bill.

Mr. BRANDEGEE. Mr. President, the Senator from Idaho [Mr. BRADY], who has just taken his seat, states that this bill will give us a great, firm foundation for this Army. I have serious doubts whether that statement will prove to be true. I agree with the senior Senator from Idaho [Mr. BORAH] that the process which the bill describes as federalizing the State militia is very likely to break down and that the expectation of the members in the States, whether you call them State militia or National Guard, that they will become anything different after the bill is passed from what they are now, in contemplation of law, if they have such an expectation, is bound to be defeated.

Mr. President, I do not think that any lawyer who reads the opinions which have been given upon this proposition to "federalize" the National Guard by the Judge Advocate General of the Army, printed in the RECORD at pages 6802 to 6810, can believe that the State militia can become "Federal soldiers" after the passage of this act.

I have not the slightest feeling against the State militia, whether it is called that or the National Guard. I have not the slightest feeling against the Regular Army. I do not think that anyone who believes that a clause in a bill will not accomplish what it is assumed to accomplish and calls attention to it should be considered as hostile to it. If the Judge Advocate General is correct in his opinions on this proposition to "federalize" the militia of the several States, the militia are doomed to be disappointed in their expectations. If the United States Government relies upon what the bill calls a "federalized" militia to give the Government as complete control of the militia of the several States as it has of the Regular Army, in times of peace, or to put the militia in training in time of peace or to send it out of the country, then the National Government will be disappointed and the very purpose of this bill to provide a strong national defense will have failed.

Mr. President, all the State militia officers are not trying to defeat section 56 of the Chamberlain bill, which would provide, I think, an army under the exclusive control of the President of the United States. I want the Secretary in my time to read a letter which I send to the desk from the adjutant general of my State, which came to me entirely unsolicited.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

STATE OF CONNECTICUT,
MILITARY DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Hartford, April 7, 1916.

Hon. F. B. BRANDEGEE,
United States Senate, Washington, D. C.

MY DEAR SENATOR BRANDEGEE: I note by the papers that you spoke for and voted for the retention of section 56 of the so-called Chamberlain bill. I feel that your position is an absolutely correct one, knowing just exactly where we stand in Connecticut on this preparedness question, and what my sentiments and the sentiments of all the officers of the National Guard of Connecticut are, who have always taken the stand that they wished to be federalized and they wished to be in a position to be of value to their country, and when called upon to be efficient for any service which may be required of them anywhere.

This is also, I believe, the sentiment of the enlisted men of the National Guard of this State.

Now, then, if with this sentiment and all that the good old State of Connecticut is doing to foster it in the way of encouragement by building armories and furnishing money for their maintenance the National Guard of Connecticut can not stand up and hold its own against the volunteer army, then I say it should fall because it isn't worth maintaining.

I feel that you are right, Senator.

Sincerely, yours,

G. M. COLE,
Adjutant General.

Mr. BRANDEGEE. I send to the desk another letter from an officer of the Connecticut National Guard in relation to the question of militia pay which is very germane to this amendment. I ask to have it read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

SEVENTH COMPANY COAST ARTILLERY CORPS,
CONNECTICUT NATIONAL GUARD,
Stamford Conn., April 7, 1916.

Senator FRANK B. BRANDEGEE, *Washington, D. C.*

DEAR SIR: I note in the New York Tribune of this morning that you were among those voting in favor of the volunteer army provision of the Chamberlain bill, and from the account I judge that those so voting are opposed to the militia-pay bill. If that is the case, I desire to commend your attitude.

While the passage of the militia-pay bill would be of pecuniary benefit to myself, I feel that it can not accomplish the result intended. Many officers whom I know and who were formerly in favor of the bill now have come to this opinion.

I think every officer who will give his honest opinion will say that our only hope of an efficient system of reserves must be based upon compulsory, universal service, and a greater power in the War Department to control the selection of officers. When this is done it will then be proper to talk about pay. There should be some remuneration, other than that for camp service, to compensate officers and men for many expenditures necessitated by the service, but which at present the State does not take over. I do not think that the pay feature should be as large as that contemplated by the militia-pay bill.

With some slight experience as a member of the Connecticut Legislature, I can understand how it may be that the various conflicting interests are so opposed that either no act may be passed at this session of Congress on this matter or that one in the nature of a compromise might result. I feel that it is the patriotic duty of Congress to take the bull by the horns and do the right thing regardless of what the pacificists or the advocates of militia pay or otherwise may want.

The country wants to be prepared. It will not accept in silence any halfway measure. As an officer of the National Guard I believe that our militia system is all wrong as a means of national defense and no amount of pay is going to remedy the situation.

Members of Congress need not worry about being knifed at the next election by militiamen who do not approve of their attitude. If they will come back the way Senator O'GORMAN did, and if they will look the situation squarely in the face they will find that they will have the support of a great many more people who are not in the guard than the opposition of those who are.

I trust that you will appreciate that this is not a personal criticism, but the contrary rather as well as an attempt to set forth the opinions of the writer which are struggling for utterance.

Very truly, yours,

WILLIAM M. FOORD,
1st Lt., Conn. C. A. C.

Mr. BRANDEGEE. Now, I read a single extract from another letter in relation to this matter. This officer rather takes exception to being called a member of the State militia because he says they are the National Guard, and he says:

It is very true there are constitutional limits to the State militia, so called. The National Guard of Connecticut very much dislikes to be bound by this limitation.

Mr. President, that is at the root of this bill. It is an attempt to make these militiamen think by names and by statutes passed by Congress that their status under the Constitution of the United States is changed. It is not changed at all. When they are called the National Guard their standing remains exactly as it was before, and the President is the Commander in Chief of the militia of the several States only when they are called into the service of the United States. This is prescribed by the Constitution of the United States and can not be changed by any statute we may pass.

Mr. HARDWICK. Mr. President, I wish to give notice now and have it entered of record that when the consideration of this bill is reached in the Senate I shall move to strike out section 56 of the bill and to insert in lieu thereof an amendment in the nature of a substitute.

Mr. LEWIS. Mr. President, I desire to address myself for a moment to the amendment looking to the compensation of certain officers of the National Guard—those exceeding the rank of captain. It is known here on the floor of the Senate that I opened the warfare on section 56, that I am one of those who have espoused the interests of the guard and have opposed the assaults upon either their dignity or their rights.

I manifested my interest in this matter by a confession, which I repeat. I am a retired officer of this organization and now an officer of the Spanish War Veterans. I have been such for a long time, and I therefore am not without some prejudices. That prejudice necessarily is in favor of the guard and is in favor of any benefit which I could aid in conferring upon them consistent with their rights.

Mr. President, I am still at a loss to understand this continued assault upon the National Guard as an organization, and how it should come from eminent men such as the distinguished Senator from Idaho [Mr. BORAH] and those who follow his lead I am at greater loss to understand.

Sir, let us recall the valorous service of the guard in the Spanish-American War and reflect how that the general who now commands the forces on the border of Mexico, Gen. Funston, was himself an officer of the guard; that he obtained his reputation commanding the guard, whose splendid services, particularly those from Kansas, gave glory to the Nation in the

contest against the mutiny in the Philippine Islands. Sir, let us revive the names of those who led a volunteer guard—and among those how can we overlook, sir, that there is to-day in the Republican Party an eminent leader who got his reputation, after being an Assistant Secretary of the Navy, by becoming an officer of the Volunteers who came to the colors under the name of "Rough Riders." Leading these volunteers Col. Theodore Roosevelt achieved his reputation, which enabled him afterwards to be governor of New York, Vice President and President of the United States, and to-day to occupy a place in the Republican Party where I might paraphrase that expression from Cæsar, "Ye gods, he doth bestride them like a huge colossus, and they are compelled to peep about his huge legs to find for themselves an abiding place." [Laughter.]

Mr. ASHURST. Mr. President, I should like to have the Senator from Illinois give his authority for his statement that the distinguished gentleman belongs to the Republican Party?

Mr. LEWIS. I must respond that the only information I have upon that subject is that which we lawyers usually have respecting titles. Whenever property yields to every command of a person, we assume that he must be the owner. [Laughter.]

Now, Mr. President, we can not overlook the situation in Mexico. Without assuming to pass judgment upon the manner in which the campaign in Mexico is being conducted, nor assuming to offer my judgment against those who are in command, for all of whom I have great respect, I do here prophesy that the moment will come when the course must be taken that we send our Army in increased strength into Mexico rapidly to reenforce those who are present, that this reenforced number may move to surely execute the object which we assumed when we entered there—the punishment of Villa and his followers who murdered our citizens. But in order to have this force follow in sufficient number it will be necessary that the National Guard of those States surrounding that border be called out for border duty. Those on the border are to-day acclimated in the semi-tropic States where they live, equipped by their experience, and particularly competent by virtue of their knowledge of the situation.

Then why should such a body that we are on the eve already of pressing into the service for the national welfare be discriminated against here in this bill?

Sir, it is asked, Why should the National Government pay; it is the business of the States? I answer, It is the States which are paying the National Army officers. Every dollar these national officers are paid through the National Government comes from the States of the National Government. What form of justice is there that the States shall pay the officers of the National Army out of the money of the States, yet shall not pay the officers of the State-organized army who do the service of the National Government? That, sir, we can not justify. I contend that they shall be paid for the service they give, and I respectfully reiterate that here in this body we should not indulge in these discriminations against one arm of our national defense that even now, under the conditions which surround us, are in so much demand and so necessary to the welfare of the undertaking which we have entered upon in Mexico.

Mr. President, in support of this amendment let me recall the words of President Lincoln when there was an attempt made to have him favor one set of officers against another. We recall that his expression was, "Let there be no discrimination among heroes." As for myself as between the distinguished place held by the National Guard, the army of the State, and that held by the distinguished officers of the National Army in the Army of the United States, I am content to apply the observation history gives from the Sampson-Schley controversy, "There is glory enough for all."

I support the amendment.

Mr. LEWIS subsequently said: Mr. President, I do not desire to speak to the present amendment, but to make a statement that the RECORD may not be confused. Senators around me say that a few moments ago when I supported the amendment for the salary of officers I referred to myself as an officer. I desire to have it understood that while it is true I was an officer of the guard, a commanding officer of what is known as the Spanish-American force, of which I am an officer now, this is in nowise comprehended in the bill, and in nowise will any officer in the command in which I am a fellow get any compensation. I am anxious to have that fact clear.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Georgia [Mr. SMITH] to the amendment of the Senator from Missouri [Mr. REED].

Mr. SMITH of Georgia. Mr. President, I think I will withdraw that amendment.

The PRESIDING OFFICER. The Senator from Georgia withdraws the amendment to the amendment.

Mr. LA FOLLETTE. Mr. President, I listened with close attention to the observations of the Senator from Idaho [Mr. BORAH]. He named the States in which the payment of money to the militia organizations were largely absorbed by officers and where the enlisted men received but little or nothing. His statements were based upon an official communication furnished by the War College. He has been criticized for giving the Senate the information. He is to be commended for it.

I did not feel called upon to make a defense for the National Guard of Wisconsin, because Wisconsin was not among the States against which he leveled his criticism. Sir, the Wisconsin Guard requires no defense. It has won high distinction for itself. I am not certain that it stands at the head of the National Guard of the Nation, but I do know that it has a very high place in that rank.

While I am on my feet I am going to suggest that possibly some legislation which was adopted many years ago in Wisconsin had something to do with the advancement of the National Guard of that State. I think the criticism made by the Senator from Idaho as to the value of the militia as an arm of defense, while it might apply to some States and possibly to many, would not apply in any State where the commanding officers of the National Guard have not been subject to change from time to time by the changes in the political administration of the State.

Some 16 years ago I was elected governor of Wisconsin. At that time I had no fixed notions about the National Guard. My attention had been absorbed in other things pertaining to State matters. But shortly after coming into the executive office I chanced upon the record and ranking of the National Guard of Wisconsin. Although the adjutant general at that time was affiliated in the politics of my State with those who were very unfriendly to me, after an examination of that record and after reading some correspondence with the War Department in reference to it I called Adjt. Gen. Boardman into my office and asked him to remain at the head of the National Guard of the State. He did so. During my incumbency of the office of governor I recommended to the legislature the adoption of the Regular Army provisions regarding the tenure of office of the head of the National Guard. Pursuant to those recommendations legislation was enacted adopting the Regular Army regulations and taking the National Guard of Wisconsin forever out of politics. Adjt. Gen. Boardman remained in that position at the head of our guard until he reached the retiring age of the Regular Army officers.

I ascribe to that legislation no small part in achieving and maintaining the high character and efficiency of the Wisconsin National Guard.

Mr. President, I have received but one communication with regard to legislation affecting the National Guard. I have here an article written by the present adjutant general of the Wisconsin Guard bearing upon the questions affecting the status of the militia, discussed yesterday and likely to recur as this bill is further considered. It is worthy the careful consideration of the Senate, and I ask to have it read in my time.

The PRESIDING OFFICER. Without objection, that will be done.

The Secretary proceeded to read.

During the reading of the document,

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. CLARK of Wyoming. I ask that the remainder of the document be read in my time.

The PRESIDING OFFICER. Without objection, that will be done. The Chair hears none.

The Secretary resumed the reading of the document, and having read for 10 minutes,

The VICE PRESIDENT. The time of the Senator from Wyoming has expired.

Mr. REED. Mr. President, I desire to make an inquiry. Will the remainder of the document which the Secretary has been reading go into the RECORD?

The VICE PRESIDENT. Yes.

Mr. LA FOLLETTE. I understand, Mr. President, that the document will be printed from the point where the reading ceased, so that it will appear all together?

The VICE PRESIDENT. It will appear all together.

The entire document referred to is as follows:

THE NATIONAL GUARD A NATIONAL ARMY LOCALLY RAISED.

There is no institution of American government so generally misunderstood or so persistently misrepresented as its militia, especially the Organized Militia, more commonly known as the National Guard.

The militia, whether one body including all able-bodied citizens of military age, as originally provided by Congress, or organized and reserve, as later classified by the same authority, is the national force intended under the Constitution for use in every great national emergency. The control by individual States—each of the militia organized within its borders—is limited to such minor particulars as will better enable the State to use these troops in time of peace to supply the place of those which it is otherwise forbidden to keep.

It is to be remarked here that many years after the adoption of the American Constitution Switzerland and Australia, by the fuller exercise of even lesser powers than those conferred upon the Congress over the militia, and with essentially the same particulars of peace-time control reserved to their respective Cantons and Provinces as to the States of the Union, have created trained citizen armies which are now upheld as models.

The powers of the Congress over the militia are set forth in the following constitutional provisions:

The Congress shall have power—

"To raise and support armies; to make rules for the government and regulation of the land and naval forces; to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions; to provide for organizing, arming, and disciplining the militia and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress; to make all laws necessary and proper for carrying into execution the foregoing powers."

It is further provided by Article II: "The President shall be Commander in Chief of the militia of the several States when called into the actual service of the United States."

And in section 10 of Article I: "No State shall, without the consent of Congress, * * * keep troops * * * in time of peace."

These are plain words, and their combined purport is clear. Congress, in the exercise of its unqualified power to organize the militia, may include in that force all citizens, or may select from the entire citizenry, by voluntary enlistment or by whatever other equitable method or combination of methods it may choose, a sufficient number of men to constitute a national army capable of being trained to meet every military exigency of the United States.

The Congress may prescribe the number and the kind of military units that shall make up this force, how many officers and men, and of what qualification, shall compose each unit, and may allot to and require from each State its fair proportion of the national militia army. This power of Congress does not stop short of conscription, if this is necessary to procure a sufficient militia, whether for constitutional use or for the training that will make such use effective.

It is not material that the appointment of militia officers is reserved to the respective States. Congress, whether as a matter of organization or of discipline, may acquire that, as in the Regular Army, a certain standard of military ability and knowledge shall be also necessary to qualify for a commission in the militia, and may appoint the method by which the possession or attainment of this standard shall be ascertained.

The equally unrestricted power of Congress to discipline the militia carries with it the right to prescribe whatever kind or period of training is reasonably necessary to fit these troops to accomplish the national purpose for which they are intended.

Nor does it matter if the authority to train, each its own militia in time of peace, is also reserved to the States when Congress, under the Constitution, may prescribe what that training shall be, both in kind and extent. This privilege, with that of appointing the officers, supplies for each State an army for peace time uses which instantly becomes exclusively national upon the call of Congress through its agent, the President, who thereupon becomes the sole Commander in Chief.

Those who framed and favored the Constitution and those who opposed its adoption put no other construction on its militia provisions. There prevailed at that time, however, unwarranted then or later, even greater repugnance and opposition to a large standing army than now obtains. The Regular Army of the United States in 1790 consisted of 1,273 officers and men. In 1792 the First Congress enacted the first compulsory training and service law of this country, which directed the enrollment in the militia of practically all able-bodied male citizens over 18 and under 45 years of age.

It is in no sense derogatory to the Regular Army to state that this Congress, the great majority of whose Members had participated in the Federal and State conventions which adopted the Constitution, by this legislation plainly evidenced their opinion that, under the Constitution, the militia was intended to be constituted the great national army.

Few men had greater experience with and knowledge of the hasty levies of Revolutionary times than Alexander Hamilton, yet in the Federalist (No. 22) supporting the militia provisions of the Constitution, he says:

"To render a (standing) army unnecessary will be a more certain method of preventing its existence than a thousand prohibitions on paper."

In the same article he advocated the organizing and disciplining by Congress, under the Constitution, of selected corps of militia, first because of the futility of attempting to organize all citizens and further on account of the hardship, then at least considered unnecessary, and the financial loss that would be occasioned if Congress required from the whole citizenry the amount of training necessary to make them well disciplined soldiers.

Patrick Henry, before the Virginia convention of 1788, said:

"Your militia is given up to Congress; all power will be in their own possession."

And, quoting the Constitution:

"By this, sir, you see that their control over our last and best defense is unlimited."

In other forms, the like uncontradicted assertions appear in the records of debates of every State convention of the time.

George Washington, in a presidential message to Congress in 1795, stated:

"In my opinion, Congress has power by the proper organization, disciplining, equipment, and development of the militia to make it a national force, capable of meeting every military exigency of the United States."

President Madison recommended to Congress the calling to field training, at public expense, of commissioned and noncommissioned officers of the militia.

President Monroe, in a message to Congress in 1823, said:

"As the defense and even the liberties of the country must depend in time of imminent danger on the militia, it is of the highest importance that it be well organized, armed, and disciplined throughout the Nation."

These doubted neither the constitutional status of the militia as the principal national army nor the constitutional power of Congress to require of the militia all things that are necessary to make it efficient as such national force, nor did they doubt the power of Congress to enforce whatever requirement necessary for this efficiency it might prescribe.

There is another and legally more authoritative interpreter of the Constitution—the Supreme Court of the United States.

Every decision of this court which treats of the militia provisions of the Constitution is directly or by inference favorable to the broad and effective interpretation given to them by their makers, and in part quoted above.

The case of Houston *v.* Moore (5 Wheaton) fully upholds the right of Congress to organize, arm, and discipline the militia in such manner and to such extent as it shall deem best calculated to promote the general welfare and to provide for national defense; and holds, further, that Congress, through its agent, the President, for purposes enumerated in the Constitution, may call forth all or any unit of the militia, and may punish, as adjudged by a court-martial, any militiaman who fails to respond to such call.

The opinion rendered for the court by Mr. Justice Story in the leading case of Martin *v.* Mott (12 Wheaton, 29), rendering nugatory an earlier and contrary decision of the Supreme Court of Massachusetts, deserves the serious attention of every American citizen.

In part, Justice Story says:

"It has not been denied here that Congress may not lawfully provide for cases of imminent danger of invasion as well as for cases where an invasion has actually taken place. In our opinion, there is no ground for a doubt on this point, even if it has been relied on, for the power to provide for repelling invasions includes the power to provide against the attempt and danger of invasion as the necessary and proper means to effectuate the object. One of the best means to repel invasion is to provide the requisite force for action before the invader himself has reached the soil. * * * We are all of opinion that the authority to decide whether the exigency (for calling forth the militia) has arisen belongs exclusively to the President, and that his decision is conclusive upon all other persons. We think that this construction necessarily results from the nature of the power itself and from the manifest object contemplated by the act of Congress."

Under the interpretation and ruling established by this decision, high power and grave responsibility rest with the President.

If in his opinion invasion is gathering head at whatever point beyond the confines of this country and he shall determine that this danger is best overcome at its source, he has the power to call forth the militia to Federal service and to order these troops, equally with the Regular Army, either within or without the United States, wherever the threatened invasion can best be repelled or the danger of it removed.

The militia, under the Constitution, is provided as the great national Army, whose chief purpose and reason for existence is to repel invasions, and the power of Congress over it must be so construed as to best enable the accomplishment of its appointed purposes.

It is not common sense that the law which created such a force for such an end should halt it at the border of the country defended to await the gathering of strong enemy forces which threaten invasion and to invite their attack at points undefended or lightly guarded.

The limitation "to repel invasion" assures only that the militia may not be initially used to wage a war purely aggressive.

With this exception the militia may be called forth and used, to quote the words of George Washington, to meet every military exigency of the United States.

The power to organize all citizens if so great an army is deemed necessary, the power to require and direct the training that is needed to make this army well disciplined, and the power to command its services in every great national emergency save a war of aggression, and in this also if, in the judgment of the President, the enemy threatens invasion—what greater or other power have the rulers of any civilized nation over their citizen armies.

Even lesser powers, as has been stated, have enabled Switzerland and Australia to provide amply for security, and the German Emperor, in reality, has no greater over the federated armies of the German Empire.

That the militia army of the United States is not now the well-organized, well-disciplined force, commensurate in size with the requirements for national defense, which is contemplated by the Constitution, is due to the failure of Congress to adequately exercise its sweeping powers for the purpose.

For the Congress has not only the power to organize, arm, and discipline the militia, but also to make all laws that are necessary and proper to carry this power into execution.

If in its judgment national security is so best conserved, the Congress may require of the militia all things that are required of the Regular Army save routine service in peace and war service, initially for aggression.

The United States has suffered much from lack of trained armies.

It has suffered as well from a multiplicity of armies, Regular, Volunteer, and militia—the one in many particulars directly antagonistic to the others.

As the Regular and the Volunteer Armies, when coexistent, detracted, the one from the strength and efficiency of the other, so will all three, Regular, militia, and Volunteer react against each other if the third army is now created, whether for training or for actual service.

Unity of form and organization, like terms of enlistment and conditions of service, are at least desirable military features.

The Constitution, in the intent of its makers, provided for but two armies, a standing army ample for all the occasions of peace, and the great national army of the militia.

Volunteer armies were the creation of a later time, necessitated only by the failure to organize, arm, and discipline the militia, and if this failure be now remedied, will be justifiable hereafter only in a war of aggression.

What at this juncture is most serious and even vital is this: The Organized Militia has endured for years against misrepresentation and popular misconception of its true status and appointed purpose. Their own belief that they were national troops and for national service has kept its members steadfast and increasingly earnest to become well disciplined.

Nothing has so tended to keep down their number as the popular impression, industriously fostered, that they were not available for such service nor could be made fit for it; that they were soldiers for passing show whose possible gravest duty was to quell internal disorders.

The disastrous effect can well be surmised if there is now attempted to be organized within every district from which the militia draws its recruits, a separate and rival force which, in popular opinion at least, will have precedence for national use.

It may not always be wise to exercise in profound peace a right justified by custom only in extreme crises. The Imperial Constitution of Germany does not permit the German Emperor, even in war, to so raise troops in any confederated State of the Empire save his own kingdom.

If with the execution of this project the Organized Militia is also required to more than double its present strength, the very probable result will be two weak organizations where the Organized Militia, unhampered and granted the aid proposed for both, would have procured all the recruits that could have been secured by both; and division and discord will become rife where unity is the prime military consideration.

The States of the Union by express irrevocable constitutional contract are held to the militia system as to no other.

This system provides for their own military requirements in peace. Their departments of military administration are subservient to the lawful orders of Federal authority.

That class of the militia known as "Organized," measurably the selected corps advised by Hamilton, forms no inconsiderable nucleus of troops, organized and at least partially trained.

Its units have the advantages of definite permanent station and strong affiliation with their respective States and local communities—the basic characteristics of every national army that has ever been successfully recruited and maintained.

The Congress has over the militia, Organized or unorganized, in all essentials, the same powers of organizing, arming, disciplining, and developing that it has over any volunteer army.

If the great national army of defense, disciplined by training for its purposes, is to be had by voluntary enlistment, it will be had most certainly, most quickly, and most economically by exclusively developing the militia as recommended by Washington, and especially the Organized Militia, the selected corps originally advised by Hamilton and later recommended after an exhaustive investigation by a committee of the Nineteenth Congress.

In all that has been written, there is no word meant in opposition to or detraction from the Regular Army of the United States.

The calling forth of the militia army or any part of it is limited by the Constitution to national exigencies. The nature of that army is such and the responsibility of calling it forth so heavy that the exigency preceding such a call should not only be national, but also very grave.

The Regular Army should not only be constantly maintained at a strength sufficient to care for all the military concerns of peace, but this strength should be such as to render the Army reasonably capable of meeting minor exigencies of the character which, unrepressed, would necessitate the calling forth of the militia army.

Whether it will prove possible to procure by voluntary enlistment these greater Armies, both Regular and Organized Militia, depends upon a better understanding by American citizens in general, and, consequently, by the legislators whom they elect, of the true effect and merit of such enlistment. Their thought is now so perverted or heedless as to cause grave injustice to those who are enlisted, whether as Regulars or as militia.

Upon injustice and unfairness, nothing may have enduring foundation and growth.

The law is, that every able-bodied male citizen of this land, 18 to 45 years of age, owes it military service. It was and is equally within the power of the law to impose this service upon whatever citizens, however feeble.

Had there been no provision for a Regular Army, or if none enlisted therein, the turmoil attendant upon the levy of citizens to preserve public order, peace, and security would have been incessant and a very present apprehension at all times in the mind of every man.

He who does so enlist helps to relieve all citizens from this burden of trouble and anxiety. That this fact is well-nigh forgotten is but strong proof of the good service that has been rendered by the men of the Regular Army.

But their common reward too often has been slight and even disdainful regard, and their wage for periling body and life in a soldier's hazards and to possible war, is far less than that of those of like ability and circumstance whom their enlistment permits to follow uninterruptedly the gainful pursuits of peace.

When the exigency has arisen with which the Regular Army can not cope, the fulfillment of their liability to military service is one long step nearer to all male citizens of military age. The one remaining recourse before the confused levy and organization of untrained citizens is the second voluntary army, the Organized Militia. These troops have also by oath assumed the burden of military training and of possible war in advance and in the place of their fellow citizens. Reasonable security lies in their greater numbers and thorough training.

Yet in great degree the same slight regard is put upon the militiaman as on the regular. The parent too often withholds consent and approval of enlistment, the employer discriminates either by refusing the leave necessary for training or by discharge and nonemployment of militiamen.

The public and their legislators overlook that in any nation where compulsory service is not enforced, while the soldier is paid, the greater part of his maintenance cost represents merely the necessary cost of his equipment and training. Such annual cost per soldier in England for instance, is above $500 and in Germany under compulsory service, most economically administered, well above $200.

As the militiaman approaches a like standard of equipment and proficiency there has been spent in time, effort, or money, the like value. His oath of service puts his body and life in peril of possible war in the interest of his fellow citizens. He could not, as now, be expected to spend from his own time and money the major share of the cost of his necessary training.

If these things may be comprehended by the people of American communities and the injustice and unfairness substantially remedied, it may well be possible to raise sufficient armies without compulsory service, but otherwise, not.

O. H. HOLWAY,
Adjutant General of Wisconsin.

Mr. GRONNA. Mr. President, I have been unable to attend the sessions of the Senate so as to participate in the discussion or to get the benefit of the discussion on this very important measure.

While I am in favor of educating and training the young men of our country as officers, I am one of those who are opposed to a large standing army. I believe it is little less than criminal to ask the young men of our country to spend the very best days of their lives in idleness in the barracks of a standing army. I am, however, in favor of encouraging the National Guard. I believe that the Federal Government should do something for that organization. Mr. President, there is one thing we can do, and that is not to throw any obstacles in their way.

I do not desire to take the time of the Senate to discuss this matter now, but I have before me a letter written to me by the adjutant general of my State. It is needless for me to say that he is a man of high character, of standing, and of ability. He has distinguished himself as a soldier, and I wish to have read in my time his letter.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

NORTH DAKOTA NATIONAL GUARD,
ADJUTANT GENERAL'S OFFICE,
Bismarck, April 11, 1916.

Hon. A. J. GRONNA, *Washington, D. C.*

MY DEAR MR. GRONNA: I am sorry to bother you, but I am interested in the militia bill now before Congress, and it is not a political question; it is too vital to be termed as such.

I notice in the Washington dispatches that a certain Senator took particular pains to criticize the militia lobby, as he called it, and a couple of us in particular. I am not making an apology for being interested. I have been in the militia for nearly 27 years, and know the needs as well as the condition of the guard, and you are getting more out of the guard than out of any branch of service in the United States. They work for nothing and pay their own board. What other body is doing as well?

The members of our State militia are as fine a body of men and officers as there is anywhere, and will compare favorably with any army; and with my long service I have had ample opportunity to compare them with the Regular Army, both here and in the Philippines, and our officers will show up favorably with the officers of the Regular Army of the same grade.

The members of the militia feel that they are in the service for patriotism only, as it is a deteriment to every officer and enlisted man that is in it, both in a business and financial way. We, of course, admit that every man is given a uniform after he has enlisted. He pays nothing and gets nothing except the pleasure of going to drill each week, while the officers get $20 clothing allowance from the State every year after one year's service, and is asked to furnish his own uniform and equipment and allowed to wear it if he attends drill and performs 80 per cent of ordered military duty, and are expected to attend camps, officers' schools, etc.

In the State of North Dakota during camp the magnificent sum of $1.75 per day is paid to a lieutenant, $2 to a captain, $2.25 to a major, and $3 to a colonel, and with this magnificent salary he is supposed to keep up his work for a year and have an equipment that is up to date. Can you imagine anything more unreasonable, and is it any surprise that our condition is not up to standard of the Regular Army, where both officers and men are paid liberally?

Last fall during the National Guard convention we picked an executive committee, and, as far as the North Dakota guard is concerned, we stand by that committee to a man. During the latter part of February the National Guard Association of our State had a meeting, and by unanimous resolution agreed to stand by the action of the executive committee of the National Guard Association. At this meeting we had the officers of the regiment, the noncommissioned officers of the staff, and three delegates from each company that had been elected by their respective companies, and in that way I think we had a very good expression of the whole guard.

While the grain growers' convention was in session January 19, 1916, they took up the subject of preparedness, as follows:

"Whereas there is being urged an armament campaign and a vast expenditure for frenzied preparedness for war; and

"Whereas there is being urged a larger standing Army and a huge continental army to expend millions to private firms for a bigger Navy; and

"Whereas such an armament program, we fear, may plunge this Nation into needless wars and vast expense and our citizens into great distress; and

"Whereas the militia regiments of the various States were primarily organized to repel invasions, and are as such fundamentally the nucleus of a volunteer Army of the United States, and are thus, by the proposal of a continental army, to be cast aside as useless junk; and

"Whereas we feel there is a paid propaganda working throughout the Union to spend vast millions on increased Navy and war preparations: Therefore be it

"*Resolved*, That we, farmers and others, in assembly in Fargo, N. Dak., January 19, 1916, do hereby petition our Senators and Representatives at Washington to be calm and deliberate with care these proposals; that we ask Congress to assist the militia of the country to be equipped and increased as our ideal citizen soldiery; that we ask for an efficient Navy without the pork barrel; and that we demand the Government to build its own warships and own and build its own factories for ammunition, guns, and other equipment for the maintenance of an Army and Navy."

I believe that with the representatives of the militia and the resolutions of the farmers we have a very good expression of the sentiment of the people of our State. The guard is not against the Army by any means. We know that should be increased, particularly in enlisted men, as the strength of the companies should be greater in times of both peace and war.

If the people are afraid of militarism, they will never be afraid of an Organized Militia with some control in the State. What the people are afraid of is a big organized force controlled from Washington, with no control in the State. The militia force is just the kind of force to prevent a war of aggression. Such force will never be used in an unworthy cause, because the people in the State have direct control.

This is the reason the Constitution makers fixed it as they did. The militia is a constitutional force, required by and provided for in the Constitution, and by the Constitution was made the main reliance of the country. The country has always done well under that system, and Congress will make a mistake if they abandon this constitutional force or, I think, in assisting another force that is bound to put it out of business. I would like to see Congress put the Division of Militia Affairs in control of militia and appropriate enough money to enable the militia to do business; and the results are bound to be good.

The continental army was repudiated, and I hardly think that section 56 of the Chamberlain bill is anything but the continental army in another form and, as far as I am concerned—and I believe 95 per cent of the fathers in the State of North Dakota feel the same—they do not want their boys to join the continental or the Regular Army; and if the militia is to be the third in the line of defense, then you are not going to have any militia, as they will not belong if their duties are only to quell riots and break strikes. I believe that I am safe in saying that if you should ask any militiaman how long they would stay in the service provided they were not subject to call for service except during riots and strikes I do not think you would find any man would say that he would want any such service; and I do not believe that the militia should be used in local trouble, as in such a case you are likely to have to fight your friends and neighbors, which is the reason the militia is so unpopular among the labor unions.

As officers of the National Guard we have district judges, doctors, dentists, and men prominent in nearly every walk of life, and these men have only one idea in view, and that is their country.

As far as the civilian camps are concerned, such as held in New York last year, they are of no value to anyone, and will not bring an army that is any use in time of need, as neither men over age nor the very rich will be likely to be found in the trenches at any time.

If a man is to take two months or more away from his business in any one year, his employer, if he has one, will be likely to tell him that he can get along without him the balance of the year.

I am personally willing to admit that the Militia make mistakes; they are also made in the Regular Army; they make them everywhere; and the only question in my mind, and I believe in the mind of every other citizen who is loyal to his country, is to get a system that will give the best protection for the least money. While our opinions may be divided on that, I think that records have proved that the National Guard is about the most economical of anything that has been given us up to this time, and conditions are too serious to cast aside the National Guard, which has proven fairly good under pitiable conditions, having received no Federal support to speak of, and take up something that is not even feasible to men who have made a study of the subject.

I do not want you to think I am attempting to tell you what to do, but simply to give you our views and hope that you will take them in the same spirit that they are given.

The officers of the Guard are not jealous, as charged, and men as a rule are not jealous of losing a job that brings them nothing but trouble; and we expect and ask nothing but partial pay for the work we perform, and personally I am old enough to escape Army service should I so desire, and I expect to sever my connections with the Guard during the next year or two; but I am interested in it, having spent the best part of my life in it.

With kindest personal regards, and hoping that I may see you when you come to the State, I remain,

Yours, very truly, T. H. THARALSON.

During the reading of the letter,

The VICE PRESIDENT. The time of the Senator from North Dakota has expired.

Mr. GRONNA. I ask that the remainder of the letter be printed in connection with my remarks.

The VICE PRESIDENT. Without objection, that will be done.

After the reading of the letter,

Mr. WEEKS. Mr. President, there seems to be a great difference of opinion among the National Guard forces of the different States about this question of a volunteer army. I think we have in Massachusetts as competent a militia force as there is in any State in the Union. The Commonwealth has spent as much as $700,000 a year in recent years on a force aggregating about 7,000 men. We have nearly $6,000,000 invested in property entirely for the benefit of the militia force; yet our men in Massachusetts, almost without exception, if not entirely so, desire the establishment of the volunteer army, and propose, as far as they can, to transfer into the volunteer army if it is established. To carry out that purpose an enabling bill was introduced in the Massachusetts Legislature, a copy of which I put in the RECORD some days ago. That bill passed the Massachusetts senate early this week and it passed the house of representatives yesterday. I wish, in my own time, to read from the New York Sun an account of the proceedings which took place when this bill passed:

BOSTON, MASS., *April 14*.

Massachusetts, through its legislative bodies, declared to-day in no uncertain terms for national preparedness.

At the close of a long debate, bristling with patriotism, the house suspended the rules and passed the bill to permit of the federalization of the Massachusetts Militia. This is the first action of this kind taken by any State in the Union.

The declaration was made amid cheers and prolonged applause that "The sons of Massachusetts are ready to act to-day."

Opposition centered about the fact that the $6,000,000 worth of military property owned by the State should not be turned over to the National Government free of charge.

I am informed by leading National Guardsmen of Massachusetts that it is the purpose of the organization in our State to transfer to the volunteer army without delay if provision for it becomes a part of the law.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Idaho?

Mr. WEEKS. I do.

Mr. BORAH. I should like to ask the Senator a question. Does the Senator understand that that will leave the State of Massachusetts without any State militia?

Mr. WEEKS. If all the State militia transfer to the volunteer army, it would.

Mr. BORAH. And the Senator from Massachusetts approves of the proposition of destroying entirely the State militia of his State?

Mr. WEEKS. Mr. President, I stated the other day, in some brief remarks which I submitted to the Senate, that substantially the only purpose for which the National Guard could be used was in connection with strike and riot duty. I do not consider that a proper duty for the National Guard to engage in. I believe that every State, as I said then, should establish a State constabulary, which should be used for that purpose. If that were done, many men who are now prejudiced against the State militia or against any similar force would go into it, as they do not do now. Personally I do not think the State of Massachusetts gets any benefit from its State militia to-day, except along those lines and the possibility occasionally of a great fire, when the militia may be called on to protect property.

Mr. BORAH. Mr. President, suppose the transfer takes place and the State militia disappears and becomes a part of the national force, and that some other than the present incumbent of the governor's chair should be elected governor of that State and should appoint an adjutant general, and that adjutant general should proceed to organize a State militia, could he do so?

Mr. WEEKS. Well, Mr. President, I do not know about that; I have not followed the proceedings in the legislature closely enough to know whether that could be done or not.

Mr. BORAH. Undoubtedly he could do so, and he never could be prevented from doing so until the Constitution of the United States is amended.

Mr. BRANDEGEE. Mr. President, will the Senator from Massachusetts allow me to ask him a question?

Mr. WEEKS. Certainly.

Mr. BRANDEGEE. Does the Senator think that the National Guard of his State would go into the Volunteer Army under section 56, if the amendment is agreed to, limiting the service of that Army to 30 days?

Mr. WEEKS. I do not think that the sentiment of the National Guard of Massachusetts would be that any limit should be placed on their service. I think it would be entirely opposed to that; and, furthermore, I think I ought to say that the question of pay has not in any shape been brought to the attention of my colleague or myself by the Guard of Massachusetts. I myself served 10 years in the National Guard of Massachusetts, and during 6 years of that time I commanded an organization of 600 or 700 men. During that time every man in that organization signed over to the organization, to be used for military purposes, every cent of pay he received for any duty which he was called upon to perform. The question of going into the service for pay at that time, from 1890 to 1900, had no effect whatever on enlistments, and I do not think any man ever thought for a moment whether or not he was to receive money for his service.

Mr. CHAMBERLAIN. Question!

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Missouri [Mr. REED] to the amendment reported by the committee.

Mr. BRANDEGEE. I ask that the amendment be stated, Mr. President. I thought the Senator from Georgia had offered an amendment to the amendment of the Senator from Missouri.

The VICE PRESIDENT. The Senator from Georgia has withdrawn his amendment.

Mr. BRANDEGEE. Then, I will not ask to have the amendment stated.

Mr. REED. I ask for the yeas and nays on the amendment.

Mr. GALLINGER. I ask that the amendment be stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to strike out section 108 as proposed to be amended by the committee and in lieu thereof to substitute the following:

SEC. 108. Pay for National Guard officers: Commissioned officers on the active list belonging to organizations of the National Guard participating in the apportionment of the annual appropriation for the support of the National Guard shall receive compensation for their services (except during periods of service for which they may become lawfully entitled to the same pay as officers of corresponding grades of the Regular Army) as follows, not to include longevity pay: Captains and officers above the rank of captain, $500 per year; first lieutenants, $300 per year; second lieutenants, $250 per year. Regu-

lations, to be prescribed by the Secretary of War, shall determine the amount and character of service that must be rendered by officers to entitle them to said pay: *Provided*, That only line officers and officers of the staff corps and departments on duty with organizations of the line shall receive pay.

Mr. LA FOLLETTE. Mr. President, I move to strike out the last word. I do that merely to secure some time in which to ask a question. I should like to inquire of the Senator from Missouri, or of the chairman of the committee, if any estimate has been made as to the total amount which this proposed amendment would carry as an added appropriation to this bill?

Mr. REED. I have not made the estimate; but the language contained in this amendment is substantially the language contained in the House bill, except under the language of the House bill there were certain officers above the rank of captain not engaged in active service who would have obtained pay. This amendment is drawn in such manner that none of those who are not engaged in active service will get pay. The amount of money required can not be a very large sum. I proceeded upon the theory that the House had made its own estimates. My amendment is really a restoration of the House proposition, except that it will cut out some of those officers who are not actively engaged in military duties.

Mr. CHAMBERLAIN. Mr. President, may I correct one statement of the Senator?

Mr. REED. Certainly; if I have made an error, I shall be glad to be corrected.

Mr. CHAMBERLAIN. Under the House bill the pay given to the officers was smaller.

Mr. REED. That is, officers below the rank of captain, however.

Mr. CHAMBERLAIN. Well, the House bill provides:

> And the same pay shall be paid to every officer of higher rank than that of captain, a first lieutenant $240 per year, and a second lieutenant $200 per year.

So it will be seen that the amount fixed by the Senator from Missouri is larger than that fixed in the House bill.

Mr. REED. Mr. President, so that the matter may be clear, I will say that I have adopted the language of the Senate amendment as to the pay that captains and lieutenants are to receive, the Senate committee having increased the amount as to first lieutenants from $240 to $300, and as to second lieutenants from $200 to $250. I let that remain. Now, the Senate committee amendment cuts out all officers above the rank of captain, who were included in the House bill. I undertake to restore that, but I adopted the language that is found in the amendment after pretty careful consideration, in order to cut out certain men that would have been included in the House language, namely, those officers above the rank of captain who really do nothing. There are some such officers—staff officers, and so forth.

Mr. LA FOLLETTE. Mr. President, I withdraw the amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from Missouri [Mr. REED] to the amendment of the committee. The yeas and nays have been requested and seconded. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. TAGGART (when Mr. KERN's name was called). My colleague [Mr. KERN] is unavoidably absent.

Mr. OWEN (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. CATRON] to the Senator from North Carolina [Mr. SIMMONS] and will vote. I vote "yea." I wish to announce that the Senator from North Carolina [Mr. SIMMONS] is absent on business of the Senate, and if present would vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. I transfer that pair to the junior Senator from California [Mr. PHELAN] and will vote. I vote "nay."

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the junior Senator from Maryland [Mr. LEE] and will vote. I vote "nay."

Mr. WALSH (when his name was called). I announce the absence of the senior Senator from Virginia [Mr. MARTIN] on business of the Senate. I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT], who is absent. I transfer that pair to the senior Senator from Virginia [Mr. MARTIN] and will vote. I vote "yea." I am advised that the senior Senator from Virginia, if present, would likewise vote "yea."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES] and therefore withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. WILLIAMS (when his name was called). Repeating the explanation made upon the former roll call, I vote "nay."

The roll call was concluded.

Mr. BECKHAM. I transfer my pair with the senior Senator from Delaware [Mr. DU PONT] to the senior Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "nay."

Mr. MARTINE of New Jersey. I rise to announce the absence of the junior Senator from Tennessee [Mr. SHIELDS] on public business. Were he present he would vote "yea."

Mr. MYERS. I inquire whether the junior Senator from Connecticut [Mr. MCLEAN] has voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I transfer my pair with that Senator to the junior Senator from Tennessee [Mr. SHIELDS] and will vote. I vote "yea."

Mr. LODGE (after having voted in the negative). I have a general pair with the senior Senator from Georgia [Mr. SMITH]. That Senator, I believe, has not voted.

The VICE PRESIDENT. He has not.

Mr. LODGE. I withdraw my vote.

Mr. CLARKE of Arkansas (after having voted in the negative). May I inquire whether or not the junior Senator from Utah [Mr. SUTHERLAND] has voted?

The VICE PRESIDENT. He has not.

Mr. CLARKE of Arkansas. Then I wish to withdraw the vote I cast.

Mr. CLAPP (after having voted in the affirmative). I am paired with the senior Senator from North Carolina [Mr. SIMMONS]; but I understand he has released me on this matter, so I will allow by vote to stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Florida [Mr. BRYAN]; and

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH].

The result was announced—yeas 41, nays 14, as follows:

YEAS—41.

Ashurst	Johnson, Me.	Page	Sterling
Bankhead	Jones	Pittman	Swanson
Burleigh	Kenyon	Poindexter	Taggart
Clapp	La Follette	Pomerene	Thompson
Cummins	Lewis	Reed	Underwood
Curtis	Martine, N. J.	Robinson	Vardaman
Gronna	Myers	Shafroth	Wadsworth
Harding	Norris	Sheppard	Walsh
Hardwick	Oliver	Sherman	
Hollis	Overman	Smith, Mich.	
Husting	Owen	Smoot	

NAYS—14.

Beckham	Clark, Wyo.	Lane	Warren
Borah	Gallinger	Nelson	Williams
Brandegee	Gore	Thomas	
Chamberlain	Hughes	Tillman	

NOT VOTING—41.

Brady	Fletcher	McLean	Smith, Ga.
Broussard	Goff	Martin, Va.	Smith, Md.
Bryan	Hitchcock	Newlands	Smith, S. C.
Catron	James	O'Gorman	Stone
Chilton	Johnson, S. D.	Penrose	Sutherland
Clarke, Ark.	Kern	Phelan	Townsend
Colt	Lea, Tenn.	Ransdell	Weeks
Culberson	Lee, Md.	Saulsbury	Works
Dillingham	Lippitt	Shields	
du Pont	Lodge	Simmons	
Fall	McCumber	Smith, Ariz.	

So Mr. REED's amendment to the amendment of the committee was agreed to.

Mr. REED. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to insert a new section near the end of the bill, just before the last section or the repealing section, as follows:

SEC. —. That as soon as practicable the Secretaries of War and of the Navy shall divide the continental United States into not less than 6 nor more than 12 districts. Said districts shall be laid out and apportioned in such manner as the Secretary of War shall deem most convenient for carrying out the purposes of this section. Said districts shall not necessarily be coterminous with any State or States. The districts thus created may be readjusted and new districts created from time to time in the discretion of the Secretary of War: *Provided*, That the total number of such districts shall not exceed 12.

There shall be established in each of said districts either a military training school or a naval training school, the number of each to be determined by the Secretaries of War and of the Navy, in accordance with the public needs. Said schools shall, whenever practicable, be located contiguous to established military or naval posts. The Secretaries of War and of the Navy may, in their discretion, cause both military and naval training at one or more of said schools.

The Secretaries of War and of the Navy shall prescribe the physical entrance examination to be passed by all students. They shall also, subject to the provisions of this act, prescribe a course of study in military and naval science and in the ordinary branches of learning and manual and vocational training. The Secretaries of War and of the Navy shall detail from the Army and Navy proper instructors in the several branches to be taught and may employ such civilian instructors as are necessary.

The students at said schools shall be known as United States reserve military cadets, or United States reserve naval cadets, as the case may be.

Said cadets shall be furnished by the Government the necessary books, quarters, uniforms, equipment, sustenance, and a stipend of $50 per annum.

Said cadets shall, before being permitted to enlist, present the written consent of their parents or guardians to such enlistment. The term of enlistment of said cadets shall be for 10 years, 4 years of which shall be for active service as cadets in said schools and 6 years for service in the Reserve Army of the United States.

All male persons over 14 years of age and less than 20 years of age who shall pass the required physical and mental examinations and who are of good moral character shall be entitled to enlist and become cadets in said schools as aforesaid, and when so enlisted shall not be discharged except for good cause shown and under such regulations as may be prescribed by the Secretaries of War and of the Navy. The mental examination shall, as nearly as possible, be the equivalent of that required for graduating from what are commonly known as the first-class grammar schools of the various cities of the United States: *Provided*, That if said schools at any time become overcrowded the Secretaries of War and of the Navy may raise the grade of examination required or adopt proper selective regulations so as to limit the number of cadets within the capacity of said schools. The cadets at said schools shall attend the school of the district in which they resided at the time of appointment, but may for good cause shown be transferred to another school. Each of said schools when established shall, as nearly as practicable, be capable of accommodating 500 cadets.

The graduates of said schools shall receive diplomas issued by the Secretaries of War and of the Navy, and the holders of such diplomas shall be entitled to enter the Military Academy of West Point or the Naval Academy of Annapolis and shall be entitled to preference over all other applicants for appointment: *Provided*, That the said Secretaries shall make regulations which, if the number of cadets so graduating and desiring to enter said Military or Naval Academy is greater than the prescribed number of cadets for each of said academies, shall give the preference among said graduates to those who possess the best physical and mental qualifications.

The cadets graduated from said schools shall be subject to call at any time by the United States Government for a period of six years after their graduation and shall be eligible to appointment as second lieutenants, but shall not by reason of said graduation be entitled to a commission as officers. They shall likewise be entitled to enlist in the Regular Army of the United States and shall, where qualified, be preferred as noncommissioned officers.

Mr. REED. Mr. President, I know that the Senate is weary of discussion and may be growing very weary of amendments. We have taken up, however, nearly a week's time in discussing the single question of the establishment of a plant to manufacture one of the chemicals necessary in the manufacture of powder. I want to try and get the attention of those Members of the Senate who are present to the question of manufacturing officers for a volunteer army or an army of the militia which may be necessary in time of actual war.

If this country ever comes to grips with a first-class power, we will not mass our men by the thousands or by the hundreds of thousands, but by the millions. I have heard some remarks here to-day about criticism of the Regular Army. It may be that something I said could have been so construed, but I did not intend, and do not now intend, to say a word in criticism of the established Army and Navy of the United States.

I recognize the fact that West Point and Annapolis are two great schools. I recognize the fact that the course of training therein prescribed is of a very high character. I also recognize the justice of giving the young men who graduate in those two schools the right to commissions either in the Army or Navy. These, however, are schools intended to provide officers who are to devote their entire lives to military service. They are not intended to supply officers sufficient in numbers to meet the requirements of a great war.

If we at some time find it necessary to put an army of a million or 5,000,000 men in the field, how are we to officer such an army from the graduates of West Point or Annapolis? It is absolutely impossible, and a moment's consideration will convince all candid men of the fact.

So far as I am concerned, I believe in an established army. I am willing to vote for a generous increase in a standing army. Nevertheless, I say to-day what has been so often said upon this floor, and so often said in the past—that when this country comes to the real grip of war its main dependence must be in the citizenry of the country. Just in proportion as we disseminate military knowledge among that citizenry, just in proportion as we bring to it the skill and the learning that is necessary in order to make an efficient force, just in that proportion we strengthen the Nation and make it invincible in times of war.

Mr. President, the schools provided for in this amendment are intended to furnish that kind of education. It is not intended in these schools to educate men who will follow the military profession as a life work. It is intended by this amendment to make these schools available to every boy possessing what is commonly known as a grammar-school education and who at the same time is physically fit and who is over 14 years of age. It is proposed that his term of enlistment shall be for 10 years; that he shall put four years of that time in active service in the schools; that the remaining six years he shall go into the reserve list and shall be subject to call, at any time within the whole period of his 10-year enlistment, into active service.

It is proposed to furnish free education to these boys. The reason for regional schools is to make it possible for the boy to attend without having to go an enormous distance from his home. It is proposed to put within the grasp of a large number of boys the opportunity to secure better than a high-school education, so that the son of the laboring man, the son of the mechanic, the orphan boy from the orphans' home, and all other classes of our youth can obtain the liberal education I have outlined and at the same time secure a thorough military training.

I say, with all the earnestness of which I am capable, that if a system of schools of this kind is established we can turn out every year from five to ten thousand young men who will be qualified to take command of a company in case our country is engaged in a great war. They will come in great numbers, because the liberal education they will obtain will compensate them for the military obligation they must assume.

Mr. President, it may be said that this system of schools will cost some money. I grant it; but I assert it to be true that every boy within the borders of the United States is entitled to the opportunity to secure at least a high-school education. I assert it to be true that no money properly expended in education is ever wasted. Instead of waste, it is the highest and most remunerative form of investment.

I make the further point that it does not make any difference what division of the Government pays for the maintenance of schools. If we start with the proposition that a boy is entitled to an education, then the expense of that education must be borne by the public; and whether it is paid by a township or a county or by a State or by the Nation, the cost, in the last analysis, must in every instance come from the citizens of the Republic.

Mr. President, another reason why I am very insistent upon this amendment is this: In these schools the students will actually enlist. They will actually be under the command of United States officers. They will actually obtain a real military discipline. They will learn that which is greater and more valuable than the mere manual of arms, than the mere foot movements, than the mere tactics; they will gain that discipline of mind which is essential to the creation of a good soldier.

I do not speak in derogation of military colleges under private management. I do not speak in derogation of those efforts which have been made to have a sort of system of national military school through the medium of land-grant colleges. I do say, however, that experience shows that while these schools have all done good, they have failed in teaching that rigid discipline and obedience which are necessary to those who are thereafter to command men.

The VICE PRESIDENT. The time of the Senator from Missouri has expired.

Mr. VARDAMAN. Mr. President, I realize that the strength of this Republic consists in the moral qualities and intellectual acquirements of the individual citizen. The great battles of the past have been fought by the man whose labor feeds and clothes the world and maintains the nations' commerce in time of peace, and the battles that are to be fought in the future will be fought by the same character of man. I realize the advantages of proper early training. I understand fully that—

> 'Tis education forms the common mind:
> Just as the twig is bent the tree's inclined—

but I really think we are going a long way in the matter of military preparation. It seems to me to have become a kind of plutocratic fad.

The plan proposed by the Senator from Missouri [Mr. REED] will furnish an excellent opportunity for a boy to educate himself, but I am afraid it will be a very expensive system. Of course men are not given education. They educate themselves. We hear a good deal of talk about self-made men. There is no other sort who amount to anything in the world. Whether their early lives are spent in poverty or in affluence, the men and women who accomplish anything in this world are largely self-developed. I am heartily in favor of every wise and proper influence or agency that works for the spiritual and mental uplift of mankind.

If this Government is to establish schools for the purpose of developing the soldier, however, I submit that a more economical plan can be provided than the one embraced in the amend-

ment of my friend the able Senator from Missouri [Mr. REED]. I should greatly prefer that the college or the school be established in the State, maintained partially by State taxation, and then let the Federal Government contribute to the conduct and management of the school by furnishing, if need be, instructors. The plan of the able Senator from Missouri is going a little bit further than the exigencies of the hour demand or the condition of the National Treasury will warrant. If we are going to make any provision for military education along the lines proposed in this amendment, I really think it would be very much better to confine it, as I said a moment ago, to schools that are established by the States and maintained in part by the States and then let the Federal Government render its help by contributing soldiers to instruct in the art and science of war.

I do not think it would be prudent for Congress to adopt at this time a measure of such magnitude and far-reaching consequences. Of course, if we are to become a government of the sword; if in the future all great questions are to be determined by the arbitrament of arms, and the United States has got to fight its way in the settlement of all questions; if force, rather than reason and righteousness, shall be the determining factor, then there will be ample time, I think, for us to make this departure. God forbid that the time for such a departure shall ever come.

I think it would be unfortunate, Mr. President, if the amendment should be adopted.

Mr. THOMAS. Mr. President, the Senator from Missouri referred to the fact that his amendment if adopted will carry with it a very considerable expenditure for its development and operation, but he did not give an estimate of the amount necessary for that purpose. I should like to inquire of him whether he has made any estimate, and if so, what it is, of the annual added expenditure which his amendment would impose upon the Treasury.

Mr. REED. In answer to the Senator I will say that, in the first place, I have been able to make the only one that I think can be made, and that is to inquire into the cost of education, clothing, and maintenance of a certain military school of the highest class. The military school I have been able to inquire about is the Culver School, in Indiana, which, I think, perhaps, is one of the very best in the country. The annual expense approximates $500 a year a student. They have, however, a plant already established, which, of course, once established, is paid for.

Mr. THOMAS. Mr. President, the plant would, of course, require the construction of at least one school.

Mr. REED. Will the Senator permit me to add——

Mr. THOMAS. In just a moment. It will require the construction at least of one system of school buildings for each of the proposed districts in addition to the cost of maintenance.

Mr. REED. I wanted to add to what I have said that the school in Indiana is, as I understand it, a school of a very high class, where expense has not been spared. My own opinion is that the Government would establish these schools and maintain them at even less cost.

Mr. THOMAS. In my judgment the Culver School is one of the finest institutions in the world. I am convinced that the amount of money required to establish and maintain these schools would amount to many millions a year. While I do not underestimate the importance of education, and no one does that, I may refer to the millions which are annually spent by the States, respectively, for the education of their youth, and to the high character of the schools which they support. These are ample, and I am not impressed with the importance or even the necessity at this time of going into a supplementary course of national education, which once began will expand into vast and enormously expensive proportions. I affirm that if we embark upon this experiment the burden ultimately placed upon the Treasury will be as great as that required for the maintenance of the National Guard.

Mr. HARDWICK. I wish to ask the Senator a question. Can the committee give us any estimate as to what the system of military instruction in the colleges, carried in sections 42 to 55 of the bill, will cost?

Mr. THOMAS. The committee, I think, can not; and I am sure that is going fully as far as it is wise for us to go at present with the extension of technical military instruction.

Mr. HARDWICK. Can not the Senator tell me the cost?

Mr. THOMAS. No; I shall have to refer you to the chairman of the committee.

Mr. HARDWICK. I thought perhaps the Senator from Colorado could give me the information.

Mr. THOMAS. My duties during the meetings of the committee were divided, as far as my poor health would then permit, between the Committee on Military Affairs and the Committee on Public Lands, giving preference to the latter on account of the local importance of measures pending before it. Hence I am not as familiar with the details of the bill's construction as I should be.

Mr. HARDWICK. I did not ask the question critically. I merely wanted information.

Mr. THOMAS. I understand the Senator merely wanted an estimate; but assuming that the expense necessary for carrying out the plan which the bill embodies is considerable, it must be remembered that the proposed amendment is a supplement to it, not a substitute for it. There must be a limit somewhere to these expenditures, and as far as I am able to observe, no limit is in sight. We have several days in which to consider other amendments requiring appropriations to make them operative, yet instead of confining the expenditures within reasonable limits for this contemplated addition to the Army and Navy, we are adding unneeded burdens, which will confront us with an annual expense budget far beyond the estimated half billion dollars. Let us halt somewhere and inquire what more we can afford.

Mr. WILLIAMS. Mr. President, I have a good deal of sympathy with the purposes which the junior Senator from Missouri has in view, but I think that he is going about it in the wrong way. I think the method selected by him is too expensive and that it is unnecessary. We already have in existence 48 State universities, some of them equal to any universities in America, equal in practical work to Harvard, or Yale, or Princeton, or the University of Virginia. I will leave out the latter because it is a State university.

Now, Mr. President, all that is necessary to accomplish the purpose which the Senator from Missouri has in view is that the United States shall furnish each of those institutions three or at the utmost four professors who can be detailed from the Army just as most of the professors at West Point are. The four topics taught by these officers detailed would be as follows: One of them would be tactics, drill, and target practice, as the ordinary Army officers now detailed to the agricultural and mechanical colleges teach these. Then they could go further and send another man to teach military history and strategy, still another to teach military engineering and ordnance, and those three would by the addition of the curriculum of the State university make practically out of each State university a West Point.

Mr. REED. Mr. President——

Mr. WILLIAMS. One moment, please. Because everything else taught in West Point is taught at those State universities except these things which I have designated. Now I will yield for a question to the Senator from Missouri.

Mr. REED. Does not the Senator know that has been attempted for years and years in this country? I want to ask him which one of those schools has risen to a West Point? Which one of those schools has really ever turned out a disciplined body of men?

Mr. WILLIAMS. I do not know that it has been attempted, and as a matter of fact it has not. There has been a detail of one officer to teach nothing in the world except drill; that is all he pretends to teach; and the agricultural and mechanical schools have turned out magnificent battalions of men. The best trained force we have in this country to-day outside of the Regular Army consists of the men who have been turned out from the agricultural and mechanical colleges. But they have been taught nothing of course except company drill, battalion drill, and skirmish drill, and a little target practice. The Government does not even furnish them with the ammunition necessary for target practice.

Mr. President, if the Government will designate three men of the rank of colonel or major or above, retired officers or officers in the active service, perfectly competent to teach these three things—first, drill and tactics and target practice, that is taught now; second, military history and strategy; and third, military engineering and ordnance, and there might be added perhaps another professorship; then let the boys who want to go into that force volunteer for it and enlist for three years, binding themselves when they do it to go into the reserves for five or six years longer—my word for it you will find a splendid training school in each State university for officers of the volunteer army in time of war, which is the object which the Senator from Missouri has in view.

It may be asked why I have not introduced an amendment of that sort. My reply to that is that I do not think this is the proper place for it. I want it considered upon its own merits, and later on I do propose at some time to draw up an independent bill covering that question fully, providing for the professorships and providing for a certain amount of money to be expended in the way of rifles, cannon, and ammunition for the use

of those schools each year. It will not take a large amount, and the officers detailed will cost the Government of the United States nothing. The professors already are employed to teach the other things that are taught at West Point and they are being paid by the State and will continue to be paid by the State.

I have selected the State universities because there the boy has already received a high-school education and is therefore possessed of intellectual training and ability which enables him to learn to be an officer very soon. So when he leaves there he will be perfectly competent to be a second lieutenant or even a first lieutenant or even a captain in the volunteer army of the United States in times of war.

It seems to me that the amendment offered by the Senator from Missouri had better come as a separate bill to be considered as I propose that my idea shall. It seems to me that it is unduly expensive, unnecessarily expensive, and will involve absolutely new plants over the country, with the buildings that are necessary and with the other professorships that are unnecessary, because the State universities already furnish them English, modern languages, literature, the various branches of applied science, chemistry. It might be changed there a little in order that they should go into chemistry of ammunition as well as the sort of chemistry now taught.

I hope at some time in the future Congress may pass a bill of that sort. As I said when upon my feet the other day, when merely referring to this measure, the idea is not original with me. As far as I know it originated with Mr. Jefferson of Monticello, who suggested it to the State of Virginia; but the State of Virginia did not adopt it. He suggested it in connection with the State university which he founded for that State.

Mr. CHAMBERLAIN. Mr. President, I sympathize with the purpose of the amendment the Senator from Missouri has proposed to the bill, but I am in entire accord with the Senator from Mississippi when he says that it is not a part of any reorganization Army scheme.

Mr. HARDWICK. Will the Senator yield to me for just a moment?

Mr. CHAMBERLAIN. I yield.

Mr. HARDWICK. For only a short question. There are 11 sections of the bill which provide for military training. How did they get in the bill?

Mr. CHAMBERLAIN. I am afraid we are going to get lots of things in the bill that ought not to be there. The committee has had a gigantic struggle to keep things out of it.

Mr. HARDWICK. But it is in the bill.

Mr. CHAMBERLAIN. It is in, and it ought to cover every reasonable request that anybody could make.

Mr. HARDWICK. Therefore this subject is properly in the bill.

Mr. CHAMBERLAIN. I am not so sure that it is, but it is there; and we have a good many things in the bill that I am sorry could not be kept out. In crystallizing the sentiment of a large committee concessions had to be made on all sides. I think the provision which was put in and to which the Senator from Georgia refers ought to cover the reasonable demand of anyone with respect to the training of young men.

The section to which the Senator refers provides for the training of officers in the schools of the country and meets very nearly the suggestion which the amendment of the Senator from Missouri contains. Besides that we have doubled the number of young men in the Military Academy. There is a probability that the number of young men in the Naval Academy will be increased. Provision is made in the bill now for the training of young men in the different educational institutions all over the country. So, taking it altogether, it seems to me there will be enough of education along these lines for young men.

Mr. REED. Will the Senator permit me a question, not in any controversial spirit at all? How large an army could we officer from the graduates from West Point, assuming that its capacity is increased to the point named in the bill, approximately?

Mr. CHAMBERLAIN. I would not undertake to say. The report of the committee shows how many officers are necessary to officer the Army as far as the maximum strength of 250,000.

Mr. REED. And your military establishment at West Point would be just about able to supply officers for an army of that size?

Mr. CHAMBERLAIN. Practically that is true.

Mr. REED. Then what would you do if you had to have 5,000,000 men on the battle line?

Mr. CHAMBERLAIN. I answer that question by telling the Senator that we will meet an emergency of that kind when it comes. The fact is the country will not stand for it at this time. The committee has had to consider all these things in connection with this bill.

Now, the Senator provides for 12 districts of at least 500 men in each district school; that is 6,000. If the Senator is going to estimate that 6,000 to cost $500 each, which is about the cost of young men at Culver, I think, that makes about $3,000,000 the first year. Now, how much will have to be added to that for the buildings? If they cost anything like they do at West Point, it will cost a vast amount of money to establish those institutions. Equipment and ordnance and all have to be furnished.

Mr. REED. The Senator will admit he does not bat an eye at $25,000,000 to start out with the continental army.

Mr. CHAMBERLAIN. Nor $45,000,000 for the National Guard, and the Senator votes for that part of the bill without batting an eye.

Mr. REED. I do.

Mr. CHAMBERLAIN. I am not quarreling with the Senator about that at all. I want to do what will place our country in a reasonable condition to defend itself, and whatever money is necessary to do it is not an expenditure; it is an investment.

Mr. REED. I agree with that. Therefore I think the Senator ought not to shy at $3,000,000 a year or $10,000,000 a year.

Mr. CHAMBERLAIN. The Senator from Oregon does not shy very much at anything.

Mr. REED. I do not mean to say that disrespectfully. The Senator must not misunderstand me. He knows the esteem in which I hold him, and I am sorry if my words were susceptible of that construction. But why should we hesitate? If the utmost capacity of West Point is to supply officers for an Army of 250,000, they are to be employed, if the Senator has his way, in a standing army of that size, and if we know there are possibilities which would call upon us for from 3,000,000 to 5,000,000 men, why not educate some men capable of taking charge of the surplus?

Mr. CHAMBERLAIN. I should like to allow the Senator to interrupt me, but I have very little time. Let me say to the Senator that this bill provides for the education of officers in the schools of this country, but I am willing to admit, in frankness, that we shall not have enough officers of the Army in case of a great war such as they are now having in Europe. Further than the provision which is made in the bill, let me say, that other educational institutions in this country, out of a patriotic sense of duty, are doing the very work which the Senator now proposes. Take Princeton, for instance, which has gone ahead now and made military training a part of its curriculum, allowing applicants for degrees to count their service in the military arm of the school as a credit toward the degree. Not only has Princeton adopted it in the last few days, but other large educational institutions have done so. That is without any expense to the Government of the United States at all; it is an elective system. I believe that with the efforts that the colleges and other private institutions are making, together with the training that is being had in the agricultural institutions, we might have a sufficient number of officers for almost any emergency that might arise.

I realize the importance of officers; there is no one who realizes it more than do I, but I do not think that this provision ought to be added as a part of the bill now, in view of the fact that the committee has gone a long way to provide for the training of young officers for the Army in the educational institutions of the country. Such a provision as that proposed would simply encumber the bill and, Mr. President, I think would not work out satisfactorily.

Mr. HARDWICK. Mr. President——

The VICE PRESIDENT. The Senator from Georgia.

Mr. HARDWICK. I want to inquire of the Senator from Oregon—and I do it in my own time so as not to take up his time—if he can give us any estimate as to the cost of the military training in the colleges which is provided and carried in sections 42 to 55, inclusive, of the bill?

Mr. CHAMBERLAIN. The committee did not make any estimate as to that, Mr. President; but I assume that, inasmuch as the plant would have to be erected by the Government of the United States, it would cost possibly in the neighborhood of $200 per man; but I do not know.

Mr. HARDWICK. That is a mere guess?

Mr. CHAMBERLAIN. It is a mere guess; I do not know.

Mr. HARDWICK. I wish to say, Mr. President, to the Senate that a rather remarkable situation is presented in connection with this matter. Sections 42 to 55 of the Chamberlain bill, the Senate bill, are also embodied in the House bill, and yet, so far as I can ascertain, neither one of the committees, that of the House of Representatives or of the Senate, or the War Department, or anyone else, seems to have any idea or to

have furnished any estimate as to the cost. I can not ascertain myself as to what they estimate it is going to cost.

Mr. HUGHES. What difference does it make?

Mr. HARDWICK. The Senator inquires, in an aside, what difference does it make? I do not know whether it makes any difference to other Senators or not; but I want to make this suggestion to the members of the committee: Why is it that it is urged that you can not support a proposition presented by a Senator not on the committee, on the ground that we can not tell what it would cost, when it does not appear that we can tell what a proposal submitted by the committee will cost? What is the difference?

Mr. President, regardless of what any other Senator thinks, I think we ought to have a little more definite information about what this plan proposed in the bill, and which is carried in both the House bill and the Senate bill, is going to cost before we vote on it. I think, moreover, that the plan proposed by the Senator from Missouri [Mr. REED] is really a substitute, in its very nature, for the plan proposed by the War College, which is embraced in these two bills; and I am going to vote for the amendment proposed by the Senator from Missouri, because I believe, after some study of the question, that it is a better plan than that suggested in the bill or proposed by the War College. I do so, also, with the hope that, when this matter goes to conference, the conferees will carefully weigh the two plans, both being involved in the conference, and take the best one. I am going to support it on that idea. I am not deterred from supporting it by the fact that we can not tell exactly what it will cost, because I do not think we can tell what the plan of the committee will cost, either. I think, if Senators will compare the two plans, they will conclude that the plan suggested by the Senator from Missouri will give us a better corps of officers and will give us more of them, and probably at no greater expense, although I admit that I am entirely in the dark on that question.

Mr. JONES. Mr. President——

Mr. HARDWICK. I yield to the Senator from Washington.

Mr. JONES. If the Senator will permit me, I desire to suggest that if the House provision is adopted it can not be changed in conference.

Mr. HARDWICK. That may be true, and that is one difficulty about the situation. If we adopt these 14 sections, from section 42 to section 55, inclusive, both Houses of Congress are going to put exactly 14 sections into this bill, about the cost of which neither of them, so far as I can discover, has the slightest information. I may be in error about that—I make that suggestion rather tentatively—but I have been unable to discover, and I can not find from inquiry, what it is going to cost. So I do not think that the objection urged by the Senator from Colorado to the proposition of my friend from Missouri is very sound in view of the situation that confronts us.

It would be a good deal better to put this amendment in also and let them both go to conference and there determine exactly what each of them would cost; weigh them against each other, and see which is better. It is on that theory that I expect to vote for the plan proposed by the Senator from Missouri.

Mr. CUMMINS. Mr. President, I think it will be found to be true that a great many people who are abstractly for preparedness will shrink a little when the cost of preparedness is thoroughly driven in upon them. I have not risen, however, to discuss the amendment of the Senator from Missouri, except to this extent: Early in the session I introduced two bills, one of them intended to reorganize the National Guard and the other to establish a series of reserve or Federal reserve schools. The Military Committee gave me an opportunity to be heard upon both of those bills. Without claiming any originality whatever, so far as the National Guard reorganization is concerned, I believe it is true that most of the suggestions in my bill in that respect are now found in the committee bill; but the other was for some reason or other not considered by the committee.

Mr. REED. Mr. President——

Mr. CUMMINS. I yield to the Senator from Missouri.

Mr. REED. I want to say that I was told that the Senator from Iowa had prepared an amendment providing for military training schools. I tried to find it, but did not succeed. I hope that I have succeeded in drawing one that conforms sufficiently to his ideas so that he can support it.

Mr. CUMMINS. Not at all. The Senator from Missouri has not occupied the ground of my proposal in its details, and I rose to say that I think my proposal is better than that of the Senator from Missouri; but I shall be compelled to wait until the proper time and advocate it as best I can. I intend to offer it as an amendment to this bill. It provides, if I may gives its outlines very briefly, that the Secretary of War shall take not less than six of our useless Army posts—Army posts which have been constructed at vast expense and which are of no value whatever for the purpose of quartering the Regular troops—that he shall convert them into what I call Federal reserve schools, with an average attendance at each of 400 pupils; that they shall undergo a course of four years' instruction, the dominant note of which shall be military training and education; that upon graduation each of these students shall be commissioned as a second lieutenant, without pay and without service until called to the colors by the President. He is under obligation to come if that call is made at any time before he is 40 years of age, but he goes from the school into the civil avocations of life.

One of the purposes of my amendment, one thing I had in view, was this: The great complaint made against the National Guard is the alleged inefficiency of its officers, their want of training, and it was my purpose to prepare a body of men in civil life who would be eligible to appointment as officers of the National Guard. The obligation which each of these students should take would include the acceptance of service in the National Guard, if properly appointed or elected thereto.

I mention these things because the argument of the Senator from Missouri is simply unanswerable. We need these men; we need them from every standpoint; and those of us who really believe in preparedness, in having a body of men in this country who can command troops in the event of war, ought to find it a little difficult to oppose an expenditure of this sort.

Mr. REED rose.

Mr. CUMMINS. Just a moment. I have not had any estimate made with regard to the cost of maintaining these schools. Under my amendment the Government pays for everything except clothing; it does not supply the students with clothes, and it will cost the Government about $700 a year for each student.

The expense of converting these unnecessary Army posts into schools will not be great. There is one in Iowa that cost probably $2,000,000. It has not had a soldier in it for four years, save a caretaker, and I predict that it will never have another soldier, because I myself can not imagine why soldiers of the Regular Army should be quartered at that point.

Mr. REED. Mr. President, if the Senator will permit me to make a very brief suggestion, I wish to say that the amendment which I have prepared absolutely will admit of the use of these abandoned Army posts—indeed, it is provided that the schools shall be located as near as possible to Army posts. It is not expressly in the amendment that the Government shall use them, but, if the Senator wants that inserted, he can have it. I do not see much difference between the Senator's proposal and mine except in the matter of detail. If we could get the principle into this bill, so that it would go to conference, there would be something to work out. I thank the Senator.

The VICE PRESIDENT. The question is on the amendment of the Senator from Missouri [Mr. REED] to the amendment reported by the committee.

Mr. POMERENE. Mr. President, just as I entered the Chamber a moment ago some reference was made, I believe, to sections 42 to 55 of the Chamberlain bill, so called, and it was made in connection with the amendment proposed by the Senator from Missouri [Mr. REED]. I am not prepared to support this amendment, and I shall very briefly state my reasons for my position.

It provides for the establishment of a number of schools, and necessarily the cost of establishing these schools is going to be something very considerable. In the sections from 42 to 55 of the bill are incorporated the provisions of a bill which I introduced, known as Senate bill 3946, which was prepared for the purpose of establishing a reserve officers' training corps. Under the provisions of that bill the land-grant colleges, which now receive substantial sums from the Government, will be entitled to the privileges of the bill; also State colleges and other colleges which are already established and which will agree to conform to those provisions. There are two divisions of this training corps provided for, one the senior and the other the junior. The purpose of the bill is to place at these different colleges officers of the Army who can teach military science and tactics, and they are also required to supervise the course of study which shall be prescribed by the War Department. This bill was the product of the brains of a good many of the educators of the country.

Mr. HARDWICK. Mr. President, will the Senator yield for a question.

Mr. POMERENE. Yes.

Mr. HARDWICK. The bill to which the Senator refers is identical with the bill that the War College suggested in 1914, is it not?

Mr. POMERENE. I do not know of a bill by that name. I became interested in this bill, in the first place, through the president of the Ohio State University, Dr. Thompson, who has given a great deal of attention to this subject, and the officer, Capt. Converse, who is now detailed by the Federal Government at that university.

Mr. HARDWICK. If the Senator will pardon me again, to make a brief suggestion, he will find, I think upon examination, that word for word, even as to punctuation, the bill to which he has referred is exactly the same thing, so far as its provisions are concerned, as the War College bill.

Mr. POMERENE. I think the Senator's statement is a little broad, because the bill, as I introduced it, has been changed somewhat, and it was slightly changed when it was incorporated in the so-called Hay bill in the House of Representatives; but it may be that the general principles contained in the bill are substantially the same as those in the bill to which the Senator from Georgia refers.

It has seemed to me that in these established colleges and universities, most of which now have a certain amount of military training, we will be able, with a minimum of cost and with a minimum amount of delay, to establish institutions which would be fully equipped for the training of officers. I think that it may be fairly said that our military forces are more wanting in trained officers than they are in any other particular. We realize very fully that one of the defects, for instance, in the system now prevailing in Great Britain has been their utter lack of officers who could be used for the purpose of training the soldiers; and I have thought that, as this bill has been given such very careful attention, there would be no objection whatsoever to it; and I trust that my friend from Georgia will a little later modify his views on the subject and not insist upon the adoption of the amendment which he offered some time ago.

Mr. REED. Mr. President, will the Senator yield for a question?

Mr. POMERENE. Yes.

Mr. REED. What is the inducement to these students to enter the military service provided for in the sections of the bill to which the Senator is now referring? What is there to induce them to do it?

Mr. POMERENE. Well, Mr. President, there must be at each one of these schools or universities at least 100 students who are willing to take this training. They are pursuing their course of study. As applied to the Ohio State University, I think the situation is substantially this:

They have now about fifty-five hundred students in that college, and probably twenty-five hundred of them are taking military training. They have a very large number of students in their engineering course. There are a good many students in this university—and I use it not because it is the Ohio State University, but because I think it is typical of many of the State universities—who are interested in military training. They are anxious to have better facilities than they now have, and if these additional privileges were to be granted them, I think many of them would be quite willing to join this reserve officers' training corps, and for the prescribed number of years after that be subject to the direction of the Government.

Mr. REED. That is what I am asking. What are the additional advantages that they will obtain?

Mr. POMERENE. They will be allowed certain commutations. Those are very small. They will have all the privileges that might be accorded in a pretty good military institution, and their course of study would be so shaped that they could be prepared for the walks of both military and civil life. I think that is what we need, rather than to have a purely military institution.

Mr. REED. I do not want to take the Senator's time, but I am very much interested in this matter. Is it not true that in order to get into the military branch a man must be able to attend the college?

Mr. POMERENE. Oh, yes.

Mr. REED. There he pays his own expenses. When he enters the military branch, he does not get any additional advantage except such as flows from military education?

Mr. POMERENE. As I understand the provisions of the Senator's amendment, the student would be sustained at the expense of the Government.

Mr. REED. That is the difference; he would be educated at the expense of the Government.

Mr. POMERENE. Yes; but that would compel us to establish at the present time not less than 6 and not more than 12 of these institutions. I presented some time ago another bill which bears on this subject. I have not thought it wise to offer it as an amendment to this bill, and I do not think I shall, because I was hoping that it would be considered by the Committee on Military Affairs as well as the Committee on Naval Affairs. In brief, it was intended to meet this situation:

We are increasing the attendance at both the Military and the Naval Academies. They do not now have the necessary accommodations for these contemplated increases; and it was thought, particularly by officers of the Navy with whom I have talked, that if the first year's study for both the Military and Naval Academies could be provided for at a third institution it would be a benefit to all and at the same time would relieve the situation at West Point and at Annapolis.

The VICE PRESIDENT. The time of the Senator from Ohio has expired.

The question is on the amendment of the Senator from Missouri [Mr. REED] to the amendment of the committee.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Hughes	Pittman	Taggart
Burleigh	Husting	Pomerene	Thomas
Chamberlain	Johnson, Me.	Reed	Thompson
Clapp	Jones	Shafroth	Underwood
Cummins	Lane	Sheppard	Vardaman
Curtis	Lodge	Smith, Ga.	Warren
Dillingham	Martine, N. J.	Smith, Mich.	Williams
Gore	Nelson	Smoot	
Hardwick	Oliver	Sterling	
Hollis	Page	Swanson	

The VICE PRESIDENT. Thirty-seven Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of absent Senators.

Mr. ROBINSON and Mr. OVERMAN entered the Chamber and answered to their names.

Mr. CHAMBERLAIN. Mr. President, in view of the fact that there is not a quorum present, and it might be difficult to get one this evening, I move that the Senate adjourn until Monday at 12 o'clock.

The motion was agreed to; and (at 4 o'clock and 47 minutes p. m., Saturday, April 15, 1916) the Senate adjourned until Monday, April 17, 1916, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April 15, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, from our heart of hearts that we are privileged to live in this age of the world's history, with its accumulated wisdom and knowledge, its discoveries and inventions, its literature and art, its high ideals and religious attainments, and we most fervently pray that we may strive diligently to apply our wisdom, our knowledge, our energy to the things of the now, that we may prove ourselves worthy of the splendid opportunities which beckon us onward and upward to higher and nobler achievements, and departing leave the world a little better than we found it. In the spirit of Him who taught us the way and the truth and the life. Amen.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that next week the business in order on Calendar Wednesday be transferred to and be in order on Thursday instead of Wednesday.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that the business on next Calendar Wednesday be transferred to the succeeding day—Thursday.

Mr. FOSTER. Mr. Speaker, would there be any objection to dispensing with it altogether?

Mr. KITCHIN. Some matters ought to be taken up on Calendar Wednesday.

Mr. MANN. That would come up later.

Mr. KITCHIN. And we want this Agricultural bill to proceed without being broken into. Perhaps by doing that we could finish it without interruption.

The SPEAKER. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the

Union for the further consideration of the bill H. R. 12717, the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12717, the Agricultural appropriation bill, with Mr. HAMLIN in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

The Clerk read as follows:

For construction of buildings at bureau experiment station at Bethesda, Md., and bureau experiment farm at Beltsvills, Md., $23,600.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN. What buildings do they propose to construct?

Mr. LEVER. Mr. Chairman, on the 31st of last March the sheep barn at Beltsville, Md., caught fire and was entirely consumed. That barn cost originally $8,000. They have an appropriation out of this fund of $2,000, and the increase of $6,000 is asked for in this item to replace that barn.

That covers that part of it. In addition to that it is desired to erect three additional silos for the dairy work and for the farm work generally there, and also one silo shed, which is to cost about $300, and a reservoir to hold something like 100,000 gallons of water. That will cost $1,200. They have no water protection there at all, and a great many rather important scientific investigations are going on at Beltsville, as the gentleman knows.

Mr. MANN. The appropriation last year was $6,750. This year it is $23,600. That is an increase of nearly $17,000.

Mr. LEVER. Yes. I will say that it is the intention to spend $10,000 out at Bethesda, which is the field station of the Bureau of Animal Industry, in the replacement of two large barns which are old and have been there for a good many years and have become entirely insanitary, so much so that a large part of the barns is not now used, because the department says it is dangerous to put infected animals in there, because they can not properly guard against the spread of disease. In addition they want to build out there one hay barn, which will cost $600. They want to build also an incinerator, which will cost $2,500, to take care of the dead stock. That accounts for the increase in that item.

Mr. MANN. Well, I presume it is all right, but it seems like rather a large sum to appropriate at this time for new buildings on a couple of farms—new buildings at a cost of $23,600, when we have not much money to spend for new things.

Mr. LEVER. The same thought suggested itself to me when Dr. Melvin was before the committee, and I pressed him rather strongly on the proposition and asked him if he regarded it as an emergency proposition, and he said he did.

Mr. MANN. I suppose that grows out of the fact that in the investigations of the bureau as to dairies they find all the barns in the country insanitary, and they want to construct two here that are sanitary. It would be rather expensive, however, for the average farmer to construct new barns at such a rate of expenditure.

But I withdraw the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order.

Mr. HELM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HELM. I move to strike out the first proviso, on page 14, beginning on line 7 and continuing down to the words "purposes," in line 9. Would that be in order?

The CHAIRMAN. That paragraph has been passed. It would not be in order.

Mr. HELM. Is the bill being read by paragraphs or by sections?

The CHAIRMAN. By paragraphs.

Mr. MANN. The gentleman can ask to return to it.

Mr. HELM. Mr. Chairman, I ask unanimous consent to return to the paragraph beginning on page 13, line 24, and extending down to line 14, on page 14, for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Kentucky [Mr. HELM] asks unanimous consent to return to the paragraph beginning on line 24 of page 13 and extending to line 13, page 14, for the purpose of offering an amendment. Is there objection?

Mr. LEVER. What is the purpose of the gentleman?

Mr. HELM. I want to move to strike out the first proviso.

Mr. MANN. We read it so quickly that I think the gentleman ought to be permitted to move to return to it.

Mr. LEVER. Would not the gentleman be satisfied with five minutes.

Mr. HELM. I will have to.

Mr. LEVER. With the understanding, Mr. Chairman, that 10 minutes only shall be consumed on that, I have no objection.

Mr. MANN. I would not do that. This is for the breeding of horses. You can cut off debate whenever you want.

Mr. HELM. I move to strike out, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky [Mr. HELM].

The Clerk read as follows:

Amend, on page 14, by striking out the proviso beginning on line 7 and ending with the word "purposes," in line 9, which reads as follows: "*Provided*, That of the sum thus appropriated $25,000 may be used for experiments in the breeding and maintenance of horses for military purposes."

The CHAIRMAN. The gentleman from Kentucky is recognized for five minutes.

Mr. HELM. Mr. Chairman, the district of Kentucky which I represent is very largely interested in the breeding of horses. It is what is known as the blue-grass section of the State, where the horse rises to its best types and highest development. I am thrown in contact daily when at home with men who own the sires of some of the best horses in the United States. That is their home. You find them there, the best in the United States. Now, the Government proposes to come in and interfere with a well-established, thoroughgoing business enterprise. Of course every man within the sound of my voice understands that the development of these high-grade, standard-bred, and thoroughbred horses requires a very considerable investment. In the first place, there is the get of the horse. Some of these sires stand as high as $1,000 a season for the service. The Government proposes now to place a stallion in a locality where these high-grade horses are developed, and there is no charge. Necessarily that beats down that business.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. HELM. Yes.

Mr. McKENZIE. Is it not a fact that the Committee on Military Affairs has been taking care of this matter heretofore, and that at the present time there are stallions purchased and placed around in different sections of the country for the purpose of developing Cavalry horses that will be better than the horses which can be bought commercially?

Mr. HELM. This is that provision. If it belongs anywhere, its proper place is in the Army bill. It does not belong in this Agricultural bill at all. Now, conceding that this is a desirable type of horse for Army purposes, in the district of 11 counties, which I represent, in the heart of Kentucky, there is one of these Army horses stationed. I suppose in these same counties there are perhaps 100 or, perhaps, 200 noted sires, each coming from a distinguished breed or strain of horses. Now, would you rather have 1 or would you rather have 200? I would like to have the chairman of the Committee on Agriculture inform the Committee of the Whole, if he can, how many colts have been foaled under this particular provision?

Mr. LEVER. If some one will figure it up as I give the figures. There have been 93, 126, 264, 376, 182, and 220.

Mr. HELM. In the United States?

Mr. LEVER. Yes.

Mr. HELM. Now, see what you are proposing. You are saving at the spigot but you are undermining the entire thoroughgoing business proposition. Here are how many colts altogether?

Mr. LEE. The total is 1,261.

Mr. HELM. Twelve hundred and sixty-one in the United States. Why, Mr. Chairman——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HELM. I ask unanimous consent for five minutes more.

Mr. LEVER. I ask unanimous consent that the debate on this item close in 15 minutes, the gentleman from Kentucky [Mr. HELM] to have 5 minutes and the gentleman's colleague [Mr. KINCHELOE] 5 minutes.

Mr. HAUGEN. I may want five minutes.

Mr. LEVER. I will yield to the gentleman my time.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the debate on this paragraph and amendments thereto close in 15 minutes, the time to be used as indicated by him. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Kentucky [Mr. HELM] is recognized for five minutes more.

Mr. HELM. Twelve hundred colts in the United States. I may be putting it a little high, but I suppose there are that many foaled in the county of my residence this spring. I suppose that is a reasonably safe statement.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. HELM. Yes. I ask the gentleman to be as brief as he can.

Mr. COX. Do I understand the gentleman to say that the sire of these horses is placed free of charge?

Mr. HELM. Yes. The Government stations one of these sires in my home county. They pay a farmer so much for the care and attention. Now, the Government exercises an option to take the colt within a certain number of years. Will the chairman of the committee tell me what that is?

Mr. LEVER. The option is that the Government will take the colt at $150 as a 3-year-old, unless the farmer is willing to pay the stud fee of $25.

Mr. HELM. Do you see that! Now, that is a ridiculous proposition, gentlemen. The idea of a 3-year-old horse, the descendant of the type of stallion that they put into a farmer's hands—to buy him at $150 when he is 3 years old is absolutely preposterous and ridiculous. The type of horse that you want and that the farmer raises is more apt to sell at 3 years old for a thousand dollars or twelve hundred dollars. Some of them go up to twenty-five hundred or three thousand dollars. If it is a colt by a type of horse that the Government wants, and if the dam is an animal that is fitted for these purposes, you see that it is a ridiculous proposition for the farmer to raise the colt by such a sire as that for three years and then get only $150.

Mr. CHIPERFIELD. Are these colts mostly thoroughbred colts? In other words, are the stallions bred to thoroughbred mares?

Mr. HELM. Now, that brings you to the consideration of a subject that is a little difficult to handle. Some men just bring this, that, or the other kind or type—the fellow that has a scrub—you understand what I mean.

Mr. LEVER. If the gentleman from Kentucky will yield, I will tell him the character of the stallions.

Mr. HELM. Oh, I understand about the character of the sires. I am talking about the dams that are the mothers of the colts.

Mr. CHIPERFIELD. Will a thoroughbred colt make a good Cavalry horse?

Mr. HELM. A thoroughbred horse—the best in the world, after he has been subjugated. Why, you can not beat him for a Cavalry horse, for speed and endurance; but a cross between the thoroughbred and the standard bred, the trotter and the racer, is the perfect type of a Cavalry horse, in my opinion. Of the two types, the thoroughbred is unquestionably a horse of endurance and speed, and if you cross the thoroughbred with the standard bred, you get the muscle, and there you have the perfect type.

Mr. McKENZIE. Gen. Aleshire, in his testimony before the Committee on Military Affairs on the point just brought out by the gentleman from Illinois [Mr. CHIPERFIELD], stated:

> The plan contemplated that no mare should be bred to any of these stallions that was not certified as being a suitable mare to produce the kind of horses that were wanted, and if she had any sickness or defects of any sort that would operate against the animal as a brood mare, she would not be allowed the service of the horse.

Mr. HELM. That in practice is not carried into effect. Here is an opportunity for a man with a scrub mare to get the use of a good horse free of charge, and that is the sum and substance of it.

Mr. CANDLER of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. HELM. Yes.

Mr. CANDLER of Mississippi. Is the gentleman's objection to this provision solely upon the ground that it is an interference on behalf of the Government with private enterprise?

Mr. HELM. My objection is that it is not a business proposition. You can not make it stand up as a practical business proposition. It has been tested and tried out, and it does not stand up; it does not get the results that you undertake to get.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. KINCHELOE. Mr. Chairman, I am a little surprised at some of the statements of my colleague [Mr. HELM] about this proposition. I will say, for the benefit of the committee, that my colleague represents a district where they breed thoroughbred horses into the purple. They are bred for the purpose of derbies, they are bred for the purpose of harness and running horses. If it takes the character of stallion that the gentleman intimates it would, the horse business in his district under the provisions of this bill would be materially aided. There is not one Cavalry horse out of a million that is a thoroughbred horse. It would break this Government to undertake to get enough thoroughbred horses for the Cavalry of this country. But they have these splendidly bred stallions under the provisions of this bill to breed to cold-blooded mares, mares that are not thoroughbred. There are two or three of these stallions in my district. When the farmer brings his cold-blooded mare, as we say, to one of these stallions the Government has the option within three years of paying $150 for the get, but the owner of the mare has the option of paying the season of $25 and keeping the colt. Suppose he does keep the colt. You are building up a character of horse in breeding that appeals to the Government when they need them for Cavalry purposes to buy them after they are grown, or, if they want to sell it and the Government wants to buy the three-year old at $150, it has the right to do so under this bill. In other words, a thoroughbred stallion bred to a cold-blooded mare produces a get that makes the best Cavalry horse in the world, and it is done at a nominal expense by putting these stallions over the country so that they can serve these mares and obtain the get that is characteristic of a genuine Cavalry horse.

As I say, if you have a Cavalry horse that is a thoroughbred horse and you undertake to lay down the rule that all Cavalry horses shall be thoroughbreds, you will break the Government in doing it. If you buy the character of horse that is bred in my friend's district for Cavalry horses, you will break the Government, because the character of horses that are bred there that are 3 years old bring from two to three thousand dollars apiece, and why? They are not only bred in the purple by the sire, but in the purple by the dam. The purpose of this provision of the bill is to take the thoroughbred sire and breed to a cold-blooded mare in order to get a Cavalry horse that makes the best that can be produced. It would be a great mistake to knock out this provision of the bill. You would not only stop the breeding of the character of horse that is desired, but these stallions have already been purchased and are now all over this country in service.

If you knock out the $25,000 appropriation the only option the Government has is to sell these studs and absolutely stop this character of breeding. In view of the splendid results that have been brought about by reason of these stallions over the country breeding to the character of mares I have described, I think it would be a serious mistake to knock out the item.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. HELM. The gentleman speaks of the splendid results that have been produced. How many of these colts have been purchased by the Government?

Mr. KINCHELOE. I do not know; and for the purposes of this bill I do not care.

Mr. LEVER. Oh, the work has not been going on more than three years.

Mr. KINCHELOE. I do not care whether the Government buys one of them or not. The process produces the character of horse that is needed in this country, so that if a war should come they can be then bought up by the Government after they are grown [applause], and they make the best horses in the world for that purpose. It is not a question of whether the Government buys them at three years old—by exercising its option. It is a question of breeding the character of horse all over this country that is needed in time of war, so that you will have them available. I hope that the provision will not be stricken from the bill.

Mr. LEVER. Mr. Chairman, this item was put into the Agriculture appropriation bill some three years ago by the Senate, and retained in conference. The work is only three years old. The results so far have not been sufficient to ascertain whether or not it is a good work. The Committee on Agriculture does not have any pride in the item at all. We are perfectly willing to have the House vote upon it. Some of us on the committee are in favor of the proposition and others are against it. We have held it in the bill because it seemed to have been the desire of Congress from time to time, as expressed in the last three years, that this character of work should be carried on by the Department of Agriculture.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. COX. Does the Government obligate itself to take these colts at the end of three years, where they be crippled or decrepit?

Mr. LEVER. The Government has an option to take these colts at 3 years old at $150, provided the owner does not exercise his option and pay $25 for the stud fee.

Mr. COX. I can readily see now where a colt may be foaled that is blind or otherwise unsound.

Mr. LEVER. The Government would not exercise its option in that event.

Mr. COX. It would not have to exercise its option?

Mr. LEVER. Oh, no.

Mr. COX. The Government can flatly refuse to accept such a colt?

Mr. LEVER. Certainly.

Mr. COX. And make the owner of the mare pay the service fee of $25?

Mr. LEVER. I do not know what arrangement they would make in a case of that kind. That question has not arisen. As a matter of fact I imagine that the owner would have to take his colt.

Mr. COX. And pay the $25?

Mr. LEVER. Very likely so.

Mr. ANDERSON. Will the gentleman yield?

Mr. LEVER. I will.

Mr. ANDERSON. If I understand the motion of the gentleman from Kentucky it is to strike out the proviso——

Mr. LEVER. Yes.

Mr. ANDERSON. Of course if that is done that leaves all the stallions with nothing to maintain them, and if we do away with that item some provision must be made for the disposal of those stallions.

Mr. LEVER. That is undoubtedly true and I am going to direct the attention of the committee to that fact.

Mr. EDWARDS. How many stallions have we now?

Mr. LEVER. We have 37 stallions now in this particular line of work. Of couse the Government has some stallions located in Colorado at the horse-breeding station there, and at Brattleboro, Vt., I believe, the Morgan-horse station.

Mr. EDWARDS. How many horse-breeding stations has the Government throughout the country?

Mr. LEVER. The Government has only two real horse-breeding stations, one in Kentucky and one in Colorado.

Mr. HELM. How many horses have been purchased by the Government?

Mr. LEVER. I am not able to state to the gentleman. I know of one very fine horse that was recently donated to the Government.

Mr. HELM. Is it not a fact that that is generally the case, and that they are generally superannuated animals whose owners think that their services are at an end?

Mr. LEVER. I take it that a horse of the character of Navarre is superannuated for the purpose of racing.

Mr. CANDLER of Mississippi. They are patriots who have given these horses to the Government to help improve the stock of the country.

Mr. FERRIS. Mr. Chairman, this seems to be a question of Kentucky having too much competition in the breeding of good horses. I will say that in our State, which has not progressed as far in horse raising as Kentucky, we would be happy to have this station. Not only that, but last summer there was considerable agitation at El Reno over the possibility that something of this sort would be brought out there, and the working out of this provision was called very forcibly to my attention by one of the officers at Fort Sill, Okla.

Mr. LEVER. I will say to the gentleman from Oklahoma this: I think there is no special objection to this provision in the bill, but the only thing that Congress has to do is to see that it does not grow beyond its initial purpose and that there is no reckless extravagance in the spending of this money.

The CHAIRMAN. The time of the gentleman has expired, all time has expired, and the question is on this paragraph and all amendments thereto. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For investigating the disease of hog cholera, and for its control or eradication by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers, associations, State or county authorities, $360,000: *Provided*, That of said sum not less than $175,000 shall be available for expenditures in carrying out the provisions of the act approved March 4, 1913, regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals: *And provided further*, That of said sum not less than $35,000 shall be available for researches concerning the cause, modes of spread, and methods of treatment and prevention of this disease.

Mr. HELVERING. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 3, strike out the figures "360,000" and insert "410,000."

Mr. HELVERING. Mr. Chairman, I have offered this amendment for the purpose of asking this additional appropriation in order that the districts in which this work has been carried on may be surrounded by other districts, which will prevent the spread of the disease in those districts where this work has been carried on. In Marshall County, in the State of Kansas, and in several counties in other States of the Union, counties have been designated as places where this eradication of hog cholera will be carried on. I wish to call attention to the fact that this work is carried on in conjunction with the State and with the State agricultural colleges. The Department of Agriculture here in Washington sends a representative of this department to those counties. The agricultural college in that State sends a representative and the State Live Stock Sanitary Commission sends a representative to look after the work in those selected districts. I want to read the experience resulting from the work carried on in Marshall County in my State, and I read from a letter received from the president of the Hog Cholera Eradication Association of Marshall County. He addressed this letter to me, under date of March 28, as follows:

MARSHALL COUNTY HOG CHOLERA ERADICATION ASSOCIATION,
Marysville, Kans., March 28, 1916.

Hon. GUY T. HELVERING,
Washington, D. C.

DEAR CONGRESSMAN: I desire to give you a synopsis of the Government hog cholera demonstration work that has been conducted in Marshall County, Kans. The Government began work here in July, 1914, and organized the county so that one farmer had charge of each 4 square miles in the county.

The first duties performed were to take a survey showing the number of hogs in the county on each farm and the number that died from cholera. This survey was taken every year, and the figures are as follows:

Year.	Raised.	Lost.
1912	65,294	3,853
1913	72,036	7,230
1914	65,592	3,132
1915	101,207	561

The Government work here has been an unqualified success, especially under the management of Dr. Murphy. Their annual report shows that during the year 1915 they visited nearly 900 farms in the county and traveled over 11,000 miles in the automobile. From the census figures it will be seen that the number of hogs in the county has increased over 38,000 during 1915, as the direct result of the practical absence of hog cholera and the assurance that the farmers have of keeping hogs without the danger of loss from hog cholera. In the adjoining counties surrounding Marshall County and near the border, in order to protect the farmer in Marshall County, with the assistance of the State authorities, they organized 17 cholera control communities.

Nearly 200 hog cholera educational lectures, illustrated with stereopticon views, have been held in every schoolhouse in Marshall County and within 6 miles of the border in the surrounding counties.

Farmers in the adjoining counties are clamoring to have this Government work extended to cover their sections. Farmers in 12 other counties in the State are beseeching not only the Government but the State authorities to have the work extended.

Hogs are being raised successfully on over 200 cholera-infected farms in Marshall County which have been cleaned and disinfected under the State supervision, notwithstanding that the hogs on these farms have not received or needed serum protection. Confidence has been completely restored, and hog raising without the need of serum has been fully established.

We believe that this work is one of the best efforts that the Government has ever done to assist the farmer in his work, and I would be glad if it could be extended over the entire State.

Yours, truly.

ANDREW SHEARER, *President.*

This shows conclusively the work which has been done by these Government experts. In order that I might have at first hand information from the farmers, I addressed letters to the farmers, and I want to read extracts from one or two of those letters. The letter to which I wish to call attention is one addressed to me by Harry Smith, Home City, Kans., who had hogs treated by the Government experts.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HELVERING. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BOOHER. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. HELVERING. Yes.

Mr. BOOHER. Is it not a fact many years, one year after another, you did not have hog cholera in Marshall County or any other county in your State?

Mr. HELVERING. I will say to the gentleman that since Marshall County has become settled as it is now, and since the hog cholera became prevalent, as it did along in 1900 and 1901, we have not been able to control it satisfactorily each year.

Mr. BOOHER. Do you mean to say they have hog cholera every year in your section?

Mr. HELVERING. We have had it ever since——

Mr. BOOHER. Are there not years when they do not have hog cholera in the community?

Mr. HELVERING. Not since I have been observing the condition in our county.

Mr. BOOHER. I have never known a community being afflicted with it year after year and year after year. There would be years when there would not be any of it at all.

Mr. HELVERING. I will say, in answer to the gentleman's question, that in 1901 the cholera became very prevalent in Marshall County, and has continued in my State ever since. In 1914, when this work commenced, as I have stated, there were something like 7,000 hogs lost by the disease.

Mr. BOOHER. Did the Government furnish the serum that was used on Mr. Smith's farm? I refer to the letter read by you.

Mr. HELVERING. Yes.

Mr. BOOHER. The Government saved him, then, $500; that is, treated 50 head of hogs without any cost to him at all?

Mr. HELVERING. Yes; that is true.

Mr. BOOHER. In the counties adjoining Marshall County the farmers bought their own serum and went to all that expense?

Mr. HELVERING. What I am trying to explain to the gentleman is this, that the farmers have been imposed upon so many times and so long by spurious serum that had no effect that this work was antagonized on the part of many farmers at first, until it was clearly demonstrated by the application of the proper serum that this disease could be controlled.

Mr. BOOHER. May I ask another question?

Mr. HELVERING. Yes.

Mr. BOOHER. Would it not be better to take this $160,000 provided in this bill for this demonstration work and put it in laboratory work, and permit these Government experts to investigate the serum and the other toxin that is used, so that all the people might have the benefit of it instead of one county in all the hog-raising States of this country?

Mr. HELVERING. I want to say to the gentleman that there is $175,000 appropriated in this bill for the very work which he has mentioned, and $35,000 additional for investigation. But what we desire to do is to make this one county a sample county, showing what can be done if properly protected and properly handled, and in order to do this we want to protect this county in which the experts have been working from being encroached upon by the counties around it. And I am informed by Dr. Hess, who has charge of the field work, that the $150,000 which is appropriated for the field work is simply to take care of the counties which have the work and will not protect them from the counties around.

Mr. BOOHER. Will the use of this serum in one year protect the hogs of another year?

Mr. HELVERING. The following year?

Mr. BOOHER. Yes.

Mr. HELVERING. I do not think it is a permanent preventive.

Mr. BOOHER. One injection of this serum into the animal lasts only three months. You have got to keep this thing up always.

Mr. HELVERING. Not if it is entirely eradicated.

Mr. CULLOP. If the gentleman will permit me there, the officer in charge of this demonstration work educates the farmer so that he can keep cholera off of his farm, and the farmer now can get this toxin for the purpose of treating his hogs by paying the cost to the Government for making it.

Mr. LEVER. The Government does not make it.

Mr. CULLOP. It is made at Ames, Iowa, and other places. Or he can get it from the agricultural college of a State, and the cost of administration is all there is to it.

Mr. HELVERING. Now, Mr. Chairman, I desire to say in these counties surrounding these experiment counties it is not intended that the Government pay for this serum. The department informs me they will protect the counties around these individual counties by furnishing the doctors to explain the situation to the farmers and protect them, but the farmer must pay for his own serum.

The CHAIRMAN. The time of the gentleman from Kansas [Mr. HELVERING] has expired.

Mr. HELVERING. Mr. Chairman, I would like to ask unanimous consent to extend my remarks by printing extracts from the few letters that I have indicated, and also print in full the letter of the president of the association of Marshall County, Kans.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection? [After a pause.] The Chair hears none.

The following are extracts from letters referred to:

EXTRACTS ON THE SUBJECT OF HOG-CHOLERA ERADICATION.

J. E. Benson, Vermillion, 148 hogs: "The treatment received from the Government officers is just fine. My herd of hogs improved greatly since they were vaccinated. The place is plumb cleared of hog cholera."

Irving Nauman, Frankfort, 50 hogs: "In regard to the work done in this county, I must say that it has been very satisfactory, and I hope that it continues the same." He further states that he thinks it better to give treatment before the hogs become ill, and after the herd is immune to afterward vaccinate all pigs when they weigh about 50 or 60 pounds.

C. D. Tompkins, Vermillion, 20 hogs: "The Government doctors are doing good work. I believe they saved part of my hogs and think this work should be encouraged." In his opinion there should be a bigger bounty on crows, as he believes they scatter the cholera more than anything else.

S. W. Tilley, Irving, 106 head: "We were very much pleased with the treatment we received from the Government men with our hogs. We had an outbreak of cholera and out of 106 head we saved 100 head." He thinks that if the raisers could be insured good serum and permitted to do their own work they would be in fine shape hereafter, as the disease gets such a foothold at times before the doctors can get around.

H. A. Floyd, Vliets, 30 hogs: "I should say in my case it was very satisfactory. I lost 7 out of 30 head that were vaccinated, and all that died had the fever."

F. W. Heath, Vermillion, 14 hogs: "I think that if the vaccinating is done in time it is all right, but it ought to be as soon as the first hog shows signs of sickness. I had my hogs vaccinated and lost only one hog. I am very well satisfied with the work that was done for me."

L. W. Davis, Vermillion, 29 hogs: "I had the cholera last fall in my hogs, lost two, and then called in the Government men. They came in about 16 hours after I called them. Nearly all pigs had the fever, but we vaccinated them and I did not lose any more, so you see I ought to be well satisfied, and I am, and I believe this movement will be a great help to Marshall County."

E. F. Casebeer, Axtell, 14 hogs: "As to my opinion of vaccination, would say that when one knows that his hogs have been exposed to real, genuine cholera, and will vaccinate at the right time, with good serum, that he can save a large per cent of his hogs. But where hogs are sick and dying with diseases other than cholera I believe vaccination to be a detriment. For that reason I do not think that wholesale and promiscuous vaccination will ever be practical, and, furthermore, one is always running a chance of getting worthless serum."

M. Cutshall, Frankfort, 20 hogs: When the experts reached his place one-half of his hogs were sick. All were treated. He then says: "Some of those that were sick when they treated them got well and some of those that were apparently well died. In all, I lost nine head. Old sows did not get sick at all. I have reason to believe that if hogs were treated or vaccinated before they got sick that it is a good preventive."

Harry Smith, Home City, 50 hogs: "The Government experts treated 50 head of hogs for me in November, 1914. Ten of these had cholera; some had a high fever, some not so high. Of these 50 head I never lost a single one that they treated. I can truthfully say that the Government experts saved me $500. I have not had a sick hog on the place since the treatment. I am fully convinced that the Government has saved thousands of dollars in the last nine months in Marshall County for the farmers. Hereafter, if my hogs show any signs of cholera, they get a dose of serum, if I can possibly get it."

Andrew Kjelberg, Vermillion, 49 hogs: "As to results on this farm, would say that we have two different places where we keep hogs. One of these herds took sick about the 20th of November last. The eradication office was not notified before the 29th, when an examination was made and the hogs were found to be sick with the cholera. These hogs were then treated on the 30th of November, but, owing to the advanced stage of the disease only 7 head were treated. Out of these 7, 5 of them recovered, and 1 out of the other 32 that were not given the treatment. The other herd, having been badly exposed, were also given the treatment the same day and not one was lost out of this herd of 50, which is, I think, a very good showing in favor of the work, as the hogs showed signs of being affected with the cholera."

Willis Hull, Bigelow, 36 hogs: "I recommend that if cholera has been on the farm the preceding year, or is in the neighborhood, it is a wise plan to treat the hogs. Hogs that have been treated you can put them in the lot with a bunch of sick hogs and they will not miss a feed. I tried that experiment here at home. I do not think that it is advisable to treat a bunch of healthy hogs—that is, if the cholera is not close."

S. R. Heisey, Frankfort, 16 hogs: "I felt, just as did the majority around here, that vaccinating for cholera should be done before the disease appears in the herd. But after having my herd successfully treated by the Government experts last October I am convinced that the work of the treatment of hog cholera is carried on in the best and most practical manner, and if continued for some time longer will result in great good, not only to the farmers of Marshall County but also to the surrounding country."

J. D. Anderson, Beattie, 63 hogs: "Much of good could be accomplished if the Government doctors would treat all hogs that are directly exposed, instead of waiting until they are sick, as they are doing in this county." He then goes on to explain that he lives lower down on the creek from five farmers each of whom had had hog cholera on their places. On account of the creek receiving direct drainage from these farms, and he was below all of them, he requested the doctors to treat his herd, and they refused on the ground that they could not give treatment until cholera invaded his herd. "As a consequence, out of 77 hogs treated, I saved 43." He favors the double treatment, and further states that out of 32 head given this treatment by the Government experts he saved every one.

W. H. Snodgrass, Frankfort, 38 hogs: "As to the treatment of the eradication of hog cholera, I believe it to be all that is claimed for it. I am satisfied that hogs treated by the Government experts here in Marshall County are immune. The experts are doing great work here. At first they met with some opposition, but now they have the cooperation of this community."

Levi Denny, Frankfort, 36 hogs: "In my opinion, Marshall County has, by the help of the Government experts, made progress in the eradication of hog cholera. In this county the experts did not work on unaffected herds, as they had more calls than they could attend to from

affected herds. Their work for us was highly satisfactory, and the only thing needed is a more efficient following up for cleaning up infected premises. As to the per cent saved, I do not now remember; they saved about 75 per cent of mine. There are herds infected here that the owners will not report, and they did not give any help or encouragement to the organization. How can we clean up the county without the authority and the help to treat all infected herds in the county?"

Mrs. Maggie Cobb, Vliets, 7 hogs: "The Government experts have done good work in hog-cholera eradication. The work is a very valuable proposition and will be of great benefit in the future as in the past."

G. H. Nelson, Vermillion, 35 hogs: "I think the work of the hog-cholera eradication is a good thing if properly carried on. I had about 30 head vaccinated, and out of that herd I lost 6. These 6 all had high fever when vaccinated except 2. I think that the vaccination should be done before hogs are too far gone. The rest of my hogs lived and thrived and were sent to market."

Henry Anderson, Axtell, 67 hogs: "I had about 65 head of hogs treated. Out of them were 12 head of old hogs. Twenty-three of the whole bunch died. Two of these were old hogs. I think 6 young and 2 old had th fever at the time of treatment. These 8 hogs all died. I have lived on the farm, right here in Kansas, for 40 years, having raised hogs every year. Have had the hog cholera three times. Twenty years ago I had the disease, two years in succession, and the last time was in 1914. My idea is this: That I would rather have my hogs vaccinated when hog cholera is around and not have to wait till the disease is in the bunch. These Government men would not work on a bunch of hogs unless they were off of feed. I think when the men are in a locality where hog cholera is they ought to stay there and work, sick or not sick. This is just a little of my experience in hog business. Of course vaccination is more or less new to us in Marshall County."

F. T. Howell, Frankfort, 26 hogs: "My hogs were in good health until I thrashed, and it is a question to me whether cholera was brought to me in thrashing or the hogs ate too much wheat and that started them to dying. One got sick in about three or four days after I thrashed. After the wheat was binded there was quite a lot spilled in scooping, and they ate all they wanted. I had been keeping them on a green pasture and shorts and meal slop, and wheat might have been too strong for their stomachs. As to the vaccination of hogs, I think it is a good thing if they can be treated while they have a normal temperature, but after they are sick I think it is time and money wasted. All of my hogs that were treated that had a normal temperature were all right and did fine. All those that were sick died."

J. W. Johnson, Vliets, 27 hogs: "I lost 105 hogs in six weeks in 1913 and 12 in 1914. Had 9 of the 12 treated by the Government men while sick, but they died. Had 15 well hogs treated, and they never took sick. Now, then, the most complaint all over the county is that they will not treat the hogs before they take sick. After they are sick they might as well throw the serum in the river for all the good it will do. It kills them quicker, as I have not heard of one single hog get well after treated, but I have not heard of one hog die after treatment that was well when treated. They complain that they have not enough serum. Is there no way to enlarge the serum plant at Ames or build one in Kansas? Any place, so that they can have all they need when needed. There is no question but that they are doing some good in Marshall County, but could do ten times as much good if their hands were not tied and they had all the serum they needed. And the educational work is worth the money for those who will follow it; but there is where we all fall down, as I think sanitation is 99 per cent of prevention of any disease. But if you could see the condition of the hog lots and pens in Kansas to-day you would not blame us, as the mud is knee-deep all over Marshall County, with 6 inches of snow on top."

Mr. MOORE of Pennsylvania. Mr. Chairman——

The CHAIRMAN. Is the gentleman for or against the amendment?

Mr. MOORE of Pennsylvania. I am against the amendment.

Mr. LEVER. Pending that, Mr. Chairman, I want to inquire how much time we have consumed on this. Does the gentleman from Pennsylvania desire time?

Mr. MOORE of Pennsylvania. Five minutes.

Mr. LEVER. Does the gentleman from Iowa also desire time?

Mr. HAUGEN. Mr. Chairman, I suggest to the chairman that we let the time go on for a few minutes and see how we get along. This is a very important matter. I may want 5 minutes and I may want 15 minutes.

Mr. LEVER. The gentleman's suggestion is a very good one.

Mr. HAUGEN. I have an amendment to offer, and I would like time in which to discuss it.

Mr. RUBEY. Mr. Chairman——

The CHAIRMAN. Is the gentleman from Missouri opposed to the amendment?

Mr. RUBEY. I am.

The CHAIRMAN. Then the Chair will recognize the gentleman from Missouri first.

Mr. RUBEY. Mr. Chairman, I desire to discuss just for a moment the amendment offered by the gentleman from Kansas and call his attention to the fact, which he possibly does not know, that we have left over from the appropriation which we made in 1914 $45,000. In that year we made an appropriation of $500,000, a continuing appropriation, and there is now in the Treasury $45,000 of that amount, and that added to the appropriation which we propose here, of $360,000, will give the department $405,000 to work on during the coming year.

Mr. HELVERING. As a matter of fact, there is only $150,000 of that which is for field work.

Mr. RUBEY. One hundred and sixty thousand and $45,000, making $205,000 for field work.

Mr. HELVERING. I was informed at the department that that would give no chance to protect those counties from the surrounding counties.

Mr. RUBEY. The work will be carried on during the coming year in the discretion of the Secretary of Agriculture. I have his communication here in regard to that, but I will not take the time to read it. He says county demonstration work will be carried on during the coming year in the same way that it has been carried on for the past three years, but not necessarily in the same counties. It may be put into other counties and into other States and into other parts of the same States, so as to give communities that have not had it heretofore an opportunity to see this demonstration, so that they can be shown what can be done toward the eradication and control of hog cholera.

I believe it is unnecessary to increase the appropriation at this time. We have given what the department has asked. We have given even more than the department asked. We gave them $500,000 in 1914, and the department has left of that sum now $45,000, showing that it has been impossible for them to use that money in such a way as would justify them in the use of it. They want to use it and we want them to use it to the best advantage in order that they may accomplish the best results possible by the expenditure of the money. They are doing a splendid work, and we want to continue that work, but we do not want to give them money that they do not need and can not use to advantage.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. RUBEY. Yes; I yield.

Mr. BAILEY. I just wanted to ask what have been the results of the work thus far done? Has there been a very considerable decrease in hog cholera?

Mr. RUBEY. I will give the gentleman the figures in the 15 counties where the demonstrations have been carried on during the last three years. In 1913, with more than 1,000,000 hogs raised, 179,225 died, or 17 per cent. That was in 1913. In 1914, with 1,121,229 hogs raised, 59,862 died, or 5.3 per cent. In 1915 there were raised in those 15 counties 1,278,741 hogs, an increase over both of the preceding years, and yet that year there died only 23,565, or 1.8 per cent.

Mr. BAILEY. That is certainly a fine showing.

The CHAIRMAN. The time of the gentleman from Missouri has expired. All debate on this amendment has been exhausted.

Mr. HAUGEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa [Mr. HAUGEN] moves to strike out the last word.

Mr. HAUGEN. Mr. Chairman, here we have a striking example of the fact that when once an appropriation is made it never can be stopped. Hog cholera was noted and the serum for its cure was discovered some 15 or 20 years ago. Millions of dollars have been expended by the Federal Government and by the States in the attempt to stamp it out. So far we have no additional information; nothing is suggested except this serum that has been experimented with and demonstrated for 15 long years.

As stated by the gentleman from Missouri [Mr. RUBEY], $500,000 was appropriated in 1914. I believe $235,000 was appropriated last year. The estimates of the department this year are $185,000. But, mind you, gentlemen, that estimate was made at the time we had foot-and-mouth disease in this country, and a number of employees of this division of the department were assigned to the foot-and-mouth disease work; but suddenly the foot-and-mouth disease disappeared. And here comes a supplementary estimate bringing the total up to $360,000. Not because of any new cases of hog cholera, but, by a strange coincidence, the supplementary estimate comes at the heels of the eradication of the foot-and-mouth disease.

Are we to infer from that that these people, riding in automobiles, drawing salaries ranging from $1,000 to $2,000 a year, and drawing, in addition, from $1.50 to $5 a day for subsistence, are to be taken care of rather than the hog cholera? Why, the distinguished gentleman from South Carolina [Mr. LEVER] called attention to the average earnings of the farmer. Think of it! The farmer, with his family, with an average of 4.6 persons, gets $142 in cash every year as the earnings of a family of 4.6 persons; in addition, $260 for food and fuel and house rent. These people receive each $30.87 cash for a year's work, to provide themselves with groceries, clothing, and other necessaries to maintain life. Are they to be taxed with a portion of the $175,000 to give joy rides to certain very excellent people in the employ of the Government and at a time when, according to estimates submitted by the department, there is no need for the appropriation?

Now, gentlemen, if the purpose is to assist the farmer, why not do the practical thing? Why not deal with the farmer in this instance as you did in the case of this blackleg vaccine? Why not manufacture it and distribute it free of cost, or, if not free of cost, at the cost of manufacture?

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. HAUGEN. I yield to the gentleman, but I have not much time.

Mr. RUBEY. Is it not a fact that the gentleman from Iowa does not believe that this serum will have the effect of preventing the hog cholera?

Mr. HAUGEN. Mr. Chairman, we have been experimenting with this serum for 15 years, and probably more than that. Many people of this country believe that if it is properly applied it will in many instances——

Mr. RUBEY. I am asking for information.

Mr. HAUGEN. And I am answering the gentleman's question. If properly applied it will in many instances cure or prevent the cholera. Others believe that more hogs have been killed than have been cured. Others believe that the expense incurred, taking into consideration the stunting of the hogs and the expenses of treatment, is greater than the saving.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman from Iowa may proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HAUGEN. As I started to say, Mr. Chairman, many splendid eulogies have been showered on the farmers, and we have those beautiful declarations in the party platforms respecting the farmer, and we have spellbinders declaring from the stump their great love and admiration for those excellent people. Now, then, if we are to assist them, rather than to provide for automobiles and for these joy rides and these salaries for employees of the department, and $1.50 or $5 in addition as subsistence, and appropriate $360,000, let us do something practical. Let us do something that will be of service and benefit. Let us manufacture this serum. Let us appropriate $150,000 or $200,000 for the construction and equipment of a laboratory. When that money is once appropriated, when that plant is once constructed and equipped, the appropriation will cease, as the plant will be self-sustaining, and we shall have for once disposed of this large appropriation, one of very many.

I propose to offer when the time comes an amendment that I offered here a number of times before, that a certain amount of money be set aside for the construction and equipment of this plant, and that the serum manufactured may be sold at cost. I believe by so doing we can accomplish something. If this serum has any value whatever, it must be a potent serum. Its efficacy depends upon its potency; and we find that at the present time the only complaint from the department is as to the nature of the serum that is being sold. We are appropriating here $175,000 for the supervision of the private plants, and yet we find that the foot-and-mouth disease is being spread through the use of this serum. As I say, if the serum has any value whatever, it depends upon its potency, and in my opinion the only way you can guarantee a potent serum is by this Government manufacturing it under its own supervision, and let it then distribute it; if not free of cost as is being done in other instances, then let it distribute it at cost. That is all I have to say at this time.

Mr. MOORE of Pennsylvania. Mr. Chairman——

Mr. LEVER. Now, may I submit a request for unanimous consent that debate——

Mr. MANN. Several gentlemen want to be heard. I should like to remind the gentleman from South Carolina that we used two or more days on a cotton proposition here——

Mr. LEVER. That was on Wednesdays.

Mr. MANN. I know, but Wednesday is just as good as any other day.

Mr. SLOAN. Holier than any other day.

Mr. MANN. Now, when we have a cholera proposition——

Mr. LEVER. I will let the debate drift along for awhile.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] is recognized for five minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, the speech of the gentleman from Iowa [Mr. HAUGEN] was an inspiration. When that sort of speech is indulged in in this House, it is a happy augury for the future. The time will yet come, if it continues, when we of the city and the country will understand each other better.

But, Mr. Chairman, this question of "pork" is extremely appropriate just now. [Laughter.] Some of the gentlemen from the seat of this new pork trouble have recently inveighed against rivers and harbors, but we now hear a voice in opposition to more "pork" in the center of the country, where it seems to be used, not for the eradication of a disease, but for the employment of various agents, who, in the last analysis, "ride around in automobiles," and who after they have had probably 15 or 20 years of Federal service, will probably come to Congress petitioning for pensions on the ground that they ought not to be turned out of the service, to starve in their old age.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Michigan.

Mr. McLAUGHLIN. Does the gentleman fear that this hog cholera will attack the pork in the river and harbor bill? [Laughter.]

Mr. MOORE of Pennsylvania. Now, just listen to the laughter. Are we laughing at the State of Michigan, which, having taken $50,000,000 of pork out of the river and harbor bill, now desires to see that no other State shall be considered? That is the situation. Having obtained its pork, Michigan does not desire to see any other State obtain any pork for itself. [Laughter.] I am going to give the gentleman from Michigan a real definition of pork. It is an original definition. I gave it to the River and Harbor Congress. Pork, if the gentleman will permit me, is not that which you get for your own river or for your own particular hog cholera, but it is what the other fellow gets for his. [Laughter.] The longer you think about it the more you will find that that is about the essence of the agitation on the subject of "pork."

The gentleman who spoke a few moments ago [Mr. HAUGEN] comes from the State of Iowa, which I understand has been or is the seat of the hog-cholera trouble. Kansas, Nebraska, and some other States around about that section of the country are also involved. Their hogs are inclined to cholera, and they need serum and things, in order that the farmers may send to the great cities a pure food product which we in turn consume, without danger of infection. I glory in the fact that the gentleman from Iowa [Mr. HAUGEN] is strong enough and bold enough, in the face of an irresistible country constituency, to say that we ought to stop spending money for pork, if in the last analysis a hog-cholera appropriation means the employment of high-salaried scientists to "ride around in automobiles" to tell the farmer what he ought to do.

There is one proviso in this paragraph that I do not quite understand. As I read it, it confirms the statement made by my distinguished friend from Iowa [Mr. HAUGEN]. It is the last proviso—

And provided further, That of said sum not less than $35,000 shall be available for researches concerning the cause, modes of spread, and methods of treatment and prevention of this disease.

Leave it to the man who is already in on the "pork barrel" to devise a new method of expenditure, and you will find it in just such a proviso as that. The whole paragraph, which at one time, I think, carried $600,000 for meeting a hog-cholera emergency, and which has been reduced to $360,000, although the gentleman from Kansas [Mr. HELVERING] would like to increase it to $410,000—this paragraph provides for investigating the disease of hog cholera; it provides for the control or eradication, by such means as may be necessary, including demonstrations; that is, telling the farmer how to do it, riding up to the place of the man who works on the farm and telling him how to treat his hogs. The investigator provided for in this $35,000 proviso is all covered apparently in the paragraph. The last proviso is not necessary, but we must find a new method of spending $35,000. That keeps the thing going.

Mr. FERRIS. Mr. Chairman, I am not sure that I would pit my judgment on matters relating to agriculture against the judgment of the Committee on Agriculture, but I do feel perfectly safe in putting it up against the judgment of the gentleman from Pennsylvania [Mr. MOORE], because he and I are on a par in such matters. I want to say, however, that during the vacation last summer we were all at home a good many months, and I took occasion to visit several hog farms around in my county and in my State, and I found that this serum was of real value and real service to the farmers, and the difficulty of which they complained was that they had to pay extortionate prices for it; that they had to go to Oklahoma City—some 90 miles away—to get it, and they hoped some way might be devised so that they would not have to pay so much for it or go so far away to get it. I will say that I am not so very paternalistic in my views, and I do not believe that the Federal Government ought to run around serving the farmer on a silver platter with all the various panaceas for ills, because I believe that destroys the initiative of the farmers. I do not believe it does them much, if any, substantial good; but if some way could be devised by the Agricultural Committee so that they could prevent extortion and could get this serum to the farmers more cheaply and more economically, that is the thing that would be of benefit to the farmer.

Another complaint was made, and I give it to the committee for what it is worth, because I have not given attention to it here in the House at all. That was that the Agricultural Department was spending too much money on tick eradication and for the benefit of the big cattlemen, so called, who were more able to take care of themselves, and that not enough was being spent on the fellow who had a few pigs and a few hogs, who was usually destitute of any means to look after himself or provide himself with all such necessities.

I do not make the complaint myself, nor do I vouch for it, but I confess I was impressed somewhat at the time by the facts presented. The hog industry is a very important one. There is no longer any doubt about the real effectiveness of this serum. Therefore I am glad to see it growing. I am glad to see the Government giving it attention. I have also wondered if the chairman of the committee or the committee itself could not in some way reach the Agricultural Department and put a little more steam behind the hog-cholera proposition.

Mr. LEVER. Will the gentleman yield?

Mr. FERRIS. Certainly.

Mr. LEVER. I will say that if the gentleman will recall, this item has been in the bill only about three years, and this committee has put considerable steam into it to the extent of about $3,000,000.

Mr. FERRIS. I am not criticizing the committee; I have nothing but commendation for the committee. The men who raise hogs say that this serum is a preventive—it is a razor that will shave—and if they can get a brand of this serum at a reasonable rate, they can make money out of raising hogs. It is a matter of deep concern to the farmers. It is so important. I am so glad the committee is dealing with it. It is a matter of concern to the consumer too. Meat is so high in price that we can scarcely pay for it or afford to longer have it. I do not see how a man with a large family on a small wage can sit down in front of a piece of ham or a piece of beefsteak when they have to pay such exorbitant prices. While my good friend from Pennsylvania was delivering his somewhat paternalistic remarks about pork I thought I would rather say something in commendation for the committee in helping the farmer to produce more meat and therefore get it to the consumer more cheaply. [Applause.]

Mr. MOSS of Indiana. Mr. Chairman, and gentlemen of the committee, the question of hog cholera is one to which I have given close attention as a farmer, and I take considerable pride in the connection that I have had with the growth and development of this legislation. I think perhaps the gentleman from Nebraska [Mr. SLOAN] and myself deserve credit for bringing this question prominently before the House after the Agricultural Committee had actually refused to give it attention or to report any appropriation for a campaign of education by the Department of Agriculture.

Mr. HAUGEN. Will the gentleman state what year that was?

Mr. MOSS of Indiana. In 1912–13; the bill which carried the very first appropriation that was made for hog-cholera demonstration work by using serum as an agent of control. The gentleman from Iowa [Mr. HAUGEN] knows that this appropriation was put in the Agricultural bill by an amendment which was offered from the floor of the House after the gentleman from Nebraska [Mr. SLOAN] appeared before the Agricultural Committee asking for an appropriation for this purpose and the committee had refused the request. I was at that time chairman of the Committee on Expenditures of the Agricultural Department, and the gentleman from Nebraska [Mr. SLOAN] was a member of that committee. Following the refusal of the Agricultural Committee to act I called Dr. Melvin and Dr. Dorset before our committee, and with the assistance of the gentleman from Nebraska [Mr. SLOAN] developed this subject very fully. It was the information secured by the hearings before my committee that aroused the country to a full realization of the importance of this work and secured the appropriation by Congress, which was necessary to start the work along the present lines of demonstration.

In the beginning, Dr. Dorset, of the Department of Agriculture, discovered a method of control of hog cholera by vaccinating the hog with virus and with serum—the so-called double method of treatment. The distinguished doctor patented this process and gave the people of the United States the free use of the process. It was found on investigation that the Government, though it had conducted many expensive investigations which led to the discovery of serum and its usefulness as an agent of control, had not attempted any demonstration work to popularize the method, and hence the farmers secured no practical benefit from Dr. Dorset's great labors.

The several State experiment stations took hold of the work and did what they could to introduce it. Our State—the splendid State of Indiana, with its usual foresight and initiative—erected a station for the production of serum.

The gentleman from Iowa [Mr. HAUGEN] is now offering an amendment to this bill that the United States shall manufacture serum and sell it at cost to the people of our Nation. Mr. Chairman, Indiana is a pioneer State in this work. For many years we have maintained a splendid State station for the production of serum and have sold it to the farmers of our State at cost. But even with this splendid service on part of the State no general interest could be built up among the farmers of our State.

I regret to say that among the farmers of our country, taking them as a large productive class, a great many are not as alert and well educated along lines of economical management as are business men. Before the new method could come into general use it was necessary to have some demonstration work by the General Government. It was this phase which was overlooked by the Agriculture Committee in their failure to appropriate to start this work. I do not wish to criticize the Committee on Agriculture. Under its present chairman and with its present membership it is one of the strongest committees of the House, and one which always is liberal in its appropriations for any purpose which can be proven to be worthy. It is my confidence in this committee which shall cause me to vote against the amendment offered by the gentleman from Kansas to increase the amount carried in this item.

As a result of the investigation had by my committee, we secured an appropriation in 1913 of $75,000, available after July 1 of that year, to demonstrate the efficiency of Dr. Dorset's method to control hog cholera. This work has been under way less than three years. What have been the results? I have the official figures from Hendricks County, in my district. The work in this area did not begin until September 11, 1914, and hence has been in actual operation less than two years. I will give the official report for this period and the comparative data for the three years immediately preceding. The result is impressive and most abundantly vindicates this work.

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF ANIMAL INDUSTRY,
Danville, Ind., April 7, 1916.

Hon. RALPH W. MOSS,
Washington, D. C.

DEAR CONGRESSMAN: Your letter of the 4th instant received and contents noted.

Will say that the first duty was to take a survey and get an organization. This was done by sending cards to the 2,500 farmers in Hendricks County, and the results of this information is tabulated on the sheet herewith. It is evident from the farmers' reports that three years prior to our coming they had lost on an average of 18 per cent of all the hogs raised, and that after opening this station for active operation on September 11, 1914, and treating hogs for the balance of the year, the death rate dropped to 6 per cent of all the hogs raised in 1914, and with the whole year's work in 1915 it dropped to 3 per cent, including hogs where local veterinarians treated. You will notice a large increase in the number of hogs raised, 21,250, in 1915 over any preceding year. This is due to this fact: We asked a great number of farmers if they had more hogs this year, 1915, than they had last year, 1914, and every one answered in the affirmative. We asked them to give us their reason for raising more hogs, and they replied by saying, "We had less cholera and a small death rate where you treated in our neighborhood last fall after you came than we had had for a number of years, and we understand that you are to be here another year, 1915, so I saved an extra gilt or two for brood sows." This is the way that we account for the increase in hogs in 1915, 21,250, over any preceding year. It is always safe to judge the future by the past. They had lost an average of 18 per cent of all the hogs raised for three years prior to our coming. They no doubt would have lost 18 per cent of all the hogs raised in 1915, which would have been 19,297, but they did lose 3,216. We made a saving, then, of 16,081. Add to this the increase which was 21,250, making a total of 37,331, at $10 per head, we have $373,310 saved in sick herds. Knowing the amount of serum used, the number of hogs treated, and our fixed scale per pound whereby we administer serum, the average market value of the hogs when treated exceeded $10, and this did not include a great many valuable brood animals. We must figure that the unit base of the United States is the individual; and that the investment that the Federal Government has given to this unit basis, or the farmer, shows a saving or an earning upon every dollar invested by the Federal Government $28 in pork to the farmer. You no doubt know that we treat in nothing but herds affected with hog cholera. As above stated, there are 2,500 farmers in this county, and 247 got the entire investment from the Federal Government except the knowledge disseminated to them through our campaign of education. We have held in this county since our coming 89 educational meetings, stereopticon and chart lectures, and had present 9,020. Of all the herds treated in 1915, 70 per cent of the farmers said that they had not attended any of our educational meetings. We feel that from this campaign of education that we carried on in 1914 and 1915, that a great number of the 2,253 men kept their hogs from having cholera by following our advice. It is easy enough to estimate the good in dollars and cents in the herds where we have treated, but that is but a small per cent of the great amount of good done here. The modes of carrying cholera are well understood by the farmers in general in this county, and the results of this educational campaign will last for years.

Trusting that the above data will be satisfactory to you, and that you will be able to use same to your advantage, I remain,

Very respectfully,

G. N. WICKWIRE,
Inspector in Charge.

Hog-cholera control in Hendricks County, Ind., from Sept. 11, 1914, to Dec. 31, 1915.

	1911	1912	1913	1914	1915
Hogs raised	66,439	66,259	77,211	85,955	107,205
Hogs lost	11,436	13,532	12,908	5,190	3,216
Per cent loss	17	20	17	6	3
Infested farms	509	603	575	461	247

But these gains are in reality but a small part of the entire value of this demonstration work. We have educated the public and have popularized this method of control and brought it into general use. This has resulted in private capital and private enterprise going in the business of manufacturing and selling serum to the farmers of every section of our country. The Government is confining its demonstration, it is true, to small areas; but private initiative is carrying the same methods into all our territory, so that everybody—both producers and consumers—are benefiting alike from this demonstration work.

These figures compare closely with those submitted by Mr. HELVERING, of Kansas, and thus confirms their entire accuracy. The loss from cholera in this area fell from an average of 17 per cent of the entire number of hogs grown to 3 per cent within less than two years. At the same time the number of hogs grown increased from 85,955 in 1914 to 107,205 in 1915. The same results are true if all the areas under control by the Government be combined. The general results are that wherever these demonstrations have taken place the loss by hog cholera has fallen off on an average from 17 per cent down to 2 or 3 per cent, and at the same time the number of hogs in that same area has increased 25 or 30 per cent. Thus we have to-day perhaps 100 private plants in the United States producing hog serum. We have educated the public and the practitioners of veterinary science until there is scarcely a farmer in the United States who is not well acquainted with this method of control.

Now, for every farmer to whom the Agricultural Department gives free serum in this demonstration work there are ten thousand who pay for it out of their own pockets; and for every hog that is protected by this work of the Government of the United States there are many thousands protected by farmers at their own expense. No man can stand on the floor of the House and point to a dollar in any appropriation bill which yields so great a return to the people of the United States. All I wish to ask of the Congress of the United States is to continue this necessary work long enough to demonstrate two things: First, that pure and potent serum, proper sanitation, and skilled supervision make it possible to grow hogs profitably and to escape the ravages of hog cholera. When that result is finally determined I shall consent to striking this appropriation from this bill; but we can not do it in three years. It has been stated truly by Judge BOOHER, of Missouri, that some years hog cholera is worse than others. I had one expert tell me that it comes in cycles of seven years; that in any locality you would find hog cholera a great deal worse than it had been in other years.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MOSS of Indiana. Mr. Chairman, I would like five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOSS of Indiana. This experiment has been running three years, and it has had the effect to stimulate the private manufacture of serum until we now have approximately 100 plants. It has stimulated and encouraged the use of serum until farmers are buying liberally from private sources and are hiring veterinary surgeons to give this treatment to their herds. In every area that is protected the production of hogs has been largely increased and the loss largely decreased.

Now, as to the proposition advanced by my friend from Iowa [Mr. HAUGEN] that the Government manufacture serum, I want to call his attention to the fact that in Indiana, where we have been producing serum by our own State, we have been unable to meet the demand, and the great majority of our farmers are forced to purchase from private manufacturers. If the State can not supply the demand, I do not believe the Nation will be more successful. In the end, if this method is to be generally introduced, we must encourage private capital to enter the field and to produce this remedy.

Mr. HAUGEN. Will the gentleman yield?

Mr. MOSS of Indiana. I will.

Mr. HAUGEN. The gentleman has taken credit for this legislation, but I wish to call his attention to the fact that an item was carried in the bill for 15 years—carried in a lump-sum appropriation—and I think it carried $600,000, and every dollar available for hog cholera. Now, I wish to ask the gentleman is it not a fact that the appropriation made for the joy riders was stricken from the bill a year ago largely at the suggestion of the gentleman from Indiana?

Mr. MOSS of Indiana. I did not quite catch the gentleman's question.

Mr. HAUGEN. Is it not a fact that the appropriation made for the joy riders to lecture to empty seats was stricken out of the bill a year ago at the suggestion of the gentleman from Indiana?

Mr. MOSS of Indiana. I am glad to say that "the gentleman from Indiana," so far as he has had any influence over the appropriation of public money has never favored the expenditure of a dollar that the public did not get 100 cents in return. [Applause.] On such questions I am glad to say that I generally find myself, either in committee or in the House, standing by the side of the gentleman from Iowa.

The question of private manufacture and sale of virus and serum brings the question of control or supervision so as to guarantee not only the potency, but also the purity, of these fluids. Our unfortunate experience with virus which contained the germs of the foot-and-mouth disease brings that question up at the present time. Can farmers be assured that they will be sold serum from private plants in this country which will be pure and potent? If the gentleman from Iowa had set himself to this task, which is one worthy of his concededly great ability, I would have been glad to assist him in any possible manner. If that can be guaranteed by the Department of Agriculture, then we have no need whatsoever for any great central plant in the United States.

How did it happen that we got contaminated virus? It came like a thief in the night. There was no one who suspected the presence of the foot-and-mouth disease in the United States at that time. This disease attacks hogs. Virus is taken from a hog that is sick from cholera. It happened that certain hogs were attacked by foot-and-mouth disease and cholera at the same time. As no one had reason to suspect foot-and-mouth disease the error was easily made and virus was taken from hogs sick with cholera and which had also at the same time the foot-and-mouth disease, and in that way virus was obtained which was infected with the germs of foot-and-mouth disease. That could not have happened if the Department of Agriculture had known of the presence of the foot-and-mouth disease in the United States. I am glad to be able to say that by a very careful study lasting less than a year the Department of Agriculture has an infallible method of testing the serum and can at once tell whether it is pure or impure. If that be true, and I believe it is, then the Department of Agriculture has absolutely swept aside all real difficulty of private manufacture of virus and serum, and all we have to do is to give them the power of general regulation and supervision over the manufacture and sale of serum. We have no need to appropriate huge sums to erect Government plants, as is proposed by the gentleman from Iowa. If the committee is supported in its wise and patriotic recommendations, we will speedily settle this most difficult question, and I shall look for this appropriation to pass from the Agricultural appropriation bill within less than five years from the present date. I should say that an experiment running 8 or 10 years would be sufficient to settle the whole question and that it is not a matter which is going to hang on during the lifetime of any living man; but adopt the proposal of the gentleman from Iowa and you will enter upon a new field of governmental activity, which will constantly grow and which can never end.

Mr. Chairman, I shall close by asking permission to revise and extend my remarks in the RECORD by placing therein the figures given to me from the hog-cholera station in Hendricks County, Ind., for I would like to show that splendid progress which this work has made in my State, which only confirms what my friend from Kansas has said, and is another one of the many evidences that this money has been well spent. [Applause.]

Mr. SLOAN. Mr. Chairman, the gentleman from Pennsylvania [Mr. MOORE] now having acquired for his district all of the hog products distributed under the river and harbor appropriation bill would like to prevent any distribution elsewhere. Having grabbed the biggest ham he proposes to deny the farmers of the Middle West even a spareribb. [Laughter.] The gentleman from Pennsylvania, of course, is a remarkable man. He has just flushed or rinsed out the creek known as the Delaware that runs in front of his door with an appropriation of something over $2,700,000 from the National Treasury.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Not just now. I have too good a subject to dispose of, and I want to finish it.

Mr. MOORE of Pennsylvania. I want to furnish transportation to get the farmers' products to the markets. I am for the farmer.

Mr. SLOAN. And he now announces through his organ, the Philadelphia Inquirer, the fact that, having obtained this munificent appropriation, Philadelphia is now ready to receive a new post-office building. After this Government has invested $6,115,143.49 from time to time in a public building and site in that city they would like to have a new post-office building. They are now ready to receive one, we are told. Yet the gentleman from Pennsylvania [Mr. MOORE] rises in holy horror at the thought of the farmers having this pittance allowed to them. Note the modest statement from the Inquirer:

TIME FOR A NEW POST-OFFICE BUILDING.

The time has arrived when Philadelphia should have a new post-office building, and Postmaster Thornton urges the business men of the city to send a delegation to Washington to present the claims of the city to the proper congressional committee.

Calling attention to the history of the legislation, I fear the ranking member on the Committee on Agriculture on the minority side has not his dates on straight.

Mr. HUDDLESTON. Mr. Chairman, does the gentleman intimate that all of the hogs are not on the Iowa farms?

Mr. SLOAN. As a matter of pride, I am not prepared to admit that all of the hogs are in Iowa.

Mr. HUDDLESTON. I mean in the West.

Mr. SLOAN. Oh, we have some very promising shotes in other parts of the United States. [Laughter.] They may develop some wonderful hams and shoulders. I say this on account of the way they take the generous donations in the river and harbor appropriation bill to wash out the little streams in the lower Atlantic and Gulf States. [Laughter.]

Mr. Chairman, Dr. Dorset discovered about 10 years ago—in 1906, I think—the serum, which was then the first effective remedy or preventive this country found with which to combat the greatest constant economic loss agriculture has had in America for the last 50 years. Yet for six or seven full years, if I have the dates correctly—from 1906 to 1913—not a single dollar was specially appropriated by this Government to put in operation and press upon the attention of the people this serum, that we now know to be effective.

Mr. DOOLITTLE. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. DOOLITTLE. Will the gentleman tell us why no appropriation was made?

Mr. SLOAN. I do not know. I was not in Congress until 1911; but this I do know: Coming in as a new Member and a minority Member, and having some time on my hands and having regard for the great economic loss that was going on in the States in my section of the country, the great Northwest, I put in a great deal of time studying this particular problem. After I had studied it and gathered together all of the facts that I could from all sources, both as to loss and the history of the disease, and the question of whether this remedy would be effective, I went before the Committee on Agriculture, which at that time had a different chairman from the one who now presides over its deliberations. He was one of the most lovable characters I ever met, one of the best men we ever had in the House, but, unfortunately, he had a rigid prejudice against this proposition. When I went before that committee and asked for an appropriation for this purpose it was denied.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SLOAN. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SLOAN. When the proposition was wholly denied I asked leave to bring Dr. Melvin and Dr. Dorset before the committee to give testimony as to these investigations which had been made and the facts I had to present. I was refused that privilege. The gentleman from Indiana [Mr. MOSS], who early took a deep and active interest in this matter, was at that time chairman of the Committee on Expenditures in the Agricultural Department, and of which I was a member. We induced that committee to take up the subject and took the testimony of Dr. Melvin and Dr. Dorset. Having obtained that evidence and it having been printed and having gone to the country, we took it before the Committee on Agriculture and were again met by a rebuff from the then chairman. But I want to say as a matter of justice, looking at this enterprise, which the Government has entered upon and which is well on the way to success, that credit to a large extent should be given to the present chairman of that committee, the gentleman from South Carolina [Mr. LEVER], who at that time was the ranking majority member on that committee. He rose in his place and insisted that that committee should make an appropriation for the purpose of fighting hog cholera. [Applause.]

Further credit is due to a number of Members then on the committee and who are still members of that great standing committee and who are doing a great work in behalf of agriculture for the whole country. And, to be more explicit, pleading economy, he suggested $30,000. We thought that was not enough. My bill called for $100,000. Finally the committee announced if there would not be a fight on the floor of the House the committee would grant $45,000. It went through in that form in the House. A member of the committee, a Member from my own State, was directed to present the amendment in the House. The amendment was presented formally, it became a part of the Agricultural bill, passed, and went to the Senate. The Senate raised it to $100,000. In conference it was reduced to $75,000, and $75,000 was the first money that was ever appropriated for that specific purpose to combat the hog cholera.

Mr. RUBEY. If the gentleman will permit, I will state that the date of the approval of the bill was March 4, 1913.

Mr. SLOAN. Whatever the date may be; probably that is the date. I accept the gentleman's statement if he has looked it up. Now, the proposition was to go into the great swine-producing States and establish areas where they would have an opportunity to demonstrate the efficacy of this serum when properly administered; and further not only to demonstrate but to develop the methods of combating—because it is not alone a matter of applying the serum, but it is a matter of proper quarantine against its spread. That is one of the most difficult features. And so in four States there were stations established. In my own State they did not get under way the first year—1913—but they selected an area composed of one small county and half of a large county, and in those two counties, now, for two or three years they have established areas, and the results are beyond expectations.

True, it looks as if the Government was clearing up hog cholera over these particular areas. But if that were the only purpose it would not be fair, because every county in the United States would be entitled to the same privilege as the counties selected. But that is not the real value. The real value is this: The Government, in whom people have confidence, places a man in charge who is given control of an area, and and he works out the various problems. There are a great many, not alone the administering of the serum, but working out problems showing what the effect of the administering the serum had upon the young, whether it will injure them, and what effect, if any, will it have upon the second generation. All of those things had to be worked out, and they are being worked out very satisfactorily in our State. The next year we made a more generous appropriation, providing for demonstrations in 16 States. The figures presented by Mr. HELVERING, of Kansas, show the result. But those figures do not show the large result. The large result lies in the fact that demonstrations in a central point are being made, and, the United States leading the campaign, it drives into activity the State authorities. Every veterinarian throughout the State becomes interested because there are inquiries about it and demands for his action. He learns these methods. He keeps in close touch with the activities of these various areas. Every veterinarian in all those States is interested in doing this work most effectively.

Mr. PAGE of North Carolina. Will the gentleman yield for a question?

Mr. SLOAN. I do.

Mr. PAGE of North Carolina. The gentleman states this experiment station was inaugurated, one or more, in the State of Nebraska.

Mr. SLOAN. In one area. A demonstration area, rather than one of experiment.

Mr. PAGE of North Carolina. In one or two counties.

Mr. SLOAN. Yes.

Mr. PAGE of North Carolina. To what extent does the State of Nebraska appropriate for the help of this work of educating the people in the matter of serum and its application and the stop of the spread of the hog cholera? Has the State made any appropriation?

Mr. SLOAN. It has. I think a year ago I submitted a statement of the contributions of the various States. But I will say the State of Nebraska has appropriated and expended three or four times as much as the Government has expended in Nebraska. It has become cooperative and is very successful. For instance, Nebraska the year past reduced its loss, which has been for 10 years an average of nearly 8 per cent, to 5 per cent, which is a very large factor when we come to consider the very large annual loss.

Mr. BOOHER. Will the gentleman yield?

Mr. SLOAN. I will.

Mr. BOOHER. That reduction of the percentage of loss in the gentleman's State, was it caused from the fact the gentleman has in one of his counties this demonstration work or because the disease was not so bad in the State that year?

Mr. SLOAN. First the county or the two counties within the area almost entirely knocked out hog cholera, so far as that factor would tend to reduce it. A large part, however, was the general activity that was inspired by this working area throughout the State. We have a number of county agents, and those county agents became very active in working it out and following out and explaining to up-to-date farmers and others interested the proper methods to be pursued. I know what is in the mind of the gentleman from Missouri. I want to state this: One county adjoining Gage, which is in the area, has perhaps the largest loss this last year that it has had in a great many years because it refused to follow the suggestion and lead of the Government and State authorities working in the Gage County area.

So I am satisfied of this, that Nebraska, had it not been for this plant and these activities that were started, would have had instead of a decrease an increase to report to the country.

Mr. BOOHER. I dislike to take the gentleman's time, but I would like to ask him another question. Does not the gentleman think it would be better to use all this money in laboratory work and inspection of serum plants and serum and virus throughout the country, so that the people may have better serum and better virus? Would not that be better than this demonstration work?

Mr. SLOAN. I do not think so. You are working to save the farmer, but you are also working for the larger result of making uniform the production of pork, so that the consumer will ultimately get the benefit of it.

Mr. MANN. I would like to ask the gentleman what are these experiment stations? What is the purpose of them and what is the procedure?

Mr. SLOAN. The Bureau of Animal Industry, in the Department of Agriculture, makes, through the advice and cooperation with the governor or other authorities of the State, the selection of an area. That is usually a county, and that county is taken as a laboratory for demonstration of the means and methods of clearing the area of hog cholera. So, having worked along the lines that are approved, and being able to present results that are satisfactory, they can say, and say with authority, to the other counties and communities throughout the State: "This is the course that we followed in the application of the serum; this is the course we followed in preventing it from being carried from one place to another; this is the course we followed with reference to old hogs and young hogs and hogs under various conditions, and these are the results."

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Nebraska may have five minutes more. Is there objection?

There was no objection.

Mr. SLOAN. The results have been really marvelous.

Mr. MANN. The gentleman refers to them as experiment stations.

Mr. SLOAN. If I used the word "experiment," I did not intend it. It is "demonstration."

Mr. MANN. The gentleman used the word "experiment" a number of times.

Mr. LEVER. I think he used it in reference to the matter of serum at stations.

Mr. MANN. It is not experiment.

Mr. LEVER. It is demonstration.

Mr. SLOAN. So far as the serum is concerned that is past, but so far as the effects are concerned it is a matter of some experiment.

Mr. CULLOP. I would like to inquire of the gentleman if it is not quite as important to educate the farmer as to how to treat the disease and keep the animal from getting it as to treat the animal after he has the cholera?

Mr. SLOAN. It certainly is. I have stated the result. It is the result that the American people are after. You have your high-priced meat, beef and mutton, but the real poor man's meat is pork. It furnishes him the meat in bulk. It furnishes gravy, a substitute for butter, and it furnishes on the poor man's table more of the means of subsistence than any other class of meat or food.

Mr. HELVERING. Is it not a fact that from all over the State of Nebraska—I know it is in Kansas—come requests through these demonstrators in the country for information as to how they shall proceed in the work they are doing?

Mr. SLOAN. That is true, because I have kept in close touch with this demonstration area all the time since it was inaugurated, and I know that is the case. I know this, that, outside of the demonstration, these men who are at work are daily advising with veterinarians and the farm agents and the farmers themselves, so that the veterinarians and farmers and farm agents are becoming efficient in the matter of combating hog cholera, so that results are coming and better results will continue to come if this Congress will give the means and the opportunity to continue in the work.

Mr. HASTINGS. Will the gentleman tell us how many of these demonstration stations there are in the United States?

Mr. SLOAN. I understand that there are 16, in 16 different States.

Mr. DOOLITTLE. Will the gentleman yield?

Mr. SLOAN. I will.

Mr. DOOLITTLE. Does the gentleman think the amount provided in the bill is sufficient for the coming year?

Mr. SLOAN. If it were left to me I would increase the amount. But still it is a rather generous sum, and, all things considered, the hog raisers of this country will have to be reasonable in demands on the Government.

Mr. LEVER. May I call the gentleman's attention to this fact, that the appropriation carried in this bill is $175,000 more than was estimated for by the department and $105,000 more than is being used by the department? I think the committee has been very liberal.

Mr. GARNER. And in that connection I would like to ask, if it carries more than the department thinks can be used is it not likely to be wasted?

Mr. MOSS of Indiana. In that connection, it ought to be said that the department is not entirely friendly to continuing the experiments in areas which have been selected. I think the gentleman from Nebraska will bear me out in this statement.

Mr. MANN. I would like to ask the gentleman whether this appropriation, if it goes into this bill, is not to be used for demonstration work but is for the purpose of providing a test laboratory for serum?

Mr. SLOAN. I do not understand that this item that I have been talking about is for that purpose.

Mr. HAUGEN. Not a dollar is intended for a laboratory.

Mr. MANN. It is available for that purpose, and that is what the Secretary asks it for, and I have no doubt that is what it will be used for.

Mr. HAUGEN. Oh, no.

Mr. MANN. How can you spend $175,000 to carry out the act with reference to serums except to establish a station that the Secretary estimates will cost $150,000 a year for maintenance? How else can you spend the money?

Mr. HAUGEN. Here is what the bill says——

Mr. MANN. Oh, I understand what the bill says. That is what is intended.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SLOAN. I ask unanimous consent, Mr. Chairman, to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MOSS of Indiana. I make the same request, Mr. Chairman.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I want to find out if we can not reach an agreement as to closing up the time. Does the gentleman from Iowa want 5 or 10 minutes?

Mr. HAUGEN. I would like to discuss my own amendment, but I do not want time on this amendment. I want five minutes on my own amendment.

Mr. LEVER. I ask unanimous consent, Mr. Chairman, that all debate on the paragraph and the pending amendment be closed in 40 minutes. The gentleman from Missouri [Mr. RUBEY] says to me he may need 10 minutes. I will modify my request, Mr. Chairman, by making it 50 minutes. I hope, Mr. Chairman, that we may then proceed. I do not want to unduly rush this debate, but we want to make progress.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and the pending amendment close in 50 minutes. Is there objection?

There was no objection.

Mr. CLINE rose.

The CHAIRMAN. The gentleman from Indiana [Mr. CLINE] is recognized for five minutes.

Mr. CLINE. I do not know, Mr. Chairman, that I shall take the entire five minutes. However, in the language so often used by my distinguished friend the gentleman from Pennsylvania [Mr. MOORE] "in the last analysis," certain facts are well established. If I remember the hearings on this bill, Dr. Dorset and Dr. Melvin both testified that good serum, such as the Government puts out, would last as a good serum for a year. The testimony also discloses the fact that the vicious serum that was sold throughout the country was manufactured by private concerns.

Now, if that be true, it seems to me that the Government ought in some way to take charge of the manufacture and have supervision over the manufacture and distribution of serum. Hog products and beef products, Mr. Chairman, constitute one of the largest, if not the largest, export item of this country, amounting to $150,000,000 annually.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. CLINE. Certainly.

Mr. RUBEY. I will say for the information of the gentleman that a bill has been prepared and reported by the Committee on Agriculture providing that the Secretary of Agriculture shall have complete authority to investigate and regulate every factory of serum where the product goes into interstate commerce in the United States.

Mr. CLINE. Well, that bill ought to pass, in my opinion, Mr. Chairman, if that is done, it will, of course, take out of the market improper serum.

Another question, raised by the gentleman from Iowa [Mr. HAUGEN]——

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield at that point for a moment?

Mr. CLINE. Certainly.

Mr. ALEXANDER. I represent one of the very largest agricultural districts, I think, in the United States, where the hog and cattle industries are the leading agricultural industries, and our farmers are afraid to use the serum to-day, because they fear it will give the animals disease rather than prevent it.

Mr. CLINE. That will be overcome if the Government undertakes the manufacture of serum and puts its O. K. on the serum that is put out on the market by private manufacturers.

Now, in reference to what the gentleman from Iowa [Mr. HAUGEN] has said regarding the expense of administering this serum, I want to call attention to the fact that in my section of the country the farmers are absolutely posted on this question. Every veterinarian in that country knows how to administer that serum, and has taken short courses, for instance, in Perdue University, in my State, to become acquainted with the best methods of administering this preventive.

It is also disclosed by the hearings that the serum manufactured by the Government is not only a cure but a preventive of the disease. If that is true, it is one of the strongest arguments why the manufacture and distribution of the serum should be placed in the hands of the Government, so that if a farmer could purchase a quantity sufficient to last him a year at cost price he would be amply provided with protection against the hog cholera.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. McLAUGHLIN rose.

The CHAIRMAN. The gentleman from Michigan [Mr. McLAUGHLIN] is recognized for five minutes.

Mr. McLAUGHLIN. Mr. Chairman, I wish to say, with reference to the amendment offered by the gentleman from Kansas [Mr. HELVERING] increasing by a considerable amount this item of appropriation, that the committee gave a great deal of time to this matter, with no disposition whatever to limit the amount except as it could be properly used by the department, and we believe the amount we have recommended, $360,000, is all the department needs, and all it can use profitably.

As the gentleman from Missouri [Mr. RUBEY] said, there is about $45,000 now in the Treasury as a part of an old appropriation available for use in addition to the $360,000 appropriated here, if that amount be appropriated.

Now, as to the work that has been carried on, about 15 counties in the United States were selected, and special work was done within those counties. They have been demonstration areas. The work has been intensified there. The experts of the Bureau of Animal Industry have worked in each county in cooperation with the officials of the State, carrying on the work, and a part of that work was to give the best kind of instruction to the officials of the State, so that when the Department of Agriculture has done what it ought to do, when money from the Federal Treasury has been appropriated to a reasonable amount and the proper officials in the States have been given instruction in this way, they may be able themselves later on to go through the State and do the work for the State just as well as the work could be done in cooperation with the officials of the department.

In many of the counties of the State there are county agents, and the money for their employment is provided under the Lever law, which is a graduated law, the amount available for the work being larger as years go by until the law matures. Under those appropriations, in a very few years county agents will be employed throughout the country and there will be farm agents in almost every county. Almost every county in each State will be supplied; and it seems to me that after the officials of the Bureau of Animal Industry have gone into a State and carried on for a year this intensive work in one county, and after the officials of the State, working in cooperation with them, have had an opportunity to learn all the secrets of the business, and just how to carry it on, they ought to be able, in cooperation with and with the assistance of the county agents, to do this work without the further assistance of the officials of the Department of Agriculture.

The sum of $175,000 is recommended in this clause of the bill for additional and better inspection of factories in which serum is made, a very important and necessary work; and I believe if the work is properly carried on, the danger of the manufacture and use of impotent or impure serum will largely be removed, and when the education is extended the county agent can use the serum safely, and later the farmers themselves can use the serum safely. The amount provided by the bill is, in my judgment, large enough; the amendment ought to be defeated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOOHER. Mr. Chairman, I am as much in favor of this appropriation as any man on this floor. I think I was among the first to introduce a bill asking the Committee on Agriculture to make an appropriation of $250,000 for this work. I am not in favor of the division of the funds, as has been set out in this bill. I think it is time to stop this demonstration work and to use the money for the purpose of the most thorough inspection of every serum plant in the United States where the serum goes into interstate commerce, and where it is only to be used in the State the State ought to provide for such an examination of the serum plant and such an examination of the manufactured product that when the man who wants to use it goes and buys it he will know he is getting a pure material. That will be of far more benefit to the people at large than the taking of one county in a State and demonstrating there year after year how to use this serum.

Mr. CULLOP. Will the gentleman permit an interruption?

Mr. BOOHER. Yes.

Mr. CULLOP. Most of the States have laws requiring their veterinary service to inspect these serums and to prohibit from sale any that are not up to the standard. We have such a law in Indiana.

Mr. BOOHER. Nearly every hog-raising State has a manufacturing plant at the State agricultural college. They have it in Iowa and we have it in Missouri, and I am informed that they have it in Ohio. Now, they examine their serum, and it is supposed to be perfect; but, in addition to the examination made by the State authorities, I would have a thorough examination made by competent men representing the Government when that serum is to go into commerce for the country.

Hog cholera does not come every year. I have had more or less acquaintance with it for 46 years. Sometimes in a large community every hog in one neighborhood will die and other surrounding farms will not lose a single hog during that epidemic. During another year it attacks another community, and so it goes, but scarcely ever two years in the same community in succession. It is a good deal like smallpox. If the vaccine is good, you will not have smallpox. If your serum is good, you will not have hog cholera.

The idea is that this money ought to be spent for the express purpose of getting pure serum. There are four serum manufacturing plants in my district, and all four of them are under the jurisdiction of the national inspection service; and I want to say to you that they are inspected, and the Government had a hard time with one or two of those fellows to get them to do right, but they finally saw they had to do it or go out of business. That is what you want everywhere in the country.

There are so many farmers here who know all about this that I feel at some loss to talk about it, but I do not believe that three-fourths of the gentlemen who have spoken, with all their investigation of this subject, know how to administer this serum

or which end of the hog it is administered to. They do not know the difference between virus and serum.

Mr. OVERMYER. But you do think that when they are talking about pork, as the gentleman from Pennsylvania [Mr. MOORE] did yesterday, it is about time that the swine are getting some of the pork.

Mr. BOOHER. I am in favor of the pork that is made out of the carcass of a hog, and I am not in favor of the yellow journals of this country or the men who talk about pork in a river and harbor bill.

Now, gentlemen, the hog product of this country is not decreasing. Notwithstanding we have hog cholera nearly every fall in different sections of this country, the hog product is not decreasing. In my district is the fourth largest packing industry and live-stock industry in this country. I picked up my home paper this morning and glanced over that item, and in the city of St. Joseph, at the stockyards there, since the 1st day of January, 1916, they have slaughtered 663,278 hogs. Just a year ago in the same time they had slaughtered 537,018 hogs, showing an increase for the corresponding period in 1916 of 126,260 hogs. And what is true at St. Joseph is true of Omaha, is true of Kansas City, and is true of Chicago.

The CHAIRMAN. The gentleman's time has expired.

Mr. REAVIS. Mr. Chairman, I want to say a word with reference to this appropriation, and what I say is largely founded upon personal experience. The lack of knowledge and the ignorance that obtain throughout this country with reference to the remedy provided by this serum and virus occasions a great deal of objection to its use. For the purpose of explaining that, I want to state to the committee something of the manner of its use. Demonstrations have shown conclusively that the best time for the administration of the remedy is when the pig weighs about 60 pounds.

There are two separate elements that go into the remedy. One is called the virus, the other the serum. One of these inoculates the pig with hog cholera. The other is in the nature of a preventive, which in some measure overcomes the effects of the virus that creates the disease in the pig. The two remedies are introduced simultaneously by hypodermic injection. The result is that the animal gets a mild case of hog cholera, but by reason of the serum, which counteracts the virus, it is not fatal nor really serious. After its recovery, which takes a week or 10 days, that pig is for life immune from hog cholera.

The trouble in the first instance was that neither the veterinarians nor the farmers knew the proper proportion of the two remedies to give, and in many cases they gave more of the virus than the serum would overcome, and the hog died of cholera. In other instances they did not give a sufficient quantity of virus as against the serum to inoculate the hog with cholera, and as a result it was not immune. Because of the failure occasioned in this way hogs continued to contract hog cholera after the remedy had been administered, and the farmers set up the cry that there was nothing to the remedy.

There are many people in the world who do not believe that the world moves. There are many people who are opposed to vaccination for smallpox and for typhoid. There are many people who resent any change or any new remedies. There are a great many people who have seen practical demonstrations of what they call the inefficiency of the remedy, and it has given many farmers of the Middle West the opinion that the remedy is not efficient.

The demonstrators provided for by the appropriations go to the area and teach the farmers not only within the immediate area but farmers of the vicinity, first, the proper amount of the two remedies to use. Next they teach the farmers by results that the remedy is efficient, and when they convince these farmers that it is efficient the prejudice against it is removed.

You will find in every community some one or some farmer who says that there is nothing to the remedy; that it has been proved to be valueless and he will not use it. Your answer is that if you want your hogs to die, do not use it. But that is not the danger. The farmer who does not use it, even though his herd is small, will bring cholera into the whole neighborhood and endanger the herds of all the other farmers in that community.

The demonstrators are doing two things: First, clearing the area in which they work of the dreaded disease, and next, showing the farmers that this remedy is efficient. The chart shown the other day by the gentleman from Nebraska [Mr. STEPHENS] shows that hogs are the only meat animals in America that have increased in numbers, and one reason that the number of hogs and the quantity of pork in this country has advanced instead of decreased, as have cattle and sheep, is that there has got out into the United States a remedy for hog cholera. [Applause.]

Mr. CULLOP. Mr. Chairman, I agree with the gentleman from Nebraska, who has just taken his seat, as to the treatment and precautionary action to be taken in reference to the spread of the disease of hog cholera, and the importance of it, and that it is probably worthy of greater consideration than most of the people of the country conceive. Every year the farmers of the United States are losing, on an average, $65,000,000 worth of hogs from death by hog cholera alone. This is an enormous sum. There is probably no other legitimate business in the country which each year sustains as great a loss as the farmers do from the hog cholera without becoming bankrupt. And yet, notwithstanding this enormous loss, the farmers continue the business of hog raising.

Now, it is not only important for the manufacture of serum for the cure of the disease, if cure is possible, but it is most important to educate the farmers how to prevent the disease from being disseminated in localities where it occurs, and that can only be done by a circulation of literature treating the subject, or by men who are experts in the treatment of the disease going among the people lecturing in order to educate them how to handle the disease when it breaks out, and how to eradicate it. The result of the work so far done clearly demonstrates it can be done. But interest among farmers must be aroused so they will take advantage of the means afforded in order to cooperate with the Government in carrying on the splendid work it is doing in this regard.

One farmer in a neighborhood who is opposed to the treatment proposed, who has no confidence in the success of the treatment, may be the cause of having inoculated every herd in his neighborhood with the disease of hog cholera. Many farmers have been so outrageously imposed on by fake remedies on the markets that they are discouraged, and have but little faith in all proposed remedies.

Now, the treatment used by the Government has been successful, as the reports of the Government clearly demonstrate. I am going to take an instance in my own State—the State of Indiana. I will take the county of Hendricks, where a demonstration station has been carried on for more than a year. In 1912 in that county they raised 63,259 hogs. There died from hog cholera alone 13,532 hogs. The loss was 204 to every 1,000 raised from the disease of cholera alone. In 1913 in that county they raised 72,211 hogs, and there died from hog cholera alone 12,908, a loss per 1,000 of 178.

They commenced the demonstrating work there under Dr. Wickwire on September 3, 1914. During the year 1914 in that county they raised 85,955 hogs. The number that died from hog cholera was 4,065, or a loss per 1,000 from hog cholera alone of 42.

Here was a saving of 66⅔ per cent as the result of the demonstrational work carried on in that county by Dr. Wickwire, the gentleman who had charge of this demonstration station. In that county he saved by his work of education and treatment $200,000 to the farmers of Hendricks County. [Applause.]

Now, in view of this fact, does anyone doubt the advisability of not only continuing the work but also expanding it? Does not the result of this work clearly establish its importance and establish its value to the public?

It is not the treatment of the afflicted swine which is so essential, but the organization of the farmers to prevent against its outbreak and the eradication of it when it occurs. If interest can be aroused among farmers so they will organize to prevent the occurrence of the disease—its spread when it does occur—this can best be accomplished by the dissemination of literature, public lectures, and practical demonstration. They have in many localities become skeptical on this matter because of the fake remedies which have been placed on the markets—remedies with no merit whatever. This difficulty, however, has been practically eliminated by legislation which prevents the sale of such products; and now this difficulty, which has embarrassed this work, has been obviated—we hope it has been entirely so. All remedies placed on the market should be inspected and tested, and such only as have merit should be permitted to be sold; all others should be prohibited, and if any such are sold the parties guilty of so doing should be severely punished.

Conditions regarding the meat supply of the country are such that every reasonable effort available should be employed to conserve the supply in order to protect the country against a meat famine. The supply of meat product does not increase yearly, but the population to consume the supply does increase yearly; and hence the necessity for the encouragement of the industry is apparent. If the dangers incident to the industry are removed, or even lessened, the supply will necessarily increase and the industry grow, because of the profits necessarily accruing to those who engage in it. The importance of this matter, therefore, can not be treated otherwise than serious, as it is a question in which all are vitally interested.

Mr. DAVIS of Texas. Mr. Chairman, there is a great deal of the hog industry as well as the cattle and other industries in Texas. I have mixed around over the world and seen a good deal of distress growing out of hog cholera. I remember a number of years ago staying all night at a modest farm home in Illinois, the county where Springfield is situated. I remember the next morning the gentleman of the house and his laborers hauled out the last of 22 big, fine specimens of hogs which had died of cholera, and under the law of the State as I recollect it, they had to cremate them.

And I remember the good farm wife stating that that meant that her boy had to be called home from college, because those 22 hogs represented, as the man said, all of his surplus corn and cash, it having been fed to his hogs, and now they were in the cremation pit. I remember staying all night in another place in Illinois, about two years later, when three farmers who had pooled themselves together in a hog-feeding process, and I saw them haul off the last of 62 hogs with similar consequences. I remember staying all night in Collin County, Tex., about 17 years ago and seeing the good farmer haul to the cremation pit, or to the ditch where they were to be buried under the rules in that State, the last of thirty-odd big fine hogs. Sixty-odd million dollars of wealth goes into the death pits through hog cholera in a year, and yet our friend, the gentleman from Iowa [Mr. HAUGEN], moans and groans over the hog death and seems to be opposed to trying to cure it, because they still die. My God, we have been trying to cure the diseases of humanity for 6,000 years, and yet they still die, but we do not give up the doctors because humanity still dies.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Texas. Yes.

Mr. HAUGEN. I stated that we have a number of people who have experimented and demonstrated and that many people believe in the efficiency of the serum and that others do not. The only difference between the gentleman and myself is that the gentleman favors the joy ride, while I propose to set aside $150,000 for the construction, equipment, and maintenance of a plant, and thereby make it possible for the farmer to procure a potent serum.

Mr. DAVIS of Texas. I am not in favor of giving up a gracious good remedy simply because somebody rides in an automobile. My doctor comes to see my family in an automobile, but I am not raising any row about it. I believe the remedy ought to be applied. I believe it is one of the very best methods, and the hope of this situation is in preventing the disease rather than in curing it. I am one of those who believe that as long as there is an ignorant or uneducated boy in a community there is an element of danger in that community. I am one of those who believe that as long as there is a fellow in the community who refuses to treat his hogs, and allows them to contaminate the other hogs in a community, there is an element of danger there, and I want to make these demonstrations so complete that even the wayfarer, though he come from Iowa, will understand and realize the truth of it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HELVERING. Mr. Chairman——

Mr. MANN rose.

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. MANN. I desire to offer an amendment, but I shall be glad to defer to the gentleman from Kansas. He has already had 10 or 15 minutes, but I like to listen to him.

Mr. HELVERING. Mr. Chairman, I shall try to confine my remarks to five minutes. The gentleman from Iowa [Mr. HAUGEN] has mentioned on several occasions the joy rides taken by the experts sent out by the Department of Agriculture to these various counties. I do not know whether the fact that service given by men who go from place to place in an automobile in less time than it would take to go otherwise is joy riding or not, but I do know this, that more farmers have been served in Marshall County, Kans., because these experts are able to ride over the county in a Ford automobile and not being compelled to use a team and wagon. The fact is that I have known these men in Marshall County to be out late at night, to be out in all kinds of weather, in order to visit the farmers, and it is no joy ride, because when they get to the farm they go into the hogpen and instruct the farmer how to disinfect the pen and how to keep it sanitary, and they go in and corral the hogs and treat them with this serum. As a matter of fact, the gentleman from Missouri [Mr. BOOHER] intimated that possibly in Marshall County, where this great showing was made, it was an accident that the hog cholera did not come there last year. That is the very reason for my offering this amendment—to continue that work there to show that the work itself has been profitable and that it will bring the result it is recommended to bring.

Mr. DOOLITTLE. Mr. Chairman, will the gentleman yield?

Mr. HELVERING. Yes.

Mr. DOOLITTLE. Is it not a fact that there is a demand that the work that has been carried on in Marshall County be extended to the surrounding counties both by the demonstrators in Marshall County and the farmers and the stock raisers in the adjoining counties?

Mr. HELVERING. I will say, in answer to the gentleman's question, that from all over the State they get requests that Dr. Murphy, in charge of the eradication work in Marshall County, be sent to those various counties to lecture and inform them of the methods used in doing such good work in Marshall County, and it is the desire of the men in charge of the work in Marshall County to surround that county with counties where the work will be carried on under the direction of these doctors and where the farmers themselves will purchase the serum. We can not do that, as I understand it, with the appropriation which is now carried. The gentleman from Missouri [Mr. RUBEY] referred to the fact that $45,000 was left out the previous appropriation, and that was an appropriation of $500,000, $455,000 having been used, while, if this amendment of mine carries, the appropriation will be only $410,000, or $45,000 less than that of last year.

Mr. NORTON. Mr. Chairman, will the gentleman yield?

Mr. HELVERING. Yes.

Mr. NORTON. In the gentleman's State how is the serum manufactured; by the State or by private individuals?

Mr. HELVERING. The serum that we use in Marshall County is brought from Ames, Iowa.

Mr. NORTON. From the agricultural college?

Mr. HELVERING. Yes.

Mr. NORTON. That is manufactured under the supervision of the Government officials?

Mr. HELVERING. Yes. In further answer to the question of the gentleman from Kansas [Mr. DOOLITTLE], I want to say that if this work can be carried on another year in this county, surrounded by these counties, which have quarantine regulations, we can then fully demonstrate whether or not this work has been accidental, and whether the great production of hogs in Marshall County was a matter of accident, whether this work has really been good for the farmer and the country generally. The gentleman from Missouri [Mr. BOOHER] referred to the increased slaughter of hogs at St. Joe, Mo. Marshall County is tributary to St. Joe, and it is possible that 35,000 of these hogs, or one-third of the increase, came from that county alone, because the increase in the hog production in that county has been from 62,000 in 1912 to over 100,000 last year. [Applause.]

Mr. MANN. Mr. Chairman, what is pending now, may I ask?

The CHAIRMAN. The amendment offered by the gentleman from Kansas [Mr. HELVERING].

Mr. MANN. To increase the amount. Has debate been exhausted on that?

Mr. RUBEY. I understand there are 15 minutes time remaining.

Mr. MANN. Mr. Chairman, I would like to be recognized.

Mr. Chairman, this appropriation is an increase from $160,000 to $360,000 in reference to hog cholera. That is a considerable increase, and it may be that it can be wisely expended.

Mr. RUBEY. Will the gentleman yield?

Mr. MANN. I will.

Mr. RUBEY. Last year there was left $185,000 of the old appropriation. Of that $140,000 was used in connection with $160,000, making $300,000 used last year.

Mr. MANN. Yes. For somewhat different purposes, though practically the same thing. Of the amount this year, $175,000 is to be available for expenditures for the purpose of carrying out the act of 1913 in reference to serum. Last year there were $50,000 available for that purpose under the appropriation. There is no way they can expend $175,000 that I can conceive of under that act unless it is to be expended in the maintenance of a serum-testing station. I have no objection to that. The Secretary of Agriculture in his annual report says:

> It is probable that an adequate testing station could be provided for about $50,000. If several were found to be desirable a suitable appropriation for each would have to be made. The cost of maintaining a station capable of testing the entire output of commercial serum in the United States probably would not exceed $150,000 annually.

If this testing station is to be established, according to the statement of the Secretary in his annual report, it ought to provide $50,000 for the establishment and possibly $150,000 for the maintenance. That would be $200,000. The bill does not carry that much money for that purpose.

Mr. RUBEY. Will the gentleman yield?

Mr. MANN. I will.

Mr. RUBEY. The matter of the establishment of a factory by the Government has been abandoned.

Mr. MANN. Oh, I am not talking about a factory.

Mr. RUBEY. For Government serum.

Mr. MANN. I am not talking about a factory where they manufacture serum.

Mr. RUBEY. But the Government testing-station idea has been abandoned.

Mr. MANN. There is no method, in my judgment, by which you can expend $175,000 to carry out the act of 1913 concerning the regulation of serum except by the maintenance of a testing station. How can you do it?

Mr. RUBEY. I will in my own time explain that.

Mr. MANN. The gentleman means to be courteous to me; I am asking.

Mr. RUBEY. Certainly.

Mr. MANN. I have waited a long time to get an explanation of it, and nobody has given an explanation. Now I am asking the gentleman to tell me.

Mr. RUBEY. I did not desire to be discourteous.

Mr. MANN. I know that.

Mr. RUBEY. The idea of the department is this: There are now in the United States 87 factories that are licensed to manufacture this serum. It is proposed to put men at each one of these factories and to have the serum manufactured under Government supervision. The men placed at these factories will see to it that the hogs to be used in testing the serum are healthy and that they are kept under the absolute control of the Government inspectors while the test is going on. The expenditures that are to be made in this work are set out by the Secretary of Agriculture in detail in a communication to the chairman of our committee.

Mr. MANN. Then instead of having one of these testing stations you are practically going to have a testing station at each manufacturing establishment?

Mr. RUBEY. At each manufacturing establishment there will be a representative of the Government to supervise the testing of the serum.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I ask that the gentleman be given further time. He is asking for information and he is entitled to the information sought.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the time of the gentleman from Illinois may be extended five minutes. Is there objection?

Mr. MANN. How much time is left?

Mr. RUBEY. There are 10 minutes. The gentleman can have 5 minutes.

Mr. MANN. I will take time later if necessary.

Mr. RUBEY. Does the gentleman from Iowa desire time?

Mr. HAUGEN. No. I was just asking if the gentleman from Missouri had finished his explanation.

Mr. RUBEY. Yes.

Mr. HAUGEN. Then if I may be permitted, I do not wish to take up the time of the gentleman from Illinois except to say that the plan indicated in the Secretary's report has been abandoned. It was found expensive; that it would require the purchase, I believe, of some 16,000 hogs to carry out the plan suggested in the Secretary's report. The first estimate made for this year was $185,000, as before stated; later a supplemental estimate was submitted; it calls for an appropriation of $360,000, and the bill states for what purposes.

Mr. MANN. All right, Mr. Chairman; I am sorry they did not provide for the test stations where the examination of the serum would be made by careful scientists instead of by the mere inspectors at the different manufacturing establishments. I am quite willing, so far as I am concerned, they shall make the effort in the way contemplated by the bill, though I do not believe it will be effective. There is a large amount of this serum now that is worthless, although we now try—and I think the department does its best—to regulate and examine the serum that is sent out.

Mr. LEVER. Will the gentleman yield for a question?

Mr. MANN. I will; but I want to get on another subject. I yield, however.

Mr. LEVER. I was just about to say, in connection with the testing plant to which the gentleman referred a moment ago, that the Committee on Agriculture has reported a bill which will enable the department to have testing stations at all of these serum-manufacturing plants, and to see that no serum or virus is shipped into interstate commerce at all except such as has undergone the test of the department.

Mr. MANN. That is what is contemplated by this appropriation, but it will not work out.

Mr. LEVER. The bill goes a good deal further than this.

Mr. MANN. Oh, yes. I have examined the bill, but I doubt whether that will be praticable or economical.

Mr. DOOLITTLE. Will the gentleman explain why it will not work out?

Mr. MANN. I do not think you can maintain a testing station successfully at each of the establishments under the corps that you can provide there and be sure of your serum, whereas you can take samples of serum provided by the Government inspector at each of the establishments and properly test it at a test station, so that you would know whether you had a good serum or not. I will not say that all of them do, but most of them probably honestly attempt to test their serum themselves. They are not always successful about it.

Mr. DOOLITTLE. If the gentleman will yield further, it is contemplated, as I understand it, in the bill which the chairman of the committee has said has been reported to the House, to establish one of these stations at each of these plants.

Mr. MANN. Oh, but the gentleman would readily see that you would not be able to establish a hundred test stations throughout the country at different places and get proper attention. The expense would be too exorbitant.

Mr. DOOLITTLE. They could certainly examine——

Mr. MANN. You could call it a test station.

Mr. HAUGEN. The Government maintains inspection at more than 900 packing houses. They have inspectors in all of these places, and why could they not have inspection at these 86 manufactories of serum?

Mr. MANN. But the testing of hog-cholera serum or other serums of that kind is a very different thing from the examination of meat to see whether it is contaminated or diseased or the examination of animals on the hoof.

Now, Mr. Chairman, I do not know just what is intended to be accomplished by what is called the "demonstration" work for which this appropriation is largely provided. I suppose the purpose is partly to excite the curiosity of the hog raiser and then to show to him what he can do by the use of the serum. It never will be very effective.

Mr. CULLOP. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I will take time later on the bill.

Mr. RUBEY. Mr. Chairman, how much time is there remaining on this?

The CHAIRMAN. Five minutes.

Mr. RUBEY. Does the gentleman from Iowa [Mr. HAUGEN] desire some time?

Mr. HAUGEN. If you have the time to spare.

Mr. RUBEY. There are only five minutes remaining.

Mr. HAUGEN. I will take my share, but I am not particular about it. If you have others, very well.

[Mr. RUBEY addressed the committee. See Appendix.]

The CHAIRMAN. The time of the gentleman from Missouri has expired. All time on the amendment has expired. The question is on the amendment offered by the gentleman from Kansas [Mr. HELVERING].

The question was taken, and the amendment was rejected.

Mr. HAUGEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa [Mr. HAUGEN].

The Clerk read as follows:

Page 15, line 10, strike out the words "That of said sum not," and all of lines 11, 12, and 13, and insert in lieu thereof the following: "$150,000 of the sum appropriated shall be set aside and used for the purchase and production of antihog-cholera serum, to be sold and distributed at its approximate cost."

Mr. LEVER. Mr. Chairman, I reserve a point of order on that.

Mr. HAUGEN. Will the gentleman withhold it for a moment?

Mr. LEVER. Yes.

Mr. HAUGEN. Mr. Chairman, the object of this amendment is to give the department $175,000, the amount asked for by the department, for the inspection of these 86 plants, or whatever the number may be, $35,000 for research work, and that $150,000 of the $360,000 shall be set aside for the production and distribution of the serum at its cost.

The question of the efficiency of the serum has been raised. Now, I have no quarrel with the department. I have not raised the question. The only difference between the gentleman from Indiana [Mr. Moss] and myself is that the gentleman from Indiana insists that the $150,000 shall be used for demonstration work, the employment of veterinarians, traveling over this country lecturing and demonstrating the efficiency of this particular article. I contend, as he does, that the most important element of all is the potency of the serum.

Mr. MOSS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. I am perfectly willing to trust the department, and I hope that the gentleman from Indiana will concede that it is safe to leave it to the department to manufacture and distribute its own product.

Mr. MOSS of Indiana. Mr. Chairman, will the gentleman yield there?

Mr. HAUGEN. Yes.

Mr. MOSS of Indiana. The gentleman would not contend that it is any more important that the department shall furnish pure serum for the farmers than that the farmers shall be able to get the same quality of serum from any source that is possible?

Mr. HAUGEN. Oh, I provide for the inspection exactly as is suggested by the department.

Now, the gentleman must deal with the facts. We have the inspection service. We have the 86 manufacturers distributing it. We know that the serum produced by them has been distributing the foot-and-mouth disease. The gentleman will give the department credit for integrity and he will give the department credit for doing its best in its efforts to protect the people. Yet we have this contaminated serum being distributed throughout the country. My purpose is to lodge the responsibility with the department. If the serum manufactured has any claim or any virtue whatever, let the department be given an opportunity to manufacture it and demonstrate its efficiency.

Mr. MOSS of Indiana. Mr. Chairman, will the gentleman yield there again?

Mr. HAUGEN. Yes.

Mr. MOSS of Indiana. I think it very important to limit those words that the gentleman is just using. Is it not a fact that the department claims that with the so-called test serum it will be an impossibility for contaminated serum to be distributed and to spread the foot-and-mouth disease?

Mr. HAUGEN. I dislike to take issue with the department, but——

Mr. MOSS of Indiana. Is not that what the department claims?

Mr. HAUGEN. Oh, they make many claims. We know these excellent gentlemen. I have no quarrel with them. They are most excellent gentlemen, but they allow their enthusiasm to carry them away from the facts. The gentleman from Indiana has referred to the marvelous results attained.

Mr. MOSS of Indiana. Mr. Chairman, will the gentleman permit one other question?

Mr. HAUGEN. Yes.

Mr. MOSS of Indiana. If the gentleman does not care to answer the question, all right.

Mr. HAUGEN. I will answer if I can.

Mr. MOSS of Indiana. Does not the gentleman think it would be impossible to distribute serum that has the germs of foot-and-mouth disease in it if there is no foot-and-mouth disease in the United States?

Mr. HAUGEN. Oh, we have no assurance that it will not again appear.

Mr. MOSS of Indiana. Have we not the assurance of the department that it has been exterminated throughout the United States?

Mr. HAUGEN. Yes; but no assurance that it may not again appear. The gentleman has referred to the marvelous results to date, and the gentleman from Nebraska [Mr. SLOAN] has also done so. I am perfectly willing to give the gentlemen credit for having accomplished everything that is good in the Agricultural bill; I am perfectly willing that the gentlemen shall have the credit of it; both are among the most industrious, intelligent, and useful Members of this House, but the gentleman from Nebraska allows himself to depart from the facts. He referred to the ranking member of the committee on the minority side as opposing it. If he referred to the gentleman from Iowa, he stated what is not the fact. The gentleman was kind enough to give the conferees credit for bringing in a report appropriating $75,000 when the amount called for in his bill had been decreased to $45,000 in the committee, at the suggestion of the chairman of the committee. I had the honor to serve as a conferee. It is possible I might take a little credit for the $75,000, but I am perfectly willing that the gentleman shall have the credit.

But we appropriated $75,000, and what happened? A lot of ambitious politicians throughout the country grasped at the opportunity. Bills came in for $1,000,000; others for greater amounts. They worked overtime. Appropriations were made, money was spent, and yet we have the condemned serums.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN. Would the gentleman like more time?

Mr. HAUGEN. Yes; I have not got started yet.

Mr. McLAUGHLIN. I ask unanimous consent that the gentleman from Iowa have five minutes more.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the gentleman from Iowa have five minutes additional. Is there objection?

There was no objection.

Mr. HAUGEN. The gentleman from Nebraska [Mr. SLOAN] has referred to the marvelous results. Evidently the gentleman is satisfied to decide all these questions on ex parte evidence. It has not been my custom to do that. As I say, I have no quarrel with the department, but now that the matter has been brought up, for the gentleman's information I will read a letter from a gentleman whom he knows, whose statement he will not question. I will read this so that it may go into the RECORD, that the country and the Congress may know exactly what information we are supplied with. Here is the letter:

APRIL 29, 1914.

Hon. G. N. HAUGEN, *Washington, D. C.*

DEAR CONGRESSMAN HAUGEN: I noticed in the hearings before the Agriculture Committee on hog-cholera work that there was some discrepancy in the figures furnished concerning the losses of hogs in Dallas County, Iowa. I believe the Government people were using figures showing that there was a loss of 9,180 head and that you used figures sent out—the bankers' estimate—showing that there was a loss of 15,967 head. As you are perhaps aware, every assessor in Iowa this year was asked to gather data in every township concerning the hog-cholera losses. I have just received the figures from Dallas County as compiled by the county auditor, and they show that the farmers in Dallas County during the year 1913 lost 16,124 hogs from cholera.

Gentlemen, here is the discrepancy—9,180 loss claimed by the department, while the actual loss was 16,124 hogs from cholera.

Mr. SLOAN. In 1913?

Mr. HAUGEN. Yes; in 1913. The letter is dated April 29, 1914. That was the time when the experiment was carried on in Dallas County, Iowa. It has been carried on since, I trust with better results than in that year.

Mr. SLOAN. Will the gentleman yield for a moment?

Mr. HAUGEN. Certainly.

Mr. SLOAN. The gentleman calls attention to 1913. Does not the gentleman know that not a dollar of that appropriation became available until the 1st of July, 1913?

Mr. HAUGEN. Yes; and that hog cholera generally makes its appearance in August and September. If the gentleman will read the appropriation bills, if he will take the time to inform himself, he will know that these appropriations have been made year after year. We have carried lump-sum appropriations, of which every dollar was available for this very work. The demonstrations have been going on in Iowa as they have in Nebraska and all over this country, usually in 17 counties, 2 of them in the State of Oklahoma, I know not how many in Indiana, I know not how many in Nebraska. I know there is one in a district in Iowa that annually goes Democratic.

Mr. MOSS of Indiana. The gentleman is well informed. He seems to leave the impression on the House that this hog-cholera demonstration has been carried on for a great many years by appropriations. Now, will he state definitely and affirmatively whether there was any money spent in this demonstration work that we are speaking of prior to the 1st day of July, 1913?

Mr. HAUGEN. I know that the appropriations have been made and I have confidence in the department to believe that it has and will expend the money along the lines which it believes itself will bring the best results.

Mr. MOSS of Indiana. Before the gentleman prints his remarks will he verify the figures, and state in the RECORD exactly how much was spent in the years he has been going over, so as to give us the correct figures?

Mr. HAUGEN. Oh, Mr. Chairman, if the department has overlooked the importance of this line of work, I am not responsible for the department. We appropriate, and in this bill or other bills much is left to the discretion of the department. We will appropriate this year nearly $30,000,000; much of it will be left to the discretion of the department as to how the money appropriated shall be expended, and properly so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I would like another minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAUGEN. The gentleman has referred to the general interest. I recall in one of my counties meetings were held in the schoolhouses for the purpose of discussing the use of this serum, and finally a meeting was called at the county seat. Farmers were invited to attend; according to press reports none appeared. The merchants' association of another county sent letters to farmers in the county inviting them to attend the meeting; the press reports stated that not a single one came.

It is proposed now to appropriate $360,000, as I have said; much of it to give joy rides, to give lectures from the platform. Very well. These are most excellent gentlemen. I would like to accommodate them; but in view of the statement

made by the chairman, as to the average earnings of the farmers, I confess that I can not quite see my way clear to add to the burdens of these people, with each member of their families now receiving on an average of only $30.87. It does not seem fair now to call on them to pay their share of the $150,000 for demonstration. I believe the money can be used to better advantage by providing the farmer with a potent serum.

Mr. Chairman, the issue raised here is, Shall $360,000 be appropriated, shall $150,000 of it be made available for a laboratory in the Department of Agriculture, making it possible to distribute a potent serum, or shall we do as we have been doing in the past—buy and give away serum to a few at the expense of others?

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN rose.

Mr. LEVER. Does the gentleman from Michigan desire some time?

Mr. McLAUGHLIN. Yes.

Mr. LEVER. Does the gentleman from Illinois [Mr. MANN] desire some time on this amendment?

Mr. MANN. I desire some time; yes. I do not know how much. Most of the gentlemen who have spoken have had 10 minutes each, and they never got to the subject I want to talk about.

Mr. SLOAN. I desire some time.

Mr. LEVER. I wonder if we can not agree on a time for closing debate on this?

Mr. MANN. I hope the gentleman will not ask for that just now. This is a live subject with us.

Mr. LEVER. I know it is, but there are lots of live subjects in this bill. The one following this is a very live subject.

Mr. MANN. I will again remind the gentleman that hogs are just as important to the Northwest as cotton is to the South.

Mr. LEVER. That is very true, and hogs are important to the South also.

Mr. MANN. I noticed that in the river and harbor bill.

Mr. LEVER. We have got hog cholera in South Carolina. Let us see if we can not agree on 25 minutes. I think the gentleman from Illinois can get all the time he wants.

Mr. MANN. I assure the gentleman that I will get all the time I want, because I do not take very much time on the agricultural bill. We want some time on this item, and if the gentleman will not give it to me, I will get it in some other way.

Mr. LEVER. There are only two requests on that side. The gentleman can have 15 minutes out of the 25. That will give him plenty of time.

Mr. MANN. Perhaps I may not want that much time. My observation is that if one attempts to say anything about one of these subjects on the floor, then the committee take up most of the time.

Mr. LEVER. That is usually true.

Mr. MANN. I am not complaining about that, but I can see no reason for limiting the time.

Mr. LEVER. We have got to close the debate sometime.

Mr. MANN. Mr. Chairman, I am not in favor of the amendment offered by the gentleman from Iowa [Mr. HAUGEN]. I do not believe the Government ought at this time to commence to give away free hog-cholera serum.

Mr. HAUGEN. There is no such proposition.

Mr. MANN. Or even to manufacture and sell it at cost, which amounts to the same thing as far as the theory of it is concerned. We make quite an appropriation now for hog-cholera demonstration. The gentleman from Indiana [Mr. MOSS] and the gentleman from Nebraska [Mr. SLOAN] take to themselves great credit for this, and I think they are entitled to it. I have no doubt each of them has a hog-cholera demonstrator at work in his district, but the most of the Members of the House do not have hog-cholera demonstrators at work in their districts, and you can not provide money enough to put a hog-cholera demonstrator in every place in the United States.

Mr. MOSS of Indiana. We try to make it apparent that we get beneficial results from it just the same.

Mr. MANN. Oh, everybody who reads can form his opinion as to whether the use of hog-cholera serum is effective or not. That has passed the point of demonstration. Those who do not believe it will not believe it. That is the case with hog-cholera serum. If you are willing to believe it there is information enough now. But these demonstrators go into a small area, and there prove to a very limited number that it is effective. Now, if the farmers were willing they could get that information themselves.

The demonstrator is necessarily limited to a small area, and a small number of farmers, because large numbers could not see the demonstration. The Secretary of Agriculture makes a fair statement of the proposition in his annual report, and I suppose he will stick to that. I do not know, because it is impossible for me under this administration to tell how long the President or any of his executive officers will stick to any proposition which they name in their message or reports. But the Secretary of Agriculture, in his annual report, says:

> Experiments for the purpose of determining the best method to control or eradicate hog cholera demonstrate that by employing certain systems involving the use of hog-cholera serum, losses can be reduced to a minimum and the swine industry greatly benefited. The work also shows, however, that success over a large territory would require the employment of an immense force of men and the expenditure of enormous sums. It seems that, at the present time, a country-wide campaign for the eradication of the disease would be ill advised.

I do not suppose the Secretary has retracted that statement, but whether he has or not the statement is true. It is only a few who are getting the benefit of this expenditure. The gentleman from Indiana has somebody in his district doing the work at Government expense; the gentleman from Nebraska has somebody in his district doing the work at Government expense. I am glad of it; they are doing good work; but the most of the counties in the United States do not have anybody in their community doing this demonstration work. It is not experimental work, it is not to learn anything that is being done. It is to teach the farmers by demonstration that which they could learn by reading if they would believe it.

[The time of Mr. MANN having expired his time was extended five minutes.]

Mr. MANN. How far we ought to go with that I do not undertake to say. I am not opposed to the appropriation; on the contrary, I voted for the amendment to increase the appropriation because the appropriation is an experiment, if the demonstration work is not.

This is the fact, you could have the most dreadful disease known to the human kind and tell everybody here that if you will take a certain serum once in three months you will never have that disease. That may be true about cholera, and probably is, but who is taking the serum? Nobody. Why? Nobody is expecting the cholera. Hog cholera does not come continuously, it is sporadic. A man raising hogs goes along and in the course of time he loses his hogs by hog cholera. He quits raising hogs for a while, and then he gets back to raising hogs again and for a while he is very successful until the hog cholera again comes along. He is not looking for it, if he thought it would come he would give the serum in advance and ward it off. But he waits until it has done most of the damage before he applies the serum, and then it is too late to do much good.

That will always probably be the case. Meanwhile we have learned that if we will only follow our learning it can be avoided.

It may be that we will do some good, and now the farmers have found that even if they apply the serum it is not good. Much of it was not good until we passed a law for governmental inspection. Much of it is not good now although it is inspected by the Government. The Secretary of Agriculture proposed that we have an inspection plant where all the serum could be scientifically tested under proper conditions by the Government. I had supposed when I read the bill that it was intended by the appropriation to cover that because the money is nearly enough to do it. But the committee say that is not the purpose, that we have provided $175,000 with a view to having a test made at each manufacturing plant right there where it is made. Now, it may be that the Secretary of Agriculture has changed his mind on this. I do not know, but here is his annual report in which he said:

> Tests, however, are a necessary and most important part of any system of control. They are now made by the commercial establishments themselves on animals procured by them and at all times under their care. It is impracticable for the Government to make them within privately owned and operated plants. Furthermore, so long as the plants conduct the tests, it is manifest that the Government can not select and know the complete history of the animals. In the preparation of the serum, the inspectors can see that the steps necessary to produce a good article are carried out. In this particular the inspection is adequate and effective. It appears, therefore, that the weak point at present is the inspection of the tests, and the department believes that these should be under Government control.

And he recommends the establishment of a governmental inspection plant. He says that it is impracticable for the Government to make these tests within privately owned and operated plants. I do not know. That is the weak point in the system. You can not expect that the farmers, although they have brought home to them the knowledge that the serum may prevent hog cholera, will constantly apply it unless they know that the serum will not communicate some other disease.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SLOAN. Mr. Chairman, the gentleman from Iowa [Mr. HAUGEN], the ranking member of the committee, my really good and genial friend, demonstrates the great truth in his life and

living that, however sound one may be on practically every proposition, there is usually a flaw. There is usually a "fly in the ointment" somewhere. The only evidence of unsoundness I have ever discovered in him in the five years I have known the gentleman is on the hog-cholera question.

I want to say in answer to his charge that I was claiming credit for hog-cholera campaigns was that I have not made any such claim. I merely stated the facts necessary to meet the statements made by the gentleman from Iowa. He stated in substance that for about 15 years appropriations had been made and money expended by this Government for the purpose of exterminating hog cholera, based upon the serum process. In order to state the facts, it was necessary to give the full history of the appropriations made by this Congress. I stated then that it was in the earlier part of 1913 that the first dollar was appropriated by this Congress for the specific use of a serum in the eradication of hog cholera. I call the gentleman's attention to the fact that if he desires to go to the archives of his committee he will find a letter from the former distinguished Secretary of Agriculture, Mr. Wilson, from his own State insisting on action being taken in this matter just a short time before the appropriation was ingrafted on the Agricultural bill.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. HAUGEN. The gentleman now adds the word "specific." I call his attention to the fact that money has been appropriated in lump sums and that that money was available for the hog-cholera proposition. How was this serum discovered, how could it have been discovered, if it were not appropriated for?

Mr. SLOAN. I was talking about the demonstration, not the discovery of the serum, and I made myself clear on the floor as to the specific appropriation and the general appropriation. I want to call the gentleman's attention to this fact, that the letter he read showed a large loss from cholera in 1913. Not a dollar of that appropriation as made in 1913 was available until July 1, 1913.

Mr. HAUGEN. The experiment was going on.

Mr. SLOAN. No experiment until after July, 1913. In fact, they did not begin the demonstration until sometime after July 1, 1913. As a matter of fact, it took at least 60 days after July 1 before a start could be made. As my colleague, Mr. REAVIS of Nebraska, suggests it could not get well under way because the serum was not available. I have just conferred with the Member from Iowa [Mr. DOWELL] in whose district the county of Dallas is, and where these demonstrations have been going on in 1913, 1914, and 1915. His statement is that hog cholera has been practically eradicated from Dallas County, Iowa, as it has been from the district in Nebraska within the area. The large value of these demonstrations is not in the fact of favoring a community as suggested by the gentleman from Illinois [Mr. MANN], or favoring a particular Congressman who may have a county that has been selected as an area. I said in my other talk to this committee on this subject that if that were the only reason I would not stand here and ask the appropriation of a dollar, because it would not be fair. The value comes in the demonstration that is accomplished, and, further, that which will come, first, from the continuation of a demonstration to show the best methods of eradicating; and, second, from these centers there will radiate throughout the State and from the various areas throughout the country the means, knowledge, and information that will contribute to the eradication of hog cholera from the country at large.

Mr. ANDERSON. Mr. Chairman, the amendment the gentleman from Iowa [Mr. HAUGEN] proposes is the expenditure of $150,000 for the erection of a plant for the manufacture of hog-cholera serum. If the Government proposes to manufacture hog-cholera serum, the amount proposed by the gentleman from Iowa is wholly inadequate. The testimony before the committee is to the effect that the erection of a plant large enough to produce the hog-cholera serum used in this country would cost anywhere from three to five million dollars. The amount proposed by the gentleman from Iowa would be a mere drop in the bucket, and instead of encouraging the use of hog-cholera serum it would discourage it, for every man who wanted to use the serum would naturally wait until he could get the serum from the Government, which he could purchase at cost, and which there would be probably ground to believe would be potent and uncontaminated.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. HAUGEN. Dr. Melvin, Chief of the Bureau of Animal Industry, suggested $100,000, and my amendment provides for $150,000. It is up to Dr. Melvin and the gentleman from Minnesota to settle the matter between themselves.

Mr. ANDERSON. The gentleman from Iowa himself elicited from Dr. Melvin, who has charge of this work in the bureau, the very information which I have given the committee. I read from the hearings:

Mr. HAUGEN. Do I understand you to contend that it would take $3,000,000 to construct a suitable plant?

Dr. MELVIN. No; I only gave my figures as a rough estimate.

Mr. HAUGEN. Would you estimate it at $2,000,000, $3,000,000, or $5,000,000?

Dr. MELVIN. I think it would be nearer $3,000,000; but possibly it would go to $4,000,000.

I think from the testimony before the committee as to the amount of hog-cholera serum used and the amount that probably will be used in the future the estimate of Dr. Melvin was too low rather than too high.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. HAUGEN. I think the gentleman means to be fair, but the gentleman knows that when Dr. Melvin appeared before the committee he was opposed to this proposition. If the gentleman will look over the hearings to which I refer, he will find that Dr. Melvin recommended the appropriation of $100,000 for a laboratory in the department and that later it was turned down by the department. The gentleman knows, and I am not surprised he has acquiesced to the wishes of his superior.

Mr. ANDERSON. I understood Dr. Melvin did recommend and the Secretary recommended the expenditure of something like $100,000 for the establishment of a testing station, but so far as I know there never has been before the committee any testimony to the effect that $100,000 or any such sum would serve to erect a plant for the manufacture of serum in any such quantities as would be required. Now, it is not fair for the Government to produce only a very small part of the serum used in the country, because the proposition then becomes a special privilege, which you can not grant to all. If the Government is going into this business, the only fair way to do is to erect a plant which is capable of taking care of the entire consumption of hog-cholera serum, and the amendment of the gentleman from Iowa absolutely fails in that respect. Now, there are several theories about handling the hog-cholera proposition. One is the method proposed by the gentleman from Iowa, for the manufacture by the Government of hog-cholera serum. The other plan, which is incorporated in the bill and which has been reported by the committee, is a proposition to give the Government complete supervision over the manufacture of hog-cholera serum, and also the testing of the serum, and to give the Government such control of the animals and materials used in the testing of the serum as will insure its potency when it is put on the market. In my judgment, that is the most economical plan that can be adopted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN. Mr. Chairman, matters of this kind and this particular matter has been considered by the committee, and the expenditure of money for the erection of a factory by the Government and its operation by the Government is not thought by the committee to be wise. As I remember, the estimate of $100,000 was for the erection and operation of a laboratory or testing plant, not for a factory in which all the serum needed for use in the country might be made. If a factory for that purpose were erected it would cost millions of dollars and would cost millions also for operation.

It is true there has been trouble about the inspection of privately owned factories. A special committee of the Committee on Agriculture has been working on a bill. The gentleman from Missouri [Mr. RUBEY], a member of the Committee on Agriculture, was chairman of the subcommittee, and under his very able direction a bill has been prepared, and I am not sure but it has been reported in the House and is now on the calendar, providing, among other things, for more authority to the officials of the Bureau of Agriculture, the Bureau of Animal Industry, in the work of investigating private factories; and it is to be hoped that if the bill becomes a law the officials will have authority enough to do this work as it ought to be done, and that we can look for pure, potent serum from private factories. Now, it would be an immense undertaking for the Federal Government to enter upon the work of making all the serum. Twenty-one States of the Union are now operating their own factories and turning out considerable serum, and there are, as I remember the figures, 86 private concerns, large and small, throughout the country.

Just a word as to the expense of operating these factories and as to what the gentleman from Illinois [Mr. MANN] said as he read from the report of the Secretary of Agriculture about the difficulty of inspecting the privately owned factories. There is difficulty, because in making the inspection of serum it is necessary to have at least nine hogs on which to make an inspection of each and every batch of serum turned out by a factory. There is difficulty under the present way of doing business for the Government to be sure that these hogs upon

which the serum is tested have not been previously treated or doctored in some way by persons interested in the factory where the tests are being made. It is hoped that the bill which the subcommittee of which the gentleman from Missouri [Mr. RUBEY] is chairman is to report will provide for such inspection and give such authority to the officials of the department making the inspection that those difficulties will be removed, and that the inspection can be made in such a way that the officials will be satisfied that they have not been interfered with, and that the hogs provided for their use by the factories have not been doctored.

Now, just a word as to the expense of the Government erecting and carrying on a laboratory for testing serum. Besides the money necessary to erect and equip a building, one can readily see that unless all private factories go out of business thy will continue as at present, and each one from time to time must send its product to the Federal laboratory for inspection.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN. May I proceed for five minutes, or such part of it as may be necessary to complete the statement I wish to make?

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN. And for the inspection of each batch from each factory it will be necessary for the Federal Government at its laboratory to supply itself with nine hogs. It is difficult to make a calculation or to estimate the expense, but a suggestion as to the kind and amount of work to be done gives you some idea of the immense expense to the Government involved in carrying on a laboratory on that scale in that way. It is infinitely cheaper and much better to have inspection by officials of the bureau and tests made by them at factories in which the serum is made, if, of course, inspection and testing can be done thoroughly and in such a way and under such conditions as will secure satisfactory results.

It seems to me it is not feasible for the Government to undertake to make all the serum, nor is it feasible for the Government itself to do the work of making inspection of all the serum in its own laboratory. The only feasible way, in my judgment, is to have proper and efficient inspection of each private factory, and I believe that that work can be carried on right and that it will not cost nearly as much money as it would for the Federal Government to do the work in its own shop.

Now, just a word more as to this work that is being done in the counties. It is not experimental work. It is demonstration work. It is carried on for the purpose of bringing skilled and scientific gentlemen from the Bureau of Animal Industry into close touch with the officials of the States, as, for instance, in our State, the officials of the Sanitary State Live Stock Commission, so that the State officials may see the work done and learn for practical purposes all that the officials of the department know; and, speaking broadly, all that it will be necessary for those State officials to know in order to enable them to take up the work and continue it throughout the State with the assistance of the county farm agents.

Now, this is great work, of course. The Federal Government is interested in it. There is no disposition whatever to limit the amount of money. We have always been pleased to accede to every reasonable demand the officials of the Bureau of Animal Industry have made.

There is some criticism here of the chairman [Mr. LEVER] and his disposition toward appropriations of this kind. All censure of that kind is undeserved. He has shown great familiarity with the entire subject and has directed the work of the committee with unusual ability. No one could have shown more interest than has the chairman of this committee, no one could have been more friendly to the work, no one could have been more courteous to those appearing before the committee and to the members of the committee, when this matter was under consideration, than he. [Applause.] The committee has recommended every dollar asked for by experienced and scientific men of the department—all they believe they can use to advantage. There is no disposition whatever to restrict the work. There is a serious doubt as to the advisability of the Government engaging in the business of manufacturing serum. I doubt the advisability of it, and I shall not support the amendment offered by the gentleman from Iowa [Mr. HAUGEN]. As a principle I do not believe in the Government engaging in work that private interests can carry on, at least until it is shown that private interests are unable properly to do it. In this particular case I believe private interests can properly carry on the work, and that under proper Federal inspection the work will be satisfactorily done.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman——

Mr. TOWNER. Mr. Chairman, I would like to have recognition for five minutes.

Mr. LEVER. Mr. Chairman, I do not believe anyone has been more patient, but, of course, I can not object to the gentleman having five minutes. I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from Iowa [Mr. TOWNER] is recognized.

Mr. TOWNER. Mr. Chairman, this is, as has been several times said, a very great question. It is a very great problem, and there is no one on the floor of this House—and a great many of us have given a great deal of attention to the matter—that feels that we ought to assume a dogmatic attitude in regard to it.

Primarily the House should consider the question as to whether or not it would be best for the Government to attempt to assume the entire and exclusive duty of furnishing this serum to the people of the country directly, or whether they ought to assist in accomplishing the result desired by encouragement of the States and other influences.

Now, the Government has always hesitated, and I am not sure but they have acted wisely, about incurring the tremendous expense that would be necessary to be incurred if they should assume the duty of furnishing virus directly to the people. And yet we all know that until there can be a greater securement of purity and uniformity in the production of the serum there will be continual loss and a measure of failure in the work that is sought to be accomplished. We all know, I think—those of us who have given the question consideration—that it will take tremendous expense on the part of the Government of two or three or even four millions of dollars, for the purpose of undertaking in a systematic and complete way to meet the demands.

We have thought we could not do that, but let me suggest to members of the committee that when you expend only $35,000 for "pure research work," as it is called here, we are not meeting, as I think, the requirements of the situation. Pure research work can not mean the ascertainment of what a pure serum is. It should mean, and it must mean if it is to be practical in its operation, more a question of methods, more a question of reaching the standard that is already pretty generally understood as being established. If that be true, it occurs to me that the amendment offered by the gentleman from Iowa [Mr. HAUGEN], who is the ranking member of this committee, will more effectually put it within the power of the Government to see that there is an adequate amount of money expended not only in research work but in standardizing, in furnishing to the various States and these various laboratories the results of their research and while, perhaps, not absolute inspection, demonstration work of such a character that might be called purely scientific in its nature. I am quite sure that $150,000 expended in this way, which would not mean the endeavor to disseminate all the serum that would be required throughout the United States, but would enable the Government to cooperate with every institution that was authorized to handle the serum for individual use, might be used in a very efficacious and helpful manner.

Mr. LEVER. Mr. Chairman, I do not think there is any doubt that the amendment of the gentleman from Iowa [Mr. HAUGEN] is subject to a point of order, but in order to get the judgment of the committee on this subject, which is very important, I am going to withdraw my reservation of the point of order and ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. HAUGEN].

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I move to amend, on page 15, line 3, by striking out the words "not less than."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 15, line 3, strike out the words "not less than."

Mr. MANN. Mr. Chairman, the reason why I offer the amendment is that this same language is used in another place. It provides that of the sum appropriated not less than $175,000 shall be available for a certain expenditure. If it means anything at all, which I doubt, it means that if the department should expend less than $175,000 it would not be a legal expenditure.

Mr. RUBEY. I think the gentleman is correct.

Mr. MANN. This was in the estimates.

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. HAWLEY. If the gentleman would strike out those words, would it not be necessary to put in the word "of"?

Mr. MANN. It would be, "Of the said sum, $175,000 would be available." It is in the right place now.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The amendment was agreed to.

Mr. MANN. Mr. Chairman, in lines 10 and 11, I move to strike out the words "not less than."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amend, lines 10 and 11, by striking out the words "not less than."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Meat inspection, Bureau of Animal Industry: For additional expenses in carrying out the provisions of the meat-inspection act of June 30, 1906 (34 Stat. L., p. 674), there is hereby appropriated for the fiscal year ending June 30, 1917, the sum of $344,500.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. I notice this provision is reduced from $375,000 to $344,500. Is this sufficient, in the opinion of the department?

Mr. LEVER. This is the estimate of the department and is sufficient, in their judgment. There is no difference between the provision in this bill and the current law. The difference is only apparent. It is due to the transfer of places from the lump-sum to the statutory roll, but the employees are doing the same kind of work. The sum of $30,000 is involved in the transfer.

Mr. HELGESEN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from North Dakota moves to strike out the last two words.

Mr. HELGESEN. Mr. Chairman, as I went to lunch to-day I happened to sit by one of the veterinarians employed in the meat-inspection work, and I happened to ask him how many hogs each man was supposed to inspect per hour, and he said 270. I asked him what kind of an inspection he could give in that way; I asked him, "What do you do?" He said they had to cut into the glands of the hogs in order to assure themselves that the hogs did not have tuberculosis, and then they have various other processes to go through with; and yet every man is supposed, when those hogs pass by in a continual stream all day, to inspect four hogs a minute. I was wondering what kind of protection the American people were getting for the money expended in this service.

I said to this man, "How many beef carcasses are you expected to inspect per hour?" He said 25. In the case of a beef they had four glands to cut into, cutting the skin off the jaws of the animal in order to find the disease they were looking for, and to examine their vital organs. Yet they had only half a minute in which to do it.

Now, Mr. Chairman, I have no objection to the expenditure of $344,000, or ten times that amount, if it will give the American people the protection they need in order to know that we are getting eatables that are healthy and free from disease; but the effectiveness of the inspection is and has always been a doubtful question with me.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield there?

Mr. HELGESEN. Yes.

Mr. McLAUGHLIN. All this inspection is not done by one man. The animals first pass under the eye of one inspector, and then pass before another, and another, and another—a long line of them; each one has only that limited time, but altogether there is a great deal of time, and, as I understand it, sufficient time. Is not that true?

Mr. HELGESEN. No. This man said that that was not true. He said, as to those four hogs per minute, if the man who was inspecting them found anything that was suspicious, he would hang a tag on them, and they would go to another man for further examination, but if he passed them in the first instance they were passed for good. Now, if that is true, the inspection does not amount to anything worth while.

Mr. DOOLITTLE. Mr. Chairman, will the gentleman yield there?

Mr. HELGESEN. Yes.

Mr. DOOLITTLE. Did this inspector say that they did not have time to make a proper inspection?

Mr. HELGESEN. He said they did not have time enough to make it certain that they were doing the work right. He said:

We are compelled to handle so many hogs an hour in order to hold our jobs, and we do the best we can; and, judging by the amount of meat we condemn in a year, it is shown that we are doing as good service as we can.

But he said they ought to have more help.

Mr. DOOLITTLE. Did he say how much more time they ought to have?

Mr. HELGESEN. No. He did not go into details about it.

Mr. NORTON. Mr. Chairman, will my colleague yield?

Mr. HELGESEN. Yes.

Mr. NORTON. The gentleman says he was talking with this gentleman this afternoon?

Mr. HELGESEN. Yes.

Mr. NORTON. He was on a vacation, I think?

Mr. HELGESEN. No; he was not on a vacation.

Mr. NORTON. Was he looking for larger salaries or more assistants?

Mr. McLAUGHLIN. Even an inspector has to eat sometimes, you know.

Mr. HELGESEN. He did not bring up the question. I brought it up myself, because I wanted to get some information from a man who was on the job and who ought to know what he is talking about.

Mr. NORTON. Is this man employed in the city?

Mr. HELGESEN. No.

Mr. NORTON. Where is he employed?

Mr. HELGESEN. In Chicago or New York, I think.

Mr. NORTON. He stated that the inspectors were too few in number, did he?

Mr. HELGESEN. Yes. I asked him if they did not need more help, and he said, "Certainly; but we are doing the best we can with the amount of help we have."

Mr. NORTON. And he said that he examined how many hogs?

Mr. HELGESEN. Two hundred and fifty per hour.

Mr. NORTON. That is four every minute?

Mr. HELGESEN. Yes. I will leave it to you to tell whether any man can inspect four hogs a minute and tell what their condition is.

Mr. ADAIR. Will the gentleman yield?

Mr. HELGESEN. Yes.

Mr. ADAIR. Was the gentleman ever in a packing house to see this inspection going on?

Mr. HELGESEN. No.

Mr. ADAIR. I have been.

Mr. MANN. The gentleman knows that a health officer inspects immigrants a good deal faster than that when they are coming into port.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAIR. I ask unanimous consent that the gentleman may have two minutes more.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the time of the gentleman from North Dakota may be extended two minutes. Is there objection?

There was no objection.

Mr. ADAIR. I only want to suggest to the gentleman that I have been in some of these packing houses and I have stood for quite a while watching these men inspect hogs and cattle. I never saw such rapidity of inspection as the gentleman mentions. I have stood not only for one minute, but for three or four minutes, watching a man inspect one animal, and he did not leave one hog or one steer during that time.

Mr. HELGESEN. What does the gentleman mean by saying he did not leave one hog or one steer?

Mr. ADAIR. I mean that the inspection of one animal was not completed within the time that I stood there. I watched a man inspecting a beef for more than five minutes.

Mr. HELGESEN. Oh, well, by the thousands of animals that go through, the gentleman will see that is not possible.

Mr. ADAIR. I am only telling you what I saw.

Mr. LA FOLLETTE. That was over in Indiana. They do not work so swiftly over there.

Mr. McLAUGHLIN. Mr. Chairman, I move to strike out the last word. I asked the gentleman from North Dakota [Mr. HELGESEN] if each animal does not pass under the eyes of several inspectors, and if I understood him he answered that it does not. Now, that is not my information. A short time ago we had hearings on what is known as the Lobeck bill, to provide promotion and increases of salaries for men engaged in the meat-inspection work, and I gathered from testimony given before the committee that there are several inspectors, many of them engaged in the same kind of work, and that each animal passes before and is inspected by several of them.

Mr. HAWLEY. Each man does a certain portion of the inspection.

Mr. McLAUGHLIN. And we were told particularly that the work of each one of these inspectors is checked up. The work that each one does is looked over and reviewed by several others, each one making his mark on a card or indicating in some way that that animal has passed before him and has been inspected, and if an error is found it is traceable back to the man who made it. Now, that being the case, it is hardly possible, as the gentleman from North Dakota says, that one man is required to inspect four hogs in every minute of the hours that he works and that there is no relief and no assistance and no further precaution taken to secure correct inspection. It seems to me that the gentleman from North Dakota did not get all the facts, or if they were given to him that he has not drawn the right conclusion.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Salaries, Bureau of Plant Industry: One physiologist and pathologist, who shall be chief of bureau, $5,000; one chief clerk, $3,000; one executive assistant in seed distribution, $2,500; one officer in charge of publications, $2,250; one landscape gardener, $1,800; one officer in charge of records, $2,250; one superintendent of seed weighing and mailing, $2,000; two executive clerks, at $1,980 each; one assistant superintendent of seed warehouse, $1,400; one seed inspector, $1,000; one seed warehouseman, $1,400; one seed warehouseman, $1,020; one seed warehouseman, $1,000; one seed warehouseman, $840; 6 clerks, class 4; 12 clerks, class 3; 3 clerks, at $1,500 each; 20 clerks, class 2; 47 clerks, class 1; one clerk or draftsman, $1,200; one clerk, $1,080; 8 clerks, at $1,020 each; 23 clerks, at $1,000 each; 45 clerks, at $900 each; 1 clerk or draftsman, $900; 19 clerks, at $840 each; 2 clerks, at $720 each, 1 laborer, $780; 41 messengers or laborers, at $720 each; 11 messengers, messenger boys, or laborers, at $660 each; 26 messengers, messenger boys, or laborers, at $600 each; one artist, $1,620; one clerk or artist, $1,400; two clerks or artists, at $1,200 each; one photographer, $1,200; one photographer, $840; one laboratory aid, $1,440; one laboratory aid, $1,380; three laboratory aids or clerks, at $1,200 each; one laboratory aid, clerk, or skilled laborer, $1,080; two laboratory aids, clerks, or skilled laborers, at $1,020 each; three laboratory aids, at $960 each; one laboratory aid, $900; five laboratory aids, at $840 each; six laboratory aids, at $720 each; one laboratory apprentice, $720; one map tracer, $600; two gardeners, at $1,440 each; four gardeners, at $1,200 each; eight gardeners, at $1,100 each; 15 gardeners, at $900 each; 19 gardeners, at $780 each; one skilled laborer, at $960; two skilled laborers, at $900 each; three skilled laborers, at $840 each; one assistant in technology, $1,400; one assistant in technology, $1,380; one mechanician, $1,080; one mechanical assistant, $1,200; one blacksmith, $900; one carpenter, $900; one painter, $900; one teamster, $840; one teamster, $600; 21 laborers, at $540 each; 24 laborers, messengers, or messenger boys, at $480 each; two laborers or charwomen, at $480 each; two laborers or messenger boys, at $420 each; 20 charwomen, at $240 each; 11 messenger boys, at $360 each; four messenger boys, at $300 each; in all, $418,240.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What is the object of making an appropriation for one laboratory aid, clerk, or skilled laborer? Do they not know what they want?

Mr. LEVER. What item is that?

Mr. MANN. There are a number of items just like it in this paragraph. Here is an item, "One clerk or artist." Here is another item, "two clerks or artists." Here is another item, "three laboratory aids or clerks." Then here is another item, "one laboratory aid, clerk, or skilled laborer." Another item is "two laboratory aids, clerks, or skilled laborers," and so forth.

Mr. HAWLEY. If the gentleman will yield, the explanation made to the committee was that in this way they could be sure that they could use the individual assigned for this work for any one of these three things, that there was not work enough to employ the individual at one of these duties all the time for the entire year, so that they were compelled to use the person in three employments. In that way they could keep them profitably employed during the entire year.

Mr. MANN. Does the gentleman think that it is advisable to employ a man with the idea that he can be a laboratory aid, and also a clerk, and also a skilled laborer?

Mr. HAWLEY. The man or woman employed would be competent to do work in either of the three places.

Mr. MANN. Oh, no; probably incompetent in either place.

Mr. HAWLEY. We were presuming that they were competent for the work in either of the three places.

Mr. MANN. Here are three places—laboratory aid, clerk, or skilled laborer. I am of the opinion that the average, or for that matter any skilled laborer, does not make the best clerk, or any clerk make the best skilled laborer, and that neither one makes a very good laboratory aid.

Mr. TOWNER. Will the gentleman allow me to ask him a question?

Mr. MANN. Certainly.

Mr. TOWNER. I notice here we have the classification "one artist." What is meant by that? What kind of an artist is that?

Mr. HAWLEY. They make drawings of plants, or when they put them under the microscope and examine them and find them diseased, they make drawings of the cross sections of the plants, showing the appearance of the diseased plant.

Mr. TOWNER. The next item is "one clerk or artist." I would not suppose they would use a clerk for artistic purposes or an artist for clerical purposes.

Mr. HAWLEY. If the person employed is a competent artist and can do clerical work at times, when not needed for making drawings or descriptions of plants, they can keep that person employed during the entire year. His duties as an artist probably would not take his entire time.

Mr. TOWNER. It would seem as if those two employments were not entirely compatible.

Mr. MANN. If the gentleman from Iowa will notice, it is not merely one clerk or artist. The following item is two clerks or artists. The explanation that they do not have work enough to keep them employed during the year might apply to one, but could not apply to three.

Mr. HAWLEY. It might apply.

Mr. MANN. Oh, it could not apply to all three.

Mr. HAWLEY. If the gentleman will yield, there might be certain times in the year——

Mr. MANN. There might be, but there are not.

Mr. HAWLEY. Well, we will take it the other way. There are certain times in the year when they need the work of the artist, and there are other seasons when they need the work of the clerk. I am stating the explanation made to the committee.

Mr. MANN. All this kind of office work piles up.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

The Clerk read as follows:

For conducting such investigations of the nature and means of communication of the disease of citrus trees known as citrus canker, and by applying such methods of eradication or control of the disease as in the judgment of the Secretary of Agriculture may be necessary, $250,000; and the Secretary of Agriculture is authorized to pay such expenses and employ such persons and means, in the city of Washington and elsewhere, and to cooperate with such authorities of the States concerned, organizations of growers, or individuals as he may deem necessary to accomplish such purposes: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Mr. MANN. Mr. Chairman, I move to strike out the last word. It looks to me as though the committee had not followed quite the same course in this item as in the next one, although I may be mistaken about it.

Mr. LEVER. Mr. Chairman, there is so much noise in the Hall that I did not hear the gentleman. I have only one good ear.

Mr. MANN. If my distinguished and beloved friend from South Carolina only hears with one ear, I congratulate myself that I have usually been able to get close to that ear. This item which is for the citrus canker has this proviso:

Provided, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

That is very plain, but the next item, which is in reference to the chestnut-bark disease and the white-pine blister, as well as other tree diseases, provides not only for the investigation but for applying methods of reduction or control already discovered. Now, the principal method of reduction being to destroy the tree, that would apparently make the appropriation, which is increased by $30,000, available for the destruction of chestnut and other trees which are affected by these diseases. Is that the case?

Mr. LEVER. The gentleman understands, in reference to the white-pine-blister rust, that the only trees destroyed at all are trees which are hosts for the insect that causes the disease, such as currants and gooseberries, and the method of destruction of the trees would be entirely different.

Mr. MANN. Of course, you kill one tree one way and one tree another way. Some prefer to cut them down and some prefer to put fire around them. This is for the destruction and not for advice. Is not that correct?

Mr. LEVER. Let me make this statement: Some years ago, as the gentleman will remember, we had an outbreak of chestnut blight and appropriated a considerable sum of money for a while in an effort to eradicate it. Last year when the bill came in the committee frankly confessed that there was no possibility of eradicating chestnut blight in this country, and that the only way to handle it was to provide resisting chestnut trees.

Mr. MANN. And that is a long process, and they will not know whether it is effective until our great-great-great-great-grandchildren appear on the scene.

Mr. LEVER. This year attention was called to the fact that a new disease had broken out in New England and the Middle

West, called the white-pin-blister rust, which threatened the white-pine industry in this country, and the testimony before the committee was to the effect that there was a host to these diseases in the gooseberry and currant, and by the destruction of the gooseberry and the currant the disease could be entirely eradicated. It was the understanding of the committee, and in this item we drew the inference from what had taken place with reference to the chestnut blight a year or two years ago, that none of the money in this item should be used for payment for trees destroyed. Although I am frank to say, so far as I am concerned, I would have no hesitation in accepting a proviso to that item, but I am sure there would be no disposition on the part of the department to use the money to pay for trees destroyed.

Mr. MANN. I have no objection to paying for these things if you are going to destroy them. How do you differentiate between destroying currant and gooseberry bushes which are of value to the markets and destroying other trees which help to spread the disease?

Mr. ANDERSON. I am sure the gentleman knows that the currants and gooseberries referred to by the gentleman from South Carolina are bushes that grow wild in the forest and have no relation to the ordinary common varieties of garden currant and gooseberry bushes; that is, so far as this item is concerned.

Mr. MANN. That depends. The Missouri currant grows wild all over the West—that is, the sweet black currant and gooseberries grow wild—but the tame gooseberry and the tame currant do the same thing. The country where this white pine grows has more tame gooseberries and tame currants than they have wild. The wild gooseberries are in the West, while the tame ones are in the East, where the white pine grows.

Mr. LEVER. We had a disease which affects the apple trees—the host of that disease was the cedar tree—and we are providing an appropriation for that.

Mr. MANN. There are a great many diseases of plants, and they have plant hosts. The common barberry is the host of one of the principal diseases the name of which I have forgotten, and yet we are not trying to destroy them all.

Mr. LEVER. I will say, further, that when the subject of citrus canker was first brought before the Committee on Agriculture there was the suggestion either in the RECORD or by one of the Members personally that payment ought to be made for the destruction of these orange trees on the same principle that you pay for destroying cattle with the foot-and-mouth disease or horses with dourine. But the amount involved was so big that it staggered some of us, and we thought that if we could go in and wipe out this disease the owners and the States involved ought to be willing to bear a part of that burden, as they are now bearing a part of the burden. That is the theory on which the committee acted. We were afraid to open the door, and therefore we kept it closed and sealed. I may say, further, that the representatives of the citrus growers made no objection to that proposition.

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. MANN. I yield.

Mr. HAWLEY. I do not need to call the attention of the gentleman from Illinois [Mr. MANN] to the fact that the citrus canker is so far as known a virulent and incurable disease, and if it attacks a tree there is no use of trying to cure the tree. When they are dealing with it they do not even touch the trees that have the disease, because the disease will adhere to the fingers, and if they touch another tree of the citrus variety will spread the disease to that tree. The only way is to go into an orchard and burn the tree as it stands, consuming it beneath the bark with burning gas. There was strong pressure brought by a number of those who are interested in the growing of citrus trees, that if we intended to destroy the trees where the citrus canker was found in an orchard we ought to pay them for that destruction; that we ought not to come in in order to save one man's orchard and destroy the orchard of another without paying for it. Then out of an excess of caution—for, as the chairman said the estimated value of the orchards as made before the committee was very great—we inserted this proviso, it being a new item in the Agricultural bill.

Mr. MANN. We put it in the deficiency bill in the House on the motion of the gentleman from Michigan [Mr. MCLAUGHLIN].

Mr. HAWLEY. Yes; but this is the first Agricultural appropriation bill that has carried that item.

Mr. MANN. That is true.

Mr. HAWLEY. And in order to relieve the department of the pressure that would be brought upon it in case it insisted upon the destruction of trees, as they will have to do if they ever get any control of this disease, because eradication is the only method of controlling it, out of an excess of caution this proviso was inserted to make it clear that the Government was not to pay for trees destroyed.

Mr. CALDWELL. I understand that this is the situation, that in the case of citrus canker the tree that is attacked will naturally die in any event, whereas in the other case of the parasite that appears in the gooseberry bush it is not, and if you destroy the bush to get rid of the parasite you are actually destroying a plant that would not die by reason of this attack.

Mr. MANN. Neither of the gentlemen probably is very familiar with orange trees. I used to raise orange trees myself, though I do not any more. I know something about the business. No one has ever suggested that you pay for the trees which have the disease. If you did pay for them, it would not cost anything, because they are not worth anything. When the tree gets the disease it is valueless, but here is a disease, say, in a locality which is likely to be spread by the birds. The question is whether you can stamp out the disease by killing all of the trees that are susceptible to it within a certain range of that orchard which is affected. It is perfectly evident to anyone with common sense that a man who has an orange grove a little ways off from one that is diseased, whose orange grove is sound, is not going to kill his trees in order to stamp out the disease. It is of no value to him to stamp out the disease if when it is stamped out all of his trees are dead, and it may be of some benefit to him to take the chance that the disease will not come to his grove. Yet, if they do not stamp out the citrus canker in some way, it is liable to spread all over the United States, wherever they grow citrus fruit; and if it does, it will be too late to accomplish any good purpose.

Mr. BRUMBAUGH. Mr. Chairman, will the gentleman yield for a moment? I want to ask the chairman of the committee a question.

Mr. MANN. Very well, I will yield for that purpose.

Mr. BRUMBAUGH. I would like to ask the chairman whether they have provided the relative part of this expense that the State is to pay?

Mr. LEVER. We have not provided it in this item. The State of Florida has already expended $195,000 in this work. The growers themselves, I understand, have spent about $100,000 in the work. The Federal Government has expended $35,000, and we passed a deficiency appropriation bill some time ago appropriating $300,000. I understand that about $100,000 of that deficiency appropriation will be still available at the beginning of this fiscal year, so that we shall have during the next fiscal year about $350,000 of Government money.

Mr. MANN. Mr. Chairman, I do not know whether I am biased in any way by the fact that I have some small interest in Florida, having relatives there, but I doubt it. I think possibly I am biased by the fact that I have some knowledge about the business.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. While the citrus-canker disease and its destruction is not on all fours with the foot-and-mouth disease, it is somewhat similar. The foot-and-mouth disease could be spread by cattle moving from one State to another, although very often that was not the way in which it was spread. It was often spread by birds or animals that were not cattle at all or human beings, or by serums, or by clothing or something else being sent from one State to another, in some places by passing down a running stream from one place to another. The canker disease can be spread by the shipment of trees from one State to another, but probably will not be spread in that way. It may be spread by birds or animals or human beings or by other methods. The foot-and-mouth disease itself was not very fatal to cattle, so far as killing them off was concerned, but if the foot-and-mouth disease had been allowed to spread all over the United States you never could have stamped it out, and it would have been a loss to the country of millions or perhaps hundreds of millions of dollars a year.

If the citrus canker, which is now confined to a very few localities, and which entered the United States by importation, is allowed to spread all over the South and then out to California, we will be in a position that gentlemen do not appreciate. The Mediterranean or fruit fly is now in the island of Hawaii. They used to raise all kinds of fruits over there—it is a great place for fruits—and ship them to the United States. There are only two kinds of fruits now that you can bring here from Hawaii, and those are bananas and pineapples, and they have to be carefully inspected and go through a process before they can be brought in. You can not pick out in the Hawaiian Islands

to-day any kind of fruit but what you will find a lot of worms in it and there is no way of stamping it out. All the money in the United States Treasury possibly could not do it because these wild fruits out there that grow everywhere in the mountains have these worms in them.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. MANN. I will.

Mr. SMITH of Michigan. What the gentleman says about the citrus disease applies also, does it not, to the San Jose scale?

Mr. MANN. Oh, not at all. It is entirely different. It is easy enough to get rid of the San Jose scale, but it takes a little time. But if this citrus-canker disease ever gets around in the South you never can stop it. I would rather appropriate a little money now to kill it out than to appropriate hundreds of thousands of dollars in the next 10 or 20 years in a vain effort—and it would be a vain effort—to stamp it out after it got well started.

Mr. SPARKMAN. Mr. Chairman, I fully agree with the gentleman from Illinois [Mr. MANN] in the criticism he has just made against the proviso that no part of the appropriation shall be used for the destruction of trees. I did not favor the insertion of that provision either in this bill or in the deficiency bill which passed earlier in the session. I do not think there ought to be any such limitation placed upon the expenditure of the money appropriated. A part of the plan for the eradication of citrus canker often involves the destruction not only of infected trees, but others not apparently infected at the time, as it is not easy at all times, or at any time, to tell just how far the disease has spread when you undertake to apply the remedy, which is fire. You at first discover it upon a tree, or maybe upon a dozen or more trees. But before its discovery it may have been carried by human agency, by birds, or animals to the other groves in the immediate vicinity, where it may not be discernable. But whether such is the case or not, prudence would dictate the destruction of near-by trees even in neighboring groves.

Now, in this emergency you go to the owner of the apparently healthy tree and propose its destruction. He says, "Why, the tree is uninfected, or the canker is not in my grove; or if so, it is not discernible, and I object to its destruction. I am willing to take the chance." Now, such an objection comes with a great deal of force under such conditions, and yet if the owner were paid something for the suspected trees the difficulties in the way of the experts would vanish. But under this provision no compensation can be given, which, I fear, will hamper very materially the efforts of the Department of Agriculture in the eradication of this greatest of orange-tree pests.

Another objection to this provision is that the amount of money appropriated is, in my judgment, too small. I think it should have been at least as much again, and yet I do not propose to offer an amendment to the bill. I do not desire to do that for two or three reasons. In the first place, the committee have given careful consideration to this item and are thoroughly in sympathy with the efforts of the Department of Agriculture to stamp out the disease, and I realize that they do not desire, in making an appropriation, to go beyond what the Secretary of Agriculture advises. He has recommended $250,000 and they are following his recommendation. Hence, I for one do not care at this time to offer any amendment increasing the amount, although I believe it entirely too small.

I am willing to accept for the present the amount inserted, with the hope and belief that whatever is needed will be furnished later. We do not know just what progress is being made in Florida and other States where the disease prevails toward its destruction. The experts who are undertaking the expenditure of the money are very hopeful of the ultimate eradication of the pest, and I feel confident they will succeed; but I am fearful we will have to have a great deal more money. Not only Congress, but likely the State of Florida and the other States—there are five or six of them in which this disease has made its appearance—will have to furnish considerable sums before it is finally destroyed.

Mr. BRUMBAUGH. Why does not the gentleman make a motion to strike out the proviso? From what the gentleman from Illinois [Mr. MANN] said, I should think the proviso ought to be stricken out.

Mr. SPARKMAN. As I said a moment ago, I do not desire to interfere with the work of the committee. They have, no doubt, done what they think is right, and I do not care to embarrass them. There was a similar provision in the item inserted in one of the deficiency bills the early part of the year, and which, passing the House, became a law, and the committee is simply following the law. Hence I do not care to do anything to embarrass the committee, though I should prefer that the provision be stricken out, because, as I have said, if it remains there I fear it will hamper the department in its work.

Now, the State of Florida and the people of that State have already contributed quite liberally toward the eradication of citrus canker. Not only has the State furnished a considerable sum of money for that purpose, but individuals, first and last, have contributed sums aggregating a much larger amount, while many growers have given over to destruction large numbers of apparently uninfected and healthy trees to make certain that the work of eradication in a given locality was complete. Such contributions already far exceed the amount already appropriated by Congress, even including the sum carried in this bill.

This not only shows that the people of Florida are doing their share, but that they are willing to aid the Government by making any reasonable sacrifice toward the destruction of this the most infectious and deadliest of orange-tree pests—a disease which, if not effectually eradicated, will destroy the citrus industry throughout the country.

This thought, Mr. Chairman, suggests another: That no effort should be spared to check this disease. We do not have any too much knowledge of citrus canker, but enough is, I think, known to make it certain that no half-way measures in the war upon it will suffice. Both in the interest of economy and of the orange industry itself, we should leave nothing untried that will insure speedy and complete success. A few hundreds of thousands of dollars or even a million or two now may save millions to the Government and many more millions to the industry we are trying to protect and preserve.

And, Mr. Chairman, it is well worthy of protection. So, too, are the growers worthy of the aid they are receiving and all they may receive. There are only a few States of the Union where citrus fruits can be grown. These are far to the southward, mostly on the Gulf or the Pacific, Florida and California furnishing the chief output. If this pest is permitted to destroy the groves there, which it is likely to do if not checked, we will have to rely on foreign countries to supply our demands, which they can not begin to do, even though they should escape the disease, which is not probable. So that with our own industry destroyed we would either have an inadequate source of supply or none at all from abroad to take its place.

But there is no need for the total loss of our domestic supply if we make the proper effort to stamp out the disease, for it has been demonstrated that it can and, I feel confident, will be done. It will cost more if we do not take hold of it in the right manner, but it will be done in any event.

The outlook, however, for the industry in other countries is not so hopeful, for if the pest could get into our country, as it has, over the safeguards we furnish, how much more likely is it to find its way into other citrus-growing countries where no safeguards against its entrance are afforded, and then, meeting inadequate means of defense, completes its work of destruction there. Such a condition, not beyond the range of probability in the opinion of expert observers, would make this country the only source of supply for this hemisphere and the greater part of the eastern, if not for the whole world.

Now, it is the duty of the Government to aid in this work, because the people of no one State can effectually deal with the disease. It can be transported in so many ways inside and across State lines, is so insidious in its progress from place to place, so easily carried from State to State that only the Federal authority, with power in such matters to reach across boundaries and go into all the States, can successfully cope with it. It is already in several of the citrus-growing States, and it might be totally eradicated in one of them, as in Florida for instance, but unless it were destroyed in all the others the industry would not be safe.

Now, the growers, as I said, are deserving of aid. While under normal conditions the citrus industry is a profitable one, it is not so under all conditions. The producer has his ups and downs, his fat years and his lean years. The high cost of distribution, inadequate transportation facilities at times, overproduction at others, cut into the profits of the grower, but the consumer, the great American public, is always served, even though it be at the expense of the producer. Hence, Mr. Chairman, the public have an interest in this fight, and Congress is clearly within the purview of its duties in making adequate provision for the protection of this great industry, one of the most important in the country.

I do not desire that Congress should appropriate any more money than is needed to do the necessary work, but, as I said, I fear the amount carried in this bill is not sufficient. I believe it should have been larger, yet if it is found to be inadequate, as I fear it will, we can, later on in the session, have it increased, which I have no doubt Congress will do if it should be found necessary.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes.

Mr. BRUMBAUGH. I shall want about three minutes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Chairman, I make it 20 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in 20 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Chairman, I would like to have two minutes of that time myself.

Mr. BRUMBAUGH. Mr. Chairman, I would like to ask the chairman a question. Is it the gentleman's idea that the action of this provision would limit the States themselves from any action that they might care to take in the matter of the extermination of this disease?

Mr. LEVER. Not at all. This will be a great encouragement for them to do this same work.

Mr. BRUMBAUGH. That is my understanding—that there is no attempt in any way to prevent the States from going the limit.

Mr. LEVER. Not at all. As I said a moment ago in answer to the gentleman's question, Florida herself, although a very small State, has already expended $195,000, and the fruit growers of that State have expended $100,000. And the fruit growers of other citrus-fruit States have spent money for the same purpose.

Mr. BRUMBAUGH. Any State could order by legislative enactment the destruction?

Mr. LEVER. No doubt.

Mr. SMITH of Michigan. For information, as it is very important in Michigan, that being a very large fruit-growing State, I would like to inquire whether or not there is any proviso in the bill for the control of the San Jose scale?

Mr. LEVER. Not by name; but there is a general paragraph in the bill which carries money for diseases of fruit trees.

Mr. SMITH of Michigan. I was hardly satisfied with the answer I received from our minority leader when he said it was easy enough to control the San Jose scale. We know that it is spread similar to the way he said that the citrus canker spreads—by birds, by the wind, by being carried and communicated—and it is destroying a great many of the orchards there. And I would like to inquire of the chairman, who has made a great investigation along this line, whether or not he considers this a serious condition in relation to our fruit-growing industry?

Mr. LEVER. I have not made any investigation of that particular territory, but I appreciate the destructiveness of the San Jose scale. The difference between that, however, and the citrus canker is that a spray has been discovered by which the San Jose scale can be checked; but there is no spray which will check the spread of the citrus canker. Nothing has been found to be of any value except burning.

Mr. SMITH of Michigan. Is it the understanding of the gentleman upon investigation that has been made that it can be eradicated and can be controlled without chopping out or destroying the orchards, which they are doing?

Mr. LEVER. Yes; that is my understanding.

Mr. HAWLEY. Permit me to say that we had that problem in the State of Oregon, where we raise a great many apples and other fruits. We have a law which provides that if a man will not spray and care for his trees the county authorities can remove them.

Mr. SMITH of Michigan. I would like to ask the gentleman if you have controlled it in that way and gotten rid of it?

Mr. HAWLEY. They are getting rid of it. It is a very minor disease out there now.

Mr. BRUMBAUGH. In the case of destroying trees, does the county pay for the trees?

Mr. HAWLEY. Not only does the county not pay for the trees, but they make the man who will not keep his orchards clean pay for them.

Mr. LEVER. It is a penal provision.

Mr. HAYES. Does not the gentleman think that $250,000 is a small sum to stamp out this canker?

Mr. LEVER. The committee considered that very carefully, and after the assistant chief of this bureau, Mr. Kellerman, the gentleman in charge of this work, had made a thorough examination of the territory involved, we had him before the committee, and his statement to the committee was to the effect that after very careful consideration of all the factors involved the department felt that $250,000 would be sufficient for them to carry on the work in the coming fiscal year, especially in view of the fact that they estimate they will have out of the $300,000 deficiency appropriation at the end of this fiscal year $100,000, and in addition to that they hope, with some degree of certainty, to get probably $50,000 or $100,000 from individuals and the States involved, which would give them a reasonably large sum of money.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. I will take my other two minutes if I have them, because I think the gentleman wants information.

Mr. HAYES. Has there been any further information given to the committee than when I was present, wherein he said, if I remember, that they would be glad of $250,000, but could use twice as much if they could have it?

Mr. LEVER. I presume the gentleman from California refers to the first hearing on this subject, in December.

Mr. HAYES. That was probably the one where I was present.

Mr. LEVER. We had a later hearing, ten days or two weeks before the committee reported this bill, after Dr. Kellerman had made an extended visit through this section and had returned with full information of the situation. There has been a later hearing than that to which the gentleman refers.

Mr. HAYES. The disease is not yet prevalent in California, and so I know nothing personally about it, but it seems to me it would be a mistake to deal with it piecemeal. It ought to be stamped out without delay, because it threatens the citrus industry absolutely, and if this is not ample let us give $500,000, and place it at the disposal of the Department of Agriculture to use such sum as they think it necessary to finally and completely stamp it out.

Does not the gentleman agree with me that that would be best?

Mr. LEVER. No; I do not. There are two reasons for not thinking so. First of all, the department feels, and has indicated both in the statement made before the committee and in a letter addressed to the chairman of the committee, that $250,000, supplemented by the other funds to which I referred a moment ago, will give the department as much money as it can expend wisely and economically in the handling of this situation. I have always been afraid that in appropriating a large lump fund we are liable to fall not only into habits of large extravagance but also into habits of doing the work in a slipshod way. The committee and the department feel that this amount of money will do the work, and do it effectively, and do it economically. It is not going to clean up the disease by any means, but, in our judgment, it is as much as we can spend wisely in the next fiscal year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MCLAUGHLIN. Mr. Chairman, the gentleman from California [Mr. HAYES] is misinformed as to the testimony before the committee. The official of the department, Dr. Kellerman, to whom the gentleman from South Carolina [Mr. LEVER] has referred, stated that $250,000 is all that can be economically used. The disposition of the committee was to allow just as much as was necessary, just as much as can properly be used, and after a good deal of time and careful thought the amount of $250,000 was arrived at.

Now, as to the proviso that no part of the money should be used to pay for trees injured or destroyed, the association of Florida more directly interested in this matter had a representative or attorney, I believe, present. I am not sure about his name, but I think it was Gillett. He appeared, and he drafted the provision himself, leaving a copy of his draft at the office of each member of the committee. The draft prepared by Mr. Gillett himself contained this proviso, "That no part of the money shall be used to pay for trees injured or destroyed," or words to that effect, so that now, after further consideration of it, and seeing the willingness of Congress to appropriate money sufficient to carry on the work, gentlemen of that part of the country who first were inclined to ask for money to pay for trees destroyed are not now asking for money for that purpose.

There was an effort on the part of some to place this citrus-canker trouble on an even footing with the foot-and-mouth disease. If it were so placed, and if money were used as it was used in taking care of the foot-and-mouth trouble, the work would not be carried on as the distinguished gentleman from Illinois [Mr. MANN] says—that trees already affected or destroyed would not be paid for, because they are of no value. That may be true; they are of no value; but where this serious disease of foot and mouth attacked the cattle, the animals are so affected that they are of no value whatever and for the protection of everybody they ought to be killed, still the Federal Government provides money to pay a part of their value, or,

rather, what would be their value if they were not affected; so if we were to place this citrus canker on a footing exactly with the foot-and-mouth disease, we would be paying for trees already affected, and which, just as the gentleman from Illinois says, are worthless. We would be asked to pay, and find it necessary to pay, the value the trees were supposed to have before the disease struck them.

Now, in my judgment, it is not wise at this time, right off the reel, to provide hundreds of thousands of dollars to pay for trees destroyed, those already affected, those that are exposed, those that are in the neighborhood and the destruction of which seems necessary in order to prevent the spread of the disease. It seems to me that the department, cooperating with the States, ought to be given a fair chance, ought to be given all the money it can use, to see if it can not find a remedy, find some way to check the spread of the disease and perhaps eradicate it, without involving the immense expenditure of money that will be necessary if we embark on the proposition of paying for all trees destroyed.

Mr. HAYES. Mr. Chairman, may I ask the gentleman a question?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN. If my time is extended, I shall be glad to yield to the gentleman.

Mr. HAYES. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two minutes more.

The CHAIRMAN. The committee has fixed a limited time for debate on this paragraph.

Mr. LEVER. Mr. Chairman, I have three minutes, and I will yield to the gentleman one minute.

The CHAIRMAN. The gentleman from Michigan [Mr. McLAUGHLIN] is recognized for one minute more.

Mr. HAYES. Mr. Chairman, I wanted to ask the gentleman a question. I gathered from the discussion here that it is not the policy to attempt to stamp out the disease in the next fiscal year.

Mr. McLAUGHLIN. The plan is to do everything possible.

Mr. HAYES. I want to ask the gentleman if he thinks his committee will cooperate with us who are interested directly in this citrus canker disease—will cooperate with us, if necessary, in the next fiscal year to secure a deficiency in order that the work may be properly carried forward?

Mr. McLAUGHLIN. If those to whom we look for information ask for the money and say it can be efficiently and economically used, I shall certainly support a proposition looking to such an appropriation.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. HAWLEY. Mr. Chairman, there are two principal ways in which this disease might be dealt with. The first is by the destruction of all the trees that are affected. But this disease has no host plant. It lives on the citrus trees only. We have adopted a different plan, a strict supervision and examination of the orchards. Young men can be trained to readily detect the disease when it appears on any tree—on the branches or leaves—and as soon as it has appeared on a tree to destroy the tree and to eliminate every diseased tree from the orchard.

That will leave the grower, then, to have the advantage of the product of his other trees in the orchard, and to eliminate the ones that are affected. That is the policy adopted by the committee in the bill. We hope ultimately to eradicate the disease by this method, and do just as little damage as possible to the growers who are dependent on this industry for their livelihood.

There is one other observation I would like to add, and that is this: If we undertake to destroy all the trees in the orchards affected it would cost a very great deal of money, and if no compensation were paid to the growers there would be a very great deal of opposition on their part to the destruction of their trees, because many of them are dependent solely upon the product of those trees for their livelihood. By the adoption of this plan we get the cooperation of the States and of the growers with the department. The States and the growers will contribute money, so that the amount that can be used will be greater than is indicated in the bill and the amount left over from the last deficiency bill, that will be unexpended at the end of the fiscal year.

The CHAIRMAN. The time of the gentleman from Oregon has expired. The pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For the investigation of diseases of forest and ornamental trees and shrubs, including a study of the nature and habits of the parasitic fungi causing the chestnut-tree bark disease, the white-pine blister rust, and other epidemic tree diseases, for the purpose of discovering new methods of control and applying methods of eradication or control already discovered, $87,175.

Mr. CLINE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Indiana moves to strike out the last word.

Mr. CLINE. I would like to inquire of the chairman of the committee whether the phrase or clause "other epidemic tree diseases" is intended to cover other investigations, like that of the San Jose scale? That is in line 13.

Mr. LEVER. I will say to the gentleman from Indiana that this item applies only to diseases of forest and ornamental trees, and not to diseases that attack fruit trees. That is carried in another item further on in the bill.

Mr. CLINE. I just wanted to make that clear.

The CHAIRMAN. The Clerk will read.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last two words. I should like to make inquiry relative to the chestnut-tree blight disease and the white-pine blister rust. These are both diseases which are very prevalent in Massachusetts and New England; and I would like to inquire how much larger this appropriation is than has been the customary one for these diseases in years past? I understand there is an added item, is there not?

Mr. LEVER. There is a $30,000 increase in this item, to be devoted entirely, however, to the work in eradicating the white-pine blister rust.

Mr. TREADWAY. Will any portion of this amount be used for eradication of the chestnut-tree blight?

Mr. LEVER. The appropriation for the chestnut-tree blight is carried in the rest of the paragraph, such portion as the department desires to use, but none for the eradication of chestnut blight—only for the study of the disease and, if possible, the development of a strain of chestnut trees in this country that will resist the disease.

Mr. TREADWAY. As I understand it, the work of the department is not really field work—it is more pathological?

Mr. LEVER. As affecting the chestnut blight that is true, but as affecting the white-pine blister rust it will be largely field work—in eradication.

Mr. TREADWAY. In what section?

Mr. LEVER. In the New England and Middle Atlantic States principally.

Mr. TREADWAY. One more question, if I may ask the chairman of the committee.

Mr. LEVER. Certainly.

Mr. TREADWAY. Is the work which the department is endeavoring to follow up, in the eradication of this disease, carried on in conjunction with the State officials—the forestry departments of the various States?

Mr. LEVER. I am not sure about that, but I am strongly of the opinion that it is carried on in cooperation with the State authorities.

Mr. TREADWAY. I know that in my own State of Massachusetts a great deal of interest has been taken in this subject by the forestry department, but I was not aware whether or not there was any cooperation between the Federal Government and the States.

Mr. LEVER. I may say to the gentleman from Massachusetts that the departments of forestry of the various States, particularly in New England, have shown a great deal of interest in this white-pine blister problem and have sent resolutions to the Committee on Agriculture and communications to the chairman of the committee asking that this be allowed, and there has been a deficiency appropriation allowed by another committee, and this committee has allowed a supplementary estimate of $30,000.

Mr. TREADWAY. I am sure that there is very great interest in the work, both of the Federal Government and of the State departments, because both diseases, as I know from my own knowledge, have spread very materially in the western portion of the New England States, and we hope that the cooperation between the Federal Government and the actual field work by the various forestry departments will result in much good in the timber sections.

Mr. LEVER. We join in that hope.

Mr. McLAUGHLIN. As the gentleman from Massachusetts [Mr. TREADWAY] is evidently interested in the chestnut-blight proposition, I will say to him that after several years of field work, and scientific investigation also, the conclusion has been reached that the only way to deal with the chestnut-blight disease is to destroy the affected trees. It becomes a matter of expending money and putting forth physical effort to destroy and remove the trees, and the Committee on Agriculture thinks this scientific department ought not to be asked to do and ought not be permitted to do that kind of work, but that it is up to the

States themselves to take charge of the work after the investigation had been made and the remedy, as far as it may be called a remedy, is well known and it simply involves the expenditure of money and the physical work of cutting down the trees. That is something of the history of the field work relating to the chestnut blight. That is the reason the appropriation is not larger than it is; and while I am not as familiar with it perhaps as I ought to be, my understanding of the appropriation is that no part of this money is intended for field work, for the reasons I have given. The money that is to be devoted to the chestnut-blight disease is for investigational work, to try to find out the cause and some scientific way, if possible, of eradicating it.

Mr. LEVER. The gentleman is correct about that. That is the understanding of the committee.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For the investigation and improvement of cereals and methods of cereal production, and the study of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broom corn and methods of broom-corn production, $157,005: *Provided*, That not less than $40,000 shall be set aside for the study of corn improvement and methods of corn production: *Provided also*, That not less than $10,000 shall be set aside for the investigation of the diseases of wheat known as black rust and stripe rust.

Mr. McFADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McFADDEN: On page 21, line 10, after the word "production," add a comma and the following: "and the manufacture of alcohol for commercial uses as a by-product therefrom."

Mr. LEVER. Mr. Chairman, I reserve a point of order on that amendment.

Mr. McFADDEN. Mr. Chairman, the reason I introduced this amendment is that I find on investigation at the Agricultural Department that their knowledge of this special phase of the production of alcohol—from corn, which is one of the best known grains for that purpose—is very limited. It seems to me this is a subject on which our people ought to be informed at this time, because of the growing increase in the demand for gasoline and the increase in price of the same. If alcohol can be produced as a by-product from corn, it will be of vital importance to the farmers of this country. It is for that purpose I offer this amendment.

Such experimental work as has been done has been along the line of utilizing waste products of the farm, while in a situation like the present the investigations should be conducted with the by-product in view and the use of the by-product as a feeding proposition for dairying. The protein feeds are becoming more scarce each year, and as the farmer is becoming convinced that a well-balanced ration is the most desirable, the tremendous possibilities of industrial alcohol are at once apparent.

One of the farmer's greatest needs in this connection is to know just how to proceed, and how much waste there is in the feeding quality of the operation; in other words, how much would be consumed in the operation of eliminating the alcohol from the corn.

Such records as we have prove that the mash after the alcohol has been removed is a better balanced ration for dairy cows than that previously used.

If it is found a profitable operation after investigation, it would seem to me that plants could be established in conjunction with creameries now operating in country districts, and the farmers could take the mash for prompt feeding, and many economies could thus be effected in the joint operations of those plants, and central refining and denaturing plants could be established at convenient places nearby. The farmers would thus be furnished a cheap power, light, and heat basis and the country generally receive much relief by the use of a commercial denatured alcohol.

I beg to submit herewith a letter, under date of March 23, 1916, from the Department of Agriculture bearing on this subject:

DEPARTMENT OF AGRICULTURE,
Washington, March 23, 1916.

Hon. LOUIS T. McFADDEN,
House of Representatives.

DEAR MR. McFADDEN: Receipt is acknowledged of your letter of March 15. In reply the following data on the yield of alcohol from corn, the cost of extracting alcohol, and the value and analysis of the dairy feed obtainable from the residue are submitted for your information. They have been compiled from several sources as stated below. You will realize that of necessity the costs will vary under different economic conditions. The data given, however, may be considered as a working basis upon which those interested may form an opinion as to the probability of manufacturing alcohol in plants of the capacities described, making due allowance for the variation in cost of raw materials, equipment, labor, and other conditions. A plant of larger capacity than the ones described would undoubtedly produce alcohol at somewhat lower costs.

YIELD OF ALCOHOL FROM CORN.

Approximately 2.75 gallons of 180 proof alcohol can be made from a bushel of well-dried corn.

COST OF EXTRACTING ALCOHOL FROM CORN IN PLANT OF AMERICAN MANUFACTURE, PRODUCING ALCOHOL OF 180 PROOF, AT RATE OF 104 GALLONS PER DAY.

COST OF RAW MATERIAL.

The grains used daily will weigh about 2,198 pounds and will consist of 88 per cent corn, 10 per cent malt, and 2 per cent rye, or 34.54 bushels of corn, 6.47 bushels of malt, and 0.8 bushel of rye. The cost of this material will be 28.82 cents with corn, rye and malt at 65, 85, and 88 cents per bushel, respectively, or 27.7 cents for each gallon of the 104 gallons of alcohol produced.

INVESTMENT COSTS.

The cost of machinery and other equipment for milling, fermenting, and distilling, consisting of steam boiler, steam engine, high-pressure cooker, necessary pumps, vats, shafting, and still	$10,000
Cost of building	5,000
Cost of press and drier for the press cake	1,500
Cost of single-effect vacuum evaporator, complete with condenser and pump, for the liquid slops	2,000
Total investment costs	18,500

Fixed charges consist of interest on the investment at 6 per cent, and depreciation at 12 per cent, and amount to $3,330 per annum.

For a 200-day year these charges amount to $16.65 per day, or to $0.16 per gallon of 180 proof alcohol.

DAILY OPERATING COSTS.

2 tons of coal, at $3	$6
1 foreman, at $3, and 3 laborers, at $2	9
Incidentals, including oil, barrels, and drayage	6
Total operating expenses	21

or 20.2 cents per gallon of alcohol.

SUMMARY.

Cost per gallon of alcohol of 180 proof.

Raw material	$0.277
Investment	.160
Operating cost	.202
Total	.639

There will be produced about 967 pounds of dried distillery grains worth at least $30 per ton, or $14.51, or $0.14 per gallon of alcohol produced. This should be subtracted from the above cost, making the net cost per gallon $0.499.

The data given above are taken from the information which the department secured some years ago in its experimental work on the manufacture of alcohol and from other sources.

COST OF EXTRACTING ALCOHOL FROM CORN IN PLANT OF GERMAN MAKE PRODUCING ALCOHOL AT RATE OF 419 GALLONS OF 180 PROOF PER DAY.

RAW MATERIAL.

Cost the same as in the above estimate, namely, $0.277.

INVESTMENT COSTS.

The first cost of the equipment, including packing for shipment is $8,760.

To this must be added duty of 20 per cent, making the total cost of equipment purchased abroad	$10,512
Freight and erection costs	1,000
Cost of building	5,000
Cost of press and drier for distillery grains	2,600
Double-effect vacuum evaporator, completed with condenser and pump	3,100
Total cost of plant	22,212
Interest at 6 per cent and depreciation at 12 per cent, or $20 per day, for 200-day year	3,998

This amounts to an investment cost of $0.048 per gallon.

OPERATING EXPENSES.

4 tons coal daily, at $3	$12
1 foreman at $3 and 6 laborers at $2	15
Incidentals, including oil, barrels, and drayage	24
Total operating expenses	51

or $0.122 per gallon of alcohol produced.

SUMMARY.

Cost per gallon of alcohol of 180 proof.

Raw material	$0.277
Investment	.048
Operating costs	.122
Total	.447
Less value of distillery grains	.14
Making net cost	.307

The composition of distillery grains is shown on page 37 of Farmers' Bulletin 22, a copy of which accompanies this letter.

The data given above have been obtained from various sources, as follows:

The yield of alcohol from corn is given by Maercker-Delbruck, Handbuch der Spiritus Fabrikation, ninth edition, page 681. The yield given is that obtained under good working conditions, using high pressure in cooking.

The proportions of grains used are substantially those given by Mr. W. E. Lummus in hearings before the House Committee on Ways and Means, February to March, 1906, third edition, pages 196 and 413. The value of corn has been taken as $0.65 per bushel, which an expert of the Bureau of Plant Industry states is a fair value at the present time for the grades of corn available for alcohol manufacture.

The cost of the smaller plant is the present value of the equipment purchased by the department in 1908 plus cost of installation. The cost of the press and drier are estimates from trade catalogues describ-

ing machinery manufactured in this country. The cost of the single-effect vacuum evaporator is also an estimate and is not a definite quotation from a manufacturer. Such equipment is made in this country by a large number of firms.

In the daily operating costs the figures given by Mr. W. E. Lummus have been used as a basis, but the costs given are necessarily approximations only. This applies to the coal consumption and incidentals. The labor cost is the same as given in Farmers' Bulletin 410 for operating a plant of this size, working on potatoes, with an additional laborer to attend to the drying of the grains.

The cost of the equipment of the German plant for making alcohol was obtained by the Bureau of Plant Industry several years ago, and plans showing installation and detailed estimates of first costs are available at the department. Freight and erection costs, cost of building, and cost of press and drier for distillery grains are necessarily estimates only. A substantial building is required to house the machinery, and the $5,000 cost is not regarded as at all excessive.

The cost of a double-effect vacuum evaporator was obtained in connection with another subject from an American manufacturer. The cost of coal, incidentals, and labor are but estimates, using, however, to some extent the data given by Mr. Lummus, already referred to.

The yield of distillery grain is taken from Maercker-Delbruck, page 956.

As stated in the opening paragraph of this letter, you will realize that these costs, particularly the operating costs, will necessarily vary under different conditions and can not be stated very definitely.

Very truly, yours,

D. F. HOUSTON, *Secretary.*

Mr. LEVER. Mr. Chairman, does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. McFADDEN. No.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. I offer an amendment to the paragraph in conformity with a suggestion made by the gentleman from Illinois [Mr. MANN] as to another part of the bill.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 21, line 9, strike out the words "not less than."

The amendment was agreed to.

Mr. LEVER. In line 11, on the same page, I move to strike out the words "not less than" after the word "that."

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 21, line 11, after the word "that," strike out the words "not less than."

The amendment was agreed to.

The Clerk read as follows:

For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions, $160,000: *Provided*, That the limitation in this act as to the cost of farm buildings shall not apply to this paragraph: *Provided further*, That no part of this appropriation shall be used in the free distribution, or propagation for free distribution, of cuttings, seedlings, or trees of willow, box elder, ash, Caragana, or other common varieties of fruit, ornamental, or shelter-belt trees in the northern Great Plains area, except for experimental or demonstration purposes.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. What farm buildings do they construct under this item?

Mr. LEVER. Mr. Chairman, I will say to the gentleman that the Government has 26 stations in this subhumid and semiarid dry-land country, and they have little field stations from which they make their investigations. A station costs from $8,000 to $10,000.

Mr. HAWLEY. They also have a building for the man in charge of the station.

Mr. MANN. They do not ordinarily cost more than $1,500, do they? What buildings do they have that cost over $1,500?

Mr. McLAUGHLIN. It was recommended that some dairy work be undertaken at two of these stations, and for that experimental work it was proposed that a farm shed, and so on, be constructed, and one estimate includes $4,000 for a barn. I will say to the gentleman from Illinois, without violating any committee secrets, that I did not think that was a wise provision.

Mr. ANDERSON. That was in a new item where they wanted an appropriation of $87,000, which the committee disallowed.

Mr. McLAUGHLIN. It was an experimental purpose, and it did not seem to me wise to put up a $4,000 barn on a doubtful proposition to make an experiment. The recollection of the gentleman from Minnesota is better than mine. I had in mind another provision. I may say that my understanding of that kind of work is that it is largely experimental, and that expensive buildings are not needed. I doubt very much the wisdom of doing away with this provision of law which limits the cost of farm buildings to $1,500.

Mr. LEVER. If the gentleman from Illinois will permit me, I hold in my hand a report covering the cost of all of these buildings. It is voluminous, but I will read a few of them:

Ardmore, S. Dak. (field station): Frame barn, 30 by 50 feet; housing horses, storage of forage and farm machinery, $1,500. Frame shed, 36 by 80 feet, with concrete floor; storage of farm machinery, $1,950. Frame house, 22.6 by 38 feet, residence of station superintendent, $1,750. Frame shed, 10 by 17 feet, storage of wood and coal, $200.

Dalhart, Tex. (field station): Concrete house, 28 by 50 feet, two stories, administrative headquarters and laboratory rooms for carrying on experiments, $2,061.39. Concrete bunk house, 20 by 34 feet, one story; sleeping quarters for station employees, $1,000.

Lawton, Okla.: Frame house, pebble dashed, 29.6 by 47 feet, two stories, residence of station superintendent, $3,167. Frame barn and implement shed, 36 by 80 feet, with frame "L," 35.6 by 30 feet, housing station animals and storage of machinery and forage, $3,467. Frame house, pebble dashed, 28 by 50 feet, two stories, administrative headquarters and laboratory rooms for carrying on experiments, $2,460.

Mr. MANN. Mr. Chairman, I withdraw the point of order, and I move to strike out the last word. You put in a provision here that they shall not distribute any trees or cuttings.

Mr. LEVER. I will ask the gentleman from Minnesota to explain that item to the gentleman.

Mr. ANDERSON. Mr. Chairman, I will say that about two years ago the station at Mandan engaged in the propagation of the ordinary belt shelter trees like box elder, willows, caragana, and so forth, and at that time they sent out to the newspapers circulars that they would furnish farmers a sufficient number of shelter belt trees to plant half an acre. In this way the Government came in direct competition with the nurserymen who were selling trees in this section, and that is the purpose of this amendment, to stop the distribution of shelter belt trees.

Mr. NORTON. Mr. Chairman, I do not believe that this last proviso should be retained in the bill. I should move as an amendment to strike out the proviso were it not for the fact that I am led to believe that an agreement has been reached between the Department of Agriculture and certain members of the Committee on Agriculture to the effect that this provision will be reasonably satisfactory to all concerned. The only reason the proviso has been placed in the bill is because the nurserymen of the Northwest, more particularly those in Minnesota, have strenuously objected to the distribution of trees and shrubs that has been made and that is contemplated to be made by the Northern Great Plain Experimental Station at Mandan, N. Dak. The nurserymen complain that on account of the cuttings, seedlings, and shrubs furnished free by the experimental station to farmers in the Northern Great Plains area in North and South Dakota, Montana, and Wyoming, the volume of their business has been decreased and their business has been greatly injured. Dr. Taylor, of the Department of Agriculture, takes direct issue on this complaint and maintains that the work being carried out by the Northern Great Plains Experimental Station will increase rather than lessen the demand for the purchase of trees and shrubs by farmers and others in that section of the country. It has not been attempted in the past by the experimental station at Mandan, to supply cuttings, seedlings, and shrubs to all farmers in the Northern Great Plains area who might make application for the same. It has been their plan and purpose to distribute for demonstration and experimental purposes to a few farmers in each locality cuttings, seedlings, and shrubs in quantity sufficient to plant a shelter belt of two or three acres. It is further planned to send out experienced horticulturists from the station to demonstrate the best way to care for these trees and shrubs, and to encourage farmers in the cultivation, care, and growing of trees, shrubs, and small fruits. This has not been done to a large extent in the last few years, but those in charge of the experimental station plan in the future to give more emphasis to this feature of the work.

I can say from my own personal observation that they are doing a good work at this station. They are creating a commendable and much-needed interest on the part of the farmers in the growing of trees and the setting out of shelter belts on their farms all through the Northern Great Plains area.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. NORTON. Certainly.

Mr. MANN. What is this caragana tree? I am familiar with the caragana species.

Mr. NORTON. That is an item that was inserted in the bill at the request of the gentleman from Minnesota [Mr. ANDERSON], and I am most confident he can give the gentleman from Illinois all of the desired information concerning that particular tree.

Mr. ANDERSON. Mr. Chairman, I will say to the gentleman I never attempt to give the gentleman from Illinois [Mr. MANN] any information.

Mr. MANN. I hope the gentleman will not attempt to do it without doing it. Whatever he does it is not ever merely an attempt. I would not have asked the question, but he used the word a short time ago, and it is written in the bill also.

Mr. ANDERSON. I am unable to give the gentleman any description which will enable the gentleman to identify it. All I know about it is that this is one of the ordinary varieties of shelter-belt trees or shrubs which the department has been distributing in this section and which is a very ordinary common variety.

The Clerk read as follows:

For investigations in connection with western irrigation agriculture, the utilization of lands reclaimed under the reclamation act, and other areas in the arid and semiarid regions, $75,380.

Mr. FORDNEY. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman if there is not another department that is doing the work provided for in this paragraph? Is there not a special fund set aside from receipts for the sale of lands in each of the States for irrigation purposes and for the investigation of irrigation plants to be erected by the Interior Department?

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. HAWLEY. There is a bureau in the Department of the Interior known as the Reclamation Service, which constructs irrigation plants, including canals and ditches for the irrigation of arid lands. This is an entirely different procedure. After the irrigation districts have been developed and farmers go on the lands this work begins then in cooperation with the farmer to study the problems on the projects, of growing crops, of drainage, and of every other factor in the farmer's work that arises in an irrigated section. It is an entirely different branch of work.

Mr. LEVER. This is purely agricultural.

Mr. FORDNEY. I withdraw the pro forma amendment.

The Clerk read as follows:

To cultivate and care for the gardens and grounds of the Department of Agriculture in the city of Washington, including the keep and lighting of the grounds and the construction, surfacing, and repairing of roadways and walks; and to erect, manage, and maintain conservatories, greenhouses, and plant and fruit propagating houses on the grounds of the Department of Agriculture in the city of Washington, $11,690.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Is that what this appropriation has been used for heretofore—simply the grounds down here?

Mr. LEVER. This appropriation has been used for that purpose heretofore, but some question as to the erection of greenhouses arose with the comptroller, and it is for the purpose of making the authority of the department certain as to the erection of permanent greenhouses, as contrasted with temporary greenhouses, that this change in language was adopted.

Mr. MANN. There is no change that would affect that is there?

Mr. LEVER. We have dropped the word "experimental," and we have inserted the word "erect," which the department feels gives them authority to meet the ruling of the comptroller.

The Clerk read as follows:

For horticultural investigations, including the study of producing, handling, and shipping truck and related crops, including potatoes, and the study of landscape and vegetable gardening, floriculture, and related subjects, $56,080.

Mr. COX. Mr. Chairman, I move to strike out the last word. I do not like to take up the time of the committee, but I desire to have some information if I can get it. The central part of southern Indiana is fast becoming a great apple-producing section. Several years ago a few men went into it on a rather light scale, but in the last 10 years a number of men have gone in and have planted thousands upon thousands of acres of apple orchards. Last summer what was known through that section of the country and what I learned later was characterized by the Agricultural Department as fire blight began to sweep through that section of the country until it almost ruined thousands and thousands of acres of orchards. I have a little orchard myself of 10 acres, and it almost desolated it. I learned the only remedy for it was to prune it and cut off every infected limb. I got that information from an extensive fruit grower in my section, who said he got his authority from the Agricultural Department. I found it did not do any good. I would like to know whether or not the department has any remedy or has discovered anything that will stop that fire blight. It is extraordinarily bad in our section of the country. In addition to apples it started on pear trees, and the owners of the orchards finally cut down the pear trees and burned them, because they came to the conclusion that the disease, whatever it was, was being bred on the pear and spread from there to the apple.

Mr. LEVER. I will say to the gentleman that as to the blight in apples I do not recall any statement being made to the committee, but I do know that some statement was made in reference to the pear blight, and as far as I have been able to ascertain there is no remedy for pear blight except the destruction of the diseased part of the tree.

Mr. HAWLEY. The gentleman spoke of fire blight.

Mr. LEVER. I understood from what the gentleman said it was the same kind of disease.

Mr. COX. Mr. Chairman, I got the impression that this fire blight struck the orchards in New England and particularly in New York in 1910, and that they were then investigating it, but had not discovered a remedy for it. If the department has anything on earth for that section of the country and can inform us of it, it will be doing southern Indiana a very great service.

Mr. LA FOLLETTE. Mr. Chairman, the disease the gentleman speaks of, which is known as fire blight, is not a new disease. It has been in the United States for the last hundred years. It attacks seed-bearing deciduous fruit trees to a greater or less degree. It also attacks the common thorn tree, and attacking trees of that character makes it almost impossible to eradicate the disease. The information given the gentleman from Indiana was correct as to the remedy. The only way to eradicate the disease is with the knife. The only way that it can be handled is by careful pruning, and the reason that method is not nearly always successful is either from lack of knowledge or from carelessness in following out the directions for pruning. The disease is of the same nature as the citrus canker disease, spoken of a while ago, only not as virulent probably as the citrus canker. Unless you get clear below the disease you fail, the disease being bacteriological and works in the sap, and you can not reach and spray against it, only the knife will do the work. If you do not get below the diseased wood and the knife becomes infected, the next cut you make may infect a tree.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I ask that I may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none. To whom does the gentleman yield?

Mr. COX. I yield to the gentleman from South Carolina [Mr. FINLEY].

Mr. FINLEY. Does the gentleman find that pear trees suffer to the same extent or not?

Mr. COX. I think the pear trees of central and southern Indiana suffer.

Mr. FINLEY. I will say to the gentleman I have found every variety on my own premises died with the exception of one variety, and that is a late variety, a very hardy one, I believe called the Keifer.

Mr. COX. Now, in response to the statement made by the gentleman from Washington, this may be an old disease in some sections of the United States, but it is not an old disease in my section of the State. Last summer was the first time it ever made its appearance upon the apple trees in that section of the country. I did my best and followed out the advice I had by using a pruning hook and supervised the pruning myself, and the man who did the pruning put on a pair of rubber gloves. I had a pail of water thoroughly disinfected. The cut was made far down below the infected part, and if I entertained any question that the pruning hook did not go beyond the infected part it was thoroughly disinfected, and yet it did no good. The result was it practically ruined my orchard, but that is neither here nor there; but there are tens of thousands of acres of growing orchards through my section of the country which this disease literally ruined last year, and all pursued the same method. I have searched the agricultural bulletins on this subject and I have not found any bulletin that has been issued by the Bureau of Horticulture treating of this particular disease or advising people how to get rid of it.

Mr. LEVER. Mr. Chairman, I confess I never heard of the disease before, but I will say to the gentleman from Indiana, if he will permit, that on page 18 of this bill, which we have already passed, we have a paragraph for $63,615 for the investigation of the diseases of orchard and other fruits, and I trust the gentleman will have this matter brought to the attention of the department, although I presume he already has done so.

Mr. COX. I have not; I will say that; but I will say that I raise the point at this particular time so that the Bureau of Plant Industry would see what we have said upon this subject in the CONGRESSIONAL RECORD and give some attention to it later, and perhaps it will cause the department to look into this matter because it is a serious matter for men to have thousands of growing orchards simply swept off when they can not do anything to stop it.

Mr. LEVER. I am satisfied, however, the gentleman from Indiana will find that if this disease is at all of long standing in this country, or even of rather recent standing, the department has already discovered it and is doing some work upon the subject. Whether they have found a remedy that works successfully I do not know.

Mr. COX. I now yield to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Is the disease to which the gentleman refers a form of blight?

Mr. COX. Fire blight, it is called.

Mr. FESS. Of the pear tree?

Mr. COX. No; of the apple.

Mr. FESS. And it struck the pear trees, too.

Mr. COX. It struck the pear trees in our section of the country some years ago but never touched the apple trees until last summer.

Mr. LEVER. A good deal of study has been given to the pear blight. Is there any difference between the ordinary apple blight and the pear blight?

Mr. LA FOLLETTE. Mr. Chairman, I move to strike out the last two words. I think if the gentleman from Indiana will take this up with the department he will learn that they had cognizance of this disease for many years and they have issued bulletins on the disease, and that it has been treated of in the Agricultural Yearbooks for many years past, at times. It is a disease, as I have said before, that has been in the United States for more than 100 years, yet it was only within the last 10 years the origin of the disease was simultaneously discovered by the Nebraska State experiment station and by Cornell University. It is a bacterial disease and works in the sap of the tree.

Mr. COX. Do you have it out in your great fruit belt?

Mr. LA FOLLETTE. I should say we did.

Mr. COX. What do you do to get rid of it?

Mr. LA FOLLETTE. We use the knife.

Mr. COX. Does that cure it?

Mr. LA FOLLETTE. It will not cure it always. I will say we have had the same experience the gentleman has had. We have cut orchards, and still would lose the trees in spite of it; but I will say this that for 14 years I ran a large orchard, and when the disease first struck my part of the country some of my neighbors became disheartened and grubbed out their trees, but I fought it and used the knife continuously, and, while with a few varieties I lost practically all, on the whole I shipped four or five thousand boxes of good pears each year.

Mr. COX. Did it hit your apple trees?

Mr. LA FOLLETTE. It hit our apple trees, our pear trees, and it hits all seed-bearing deciduous fruit trees, and even the thorn trees. It does not attack stone fruits, such as peach trees, cherry trees, and so forth.

Mr. COX. Is it the same kind of a blight that works on the pear that works on the apple?

Mr. LA FOLLETTE. The same thing—the fire blight. There is a leaf blight that makes the leaf of the pear tree turn brown, but the latter disease is a very innocuous one as compared with the fire blight.

Mr. FESS. What is the San Jose blight?

Mr. LA FOLLETTE. That is not a blight at all. It is a louse that fastens on the bark of the tree and becomes covered by a scale. There is an exudation from it, and after a short time it becomes fastened to the tree.

If my time has not expired, I will say to the gentleman that the San Jose scale will fasten on the bark of the tree; it breeds very rapidly, and in a short time the bark of the tree will look as though you had taken a pepper box and sprinkled black pepper thickly over the tree. It is an easy disease to fight compared with fire blight, because by using the proper ingredients of sulphur, salt, and lime anyone who will exert intelligence and is not afraid of work can eradicate it. I shipped 100 cars of fruit a year on an average for 14 years, and I fought the San Jose scale all those 14 years. As I said a while ago, I also shipped thousands of boxes of pears every year, but I had to continuously keep, at the proper season, men in the orchard trimming and keeping the disease down. And if you take it in time and do not let your orchard become thoroughly infested, you can eradicate it much quicker than you can if you once let it get a good hold. After that it is almost impossible to stamp out the disease.

Mr. OVERMYER. Will the gentleman yield?

Mr. LA FOLLETTE. I will.

Mr. OVERMYER. This fire blight is also known as "twig blight" in some sections of the country, is it not?

Mr. LA FOLLETTE. It might be known as that.

Mr. OVERMYER. They had that in Ohio, and it was known as "twig blight," and it may be that it was the same trouble.

Mr. LA FOLLETTE. I will say to the gentleman that I have no doubt but that it was the same. As I have traveled from Washington City to the Pacific coast for the last two years I have noticed in the orchards, from the Atlantic to the Pacific, thousands of trees infested with fire blight. It is not always so virulent sometimes. Thousands of twigs will be inoculated, and it will probably get in 6 inches on the limb, and then die for some cause. It fails to work against the sap in that tree.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the gentleman from Washington have five minutes more. Is there objection?

There was no objection.

Mr. COX. Does this disease occur every year, or is it sporadic?

Mr. LA FOLLETTE. I do not think it occurs every year in all localities, but I think you will find it is working in some parts of the country every year. If not, I think it would finally die out.

Mr. COX. What is the gentleman's experience as to when it once gets into an orchard. Does it permanently stay there?

Mr. LA FOLLETTE. I think you can eradicate it from that orchard. But the trouble is always this: One man fights it and another man does not fight it. Consequently, you eradicate it from your orchard this year, and everybody in your neighborhood may eradicate it, but it is carried by birds, on their feet, maybe 10 miles, from some orchard which the owner neglected, and the trees of your orchard will become infected again. For that reason it is only by eternal vigilance you can keep down the fire blight or any other disease. I ran an orchard for 14 years, and you can not do it successfully unless you are watchful all the time.

Mr. COX. I think you are right about that. I am getting disgusted as a fruit grower.

The Clerk read as follows:

For the purchase, propagation, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation of the utilization of cacti and other dry-land plants; and to conduct investigations to determine the most effective methods of eradicating weeds, $140,920: *Provided*, That of this amount not to exceed $60,000 may be used for the purchase and distribution of such new and rare seeds: *Provided further*, That $5,000 of this amount shall be used for a reconnaissance survey of the noxious-weed situation in the spring-wheat areas of the United States.

Mr. MANN. Mr. Chairman, I reserve a point of order on that paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN. I see the committee has very much enlarged the scope of the work to be done by the $60,000 item which was inserted a few years ago in the bill to try drought-resistant seeds in the arid regions. They have left all that out and they now provide for "new and rare seeds." I believe that item, the same thing, is covered in another place in the bill, is it not?

Mr. LEVER. I think this is the only place.

Mr. MANN. There has always been a provision for the distribution of new and rare seeds.

Mr. LEVER. This is the history of the item for new and rare seeds. That, until about two or three years ago, was carried in the item for the purchase and distribution of valuable seed, and it was then transferred here.

Mr. MANN. I understand that. This item carries an appropriation of $140,920, which is a considerable increase over the existing appropriation. That appropriation itself is for the distribution, and so forth, of new and rare seeds.

Mr. LEVER. Yes.

Mr. MANN. And then we inserted under that paragraph a proviso for $60,000, which might be used for the distribution of drought-resistant seeds throughout the arid regions. You cut that part out and repeat here the language, "That of this amount not to exceed $60,000 may be used for the purchase and distribution of such new and rare seeds." What is the balance of it used for?

Mr. LEVER. Mr. Chairman, if the gentleman will permit, I will say that in the last bill, as the bill passed this House, this paragraph for new and rare seeds carried $39,000 in this proviso as recommended by the department.

Mr. MANN. In this paragraph, this item?

Mr. LEVER. In this paragraph.

Mr. MANN. It is not in the proviso.

Mr. LEVER. It was in the proviso; $39,000 in the proviso; but the proviso did not confine it to the dry-land country at all. Then when the bill reached the Senate—I am speaking somewhat from memory——

Mr. MANN. My recollection is very much along the same line.

Mr. LEVER. I say that because the gentleman from Minnesota [Mr. ANDERSON] has a copy of the act before him.

Mr. ANDERSON. I have the estimates.

Mr. LEVER. When the bill reached the Senate, the Senate inserted a provision restricting this amount to the distribution of drought-resistant field seeds and increased the appropriation from $39,000 to $100,000. In conference the amount was reduced to $60,000. It was not the intention on the part of the

conferees, certainly not on the part of the conferees for the House, that the distribution of these new and rare seeds should be confined to any one section of the country, so that when the department made its estimates this year the language submitted broadened the scope of the distribution so that those seeds might be distributed to all sections of the country. That is the explanation of this item for "the distribution of new and rare seeds."

Mr. MANN. Under the existing law it is provided that $60,000 of this item "may be used for the purchase and distribution of drought-resistant field seeds throughout the Great Plains area."

Mr. LEVER. This appropriation, I will say to the gentleman, is not all used by any means for the purchase and distribution of new and rare seeds. If the gentleman will observe, he will notice the paragraph says further, "For the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation of the utilization of cacti and other dry-land plants; and to conduct investigations to determine the most effective methods of eradicating weeds," and so forth. The truth about the matter is that in setting aside this amount in the proviso, $60,000, which the conferees allowed, we very much infringed and encroached upon the work that the department was doing along investigational lines. It is to cure that mistake that we are increasing the appropriation, and by changing the language here we are also broadening the scope of the distribution of new and rare seeds that we introduce into this country.

Mr. MANN. It is true, of course, that all of the work carried on by this paragraph is not confined to the distribution of seeds.

Mr. LEVER. That is very true.

Mr. MANN. It does other work. Last year we made an appropriation of $119,920 in the paragraph. Then, on the insistence of gentlemen representing the Great Plains area, including the gentleman from Wyoming [Mr. MONDELL] and other gentlemen who made the fight in the House, the law provided that the $60,000 of the $119,920 should be used for the distribution of drought-resistant field seeds in this region. You cut that all out. Of course, in the first place, the department might have used all the money for that purpose if they had wanted to do so, because the general authority to distribute new and rare seeds would have allowed them to use it where they pleased.

Mr. LEVER. That is true.

Mr. MANN. It is very true that the $60,000 probably cut off part of their other work.

Mr. LEVER. It did.

Mr. MANN. But you have increased the appropriation sufficiently to cover that now.

Mr. LEVER. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. I ask unanimous consent that the time of the gentleman from Illinois be extended five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the time of the gentleman from Illinois be extended five minutes. Is there objection?

There was no objection.

Mr. LEVER. I may say further to the gentleman from Illinois, as I refresh my memory, that the statement was made before the committee that the department this year was enabled to get its new and rare seeds at a bargain. I do not recall just exactly what the bargain was, but that statement was made, and I think the figure stated was that it was enabled to get as much seed for $46,000 as under normal present conditions it can ordinarily get for $65,000.

Mr. MANN. Of course, they were not required to use $60,000 this year for this purpose. It was only to call their attention that it was not to exceed $60,000.

Mr. LEVER. That is true.

Mr. MANN. The intention of Congress, as enacted into law, was that the department should give special attention to the subject of drought-resisting field seeds in the Northwest. If we change the law the department will probably think that they will keep on doing that, but they will not do it long.

Mr. LEVER. I do not think it is the intention of the department under this proviso, and I will say frankly to the gentleman that it is not the intention of the committee, that the distribution of these new and rare seeds shall be confined to any one section of the country. The expression "new and rare seeds" includes seeds which are not new to all of this country, but which are new to certain sections of the country.

Mr. MANN. Nobody wants it confined to any one section of the country.

Mr. LEVER. But under the law that might be the effect.

Mr. MANN. Oh, no; the old law did not confine them to any one section of the country. The old law only called their attention to it. I can read the language.

Mr. LEVER. I wish to see it myself.

Mr. MANN. The language of the law was, first, so much money for the distribution of new and rare seeds.

Mr. LEVER. Yes.

Mr. MANN. Then, with the proviso:

> Of this amount not to exceed $60,000 may be used for the purchase and distribution of drought-resisting field seeds throughout the Great Plains area or other dry-land sections of the United States.

That is the language of the law.

Mr. LEVER. Now, the point I make to the gentleman from Illinois is this, that I believe almost any head of a department might construe that language in accordance with the supposed intention of Congress, and so might confine this $60,000 to distribution in the area of country specified in the act.

Mr. MANN. I doubt whether they spent $60,000 in the distribution of that class of seeds.

Mr. LEVER. Possibly not.

Mr. MANN. I do not think they were required to do it, and I do not think they did, but I think they ought to give special attention to that subject. We have been distributing—properly distributing, and I am glad of it—large quantities of cotton seed for many years. I do not get a quota of any of those seeds myself.

Mr. LEVER. That comes under this item.

Mr. MANN. I know it does now. The people there wanted to try drought-resisting field seeds, and they wanted the department specially to help them. I think the department ought to give special attention to that subject. Of course, they may continue to do it.

Mr. LEVER. My own thought, as a matter of fact, is that the department will do what I think the department ought to do; that it will as nearly as possible send these seeds to such sections of the country as give promise of growing them to advantage.

Mr. MANN. In my judgment, if this provision is to stay in the bill at all, it ought to be stricken out, I was going to say. That would be an Irish bull worthy of anyone. The first proviso has no place in this bill. You first appropriate $140,920 for the purchase, propagation, testing, and distribution of new and rare seeds, and for other purposes. I do not think you want to limit the seed distribution to $60,000, and you do not limit it to that. You may limit it to that by saying not exceeding $60,000. Last year the $60,000 was called to the attention of the department for drought-resisting field seed.

[The time of Mr. MANN having expired, his time was extended five minutes.]

Mr. MANN. That covered the cotton seed, the ordinary alfalfa seed, the soy bean, and the cowpea that was sent all over different places in the United States.

Mr. COX. And the Soudan grass seed.

Mr. MANN. Yes; and grass seeds not confined to the Northwest. I do not know how much they expended for that purpose, but I dare say it amounted to more than $60,000. I understood the gentleman to say that they spent $46,000 for drought-resisting field seed, and I am sure they spent more than $14,000 for the other seeds. Here you make an appropriation of $140,000 and then limit the amount they can expend for seed to $60,000. I do not think you want to do that.

Mr. LEVER. I disagree with the gentleman; it is a matter of judgment, and not of fact.

Mr. MANN. In the main it is a matter of fact—what they have done with it.

Mr. LEVER. As a matter of judgment the committee, as the gentleman knows, has for a good many years undertaken, as far as possible, to segregate the various lump-sum appropriations in this bill, and this, while not an entire segregation, is in a measure a segregation of the items. The Committee on Agriculture feels that $60,000 is a sufficient sum for this purpose.

Mr. MANN. Here is what the Committee on Agriculture found—an item that purported to appropriate $60,000 for the purchase of drought-resisting field seed. They said we will change that, cut out the limitation, and make it new and rare seed; but in changing that you limit the other appropriation, which was for the purpose of purchasing new and rare field seed. There is no earthly object in carrying in two places in the paragraph the provision for the purchase and distribution of new and rare seed. You have it in once as a limitation and once as a general authorization. I am sure the committee was not careful and considerate of the matter or they would not have put it in twice.

Mr. LEVER. The gentleman's interpretation of the committee's action is hardly accurate. We put the authorization in for the seed and then we put the limitation on the amount that might be used.

Mr. MANN. You have a limitation that was already on and cut out the provision that the limitation was for—drought-resistant field seeds.

Mr. LEVER. We broaden the limitation.

Mr. MANN. That is all you did. You first make an appropriation of $140,000, and then you say only $60,000 can be used for certain purposes. That you have a right to do, but I do not think that was what was in the committee's mind. I think what was in the committee's mind was to permit that money to be expended for seed without confining it to the arid regions. I think that you will find that considerably more than $60,000 is now being expended for this purpose. I do not believe that you wanted to cut it down. I believe the distribution of this field seed throughout the country has been of inestimable benefit to farmers throughout the country. I have no doubt that the distribution of cotton seed has been of great benefit to farmers in the South.

Mr. LEVER. It has, undoubtedly.

Mr. BLACK. Mr. Chairman, I want to add my testimony to what the gentleman from Illinois has said—that it has been of inestimable benefit, especially in the boll-weevil district, where it has enabled us to raise a crop of cotton notwithstanding the boll weevil.

The Clerk read as follows:

For general administrative expenses connected with the above-mentioned lines of investigation, including the office of the chief of bureau, the assistant chief of bureau, the chief clerk, the officers in charge of publications, records, supplies, and property, and for miscellaneous expenses incident thereto, $31,020.

Mr. RUBEY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PARK. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the subject of the production of table sirup and the utilization of cane by-products.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read as follows:

Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, $252,540. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants, shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided, also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided, also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same season been supplied by the department: *And provided, also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants.

Mr. SIMS. Mr. Chairman, I want to make an inquiry of the chairman or some member of the committee who may be able to give the information, and to relate a little of my own experience with reference to seed distribution for the present year. I naturally supposed that the department officials who look after these things would know about the kind of seed that was best for distribution in Tennessee. Do the best I could, I have not been able to get a list of all the farmers in my State who may want seed. Many write for seed whose names are not on my list. In order to immediately send out single packages thus asked for I had 500 packages of vegetable seeds sent to my office and the same number of flower seeds for the same purpose, and out of the 500 packages of vegetable seed there was not a single bean seed, not a single English pea seed, not a single tomato seed, not a single cucumber seed, not a single watermelon seed, not a single muskmelon or cantaloupe seed, and without any of these seed they were an absolute disappointment to the people who received them, and they wrote back and complained of them. They were not what the people wanted in my district. They did not meet the demand and only created trouble. I want to know if there is any way by which this bill may provide that a Member of the House may designate to the department before these seeds are put up the character of seed that his constituents desire in their locality. I do not expect to have all kinds of seed in each package, but when it comes to getting 500 packages at one time and not a single seed in it that anybody in my district wants, it is not only a disappointment but an irritation.

I wanted to ask the gentleman in charge of this bill if anyone knows how we may be able to get for our constituents what they want? They pay the taxes, whether they want to or not, and they ought to be accommodated as far as it is possible to do so, by getting the variety of seeds that they want and need.

Mr. LEVER. Mr. Chairman, I would suggest to the gentleman that we could easily amend this bill so as to provide that Members in advance should designate the kind and character of seed they wish to send to their districts the year following, but I have a slight notion that it would be a pretty hard job to carry that out on the part of the department, because the designations would be so varied from the different districts.

Mr. SIMS. We get about 25,000 packages to a congressional district. Every district in west Tennessee is practically the same, and nearly all in middle Tennessee are practically the same. The gentleman knows, if he knows anything about the average demands of a farmer, that there is nothing that the farmer wants or that the farmer's wife or the farmer's family wants or needs more than a splendid variety of bush and pole bean seed, English-pea seeds, cucumber and melon seeds. The new and rare varieties that my people want are those that they can make the best use of. Besides, many families can beans, corn, and tomatoes for use during the year. Besides for family use, there is a large amount of canning done in my district for sale, by canning factories; and they want something that they can use for themselves or that they can sell to the factories, and to get package after package, hundreds of them, without a single seed in them that they want is simply a vexation and a disappointment.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SIMS. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SIMS. I have no charge to make that this was intentional on the part of the department officials, but when I wrote my letter I asked for the varieties of seeds most commonly used in the section of the country in which my district is located. I wanted bean seed, common every-day bean seed, that the farmers' families would rather have than all of the new and rare varieties of seeds known to the department. I do hope our Agricultural Department may be a little more practical in putting up seeds hereafter, and by so doing a real service to the country will result.

Mr. MANN. Mr. Chairman, the gentleman from Tennessee [Mr. SIMS] has been here as long as I have been here, and during that time he ought to have learned the ropes a little better. In putting up these seeds the department does it by machinery. If a man sends over 500 franks, he will probably get 500 of the same kind of seed in each of the 500 packages, because ordinarily they do not split it up in a 500 allotment. If you send over a large number of frank slips at one time, it is divided up so that there is an assortment; but all you have to do if you want packages sent to your office carrying bean seed or corn or something else is, when you send your frank slips over to the department, to ask them in putting up your seed so that they shall include certain kinds of seed. Now, my secretary learned that long ago. Anyone can do it, and they will do it.

Mr. SIMS. If the gentleman will permit me, I made out two lots of franks and addressed seed labels, one for 7,000

and one for 10,000. In both instances I wrote exactly what kind of packages were wanted.

Mr. MANN. You sent over 500 frank slips, and said nothing about what you wanted?

Mr. SIMS. No; the gentleman is mistaken——

Mr. MANN. They have a large number of different kinds of seeds, and put five packages of various sorts in each one of the mailable packages with the different lists they have and say nothing about it. They do not stop with 500 and divide up a number of different lists and ought not to do so. But a gentleman can easily indicate when he wants seed sent to his office if he wants a certain kind of seed included in his list, and they will do it, because they have that list and can fill it.

Mr. SIMS. But from many of those to whom the 18,000 or 20,000 packages were sent I am getting letters saying that they do not get what they wanted.

Mr. MANN. Oh, well—very likely; no one ever gets what he wants.

Mr. SIMS. I mean of standard common varieties of which we have spoken.

Mr. MANN. They can not send half a dozen different varieties of beans—lima, bush, and pole beans. All they can send is one kind at the best, in most of the packages. In most packages they include one large package of seed, and the large package of seed has either beans, peas, or corn. They do not include the large packages in any frankable packages. In the main, the others probably are onions, lettuce, radishes, or something of that sort. They send me too many——

Mr. SIMS. If I lived in Chicago, I might be the same way.

Mr. MANN. Cantaloupes, muskmelons, watermelons, that I did not specify I wanted, yet I think it is a very good thing on the whole if the constituents of the gentleman from Tennessee are introduced to some new kind of vegetables. They have had pole beans down there long enough. [Laughter.]

Mr. SIMS. They do not seem to think so.

Mr. MANN. They have had peas enough.

Mr. SIMS. They have not had the seed they wanted.

Mr. MANN. They ought to get acquainted with some new kinds and understand their names and learn how good they are.

Mr. SIMS. My people want beans rather than new variety names.

Mr. WALSH. Mr. Chairman, I move to strike out the paragraph.

Mr. LEVER. Mr. Chairman, before the gentleman proceeds, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. MANN. Mr. Chairman, I would like to suggest to the gentleman that this is Saturday afternoon.

Mr. LEVER. Just look at the brethren rise!

Mr. MANN. The gentleman can not expect to pass this paragraph in reference to seeds to-day, and the gentleman might as well—we certainly could not get through with it until we hear from the gentleman from Mississippi.

Mr. LEVER. I was reserving 5 minutes of time for the gentleman from Mississippi [Mr. CANDLER].

Mr. MANN. Mr. Chairman, it is 10 minutes to 5——

Mr. LEVER. I was hoping to pass this item, and then I would move to rise.

Mr. MANN. But this is Saturday evening.

Mr. LEVER. The gentleman is not nearly as tired as I am.

Mr. MANN. I do not think the gentleman can accomplish anything by going ahead to-night, not a minute, and I hope the gentleman will move to rise.

Mr. CANDLER of Mississippi. This is a very important item—one of the most important provisions in the whole bill.

Mr. LEVER. May I suggest this to the gentleman from Illinois and see how it strikes him: Let us agree upon the amount of time to be consumed so that when we meet again the time will be fixed. I do not think we ought to consume an hour or two hours on a proposition which we have debated here year in and year out and we know exactly——

Mr. MANN. But think how much comfort some gentlemen get out of it.

Mr. LEVER. There is something in that, and I am a very charitable man, as the gentleman knows.

Mr. MANN. I do not think gentlemen ought to be shut off on this item. I think we have been making pretty good progress on this bill.

Mr. LEVER. I think we have, too, but I think that 30 minutes' debate on this paragraph ought to be sufficient.

Mr. MANN. Make it an hour and 30 minutes.

Mr. LEVER. What would the gentleman say to an hour? I really want to close the debate.

Mr. MANN. Make it an hour and 30 minutes.

Mr. LEVER. That is too long.

Mr. MANN. We used two or three hours before.

Mr. LEVER. I think the gentleman will agree to an hour's debate on this.

Mr. MANN. All right.

Mr. LEVER. I ask unanimous consent that all debate on this paragraph and amendments thereto close in one hour.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in one hour. Is there objection?

Mr. BARKLEY. Reserving the right to object, Mr. Chairman, would the gentleman take care of me for five minutes in that time?

Mr. LEVER. I will not have the control of the time. The Chair will have control of it.

Mr. FOSTER. Reserving the right to object, this is an old question, that has been discussed, to my knowledge, for 10 years.

Mr. MANN. The gentleman has been here for 10 years, but lots of us have not.

Mr. FOSTER. What is the use of discussing an old proposition like this? To take an hour's time to discuss this proposition again seems to me ridiculous.

Mr. LEVER. I agree thoroughly with the gentleman from Illinois.

Mr. SIMS. There are 140 Members of this House that have never opened their mouths on this.

Mr. FOSTER. The new Members are intelligent.

Mr. MANN. It might develop that they are more intelligent than the old Members.

Mr. FOSTER. Then it is a case of the old Members trying to instruct new Members. They might need some instruction themselves.

The CHAIRMAN. Is there objection?

Mr. SIMS. I object.

Mr. LEVER. The gentleman from Illinois [Mr. FOSTER] and I agree upon this proposition.

Mr. SIMS. But I saw them debate here eight hours on the sugar repeal bill. So do not talk about speeding up on something everybody is interested in. Then, on the sugar bill, the gentlemen did not confine themselves to the subject, either.

Mr. LEVER. The people down in the gentleman's district would rather that Congress passed the bill and permitted them to get the seeds than to hear the gentleman talk on this subject.

Mr. SIMS. There were eight hours' debate on the sugar repeal bill, and it was not all confined to the subject, either.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12717, the Agricultural appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. THOMAS, indefinitely, on account of sickness.

To Mr. MOON, for 15 days, on account of important business.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, D. C., April 15, 1916.

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEAR MR. SPEAKER: Please extend my leave of absence through next week, as the doctor says it will be better for me not to leave home until I am more improved than at present.

Thanking you, I am,
Sincerely, yours,
E. J. HILL.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

SIR FRANCIS DRAKE CELEBRATION.

Mr. NOLAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. NOLAN. I desire to ask the Speaker to lay before the House Senate concurrent resolution 20, on the Speaker's table, a similar resolution reported from the Committee on Industrial Arts and Expositions being now on the House Calendar.

The SPEAKER. The Chair lays before the House Senate concurrent resolution 20, which the Clerk will report.

The Clerk read as follows:

Senate concurrent resolution 20.

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is hereby authorized and requested to appoint a representative of this Government to appear at the

celebration of the landing of Sir Francis Drake on the shores of Marin County, Cal., on the dates of May 19, 20, and 21, 1916: *Provided*, That the expenses of such representative shall be paid by those in charge of the celebration, and that no expense whatever shall be required of the Federal Government.

Mr. MANN. Mr. Speaker, this is a concurrent resolution, and a similar concurrent resolution was reported in the House. It proposes to authorize the President to do something, which, it is true, is not to be at the expense of the Government, but a concurrent resolution is invariably and necessarily confined to those things which the House and Senate can do themselves, and they can not by a concurrent resolution confer any authority upon the President. Therefore, I move to amend the resolution by striking out the resolving clause and inserting:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.

And striking out the words "Concurrent resolution" and inserting the words "Joint resolution."

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the word "Concurrent" and insert in lieu thereof the word "Joint." And amend the resolving clause by making it read:
"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.*"

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The joint resolution as amended was passed.

Mr. MANN. Mr. Speaker, I move that the title be amended to conform to the text.

The title was amended so as to read: "Joint resolution (S. J. Res. 121) authorizing the appointment of a representative of the United States Government to appear at the celebration of the landing of Sir Francis Drake on the coast of California."

By unanimous consent, House concurrent resolution 21 was laid on the table.

On motion of Mr. NOLAN, a motion to reconsider the vote by which the Senate joint resolution was passed was laid on the table.

HOUR OF DAILY MEETING.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that hereafter until otherwise ordered the House meet at 11 o'clock a. m.—that is, that the daily meeting of the House be at 11 o'clock a. m. instead of 12 o'clock noon.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that hereafter until further ordered the House meet at 11 o'clock a. m. instead of 12 o'clock m.

Mr. MANN. Reserving the right to object, does not the gentleman think we are doing pretty well about that now? Why should we do it by unanimous consent? I do not think we ought to meet at 11 o'clock every morning.

Mr. KITCHIN. I think we are doing pretty well, but I think we ought to meet at 11 o'clock. Let us go through with the business and go home as soon as possible.

Mr. MANN. I am willing to get through with the business and go home as soon as possible, but I doubt if that will expedite it.

Mr. ADAMSON. I suppose the gentleman does not include Calendar Wednesday?

Mr. MANN. It would probably result in a point of no quorum being made.

Mr. KITCHIN. I will except Calendar Wednesday from my request.

Mr. MANN. Why not except this coming Monday, too?

Mr. KITCHIN. Yes; I will except this coming Monday.

Mr. MANN. We consent every night. Why not let it go that way. We may not want to meet at 11 o'clock every day. There is no objection meeting at 11 o'clock for the consideration of these bills that are up, and there will not be.

Mr. KITCHIN. I think we ought to meet at 11 o'clock, except on Calendar Wednesday.

Mr. MANN. And I, too, think we ought to meet at 11 o'clock, and we have been doing it all along; but there might be something that would arise that would lead us to desire otherwise.

Mr. KITCHIN. I modify my request, Mr. Speaker, and make it 11 o'clock, except as to Calendar Wednesday and next Monday.

Mr. FERRIS. Let us have a full day on the unanimous-consent day.

Mr. KITCHIN. There are a great many things on the Unanimous Consent Calendar that we would like to dispose of.

Mr. FERRIS. The Unanimous Consent Calendar is very much congested. Let us have a full day on that day.

The SPEAKER. The Chair is prepared to put the request when the gentleman has decided upon its form.

Mr. KITCHIN. I except next Monday and Calendar Wednesdays.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that hereafter, until further orders, the House shall meet at 11 o'clock a. m. except on next Monday and on Calendar Wednesdays. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5229. An act granting the consent of Congress to the county commissioners of Warren County, Pa., to construct a bridge across the Allegheny River, in the borough of Warren, county of Warren, in the State of Pennsylvania.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes p. m.) the House adjourned until to-morrow, Sunday, April 16, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for the Frankford Arsenal, Philadelphia, Pa. (H. Doc. No. 1029), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. COADY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14340) to furnish all seagoing vessels in the Lighthouse Service and all other seagoing vessels of the Department of Commerce with radio equipment and auxiliary power for the operation thereof, reported the same without amendment, accompanied by a report (No. 551), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 14338) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, reported the same without amendment, accompanied by a report (No. 552), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 1553) granting a pension to Henry F. Baldwin; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8381) granting a pension to Eva E. Schildgen; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9093) granting a pension to Walter L. Jewell; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14574) granting an increase of pension to James J. Scally; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. CHIPERFIELD: A bill (H. R. 14663) to acquire a site for a public building at Lewistown, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. HICKS: A bill (H. R. 14664) to provide for the establishment of aids to navigation to mark the channel of Shelter Island Sound, off Sag Harbor, N. Y.; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL: A bill (H. R. 14665) to construct a national highway from Gainesville, Ga., to Hightower Gap; to the Committee on Military Affairs.

By Mr. MORRISON: A bill (H. R. 14666) providing for the registration of designs; to the Committee on Patents.

By Mr. ALEXANDER: A bill (H. R. 14667) to amend an act to regulate navigation on the Great Lakes and their connecting and tributary waters by allowing certain fog signals to be used by vessels at anchor; to the Committee on the Merchant Marine and Fisheries.

By Mr. DYER: A bill (H. R. 14668) to prohibit exhibition or use of films or pictorial representations calculated to reflect on any race or nationality; to the Committee on Interstate and Foreign Commerce.

By Mr. KEATING: A bill (H. R. 14669) authorizing the acceptance by the United States Government from Pueblo Post, No. 8, Grand Army of the Republic, of a monument located on the grounds of the Federal building in Pueblo, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. CARLIN: A bill (H. R. 14670) for the relief of street railway crossing policemen, and for other purposes; to the Committee on the District of Columbia.

By Mr. ALEXANDER: A bill (H. R. 14671) to provide for the training of officers for the merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. DYER: Resolution (H. Res. 202) to investigate the increased cost of paper; to the Committee on Rules.

By Mr. KITCHIN: Resolution (H. Res. 203) providing for the daily sessions of the House of Representatives and suspending certain standing rules thereof; to the Committee on Rules.

By Mr. RODENBERG: Joint resolution (H. J. Res. 202) laying an embargo on arms, ammunition, and war supplies; to the committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 14672) granting a pension to Mary Ladd; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 14673) granting an increase of pension to Frank A. Boyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14674) granting a pension to Mary Biddle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14675) granting a pension to Hiram Baer; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 14676) granting increase of pension to Frank Thomas; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 14677) granting a pension to Mary A. Heinz; to the Committee on Invalid Pensions.

By Mr. CARLIN (by request): A bill (H. R. 14678) for the adjudication and determination of the claims arising under the joint resolution of July 14, 1870, authorizing the Postmaster General to continue in use in the Postal Service Marcus P. Norton's combined post-marking and stamp-canceling hand-stamp patents, or otherwise; to the Committee on Claims.

By Mr. CARTER of Oklahoma: A bill (H. R. 14679) for the relief of Jacob B. Moore; to the Committee on Indian Affairs.

By Mr. COOPER of Ohio: A bill (H. R. 14680) granting an increase of pension to Isaac Hodgkins; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 14681) granting a pension to Edward Evans; to the Committee on Pensions.

By Mr. DIXON: A bill (H. R. 14682) granting an increase of pension to Charles F. McPherson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14683) granting an increase of pension to Omer E. Huffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14684) granting an increase of pension to John A. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14685) granting an increase of pension to Louisa V. Wortman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14686) granting an increase of pension to Elias White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14687) granting an increase of pension to John T. Bell; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 14688) granting a pension to Daniel O'Brien; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 14689) granting an increase of pension to Catharine Elliott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14690) granting an increase of pension to Emanual L. Price; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 14691) granting an increase of pension to Robert J. Bingaman; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 14692) granting an increase of pension to Darius Emmons; to the Committee on Invalid Pensions.

By Mr. GALLAGHER: A bill (H. R. 14693) granting a pension to Ellen A. Cardenas; to the Committee on Pensions.

By Mr. GARD: A bill (H. R. 14694) granting a pension to Louis A. Rowe; to the Committee on Pensions.

By Mr. HASKELL: A bill (H. R. 14695) for the relief of Mrs. H. O'Neill; to the Committee on Claims.

By Mr. HULL of Tennessee: A bill (H. R. 14696) to correct, on the lineal list of officers of Cavalry, the position of David Livingston Roscoe, now a first lieutenant of Cavalry in the Army of the United States; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 14697) authorizing the President to appoint Clifford W. Sands a second lieutenant in the United States Army; to the Committee on Military Affairs.

By Mr. KEATING: A bill (H. R. 14698) providing for the reimbursement of Manuel A. Sanchez on account of certain expenditures in connection with the last illness of his father, a veteran of the Civil War; to the Committee on War Claims.

Also, a bill (H. R. 14699) granting a pension to Isabel Sandoval; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 14700) granting an increase of pension to James O'Brien; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 14701) granting an increase of pension to Irvin T. Patton; to the Committee on Invalid Pensions.

By Mr. MILLER of Pennsylvania: A bill (H. R. 14702) granting a pension to Caroline Wheeler; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 14703) granting an increase of pension to Sarah A. Prewitt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14704) granting an increase of pension to Sarah E. McIntosh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14705) granting a pension to Sarah A. Brown; to the Committee on Pensions.

Also, a bill (H. R. 14706) granting an increase of pension to David A. Stonebraker; to the Committee on Invalid Pensions.

By Mr. MOSS of Indiana: A bill (H. R. 14707) for the relief of Thornton Jackson; to the Committee on Military Affairs.

By Mr. OAKEY: A bill (H. R. 14708) granting an increase of pension to Leverett W. Stone; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14709) granting a pension to Sarah E. Strickland; to the Committee on Pensions.

By Mr. OLDFIELD: A bill (H. R. 14710) granting an increase of pension to Lee Brand; to the Committee on Invalid Pensions.

By Mr. OVERMYER: A bill (H. R. 14711) granting a pension to Amanda E. Walker; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 14712) granting an increase of pension to James Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14713) granting an increase of pension to Jonathan W. Counts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14714) granting an increase of pension to Gary Hilligas; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 14715) granting an increase of pension to Samuel P. Marlette; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 14716) granting a pension to Ann Dumphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14717) granting an increase of pension to Ann Elizabeth Capner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14718) granting pension increase to Pierson Hendrickson, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14719) granting an increase of pension to Howard Forster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14720) granting an increase of pension to Ann Hoban; to the Committee on Invalid Pensions.

By Mr. SHALLENBERGER: A bill (H. R. 14721) granting a pension to Nancy Snyder; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 14722) granting a pension to John Seidel; to the Committee on Invalid Pensions.

By Mr. STINESS: A bill (H. R. 14723) granting an increase of pension to Mary E. Caswell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14724) granting an increase of pension to Margaret Brayton; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Board of Aldermen of the City of New York, relative to retirement of superannuated employees of the Postal Service; to the Committee on the Post Office and Post Roads.

Also (by request), memorial of Greek-American League, against immigration bill; to the Committee on Immigration and Naturalization.

By Mr. BAILEY: Protest of W. A. Fry, E. C. Osborn, Miss M. Fry, Irvin Osborn, M. A. Swank, K. Lahman, M. L. Douglass, C. E. Reep, J. W. Reep, C. R. Vaughn, L. E. Vaughn, E. Chery, M. L. Vaughn, A. M. Fury, A. B. Cochran, L. E. Miller, P. White, B. Dixon, H. C. Dixon, James M. Bell, V. M. Fry, V. M. Kaiser, S. A. Bell, M. Morgan, Gabriel Seigel, B. M. Wood, J. S. Wood, and C. A. Reep, all of Blair County, Pa., against the passage of House bills 652 and 13778, relating to enforced Sunday observance; to the Committee on the District of Columbia.

Also, protest of Gabriel Seigel, E. C. Osborn, Irvin Osborn, K. Lahma, M. L. Douglass, M. A. Shank, S. B. Vaughn, L. E. Vaughn, E. Chery, M. L. Vaughn, J. M. Fry, C. E. Reep, J. W. Reep, A. B. Cochran, L. E. Miller, P. White, C. C. Dixon, William Seigel, James M. Bell, V. M. Kaiser, V. M. Fry, M. J. Morgan, William A. Fry, S. A. Bell, H. Vaughn, E. Vaughn, M. Vaughn, G. R. Vaughn, H. Hite, F. Hite, W. R. Markel, E. E. Detwiler, Rev. Charles F. Ulrich, and C. M. Veach, all of Blair County, Pa., against the passage of House bills 6468 and 491, denying admission to the mails to certain publications; to the Committee on the Post Office and Post Roads.

Also, petitions of Eureka Grange, No. 607, of Bedford County, and sundry citizens of Johnstown, Pa., opposing passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. BRUMBAUGH: Evidence to accompany House bill 12728, granting an increase of pension to Butler Bond; to the Committee on Pensions.

Also, evidence to accompany House bill 6986, granting a pension to Henry Blankenship; to the Committee on Pensions.

By Mr. BURKE: Petition of 44 citizens of Sheboygan County, Wis., asking for elimination of all provisions for support of sectarian institutions from the Indian bill, etc.; to the Committee on Indian Affairs.

Also, petition of C. Meyer and 15 other citizens of Theresa and 44 citizens of Greenbush, Wis., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. CHARLES: Petition of Automobile Club of Fulton County, N. Y., favoring an export tax on gasoline; to the Committee on Ways and Means.

By Mr. COLEMAN: Petitions of 57 citizens of Turtle Creek, 60 citizens of Allegheny, 60 citizens of Allegheny City, 30 citizens of Allegheny, 24 citizens of Turtle Creek, 28 citizens of Pittsburgh, and 33 citizens of Pittsburgh, favoring national prohibition; to the Committee on the Judiciary.

By Mr. CURRY (by request): Petition of L. E. Davison and others of Lodi, Cal., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also (by request), petition of L. E. Davison and others of Lodi, Cal., against compulsory Sunday observance bill in the District of Columbia; to the Committee on the District of Columbia.

By Mr. DALE of New York: Petition of Charles L. Sicard, of New York, favoring the Chamberlain bill relative to preparedness; to the Committee on Military Affairs.

Also, memorial of Board of Aldermen of New York City, favoring bill to grant indefinite leave to aged employees of the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. DARROW: Memorial of Philadelphia Union, No. 89, National Federation of Post Office Clerks, in behalf of the Tague bill, House bill 7654; to the Committee on the Post Office and Post Roads.

Also, petition of M. E. Murphy and 36 other citizens of Mount Airy and Germantown, Pa., in opposition to bills providing for the sale of Indian reservations or for taking the management of Indian affairs out of the power of the Indian Bureau and Commissioner; to the Committee on Indian Affairs.

Also, petition of Mrs. George Breed and 6 other residents of Germantown, Pa., in opposition to the Hastings bill, House bill 108; to the Committee on Military Affairs.

By Mr. DILL: Petition of Amos H. Matthew and other residents of Colville, Wash., protesting against the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition of Mr. John Schaber and other residents of Colville, Wash., protesting against the passage of House bills 6468, 491, and 652; to the Committee on the Post Office and Post Roads.

Also, petition of Mr. J. C. Caswell and other residents of Newport, Wash., protesting against the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition of Mr. Phil Flett and other residents of Spangle, Wash., protesting against the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition of Mr. C. B. Jancoo and other residents of Wenatchee, Wash., protesting against the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. DILLON: Petition of sundry citizens of South Dakota, against Sunday-observance bill for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of National Wholesale Lumber Dealers' Association, favoring passage of House bill 651, relative to undercharges; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of sundry citizens of Chaseburg, Wis., against passage of House bills 26, 677, 6823, and 6871; to the Committee on Labor.

By Mr. FESS: Memorial of members of Jamestown United Presbyterian congregation, of Greene County, Ohio, relative to a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, petition of sundry citizens of Port William, Ohio, against increase of Army and Navy; to the Committee on Military Affairs.

By Mr. FLYNN: Petition of American Cotton Manufacturers' Association relative to tariff for protection of home industries, etc.; to the Committee on Ways and Means.

Also, petition of Board of Aldermen of New York City, favoring bills relative to leave for aged employees of the Postal Service; to the Committee on the Post Office and Post Roads.

Also, petition of Charles L. Sicard, of New York City, favoring the Chamberlain bill, relative to preparedness; to the Committee on Military Affairs.

By Mr. FULLER: Papers to accompany a bill granting an increase of pension to Darius Emmons; to the Committee on Invalid Pensions.

By Mr. GARRETT: Petition of citizens of Humboldt, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GRIFFIN: Petition of Illinois Publishing Co., against severance of diplomatic relations with Germany; to the Committee on Foreign Affairs.

Also, memorial of Board of Aldermen, of New York City, favoring bill to grant indefinite leave to aged employees of the Postal Service; to the Committee on the Post Office and Post Roads.

Also, petition of the Fifth Avenue Association on National Defense, relative to adequate national defense; to the Committee on Military Affairs.

Also, petition of Philippine Railway Co., against the Clarke amendment relative to severance of relations between the Philippines and the United States; to the Committee on Insular Affairs.

Also, petition of American Woolen Co., relative to more sheep and more wool in United States; to the Committee on Agriculture.

Also, petition of Toledo (Ohio) Scale Co., against passage of House bill 9323; to the Committee on Coinage, Weights, and Measures.

Also, petition of Lumbermen's Engineering Co., of Portland, Oreg., relative to disposition of timbered lands in Oregon and California—railroad land grant; to the Committee on the Public Lands.

Also, petition of Arthur McDonald, Washington, D. C., against United States joining England in European struggle; to the Committee on Foreign Affairs.

By Mr. HILL: Petition of five citizens of Westport, Conn., for prohibition in the Philippine Islands; to the Committee on the Judiciary.

Also, petition of five citizens of Westport, Conn., asking for prohibition of exportation of liquors to Africa; to the Committee on Interstate and Foreign Commerce.

Also, petition of nine citizens of Westport, Conn., in favor of prohibition in Porto Rico; to the Committee on the Judiciary.

Also, petition of nine citizens of Westport, Conn., in favor of prohibition in Hawaii; to the Committee on the Judiciary.

Also, petition of eight citizens of Westport, Conn., for Federal censorship of motion-picture films; to the Committee on Education.

By Mr. JOHNSON of Washington: Petitions of sundry citizens and organizations of the State of Washington, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 19 citizens of Ridgefield and 13 of Puyallup, Wash., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of 25 citizens of Puyallup, Wash., against passage of the compulsory Sunday observance bill in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LOUD: Petition of Eli T. Hunt and 94 others of Fairview, Mich., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. MORIN: Petition of Pennsylvania State Federation of Labor, in favor of House resolution 137; to the Committee on Agriculture.

Also, petition of J. M. Camp, J. Toner Barr, F. H. Parker, J. K. Hurick, Harry Hefflin, A. L. Snyder, Thomas Fleming, jr., G. M. Baker, T. J. Wilkersen, W. A. Phillis, T. W. Spellman, James H. Offitt, P. W. Pone, F. G. Gasche, William P. Flint, Maurice R. Scharff, Arthur Erockett, Edw. J. Dittmar, K. T. Stearns, Charles L. Fox, L. B. Duff, J. L. Klindworth, E. L. Messler, all of Pittsburgh, Pa., in favor of House bill 10845 and Senate bill 3946; to the Committee on Military Affairs.

Also, petition of Lumber Engineering Co., of Portland Oreg., in favor of reexamination of timber in the Oregon & California Railroad land grant; to the Committe on the Public Lands.

Also, petition of Dr. C. U. Jennings and Dr. H. B. Patterson, both of Pittsburgh, Pa., in favor of passage of Chamberlain bill; to the Committee on Military Affairs.

Also, petition of G. W. Speakman, C. L. Summers, G. W. Handley, James S. Dugan, John B. Collins, George Silvins, Jeremiah Duling, Charles F. Boyle, Louis F. Kinley, James R. Connell, Patrick M. Cuniff, John Williams, and William Watkins, all of Pittsburgh, Pa., in favor of House bill 6823; to the Committee on Interstate Commerce.

Also, petition of John S. Garber, superintendent of schools of Philadelphia, Pa., in favor of House bill 11250 and Senate bill 703; to the Committee on Military Affairs.

Also, petition of R. W. Thompson, of Pittsburgh, Pa., in favor of national preparedness of Army and Navy; to the Committee on Military Affairs.

Also, petition of Chamber of Commerce of United States, opposed to Deitrick amendment in appropriation bill; to the Committee on Military Affairs.

Also, petition of India House, of New York City, in favor of national preparedness of Army and Navy to maintain peace and protect commerce; to the Committee on Military Affairs.

Also, petition of Sarah B. Leeds, of West Chester, Pa., in opposition to national military preparedness; to the Committee on Military Affairs.

Also, petition of Shane Bros. & Wilson Co., of Philadelphia, Pa., in favor of House bill 10405; to the Committee on Agriculture.

Also, petition of Felton, Sibley & Co., of Philadelphia, Pa., opposed to Kenyon bill; to the Committee on Manufacturers.

Also, memorial of City Council of Pittsburgh, Pa., in favor of adequate and complete facilities to be provided for mail service in Pittsburgh; to the Committee on the Post Office and Post Roads.

Also, petition of E. C. Griggs, of Pittsburgh, Pa., in favor of improving condition of post-office service and civil-service employees; to the Committee on the Post Office and Post Roads.

Also, petition of M. I. Black, of Wilkinsburg, Pa., in favor of prohibiting export of intoxicants to Africa, use of intoxicants in Porto Rico, and in favor of Federal censorship of motion pictures; to the Committee on the Judiciary.

By Mr. OAKEY (by request): Petition of Methodist Episcopal Church of Hazardville, Conn., favoring Federal censorship of motion pictures; to the Committee on Education.

By Mr. OVERMYER: Petition of A. D. Foote and 26 other merchants of Wood County, Ohio, asking for the passage of House bills 270 and 712, taxing mail-order houses; to the Committee on Ways and Means.

By Mr. PRATT: Petition of Elmira Star-Gazette, of Elmira, N. Y., and the Groton and Lansing Journal, of Groton, N. Y., favoring the passage of House joint resolution 173, directing the Secretary of the Navy to accept the Marjorie Sterrett battleship fund; to the Committee on Naval Affairs.

Also, petition of Neils Creek Grange, No. 345, Mr. C. N. Demorest, of Avoca, N. Y., secretary, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Woman's Foreign Missionary Society of the First Methodist Episcopal Church of Owego, N. Y., favoring the passage of the Gillett bill prohibiting the exportation of intoxicating liquors to Africa; to the Committee on Alcoholic Liquor Traffic.

By Mr. RANDALL: Petition of Harriet C. Wallace and 54 other citizens of Los Angeles, Cal., protesting against the passage of House bill 13048; to the Committee on the District of Columbia.

Also, memorial of Southeastern Tract Society of Los Angeles, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of California Christian Endeavor Union, favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Hattie B. Johnson and 30 other citizens of Los Angeles, Cal., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. ROWE: Petition of E. Horchheimer, of Brooklyn, N. Y., favoring passage of the Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Moran Towing & Transportation Co., of New York City, against passage of House bill 8036, relative to crews on tugboats; to the Committee on the Merchant Marine and Fisheries.

Also, petition of National Light & Power Co., of St. Louis; and Julius Petersen, of Nyack, N. Y., against passage of bills requiring numbering of motor boats; to the Committee on the Merchant Marine and Fisheries.

By Mr. SIMS: Petition of citizens of McNairy County, opposing House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Idaho: Memorial of Hailey Civic Improvement Club, urging the establishment of the proposed Sawtooth National Park, House bill 6799; to the Committee on the Public Lands.

Also, petition of citizens of Coeur d'Alene, Idaho, opposing House bill 652; to the Committee on the District of Columbia.

Also, petition of citizens of Winona and Coeur d'Alene, Idaho, opposing House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. SNYDER: Petitions from the Daughters of the Revolution, the General Herkimer Homestead Association, and others, favoring the establishment of a national park on the Oriskany (N. Y.) battle ground; to the Committee on Military Affairs.

By Mr. STEPHENS of California: Letters from Simon Levi Co., Nathan W. Tarr, Capitol Milling Co., Southern California Music Co., Shattuck & Nimmo Warehouse Co., John Parkinson, and the Rotary Club, all of Los Angeles, Cal., favoring Mount Whitney road, lying within the National Forest Reserve; to the Committee on the Public Lands.

Also, communications from T. W. Price and 40 others of Los Angeles, Cal., favoring the Warren bill; to the Committee on Military Affairs.

Also, petition from B. M. Hall and 116 others, all of Uplands, Cal., favoring the freedom of speech and the press; to the Committee on the Post Office and Post Roads.

Also, communication from Council of Jewish Women and four others of Los Angeles, Cal., protesting against the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, letter from George F. Eberhard Co., San Francisco, Cal., protesting against stamp tax on checks; to the Committee on Ways and Means.

Also, resolutions from the Woman's Christian Temperance Union, Sawtelle, Cal., and from mass meeting, Downey, Cal., favoring national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, letter from Harbor City Post, Grand Army of the Republic, San Pedro, Cal., favoring the widows' pension bill; to the Committee on Invalid Pensions.

Also, letter from San Antonio Chapter, Daughters of the American Revolution, Upland, Cal., favoring adequate protection for the Pacific coast; to the Committee on Military Affairs.

Also, letter from Metal Polishers, Buffers, and Builders' Union, Los Angeles, Cal., favoring House joint resolution 137; to the Committee on Agriculture.

Also, telegram from William Mulholland, president Southern California Association Civil Engineers, favoring the Gard and Pomerene bills; to the Committee on Military Affairs.

Also, letter from Retail Hardware Association of Oakland, Cal., favoring the Stevens-Ayres bill; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Texas: Petition of Jewell Howard and other citizens of Sherman, Potter, and Armstrong Counties, Tex., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TAYLOR of Colorado: Petition of citizens of Hotchkiss, Colo., favoring rural-credit bill; to the Committee on Banking and Currency.

Also, memorial of Summit County Metal Mining Association, of Breckenridge, Colo., against passage of House bill 12276, to create the Denver national park; to the Committee on the Public Lands.

By Mr. WILLIAMS of Ohio: Petitions of Reformed Congregational Church of Akron and 98 people of Akron, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WINSLOW: Petitions of 25 voters of Milford; 23 citizens of Milford; and 57 people of East Douglas, all in the State of Massachusetts, favoring national prohibition; to the Committee on the Judiciary.

DEC 27 1916